

Local

West Haven drug bust case falls apart

By Phil Helsel
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Legality of search questioned; 2 accept plea deal

What was likely the biggest pot bust in West Haven history went up in smoke Thursday after serious doubts arose about the legality of the search that uncovered millions of dollars in marijuana plants.

Prosecutors dismissed all charges against Le and they accepted drastically reduced plea bargains for Dang and Ha Thursday at Superior Court in Milford after it became increasingly suspect whether officers were given consent to search Dang's Center Street house and Le's Washington Avenue home that day.

The case fell apart during a hearing to suppress evidence requested by defense attorneys. Superior Court Judge John J. Roman said that testimony given by the officers and detectives involved raised "serious legal search and seizure issues."

West Haven police Detective David Howard and other officers said that two anonymous 911 phone calls alleging some kind of electricity theft or problem in Dang's basement led them to her Center Street home but he insisted that Dang willingly let officers inside. But whether Dang, who needed a Vietnamese interpreter throughout the hearing, understood police and whether the anonymous calls were grounds to even ask for a search in the first place, both motivated the plea agreements, Ha's defense attorney, Dan Lyons of West Haven, said.

"It didn't rise to the legal level to justify a search," Lyons said. "Major, major seizure issues here."

Another major contradiction was that Howard and Lyons sought and secured search the homes even after Dang and Le consented to a search. Lyons said that the search is granted by a police officer, which can take hours, and Lyons would usually complete

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form so that it can be proved later. Although Howard testified that he had consent forms on him, neither he nor any other officer ever asked Dang or Le to sign one, he said.

"It challenged the concept of common sense to say we had consent but we got warrants," said Hugh Keefe, a New Haven lawyer representing Le. "Their own testimony was blatantly contradictory and, frankly, difficult to believe."

Dang, who owns Central Nails Salon on Campbell Avenue, and Ha both pleaded guilty Thursday to a single charge each of possession of more than four ounces of marijuana. Dang was given a five-year suspended prison sentence and Ha was given a year in jail, mostly because he claimed responsibility for the drugs after they were discovered in the couple's Center Street basement.

All three originally faced 18 drug-related charges, including two counts each of operating a drug factory. According to police, officers found a total of 43 marijuana plants in the two homes as well as sophisticated indoor-growing equipment.

The drug bust was the largest in at least 20 years, Howard said, and it was likely the biggest in the city's history.