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19 CLOSING ARGUMENT

20 MR. CHARLIP: THANK YOU, YOUR HONOR, COUNSEL.

21 WELL, GOOD MORNING, LADIES AND GENTLEMEN. IT'S
22 BEEN A LONG TIME COMING AND I WANT TO FIRST AND FOREMOST
23 THANK YOU VERY MUCH ON BEHALF OF MY CO-COUNSEL, MR. BALTAXE,
24 AND MOST OF ALL ON BEHALF OF MY CLIENT, SERGEANT OSCAR
25 MEJIA.

26 YOUR SERVICE IS VITAL TO THE WORKINGS OF OUR
27 JURY SERVICE AND INDEED IT'S VITAL TO THE FUNCTIONING OF OUR
28 NATION AS A WHOLE. AND THE ATTENTION AND THE TIME THAT YOU

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1 GAVE AND YOUR SACRIFICE IS VERY MUCH APPRECIATED. THE JURY
2 SYSTEM ITSELF IS SOMETHING UNIQUE TO THE UNITED STATES AND
3 IT'S SOMETHING THAT YOU SHOULD REALIZE, THAT WE SHOULD
4 CHERISH, AND IS A VITAL COG TO THE GREAT NATION THAT OUR
5 FOREFATHERS SET UP.

6 THIS CASE ITSELF IS VERY INTERESTING BECAUSE IT
7 REALLY BRINGS INTO FOCUS THE WHOLE BALANCE OF POWER THAT OUR
8 FOREFATHERS WERE CONCERNED ABOUT WHEN THEY FORMED THIS
9 COUNTRY. ONE OF THE MAIN CONCERNS THAT THEY HAD WAS: WE'RE
10 GOING TO SET UP A LEGISLATURE THAT MAKES THE LAWS. WE'RE
11 GOING TO HAVE AN EXECUTIVE BRANCH THAT POLICES THE NATION
12 AND THE LAWS, BUT WE HAVE TO HAVE A CHECK ON THE POLICE
13 POWER OF THE COUNTRY.

14 NO ONE IS ABOVE THE LAW, YET IF OUR POLICE AND
15 THE PEOPLE THAT RUN THIS COUNTRY DO THINGS IN VIOLATION OF
16 THE LAW, THEY YIELD THAT POWER INAPPROPRIATELY, THAT'S BAD;
17 AND WE HAVE TO HAVE SOMETHING THAT'S GOING TO CHECK THEM.

18 AND SO IN THEIR INFINITE WISDOM, THEY CREATED

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19 THE JUDICIARY AND THE JUDICIAL SYSTEM AND THEY REALIZED THAT
20 THE BEST CHECK ON UNRESTRAINED POWER IS THE CITIZENS, FOLKS
21 LIKE YOURSELF, WHO COME FROM EVERY WALK OF LIFE, COME FROM
22 EVERY EXPERIENCE. AND ONE THING THAT YOU SHARE IS COMMON
23 SENSE AND A CARING ABOUT YOUR COMMUNITY. AND THAT'S WHY
24 YOU'RE HERE; AND THAT'S WHY WE'RE GRATEFUL THAT YOU'RE HERE,
25 BECAUSE YOU'RE WELL EQUIPPED TO SOLVE THIS DISPUTE.

26 YOU UNDERSTAND THAT WHAT HAPPENED HERE WAS A
27 SITUATION WHERE POWER IN THE HANDS OF THE MANAGERIAL PEOPLE
28 AT THE POLICE DEPARTMENT WAS WIELDED INAPPROPRIATELY AGAINST

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1 SERGEANT MEJIA.

2 THERE ARE LAWS. THE LAWS SAY THAT YOU'RE
3 ENTITLED TO MAKE CERTAIN GRIEVANCES, TO RAISE CERTAIN
4 EMPLOYMENT ISSUES. THIS IS NOT THE MILITARY. THIS IS --
5 WHILE THE POLICE DEPARTMENT MAY BE A POWER MILITARY
6 ORGANIZATION. THERE'S STILL EMPLOYMENT LAWS. THERE'S STILL
7 RULES. AND THE POLICE, JUST LIKE EVERYONE ELSE, HAS TO
8 FOLLOW THOSE RULES.

9 AND SO THE KEY DISTINCTION HERE, THE KEY FACTS
10 THAT ARE GOING TO COME INTO CONFLICT THAT YOU HEARD WERE THE
11 ISSUES OF CHAIN OF COMMAND. AND THE ISSUE OF BEING ABLE TO
12 HAVE A FORUM, A LEGAL AND PROPER FORUM THROUGH WHICH TO
13 EXERCISE SOMEONE WHO FEELS HE'S BEEN WRONGED, TO EXERCISE
14 HIS RIGHTS. AND THAT'S WHAT HAS COME INTO CONFLICT HERE.

15 OSCAR MEJIA USED THE PROTOCOLS, USED THE LAWS,
16 USED THE FORUMS, AND PURSUED HIS COMPLAINTS UP THE CHAIN.
17 YOU HEARD ABOUT AN INFORMAL GRIEVANCE. YOU HEARD ABOUT A
18 FORMAL GRIEVANCE. YOU HEARD ABOUT GOING TO THE CITY
19 ATTORNEY AND WHEN YOU CAN'T GET PAST THAT, YOU HAVE TO FILE
20 A LAWSUIT; AND THAT'S WHAT HE DID INITIALLY. AND IT WAS

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21 STIPULATED THAT IN AUGUST OF 2002, HE FILED THE LAWSUIT THAT
22 CONTINUED ON WHILE HE WAS WORKING AT THE DEPARTMENT.

23 AND SO WHAT WE HAVE HERE IS A SITUATION WHERE
24 BECAUSE HE FILED THAT LAWSUIT, HE WAS LABELED AS SOMEONE WHO
25 WAS NOT A TEAM PLAYER. HE WAS LABELED AS SOMEONE WHO DIDN'T
26 FOLLOW CHAIN OF COMMAND. HE PROVIDED INFORMATION TO THESE
27 INVESTIGATIONS AND HE WAS GOING OUTSIDE OF THE CHAIN OF
28 COMMAND. ALL OF THIS AMOUNTED TO RETALIATION.

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1 SO IN EACH CASE, SERGEANT MEJIA FOLLOWED HIS
2 RIGHTS, WENT TO THE NEXT LEVEL AND RECEIVED A FAILURE TO
3 ACT. HE WENT TO HIS SUPERVISOR, SUPERVISOR FAILED TO ACT.
4 WENT TO THE CHIEF, CHIEF FAILED TO ACT. WENT TO THE CITY
5 ATTORNEY, CITY ATTORNEY FAILED TO RESOLVE THE DISPUTE, SO HE
6 ENDED UP IN COURT.

7 SERGEANT MEJIA'S NOW COME BEFORE YOU SEEKING A
8 VERDICT FROM YOU. VERDICT IS LATIN, "VER" IN LATIN MEANS TO
9 SPEAK, AND DICT -- SORRY "DICT" IS TO SPEAK -- VER IS THE
10 TRUTH. SO VERDICT MEANS TO SPEAK THE TRUTH. AND WHAT WE'RE
11 HERE BEFORE YOU TODAY AND AFTER THIS TRIAL IS TO SEEK FROM
12 YOU THE TRUTH, THE TRUTH IN THIS CASE.

13 YOU HEARD THE EVIDENCE. YOU'RE GOING TO SEE
14 EVIDENCE THAT'S DOCUMENTARY EVIDENCE THAT'S IN THE RECORD
15 AND YOU WILL SEE SOME OF IT DISPLAYED ON THE SCREEN
16 THROUGHOUT THE TRIAL; AND WE'RE ASKING FOR YOU TO DETERMINE
17 WHAT'S THE TRUTH IN THIS CASE.

18 AND YOU'RE WELL EQUIPPED TO HANDLE THIS TASK.
19 THE JUDGE HAS INSTRUCTED YOU ON THE APPLICABLE LAW AND WE'RE
20 GOING TO REVIEW THAT, AND YOU HAVE HEARD THE FACTS. AND
21 WHAT MY JOB HERE RIGHT NOW IS TO HELP GUIDE YOU THROUGH THE
22 LAW AND APPLY THOSE FACTS TO THE LAW THAT THE JUDGE HAS

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23 INSTRUCTED YOU SO YOU CAN UNDERSTAND HOW EVERYTHING FITS
24 TOGETHER.

25 NOW, WITH RESPECT TO THE ULTIMATE DECISION HERE,
26 WHETHER SERGEANT MEJIA WAS RETALIATED AGAINST. IN OPENING,
27 I GAVE YOU AN OVERVIEW. AND IN OPENING, I DISPLAYED THE
28 FORMS OF THE INGLEWOOD POLICE DEPARTMENT RETALIATION. AND

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1 ESSENTIALLY I TOLD YOU THAT SERGEANT MEJIA WAS RETALIATED
2 AGAINST BECAUSE HE WAS DENIED TRAINING REQUESTS AND WITHHELD
3 NEEDED TRAINING. AND I THINK WE PROVED THAT.

