

Collection of Articles about Police Officers Killed by Semi-Automatic Rifles in 1999;

Incidents Identified in the "*Officer Down*" Report

(<http://www.vpc.org/studies/officecont.htm>)

Part 2 of four

Philip F. Lee, PhD 2/1/04

James Williams

<http://www.fbi.gov/ucr/killed/99leoka.pdf> , page 44

Law Enforcement Officers Killed and Assaulted 1999

A 41-year-old police officer with the Oakland Police Department was shot and killed just after midnight on January 10 by a sniper on a highway overpass as the officer searched a roadside for a weapon discarded during a vehicle pursuit. The officer, with nearly 5 years of police experience, was attempting to recover a shotgun that allegedly had been tossed from a vehicle that other officers had been pursuing. As the victim officer and his field training officer were searching the roadside, a sniper positioned himself on a nearby overpass and fired a 7.62 mm semiautomatic rifle at the two officers. The training officer was struck in his handcuff case and was unharmed; however, the victim officer was struck in the upper back where the bullet penetrated his body armor and mortally wounded him. Reportedly, the sniper believed the shootings would cause officers still in pursuit of his friends' vehicle to terminate the chase and return to the fallen officers. A 19-year-old male was arrested later that afternoon and charged with Murder.

<http://www.odmp.org/year.php?year=1999&Submit=Go>

<http://www.odmp.org/officer.php?oid=15201>

Police Officer James Williams Jr.

Oakland Police Department, CA

EOW: Sunday, January 10, 1999

Weapon Used: Rifle

Suspect Info: Sentenced to life

Officer Williams was shot and killed by a sniper while he was searching for a gun. He and another officer were searching a portion of highway where two suspects tossed a shotgun out of their window during an earlier police chase. During the search a sniper on an overpass opened fire on both officers with a high powered rifle. Officer Williams was struck in the chest, with the round penetrating his vest. He was taken to a local hospital where he was pronounced dead.

The other officer was shot but the round was stopped by his handcuff case. The sniper was a friend of the original suspects and decided to shoot at the officers in order to allow the suspects to escape. The suspect was arrested and plead guilty to second degree murder towards the end of his capital murder trial in order to avoid the death penalty. He was sentenced to life without parole.

<http://www.vpc.org/studies/990110.htm>

Section Three: Selected Incidents of Law Enforcement Officers Killed in the Line of Duty by Assault Weapons, 1998 Through 2001

Date: January 10, 1999

Location: Oakland, California

Assault Weapon: MAK-90 or SA85 7.62mm rifle

On January 10, 1999, Officer James Williams was killed with a MAK-90 or SA85 7.62mm rifle. Officer Williams was among a group of officers who were searching for a rifle that had been discarded by the occupants of a vehicle that was involved in a chase with police. While they were searching for the rifle, a gunman opened fire from a nearby overpass, killing Officer Williams. Chad Rhodes was arrested and charged with special-circumstances murder, attempted murder, three counts of firing an assault weapon, and possessing an assault weapon. Rhodes pleaded guilty to second-degree murder and was sentenced to life in prison without parole.

Henry K. Lee, "Arrest in Oakland Sniper Slaying," San Francisco Chronicle, January 12, 1999; Henry K. Lee, "Sniper Suspect Enters Plea of Not Guilty," San Francisco Chronicle, February 6, 1999; "Man Pleads Guilty in Killing of Oakland Cop," San Francisco Chronicle, April 9, 2003

http://www.house.gov/judiciary_democrats/highcapammo.htm

In January 1999, a 19-year-old man used an AK-47 assault rifle to kill an Oakland, California police officer. AK-47's are made in Eastern Europe, Russia, and China. Henry K. Lee, Arrest in Oakland Sniper Slaying, S.F. Chron., Jan. 21, 1999, at A1.

<http://sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/1999/02/06/MN62959.DTL>

Sniper Suspect Enters Plea Of Not Guilty

Slain officer's wife pledges to monitor case

Henry K. Lee, Chronicle Staff Writer Saturday, February 6, 1999

OAKLAND -- The man charged in the sniper killing of an Oakland police officer last month pleaded not guilty yesterday as the officer's widow pledged to attend each of the suspect's court hearings.

Chad Rhodes, 19, of Oakland appeared briefly in Alameda County

Superior Court as defense attorney Alfons Wagner entered the plea.

Rhodes is accused of firing a high-powered rifle, similar to an AK-47, from a freeway overpass on January 10. A bullet from the gun allegedly struck and killed officer James Williams Jr., 41, as he searched Interstate 580 for a discarded shotgun.

Rhodes is charged with special-circumstances murder, which could bring him the death penalty, attempted murder, three counts of firing an assault weapon at police and possessing an assault weapon.

``He's a scared, young kid," Wagner said outside court.

Williams' widow, Sabrina, 36, said she planned to be at every one of Rhodes' court appearances, as she has in the past.

``I owe that to my husband and my children to be here as part of the process," she said. ``I want to make sure justice is served. I realize it's going to be lengthy, and I'm patient."

Besides his widow, the officer, who was fresh out of Oakland's police academy, leaves behind three children: Alexander, 10; Aaron, 5; and Arriana, 4. The family lives in Pinole.

A benefit jazz concert in honor of the officer will be staged from 3 to 6 p.m. today at World Ground Cafe, 3726 MacArthur Blvd., Oakland. Performers include India Cooke and Katrina Wreede, Strictly Tango, duo Joe Hebert and Ira Stein and Acme Music instructors.

A \$3 to \$10 donation is suggested for admission. A portion of music and cafe sales will be donated to the Williams family.

(source: San Francisco Examiner)

A man accused of killing rookie Oakland police Officer James Williams Jr. in a freeway sniper attack last weekend has been appointed an attorney and was ordered to return to court next month to enter a plea.

Chad Rhodes, 19, an unemployed Oakland resident, is charged with murder, attempted murder, three counts of firing an assault weapon at police and possessing an assault weapon stemming from the attack on Williams, 2 other officers and an evidence technician on Interstate 580 early Sunday morning.

Rhodes, who is being held without bail, could face the death penalty if convicted.

Handcuffed and dressed in a pink jail jumpsuit, Rhodes remained silent throughout Friday's brief court appearance in Oakland Municipal Court.

Williams' wife, Sabrina, and four classmates from Williams' recently graduated Oakland Police Academy class sat quietly in the courtroom during the proceeding.

Attorney Alphons Wagner, who works for the Alameda County Bar Association, agreed to take Rhodes' case. Judge Horace Wheatley ordered the defendant back to court to enter a plea on Feb. 5.

Rhodes is accused of shooting Williams with an AK-47 assault rifle from the 38th Avenue overpass above I-580 Sunday morning just past midnight. Another shot hit Williams' partner, Officer John Oare, but ricocheted off the casing of his handcuffs.

Williams, Oare, another officer and the evidence technician were taking pictures of where they located a gun that reportedly had been thrown by suspects involved in a chase minutes earlier.

Wagner, who said he has defended 4 murder cases in Alameda County in the past 15 years, said he agreed to take Rhodes' case after the Alameda County public defender's office announced it could not accept the case because of an undisclosed conflict of interest.

<http://www.cnn.com/interactive/us/0210/timeline.sniper.attacks/content.2.html>

Officer killed

A rookie police officer was killed January 10, 1999, when he was shot while standing beneath an overpass on Interstate 580 in Oakland, California. Chad Rhodes is set to go on trial later this year in the shooting death of Officer James Williams Jr. At the time of the shooting, Williams, 41, was on the freeway's shoulder with two other officers and an evidence technician searching for a weapon that had been tossed from a car during a high-speed chase. Police said Rhodes, then 19, fired six to eight shots from an AK-47. Rhodes also faces charges of attempted murder and three counts of using an assault weapon. If convicted, Rhodes could face the death penalty.

<http://groups.yahoo.com/group/InTheShadows/message/2914?source=1>

OAKLAND MAN CHARGED

Mom says suspect is scarred by Guyana tragedy, not knowing who father is

San Francisco Examiner 13.1.1999

By Gregory Lewis OF THE EXAMINER STAFF

OAKLAND - The 19-year-old accused of killing an Oakland police officer may be a sad legacy of the tragedy of Jonestown, said his mother and a psychiatrist who worked with Peoples Temple survivors.

Juanita Bogue, a Jonestown survivor and the mother of Chad Rhodes, the man accused of killing Oakland police Officer James Williams Jr., said her son was conceived in the Guyana compound where more than 900 Peoples Temple members committed suicide or were murdered 20 years ago.

"Everything around his life has been trauma," Bogue said Tuesday, the day of her son's arraignment on a charge of slaying the officer from a sniper's perch Sunday morning.

"I'm the only one who can help him and I can't help myself," said Bogue, adding that she was unable to even tell her son about his father. "He may go to the electric chair and not even know who he is."

Rhodes is accused of climbing out of a car on an overpass above Interstate 580 just past midnight Sunday morning and fatally shooting Williams - the father of three small children - with an AK-47 assault rifle.

He is charged with murder, in circumstances that could result in the death penalty, and three counts of attempted murder. Execution in California is by lethal injection.

Sitting in the living room of a friend's home Tuesday, Bogue, 42, appeared emotionally fragile as she described her son as a teenager haunted by never knowing who his father was.

Bogue suffers from bouts of amnesia - a result, said a psychiatrist, of the trauma caused by her experiences with the Peoples Temple and the mass suicide in Jonestown, Guyana.

Hardat Sukhdeo, a Guyana-born retired psychiatrist who treated Bogue and other Jonestown survivors, said: "I look at this whole effect of Jonestown and the suicides and this boy, this little man, is one of the consequences."

Jonestown was to have been a Utopian dream, free of racism, a haven for justice.

But on Nov. 18, 1978, it became the scene of unspeakable horror as the Rev. Jim Jones led his Bay Area flock into the worst mass murder / suicide in modern history.

U.S. Rep. Leo Ryan, Examiner photographer Greg Robinson, NBC correspondent Don Harris, NBC cameraman Bob Brown and temple defector Patricia Parks were killed in a temple ambush that preceded the suicides in which Jonestown settlers, most of them children or elderly, drank or were forced to drink cyanide-spiked fruit punch.

Rhodes was given the last name of a man who claimed he conceived the child with Bogue in Guyana, but years later turned out to not be his father.

"I left Guyana with Leo Ryan at the time I was pregnant with Chad," Bogue recalled. "I didn't know I was pregnant. I was suffering from amnesia or something like that. When I was five or six months pregnant I couldn't remember who my son's father was."

After her son was born, Bogue said, another Jonestown survivor, Odell Rhodes, stepped forward to claim paternity.

"Not knowing any difference, I put him on the birth certificate," she said.

But Bogue said Odell Rhodes saw Chad only a couple of times before he was a year old, and not again until he was 5.

And when he returned, he sought and won custody of Chad.

"He comes back into our lives again and gets custody of my son because of my disability, my amnesia," Bogue said. "The judge gives Chad to a man he's seen once or twice before he's 5 years old and he gets a restraining order against me."

A court battle that lasted several months resulted in her regaining custody of Chad, who was about 10 when he learned from his mother that Odell Rhodes wasn't his real father, she said.

Search for his roots

Meanwhile, time and distance from the Jonestown tragedy allowed Bogue to remember things she had blocked out. Among the things she remembered was that a man named Tarik Baker was the real father. She said he died in Jonestown.

When Chad Rhodes decided in his teens that he wanted to know about his father, Bogue began a frantic search to help discover his roots, she said.

She contacted reporters. She went in search of a death certificate. She looked for photos of Baker or even relatives to help Chad Rhodes connect with his family ties.

The 20-year reunion and the gatherings of survivors and members of families who lost relatives in Jonestown offered high hopes in November, Bogue said.

"I told Chad we'd try again," she said. "I talked to a lot of people but nobody came up with anything. I can't find a death certificate. The mortuary couldn't help. It's a grave with no names. It's like I made up this fictional name to say who his father is."

On the bottle

The disappointment sent her son to the bottle, Bogue said.

"He started drinking heavy the last couple of months" after the Jonestown reunion, she said.

Sukhdeo, a psychiatrist who had worked with cults, described Bogue as a Jonestown survivor "who never really got back into society."

Sukhdeo, who lives in New Jersey, said it was harder for the younger people like Bogue, who escaped Jonestown when she was 21, to make the adjustments back into society.

"She got a job, but she couldn't hold it. She got into bad relationships. She went into protective custody, a battered woman's home. She couldn't ever work or function again. The child, conceived in Guyana but born (in the United States) lived with all of that," he said.

Bogue went to Jonestown with her sister, Teena, and parents Jim and Edith Bogue.

"Her mother and father came out," Sukhdeo said. "But they were separated through another tragedy. One of her sisters (Marilee) was killed in Jonestown. Another sister was shot at the airport. The family came back (to the United States) but they were split up.

"All her friends died. All of the people who meant something to her died. She came back here and her world had fallen apart. We got them out (of Guyana physically) but I don't think we ever got her out. She is a very bright girl but psychologically damaged," Sukhdeo said.

Out of work for years

Bogue last worked in the early 1990s for an accounting firm. Since then, she has been on disability because the psychological problems related to Jonestown, she said.

She has three other children - all boys ages 17, 8 and 3. Chad, who was born premature, suffers from chronic asthma and almost died three times as a result of it, according to Bogue.

"He pulled through each time when the doctors gave up," she said. "He has a will to survive. But he can't follow his own family tree."

Rhodes had some convictions as a juvenile, but those records are not open to the public.

As an adult, he was arrested Dec. 15, 1997, after leading police on a chase through Oakland streets before crashing the car into a curb. He pleaded no contest and was ordered to perform 15 days of community service and put on two years probation.

As a juvenile, he ended up in Dewey High School, an alternative school in Oakland. His mother said he thrived there.

"He won awards in art . . . and competitions he entered," she said. "He was on the honor roll."

Officer's death

On Sunday, just after midnight, police said, Rhodes was with several other people driving over the 38th Avenue overpass when they saw officers - with the emergency lights of their cars flashing - searching along the shoulder of I-580 for a gun that reportedly had been thrown by suspects involved in a chase minutes earlier.

As Williams, two other officers and an evidence technician were taking pictures of where they found the weapon, six to eight shots rang out from the overpass, police said.

Williams was hit by a bullet that ripped through his bulletproof vest. Williams - a father of three just 11 weeks out of the police academy - died shortly before 4 a.m. at Highland Hospital.

Tuesday afternoon, Bogue said: "I can't offer (Chad) a normal life because I can't offer myself a normal life. But he's a good son. He's very protective of me. He pays my bills, gives to the kids. He's kind to the kids in the neighborhood. He goes around and fixes their bikes. He's never been violent."

Bogue said her son was never a happy child.

"He's a deep person. He thinks a lot, writes raps," she said, speaking slightly above a whisper. "He's the quiet type, but he has friends and gets along with people. People say all my kids have beautiful personalities. You know, the life of the party. But it's really - no one sees the tears of a clown."

Bogue said her son has an 18-month-old son and a 3-week-old daughter.

"He loves kids and he's really a good father. Now his children are stuck with the stigma of having somebody's name (Rhodes) that's not even theirs."

Bogue spoke philosophically about the case.

"Whatever happened, whatever happens, I love him no matter what."

<http://www.nleomf.com/FallenOfficers/LineofDuty/lowest.html>

Oakland Police Officer James Williams, Jr., was searching a stretch of highway for a gun that officers reported seeing tossed from a suspicious vehicle. Focusing on his task to recover the weapon, Officer Williams was completely unaware of the danger lurking above him.

A youth armed with an illegal assault rifle positioned himself on the overpass above the officer. A friend of the suspects accused of ejecting the gun from their vehicle, the youth wanted to divert police attention away from them. The sniper took aim, and bullets rained down from the overpass. One bullet struck Officer Williams in the chest, piercing through his bullet resistant vest and killing him.

Cory R. Elson

<http://www.fbi.gov/ucr/killed/99leoka.pdf> , page 48

Law Enforcement Officers Killed and Assaulted 1999

A 26-year-old trooper with the Indiana State Police was fatally shot as he initiated a traffic stop in a parking lot behind a store in Decatur at approximately 8 p.m. on April 3. The victim trooper, who had been assigned to the state police 4 months earlier, was exiting his patrol car after stopping a pick-up truck when the driver stepped from his vehicle and opened fire with a 7.62x39 mm rifle that had been converted to fully automatic. The trooper, who was wearing body armor, was shot below the waist, in the arms, and fatally in the back of his head. The shooter then fled the scene. An employee from a nearby restaurant witnessed the shooting and was able to provide a description of the assailant and his vehicle to investigating officers. A 38-year-old male suspect was arrested the following day and charged with Murder.

<http://www.odmp.org/year.php?year=1999&Submit=Go>

<http://www.odmp.org/officer.php?oid=15236>

Trooper Cory R. Elson

Indiana State Police, IN

End of Watch: Saturday, April 3, 1999

Weapon Used: Rifle; AK-47

Suspect Info: Sentenced to life in prison

Trooper Elson was shot and killed after making a traffic stop in Decatur, Indiana. As Trooper Elson exited his vehicle, the suspect opened fire with a fully automatic AK-47. One of the first rounds penetrated the cruiser's door and struck Trooper Elson in the leg. Trooper Elson retreated to the rear of his cruiser and returned fire. The suspect continued to fire at Trooper Elson, firing as many as 36 rounds, fatally wounding him. An employee of a business was shot and wounded during the gunfire and was able to call 911.

The suspect was able to flee the scene but was captured the next day. In July 2000 the suspect was sentenced to life in

<http://www.courier-journal.com/localnews/2003/12/23in/wir-front-trooper12230-7590.html>

Indiana trooper fatally shot on duty

Incident took place on I-80-94 outside of Gary; Chicagoan is shot, arrested

By TOM COYNE

Associated Press

Trooper Cory R. Elson, 26, was killed April 3, 1999, during a routine traffic stop in a Decatur store parking lot

http://www.southbendtribune.com/stories/2003/12/23/local.20031223-sbt-MARS-A1-Trooper_shot_dead_in.sto

Trooper shot dead in Gary

(Local: 2003/12/23) [this story is not about Cory Elson, but mentions him]

CROWN POINT -- Prosecutors said they likely will seek the death penalty against a convicted drug dealer and auto thief suspected of having shot and killed an Indiana State Police trooper in Gary early Monday morning.

BY MARK KIESLING

The Times of Northwest Indiana

December 23, 2003

The last state trooper to die in the line of duty was Jason Beal, 24, who was struck and killed while assisting a motorist in Kosciusko County on Jan. 15, 2000. The last trooper to die by gunfire was Cory R. Elson, 26, who was cut down by automatic weapons fire when he stopped a pickup truck in Adams County on April 3, 1999.

http://www.indystar.com/library/factfiles/crime/law_enforcement/line_of_duty/deaths.html#state

Cory R. Elson - April 3, 1999

Trooper Elson, 26, was gunned down with an assault rifle in the parking lot of a Decatur auto parts store after pulling over a motorist for a traffic violation. Mark L. Lichtenberger, 38, was arrested the following day.

http://www.southbendtribune.com/99/apr/040999/local_ar/173549.htm

©South Bend Tribune -- April 9, 1999

Governor, police pay last respects

By MATT SLAGLE

Associated Press Writer

AVON, Ind. -- Struggling to find reasons for the deaths of two of his rookies within a month, a shaken state police Superintendent Melvin Carraway joined Gov. Frank O'Bannon and other mourners in paying last respects Thursday to Trooper Cory Elson.

Elson, 26, had been on the force just four months when he was gunned down Saturday by a motorist he had pulled over in the northeast Indiana town of Decatur.

"I don't know where to begin," Carraway said above the din of sobbing at Kingsway Christian Church in Avon, where about 1,600 police from across the nation and other mourners packed two levels of pews.

"Far too often we've been here. We're all hurting and searching for some rhyme or reason to all of this," Carraway said. "I hurt, too."

Trooper Richard T. Gaston, Elson's classmate at the police academy, died last month when a semi-truck struck him along the Indiana Toll Road near South Bend. Both men had graduated from the academy in December.

Dozens of bouquets of flowers lined the area around the pulpit and a nearby portrait of Elson in his trooper's uniform.

"We cannot fully understand or explain what has happened," said state police Chaplain Mark Dodd from the pulpit. "But we know our hearts ache, and we yearn for him to be back with us."

Lifelong friend Curt Hill remembered Elson as a family man with a great sense of humor and a devotion to ridding the streets of "evil."

"There's not a word that can capture how I felt about Cory," Hill said, his voice wavering with grief. "I always hoped I could stand up on behalf of Cory to present him an award. Not like this."

Before he walked from the podium, he gave his slain friend one last salute. "Let's all remember the good about Cory. Love ya, Cory."

Police said Mark L. Lichtenberger, a self-employed carpenter and part-time preacher, admitted shooting Elson on Saturday night outside a Decatur auto parts store with an SKS rifle he had converted to a machine gun.

Investigators found at least 30 spent rounds in the parking lot.

Lichtenberger, 38, was being held without bond at the Adams County Law Enforcement Center and faces charges of murder, criminal recklessness, possession of a machine gun, operating a loaded machine gun and pointing a firearm.

Prosecutors are considering seeking the death penalty.

Police still haven't found a motive for Saturday's fatal shooting, but Decatur Police Chief Dick Noack said that after Lichtenberger was pulled over for a traffic violation two months ago, he threatened to "have it out" with the next officer who pulled him over.

After Elson's funeral, a column of squad cars stretching several miles paraded from Avon, about 10 miles west of Indianapolis, to the public burial at Washington Park North Cemetery on the capital's northwest side.

Some officers who had worn upside-down white carnations affixed to their badges placed the flowers on the casket. Before it was lowered, Carraway handed Elson's widow, Amy, a folded U.S. flag that had been draped over the casket.

"Cory was extremely proud to be a state trooper and was looking forward to his career in law enforcement," surviving family members said in a release. "He was truly a joy in our lives--a wonderful son, brother and husband to his wife--and will be deeply missed."

