

Teen: Self-defense in cop shoot

BY MARIA ALVAREZ
Special to Newsday

The Port Washington teen accused of shooting and wounding NYPD Officer Ricardo Ramirez in October says he acted in self-defense and plans to sue the city over his own injuries, his lawyer said outside court Friday.

Speaking to reporters after a pretrial hearing at State Supreme Court in Brooklyn, attorney Robert DiDio claimed plainclothes officers did not identify themselves when they chased his client, Elijah Foster-Bey, 17, inside an apartment building in East New York, Brooklyn, while police were investigating a series of robberies.

"He was terrified. He did not know they were police," DiDio said, adding the family is planning to file a civil case against the NYPD. "My client spent six weeks in the hospital and underwent two surgeries," DiDio said. Foster-Bey suffered "long lasting" injuries resulting from a crushed spleen and injuries to his intestines, he said.

Police and the district attorney's office dismissed the

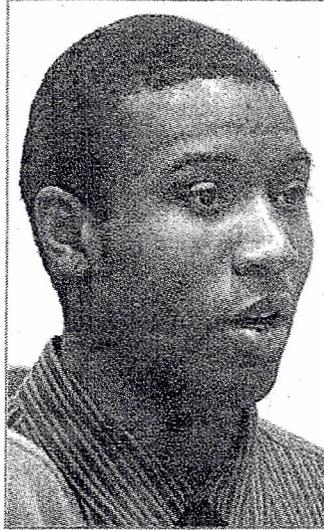


PHOTO BY JASON DECROW

Elijah Foster-Bey: Plainclothes cops didn't ID themselves.

claims.

"He's going to sue the city?" said Assistant District Attorney Lewis Lieberman. "Officer Ramirez lost a ton of blood. If an officer did not tie a tunic to his leg, he would not have made it. The doctor said it saved his life," Lieberman said.

According to police, Ramirez

and other undercover officers from the 75th Precinct's anti-crime unit chased Foster-Bey into a third-floor stairwell. Police said Foster-Bey started shooting, wounding Ramirez twice in the leg. A third round struck Ramirez's protective vest. The officers fired back 11 times.

Foster-Bey, who has pleaded not guilty, is charged with second-degree attempted murder, first-degree assault; aggravated assault on a police officer, and criminal possession of a weapon. He is free on \$100,000 bail.

Ramirez, a four-year veteran, was released from the hospital with crutches a week before Christmas after his family stood vigil at his bedside for almost two months.

Foster-Bey, who graduated from Paul D. Schreiber High School, in Port Washington, was working full-time as a bicycle messenger in Manhattan when he was arrested. His lawyer said Foster-Bey has never been arrested or convicted of a crime, and that he was living with his mother, stepfather, brother, sister and aunt for the past four years in Port Washington.