

CRIME

Lawsuit claims Raleigh police officer, informant framed people with fake heroin sales

BY WILL DORAN

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A lawsuit claims a Raleigh police officer and his confidential informant framed more than a dozen people in a fake heroin sales scheme. The charges against those who were arrested were dismissed.

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A longtime Raleigh police officer framed at least a dozen innocent people as drug dealers, in some cases putting them in jail for months and costing them their jobs, a new lawsuit claims.

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The scheme allegedly involved fake heroin and a confidential informant he was meeting and paying in private. Even after a fellow officer reported his suspicions to two of their bosses, nobody tried to stop it, the lawsuit states.

The 11 men and one woman who sued the city Monday have all had their charges dismissed by Wake County prosecutors.

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But all of them first spent months in jail, or paid thousands of dollars to post bail, the lawsuit states. Some lost their jobs. One was jailed amid cancer treatments, and another was put behind bars just days after the birth of his daughter.

In each case, the confidential informant who claimed to have bought heroin from them ended up giving police brown sugar after the alleged deals, according to the lawsuit. He also would cover up his police-supplied camera to obscure whom — if anyone — he actually met with, it states.

Sometimes officers field-tested the substance and saw it wasn't heroin, the lawsuit states. Other times they didn't test it at all. Either way, the department kept using the informant and arresting the people he named.

And even after at least one officer tried to raise concerns up the chain of command, followed by the official crime lab results proving the informant kept providing fake drugs, the lawsuit contends police kept arresting people based on the informant's claims for three more months.

None of the eight police named in the lawsuit — six detectives, a sergeant and a captain — responded to emails seeking comment Wednesday. The department also declined to comment on the allegations.

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“The City will review the complaint and file its response with the court,” police spokeswoman Donna-maria Harris said in an email.

The lawsuit was filed by a prominent statewide civil rights law firm, Tin Fulton Walker & Owen.

“The RPD and police across the country need to rethink of the use of confidential informants,” said Abraham Rubert-Schewel, one of the lawyers on the case.

Also on the lawsuit are Rubert-Schewel's coworker Emily Gladden and Charlotte civil rights lawyer Michael Littlejohn Jr.

In addition to damages for the falsely accused people, the lawsuit asks Raleigh to require all alleged drugs to be field tested — and those results to be reported to prosecutors — to protect others in the future.

STATE INVESTIGATION CONTINUES

In [an interview last year](#), Wake County District Attorney Lorrin Freeman said a defense attorney first raised concerns the evidence in these people's cases was fake in February 2020, The N&O previously reported.

The officer in question, Omar Abdullah, was put on leave in September 2020 after Freeman dismissed the last of the cases in question. Raleigh police confirmed Tuesday he is still employed as a detective.

On Wednesday, Freeman said an investigation into Abdullah by the State Bureau of Investigation is ongoing and that “at this time we do not have evidence that would

support a criminal prosecution.”

But Freeman noted the investigation could take another month, so new evidence could emerge. She also noted that the rules for criminal cases are different than in civil cases like the lawsuit filed Monday.



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Of the 11 people suing over their heroin arrests, five were arrested before February 2020 when, according to both Freeman and the lawsuit, the crime lab showed the supposed heroin wasn't real. One was arrested on the last day of February, and five others were arrested and charged in the months that followed — despite the concerns about the evidence.

The first of the accused had his charges dismissed on June 1, while others had to wait nearly two more months, until July 30, for their charges to be dropped. Freeman then announced the investigation into Abdullah in September.

SUIT ALLEGES RACIAL DISCRIMINATION

Every person falsely accused was Black, and the lawsuit claims that racial discrimination played a role.

The lawsuit says the officer and his informant framed at least 16 people for dealing drugs: 15 for heroin and one for marijuana. It's unclear what happened with a few of them, who aren't part of the lawsuit.



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One of those suing is Curtis Logan, who was falsely arrested even though one of Abdullah's fellow officers flagged two concerns beforehand. First, although the informant claimed to have bought heroin from Logan, it didn't field-test positive as heroin. And second, the informant claimed to have bought 20 grams of heroin for \$400, even though its real street value would be around \$2,000.

Despite those two red flags, Logan was arrested — while driving with his two young children, the lawsuit notes — on Jan. 2, 2020. Six weeks later the crime lab reported back, in mid-February, confirming what the field test had also found: The supposed heroin wasn't heroin.

