

# Cocaine, not stun gun, faulted death of homeless man, 31

## ► STUN GUN, FROM 1B

report his lawyer ordered attributes his death to asphyxiation. He said his grandson was suffering from an asthma attack and was flailing his arms around to get help. The man had trouble communicating because of an earlier tracheotomy that limited his ability to speak.

The Taser jolt only worsened his condition, Del' Ostia said.

"Whoever invented that gun, they should shoot that son of a gun," he said.

But some witnesses, including police officers at the scene, attributed Del' Ostia's erratic behavior in the Entrada lobby, at 509 N. Federal Highway, to drugs.

In a 911 call, a motel worker stationed at the front desk urged police to get to the Entrada immediately. "We have a man on drugs, crazy," the caller said.

But members of the Peer Center, an Oakland Park program run by the mentally ill for the mentally ill — a place where Del' Ostia was a regular — said the troubled man was sober when he died. Del' Ostia had a drug test scheduled that week in order to qualify for subsidized housing through the Peer Center — something friends said he would not jeopardize.

However, family friend Nicholas Souza said Vinnie, as he was known, lived "a fast life" that included cocaine use.

Del' Ostia also got into trouble with the law, serving prison time for second-degree murder, cocaine possession and grand theft.

On Tuesday, his defenders had a mixed reaction to the pathologist's findings.

"Whether he was loaded or not, that was a cry for help, not a cry for murder," said his

## Miramar officer won't face charges

### ► OFFICER, FROM 1B

officer and 10-year veteran of the force, stopped and asked what was wrong.

Mankowski testified that he smelled marijuana on both Ellington and his passenger, Jayson John, 20. Mankowski called for backup; officers searched the car, and Mankowski patted down Ellington.

Ellington claimed that, after frisking him, Mankowski asked whether Ellington had ever had a finger "stuck up" his buttocks.

Ellington alleged that Mankowski then started applying lubricant to the index finger of his hand, which had a latex glove on it. Mankowski threatened to take him to a secluded area to do the body-cavity search, Ellington said.

Mankowski testified that he routinely uses latex gloves for searches, and that he applied a hand cleaner to his bare hands when he got back into his police car. Mankowski also said he told Ellington that if any drugs

were found on him, he would be taken to jail and searched.

Assistant State Attorney Bernhard Hollar, in a memo closing his investigation, wrote that there was no "independent witness to corroborate [Ellington's] allegation."

Although John supported Ellington's account of Mankowski's behavior, their testimony would not be credible in front of a jury because part of the men's statements conflicted, Hollar wrote. John said Ellington had not smoked marijuana that evening, but Ellington told police he had smoked marijuana 15 to 25 minutes before

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— ELIJAH ELLINGTON  
Pembroke Pines driver

Mankowski approached him.

"It would be difficult for a jury to believe just Mr. Ellington and Mr. John over and above the police officers with this glaring conflict in their testimonies," Hollar wrote. "Furthermore, all of the officers testified consistently with each other."

Mankowski and two other officers called to the scene denied the allegations.

Ellington said he was profiled by police based on his race and that he wears dreadlocks. Four days before the incident, a man with dreadlocks stabbed a Miramar officer. A suspect was arrested.

Ellington said he will talk to an attorney about options.

He added: "To me, [the discrepancy] has nothing to do with the allegations. The only reason I made the complaint is because of what the officer said.

"The officers are definitely lying," Ellington said, adding that he tries to drive in Miramar as little as possible. "I feel it's messed up that the officers can get away with this so easily."

Taser," he said. "Tasers don't electrocute people. That is a misconception people have."

Tuttle said extensive studies on the weapon showed there was not a correlation between drug use and Taser death.

Still, controversy over the guns is likely to continue. Last week in Hilliard, Fla., a 46-year-old man died after Nassau County deputies shot him with the Taser. Officials are waiting for a cause of death.