

Widow calls sentence a 'slap in the face' / Mistrial saves cop killer's life

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A Harris County jury spared the life of a convicted cop killer Wednesday by failing to agree on a sentence after three days of deliberating.

The startling mistrial was only the fourth time in a dozen years that a Harris County jury did not condemn a person convicted of killing a law officer.

Five members of the jury believed that Alex Adams had a rough childhood and was too immature to be executed for the May 22, 2001, murder of Houston police officer Albert Vasquez, said foreman Doug Audirsch.

None of the five favoring life would comment afterward, but Audirsch, who favored a death sentence, said he was frustrated.

"I'm very, very disappointed about the outcome," Audirsch told reporters. "I'm actually ashamed to be a part of it, actually. I wish it could have been very different and my heart goes out to the families of the officers. . . . I wish we could have returned a different sentence."

The jury's indecision meant that state District Judge Denise Collins was forced to sentence Adams, 20, to life in prison for shooting Vasquez, 32, point-blank in the head during a drug sweep.

"Mr. Adams, you murdered a police officer, a father, a husband, a son, a hero who was out there protecting us, trying to make a difference," Collins said before imposing the sentence.

Vasquez's widow, Patricia, who sat through the three-week trial, cried as she clutched her husband's badge still wrapped in a black ribbon in honor of another officer who was killed shortly before he was.

"This is a slap in our face, on every police officer who's out there. This guy has no remorse at all. He was laughing at me while I was talking," Patricia Vasquez said. ". . . But yet people call police officers for help. And who helps them? Who helped my husband that night? No one."

Jurors convicted Adams on Oct. 12.

Vasquez, 32, was killed as he, best friend and partner Enrique Duharte-Tur and two other officers performed a drug sweep at the Natchez House Apartments at 6200 Marinette in the Sharpstown area. The owner was paying the officers \$25 an hour to patrol the complex.

Duharte-Tur saw the shooting, rushed to aid his friend and was shot four times before wounding Adams in the leg. He has testified he saw Adams shoot his partner before Adams opened fire on Duharte-Tur. Prosecutors speculated that Adams, who was arrested that night with four others, had a gun in bandages on his leg from a previous injury. Adams was using a crutch and handcuffed to another suspect when Vasquez was shot.

The mistrial caused tears and hugs in the courtroom filled with Vasquez's family and uniformed officers. Adams' family was far outnumbered but stood silently as Patricia Vasquez aired her anger from the witness stand with Duharte-Tur at her side.

During her victim impact statement, Patricia Vasquez told Adams he was a coward.

"To you, Alex, you have destroyed my life. . . . You are a disgrace to society. . . . You will pay with your soul," Vasquez said.

To impose the death penalty, a jury must unanimously agree that a defendant is a future threat and there are no mitigating circumstances to spare his life. If at least 10 agree that the defendant is not a future threat and that there are mitigating circumstances, a life sentence is given.

If a jury is hopelessly deadlocked on the issues and the defense asks for a mistrial, the judge can declare one and be forced to impose a life sentence without possibility of parole for 40 years.

Jurors had first claimed to be deadlocked Tuesday night and were ordered by Collins to continue working.

At 3:30 p.m. Wednesday, the jury sent out a final note saying it could not reach a decision "without damaging our conscience."

Audirsch told reporters several jurors believed that there were some mitigating circumstances, including Adams' childhood, his immaturity and his IQ of 84.

During the punishment phase, it was revealed that Adams abused drugs throughout his life, was once put on probation for assaulting his father with an ax and is currently indicted on a murder charge in Waller County in the May 2000 shooting death of a Prairie View A&M student, Christopher Farrier.

Testimony revealed that Adams has nine siblings, eight of whom have college degrees.

South Texas College of Law professor Susan Crump said the jury's indecision was "pretty quirky."

"A subnormal IQ and drug abuse are usually seen by juries as aggravating factors, not mitigating. That doesn't mean they can't see it that way. It just means they usually don't.

"They usually take one look at that and say, 'We don't ever want this guy to get out.' It must have been that the jury actually, for some reason, thought these circumstances were explanations and something to be considered. That maybe he didn't have the same chance as everyone else. If that is in fact the truth, that is an unusual interpretation of that particular evidence."

Adams demanded to testify against the advice of his defense team during the punishment phase of the trial. His testimony was often rambling and incoherent as he gave three versions of the events that led to Vasquez's death.

One day he blamed the death on someone named "E," although neither his attorneys nor prosecutors are sure who that person is. The day before, he told the jury that he didn't know who the shooter was. In a police statement the night of the incident, Adams told investigators the gunman was "Hispanic."

Defense lawyers Anthony Osso and Jerry Guerinot said they appreciated the more than 30 hours of deliberations the jury spent trying to reach a decision.

"We can't fault them at this point," Osso said. "We don't know what their reasons were. . . . But I respect the length of time they put into this case."

Guerinot defended his client, saying Adams did not laugh at Patricia Vasquez.

"Alex is mentally challenged," Guerinot said. "He acts mentally challenged. He speaks mentally challenged. Everything about him is that way. He is very childlike."

Prosecutor Joe Owmbly, who teamed up with District Attorney Chuck Rosenthal and prosecutor Claire Connors to try Adams, said he was concerned about the message the mistrial might send.

"If any case deserves the death penalty, this is the type of case that does," Owmbly said. ". . . We have a guy who's going back to prison smiling because in the world we live in he got away with it."

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VERDICTS IN COP SLAYING

Since 1990, 13 men have been charged with capital murder in Harris County in the slayings of law enforcement officers.

Of those, 12 were convicted of capital murder and one was convicted of the lesser charge of murder, for which he received a life sentence.

Of the 12 convicted, nine received death. Two were sentenced to life. One, Adams, received an automatic life sentence in a mistrial.

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