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Albany Knickerbocker News

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ALBANY KICKER BOCKER NEWS - SEPTEMBER 16, 1985

Jeffrey Downey's civil rights lawsuit against the state in U.S. District Court in Albany ended Tuesday when he accepted a \$185,000 settlement.

Downey sued after he insisted he was falsely arrested by state police for the sex murder of Stephanie Stambler March 13, 1980. The case has not been solved.

Downey, 25, a caterer at the Junior College of Albany, said he intended to remain in the area

Defendants were state police Troop G Bureau of Criminal Investigation Capt. Gerald Looney, Senior Investigator Lawrence Kroneau, Investigators Douglas Wingate, John Brant, William Bragin and Ralph Marshall, retired Maj. Peter Liversanzi, former commander of Troop G, and retired Investigator John Phelan.

Assistant state Attorney General James King, said the defendants admitted no personal liability and felt "they've done nothing wrong, but ... recognize in hindsight that a mistake was made and that Jeffrey Downey, for whatever reason, confessed to a crime he did not commit."

"There is no disputing the fact Mr. Downey was in jail for a crime the evidence said he did not commit," said Nathan Riley, spokesman for the state Attorney General's Office.

"The person who has been helped the most is Mr. Downey, whose good name was restored. I don't think there is a cloud over the state police on this case," Riley said.

He said settlement discussions aided by U.S. District

Judge Roger Miner had occurred throughout the case.

He said the state usually tries to settle such cases without going to trial. The money comes from a special state fund for paying federal civil rights claims.

Riley said the settlement is good because no personal liability was placed on individual troopers.

The largest such payment was \$1 million to a state prison inmate who was imprisoned for 20 years, Riley said. A new law signed by Gov. Cuomo now permits prisoners to bring legal action against the state for imprisonment for crimes they did not commit, he said.

Attorney Arthur McGinn, who represented Downey, said the settlement adequately compensates his client.

McGinn said the settlement is one of the largest in the Capital District for a federal civil rights violation.

"For a federal civil rights case of this type the settlement is a lot of money," McGinn. For example, Rebecca Redcross of Cohoes received \$70,000 in a settlement with Troy police, Rensselaer County and Rensselaer County District Attorney Charles Wilcox, he said.

McGinn said the settlement does put a stigma on the state police. "The case clouds the state police. They went a step too far. The settlement was the best deal in the world. We weren't looking to crucify policemen. We were looking to compensate Downey," McGinn said.