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INTERVIEW WITH DEP. VERONICA LAGUARDIA

Q=Sgt. Brendan Omori

Q1=Sgt. Jason Brown

A=Dep. Veronica Laguardia

A1=

Woman: Oh.

Q: Okay. This is Sergeant Brendan Omori with the Santa Clara County Sheriff's Office. Today's date is September 13, at 5:05 am. Uh, myself and Sergeant Jason Brown will be conducting an interview of Deputy Laguardia.

A1: Hi.

Q1: Oh, hey, (Don), good to see you again.

A1: It's actually...

Q1: Jason Brown.

A1:

Q: Brendan Omori.

A1: Hi.

((Crosstalk))

Q1: How you doin'?

A1: Hi.

A: Good to see you.

Q: Good to see you.

43
44 A: Yes.
45
46 Q1: Water? I see you got water.
47
48 A: Yeah, I got...
49
50 Q1: Okay. Oh, um, why I balked, I will have to bring you some cards when we
51 were done. I forgot 'em sittin' on my desk.
52
53 A1: Okay.
54
55 Q1: Um, please don't let me forget. I know you want one. Ah, you probably have
56 one. I know you want one. Make sure that I get you a card, okay?
57
58 A: Okay.
59
60 Q1: I'll set this back here for right now. Um, like I said, I mentioned, I know you
61 have water. Anything else I can get you, ah, before we start - get started?
62
63 A: No.
64
65 Q1: Okay.
66
67 A: Water's fine.
68
69 Q1: Um, I know here. What I would like to do, just, uh, for an
70 audio record, is to make sure that we know everybody that's in the room. Just,
71 you know, just a general introduction. I'll start; Sergeant Brown with the
72 Sheriff's Office.
73
74 Q: Brendan Omori with the Sheriff's Office.
75
76 A: Veronica Laguardia with the Sheriff's Office.
77
78 A1: And Attorney-at-Law.
79
80 Q1: I'm gonna say this, uh, started at 0507 on 9/13/2016. Um,
81 here, uh, I know you probably had a chance to speak with, uh, him, uh, about
82 this, um, so you know, um, uh, with him here, I just wanna make sure that you
83 know that you're - you're able to, um, consult with him, which I know you've
84 done. Uh, you're able to, uh, provide a statement or not; it's completely up to

85 you. You're here, uh, on your own, you know, free will. Uh, you're able to
86 answer a question or not; it's up to you. When you wa- feel like you don't
87 wanna, uh, partake in this anymore, w- we'll be done. You can, um, uh, end
88 the interview. Does that, uh, make sense?
89
90 A: That does make sense, yes.
91
92 Q1: And, um, having spoken to him, um, I just wanna make sure also that, uh, you
93 would like to actually provide a statement as to what happened, um, last night,
94 uh, with this incident?
95
96 A: I do.
97
98 Q1: Okay. Do you have the form? What I do wanna start with is, because I know
99 we've met, um, a few times, um, but I don't know much about you, admittedly;
100 I r- I really don't. Um, and so I'd like to find out some of that information. Um,
101 you mentioned your name, Veronica La- Laguardia?
102
103 A: Laguardia, yeah.
104
105 Q1: And you spell your first name common spelling?
106
107 A: Yes.
108
109 Q1: And how, actually, so that I don't get it wrong, do you spell your last name?
110
111 A: L-A-G-U-A-R-D-I-A.
112
113 Q1: Okay. Um, how long have you been workin' with the Sheriff's Office?
114
115 A: A little over three years.
116
117 Q1: A little over three years? So w- you completed the academy, then, um,
118 probably in 2013?
119
120 A: July.
121
122 Q1: When did you, uh, July?
123
124 A: July.
125
126 Q1: Do you happen to know the - the - the day?

127
128 A: I don't recall the exact...
129
130 Q1: Don't recall?
131
132 A: ...day.
133
134 Q1: That's fine. Um, what did you do prior to workin' for the sheriff's office or
135 goin' to the academy?
136
137 A: I was going to school, San Jose State, and I was also working retail at Best
138 Buy.
139
140 Q1: Okay. Uh, retail at Best Buy, as, like, a - a sales clerk...
141
142 A: Sales...
143
144 Q1: ...loss prevention?
145
146 A: ...clerk, yes.
147
148 Q1: Sales clerk? Uh, how long ch- did you work there?
149
150 A: Best Buy? Approximately six years.
151
152 Q1: Um, law enforcement, uh, kind of an ambition, dream?
153
154 A: It's always been one, since I was a young child.
155
156 Q1: Um, did you have any military experience prior to...
157
158 A: No.
159
160 Q1: No? Um, college?
161
162 A: Yes, I went to Mission College - Junior College...
163
164 Q1: Mm-hm.
165
166 A: ...and then I transferred to San Jose State.
167
168 Q1: And, uh, finished San Jose State?

169
170 A: I did.
171
172 Q1: Bachelors?
173
174 A: Yes.
175
176 Q1: What, uh, what field?
177
178 A: Criminal justice.
179
180 Q1: Um, any, uh, you know, legal ambitions, lawyers or anything like that, uh, at
181 past, uh, law enforcement, or just, uh, stickin' with, uh, law enforcement?
182
183 A: I'm sticking with law enforcement.
184
185 Q1: Ah, good choice.
186
187 A: Yes.
188
189 Q1: Good choice. Um - um, from the San Jose area? Uh, transplanted here?
190
191 A: Born and raised in the area. Grew up, uh, San Jose, Milpitas my...
192
193 Q1: Hm.
194
195 A: ...whole life.
196
197 Q1:
198
199 A:
200
201
202 Q1: Oh, really?
203
204 A: Yeah.
205
206 Q1: Cool. That's cool. Um, and having worked at Best Buy and gone to school, no
207 prior law enforcement at all, no reserve experience or...
208
209 A: No, I did an internship with Milpitas Police Department, but that was m-
210 mainly in the Records Department...

211
212 Q1: Oh.
213
214 A: ...dealing with reports.
215
216 Q1: Um, reports? Kinda, like, similar to our Records downstairs.
217
218 A: Filing reports.
219
220 Q1: Filin'...
221
222 A: Yeah.
223
224 Q1: ...reports?
225
226 A: Old reports. Yeah.
227
228 Q1: Um, I'd like to - excuse me. Married? Children? Uh...
229
230 A1: Don't answer any of those questions...
231
232 Q1: Sure.
233
234 A1: ...right now.
235
236 Q1: Um, assignments after the academy? Uh, academy is what? Six months-ish
237 long?
238
239 A: Yes.
240
241 Q1: Um, after graduating the academy, uh, what assignment did you have after the
242 academy?
243
244 A: First assignment was at HOJ.
245
246 Q1: Mm-hm.
247
248 A: It was a court training program.
249
250 Q1: And how long did you work at HOJ?
251
252 A: The training program, altogether or...

253
254 Q1: Total.
255
256 A: Total? I - it was a week at HOJ.
257
258 Q1: Oh.
259
260 A: And then I transferred over to Palo Alto for a week. And then I think I went
261 back to HOJ. Several courthouses for the program, until I was off of training.
262
263 Q1: How long were you assigned to Courts?
264
265 A: In total?
266
267 Q1: Yeah.
268
269 A: Approximately eight, nine months prior to going out to FTO.
270
271 Q1: And, um, you began FTO - eight, nine months, that would put you somewhere
272 2014-ish?
273
274 A: July, yes.
275
276 Q1: July? Okay. Um, after completing FTO, have you, um, I guess, remained on
277 patrol...
278
279 A: I did, yes.
280
281 Q1: ...the - the entire time?
282
283 A: The entire time, yes.
284
285 Q1: Um, same, I guess, patrol division?
286
287 A: Yes.
288
289 Q1: Uh, which is what?
290
291 A: The West Valley Patrol Division.
292
293 Q1: Um, which is a couple years?
294

295 A: I'm going in my second year right now, finishing second year.
296
297 Q1: Finishing second year?
298
299 A: Yes.
300
301 Q1: Uh, during your first year, um, what beats, shifts did you work?
302
303 A: The same shift I am right now.
304
305 Q1: Which is what?
306
307 A: Twelve plan swings.
308
309 Q1: Twelve plan swings?
310
311 A: Yes.
312
313 Q1: Um, what days does - does 12 plan swings, uh, work? What ch-...
314
315 A: S-...
316
317 Q1: ...days of the week?
318
319 A: Saturday, Sunday, Monday, 7:00 - from 7:00 in the morning to 7:00 pm.
320
321 Q1: So, like, 1900 to 0700?
322
323 A: Yes.
324
325 Q1: Um, did you have a - a set beat your first year on patrol? Uh, was it a vacation
326 relief type, um...
327
328 A: My first...
329
330 Q1: ...assignment?
331
332 A: ...year I was vacation relief, yes.
333
334 Q1: In vacation relief on 12 plan, do you solely work a - a - a night shift, or do you
335 bounce back and forth between day shift and night shift?
336

337 A: I was just assigned night shift.
338
339 Q1: Just night shift?
340
341 A: Yes.
342
343 Q1: Probably makes it easier to work that way, doesn't it?
344
345 A: Yes.
346
347 Q1: Um, during your second year, did you change shifts or beats at all, or did it all
348 stay the same?
349
350 A: I did change beats, yes.
351
352 Q1: Um, were you still vacation relief, or did you...
353
354 A: I...
355
356 Q1: ...get a dedicated beat?
357
358 A: I was no longer vacation relief.
359
360 Q1: And what beat did you have? Has it remained the same beat, or have you m-
361 bounced around beats?
362
363 A: We bounce around.
364
365 Q1: Just kinda get m- different...
366
367 A: More experience.
368
369 Q1: ...experience west side?
370
371 A: Yes.
372
373 Q1: Do you like workin' nights?
374
375 A: I do.
376
377 Q1: Cool. Um, do you, um, what beat were you working, I guess, tonight - last
378 night?

379

380 A: 81 Sam 1.

381

382 Q1: Do you - Sam 1 is a Saratoga beat, correct?

383

384 A: Yes.

385

386 Q1: Um, how long have you been workin' in Saratoga?

387

388 A: We recently changed our assignments, so I think a month and a half now.

389

390 Q1: And prior to that you were working where?

391

392 A: In Cupertino.

393

394 Q1: In Cupertino?

395

396 A: Yes.

397

398 Q1: Saturday, Sunday, Monday shift, which would mean that, um, the shift that
399 we're - we're talking about now started on, uh, Monday night, correct?

400

401 A: Yes.

402

403 Q1: Um, Saturday, Sunday, Monday, um, working night shift, um, preferring night
404 shift, um, does that - you - you generally are able to keep up on sleep, to be
405 able to go and - and work a night shift without mu- many problems?

406

407 A: I get plenty of hours' sleep, yes.

408

409 Q1: Um, on the average, how many hours would you say you sleep a night - a day,
410 I guess?

411

412 A: Seven to eight.

413

414 Q1: Seven to eight? Wow, that is pretty good. Um, during this week, Saturday,
415 Sunday, and then I guess prior to um, this call on Monday night, um, what
416 kinda week would you say you had? A - a - a - a busy week? A - a slow week?
417 Uh, how was the - how was the work week? How did that go?

