

Jurors Award Man Hit Officer; Pr. George's Case Prompted Lawsuit

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A Prince George's County jury awarded \$249,565 yesterday to a Forestville man who suffered a head injury when a county police officer struck him with a metal police baton outside a fast-food restaurant where the man worked.

After a two-day trial and about six hours of deliberations, the Circuit Court jury awarded the money to Leslie W. Moore, 26, who was struck by Officer Jesse Spence on Sept. 9, 1999, in the parking lot of the Kentucky Fried Chicken in District Heights.

The jury awarded \$225,000 to Moore for the pain and suffering he said he endured. Most of the rest of the money is to pay for cosmetic surgery for Moore, who is bald and has a scar on his scalp from the baton blow. A plastic surgeon testified that two operations will be needed to diminish the scar, at a cost of about \$24,000.

The county government indemnifies police officers and pays civil verdicts or settlements that arise from their official actions.

The jury found that Spence acted with malice, used excessive force and falsely arrested and incarcerated Moore, who was charged with second-degree assault, resisting arrest and failing to obey a police officer. After Moore spent two days in jail, prosecutors dropped the charges.

"It was justice, but not complete justice," said Moore, who said he suffers nightmares about the beating.

"Thank God for the jury. This case cried out for justice, because of the brutality of the officer," said Terrell N. Roberts III, Moore's attorney.

Spence, now a detective in the Hyattsville police district, did not respond to a message left on his voice mail. Associate County Attorney D. Michael Lyles, who defended Spence, referred questions about the case to County Executive Jack B. Johnson (D).

A spokesman said Johnson would not comment because the case may be appealed.

The lawsuit stemmed from an incident in the parking lot of Kentucky Fried Chicken in the 6600 block of Marlboro Pike. While helping to close the restaurant, Moore walked out to the lot to talk with a friend and smoke a cigarette, according to Moore's lawsuit and court testimony.

A police officer drove up in her cruiser and began questioning Moore and his friend about what they were doing, according to testimony. Moore told Officer Lakina Webster that he worked at the restaurant. One of Moore's co-workers, Jesia Trent, confirmed to the officer that Moore worked there, according to testimony.

Two more officers, Spence and Paul Trainor, arrived, according to testimony. Trainor and Moore's friend, Shawn Foster, exchanged words and began to struggle, the lawsuit alleged.

While Trainor and Foster grappled, Spence grabbed Moore and hit him in the head with his retractable metal baton, Moore testified. Moore said he had done nothing to provoke any of the officers. Trent testified that she did not see the entire sequence but did see Spence hit Moore over the head with a baton. Moore testified that Spence kicked him in the ribs after he fell to the ground, and again after he was handcuffed.

Spence testified that Moore was trying to interfere with Trainor's arrest of Foster. Spence said that Moore pushed him, so he took out his baton in self-defense and tried to hit Moore in the arm. Spence said he missed Moore's arm and hit him in the head because Moore was moving.

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