The Elson family asks that memorial contributions be made to Cops for Kids, 1415 Shelby St., Indianapolis, IN 46203.

http://www.stater.kent.edu/stories_old/99spring/040799/n10c.html

Wednesday, April 7, 1999

Man charged in shooting death of Indiana trooper

- Associated Press

DECATUR, Ind. (AP) - A Decatur man was charged Tuesday with murder and four other criminal counts in the shooting death of a rookie Indiana State Trooper, but authorities still don't know the motive for the ambush-style attack.

Mark L. Lichtenberger had an automatic innocent plea entered for him on charges of murder, criminal recklessness, possession of a machine gun, operating a loaded machine gun and pointing a firearm.

He is being held without bond at the Adams County Law Enforcement Center just west of the Ohio border. No dates have been set for pretrial conferences or the trial.

Master Trooper Rodger Popplewell said police have completed most of their investigation, though the motive for the shooting remains unclear.

"I wish we did," he said. "It'd make it a little bit easier for everyone to understand.

"To me, it really wouldn't matter why he did it. The outcome is going to be our trooper is dead and that's the bottom line."

Lichtenberger, 38, requested a court-appointed attorney Tuesday during his initial court appearance. But Adams Circuit Court Judge Lorren Caffee decided Lichtenberger had the means to hire a lawyer and denied the request.

According to a probable cause affidavit, Trooper Cory Elson, 26, had pulled Lichtenberger over in the parking lot of a Decatur auto parts store Saturday night when Lichtenberger jumped out of his pickup truck and opened fire with a fully automatic rifle.

Lichtenberger, who was arrested Sunday at his parents' home, has admitted to killing Elson with an SKS rifle he had converted to a machine gun, according to the affidavit. Investigators later recovered the gun after executing three search warrants.

Popplewell said police haven't found anything that could have provoked the attack.

In Saturday night's attack, Elson tried to take cover behind his cruiser's front door but died from multiple gunshots after getting off only one shot.

Police found at least 30 spent rounds in the parking lot.

A witness, Vernon Clark, 32, also was injured in the gunfire. He was treated and released at Adams County Memorial Hospital.

Popplewell said Lichtenberger was a self-employed carpenter who did odd jobs around the area, but police know little else about him. They don't believe he was married, know he didn't have any children and have not found a criminal record. He has family that lives in the area, Popplewell said.

<http://www.jg.net/jg/news/top1.htm>

The Fort Wayne (IN) Journal Gazette

5 April 1999

Slaying suspect held; Rural Decatur man in custody on preliminary murder charge

By Joe Boyle The Journal Gazette

DECATUR - A rural Decatur man was held Sunday in the Adams County Jail on a preliminary charge of murder in the Saturday night shooting death of an Indiana state trooper.

Mark L. Lichtenberger, 38, of 6543 E. 550 N., just east of Decatur, was arrested about 2 p.m. Sunday after a countywide manhunt. He was arrested in connection with the death of Trooper Cory R. Elson.

A formal murder charge is expected to be filed by the Adams County prosecutor's office, said Sgt. Ron Russell, a spokesman for the state police.

"This wasn't a killing, this was a murder," Russell said.

Lichtenberger was taken into custody without incident at his parents' home on a dusty dirt road straddling the Ohio-Indiana line. Lichtenberger's parents live about a half-mile from his mobile home.

Elson, who had been patrolling on his own for about two weeks, was shot to death in the parking lot at Advance Auto Parts, 630 13th St., in Decatur about 8 p.m. Saturday.

More than 30 shots were fired by the assailant, police said. Russell said it appears Elson fired one shot from his pistol.

Elson died from multiple gunshot wounds, said Adams County Coroner Leslie Cook.

Vernon C. Clark, 32, a clerk at the auto parts store, also was hit by gunfire. Adams County Memorial Hospital did not have Clark listed as a patient Sunday, and employees at the auto parts store said Clark was "OK."

State police, Adams County sheriff's deputies, Decatur police, Ohio Highway Patrol troopers, Indiana Department of Natural Resources officers and FBI agents cast a "blanket search" around Adams County.

By Sunday afternoon, officers had located a black Dodge Dakota truck matching a description police were given by witnesses to Elson's shooting. "We knocked on doors and knocked on doors and finally we knocked on the right door," said Capt. Larry Rollins, North Field Operations commander of the state police.

After police took Lichtenberger into custody, search warrants were issued, Rollins said, although it wasn't clear Sunday night for which properties warrants were issued.

Police cars surrounded Lichtenberger's parents' home late Sunday at 5832 State Line Road, east of Decatur. The small, light green frame house, surrounded by several small barns and sheds, buzzed with activity Sunday afternoon.

State police blocked off roads leading to the property, a helicopter was parked in a field across the road, and several people walked in and out of the house.

About half a mile away, Lichtenberger's trailer was bordered by yellow police tape, and two state troopers stood guard in the gravel driveway.

State police said they had found no serious crimes on Lichtenberger's police record, but an investigation is ongoing.

Police would not say whether they found the gun used to kill Elson, and would not say whether the gun was one of the items sought under the search warrant.

Russell said the weapon was probably an AK-style assault rifle or a SKS-style rifle. The SKS rifles are like those used by the Chinese military, Russell said.

Fully automatic weapons are generally illegal, Russell said, but it's possible to get a permit to possess one. Russell and Rollins said they didn't know whether Lichtenberger had such a permit.

Police remembered Elson as a good man and a good officer. "Cory was a professional, a polite, courteous professional," Rollins said. "He didn't have a chance to

develop his career." When an officer is shot, Russell said, all police feel the absence because they know it could be any one of them in a dangerous situation.

"We're all doing the same job, and we're all feeling the same pain," he said. "We form a thin line between an orderly society and a chaotic society. We want to make a difference in the community."

PUBLISHED: MONDAY, APRIL 05, 1999

PLEA DEAL MEANS LIFE FOR TROOPER KILLER

Source: David Griner The Journal Gazette

An Adams County man received life in prison without parole plus 20 years as dozens of state police troopers attended Monday's sentencing of their comrade's killer. Mark L. Lichtenberger, 40, pleaded guilty in June to murder and operating the loaded machine gun that killed state trooper Cory R. Elson, 26, on April 3, 1999. A plea agreement guaranteed Lichtenberger a life sentence but allowed him to escape a possible death penalty. Reaching the agreement was a difficult task for

Published on July 11, 2000, Page 1A, Journal Gazette, The (Fort Wayne, IN)

<http://www.fortwayne.com/mld/newssentinel/> [use archive search]

TROOPER'S SLAYER GETS LIFE IN JAIL, NO PAROLE THE DECATUR MAN KILLED CORY ELSON ON APRIL 3, 1999.

Source: DARNELL COMPTON, DJCOMPTON@NEWS-SENTINEL.COM

Special Judge Stephen David told the family of the Decatur man who gunned down an Indiana State trooper the name Lichtenberger will go down in history. "Forever in this community the name Lichtenberger will be associated to the killing of a state trooper," Judge David said before sentencing Mark Lichtenberger, 40, to life in prison without parole, plus an additional 20 years. He faces up to \$30,125 in fines, court costs and funeral expenses for the slaying of Trooper Cory

Published on July 11, 2000, Page 1A, News-Sentinel, The (Fort Wayne, IN)

ALLEGED MURDER WEAPON CHEAP

Source: DARNELL J. COMPTON OF THE NEWS-SENTINEL

The rifle allegedly used to kill a rookie state trooper this weekend is one of the cheapest guns on the market and is readily accessible, retailers and authorities said Monday. Police believe Mark L. Lichtenberger used a Norinco SKS semiautomatic weapon with an altered trigger assembly to kill State Police Trooper Cory Elson, 26, of Coventry Parkway near Coventry Lane. An altered trigger mechanism can make the rifle a fully automatic gun. Investigators are uncertain, however, whether the

Published on April 6, 1999, Page 1A, News-Sentinel, The (Fort Wayne, IN)

<http://www.copsite.com/lwf/lwf99disapr.html>

A rookie Indiana state trooper from Fort Wayne was shot to death Saturday during a 'routine traffic stop' in the parking lot of a Decatur business, at about 7:55 pm."

Cory R. Elson, 26, was found dead near his squad car...issued to him last week.

Elson exited his vehicle with his side-arm drawn, but was met by at least 36 rounds of automatic gunfire.

The suspects were in a dark green Dodge Dakota pick up truck with tinted windows. One suspect was wearing a dark flannel jacket and jeans ... believed to be 5' 9" 160 - 170 lbs. in his mid 30's shoulder length hair and some facial hair maybe a slight beard. Armed with an assault type rifle. Elson had just graduated from the academy in Dec. '98 and was the roommate of Trooper Gaston (killed by the truck driver (on cocaine) on the Indiana Toll Rd.) There was no video camera in the squad ... no license plate info ... and no known reason (yet) why the trooper was stopping this truck. A clerk from an auto parts store saw the lights ... heard the gunfire and called 9-1-1. An off duty Decatur detective had also heard the gunfire and started to follow the truck from the lot, but backed off when the driver pointed the weapon at him ... the detective had his son in the car with him. Decatur is a small town about 30 mile south of my city (Ft. Wayne). In the northeast part of the state. Trooper Elson leaves behind a wife ... and worked out of the Redkey State Police Post.

<http://www.geocities.com/rainforest/4617/ak47/g45trooper.html>

ROOKIE COP KILLED IN TRAFFIC STOP

Dies a Month After His Academy Roommate

By Pete Brush and Hans H. Chen

DECATUR, Ind. (APBNews.com) --

Less than a month after a rookie Indiana state trooper was run down by a trucker at a roadside stop, his training academy roommate is dead, gunned down Sunday in another traffic stop that started as routine.

Police say a northeastern Indiana man is under arrest for opening fire on Trooper Cory R. Elson, unloading 36 rounds from an assault rifle.

The suspect, Mark Lichtenberger, 38, allegedly had vowed to kill the next cop who pulled him over, police said today.

He faces charges of capital murder after he was arrested Sunday. He faces the death penalty.

Elson's death follows the March 7 accident that claimed the life of his academy roommate, Trooper Richard Gaston. A truck driver allegedly high on cocaine plowed into Gaston at a roadside stop, killing the trooper and two people in the car he had pulled over.

Cops in shock

"We just are still kind of in shock that this continues to happen to our troopers," said Karen Shelton, a spokeswoman for the Indiana Troopers Association.

"Some of our members have been retiring, members who have been troopers for 30, 40 years," she said. "But you have these two young gentlemen who were in service for a few days, just a few days."

"They went through the same academy class and graduated at the same time," said Sgt. Mark Mitchell, a law enforcement academy spokesman in Fort Wayne. Mitchell said they were roommates for 22 weeks.

Yesterday, a trauma team arrived at Elson's post to help his colleagues and classmates deal with his murder.

"Any time you lose two people in the same academy class, it tends to affect the rest of the academy class," said Master Trooper Rodger Popplewell, a police spokesman who was stationed with Elson. "They all realize now this is a very dangerous profession, and they have to take every risk very seriously."

Elson had only had his own patrol car for two weeks, said Popplewell.

Cops: Suspect planned to kill

Police said the suspect in Elson's killing planned to kill a trooper.

"A month ago, the suspect was pulled over while driving with a suspended license," Trooper Gary Shenefield said. "At that time, he said he was going to kill the next police officer who pulled him over."

Shenefield said that Elson simply was in the wrong place at the wrong time.

"It was just a matter of time," he said.

Shenefield said today the suspect acknowledged his involvement in the murder when police found him at his parents' trailer home Sunday night.

"He said, 'I'm the guy you're looking for. I did something stupid Saturday night.'" Shenefield said.

Lichtenberger's parents apparently had no knowledge of the incident when police arrived, Shenefield said.

Opened fire without a word

According to police, after being pulled off Route 27 into the parking lot of a local auto parts supply store, the suspect shouldered a modified, fully automatic assault rifle -- probably a Soviet-made AK-47 -- got out of his truck and opened fire on Elson without saying a word.

Elson had exited his police cruiser and was approaching the driver when the shooting began. Shenefield said it was unclear why the suspect had initially been stopped, but that it was possibly because his taillights were out.

Shenefield said the suspect unloaded an entire clip of ammunition, dropped it to the ground, reloaded and fired eight more rounds.

"Cory got off one round before he was hit," Shenefield said, adding that Elson had unsuccessfully tried to take cover behind his police cruiser. The suspect was not injured in the incident.

Manhunt yields suspect

After a massive manhunt, a vehicle fitting witnesses' descriptions was spotted parked outside the trailer home of Lichtenberger's parents in Decatur, a small, rural town on the Ohio border. Police said a patrol helicopter first spotted the vehicle.

Shenefield said Lichtenberger's police record doesn't appear to include any major offenses, but does include traffic and drunken driving violations.

Lichtenberger is scheduled for arraignment in Adams County Circuit Court Tuesday morning, the court clerk said.

Police in Indiana were reeling from the news of Elson's death, Shenefield said.

"The driver [of that truck] was on cocaine," Shenefield said. "But that's another story."

http://www.southbendtribune.com/99/apr/040499/local_ar/172218.htm

Indiana state trooper slain; gunman sought

DECATUR, Ind. (AP) -- A rookie Indiana State Trooper making a routine traffic stop was shot and killed by a heavily armed motorist Saturday night, sparking a manhunt across northeast Indiana.

Trooper Cory R. Elson, 26, of Fort Wayne had graduated from the State Police academy in December and was assigned to the State Police's Fort Wayne Post. The Bloomington native is survived by his wife, Amy.

Elson's body was found lying near his police cruiser in the rear parking lot of Advance Auto Parts on the west side of Decatur just off U.S. 27, said Trooper Rochelle Borinstein.

Details of the 8 p.m. shooting remained sketchy, but Borinstein said the male driver of a Dodge Dakota short-bed pickup truck shot Elson with a fully automatic assault rifle as the officer approached his vehicle.

State Police set up a command post near the shooting scene and were scouring the area around Decatur for the suspect.

"Right now, we're all so busy trying to find this truck I don't think we've had time to sit and think about it yet," said Borinstein.

The suspect fled Decatur, located about 20 miles south of Fort Wayne, after the shooting in his pickup. The vehicle has tinted windows and no taillights, said Lt. Steve Hillman, a State Police spokesman.

"We do have a subject at large, armed with a fully automatic assault rifle. The suspect was the driver of the vehicle," he said.

Police described the suspect as a white male in his mid-30s standing about 5-foot-9 1/2 and weighing about 165 pounds. The man, who had a beard and shoulder-length brown hair, was wearing a dark flannel coat and jeans.

Elson's death comes less than a month after State Trooper Richard T. Gaston, 29, of Valparaiso was killed when he was struck by a tractor-trailer during a routine traffic stop on the Indiana Toll Road.

Two other people were killed in the March 4 crash.

<http://www.wkvi.com/archive/040899/news05.htm>

Accused Gunman Now In Court

Adams County: April 7, 1999- The Man accused of gunning down an Indiana State Trooper appeared in Adams County Circuit Court Today. Mark Lichtenberger is now charged with murder, criminal recklessness, possession of a machine gun, operating a loaded machine gun and pointing a firearm. Police arrested Lichtenberger, Sunday, at his parents' home in Decatur, following the Saturday night shooting death of Trooper Cory Elson. Elson was gunned down by an assault rifle in the parking lot of a decatur auto parts store. Funeral services for Elson are scheduled for Thursday in Avon.

<http://venus.soci.niu.edu/~archives/ABOLISH/rick-halperin/mar99/0346.html>

INDIANA:

A self-employed carpenter, known to some as "preacher boy," was formerly charged Tuesday in the shooting death of Indiana State Trooper Cory Elson.

Mark Lichtenberger, 38, was escorted into Adams Circuit Court by a battery of police officers, past television news crews and a dozen or so curious onlookers.

He faces 5 felony counts: murder, criminal recklessness, possession of a machine gun, operating a loaded machine gun and pointing a firearm.

Adams County Prosecutor Chris Harvey said he might seek the death penalty.

Lichtenberger sat alone, without an attorney, while Judge Lorren Caffee explained the charges. The judge denied his request for a court-appointed attorney after quizzing him about his finances.

Lichtenberger lived alone in a humble, rented mobile home in the country outside Decatur, but he told the judge he had about \$10,000 in his checking and savings accounts. He earns his living in construction, building garages and family rooms, repairing roofs and so on.

As is the protocol at an initial hearing, the judge entered a preliminary plea of not guilty on Lichtenberger's behalf. But, according to a probable cause affidavit, Lichtenberger admitted shooting Elson.

According to court records, Elson, 26, pulled over a pickup truck on Saturday. He was shot multiple times when the driver got out, in the parking lot of a Decatur auto parts store, and fired multiple bursts from an automatic rifle. The rookie officer, with 4 months service, died of a gunshot to the head.

Lichtenberger's parents and several family members attended the 40-minute hearing but declined to talk to reporters.

A cousin, Rick Lichtenberger, who was not in the courtroom, later expressed sorrow and regret. "We pray for (Elson's) family," he said.

Lichtenberger was returned to the Adams County Jail, where he was ordered held without bond.

He is, by all accounts, a religious man.

"We called him 'preacher boy,'" said former neighbor Tim Hammond Jr.

Another cousin of Lichtenberger's, who spoke on then condition of anonymity, said Lichtenberger frequently invoked Scripture.

The cousin said he worked for Lichtenberger for several years, until November.

Lichtenberger didn't listen to the radio. He considered it satanic, said his cousin. But occasionally he'd allow his cousin to turn up a country or oldies station while they were on a job.

"I'd look up and he'd be on the roof dancing," said his cousin. "I'd just laugh.

"He's a great guy."

Lichtenberger reportedly attended church on Easter Sunday, the morning after the shooting.

An acquaintance, Robert Clark Jr., found Lichtenberger's religion off-putting.

"When he came over, I'd leave," said Clark.

"He'd start preaching as if he were Jesus. I used to have seizures, and he said he could heal me -- and I told him to go to hell."

For someone with an evangelistic side, Lichtenberger is a quiet man. He lived alone. He did not date, friends and family reported.

He graduated from Adams Central High School in 1978, and, according to the yearbook, was the only one of 96 seniors not involved in an extracurricular activity.

The Shaw brothers, John and Carl, were at the courthouse Tuesday to support Lichtenberger.

"Yeah, we know him well," said John Shaw. "I knew he had guns. He'd gone to gun shops in Fort Wayne. But he hunted. I can't believe he'd shoot a man..."

"Or he might have just gone out of his mind," said Carl Shaw.

(source: Indianapolis Star/News)

http://www.starnews.com/news/citystate/99/apr/0406SN_troop.html

Tuesday April 6 4:24 AM ET

Town grieves for trooper

Residents, police struggle to make sense of shooting

Indianapolis Star/News

DECATUR, Ind. (April 6, 1999) -- People here shake their heads in sorrow -- in confusion, too -- over the strange and grisly business that left a rookie cop dead.

[. . . .]

The incident happened Saturday night. Cory R. Elson, 26, in his fourth month as a state trooper, had pulled over a pick-up truck. Police speculate it was for a minor traffic offense.

The two vehicles came to a halt at Advance Auto Parts, along U.S. 27, Decatur's fast-food strip.

Mark Lichtenberger, 38, is being held in the Adams County Jail on a preliminary murder charge. His initial court hearing was scheduled for today.

Lichtenberger is a lifelong resident of Decatur (population 8,600); his family has lived here for years; he worked in construction. Voirol recognized him as an Advance Auto Parts customer. He had never before been in any trouble. A few traffic tickets, authorities say.

But when Elson approached his pickup truck Saturday night, Lichtenberger allegedly stepped out of the truck with a Soviet-made assault rifle, an SKS, and in an instant fired 36 rounds at the trooper.

Witnesses told police of "bursts of fire;" they said it sounded like a machine gun, and it might have been. The SKS was developed by the Russians, in the 1940s, as a semiautomatic: When you fire it, a new round automatically and quickly comes into firing position. The gun used Saturday night might have been modified into a full-blown machine gun, police say. They have the gun but haven't yet tested it.

Elson managed to get behind his car door and to get off a shot. The bullets from the SKS pierced the door. But they did not pierce Elson's bulletproof vest.

Still, Elson was struck six times. He was hit in the leg and in the shoulder. The fatal shot was to the head.

(Complete article at the above URL)

Joyce Carnegie

<http://www.fbi.gov/ucr/killed/99leoka.pdf> , page 48

Law Enforcement Officers Killed and Assaulted 1999

A 38-year-old police officer with the Orange Police Department was shot and killed at approximately 8:40 p.m. on April 8 while assisting in the pursuit of a robbery suspect. The police officer, who had over 4 years' law enforcement experience, was traveling alone in her marked police vehicle when she spotted a male fitting the general description of the armed robber. She called for confirmation of the suspect's jacket color and pulled her vehicle to the corner of an intersection in order to question the individual who was on foot. According to witnesses, the officer and suspect exchanged words, and the officer went to the front of the vehicle to either search or apprehend the suspect. Pulling away from the officer's grasp and turning to the right, the suspect turned back to the officer wielding a 9 mm semiautomatic handgun from which he fired two shots. Though the victim officer was wearing protective body armor, she was hit once below the waist and fatally in the right temple area. The suspect, who was known to the police as a drug user/dealer, then fled the scene. The victim officer's body was discovered minutes later by an off-duty federal agent. The discarded weapon was found 300 yards from the scene. A 25-year-old male was arrested on April 17 and charged with Murder, Robbery by Injury/Threat, Possess Certain Bullets, and Possession of a Firearm for Unlawful Purpose.