4 I TOLD YOU THAT HE SOUGHT COLLATERAL POSITIONS
5 AND HE WASN'T GIVEN THOSE POSITIONS OR THOSE POSITIONS WERE
6 WITHHELD FROM HIM FOR SOME TIME. THAT HE WAS MARGINALIZED
7 IN TERMS OF HIS DUTIES AND RESPONSIBILITIES. PEOPLE WENT
8 AROUND HIM. HE WAS PUT IN JOBS THAT HE COULDN'T ADVANCE,
9 THAT HE WAS TRANSFERRED, AND HE WAS GIVEN UNDESIRABLE SHIFTS
10 AND ASSIGNMENTS, THAT HE WAS TREATED IN AN UNPROFESSIONAL
11 AND DEROGATORY MANNER, THAT HIS PERFORMANCE WAS NOT FAIRLY
12 EVALUATED. AND THAT HIS SUPERIORS SOUGHT TO SABOTAGE HIS
13 ADVANCEMENT BY REMOVING OR LOSING FAVORABLE COMMENDATIONS OR
14 OTHER DOCUMENTS FROM HIS PERSONNEL FILE OR BY TRYING TO
15 INSTITUTE FRIVOLOUS INTERNAL AFFAIR INVESTIGATIONS.

16 IN ESSENCE, THEY ATTEMPTED TO SET SERGEANT MEJIA
17 UP FOR FAILURE AND THEY ATTEMPTED TO EMBARRASS HIM IN FRONT
18 OF HIS PEERS OR WITH OTHER POLICE DEPARTMENTS. AND THEY
19 ALSO THREATENED TO INTIMIDATE OR THREATEN ANYONE WHO TRIED
20 TO HELP HIM.

21 NOW, WITH RESPECT TO THE JURY INSTRUCTIONS,
22 YOU'RE GOING TO GET CERTAIN INSTRUCTIONS THAT THE COURT HAS
23 READ TO YOU AND I WOULD LIKE TO TALK ABOUT A FEW OF THOSE
24 BRIEFLY WITH YOU.

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25 OKAY. THE FIRST INSTRUCTION IS MORE LIKELY TRUE
26 THAN NOT, NUMBER 200. THE COURT EXPLAINED TO YOU THAT WHEN
27 A PARTY MUST PROVE A FACT, THE PARTY MUST PERSUADE YOU BY
28 THE EVIDENCE PRESENTED IN COURT THAT THE FACT IS MORE LIKELY

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1 TO BE TRUE THAN NOT TRUE. AND WHAT YOU NEED TO DO HERE IS
2 WEIGH THE EVIDENCE. AND IF YOU CANNOT DECIDE WHETHER A FACT
3 IS MORE LIKELY TRUE THAN NOT TRUE, YOU MUST CONCLUDE THE
4 PARTY DID NOT PROVE THAT FACT.

5 SO, WHAT WE'RE TALKING ABOUT IS A GREATER WEIGHT
6 OF THE EVIDENCE AND JUST ABOUT EVERY TRIAL LAWYER THAT TRIES
7 A CIVIL CASE EXPLAINS THAT IT'S NOT BEYOND INTO THE
8 EXCLUSION OF A REASONABLE DOUBT.

9 THINK OF THE SCALES OF JUSTICE. ALL THE
10 PLAINTIFF HAS TO DO IS TIP THE SCALE EVER SO SLIGHTLY MORE
11 LIKELY THAN NOT. AND THAT SHOULD SUFFICE TO PROVE A FACT.
12 THE PLAINTIFF'S BURDEN IS JUST EXACTLY WHAT'S INSTRUCTED
13 HERE.

14 NOW, AS IT RELATES TO THE ULTIMATE MATTER AT
15 ISSUE, YOU'RE GOING TO HAVE TO DETERMINE WHETHER OR NOT THE
16 PEOPLE THAT TESTIFIED WERE TELLING THE TRUTH, WHETHER THEY
17 HAD AN UNDERSTANDING AND A RECOLLECTION OF THE THINGS ABOUT
18 WHICH THEY TESTIFIED, WHETHER THEIR TESTIMONY MADE SENSE,
19 WAS LOGICAL, COMPORTED WITH YOUR EXPERIENCE IN LIFE, OR
20 WHETHER WHAT THEY WERE SAYING TO YOU WAS SOMETHING THAT YOU
21 DIDN'T BUY, THAT DIDN'T SEEM LIKE IT WAS REASONABLE AND
22 PLAUSIBLE.

23 AND THIS INSTRUCTION TALKS ABOUT THAT. YOU CAN
24 CONSIDER HOW WELL DID THE WITNESS, SEE, HEAR OR OTHERWISE
25 SENSE? HOW WELL DID THE WITNESS REMEMBER? HOW DID THE
26 WITNESS ACT? DID THE WITNESS HAVE ANY BIAS OR PREJUDICE OR

27 REASON TO SAY SOMETHING THAT WAS NOT TRUE? OR WAS THE
28 WITNESS' TESTIMONY CONSISTENT? AND IF YOU DECIDE THAT THE

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1 WITNESS WASN'T BEING TRUTHFUL, YOU COULD REJECT ALL OF THEIR
2 TESTIMONY.

3 ONE OF THE INSTRUCTIONS THAT YOU WILL RECEIVE OR
4 THAT YOU HAVE RECEIVED ALREADY IS THAT CONDUCT NEEDS TO BE A
5 SUBSTANTIAL FACTOR IN CAUSING HARM. A SUBSTANTIAL FACTOR IN
6 CAUSING HARM IS A FACTOR THAT A REASONABLE PERSON WOULD
7 CONSIDER TO HAVE CONTRIBUTED TO THE HARM. IT MUST BE MORE
8 THAN A REMOTE OR TRIVIAL FACTOR, BUT IT DOESN'T HAVE TO BE
9 THE ONLY CAUSE OF THE HARM.

10 IN THIS CASE, YOU HEARD SERGEANT MEJIA AND HIS
11 WITNESSES TESTIFY ABOUT WHY HE WAS SUFFERING THE ADVERSE
12 EMPLOYMENT ACTIONS THAT HE TALKED ABOUT. AND IN EVERY CASE,
13 IT HAD TO DO WITH MANAGEMENT AND THE FACT THAT MANAGEMENT
14 WERE CAUSING THESE PROBLEMS FOR HIM.

15 THERE'S NO SOME OTHER ENTITY OUT THERE THAT
16 ANYONE IS POINTING THE FINGER AT, SO THIS INSTRUCTION SHOULD
17 BE RELATIVELY EASY. THE QUESTION IS: DID IT HAPPEN THE WAY
18 SERGEANT MEJIA SAID IT HAPPENED OR WERE SOME OF THESE OTHER
19 REASONS OFFERED BY MANAGEMENT VALID OR BELIEVABLE. AND WE
20 WILL TALK ABOUT THOSE IN DETAIL IN A FEW MOMENTS.

21 OKAY. NOW, THE ISSUE AS IT RELATES TO
22 RETALIATION IS SUMMARIZED IN THIS INSTRUCTION 2505. WHAT
23 YOU'RE GOING TO NEED TO DETERMINE, AND THERE WILL BE A
24 VERDICT FORM THAT ASKS YOU THESE QUESTIONS, IS WHETHER OSCAR
25 MEJIA ESTABLISHED AND PROVED HIS CLAIM OF RETALIATION.

26 TO DO THAT, HE HAS TO PROVE THE FOLLOWING: THAT
27 HE FILED A LAWSUIT AGAINST THE CITY OF INGLEWOOD FOR
28 DISCRIMINATION, HARASSMENT OR RETALIATION, AND THAT, IF YOU

1 RECALL WHEN WE FIRST STARTED THIS CASE, WAS STIPULATED TO.

2 SECOND, THAT THE CITY OF INGLEWOOD ENGAGED IN
3 CONDUCT THAT, TAKEN AS A WHOLE, MATERIALLY AND ADVERSELY,
4 AFFECTED THE TERMS AND CONDITIONS OF OSCAR MEJIA'S
5 EMPLOYMENT. THAT'S WHAT HE TESTIFIED TO.

6 THREE, THAT OSCAR MEJIA'S FILING A LAWSUIT
7 AGAINST THE CITY OF INGLEWOOD FOR DISCRIMINATION, HARASSMENT
8 OR RETALIATION WAS A MOTIVATING REASON FOR THE CITY OF
9 INGLEWOOD'S CONDUCT THAT, TAKEN AS A WHOLE, MATERIALLY AND
10 ADVERSELY, AFFECTED THE TERMS AND CONDITIONS OF HIS
11 EMPLOYMENT. THAT THIS OSCAR MEJIA HARMED, FOUR. AND FIVE,
12 THAT THE CITY OF INGLEWOOD'S CONDUCT WAS A SUBSTANTIAL
13 FACTOR IN CAUSING OSCAR MEJIA'S HARM.

14 AND WE CONTEND THAT THE EVIDENCE IN THIS CASE,
15 IN EVERY RESPECT, SUPPORTS EACH OF THESE COMPONENTS.

16 SO LET'S TALK ABOUT THAT FOR A MOMENT. WHAT YOU
17 HAVE HEARD IN TERMS OF THE EVIDENCE IN THE CASE IS BOTH
18 DIRECT AND CIRCUMSTANTIAL EVIDENCE. WHEN WE TALK ABOUT
19 DIRECT EVIDENCE, WE TALK ABOUT WHAT SOMEONE SAYS DIRECTLY.
20 THEY DID THIS. I SAW IT. THIS IS WHAT THEY SAID.
21 CIRCUMSTANTIAL EVIDENCE IS WHERE YOU HAVE TO PUT SOME FACTS
22 TOGETHER. OKAY.

23 YOU HAVE HEARD A LOT OF CIRCUMSTANTIAL EVIDENCE
24 ABOUT OSCAR MEJIA BEING TREATED DIFFERENTLY. AND IN SOME
25 CASES, THAT CIRCUMSTANTIAL EVIDENCE BEGS THE QUESTION:
26 WELL, WHY WAS HE TREATED DIFFERENTLY? WHY DID OTHER FOLKS
27 GET TO GO ON TRAINING THAT HE WAS NOT ALLOWED? WHY DID
28 SERGEANT KIRK GET TO GO ON TRAINING WITHOUT EVEN DOING A

1 REQUEST FORM IN WRITING AND YET SERGEANT MEJIA HAD TO PUT IT
2 IN WRITING AND MAKE SURE IT WAS SENT UP EXACTLY 30 DAYS
3 BEFORE?

