

For Immediate Release
May 11, 2011

**KEWA PUEBLO MAN PLEADS GUILTY TO FEDERAL
ASSAULT WITH DANGEROUS WEAPON CHARGE**

ALBUQUERQUE – This afternoon in federal court in Albuquerque, **Scott Daniel Benavidez**, 29, entered a guilty plea to an indictment charging him with assault with a dangerous weapon. At sentencing, Benavidez faces a maximum penalty of ten years' imprisonment, a \$250,000 fine, and three-years of supervised release. Benavidez, an enrolled member of the Pueblo of Kewa, was remanded into the custody of the U.S. Marshal's Service after he entered his plea. He will be detained pending his sentencing hearing, which has yet to be scheduled.

United States Attorney Kenneth J. Gonzales said that Benavidez assaulted an officer of the Pueblo of Santa Ana Police Department (SAPD) by driving a vehicle towards the officer and striking him on July 26, 2010. Benavidez initially was charged with assaulting the officer with a dangerous weapon in a criminal complaint filed on July 27, 2010, and subsequently was indicted on August 25, 2010.

According to the criminal complaint, on July 26, 2010, Benavidez intentionally struck the SAPD officer with his vehicle while the officer was directing traffic at the entrance to the village of Santa Ana during a tribal feast day celebration. Other officers pursued Benavidez as he left the area until Benavidez lost control of his vehicle and crashed.

Benavidez entered his guilty plea this morning under a plea agreement with the United States Attorney's Office. In his plea agreement, Benavidez admitted that he intentionally struck the SAPD officer because he did not want the officer and his colleagues to know that he had alcohol in the car contrary to tribal law. Benavidez explained that, on July 26, 2010, he and his girlfriend attended the annual feast day celebration at the Pueblo of Santa Ana and, when the

two were leaving the Pueblo, he noticed several police officers were directing traffic to and from the parking area. When one of the officers asked Benavidez to stop his vehicle, Benavidez panicked because he had alcohol in the car. Benavidez admitted that, as officers were surrounding his vehicle, he accelerated and struck one of the officers and then fled the scene. Benavidez also admitted that this assault occurred within the Pueblo of Santa Ana and that he is a member of the Pueblo of Kewa, formerly known as Santo Domingo.

The case was investigated by the Federal Bureau of Investigation with assistance from the SAPD, and is being prosecuted by Assistant United States Attorney Jack E. Burkhead.

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