

# Pot theft claimed in boy's shooting death

A Bellflower man who allegedly killed a **15-year-old** said the youth was trying to steal medicinal marijuana plants.

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**A Bellflower man who said he was growing marijuana to ease pain from liver cancer is in custody on suspicion of fatally shooting a 15-year-old boy who allegedly was trying to steal some of the plants with his older brother.**

Prosecutors will have to decide whether Jerry Cress acted in self-defense and was in reasonable fear for his life when he shot Jacob Walker with a small-caliber handgun shortly before daybreak Sunday, said Los Angeles County Sheriff's Homicide Capt. Ray Peavy. That decision could come as early as today.

Jacob's friends and relatives said he was off Cress' property and fleeing down the street when the 57-year-old allegedly fired the fatal rounds and that the shooting wasn't a case of self-defense but vigilantism.

"He was running away and the guy shot him in the back. He was already off the property," said Teresta Walker, 18, his sister. "I believe it was in the middle of the street. He was already off the property, leaving it, so the guy had no reason to shoot him at all."

Peavy lent some support to that account, saying, "They were attempting to run away when they were being fired at."

A neighbor found what appeared to be marijuana leaves on her driveway Monday morning and said police told her not to touch anything.

Outside Cress' home, classmates of Jacob decorated a memorial with messages, a dozen candles and white and red rose bouquets. More than 75 people gathered there Monday night to remember Jacob's life.

In an unusual twist, the dead boy's brother, Duane Berry, 24, could be charged with murder because the shooting occurred during the alleged commission of a felony.

Detectives said Jacob and his brother were attempting a burglary. Berry had recently been released from jail on a narcotics sales charge that is to go to trial next month.

"The kids in neighborhood had learned the guy had pot plants on his property, and some had broken in before," Peavy said. "These two knew there was a pretty large quantity."

Peavy said that around 6:30 a.m. Sunday, the brothers tried to break into a shed on Cress' property where the marijuana was being grown under ultraviolet lamps. "The homeowner heard his dog start barking and came out and confronted these two guys. He fired two or three rounds," Peavy said.

Detectives said Cress called the police to report the attempted burglary and acknowledged firing a few rounds on his property on Park Street, just north of the 91 Freeway. He said one of the

males was armed with a hammer.

Accompanied by Berry, Jacob turned up a short time later at Lakewood Regional Medical Center, where he died of his wounds.

"At first we thought this was a pellet-gun shooting, but it turned out to be a small-caliber handgun," Peavy said. "As is sometimes the case, the small round bounced around inside him, hitting his vital organs."

Peavy said Cress told detectives he had liver cancer and "it appears he has been self-medicating for a period of time."

In this diverse working-class neighborhood in Bellflower, near the border with Paramount, news of the shooting came as a shock. But the existence of the marijuana crop was well-known to many teenagers. Some who spoke to The Times said many people had attempted to raid the crop before.

By about 3 p.m. Monday, nearly a dozen youths on foot or bicycles had arrived from nearby schools to look at the memorial in front of Cress' house.

"It's OK, Clifford, I cried too," said Ivan Perez, 13, an eighth-grader at Paramount's Mokler School, as Clifford Miller, 16, who said he was Jacob's best friend, choked up.

Clifford, 16, a Paramount High School student who lives in a nearby trailer park, said he last saw Jacob on Saturday night when he biked over to talk for a while.

"I have third period with him," Clifford said, before tearing up and falling silent.

Teresta Walker said Jacob was not violent. "He liked animals, loved watching the Discovery Channel," she said. "My brother would not come in with a hammer."

The brothers' mother, Yolanda Rice, 42, said she last saw Jacob alive just a few hours before the shooting as he slept in his bed. Rice, a trainee vocational nurse, said her son was shot in the back and arm.

"Things are different from when I grew up," she said. "I don't know what the shooter was thinking.

"Whatever happened to 'Get off my yard or I'll call the police'? What happened to that?"

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