4 OKAY. TO ANSWER THIS WHY QUESTION, IT'S AN
5 IMPORTANT QUESTION TO ANSWER, WE HAVE TO LOOK AT WHAT WAS
6 GOING ON IN THE CASE AND WHAT THE WITNESSES THEMSELVES SAID,
7 BECAUSE DESPITE THE FACT THAT THE DEFENSE WITNESSES WERE
8 TRYING TO MAKE EXCUSES AS TO WHY THEY DID CERTAIN THINGS,
9 LIKE THE LEAKY BOAT, LIKE WATER IN A LEAKY BOAT, THE TRUTH
10 ALWAYS SEEMS TO SEEP OUT.

11 AND YOU'RE GOING TO SEE WHEN I REVIEW THE
12 TESTIMONY THAT, IN MANY RESPECTS, THEY POINTED TO THE
13 3,000-POUND GORILLA IN THE ROOM AS BEING THE LAWSUIT THAT
14 OSCAR MEJIA FILED AND THAT WAS PENDING BETWEEN HIMSELF AND
15 THE CITY OF INGLEWOOD. OKAY. AND THE CODE WORDS THAT
16 YOU'RE GOING TO HEAR FOR THE LAWSUIT IS "FAILED TO FOLLOW
17 CHAIN OF COMMAND." YOU'RE GOING TO HEAR THAT HE WAS NOT A
18 TEAM PLAYER.

19 NOW, THE CITY IS GOING TO ASK YOU TO BELIEVE
20 THAT THESE EXECUTIVES HAD JUST A VAGUE UNDERSTANDING THAT
21 SOME KIND OF LAWSUIT WAS PENDING; OKAY. I THINK YOU NEED TO
22 LOOK STRONGLY AND CAREFULLY AT THAT. THE CITY IS GOING TO
23 ASK YOU TO BELIEVE THAT DESPITE THE FACT THAT THIS LAWSUIT
24 IS PENDING, AND THAT OSCAR MEJIA HAS AN ATTORNEY, THAT THEY
25 JUST CAN'T UNDERSTAND WHY IS THIS GUY COMING TO MEETINGS
26 WITH AN ATTORNEY, I DON'T GET IT. THAT'S WHAT THEY WERE
27 TESTIFYING TO. AND LIKE THAT WAS SOMETHING BAD OR WRONG.

28 YET WHEN WE WOULD ASK THEM: WELL, WHY WERE YOU

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1 UPSET ABOUT THAT? HE HAS THE RIGHT TO DO THAT, DOESN'T HE?
2 WELL, YES. BUT NEVERTHELESS, YOU CRITICIZED HIM FOR IT.
3 THEY CRITICIZED HIM FOR SENDING DOCUMENTS TO THE CITY
4 ATTORNEY WHEN THE CITY ATTORNEY WANTED HIM TO DO THAT. THEY
5 CRITICIZED HIM FOR TAPING MEETINGS WHEN THEY GAVE THEIR
6 PERMISSION WHEN THE ATTORNEY NEEDED THAT INFORMATION TO DEAL
7 WITH THE CITY ATTORNEY ON THIS INVESTIGATION.

8 AND SO YOU HAVE TO LOOK AT WHETHER SERGEANT
9 MEJIA WAS TREATED FAIRLY AND CONSISTENTLY. IN MANY CASES,
10 YOU RECALL SERGEANT -- I'M SORRY, LIEUTENANT SALCEDO'S
11 TESTIMONY WHERE I ASKED HIM: DID YOU TREAT LIEUTENANT --
12 DID YOU TREAT SERGEANT MEJIA FAIRLY AND CONSISTENTLY? HE
13 SAID, "YES. HE" KNEW A LAWSUIT WAS PENDING. HE KNEW THAT
14 THESE WRITE-UPS WOULD BE SCRUTINIZED IN THE LAWSUIT. AND
15 THE LAWSUIT, QUITE FRANKLY, THE TRIAL FOR THE LAWSUIT, QUITE
16 FRANKLY, CAME RIGHT OR WAS EXPECTED TO COME RIGHT AFTER
17 THESE WRITE-UPS WERE BEING DONE FOR SERGEANT MEJIA.

18 SO YOU HAVE TO ASK YOURSELF, YOU DON'T THINK
19 THEY WERE LOOKING FORWARD TO THE LAWSUIT THAT THESE
20 WRITE-UPS WOULD COME INTO EVIDENCE. YOU DON'T THINK THEY
21 WERE TRYING TO SET HIM UP SO THAT THEY COULD ARGUE THAT
22 SERGEANT MEJIA WAS NOT DOING HIS JOB PROPERLY. OF COURSE,
23 THEY WERE.

24 YET, EVEN THOUGH THEY KNEW THAT THAT WAS COMING,
25 WHEN YOU LOOK AT THE WRITE-UPS, THEY DON'T MAKE SENSE. ON
26 ONE HAND THEY SAY SERGEANT MEJIA HAD DRIVE AND ENERGY. ON
27 THE OTHER HAND, THEY SAY HE HAD NO DRIVE OR ENERGY. ON ONE
28 HAND, THEY SAID: WELL, HE DIDN'T COMMUNICATE WITH ME

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1 ENOUGH. ON THE OTHER HAND, SALCEDO SAYS HE DELEGATED UP.
2 MAKE UP YOUR MIND.

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3 LIEUTENANT -- I'M SORRY, CAPTAIN IRVINE
4 COMPLAINS AND SAYS: WELL, YOU KNOW, HE WANTED TO GO TO THIS
5 WEAPONS OF MASS DESTRUCTION TRAINING BUT HE DIDN'T FOLLOW
6 PROTOCOL. HE CALLED AND MADE ALL OF THESE ARRANGEMENTS AND
7 KIND OF PRESENTED IT TO ME AS A FAIT ACCOMPLI. AND SINCE IT
8 WAS THE LAST MINUTE, I HAD TO APPROVE IT. AND THEN WE
9 SHOWED HER THE ORDERS AND HE DID EXACTLY WHAT THE ORDERS
10 SAID HE WAS SUPPOSED TO DO; HE MOST CERTAINLY DID FOLLOW
11 PROTOCOL.

12 THEN SHE SAYS: WELL, HE DIDN'T PROVIDE ME A
13 TRAINING REQUEST, BUT SHE HAD TOLD HIM TO PROVIDE THE
14 INFORMATION TO HER DIRECTLY. AND SHE SAYS: WELL, YOU KNOW,
15 I NEEDED A SYLLABUS. I NEED TO KNOW WHAT THIS IS ALL ABOUT.
16 AND YET, THE EMAILS ARE THERE FROM CAPTAIN SISSAC -- THEN
17 LIEUTENANT SISSAC, THAT THE FLYER WAS ATTACHED AND HE GAVE
18 HER THE FLYER.

19 AND MOST STRANGELY, SHE SAID: WELL, I FELT
20 SERGEANT MEJIA WAS OUT TO GET ME, THAT HE WAS OUT TO SET ME
21 UP. WELL, HOW DOES SERGEANT MEJIA SET YOU UP WHEN YOU CALL
22 A MEETING THAT HE HAS NO KNOWLEDGE OF AND YOU SOMEHOW HAVE
23 PREARRANGED A MEMO AND LIEUTENANT MYLAR SITTING THERE; AND
24 YET YOU THINK HE'S SETTING YOU UP. DOESN'T COMPUTE. IT'S
25 NOT LOGICAL.

26 SO WHEN YOU LOOK AT THE TESTIMONY THAT CAME OUT
27 OF THE DEFENSE WITNESSES AND YOU LOOK AT THE TESTIMONY THAT
28 CAME OUT OF THE PLAINTIFF'S WITNESSES, YOU HAVE TO SAY TO

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1 YOURSELF WHICH MAKES MORE SENSE? WHICH IS MORE LOGICAL?
2 WHICH COMPORTS WITH MY UNDERSTANDING OF HUMAN NATURE AND
3 HUMAN BEHAVIOR?

4 WE HAVE DIRECT TESTIMONY HERE, AND LET'S REVIEW

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5 IT. YOU HEARD OFFICER GALLEGOS TESTIFY -- WELL, LET --
6 BEFORE I GO TO OFFICER GALLEGOS, LET'S TALK ABOUT PERCY
7 ROBERTS, LIEUTENANT ROBERTS.

8 HE TESTIFIED QUITE CURIOUSLY ABOUT SOMETHING
9 THAT WAS VERY EMOTIONAL, AS DID LIEUTENANT SISSAC. THE TWO
10 OF THEM WERE FRIENDS. AND LIEUTENANT SISSAC WENT TO ROBERTS
11 AND TRIED TO KEEP ROBERTS FROM DOING SOMETHING THAT HE FELT
12 WAS -- THAT SISSAC FELT WAS GOING TO HARM HIS CAREER, FROM
13 DOING SOMETHING HE FELT WAS WRONG. AND HE IMploRED ROBERTS
14 "JUST TREAT OSCAR MEJIA FAIRLY;" AND WHAT ROBERTS TESTIFIED
15 TO WAS VERY INTERESTING. AND I BLEW IT UP FOR YOU SO YOU
16 COULD SEE IT.

