

# Stray Bullets

*Is that what we are calling attempted murder?*

By Kat Rowoldt  
Christian Reporter News  
© 2024 All rights reserved

I'm sorry, but I am very troubled by the wording the legal department for the City of San Angelo chose to use in response to my FOIA request. To quote them, "Prior Administrations, as well as the current Administration, have never had a policy tracking of incidents involving stray bullets in the line of duty and involving any police officer."

Seriously?

Someone pulls a gun on an officer and shoots, and the police department doesn't consider this an attempt to kill an officer. They are just "stray bullets?" Seriously? Really?

This "incident" was not elevated to the next level? Just no big deal.

Heck no! It is a big deal. I can't believe the officers involved did not put this in their reports, that the person who discharged the firearm didn't become a wanted person for attempted murder.

My request stated: "Lt. Mike Hernandez has stated that he has been shot at 11 times while performing his police duties. I would like to request the dates of each incident, the capacity he was functioning in (SWAT, patrol, etc), and if the shooter was apprehended and charges filed."

They also replied: Nothing of this sort has ever been formally documented by the Police Department. According to the Public Information Act, a governmental body is under no obligation to create a report that is not currently in existence. With that being said we do not have records responsive to your request.

I was not asking them to “create a report.” So, are they telling me that they do not have this information because it never happened? The further I chew on this, the more I am questioning things, including things that are going on in the SAPD.

My thoughts:

1. An officer is not going to take on fire and not include that in their report.
2. The person who shot at the officer would then become a wanted person for attempted murder.
3. Those two factors alone would cause something to be reported and documented for use in a court of law to bring the bad guy to justice.
4. So - there should be reports on this type of incident and it appears the SAPD has asked the legal department to split hairs. Why? What could be the motivation behind this?
5. If their statement is correct about not having records “responsive to my request,” then does that mean the evidence of what I’m requesting does not exist?
6. Something isn’t aligning just right. Hmmm....
7. I would consider “stray bullets” being ammo discharged by an officer that went amiss. That’s not what I was asking for. I’m not counting bullets.
8. Can the SAPD records department not produce the requested information because it never occurred?
9. If the eleven incidents did occur, why are they not willing to let the public know if the officer was acting as SWAT, a patrol officer, drug enforcement, etc.? Reports of some nature MUST exist.
10. If the eleven shooters exist, were they identified, arrested, and convicted? What’s going on?
11. And would not the Chief of Police be notified each and every time one of his officers had been in a shooting? Would there not be a record communicating this to the Chief?

I know departments, as well as people, do not like being questioned. That’s a natural reaction. But what causes me additional concern is the fact my reason for wanting this information was for the benefit of the men and women in blue here in San Angelo. The citizens need to know and understand the environment we are living in today. Has it

become this dangerous? If so, their pay (payment to the SAPD officers) to protect us should reflect this higher risk we have not been aware of to this point.

So, are they hiding the danger?

Or is the candidate for Chief of Police creating a story the department cannot substantiate?

This all leads me back to the “Good Ole Boy” way of doing things. If it happens to be true that the records department could not produce eleven incidents to respond to my request, then the good ole boy way of doing things is to give a justification as to why it isn’t possible to produce the requested information for alternative reasons, instead of exposing one of their guys by presenting simply the truth.

I don’t think I asked a hard thing. I do think, due to circumstances and statements that have been given to me, that the good ole boys aren’t going to like this article because of all the questions I’m raising, and surely did not like my FOIA request. I think they are trying to cover-up a misspeak, which has evolved into a lie, to protect their guy (Chief Carter has endorsed Hernandez), instead of realizing someone who has always supported the SAPD was trying to do an article to give bigger kudos and appreciation to the men and women who serve our community.