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Long Beach agrees to pay \$8 million in wrongful murder conviction

Thomas Goldstein was jailed 24 years based largely on a jailhouse informant whose credibility was questionable. The city denies his rights were violated but says it couldn't risk a sizable jury award.

By Andrew Blankstein, Los Angeles Times

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Long Beach has agreed to pay nearly \$8 million to settle a lawsuit filed by a man who spent 24 years in prison after being wrongly convicted of murder based largely on the testimony of a jailhouse informant.

Thomas L. Goldstein was convicted in the 1979 shotgun slaying of John McGinest. Edward Fink, the informant, testified that Goldstein confessed to the murder while they were in Long Beach Jail.

A judge overturned the conviction more than two dozen years later because of concerns over Fink's credibility and because prosecutors did not tell Goldstein's attorney that they had cut a deal with Fink in a separate case.

Goldstein, a Marine Corps veteran, was freed in 2004. He sued the Los Angeles County prosecutors involved in his case, contending that officials regularly used jailhouse informants without ensuring they were telling the truth. The U.S. Supreme Court dismissed that suit last year, saying district attorneys are immune from wrongful conviction suits.

Goldstein also sued Long Beach; that suit was settled Wednesday. His attorney, Barry Litt, said the settlement is important because it holds authorities accountable. Litt handled the suit against Long Beach after the firm of Kaye, McLane & Bednarski litigated the case for six years from Goldstein's release through the high court decision.

"The information the authorities suppressed would have led to his acquittal," Litt said. "Their conduct resulted in Tom spending 24 years" in prison, years he "can never recover."

Despite the settlement, Long Beach Principal Deputy City Atty. Monte Machit said Goldstein's constitutional rights were not violated.

The settlement was weighed against the cost of a trial and the possibility of a sizable verdict against the city in a time of financial hardship, Machit said.

The shooting occurred near Goldstein's Long Beach home. Witnesses gave conflicting

descriptions of the suspect; some said the gunman was black and one told investigators it was Goldstein, who is white.

After Goldstein's conviction, it was revealed that a number of authorities had doubts about Fink's credibility. Another key witness recanted his testimony.