<http://www.odmp.org/year.php?year=1999&Submit=Go>

<http://www.odmp.org/officer.php?oid=15239>

Police Officer Joyce Anne Carnegie

Orange Police Department, NJ

EOW: Thursday, April 8, 1999

Weapon Used: Handgun

Suspect Info: Sentenced to life

Officer Carnegie was shot and killed by an armed robbery suspect she had stopped for questioning. The suspect had just committed two muggings in the area minutes before and was walking toward Officer Carnegie when she stopped him. As she approached he drew his weapon and shot her before she had time to draw her own weapon. Although she was wearing a vest, she was shot in the head and abdomen. She was found next to her patrol car by a federal agent who happened to be in the area.

The suspect pled guilty to her murder and was sentenced to life in prison on June 30, 1999.

Officer Carnegie is the first female officer to be killed in the line of duty in Essex County, New Jersey, and the second to be killed in the state. She had been with the agency for four years and is survived by her mother.

<http://www.vpc.org/studies/990408.htm>

Section Three: Selected Incidents of Law Enforcement Officers Killed in the Line of Duty by Assault Weapons, 1998 Through 2001

Date: April 8, 1999

Location: Orange, New Jersey

Assault Weapon: TEC-9 9mm pistol

On April 8, 1999, Officer Joyce Carnegie was killed with a TEC-9 9mm pistol. Condell Woodson pleaded guilty to felony murder in the death of Officer Carnegie. Woodson claimed that his gun accidentally went off, shooting Carnegie in the head and abdomen as she was attempting to arrest Woodson for armed robbery. Woodson also pleaded guilty to robbery and weapons offenses. Carnegie was the second policewoman killed in the line of duty in New Jersey history.

Amy Westfeldt, "Man Pleads Guilty to Policewoman's Murder," Associated Press, May 13, 1999.

<http://www.geocities.com/femblue/roll99.html>

Officer Joyce Carnegie

Orange Police Department, New Jersey, USA

Officer Carnegie was killed on 8 April 1999. She was found lying beside her patrol car by an ATF agent who had stopped when he saw the unattended car parked with lights on. She had heard a radio call reporting that a man had committed two muggings in the area and saw a suspect walking along the street towards her. As she left her vehicle, he shot her in the head and in the abdomen below her vest level

<http://www.copsite.com/lwf/lwf99disapr.html>

ORANGE -- A policewoman died Thursday night after being shot in the head and abdomen. Officer Joyce Carnegie, 38, was shot just before 9 p.m. near the South Day and Freeway Drive West, near Route 280. She was rushed to the shock-trauma unit at the University of Medicine and Dentistry of New Jersey-University Hospital in Newark, where she died at 9:25 p.m., said a nursing supervisor, who declined to give her name. The officer had been shot once in the head and once in the abdomen, said the nursing supervisor, who added that an autopsy will be performed. Orange police did not release information. About an hour after the shooting, a police car with its lights still flashing and its driver's-side door open sat behind police tape at the intersection. Several police cars were on the scene, near Rah-Rah's go-go bar. Essex County Prosecutor Patricia Hurt said a Drug Enforcement Administration agent who happened to be in the neighborhood discovered that Carnegie had been shot. "He noticed a police car with its lights on and no officer," she said. "He got out of the car and saw that officer down." Governor Whitman visited with the officer's mother, father, stepmother, and sister at the hospital after the shooting, said her spokesman, Pete McDonough. Whitman had been at a New Jersey Devils game in East Rutherford, but left when she heard about the shooting, he said. "The governor met with and tried to comfort the family," he said. First Assistant Prosecutor Patrick Toscano said the officer had been on the force for 4 1/2 years. He said Carnegie, who grew up in North Plainfield, was single and lived with her mother. Toscano said Carnegie may have been the first female officer killed in the line of duty in Essex County, and perhaps in the state. Police are investigating the circumstances that led to the shooting. No one was in custody Thursday night. Residents of the neighborhood spoke highly of the officer. Allen Watson, 29, said, "She was the kind of cop you could talk to," adding that one time his son got into trouble and Carnegie brought the boy back to him and told him about it, rather than just haul him off to the police station. "She was a people's cop, somebody you could relate to," said

Pernell Williams, 35. "She's going to be missed. She didn't deserve that." Police officers from Newark and Maplewood and state troopers were at the scene.

<http://www.safran-arts.com/42day/history/h4apr/h4apr08.html>

1999 Joyce Carnegie, policewoman, murdered

Officer Joyce Carnegie [photo >] was working solo in the patrol division of the City of Orange, Essex County, NJ.. A report of multiple armed robberies was transmitted on the south side of Orange. Officer Carnegie responded to an area of her sector that would serve as a likely escape route. Just before 21:00, near Rah-Rah's go-go bar at South Day Street and Freeway Drive West, near Route 280, she observed an individual fitting the description of the suspect. As she exits her vehicle the man produced a Tec 9 and fires at her, striking her in the abdomen and subsequently firing another fatal round to her head. A Drug Enforcement Administration agent, who happens to go by, notices the police car with its lights on and no officer. He gets out of his car and sees the officer down. He rushes her to the shock-trauma unit at the University of Medicine and Dentistry of New Jersey-University Hospital in Newark, where she dies at 21:25.

A multi agency manhunt was launched.

<http://216.239.57.104/search?q=cache:BEVEI2wiYzsJ:www.njcommunity.com/servlet/sites_ProcServ/db/page%3Dpage%26mode%3Ddisplay%26expanded%3D1%26gid%3D04001010000900343696359114%26pg%3D04001010000900343696462291%26item_collect_id%3D0800101051093334463>

The Montclair Times - News

Hurt Ousted From Prosecutor Post

Thursday, July 29, 1999

By PAUL MILO

Times Staff

Among the litany of Hurt's alleged shortcomings, probably the most significant — and the one that generated the most criticism of the prosecutor's office — was Hurt's handling of the investigation into the murder of Orange Police Officer Joyce Carnegie in April of 1999. Officers investigating the case quickly recovered the murder weapon, and eventually found its owner, but not before detaining one suspect who died in custody and another suspect who had an extremely good alibi.

<http://crab.rutgers.edu/~goertzel/suspectbeaten.htm>

Cop Killing Suspect Pleads Not Guilty

(Last updated 3:59 PM ET April 19)

(NEWARK) -- The latest suspect pleads innocent to the murder of a North Jersey policewoman. Twenty-five-year-old Condell Woodson is being held in lieu of one Million dollars bail and could face the death penalty if he is convicted of the murder of Orange Police Officer Joyce Carnegie. Woodson, the fourth person arrested in the case, was picked up early Saturday a few hours after Terrance Everett was released. Woodson is the son of a career Army man. He had been a good student and star athlete at Orange High School before he began to go astray. He has a criminal record that includes robbery and drug charges.

By ROBERT D. McFADDEN April 18, 1999 NYT

NEW YORK -- A man wrongly held for nearly a week as the prime suspect in the killing of an Orange, N.J., policewoman told Saturday of being assaulted as his family was

terrorized by masked police officers in a predawn arrest raid at his home, and said he intended to file a civil rights lawsuit against the authorities.

Terrance Everett, a 24-year-old computer repair service clerk, said that ski-masked, heavily armed officers hunting for the killer of Officer Joyce Anne Carnegie broke into his home at 5:30 a.m. on April 10, handcuffed his wife and mother, and, as his 5-year-old son watched, threw him to the floor and handcuffed him.

"They started kicking and punching and spitting at me," Everett said at a news conference at the Newark office of his lawyers on the morning after his release and exoneration by the Essex County prosecutor, Patricia A. Hurt. His wife, Ebony, 22, who is six months pregnant, and other members of his family attended the news conference.

"They threw me into the kitchen and an officer hit me with the butt of his gun," he said. "It was crazy. When they brought me outside, there were police standing there, saying 'We got him,' and they started applauding."

Later, in custody at the Prosecutor's office, he said, he took two lie-detector tests, which he passed, although he said he was told he had failed both, and gave interrogators detailed accounts of being with his wife and eating hamburgers at a restaurant at the time Carnegie was slain.

Everett, who still bore a blackened left eye and bruised cheek that had been evident at his arraignment, did not criticize the prosecutor's handling of the case, and said he had not been mistreated during his week at the Essex County Jail. But he called on the prosecutor's office to investigate the conduct of the Orange, East Orange and State Police Departments during his arrest, and said he would file a civil rights suit against the law enforcement authorities.

"This was a harrowing experience for Everett and his family," said Ronald Hunt, a lawyer for Everett. "He made it clear to us that he was not the person involved. We followed up on all the information he gave us, and it became clear he was not the person. We're overjoyed for him and his family, but there are obviously some repercussions from this that he has suffered."

Hunt added: "It's important to recognize that he was dragged out of his house at 5:30 in the morning and charged with the crime of killing a police officer, a police officer who was beloved in the community. He was assaulted in police custody. He was incarcerated and, minimally, faced a murder sentence that could have been 30 years to life, and possibly a death sentence."

A spokesman for Ms. Hurt, Ray Weiss, said Saturday that the prosecutor's office had no comment on Everett's statements or on any other aspect of what he characterized as a continuing investigation. Officials with the Orange and East Orange Police Departments could not be reached for comment.

Ms. Hurt had emphasized at a news conference Friday night that Everett, whose release she was announcing, had been taken into custody on the strength of identifications by four witnesses -- one said to have seen the shooting, and three people who had been robbed on nearby streets in the hours before the shooting, purportedly by the killer.

Ms. Hurt declined to say what led investigators to Everett initially. But other officials have said the witnesses picked Everett because he bore a superficial resemblance to a police sketch of a suspect in the killing, a bald man with a goatee. In addition, the witnesses were said to have picked him from a police photo array.

Everett, who is bald and wears a goatee, has a police record. He served more than three years in prison on a robbery conviction, and has been on parole since April 8,

1997. Aside from his arrest in the Carnegie case, he has had no brushes with the law since then, his lawyers said.

Everett's release ended a week of twists, turns, riddles and confusion in a case that has evolved from the death of an officer into a perplexing tangle of events -- three arrests, a jumble of charges and countercharges, the death of one suspect in custody, misgivings among law enforcement officials and accounts of turmoil in the Prosecutor's office.

Besides Everett, two other men were arrested last Sunday. One, Earl Faison, 27, an aspiring rap artist, collapsed and died about an hour after being taken into custody. The police suggested that the cause was a severe asthma attack, but his father contended that he was beaten to death by the police.

Another man seized in the investigation, James Coker, 29, of Newark, has been charged only with possession of drugs, and some law enforcement officials have insisted that his name should not have been cited in the Carnegie case and say he is not a suspect in her killing.

Complicating the picture of turmoil in the inquiry, Ms. Hurt's top aide, Patrick Toscano, resigned at midweek. He was the third top official of the prosecutor's office to resign in the last two months. Toscano denied that his departure had anything to do with the Carnegie case, but other officials said mounting professional difference between Ms. Hurt and her staff accounted for the staff defections.

The investigation took yet another turn Saturday. A report in The Star-Ledger of Newark said investigators had gone to Georgia in search of a man purportedly linked to a gun that was believed to be used to kill Carnegie. She was shot in the abdomen and head on a desolate street in Orange on the night of April 8 when she approached a suspect in two armed robberies.

The investigators from the prosecutor's office and the Federal Bureau of Alcohol, Tobacco and Firearms were said to be searching for Cordell Woodson, a man with a criminal record in New Jersey and the South, who was living in Orange at the time of the officer's murder but has since vanished.

The published report quoted unidentified law enforcement officials as saying that Woodson was not necessarily a suspect, but that his name surfaced in the inquiry after federal agents traced a 9-millimeter pistol, believed to be the murder weapon, to him in Georgia using its serial number. The report said a partial fingerprint found on the gun had not been identified.

Everett's status as the prime suspect had been questioned from the start by some law enforcement officials, who said privately that they were not persuaded that he was the killer or that there was enough evidence to charge him. There were other reports quoting investigators as saying they had urged Ms. Hurt not to charge him until his alibi and other factors had been evaluated.

April 20, 1999

Essex County Prosecutor Defends the Investigation of Policewoman's Death

By RONALD SMOTHERS

NEWARK -- As the latest suspect in the shooting death of an Orange, N.J., police officer was arraigned here Monday, the Essex County Prosecutor spoke extensively about the

investigation for the first time, defending the "diligence" of her office's work on the case, which has seen four people taken into custody.

One of the four died while in custody and under still unexplained circumstances, and another was charged but eventually exonerated.

The Prosecutor, Patricia Hurt, acknowledged that the April 8 death of the officer, Joyce Carnegie, had aroused "high emotions," but she praised the police department's work despite allegations that those emotions led to an excessive use of force in the investigation.

Ms. Hurt insisted that her office had "strong evidence" from witnesses' descriptions that led to their first, mistaken arrest of Terrance Everett for the slaying.

The witnesses, she said, had identified photographs of Everett as the man who had committed three robberies on the night that the officer was killed. As a result, Ms. Hurt said, authorities had no choice but to arrest him on April 10 and formally charge him with murder on April 12. He was released four days later.

The fourth person taken into custody after the shooting, Condell Woodson, 25, was arrested on Saturday in Newark.

Monday he waived an appearance before Judge Betty Lester at his arraignment in Essex County Superior Court on murder, robbery and weapons charges. His lawyer, from the Essex County Public Defender's office, entered a plea of not guilty.

Judge Lester ordered that he remain held on bail of \$1 million.

In the end, Ms. Hurt said at a news conference in her office here, it was her office's investigation of the account from Everett's lawyers and relatives of his whereabouts at the time of the shooting that led to his exoneration. Ms. Hurt stopped short of apologizing to Everett.

"It is regrettable what happened to Everett," she said. "But four or five days to exonerate Everett is not a very long time as far as this office is concerned."

Everett has said he was hit in the face when a task force made up of state troopers, Federal agents, Orange police, East Orange police, Essex County Sheriff's deputies and investigators from the prosecutor's office burst into his home to arrest him.

Today Ms. Hurt said that she had taken steps to insure that the state would investigate Everett's charges of mistreatment and that she had asked that the state's Division of Criminal Justice supersede her office and conduct the investigation.

Another man caught up in the police net died while in police custody. Ms. Hurt said that her office was still investigating the arrest of that man, Earl Faison, 27, who, according to reports in The Star-Ledger of Newark, died of a seizure on the night of April 11 while in police custody. Faison's relatives have said the police beat him.

Faison had been stopped while riding in a taxicab near the scene of the crime. He matched a description of the killer of Officer Carnegie, Ms. Hurt said today. Faison has been cleared of any involvement in the shooting of the officer, she said, as has James Coker, a 29-year-old Newark man, who was also picked up because he fit witnesses' descriptions of the possible suspect.

Ms. Hurt was unable to explain why investigators had picked up Faison and Coker if her office had such strong evidence of Everett's guilt. She said the arrests were part of a "two-pronged investigation," in which her office was checking Everett's account of his whereabouts and trying to build a case against a murder suspect at the same time.

"We had probable cause to arrest him," she said, referring to Everett.

Among those circumstances was verification of statements by Everett and his wife that during the approximate time of the officer's shooting they were eating hamburgers at a restaurant less than a mile from the scene of the shooting and at an automatic banking machine. Computer records of the transactions helped confirm their account. In addition, Everett passed two lie-detector tests shortly after he was taken into custody.

She said that work in checking his account had been delayed because "investigators had been up three or four days going nonstop on the case and I had to give them a rest."

She denied widespread reports that her investigative staff was deeply divided through last week on who should be charged in the case.

Ms. Hurt also denied that officers used excessive force.

The Essex County Sheriff, Armando Fontoura, who joined Ms. Hurt in the news conference, also defended the investigators and insisted that they had not been "overzealous," as many Orange residents have charged.

"Cops were not overzealous and we could have sat back on our laurels and gone out to play golf after we had Everett," he said. "But we didn't." Ms. Hurt added, "Sometimes justice calls for an arrest and sometimes justice calls for release."

Perhaps to emphasize that she believed they finally had the right man, Ms. Hurt, who had sounded confident of Everett's guilt after his arrest, described the evidence against Woodson in some detail.

A gun that was found near the crime scene and linked to the slaying of Officer Carnegie was vital to the case against Woodson. Willie Brownlee, assistant special agent in charge of the New York office of the Bureau of Alcohol, Tobacco and Firearms, who also joined Ms. Hurt in discussing the case today, said that within 24 hours of the shooting the agency had traced the gun to a transaction in Butler, Ga. The town, in west central Georgia, is about 45 miles northwest of Cordele, Ga., where Woodson had lived before coming to East Orange about a month ago to visit relatives.

She also said that the witnesses to the robberies who had identified Everett as the man with a bald head and goatee had subsequently identified Woodson.

"The evidence in this case is strong," she said.

"But we are continuing our investigation."

<http://crab.rutgers.edu/~goertzel/crimenews.htm>

April 20, 1999 NYT

Trenton Charges 2 Troopers With Falsifying Race of Drivers

By DAVID KOCIENIEWSKI

TRENTON -- In the first official sign that the New Jersey State Police may have illegally singled out black and Hispanic motorists, the Attorney General Monday announced the indictments of two troopers accused of falsifying documents to make it appear that some of the black motorists they had stopped were white.

Troopers John Hogan and James Kenna, who shot three unarmed men during a traffic stop last April and are awaiting a grand jury's ruling on possible criminal charges, will now face prosecution on 19 misdemeanor charges each for falsifying records and conducting illegal searches.

Attorney General Peter Verniero said that after the shooting, his investigators began an inquiry into the troopers' traffic stops on the New Jersey Turnpike. The investigators quickly noticed a disturbing pattern: the license plate numbers reported by the officers did not correspond with the cars owned by the motorists they had stopped.

After reviewing the logs of 164 troopers in the Cranbury and Moorestown barracks in southern and central New Jersey, investigators found some troopers routinely falsified the race of drivers they stopped. As many as 10 other troopers could face criminal charges, a law enforcement official said.

Two state police supervisors said it was common practice for troopers on the turnpike to jot down the license plate number of white motorists who were not stopped and use them on the reports of blacks who were pulled over. Officers called the tactic "ghosting."

Although Verniero did not use the term racial profiling, his assistant, James Gerrow Jr., was more direct. Gerrow said that after conducting extensive interviews with motorists who had been pulled over by the state police, prosecutors decided that the racial misidentification was part of a deliberate plan to conceal the troopers' actions.

"This was not an omission on their part, or a mistake," he said. "This was an intentional misrepresentation as to the racial characteristics of the individuals they stopped."

When asked whether the troopers were acting to cover up racial profiling, Gerrow said, "That would be a good way to characterize it."

Verniero's nomination to the State Supreme Court has faced opposition from civil rights leaders and legal experts who argue that he has been slow to respond to discrimination charges against the state police.

But by charging the two troopers yesterday, the administration of Gov. Christine Todd Whitman signaled that it is inching toward an admission that its troopers have engaged in racial profiling to curb drug trafficking.

"The practices alleged are of particular concern because they may evidence conduct consistent with racial profiling," Verniero said.

The announcement of the indictments today came as the clamor over racial profiling escalated. The Black and Latino Caucus of the State Legislature is to hold its next public hearing on Tuesday in Newark, and at least a dozen motorists and former troopers are expected to testify about discrimination. On Friday, civil rights leaders have scheduled a march to commemorate the one-year anniversary of the shooting involving Troopers Kenna and Hogan.

This week the Attorney General is also expected to release the preliminary findings of his review of the state police, and, according to two state officials, he may also announce that he is dropping his appeal of a 1996 Gloucester County judge's ruling that the state police had engaged in racial profiling.

But Verniero dismissed the suggestion that the timing of the announcement was politically motivated.

"Absolutely not," he said at a news conference. "And I'm not going to dignify that with further comment."

Governor Whitman did not attend today's press briefing or issue a public statement.

For decades, black and Latino motorists have complained that state troopers have subjected them to traffic stops and illegal searches for no reason other than the color of their skin. The allegations received more attention last April, when Troopers Kenna and Hogan fired at three unarmed men, two black and one Hispanic, during a traffic stop and

wounded them 11 times. The officers said at the time that they shot in self-defense because the van was backing toward them. Their lawyer, Robert Galantucci, did not return repeated calls for comment today.

April 25, 1999

Early Suspicion of Big Mistake in Murder Case

By DAVID M. HALBFINGER with ALAN FEUER

RANGE, N.J. -- By late in the morning of April 10, several hours after heavily armed, masked state troopers broke down the door of a house near here and arrested Terrance Everett in the murder of an Orange police officer, seasoned investigators in the office of the Essex County Prosecutor were certain that Everett was innocent.

According to a high-ranking law enforcement official, they told the office's second-in-command, First Assistant Prosecutor Patrick Toscano, that Everett had just given a convincing account of his whereabouts on the night of the murder -- from the two bacon cheeseburgers with no tomatoes that he had eaten at a fast-food restaurant to the bank machine where he had withdrawn cash -- and had even passed two polygraph tests.

Convinced, Toscano urged his boss, Prosecutor Patricia A. Hurt, to let Everett go free.

But Ms. Hurt overruled Toscano and others who made the same recommendation, at one point even pounding a table with her fists, according to a county official who was told of the incident. After all, four eyewitnesses had independently identified Everett from an array of police mug shots. And that night, she announced Everett's arrest in time for the news to make the Sunday papers.

Everett was not released for six more days.

Now, more than two weeks after the April 8 death of Officer Joyce Anne Carnegie, Ms. Hurt maintains that the real killer is behind bars and that she and her subordinates handled the case well. "Over all, I think that this office did a good job," she said at a news conference last Monday.

Yet details of their joint investigation, gleaned from interviews with police officers, prosecutors, witnesses and others -- most of whom were under strict orders not to discuss the case and insisted that their names not be published -- suggest that the inquiry was the antithesis of a textbook case.

The most glaring lapse, according to those interviewed, seems to be the failure to interview a key alibi witness for Everett. Although Everett told investigators that he was eating at a nearby Wendy's when Officer Carnegie was killed, detectives did not interview the restaurant manager until after his account appeared in a newspaper -- six days later.

