

Six additional Houston, Texas police officers charged in connection with killing of husband and wife during no-knock raid

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Six additional Houston Police Department (HPD) officers have been charged in connection to the January 28, 2019 killing of husband and wife Dennis Tuttle, 59, and Rhogena Nicholas, 58. This brings the total number of officers indicted over the deadly raid to 12. The charges were announced by the Harris County district attorney, Kim Ogg, at a news conference on Monday.

The pair was gunned down in their own home during a raid authorized by a fraudulent no-knock warrant obtained by Squad 15 of the HPD Narcotics Division. Neither Tuttle nor Nicholas, who were both white, were wanted for any crime at the time that their home was raided and they were killed by the police.

A scheme to falsify work hours on HPD's time sheets was uncovered by Harris County District Attorney Kim Ogg's investigation into the circumstances of the killing. The DA stated that "the consequences of corruption are that two innocent people and their dog were shot to death in their home by police; four officers were shot, one paralyzed, and now all of them will face jurors who will determine their fate."

The DA's statement shows that a significant number of Squad 15's members were involved in a criminal conspiracy to get extra overtime pay through illegal raids.

Officer Felipe Gallegos was indicted by a Harris County grand jury for the murder of Tuttle. His attorney claims that Gallego was unaware that the warrant was fraudulent.

The other officers indicted Monday—Oscar Pardo, Cedell Lovings, Nadeem Ashraf, Clemente Reyna and Thomas Wood—were charged with first degree felonies of Engaging in Organized Criminal Activity, Aggregate Theft by a Public Servant (\$30,000 or more but less

than \$150,000), and tampering with governmental records.

The *Houston Chronicle* called the killings "one of the worst to hit HPD in years" in 2019. As a result of the public outcry over the killings, HPD opened an investigation into more than 800 cases handled by Steven Bryant, who was indicted in January 2020 for falsifying government records in order to get a warrant to raid the house. Bryant lied on a police report about recovering black tar heroin from the couple's house after the raid.

HPD has a long history of violence and killings. The department has not gone a year without killing someone since at least 2010, according to the city's website, with 9 people killed last year and a total of 95 people killed over the last decade. In the same period the department has averaged about 26 shootings per year.

Former HPD officer Gerald Goines was charged earlier in 2020 with lying to a judge in order to receive a no-knock search warrant by fabricating evidence that Nicholas and Tuttle were drug dealers. Goines, a department veteran of 34 years who now stands charged with two counts of felony murder, has a long history of dangerous behavior. He killed a man in September 1997 claiming he had a gun. He headed a no-knock raid into another family's home where police shot George Benard, putting him in a coma for two months in 2013. Benard had most of his fingers and toes amputated due to complications from the raid. Goines also stands accused in a separate case of presenting false evidence tied to the convictions of 69 people in February 2020.

The justification for the no-knock warrant on the

Tuttle-Nicholas home was the boilerplate claim that “knocking and announcing would be dangerous, futile, or would inhibit the effective investigation of the offense.” The only evidence justifying this was the fabricated report by Goines that stated that a confidential informant saw a 9mm handgun at the house. It is unknown why the officers opted for a no-knock warrant.

According to the official police account, the officers serving the warrant burst into the couple’s home with guns drawn, shooting and killing the couple’s dog. Tuttle fired back, wounding an officer with a revolver, no doubt seeking to defend himself from the unidentified and aggressive intruders. Officers then shot and killed both Tuttle and Nicholas, who they alleged was reaching for an officer’s shotgun. Five other officers were wounded during the shootout. No heroin was found at the couple’s home.

Responding to the indictment on Monday, Houston Police Chief Art Acevedo stated in a tweet from the HPD Twitter account that the killers had done nothing wrong, stating that “Today, I learned that another officer [Gallegos] who was involved in the Harding Street officer-involved shooting has been indicted for murder. I have said many times that the other officers involved in the incident, including the officer indicted today, had no involvement in obtaining the warrant and responded appropriately to the deadly threat posed to them during its service.” The Houston Police Officers Union issued a similar statement, declaring, “It’s a sad day in Harris County.”

It is significant that Acevedo defends the murder of two people whose house was wrongly raided by his police officers, sending the message that these sorts of murders are not merely the work of bad actors, but are the result of department policy. Acevedo has publicly stood with the killers since the shooting and has only condemned the officers who falsified forms, variously stating that the killers “acted in good faith” and that the killings were self-defense.

The City of Houston under the direction of Democratic Mayor Sylvester Turner has worked to undermine any attempts to release evidence in the case. Mike Doyle, an attorney representing the Nicholas family, issued a statement calling on the city and HPD to release evidence from the crime scene, with the city delaying Doyle’s request for HPD to produce

additional evidence in county probate court.

Doyle’s statement explains, “These latest indictments confirm some of the findings from the family’s independent investigation, and yet again raises two questions: How high does the corruption of HPD Narcotics Squad 15 go and why has the city and HPD fought so hard, still, to conceal the basic facts about what happened before, during and after the murderous raid?”

The HPD, like police agencies across the US and world, function as the armed enforcers of the capitalist state and ever-growing levels of social inequality. The wanton violence meted out by the HPD, primarily against the working class and poor, is a product of its role in society in suppressing the class struggle and protecting capitalist property relations.



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