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Police Bullets Hit Man Five Times -- Relatives claim Union Gap officers overreacted, but investigators say action was justified -- Mark Edward Bess

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A Tuesday autopsy showed a man shot five times Saturday by Union Gap police officers died quickly after at least four bullets tore through his torso.

Emotional relatives of Mark Edward Bess, 35, who police said pointed a loaded pistol at them, accuse the officers of going overboard during the shooting.

But investigators said that doesn't seem to be the case, and that the two officers who killed Bess did so out of necessity.

"We don't have any indication ... that this is not a justifiable shooting," said Sgt. Mike Merryman, a detective with the Yakima Police Department, which has been assigned to investigate the death. It's routine for outside agencies to look into such police shootings.

"The officers used extreme caution and a good measure of restraint - probably more than anybody would have expected."

Though his license had been suspended after recent drunken-driving convictions, the Union Gap man was driving with his 13-year-old son Saturday afternoon.

"It's hard to ride a bike in the snow to work," said Bess' brother-in-law, Ron Burns. "He was fed up with it."

Burns explained that Bess, who he said worked at Independent Trailer and Equipment Co., had finally decided to just start driving again. When pursued by Union Gap police for a minor traffic violation just after noon, he tried to escape, but he drove his Chevrolet Blazer off snowy Pioneer Street, police said.

The chase didn't stop there, though. Bess ran to his home in the 2200 block of South Fifth Avenue, where he grabbed a 9 mm pistol and rushed back to the scene of the accident.

That's when he spoke to his son, whom he had left behind at the accident scene, Burns said.

"He told his oldest boy, 'I love you. I'll be waiting for you in heaven. Go home.' "

But his son stayed.

Three Union Gap officers pursued Bess to a nearby field. They repeatedly demanded he drop the semiautomatic handgun.

"He didn't fire at the officers, as far as we can tell," Merryman said, but Bess had discharged the pistol once into the ground, and he may have fired it into the air, witnesses said.

"He definitely pointed the gun at one officer," Merryman said. That's when they shot him to death.

"One of the shots penetrated some of the main organs in the chest," said county Coroner Maurice Rice. "That was the cause of death."

Merryman said the officers then "went about making sure that first-aid was started."

Burns is baffled by the weekend incident with the man he said was a very close friend and who "never once" talked of suicide to him.

"What happened, nobody could explain it. But I know Mark repeatedly said he wasn't going back to jail."

Burns admitted it's possible Bess knew what was going to happen. But the shooting was too severe, Burns added.

"The officers just slaughtered him - gunned the man down in front of his son. ... Shot five times is overboard."

Bess' wife, Elise Bess, agreed.

"He just did not deserve to die the way he died," she said. "I feel that the police were picking on him. He couldn't do anything right in their eyes."

She's also worried about the 13-year-old who saw it all.

"He's just really hurt."

Though some who knew Mark Bess suggested he was depressed over a troubled marriage, his wife said things weren't so bad.

"Every couple has their ups and downs," she said.

The couple were raising a toddler girl together, and he also had two sons and a stepdaughter. Of whether her husband could have aimed a loaded weapon at police, she said, "I was not there. I don't know."

Union Gap Police Chief Bill Silvers was unavailable for comment Tuesday. The names of the officers involved in the shooting have not yet been released, but they've been put on paid administrative leave during the investigation - standard department policy.

Yakima investigators continue to look into what happened, believing more every day that the incident was "police-assisted suicide."

"He took his own life by the assistance of two police officers," Merryman said. "Now everybody left has to deal with it."

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