

Grand jury indicts former Las Cruces detective accused of sex crimes

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Driver in fatal hit-and-run also charged

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LAS CRUCES >> The longtime police officer accused this summer of numerous sex crimes against children has been indicted -- one of several high-profile cases handled this week by a Doña Ana County grand jury.

That list included both cases against former Las Cruces Police Department detective Michael Garcia.

His former colleagues arrested Garcia, 37, in August on charges that he sexually assaulted a teenage girl inside his unmarked police car in May 2011. The girl, a Las Cruces Public Schools Excel student working at LCPD, was on a ride-along with Garcia, according to court documents.

He subsequently resigned, then less than two weeks later, authorities levied more criminal sexual penetration and contact charges against Garcia. Investigators say Garcia molested and sexually assaulted a young girl over the course of several years, when she was between 11 and 17.

Initially, Garcia faced eight charges in that case. Thursday the grand jury added two more, both first-degree criminal sexual penetration of a minor under 13. Additionally, he faces eight counts of second-degree criminal sexual contact -- two on the girl when she was 13 or younger and six others when she was older.

Each first-degree felony carries a possibility of 18 years in prison.

Garcia, of the 5800 block of Megan

Street in Santa Teresa, posted bond shortly after his arrest and was released from the Doña Ana County Detention Center. His indictment documents also listed an address on the 5200 block of Bastille Road in El Paso.

His arraignment for both cases is set for Oct. 15 in 3rd Judicial District Court.

Garcia's attorney, Steve Almanza, has said the incident with the student in his car was a consensual encounter.

During the bulk of his 15 years with LCPD, Garcia focussed on child abuse and sex crimes.

Hit-and-run fatality

This week's grand jury also indicted the man accused of running over and killing a bicyclist on

Valley Drive last month.

Jeffrey A. Nieto, 28, reportedly admitted to hitting a bicyclist on Aug. 14, telling police he was driving his red pickup that night, reached to grab his cell phone and didn't see the man, Terence Havey, according to a criminal complaint filed in Magistrate Court. Nieto reported told police he panicked because he had previously served prison time for vehicular homicide and other counts after a 2005 crash that killed the woman in his car.

Havey, 57, died the next day of severe head injuries.

Police had been searching for weeks, when a Crime Stoppers tip led them to Nieto, of the 1600 block of Mahaney. He has been jailed since his arrest.

Nieto faces three felony charges: knowingly leaving a serious crash, vehicular homicide and evidence tampering. He also faces a misdemeanor careless driving charge.

Nieto is set to appear Oct. 7 before District Judge Darren M. Kugler.

Police dog stabbing

The same week LCPD arrested Garcia, they also arrested Alan A. Golden, the man charged with stabbing a police dog.

LCPD officers encountered the 23-year-old Golden, holding a knife, in a street near Lynn Middle School. When he refused to drop the knife, police say, officers fired bean bag rounds and deployed Dave, one of six K9s working with the department.

That's when Golden allegedly stabbed the dog, opening a large gash in the animal's shoulder.

Golden, who has an extensive criminal history that includes an armed robbery conviction, is facing a charge of injuring a police dog, a fourth-degree felony.

His arraignment has been set for Oct. 7 before Kugler. Golden, of the 900 block of West Picacho Avenue, has been jailed since his arrest.

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