In addition, the man now accused of killing Officer Carnegie, Condell B. Woodson, was not arrested until April 17, two days after detectives flew to Georgia. The detectives found the person from whom Woodson is believed to have bought the 9-millimeter pistol, which prosecutors contend is the murder weapon.

But as early as the night of April 9, even before Everett was arrested, Federal agents told Orange and Essex County investigators that they had traced the gun to Georgia. Neither Ms. Hurt nor the Orange Police Director, Richard Conte, has explained why it took nearly a week to make the trip south.

In the meantime, two other men were swept off the streets in the investigation into Officer Carnegie's murder. One, Earl Faison, died in police custody an hour after being pulled out of a taxicab. His family claims he was beaten by officers.

The investigation has put the Essex Prosecutor's office and the Orange police on the defensive. The New Jersey Attorney General and the United States Attorney in Newark have opened separate inquiries into the death of Faison and the treatment of Everett. Everett says the police beat him during his arrest, and two days later he appeared at his arraignment with a black eye, a bruised cheek and a bewildered expression. On Thursday, Federal agents removed documents from the Orange police station under a subpoena. Everett's and Faison's families are considering civil rights lawsuits.

Ms. Hurt's image within law enforcement circles was damaged even further when it became known that Toscano, her second-in-command, had resigned in protest within hours after pushing her to release Everett. Toscano has repeatedly declined to comment.

Perhaps the most harmful result of the problems with the murder investigation could materialize later, when the case against Woodson winds up in court. Law-enforcement officials here and in surrounding jurisdictions are speculating privately that a skilled defense lawyer could make much of the three earlier arrests.

If Woodson indeed confessed to the killing, as has been reported, "it saves them," said one veteran investigator, referring to the Essex Prosecutor's office. "But even then, he could argue that he was scared he'd die, like Faison."

Ms. Hurt, a Republican who was appointed by Gov. Christine Todd Whitman in 1997, has refused repeated requests for an interview since Monday, when she defended her handling of the investigation at a news conference after Woodson's arraignment. At the time, she denied there had been deep divisions among her staff.

On Friday, her spokesman, Ray Weiss, reiterated that Ms. Hurt "believes it would be inappropriate for her to make any comments while this is still an ongoing homicide investigation." He called back later to add that Ms. Hurt "cannot comment about the Everett case, because the Attorney General's office is in charge."

Conte, the Orange Police Director, conceded in an interview this week that "mistakes were made," and vowed that, "When the dust settles, we will learn from this." But he declined to say what the mistakes had been and refused to answer many questions about the case.

The Investigation: Slaying Sets Off Chaotic Manhunt

The call came over the police radio around 8:15 P.M.: two armed robberies on the south side of town. Be on the lookout for a bald black man with a stocky build wearing a leather jacket.

Half a mile north of the robbery scene, three Orange police officers, each assigned to patrol a different sector of this 2.2-square-mile working-class town, were taking a break, chatting by their cars in a parking lot near the train station. Hearing the radio call, they headed for the scene, at the corner of Carteret and Clarendon. Two officers drove off in one direction. But Officer Joyce Carnegie's car was pointing the other way.

Officer Carnegie made the first right turn onto Day Street, heading south. Almost immediately, she spotted someone and called in to double-check the description of the robbery suspect.

She never asked for backup, and no one heard from her again.

Less than 15 minutes later, Carlos Gonzalez, a former Orange police officer driving home from work in Brooklyn, saw Officer Carnegie's patrol car stopped on the sidewalk, partly blocking northbound traffic on Day Street, its lights flashing, the driver's door open.

Gonzalez, now an agent of the Federal Bureau of Alcohol, Tobacco and Firearms, pulled over and found Officer Carnegie lying face up near the door.

She was mortally wounded, shot in the abdomen and the back of the head. Her weapon had never left its holster.

Gonzalez flagged down a passing ambulance, which took Officer Carnegie to the trauma center at University Hospital in Newark. But doctors could not save her.

At 8:40 P.M., the Orange police dispatcher reported an officer down at Day Street and Freeway Drive West. Conte, the Police Director and a 27-year veteran of the department, was called at home and told that, for the first time in more than 30 years, a member of the department had been gunned down. As friends and relatives of Officer Carnegie headed for the hospital, the search began for her killer.

Police officers immediately began searching the area around the crime scene. Someone reported seeing a black man running down the railroad tracks, and an officer gave chase but could not catch up to the man, Orange police officers said.

Into the night and throughout the next day, scores of police officers on foot and in squad cars pressed a chaotic manhunt. The normal weekday calm was shattered every few minutes by the sounds of blaring sirens and screeching tires. At one point near the scene of the shooting, an unmarked cruiser burst airborne from a parking lot, spun wildly on the rain-slicked asphalt and sped away.

Still, investigators from the Orange force and from the Essex Prosecutor's office, which handles most homicide cases in the county outside Newark, had plenty to go on.

They had the accounts of three witnesses to the robberies, which investigators believe were committed by the killer. And they soon found a witness to the shooting itself. That person told officers that the gunman had run along Freeway Drive, the service road to Interstate 280, toward a public housing complex on the other side of the interstate, according to a homicide investigator.

Within hours, the investigator said, the police had canvassed the grounds of the housing project and found a 9-millimeter handgun in a patch of grass. The gun was given to agents of the Bureau of Alcohol, Tobacco and Firearms for examination.

Joseph Green, a spokesman for the bureau, said that by the next evening, agents had traced the weapon to the Barrow Gun Shop in Butler, Ga. A licensed gun dealer there had sold it in 1993 to a Butler resident, Green said. The bureau immediately gave that information to the Essex County prosecutors, Green said.

An employee of the store said that she received a few calls from officers identifying themselves as agents of the bureau over the next several days. But no one visited the shop until New Jersey investigators and Federal agents arrived on April 15, a week after the shooting, she said. They removed records about the 1993 gun sale and left, she said.

Green said that bureau agents spent the days in between trying to locate the buyer, whose name has never been released. The buyer was interviewed by two Federal agents and New Jersey investigators on April 15, he said. The buyer, investigators say, led

them to Condell Woodson, an Orange native who once lived in Georgia. He was arrested in Newark two days later.

The First Arrest: Ex-Suspect Says Police Beat Him

On Friday morning, April 9, the day after Joyce Carnegie was killed, Terrance Everett, a warehouse clerk for a computer repair company, was eating breakfast with his wife, son and mother in the kitchen of their home in East Orange. The television was on, and the morning news carried the report of the Thursday night murder in Orange.

When it was over, Everett said in an interview this week, he shook his head. "Whenever they find him," he said to his family, "they're going to whup him."

Before dawn the next day, Everett was asleep in the third-floor bedroom he shared with his wife, Ebony, who is 6 1/2 months pregnant.

Sometime after 5 A.M., Mrs. Everett was startled awake by a loud bang. "I thought the boiler was exploding," she said.

But when Mrs. Everett opened the door to the hallway, she met eyes with a masked man holding an automatic rifle. A haze of smoke was filtering through the house. Other armed men downstairs, later identified as members of the entry team of the New Jersey State Police, were yelling, "Where is Terrance Everett?" she said.

Mrs. Everett, wearing only a nightshirt, was led down to the second floor of the house and pushed to the floor, she said. Her hands were strapped together behind her back.

Everett, who had taken the time to put on a T-shirt, followed his wife into the hallway and was ordered to freeze. He said he was thrown to the floor, cuffed, then pulled down to the second floor and thrown to the floor again, face down.

One officer stood on Everett's back; others kicked, spit on and cursed him, he said. Another blew his nose on him.

Pinned down, face to the floor, he peered past the officers who crowded the room and saw his son, Terrance Jr., 5, staring back. "He was sitting there on his bed, with his mouth hanging open," Everett said. "He just had this blank look on his face."

Everett said he asked what he was being arrested for, but no one answered him. "They took me downstairs and flung me into the kitchen," he said. "I fell into the table. One cop picked me up, then another threw the table out of the way and threw me into the stove. I bumped into a cabinet, and he tore the door off the cabinet."

To walk Everett outside to a waiting van, officers needed the key to unlock the wrought-iron fence that surrounds the front yard. Everett said he asked if he could turn around to show the officer the right key. Then, he said, another officer slammed him in the face with the butt of his gun, saying, "Nobody told you to turn around."

Wearing only the T-shirt and a pair of blue pin-striped boxer shorts -- the first gift his wife had ever given him -- Everett was taken outside into the cold light of morning. "There was a sea of officers," he said, "clapping and applauding."

Only after the police van arrived at the Essex County Prosecutor's office in Newark a few minutes later, Everett said, did he learn that he had been arrested as a suspect in the killing of the Orange police officer.

For the next several hours, he said, different interrogators came and went, leaving him alone for long stretches in an interview room. Over and over, he described where he had been on the night of April 8. He was read his rights, he said. "But every time I asked for a lawyer, they'd say, 'If you're innocent, you don't need one,' get up, and walk out of the room."

Investigators asked Everett to take a polygraph test. "I knew I was telling the truth, but I figured the fact that I was nervous could make me fail," he said. Still, he agreed, and by 10 A.M., he had taken the polygraph twice, answering the same questions.

He was not told how he had done until about 3 P.M., he said. "They were having lunch," he said of the investigators. "They told me I'd failed the polygraph." In fact, he had passed both times.

In truth, Everett had an easy enough time recalling the details of his Thursday night. He got off work at 6 and picked up his wife an hour later at home. The two, who were married last October and share a bedroom in the home of Everett's mother in East Orange, drove off to look at an apartment in nearby Irvington, but they did not like the area.

Back at the house, Everett ran in for a quick shower and change of clothes. Then the couple went to the Wendy's on Main Street for dinner.

Everett ordered two junior bacon cheeseburgers with no tomatoes. His wife, eating for two, ordered two junior bacon cheeseburgers with mayonnaise and onions only. They had fries and a Frosty, too. Then Everett went back to the counter for a fruit punch. While they ate, Everett noticed an East Orange police officer enter the restaurant and order a meal.

Around 9 P.M., the couple left for Eagle Rock Reservation, a park in West Orange. They walked around for a while, talking and playing, Everett touching his wife's belly to feel the kicking of the baby girl they are expecting in July.

From there, he said, they stopped at a cash machine, then headed home, stopping on the way at a gas station in East Orange that is a hangout for that city's police officers. Mrs. Everett's father is a member of the force.

Inside the interrogation room, investigators resumed questioning Everett about 3 P.M., he said. By then, the Essex County Prosecutor's office had been riven by an explosive debate about his guilt or innocence.

His arrest had been a good one, investigators said. He was a bald black man who fit the general description of the robber and gunman. Witnesses identified his photograph the day after the shooting. And he was a paroled felon who had served three years in prison for a robbery conviction.

But several investigators felt that his alibi was too thorough, too calmly delivered, too easily verifiable, law enforcement officials said. And he had passed the polygraphs. Experienced investigators grudgingly concluded that they had the wrong man.

Toscano and others argued to free him, officials said. But Ms. Hurt angrily refused. At 2 P.M., Toscano resigned, a decision not made public for four days. That night, Ms. Hurt announced that Everett had been charged with murder, criminal possession of a weapon and robbery.

A Puzzle: With Man in Jail, Search Continues

s. Hurt said later that the investigation of Officer Carnegie's murder had by that time become "two-pronged" -- with officers examining Everett's alibi while continuing to follow other leads and evidence.

But the next day, a Sunday, that two-pronged approach produced the odd scene of officers scouring the streets of Orange, carrying the composite sketch of a killer who their superiors were saying was already in jail on murder charges.

In fact, that night, the police arrested two more suspects. James Coker, an unemployed man with a record of at least two convictions on drug charges, was at his aunt's apartment in Newark when police officers broke through her front door around 6 P.M. The police say that officers saw him try to swallow a bit of crack cocaine as they burst in.

Investigators said they tracked down Coker, who also fits the general description of Officer Carnegie's killer, after he bragged to others that he had killed a police officer and got away with it.

In an interview in the Essex County Jail on Thursday, Coker, 30, said he had no part in the shooting. He said he volunteered to take a polygraph test, but none was given to him. He remains in custody on charges of drug possession, attempting to destroy evidence and other outstanding charges, his lawyer, Albert Kapin, said.

Later that night, sometime after 10, a police officer ordered Earl Faison to get out of a green taxicab near his girlfriend's apartment on the south side of Interstate 280, two blocks from the scene of Officer Carnegie's murder. He was on his way to his aunt's house in Newark, his relatives said.

But because officials have provided so little information about the case, it is still unclear why the cab was stopped. But at her news conference on Monday, Ms. Hurt said that Faison, an aspiring rap performer who happened to be bald, was picked up because he, too, fit the killer's description.

When approached by the police, he ran, the authorities said. He was caught after a three-block chase, carrying a gun, and was arrested after a struggle. According to an account in The Star-Ledger of Newark, he was subdued with pepper spray.

An hour later, he was dead.

According to the County Prosecutor's office, Faison collapsed and died as he walked into the Orange police station. One law enforcement official said that Faison, who was carrying an inhaler at the time, had suffered an asthma attack, which can be fatal if left untreated. While a preliminary autopsy report ruled out blunt force, the cause of his death is still undetermined.

But Faison's father, Earl Williams, believes the police killed his son and has hired a private pathologist for an independent autopsy. He said he was shown a picture of the corpse at the county morgue on April 12. There were many cuts and bruises on his son's face, which was so swollen it looked as if "he was dragged by a truck," Williams said. "From the moment I saw the pictures, I knew he had been beaten to death."

The Alibi: Delays in Checking a Convincing Account

Richard Fajimolu, the assistant manager on duty at Wendy's the night of the murder, clearly remembers and Mrs. Everett from the night of Officer Carnegie's shooting.

They came in around 8:30 and sat at a table against the windows for at least a half hour, under a display showing a crescent moon, he said. In an interview this week he recalled the special orders they placed, as well as other details.

"I didn't know she was pregnant," he said of Mrs. Everett. "But she was heavysset, wearing a long, long dress."

As the couple ate, an East Orange officer, a regular customer, came in for a sandwich and told Fajimolu that an Orange officer had just been gunned down six blocks away. "He told me to call if I saw anyone matching the description," Fajimolu said. "I told him I'd hit the panic button."

It never dawned on either man that the bald man eating cheeseburgers with his wife might be a suspect, Fajimolu said.

Two nights later, April 10, a detective came by asking to see the restaurant's security tape. Fajimolu played it back for him. But images from the night of April 8 had already been erased because the tape records over itself every 24 hours, he said. The detective left without asking Fajimolu any other questions, he said.

He said that detectives returned on April 12 and 13 with subpoenas, and another manager provided receipts showing orders for the same meals Everett said he had ordered, at the same time he said he had.

But investigators did not question Fajimolu. On April 15, he told his story to reporters for The Star-Ledger. The newspaper quoted him the next day as saying that Everett "was here that night."

That morning, Fajimolu was picked up at home and brought to the Essex County Prosecutor's office. He repeated his story.

That night, as word surfaced that Woodson was the newest suspect in Officer Carnegie's shooting, Ms. Hurt hastily called a news conference at her office to announce that Everett had been exonerated. Around the corner, a gate swung open and Everett walked out of the county jail.

Inside her office, Ms. Hurt abruptly ended her news conference by bundling her papers and rising. A reporter shouted a last question. Would she apologize to Everett and his family?

Saying nothing, the Prosecutor walked out.

<http://www.pww.org/past-weeks-1999/Blue%20wall%20of%20silence.htm>

The people crack the blue wall of silence

By Amina Baraka

ORANGE, N.J. - The family of the late Earl Faison and a coalition of twenty six organization, lead by The People's Organization For Progress (POP), gathered outside of the Orange police headquarters Aug. 19 in an angry protest against his slaying by police. Their demand is that police officers with knowledge of his death step forward and testify, breaking the "blue wall of silence."

The protesters marched into the lobby of the Orange police headquarters and demanded the police admit that Faison died April 21 after a police beating in the station house.

The protest and prayer vigil comes after an Orange police officer told investigators that Faison was beaten, robbed and pepper sprayed while handcuffed.

Mikki Wilkins, Faison's fiancée and mother of his children, told a rally outside the police headquarters, "When my children see police officers they ask, 'Mommy is that the officer who beat my daddy?'"

Sagirah Williams, Faison's stepmother, and Wilkins both had to be comforted as speakers demanded an investigation of the other eight officers involved in Faison's arrest. "All of the officers involved in the death of Earl Faison must come forward," said Larry Hamm, chairman, of the POP.

The Williams family, along with POP, made a call for all people of conscience to stand up for justice. People answered in churches, community organizations and civil rights groups. The fightback has drawn in community activists, politicians, seniors, youth and student organizations, doctors and lawyers groups, men and women. Black, Latin, Asian, white unity formed a powerful fist.

Faison, 27, was arrested April 11 during the investigation into the murder of Orange police officer Joyce Carnegie. After Carnegie's death on April 8, police arrested an East Orange resident, Terrance Everett, and held him for more than a week despite a solid alibi. On the same night Faison was arrested, James "Malik" Coker, who they said had been boasting about killing the policewoman, was also arrested. Later he, too, was cleared of the charges.

Five days after the slaying of Earl Faison, the police arrested Condell Woodson, another Orange resident, who they said confessed. Woodson became the chief suspect when the murder weapon found at the scene was traced to him. He was tried, convicted and is now serving a life sentence without parole for Carnegie's murder.

Faison's father, Eric Williams, said photos he viewed of his son's corpse at the regional medical examiner's office in Newark, proved to him that the police had fatally beaten his son. Williams and other family members have retained an attorney, Sandra Bograd (former assistant Essex County Prosecutor) to represent the family in a possible lawsuit. The state Attorney General's Office also is investigating how Faison died.

Another victim of police violence is Angelina Boone, a Black woman.

On her way to a Christian retreat June 13, 1998 she was forced out her car by Sergeant Anthony Vitanza of the Warren Township police who verbally abused her and pushed her to the ground. He then arrested her on charges of drug possession. She was acquitted Aug. 2 after police officers took the stand in the court room and refused to uphold Vitanza's actions - another case of breaking the "blue wall of silence."

The demand that peace officers come forward and separate themselves from racist criminals in blue has grown across the country since several New York City police officers broke ranks and testified against Justin Volpe, convicted and sentenced to life for beating and sodomizing the Haitian immigrant worker Abner Louima. In New Jersey meanwhile the issue of state police profiling of black motorist came to a boil. Another demand is to establish an independent community controlled civilian review board with subpoena powers.

<http://search.msn.com/pass/results.asp?RS=CHECKED&FORM=MSNH&v=1&q=&q=%22Condell+Woodson%22&cp=1252>

Associated Press

December , 2000

N.J. Police Guilty in Fatal Beating

By Jeffrey Gold

NEWARK, N.J. (AP) -- A federal jury convicted five policemen of civil rights violations Tuesday in the beating of a man they wrongly arrested on suspicion of murdering a fellow officer. The victim died in police custody after suffering an asthma attack.

The officers from the city of Orange were found guilty of punching and kicking Earl Faison while he was handcuffed.

They were not charged in Faison's death. Medical experts said his death was due to the asthma attack. Prosecutors contended the attack was worsened by pepper spray shot in his face.

Faison, 27, was arrested in 1999, three days after the murder of policewoman Joyce Carnegie. He was among four black men detained in the days after Carnegie was killed. The last of the four, Condell Woodson, confessed to the crime and is serving a life sentence.

Defense attorneys said they will appeal. They said the attack was brought on by Faison's struggle with the arresting officer, who was not charged. They also said there is no physical evidence Faison was hit with pepper spray.

The officers face up to 10 years in prison and a \$250,000 fine at sentencing April 18.

They are Lt. Thomas Smith, 37, who retired last year; his brother, Brian Smith, 30, and fellow officers Paul Carpinteri Jr., 36, Andrew Garth, 31, and Tyrone Payton, 34. The active officers are on suspension.

Faison's father, Earl Williams, and Faison's fiancée, Mikki J. Wilkins, insisted the officers still should be tried for murder.

"No question. They murdered a beautiful person," Williams said. "I'm sure they are good men. But they made a mistake and they will have to pay for it."

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http://www.freep.com/news/nw/police20_20001220.htm

5 cops found guilty in beating

December 20, 2000

REUTERS

NEWARK, N.J. -- Five police officers from Orange, N.J., were found guilty Tuesday of federal civil rights violations in the beating and pepper-spraying of a man wrongly suspected of fatally shooting another officer.

Earl Faison, 27, of East Orange was arrested April 11, 1999, and died less than an hour after the attack. Medical experts said he died because of an asthma attack. Prosecutors contended the attack was worsened by pepper spray shot in his face.

Faison had been picked up three days after a manhunt began for the killer of Officer Joyce Carnegie, 38, slain by a suspect she had been questioning.

Condell Woodson confessed to killing Carnegie shortly after Faison's death. He is now in prison.

Lt. Thomas Smith, 37, his brother Brian Smith, 30, Andrew Garth, 31, Tyrone Payton, 34, and Paul Carpinteri, 36, were found guilty of conspiring to deprive Faison of his civil rights. They were also found guilty of an additional count under which each man was charged with specific acts of brutality. They were not accused of causing Faison's death.

All the convicted officers except Payton are white. Faison was black.

U.S. District Judge John Lifland allowed the men to remain free on bail pending sentencing April 18.

Each faces a maximum of 10 years in prison.

Attorneys for the officers said they would appeal.

