

CRIMINAL JUSTICE

Mercy urged for cops who turned, testified

■ Prosecutors recommend that two former Miami police officers who pleaded guilty and exposed a conspiracy to cover up police shootings be spared prison time.

BY JAY WEAVER
jweaver@herald.com

Two former Miami police officers who pleaded guilty and broke the "blue wall of silence" by testifying against 11 officers in a gun-planting conspiracy should not go to prison because they made the case for the government, a prosecutor said Thursday.

Ex-officers William Hames and John Mervolion cut their plea deals three years ago, providing, at great risk to themselves, insider information that led to the convictions of seven other Miami officers, Assistant U.S. Attorney Ed Stamm told a federal judge. Their crime: plotting to cover up police shootings of unarmed suspects.

HELP WAS CRUCIAL

"Without their cooperation, it would have been very difficult to bring this case," Stamm told U.S. District Judge Alan Gold.

What was supposed to be the finale turned out to be anticlimactic, because the

judge had to postpone a decision on the fate of Hames and Mervolion because of legal questions swirling around the sentencings of the other convicted officers. Gold said he hopes to resolve by September these lingering issues in Miami's biggest police corruption case in a generation.

"I know you both want to resolve this today," Gold told Hames and Mervolion. "But I can't."

Hames, 56, and Mervolion, 49 — who had worked on the Miami force for more than 20 years — testified at two trials last year and this year that resulted in the seven convictions. Four other officers were acquitted on charges of conspiring to obstruct justice.

All 13 officers, once members of elite crime-fighting units, were accused of conspiring to plant guns on unarmed suspects or lying to investigators about four shootings between November 1995 and June 1997. Three people were killed and one wounded in the shootings, which took place in downtown Miami, Overtown, Coconut Grove and the Design District.

Both Hames and Mervolion, who helped prosecutors bring indictments against the other 11 defendants in 2001, apologized at Thursday's hear-

ing.

"I did this and now I'm paying the price for it," Mervolion, said, adding that it cost him his marriage and strained his relationship with his children.

Hames, a recovering alcoholic who served in the Vietnam War, said his involvement in a 12-step program helped him take responsibility for his coverup role.

"I hated what they did, but I hated what I did even more," Hames told the judge. "I felt slimy."

WHAT MAY COME

The pair, each of whom pleaded guilty to one count of conspiring to obstruct justice, could face between 2½ and three years in prison under federal sentencing guidelines.

But defense lawyers and prosecutors argued that they should receive probation only because of enduring police intimidation, death threats and the possible loss of their pensions by coming clean.

Defense lawyer Jonathan Rosenthal said they had done the unthinkable: "They broke the blue wall of silence."

Rosenthal urged the judge to send a signal by giving them no prison time, emboldening other officers to come forward in future corruption cases.