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## **Sweet deal for a lying policeman**

### **How many civilian suspects would enjoy blanket immunity just for confessing?**

By Howard D. Popper

A police officer shoots himself, goes with the old line that "a black guy did it," and sends the police force on a wild-goose chase, and the city's only response has been to dismiss him and retire his badge number. It looks as if this lying, racist cop is likely to walk away with his pension and freedom without even a fight from the District Attorney's Office.

The sweetheart deal made with Sgt. Robert Ralston - tell us the truth, and we'll give you immunity - would never have happened if the suspect were anyone but a cop.

What was the rush behind this deal? There was no ticking time bomb or child locked in a basement. In any nonemergency case that did not involve a cop, the police would have kept the investigation open and tried to develop evidence. There's no way they would have let an average citizen walk on such shocking allegations just to get answers.

#### **Earlier shooting**

Moreover, if last week's reports are accurate, Ralston was not merely granted immunity from the use of his confession against him; he was granted immunity from prosecution altogether. That means the District Attorney's Office can't even use other evidence it already had or any newly discovered evidence to prosecute Ralston. Total immunity from prosecution under such circumstances is virtually unheard of.

Nor is this the first shooting involving Ralston. In 2001, he shot Joseph Mott in an alley, leaving him brain-damaged and with no memory of the event. Ralston, the only eyewitness, claimed he was returning fire. At a federal civil trial, I argued on Mott's behalf that the ballistic and other physical evidence contradicted that claim, and that Ralston gave conflicting statements about the events. But the jury found that Mott's case was not proven.

Did Police Commissioner Charles H. Ramsey and District Attorney Seth Williams take a close look at that prior shooting with the benefit of hindsight after the latest incident involving Ralston? A

review of that incident and the trial testimony may have revealed additional evidence for a prosecution of the officer.

### **Pension question**

Unfortunately, the immunity granted Ralston forecloses any prosecution under Pennsylvania law. But it does not preclude the FBI and the U.S. Attorney's Office from looking at the latest case and considering whether federal charges are appropriate. Since the feds did not grant Ralston immunity, they are not bound by the agreement (although whether they could use his confession may be a more complicated question).

Likewise, before the city pension board pays Ralston a dime, it should spare no tactic or resource in battling his pension claim. A pension is a reward for good service, not an out-the-door prize for an admittedly corrupt civil servant who beat the system. The citizens of Philadelphia - including every black man who was stopped or eyed with suspicion because of Ralston's lies - deserve no less.

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