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INTERVIEW WITH DEPUTY (ALAN) REYES

Q=Sergeant Josh Singleton

Q1=Sergeant (Jim Cardenas)

A=Deputy (Alan) Reyes

Q: All right, it is September 13th, 2016 at 6:59 am. This is Sergeant Josh Singleton, also present is Sergeant (Jim Cardenas) and Deputy (Alan) Reyes. And we'll be doing a follow-up investigation regarding a shooting that occurred, uh, yesterday over in Saratoga. So, uh, you know you're - you can leave at any time, you're not obligated to talk to us, totally volunteer statement. Um, we just wanna hear your side of the story, that's it.

A: Okay.

Q: So we know that there's - or I- I'm pretty sure you've spoken to the attorney that's here.

A: Mm-hm.

Q: And how - you feel comfortable talking to us after having talked to him?

A: Yes.

Q: Okay. Um, all right, cool. Maybe you can just, uh, talk me through your employment here at the Sheriff's office. When you got hired, uh, what your current assignment is, maybe some background...

A: Um...

Q: ...in terms of your training and stuff like that.

A: I got hired in December 2002. I did, um, my background is I did - I think I'm at like eight years Patrol time and the rest in courts. I'm now currently assigned to West Valley Patrol, my second year.

43 Q: Okay, and, uh, what academy did you go to?
44
45 A: Uh, the Evergreen, what's it called? Evergreen South Bay Regional.
46
47 Q: South Bay Regional in Evergreen.
48
49 A: Yeah.
50
51 Q: Okay, cool. And that was the like 22-week academy?
52
53 A: Yes.
54
55 Q: Something like that?
56
57 A: Yeah.
58
59 Q: Okay. Um, and then you came out of the academy, um, you - what was your
60 first assignment here at the Sheriff's office?
61
62 A: Um, Civil Court. I don't remember. I think it was downtown Superior Court
63 that first day.
64
65 Q: Okay, so assigned a court security?
66
67 A: Yeah.
68
69 Q: And then, uh, you did a stint there and at some point you went to Patrol?
70
71 A: Yes.
72
73 Q: And when you went to Patrol, did you - you went through a field training
74 program?
75
76 A: Yes.
77
78 Q: About four months long, something like that?
79
80 A: Yeah.
81
82 Q: You're with several experienced trained officers that taught you, basically on
83 the job type training?
84

85 A: Yes.
86
87 Q: Okay. Um, prior to working here at the Sheriff's office, did you have any law
88 enforcement experience? Paid or unpaid?
89
90 A: Uh, no.
91
92 Q: Weren't a volunteer or anything like that?
93
94 A: No.
95
96 Q: How about, um, any college courses related to criminal justice?
97
98 A: Uh, um, let me - let me think. No, I did not.
99
100 Q: No degree in criminal justice, nothing like that?
101
102 A: No.
103
104 Q: Okay. Um, so you went to Patrol, sorry I'm backtracking a little bit.
105
106 A: That's okay.
107
108 Q: You went to Patrol for a little bit. Uh, how long did you do, um, Patrol your
109 first assignment?
110
111 A: My first tour was like three years maybe, a little bit over three years.
112
113 Q: Okay, and where was that time at?
114
115 A: First one was, I did one year in - I think one and a half years South County,
116 and then I moved up to Central.
117
118 Q: Okay. And then after that, those three years, what did you do?
119
120 A: Those three years I went back to courts, and then I came back out. Not sure if
121 it was one or two years that first time, and then I came back out, and then I
122 was on, uh, I started in Central and ended up on the East side.
123
124 Q: Okay. And how long did you work Patrol during that tour assignment?
125
126 A: I think that was - I think that second tour was, uh, right at three years.

127

128 Q: Okay, and then, um, what did you do after that?

129

130 A: Um, I went to courts for, I think I was in courts for two months and then, uh, I
131 ruptured my achilles, and I was out for a year.

