

Pueblo, Colorado, family file lawsuit over 2022 police killing of Richard Ward

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A family in Pueblo, Colorado, has filed a civil lawsuit against the Pueblo County Sheriff's Office this past Tuesday for wrong doing in the death of their son, Richard Ward. Ward, a 32-year old white man, was shot and killed by two sheriff's deputies on February 22, 2022 in the parking lot of Liberty Point International Middle School.

Ward was with his mother Kristy Ward and her boyfriend Tommy Brown at the school to pick up his younger brother Chase. According to the lawsuit and the investigation of the incident, Ward exited his car to look for his brother and bring him back to the car, which was in line with several others. On his way back to the car he accidentally entered another vehicle similar to the one his mother was driving, thinking that it was her car. He realized the mistake, apologized to the woman and left the vehicle.

Following this, a call was made to the 911 dispatcher describing a suspicious person attempting to enter vehicles. Responding to the call, two deputies, Cassandra Gonzales and Charles McWhorter, arrived at the school to investigate.

Police body camera footage released by the family's attorneys show the officers approach Ward's car, who opens the door to speak with them and explain he is looking for his little brother. His speech is somewhat fast paced and disjointed.

McWhorter placed his hand on Ward's shoulder while he sits inside the car and asked, "Why are you acting like this?" Ward explained he has anxiety and that he had bad experiences with police before, stating that "They've done things to me." He then imitated an officer punching someone saying "Stop resisting!" when you're not resisting."

Deputy McWhorter took issue with Ward's reference to police violence and asked him how he had been treated badly by police. Ward was uncomfortable with the

questioning and explained that he is "Just a normal guy looking for my brother." He then asked who he bothered by searching for his brother, leading into his explanation of how he entered the wrong vehicle and that he apologized to the woman he bothered.

The officers then asked if he was under the influence of any drugs, to which he replied "no," and requested his ID. As he searched for his ID the deputies asked if he had any weapons to which he responded that did not think so but, he might have a pocket knife on him as he produced two lighters from his pant pocket.

Ward then reached his hand into his jacket pocket and put a pill into his mouth. McWhorter aggressively asked, "What did you just stick in your mouth?" as he pulled Ward from the vehicle. Ward shouted "It was a pill, let me go!" as the officers attempted to grab him and place him in handcuffs.

The officers and Ward fell to the ground in a struggle for a few seconds before McWhorter fired three shots from his service handgun at point blank range into Ward. Just over 20 seconds had elapsed from when McWhorter pulled Ward from the vehicle and when he shot him. The deputies then ordered Ward's family to remain in the vehicle as they stood over his motionless body. A third officer arrived on the scene shortly after but also did not offer any aid to Ward. Five minutes passed before fire department paramedics arrived on the scene where Ward was pronounced dead.

At no point leading up to the physical altercation did Ward fail to comply with the officers' requests, nor did he appear to present any physical danger to the officers. It is only when they assaulted him to wrestle him from the car that he struggled physically as they demand he "stop resisting."

The pill that Ward took was later determined to be an anti-anxiety pill and he was found to not have any weapons on this person.

The body camera footage clearly shows that Deputy McWhorter initiated the physical altercation by pulling Ward from the car and that there was no reasonable justification for the officer's use of force. It is not surprising that it took an entire year for the body camera footage to be released to the public, given that the official police report on the incident claims that Ward jumped out of the car to assault the deputies. The footage exposes this as a blatant lie concocted by the Sheriff's Office to cover up a police murder.

Not only did the Sheriff's Office lie about the incident, the Tenth District Attorney Jeff Chostner absolved both officers of any wrong doing in a brief issued on October 22, 2022, claiming that their use of force was justified for "self defense." The report includes a review of the body camera footage and interviews with the deputies who repeatedly claimed that Ward was aggressive and confrontational, despite the footage clearly showing that he was not. The Deputies claimed that they felt concerned for their safety to justify their use of force and failed to render medical aid because they were concerned for their safety with people still in the car.

The only witness testimony in the report is from Ward's family and from a single bystander named Stacey Hoff, who claimed that Ward was "combative" and that he was reaching for the deputy's gun. However, she says that she could not really see and the report notes that she was backing out of a parking space during the incident.

The murder of Ward has been difficult on the family. As mother Kristy Ward Stamp explained at a press conference Tuesday, "It's just shattered the whole family... It's been really, really horrible. I don't even know who I am anymore, but I'm working on it."

Ward's brother Eddie Stamp noted that the police lie that Richard had jumped out of the vehicle to attack the officers had hurt his younger brother Chase who attends the middle school. "To hear my younger brother say that other people's parents are reading that story and that other kids in his class are referring to my brother as this intruder and attacker, and to have him not know how to even deal with that."

"At worst," civil rights lawyer Darold Killmer, who is representing the family, remarked, "he had startled a lady by opening her car door, though it was accidental, and nothing further happened when he realized his mistake. The officers had no basis to believe Richard had committed any crime, and absolutely no basis to believe that Richard was a danger to them or anyone else."

Killmer added, "Rather than providing emergency

medical care to Richard, such as applying pressure to the wound area or other potentially life-saving measures, both McWhorter and Gonzalez did absolutely nothing. Rather, they satisfied themselves to wait until an ambulance later arrived, by which time Richard had died."

"This was nothing short of state-sanctioned murder of a citizen who should not have been even arrested, let alone killed in broad daylight. . . We consider this an extraordinarily compelling case of unjustified police brutality, leading to the death of a young man with devastating consequences for his mother and family. The family has asked us to secure justice for Richard, and we intend to do so."

Adding insult to injury, the Sheriff's Office illegally detained Ward's mother and her boyfriend after killing her son and then seized her car, phone, and ID and withheld them from her for months according to the lawsuit.

None of the officers involved have faced any repercussions for their actions and instead have been praised. On February 17, Deputy McWhorter received a Purple Heart award for injuries sustained while murdering Ward. He also received a Medal of Valor award in 2018 for shooting another white man, robbery suspect Dennis Flowers, 66, ten times in 2017.

District Attorney Chostner also found McWhorter's use of deadly force to be "justified" in his investigation into that incident. Flowers reportedly pointed a firearm at the officers.

The sheer violence and callousness which with Ward was killed is emblematic of the savagery of the police in the United States and the increasingly violent means through which the rule of the capitalist system is enforced. Ward was just one of at least 1,176 people killed by police in US in 2022, an all-time high. An average of three people continue to be killed by cops every day across the country, on track for another year of more than 1,000 victims of police violence.



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