418

419 A: The work week, uh, was pretty consistent with calls. Um, when we don't have
420 many pending calls for service, then I try to be as productive as I can with
421 self-initiated work.
422

423 Q1: Um, would you say that this week, um, there was a, um, maybe a high number
424 of, say, in-progress calls versus, say - say, cold paper calls? Or how - how
425 does the - the work week generally go for night shift on 12 plan?
426

427 A: Every day is different, so one night can be busier than the other night. So it's
428 difficult to say.
429

430 Q1: Um...

431

432 A: It fluctuates.
433

434 Q1: This particular week, were there any, say, in-progress calls that, uh, maybe
435 were a little, I don't know, uh, stood out or maybe a little higher stress than,
436 say, some of the other calls, um, that you can sit here now and say, "Oh, I
437 remember this call," as opposed to you know takin', like, a 5-94 report or
438 somethin' like that?
439

440 A: Mm-mm. This particular...

441

442 Q1: This - yeah.
443

444 A: ...week, I can't recall anything that would stand out to be - to talk to you about.
445 Uh...
446

447 Q1: Kind of an average week, then?
448

449 A: Yes.
450

451 Q1: Um, after completing your shift, I guess it would be Monday morning, from
452 Sunday night into Monday morning, um, would you normally end shift, go
453 home, sleep, then wake up and do some stuff and come to work? Or do you
454 normally end shift, go do some stuff and then sleep, get up and come right to
455 work?
456

457 A: I work, go home, watch an hour of television, go to bed, wake up, get ready
458 for work.
459

460 Q1: Is that pretty much the same story as this, you know, Monday night - Monday
461 morning coming into m- Monday during the day yesterday? Um, pretty much
462 the same story of I - I worked, I went home, kicked around for a little bit,
463 slept, got up, came to work?
464

465 A: Yes.
466

467 Q1: Would you say you got your normal average sleep last night - or Monday
468 during the day?
469

470 A: I did.
471

472 Q1: A full meal? Everything seemed to be normal?
473

474 A: Everything was normal.
475

476 Q1: What time - if starting at 1900, what time would you say you arrive at the
477 office?
478

479 A: I typically try to arrive 30 minutes prior to shift.
480

481 Q1: And when you arrive, do you - are you in, say...
482

483 A: I'm in this sort of attire.
484

485 Q1: Street clothes, like...
486

487 A: Yes.
488

489 Q1: ...you are now?
490

491 A: Yes.
492

493 Q1: And you change at the office?
494

495 A: Correct.
496

497 Q1: Prior to shift, 1830 going into 1900 last night, when you changed into your
498 uniform, what did your uniform consist of?
499

500 A: My uniform consisted of my badge, my name tag, my duty belt with firearm,
501 magazines, my baton, my radio; everything that's in my belt.

502
503 Q1: Would that include handcuffs, OC, pretty much standard type, issued type
504 equipment for a - a patrol shift?
505
506 A: Yes.
507
508 Q1: Um, your shirt, explain your shirt to me that you wore last night.
509
510 A: My Sheriff's Office shirt?
511
512 Q1: Yeah.
513
514 A: It's got a s- sheriff badges on both sides.
515
516 Q1: The patches?
517
518 A: The patches...
519
520 Q1: Okay.
521
522 A: ...authorized, yes. It's a tan shirt, long sleeve.
523
524 Q1: Did you wear a jacket last night?
525
526 A: Uh, I did, and I took it off.
527
528 Q1: Prior to this event we're here to speak about right now?
529
530 A: Yes.
531
532 Q1: Okay. Your pants?
533
534 A: Mm-hm.
535
536 Q1: Um, can you explain your pants?
537
538 A: My pants are green in color, and they're sheriff-authorized, approved pants.
539
540 Q1: Would that include tha- that silver stripe that...
541
542 A: It does.
543

544 Q1: ...that goes down the side?

545

546 A: Yes, it does.

547

548 Q1: Normal patrol footwear?

549

550 A: Black boots, yes.

551

552 Q1: Briefing, did you guys have briefing?

553

554 A: We did have briefing.

555

556 Q1: Do you normally have briefing on 12 plan?

557

558 A: Yes, we do.

559

560 Q1: How - how - how long is a briefing, ah, for 12 plan?

561

562 A: It depends how many calls for service we have pending, but typically 20
563 minutes to 30 minutes.

564

565 Q1: And how about last night?

566

567 A: It was approximately 20 to 30 minutes.

568

569 Q1: This being your quote-unquote Friday, unless you have a training day
570 tomorrow, I don't know if you do or not?

571

572 A: No.

573

574 Q1: This being your quote-unquote Friday, do you load and unload your vehicle
575 every night, or does it stay loaded throughout the week?

576

577 A: It stays loaded. My vehicle stays loaded.

578

579 Q1: So with the briefing being 20 to 30 minutes, would it be fair to say that, uh,
580 after briefing, you pretty much go into service?

581

582 A: Yes.

583

584 Q1: Okay. Um, in that patrol car, ha- explain to me your patrol car. Um, w- how
585 does it appear?

586

587 A: I have a, uh, a bag that is seated on the passenger seat, which has my
588 organizational - organizational folders, which include paperwork. I have a
589 ticket book. On the floorboard, I tend to carry wipes for my hands, and
590 various items that I need throughout the shift.

591

592 Q1: Um, what about the exterior of the vehicle?

593

594 A: Exterior of the we- the vehicle has the authorized Sheriff's Office logo
595 throughout it.

596

597 Q1: Uh-huh.

598

599 A: Um, the exterior of the vehicle also has the push bar on the front.

600

601 Q1: All right.

602

603 A: S- the, uh, the lights to the vehicles as well; white lights r- and red flashing
604 lights.

605

606 Q1: Fair to say it's a standard patrol vehicle?

607

608 A: Yes.

609

610 Q1: Um, nothing unusual about, say, that vehicle as opposed to, you know, the
611 next deputy's vehicle?

612

613 A: No.

614

615 Q1: Does it come equipped with video, uh, dash cam type equipment?

616

617 A: It does have a camera.

618

619 Q1: Um, to your knowledge, it was it working...

620

621 A: Yes, it was.

622

623 Q1: ...last night? Does that, um, video equipment, um, ha- ha- does it also come
624 with some form of audio...

625

626 A: It does.

627

628 Q1: ...type recording device?
629
630 A: This one's a mic.
631
632 Q1: How does that work?
633
634 A: The microphone is, uh, typically carried in the, uh, center console area. It
635 charges during the nighttime, or during when you go OD.
636
637 Q1: Mm-hm.
638
639 A: And you clip it onto your duty belt when you're ready to go on duty.
640
641 Q1: So is that where you - you wear your microphone, on your - your duty belt?
642
643 A: K- on the duty belt, yes.
644
645 Q1: What activates the recording or the audio, whether it's video or audio? What -
646 what octivates - activates that?
647
648 A: When you turn on your red lights.
649
650 Q1: Okay.
651
652 A: You can also turn it on by pressing a red button on the side of the microphone.
653
654 Q1: When you say microphone, you're talking about that thing that's on your...
655
656 A: Yes.
657
658 Q1: ...your duty belt?
659
660 A: The - yes.
661
662 Q1: So you can manually activate...
663
664 A: Yes.
665
666 Q1: ...that? Okay. Um, can you also manually activate the video, or just with the -
667 the lights?
668

669 A: You can, uh, you can turn on the video itself by pressing the red record button
670 on the, uh, device itself. Yes.
671

672 Q1: Now, in your - your - your patrol vehicle, um, is it standard that they are
673 equipped with, say, a shotgun?
674

675 A: Yes.
676

677 Q1: Um, are you also, ah, AR-qualified, or do you have an AR?
678

679 A: I do not have an AR.
680

681 Q1: So just a shotgun?
682

683 A: Just a shotgun, yes.
684

685 Q1: And your - your sidearm?
686

687 A: Right.
688

689 Q1: Okay. Um, do you personally, um, carry any other forms of recording
690 equipment? Body worn cameras? Do you have your personal recording
691 device, maybe, that you carry on your person throughout your shift?
692

693 A: I don't have the body camera; I do have my department issued recorder, yes.
694

695 Q1: Do you carry that on your person?
696

697 A: I do.
698

699 Q1: Oh, okay. Um, after going into service tonight, uh, I - I - I - I - I understand
700 that at - at some point, there was this call for service that we're here to speak
701 about now. Did you have an opportunity to do any self-initiated or radio calls
702 for activity prior to this call coming out?
703

704 A: There was...
705

706 Q1: 'Cause I understand it was pretty soon into your shift, right?
707

708 A: Yes. There was one radio call that I received as soon as I logged on, and it
709 was for a vehicle vandalism.
710

711 Q1: Cold?
712
713 A: Cold, yes.
714
715 Q1: And by cold, I mean prior?
716
717 A: Yes.
718
719 Q1: Um, okay. Um, and that was the only...
720
721 A: That was the only call.
722
723 Q1: ...call for service?
724
725 A: Yes
726
727 Q1: No selfish-nayshed - initiated vehicle stops or anything like that?
728
729 A: There was no time for that, no.
730
731 Q1: Um, and eventually, we - we came to this call for service.
732
733 A: Yes.
734
735 Q1: Do you - were you in service when this call came out, or were you still on
736 your vandalism call?
737
738 A: I was on the vandalism call, and I was finishing that up when I heard...
739
740 Q1: What...
741
742 A: ...this call come out. Yes.
743
744 Q1: This would have been in Saratoga, the vandalism call?
745
746 A: The - yes it was. It was o- it was on Fredericksburg.
747
748 Q1: Fredericksburg, okay. So, if you're finishing up this call, your - your
749 vandalism call for service as this one's coming out, did you immediately begin
750 to respond to this - this call?
751
752 A: Once I cleared my information with the vandalism call...

753
754 Q1: Mm-hm.
755
756 A: ...yes, I responded.
757
758 Q1: Um, and how soon after the dispatch did you clear your vandalism call?
759
760 A: When dispatch gave the information?
761
762 Q1: Yeah.
763
764 A: It was less - I would say, between...
765
766 Q1: S-...
767
768 A: ...five to seven minutes.
769
770 Q1: So five to seven minutes, so not immediate, but not very delayed.
771
772 A: Right.
773
774 Q1: Do you remember approximately what the time of call was, um, that we're
775 speaking about?
776
777 A: I can give you an estimation.
778
779 Q1: Sure.
780
781 A: Um, approximately, I'll go 7:50.
782
783 Q1: 1950, 5-0?
784
785 A: Mm-hm. Yeah.
786
787 Q1: Okay. Um, which w- and do you remember who they dispatched it to?
788
789 A: To my partner, yes.
790
791 Q1: Which is who?
792
793 A: 81 Sam 5, Deputy (Reyes).
794

795 Q1: Deputy (Reyes), 81 Sam 55, uh, responding to, um, this call. And what type of
796 call was it?
797

798 A: It was a welfare check on two individuals at a residence.
799

800 Q1: Do you remember what the address was or where it was?
801

802 A: It was on Titus - the Street Titus.
803

804 Q1: Okay. And from Fredericksburg, how long would you say it took you after
805 you started responding five to seven minutes later to - to arrive on Titus?
806

807 A: Five minutes.
808

809 Q1: Who was on scene when you arrived?
810

811 A: Deputy (Reyes) and Deputy (Weirock).
812

813 Q1: Deputy (Weirock) - what, uh, unit is he?
814

815 A: 81 Henry 1.
816

817 Q1: Henry 1, I guess being the Los Santa Cruz Mountains, right?
818

819 A: Yes.
820

821 Q1: Was, um, and he was there prior to you?
822

823 A: He was.
824

825 Q1: So Deputy (Reyes) and Deputy (Weirock) were on scene, uh, and then you
826 arrived. Um, when you arrived, um, were you able to make visual contact
827 immediately with those two deputies?
828

829 A: Deputy (Reyes) was standing in the - in the front of the residence, so he was
830 the first person I talked to on scene.
831

832 Q1: Do you remember, um, what it was that he had told you? I mean, I understand
833 you went to, I believe you called it a welfare check, two individuals on Titus.
834

835 A: Yes. Yes.
836

837 Q1: Um, what it was that he mentioned to you when you arrived?
838
839 A: That he was unable to make contact at the residence.
840
841 Q1: Um, did he say how he had tried to make contact?
842
843 A: He's knocked on the door.
844
845 Q1: And no response?
846
847 A: There was no response.
848
849 Q1: Then what happened?
850
851 A: Then I continued also attempting to knock on the door.
852
853 Q1: The front door?
854
855 A: The front door, yes.
856
857 Q1: Um, when you approached the front door, um, were there any cars in the
858 driveway?
859
860 A: There was not. No.
861
862 Q1: Well, did you happen to notice if there was a, um, a garage door to the
863 residence?
864
865 A: There was a garage door.
866
867 Q1: Did you notice if it was up or down?
868
869 A: It was down.
870
871 Q1: It was down?
872
873 A: Yes.
874
875 Q1: Did you, um, so as I'm going up the driveway to the residence, how - what am
876 I looking at as I'm going up the driveway?
877
878 A: You're looking at a garage door which is fully down.

