

# After conviction, teenager at a `crossroads in life'

By Joline Gutierrez Krueger  
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Throughout his murder trial, Robert Krogman, 17, sat dutifully beside his father, looking as if he could not understand how he had come to be in an Albuquerque courtroom facing the possibility of a prison sentence for nearly as long as he had been alive, all for a horrible day when he played with a revolver and shot his best friend.

It had been an accident, he told people from the start. The bullet was supposed to be chambered far enough away from the barrel that even if he wanted to pull the trigger it wouldn't be there.

His best friend, Johnny Gonzales, 18, had taught him how. But it hadn't worked that way, and now Gonzales was dead.

On Thursday, jurors took less than five hours to acquit Krogman of second-degree murder, apparently convinced that what had happened that Jan. 26, 2006, day among two best friends was just as Krogman had said - unintentional, not murder.

Jurors convicted Krogman of involuntary manslaughter, a lesser charge, and being a minor in possession of a firearm. They also found him not guilty of a tampering with evidence charge involving the whereabouts of the revolver.

Children's Court Judge Marie Baca had already taken care of the rest, dismissing three counts of child abuse and one of tampering with evidence by directed verdict before jurors began their deliberations Thursday afternoon.

As they met, two alternate jurors remained outside the courtroom waiting to learn Krogman's fate.

After the verdict, several jurors asked to speak with Krogman, gathering around him like a cluster of parents, each offering their hope that this ordeal would be what set him on the right path.

"I have never seen anything like it," said Krogman's attorney, Gail Prosser.

One juror apologized to Krogman for having to convict him of involuntary manslaughter. Another cried.

You are at a "crossroads in life," one juror said. I have been there. I took the right direction, and it really changed my life. I really hope you do that.

For at least the last two years, Krogman hadn't. Court records indicate he had been in Baca's courtroom three times before: for criminal trespass in August 2004; for shoplifting in November 2004; and for battery against a household member and criminal damage to property in February 2005.

Each time he had been placed under a consent decree and told to stay out of trouble.

But the boy with the suit and tie, short afro and bewildered look in court this week was not the streetwise kid who wore baggy, thuggy clothes, shaved his hair and earned the nickname "Blue Eyes" because he favored colored contact lenses over his brown eyes.

"He was defiant," Prosser told jurors during opening arguments Tuesday. "He didn't follow rules. He knew better than his parents. He didn't like school. His parents didn't know what to do."

One witness, a friend, testified that the Krogmans, Robert's adopted parents, were intelligent people, very nice, but "they didn't understand the outside, the street world."

Krogman started staying away from home and school, sleeping at friend's homes and in the green Oldsmobile driven by Gonzales, a boy who was also not going to school or work or home much.

"It was cool and it was fun and he and Johnny were hanging out all the time," Prosser said.

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Last year, the Krogmans sent Robert to Red Cliff School, a wilderness treatment program in Utah for troubled teens, Prosser said.

They enrolled him in a boarding school back East because he had not done well in Albuquerque schools. He refused to remain, returning to Albuquerque, where they enrolled him instead at Cesar Chavez Community School. He was supposed to start school there the week Gonzales was shot.

The two boys had met up with friends in the John Brooks parking lot at Wyoming and Menaul boulevards Northeast one afternoon and were sitting in Gonzales' car when each pulled out a weapon and began joking around, a usual game, witnesses testified.

Gonzales held a foot-long machete to Krogman's chest, while Krogman held a .38-caliber revolver to Gonzales' chest.

One of the youths testified that the gunshot had been so close that smoke wafted from Gonzales' chest.

Prosecutors Nancy Neary and Irma Pluemer had attempted to prove that Krogman intended to kill his friend. But their case began to crumble on the first day of testimony Tuesday when seven of the state's first nine witnesses testified that the shooting had been accidental and no argument had occurred between the boys.

Albuquerque police Detective Judy Chavez had also testified that she believed the shooting was accidental.

Had Krogman been convicted of second-degree murder, he would have been exposed to an adult sentence of up to 15 years. Instead, he faces commitment to juvenile custody or probation. No sentencing date has been set.

The jury's verdict gave Krogman another chance.

But the Gonzales family has not. Throughout the trial, both families were kept apart and escorted to and from their cars and during bathroom breaks. Court documents indicate the extra security was ordered after death threats were issued against the Krogmans by the Gonzales family.

After the verdict was read, the Gonzaleses left the courtroom quickly under escort without incident.



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