

Man shot by police Tuesday had multiple felonies - West Hawaii Today (Kailua-Kona, HI) - November 29, 2018

November 29, 2018 | West Hawaii Today (Kailua-Kona, HI) | JOHN BURNETT Hawaii Tribune-Herald

HILO - A 42-year-old Hawaiian Beaches man shot and apparently killed by police in a standoff Tuesday evening had a lengthy history in the criminal justice system, according to court records.

At the time of the shooting, Bert Emilio Mercado Jr. was on two years probation for violating a temporary restraining order, records indicate.

According to his Facebook page, Mercado is originally from Kahului, Maui, and his involvement in the adult criminal justice system started on the Valley Isle in 1994.

Mercado was sentenced in 2008 on the Big Island to five years in prison for second-degree theft, second-degree assault and two counts of first-degree terroristic threatening, all Class C felonies. Court records also indicate three convictions for domestic abuse and numerous contempt of court convictions.

Court records also indicate a history of psychological problems and chemical dependency, with a stint in Habilitat long-term addiction treatment center on Oahu and court-ordered Domestic Violence Intervention and Alternatives to Violence program classes.

According to police, officers responded to a Kahakai Boulevard home in Hawaiian Beaches after receiving a report of a 42-year-old man who had stabbed himself with a knife. Police say Mercado was armed with a rifle when officers arrived.

Officers ordered Mercado to drop the rifle, police say, but he then pointed the weapon at the officers, who responded by firing their own service weapons. Police say Mercado then retreated indoors, and officers responded by establishing a safety perimeter and evacuating nearby residents.

At that point, according to police, the incident was treated as a barricaded subject with a firearm. The Special Response Team - the department's SWAT unit - was called to the scene, and a crisis negotiator attempted, unsuccessfully, to establish communication with Mercado.

Officers entered the home at about 7 p.m., police say, and discovered Mercado inside, dead. The rifle and a knife were found, according to Hawaii Police Department spokesman Alan Richmond. He said he didn't know if the rifle was loaded.

An autopsy has been ordered for Friday.

"I don't know if it was the stab wound or gunshots," that caused Mercado death, Richmond said. "We'll probably find out on Friday."

Asked if the incident was suicide-by-cop, Richmond replied, "I don't know at this time."

No other occupants were in the house, and no one else was injured.

Police say four officers discharged their firearms, but it's not yet known how many bullets hit Mercado. The officers' individual law enforcement experience range from less than a year to 13 years.

Police have opened terroristic threatening and unattended death investigations regarding Mercado.

As is standard practice in police-involved shootings, both criminal and administrative investigations have been opened into the shooting. The Hilo Criminal Investigations Section will conduct the criminal investigation, and the Office of Professional Standards, the department's internal affairs unit, will perform the administrative investigation.

The officers who discharged their weapons have been placed on paid administrative leave pending the outcome of those investigations, Richmond said.

Mercado is the third individual shot and killed by Big Island police this year.

Justin Joshua Waiki, a 33-year-old fugitive who shot and killed Puna Patrol Officer Bronson Kaliloa, died in a shootout with officers July 20 at South Point, ending an islandwide manhunt. Police Sgt. Bryan Tina, a SRT member, was shot and injured in the gun battle, as was a woman in a vehicle with Waiki.

And Ashley Elisna Grammer, a 26-year-old Hilo woman, was shot and killed by officers Oct. 12 at Honolulu Landing near Hawaiian Beaches. Police say Grammer used a stolen Toyota 4-Runner to repeatedly ram a police vehicle, and was endangering the lives of two officers. Three officers discharged their weapons, police said.

Witnesses to Tuesday's incident or those with pertinent information are asked to call the police nonemergency line at 935-3311 or contact Detective Jesse Kerr at 961-2379 or jesse.kerr@hawaiiicounty.gov.

Those who prefer anonymity may call Crime Stoppers at 961-8300 and may be eligible for a reward up to \$1,000.

Email John Burnett at jburnett@hawaiiitribune-herald.com.

Copyright © 2018 West Hawaii Today, All rights reserved.