

Summary: Rocky Balada, who accused ex-Chief Tom Potter of trying to oust him, would get \$34,000

A Portland police officer who accused former Chief Tom Potter and others of trying to oust him from the Police Bureau is on the verge of settling his lawsuit against the city.

An ordinance approved Wednesday by the City Council recommends a \$34,000 cash settlement with Rocky Balada to settle Balada's \$1.1 million suit filed in January 1993.

Other terms of the settlement, as outlined by Balada's lawyer, include a promotion from officer to sergeant, reversal of a three-week suspension imposed in 1991 and back pay for that span of missed work.

"From our point of view, the new chief (Charles Moose) has addressed mistreatment issues in the Police Bureau aggressively," said Victor Calzaretta, a Portland lawyer who represented Balada.

"Many of the things that happened to Rocky wouldn't happen under the new chief," he said.

Balada, who is of Pacific Islander descent, had accused the bureau of racial discrimination and of unfairly trying to remove him from the bureau. Defendants included former Mayor Bud Clark and Potter, the former police chief. Moose ascended to chief last year after Potter retired.

The city attorney's office has a policy of not commenting on its cases while they are pending. An ordinance submitted to the council recommending the settlement says, "There is risk the city could be found liable.

"Therefore, in order to avoid the risk of unknown damages, and the risk of paying the plaintiff's attorney fees, we feel it is prudent to compromise the lawsuit at this time."

Balada's suspension apparently arose from an April 1990 incident at the Satyricon night club in Northwest Portland when he attempted to arrest the club owner, George Touhouliotis, who was urinating outside the building.

Several other police were called to the crowded club after Touhouliotis walked away from Balada and re-entered the Satyricon. Police eventually closed the club early and arrested several patrons, including Touhouliotis.

Police accused the defendants of rioting, but a grand jury returned lesser misdemeanor charges. Balada later sued Touhouliotis for defamation in for putting up a painting which showed a figure labeled "Rocky" engaging in inappropriate violent behavior. Calzaretta said the Satyricon settled that suit by paying Balada \$7,000.

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