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HEADLINE: Questionable Cases Costly

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BODY:

The following four cases are among the D.C. police shooting investigations that have been challenged in criminal hearings and civil lawsuits during the 1990s. Two of them were never examined by the department's Use of Service Weapon Review Board, the panel responsible for reviewing police shootings and recommending officer discipline.

Three of the shootings resulted in settlements or judgments totaling \$ 6.3 million against the District. The other led to a lawsuit that is pending. These accounts are drawn from police and court records, as well as interviews.

The Wrong Alley

Nov. 30, 1992:

Construction worker Brian Butler stopped to urinate in a Southeast alley, selecting the side wall of a sporting goods store owned in part by Officer Clarence B. Johnson. Johnson, who was off duty, approached and the two men argued. Johnson, who later told police he believed Butler was reaching for a gun, shot Butler once in the chest with his police pistol, seriously wounding him. Butler did not have a gun. He said he was zipping his pants when Johnson grabbed his jacket and fired. For reasons police officials could not explain, the shooting was never examined by the weapon review board, a police spokesman said.

While waiting for the review that would never occur, Johnson began to experience psychological stresses that stemmed from "the lack of support he felt from the police department through the long period of vulnerability," according to a June 1994 medical report, which recommended that he retire on disability. He is currently on paid disability leave, a police spokesman said. Johnson did not return messages.

Butler filed a Superior Court lawsuit, which the District settled in March 1995 by paying \$ 100,000. The District declined to represent Johnson in that civil lawsuit but paid his attorney fees.