



Lawsuit: Armed bondsmen invaded wrong home in Edgewood

Complaint says bail bonders in search of absconder threatened to shoot residents and dogs

By Staci Matlock | The New Mexican

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Three Edgewood residents are suing a Santa Fe bail-bonding company, claiming six employees illegally invaded their home, waving weapons and threatening to shoot their dogs while looking for a bail jumper.

The three residents — Donna Glover, David Romero and Alice Connolly — say the two bail bondsmen and four agents, contracted by Jerry Gonzales Bail Bonding, weren't even at the right house.

The civil complaint, filed in state District Court by attorney Paul J. Kennedy, accuses bond company owner Jerry C. Gonzales Jr., Gabriel Diaz, Steven Jacobs, Michael Garcia, Crystal Pettes, Patricio Mejia and Matthew Coraci of negligence, assault, battery, false imprisonment, trespassing, infliction of emotional distress and "strict liability for abnormally dangerous activity."

Three law-enforcement agencies have investigated the incident, but no criminal charges have been filed.

Gonzales referred questions to his attorney, Santiago Juarez, who did not return a message left for comment. Gonzales said his company had never had a complaint like this filed against it.

The bondsmen were looking for John Arthur Gallucci, who had a warrant out for his arrest, on Dec. 5, 2010. Gallucci had failed to appear at a court hearing on charges of aggravated burglary and assault, among others. Jerry Gonzales Bail Bonding stood to lose \$50,000 it had posted for Gallucci's appearance.

The bench warrant gave Gallucci's address as 1 Hill Top Road West in Edgewood. The bondsmen went to a residence a couple of miles away on a different street, after alerting the Torrance County Sheriff's Department.

They showed up at the house wearing tactical vests and badges, with firearms and at least one Taser,

according to the complaint. The complaint alleges the bondsmen went into the fenced backyard without permission and without announcing themselves, and David Romero's dogs began barking.

When Romero came to the back door in a T-shirt, jeans and no shoes to check on the ruckus, "he was ordered by one or more Defendants to get facedown on the ground or he would be shot," according to the complaint. Mejia allegedly handcuffed Romero and "placed him on the cold ground of the yard."

The complaint alleges other bondsmen went into the house without permission, shoving past Glover and searching every room without identifying who they were or what they were looking for. Kennedy said his clients didn't know Gallucci, "they weren't related to him and they didn't know what was going on. All they knew was this was a home invasion of some kind."

Connolly, 78, was sitting on a couch. She was "so terrified by the events occurring inside her home that she lost control of her bladder," according to the complaint.

One of the bondsmen is accused of telling Glover to shut up the barking dogs before they got shot.

The complaint says bondsmen questioned Romero about where he had obtained his vehicles and then left.

Bondsmen "don't have the right to go into someone's house whether it is the right or wrong house," Kennedy said. "And this was flat out the wrong house. Bail bondsmen sometimes think they have the right to go anywhere they want, and they don't."

Glover called 911. State police, Edgewood police and Torrance County sheriff's deputies all responded, and the bondsmen were stopped and questioned.

Jacobs, Garcia, Pettes and Coraci are not licensed bondsmen, according to the list maintained by the Public Regulation Commission, which oversees bail-bonding licenses. Diaz and Mejia are bail bond solicitors on the list, who must be overseen by a licensed bail bondsmen. Jacobs gave officers a business card identifying himself as a "fugitive recovery officer."

Solicitors and bail bondsmen must meet training requirements set by the PRC.

Gonzales confirmed his company's solicitors do carry badges and weapons, depending on the situation. "Primarily we do use Tasers," he said.

He said his company looks for about five absconders a week. "We're looking for criminals. They don't want to be found," he said.

Torrance County Undersheriff Martin Rivera and Torrance County Deputy District Attorney Tim Cornish said it didn't appear criminal charges had been filed.

Rivera guesses there's about 10 cases nationwide of bondsmen or bounty hunters looking for an absconder in the wrong house.

In 1994, bail bondsmen forced their way into the wrong house in Española looking for a bail jumper. The homeowners settled out of court with the company.

In 1997, masked bounty hunters made national news when they broke into the wrong Arizona home looking for a bail jumper, and shot and killed an innocent couple.

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