879

880 Q1: Okay.

881

882 A: It had windows on the top of it.

883

884 Q1: Okay.

885

886 A: But you were unable to see through those specific types of windows.

887

888 Q1: You notice any lights on around the house or residence or inside, outside?

889

890 A: The only light that I saw was, um, the, uh, the sunroof area of the house.

891

892 Q1: Like a skylight?

893

894 A: There's a skylight, yes.

895

896 Q1: Okay. And so you can see a light on from the skylight?

897

898 A: Faint light coming from that.

899

900 Q1: So where's the - the front door?

901

902 A: The front door?

903

904 Q1: Yeah. 'Cause you mentioned a garage straight ahead.

905

906 A: Garage here. The front door was directly to the right...

907

908 Q1: To the right?

909

910 A: ...of the garage.

911

912 Q1: Okay. Um, I'm assuming, correct me if I'm wrong, um, as you're trying to
913 make contact, the door is shut then?

914

915 A: The door was shut. Yes.

916

917 Q1: How - how is the front door appear, if you can remember?

918

919 A: The front door appeared to be a wooden door.

920

921 Q1: Were there any other types of doors?
922
923 A: No.
924
925 Q1: Um, and when you tried to make contact, was this by knocking, doorbell,
926 both? How did you try to make contact?
927
928 A: There was knocking. I also used my flashlight to knock on the door to create a
929 louder sound. And it also had a knocker on the, uh, top of the door.
930
931 Q1: Um, did you voice anything?
932
933 A: Yes, Sheriff's Office. Is there anybody in there?
934
935 Q1: Any - no verbal or contact?
936
937 A: I did not hear anything verbally, no.
938
939 Q1: Okay. Um, did you go up to the door by yourself or did (Reyes) or (Weirock)
940 go with you?
941
942 A: Deputy (Reyes) was also in the same vicinity, yes.
943
944 Q1: Okay.
945
946 A: By the door.
947
948 Q1: Um, (Weirock)?
949
950 A: (Weirock) was around the house attempting to look through anything to see
951 any visual throughout the house.
952
953 Q1: What do you mean by around the house?
954
955 A: He was in the backyard.
956
957 Q1: Oh, okay. Um, at some point though there's no response?
958
959 A: There is, no. There's nothing.
960
961 Q1: So then what do you guys do?
962

963 A: Um, I went to my patrol vehicle to obtain the phone number to the reporting
964 party to give them a call.
965
966 Q1: Okay. Uh, and did you call it?
967
968 A: I did call.
969
970 Q1: And who - who was that or what did they say?
971
972 A: It was the granddaughter.
973
974 Q1: Do you remember her name?
975
976 A: To the couple. I believe her name was
977
978 Q1: And what did she say?
979
980 A: She said that she was concerned about both her grandparents because she - she
981 was unable to get a hold of them. She called them multiple times and was
982 unable to speak to them.
983
984 Q1: Did she mention how long she'd been trying to get a hold of them?
985
986 A: Throughout the whole day.
987
988 Q1: Just today or did she say more than today or just today?
989
990 A: She said it was more today but she was more concerned about today
991 specifically.
992
993 Q1: Um, did she provide a reason why she was so concerned?
994
995 A: Um, after I called her a second time was...
996
997 Q1: Oh, not immediately though?
998
999 A: No.
1000
1001 Q1: Okay. How long would you say you spoke to her?
1002
1003 A: One to two minutes.
1004

1005 Q1: After that conversation, um, well during that conversation, (Reyes) and
1006 (Weirock) are with you or is...
1007

1008 A: No, they were still attempting to make contact throughout the house.
1009

1010 Q1: Prior to going and - and using the phone, were you able to talk to (Weirock)
1011 about what he found in the back?
1012

1013 A: Yeah.
1014

1015 Q1: After that conversation, then what?
1016

1017 A: I, uh, after I hung up the phone with her?
1018

1019 Q1: The first time. Yeah.
1020

1021 A: Okay. Um, I also attempted to go back to the residence to see if I can peer
1022 through the, uh, the most southern part of the house.
1023

1024 Q1: The most southern part? So if I'm looking at the house, would that be towards
1025 the right then?
1026

1027 A: Yes.
1028

1029 Q1: And what did you find?
1030

1031 A: There's multiple windows but I could not see through them. They were all
1032 covered.
1033

1034 Q1: Did you notice any further lights on at all?
1035

1036 A: No.
1037

1038 Q1: Then what?
1039

1040 A: Then I, uh, spoke to Deputy (Reyes) and he said attempt to make contact with
1041 the neighbors. See if they have any information, possibly a - a key to the
1042 house.
1043

1044 Q1: Oh, okay.
1045

1046 A: That's what I did. Knocked, rang the doorbell and made contact with their
1047 neighbor.
1048

1049 Q1: Do you remember which neighbor?
1050

1051 A: It's, uh, if I'm facing the residence, it's the neighbor to the, uh, to the left.
1052

1053 Q1: Directly to the left?
1054

1055 A: Yes.
1056

1057 Q1: Um, I'm sorry, you said you - you spoke with the neighbor?
1058

1059 A: I did.
1060

1061 Q1: And how did that go?
1062

1063 A: He said that he didn't recall the last time he - he saw them, both (Eugene) and
1064 his wife. Um, I asked him if they - if they decided to go on a vacation. If he
1065 knows typically their hangout spots and he did inform me that the female half
1066 does go on walks, but typically during the day. During the night, she stays
1067 home.
1068

1069 Q1: Did he happen to recall or remember the last time he saw her on a walk?
1070

1071 A: No.
1072

1073 Q1: Um, I take it he didn't have a key?
1074

1075 A: Uh, he provided a key but it was an old key. It did not work.
1076

1077 Q1: Oh. And then what?
1078

1079 A: Um, I talked to him further, uh, to see if they have a vehicle inside the house.
1080 He said yes. It's typically kept in the garage. And I also asked him if he knew
1081 of anyone that could assist us with trying to get a hold of (Eugene) and his
1082 wife. And he did provide a phone number and he dialed the phone number on
1083 his personal cell phone.
1084

1085 Q1: Was this to Eugene and his wife or to somebody else?
1086

1087 A: This phone call was to an individual named . They're good friends with
1088 both the neighbor, which I believe his name is and (Eugene) and his
1089 wife.
1090

1091 Q1: Uh, did you speak to
1092

1093 A: He - spoke - spoke to first and asked him via the telephone if he
1094 knew where they could be. And stated that they should be at the house.
1095 Their routine is pretty straightforward so. And then he passed the phone along
1096 to me and I spoke to him fur-, uh, further.
1097

1098 Q1: And what did he say?
1099

1100 A: He said their - their routine is pretty straightforward. Sometimes the elderly
1101 lady goes on walks throughout the day or during the day. She returns and
1102 typically (Eugene) stays home and sleeps a lot of the day since he's had a heart
1103 issues in the past.
1104

1105 Q1: Mm.
1106

1107 A: He, uh, did express concern about their prior dinner, which was, uh, they
1108 typically have dinner every Wednesday.
1109

1110 Q1: I'm sorry, together?
1111

1112 A: Together, yeah.
1113

1114 Q1: Okay.
1115

1116 A: And he did mention a concerning conversation that he heard (Eugene) have
1117 with his wife.
1118

1119 Q1: And what did he say about that conversation?
1120

1121 A: While they were at dinner, (Eugene)'s wife was going to grab something
1122 inside the vehicle. Uh, (Eugene) was somewhere around the vehicle and did
1123 not like his wife's, um, how long she was taking to grab. I believe he referred
1124 to it as a gift. (Eugene) yelled at her, and something - something along the
1125 lines of, "If you don't hurry up, I'm going to bash your head against the trunk."
1126 So, did express some concern and at one point, he said he was
1127 concerned about murder-suicide in regards to (Eugene) hurting his wife and
1128 also himself.

1129

1130 Q1: Did he provide any - other than that - that Wednesday dinner...

1131

1132 A: Mm-hm.

1133

1134 Q1: ...did he provide any further background as to what would make him think
1135 such extreme thoughts?

1136

1137 A: He did mention in the past that he - that (Eugene) does constantly harp and
1138 yell at. I don't know her specific name. I just know at his wife. And he did
1139 mention that she takes it. She doesn't say anything back.

1140

1141 Q1: Did he mention anything about, um, other than what you expressed already,
1142 any - any specific threats about harming or killing or anything like that?

1143

1144 A: The spec- the threat that he did mention was him with the trunk, hitting her
1145 with the trunk.

1146

1147 Q1: Would you say he seemed pretty concerned then?

1148

1149 A: By the way his - the tone of his voice, definitely, yes.

1150

1151 Q1: So what did - so what did you think now, uh, about trying to make contact at
1152 this house?

1153

1154 A: I believe that it was pretty - pretty important that we try to get a hold of
1155 someone immediately.

1156

1157 Q1: All right. Um, was there anything more in this conversation with (Jim), uh,
1158 that you had?

1159

1160 A: I got off the phone with him and I did tell him if we - if we could further talk
1161 and if he would be available.

1162

1163 Q1: All right.

1164

1165 A: He said yes. I also talked to the neighbor a little bit further.

1166

1167 Q1: And did he provide any further information? Pertinent information?

1168

1169 A: Uh, I asked (Steven) if he knew about guns in the household. And he said he
1170 was not sure of guns, but he did know that (Eugene) was prior military.

