



Administrative Office of the Courts

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Supreme Court affirms the murder conviction of former Silver City police officer

SANTA FE – The state Supreme Court today upheld the first-degree murder conviction of former Silver City police officer Bradley Farrington for killing his estranged wife in 2014.

Farrington is serving a sentence of life imprisonment.

In a unanimous decision, the state’s highest court concluded there was sufficient evidence to support Farrington’s conviction and it rejected his legal challenge to hearsay testimony allowed at trial.

The victim, 23-year-old Cassy Farrington, died of strangulation. She was found face down, fully clothed in the bathtub of her Silver City home on March 24, 2014. The couple were going through a contentious divorce in which custody of their children was a subject of conflict.

In his appeal, Farrington contended that the trial court improperly allowed testimony at trial by co-workers, friends and family members of the victim who recounted statements she had made about Farrington’s threats and acts of domestic violence.

The Supreme Court concluded that the testimony was admissible under a legal doctrine providing an exception to a general prohibition against hearsay in judicial proceedings.

In an opinion written by Justice C. Shannon Bacon, the Court clarified the “forfeiture-by-wrongdoing” exception in a judicial rule that permits hearsay statements when prosecutors show that a defendant engaged in a wrongful act to prevent a witness from testifying. According to the Court, prosecutors must meet certain requirements before hearsay will be allowed as evidence. Among those requirements is proving that the defendant intended to keep a witness, such as a domestic violence victim, from testifying.

“Defendant’s intent to silence Victim can be inferred from his extensive history of domestic violence, the manner in which he leveraged his position in law enforcement to dissuade Victim

from seeking help, and the contentious custody and divorce proceedings between Victim and Defendant,” the Court concluded.

Farrington contended in his appeal that prosecutors failed to prove that he committed the murder, but the Court determined there was sufficient evidence to support his conviction. At the trial, friends and family described the victim’s fear that Farrington would hurt or kill her. As a police officer, Farrington also was trained in a potentially deadly chokehold technique.

“Sufficient evidence supports that Victim was subjected to Defendant’s repeated abuses, which culminated in her murder by strangulation. Viewed in a light most favorable to the verdict, this is sufficient to establish that Defendant, and not another person, murdered Victim,” the Court wrote.

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To read the decision in *State v. Farrington*, No. S-1-SC-37355, please visit the New Mexico Compilation Commission's website using the following link:

<https://www.nmonesource.com/nmos/nmsc/en/item/487031/index.do>