17 MR. JONES WAS ASKING THE QUESTIONS ON DIRECT.
18 AND HE ASKED: "I WANT TO GO ON TO THE CONVERSATION YOU HAD
19 WITH LIEUTENANT SISSAC. I DON'T KNOW IF I ASKED YOU
20 EARLIER. I THINK YOU INDICATED LIEUTENANT SISSAC WAS A GOOD
21 FRIEND." ROBERTS SAYS "YES." AND TALKS ABOUT HOW HE'S A
22 CAPTAIN AND THEY GO BACK TO THE CONVERSATION. HE SAYS,
23 "DURING THE CONVERSATION, WHAT DID LIEUTENANT SISSAC SAY TO
24 YOU?" HE SAYS, "LIEUTENANT SISSAC WAS UPSET THAT THE
25 TRAINING REQUEST WASN'T APPROVED." HE SAID, "YOU KNOW, HE
26 WAS TRYING TO PROTECT ME FROM ANY CIVIL LAWSUIT AND WE HAD A
27 DISCUSSION. I ADVISED HIM WHY I FELT HE SHOULDN'T ATTEND
28 THIS TRAINING, AND THEN WE TALKED ABOUT IT."

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1 "AND THEN SHORTLY AFTER THAT LIEUTENANT SISSAC
2 CAME TO MY OFFICE AND GAVE ME A MEMO INDICATING HE WANTED TO
3 BE TRANSFERRED FROM BEING MY ADJUTANT AND HE WANTED TO GO
4 BACK TO PATROL. AND I ASKED HIM WHY. HE SAID IT WOULD BE
5 BEST FOR OUR FRIENDSHIP, THAT I WOULDN'T BE ABLE TO TRUST
6 HIM. SO I HONORED HIS MEMO AND THEN HE WAS REASSIGNED TO

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7 PATROL." THAT'S SOME PRETTY HEAVY STUFF. SISSAC REALLY
8 FELT STRONGLY ABOUT THIS.

9 NOW GOING ON, HE WAS ASKED BY MR. JONES:
10 "DURING THAT CONVERSATION, DID LIEUTENANT SISSAC SAY TO YOU
11 HE FELT SERGEANT MEJIA WAS BEING TREATED UNFAIRLY?" AND
12 THERE WAS AN OBJECTION, AND THEN THE QUESTION WAS: "WHAT
13 ELSE -- DO YOU RECALL ANYTHING ELSE THAT HAPPENED DURING
14 THAT CONVERSATION?" AND ROBERTS SAYS HE THOUGHT THAT
15 SERGEANT MEJIA WAS BEING TREATED UNFAIRLY. ROBERTS
16 CONFIRMED ON DIRECT THAT SISSAC TOLD HIM: "HEY, YOU'RE
17 TREATING MEJIA UNFAIRLY."

18 WELL, GO TO CROSS-EXAMINE AND THE STORY CHANGES.
19 I DON'T HAVE THAT BLOWN UP, BUT I WILL READ IT TO YOU. ON
20 CROSS-EXAMINE, HE SAYS: (READING):

21 "SO SISSAC CAME TO YOU AFTER YOU
22 FIRST APPROVED AND THEN DENIED
23 THE TRAINING, AND HE SAID HE
24 WANTED TO TALK TO YOU, CORRECT?
25 "ANSWER: YES. AND THE REASON
26 HE WANTED TO TALK TO YOU WAS
27 BECAUSE HE FELT SERGEANT MEJIA
28 WAS NOT BEING TREATED PROPERLY,

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1 CORRECT?
2 "NO, SIR. NO, SIR.
3 "OKAY. HE DIDN'T TELL YOU THAT
4 HE FELT THAT SERGEANT MEJIA WAS
5 BEING TREATED UNFAIRLY?
6 "ANSWER: WHAT LIEUTENANT SISSAC
7 TOLD ME AT THE TIME, THAT I
8 SHOULD APPROVE THE TRAINING,

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9 THAT HE WAS TRYING TO PROTECT
10 ME, THAT HE DIDN'T WANT ME TO BE
11 INVOLVED IN SOME LAWSUIT; THAT
12 WAS THE CONVERSATION WE HAD
13 ABOUT THE TRAINING.
14 "SO IT'S YOUR TESTIMONY TODAY
15 THAT AT NO POINT IN TIME DURING
16 THAT DISCUSSION, DID LIEUTENANT
17 SISSAC SAY TO YOU THAT SERGEANT
18 MEJIA WAS BEING TREATED UNFAIRLY
19 BY YOUR DENIAL OF HIS TRAINING
20 REQUEST RELATIVE TO THE FIREARMS
21 TRAINING?
22 "ANSWER: NOT THAT I RECALL THAT
23 CONVERSATION." SO THE STORY
24 CHANGES.

25 AND THEN WHEN YOU COMPARE ROBERTS' STORY TO THE
26 STORY YOU HEARD FROM SERRANO, ROBERTS SAYS HE TOLD SERRANO
27 TWICE, COORDINATE WITH MEJIA. HE'S THE TRAINING CAPTAIN.
28 WE HAVE GENERAL ORDERS. THE CHIEF WANTS YOU TO COORDINATE

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1 THE FIRST TIME. THE SECOND TIME, THERE WAS DIRECTIVES FROM
2 THE CITY ATTORNEY AND, YET, YOU HEARD SERRANO SAY: "WELL,
3 HE ONLY TOLD ME TO NOTIFY MEJIA OF WHAT I WAS DOING." AND
4 CERTAINLY MEJIA TESTIFIED HE DIDN'T EVEN GET NOTIFICATION.
5 NOW, IN TERMS OF DIRECT TESTIMONY, YOU HEARD A
6 COUPLE OF THINGS. YOU HEARD SERGEANT MEJIA TALK ABOUT HOW
7 HE WAS REFERRED TO, IN DISCUSSION WITH LIEUTENANT THOMPSON,
8 AS BEING ON THE LEPER COLONY; OKAY. YOU HEARD THAT HE WAS
9 REFERRED TO, AS THROUGH JOE GALLEGOS, AS PULLING A MEJIA,
10 THAT GALLEGOS HAD PULLED A MEJIA.

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11 AND WITH GALLEGOS' TESTIMONY, YOU HEARD ABOUT
12 HOW HE WAS CALLED IN TO TALK TO SERRANO -- LIEUTENANT
13 SERRANO, AND LIEUTENANT SERRANO BASICALLY SAID: HEY, IF YOU
14 WANT TRAINING -- HE SAID, YOU KNOW, GALLEGOS I UNDERSTAND WE
15 BROUGHT YOU IN HERE BECAUSE THERE'S SOME ACCUSATIONS
16 PERTAINING TO OSCAR MEJIA. AND I SAID: OKAY. BUT YOU
17 KNOW, WHAT DOES THAT GOT TO DO WITH US BEING TRAINED? AND
18 SAID: YOU KNOW WHAT, GALLEGOS IF YOU EVER WANT TO GO TO
19 TRAINING, WHY DON'T YOU JUST COME AND ASK ME AND I WILL TAKE
20 CARE OF IT.

21 AND I TOLD HIM: DO YOU KNOW WHAT, SIR, WITH DUE
22 RESPECT, THERE'S A CHAIN OF COMMAND AND I WOULD LIKE TO
23 FOLLOW THAT. AND THAT CHAIN OF COMMAND IS FIRST YOUR
24 SERGEANT, AND NEXT YOUR LIEUTENANT. AND TO THE EXTENT YOU
25 WERE TO GO DIRECTLY TO LIEUTENANT SERRANO, WOULD THAT HAVE
26 REQUIRED YOU TO BYPASS SERGEANT MEJIA? YES.

27 SO WAS LIEUTENANT SERRANO SUGGESTING YOU BYPASS
28 SERGEANT MEJIA? YES, BECAUSE HE TOLD ME DIRECTLY TO COME

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1 STRAIGHT TO HIM IF I NEEDED TO GO TO TRAINING OR TRAINING
2 CLASSES.

3 AND AGAIN, YOU HEARD WITH RESPECT TO THE
4 TESTIMONY OF JOE GALLEGOS WHAT HAPPENED WITH RESPECT TO
5 LIEUTENANT TENBROOK. THAT HE SPECIFICALLY ASKED: PROVIDE
6 INTELLIGENCE ON MEJIA. AND GALLEGOS TESTIFIED: YES,
7 INTELLIGENCE GATHERED BECAUSE OF THE WAY HE CUSSSED AT ME,
8 THE WAY HE YELLED AT ME. HE WANTED ME TO GET INFORMATION
9 REGARDING WHAT HE, REFERRING TO MEJIA, WAS UP TO, WHO HE WAS
10 HANGING OUT WITH, AND WHO HE WAS CALLING, ET CETERA. OKAY.

11 AND YOU HEARD JOE GALLEGOS SAY THAT TENBROOK
12 SAID: "LISTEN, WE RUN THE DEPARTMENT. DON'T CHALLENGE US

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13 OR QUESTION US."

14 AND MOST IMPORTANTLY, YOU HEARD THE DIRECT
15 TESTIMONY FROM A MEMBER OF THE COMMAND STAFF, LIEUTENANT
16 SISSAC, WHO VERY BRAVELY CAME AND TOLD YOU THAT HE TRIED TO
17 STOP THIS, THAT HE FELT THAT SERGEANT MEJIA WAS BEING
18 TREATED UNFAIRLY. AND SPECIFICALLY, SISSAC TESTIFIED THAT
19 WHEN HE FIRST STARTED TRAINING SERGEANT MEJIA, HE SUPERVISED
20 HIM FROM JANUARY '06 THROUGH JUNE '06. AND HE UNDERSTOOD
21 THAT THERE WAS A LIEUTENANT'S PROMOTIONAL PROCESS GOING ON
22 IN '06 AND HE RATED SERGEANT MEJIA. HE RATED HIM SUPERIOR
23 IN LEADERSHIP AND SUPERVISION. THAT HIS FORMER SUBORDINATES
24 COME TO HIM WITH PROBLEMS.