James Snedigar

<http://www.fbi.gov/ucr/killed/99leoka.pdf> , page 43

Law Enforcement Officers Killed and Assaulted 1999

A 38-year-old police officer with 4 years of law enforcement experience was shot and killed at approximately 3 p.m. on April 16 as he and fellow officers with the Chandler Police Department's SWAT team were attempting to apprehend suspects following a jewelry store robbery in Tempe. Police officers from Tempe pursued three suspects to an apartment complex in the neighboring city of Chandler. Units from the Chandler Police Department joined in the search for the suspects and located an apartment where a forced entry had apparently occurred. Efforts to contact anyone inside the apartment were unsuccessful. After a diversionary device was detonated outside the front door, the victim officer led a four-person entry team into the apartment. A male, armed with a 7.62x39 semiautomatic rifle, opened fire on the team. The victim officer, who was wearing body armor, was shot in the front upper torso/chest, front lower torso/stomach, and received a fatal wound to the front of the head. The 26-year-old suspect was shot and killed as other members of the entry team returned fire. Two additional suspects, both 24-year-old males, were arrested later the same day as they attempted to walk away from the apartment complex. The two men were each charged with First-Degree Murder, Armed Robbery, and Burglary. One of the suspects was also charged with Parole Violation.

<http://www.odmp.org/year.php?year=1999&Submit=Go>

<http://www.odmp.org/officer.php?oid=15244>

Officer James Snedigar

Chandler Police Department, AZ

End of Watch: Friday, April 16, 1999

Cause of Death: Gunfire

Weapon Used: Rifle; Semi-automatic

Officer Snedigar was shot and killed while performing a SWAT raid on armed robbery suspects. The suspects had been chased to an apartment complex after robbing a jewelry store in Tempe, Arizona. They had then forced their way into an apartment and holed up. The SWAT team tossed stun grenades into the apartment but were met by gunfire as they entered. Officer Snedigar, who as the point man and was wearing body armor, was struck just inside the doorway. Other officers returned fire, killing one of the suspects, who was also wearing a bullet proof vest. Officer Snedigar is the first Chandler officer to be killed in the line of duty. He is survived by his wife, son, two daughters, and grandson.

<http://www.adc.state.az.us/News/1999/news042099.htm>

PRISON GANG CONNECTION IN POLICE OFFICER KILLING

April 20, 1999

Arizona Department of Corrections officials have confirmed that three men accused in the April 16 slaying of Chandler, Arizona police officer James Snedigar had ties to a notorious prison gang known as the Mexican Mafia. One of the suspects was being

investigated for a possible role in a Mexican Mafia conspiracy last year to murder Arizona Corrections Director Terry Stewart.

Suspect Arthur Lucero, 24, was not arrested in the plot to kill Director Stewart, but was suspected of stockpiling weapons such as AK-47 and SKS rifles. He and Leroy Campbell, 24, have been charged with first degree murder, armed robbery, and burglary as a result of a jewelry store robbery last Friday that led to a shoot-out in which Officer Snedigar was killed. Campbell, prison gang investigators say, was not a member of the Mexican Mafia, but was involved in a Phoenix street gang that has ties to the prison gang.

Sergio Martinez, 25, the third suspect involved in the police shooting, was killed by return gunfire after he shot Officer Snedigar with a Chinese made SKS rifle loaded with armor piercing bullets. Martinez's brother is a suspect in the jail stabbing of a man who later became the main informant in the case against three other alleged Mexican Mafia leaders who were accused in the conspiracy to murder Stewart. Also, according to Department of Corrections gang investigators, Martinez's use of body armor during last Friday's incident, fits in with the methods used by the Mexican Mafia when they commit crimes on the street.

Martinez, Lucero, and Campbell all had been previously incarcerated in the Arizona Department of Corrections.

http://www.maricopacountyattorney.org/Press/PDF/Campbell_Lucero_sentence.pdf

Killers get life sentence for murder of Chandler Police Officer James Snedigar

Leroy Campbell (dob: 10/1/74) and Arthur Lucero (dob: 8/11/74) will serve a 25 year to life sentence in the Department of Corrections for the April 1999 murder of Chandler Police Officer James Snedigar. Superior Court Judge Barbara Jarrett sentenced the two men this afternoon following an aggravation / mitigation hearing. Campbell will also serve an additional 15 years for his part in the armed robbery and burglary.

Lucero will serve an additional 20 years for the armed robbery and burglary. A third man, Sergio Martinez, shot Snedigar as the officer led the Chandler Police SWAT team into an apartment where Martinez was hiding out. Martinez was killed in a shoot out that followed.

"I am very disappointed in this sentence," said Maricopa County Attorney Richard Romley. "There is no question in my mind that Campbell and Lucero should have received natural life. Even though they didn't pull the actual trigger they are responsible for the Chandler Police having to respond. The break they got is they didn't face the death penalty. The men and women of law enforcement who put their life on the line for all of us deserve to know that killers will never, ever have another day of freedom."

"We would have preferred a natural life sentence," said Chandler Police Chief Bobby J. Harris. "This sentence will almost be natural life as both of these killers will be in their 60s when they can be released.

We'll just have to be satisfied with that."

The three individuals were fleeing from an armed robbery when they drove their getaway car into an apartment complex in Chandler. When Martinez decided to break into an apartment, Campbell and Lucero decided to walk away. They were taken into

custody as they tried to blend in with other residents who were being evacuated from the apartment complex.

<http://www.cofad1.state.az.us/opinionfiles/CR/CR020431.pdf>

IN THE COURT OF APPEALS STATE OF ARIZONA DIVISION ONE
STATE OF ARIZONA, Appellee, v. ARTHUR LARRY LUCERO, Appellant.

Cause No. CR 1999-091746

The Honorable Barbara M. Jarrett, Judge

¶12 Leroy Campbell, Sergio Martinez, and Defendant robbed a jewelry store at approximately 11:45 a.m. on April 16, 1999. Two employees of the store, one working inside the store and one who was outside in the parking lot, called 911 as the robbery took place. One employee described the getaway car, a black Mustang, to the 911 operator as the suspects drove away.

¶13 A police officer was across the street from the jewelry store when he saw the Mustang. Having just heard a report of the robbery, he immediately began pursuit, and was soon joined by another officer. They attained speeds of up to 100 m.p.h. Near the end of the chase, they temporarily lost sight of the Mustang. However, because of traffic congestion ahead of them, they determined the suspects had either pulled into a restaurant parking lot or into an apartment complex across the street from the restaurant. Because persons in the restaurant parking lot informed the officers they had not seen a black Mustang, the officers went across the street to the walled and gated apartment complex. The officers discovered that the Mustang had entered the complex from a resident who had witnessed it entering at a high rate of speed. The resident opened the gate and showed the officers which way the Mustang had gone.

¶14 Approximately seven minutes passed from the time the pursuit began until the Mustang was found. Following the route of the chase, the distance from the jewelry store to the apartment complex was 2.9 miles. The Mustang was found in the complex with the engine running and the doors open. Once the Mustang was found, other officers began to arrive, and they began to set up a perimeter around the complex.

¶15 The Mustang left seventy-five foot skid marks when it came to a stop. Jewelry, jewelry tags, and jewelry stands from the store were found in the Mustang. A piece of a broken pistol grip was found on the ground next to the Mustang.

¶16 A Special Assignment Unit, or "swat team," was called at approximately noon. Members of the swat team first helped remove a handicapped person from the complex. At approximately 1:30 to 1:45 p.m., the swat team began their search of the complex, apartment by apartment. When they arrived at unit 1055, they found the sliding glass door was shattered. Upon their entry into unit 1055 at approximately 3:00 p.m., Martinez, the only suspect inside, opened fire on the officers. In the ensuing gun battle, Martinez and Officer Snedigar were killed. The broken pistol grip found by the Mustang matched a weapon found in unit 1055.

¶17 After the gun battle, law enforcement officers continued to search the complex for the other suspects. Every person found in the complex and every vehicle leaving the complex was challenged and checked by police officers. During the search, the sliding glass door to apartment 1086 was found to have been broken and the screen door was missing. Before the unit was searched, Defendant and Campbell were seen outside 1086 and subsequently taken into custody.

¶18 When unit 1086 was investigated, the damaged screen door was found to have been taken inside the apartment into the kitchen. Defendant's fingerprints were found on the screen door. Items in the apartment had been moved since the family had left that morning. A claw hammer, like that used to smash open a display case in the jewelry store, was found inside but did not belong to the residents. A briefcase had been broken into. A disposable razor and an electric razor has been used since the family left. A syringe that did not belong to the residents was hidden behind a television. A holster, ammunition magazine and a fully loaded semi-automatic rifle, none of which belonged to the residents, were found hidden in a child's room. Men's clothing which did not belong to the residents was found in the apartment, and Defendant and Campbell were wearing clothing taken from unit 1086 when they were apprehended.

¶19 A "trail" of stolen jewelry was found between the Mustang and unit 1086. Jewelry taken in the robbery was found under a mattress in unit 1086. More jewelry taken during the robbery was found outside unit 1086 on the patio. The distance from the Mustang to unit 1086 was 144 feet. There is conflicting testimony regarding exactly when Defendant and Campbell were captured. However, it is known that they were taken into custody after the gun battle, and that there was a notification at approximately 3:45 p.m. that they were being brought in for questioning.

Brad Riches

<http://www.fbi.gov/ucr/killed/99leoka.pdf> , page 44

Law Enforcement Officers Killed and Assaulted 1999

At approximately 1 a.m. on June 12, a deputy sheriff with the Orange County Sheriff's Department was killed while conducting a routine patrol. The 34-year-old deputy drove his patrol vehicle into the parking lot of a convenience store. A man carrying a 7.62x39 mm semiautomatic rifle was inside the store purchasing a pack of cigarettes. The deputy, a veteran with nearly 9 years of law enforcement service, entered the parking lot and activated the vehicle's overhead lights as the man exited the store. At some point as the officer drove into the parking lot, he attempted to broadcast a standby, emergency-traffic-only message. The man allegedly opened fire on the deputy still seated in his vehicle. The victim officer was struck repeatedly by rounds that penetrated his ballistic vest. He was fatally wounded by shots that struck him in the front of the head. The suspect fled the scene but was arrested without incident several hours later near his residence. The 39-year-old alleged offender, who had prior arrests, was charged with First-Degree Murder with Special Circumstance of Killing a Peace Officer.

<http://www.odmp.org/year.php?year=1999&Submit=Go>

<http://www.odmp.org/officer.php?oid=15267>

Deputy Sheriff Bradley Jay Riches

Orange County Sheriff's Department, CA

EOW: Saturday, June 12, 1999

Weapon Used: Rifle; AK-47

Suspect Info: Sentenced to death

Deputy Riches was shot and killed after being ambushed at a convenience store. Deputy Riches was on routine patrol when he pulled up to a 7-11 store. As soon as he pulled up, a man exited the store and opened fire on him with an AK-47 rifle. Although Deputy Riches was able to make an emergency broadcast, he did not have time to return fire or exit his vehicle before he was killed.

The suspect then fled the scene of the shooting. Another deputy recognized the murderer after viewing the store's surveillance tapes and he was arrested later in the day while trying to flee the area. The suspect had a history of arrests for drunk driving, drugs, and assaulting a police officer. The suspect was found guilty of murder and sentenced to death in December 2003.

Deputy Riches had served with the Orange County Sheriff's Department for 9 years.

<http://www.vpc.org/studies/990612.htm>

Section Three: Selected Incidents of Law Enforcement Officers Killed in the Line of Duty by Assault Weapons, 1998 Through 2001

Date: June 12, 1999

Location: Orange County, California

Assault Weapon: MAK-90 or SA85 7.62mm rifle

On June 12, 1999, Sheriff's Deputy Brad Riches was killed with a MAK-90 or SA85 7.62mm rifle. Deputy Riches was sitting in his patrol car outside a 7-Eleven when his police cruiser was riddled with assault weapon fire. The 7-Eleven clerk said that a

customer told him he was carrying an AK-47-style assault rifle to shoot a police officer. Maurice Steksal was convicted on November 19, 2002 of the first-degree murder of Deputy Riches.

Jack Leonard, "Thousands Pay Last Respects to Slain Deputy," Los Angeles Times, June 17, 1999; Greg Hardesty, "Laborer Guilty of Deputy's Murder," Orange County Register, November 20, 2002.

http://www.aocds.org/justice_riches.htm

On Friday, December 12, 2003, the jury returned a sentence of death for the murderer of Deputy Brad Riches (End of Watch, 6-12-99).

On 6-12-99, shortly before 0100 hours, Brad was brutally murdered as he drove into the parking lot of 7-11 at Muirlands/Ridge Route in Lake Forest. Before Brad could unfasten his seat belt and put his car into park, thirty relentless rounds from an AK-47 were fired at his patrol vehicle by a coward who had just exited the store. Brad was able to unsnap his duty holster but could not remove his weapon because one of the rounds severed his right hand.

On 11-19-02, Brad's murderer was convicted of first degree murder with special circumstances. The jury convened for the penalty phase and voted 11-1 to give the convicted cop killer life without the possibility of parole. A mistrial was declared.

Thankfully, Orange County District Attorney Tony Rackauckas had the courage and the commitment to defend the men and women who risk their lives for our communities and ordered his office to once again seek the death penalty against Brad's murderer.

<http://www.camemorial.org/htm/riches.htm>

They Are Not Dead Who Live in the Lives They Leave Behind

On Saturday, June 12, 1999, Deputy Brad Riches was brutally murdered in the city of Lake Forest. At approximately 12:52 a.m., Riches was on routine patrol, driving through the parking lot of a 7-eleven store.

Without warning or provocation, a man carrying an AK-47 assault rifle opened fire on Riches while he sat in his patrol car.

Riches valiantly began an emergency radio transmission, but succumbed to the more than two-dozen assault rifle rounds that were fired at him.

During the news conference, Orange County Sheriff Mike Carona called the attack "sudden and unprovoked," and "as brutal as you can possibly imagine."

Five hours after the shooting, deputies and investigators arrested 39-year-old Maurice Gerald Steksal, a Lake Forest man who allegedly walked into the mini-market with an assault rifle and told the clerk that his intention was not to rob the store, but to use the weapon against police.

Steksal was identified as a suspect soon after the crime scene was secured, Sheriff Carona reported. Orange County Deputy Andre Spencer, one of several area deputies

brought in to view the store's videotape, recognized Steskal as someone he'd arrested. He identified him as "aggressive, assaultive and non-compliant with law enforcement."

<http://www.nbc4.tv/news/2703330/detail.html>

Death Penalty Recommended For Killer Of Sheriff's Deputy

Man Fired 30 Rounds At Officer

POSTED: 7:04 PM PST December 12, 2003

SANTA ANA, Calif. -- A jury recommended the death penalty Friday for a Lake Forest man who shot and killed an Orange County sheriff's deputy as he sat in a patrol car outside a convenience store.

Maurice Steskal, 44, was convicted of first-degree murder with special circumstances last year for firing 30 rounds from an assault rifle at Deputy Brad Riches in 1999.

Superior Court Judge Frank Fasel is scheduled to sentence Steskal on Feb. 6.

Investigators identified Steskal an unemployed Lake Forest laborer, using the 7-Eleven security camera. Steskal walked into the store with the rifle and bought a pack of cigarettes before shooting Riches.

Riches, 34, was the first county deputy killed on patrol since 1958.

A previous jury deadlocked 11-1 last year against recommending the death sentence after Steskal's lawyer argued his client had a history of mental illness.

A second jury began deliberating in the penalty phase in October.

After Thursday's decision, jurors outside the courtroom told reporters that they took into account the testimony regarding Steskal's mental state but decided it did not outweigh other factors.

Riches' mother, Meriel, said she was happy with the decision.

"This whole 4.5-year period has been incredibly difficult," she said. "This is what we've all been waiting for."

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<http://www.copsite.com/lwf/lwf99disjun.html>

LAKE FOREST — A man carrying an AK-47 assault rifle strolled nonchalantly into a 7-Eleven early Saturday, purchased cigarettes, then stepped outside and opened fire on an unsuspecting Orange County sheriff's deputy, killing him in his patrol car. The cold-blooded preamble to the slaying of Deputy Brad Riches, 34, a nine-year veteran of the department, was captured at 12:52 a.m. on the convenience store's surveillance camera. A few hours later, those images led to the arrest of Maurice Gerald Steskal, 39, of Lake Forest. A woman who shared an apartment with Steskal and his wife said Steskal often expressed anger toward police, whom he believed were constantly monitoring him. "This guy obviously has a hatred for police," said Wayne Quint, president of the Association of Orange County Deputy Sheriffs and Riches' former supervisor. "I think this guy was going to 'do' a cop and unfortunately Brad pulled into

the parking lot." Authorities said Steskal left the 7-Eleven, cigarettes and rifle in hand, and moments later fired numerous rounds through the windshield of Riches' car. The deputy, whose bulletproof vest was pierced numerous times, had just pulled up to the store on Muirlands Boulevard at Ridge Route Drive to perform a routine patrol. Riches managed to send an emergency radio transmission before he was fired on, but didn't have time to draw his weapon or step out of the patrol car, said Carona. His squad car was still in drive when deputies arrived 60 seconds later. Bombalier said the clerk told him that the gunman assured her as he bought the cigarettes that he wasn't going to rob the store. "She said he told her that he had the gun to protect himself in the parking lot," said Bombalier. "And he left." Riches was taken to Mission Hospital Regional Medical Center in Mission Viejo, where he was pronounced dead at 1:35 a.m. Riches, whom Carona described as "a teddy bear of a man," is the first Orange County deputy to be killed by an assailant in more than 40 years. Steskal was identified as a suspect soon after the crime scene was secured, Carona said. Orange County deputy sheriff Andre Spencer, one of several area deputies brought in to view the store's videotape, recognized Steskal as someone he'd arrested. Cherie Brockway, who shared an apartment on Lake Forest Drive with Steskal and his wife, said Steskal had complained that law-enforcement agents had bugged his phone and placed hidden cameras in his home. "If he did do (the shooting), it was probably because he was angry with police in general," she said. "He wasn't happy with them."

<http://www.ocweekly.com/ink/99/43/news-schou.php>

A Higher Fire Power

Carona puts his faith in more guns after ambush of deputy

by Nick Schou

Carona

In June 13, Maurice Gerard Steskal allegedly walked out of a Lake Forest 7-Eleven, aimed a knockoff AK-47 assault rifle at an Orange County Sheriff's deputy, and fired without warning. Deputy Brad Riches, who had just pulled into the convenience-store parking lot in his patrol car, died instantly in a hail of 31 bullets.

Many law-enforcement officials might have seized the occasion to point out the need for tougher gun laws. The alleged assailant has a history of mental illness. He had also cultivated a well-established grudge against cops. And still he managed to buy a high-powered assault rifle perfectly legally under California's leaky gun-control regulations.

Orange County Sheriff Mike Carona ignored all that in a press conference following Riches' death. Instead, he used the cold-blooded ambush of his deputy—the first to die on patrol in 40 years—as an opportunity to announce that he'll be shopping for thicker bulletproof vests and more powerful assault weapons.

It was a bizarre response for the sheriff, whose only previous policy statement on guns was to announce earlier this year that he favors extending a concealed-weapons permit to any citizen who can pass an FBI background check and show a legitimate need for the handgun. Carona's arms race would not have helped Riches, who was shot without warning; at most, it would have allowed him to die with an AR-15 rifle locked in the trunk of his car.

If anything, Riches' murder illustrates the stupidity of California's current gun laws. Hoping to satisfy the well-heeled gun lobby, state lawmakers have written weapons laws that attempt the impossible: to identify by name guns that are illegal.

The regulations, embodied in the 1989 Roberti-Roos bill, are circumvented almost as quickly as they are signed into law. Roberti-Roos bans only models of weaponry that are actually identified by brand name in Section 12276 of the California penal code.

Want to get around the law? Make modest changes in your weapon, call it something not specifically banned in the penal code, and you're street-legal, said David La Bahn, a lobbyist with the California District Attorneys Association. "If you have a list like that, with a TEC 9 [Uzi-style automatic pistol], you can go out and create a TEC 10, which is not on the list. That's what a lot of gun manufacturers have done."

With such loopholes in mind, state Senator Don Perata (D-Oakland) has reintroduced an Assembly bill that passed the legislature last year, only to be vetoed by then-Governor Pete Wilson. Perata's new bill, Senate Bill 23, plans to add to the list of prohibited firepower all weapons that fit the basic definition of an assault rifle—not just specific models or brand names. Most important, the proposed law would also ban semiautomatic weapons.

"Don has carried this bill for three years," said Mark Capitolo, a spokesperson for Perata. "It has been lobbied to death. A lot of the lobbying has been by the National Rifle Association and other groups, who have thrown up a lot of frivolous issues to delay it. You work with them to eliminate one issue and then they just throw up another."

Capitolo said that, much like the original Roberti-Roos legislation, Perata's proposed ban on assault weapons enjoys the support of virtually every law-enforcement group in Sacramento. Because Governor Gray Davis and Attorney General Bill Lockyer have promised to support it, Capitolo said SB 23 could become law as early as next month. Currently, the bill is scheduled for examination by the Assembly's Public Safety Committee on July 6.

Illegal or not, assault weapons are still remarkably easy to purchase, a fact made evident by a sting operation at a Pomona gun show carried out by Lockyer's office between April 30 and May 2. "We were able to buy prohibited machine guns without any background checks or any other hurdle other than having a heartbeat and a wad of cash," said Nathan Barankin, a press spokesperson for Lockyer.

Since that sting, Barankin said, Lockyer's office has received requests from local law-enforcement agencies across California begging for advice—as well as logistical support—on how to crack down on the sale of illegal weapons. Strangely absent among those callers is Carona.

"Sheriff Carona is obviously interested in protecting his officers," said Barankin. "But I don't recall that Orange County has contacted us."

According to public information officer Lieutenant Ron Smith, investigators with the county's Sheriff's Department routinely monitor local gun shows and dealerships, making use of confidential informants to ensure that no transactions involving illegal weapons take place. Firearms investigators also confiscate weapons from people's homes, in many cases acting on tips from patrol deputies who have responded to domestic violence calls.

But what about lobbying for tougher gun laws? Despite the brutal slaying of one of its own members, the Orange County Sheriff's Deputy Association says it has no plans whatsoever to lobby for increased gun control.

Telephone calls asking the same question to Carona and Assistant Sheriff George Jaramillo were diverted to the department's public information office, which had yet to respond at press time.