1171
1172 Q1: Okay, and then what?
1173
1174 A: I gave the in- information to my partners, Deputy (Reyes) and Deputy
1175 (Weirock).
1176
1177 Q1: And then?
1178
1179 A: And then Deputy (Reyes) called my sergeant.
1180
1181 Q1: Who is?
1182
1183 A: Sergeant (Ulrich).
1184
1185 Q1: Okay. Um, and then what?
1186
1187 A: And then I called the daughter again.
1188
1189 Q1: The daughter?
1190
1191 A: The granddaughter.
1192
1193 Q1: The granddaughter.
1194
1195 A: Sorry.
1196
1197 Q1: Okay. And how did that conversation go?
1198
1199 A: I asked her if there was any phone number, any other phone numbers that we
1200 can use to get a hold of her grandparents. She said there was a cell phone
1201 number but they typically keep it off. They only use it when they go out.
1202
1203 Q1: Did she provide that number?
1204
1205 A: No. She said she did not know it.
1206
1207 Q1: Uh, what else did she say?
1208
1209 A: She started to be, uh, started becoming more concerned about the situation
1210 since we were unable to get a hold of both of her grandparents. And I asked
1211 her if there was any conversation she's had recently with either of them. She
1212 did mention that her mother had spoken to (Eugene) via telephone and

1213 expressed some dev- she - she described it as devastating news. When I asked
1214 her to elaborate, she did not want to elaborate. She started almost - it sounded
1215 like she was crying over the phone.

1216
1217 Q1: She didn't elaborate but did she talk about, you know, any reactions to
1218 whatever this news were - was?

1219
1220 A: Well, the news...

1221
1222 Q1: On (Eugene)'s part or her mother's part or? I understand she didn't say what
1223 the news was but how did it go over?

1224
1225 A: Right - right. She did mention that her mother said that (Eugene) was pretty
1226 upset.

1227
1228 Q1: And did she say when that conversation took place?

1229
1230 A: I believe it was the night before - the day before.

1231
1232 Q1: The day before?

1233
1234 A: Yes.

1235
1236 Q1: The day before yesterday or last night?

1237
1238 A: Yes.

1239
1240 Q1: Okay. Uh, and then did she pass on any other further information?

1241
1242 A: No.

1243
1244 Q1: Okay. Um, so, you ended the conversation with um, and one of
1245 your partners has now called your sergeant.

1246
1247 A: Yes.

1248
1249 Q1: And then what happened?

1250
1251 A: The sergeant arrived on scene and was briefed on the situation.

1252

1253 Q1: So at the point now where, uh, Sergeant (Ulrich) has now arrived on scene,
1254 how long would you say you guys have been there?
1255

1256 A: At least 30 minutes, approximately 30 minutes.
1257

1258 Q1: Enough time for a phone call to well, enough time for attempting
1259 contact. A phone call to contacting the neighbor who contacted
1260
1261

1262 A: Yes.
1263

1264 Q1: And then contacting again. Um, okay, so at least 30 minutes?
1265

1266 A: Yes.
1267

1268 Q1: So, uh, after Sergeant (Ulrich) arrived, um, what did you guys do next?
1269

1270 A: We continued to knock on the door.
1271

1272 Q1: When you say the door, you mean the front door?
1273

1274 A: The front door. Yes.
1275

1276 Q1: Um, did anybody branch out from that or did you all just remain at the front
1277 door?
1278

1279 A: I - I was at the front door.
1280

1281 Q1: Mm-hm.
1282

1283 A: Sergeant (Ulrich) was also knocking on the door.
1284

1285 Q1: Mm-hm.
1286

1287 A: Um, I can't recall where Deputy (Weirock) was at the time. At one point we
1288 did go into the backyard as well.
1289

1290 Q1: We, uh, who we?
1291

1292 A: Deputy - Deputy (Reyes), Sergeant (Ulrich), myself, as well as the neighbor,
1293
1294

1295 Q1: Oh, as well?
1296
1297 A: Yes.
1298
1299 Q1: Okay. What happened then?
1300
1301 A: We attempted to look through sliding doors, windows, everything was
1302 covered. There was a faint light from a sliding door but we couldn't make
1303 anything out, since it was also covered.
1304
1305 Q1: All covered?
1306
1307 A: All covered.
1308
1309 Q1: Um, I understand there was a faint light I guess from inside?
1310
1311 A: The interior, yes.
1312
1313 Q1: Was - you're in the backyard now, right?
1314
1315 A: Yes.
1316
1317 Q1: Was there any lighting in the backyard at all?
1318
1319 A: No.
1320
1321 Q1: Completely dark?
1322
1323 A: It was dark.
1324
1325 Q1: So when you guys are walking back there, um, did you have to use your
1326 flashlights to get back there?
1327
1328 A: Yes.
1329
1330 Q1: Was this your personal first time going into the backyard?
1331
1332 A: It was.
1333
1334 Q1: When you went back there, did you notice any gates to get to the backyard?
1335
1336 A: There was a gate that was locked, yes.

1337
1338 Q1: Where was that gate?
1339
1340 A: The gate?
1341
1342 Q1: Yeah.
1343
1344 A: Directional wise?
1345
1346 Q1: Yeah, if I'm looking at the house, where was that gate?
1347
1348 A: To the north.
1349
1350 Q1: Uh, which I guess would be the left...
1351
1352 A: To the left, yeah.
1353
1354 Q1: ...as you're looking at the house.
1355
1356 A: Yes.
1357
1358 Q1: Um, immediately as you're going into the side yard, backyard, or is it further
1359 in?
1360
1361 A: That gate?
1362
1363 Q1: Yeah.
1364
1365 A: It's imm- immediately in front of you.
1366
1367 Q1: And it was locked?
1368
1369 A: It was locked.
1370
1371 Q1: Um, when you say locked, you mean like padlocked, um?
1372
1373 A: It was locked with a padlock.
1374
1375 Q1: Padlock?
1376
1377 A: Yes.
1378

1379 Q1: Um, so how did you guys get into the backyard?
1380
1381 A: I don't know if the - if the lock was unlocked or if we had to cut it. I wasn't
1382 there to see that.
1383
1384 Q1: Oh. So was that gate open prior to you going back there then that time?
1385
1386 A: What do you mean by that?
1387
1388 Q1: Well, you mentioned that the gate was locked.
1389
1390 A: Mm-hm.
1391
1392 Q1: Um, but you said that you weren't there to see how it was opened.
1393
1394 A: Right.
1395
1396 Q1: So when you went to the backyard the first time, personally...
1397
1398 A: Mm-hm.
1399
1400 Q1: ...was that gate already open then?
1401
1402 A: Yes.
1403
1404 Q1: Oh, okay.
1405
1406 A: Yes.
1407
1408 Q1: Um, it wasn't closed when you showed up and you guys had to open it. It was
1409 already open?
1410
1411 A: It was open, yes.
1412
1413 Q1: Okay. So then you guys start to proceed towards the backyard.
1414
1415 A: Right.
1416
1417 Q1: Uh, were these windows - immediately as you're going down the side yard,
1418 did you have to go around? What...
1419

1420 A: We went around. So immediately once we entered the gate, there was a
1421 wooden door which led to the garage. That was locked.
1422

1423 Q1: Okay.
1424

1425 A: And we continued on around sliding doors, windows, everything was closed.
1426

1427 Q1: Closed and...
1428

1429 A: Locked and closed.
1430

1431 Q1: And covered you mentioned?
1432

1433 A: Covered. Covered, yes.
1434

1435 Q1: Okay. So I know I asked, but you guys had to use your flashlights because it
1436 was dark?
1437

1438 A: Yes.
1439

1440 Q1: Okay. Um, with those - all those doors in the back being locked, closed, and
1441 you mentioned covered, then what did you guys do?
1442

1443 A: We knocked on some of the sliding doors.
1444

1445 Q1: Oh, really?
1446

1447 A: Yeah.
1448

1449 Q1: And?
1450

1451 A: I - I attempted get on my chest to see if I could see anything at the very
1452 bottom of one of the sliding doors because it was covered but you can see
1453 slight light but I was unable to make anything out.
1454

1455 Q1: So when you're in the backyard knocking on the doors, tapping on the glass,
1456 getting down to try and see, was you or any of your partners trying to make
1457 verbal contact as well?
1458

1459 A: Yes.
1460

1461 Q1: How?
1462
1463 A: Sheriff's office. Sheriff's office, is there anybody in there?
1464
1465 Q1: Uh-huh. Any verbal response at all?
1466
1467 A: I didn't hear anything.
1468
1469 Q1: Could you, okay. You couldn't hear anything coming from inside?
1470
1471 A: I could not hear anything.
1472
1473 Q1: Detect any movement at all?
1474
1475 A: No.
1476
1477 Q1: No? Did it appear as if somebody was home or were you not sure? Did it
1478 appear nobody was home?
1479
1480 A: Based on the lighting, I believed somebody was home.
1481
1482 Q1: Okay.
1483
1484 A: Prior to me going into the backyard, there was a light that flickered on to the
1485 interior, then flickered off shortly after.
1486
1487 Q1: Where were you when you noticed that light flicker?
1488
1489 A: I was standing approximately at least seven feet away from the front door.
1490
1491 Q1: Okay. Was this through a window I'm assuming?
1492
1493 A: Through a window directly to the left of the front door.
1494
1495 Q1: So you - when it was dark prior to that light coming on, were you able to
1496 actually see inside to see...
1497
1498 A: No.
1499
1500 Q1: ...when that light came on, were you able to see inside?
1501
1502 A: No.

1503
1504 Q1: And then naturally when it went off, you still couldn't see inside?
1505
1506 A: No.
1507
1508 Q1: Um, so after no contact in the backyard, then what?
1509
1510 A: We exited the backyard.
1511
1512 Q1: And what happened then? Um, before you get - everybody exited the
1513 backyard?
1514
1515 A: I exited the backyard with and Sergeant (Ulrich). Yes.
1516
1517 Q1: Okay, and so (Reyes) remained in the backyard then?
1518
1519 A: I don't know if he exited with us. I don't recall.
1520
1521 Q1: Okay. And you're still not sure where (Weirock) is?
1522
1523 A: I don't remember where he was.
1524
1525 Q1: Okay. Go ahead.
1526
1527 A: I lost my question, I'm sorry.
1528
1529 Q1: You guys came out of the backyard.
1530
1531 A: Okay. We came out of the - the backyard and the neighbor,
1532 attempted to knock on the door and use his voice possibly as a comfort for
1533 both the individuals to come to the door. So he knocked on the door.
1534
1535 Q: This was the front door?
1536
1537 A: This was the front door, yes.
1538
1539 Q1: Still no response?
1540
1541 A: No response.
1542
1543 Q1: And then what?
1544

1545 A: Shortly after, two individuals drove their vehicle onto Titus and they, uh, they
1546 advised me that they were family friends to both (Eugene) and his wife.
1547
1548 Q1: Did they identify themselves?
1549
1550 A: I don't recall their names.
1551
1552 Q1: But they did?
1553
1554 A: They said they were family and friends and called them which was the
1555 individual I spoke to on the phone...
1556
1557 Q1: Right.
1558
1559 A: ...prior. expressed concern. They - he believed it was a good idea for
1560 them to be there.
1561
1562 Q1: Uh, the people that showed up?
1563
1564 A: Yes.
1565
1566 Q1: Okay. Um, and did they say anything else?
1567
1568 A: I spoke to the male half, uh, briefly away from the residence.
1569
1570 Q1: Sorry.
1571
1572 A: Briefly, uh, away from the residence and he was, uh, extremely concerned in
1573 regards to the elderly female. He wanted to know if she was okay.
1574
1575 Q1: Um, did he say any reason why he was particularly concerned about her?
1576
1577 A: He said that he spoke to (Eugene) recently via telephone. (Eugene) was very
1578 angry in regards to the family issue. I - I was - I don't - don't know the exact
1579 issue with the family, but he did mention that he was concerned for the
1580 elderly's - for the elderly female.
1581
1582 Q1: Over (Eugene)'s issues with the family.
1583
1584 A: With an issue with the family, yes.
1585
1586 Q1: Um, what else did he say?

