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Life of a Whistleblower

Bob Mullally goes to prison for releasing cops' domestic-violence records

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Six years ago, Bob Mullally made a career-ending decision. He violated a court order and leaked 79 confidential files detailing domestic-violence complaints against LAPD officers to a KCBS-TV reporter.

On May 14, the 59-year-old criminal-defense consultant began a 45-day sentence at Oxford Federal Prison in south-central Wisconsin. Assistant U.S. Attorney Thomas Warren, who prosecuted Mullally on the misdemeanor charge, had argued against jail time. "We didn't believe that, taking all the circumstances into consideration, the fact this was his first offense, the fact it was a violation of a civil-court order, and the fact this was an act of civil disobedience, that there was any purpose in sending him to jail," Warren said.

Mullally gained access to the documents as part of his work helping attorney Gregory Yates, who sued the LAPD on behalf of the children of Melba Ramos, whose husband, Victor Ramos, an LAPD officer, killed her and her lover, Gregory Thomas, and then committed suicide. The cases filed by Ramos' family and Thomas' widow were settled in 1997 for \$2.15 million; shortly afterward, Mullally released the documents to KCBS reporter Harvey Levin because he wanted to make sure the public knew about the domestic-violence records of dozens of officers. "I couldn't have looked myself in the mirror if I had done nothing about this injustice," Mullally said. "I had to expose what was going on."

Yates had hired Mullally to evaluate domestic-violence cases involving Ramos and other LAPD officers. "It was clear there was a double standard. Civilians were being prosecuted but not police officers," says Yates. "The LAPD was covering up and whitewashing cases involving domestic abuse by their officers."

Mullally says he initially didn't expect to find much in the files. "I figured the police would be policing themselves," he says. Instead, he was shocked by what he read.

"Kids were being beaten. Women were being beaten and raped. Their organs were ruptured. Bones were broken. It was hard cold-fisted brutality by police officers, and nothing was being done to protect their family members. And I couldn't stand by and do nothing," explains Mullally.

As far as Yates knows, none of the officers named in those files was ever prosecuted. He also says that former LAPD Chief Bernard Parks, then a deputy chief in charge of the bureau that oversaw the Internal Affairs Division, was named as the city's expert on domestic violence in the case. But Yates

never saw any report that Parks produced. Yates and Mullally also said that some files were never turned over. "The City Attorney's Office [then headed by Jim Hahn] told the court those files were missing. They were lost in action."

In 2001, Mullally was convicted of contempt of court by U.S. District Judge William Keller and sentenced to 60 days in jail. The sentence was appealed, and last October the 9th Circuit upheld the contempt conviction but asked Keller to reconsider the sentence, calling the protective order that Mullally had signed "vague." Citing Mullally's lack of remorse, Keller, in March, re-imposed a jail sentence, reducing it to 45 days after listening to the prosecutor's remarks.

Mullally's legal troubles will soon be over, but his personal travails continue. Shortly before he left his home in Cedar Rapids, Iowa, to serve his time, Mullally learned his action to expose police corruption had cost him his new career.

Mullally had started working as a substitute teacher in Cedar Rapids. His last assignment before he reported to prison was at All Saints School. Mullally says the paperwork to begin that assignment included a stock question about criminal convictions. He answered that he was convicted of violating a court order for releasing information about LAPD officers accused of domestic violence.

A couple of hours later, the principal, Laura Daily, asked him to come to her office. Mullally says that Daily told him, "So you were an abuser. We can't have you working around the children."

Mullally explained what happened, and the principal seemed to understand that he had tried to stop the abuse. But two days later he got a letter from Dr. Clifford Ehlinger, executive director of the Grant Wood Agency, which oversees the substitute-teaching program in Cedar Rapids, telling him he had been fired.

Mullally says he called the agency to find out what had happened. He was told that Daily had called the service about him. Mullally again explained what had happened and appealed the action. But, he says, little hope was held out for a reversal.‰

Daily said she would not discuss the matter in detail because it is a personnel matter. When reminded that Mullally had waived confidentiality by giving an interview, Daily responded, "I'll keep that in mind if I choose to call you back with a comment." Daily also refused to say whether she had called the substitute-teacher agency, but she added, "I understood he was not a domestic abuser." Ehlinger did not return calls for comment.

Although Mullally's whistleblowing failed to bring any officers to justice, some positive developments did occur. In 1997, after Levin's televised report on the leaked files was aired, former L.A. Police Commission Inspector General Katherine Mader reviewed the handling of domestic-violence cases involving LAPD officers.

Mader looked at 227 cases investigated between 1990 and 1997. Her 1997 report found that in more than 75 percent of confirmed cases, the officer's personnel file failed to mention or minimized the domestic abuse; 29 percent of investigated officers were later promoted; and 31 percent were accused

of committing violence at home. Mader also found that 30 officers were repeat offenders.

Mader asked for a toughening of discipline against domestic abusers, that more cases be referred to prosecutors, and proposed that a domestic-violence unit inside Internal Affairs be established. That unit, the Family Violence Unit, began operations in late 1997 and, according to published reports, arrested at least six LAPD officers in the first half of 1998 for domestic violence.

Since then, however, official interest in the issue seems to have waned. The spokesperson for the Board of Police Commissioners says that Internal Affairs' family-violence unit has not submitted any reports or statistics to the commission concerning its work. Nor, it seems, have the commissioners asked for a report. New Inspector General André Birotte Jr. says his predecessor, Jeff Eglash, did not do a follow-up investigation. But, he adds, "After five years, I think it's something that should be followed up on. I plan to talk to the Police Commission about it."