In Sacramento, meanwhile, Barankin promised that Lockyer intends to work closely with local law-enforcement agencies throughout the state to help rid California of high-powered assault weapons. Said Barankin, "We anticipate working closely with Sheriff Carona and his department's efforts to enforce gun laws in Orange County."

<http://www.ocweekly.com/ink/00/08/supplement.shtml>

Orange County's 31 Scariest People

SUPPLEMENT | FEATURE Vol. 5 No. 08 October 29 - November 4, 1999

8. SHERIFF MIKE CARONA

Earlier this year, a maniac armed with an assault rifle sprayed 17 bullets into Orange County Sheriff's Deputy Brad Riches as he drove his squad car into the parking lot of a Lake Forest 7-Eleven. How did Carona, the county's top cop, respond? By ordering heavier firepower for his deputies, many of whom now carry AR-15 assault rifles locked inside the trunks of their patrol cars—something that still wouldn't have kept Riches from being shot to death. That move was consistent with the rest of Carona's gun policy: giving concealed-weapon permits to anyone who says they need one and who hasn't already been convicted of a felony. With 1999 likely to go down as the Year of the Public Massacre, there has never been a riper moment for law-enforcement officials like Carona to push for greater gun-control measures. But don't expect leadership on this issue from Carona, who prefers to shy away from saying anything that would disturb his right-wing backers in OC, many of whom think the sheriff's top priority should be upholding the Second Amendment. MITIGATING FACTOR: We still don't regret endorsing the guy over Santa Ana Police Chief Paul Walters, whose comments about Latinos during the sheriff's race still creep us out after the sun goes down.

Jury Deadlocks Over Convicted Murder's Sentence

Penalty Phase Mistrial In Killing Of Deputy

POSTED: 7:09 p.m. PST December 2, 2002

UPDATED: 7:15 p.m. PST December 2, 2002

<http://ia.nbc4.tv/mondayarchive/1816048/detail.html>

SANTA ANA, Calif. -- A judge declared a penalty phase mistrial Monday because a jury deadlocked on whether to recommend life in prison or death for a man convicted of murdering an Orange County sheriff's deputy.

Superior Court Judge Frank Fasel ordered attorneys back to court Dec. 9 for a hearing on whether to retry the penalty phase of the case.

The jury deadlocked 11-1 in favor of recommending life in prison for Maurice Steskal, 43, an unemployed Lake Forest laborer. The lone holdout wanted the death penalty.

Steskal was convicted of first-degree murder on Nov. 19 for firing 30 rounds from an assault rifle at Deputy Brad Riches, 34, who was on patrol in front of a 7-Eleven in Lake Forest in 1999.

The jury also had found a special circumstance of killing a police officer in performance of his duties, which made Steskal eligible for the death penalty.

Jury foreman Bill Worden said 11 jurors felt it was necessary to show some kind of mercy but the holdout juror stuck with his position.

http://www.dfw.com/mld/mercurynews/news/local/states/california/northern_california/7480181.htm

Posted on Fri, Dec. 12, 2003

Death penalty recommended for killer of Orange County sheriff's deputy

Associated Press

SANTA ANA, Calif. - A jury recommended the death penalty Friday for a Lake Forest man who shot and killed an Orange County sheriff's deputy as he sat in a patrol car outside a convenience store.

Maurice Steskal, 44, was convicted of first-degree murder with special circumstances last year for firing 30 rounds from an assault rifle at Deputy Brad Riches in 1999.

Superior Court Judge Frank Fasel is scheduled to sentence Steskal on Feb. 6.

Investigators identified Steskal an unemployed Lake Forest laborer, using the 7-Eleven security camera. Steskal walked into the store with the rifle and bought a pack of cigarettes before shooting Riches.

Riches, 34, was the first county deputy killed on patrol since 1958.

A previous jury deadlocked 11-1 last year against recommending the death sentence after Steskal's lawyer argued his client had a history of mental illness.

A second jury began deliberating in the penalty phase in October.

After Thursday's decision, jurors outside the courtroom told reporters that they took into account the testimony regarding Steskal's mental state but decided it did not outweigh other factors.

Riches' mother, Meriel, said she was happy with the decision.

"This whole 4 1/2-year period has been incredibly difficult," she said. "This is what we've all been waiting for."

<http://www.geocities.com/powmadeak47/ak47/g612ak47.html>

Man arrested in shooting death of Orange County sheriff's deputy

June 13, 1999

Web posted at: 1:28 AM EDT (0528 GMT)

LAKE FOREST, California (AP) -- A sheriff's deputy was shot repeatedly with an assault rifle outside a convenience store early Saturday, and authorities arrested a man for the crime a few hours later.

Deputy Brad Riches' patrol car was riddled with bullets from an AK-47 in the predawn attack, said Lt. Steve Fauchier.

Maurice Gerald Steskal, 39, was arrested and booked for investigation of murder. He was held without bail.

Steskal was toting the assault rifle under his arm when he bought a pack of cigarettes at a convenience store before walking out and allegedly shooting Riches about 1 a.m., Fauchier said.

Riches, 34, had pulled into the store's parking lot and noticed an armed man but was unable to draw his weapon, though he was able to send a radio code that an emergency broadcast was about to follow, Orange County Sheriff Mike Carona said.

"It was a homicide that is as brutal as you can possibly imagine," Carona said.

Steskal had previous arrests for drunken driving, drug possession and assaulting an officer, but authorities were unable to say whether he was convicted of any crimes, Fauchier said.

David Eales.

<http://www.fbi.gov/ucr/killed/99leoka.pdf>

Law Enforcement Officers Killed and Assaulted 1999

A 49-year-old state trooper and member of the Oklahoma Highway Patrol Tactical Team was fatally shot at approximately 12:30 a.m. on September 24 in a drug-related matter. The victim officer, with nearly 21 years of law enforcement experience, was a passenger in the lead vehicle of an arrest team assigned to serve two felony narcotics arrest warrants. As the two-man tactical team drove up to the suspect's residence located in a rural area near Sallisaw, a man opened fire with a .223-caliber semiautomatic rifle. Both officers were struck multiple times. Despite his protective body armor, the veteran trooper was killed when a round entered his chest through the armhole of his vest. Other members of the tactical team administered first aid, but the veteran officer did not regain consciousness. He was airlifted to a local hospital where he was pronounced dead. In an ensuing exchange of gunfire, the 38-year-old male suspect was wounded by troopers and then taken into custody. He has been charged with one count of First-Degree Murder and three counts of Shooting with the Intent to Kill.

<http://www.odmp.org/year.php?year=1999&Submit=Go>

<http://www.odmp.org/officer.php?oid=15294>

Trooper David W. Eales

Oklahoma Highway Patrol, OK

End of Watch: Friday, September 24, 1999

Weapon Used: Rifle; AR-15

Suspect Info: Sentenced to 20 years

Trooper "Rocky" Eales was shot and killed as he and other officers, along with the district attorney's drug task force, were serving a warrant at a rural residence in Sequoyah County. The officers had just arrived at the residence when they were ambushed while still in their cruiser. The round was fired from a .223 caliber rifle and struck Trooper Eales in the side, just above his vest's side panels.

Officers were able to return fire, wounding one suspect. That suspect and his son were both taken into custody. The suspect's trial was declared a mistrial in October 2002. A second trial is scheduled for January 2003.

Web posted **Wednesday, September 29, 1999**

Saying goodbye *Hundreds honor fallen officer*

McALESTER, Okla. (AP) -- It was a day when detectives hugged deputies and troopers stood beside rangers. Hundreds of officers gathered Tuesday to honor one of their fallen -- Oklahoma Highway Trooper David "Rocky" Eales.

With the call, "Present Arms!" the sea of servicemen and women raised their arms to salute Eales' wife and two young children as they arrived at the Baptist church.

His 3-year-old son, Mackey, dressed in an OHP uniform, laughed as he peeked out of his father's hat.

It had been four days since 49-year-old Eales was killed while serving on a tactical unit. A bullet hit just left of his bulletproof vest as he arrived to help search for drugs at a Sallisaw residence.

The 20-year-old veteran died on the way to the hospital. It had been almost 15 years to the day since an OHP trooper was shot to death in the line of duty.

On Tuesday, officers from Tulsa and Texas, Ada and Arkansas lined the streets of Eales' hometown. Agents, captains, corporals and lieutenants wore dress uniforms with black bands across their badges.



Several hundred Oklahoma lawmen attending the funeral for Oklahoma Highway Patrol Trooper David Eales Tuesday in McAlester pause in prayer. Eales was killed serving an arrest warrant Friday near Sallisaw.

AP Photo

Hamilton, who was riding with Eales the night gunfire sprayed their sport utility vehicle. Hamilton, who was grazed by a bullet and hit with pieces of glass, was a pallbearer Tuesday.



Oklahoma Highway Patrol Trooper Raymond Greninger hugs a relative of Trooper David "Rocky" Eales after Eales' funeral in McAlester Tuesday. Eales was shot to death while serving a drug warrant on Eugene Barrett, last week.

AP Photo

More than 300 OHP officers, about half of the state's force, paid tribute. Many who had patrolled with Eales filled the pews inside the church, others who may not have known him gathered outside.

"As evidence of your presence today, Rocky was a friend to many of people," the Rev. Phil Ware told the crowd of more than 1,000 inside.

The casket of Eales, who was born on Independence Day, was draped with an American flag. On top was a miniature patrol car and a jumper suit -- his favorite hobby was parachuting.

Eales' wife, Kelli, smiled as a friend shared how her husband once took off his boots to reveal toenails painted red by his daughter Allison. Others in the crowd tried to hold back sobs as a group of his military buddies stood to toast him one last time.

"Here's to you Rocky!" said Richard Wolf, holding a water bottle toward the casket. "There's not many of us left."

Gov. Frank Keating and his wife, Cathy, watched the service from a front-row pew. Nearby, was Trooper John "Buddy"

The man accused of shooting Eales and wounding Hamilton is expected to be arraigned Wednesday. Kenneth Eugene Barrett is charged with first-degree murder and three counts of shooting with intent to kill.

Drizzle began to fall from the overcast sky by the time the procession arrived at Oak Lawn Cemetery.

Troopers held their wives, comforting them as Taps played. Mrs. Eales swayed with her daughter on her lap. She began to shake as an officer presented her with the American flag. Her husband's badge was pinned on top.

Keating took Mrs. Eales hand as he gave her an Oklahoma flag and some consoling words. The honor guard fired a salute. Two green military helicopters swept over the burial site.

Tears fell from the shadows of the officers at attention.

A cold breeze blew the mounds of flowers, most of them were red, white and blue. A small prayer was read before a commander yelled "At Ease!"

Uniforms or not, the crowd looked to each other through moist eyes. ATF agents hugged police. Marines hugged troopers.

"It's OK," one officer said as he embraced another.

"Thanks," the other said.



A relative holds McKay Eales, 3, during his dad's funeral Tuesday in McAlester. His father, Oklahoma Highway Patrol Trooper David W. "Rocky" Eales, was shot to death last week while serving an arrest warrant. The young Eales is wearing a uniform like his dad wore. The relative holds the late trooper's hat.

AP Photo

http://www.news-star.com/cgi-bin/smart_search/cqcgi/@sha_stories.env?CO_SESSION_KEY=JZXBIMZIMCOV&CO_QUERY_HANDLE=129244&CO_CUR_DOCUMENT=1&CO_DTF_DOC_TEXT=YES&CO_DOC_MARKUP_STYLE=7

Story last updated at 1:21 a.m. Sunday, November 10, 2002

Retrial of man accused of killing trooper set back

SALLISAW (AP) -- It may be spring or later before a man accused in the death of an Oklahoma Highway Patrol trooper is retried in the killing, the presiding judge said Friday.

District Judge John Garrett said May is the earliest time **Kenneth Eugene Barrett's** case could be retried. **Barrett** is accused of first-degree murder for the Sept. 24, 1999, slaying of Trooper David "Rocky" Eales.

Eales was in the lead sport utility vehicle of a law enforcement caravan that was trying to serve a search warrant for methamphetamines on **Barrett's** Sequoyah County cabin.

In **Barrett's** initial trial, jurors deliberated for nine hours before deadlocking on an 11-1 vote Oct. 18.

Two jurors told the Tulsa World that 11 panelists voted to convict the defendant of either first- or second-degree murder. The other juror believed that **Barrett** acted in self-defense.

Barrett still faces a count of shooting with intent to kill for allegedly firing at another trooper and two counts of discharging a firearm with intent to kill for firing at two other troopers.

"It was such an emotional roller coaster during that trial, and to come out like it did," said Eales' widow, Kelli Eales. "It's hard to have to do that again.

"But we made it this far. I didn't think emotionally I could get this far."

After the trial, Garrett had said the case could be retried by January or February. But he said Friday that jurors for a new trial could not come from the same jury pool as the first one, so the new proceeding would have to be delayed.

Tack on a state revenue shortfall that affects the Oklahoma Indigent Defense System, and the trial could be set back after the beginning of the 2004 fiscal year in July. The OIDS represents **Barrett**.

During a motions hearing on Friday, **Barrett's** attorney, John Echols, asked that bail be set for his client.

After brief deliberation, Garrett denied the motion, saying the "presumption of guilt is great," and "no condition or combination of conditions would reasonably assure the safety of the community."

http://www.news-star.com/cgi-bin/smart_search/cqcgi/@sha_stories.env?CO_SESSION_KEY=JZXBIMZIMCOV&CO_QUERY_HANDLE=129244&CO_CUR_DOCUMENT=8&CO_DTF_DOC_TEXT=YES&CO_DOC_MARKUP_STYLE=7

Troopers shot, one dies

Web posted **Saturday, September 25, 1999**

SALLISAW, Okla. (AP) -- The shots were fired before any words were spoken. In a matter of seconds an Oklahoma Highway Patrol trooper was dead and another was wounded Friday as they tried to serve a warrant near Sallisaw.

Trooper David W. "Rocky" Eales, 49, was killed and Trooper John M. "Buddy" Hamilton, 39, was injured, patrol spokesman Lt. Stewart Meyer said. Hamilton was in good condition at St. Francis Hospital, said hospital spokesman Tim Schilling.

Kym Koch, a spokeswoman for the Oklahoma State Bureau of Investigation, said Hamilton had bullet fragment injuries to both his left and right shoulder and an injury to his left eye.

The shooting occurred shortly after 12:30 a.m. as the officers arrived at a residence near Sallisaw to serve a search warrant to look for methamphetamines and an arrest warrant for **Kenneth Barrett** for failure to appear at a jury trial on a felony drug count.



Rocky Eales
AP Photo

The troopers were working with the district attorney's drug task force in Sequoyah County.

Ms. Koch said 10 members of a tactical team converged on the small frame house in four cars and a sport utility vehicle. The troopers were in the sport utility vehicle.

"They drove up and immediately, immediately a gun battle ensued is what it looks like at this point," Ms. Koch said.

"What we're trying to determine is were they shot before they got out of the vehicle or as they got out of the vehicle."

She said it all happened so fast, but it appeared that the officers may have been shot as they were getting out of the vehicle. She doesn't believe they had a chance to say anything.

Barrett told OSBI investigator Ben Rosser that he fired his AR-15 rifle at an approaching vehicle. He said he fired after he was struck by gunfire, according to an affidavit filed in Sequoyah County District Court.

District Attorney Dianne Barker Harrold charged **Barrett** on Friday with first-degree murder for Eales' death and three counts of shooting with intent to kill for the wounding of Hamilton and for shots fired at two other troopers.

Rosser said **Barrett** was struck by gunshots fired by Trooper Rick Manion.

Ms. Koch said **Barrett**, 38, was apparently firing from inside the house. Officers found several assault-type rifles in the house and believe one of those was used. Ballistics tests will be used to confirm what guns were fired. Several gunshots hit the troopers' vehicle.

Barrett was struck in the left thigh, right buttocks and left knee. He was in fair condition at St. Francis Hospital, Schilling said.

Ms. Koch said authorities don't know if Eales or Hamilton were able to return fire.

Authorities continued to piece together the details Friday afternoon.

Eales, a 20-year veteran of the patrol, was the 28th trooper to die in the line of duty. The last trooper death was in 1990 when Joseph E. Nicolle died on his birthday in the crash of the patrol helicopter he was flying during a marijuana eradication effort.

Barrett's 18-year-old son, Toby, was taken into custody. Ms. Koch didn't know if any charges would be filed against him. He was apparently outside the home when the shooting occurred.

The OSBI is helping the Sequoyah County Sheriff's Office and the Highway Patrol investigate the shooting. The federal Drug Enforcement Administration is helping with the original search warrant.

"Few events are as tragic as when a law enforcement officer is slain in the line of duty," Gov. Frank Keating said. He said Eales made the ultimate sacrifice for the state. "We have his family in our thoughts and prayers."

"The sad, senseless event of this morning reminds us all of the dangers and risks that our law enforcement community must confront each day as part of the job. Their bravery should be an inspiration to all of us."

"He was one I had known for quite some time," Meyer said of Eales. "He was a close friend, someone who was well-liked."

"He's always the first guy to volunteer for an operation. He's what you'd think of an a trooper. He'd be there in a heartbeat if you'd call him to be there. Any assignment he was given, he'd do it without question," Meyer said.

He said Eales took pride in being able to handle long, endurance tasks like being able to walk the fields and look for people in manhunts.

Eales was assigned to the Indian Nation Turnpike and lived in McAlester. He leaves a wife and two children.

Hamilton, who lives in Fort Gibson, is assigned to the patrol's special operations unit.

http://www.news-star.com/cgi-bin/smart_search/cqcgj/@sha_stories.env?CO_SESSION_KEY=JZXBIMZIMCQV&CO_QUERY_HANDLE=129244&CO_CUR_DOCUMENT=3&CO_DTF_DOC_TEXT=YES&CO_DOC_MARKUP_STYLE=7

Story last updated at 12:50 a.m. Sunday, October 20, 2002

Highway patrol disappointed with mistrial

SALLISAW, Okla. (AP) -- Oklahoma Highway Patrol officials are disappointed that the murder trial of a man accused of shooting a trooper to death ended in a mistrial.

Sequoyah County District Judge John Garrett declared a mistrial early Saturday for **Kenneth Eugene Barrett**, who is charged with first-degree murder in the shooting death of Trooper David "Rocky" Eales.

Garrett declared the mistrial after polling a deadlocked jury of seven women and five men three times. Garrett determined there would be "no benefit" in continuing.

Eales' widow, Kelli, began sobbing after the judge polled the jurors. "We're disappointed for the families and for the troopers who were involved in this event," Oklahoma Highway Patrol Cpt. Mike Grimes said Saturday.

"It had been three years going to trial and had been at trial for three and half weeks. To end up with an 11-1 hung jury, it's disappointing," Grimes said.

Members of the Eales family could not be reached for comment Saturday afternoon, but Grimes, who has been working with the family throughout the legal proceedings, said Eales' family was still trying to cope with the decision.

"It's very hard on them," Grimes said. "They've kind of had their lives on hold waiting for this trial. They just want justice to be done."

Jurors began deliberating about 2:30 p.m. Friday after hearing closing arguments.



■ Sequoyah County Sheriff John Philpott escorts Kenneth Barrett into the Sequoyah County District Court Friday in Sallisaw. The jury retired after completion of closing arguments Friday. Barrett is charged with first-degree murder for fatally shooting Oklahoma Highway Patrol trooper David "Rocky" Eales during a 1999 drug raid. (AP Photo)

■



Eales was in the lead vehicle of a law enforcement caravan serving a "no-knock" search warrant at **Barrett's** rural Sequoyah County home on Sept. 24, 1999. Troopers were looking for methamphetamine.

Barrett, 41, also faced a charge of shooting with intent to kill for wounding trooper John Hamilton in the midnight raid, in which he was also shot, and two counts of discharging a firearm with intent to kill.

There was no immediate word from prosecutors, who were seeking the death penalty, on when they planned to retry **Barrett**.

Defense attorney John Echols said during closing arguments that **Barrett** was defending his home, his son and himself when he began firing at the troopers.

Barrett did not recognize the troopers because they drove unmarked vehicles, and he feared for the safety of his son, Echols said.

■ Kelli Eales, widow of slain Oklahoma Highway Patrol trooper David "Rocky" Eales, leaves the Sequoyah County District Courthouse in tears following closing arguments in the **Kenneth Eugene Barrett** murder trial in Sallisaw Friday. (AP Photo) ■

<http://www.mapinc.org/drugnews/v04/n110/a06.html?397>

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Author: Bob Doucette, The Oklahoman

AGENT TESTIFIES ABOUT DRUG RAID

SALLISAW -- An agent in the Sequoyah County District Attorney's Task Force testified Thursday about a chaotic scene shortly after a 1999 drug raid that left one Oklahoma Highway Patrol trooper dead and another injured. Clint Johnson, now a field supervisor for the task force, said he worked to save trooper David "Rocky" Eales, who had been shot while trying to serve a search and arrest warrant on Kenneth Eugene Barrett, 42, of Vian. Eales died of his wounds.

"I remember seeing the glow of the lights (from the highway patrol vehicles)," Johnson said. "I heard one of the troopers say that they had two down, and one hurt pretty badly. I could hear them yelling."

Johnson was the first witness to testify at Barrett's trial. Barrett is charged with first-degree murder, shooting with intent to kill and discharging a firearm with intent to kill for his part in the Sept. 24, 1999, shoot-out. Prosecutors are seeking the death penalty in Barrett's second trial. The first ended in a mistrial more than a year ago.

Johnson said that after getting out of his pickup, he retrieved a medical bag and called for Cherokee County Sheriff Delena Goss, who had previous experience as an emergency room nurse. Johnson said Eales was unresponsive.

Another trooper drove Eales, Johnson and Goss to an ambulance that had been sent to the scene. Johnson said he went to the hospital, where he learned Eales had died.

