

Judge: Quinton police chief not credible witness

M mcalesternews.com/news/judge-quinton-police-chief-not-credible-witness/article_7ec220fe-f96d-11eb-9c37-bf577bc4109a.html

Derrick James

August 9, 2021



A Pittsburg County judge ruled Monday that the Quinton police chief “lacks credibility” due to the history of legal proceedings against him.

District 18 Special District Judge Brian McLaughlin in granting a motion for disclosure of Giglio material wrote Quinton Police Chief Lawrence “Larry” Ruiz Jr.’s legal history includes multiple dismissed felonies involving dishonesty.

The judge ruled Ruiz’s criminal history be admissible to impeach him as a witness in a misdemeanor obstructing officer case Monday.

Quinton Mayor Allen Miller told the *News-Capital* Monday that Ruiz was “still working.”

“We’re kind of waiting to see how things play out here in the next few days,” Miller said.

Quinton's Board of Trustees is scheduled for its next meeting Thursday. A meeting agenda was not available Monday.

District 18 District Attorney Chuck Sullivan said Monday's ruling against Ruiz now puts cases submitted to his office by the police chief in jeopardy.

"If he is my sole fact witness, then I can't file the charge," Sullivan said. "What this does, essentially, the court said this person can't be believed, so he can't testify, so if he is my sole fact witness on what I need to make my evidence, I'm not going to make my evidence."

Sullivan said his office is working on identifying all potential cases.

Quinton's Board of Trustees hired Ruiz in December 2018 — the same month he was removed as the Webbers Falls Police Chief by the town's council, according to Ruiz's employment application obtained by the News-Capital through an open records request.

Miller said he was on the Quinton Board of Trustees when it hired Ruiz as police chief in December 2018. Miller said he was not aware of Ruiz' multiple dismissed cases involving dishonesty at the time.

When asked about how deep the town conducts its background checks on new hires, Miller said, "Apparently sometimes not good enough."

Records show Ruiz was named in federal and state lawsuits filed by two men who were permanently injured during a 2015 all-terrain vehicle pursuit and crash involving Webbers Falls police.

The lawsuit accused Ruiz of conspiring with officers involved in the incident "to prepare and file false police reports that resulted in charges being filed against the plaintiffs" along with violating state law and the constitutional rights of the two men.

The case was dismissed in federal court after a judge ruled the officers had qualified immunity with the United States Tenth Circuit of Appeals agreeing with the judge. State court records show the lawsuit was dismissed by the plaintiffs in March 2021.

Transcripts from a June 4, 2021 hearing in a misdemeanor case in which Ruiz was the arresting officer show he answered questions about his lengthy legal history from McAlester attorney Brecken Wagner.

Ruiz testified he was charged with a misdemeanor in Sebastian County, Arkansas, but did not know the exact date or the charge. He said he was charged for impersonating an officer while working as a private investigator, but that he believed the case was later dismissed and that he did take steps to expunge and seal the record.

Ruiz testified he didn't recall if a separate felony theft charge in Arkansas was expunged or sealed.

An open records request made by the News-Capital to the Benton County, Arkansas Court Clerk's Office shows Ruiz was charged in February 2001 with theft of property — a class C felony — after he was accused of using a company credit card on unauthorized personal expenses in excess of \$500 dollars.

A court order filed in July 2005 shows a judge dismissed the case and ruled it closed.

A Benton County (Arkansas) Court Clerk's Office representative told the News-Capital that the case was neither expunged or sealed.

In the June hearing, Ruiz testified that an embezzlement charge against him in Sequoyah County, Oklahoma was dismissed after he returned department-issued equipment and it was expunged from his record.

"Had the embezzlement cases been dismissed on the merits, this court would find them inadmissible at trial, but because they were dismissed upon returning the property, this court finds them admissible at trial," McLaughlin wrote. "But because they were dismissed upon returning the property, this court finds the dismissals to be, in effect, a negotiated plea."

Ruiz also testified he was arrested multiple times for domestic abuse in Sequoyah County, where he was employed by the Vian, Marble City, and Moffett police departments at various times. He testified all of the cases were dismissed and expunged.

Court records show eight protective orders filed in Oklahoma accusing Ruiz of aggressive physical and verbal behavior, with one person accusing him of breaking her ribs.

Records show all of the PO plaintiffs dismissed allegations against Ruiz, with one woman writing in a subsequent filed PO that Ruiz pressured her to dismiss a previous order.

"Such evidence could become relevant in cases of domestic violence where he is the investigating officer," McLaughlin wrote in the ruling.

Ruiz worked on the Vian Police Department from April 2012 to April 2014. During that time he was named in two separate federal excessive force lawsuits in which the town of Vian later settled for undisclosed amounts.

One lawsuit involved a woman who claimed Ruiz targeted her for speaking ill of the police department. She claimed Ruiz entered her home illegally in 2013, handcuffed her, and threw her around a room to cause injuries.

The second lawsuit involved a tow truck driver who accused Ruiz of tasing him while he was conducting a repossession.

Ruiz's application to the Quinton police department states the Vian council voted to remove him as assistant police chief.

He also testified in June he was sued while he worked for the Crawford County, Arkansas Sheriff's Office after he used a knee restraint that severed an inmate's intestine. Ruiz testified the case was dismissed on "procedural grounds."

Records show the case made its way to the U.S. Supreme Court where the judges denied a notice of certiorari filed by the victim following the denial of an appeal by the United States Court of Appeals for the Eighth District.

Ruiz also testified in June that he was suspended for three days without pay for an open-handed strike to an inmate's face while at the Sebastian County Sheriff's Office.

Contact Derrick James at djames@mcalesternews.com