But Logan was kept locked up anyway and not released until June 1, six months after his arrest and a month before his charges were eventually dismissed.

Freeman said last September there was no evidence Abdullah knew the drugs were fake when he made the arrests, [The N&O reported](#). The lawsuit says that's impossible.

Not only did Abdullah know the drugs were fake and the arrests were fraudulent, the lawsuit says, but so did at least five of his fellow officers and two of their supervisors, a sergeant and a captain.



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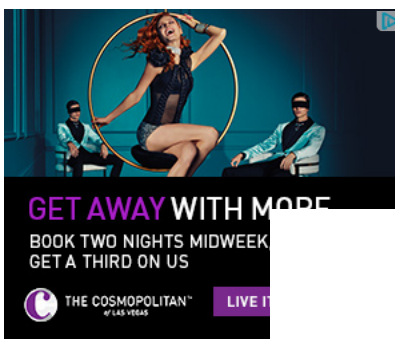
“Defendants, on numerous occasions, field tested the heroin, saw it tested negative for a controlled substance, yet still arrested and charged plaintiffs with trafficking heroin,” the lawsuit states.

[According to WRAL-TV](#), Abdullah was the Raleigh Police Department's officer of the year in 2013.

In addition to Abdullah and the City of Raleigh, the lawsuit also names Capt. Jennings Bunch, Sgt. William Rolfe, and detectives Rishar Pierre Monroe, Julien David Rattelade, Meghan Caroline Gay, David Chadwick Nance and Jason Gwinn.

Freeman said neither her office nor the SBI has investigated any of them except for Abdullah. Harris, the police spokeswoman, wouldn't say whether any had been internally investigated or put on leave since last September, when Abdullah's investigation began.

HOW IT ALLEGEDLY WORKED



The lawsuit claims the scheme started in 2018 and continued throughout 2019 and the first half of 2020.

Here's how it went down, according to the lawsuit:

In late 2018 the police arrested a homeless man they nicknamed Aspirin because they accused him of crushing up aspirin and selling it as cocaine. The lawsuit doesn't use his real name since, after his arrest, he became a confidential informant.

He would call in and claim to have set up a deal to buy heroin. Then Abdullah would meet with him in private, after which Aspirin would go make the supposed deal. With the camera obscured, according to the lawsuit, it is unclear what transpired at the meetings and whether anyone sold anything to Aspirin.

Each time, however, Aspirin would return with a baggie that he said contained heroin. Each time, it turned out to be brown sugar.



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Sometimes the officers would field test it on the spot and discover it wasn't actually heroin. Sometimes they wouldn't test it. Either way, they'd go arrest whoever Aspirin said he had met, and Abdullah would meet Aspirin in private again afterward.

According to the lawsuit, that process violates numerous departmental policies and the rights of those later arrested. Raleigh police wouldn't provide their policies for field testing drugs or handling confidential informants, with Harris saying it's "not subject to release."

The lawsuit does not explain why Abdullah and Aspirin would do this, but it does allude to financial incentives, quoting a fellow officer who alleged "after Aspirin complained about his pay Abdullah told him he could make more money if he brought in bigger cases."

"The secretive nature of the use of informants, combined with the allure of monetary gain, creates a system ripe for abuse," Rubert-Schewel, the attorney for the falsely accused, said. "Here, it was clearly abused and the continued use of confidential informants to build cases needs to be heavily scrutinized."

IGNORING OR DELAYING TEST RESULTS



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Even after the crime lab confirmed the drugs were fake, the police department "continued to use [Aspirin] as a confidential informant resulting in additional prosecutions of innocent plaintiffs," the lawsuit states.

In some cases, the lawsuit says, the officers covered up the fact that field tests showed the heroin wasn't actually heroin by failing to tell prosecutors about the results. In other cases, it says, they slow-walked the process, delaying sending the

evidence for testing.

Freeman said these cases highlighted the fact her office didn't initially see the pattern of fake drugs from a specific informant and officer, since there are half a dozen prosecutors who work drug cases.

She said she's made changes to ensure a similar evidence-faking scheme doesn't happen.

"We've just put (a policy) in place in the last couple weeks, because of this," Freeman said.



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