

Unasked Questions, Foregone Conclusions

A critique of the District Attorney's investigation in the police shooting of "Happy John" Dine in Santa Cruz

At right, Happy John Dine, flashing a characteristic peace sign, stands on the corner of Soquel Avenue and Front Street, directly in front of the spot where he was shot to death by Santa Cruz Police Officer Conor Carey.

The area is now called "Happy Corner" by local street people in honor of Happy John's memory.



by Becky Johnson

John Dine, a developmentally disabled man, was shot to death by a Santa Cruz police officer on November 12. Only 16 hours after the slaying, Santa Cruz Police Chief Steve Belcher and District Attorney Art Danner exonerated the killer, Officer Conor Carey. (See "Questions Remain in Santa Cruz Shooting," *Street Spirit*, December, '97.)

The DA and police chief chose to believe the accounts of Carey, Officer Martin Over (Carey's partner), and Ben Newman (a Catalyst nightclub bouncer and longtime friend of Carey's), rather than 10 other independent, unrelated eyewitnesses who saw the slaying.

Newman had called the police over Dine's alleged "threatening behavior" and then rode with them in the back of the police car as they pursued Dine. The police department and DA quickly con-

cluded that Carey shot the eccentric Dine in response to his brandishing and pointing a toy plastic gun. But virtually all witnesses not associated with the police saw no toy gun in Dine's hand and nothing pointed at the police, contradicting the official exoneration issued just 16 hours after Dine lay dying on the sidewalk.

At a press conference for hand-picked media 16 hours after the shooting, Police Chief Belcher and DA Danner publicly reported that Dine had a toy gun out and pointed at officers, and was in a combat stance, and that the testimony of all witnesses was consistent with these conclusions. But eyewitnesses Alani Balawejder, Michael Schultz, Tom Murphy, Larry Reddick, and eight others agreed that they saw nothing in Dine's hand, no threatening behavior, nothing pointed at the police, and no combat stance. Murphy, Buckelew, and Schultz publicly called the shooting "murder"

Santa Cruzans for Full Disclosure (SCFFD) is an organization that formed shortly after the Dine slaying when it became clear that a cover-up was in progress. SCFFD asked for independent review at a press conference held in the lobby outside DA Danner's office on the Monday morning following the shooting, and called for an independent investigation and full public hearings.

MEDIA JUMP ON POLICE BANDWAGON

Local media quickly embraced the police version of events. The *Santa Cruz Sentinel* presented news stories heavily weighted to favor the police conclusion, largely ignoring several witnesses who saw no threatening behavior from Dine. Within four days of the shooting, the *Sentinel* wrote two editorials lauding the police and prematurely closing the case. The weekly *Santa Cruz Metro* blasted local activist Robert Norse for "trying to

tragedy." Neither the *Sentinel*, the *Metro*, nor any mainstream media came to view the videotaped statements of the eyewitness accounts of Stacey Buckelew, Michael Schultz and others who reported being shocked and outraged at how their statements were ignored by both police and media in an apparent cover-up of what they called a "murder."

Conservative KSCO radio host Eli Kramer condemned all who spoke at the Citizens Police Review Board hearing on December 8 as "ranters," and called the disabled victim, John Dine, a "nut-case who is better off dead." Kramer insisted he knew for sure Dine had pointed a toy gun at the police before being shot because he had talked personally to "the only two eyewitnesses." But eyewitnesses Alani Balawejder, Stacey Buckelew, Mike Schultz, Tom Murphy, Larry Reddick, and eight others agreed they saw nothing in Dine's hand pointed at the police, and no combat stance.