



STATE OF NEW MEXICO

First Judicial District Attorney
Santa Fe, Rio Arriba & Los Alamos Counties

Mary Carmack-Altwhies
District Attorney

Santa Fe Main Office
327 Sandoval Street
PO Box 2041
Santa Fe, NM 87504-2041
Telephone: (505) 827-5000
Fax: (505) 827-5076

Espanola Office
1122 Industrial Park Road
PO Box 1209
Espanola, NM 87532
Telephone: (505) 753-7131
Fax: (505) 753-7133

July 3, 2024

Chief Paul Joye, Santa Fe Police
Department Agent Victor Rodriguez, New
Mexico State Police

**Re: Use of Force: Officer Involved Shooting – Detective Manuel
Romero; NMSP 24-03332**

Chief Joye and Agent Rodriguez:

The First Judicial District Attorney's Office has completed its review of the New Mexico State Police ("NMSP") investigation regarding the use of force incident on March 10, 2024, in which Santa Fe Police Department ("SFPD") Detective Manuel Romero, Officer Luis Ruiz and Officer Charles Ovalle all discharged a firearm in performance of their duties as a public officer. Said incident occurred on Vereda de Encanto street, within the City of Santa Fe, Santa Fe County, New Mexico.

Based upon a review of the information provided to our office, the evidence demonstrates that each officer's use of force was justified and reasonable. *See*, NMSA 1978, §30-2-6(A) and §30-2-6(B), *see also State v. Mantelli* 2002-NMCA-033, *see also* UJI 14-5173. Further, based on the review of the body worn cameras, it seems clear that Detective Romero's use of force was the cause of Ricky Chavez's injuries, so this investigation will primarily focus on his actions.

Ricky Chavez was a known person to Santa Fe Police Department and had multiple warrants out for his arrest on March 10, 2024. Early in the afternoon, SFPD officers received information that Ricky Chavez was at his parent's house in Santa Fe. SFPD utilized a drone over the residence and identified Chavez near a stolen tan Lexus SUV that had a trailer with a tractor connected.

Soon after the identification (approximately 1pm) Chavez left the residence and officers began utilizing varying techniques to stop him. Chavez was known to have rammed police cars and/or flee law enforcement on several occasions, so officers deployed stop sticks and tire spikes. He fled past all attempts to stop him, including ramming both a NMSP unit and the unit of SFPD

Sergeant Dianna Conklin. His stolen Lexus finally came to a stop on Vereda De Encanto street when the tires of the trailer and SUV were deflated enough that his car was disabled.

Chavez parked in the middle of the road and exited the SUV on the passenger side with a gun in his hand. At nearly the same time a black Lexus sedan pulled up and Chavez ran to the passenger door. He hesitated before getting in while quickly brandishing his gun. At least two officers yelled out that he had a gun in his hand. Officer Romero then discharged his firearm and Chavez dove into the car. Detective Romero's shots struck both Chavez and the driver. Officer Ruiz was also out of his unit and discharged his firearm. Both Officers were on the passenger side of the sedan and positioned behind the Lexus SUV with the tractor trailer attached.

As the two officers were shooting, SFPD Officer Arroyo released his K9 and Officer Ovalle who was on the driver's side of the black Lexus discharged his firearm. Officer Ovalle was caught in the crossfire and shot in the right arm and was bitten by the K9. Officers believed initially that Chavez was attempting to carjack the black Lexus sedan. However, the sedan then started to lurch forward. The driver of the black sedan, George Theragood, opened the car door and put his arms in the air but did not quite exit the car. It rolled up onto a curb and became stuck on a large landscape rock creating a more chaotic scene as the car was rolling while he was attempting to get out.

Theragood stayed in the same position with his hands in the air, half in-half out of the car while officers yelled to Chavez to get out with his hands in the air. After several minutes, the passenger side door opened and Ricky Chavez rolled out onto the ground covered in blood. Officers determined that he did not have his gun, and immediately began rendering first aid. The gun was located on the passenger side seat where Ricky had been sitting. It did not appear that his firearm had been discharged. Ricky Chavez was struck at least four times and was taken to St. Vincents hospital where he later succumbed to his injuries. George Theragood was struck in his arm and was also taken to St. Vincent's.

Under the facts and circumstances of this incident, Officer Romero acted reasonably in response to an immediate threat to protect his life and the lives of the other officers near him and a potential carjacking victim. Therefore, Officer Romero was justified in the use of force.

New Mexico State Police and the Santa Fe Police Department may release any evidence to the rightful owners of the property provided there are not any pending criminal charges or civil action arising out of this incident.



Mary Carmack Altwies
First Judicial District Attorney