

Los Angeles Times
Metro

LOCAL NEWS
EDITORIAL PAGES

CC PART II †

THURSDAY, JANUARY 3, 1980

Man Injured by Officers Awarded \$1.25 Million

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A Superior Court jury has awarded a former Los Angeles Unified School District truck driver \$1.25 million in damages for injuries he sustained in a 1974 struggle with two police officers.

The eight-man, four-woman panel returned the verdict Monday in favor of Roy H. Wyche, 40, after a monthlong trial before Superior Court Judge Samuel Greenfield.

Attorney Larry Booth, who represented Wyche, said the \$1.25 million award is the "largest ever returned in this city on allegations of police brutality."

Wyche, father of four, was hospitalized five times—a total of eight weeks—after his March 14, 1974, encounter with Los Angeles Police Officers Mark G. Litzinger, 32, and Frank Guarino, 33, according to trial testimony.

Litzinger and Guarino were named along with the city in the damage action filed Dec. 2, 1974, Booth said, after the city had rejected an earlier claim for damages.

Wyche, according to trial records, was stopped by Litzinger and Guarino near 111th Street and Grand Avenue about 5 p.m. for alleged equipment violations—a noisy muffler and a burned out license plate light.

In the ensuing confrontation, Booth said, Wyche was struck in the head with a heavy, five-cell flashlight and taken into custody on charges of resisting arrest, assaulting a peace officer and the equipment violations.

"My client sustained a depressed skull fracture, nosebleed, bruises, lacerations and brain damage from that blow with a flashlight," Booth told The Times.

Wyche went to trial on the criminal charges July 31, 1974, Booth said, and after a lengthy hearing was acquitted on all four counts.

After Wyche's vehicle was impounded, Booth said, it was found that both pieces of allegedly faulty equipment were in working order.

Wyche, who has been living on Social Security disability payments and loans from relatives and friends, has been unable to return to work, Booth said.

"He has suffered epileptic episodes and psychological problems since the injury," his attorney said.

Assistant City Atty. Michael Fox, who represented the city, contended during the trial that Wyche was injured when his head struck the

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ground while he grappled with Litzinger and Guarino.

The jury ruled Litzinger was the officer who struck Wyche with the flashlight, Booth said. The action against Guarino was dismissed on a motion by Wyche's attorney.

Booth said Wyche's hair was cut extremely short during the trial so that the jury could actually see the skull damage and surgical scarring on his head.

Senior Assistant City Atty. John T. Neville said the city will "take a long hard look at the case" before making a decision about seeking a new trial or filing an appeal.

The city, Neville said, is self-insured and would be faced with paying the damages.

An appellate court could reduce the amount of the damage award.

In his original suit, Booth said, Wyche asked for \$1.675 million for lifetime loss of income, damages and medical expenses.