1587
1588 A: He did also mention that (Eugene) carries a gun under his pillow. He hides it
1589 there. He provided that information.
1590
1591 Q1: Did he say what type?
1592
1593 A: No.
1594
1595 Q1: Something small enough to fit under a pillow then.
1596
1597 A: A handgun, yes.
1598
1599 Q1: Um, did he say anything else?
1600
1601 A: No.
1602
1603 Q1: So then what did you guys do?
1604
1605 A: I gave the information to my sergeant, briefed Deputy (Reyes) and Deputy
1606 (Weirock). (Weirock) advised radio to check (Eugene) for firearms.
1607
1608 Q1: And what'd they discover?
1609
1610 A: He had multiple firearms registered under his name.
1611
1612 Q1: Um, would you say multiple, like two, or multiple like ten?
1613
1614 A: I don't know the exact number, but from what I recall dispatch giving us, they
1615 said he had multiple firearms.
1616
1617 Q1: Okay. Um, so now you've spoken to these two individuals. Uh, one of them
1618 ha- mentions a - a handgun. Um, you've, uh, now checked (Eugene), who -
1619 and discover he's got multiple firearms. Then what?
1620
1621 A: Um, we talked it over and based on the totality of the circumstances, we
1622 believed it was very important to make contact and speak to people inside the
1623 residence. So at that point my sergeant told us to put on our headgear.
1624
1625 Q1: I'm sorry, your what?
1626
1627 A: Our headgear. Our helmets.
1628

1629 Q1: Headgear, okay.
1630
1631 A: To protect us from firearms and bullets that can present a threat from the
1632 interior of the house, since he had so many firearms registered under his
1633 name.
1634
1635 Q1: Right. Okay. So after you guys don your headgear, uh, then what happened?
1636
1637 A: We position a patrol vehicle, um, inside the driveway of the house to provide
1638 cover.
1639
1640 Q1: Okay, uh, whose - whose vehicle?
1641
1642 A: Deputy (Weirock)'s vehicle.
1643
1644 Q1: Um, what type of vehicle is that?
1645
1646 A: It's an SUV with ballistic panel doors.
1647
1648 Q1: When he went up, um, when he drove his car up the driveway, uh, for cover,
1649 did he activate any lighting equipment? Like, uh, well, how about this? Did he
1650 put on any emergency lighting equipment?
1651
1652 A: He put on his white lights, front facing white lights and, uh, spotlights. Both
1653 the right and the left spotlight.
1654
1655 Q1: When you say th- the white lights to the front, you're talking about his
1656 headlights?
1657
1658 A: No, the, uh, the spotlights that are positioned near the driver's side window
1659 and the passenger's side window.
1660
1661 Q1: Just the spotlights or his headlights also?
1662
1663 A: The headlights were also on.
1664
1665 Q1: Okay.
1666
1667 A: Yes.
1668
1669 Q1: So, uh, basically two sets of lights.
1670

1671 A: Yes.
1672
1673 Q1: Um, two headlights and two spotlights.
1674
1675 A: Correct.
1676
1677 Q1: Um, and how did he position his vehicle?
1678
1679 A: He positioned it straight towards the garage. Then I moved a - the right
1680 spotlight towards the front of the door.
1681
1682 Q1: Right spotlight towards the front door.
1683
1684 A: Yes.
1685
1686 Q1: Um, is, and you mentioned this is Deputy Whi- (Weirock)'s vehicle?
1687
1688 A: Yes.
1689
1690 Q1: Uh, and that it's an SUV?
1691
1692 A: Correct.
1693
1694 Q1: Do you know if it's equipped with recording equipment?
1695
1696 A: It is.
1697
1698 Q1: Do you know if any of his recording equipment was, well, number one,
1699 functional?
1700
1701 A: I don't know that.
1702
1703 Q1: Or number two, o- operating at the time.
1704
1705 A: I don't know that.
1706
1707 Q1: Okay. Um, and along those lines was any of the video recording equipment on
1708 your car ever activated?
1709
1710 A: It was not.
1711

1712 Q1: What about your audio recordings? Did you activate either your car audio
1713 recordings or your personal recording device during this time?
1714

1715 A: No. No.
1716

1717 Q1: Okay. Um, so after Deputy (Weirock)'s vehicle is positioned in the driveway...
1718

1719 A: Mm-hm.
1720

1721 Q1: ...uh, pulled into the driveway, you face the spotlight towards the right, the
1722 front door. Uh, then what?
1723

1724 A: And we attempted to kno- knock on the door again.
1725

1726 Q1: The front door.
1727

1728 A: The front door.
1729

1730 Q1: Okay.
1731

1732 A: Yes.
1733

1734 Q1: Um, if you have your helmets on, you've pulled a car in, uh, for cover, what -
1735 how was your positioning now - positioning now that you're knocking on the
1736 front door? Were you just standing knocking? Were you, uh, in a tactical
1737 position? H- how was - how were you guys now positioned to knock on the
1738 door?
1739

1740 A: I was positioned to the, if I'm facing the front door, I was positioned to the
1741 right of the front door.
1742

1743 Q1: Okay.
1744

1745 A: Um, beneath the windows, which are slightly elevated above me.
1746

1747 Q1: Okay.
1748

1749 A: Sergeant (Ulrich) was knocking on the door and then we made the decision to
1750 force entry.
1751

1752 Q1: Um, knowing that, um, this subject has multiple, uh, firearms registered to
1753 him and having your equipment on, were you guys also now armed in any
1754 way?
1755
1756 A: Yes.
1757
1758 Q1: Um, describe that to me.
1759
1760 A: I was armed with my firearm.
1761
1762 Q1: Your sidearm?
1763
1764 A: My sidearm, yes.
1765
1766 Q1: Your - your pistol?
1767
1768 A: Yes.
1769
1770 Q1: Uh, what about the - your partners?
1771
1772 A: Deputy (Weirock) was armed with his assault, uh, his rifle.
1773
1774 Q1: By rifle, you mean AR-15?
1775
1776 A: Yes.
1777
1778 Q1: Okay. What about your other partner?
1779
1780 A: Deputy (Reyes) has had his cider.
1781
1782 Q1: Okay, and I guess now the sergeant's there. Does he have his firearm?
1783
1784 A: Um, I - he has - he had his firearm on his belt, but he was forcing entry. I
1785 believe he did not have it in his hand.
1786
1787 Q1: So you guys are at the front door?
1788
1789 A: Yes.
1790
1791 Q1: Knocking, no response. And you said you start to force entry.
1792
1793 A: Yes.

1794
1795 Q1: And...
1796
1797 A: We identified ourselves of the Sheriff's Office again.
1798
1799 Q1: When you are trying to identify yourselves as Sheriff's Office, this is naturally
1800 verbal, correct?
1801
1802 A: Correct.
1803
1804 Q1: Any, uh, use of any equipment like amplification equipment, uh, PAs or
1805 anything like that, or just...
1806
1807 A: No.
1808
1809 Q1: ...uh, just your voices?
1810
1811 A: Our voices.
1812
1813 Q1: Um, normal tone of voice, yelling, h- how was that?
1814
1815 A: Yelling, elevated.
1816
1817 Q1: Okay.
1818
1819 A: Yes.
1820
1821 Q1: Any response?
1822
1823 A: No.
1824
1825 Q1: You now are starting to, uh, force entry, you said. How did - how are - how
1826 are you doing that?
1827
1828 A: Sergeant (Ulrich) attempted to kick in the front door.
1829
1830 Q1: And how did that go?
1831
1832 A: He was unsuccessful.
1833
1834 Q1: Um, how many attempts would you say he tried?
1835

1836 A: Approximately five.
1837
1838 Q1: Um, being unsuccessful, then what?
1839
1840 A: We decided to move to the backyard.
1841
1842 Q1: Okay. Uh, the whole team?
1843
1844 A: Sergeant (Ulrich), Deputy (Weirock) were the first. I was third.
1845
1846 Q1: Okay. And Deputy (Reyes)?
1847
1848 A: Deputy (Reyes) was fourth.
1849
1850 Q1: So the whole team moved to- towards the back?
1851
1852 A: Yes.
1853
1854 Q1: Okay, and then what?
1855
1856 A: Sergeant (Ulrich) kicked in the door directly - directly east of the gate.
1857
1858 Q1: Okay.
1859
1860 A: Sergeant (Ulrich) was able to gain entry to the garage.
1861
1862 Q1: That door led to the garage.
1863
1864 A: Yes.
1865
1866 Q1: What'd you see inside the garage?
1867
1868 A: I saw a vehicle inside the garage.
1869
1870 Q1: Okay.
1871
1872 A: Multiple items throughout the wall of the garage.
1873
1874 Q1: Any...
1875
1876 A: It was in tight quarters.
1877

1878 Q1: ...any subject? Any - any persons?
1879
1880 A: I did not see anybody inside the garage.
1881
1882 Q1: Was it light or dark in the garage?
1883
1884 A: It was dim lighting.
1885
1886 Q1: Uh, when you say dim lighting, well there was some lighting, it just...
1887
1888 A: Just...
1889
1890 Q1: ...it wasn't...
1891
1892 A: ...it was...
1893
1894 Q1: ...bright like this.
1895
1896 A: ...it wasn't...
1897
1898 Q1: But it wasn't completely black?
1899
1900 A: It was not black, no.
1901
1902 Q1: Okay. Um, vehicle items, uh, a- any other doors other than of course the big
1903 garage door. But were there any other doors in there that were open?
1904
1905 A: No.
1906
1907 Q1: Um, then what?
1908
1909 A: We moved around the vehicle towards a door that appeared to lead into the
1910 interior of the house.
1911
1912 Q1: Directly towards that door or some other way, whether it be around the
1913 vehicle or...
1914
1915 A: We had - we had - we had to walk around the vehicle. It was tight quarters
1916 around the vehicle.
1917
1918 Q1: All the way around the vehicle or just kinda shimmy down the side?
1919

1920 A: Shimmy - from the front of the vehicle, we made an L towards that door.
1921
1922 Q1: That would be the passenger side then?
1923
1924 A: Yes.
1925
1926 Q1: Okay, towards the door. And that door is open or shut?
1927
1928 A: From what I heard, I believed it was shut. I did not have visual of the door at
1929 that point.
1930
1931 Q1: You said, "From what I heard."
1932
1933 A: Mm-hm.
1934
1935 Q1: Um, what do you mean by that?
1936
1937 A: The door opened.
1938
1939 Q1: You heard the door open?
1940
1941 A: Yeah.
1942
1943 Q1: Okay. Um, when you guys go into the garage and you're going down the side
1944 of the car, are you g- you still in the same order? Sergeant (Ulrich), yourself?
1945
1946 A: No.
1947
1948 Q1: Sergeant (Ulrich), Sergeant (Ulrich), (Weirock), yourself, (Reyes)? Or did,
1949 that was how you guys went into the back, right?
1950
1951 A: Sergeant - correct/ Sergeant (Ulrich), Deputy (Weirock), me third, (Reyes)
1952 fourth.
1953
1954 Q1: And you guys maintain that order as you now move through the garage?
1955
1956 A: Yes.
1957
1958 Q1: Okay. And then with you being third, you said you couldn't see it but you
1959 heard the door open.
1960
1961 A: Yes.

