

News

Witnesses Yell 'He Can't Hear You' as Cop Shoots Deaf Man

Magdiel Sanchez, 35, who has no apparent criminal history, died at the scene

By **KEN MILLER**
Associated Press

OKLAHOMA CITY — Oklahoma City police officers who opened fire on a man in front of his home as he approached them holding a metal pipe didn't hear witnesses yelling that he was deaf, a department official said Wednesday.

Magdiel Sanchez, 35, wasn't obeying the officers' commands before one shot him with a gun and the other with a Taser on Tuesday night, police Capt. Bo Mathews said at a news conference. He said witnesses were yelling "he can't hear you" before the officers fired, but they didn't hear them.

"In those situations, very volatile situations, you have a weapon out, you can get what they call tunnel vision, or you can really lock in to just the person that has the weapon that'd be the threat against you," Mathews said. "I don't know exactly what the officers were thinking at that point."

Sanchez, who had no apparent criminal history, died at the scene. The officer who fired the gun, Sgt. Chris Barnes, has been placed on administrative leave pending an investigation.

Mathews said the officers were investigating



AP PHOTO/SUE OGROCKI

Julio Rayos answers questions for the media in Oklahoma City Tuesday, Sept. 20 concerning the officer-involved shooting of Magdiel Sanchez Tuesday night. The neighbor was an eyewitness to the shooting. Oklahoma City police officers who opened fire on Sanchez as he approached them holding a metal pipe didn't hear witnesses yelling that he was deaf, police Capt. Bo Mathews said at a news conference.

a reported hit-and-run at around 8:15 p.m. Tuesday. He said a witness told Lt. Matthew Lindsey the address where the vehicle responsible for the hit-and-run had gone, and that Sanchez was on the porch when Lindsey arrived.

He said Sanchez was holding a metal pipe that was approximately two feet (0.6 meters) long and that had a leather loop on one end for wrapping around one's wrist. Lindsey called for backup and Barnes arrived, at which point Sanchez left the porch and began to approach the officers, Mathews said.

Witnesses could hear

the officers giving Sanchez commands, but the officers didn't hear the witnesses yelling that Sanchez couldn't hear them, Mathews said. When he was about 15 feet (4.5 meters) away from the officers, they opened fire — Lindsey with his Taser and Barnes with his gun, apparently simultaneously, Mathews said.

He said he didn't know how many shots were fired, but that it was more than one.

When asked why Barnes used a gun instead of a Taser, Mathews said he didn't know. He said it's possible Barnes wasn't equipped with

a Taser. Neither officer had a body camera.

Sanchez's father, who was driving the hit-and-run vehicle, confirmed after the shooting that his son was deaf, Mathews said. He said Sanchez wasn't in the vehicle when his father struck something and drove off. It wasn't a person that he struck.

A man who saw Oklahoma City police officers open fire on Sanchez says his neighbor was developmentally disabled and also didn't speak.

Neighbor Julio Rayos told The Oklahoman on Wednesday that in addition to being deaf, Sanchez was developmentally disabled and didn't speak, communicating mainly through hand movements. Rayos said he believes Sanchez became frustrated trying to tell the officers what was going on.

"The guy does movements," Rayos told the newspaper. "He don't speak, he don't hear, mainly it is hand movements. That's how he communicates. I believe he was frustrated trying to tell them what was going on."

Jolie Guebara, who lives two houses from the shooting scene, told The Associated Press that she heard five or six gunshots before she looked outside and saw the police.

"He always had a stick that he would walk around with, because there's a lot of stray dogs," Guebara said.

Guebara said Sanchez, whose name she didn't know, wrote notes to communicate with her and her husband when he would occasional-

ly stop and visit if they were outside.

Police initially said Sanchez was carrying a stick, but Mathews described it Wednesday as a metal pipe.

Sanchez's death is the latest in a string of controversial killings by Oklahoma police in recent years. In 2015, a white Tulsa County reserve deputy fatally shot an unarmed black man who was on the ground being subdued. He said he meant to shoot the suspect with a stun gun but mistakenly used his

firearm instead. He was sentenced to four years in prison.

In May, a white former Tulsa police officer, Betty Shelby, was acquitted in the 2016 killing of Terence Crutcher, an unarmed black man who had his hands up when she fired. Much like in the Sanchez killing, another officer almost simultaneously fired a Taser at Crutcher when Shelby fired her gun. Unlike Sanchez's killing, both Tulsa killings were captured on video.

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Either approve the request or deny it," he said. "This shouldn't be happening anywhere in the country."

As his bill remains pending in a state Senate committee, Michigan State University filed a lawsuit May 1 against ESPN after the network requested police reports related to a sexual assault investigation involving football players. That and a number of other cases are currently unfolding.

In April, the Portland, Oregon, school district filed a lawsuit against parent Kim Sordyl, who is seeking records about employees on leave for alleged misconduct after the disclosure that one psychologist had been off for three years. Sordyl said she believes the information will expose costly missteps by district human resources officials and lawyers, and the district attorney has already ordered the records to be

released. "They are going to great lengths to protect themselves and their own mismanagement. This is retaliation," said Sordyl, who has hired an attorney. "Most people would give up."

A district spokesman said the lawsuit, which also names a journalist who requested similar information, amounts to an appeal "in an area of public records law that we believe lacks clarity."

"When this information is released prematurely, the district's position is that the employees' right to due process is jeopardized," spokesman Dave Northfield said.

The University of Kentucky prevailed in January when a judge blocked the release of records sought by its student newspaper detailing the investigation of a professor who resigned after being accused of groping students.

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