

Ex-SF policeman reviews shootout

By JERRY MONTGOMERY

ESTANCIA - A former Santa Fe police officer testified today that none of the officers present at Escuela y Colegio Tonantzin the night of September 3rd had drawn their revolvers before Manuel Moya was wounded by gunfire at the Chicano school.

Theodore Chavez, who left the force in mid-October, told jurors at the Torrance County Court House the shot that injured Moya was fired as George Lopez was attempting to put a second handcuff on Andy Romero, one of seven defendants in the trial.

Chavez said the only time he had drawn his revolver was when he was approached

by Eugene Romero, another defendant, who had his hand behind his back. Chavez said he advised Romero several times to remove his hand from behind his back and Romero did not comply. He said Romero backed away from him toward the former convent.

Chavez, now employed with City Different Furniture as a salesman, said he and Lopez were traveling down St. Francis Drive when they first heard Moya's radio report asking for assistance in the pursuit of a white Ford Ranchero.

They turned on West Alameda, drove past Henry's Market, turned around and were parked near Henry's facing east when they first spotted the car traveling west, he said.

The former officer said they pursued the car down Alameda at a high rate of speed to a dirt road where the Ranchero turned off. He said he followed about nine car lengths behind as they crossed the river and Agua Fria into the driveway of the school where they stopped at the gate.

The occupants of the Ranchero had jumped from the vehicle when his police unit arrived, Chavez said. He said he pursued the driver toward the school on foot and Lopez pursued and apprehended the passenger, later determined to be Paul Carrillo, another defendant.

Chavez said a group of people emerged from the school, began calling the officers names and insisted on their leaving the premises. They demanded Carrillo's release Chavez said, grabbed him and lead him away.

Moya arrived with a New Mexico Ranger and the officers were again confronted with a group from the school. It was at this time Eugene Romero approached with his hand behind his back, Chavez said. Andy Romero, another defendant, confronted Lopez who placed him under arrest and began handcuffing him.

Chavez said Moya was shot as Lopez was trying to put a second cuff on Andy Romero, who was leaning over the back of the Ranchero. Following the wounding of Moya, Chavez said he stooped and fired his revolver toward the school. Chavez said his unit was hit in the crossfire.

In cross-examination Defense Attorney Jerry Ginsburg asked to submit as evidence a tape of testimony by Chavez recorded Feb. 6.

Judge Santiago Campos, however said he would only allow those portions of the tape to be played to the jury which contain discrepancies with Chavez's statements today.

Ginsburg referred to Chavez's previous statement that another person was being handcuffed with Andy Romero. Chavez had said Moya was talking with a person he believed to be Johnny Valdez and that he had seen him wearing handcuffs, Ginsburg said.

Chavez said at no time during the confrontation did Moya draw his revolver.