

Family seeks murder charge for BART cop - San Francisco Chronicle (CA) - February 14, 2018 - page D1

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The family of an Oakland man shot and killed by a BART police officer last month say body camera footage proves their relative was murdered.

Yolanda Banks was joined by dozens of people Tuesday afternoon near the West Oakland BART Station, where her 28-year-old son, Sahleem Tindle, was killed by a transit police officer on the afternoon of Jan. 3. She and family members, as well as civil rights attorney John Burris, called on authorities to release body camera footage of the incident and hold Officer Joseph Mateu accountable.

"After a while you cry and you cry, the tears have to come out because you have to feel the pain," Banks said. "I feel the pain."

Burris, who is representing the family in a civil suit, said video footage shown to the family by Oakland police proves that there was no firearm in Tindle's hands when he was shot three times in the back.

The incident first started when Tindle and an unidentified man began wrestling with each other across the street from the BART station, Burris said. The two men were "hugging each other," he said, with one person in a headlock and the other in a waist-lock when the officer ran up to the station, which is near the intersection of Seventh and Chester streets.

Authorities said Tindle ignored commands to drop a handgun, forcing Mateu to fire his weapon.

Burris made arrangements for the family to privately view the body camera footage through the Oakland Police Department. Banks, 58, told The Chronicle that the footage left her "disturbed" with "so many things running through my mind."

She added, "What I'm going to continue to feel is my heart tearing. You wouldn't want no one to feel that, no mother or father to endure that."

Burris said the video included audio of the officer saying, "Show me your hands, show me hands."

"Within moments," Burris said, Mateu shot Tindle in the back three times. The officer "could not have seen a weapon of any kind," Burris said.

A handgun was recovered from the scene, authorities said, but Burris has challenged Tindle's possession of the weapon.

Laquisha Stanley told The Chronicle just moments after the shooting that she was at a nearby

doughnut shop when she noticed her friend get into a dispute with Tindle, a man he apparently knew. The pair argued as they walked down the street, she said, before Tindle allegedly shot Stanley's friend in the leg.

Burris argued that Mateu did not have enough evidence to know whether Tindle had a gun before intervening.

"Did the officer have sufficient evidence to justify the shooting?" Burris said. "He didn't. That's the facts."

Tindle was at the BART station to meet his girlfriend and two young children, Burris said.

"We want justice, yes we do," said Tindle's father, Yhshky. "I'm still lost for words. I don't know what to do."

In addition to calling for Mateu to be charged with murder, Tindle's family is pursuing a civil suit against the officer and the BART Police Department.

Mateu was hired by BART as a community service assistant in 2003 and became a police officer in 2005, said Alicia Trost, a spokeswoman for BART. He was promoted to the rank of senior officer in January 2010.

BART issued a statement Tuesday afternoon noting that "any loss of life is tragic," and both the transit police and the Oakland Police Department are investigating the events of Jan. 3. The transit agency also touted reforms implemented in recent years, including an independent police auditor and a BART police citizen review board.

At the conclusion of the investigations and a review by the Alameda County district attorney's office, BART said, the agency will release the body camera footage.

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Yolanda Banks, mother

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