

March 19, 2000, Sunday, AM cycle

HEADLINE: Report: Prosecutor's warnings about corrupt officer ignored

[Previous](#) ~ [Headlines](#) ~ [Next](#)

A prosecutor warned his superior about a corrupt officer a year before the ongoing Rampart police scandal was uncovered, it was reported Sunday.

Deputy District Attorney Michael Kraut noted his concerns about the honesty of Officer Rafael Perez in two 1997 drug cases, the Daily News of Los Angeles reported, citing confidential documents and interviews.

"This guy did what he was supposed to do. He thought Perez was a bad cop and he told his supervisors. They ignored him," a person identified as an informed source told the Daily News.

In 1998, Perez was arrested for stealing cocaine from a police evidence locker. Seeking leniency, he began telling investigators that he and fellow anti-gang officers in the Rampart area planted evidence, lied on the witness stand and shot innocent people.

At least 29 officers have been relieved of duty and 40 convictions have been overturned as a result of ongoing corruption investigations.

Police said they were not notified of Kraut's concerns at the time, although the Daily News said the information was turned over last year.

"If the information is accurate, it would have been helpful and of critical importance for the department in 1997," Cmdr. David Kalish told the newspaper.

Kraut himself declined to discuss the matter.

Head Deputy District Attorney Sally Thomas said both cases are under internal investigation, but so far it appears a more thorough review would not have exposed Perez earlier.

In June 1997, Kraut took the unusual move of asking a judge to dismiss cocaine charges against an alleged gang member. Kraut said he had concerns about the credibility of Perez's testimony.

Perez later admitted to investigators that he had planted drugs on the suspect.

Kraut's concerns were not related directly to the evidence, but he had proof Perez lied about other circumstances surrounding the arrest, the Daily News said.

The prosecutor explained his action in a memo to his supervisor, Head Deputy District Attorney Richard Sullivan, who approved his decision but determined no further steps were needed, Thomas said.

Shortly after sending the memo, Kraut reviewed a failed drug case that was handled by a different prosecutor. He learned the judge tossed out the charges because Perez and his partner reported being unable to find confiscated drugs in an evidence room.

An unidentified source told the Daily News that Kraut called the LAPD and learned the narcotic evidence was there.

"It was never missing," the source said.

Kraut believed Perez once again had lied to prosecutors and put a note in the case file that was sent to his supervisor. The file sat on Sullivan's desk for about a year, sources told the newspaper.

Thomas said her review of the case failed to find such a note.

"If someone is in receipt of any such note," she said. "I'd certainly like to see it."