

PRESS RELEASE

August 3rd, 2009

Will Family Denounces the Continued Bias of PGR Investigation into Brad Will's Death

The Will family today condemned the latest tactics of the Mexican prosecutor general's office (PGR) in the investigation into the death of photojournalist Brad Will, who was shot while filming street protests in Oaxaca, Mexico in October, 2006.

With the leak last week of a report written by some retired Canadian police officers – a report commissioned by the PGR and presented in the Mexican press as an investigation carried out by the Royal Canadian Mounted Police – the PGR continues its pattern of biased, unscientific and politically motivated investigative efforts of justifying a deeply flawed investigation into the true circumstances of Brad's death.

The PGR has continually refused to pursue the most likely scenario that off duty Oaxacan municipal authorities – who were filmed shooting guns into the protesting crowds numerous times during that day – were responsible for many of the deaths in Oaxaca, including Brad Will's. Instead, the PGR has chosen hearsay and fabricated evidence to help imprison an innocent man, Juan Manuel Martinez Merino. The Will family deplores the politicization of the Brad Will case.

Well respected human rights groups – Amnesty International, Physicians for Human Rights, Reporters Without Borders, the Committee to Protect Journalists, the National Commission on Human Rights in Mexico, and others – have all condemned the PGR's investigation and its tactics.

For example, the Physicians for Human Rights, has pointed out serious flaws in the PGR's forensic examinations. The Physicians for Human Rights experts examined the evidence in the case and issued a report in May of 2008 concluding amongst other things, that the bullet that struck Brad in the chest had ricocheted off of a red solid object. A ricochet off an intermediate target supports the hypothesis of a longer range gunshot. The most obvious conclusion would be that the bullet ricocheted off the red truck viewed by Brad's videocamera in Brad's final moments and struck him in the chest. The red truck was located at a distance of approximately 35 meters.

As *coadyuvante*, with full rights under Mexican law to access the case file, the Will Family's lawyer has been aware of the serious flaws in the PGR's investigation. For instance, the imprisoning of Juan Manuel Martinez Merino rests entirely on the submission of testimony by two hearsay witnesses who themselves even admitted to never seeing Brad get shot.

Significant sworn statements by witnesses have been suppressed, such as the person who crouched in front of Brad when he was shot. The witness stated he heard and felt the bullet pass by his head before striking Brad. In addition, the sworn statements of numerous photojournalists at the scene have been ignored. The journalists stated it was impossible that anyone could have shot Brad at close range without their noticing it.

With last week's leaks, the PGR also continues a pattern of providing the appearance of action in the investigation just before high level US government officials visit Mexico and Merida Initiative funding matters come before the US Congress.

The Will Family continues to demand that a legitimate, unbiased investigation be performed with respect to not only Brad Will's death but also the 20+ other unprosecuted deaths that occurred during the demonstrations in Oaxaca in 2006.

The Will Family also calls for the immediate release of Juan Manuel Martinez Merino.

Addendum:

We have attached as an Addendum a summary of the investigation's flaws and our specific response to the Canadian "Independent" Report, which has been sent to both Attorney General Medina-Mora and to the Canadian investigators.