

Statement on behalf of the Huerta family:

Our own investigation is ongoing. We are prohibited by court order from discussing what we may know about what is contained in the SBI investigation file. We believe the DPD can better protect and serve all our citizens by learning from the errors that the DPD admits were made here and those already found in the public record.

The following should have happened after the Huerta family's 9-1-1 emergency call for help for Jesús, a teenager who officers knew (and had discussed on the way to DPD headquarters) that his mother was going to involuntarily commit to a hospital for his drug problem: 1. A complete and thorough search before Jesús was placed in the squad car; 2. In-car video camera operating at all times Jesús was in the squad car; 3. A trip to the Emergency Room based on the extremely high levels of drugs in his blood (see Medical Examiner's lab report), levels so high Jesús may have been hallucinating and were potentially lethal; and 4) after Jesús was released from the hospital, the misdemeanor trespass warrant could have been served.

The DPD and the city can take positive steps to prevent another teenager from dying in the back of a DPD squad car in the future: I. Every DPD officer should receive specialized drug and mental health training and racial equity training (as recommended by Durham Human Relations Commission). There are some 512 sworn DPD officers; 275 have received 40 hours of specialized training in mental health and special concerns with teens according to the DPD website. Every DPD officer should be trained and qualified for crisis intervention. II. Every DPD squad car should have working in-car video cameras that can't be disabled or deactivated by the officer or by inactivity. III. Hire or train more Spanish-speaking officers and DECC employees so young children aren't forced to interpret for officers when families ask for help in emergencies.

The Durham Human Relations Commission found that: "Current policy allows officers the ability to disable the camera in their vehicle. This camera serves as a record of interactions between the Durham Police Department and citizens." . . . The Commission recommended "that the vehicle camera remain operating at all times. Officers should not be allowed to disable the camera. We recommend digital copies of these recordings be maintained no less than 180 days."

Our community will judge the appropriateness of the discipline imposed on the officer here, and how the discipline compares to the discipline imposed on other officers. We will all judge how the DPD moves forward to learn from this tragedy and whether it will take the necessary affirmative steps to prevent future in-custody deaths.

The Huerta family again requests that the city of Durham allow them to place a permanent memorial for Jesús adjacent to the DPD parking lot.

A respectful memorial of flowers, a cross and candles would also serve as a visible reminder of the consequences of failing to properly search a suspect (for the safety of the suspect and the officer) and failing to properly analyze the call for help (and follow-up interviews) when this tells the officer that the teen in custody is in need of hospitalization before being served with a warrant for a minor offense.

Sources: <http://durhamnc.gov/ich/op/DPD/Pages/FAQS.aspx> <http://durhamnc.gov/ich/op/DPD/Pages/CIT.aspx>
http://www.durhamnc.gov/agendas_new/2014/cws20140602/9780_REPORT_HRC_REPORT_TO_COUNCIL_-DU_351679_581096.pdf

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