25 AND HE RESPONDS WITH A SOLUTION, A SIGN OF GOOD
26 LEADERSHIP. HE'S ABLE TO COMPLETE ROUTINE ADMINISTRATIVE
27 REPORTS ON TIME AND WITH FEW ERRORS. AND THAT HE WOULD BE
28 HONORED TO HAVE SERGEANT MEJIA ON HIS TEAM TO COMPLETE MY

2730

1 FUTURE PUBLIC SAFETY ASSIGNMENT. SISSAC ALSO SAID THAT HE
2 WAS IMPASSIONED ABOUT THE ETHICAL TREATMENT OF ALL
3 DEPARTMENT MEMBERS, WHICH CAUSES HIM TO BE PERCEIVED AS A
4 LOOSE CANNON AT TIMES. THIS PERCEPTION IS WRONG.

5 SERGEANT MEJIA ONLY DESIRES TO BE A MEMBER OF A
6 HEALTHY POLICE AGENCY. AND IN A NUTSHELL, THAT IS A VERY
7 ACCURATE ASSESSMENT. THE ONLY ACCURATE ASSESSMENT BY ANY
8 COMMAND STAFF MEMBER OF SERGEANT MEJIA.

9 HE FURTHER TESTIFIED THAT HE HAS AN OBLIGATION,
10 AS DO ALL POLICE OFFICERS, TO REPORT UNLAWFUL EMPLOYMENT
11 PRACTICES. AND AS IT RELATED TO SERGEANT MEJIA, HE FELT
12 COMPELLED TO DO THAT AND HE BELIEVED THAT MEJIA WAS SUBJECT
13 TO UNLAWFUL EMPLOYMENT PRACTICES.

14 HE SAYS: ON ONE OCCASION, I HAD A DISCUSSION

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15 WITH CAPTAIN ROBERTS REGARDING THE PATTERN AND PRACTICE THAT
16 WE WERE DEALING WITH SERGEANT MEJIA; AND I FELT THAT PATTERN
17 OF PRACTICE WAS INAPPROPRIATE AND ILLEGAL. I BROUGHT THIS
18 TO CAPTAIN ROBERT'S ATTENTION; AND AFTER A LONG
19 CONVERSATION, IT TURNED INTO AN ARGUMENT. I FELT STRONGLY
20 ABOUT WHAT I OBSERVED AND WOULD NOT CONFORM TO WHAT THEIR
21 PRACTICES WERE.

22 AT THE CONCLUSION OF THE ARGUMENT, I WENT TO MY
23 OFFICE AND BEGAN TO AUTHOR A DOCUMENT WITH SOME OF THE SAME
24 LANGUAGE IN IT. CAPTAIN ROBERTS CAME INTO MY OFFICE, SAW
25 THE DOCUMENT, BECAUSE OF THE WAY MY COMPUTER WAS SITUATED
26 AND SHORTLY THEREAFTER, I WAS REMOVED, I WAS REMOVED FROM
27 THE ADMINISTRATIVE SERVICE BUREAU AND WENT BACK TO PATROL.

28 AT THE TIME OF MY PERFORMANCE, YOU HAVE TO

2731

1 UNDERSTAND THAT BEING TAKEN OUT OF PATROL AT OUR POLICE
2 DEPARTMENT IS SOMEWHAT OF A PROMOTION. TO BE PLACED BACK
3 INTO PATROL IS A DEMOTION.

4 NOW, THE DEFENSE, BEFORE I GO ON, WANTS YOU AND
5 HAS TRIED TO GO TO ALL KINDS OF DETAIL ABOUT HOW GOING TO
6 PATROL IS THIS WONDERFUL THING AND YOU GET TO WEAR A UNIFORM
7 AND IT'S NOT A DEMOTION. AND THAT IF YOU'RE DETECTIVE AND
8 YOU GO TO PATROL, IT'S ROUTINE AND IT'S OKAY.

9 I DON'T KNOW IF YOU SEEN THE "RUSH HOUR" MOVIE
10 WITH JACKIE CHAN AND HIS SIDEKICK CHRIS, I FORGET HIS LAST
11 NAME NOW, BUT IN ANY EVENT, IN THAT MOVIE, AND MANY OTHER
12 MOVIES, THERE'S THE PROTOTYPICAL SCENE OF THE DETECTIVE WHO
13 FALLS INTO DISFAVOR WITH THE CHIEF AND THE SCENE STARTS WITH
14 THE DETECTIVE BEING IN THE OFFICE AND GETTING CALLED ON THE
15 CARPET BY THE CHIEF. AND YOU KNOW THAT THE VERY NEXT SCENE
16 THAT YOU'RE GOING TO SEE IS THAT DETECTIVE WEARING A

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17 UNIFORM, EITHER WRITING UP PARKING TICKETS OR STANDING,
18 DIRECTING TRAFFIC TICKETS IN THE STREET. OKAY. YOU ALL
19 KNOW THAT. SO FOR THEM TO SAY: OH, IT'S OKAY TO BE SENT TO
20 PATROL, DOESN'T WASH.

21 ANYWAY, BACK TO SISSAC. HE SAYS: AT THE TIME,
22 MY PERFORMANCE WAS EXCEPTIONAL. I WAS RECEIVING PRAISES
23 FROM ALL OF THE CAPTAINS, INCLUDING THE CHIEF AT THE TIME,
24 AND THEN ALL OF A SUDDEN I WAS REMOVED BACK; THIS IS THE
25 M.O., THIS IS THE WAY THEY OPERATE. HE TESTIFIES: I DID
26 APOLOGIZE TO CAPTAIN ROBERTS FOR THE ARGUMENT AND UNDERSTOOD
27 MY POSITION WAS NOT TO FORCE HIM INTO ANY PARTICULAR ACTION;
28 BUT CAPTAIN ROBERTS AND I WERE FRIENDS, AND MY EMOTION AND

2732

1 MY PASSION WAS MORE ALONG THE LINES OF OUR FRIENDSHIP IN
2 TRYING TO PROTECT HIM FROM SOMETHING THAT I FORESAW AS
3 POTENTIALLY A NEGATIVE IMPACT ON HIS CAREER.

4 OKAY. HE GOES ON TO SAY -- QUESTION WAS ASKED:
5 "SO WHAT WAS IT YOU WITNESSED THAT THEY WERE
6 DOING OR TRYING TO DO TO SERGEANT MEJIA THAT YOU FELT
7 COMPELLED TO PUT A WRITTEN MEMO ABOUT?"

8 HE SAYS, "THERE WERE SEVERAL ISSUES FOR ME TO
9 ELABORATE ON NOW. NOW I MAY START TO RAMBLE."

10 HE SAYS: "OKAY. THERE WAS ONE PARTICULAR
11 COMMAND STAFF MEETING WHERE WE WERE DISCUSSING SERGEANT
12 MEJIA AND ONE OF THE CAPTAINS BLUNTLY SAID: 'I JUST DON'T
13 LIKE HIM, AND THAT'S WHY WE'RE NOT GOING TO SEND HIM
14 DIFFERENT PLACES.'

15 AT THAT PARTICULAR MOMENT. I OBJECTED. I
16 REMEMBER IT. I REMEMBER IT VERY CLEARLY BECAUSE IT WAS A
17 DAY WE WERE CELEBRATING OUR MEDAL OF VALOR, WHERE ONE OF OUR
18 SERGEANTS WAS TO RECEIVE A MEDAL OF VALOR FOR SAVING A

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19 WOMAN'S LIFE, WHEN HER SON TRIED TO STAB HER IN THE BACK, IN
20 THE NECK."

21 AND HE GOES ON TO SAY: "I OBJECTED TO THE FACT
22 THAT THEY WERE DISCUSSING SERGEANT MEJIA'S ABILITY TO GO TO
23 TRAINING BASED ON A PERSONAL DISLIKE OF HIS PERSONALITY AND
24 THE REASONS HAD NO MERIT. IF HIS PERFORMANCE WAS
25 SUBSTANDARD OR IF THE DEPARTMENT COULD NOT AFFORD FOR HIM TO
26 GO OR IF THERE WAS SOME TYPE OF VALID REASON, THEN I WOULD
27 HAVE BEEN QUIET." THAT'S ONE EXAMPLE.

28 AND HE WAS ASKED ABOUT WHETHER HE WAS AWARE THAT

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1 SERGEANT MEJIA WAS SUING THE DEPARTMENT. AND HE GOES ON TO
2 SAY: "I PROBABLY DID KNOW HE WAS SUING THE DEPARTMENT AT
3 THAT TIME, NOW THAT I THINK ABOUT IT. AND THAT WAS PROBABLY
4 ONE OF MY REASONS FOR SAYING: 'IF YOU SIMPLY TREATED HIM
5 FAIRLY AND GAVE HIM AN HONEST SHOT, THE LAWSUIT WOULD GO
6 AWAY.'"

7 I THINK THAT WAS ONE OF MY ARGUMENTS TO COMMAND
8 STAFF, TO LET THEM KNOW THAT FAIR TREATMENT WOULD TAKE AWAY
9 ANY ARGUMENT HE WOULD LAUNCH AGAINST THE CITY.

