



Written by [Dave Bohon](#) on January 6, 2012

Did Police Overreact in Shooting of Texas Teen?

As reported by the [Associated Press](#), police discovered after killing 15-year-old Jaime Gonzalez that instead of a handgun, what he had actually aimed at them was a relatively harmless pellet gun. Police on the scene responded to the boy's threats by shooting him twice in the torso.



"Why was so much excess force used on a minor?" the teen's father, Jaime Gonzalez, Sr. wondered to reporters outside the family's home later in the day. "Three shots. Why not one that would bring him down?" The father was referring to what was at first thought to be a third shot to his son's head, but which was later determined to be a cut the boy suffered as he fell after being shot by the police.

Nonetheless, said the father, the finding "doesn't change anything at all. If it is a wound from his fall, why shoot him at all? ... Do something else. Use another method."

In a recording of the 911 call, a school official can be heard telling the police dispatcher that there is a student with a gun in the hall. Later police can be heard yelling, "Put the gun down! Put it on the floor!" Someone later yells, "He's saying that he is willing to die."

The AP account explained that just before he was killed, "Jaime 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," according to Brownsville police chief Orlando Rodriguez.

Rodriguez defended the actions of the police on the scene, "saying the boy pointed the pellet gun — which was black and resembled a real gun — at police and repeatedly defied their commands to put it on the floor," reported the AP.

He "had plenty of opportunities to lower the gun and listen to the officers' orders, and he didn't want to," said Rodriguez, insisting that the police had the right to protect themselves and other students — even though no students were in the hallway and, according to reports, police were far enough away from the teen to use rifles rather than handguns to take him down.

Most law-enforcement professionals agreed with the Brownsville police chief, with [Fox News](#) quoting David Dusenbury, a retired California police chief who consults on police tactics as confirming that if the teen raised the pellet gun in a threatening way "then it's unfortunate, but the officers certainly would have the right under the law to use deadly force."

Thomas Aveni, executive director of the [Police Policy Studies Council](#) and an authority on police use of force, explained that the [Supreme Court](#) has ruled police are justified in using deadly force if they believe they are in danger, regardless of extenuating circumstances. "If the officer reasonably believes his life is in imminent danger, it doesn't matter how old the person is who has the gun," Aveni told the



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[Houston Chronicle](#). The *Chronicle* added that according to Aveni, the “courts also have ruled that hindsight doesn’t matter.... If officers believed the gun was real, they are justified in using deadly force even if it turned out to be a pellet gun.”

But Wolfgang Halbig, executive director of the National Institute for School and Workplace Safety, told the [Brownsville Herald](#) newspaper that he thinks the police could have come up with a way to defuse the situation that did not involve lethal force.

“Halbig, a retired police officer and school safety expert, said from reading media reports it appeared that Gonzalez was the only one in imminent danger,” reported the *Herald*. “He believes if Gonzalez had planned to hurt any other students, he would have immediately shot them while inside a classroom.”

Halbig, who has trained thousands of school police officers on how to respond to just such situations, told the Brownsville paper: “I can’t believe they both fired [at Gonzalez]. He was not a threat to anyone but himself. The rule for law enforcement, whether you are on the street or on the school campus, is to look at all your options.... When you shoot a 16-, a 15-, or a 14-year-old in the leg, trust me there is pain. But to take a life.... Is that what we are all about?”

As for the victim, Brownsville school superintendent Carl Montoya remembered Jaime Gonzalez as “a very positive young man,” recalling that “he did music. He worked well with everybody. Just something unfortunately happened today that caused his behavior to go the way it went.”



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