132

133 Q: Wow. Okay.

134

135 A: Yeah.

136

137 Q: So on 4850 for a year?

138

139 A: 4850 for a year. I think it was like 11 months.

140

141 Q: Okay, and - and then what?

142

143 A: And then I went back to courts for like, I think it was a year and then now I'm
144 here in West Valley.

145

146 Q: Okay, and how long have you been at West Valley Patrol?

147

148 A: Since the start of last year, so January 2015 to now.

149

150 Q: Okay, and what is your - what shift do you work now?

151

152 A: Um, uh, 12 swings.

153

154 Q: 12 swings. So you work Saturday, Sunday, Monday, uh, during the evening -
155 evening hours?

156

157 A: 1800 to 0630.

158

159 Q: Okay. All right, and what, um, what's your assignment on that team?

160

161 A: Uh, pa- Patrol.

162

163 Q: Like, uh, I'm - I'm sorry like beat are you assigned a certain beat?

164

165 A: Uh, we just switched. So now I'm in Saratoga.

166

167 Q: Okay. Um, and when did that start?

168

169 A: What, uh, me going to Saratoga? Um, this is probably like two weeks, three
170 weeks.
171
172 Q: Two or three weeks?
173
174 A: Yeah. Maybe three weeks ago.
175
176 Q: Okay, and prior to that, were you assigned to...
177
178 A: I was in Cupertino.
179
180 Q: Cupertino, okay. All right. Um, you haven't worked for any of the law
181 enforcement agencies. Uh, was this - and then - so, yesterday was your normal
182 shift?
183
184 A: Yes. Yes.
185
186 Q: Okay, you weren't on overtime or anything like that?
187
188 A: No.
189
190 Q: Okay. And what was your, um, call sign or beat designator yesterday?
191
192 A: Yesterday 8- uh, 81 Sam 5.
193
194 Q: Okay, and what time did you start again?
195
196 A: 1800.
197
198 Q: All right. And you would have gotten off at 6:30 am this morning?
199
200 A: Yes.
201
202 Q: Okay. Um, how are you feeling today? I know you're probably tired.
203
204 A: Right now?
205
206 Q: Yeah.
207
208 A: I'm a little tired.
209

210 Q: A little tired?
211
212 A: Yeah.
213
214 Q: Okay. Um, how do you feel about talking to me about this stuff?
215
216 A: I'm okay.
217
218 Q: Okay. Uh, under the influence of any drugs or alcohol?
219
220 A: No.
221
222 Q: Under the influence of any medication?
223
224 A: No.
225
226 Q: Okay. Um, when did you last sleep?
227
228 A: Yes- um, well, before I came into work yesterday.
229
230 Q: Okay. So...
231
232 A: So like it's kind of reversed. So what's the - Monday I came in. So Monday
233 morning.
234
235 Q: Okay, so you're getting off your shift...
236
237 A: Getting off at 6:00, I probably went to bed at like 8:00.
238
239 Q: Okay, 8:00 Monday morning. And what...
240
241 A: Monday morning.
242
243 Q: And what time did you get up?
244
245 A: Probably around 2:00.
246
247 Q: Okay, so slept from 8:00 am to 2:00 pm on Monday?
248
249 A: Mm-hm.
250

251 Q: And then started your shift at 6:00.
252
253 A: 6:00, yeah.
254
255 Q: Okay, perfect. Um, uh, your assignment yesterday, what were you wearing?
256
257 A: What was I wearing? Oh, um, class A.
258
259 Q: Class A uniform?
260
261 A: Yeah.
262
263 Q: Uh, short sleeve or long sleeve?
264
265 A: Long sleeve.
266
267 Q: Long sleeve, uh, just a standard patrol duty uniform?
268
269 A: Patrol and the green pants, yeah.
270
271 Q: Okay. Can you tell me about your, um, duty belt and how you have that
272 configured? What's on your- what do you wear on your duty belt?
273
274 A: Um, all the equipment that was issued to me.
275
276 Q: Okay, so, uh, what type of - what type of handgun?
277
278 A: It's a Glock, uh, 17.
279
280 Q: Glock 17...
281
282 A: Yeah.
283
284 Q: ...the 9mm standard issue?
285
286 A: Uh, yeah.
287
288 Q: How many magazines do you carry? Extra magazines?
289
290 A: Uh, there's one in the gun and then three extra.
291