10 SO YOU HAVE HEARD THAT TESTIMONY.

11 NOW, AGAIN, ONE OF THE THINGS THAT WE TALK ABOUT
12 HERE IS WHY -- WHY IS THE CITY TREATING SERGEANT MEJIA THIS
13 WAY? AND SOME OF THE THINGS THAT YOU WILL SEE WHEN YOU LOOK
14 AT THE DOCUMENTS, AND IT'S MOST VIVIDLY ILLUSTRATED, I THINK
15 WHEN YOU LOOK AT THE LIEUTENANT'S PROMOTIONAL PROCESS, IS
16 THE EVALUATIONS OF SERGEANT MEJIA. BECAUSE IN REALITY,
17 THAT'S A MICROCOSM, A SUMMARY, IF YOU WILL, OF WHAT WAS
18 HAPPENING TO SERGEANT MEJIA IN HIS JOB AND IN THIS CASE.

19 WHAT THEY ARE SAYING WITH THESE EVALUATIONS --
20 AND IF YOU REMEMBER THE EVALUATIONS WERE DONE BY CAPTAIN

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21 CANTRELL. THEY WERE DONE BY CAPTAIN IRVINE, AND THEY WERE
22 DONE BY CAPTAIN ROBERTS.

23 NOW, ONE OF THE THINGS THE DEFENSE WANTS YOU TO
24 BELIEVE AND THEY TESTIFIED, WAS THE SCORING WAS ALL
25 INDIVIDUAL. THEY DIDN'T GET TOGETHER AND COOK THE SCORES SO
26 THEY COULD TRY TO GET ONE GUY PROMOTED OR ONE LADY PROMOTED
27 OVER ANOTHER.

28 WELL, THAT JUST DOESN'T SQUARE WITH COMMON

2734

1 SENSE, BECAUSE THE THREE LOWEST SCORES THAT SERGEANT MEJIA
2 RECEIVED WERE EXACTLY THE SAME AMONGST EACH THREE OF THE
3 RATERS. AND THEY ADMITTED THAT THEY TALKED TO EACH OTHER
4 ABOUT ALL OF THE CANDIDATES.

5 INTERESTINGLY ENOUGH, IN CAPTAIN CANTRELL'S
6 COMMENTS REGARDING DECISION-MAKING, HE SAYS: "TENDS TO
7 ALLOW PERSONAL FEELINGS TO UNDERMINE HIS ABILITY TO FOLLOW
8 ORGANIZATIONAL PROTOCOLS CONSISTENTLY CHAIN OF COMMAND;"
9 AGAIN, WHAT'S THAT SHORT FOR? HE SUED THE CITY. HE'S NOT
10 PLAYING BALL. WE GIVE HIM AN ORDER, AND IF HE FEELS LEGALLY
11 HE'S BEING DISCRIMINATED AGAINST, HE'S EXERCISING HIS
12 RIGHTS. WE DON'T LIKE THAT.

13 CANTRELL GOES ON TO SAY IN THIS: HE HAS PERIODS
14 WHEN HE'S OPENLY HOSTILE TO ORGANIZATION AND LEADERSHIP, HAS
15 MIXED PERSONAL AGENDAS WITH PROFESSIONAL OBLIGATIONS. WE
16 HAVE HEARD A LOT ABOUT PERSONAL AGENDAS. WHERE IS THE
17 PERSONAL AGENDA THAT SERGEANT MEJIA HAS EXHIBITED?

18 THAT WORD HAS BEEN -- THOSE WORDS HAVE BEEN
19 BANDIED ABOUT A LOT. WHAT WAS HE TRYING TO DO PERSONALLY,
20 ADVANCE HIS CAREER? IS THERE SOMETHING WRONG WITH THAT?
21 WAS HE TRYING TO MAKE THE POLICE FORCE BETTER? WAS HE
22 TRYING TO DO THINGS THAT WOULD INSURE HIS SAFETY? WAS HE

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23 TRYING TO BE A GOOD OFFICER? WHERE IS THE PERSONAL AGENDA?
24 I DON'T KNOW.
25 THEN YOU HAVE CAPTAIN IRVINE, WHAT DOES SHE SAY?
26 SHE SAYS: "ADMINISTRATIVELY COMPLETES ABOVE AVERAGE WORK.
27 DOES NOT COMMUNICATE ADEQUATELY IN THAT HE STRUGGLES WITH
28 CHAIN OF COMMAND." AGAIN, THE CODE WORDS DIRECTLY BYPASSES

2735

1 CHAIN REGULARLY, KEEPS -- I CAN'T READ THAT TO HIMSELF.
2 SO AGAIN, THE SAME THING INTERESTINGLY, SHE'S
3 COMING TO THAT CONCLUSION THEORETICALLY, INDEPENDENTLY ON
4 HER OWN. YET IT'S THE SAME CONCLUSION THAT CAPTAIN
5 CANTRELL -- AGAIN, LOOK AT THE WORDS; ALMOST EXACTLY THE
6 SAME: "OPENLY AND INAPPROPRIATELY CRITICIZES ORGANIZATION
7 AND PROCEDURES TO FURTHER HIS AGENDA."
8 NOW, WHAT WAS GOING ON AT THIS TIME, AUGUST OF
9 '06, HE'S INVOLVED IN AN INVESTIGATION WITH THE CITY
10 ATTORNEYS, PROVIDING INFORMATION. HIS ATTORNEY IS PROVIDING
11 INFORMATION, AND THEY DON'T LIKE THAT. HE'S INVOLVED IN
12 THIS LAWSUIT, NOT FULLY SUPPORTIVE OF DEPARTMENT'S GOALS.
13 AGAIN, THEY HAVE YET TO SAY WHAT GOALS HE WASN'T SUPPORTING.
14 OKAY.
15 THEY CRITICIZED HIM FOR BEING UNAVAILABLE TO HIS
16 SUBORDINATES; YET, HERE, SHE SAYS HE'S AVAILABLE TO
17 SUBORDINATES, SENSITIVE TO PEOPLE ON HIS TEAM. AND THEN,
18 ROBERTS, WHAT DOES ROBERTS SAY? ROBERTS SAYS, AGAIN, OSCAR
19 HAS BEEN ADVISED ON SEVERAL OCCASIONS CHAIN OF COMMAND
20 ISSUES, SAME WORDS.
21 AND THEN WHEN WE GET TO COMMITMENT, CANDIDATE
22 OPENLY CRITICIZE THE ORGANIZATION, ITS PROCEDURE, POLICIES,
23 ET CETERA. I THINK YOU GET THE POINT. OKAY.
24 SO LET'S TALK ABOUT WHAT HAPPENED IN THIS

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25 PROMOTIONAL PROCESS FOR A MINUTE. YOU HEARD KEN JONES TALK
26 ABOUT THE FACT THAT IT'S A THREE-PART PROCESS. WE HAVE THE
27 WRITTEN AND THE ORAL AND THE IN-HOUSE RATING. OKAY. WELL,
28 WHAT KEN -- AND MR. JONES BASICALLY TOLD YOU THAT THE

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1 EMPLOYMENT ELIGIBLE LIST, WHICH WAS -- I'M GOING DISPLAY
2 HERE -- HAD 12 FOLKS THAT ACTUALLY PASSED.

3 NOW, HE TRIED TO DEMONSTRATE THAT THIS
4 DEPARTMENTAL RATING WOULDN'T REALLY MAKE A DIFFERENCE,
5 BECAUSE EVEN IF THERE WAS 33 AND A THIRD ASSIGNED TO OSCAR
6 MEJIA, THE MOST HE COULD POSSIBLY GET, HE WOULDN'T REALLY
7 MOVE UP VERY MUCH. BUT TO THE EXTENT THAT YOU WERE TO GIVE
8 OSCAR MEJIA 33 AND A THIRD AND GIVE THE OTHER FOLKS A LOWER
9 RATING, LET'S SAY TEN POINTS LESS, THE ANALYSIS WOULD BE
10 TOTALLY DIFFERENT.

11 THERE, WHAT YOU WOULD HAVE -- AND WHAT I DID
12 HERE, WAS TO TAKE THE WRITTEN SCORES AND THE ORAL SCORES AND
13 LEAVE THEM THE SAME, BUT CHANGE THE DEPARTMENTAL AND GIVE
14 OSCAR THE SAME 33.33 THAT KEN JONES SUGGESTED, AND THEN GIVE
15 EVERYONE ELSE TEN POINTS LESS; AND I'M NOT TRYING TO SUGGEST
16 THAT THAT'S A FAIR RATING. I'M NOT TRYING TO SUGGEST THAT
17 THAT'S WHAT SHOULD HAVE HAPPENED. I JUST WANT YOU TO
18 UNDERSTAND HOW WHEN PEOPLE SIT TOGETHER, COMPARE SCORES, THE
19 RESULTS CAN BE MANIPULATED.

20 BECAUSE IF THAT WERE DONE, NOW WE HAVE OSCAR
21 GOING FROM NINTH TO THIRD. AND SO THESE DEPARTMENTAL
22 RATINGS WERE VERY CRITICAL IN BEING ABLE TO ALLOW THE
23 COMMAND STAFF TO MANIPULATE THE RESULTS. WE'RE GOING TO
24 PROMOTE WHO WE WANT TO PROMOTE. WE'RE GOING TO PROMOTE THE
25 FOLKS THAT PLAY BALL WITH US. WE'RE GOING TO PROMOTE THE
26 FOLKS THAT DON'T EXERCISE THEIR RIGHTS. WE'RE NOT GOING TO

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27 PROMOTE OSCAR MEJIA THAT'S SUING US, NO.

