

## 'Relieved' Gilbert Leaves P.G. Jail; Friends, Family Whisk Onetime Suspect in Officer's Death Off to a Party

[FINAL Edition]

The Washington Post (pre-1997 Fulltext) - Washington, D.C.

Author: Jon Jeter; Ann O'Hanlon His face still slightly scarred by the injuries he re

Date: Jun 6, 1995

Start Page: B.01

Section: METRO

Text Word Count: 1140

Jeffrey C. Gilbert walked out of the Prince George's County jail at 8:40 last night, 39 days after police burst into his girlfriend's Greenbelt apartment and arrested him in the slaying of a police officer.

His face still slightly scarred by the injuries he received from county police on the night of his arrest, Gilbert twice told a crush of reporters that he was "relieved" to be free. He emerged from the county jail in Upper Marlboro and was greeted by nearly 20 cheering relatives and friends who first embraced him, then whisked him into a nearby van that took him to a welcome-home party at a cousin's house.

County law enforcement officials initially believed that Gilbert, 25, was the gunman who approached Cpl. John J. Novabilski the night of April 26 and, without warning or provocation, shot the unsuspecting officer 11 times in the head, chest and back as Novabilski sat in his police cruiser. Novabilski, 31, was working as a security guard for a Kentland liquor store.

The case began to unravel May 29 after the automatic handgun used to kill Novabilski and the slain officer's stolen service weapon were found lying near the body of Ralph McLean, the Landover man who engaged police in a fatal, running shootout and was wanted in two unprovoked attacks on District police officers in January.

On Friday, the chief prosecutor in Prince George's announced that the murder charge against Gilbert had been dropped.

Gilbert's release from jail followed a tortuous bureaucratic odyssey that began yesterday when his attorneys negotiated with county prosecutors to reduce the bond in a pending drug case unrelated to Novabilski's slaying. A county circuit court judge agreed to the negotiated \$5,000 bond and a \$50,000 bond for an armed robbery charge, also unrelated to the dismissed murder charge.

Gilbert's stepfather, Robert Green, said he and his wife paid \$5,500 to cover the bond about noon yesterday, but the paperwork for their son's release was somehow mishandled and did not travel the quarter-mile from the courthouse to the jail until nearly 8 p.m. Green and Gilbert's other relatives angrily denounced the delay as part of what they believed was a plot carried out by law enforcement officials who they say falsely arrested, wrongly beat and unjustly detained Gilbert. But Gilbert's attorney, Terrell N. Roberts III, attributed the delay to nothing more than human error.

Reporters and Gilbert's relatives waited outside the jail for several hours before he was finally released. He walked almost tentatively out the jail's front door wearing a white T-shirt and blue jeans, and he smiled when a throng of supporters swarmed him with hugs, kisses and pats on the back. Carrying brightly colored balloons that read "Good Luck," the group surrounded Gilbert for a moment of silent prayer and then rushed the slender, soft-spoken man past more than a dozen reporters and photographers.

Gilbert suffered injuries to the head and body that required four days of hospitalization after his arrest. The county's acting police chief, Alphonso Hawkins, told reporters that Gilbert "violently resisted" arrest when officers burst into his girlfriend's Greenbelt apartment as the couple slept. But the FBI yesterday began its official investigation into allegations that Gilbert did not make any effort to fight off the officers who came to arrest him but was beaten anyway.

"That's ridiculous," said Gilbert's stepfather to reporters while waiting for his son's release. "You don't have to beat anyone like that to arrest them. I don't think for one moment that he resisted arrest like they say."

Agents interviewed Gilbert's attorneys, and a Justice Department official contacted the state's attorney's office in Prince George's County as part of the federal inquiry into whether the arresting officers violated Gilbert's civil rights.

Police arrested Gilbert at his girlfriend's house in Greenbelt based largely on the testimony of three witnesses who picked out his picture from a police lineup of photos.

County prosecutors decided to drop the first-degree murder charge -- for which Gilbert would have faced the death penalty had he been convicted -- after reinterviewing the witnesses and reviewing new evidence that included the results of DNA tests showing that blood found on Gilbert's clothing at the time of his arrest was not that of Novabilski, as had been suspected.

Prince George's police continued to insist that Gilbert was the suspect in Novabilski's slaying even after the two weapons were recovered. Facing allegations of brutality in Gilbert's arrest, the police department reacted to the dropping of the murder charge by suggesting that he is still a suspect.

But so far as State's Attorney Jack B. Johnson was concerned, the murder charge against Gilbert was history. "What I have instructed my lawyers to do is to treat Gilbert as they would any other defendant in the system and pursue a bond accordingly," he said.

Assistant State's Attorney Beverly J. Woodard and Roberts agreed on the lowered bond yesterday. Then Roberts obtained the approval of Circuit Court Judge William B. Spellbring Jr. The judge had earlier found probable cause to hold Gilbert in the Novabilski slaying, even after the murder weapon's recovery in the McLean shootout.

The reduced bond consisted of \$50,000 on a charge that he participated in the armed robbery of a Landover woman, a charge brought against Gilbert on May 10, and \$5,000 for allegedly violating probation from a 1990 drug conviction. The parole violation occurred when Gilbert was arrested March 17 on a charge of possession with intent to distribute cocaine, and again when he was arrested in Novabilski's death.

Typically, defendants or their families are required to post 10 percent of the face amount of the bond, either posting cash or sufficient collateral.

Gilbert's mother said family members pooled their resources to free Gilbert. Nobody had to be asked, she said. "No, people just offered," she said.

The van that whisked Gilbert away from the jail yesterday delivered him to a cousin's home in Lanham where a boisterous crowd of well-wishers had arranged a welcome-home party for him.

When a reporter asked Gilbert how he had fared since his arrest, he replied, "I ain't been able to sleep well since it happened."

Staff writers Avis Thomas-Lester and Eugene L. Meyer contributed to this report.

**[Illustration]**

Ph..Rich Lipski CAPTION: Jeffrey C. Gilbert, center, is greeted after his release on bond in a drug case unrelated to the slaying of Prince George's Cpl. John J. Novabilski. CAPTION: Jeffrey C. Gilbert, surrounded by cousins, siblings and friends, celebrates his release at a welcome-home party in Prince George's County. CAPTION: A Return to Freedom: Jeffrey C. Gilbert, who was arrested in the slaying of a Prince George's police officer, was freed last night after the charges were dropped last week. Above, Gilbert gets a kiss from his mother, Martha Green. (Photo ran on page A01)

Credit: Washington Post Staff Writers

Reproduced with permission of the copyright owner. Further reproduction or distribution is prohibited without permission.