

ORANGE COUNTY

Laotian Community Leaders Question Man's Shooting, Death

By KRISTINA LINDGREN, Times Staff Writer

Leaders of Orange County's Laotian community met Wednesday to discuss growing concern over what they believe was excessive use of force by a police officer in connection with the shooting and subsequent death of a 52-year-old refugee who was threatening the officer with a knife.

Worried that the language barrier and a possible lack of understanding of Laotian traditions on the part of the police officer may have contributed to the death of Linthong Panyanak, a Laotian refugee, community leaders decided they would seek a meeting with Santa Ana Police Chief Ray Davis, a spokesman said Wednesday.

Cultural Gap Cited

"We want to know is there any other way to handle these incidents in a smoother way besides killing someone," Cheu Thao, executive director of the Santa Ana-based Lao Family Community Inc., said after a nearly two-hour conference with more than a half-dozen community leaders and representatives of the county's Human Relations Commission.

Thao said the community leaders, who represent the approximately 5,000 Laotian refugees in Orange County, would like to bridge what they see as a cultural gap between the local Laotians and the police.

"But what we really want to hear from them is the truth of this incident, how this incident really happened," Thao said. "Was shooting the only way to handle this incident? Was there any other way to possibly handle this incident so that they could save the life of the



The police officers could have kicked the knife out of his hand if they wanted to arrest him.'

—Thongkiene Panyanak, victim's wife

victim, and also protect the other people?"

"In our country, people are afraid of the police," Thao said. "We are told not to be afraid of the police officer in this country because they are our friends.

"Most of the refugees don't understand how the government officials protect people if they only kill them right away, not just catch them and arrest them," said Thao, who was a high school teacher of French and social studies in Laos

before emigrating to the United States in 1976.

Thao said word of last Friday night's shooting of Panyanak, a former army captain in Laos, and how it happened has rippled through the Laotian community.

Many of the accounts, though admittedly second-, third- or even fourth-hand, have left residents in the southeastern Santa Ana neighborhood of Laotians, Cambodians and Latinos mistrustful and angry, he said.

Shot Four Times

Panyanak died Friday night after he was shot four times in the upper torso by Patrolman James Bland, 28, who has been on the Santa Ana police force for four years.

Panyanak, who neighbors said was very drunk after an adopted son's birthday party, ran down a staircase toward the officer, making stabbing motions in the air with a 16-inch kitchen knife as about 100 neighbors looked on, investigators and eyewitnesses have said.

Police Department investigators said earlier this week that a preliminary investigation of the shooting indicates that Bland had no choice but to fire his .45-caliber gun when Panyanak kept charging at him with knife in hand despite orders to drop the weapon.

But Thao and Panyanak's Orange County sponsor, Somboun Silavong, say it was unreasonable for a police officer to assume that

Panyanak understood the orders delivered in English. Besides, they contend, there are other ways to subdue a drunken man, even one armed with a knife.

"They could have used tear gas; they didn't need to shoot the gun,"

Thao said. "The guy was very small; the officer is a big guy. It's just like a father to a very small son. You just grab him."

A lawyer for Panyanak's widow, Thongkiene, accused the police department of conducting a "whitewash" investigation.

"This is designed to exonerate their own people, to justify their wrongdoing," said Santa Ana attorney Spencer Alter. "We do not feel it was in any way necessary to gun the man down. And frankly, we are outraged that the Santa Ana police continue to use excessive and unnecessary force in the handling of relatively minor family or neighborhood disturbances."

Alter also ridiculed police re-



'Police are not supposed to shoot (at someone) right away. They are supposed to fire a warning shot . . .'

— Vineng Phongmerath, shown with her son, Manopset, 3



Photos by GAIL FISHER / Los Angeles Times

'Police are not supposed to shoot drunk people. . . . He's just a small guy. There were two policemen.'

— Boin Nanthavondouangsy, neighbor

LAOTIANS:

Police Shooting Questioned

ports based on the coroner's initial autopsy results, that the bullets had not resulted in fatal wounds to Panyanak, but that the man instead may have died of a brain hemorrhage. He said some witnesses reported seeing the second officer to respond strike Panyanak with a baton on the back of the head, a blow that could have caused the extensive internal bleeding found during the autopsy.

Police said witnesses told them that the second officer struck Panyanak with the baton on the shoulder, not the head, after Panyanak

was shot four times, and that he was still charging toward Officer Bland at the time.

Pending his own review of autopsy results and an investigation of the shooting, Alter said he planned to file a wrongful death suit against the City of Santa Ana on Mrs. Panyanak's behalf.

At the dead man's apartment Tuesday, many neighbors and friends had gathered in front of a multicolored crepe paper tree festooned with bags to collect money for a burial service. They had come to give solace to Thongkiene Panyanak, the 47-year-old widow.

Some said they had seen the violent outburst that prompted neighbors to call the police; others said they huddled behind their own apartment doors. Although few actually saw the shooting, nearly everyone felt that the police officer overreacted.

"Police are not supposed to shoot drunk people," said neighbor Boin Nanthavondouangsy. "He had a knife. He didn't have a gun. He's just a small guy. There were two policemen; I think they could take him easy."

Vineng Phengmerath, 29, who said her husband was a policeman in Laos, said many neighbors were now frightened of the police, and would be afraid to call for help the next time there is a problem.

Citing the policy she said her husband followed in Laos, Phengmerath said through an interpreter, "Police are not supposed to shoot right away. They are supposed to fire a warning shot first."



'We want to know is there any other way to handle these incidents . . . besides killing someone.'

—Chou Thao, executive director, Lao Family Community Inc.

"My husband wouldn't have hurt the policeman—he was so drunk," Thongkiene Panyanak said angrily, her brown eyes flashing as she puffed deeply on a cigarette.

She admitted he was angry and had been yelling and screaming that night when he returned from his adopted son's birthday party at a nearby apartment building. She had a large bruise on her upper left arm she said she received in a fall after her husband pushed her.

She said she fled with her three children Friday night because she was afraid he would "beat her."

She said he had yelled at her for failing to take better care of the house and for staying too long at the hospital, where she had gone earlier Friday to take their youngest child.

Nevertheless, she said, Panyanak was not a violent man. The police officers, she said, could have easily "kicked the knife out of his

hand if they wanted to arrest him."

"Maybe if he had a gun, he would have been in the wrong, but he was only carrying a knife," Mrs. Panyanak said.

Police Investigator Jose Garcia said earlier that the aim of the department's internal investigation into the shooting was to determine whether the officer's life or anyone else's life was, in fact, in danger when the shots were fired.

In this case, Garcia said, the answer is "absolutely, yes."

"He (Bland) called for backup right away. He took every precaution, he got the crowd behind him, he told the suspect to drop the weapon. And before he fired, he pointed the weapon to show he was serious.

"It (the shooting) was just inevitable. It doesn't look like there is anything else he (Bland) could have done. The officer used extremely good judgment."