

Jury: Long Beach school district wasn't responsible for Ross killing

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LONG BEACH — Wilson High School administrators shared no responsibility in the shooting death of 16-year-old Melody Ross outside the school's homecoming game in 2009, a jury decided Tuesday.

Jurors who heard the case of Ross v. Long Beach Unified School District deliberated only a few hours before rejecting the civil action filed by Ross' parents, who had said that the district was partially to blame in the killing.

The honor student was sitting on a curb next to her high school campus following the homecoming football game on Oct. 30, 2009, when a gang fight broke out on Ximeno Avenue. A 16-year-old gunman opened fire, striking three other people and killing Ross.

"Obviously, they were disappointed," Plaintiff's Attorney Anthony H. Lupu said of Ross' family after the verdict was read Tuesday.

"It's highly likely we will appeal," Lupu added, noting the Ross family has 60 days from the notice of judgment to file an appeal.

Closing arguments were heard Monday in civil court.

Dana McCune, an attorney for the school district, told jurors that the facts of the case, which stretched over 11 days, proved the school district and its employees weren't liable for the slaying of Ross because the school and its leaders had no way of knowing the convicted killer - Tom Love Vinson - would be at the game, nor did they know he would act that night.

The defense's expert witness testified, "Up until (the moment of the shooting) there was no reason to believe Mr. Vinson would pull a gun," McCune argued.

In a statement issued by the school district Tuesday, Superintendent Christopher Steinhauser applauded the jury's decision.

"The jury agreed that our school district was in no way responsible for this senseless act of violence that occurred off campus," Steinhauser said.

"We're relieved that the real perpetrator of this crime, the gunman, will be held accountable rather than an outstanding school whose staff provides a safe environment. Our hearts go out to everyone who knew and loved Melody, but we applaud the jury for considering all the evidence and applying the law correctly," the superintendent said.

Plaintiff's Attorney Ron Makarem argued the school was in violation of its own written policy for providing safe passage to and from the school and that school officials were negligent in not taking greater precautions the night of the big game between two cross-town rivals.

"There was no consistent gang strategy," Makarem said, arguing school employees and security officers gave conflicting accounts of what could or could not be done to bar gang members from games.

He noted the school opted to pat down kids attending the dance that night, but didn't do so for those entering the campus for the game.

He also noted the testimony of both principals that students are often shoed away from businesses along Ximeno during and after school, yet no one took that precaution the night of the game.

Those precautions would have deterred Vinson, Makarem argued.

Vinson, a former Wilson student, was convicted last September of first-degree murder in the girl's death. Though he was 16 at the time of the murder, he was tried as an adult and sentenced last month to 155 years to life in prison.

While school officials insisted they had no reason to expect Vinson would come to the game because he hadn't attended the school for more than a year and he had moved to Bellflower, the Ross family's legal team insisted Vinson was flagged for school officials by police as a dangerous gang member.

"He was arrested on the Wilson campus" when Vinson attended the school a year earlier, Makarem said.

Ross' parents, Vanareth and Chantha Ross, asked for unspecified damages, though Makarem and his co-counsel told the jury they felt \$3 million was appropriate, with the responsibility for her death split 70-30 between Vinson and the school district.

That would have amounted to the school district paying out \$900,000, Makarem explained.

The lawsuit, which was filed in 2010, initially charged the city as well as the school district with failing to provide adequate security, lighting and other measures and claiming those oversights spurred their daughter's killer to carry out his fatal attack.

Last November, Long Beach Superior Court Judge Ross Klein threw out all claims in the suit but the one remaining claim rejected by the jury Tuesday.

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