292 Q: And three extra, okay. Um, how many handcuffs do you carry?
293
294 A: Uh, on my belt, two.
295
296 Q: Two? Are they in the same cuff or are they diff- two different cuffs - cases?
297
298 A: They're - they're in different. There's one in the front and one in the back.
299
300 Q: Okay, so one cuff in the front one in the back. Are you right-handed or left-
301 handed?
302
303 A: Left?
304
305 Q: Uh, the handcuff cases where are they on your duty belt? Right side or left
306 side?
307
308 A: They're - oh, the front one's on the right side, the back one's on the left side.
309
310 Q: Okay, cool. And you carry your - you said you're left-handed, so do you carry
311 your gun on your left side?
312
313 A: Yes.
314
315 Q: Okay. Um, all right. And...
316
317 Q1: Real quick?
318
319 Q: Yeah.
320
321 Q1: Uh, uh, do you, uh, tell me how you pump up your mags? How many rounds?
322
323 A: They're fully loaded.
324
325 Q: Okay.
326
327 A: 17.
328
329 Q: Okay.
330
331 Q1: And one - one of the two?
332
333 A: And one of the two, yeah.

334
335 Q: Cool. Um, all right. And you started your shift yesterday at 6:00 and then the
336 event that we're going to talk about happened, uh, at some point after that.
337
338 A: Yeah, time of the call was 1949 I think.
339
340 Q: Okay. When you started your shift yesterday, did you attend a briefing?
341
342 A: Um, yes.
343
344 Q: Okay. Do you remember how long that was?
345
346 A: It was a short one because we were busy. Ten, maybe 15 minutes.
347
348 Q: Okay, short briefing, um, and then you pretty much go 10-8 and start...
349
350 A: Yeah.
351
352 Q: ...handling - handling calls. Okay, do - were you busy, uh, handling calls for
353 service up to the time of this incident?
354
355 A: Yes. Yeah.
356
357 Q: B-
358
359 A: Yeah, busy, and then I think there were calls pending after this one.
360
361 Q: Okay, so it was a fairly busy shift?
362
363 A: Yeah.
364
365 Q: Okay. Fair enough, um, maybe walk - walk me through and - and specifically
366 related to this incident that happened maybe from the beginning. Just tell me
367 what happened in your own words.
368
369 A: Um, from the call?
370
371 Q: Sure, the time you got dispatched or made - or even aware that this call came
372 out. What you know about the call...
373
374 A: Um...
375

