

DA issues personal check to drug dealer's estate

**By Vince Guerrieri
TRIBUNE-REVIEW**

Wednesday, August 11, 2004

With more than a little help from unidentified friends, Washington County District Attorney John Pettit issued a personal check Tuesday for \$75,176 to the estate of a slain drug dealer.

At a new conference, Pettit instructed his attorney to give the check to the estate of Fred Brilla, 50, of Canonsburg.

Brilla was fatally shot last November at a North Strabane bar.

A federal judge ordered Pettit to pay \$75,176 for having violated Brilla's civil rights because the prosecutor's office kept \$50,000 in cash and two motorcycles seized in a drug raid.

"I'm not admitting I did anything wrong," Pettit said.

The payment yesterday is only the latest twist in the still-unfolding saga.

Pettit is prosecuting three men accused of killing Brilla and Martin Bahler, 40, of Peters last Nov. 4 at Price's Tavern on Route 19. One suspect, Gerald A. Gregg, 39, of South Fayette, claims he was framed by the prosecutor.

Washington County commissioners last year approved the \$75,176 payment to Brilla's estate after a county insurer refused to do so. County Controller Michael Namie, however, rejected the payment because a federal jury ruled that Pettit's conduct in the Brilla case was "malicious, wanton or oppressive." Pettit has sued Namie over the refusal.

Brilla was arrested in 1989 for drug trafficking. Investigators found \$52,000 cash, 2 pounds of cocaine, computers and motorcycles. Brilla was sentenced to four to 10 years in prison in 1993 but fought the seizure of personal items. He eventually won in federal court over the failure to have the seized items returned.

Pettit yesterday declined to identify the friends who provided the money to pay the debt. He said he contributed a small amount to the fund.

According to state ethics laws, Pettit may not be required to disclose his benefactors. Vince Dopko, chief counsel for the state ethics commission, said the law does not require public officials to identify gifts from family or friends in annual financial-disclosure statements.

Elected officials generally are required to list the sources of loans exceeding \$6,500 and gifts of more than \$250.

Pettit said he hopes the payment will lead to reimbursement by the county, which would allow him to repay the money to his friends. He denied any conflict of interest.

"I don't keep it," he said. "It will not benefit me."

Skip Ebert, president of the Pennsylvania District Attorneys Association, said the situation is unprecedented.

"A prosecutor in their normal capacity is immune from lawsuits," he said.

Pettit has served as Washington County's top prosecutor for 21 years. He has declined to ask the state Attorney General's Office to take over the prosecution for the slayings of Brilla and Bahler.

Also awaiting trial in the killings are Dirk L. Barfield, 40, and Carl Anthony Cohen, 40, both of Washington. Pettit said the trial likely will begin early next year.

Gregg, the third suspect, claims he was framed by Pettit. He said the prosecutor wanted Brilla out of the way. But during his preliminary hearing, witnesses testified that Gregg planned to kill Pettit and make it look like a suicide in Gregg's attempt to become "godfather" of Washington County.

Pettit addressed that without identifying anyone, because the matter remains under investigation. Pettit said he had received around-the-clock protection before the slayings because of death threats and that there was even a \$5,000 contract out on him.

"Not much for a DA, is it?" he said.