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Dead teen's family wins separate probe

Gunshot wound fatal in police car

By **GEORGE FLYNN**
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The family of a 15-year-old boy who was fatally shot in the back seat of a Houston police car won an order Wednesday enabling it to conduct a separate investigation, although Police Department attorneys said the order would delay official probes.

State District Judge Richard Hall granted a temporary restraining order to Alma Gonzalez, mother of Jaciel Gonzalez. Investigators said Jaciel apparently shot himself Sunday just after being arrested for suspicion of stealing a bicycle in the 2000 block of Milford.

The order bars police from tampering with evidence or destroying certain materials until a Monday injunction hearing, when family attorneys are expected to have their own criminologists inspect the evidence.

"This order will do more harm than good," said Assistant City At-

torney Michael Siemer. "This essentially shuts down the investigation."

The arresting officer said he handcuffed the youth, searched him and put him in the back of a police car, then heard a muffled pop. Investigators said the youth apparently managed to pull out a concealed revolver and shoot himself.

Zoe Littlepage and Raul Loya, attorneys for the family, said an embalmer told them the youth died from a gunshot wound behind the left ear.

Loya said the embalmer also told them there were bruises on the right side of his body, and it appeared that his right wrist had been broken.

While the family attorneys contended that police had quickly closed the case as a suicide, Siemer told the judge that there were in effect three continuing investigations under way — by Houston homicide officers, the department's internal affairs division and the district attorney's civil rights division.

Siemer, in arguing against the restraining order, said that tampering with evidence already is a felony crime carrying far greater penalties than a potential civil contempt citation.

The multiagency investigation also assures a quality investigation and preservation of evidence, he said.

Siemer, noting the television cameras lined outside the courtroom, said the family's attorneys were actually interested only in "grandstanding in front of the press." They offered nothing to prove that evidence may be altered, he said.

He said that in the process of testing and gathering laboratory analyses, some of the evidence, such as blood samples, will be destroyed.