

Jury clears Chavalía

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Sergeant found not guilty in fatal shooting case

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LIMA - A jury found a Lima police officer "not guilty" on two misdemeanor charges today relating to the January death of a 26-year-old Lima woman.

The jury found Sgt. Joe Chavalía not guilty of negligent homicide in the Jan. 4 death of Tarika Wilson and not guilty of negligent assault in the wounding of Wilson's baby, Sincere.

Chavalía could have faced up to eight months in jail if the jury found him guilty on both counts.

The jury deliberated from 1:40 p.m. until about 5:10 p.m. before making its decision.

Chavalía was part of a SWAT team drug raid on the home, targeting Anthony Terry. Terry was sentenced to seven years in prison for trafficking in crack cocaine, two counts of trafficking in marijuana and two counts of permitting drug abuse.

Protesters with signs of "Police accountability now" and "Justice for some" stood outside the Allen County Courthouse awaiting the jury's decision.

Family members of Wilson released a statement saying they won't comment on whatever the verdict might be until noon Tuesday or after a verdict, whichever came later.

Before making its decision, the jury listened to closing arguments by defense attorney Bill Kluge and special prosecutor Jeffrey Strausbaugh.

Kluge illustrated Chavalía's threat level with a pitcher of water, pouring more and more water into the pitcher while talking about going into the home of a dangerous drug dealer, Anthony Terry, conducting a nighttime raid, encountering a stairway and hearing gunshots. He said Chavalía thought his life was in danger when he heard the gunshots, which turned out to be from officers downstairs shooting dogs.

Strausbaugh also illustrated the prosecution's case, crouching toward the ground in the way his experts claimed Wilson was when she was shot.

This morning, a veteran SWAT officer in Columbus questioned the credibility of a key prosecution witness as the defense rested its case.

James Scanlon, a Columbus Police Department officer for 30 years with 16 years of SWAT experience, said he sided with Chavalia. He tore into last week's testimony by John Foy, a tactical weapons trainer for the Ohio Peace Officer Training Academy.

"I don't know how somebody who has been in this field so long could be so ignorant on the use of force standard," Scanlon said of Foy.

Scanlon, a witness for the defense, said officers often have to make split-second decisions. He also said no standard exists to wait until you're fired upon before shooting in a hostile environment.

"I would've done the same thing," Scanlon said of Chavalia's actions.