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**LAWSUIT NAMING WALSH SETTLED
WOMAN ALLEGED BIAS AGAINST EX-POLICE CHIEF
CITY TO PAY HER \$150,000**

Louise Taylor, Herald-Leader Staff Writer

For the sum of \$150,000, the city has settled a retired police captain's contentious lawsuit that depicted former Chief Larry Walsh as a sexual predator.

"It came down to a business decision," said Keith Moorman, the attorney who represents the city, Walsh and Assistant Chief Sandra Devers against the discrimination suit brought by retired Capt. Melinda Massarone. The cost of a seven-day trial and the disruption that such a proceeding would create made it a financially wise deal, Moorman said.

Attorney **Robert Abell**, who represented Massarone, said his client was pleased with the settlement, which should be made final next week.

The only other substantial term of the settlement is that each side has to pay its own attorneys' fees.

Moorman said he doesn't know how much the city has spent defending the suit.

The case, which was to have gone to trial Monday, was filed not long before Walsh retired as chief in August 2001. As the trial neared, details of allegations against Walsh became public, including that Walsh had forced himself sexually on a female rookie in 1991 and that he referred to blacks as "niggers" during a surreptitiously audiotaped talk with a police sergeant.

Massarone, one of the first two female captains in the police department, accused Walsh of discrimination by "burying" her in the communications division. Massarone said that she was effectively forced to retire on disability because the maltreatment triggered emotional problems.

The defendants have denied all allegations of wrongdoing.

The most damaging accusation came from former police officer Anna Rathke Phillips, who swore Walsh had stopped by her apartment in 1991, ripped off her clothes and "intimidated" her into having intercourse.

The city and Walsh tried to have Phillips' statement barred from trial, especially after Phillips wrote Commonwealth's Attorney Ray Larson saying she did not want to pursue criminal charges. A judge ruled Phillips' deposition and her letter to Larson would be allowed at trial.

Massarone also got into evidence a tape recording Sgt. Phil Vogel made of Walsh discussing the 1989

police shooting of Freeman Norman Jr. On the largely inaudible tape Walsh said the officers involved would not have had to shoot Norman, whom he called "that nigger," had they used nightsticks.

The Massarone case was one of three suits filed against Walsh and the city as the chief wrapped up his 11 years as the department's publicly acclaimed leader. Another, by Shelli Jones, who accused the department of sexual discrimination, was thrown out of U.S. District Court.

The third suit, a racial discrimination action filed by detective Billy Richmond, is set for trial in May. In that case, Richmond accuses Walsh and the department of allowing and condoning racist behavior..

(Larry) Walsh

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