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APD Kills Violent Career Criminal

Author: Lloyd Jojola Journal Staff Writer

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Chief: Probation Violator Aimed Gun at Officers

A 29-year-old Albuquerque man wanted for violating his probation was shot and killed by Albuquerque police Friday morning.

Police have identified the man as Philip Gonzalez.

Members of the police department's repeat offender project attempted to arrest him in the parking lot of the Candlewick Apartments at 3011 Jane Place NE, Chief Jerry Galvin said. An arrest warrant had been issued for Gonzalez for violating probation. Police said he had been stalking a female and failed to enter a substance abuse treatment center.

"For the last two weeks, we've been looking for this person," Galvin said. "He has a violent history. He's done state prison time and has a lengthy arrest record."

The repeat offenders project is an investigative and tactical unit whose primary function is to track repeat offenders.

After receiving information that Gonzalez was at the location, officers set up surveillance about 8 a.m. Friday and soon spotted him, APD Capt. Paul Chavez said.

"Mr. Gonzalez ran from them north through the parking lot," Chavez said. "Another detective who was in the vehicle kind of directed him toward a fence line at which point he displayed a weapon toward the officers."

Gonzalez had put his arms up in an L-shaped fashion with a handgun in one hand, Chavez said. Police would later identify his weapon as a fully loaded 9 mm Baretta handgun.

"He was ordered numerous times to drop the weapon, and apparently there are plenty of witnesses who heard the officers yell in excess of five times: 'Please drop the gun! Please drop the gun!' He then lowered the weapon at two officers. Three shots were fired from two different detectives."

Gonzalez was struck twice in the torso and once in a hand and died at the scene, Chavez said. Gonzalez did not fire his gun at police. The shooting occurred about 9:15 a.m., police at the scene said.

The officers involved in the shooting whose names have not been released will be placed on the department's standard minimum three-day leave.

District court records show that Gonzalez pleaded no contest in July 1999 to four felony counts larceny, aggravated battery, aggravated assault with a weapon and shooting at or from a motor vehicle. The charges stemmed from three incidents dating back to June 1998.

"Apparently, with one of the aggravated assaults or the aggravated battery there had been a female victim that Mr. Gonzalez had been stalking," Chavez said. "So probation and parole was particularly interested and concerned about the welfare of this female"

During the past three years, Gonzalez bounced in and out of police custody.

He was sentenced in July 1999 to a year in jail and four years probation, according to State District Court records. Police later arrested him after Gonzalez didn't surrender himself to authorities.

In February 2000, Gonzalez was charged with probation violation, according to court records, and police again caught him days later.

After spending time in various state prisons, Gonzalez was eventually sentenced in April of this year to another probation period ending July 2004, records show. Ultimately, authorities filed another probation violation charge against him on Aug. 9, when the bench warrant was issued. One of the reasons his probation was revoked is because he began stalking the female again, Chavez said.

APD spokeswoman Beth Baland also said that, when he was released from prison, a judge ordered him to enter a substance abuse treatment center.

"He absconded from treatment, and nobody knows where he's been since July," Baland said. The incident is the third APD officer-involved shooting fatality of the year.

In January, off-duty Bernalillo County firefighter Daryl Lithgow, 34, was shot and killed in a supermarket parking lot after he pointed a handgun and shot at an officer. Police believe that he caused the shooting because he was despondent about being investigated for child abuse.

In April, Jeff Gardner, 40, was shot and killed after he fired on an officer who was attempting to detain him at another city grocery store. The victim had attempted to pass a bad check at the store.

Journal staff writer Miguel Navrot and The Associated Press contributed to this report.

PHOTO BY: MIKE STEWART/JOURNAL

PHOTO: b/w

FATAL SHOOTING: Albuquerque police check the scene on Jane Place NE where officers fatally shot a man Friday morning. "He drew a weapon," police Chief Jerry Galvin said.

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