28 FINALLY, AS FAR AS DETERMINING LIABILITY HERE,

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1 THE DEFENSE IS GOING TO ASK YOU TO ACCEPT THAT CERTAIN
2 THINGS HAPPENED COINCIDENTALLY. THESE SCORES MATCHED,
3 COINCIDENTALLY; THAT THE DEPARTMENT CHANGED ITS TRAINING
4 POLICIES AFTER SERGEANT MEJIA LEFT TRAINING, COINCIDENTALLY;
5 THAT THE NARCOTICS TEAM WAS REDUCED AFTER SERGEANT MEJIA
6 TOOK OVER, COINCIDENTALLY; THAT THE SHOTGUN TRAINING I.A.
7 WAS GENERATED THE DAY BEFORE THE COMMAND DEPARTMENTAL
8 EVALUATIONS, COINCIDENTALLY.

9 I THINK YOU COULD USE YOUR LIFE EXPERIENCES AND
10 COMMON SENSE TO SEE THAT THINGS DON'T HAPPEN COINCIDENTALLY.
11 THE DEPARTMENT CAN'T EVEN GRANT SERGEANT MEJIA HIS DUE.
12 HE'S HAD RECORD SEIZURES. HE'S HAD TONS OF COMMENDATIONS;
13 AND YET THEY LOOK TO Demean HIS ACCOMPLISHMENTS, AND YOU
14 WILL SEE THE COMMENDATIONS.

15 IT'S INTERESTING THAT CHIEF SEABROOKS SAYS:
16 "WELL, WE DON'T KNOW IF THEY WERE RECORD SEIZURES; I WASN'T
17 AROUND 100 YEARS AGO." I MEAN COME ON, YOU HEARD THE
18 TESTIMONY SAYING THAT SERGEANT MEJIA WAS AN EXCELLENT
19 INVESTIGATOR, THAT SERGEANT MEJIA ADVANCED TO THE DETECTIVE
20 BUREAU, THE NARCOTICS BUREAU IN HIS WORK.

21 AND YET YOU'RE FACED WITH THE DICHOTOMY OF
22 HAVING SOMEONE WHO IS DOING A RECORD JOB, WHO IS BEING
23 COMMENDED BY THE STATE SENATE, BY THE COUNCILMAN, BY THE
24 JUSTICE DEPARTMENT, BY THE COMMUNITY ORGANIZATIONS, OFFICER
25 OF THE YEAR FROM THE NATIONAL LATINO PEACE OFFICERS
26 ASSOCIATION. AND YET HE'S DOING SUBSTANDARD WORK, ACCORDING
27 TO SERRANO AND SALCEDO AND COMMAND STAFF. DOESN'T MAKE
28 SENSE.

1 WHAT WE HAVE HERE IS A CLASSIC CASE OF
2 RETALIATION. THIS HAS BEEN A LONG HARD FIGHT FOR SERGEANT
3 MEJIA. OKAY. YOU HEARD HE FILED A SUIT IN 2002 AND THIS
4 CASE HAS BEEN GOING ON FOR A LONG TIME. IT'S TIME TO
5 BALANCE THE SCALES.

6 YOU KNOW THERE'S AN EBB AND FLOW TO LIFE. IT'S
7 REMINISCENT OF THE STORY ABOUT THE PHARAOH AND JOSEPH. THE
8 PHARAOH CALLS JOSEPH IN AND HE SAYS: I HAD THIS TERRIBLE
9 DREAM. I NEED YOU TO INTERPRET IT. AND HE SAYS: I SAW IN
10 MY DREAM A VERY HEALTHY COW, A FAT COW, AND THEN A VERY BAD
11 COW, SICKLY COW, AND VERY HEALTHY GRAIN AND THEN VERY
12 WITHERED SICK GRAIN. AND JOSEPH SAID: WELL, WHAT THAT
13 MEANS IS THAT YOU'RE GOING TO HAVE SEVEN GOOD YEARS OF
14 ABUNDANCE AND THEN SEVEN BAD YEARS OF FATHOM; AND THEN SEVEN
15 GOOD YEARS OF ABUNDANCE AGAIN, AND SEVEN BAD YEARS.

16 WELL, SERGEANT MEJIA HAS HAD SEVEN AND A HALF
17 YEARS OF FATHOM. SEVEN AND A HALF YEARS WHERE HE'S ON THE
18 LEPER COLONY. SEVEN AND A HALF YEARS WHERE HE'S HAD A
19 TARGET ON HIS BACK, WHERE HE'S HAD TO STRUGGLE AND FIGHT
20 JUST TO DO HIS JOB TO SERVE THOSE IN HIS COMMUNITY.

21 WHEN IS IT GOING TO BE HIS TIME TO HAVE SEVEN
22 AND A HALF YEARS OF ABUNDANCE? WHO WILL GIVE HIM THAT
23 RIGHT? HE WENT UP THE CHAIN. HE'S HERE. YOU'RE THE ONLY
24 ONES THAT CAN RIGHT THESE WRONGS. YOU'RE THE ONLY ONES THAT
25 CAN BALANCE THE SCALES AND MAKE THIS RIGHT FOR SERGEANT
26 MEJIA. YOU'RE THE ONLY ONES THAT CAN CALL A CITY -- THE
27 CITY OF INGLEWOOD TO ACCOUNT, TO TELL THE CITY OF INGLEWOOD,
28 YOU ARE NOT ABOVE THE LAW, THAT YOU COMMAND STAFF, THE

1 INGLEWOOD POLICE DEPARTMENT, MUST FOLLOW THE LAW THE SAME
2 WAY EVERYONE ELSE MUST. AND IF YOU DON'T, AND YOU HAVEN'T
3 IN THIS CASE, THEN YOU HAVE TO MAKE IT RIGHT BY SERGEANT
4 MEJIA.

5 AND WE ASK YOU BY YOUR VERDICT TO DO THAT.

6 NOW, WE DON'T LIVE IN A PERFECT WORLD. AND IF
7 WE DID, WE WOULD ASK FOR PERFECT JUSTICE. WE WOULD ASK FOR
8 YOU TO TAKE US BACK IN TIME AND TO MAKE THIS RIGHT, TO MAKE
9 THE THINGS IN THE INJUSTICES THAT SERGEANT MEJIA SUFFERED GO
10 AWAY. WE CAN'T DO THAT.

11 THE ONLY THING WE COULD DO IS ASK YOU TO SPEAK
12 BY AWARDING DAMAGES. THEY'RE NOT SUFFICIENT. THEY DON'T
13 MAKE THE PROBLEMS GO AWAY, THAT'S OUR SYSTEM. I CAN'T
14 APOLOGIZE FOR IT. I CAN ONLY ASK YOU TO UNDERSTAND IT.

15 SERGEANT MEJIA IS NOT HERE TO SEEK DAMAGES.
16 HE'S HERE TO SEEK VINDICATION; BUT PART OF THAT VINDICATION
17 INVOLVES A RIGHTING OF THE SCALES AND THE PAYMENT OF
18 DAMAGES. YOU'RE TO HERE -- WELL, YOU HEARD THAT SERGEANT
19 MEJIA LOST INCOME, \$25,000 A YEAR, HAD HE BEEN PROMOTED TO
20 LIEUTENANT. YOU SAW THE LIST OF THE PROMOTIONAL LIST AND
21 THAT LIST WAS FROM 2006 TO 2000 -- AUGUST 9TH, 2006 TO
22 FEBRUARY 10TH, 2008.

23 SO HAD HE BEEN PROMOTED TO LIEUTENANT IN 2006,
24 HE WOULD HAVE BEEN ENTITLED TO APPROXIMATELY 25,000 A YEAR,
25 \$75,000 FOR THREE YEARS. IF HE WAS PROMOTED -- I'M SORRY,
26 IN 2007. IF HE WAS PROMOTED IN 2006, IT WOULD BE FOUR YEARS
27 FOR \$100,000. THAT WOULD BE HIS PAST DAMAGES ECONOMIC.
28 THOSE ARE COMPUTABLE.

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1 NOW, NONECONOMIC DAMAGES, YOU HEARD THE COURT
2 INSTRUCT YOU ARE NOT CAPABLE OF MATHEMATICAL CALCULATION.
3 AND WE TALKED ABOUT THIS -- I THINK MR. BALTAXE TALKED A
4 LITTLE IN HIS VOIR DIRE. THE COURT INSTRUCTED YOU THAT
5 THOSE CAN INCLUDE MENTAL SUFFERING, INCONVENIENCE, GRIEF,
6 ANXIETY, HUMILIATION, EMOTIONAL DISTRESS. AND YOU HEARD
7 SERGEANT MEJIA TESTIFY HOW DIFFICULT THIS HAS BEEN FOR HIM.

8 WE HEARD HIS WIFE TESTIFY HOW DIFFICULT IT'S
9 BEEN FOR HIM. YOU HEARD OFFICER GALLEGOS, HIS FRIEND,
10 TESTIFY THAT HE WOULD HAVE TO COUNSEL MEJIA WHO WAS CRYING
11 TO HIM AT TIMES. EMOTIONAL DISTRESS CAN BE VERY DIFFICULT.
12 AND YOU HEARD THAT TESTIMONY, AND I WOULD ASK THAT YOU
13 EVALUATE IT FAIRLY.

14 FOR A POLICE OFFICER WHO HAS SERVED AS SERGEANT
15 MEJIA HAS, IT'S VERY DIFFICULT TO BEAR YOUR SOLE TO COMPLETE
16 STRANGERS ON THE WITNESS STAND; YET I THINK YOU SAW THE
17 EXTENT TO WHICH THIS HAS TROUBLED HIM. AND MOST CERTAINLY
18 WHEN YOU LOOK AT THE MEMOS, YOU CAN SEE AND SENSE HIS
19 FRUSTRATION. IT'S THERE. IT'S PALPABLE. IT'S IN WRITING.

