



PRESS RELEASE

CONTACT: Elizabeth M. Martinez
Executive Assistant U.S. Attorney
Public Affairs Officer
elizabeth.martinez@usdoj.gov
505.224.1469

For Immediate Release

October 24, 2012

FORMER SAN JUAN COUNTY SHERIFF'S DEPUTY PLEADS
GUILTY TO VIOLATING CIVIL RIGHTS OF MAN
BY ASSAULTING HIM WITH A FLASHLIGHT

ALBUQUERQUE – R. Dale Frazier, 57, of Flora Vista, N.M., pleaded guilty today in U.S. District Court in Albuquerque to a federal civil rights charge in connection with the unlawful assault and beating of Dovovan Tanner with a flashlight.

On June 27, 2012, Frazier was indicted by a federal grand jury on one count of violating Tanner's right to be free from the unreasonable use of force by a police officer. According to the indictment, the assault on Tanner resulted in bodily injury and involved the use of a dangerous weapon.

The federal investigation revealed that on March 17, 2011, the defendant used his department-issued Maglight flashlight to strike Tanner in the head, neck and body after encountering Tanner and his brother outside a bar in Farmington, N.M. Frazier struck Tanner two times in the head and neck with his flashlight while Tanner was on the hood of his police vehicle. Frazier stuck Tanner an additional three times with his flashlight while Tanner was on the ground. The assault of Tanner was captured on Frazier's police dash camera.

"This guilty plea is an acknowledgment of the fact that the defendant in this case abused his law enforcement powers when he unnecessarily assaulted a person in his custody," said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. "While law enforcement officers are always permitted to take reasonable steps to defend themselves and others from harm, our Constitution prohibits gratuitous assaults by officers. The Justice Department continues to vigorously prosecute these abuses of power."

"The public places great trust in law enforcement officers to use their authority the right way – and only the right way," said U.S. Attorney Kenneth J. Gonzales. "When they intentionally abuse that authority, they will be held accountable. Today, by pleading guilty to a federal felony offense, Dale Frazier was held accountable for seriously violating a young man's civil rights by using excessive force against him on St. Patrick's Day in 2011."

“Law enforcement officers who violate the civil rights of those they have sworn to serve seriously damage the public's confidence in our government institutions,” said Carol K.O. Lee, Special Agent in Charge of the Albuquerque Division of the FBI. “The Albuquerque FBI Division, in close partnership with the U.S. Justice Department's Civil Rights Division, the U.S. Attorney's Office and law enforcement throughout New Mexico, will continue to thoroughly investigate all reports of civil rights violations.”

These guilty pleas were the result of a cooperative effort between the U.S. Attorney's Office for the District of New Mexico and the Justice Department's Civil Rights Division. This case was investigated by the Albuquerque Division of the FBI. It is being prosecuted by Assistant U.S. Attorneys Mark T. Baker and Roberto Ortega for the District of New Mexico and Trial Attorney Sheldon L. Beer of the Civil Rights Division of the Department of Justice.

#

12-1285