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Judge keeps teens behind bars following alleged botched armed robbery

Concerned woman claims she tried to prevent the incident from happening.

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Sasha Leninger   

Reporter/Anchor

ALBUQUERQUE, N.M. — On Friday, three of the seven teenagers arrested in connection to an **alleged botched armed robbery** appeared before a judge.

Just after midnight Wednesday, investigators said a car filled with eight teenagers, ages 12 to 17, attempted to rob a husband and wife at gunpoint.

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It happened at an apartment complex in the 500 block of Tramway Boulevard Northeast.



"[He] was on probation while this took place, and in fact, this is his eighth referral to the department for very serious charges," said prosecuting attorney, Kristin Guin. "With the underlying probation, he cut off his ankle monitor and left his residence. While he was out of his residence it is alleged that this incident occurred."

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She's referring to a 15-year-old who was arrested and whom police said was armed with a gun the night of the crime.

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"He's a kid and had no issues or second thoughts on opening my door and shooting me," the victim told the judge. "I am now missing work and now unable to do certain things with my kids all because of his actions and his thoughts."

According to the Albuquerque Police Department, the victim's husband shot back and **killed a 14-year-old** before driving his wife to the hospital.

"His actions caused myself to take a life I didn't want to take, " said the victim's husband. "I had no intention of taking [it] and I put that on him and anybody else that was there. He doesn't have to live with that burden, I do, and I don't think he's going to be safe to society out on the streets."

A 17-year-old also appeared before Judge Catherine Begay Friday afternoon. Prosecutors said he was a passenger in the car.

"This car pulled into a parking lot, one of the co-defendants stated let's rob that jeep. The car parked perpendicular behind that jeep. Members of that car got out and decided to walk up to that jeep, guns drawn in an attempt to rob it," said Guin.

The prosecutor told the judge, the teens then lied to law enforcement.

"After someone had been shot, multiple people, three people were shot, the group decided to create a lie to tell law enforcement that this was an unprovoked shooting, and that was the original story until it was challenged," said Guin. "There was a mens rea shared by everyone in that car to commit violent acts on members of this community, and everyone agreed to it."

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The judge told prosecutors that she has concerns about the 17-year-old's parents because his sibling was also arrested in the incident.

"I have concerns about the parenting. I have concerns about possibly hiding out the other child who was already on bench warrant status with me on one of the cases where I committed her

daughter to YDDC," said Judge Begaye. "I have concerns about the parents' response to this situation, not taking her daughter to the hospital, not calling law enforcement herself."

A 16-year-old also appeared before the judge, and prosecutors told the judge they believed it was her car used the night of the botched robbery.

"[She] was a passenger in a car, which we are currently under the belief and impression it was her vehicle that vehicle was full of juveniles who actively conspired and made a decision to attempt to commit an armed robbery," said Guin.

The prosecutor also informed the court that the 16-year-old had a prior history of being in possession of firearms. But at the time, the district attorney's office didn't pursue the charges.

"The first line of defense for our community are parents, and when this kind of thing happens, I want to hear a parent take it just as seriously," said Judge Begaye.

A parent of one of the children made a statement to the judge as to why his child should be released from jail and placed under house arrest. But Judge Begaye didn't agree.

"I am not confident in the response I was given here from father today to find that he would be an appropriate person to release the child to," said Judge Begaye.

As a result, all three teen were held in detention for the time being. According to District Attorney Sam Bregman, the other four teenagers arrested will be in court on Monday.

A concerned woman called KOAT Friday morning, saying she tried to prevent the shooting from happening. She did not want to be identified.

She reported two of the teenagers missing just days before and called APD. Then, just 12 hours later, she discovered a disturbing video on social media.

"There were several teens in that video being aggressive with each other. Someone was fighting in that video. Towards the end, somebody said, pull out your gun," she told KOAT.

According to the woman, an officer showed up at her home a few hours later and allegedly told her there was nothing they could do.

"I was freaked out, worried. And my thought was if APD maybe looked more into that video, maybe none of that would have happened," she said.

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KOAT reached out to APD regarding the woman's claims. Gilbert Gallegos, a spokesperson for the department, sent us the following statement:

"The missing person report was filed and was being routed to the missing persons unit for triage and review at the time the robbery/shooting occurred. One of the juveniles involved had already cut off an ankle monitor and was wanted by probation and parole. The juvenile was taking specific actions to avoid detection and then they went out drinking and decided to rob someone. A missing person investigation, alone, would have not changed this outcome."

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