

**E-Mail List Regarding Fake Firearms  
Between Rep. Urban & Chief Stewart**

1. January 5, 2012
2. January 6, 2012
3. January 9, 2012
4. January 18, 2012
5. February 23, 2012
6. March 6, 2012
7. March 15, 2012

## Darren Stewart

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**From:** Darren Stewart  
**Sent:** Thursday, January 05, 2012 4:11 PM  
**To:** Rep. Urban, Diana; Senator Maynard  
**Subject:** Student shot in Texas with pellet gun that looked like a real gun

Good afternoon:

I hope everyone had a great New Year! FYI-I just saw this article on a case in Texas this week. Same issue that we discussed.

Darren

BROWNSVILLE, Texas --

The parents of an eighth grader who was fatally shot by police inside his South Texas school are demanding to know why officers took lethal action, but police said the boy was brandishing - and refused to drop - what appeared to be a handgun and that the officers acted correctly.

The weapon turned out to be a pellet gun that closely resembled the real thing, police said late Wednesday, several hours after 15-year-old Jaime Gonzalez was repeatedly shot in a hallway at Cummings Middle School in Brownsville. No one else was injured.

"Why was so much excess force used on a minor?" the boy's father, Jaime Gonzalez Sr., asked The Associated Press outside the family's home Wednesday night. "Three shots. Why not one that would bring him down?"

His mother, Noralva Gonzalez, showed off a photo on her phone of a beaming Jaime in his drum major uniform standing with his band instructors. Then she flipped through three close-up photos she took of bullet wounds in her son's body, including one in the back of his head.

"What happened was an injustice," she said angrily. "I know that my son wasn't perfect, but he was a great kid."

Interim Police Chief Orlando Rodriguez said the teen was pointing the weapon at officers and "had plenty of opportunities to lower the gun and listen to the officers' orders, and he didn't want to."

The chief said his officers had every right to do what they did to protect themselves and other students even though there weren't many others in the hallway at the time. Police said officers fired three shots.

Shortly before the confrontation, Jaime had walked into a classroom and punched a boy in the nose for no apparent reason, Rodriguez said. Police did not know why he pulled out the weapon, but "we think it looks like this was a way to bring attention to himself," Rodriguez said.

About 20 minutes elapsed between police receiving a call about an armed student and shots being fired, according to police and student accounts. Authorities declined to share what the boy said before he was shot.

The shooting happened during first period at the school in Brownsville, a city at Texas' southern tip just across the Mexican border. Teachers locked classroom doors and turned off lights, and some frightened students dove under their desks. They could hear police charge down the hallway and shout for Gonzalez to drop the weapon, followed by several shots.

Two officers fired three shots, hitting Gonzalez at least twice, police said.

David A. Dusenbury, a retired deputy police chief in Long Beach, Calif., who now consults on police tactics, said the officers were probably justified.

If the boy were raising the gun as if to fire at someone, "then it's unfortunate, but the officer certainly would have the right under the law to use deadly force."

A recording of police radio traffic posted on KGBT-TV's website indicates that officers responding to the school believed the teen had a handgun. An officer is heard describing the teen's clothes and appearance, saying he's "holding a handgun, black in color." The officer also said that from the front door, he could see the boy in the school's main office.

Less than two minutes later, someone yells over the radio "shots fired" and emergency crews are asked to respond. About two minutes later, someone asks where the boy was shot, prompting responses that he was shot in the chest and "from the back of the head."

Administrators said the school would be closed Thursday but students would be able to attend classes at a new elementary school that isn't being used.

Superintendent Carl Montoya remembered Gonzalez as "a very positive young man."

"He did music. He worked well with everybody. Just something unfortunately happened today that caused his behavior to go the way it went. So I don't know," he said Wednesday.

Gonzalez Sr. said he had no idea where his son got the gun or why he brought it to school, adding: "We wouldn't give him a gift like that."



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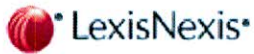
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## Darren Stewart

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**From:** Darren Stewart  
**Sent:** Friday, January 06, 2012 4:35 PM  
**To:** Rep. Urban, Diana; Senator Maynard  
**Subject:** Emailing: Parents Question Use of Deadly Force Against Son - News - LawOfficer.com

Follow-up article-FYI



On a doorstep outside a family home, a father wondered why police had to shoot his son in the hall of the boy's middle school. In an office across town, a police chief insisted his officers had no choice.

And scores of others in this Texas border city wondered: Could the death of 15-year-old Jaime Gonzalez have been prevented?

A day after police fatally shot an eighth-grader who was brandishing a realistic-looking pellet gun, his anguished parents wanted to know why police didn't try a Taser or beanbag gun before resorting to deadly force.

"Why three shots? Why one in the back of the head?" asked the boy's father, Jaime Gonzalez Sr. Some standoffs last three or four hours, he said. This one "took not even half an hour."

Brownsville interim Police Chief Orlando Rodriguez said the preliminary autopsy report showed the boy was not shot in the back of the head.

There was broad agreement among law enforcement experts: If a suspect raises a weapon and refuses to put it down, officers are justified in taking his life. The shooting also raised questions about whether pellet guns should be marked to easily distinguish them from real handguns.

Rodriguez defended his officers, saying the younger Gonzalez pointed the pellet gun at police and repeatedly defied their commands. He said the boy was shot twice in the torso and had a head "laceration as a result of the fall."

Authorities also released a 911 recording from Cummings Middle School. The assistant principal on the phone first says there's a student in the hall with a gun, then reports that he is drawing the weapon and finally that he is running down the hall. Police can be heard yelling: "Put the gun down! Put it on the floor!" Someone else yells, "He's saying that he is willing to die."

When officers got to the school, the boy was waiting for them, Rodriguez said. Moments before he was killed, Gonzalez began to run down a hallway, but again faced officers. Police fired down the hallway -- a distance that made a stun gun or other methods impractical, Rodriguez said.

Under federal law, pellet or BB guns must be sold with an orange band around the tip of the barrel so they can be distinguished from real weapons. Gonzalez's gun had no markings, according to Rodriguez.