1962
1963 Q1: How - how did it open?
1964
1965 A: I don't know if it was - I was not able to hear if it was kicked in or if it was
1966 opened on its own by someone else.
1967
1968 Q1: But somehow it opened.
1969
1970 A: Some - somehow at one point it did become open, yes.
1971
1972 Q1: Okay. Um, did it sound more like opening or did it sound more like force?
1973
1974 A: I don't - I don't recall.
1975
1976 Q1: Fair enough. And then what happened?
1977
1978 A: Deputy, um, excuse me, Sergeant (Ulrich) had a position to the very right of
1979 that door. He maintained an area of cover while Deputy (Weirock) had a
1980 position facing the wall directly to the left of it.
1981
1982 Q1: And you were?
1983
1984 A: I was directly to the left of Deputy (Weirock).
1985
1986 Q1: And (Reyes)...
1987
1988 A: Was be- behind.
1989
1990 Q1: Next to you?
1991
1992 A: I don't know at that point if he was next to me or if he was coming inside the
1993 garage. I don't know.
1994
1995 Q1: Okay, and then what?
1996
1997 A: Um, I recall Deputy (Weirock) yelling, "Drop the gun, Sheriff's Office, drop
1998 the gun." Sergeant (Ulrich) also giving verbal commands, "Drop the gun."
1999
2000 Q1: When say you heard Deputy (Weirock) say, let me make sure I have this right,
2001 "Drop the gun, Sheriff's Office, drop the gun." Was it just like that? Did he
2002 say it more? Did he say it in different order? Do you - how do you remember
2003 him saying it?

2004
2005 A: I remember don't the exact order, but, "Drop the gun, Sheriff's Office, drop the
2006 gun."
2007
2008 Q1: Okay.
2009
2010 A: "Sheriff's Office."
2011
2012 Q1: Repeated.
2013
2014 A: Re- it was repeated verbal commands as well as Sergeant (Ulrich) giving
2015 similar commands, "Drop the gun, Sheriff's Office."
2016
2017 Q1: At this point, can you see inside the door?
2018
2019 A: I cannot.
2020
2021 Q1: Okay, so then what happened?
2022
2023 A: After the verbal commands, shots were fired.
2024
2025 Q1: Do you recall how many shots you heard?
2026
2027 A: I don't recall how many.
2028
2029 Q1: Um, from your vantage point were you able to see where the shots were
2030 coming from?
2031
2032 A: They were coming from my sergeant, Sergeant (Ulrich).
2033
2034 Q1: Um, do you know - did you fire your weapon?
2035
2036 A: I did not.
2037
2038 Q1: Do you know if Deputy (Weirock) fired his weapon?
2039
2040 A: He did not.
2041
2042 Q1: Do you know if Deputy (Reyes) fired his weapon?
2043
2044 A: No.
2045

2046 Q1: Do you know if anybody inside the house that you couldn't see fired any
2047 weapons?
2048

2049 A: No.
2050

2051 Q1: Um, at the time the shots were fired, uh, from Sergeant (Ulrich), uh, am I
2052 understanding you still could not see inside the house?
2053

2054 A: I could not see inside the house.
2055

2056 Q1: And you still could not see any persons or subjects?
2057

2058 A: It was not until Deputy (Weirock) stepped to the right until I could see the
2059 interior of the house and what was in front of me.
2060

2061 Q1: Would this be after Sergeant (Ulrich) fired his shots then?
2062

2063 A: Yes.
2064

2065 Q1: And when Deputy (Weirock) stepped to the right, and you were able to put
2066 yourself in a position to see inside the house, what did you see?
2067

2068 A: I saw a white male adult on the ground as well as an elderly female standing
2069 above him.
2070

2071 Q1: Um, the white male adult, um, are you able to describe him to me?
2072

2073 A: He was an el- elderly male adult. He was on the ground. There was a firearm
2074 directly, um, near his right hand.
2075

2076 Q1: Um, on the ground was he on his leg face down, was he, uh, face up, was he
2077 on his side?
2078

2079 A: He was face up on his back.
2080

2081 Q1: Um, did he appear injured?
2082

2083 A: Yes.
2084

2085 Q1: Um, and injured in what - what way? I mean, did - was - did it look like he
2086 was bleeding? Did it look like - h- how did he look?
2087

2088 A: He was on the ground. He was, uh, he was speaking but I could not make out
2089 what he was saying.
2090
2091 Q1: Okay.
2092
2093 A: I did not see any bullet holes from my vantage point. I was more looking in
2094 front of me at the elderly female.
2095
2096 Q1: And what was she doing?
2097
2098 A: She was talking. I could not make out what she was talking. She seemed, um,
2099 confused and she didn't - I could not understand what she was saying
2100 essentially.
2101
2102 Q1: Was she, um, directly a- adjacent to this male subject? Was she further into
2103 the house? Where was she at?
2104
2105 A: She was right next to her husband near his, uh, head area.
2106
2107 Q1: Uh...
2108
2109 A: St- standing above him.
2110
2111 Q1: Standing. Okay. Um, if she was saying something, was she trying to speak to -
2112 to him that you know of? I know you don't know what she was saying. Was
2113 she directing towards him? Was she directing towards you guys?
2114
2115 A: She - she was looking in our direction.
2116
2117 Q1: In your direction.
2118
2119 A: Yes.
2120
2121 Q1: Uh, prior to Sergeant (Ulrich) discharging his weapon did you hear that -
2122 anybody from inside the house say anything or yell anything back while
2123 people were yelling commands at him?
2124
2125 A: I heard faint talking, but I could not make out what they were saying.
2126
2127 Q1: In faint talking, um, so it - would be fair to say that they weren't like yelling
2128 back?
2129

2130 A: I didn't hear any yelling. No.
2131
2132 Q1: Mmm, okay. Then what happened?
2133
2134 A: What happened...
2135
2136 Q1: When he's down, she's standing above him.
2137
2138 A: I was giving her verbal - verbal commands to step away from the area.
2139
2140 Q1: Did she comply?
2141
2142 A: She seemed confused.
2143
2144 Q1: So what'd you do?
2145
2146 A: Sh- I continued to give her verbal commands to step out of the area. She took
2147 one step forward towards our direction. And that's when I holstered my
2148 firearm and I grabbed her.
2149
2150 Q1: Was she armed?
2151
2152 A: She was not.
2153
2154 Q1: So just the firearm then that you saw down on the ground?
2155
2156 A: Correct.
2157
2158 Q1: Um, how - you holstered and you, what do you mean you grabbed her?
2159
2160 A: I grabbed her by the arm to get her away from the area.
2161
2162 Q1: Um, did she speak to you?
2163
2164 A: She - she made statements, but I could not understand them.
2165
2166 Q1: And when you say take her out of the area, what'd you do?
2167
2168 A: I grabbed her by her arm and then I started leading her out of the garage. Um,
2169 she was not walking, so as soon as I exited the garage itself, I had to pick her
2170 up.
2171

2172 Q1: Which way did you exit?
2173
2174 A: I exited through the same way that we entered.
2175
2176 Q1: Okay. Um, was she able to, you - so once you got out of the garage, she was
2177 not walking.
2178
2179 A: No, she...
2180
2181 Q1: Did she walk towards the point to where you did get out of the garage?
2182
2183 A: Yes.
2184
2185 Q1: Um, and then she stopped walking 'cause she didn't want to or...
2186
2187 A: She - she just appeared confused about the situation.
2188
2189 Q1: Um, so almost instead of n- rather than being uncooperative, almost like
2190 unable to then walk.
2191
2192 A: She was able to walk, but I think she was just confused as to what was
2193 happening.
2194
2195 Q1: So you say you picked her up - her up and you carried her. H- how do you
2196 mean?
2197
2198 A: She was a very small lady. She didn't weigh much.
2199
2200 Q1: Um, like how did you pick her up?
2201
2202 A: I put my arms around her waist and I grabbed her, picked her up and walked
2203 her further down the driveway. And then I placed her near the sidewalk and at
2204 that point she walked towards my patrol vehicle.
2205
2206 Q1: The same way that you guys had come in?
2207
2208 A: Right.
2209
2210 Q1: Um, down the driveway?
2211
2212 A: Yes.
2213

2214 Q1: Um, towards the sidewalk and then to your patrol vehicle?
2215
2216 A: Yes.
2217
2218 Q1: And where was your vehicle parked?
2219
2220 A: My vehicle was parked, uh, just a little south from the, uh, garage door.
2221
2222 Q1: In the driveway?
2223
2224 A: No.
2225
2226 Q1: O- on the street?
2227
2228 A: On - on the street, yes.
2229
2230 Q1: Okay, so, uh, when you say south, south of the garage door or south of the
2231 driveway?
2232
2233 A: South of the either the driveway or the garage door.
2234
2235 Q1: Um, after placing her in the car, well how about this. Um, when you grabbed
2236 her and started leading her out and eventually carrying her, what - what was
2237 everybody else doing?
2238
2239 A: They were still in that area of the garage.
2240
2241 Q1: Um, were you able to, before leaving the garage, were you able to tell what -
2242 what they were doing? Or were you focused on this - this female?
2243
2244 A: I got her out of the area. I don't know what they were doing.
2245
2246 Q1: Anybody put out radio traffic?
2247
2248 A: Sergeant (Ulrich).
2249
2250 Q1: Did you put out any radio traffic?
2251
2252 A: No.
2253
2254 Q1: Um, were you able to make out his radio traffic?
2255

2256 A: Shots fired.
2257
2258 Q1: Shots fired?
2259
2260 A: Yes.
2261
2262 Q1: Um, um, and so when you took her and placed her in the car, then what did
2263 you do? You do?
2264
2265 A: Deputy (Reyes) exited, and he asked for, uh, an emergency, uh, emergency
2266 quick lock - quick - quick clot, which I had in my vehicle and I provided that
2267 to him.
2268
2269 Q1: So first aid.
2270
2271 A: First aid.
2272
2273 Q1: Okay. Did you leave or did you stay at your car?
2274
2275 A: I stayed at my car by her.
2276
2277 Q1: And he went back?
2278
2279 A: Went back inside.
2280
2281 Q1: Um, when he exited, did you see how he exited?
2282
2283 A: He exited quickly. He was running.
2284
2285 Q1: I - I mean in the - in the same way that you guys had come in or in some other
2286 way?
2287
2288 A: S- same route.
2289
2290 Q1: Same route?
2291
2292 A: Same route.
2293
2294 Q1: Um, likewise, when he went back, did he go back the same route?
2295
2296 A: The same way.
2297

2298 Q1: Um, did you attempt to - to - to speak to this - this - this lady, this other lady?
2299

2300 A: Yes.
2301

2302 Q1: Um, were you able to get a statement from her at all?
2303

2304 A: It was very difficult to understand. I asked her, "What happened today?" It
2305 was - it was difficult. The most I could make out of anything was that
2306 (Eugene) was upset because the granddaughter, I believe had a boyfriend and
2307 he didn't like that. That was all that I could make out from her statement after
2308 trying multiple times to - to ask her what happened.
2309

2310 Q1: And did you stay at your car with her pretty much the remainder of the time?
2311

2312 A: I stayed with her up until Deputy (Hogan) arrived.
2313

2314 Q1: Okay. And then what?
2315

2316 A: I asked Deputy (Hogan) to stand by.
2317

2318 Q1: So, and did he?
2319

2320 A: He did.
2321

2322 Q1: So then what did you do?
2323

2324 A: Um, emergency services were - were arriving.
2325

2326 Q1: Mm-hm.
2327

2328 A: And the garage door opened and they were tending to the individual,
2329 (Eugene).
2330

2331 Q1: When they were tending to him, was it - where - where did he fall? How, I
2332 mean, in relation to, say, the garage or th- the house or the doorway, where
2333 did he - he fall?
2334

2335 A: Um, in the doorway. He was on the ground.
2336

2337 Q1: And were they tending to him there?
2338

2339 A: I don't know. I just know that they entered that general vicinity. I don't know
2340 where they were attending to him specifically.
2341
2342 Q1: You mentioned the garage door open though. Um...
2343
2344 A: It did.
2345
2346 Q1: ...do you know who opened that?
2347
2348 A: I don't.
2349
2350 Q1: Di- was that open to let them in or were they already in?
2351
2352 A: I don't know who or why they opened it specifically. I can only assume.
2353
2354 Q1: Um, and so emergency services goes in and they start treating (Eugene).
2355
2356 A: Right.
2357
2358 Q1: And then what do they do?
2359
2360 A: They transported him.
2361
2362 Q1: Um, once he's left now, um, what did th- this team do now, um, at the house?
2363 Did anybody ever go in, um, to attempt to see if there were other subjects in
2364 the house? Um, did everybody just lock the scene down? What - what
2365 happened then?
2366
2367 A: I don't know if they cleared the house. I don't know who cleared the house
2368 specifically.
2369
2370 Q1: Do you know if it was done or just not know?
2371
2372 A: I don't know...
2373
2374 Q1: Okay.
2375
2376 A: ...that information.
2377
2378 Q1: Um, so what did you do then after they, um, basically after you left the car
2379 and went back and emergency services was attending to (Eugene) and he
2380 eventually leaves, then what?

