

Posted 4/8/13

Wanted: Dead or Alive

A reward was offered: now all that's left is to pay

By Julius (Jay) Wachtel. In February the bodies of a 28-year old woman and her fiancée were discovered in a car in Irvine, a tony suburb of Orange County, California. They had been shot dead. Police soon identified their killer as Christopher Dorner, 28, a troubled ex-LAPD cop who was fired in 2007 for erratic behavior. It turned out that the female victim was the daughter of the retired LAPD captain who represented Dorner at his termination hearing.

A highly publicized manhunt ensued. During his escape Dorner, who was armed with an assault-type rifle, engaged in several shootouts with police officers and sheriff's deputies, killing two and wounding three. He also stole two vehicles from private citizens at gunpoint. Police finally cornered Dorner at a mountain cabin. He committed suicide when tear gas canisters fired by SWAT officers set the structure on fire.

During the manhunt the City of Los Angeles assembled \$1 million in pledges as a reward for information leading to Dorner's "capture and conviction." Like conditions were attached to other reward offers, including \$100,000 each from the Los Angeles City Council, the L.A. County Board of Supervisors and the City of Riverside, and \$50,000 from the Peace Officers Research Association (PORAC), a California police organization.

Once Dorner's death was confirmed three citizens stepped forward to claim the loot. They include a retired couple whom Dorner surprised and tied up, and a man whom Dorner carjacked at gunpoint after crashing the car he stole from the couple. All feel that they deserve the million-plus for promptly notifying police.

Whether they'll collect, and how much, is up to question. For his part, LAPD Chief Charlie Beck seems eager to distribute the cash. According to news reports the deputy chief coordinating the reward said it would be "disingenuous" to welsh because the fugitive never made it to the courthouse. PORAC, though, has withdrawn its offer. "We made a pledge based on very specific information and criteria," said a representative. "Now everything has changed. It is not what our board of directors voted on." Like sentiments have been voiced by the City of Riverside.

You see, while Dorner was arguably "captured," his death prevented an arrest and conviction. What's more, no citizen did anything beyond calling the cops. Officers spotted the second stolen vehicle and engaged Dorner in a gunfight in which a San Bernardino County deputy lost his life.

At last word Chief Beck decided to dump the mess on three retired judges and let them decide. So here's some fodder for them to consider.

First, there's the propriety of offering a reward in the first place. While the tagline "Dead or Alive" is found only in the movies, if a reward is paid we might as well go back to the Wild West. Enough "usual suspects" have been wrongfully imprisoned in past years without

encouraging vigilantism. Even when motives are pure, witness misidentification is a chronic problem. Although Dorner's guilt seems obvious, ignoring pesky conditions such as "arrest and conviction" could set terrible precedent for the next time around.

Rewards are a problematic concept for other reasons. Remember the social contract? Conditioning citizens to expect a pile of cash for what they ought to do as a matter of course seems a very bad idea. Electronic signs on California freeways display the descriptions and, when available, the license plate numbers of vehicles wanted in connection with child abductions and cop killings. Should they specify what, if anything, the information might be worth in dollars?

There's also the niggling issue of equity. There are plenty of cold cases, each with grief-stricken parents and spouses anxious to see the killers of their loved ones brought to justice. Offering cash rewards could help. Family and friends of one victim recently doubled a \$50,000 offer to a cool \$100,000. It's a luxury that few could afford.

Some suggestions are in order. First, criminal justice is the state's business to dispense. It's not something that should be put up for sale. Accordingly, rewards should be strictly regulated and paid from the public trough, thus assuring fairness and reducing the temptation to ignore the rules whenever money is "free." What's more, if offering rewards is to continue – and we're not warm to the notion – they should be administered by a disinterested entity without a direct stake in the outcome. Cities and counties seem precisely the wrong venues, as they're far too close to the action. State governments are usually better positioned to decide when to offer rewards and to determine if, when and to whom they should be paid.

As it turned out, no reward was necessary. There's no question but that Dorner's citizen victims would have alerted the authorities even without dollar signs dancing in their heads. All the imbroglio accomplished is to demean the process and raise questions about the integrity and motives of all involved. One hopes it's a lesson that will come to mind the next time authorities are tempted to turn to extralegal measures to accomplish their undeniably tough job.