Prosecutors say Barrett, who was being investigated for drug activity, fired at troopers as the raid began. Barrett's attorney, John Echols, contends that Barrett was acting in self-defense.

Johnson and highway patrol Maj. Kerry Pettingill also detailed how the raid was planned.

On Sept. 20, 1999, county authorities obtained a "no-knock," day-or-night warrant to search Barrett's home and arrest him. Johnson testified that this type of document allows officers to serve a warrant and make arrests without announcing their presence beforehand.

Officers knew from previous visits with Barrett that he had weapons at his home, including an assault rifle, authorities said.

In the next few days, members of the patrol's tactical team went over plans for the raid. Troopers observed the house from the air and while driving by, Pettingill said. They practiced the raid at nearby Camp Gruber.

Officers debated the time to begin the raid, Pettingill said. They wanted to catch Barrett asleep. In previous statements, Echols said Barrett was awake when the tactical team arrived at 12:30 a.m.

Plans first were to have two officers watch the home from a hidden location and give last-minute details to the rest of the group. But they decided against it, fearing that the surveillance team -- called "creeper/snipers" -- might be spotted, Pettingill said.

Pettingill, who at the time was in charge of the patrol's tactical teams, said he also was worried about the number of people on the raid. In addition to five patrol vehicles that went to the house, members from the drug task force, two county sheriff's offices, Sallisaw police and two prosecutors and a park ranger met the tactical team before the raid. Up to a dozen vehicles were involved, testimony indicated.

<http://venus.soci.niu.edu/~archives/ABOLISH/apr00/0525.html>

OKLAHOMA:

In Sallisaw, a man accused of killing an Oklahoma Highway Patrol trooper has pleaded innocent to 1st-degree murder, a charge for which prosecutors say they will seek the death penalty.

Kenneth Eugene Barrett, 38, entered his plea Thursday. He is charged in the Sept. 24 shooting of Trooper David "Rocky" Eales during a drug raid at Barrett's rural home in Sequoyah County.

Barrett also is charged with 1 count of shooting with intent to kill in connection with shots fired at Trooper John Hamilton, and 2 counts of discharging a firearm with intent to kill regarding shots fired at Troopers Rick Manion and Raymond Greninger.

An OHP tactical team came under fire when it tried to serve a "no-knock" warrant to search for methamphetamine, authorities said. Eales, 49, and Hamilton were in the lead vehicle.

District Judge John Garrett said he would try to schedule Barrett's trial in early or mid-September.

Barrett's attorney, John Echols, contends his client acted in self-defense against a heavily armed force engaged in a surprise assault on his home.

Echols filed 4 motions Thursday, one of which asks the court to dismiss the case for lack of a lawful preliminary hearing. Garrett said a hearing on the motions will be scheduled sometime next month.

(source: Associated Press)

<http://venus.soci.niu.edu/~archives/ABOLISH/mar03/0817.html>

Jury selection begins in slain trooper trial

9/17/2002

SALLISAW -- The trial for the alleged killer of longtime Oklahoma Highway Patrol Trooper David "Rocky" Eales began Monday, nearly three years after a Sequoyah County man was charged in the slaying.

Prospective jurors filled out lengthy questionnaires in preparation for the trial of Kenneth Eugene Barrett, against whom prosecutors are seeking the death penalty.

Barrett, 41, is charged with first-degree murder stemming from the fatal shooting of Eales, 49, during a drug-raid shootout Sept. 24, 1999, at Barrett's home about five miles northwest of Sallisaw.

A 20-year veteran of the OHP, Eales, of McAlester, was shot three times, including a fatal wound to the chest, the state Medical Examiner's Office determined.

Of 350 prospective jurors, 108 completed questionnaires and were sworn in Monday, District Judge John Garrett said.

The courthouse is closed Tuesday because of elections, but attorneys from both sides will spend the day poring over information from the surveys. Jury selection will begin in earnest Wednesday.

Barrett also is charged with shooting with intent to kill in connection with shots fired at Trooper John Hamilton, who was injured, and two counts of discharging a firearm with intent to kill in connection with shots fired at Troopers Rick Manion and Raymond Greninger.

Eales and Hamilton were in the lead vehicle of a tactical team caravan that came under fire as it drove up to Barrett's home to serve a "no knock" warrant to search for methamphetamine, authorities said.

Designed as a time-saver, the jury questionnaire was formulated by Barrett's lead attorney, John Echols.

While avoiding repetition, it permits the court to review specific questions and allows for thorough questioning and candid answers from potential jurors "without the inhibiting effect of a large and unknown audience," a motion filed by Echols states.

The five-page, 38-question survey focuses on potential jurors' personal background but solicits thoughts on a number of issues, including the death penalty and a homeowner's use of guns.

Echols claims that his client acted in self-defense against a heavily armed force that was engaged in a surprise assault on his home. Barrett, who also was wounded during the

shootout, has admitted to firing his rifle at the approaching vehicle but said he fired only after being struck by gunfire.

Two questions ask potential jurors, "Have you ever posted a 'no trespassing' or similar sign on your property?" and "Do you believe in the saying: A Man's Home is His Castle?" " Another question inquires, "What, if anything, have you done to secure your home against intruders?"

The survey also asks potential jurors what, if any, firearms they own and solicits their opinion on the "relationship between crime and drug abuse in your community?"

First Assistant District Attorney Darrell Dowty will prosecute the case in the absence of District Attorney Dianne Barker Harrold and Assistant District Attorney Lynn Anderson, whom Garrett disqualified last month in part because they were present during the drug raid.

Earlier this year, Barker Harrold's office reportedly drew criticism from Eales' widow for what she perceived as a lack of progress in the case. Kelli Eales voiced her concerns in an impromptu meeting with Gov. Frank Keating, who penned a letter to the district attorney, a Keating spokesman said.

In written statements released in July, Barker Harrold attributed the case's prolonged nature to a number of issues, including budgetary concerns that had cut her work force and a methodical examination of evidentiary issues.

In a Democratic primary last month, Wagoner attorney Richard Gray ousted Barker Harrold from the District 27 seat she had held for eight years.

(source: Tulsa World)

<http://www.swtimes.com/archive/2004/April/20/news/killer.html>

Trooper's Killer Gets 30 years

By Marcus Blair

TIMES RECORD • MBLAIR@SWTIMES.COM

SALLISAW — Kenneth Eugene Barrett was sentenced Monday to 30 years in prison for the shooting death of a state trooper and the wounding of another.

District Judge John Garrett upheld the sentences recommended in February by a jury. Jurors found Barrett, 42, guilty and recommended a 20-year prison term for first-degree manslaughter and a 10-year term for assault and battery.

Prosecutors had asked the jury to find Barrett guilty of first-degree murder and give him the death penalty.

Garrett announced Monday that Barrett will serve his sentences consecutively. The Oklahoma Department of Corrections will determine whether Barrett will receive credit for spending nearly five years in the Sequoyah County Jail, Garrett said.

Barrett, wearing an orange jail jumpsuit, told the judge he understands the sentences.

Barrett's attorney, John David Echols, said he will not file an appeal because there is a danger Barrett would receive a new trial and a stiffer penalty.

Kelli Eales, widow of slain Oklahoma Highway Patrol Trooper David "Rocky" Eales, said she is disappointed in the verdict but is glad the judge made Barrett's sentences consecutive.

"I feel like we had the best sentence under the circumstances," Kelli Eales said. "But I don't think the punishment fit the crime. Kenneth Barrett has had far more rights than Rocky Eales ever had."

Eales burst into tears as she described the coping process she and her children are enduring.

"We have to go on. We've learned to go on without him. We have no choice," she said.

Trooper John Hamilton, who was wounded by shrapnel when bullets from Barrett's gun hit his Ford Bronco, said he hopes Barrett will appeal so "we can get what we wanted."

"Thirty years just isn't much for the life an officer," Hamilton said, shaking his head. "There's just no excuse for Barrett and what he did."

During the five-week trial, Barrett's attorneys claimed he was acting in self defense when he opened fire on troopers as they converged on his property in 1999 to serve a no-knock, nighttime search warrant for drugs.

Barrett fired only after being blinded by the headlights of Hamilton's Ford Bronco, which rammed his front porch, Echols said.

Barrett did not know he was firing at officers because they drove unmarked vehicles, did not announce their presence and did not use emergency lights, Echols said.

A bullet hit Rocky Eales between the plates of his body armor as he slid from his seat and tried to escape the Bronco, according to testimony. The bullet ruptured his lung and severed his aorta.

Barrett's first trial in 2002 ended with a hung jury.

Larry Kolb

<http://www.fbi.gov/ucr/killed/99leoka.pdf> , page 54

Law Enforcement Officers Killed and Assaulted 1999

On October 2 at approximately 5 p.m., a 40- year-old lieutenant with the Kendall County Sheriff's Office was shot and killed while investigating a disturbance call at a local mobile home park in Boerne. The lieutenant, with 12 years of law enforcement experience, and a constable responded to a 911 shots fired call received by the Boerne Police Department. Both officers exited their vehicles, and the lieutenant, taking the lead, approached the door of the mobile home and identified himself. A man opened fire with a 7.62x39 mm semiautomatic rifle, fatally striking the victim officer in the upper torso/chest with multiple rounds. The constable took cover behind a vehicle and radioed for assistance. The shooter then exited the dwelling and crawled underneath an adjacent mobile home. When the assisting officers arrived at the scene, they ordered in both English and Spanish that the man drop his weapon and surrender. Instead of surrendering, however, the assailant began to reload the rifle, and the officers opened fire on him. When the subject was subdued, they removed him from underneath the dwelling and administered first aid. The 30-year-old suspect was transported to a local hospital where he died later that day.

<http://www.odmp.org/year.php?year=1999&Submit=Go>

<http://www.odmp.org/officer.php?oid=15297>

Deputy Sheriff Larry Sherwood Kolb

Kendall County Sheriff's Department, TX

End of Watch: Saturday, October 2, 1999

Weapon Used: Rifle; AK-47

Suspect Info: Shot and killed

Deputy Kolb was shot and killed when he was ambushed at a shots fired call. He had responded to the call while he was off duty because he was the closest officer to the scene. As he was approaching the residence he identified himself as a deputy and was then shot in the neck and chest by the suspect, who was using an AK-47. Deputy Kolb was not wearing a bullet proof vest. Other officers who the arrived on the scene found the suspect hiding under a trailer. The suspect fired at them as well and was killed when the officers returned fire.

Deputy Kolb had served with the Kendall County Sheriff's Department for 3 years and is survived by his wife and two young sons.

<http://www.topcops.com/news/NOV1999.pdf>

Deputy Sheriff Larry Kolb, Kendall County Sheriff's Department, TX

Date of Incident: October 2, 1999

Suspect Info: Shot and killed

Weapon Used: Assault rifle; AK-47

Deputy Kolb was shot and killed when he was ambushed at a shots fired call. As he was approaching the residence he identified himself as a deputy and was then shot in the neck by the suspect, who was using an AK-47. Other officers who the arrived on the scene found the suspect hiding under a trailer. The suspect fired at them as well, but

was killed when the officers returned fire. Deputy Kolb was pronounced dead at the scene.

<http://www.copsite.com/lwf/lwf99disoct.html>

A Kendall County sheriff's deputy was gunned down in an ambush Saturday 10-02-99 at a trailer park south of Boerne, sparking a gunbattle in which a DPS officer shot and killed a gunman firing an assault rifle.

Deputy Sheriff Larry Kolb was shot in the neck after walking toward a mobile home and identifying himself as a sheriff's deputy, a witness said. Neighbors knew the resident who was killed only as "Cowboy."

The incident started just after 5 p.m., when dispatchers got a call for shots being fired in the air at Shady Rest Mobile Home Park at the intersection of Cascade Caverns Road and Interstate 10.

"The officers showed up and the next thing we have is an officer down, who died at the scene," said Brian King, dispatch for the Boerne Police Department and Kendall County Sheriff's office. "The suspect was shot and taken to University Hospital."

Garry Parker, safety education officer for the Department of Public Safety, said DPS officers responded to the scene at about 5:15 p.m. to assist in the call. Parker said an officer was reported down at 5:45 p.m., while the resident was reported to be down at 5:55 p.m.

The man was pronounced dead at University Hospital at 7:40 p.m.

Parker said DPS trooper Derome West reported firing three shots at the man; at least one hit him.

Officials didn't release the dead man's name.

Parker said the officer was shot with an AK-47 assault rifle.

"The weapon was a stolen weapon from a mobile home across the street from the assailant's home," he said.

The deputy "walked over and said, 'Sheriff's Department.' He took a step to go up the first step to the trailer, and he was shot right in the neck," Arreola said. "He went down, yelling, 'I'm shot! I'm shot!'"

A 25-year-old resident, who did not want to be identified, said the man hid under a trailer next door to where the officer was killed.

<http://groups.yahoo.com/group/stop-polabuse/message/759>

<http://groups.yahoo.com/group/stop-polabuse/message/772>

Sheriff's Deputy Gunned Down in Texas

Assailant Shot Dead by Fellow Officers

Oct. 4, 1999

By Pete Brush

BOERNE, Texas (APBnews.com) -- An off-duty sheriff's deputy responding to reports of shots fired was fatally struck in the chest Saturday by a gunman with an assault rifle, police said.

Lt. Larry Kolb, a 12-year police veteran who had been with the Kendall County Sheriff's Office for more than two years, was shot at 5:03 p.m. at near point-blank range as he neared the door of the trailer occupied by Jose Gil Ramos, 30, a Honduran national.

As Kolb approached, identifying himself as a police officer, police said Ramos came outside, gun drawn, and shot Kolb before diving for cover under an adjacent trailer. Ramos, who neighbors described as a heavy drinker upset over breaking up with his girlfriend, had been firing the weapon indiscriminately before shooting Kolb, police said.

"One shot was fired. Kolb was hit in the chest with a shot from a semiautomatic assault weapon," Mike Cox, spokesman for the Texas Department of Public Safety (DPS), said today. Kolb was pronounced dead at the scene, police said.

Fired three fatal shots at suspect

A local constable who had also responded to the scene called for assistance and took cover, Cox said.

At that point, Cox said that DPS Trooper Derome West and others responded to a distress call of an officer down. West and other officers called to Ramos in English and Spanish, ordering him to put down his weapon and come out from under the trailer.

"At that point they heard him charging, or reloading, the weapon," Cox said. "They felt there was a significant threat and began firing."

West fired three shots at Ramos, hitting him once, Cox said. Ramos was then pulled from under the trailer and given first aid by police. Ramos was transported to a San Antonio hospital where he was pronounced dead at 7:38 p.m. Saturday.

Police moved by death

Witnesses at the Shady Rest trailer park told police investigators they thought the firearm was an AK-47, but a police report identified the weapon as a MAK 90 semiautomatic assault rifle. The gun had been reported stolen in a burglary from another trailer Saturday, Cox said.

The police departments were still investigating the incident as of today, Cox said.

"DPS internal affairs is doing an investigation, as we do any time there is a shooting in which an officer is killed or injured," Cox said.

With a total force of 18, including the sheriff, the Kendall County Sheriff's Office was described by police as small and cohesive. Cox said today that police who knew Kolb were visibly upset at his death.

Community mourns

Mourners placed flowers outside the Sheriff's Office in a makeshift memorial Sunday. Kolb left behind a wife and two sons, 5 and 12.

"I was his partner for two years as a reserve deputy," Lt. Lori Smith said today from the Kendall County Sheriff's Office. "There's very much support for him and his family in the community. All I can say is that his heart and soul will always be here."

Ramos' ex-girlfriend, Mary Vargas, 37, of Boerne allegedly told a local newspaper that Ramos might have been distraught over their breakup. Ramos' neighbors, who called him "Cowboy," said he may simply have snapped.

Pete Brush is an APBnews.com national correspondent.

<http://groups.yahoo.com/group/highwaynarcoticinterdiction/message/339?source=1>

The suspect, 30 year old Jose Gil Ramos, AKA "Cowboy", who had been arrested in Kendall County numerous times, died on the operating table.

<http://are.berkeley.edu/APMP/pubs/agworkvisa/officersarrest111099.html> or
http://www.expressnews.com:80/pantheon/news-bus/state/1103btx_ins_roundup_1111nz.shtml

Officers arrest 38 immigrants in Kendall County

By Zeke MacCormack

Express-News Staff Writer

Wednesday, Nov 10, 1999

BOERNE - Local police, aided by the Immigration and Naturalization Service, arrested 38 undocumented immigrants in Kendall County on Tuesday, including nearly 20 residents of the trailer park where a sheriff's deputy was killed Oct. 2.

Hundreds of cars were stopped by Kendall County sheriff's deputies at roadblocks on Cascade Caverns Road from 6 a.m. to 8 a.m. Tuesday. Motorists and passengers without proper documentation were referred to INS officers on the scene for questioning.

Authorities said the crackdown was prompted by complaints from nearby residents about dangerous traffic and the presence of undocumented workers at a nearby construction site.

But some at the Shady Rest Mobile Home Park saw the arrests as retribution for the fatal shooting of Lt. Larry S. Kolb by a fellow resident, Jose Gil Ramos, whom police killed after he attacked Kolb.

"One person messed up, and all of the other people are paying for it right now," said resident Maria Matamoros, 35.

She and several other residents said Wednesday that police swept into the trailer park at dawn, knocking on several doors and apprehending many residents.

"Immigration came in here and went in homes and took people out," said Celia Moreno, 20. "They went around the whole place knocking on doors. They even came knocking on my door."

But Tom Homan, INS assistant district director for investigations in San Antonio, said his officers only entered the park to accompany detainees arrested at the roadblock who wanted to retrieve belongings from their trailers.

Three more undocumented immigrants encountered inside the park were apprehended as the officers accompanied the detainees to their homes, he said.

"The only trailers my agents should have gone to are ones where they had arrested someone and were going back to retrieve articles," Homan said Wednesday.

Mexicans accounted for nearly all of the detainees, officials said, and they had been deported by Wednesday. Several Hondurans and Guatemalans awaited deportation Wednesday.

Homan confirmed that one of those arrested resided at the former home of Ramos, where Kolb was shot.

INS spokesman Ray Dudley said Kendall County Sheriff Henry Hodge initiated the roadblocks on both sides of the trailer park entrance and asked the INS to assist.

"His deputies had been stopping a large number of construction vehicles for traffic violations, in many cases with 12 guys in the back," Dudley said. "A large number of the people they were stopping had no license, no insurance, and a lot of the people aboard those vehicles had no identification of any kind."

Hodge could not be reached Wednesday for comment.

Duke Key, chief deputy at the sheriff's department, said Kolb's shooting was not related to the crackdown.

"There's been a lot of problems with illegal aliens for a while in that area," Key said.

Several of those apprehended Tuesday had been working on the construction of two new Boerne schools at the corner of Cascade Caverns Road and Old San Antonio Road, he said.

Mark L. Stephenson, Thomas Monse, Terry Miller

<http://www.fbi.gov/ucr/killed/99leoka.pdf>

Law Enforcement Officers Killed and Assaulted 1999

On October 12, two deputies with the Atascosa County Sheriff's Department and one trooper from the Texas Department of Public Safety were shot and killed in an ambush in a rural subdivision near Pleasanton. A 31-year-old deputy, who had responded to a domestic violence call at a residence early that morning, responded to a second call from the same residence at approximately 8:30 p.m. The deputy, with 2 years of law enforcement experience, arrived at the home, exited the patrol vehicle, and was shot several times with a 7.62x39 mm semiautomatic rifle and a 12-gauge shotgun. A second deputy, a veteran with nearly 9 years of law enforcement service, responded as backup within 2 minutes of the first deputy's arrival. The assisting deputy, also 31 years old, exited his patrol vehicle and was shot several times with the same weapons used in the assault on the first deputy. The man then apparently came out of hiding and shot both victim officers multiple times in the head and took their service weapons. The assailant, who had been arrested that morning by the first victim deputy for domestic violence, returned to the ambush area, and waited for other officers possibly en route to the area. Because the two deputies failed to respond to radio calls, a 37-year-old veteran state trooper, with 12 years of law enforcement experience, was dispatched to the residence. When the trooper arrived at approximately 9 p.m., he notified the dispatcher by radio that two officers were down and began to back his patrol car away from the scene. The suspect, still concealed in a brushy area across the road, opened fire on the trooper, hitting him in the hip and fatally wounding him in the head. The victim trooper was wearing body armor at the time of the attack. A patrolman from the Pleasanton Police Department arrived at the scene minutes after the state trooper and stopped his patrol car near where the trooper's vehicle had rolled to a stop; a retired agent with the U.S. Border Patrol also arrived at the scene. The two men exited their respective vehicles and met to discuss the situation. The suspect opened fire on the two men, wounding both of them. The patrol officer took cover behind his vehicle and returned fire. Civilian passersby assisted the two from the shooting scene in their vehicle, which sustained numerous hits from the suspect's high-velocity rifle as they left the area. One of the civilians suffered a superficial wound to the leg. Other law enforcement officers from several jurisdictions arrived at the scene. A police helicopter equipped with infrared radar supported the operation as did a fire department tank truck that the officers used for cover. Officers in a helicopter spotted the suspect who had crossed the roadway and entered a weeded area east of his residence. The airborne officers advised the ground officers of the man's location. Members of the ground crew directed gunfire in the suspect's direction while the officers inside the tank truck advanced toward the assailant's position. The officers in the helicopter observed the 21-year-old suspect stand up, appear to fire numerous shots in a circle around his position, then take a pistol from his belt and shoot himself in the head. Subsequent investigation revealed that the suspect prepared for his assault by placing ammunition in the bushy area near his home and then lured officers to the location with a bogus 911 call.

