

## If Cheyenne Police Chief Bob Fecht had handled an earlier incident differently, would Joshua Rogers be alive today?

One of the toughest stories I've ever done concerned the death of a 20 year-old young man who was shot and killed by a Cheyenne police officer in 2005. I did the story based on the DCI investigation of the shooting and wrote that I thought the investigation was thorough and fair and I couldn't quarrel with the conclusion that it was a justifiable homicide.

Shortly after that story came out, I got a call one day. An adult male asked me who I had interviewed to form my opinion. I told him the story was based strictly on my review of the 91-page DCI investigation report, which I had reviewed at thoroughly and in great depth.

I had a sense about the caller. I asked, "are you his father?" He told me he was and wanted to tell me that his boy was a thoughtful and helpful son who was attending LCCC in the nursing program so he could take care of his ailing father. As we spoke, he began to cry. His loss was deeply felt and it was obvious he cared a great deal for his son who had met the violent death. I asked him if he'd be willing to meet with me and tell me about his son and that I would be pleased to do a story from his, or the family's perspective. The one I had done was detached - solely from that DCI investigation report.

Terry Rogers told me he was meeting with an attorney that afternoon - I still remember it was Frank Chapman of Casper - and he would ask the attorney about talking to me. He told me he'd call me back if it was okay with counsel for him to share his thoughts with me. They must have been considering litigation against the City and the police officer who shot their son. Terry Rogers never called me again.

Just a few weeks later, I saw an obituary for him in the daily newspaper.

About ten days ago, I received a call from another father of a young son. He said he might have a story I'd be interested in. He said he'd had to remain silent for a long time about his incident because he, his wife, and his son were in litigation against the city and a Cheyenne police officer.

The same police officer.

He said he'd felt terrible when he read about the Joshua Rogers shooting. The deadly shooting occurred less than five months after his own son had been run down by a police car driven by the same police officer. He tried to warn the mayor, police chief and others about the officer but it obviously fell on deaf or uncaring ears.

I have been provided the files on this matter and have had a chance to review them. Fortunately, in this case, the boy survived and suffered only minor injuries.

*(More on this story, the lawsuit and the settlement in the next issue of the Cheyenne Herald. And UMC's claim for unprovided services.)*

Shortly before midnight on July 1, 2005, an apparently intoxicated 16 year old boy appeared at a private home where a birthday party, without alcohol, was ensuing for a 20 year old girl. Her mother was hosting the party and was not allowing drinking. She saw the boy "passed out" in a chair in her basement and woke him and told him he'd have to leave and asked a sober driver to take him home. She knew the 16 year old boy. He had been there for less than a half hour.

Police had been called because of noise at the party - from those leaving the party who may have been drinking elsewhere and they were making excessive noise in the street near the party house.

A news release from the CPD later that same morning read: "Officers [were] looking for an intoxicated juvenile who had left the party." That is not true but that is how the WTE reported it. They were for noise.

Here's what happened: Three officers responded to the call about loud noise and after speaking with the mother inside the house and getting her assurance that no alcohol was being served (officers had also seen youths leaving the party and detected no smell of alcohol or signs of same on them) and she'd keep it quiet, the three officers prepared to depart the area.

One officer, the one who shot Joshua Rogers and was involved in this controversy, saw a young man urinating in the middle of the street down the way from them. He shined his flashlight on the boy and called to him - told him to wait. The officers surmised that the boy was going to flee and headed toward him. Two of the officers, that is. They walked toward the boy and then took off in pursuit as the boy did flee. The third officer, the one with controversies surrounding his actions, got into **ONE OF THE OTHER OFFICER'S** squad cars and began his own pursuit. Not in his own car, but in one of the other's!

As the boy, who later blew a 1.71 BAC, was trying to avoid the officers on foot, he came back into the street. While looking back over his shoulder at those two officers, the vehicle driven by, let's start calling him "HE," entered the opening of the cul de sac at a rate of speed estimated by various experts as between 20 mph minimum to as much as 30 mph. HE said he was trying to cut off the boy's lane of escape. He set his brakes and left skid marks of 35.58' on the left front tire and 32.16' on the right. HE either ran into the boy - HE boy tried to "jump" the car - at the left front headlight area. The boy was thrown onto the hood, broke the windshield and ended on the ground on the passenger side of the vehicle. A lawsuit was filed in Federal District Court on constitutional grounds and the City and HE recently settled for a substantial amount.

## No sooner said than done

As though.

Reed Eckhardt played it coy in his March 15th column about candidates for this year's election.

While his real purpose was another ringing endorsement for his colleague at City Hall, Jack Spiker, he interspersed comments about other who may be considering a run for mayor in '08.

He mentioned Jayne Mockler and C.J. Brown as certain opponents so he could dismiss their chances out of hand. And, in an effort at reverse psychology, he began to goad Pete Laybourn into running for mayor - a race Pete cannot win.

Reed pretended in his column to know what Jack Spiker had been thinking and called him "coy" and "a flirt" because he had not yet announced his intention to seek a third term. The fact that the filing period wouldn't begin for almost two full months after this column must have been lost on Eckhardt.

Objective as always, Reed declared Jack the winner months before the first votes

would be cast. He may remember the infamous "Dewey Wins!" from the 1948 election. Ya gotta kinda let the voters in on this thing. But Reed confidently wrote, "he would be a shoo-in, despite loud, but not very powerful, protests from local naysayers."

Eckhardt would be shocked to learn who some of those "naysayers" are. He always seems to forget that George Washington and Benjamin Franklin were first in a long line of naysayers in this nation.

Anyway, the ink had barely dried on the dying newspaper when Jack Spiker did announce his intentions to seek another term. Order and ye shall be done!

I had been asked several times who I thought would run and whether Jack would run again. I confidently predicted he would run again. Two reasons: First, no elected mayor under this form of government in Cheyenne has ever left of their own volition. Each was defeated in their one too many attempts to get re-elected. Second, and as compelling, Jack has nowhere to go where he can make \$95,000 a year. So there you have it.

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