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Mother awarded \$850,000 in son's death

By Darryl Richardson/Reporter Staff

A federal jury in Sacramento awarded nearly \$850,000 in damages Tuesday to the family of a Vacaville man shot by local police officers following a traffic accident in 1997.

The 10-person jury deliberated for just more than a day last week to reach the decision that Sgt. Scott Paulin of the Vacaville Police Department and Fairfield Police officer Dennis Flores acted negligently in the shooting of Doron Lifton. The jury then took three hours Tuesday to determine the amount of damages. The jury completely exonerated a third officer, Matt Lydon of the Vacaville Police Department. "We're incredibly disappointed in the jury's decision," said Vacaville City Attorney Charles Lamoree. "We believe the verdict is completely wrong and represents the jury's sympathy for a mother and her mentally ill son."

Lifton, 33, was shot by officers following a confrontation after a traffic accident at Peabody Road and Cliffside Drive. According to witnesses, Lifton's car ran a red light and struck two other vehicles. Lifton then climbed out the driver's side window and started to leave the scene, walking southbound on Peabody. While leaving the scene, Lifton, who had a history of paranoid schizophrenia, picked up a 4-foot long metal pipe and began waving it toward several officers on the scene. Sgt. Paulin attempted to subdue Lifton by using a department-issued taser gun, but Lifton moved out of the way. The suspect then moved toward Paulin and swung the pipe, hitting the officer in the chest and knocking him down, according to police. The officers fired 14 shots at Lifton when it appeared he was preparing to swing again, hitting him eight times, they said. Michael Haddad, the Oakland-based attorney for Lifton's family, disputed many of the officers' claims, including that Sgt. Paulin was struck by the pipe.

But Haddad said the jury focused on other events. "They (the jury) decided the negligence occurred before that time," he said. "They found the police escalated the situation instead of diffusing it as they are trained. The police did everything the exact opposite of the way they are supposed to." Another area the plaintiffs emphasized was the possibility of using non-lethal force on Lifton. A Sage gun, which fires plastic projectiles and is meant to knock down suspects, was being brought to the scene by other officers when the shooting occurred, Haddad said.

When told of the jury's decision, Mike Cook, Vacaville's police chief at the time, said the verdict was "absolutely ridiculous." Cook said two separate investigations, one internal and one by the Solano County Response Team, found the shooting justified. "Those officers were in fear for their lives," he said. "They didn't have the opportunity to wait. Another two seconds and Sgt. Paulin could have been dead." The jury originally awarded more than \$1.2 million in damages.

However, they also found Lifton to be 30 percent responsible for the incident and the final award was reduced by that amount. As city employees, the officers are covered by city insurance policies and will not be directly responsible for paying the award. Since both Vacaville and Fairfield officers were involved, the two cities will split the payments. "There will be some insurance coverage on this," Lamoree said. "We put some money aside in the budget each year for situations like this. It shouldn't have any impact on the budget."