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Police bodycam footage shows Rocklin Officer Brad Alford repeatedly striking Emelio Perez-Chavez with a baton during a 2017 DUI stop.

SCREEN SHOT COURTESY OF THE PLACER COUNTY DISTRICT ATTORNEY'S OFFICE

A jury of the public

Newly-released 2017 video shows Rocklin police officer beating DUI suspect

BY GRAHAM WOMACK

In retrospect, it probably wasn't the best choice of words for Emelio Perez-Chavez.

Shortly after Rocklin police pulled him over in September 2017 for his third DUI, Officer Brad Alford shouted, "Put your hands up! Get out of the car! I'm going to shoot you if you don't fucking start complying!"

While Perez-Chavez got out with his hands up, he then told Alford and other officers nearby, "Fucking shoot me, bitches."

The question is if Perez-Chavez deserved what quickly ensued.

A trove of officer body camera, dash cam and bystander cellphone footage released June 19 by the Placer County District Attorney's Office—following a May 28 public records request by SN&R—shows Alford striking Perez-Chavez numerous times with his baton roughly a minute after the taunt.

"The public has an overriding interest," Judge Eugene Gini said in ruling to allow release of the videos, which had been sealed at a June 2018 hearing. "Furthermore, the public has statutory interest."

It used to be that questionable police conduct often didn't see the light of the day. But in recent years, updated state laws such as the one Gini cited have allowed greater transparency.

Alford was charged with three felonies, including excessive force, though a Placer County jury needed just two hours to acquit him May 15. It's uncertain if the videos will spur another reckoning for Alford, who has been on paid leave pending an internal investigation by Rocklin police.

"There's probably nothing we can do in Placer County and California since he was acquitted," Deputy District Attorney Ray DeJesus told SN&R when asked of potential legal exposure for Alford.

In the video, Alford replied to Perez-Chavez's remark to shoot him by saying, "Alright, I'll do it then," and then ordered Perez-Chavez to get on his knees, repeating the command twice while drawing his baton.

Alford began to strike Perez-Chavez while ordering him to his knees a fourth time. The officer continued to strike after Perez-Chavez got on his knees and cried in pain, first lying against a parking lot beam and then on his back, with Alford repeatedly telling him to turn on his stomach.

Alford finally stopped striking Perez-Chavez after another officer said they'd use their taser on Perez-Chavez.

While Alford told Perez-Chavez minutes after the incident he'd taken "a fighting stance," bystander cellphone footage shows Perez-Chavez with his hands up as Alford struck him. Alford can also be heard telling

Perez-Chavez to quit fighting during the incident, though it's unclear if he was attacking or attempting to defend himself.

Perez-Chavez cried for several minutes after the incident that his wrist was broken, with officers admonishing him not to make a scene. Alford's attorney Michael Rains acknowledged to SN&R in late May that Perez-Chavez, who received a \$249,000 settlement in February 2018 from the city of Rocklin, suffered a broken bone in his wrist.

Chief Assistant District Attorney Jeff Wilson said in a statement that the videos "speak for themselves" and that his office still considers Alford's conduct excessive.

Rains opposed releasing the video, citing concerns for Alford's safety and admitting he worried how Alford might do in the court of public opinion. Rains noted that he teaches a course to police investigators about video evidence analysis.

"One of the things I say about all video evidence of police use of force is it's always graphic and ugly," Rains said. "You're never going to see a police use of force where you look at it and you say, 'Oh, that looks pretty good.'"

DeJesus, who argued in court for the videos to be released, was less certain.

"I anticipate the public will react to the video," DeJesus said. "Whether they react positively, I don't know."

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