



City settles for \$750K with man shot by Orlando police

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The city of Orlando will pay \$750,000 to a credit-card-theft suspect who was shot by police in a crowded Target parking lot almost three years ago, the Orlando Sentinel has learned.

The settlement with Rogelio "Roger" Cortes is the latest of legal payouts made by local governments in Central Florida to people who were seriously injured or killed during incidents involving alleged police misconduct.

Orlando police organized the Nov. 21, 2010, takedown of Cortes, who detectives said was driving a van filled with electronics that were purchased with stolen credit cards.

Officers claimed they fired at the van because it rammed patrol cars while Cortes was trying to escape from the parking lot off Colonial Drive. But surveillance video showed an unmarked police vehicle strike the van from behind, which pushed it into the other patrol cars. Cortes was shot several times.

"We are pleased that the city of Orlando has accepted responsibility for what was clearly a tragic case of excessive force and inappropriate conduct," Cortes' Orlando attorney, David Paul, told the Sentinel. "We see this as a positive sign that the city of Orlando Police Department is trying to head in the right direction."

The incident prompted OPD to create a policy prohibiting officers from investigating crimes that involve family members. The sergeant who investigated the case planned the operation even though it involved her husband's stolen credit card.

Though Cortes initially faced several criminal charges, those charges were ultimately dropped. Cortes sued the city of Orlando and the officers involved last year.

Court records show the settlement was reached during a mediation conference this summer, and on Sept. 5, Cortes agreed to accept the \$750,000 settlement. Of that, the city received a reimbursement from its insurance company for \$283,000, according to spokeswoman Cassandra Anne Lafser.

Asked if city officials or the mayor wanted to comment on the settlement, Lafser said, "The litigation was resolved through mediation." Police Chief Paul Rooney was out of the office Monday and unavailable to comment.

Tim Lynch, director of the Cato Institute's Project on Criminal Justice, said local governments and police departments settle cases to lessen the potential financial — and public image — damage.

"Cities and counties are frightened of getting hammered by jury verdicts that could potentially be much greater than what it could be in a settlement," Lynch said.

Attorneys weigh other factors, including the damage that could be caused if the case goes to trial and officers have to testify under oath, which can expose problems in the police department, he said.