

## **Officer cleared in February shooting - DA's office - Las Cruces Sun-News (NM) - May 10, 2018 - page A5**

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LAS CRUCES - The Las Cruces police officer who shot and killed a murder suspect in February has been cleared of any wrongdoing, police said Wednesday.

The announcement came several days after the 3rd Judicial District Attorney's Office reviewed the case and determined that Officer Joseph Campa, of the Las Cruces Police Department, acted in accordance with New Mexico law when he fatally shot 23-year-old **Nathaniel Montoya** on Feb. 17 at a gas station.

"After an extensive review of this case, we have concluded that the shooting by Officer Joseph Campa was justified under New Mexico law," District Attorney Mark D'Antonio wrote in a letter dated May 3. "This office will not be taking any action against this officer."

The officer-involved shooting came a day after police said Montoya shot and killed 29-year-old Abraham Gomez in the 2300 block of Sambrano Avenue.

Police said a witness reported seeing Montoya and Gomez engage in a scuffle outside an apartment that apparently escalated and resulted in Gomez's Feb. 16 shooting death.

Montoya allegedly fled the scene before police arrived, and Gomez was transported to a Las Cruces-area hospital, where he was pronounced dead. Police said Gomez suffered one gunshot wound to his back. Investigators identified Montoya as the primary suspect in Gomez's death.

According to police, Montoya left the Sambrano address in a Dodge Durango, which was found abandoned later that night on Bataan Memorial East between Roadrunner Parkway and Rinconada Boulevard. A witness told officers that the driver of the Durango entered a purple minivan before it was seen heading east along U.S. 70.

Around noon Feb. 17, investigators learned the minivan was reported stolen. Its owner indicated the vehicle was not running properly the day before, so it was left on the side of the road. Investigators believe Montoya exchanged the battery from his Durango into the minivan and was then able to start it.

Shortly after 5 p.m., an LCPD officer spotted Montoya driving the minivan on Galina Drive and initiated a traffic stop. The minivan briefly stopped but then fled from the officer.

The officer engaged in a pursuit that traveled south on Rinconada, south on Sonoma Ranch Boulevard and then west in the eastbound lanes of traffic on Lohman Avenue. Campa heard of the pursuit on his unit's radio and joined the pursuit near Rinconada, police said.

Reaching speeds of 60 miles per hour, the pursuit continued west on Lohman until the minivan entered the parking lot of the Valero Corner Store, 1401 E. Lohman Ave., and crashed into several parked vehicles.

Campa pinned his unit to the driver's side of the minivan, police said.

Police said Campa exited his unit and gave several commands for Montoya to show his hands. Investigators believe that's when Montoya raised a firearm that appeared to be a sawed-off shotgun, police said. Campa fired several rounds striking Montoya, who was pronounced dead on the scene.

A bystander recording the incident on their phone captured 12 gunshots in quick succession, followed by another gunshot seconds later.

Investigators determined that the weapon in Montoya's possession was a .22-caliber rifle that had been modified to resemble a shotgun. It was found between the two front seats of the minivan, police said.

A 33-year-old pedestrian, who was between two vehicles in the Valero parking lot, was injured when the minivan entered the property and struck several parked cars. Officers and a doctor who happened to be nearby provided first aid until the pedestrian was transported to a local hospital. His injuries were not life-threatening.

Campa was not wearing a body camera at the time of the shooting, police said.

According to police, Campa had been working earlier in the day as part of the initial shooting investigation on Sambrano Avenue. He left the station, leaving his lapel camera to charge in its docking station. Campa went home for a short while and, on his way back to the station for an overtime assignment, heard radio transmissions of the pursuit. He then joined other officers in the active pursuit.

Two surveillance cameras from the Valero store show the minivan speeding into the parking lot followed by several LCPD units.

Campa, a seven-year veteran of LCPD, was not injured during the incident and was immediately placed on administrative leave. He returned to duty in late February.