2381
2382 A: Several units were responding. Um, one unit, uh, was positioned behind my
2383 patrol vehicle.
2384
2385 Q1: Okay.
2386
2387 A: And they were going to set up crime - crime scene tape and I asked them if
2388 they needed some.
2389
2390 Q1: Uh-huh.
2391
2392 A: And they said they had some. I also went in my patrol vehicle to, uh, obtain
2393 paperwork for a crime scene log to provide them.
2394
2395 Q1: Um, and did you provide a statement to any of the deputies that arrived about
2396 what had happened?
2397
2398 A: (Unintelligible).
2399
2400 Q1: Um, eventually did some other supervisor show up on scene?
2401
2402 A: Yes.
2403
2404 Q1: And who was that?
2405
2406 A: Sergeant (Owens).
2407
2408 Q1: Um, did he come and ask you for any type of statement as to what happened?
2409
2410 A: No.
2411
2412 Q1: Did you provide him with any information on what happened?
2413
2414 A: No.
2415
2416 Q1: Um, how long after that, um, were you - did you remain on scene or do you
2417 know?
2418
2419 A: I don't know.
2420
2421 Q1: Uh, and during that time, prior to leaving, um, where were you? What - what -
2422 what did you do?

2423

2424 A: Um, I also went back to my patrol vehicle and I asked the elderly lady if she
2425 needed anything. She said she was cold. I provided her with an emergency
2426 blanket. I also turned on my vehicle and turned on my heater.

2427

2428 Q1: And did you kind of remain in that area or did you go somewhere else prior to
2429 - prior to leaving the scene?

2430

2431 A: I asked, uh, Sergeant (Owens) if he wanted me to interview, uh, the neighbor,
2432 again.

2433

2434 Q1: Uh-huh.

2435

2436 A: And the two individuals that arrived.

2437

2438 Q1: And...

2439

2440 A: That were the family friends.

2441

2442 Q1: ...and what did he say?

2443

2444 A: He said yes.

2445

2446 Q1: And did you?

2447

2448 A: I went back to and spoke to him again. I obtained his statement. And
2449 then after I obtained his statement, Sergeant (Owe- Owens) informed me to
2450 conclude any more interviews.

2451

2452 Q1: What did say the second time? Or I guess third time?

2453

2454 A: Similar, um, things that he said prior that he's known them for - for awhile.
2455 They've lived next door. He doesn't have much contact besides hi to the
2456 elderly female every so often. She goes on her walks.

2457

2458 Q1: Did he, um, a- when he left the backyard, did he go back to his house?

2459

2460 A: The first time we went? When we...

2461

2462 Q1: When you guys all went back there together?

2463

2464 A: Yes.

2465

2466 Q1: And he came back out with you guys. Did he go back to his residence?

2467

2468 A: He went back to his house.

2469

2470 Q1: Did he provide a statement as to what he heard or saw, if he saw anything
2471 after going back to the house and you guys developed this plan to go, um,
2472 ATC the house?

2473

2474 A: No.

2475

2476 Q1: He didn't, uh, provide, "I - I heard shots. I heard people yelling," nothing?

2477

2478 A: I didn't ask him that, no.

2479

2480 Q1: All right. Fair enough. Um, when you guys go into the garage, I'll take you
2481 back a little bit. You guys, uh, Sergeant (Ulrich) kicks the door to the garage.
2482 You guys go in, you guys go down the side of the car. Um, somehow that
2483 second door opens. Sergeant (Ulrich) goes to the right. Um, the three of you
2484 are now on the left-hand side. Uh, Deputy (Weirock) and Sergeant (Ulrich)
2485 are now yelling verbal commands, "Drop the weapon. Drop the gun." I
2486 believe is what you said, right?

2487

2488 A: Yes.

2489

2490 Q1: "Drop the gun. Sheriff's Office." H- how are you feeling now?

2491

2492 A: I was feeling that there was a gun present in the area. And it was potentially
2493 pointed in our general area.

2494

2495 Q1: Um, fearful?

2496

2497 A: I was in fear for my life, yes.

2498

2499 Q1: Um, however, not being able to - to see inside the house, um, not in a position,
2500 um, you know, to ha- have a shot to take action o- on your own. Right?

2501

2502 A: Right.

2503

2504 Q1: Um, but fearful for, say, your partners as well as yourself because they're
2505 actually seeing what's going on. Is that fair to say?

2506

2507 A: I was definitely in fear for my partners' lives as well as mine, yes.
2508
2509 Q1: When you left, um, the scene, uh, where did you go?
2510
2511 A: What? What point?
2512
2513 Q1: A- after this whole event when - when you left, um, the scene, um, where did
2514 you go when you left the scene?
2515
2516 A: To our substation.
2517
2518 Q1: The one in Cupertino?
2519
2520 A: The one in Cupertino.
2521
2522 Q1: Um, and fair to say you were photographed.
2523
2524 A: I was photographed.
2525
2526 Q1: And then eventually you came here, correct?
2527
2528 A: Yes.
2529
2530 Q1: Okay. Um, who - how did you get to the - the substation?
2531
2532 A: Deputy Cuellar transported me in a patrol vehicle.
2533
2534 Q1: C-U-E-L-L-A-R?
2535
2536 A: Yes.
2537
2538 Q1: And then how did you get from the substation to here?
2539
2540 A: Deputy (Santiago) transported me here.
2541
2542 Q1: You good? Can I get you anything? Water or anything?
2543
2544 A: I'll just have a sip of water.
2545
2546 Q1: Um, did anybody, um, did anybody - after learning, uh, of potential weapons
2547 in the house, um, after learning, uh, about th- the dinner party Wednesday
2548 night, d- do you know if anybody ran maybe a history check on the address?

2549

2550 A: I don't know if that was done.

2551

2552 Q1: Um, and again, other than that stuff, um, did anybody, um, try to gain any
2553 more intel about the house? Did anybody, you know, run, other than just
2554 weapons, maybe warrants or anything like that, restraining orders, um, prior,
2555 um, domestic incidents about the subjects involved? Do you know if any of
2556 that was done?

2557

2558 A: I don't know.

2559

2560 Q1: Not that you did. Not that you did yourself.

2561

2562 A: Mm-mm.

2563

2564 Q1: Okay. Um, you guys, uh, have now gone into - into the garage, uh, and the
2565 second door is open. How far away - when Deputy (Weirock) and Sergeant
2566 (Ulrich) are now yelling their verbal commands, how far would you say you
2567 were away from that open door?

2568

2569 A: Less than feet.

2570

2571 Q1: I'm sorry?

2572

2573 A: Feet or less. I was stacked up right against Deputy (Weirock).

2574

2575 Q1: So fairly close?

2576

2577 A: Very close, yes.

2578

2579 Q1: Maybe from you to me?

2580

2581 A: No.

2582

2583 Q1: Closer.

2584

2585 A: If my shoulder was next to him, I'd be right there.

2586

2587 Q1: To the open door. And I know you as- you said that you could hear talking
2588 coming from inside, um, but nothing specific that you remember, and
2589 definitely not yelling.

2590

2591 A: I could not make out anything. No.
2592
2593 Q1: After th- the shots were fired, we talked about how - how you felt, you know,
2594 fearful, uh, prior to the shots being fired. How - how did you feel after the
2595 shots were fired?
2596
2597 A: I felt concern for the well-being of my partners as well as the individual that
2598 was shot.
2599
2600 Q1: As well as the - the female?
2601
2602 A: Yes.
2603
2604 Q1: My understanding you didn't fire your weapon, correct?
2605
2606 A: No.
2607
2608 Q1: Um, you current on range?
2609
2610 A: Yes.
2611
2612 Q1: Okay. Um, did you happen to notice, uh, in - during the time that you were in
2613 and about the house, uh, whether or not there was any video surveillance
2614 around?
2615
2616 A: I did notice that there was a camera directly above the garage.
2617
2618 Q1: Uh, other than that camera, yourself, (Reyes), (Weirock), Sergeant (Ulrich),
2619 and the elderly female, and of course the subject, was there anybody else
2620 inside that area that I don't know about? Any other witnesses potentially?
2621 Inside the garage and house area?
2622
2623 A: No.
2624
2625 Q1: Do you know if any of the subjects that you had spoken to, whether it's those
2626 two people that showed up later or were standing outside when this
2627 happened?
2628
2629 A: Can you repeat that question?
2630
2631 Q1: Do you know if those two subjects that had showed up later...
2632

2633 A: Mm-hm.
2634
2635 Q1: ...or were actually standing outside when this happened? Or do you
2636 know if they were in their car? Do you know if they were in a house?
2637
2638 A: I told the two individuals that arrived in a vehicle to park their vehicle away
2639 further north from the scene.
2640
2641 Q1: Okay.
2642
2643 A: And to stay in their vehicle. Uh, was told to stay in his house as well.
2644 I don't know if he followed those orders, but he was told that.
2645
2646 Q1: So you guys tried for an extended period of time to make some kind of contact
2647 with the two people that you were sent there to do this check on, correct?
2648
2649 A: Yes.
2650
2651 Q1: I believe you estimated at least 30 minutes, uh, maybe even longer. By the
2652 time you guys got the intel that there was weapons in the house we're
2653 probably talking about closer to 45 minutes. Is that fair to say?
2654
2655 A: Approximately.
2656
2657 Q1: Um, with the information of weapons, with the information that there may be
2658 some sort of reason for concern for the - the subjects inside the house, are
2659 these - is this the stuff that, w- a- and speaking to is this the stuff
2660 that led to the decision, um, to try and force entry into the house to - to make
2661 sure that we check the welfare of these people inside?
2662
2663 A: Based on all the information that we gathered and the totality of everything,
2664 all the information, the circumstances, everyone's statements, it was definitely
2665 imperative for us to make contact with the individuals inside the house to
2666 check on their welfare.
2667
2668 Q1: Did those two people ever say, "Hey, if you can't
2669 get in, force your way in?"
2670
2671 A: expressed concern over the f- the telephone as to why we weren't
2672 able to - to make contact to begin with. And I asked her if forcing entry was
2673 something that she wanted. And she said - at first she - she was - she wasn't
2674 sure of the question. Um, I don't think she ever answered it.