20 YOU HEARD THE WITNESSES, THE DEFENSE WITNESSES
21 TALK ABOUT HOW FRUSTRATED AND UPSET SERGEANT MEJIA WAS. YOU
22 NEED TO TAKE THAT INTO ACCOUNT AS WELL.

23 NOW, NONECONOMIC DAMAGES, THE COURT INSTRUCTED
24 YOU, BOTH APPLIED IN THE PAST AS WELL AS IN THE FUTURE. SO
25 IN THE PAST, WE HAVE SEVEN AND A HALF YEARS, SINCE '02 THAT
26 WE'RE LOOKING AT, AND IN THE FUTURE SERGEANT MEJIA'S DATE OF
27 BIRTH IS JULY 20TH, 1955, HE'S 54-YEARS OLD. IF HE RETIRES
28 AT 63, YOU HAVE ANOTHER NINE YEARS OF WORK.

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1 SO YOU NEED TO DETERMINE SEPARATELY WHAT'S THE
2 PAST. IF YOU FIND THAT SERGEANT MEJIA HAS PROVEN HIS CASE

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3 AND SATISFIED THE ELEMENTS THAT WE TALKED ABOUT IN THE JURY
4 INSTRUCTIONS ON LIABILITY, YOU NEED TO DETERMINE DAMAGES.
5 AND SO AS I SAID, WE HAVE ECONOMIC, WHICH IS PAST LOSS
6 INCOME; AND THEN WE HAVE NONECONOMIC, WHICH WOULD BE PAST
7 NONECONOMIC DAMAGES; AND THEN FUTURE NONECONOMIC DAMAGES.
8 THOSE AMOUNTS ARE ENTIRELY DISCRETIONARY.

9 I COULD SUGGEST NUMBERS TO YOU, BUT THEY WOULD
10 BE JUST SUGGESTIONS. AND OFFICER -- SERGEANT MEJIA IS HERE
11 TO JUST HAVE YOU LOOK AT HIM IN THE EYE AND SAY: WE DID YOU
12 JUSTICE AND BE SATISFIED WITH WHATEVER AMOUNT YOU GIVE HIM.

13 FOR ILLUSTRATION PURPOSES, HOWEVER, JUST SO YOU
14 UNDERSTAND WHAT WE WOULD WANT YOU TO DO, AND WE HAVE A
15 VERDICT FORM SO I COULD EXPLAIN IT TO YOU, IS TO FILL IN THE
16 AMOUNTS ON THE VERDICT FORM WITH THE AMOUNT THAT YOU FEEL IS
17 APPROPRIATE FOR EACH OF THE CATEGORIES.

18 SO, FOR EXAMPLE, IF YOU WERE TO TAKE THE SAME
19 FIGURE OF \$25,000, THE SAME FIGURE OF \$25,000, THAT'S LOST
20 INCOME, AND APPLY IT FOR THE -- FOR THE YEARS THAT -- AND
21 THE VERDICT FORM IS DISPLAYED HERE, QUESTION NUMBER FOUR:
22 WHAT ARE OSCAR MEJIA'S DAMAGES, PAST LOST WAGES, THAT WOULD
23 BE THE FIGURE WHETHER YOU FELT HE WAS PROMOTABLE THREE YEARS
24 AGO OR FOUR YEARS AGO, THE FIGURE WOULD BE EITHER 75,000 OR
25 100,000, DEPENDING UPON HOW LONG AGO.

26 THEN WITH RESPECT TO -- WITH RESPECT TO
27 NONECONOMIC DAMAGES, YOU HAVE PAST NONECONOMIC LOSS,
28 INCLUDING MENTAL SUFFERING; FUTURE NONECONOMIC LOSS,

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1 INCLUDING MENTAL SUFFERING. SO, AGAIN, FOR ILLUSTRATION
2 PURPOSES, IF YOU WERE TO TAKE THAT SAME \$25,000 AND APPLY IT
3 FOR PAST, FOR SEVEN AND A HALF YEARS, YOU WOULD HAVE 187,500
4 IN THE PAST NONECONOMIC LOSS CATEGORY; AND FOR NINE YEARS IN

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5 THE FUTURE, \$225,000 IN THE FUTURE NONECONOMIC LOSS.

6 NOW, WHAT WOULD SUCH AN AWARD MEAN? WHAT WOULD
7 AN AWARD OF DAMAGES -- WHAT WOULD THE VERDICT IN THIS CASE
8 THAT SAYS: YES, OSCAR MEJIA, YOU WERE RETALIATED AGAINST;
9 NO, INGLEWOOD POLICE DEPARTMENT, YOU CANNOT DO THIS TO
10 PEOPLE SUCH AS OSCAR MEJIA? THE INGLEWOOD POLICE DEPARTMENT
11 WOULD UNDERSTAND THAT THIS TYPE OF BEHAVIOR WOULD NOT BE
12 TOLERATED IN THIS COMMUNITY IN THE FUTURE, THAT SERGEANT
13 MEJIA'S ACCOMPLISHMENTS AND GOOD WORKS WILL NOT HAVE BEEN IN
14 VEIN, THAT SERGEANT MEJIA WOULD NOT HAVE TO FINANCIALLY
15 SUFFER FOR HAVING TAKEN A STAND AGAINST ILLEGAL EMPLOYMENT
16 PRACTICES, AND THAT SERGEANT MEJIA WILL HAVE SHOWED OTHERS
17 THAT THE SYSTEM WORKS, THAT THE LAWS CAN AND WILL BE
18 ENFORCED IF YOU JUST GO THE DISTANCE, REGARDLESS OF HOW HARD
19 OR HOW DIFFICULT THAT IS TO DO.

20 AND THAT WE WILL LEAVE, MYSELF, MR. BALTAJE, WE
21 WILL GO HOME AFTER THIS TRIAL, BUT THE INGLEWOOD POLICE
22 DEPARTMENT WILL REMAIN IN THIS COMMUNITY; AND THAT KIND OF
23 AWARD WILL MEAN THAT THIS COMMUNITY WILL HOLD THAT
24 DEPARTMENT ACCOUNTABLE.

25 I WOULD LIKE TO LEAVE YOU WITH JUST ACTUALLY THE
26 WORDS OF SERGEANT MEJIA THAT I FEEL ARE PARTICULARLY
27 POINTING, AND THIS IS AN EXHIBIT, PLAINTIFF'S EXHIBIT 286.
28 IF YOU RECALL SERGEANT MEJIA AT THE TIME WAS TOLD HE'S BEING

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1 PULLED OUT OF TRAINING, CAPTAIN CANTRELL SAID: WE'RE
2 SENDING YOU TO ADMINISTRATIVE SERVICES BUREAU AND YOU'RE
3 GOING TO SUPERVISE THE METER MAIDS. SO SERGEANT MEJIA
4 AUTHORED THIS EMAIL TO HIS STAFF, AND I WOULD LIKE TO READ
5 IT TO YOU.

6 "TO ALL: AS MOST OF YOU KNOW, TODAY IS MY LAST

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7 DAY IN ASB, ADMINISTRATIVE SERVICES BUREAU. I REALLY
8 ENJOYED WORKING WITH MOST OF YOU WITHIN THIS BUREAU, AND I
9 LEARNED A WEALTH OF VALUABLE INFORMATION WHILE IN MY
10 POSITION. ALTHOUGH THIS TRANSFER WAS AN UNEXPECTED SHOCK TO
11 ME, AND I DID NOT WANT TO LEAVE, I WILL MAKE THE BEST OF IT.

12 "REGARDLESS OF WHAT ASSIGNMENT I AM TRANSFERRED
13 TO, I WILL CONTINUE TO PROMOTE FAIRNESS AND EQUALITY FOR ALL
14 EMPLOYEES, BECAUSE I TRULY BELIEVE THAT THESE VALUES ARE
15 CRITICAL TO ANY ORGANIZATION DESIRING TO BE SUCCESSFUL.

16 "I ALSO BELIEVE THAT IRRESPECTIVE OF RANKS OR
17 TITLES, THOSE WHO ARE LOOKED AT, LOOKED UPON AS LEADERS MUST
18 AT TIMES HAVE THE COURAGE TO TAKE A STAND FOR WHAT IS FAIR
19 AND RIGHT, EVEN THOUGH IT MAY BE CONTRARY TO POPULAR
20 OPINION. AT THE VERY LEAST, WE OWE THIS MUCH TO THOSE WHO
21 WE SUPERVISE AND WORK WITH.

22 "WE MUST REMEMBER, LIKE EVERYTHING ELSE,
23 AUTHORITY AND RANK ARE ONLY TEMPORARY AND WE MUST USE IT
24 RESPONSIBLY."

25 NOW, I WOULD ASK THAT WHATEVER YOU DO IN THIS
26 CASE, THAT YOU GIVE THOSE WORDS MEANING, THAT YOU MAKE THOSE
27 WORDS, MAKE SURE THAT THOSE WORDS WERE NOT UTTERED IN VEIN;
28 AND THAT YOU GRANT SERGEANT MEJIA THE JUSTICE THAT HE SO

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1 SORELY DESERVES.

2 ONCE AGAIN, THANK YOU VERY MUCH FOR YOUR TIME
3 AND ATTENTION. MR. BALTAJE WILL HAVE A CHANCE AFTER
4 MR. JONES DOES HIS SUMMATION TO MAKE A FEW COMMENTS IN
5 REBUTTAL.

6 THANK YOU.