

# The New York Times

## The Metro Section

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### *Suit Planned After Boy, 15, Is Exonerated*

By MICHELLE O'DONNELL

A 15-year-old with no prior record who spent three months in detention until he was cleared of attempting to kill a police officer plans to sue the city, claiming false arrest, malicious prosecution and use of excessive force, his lawyers said last night.

On the night of Nov. 17, the boy, Darryl Forde, a student at Clara Barton High School, was drawn to a crowd of people watching the arrest of a drug suspect outside the Bushwick Avenue Houses in Brooklyn, where he lives, according to court papers.

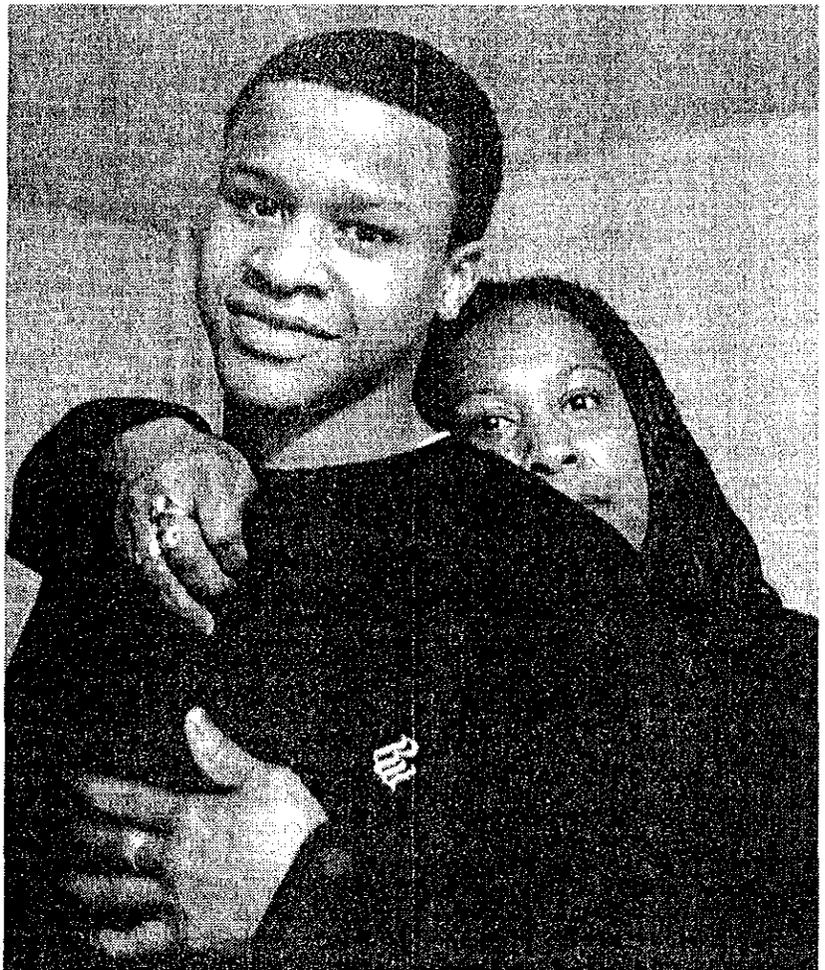
After someone fired shots, Darryl said last night, he fled into the lobby of his building. He was tackled there by a police officer and kicked in the eye, which required four stitches, he said. The officer who arrested him testified that he had never ordered the boy to stop.

Darryl was arraigned on an attempted murder charge in Criminal Court in Brooklyn, but prosecutors later agreed to transfer the case to Family Court because of his age, his lack of a record and because no weapon was recovered.

But he was kept in juvenile detention while his case was being decided, because two officers had identified him as the gunman, said Larry Busching, a lawyer for the city.

In dismissing all the charges on March 18, Judge Maureen McLeod of Family Court in Brooklyn ruled that the two police officers had made contradictory statements, according to her decision.

Judge McLeod also noted that no



Michelle V. Agins/The New York Times

Darryl Forde, 15, who was cleared of shooting at the police, at home last night with his mother, Yvonne. "I'm still afraid for my child," she said.

evidence ever linked him to the shooting, adding that she found it "disturbing" that the police did not conduct any tests for gunpowder.

While the case was pending, Darryl, who said he had been eligible for \$25,000 bail in Criminal Court, was held in Crossroads detention center in East New York, unable to attend

his regular classes or see his family more than a few hours a week.

"This is clearly a bad case of the wrong person being fingered," said Leo Glickman, one of his lawyers, who said the lawsuit would seek \$10 million in damages. Mr. Busching and a police spokesman declined to comment on the threatened suit.