Deputy Sheriff Mark Louis Stephenson

Atascosa County Sheriff's Department, TX

End of Watch: Tuesday, October 12, 1999

Cause of Death: Gunfire

<http://www.odmp.org/officer.php?oid=15303>

Weapon Used: Rifle; Semi-automatic

Suspect Info: Committed suicide

Deputy Stephenson and two other officers were shot and killed when they were ambushed at a 911 hang-up call. Deputy Stephenson and Deputy Thomas Monse were the first officers on scene when they were shot with a semi-automatic rifle by the suspect, who was waiting in an ambush. Both deputies were still in their patrol car. After shooting the officers, the suspect took one of their handguns and hid in a ditch across a dirt road from the mobile home.

As Trooper Terry Miller pulled up he spotted the two slain deputies and radioed for backup but was shot and killed before he had a chance to take off his seat belt. Other officers who arrived on scene exchanged fire with the suspect. Two more officers and the suspect were shot and wounded before the suspect committed suicide with the stolen handgun.

An accomplice to the suspect who bailed him out of jail and helped him purchase ammunition in order to ambush the officers was sentenced to death in March 2001.

Trooper Terry Wayne Miller

Texas Department of Public Safety, TX

End of Watch: Tuesday, October 12, 1999

Cause of Death: Gunfire

<http://www.odmp.org/officer.php?oid=15304>

Weapon Used: Rifle; Semi-automatic

Suspect Info: Committed suicide

Trooper Miller was shot and killed when he was ambushed at a 911 hang-up call. Trooper Miller was backing up two Deputies Mark Stephenson and Thomas Monse, of the Atascosa County Sheriff's Department, whom had also responded to the call. When Trooper Miller arrived on scene he discovered the two deputies had been shot and killed. He radioed in for backup but was also shot and killed by the suspect, who was laying in wait in a ditch across the road. Trooper Miller wasn't even able to remove his seatbelt before being shot.

Other officers who arrived on scene exchanged fire with the suspect. Two more officers and the suspect were shot and wounded before the suspect committed suicide with the stolen handgun.

An accomplice to the suspect who bailed him out of jail and helped him purchase ammunition in order to ambush the officers was sentenced to death in March 2001.

<http://www.odmp.org/year.php?year=1999&Submit=Go>

<http://www.odmp.org/officer.php?oid=15306>

Deputy Sheriff Thomas Orville Monse Jr.

Atascosa County Sheriff's Department, TX

End of Watch: Tuesday, October 12, 1999

Cause of Death: Gunfire

Weapon Used: Rifle; Semi-automatic

Suspect Info: Committed suicide

Deputy Monse and two other officers were shot and killed when they were ambushed at a 911 hang-up call. Deputy Stephenson and Deputy Thomas Monse were the first officers on scene when they were shot with a semi-automatic rifle by the suspect, who was waiting in an ambush. Both deputies were still in their patrol car. After shooting the officers, the suspect took one of their handguns and hid in a ditch across a dirt road from the mobile home.

As Trooper Terry Miller pulled up he spotted the two slain deputies and radioed for backup but was shot and killed before he had a chance to take off his seat belt. Other officers who arrived on scene exchanged fire with the suspect. Two more officers and the suspect were shot and wounded before the suspect committed suicide with the stolen handgun.

An accomplice to the suspect who bailed him out of jail and helped him purchase ammunition in order to ambush the officers was sentenced to death in March 2001.

Deputy Monse had been with the agency for two years and was survived by his wife, daughter, three sons, mother, father, step-father and brother.

<http://members.tripod.com/Samdo/txlawmem.htm>

In Loving Memory of Three Brave Men

On October 12, 1999 a 911 call was received in Pleasanton, Texas. In response to this call, a Deputy Sheriff from Atascosa County arrived on the scene only to be ambushed and killed. Another Deputy arrived shortly on the scene and he too was shot and killed. Even before paramedics could arrive, a Texas State Trooper came to the same place and again, the silence of night was shattered by a high powered rifle killing him also. Dead were Deputy Sheriff's Thomas Monse and Mark Stephenson and Trooper Terry Miller. All family men in their 30's with young children. One more retired officer and an off-duty officer came on the scene to help and were wounded. A civilian by the name of Wendell Munson drove his pickup into this hail of bullets to help and managed to get the two wounded men out but not before his pickup was filled with bullet holes and shot out tires.

The 911 call was made by a Jeremiah Engleton who had been taken into custody the previous night for domestic violence against his wife. Upon his release from jail, he plotted his murderous plan to ambush the very officer who had arrested him. His call was deliberate and coldly calculated. Yes....he's dead. He took one of the dead officers revolver and shot and killed himself. When all was said and done, this man single handedly created one of the worse law enforcement killings in the history of Texas.

http://www.copsrus.com/five_die.html

The most recent shooting near Pleasanton, Texas, southwest of San Antonio, took place about 8:15 p.m. the evening of October 12. Earlier in the day, a 21-year-old black male was arrested for a misdemeanor domestic violence charge and, after posting bail and being released, went to an Atascosa store and purchased \$200 worth of ammunition.

At approximately 8:11 p.m., the 21-year-old black male called 911 stating they had better send a deputy to his house. The caller then armed himself with a semi-automatic SKS rifle and hid in the brush across the road from his house. Minutes later, Atascosa County Deputy Thomas Monse, 31, who had arrested the caller earlier for domestic violence, arrived in front of the home. As he stepped from the police vehicle, Deputy Monse was shot in the back.

Atascosa County Deputy Mark Stephenson, 32, arrived approximately 5 minutes later and he also was shot in the back as he stood next to his vehicle with the engine still running. After killing both deputies the suspect ran out from concealment, took each deputy's pistol, and shot each of them in the head once. He then returned to his position of concealment.

After not receiving a response from either deputy the dispatcher called for a backup to go to the location. Texas Department of Public Safety (DPS) Trooper Terry Miller, 37, arrived on scene and broadcast an 'Officers Down' transmission. He was not heard from again. Investigators found the trooper in his vehicle dead of gun shot wounds. He still had his seat belt buckled. It is believed he came under gun fire as he arrived and was backing away when he was killed.

Shortly thereafter nearly a hundred police officers converged on the location and came under fire from the brush where the killer had been hiding. First on the scene were a U.S. Marshal who lived a short distance away and a Pleasanton police officer. Each was shot in the arm. Two very brave neighbors, a driver and his passenger drove through the gun fire from the brush to rescue the two wounded officers. The tires on the rescue vehicle were shot out and the passenger received a leg wound. Both officers were airlifted to a hospital where they remain in "fair" condition. The civilian was treated locally.

As officers began to move in on the suspect, he stood and turned, firing a long burst of fire in a 360 degree circle. There was return fire and then a single gun shot. Officers found the suspect dead of a single gun shot wound and believe he killed himself with a deputy's pistol.

Deputy Stephenson had been with the Atascosa Sheriff's Department for seven years. He had served seven years in the military. He is survived by a wife and three children.

Deputy Monse, had been with the Atascosa Sheriff's Department for two years. He is survived by his wife and four children, ages 3 to 14 years. They are the first officers to die in the line of duty in Atascosa County since 1975.

Trooper Miller had been with the Texas Department of Public Safety since 1997 and was first stationed at the DPS office in Freer. He transferred to Pleasanton in September 1998. Trooper Miller had been a Texas law enforcement officer for ten years prior to joining the DPS. He is the 74th DPS officer killed in the line of duty and the first since 1994. He is survived by a wife and two daughters, ages 13 and 22 months.

No information is available at this time regarding memorial services.

<http://www.geocities.com/snsugar31/sacifice.html>

Jeremiah Engleton was mad at his wife Violet Ann, for letting their milk cow get loose. When she could not find the cow, Mrs. Engleton was told by her husband to "get out!" As she was packing to leave he beat her. It was this burst of domestic violence that led to one of the bloodiest scenes in Texas law enforcement history.

Mrs. Engleton complained to police and had her husband arrested. She then took refuge in a shelter for battered women. When her husband was released on \$2,000 bond less than 24 hours later he returned home to find his wife gone and apparently snapped. He stockpiled hundreds of rounds of ammunition, armed himself with an SKS semi-automatic assault rifle, and then placed a bogus 911 call to police for help. His frantic message was, "Get someone to 7100 Coughran Road right away!" He then hid in the darkness across the roadway and waited for police to arrive.

The first officer on the scene was Thomas Monse, an Atascosa County sheriff's deputy. As he stepped from his car, Deputy Monse was shot in the back. About five minutes later another deputy, Mark Stephenson, drove up. With his car engine still running, Deputy Stephenson stood next to his vehicle and was also shot from behind. After shooting the two deputies with his assault rifle, Engleton ran over to his victims, took their service pistols and shot them both in the head-then he returned to his assassin's perch hidden in the brush.

When the deputies failed to call in, Trooper Terry Miller of the Texas Department of Public Safety, went to investigate. As he arrived shortly after 9 p.m., he called in "officers down," but was never heard from again. Police believe he came under fire and was killed as he attempted to back his car out of the line of fire. Trooper Miller was still wearing his seatbelt when he was found.

About 100 officers soon converged on the trailer park located south of San Antonio. Hundreds of rounds of ammunition were fired, mostly by Engleton. Two other officers and a nearby resident were shot and injured. Finally, just before 11 p.m., Engleton stood up and began firing his rifle in a 360-degree turn. There was some return fire and then a single shot. Engleton had taken one of the deputies' guns and committed suicide.

The local sheriff, Tommy William's, tried to make some sense out of the tragedy, saying, "The killer had to blame somebody for his troubles and, I would say, he probably took it out on us." It's an explanation that could be applied to many of the 134 law enforcement fatalities that occurred in 1999.

<http://www.lmtonline.com/news/archive/022501/pagea5.pdf>

Laredo Morning Times

STATE

Sunday, February 25, 2001

Cop killer accomplice gets death

KARNES CITY, Texas

(AP) - A 20-year-old Pleasanton man faces death by lethal injection because he helped his friend plan the ambush of law enforcement officers and was still around when two Atascosa County deputies were killed after they responded to a phony 911 call. The triggerman in the Oct. 12, 1999, ambush near Pleasanton was Jeremiah Engleton, 21. But the jury agreed with prosecutors that Kenneth Vodochodsky helped set up the

ambush and that when the shooting began, he was watching from the roof of the trailer house where he and his girlfriend lived with Engleton and his wife.

An 8-woman, 4-man jury deliberated 9½ hours before a guilty verdict on Feb. 16, then deliberated nine more hours before deciding Thursday night on the death penalty for Vodochodsky, who was 19 at the time of the ambush. The ambush occurred in a trailer park about two miles off a highway, down a bumpy gravel road that cuts through cactuses, scrubby mesquite trees and barbed-wire fences. Pleasanton is 40 miles south of San Antonio. The trial was moved to Karnes City, 25 miles east of Pleasanton, on a change of venue.

Engleton killed two Atascosa County deputies and a Texas Department of Public Safety trooper and wounded two other officers before taking his own life as law enforcement moved in after a 3-hour standoff.

Vodochodsky bailed Engleton out of jail on the day of the attack, and they went to a gun shop and spent \$200 on four boxes of assault rifle bullets, four boxes of .380-caliber ammo, three boxes of 9mm ammo and four boxes of shotgun shells.

Engleton, who had been arrested the night before for beating his wife, then lured the officers to the mobile home with a bogus 911 call and, hiding in thick brush, shot them one by one as they arrived.

Atascosa County deputy Thomas Monse Jr., 31, was the first officer on the scene and was shot even before he got out of his patrol car.

Deputy Mark Stephenson, 31, arrived about five minutes later as backup and met the same fate.

Department of Public Safety trooper Terry Miller, 37, arrived about 20 minutes after Stephenson and also was shot and killed.

Ed Essary, who lived nearby, testified that Vodochodsky told him after the shootings but before his arrest two days after the ambush that Engleton had taken the slain deputies' guns from their bodies. Only someone who was there when they were shot would have known that, jurors Gary W. Pawelek of Falls City and Curtis Plant of Runge told the San Antonio Express-News.

Prosecutors said the 911 call was made at 8:07 p.m., that Atascosa County deputy Thomas Monse Jr., and Stephenson were shot before 8:35 p.m. and that Miller was killed after he arrived at 8:41 p.m.

Vodochodsky claimed that he left the trailer house at 8 p.m. and drove to his brother's house in Poteet, getting there at 9 p.m. The jury agreed that Poteet is only a 25-minute drive and that Vodochodsky had time to stay for the deputies were killed before leaving for his brother's house.

<http://venus.soci.niu.edu/~archives/ABOLISH/rick-halperin/jan01/0327.html>

Tue Feb 06 2001

TEXAS:

Prosecutors began seeking a capital murder conviction Tuesday against a 20-year-old man accused of helping his friend plan an ambush that resulted in the deaths of 3 law enforcement officers. Though Kenneth Vodochodsky was not at the scene of the crime, prosecutors say he shares responsibility in the October 1999 shootings and deserves the death penalty.

As his trial opened in Karnes City, 55 miles southeast of San Antonio, assistant district attorney Jennifer Rosenblatt told jurors that Vodochodsky was no innocent bystander. "You will see the horror that he helped create," she said. Defense attorney Alan Futrell urged jurors not to allow emotion to cloud their judgment.

While the shootings devastated the South Texas town of Pleasanton, "the problem is we're trying to twist and redirect that emotion into convicting Kenny Vodochodsky," Futrell said. He said prosecutors were going to use "inference, implication and emotion" to get a guilty verdict.

"We're going to have people testify that will lend the other side of the coin," he said.

Rosenblatt said Vodochodsky bailed his friend, 21-year-old Jeremiah Engleton, out of jail the day of the attack so he could carry out his plans. The 2 went to a gun shop, she said, where they bought enough ammunition "to declare war." Rosenblatt said Vodochodsky then contacted friends and relatives to warn them to steer clear of the mobile home where he was staying with Engleton. During the ambush, she said, Vodochodsky was sitting at his brother's house watching the news.

Authorities have said Engleton, who had been arrested the night before on a domestic violence charge, lured the officers to his trailer with a bogus 911 call and then shot and killed them one by one as they got out of their cars.

Atascosa County sheriff's deputy Thomas Monse Jr. was shot at least 10 times, Bexar County medical examiner Vincent DiMaio testified Tuesday. Fellow deputy Mark Stephenson was shot 11 times, and Texas Department of Public Safety Trooper Terry Miller was shot twice.

2 other officers were wounded.

An autopsy indicated that Engleton shot himself in the head and then was shot 6 times below the neck, DiMaio said. Based on the amount of blood produced by the 6 wounds, DiMaio found that Engleton "was essentially dead" when he received them.

Authorities have said Engleton shot himself as several officers closed in on him. DiMaio said a handwritten note was found tucked in Engleton's left boot. The note, a run-on sentence with misspellings, read: "I have written this for one reason so that all will know why I have done what I've done be cause of life's unfairness and uncertaines."

As jurors listened to testimony, Vodochodsky sat wearing new tennis shoes and black jeans, scribbling on a legal pad. His father, sister and a cousin watched from the front row of the courtroom. Also attending was Stephenson's mother, Beverly, who wore a metal bracelet inscribed with the name of her 31-year-old son and the date of his death.

Prosecutors hope to convict Vodochodsky under the state's "law of parties," which provides criminal liability for one who assists or encourages a felon to commit a crime. If convicted, Vodochodsky would face life in prison or death by lethal injection.

State District Judge Stella Saxon moved the trial to Karnes County from neighboring Atascosa County because of pretrial publicity. (source: Associated Press)

<http://www.copsite.com/lwf/lwf99disoct2.html>

PLEASANTON, Texas (AP) - Three law officers were killed late Tuesday in an apparent ambush in a rural trailer park, authorities said.

Two Atascosa County Sheriff's Department deputies and a Texas State Trooper were gunned down with a high-powered rifle.

They were shot by an unidentified gunman who apparently lured authorities to his mobile home south of San Antonio with a 911 call.

The gunman wounded two other officers before shooting himself, state Department of Public Safety spokesman Mike Cox said.

“I don't remember anything like this since Waco,” Cox said. “Except that there's really been nothing where there's been so many officers killed in Texas in my memory.”

The deputies approached the Atascosa County home and were met with shots from within the trailer, Cox said. They died immediately.

“And it gets worse,” Cox said.

The shooter apparently grabbed a pistol from one of the fallen officers, crossed a dirt road and hid himself in underbrush.

When the trooper arrived at the scene, he sent out a radio call that officers were shot. But before he could remove his seat belt, the gunman shot him dead while he sat in his vehicle.

As other police arrived, officers used searchlights and a police helicopter at the scene. Meanwhile, the suspect continued to snipe from his roadside hiding place, Cox said. “It's very disturbing,” Bexar County sheriff's deputy Clyde Ross told the San Antonio Express-News. “It was a very bloody scene.”

The gunfire wounded a bailiff with the Marshal Service and a Pleasanton police officer. The two were moved to University Hospital in San Antonio.

The wounded were identified as Carl Fisher, 60, an Atascosa County deputy, and Pleasanton police Officer Luis Tudyk, 30.

The bailiff was in surgery early this morning. Both were listed in fair condition early today.

At one point during the attack, in an attempt to block some of the sniper's bullets, officers parked a fire truck beside the trailer and crept closer.

“They were trying to get to the other officers, because they didn't know yet they were dead,” Cox said.

Officers fired back in the direction of the brush, but it was the sniper who eventually shot himself with the stolen pistol.

Texas Rangers are investigating the attack.

The killed deputy had a wife and two children, Cox said. No other details or identities were available.

After being lured to a rural Texas trailer park by a bogus 911 call, two Atascosa Co. SD deputies and a Texas state trooper were gunned down in an ambush Tuesday. The gunman, Jeremiah Engleton, had been jailed earlier in the day on a domestic violence charge.

According to preliminary reports, Atascosa Co. SD Deputy Thomas Monse, 31, was the first to arrive at Engleton's trailer after the 911 call was received. Engleton shot him with a high-powered rifle before the deputy was able to get out of his car. Thomas died instantly.

Five minutes later, Deputy Mark Stephenson, 32, arrived at the scene, unaware of what had just happened to Thomas. Mark was also shot and killed before he could leave his unit.

After killing Thomas and Mark, Engleton apparently grabbed one of the deputy's sidearm and hid in some bushes across from his trailer waiting to ambush other officers who responded.

20 minutes later, Trooper Terry Miller arrived and immediately came under fire. His car wedged in a ditch as he desperately tried to get away. He was shot and killed while trapped in his car.

Engleton continued to fire at responding officers from his hiding place. After wounding two others and being struck by officers' return fire, he finally shot and killed himself.

http://www.ardmoreite.com/stories/101499/new_sniper.shtml

Story last updated at 12:15 p.m. on Thursday, October 14, 1999

Sniper kills 3 officers after bogus 911 call

By Jim Vertuno

Associated Press Writer

PLEASANTON, Texas -- Three law officers were lured to a trailer park by a bogus 911 call and shot to death by a gunman who wounded two others before killing himself, authorities say.

Jeremiah Engleton, 21, kept firing from his hiding place in a thicket as up to 75 officers surrounded the rural area Tuesday night. After a three-hour standoff, he shot himself in the head, investigators said.

One of the slain officers had arrested Engleton early that morning on charges of beating his wife, and a counselor with the sheriff's department had persuaded her to take their 15-month-old daughter and leave him.

"I don't know if he felt the police had caused his wife to leave him," Sheriff Tommy Williams said.

That night, after he was released, investigators say Engleton called 911 and told the dispatcher: "Get somebody out here right away." Then he ducked into the thicket of cactuses and mesquite trees and waited for the patrol cars to arrive, they said.

Sheriff's Deputies Mark Stephenson, 32, and Thomas Monse, 31, were shot to death as they approached the trailer. Neither had time to call for help. After ambushing them, Engleton took each man's gun and shot him in the head.

State Trooper Terry Miller, 37, was sent to the scene when the deputies did not respond to radio calls. He pulled up 20 minutes later and was fatally shot through the windshield.

"There's no way to prepare for something like that," the sheriff said. "If you had a half-dozen officers on the scene, you would have had six dead officers."

Dozens of officers descended on the scrubby patch of land to search for the gunman. Engleton shot at police with an assault rifle until officers using infrared equipment from a helicopter spotted him in the thicket.

A neighbor and a Pleasanton police officer were wounded in the shootout. Both were listed in good condition Wednesday.

A shotgun and three handguns were found in the thicket along with the assault rifle, both deputies' guns and a sack of ammunition.

Neighbors said that Engleton often fired weapons in his yard. Angie Flores said her husband once saw Engleton walking down the gravel road shirtless, randomly shooting a handgun, but he didn't report it.

Neighbor Jesse Garza said he had offered to install a porch light for Engleton, but Engleton refused, saying, "I want to see you, but I don't want you to see me."

<http://www.pomf.org/officers/miller.html>

Peace Officer Memorial Foundation

Trooper Terry Wayne Miller

Texas Department of Public Safety

Date of Death: October 12, 1999

Date/Time of Incident: October 12, 1999 2000 hours

Age: 37

Years of Service: 2 years

Suspect Info: Committed suicide

Trooper Terry Miller, along with Atascosa County Deputies Mark Stephenson and Thomas Monse, were killed shortly after 8:00 p.m. on October 12, 1999 when they responded to a 911 call. The officers responded to the mobile home of suspect Jeremiah Engleton, located near Pleasanton.

Engleton had been released from the Atascosa County Jail earlier in the day after spending the night on an assault charge for allegedly beating his wife.

The first officer to arrive was Deputy Monse, who had arrested Engleton less than 24 hours earlier. Monse was shot and killed by the suspect using a MAK-90 assault rifle. Deputy Stephenson arrived within a few minutes of Monse and was also shot and killed. Investigators believe that Engleton left his hiding place in the nearby brush, took each officer's Glock semiautomatic pistol and shot them again at close range.

At approximately 9 p.m., trooper Miller arrived and radioed "two officers down" to the dispatcher. Miller was then shot in the head and killed while he was still in his car.

Dozens of officers responded to the scene. San Antonio Police Department SWAT officers exchanged fire with the suspect and he was wounded. The suspect then shot and killed himself according to a preliminary autopsy report.