

Questions raised about latest fatal police shooting in Albuquerque, New Mexico

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26 April 2014

Following the April 21 shooting death of 19-year-old Mary Hawkes by an Albuquerque Police Department (APD) officer, information about the incident has been slow in coming. In an April 23 press conference, APD chief Gorden Eden Jr. either refused to answer or claimed not to know the answers to reporters' questions.

Shortly after the early-morning shooting occurred, Eden told reporters that, after being chased to a trailer park, "the suspect stopped, turned and pointed a handgun at close range... the officer fired at the suspect." At a city council meeting that evening, Eden clammed up and left by a back door when reporters asked how he knew his chronicle of events was true, and whether there was any evidence to back it up.

At the press conference, Eden did provide the identity of the officer who shot Hawkes: Jeremy Dear, who has been with the APD since 2007 and is currently on paid leave.

Eden told reporters, "At this time, we have no video of the shooting as it has not been recovered from Officer Dear's on-body camera system." He said the camera was being sent to manufacturers to examine.

Similar responses to further questions followed. Asked if there was a problem with the lapel camera, he replied, "No, I'm not calling it a malfunction of the camera." As for whether the lapel camera was even turned on, he said, "That's information we don't know, that's why we sent it to the experts."

Other queries—about other officers' lapel cams, possible witnesses, how many shots were fired, the gun Eden said was found near Hawkes's body—were treated in a like manner: "Right now, I don't have a precise number or answer for you;" "I don't have any information about that at this time;" "That report we have not received from the medical examiner."

Dear, it turns out, was involved in another fatal shooting, though not as the shooter. In 2011, he was with APD officer Sean Wallace when Wallace shot and killed Alan Gomez, an unarmed man on his front porch during a domestic dispute standoff. The incident was egregious enough to be cited in the Department of Justice's recent scathing report on APD violence. In the report, the DOJ states, "Gomez was unarmed and did not pose an immediate risk of death or serious bodily harm to the individuals in the house or officers when he was shot."

In the inquiry process following the shooting, Dear changed his story twice to line up with Wallace's testimony. A lawsuit against the APD resulted in the city paying the Gomez family \$900,000.

According to a report from local news station KRQE, "Officer Dear was one of 55 officers red-flagged at the time by APD for having at least three potential problems, which could mean anything from missing court to use of force."

One of the practices criticized in the DOJ report is the practice of APD officers to neglect or turn off their lapel cams. The DOJ found: "Officers failed to record some incidents even when it was the officers themselves who initiated the contact, making their failure to switch on their cameras or recorders before beginning the encounter especially troubling... the department's failure to record incidents consistently indicates that officers have not embraced these accountability mechanisms."

"Not embraced" is putting it mildly. Some 80 officers were disciplined for not using their cameras in 2013, deputy Chief Allen Banks told KRQE last May, but the most severe discipline for the infraction so far has been a letter of reprimand. Eden "is trying to draft a new lapel camera policy to hold officers more accountable,

however, there is no timetable on completion or implementation of the policy.”

A caller to radio station KUNM-FM’s Thursday morning call-in program related an encounter he had with Dear. Dear arrested him for drunk driving in 2012. The caller was found not guilty “after a long and very expensive court process.” He said, “My success in that court battle was due to the fact that Officer Dear did in fact choose to turn his lapel camera off...and arrest me as I was passing the field sobriety test, then later lied in court and said his lapel camera failed.”

When asked about Dear’s prevarications in the Alan Gomez case, and whether he has been investigated before, Eden refused to discuss the matter, saying only, “I would not want to talk about his past at this time because that becomes a personnel issue.”



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