2675
2676 Q1: Okay. I'm going to let my partner, uh, ask some questions here. Thank you.
2677
2678 A: Um, thank you.
2679
2680 Q: You spoke with just the one time on the phone?
2681
2682 A: I spoke to her twice.
2683
2684 Q: Twice?
2685
2686 A: Yes.
2687
2688 Q: Um, and did - and forgive me if you've already, um, stated this, but I don't
2689 recall if it was caught over. How long had it been since she had spoken with
2690 either her grandmother or grandfather?
2691
2692 A: I think from what I recall, it was - she was trying to get a hold of them for -
2693 for either a day or more days than that.
2694
2695 Q: And this was unusual for them to have this.
2696
2697 A: She says that they typically always answer her phone calls.
2698
2699 Q: D- did she have - did she have any idea why there was this break in - in
2700 contact between...
2701
2702 A: The first time I spoke to her, she didn't give me much information. Um, most
2703 of it was in regards to just being able to get a hold of them.
2704
2705 Q: Mm-hm.
2706
2707 A: And that they don't go anywhere, uh, without each other. And there's always a
2708 vehicle in the garage. If the vehicle isn't there, then that means they're gone.
2709
2710 Q: Did she mention that they had any medical issues or anything?
2711
2712 A: She did say that her grandfather had I believe it was heart issues.
2713
2714 Q: Okay. Was she worried that something may have happened to them or they
2715 needed medical attention and just couldn't get that help?
2716

2717 A: Yes.
2718
2719 Q: Um, did she mention there was any other locations they possibly could be at
2720 besides their home?
2721
2722 A: She did not know of any other places.
2723
2724 Q: So she's pretty confident they were home and just wanted you, meaning your
2725 team, the, uh, your patrol team to find out what was going on with...
2726
2727 A: The, uh, on the second phone call I informed her that the vehicle was in the
2728 garage.
2729
2730 Q: Okay.
2731
2732 A: And at that point she knew that there was no other place they'd be.
2733
2734 Q: Okay.
2735
2736 A: 'Cause everywhere they go, they go together, she said.
2737
2738 Q1: (Unintelligible). Tell you what, let's take a quick five, gather ourselves, step
2739 out, we'll be right back. Cool enough?
2740
2741 A: Okay.
2742
2743 Q1: Need anything? Do
2744
2745 Q: Do you need to use the restroom or anything?
2746
2747 A: I'm okay.
2748
2749 Q: Okay. You're good (unintelligible)?
2750
2751 A1: Good, thanks.
2752
2753 Q: Okay.
2754
2755 Q1: Yeah, you want some water or anything?
2756
2757 A1: Uh, you know, water'd be nice.
2758

2759 Q: Water?
2760
2761 A1: That'd be great. Yeah. Thank you. (Unintelligible).
2762
2763 Q: Here you go, man.
2764
2765 A1: Thank you very much. Appreciate that.
2766
2767 Q: Oh, let me get your card. You wanna come back? All right, well we'll just
2768 hang out. You have (unintelligible)?
2769
2770 A1: Uh, Concord, Pleasant Hill.
2771
2772 Q: Okay.
2773
2774 A1: Yeah.
2775
2776 Q: They were talking about some - some people end up, uh, coming from like
2777 Sacramento and places and stuff.
2778
2779 A1: Uh, yeah.
2780
2781 Q: Like wow.
2782
2783 A1: Not from our office I don't think. But, yeah. That's as far as we go is...
2784
2785 Q: Is (unintelligible) out of Sacramento?
2786
2787 A1: Yeah.
2788
2789 Q: Uh, that's it. That's what they're talking about.
2790
2791 A1: Yeah, for the, uh, Correctional Association.
2792
2793 Q: Yeah.
2794
2795 A1: Yeah.
2796
2797 Q: That's tough.
2798
2799 A1: Yeah.
2800

2801 Q: Let me go see where he's at.

2802

2803 Q1: All right, shoot, we're doing all right. I - I - I think I'm gonna ask first um,
2804 maybe we can draw here if, uh, I don't know. Um, you went to the backyard
2805 one time?

2806

2807 A: Yes.

2808

2809 Q1: Okay. When you went to the back, you went through the gate, I'm sorry,
2810 twice. Once when you went to check it out and then once when you guys went
2811 in.

2812

2813 A: Yes.

2814

2815 Q1: Okay, so twice. The first time that you went in the back, you said you went
2816 past what ended up being the garage door.

2817

2818 A: Yes.

2819

2820 Q1: And then how far did you go? Uh, and what I mean by that is you came to
2821 some windows?

2822

2823 A: Correct.

2824

2825 Q1: Um, did you go all the way to the other side of the house?

2826

2827 A: I walked, um, further down towards these sliding glass doors. Um, further
2828 down from that, um, shined my light towards a, uh, an area where it just leads
2829 towards the side of the house which just had - which just had windows which
2830 were also covered.

2831

2832 Q1: So you mentioned sliding glass doors.

2833

2834 A: Yes.

2835

2836 Q1: Was - you said doors. So that - was there more than one?

2837

2838 A: Yes.

2839

2840 Q1: Was - was there two, three, do you know?

2841

2842 A: I don't know the exact number, but th- there's two separate areas of sliding
2843 glass doors.
2844

2845 Q1: Okay. And did you go past that area?
2846

2847 A: Yes.
2848

2849 Q1: Towards the corner, the o- opposing corner of the house, then I guess the far
2850 corner of the house.
2851

2852 A: Yes.
2853

2854 Q1: Did you make a turn to go down I guess the side of the house?
2855

2856 A: I did not go all the way down because I - I could see what was down there.
2857

2858 Q1: You shined your light.
2859

2860 A: (Unintelligible). Yes.
2861

2862 Q1: What did you see down there?
2863

2864 A: I just saw a forward narrow area with, uh, the exterior of it just had windows
2865 which were elevated which I could not see through again.
2866

2867 Q1: What kind of - was it grass? Dirt? Bushes? Trees? Wh- what was down there?
2868

2869 A: It was a combination of brush, I don't know - I don't know specifically if it
2870 was trees or bushes. I - I don't recall.
2871

2872 Q1: Do you know if it went all the way through? Like if you went down that way,
2873 could you get out?
2874

2875 A: There was another gate down there, yeah.
2876

2877 Q1: Um, do you know if anybody ever came in or went out that way?
2878

2879 A: No.
2880

2881 Q1: No, you don't know or know no one did?
2882

2883 A: I did not see anyone.

2884

2885 Q1: Oh, okay.

2886

2887 A: No.

2888

2889 Q1: Um, when you passed that garage door, what turned out to be the garage door,
2890 and you got to the sliding glass door - door's area, um, would it be fair to say
2891 this is now the far back side of the house?

2892

2893 A: Yes.

2894

2895 Q1: And all of those windows were covered?

2896

2897 A: Everything. Could not see anything inside.

2898

2899 Q1: Including the sliding glass doors?

2900

2901 A: Yes.

2902

2903 Q1: Were all of the sliding glass doors closed?

2904

2905 A: Yes.

2906

2907 Q1: Um, did you or anybody try to open those sliding glass doors?

2908

2909 A: I did not try to open them.

2910

2911 Q1: Did any of your partners relate to you that they had tried to open the sliding
2912 glass doors?

2913

2914 A: No.

2915

2916 Q1: Um, the windows where the sliding glass doors are, are those the windows
2917 you're talking about where you try to lay down and look underneath or what
2918 windows w- did you try to lay down?

2919

2920 A: The yes, those - when I turn the - when I turn to the direction of the first set of
2921 si- sli- sliding glass d- doors, I was able to see faint light.

2922

2923 Q1: From the first door?

2924

2925 A: From the first door.

2926
2927 Q1: Okay.
2928
2929 A: That's when I got on my chest to peer into the area, but I could not make
2930 anything out.
2931
2932 Q1: When you laid down o- on your chest was it to look through the bottom of that
2933 sliding glass door?
2934
2935 A: Yes.
2936
2937 Q1: Or another window?
2938
2939 A: Towards that sliding glass door.
2940
2941 Q1: But you couldn't - you couldn't see in there.
2942
2943 A: No.
2944
2945 Q1: And then as you continued on, the rest of those windows were completely
2946 covered.
2947
2948 A: Correct.
2949
2950 Q1: Okay. Um, was there even a sliver, however slight, that, uh, anybody could
2951 look in at all?
2952
2953 A: No.
2954
2955 Q1: No. Uh, y- you mentioned your sidearm and I know y- you didn't fire. Um, do
2956 you know what type of firearm that you particularly carry?
2957
2958 A: Glock 17.
2959
2960 Q1: Um, and what caliber is that?
2961
2962 A: Nine millimeter.
2963
2964 Q1: Um, when that ma- magazine is loaded, how many rounds are in that - that -
2965 that firearm?
2966
2967 A: Seventeen.

2968

2969 Q1: Um, and does that include, um, one ready to go in the chamber or is it 17 plus
2970 the one?

2971

2972 A: Seventeen plus the one.

2973

2974 Q1: And how many magazines do you carry on your person?

2975

2976 A: Two.

2977

2978 Q1: Two. And are those - how - what's the capacity on those?

2979

2980 A: Seventeen.

2981

2982 Q1: Do you, um, yourself, um, in your patrol car, carry any type of less lethal, um,
2983 weapons?

2984

2985 A: I do not.

2986

2987 Q1: Do you know if any of your partners did last night?

2988

2989 A: No. I, um, yes, typically the sergeant, from what I'm aware, prior calls may
2990 carry one. I don't know my sergeant during this incident had one.

2991

2992 Q1: I'm sorry you d- do or do not know?

2993

2994 A: I don't know.

2995

2996 Q1: Okay. Um, sorry, I was thinking of my question. Um, and - and that question
2997 is, is during your - your meeting, your collaboration on what to do, um, to
2998 actually, you know, make this entry, did less lethal ever come up during that
2999 conversation?

3000

3001 A: No.

3002

3003 Q1: When you guys went around the back that - that final time and Sergeant
3004 (Ulrich) kicked open that door, that garage door, um, you went in and you
3005 guys came to that second door which - which was eventually open. You heard
3006 it open. From the time that Sergeant (Ulrich) kicked open that - that first door
3007 to the time that second door was open and he and Deputy (Weirock) started
3008 yelling verbal commands, h- how much time would you say elapsed?

3009

3010 A: Seconds.

3011

3012 Q1: Just seconds?

3013

3014 A: Seconds.

3015

3016 Q1: Uh, which includes entry by the team, going down the side of the car, that
3017 door opening, and verbal command.

3018

3019 A: Yes.

3020

3021 Q1: Um, less than a minute?

3022

3023 A: Yes.

3024

3025 Q1: Yeah, I don't - I don't - I don't think I have any - any further questions. You all
3026 good, sir?

3027

3028 A1: Yep. Thank you. You've exhausted every avenue of questioning.

3029

3030 Q1: Um, we're gonna end this. I'm gonna say it is 6 about 42. Uh, thank you very
3031 much.

3032

3033 A: Thank you.

3034

3035

3036 This transcript has been reviewed with the audio recording submitted and it is an accurate
3037 transcription.

3038 Signed _____