376 Q: ...and just tell me in your own words and after that I'll come back and ask
377 more...

378

379 A: It came out as a welfare check on an elderly male on, um, uh, the address. So I
380 was helping, uh, Deputy Laguardia on a - it was like, uh, someone keyed his
381 car, so like a vandalism. So I left to go to this welfare check. It was called in
382 by, um, I think a relative from out of state. So Weyhrauch's actually there
383 first. Um, I saw him walking up, looking in the door. So I, uh, I go up and go,
384 "Hey, what do you - what do you think?" He said, "Well, I knocked on the
385 door, I think maybe I heard someone inside moving, saying something, but
386 I'm not sure. Now they're not saying anything." So, um, knocked on all the
387 front windows, banged on the door a little bit. That was like a couple minutes.
388 And I had, um, I remember specifically having radio call again while we're
389 standing there, so I can hear it ringing. So they called and it - they said it kept
390 ringing. I couldn't hear it inside. I was trying to listen for it, but no one picked
391 up. Um, no ring. Uh, Deputy Weyhrauch goes into the side gate trying to look
392 like you know in the back windows. So it's locked, so I think he scaled it. He
393 went over a chain link fence. Um, and then I went to the neighbor's house to
394 see, hey have you seen this guy. Neighbor comes out - I didn't get his name
395 neighbor comes out and goes, "Yeah there's an elderly couple that lives there."
396 And, um, he said that, "He was afraid something might have happened." I
397 said, "Why?" "Because well he's elderly he doesn't walk and, um, they weren't
398 doing so hot. The last time I saw him..." I think he said it was on the weekend.
399 And I said, "Well there's a green garbage can outside. He goes, "Okay let me
400 ask my wife." He asked the wife. Wife comes out and goes, "Oh yeah that
401 must have been put - the green garbage can must've put - been put there after
402 4:00 today." Because that's when she saw it. I'm like, okay cool, so we have a
403 timeline. Um, and then he goes, "Wait let me - I have a key." And then I'm
404 like, "Okay, let me see the key." He goes, but he said that, uh, "The guy
405 changed his locks and reinforced the door, so the key probably won't work."
406 So I said, "Well, you know, we'll give it a shot, whatever." So I told - I went
407 back, and I told (Don) what we had, and he goes, well, let's, uh, and then at
408 that time, I'm sorry, (Veronica) got there and then, well, I told her, this is what
409 we have, and then she's like, "Well, let's call the RP again and see, tell her
410 what's going on." So she calls, I don't know, she walked away, she was on the
411 phone. I was trying to formulate a game plan of how we're going to kind of
412 see if they're home, or they're out to dinner. We kind of had like - like a little
413 conversation. Well, maybe someone picked them up. And so the neighbor
414 said, "There's a guy that comes every Wednesday. His name is
415 They have dinner together every Wednesday." And I said, "Okay, can you call
416 him?" And he calls him. And I think the gist of it was the last time he saw him
417 was that Wednesday they had - they had dinner. They're, um, I remember

418 asking him, "Hey, why does he hang out with them every Wednesday?" He
419 said, "Well, they're old - old war buddies, and they just swap stories." Okay,
420 that's cool. So he hangs up with him, and then we go try the key. The key
421 doesn't work. It doesn't even fit in the lock. And so I called, uh, I called
422 Sergeant (Ulrich). I'm like, "Hey, this is what we have. Um, can you swing by
423 here?" He's like, "Yeah, okay, I'll - I'll come over there where it's..." So he
424 comes by. We try to formulate a game plan. Uh, let me back up. So the
425 neighbor goes, "Hey, they only have one car. It's in the garage if it's there."
426 And so we - you can - you can peek in the garage through a side window, the
427 car's there. So we're like, well, um, let's try the other neighbor. So I went to
428 the one to the right. I forgot his name. I think it's like or something.
429 And he goes, "Oh yeah, I don't really see him I just got back from Europe and
430 here's their home phone number you can try it." So, um, it's the same number
431 that radio has, so that's kind of useless, so I didn't really try it again. So, um,
432 we formulate a plan at one point I think I don't know what (Veronica) got
433 from the RP we ran out, uh, Deputy Weyhrauch ran out the guy for like did a
434 firearms' history check on him, and he comes back with like I don't know I
435 had like six or seven, eight handguns in there. And then, um, so we - we kind
436 of pulled it back in the street and then someone drove up I'm not sure his
437 friends drove up it was a - a lady and an older gentleman I didn't get their
438 names, and he said, "Well we haven't heard from them but, um, we're here to
439 visit." I guess they came over unexpectedly, um, so I went, "Okay well can
440 you try to call them?" So I think they tried to call another line I'm not sure. I -
441 I didn't talk to those guys I didn't even get their names. So by that time we're
442 like well no one's heard from them. We go back up to the door, and we're just
443 - just pounding on it. I mean we're really pounding on it windows we, um, we
444 got into the backyard that the neighbor had a key for the backyard gate, so we
445 didn't have to scale it. So we got back there we pounded on all the - it's all, um,
446 what do you call it? Sliding glass doors, so we pounded all those no answer,
447 nothing. So I don't know if the light went on and off it was kind of like it was
448 getting dusk, so I don't know if it was on or off and then the neighbor said,
449 "Well it's probably - it was on, but it turned - or it was off, but he turned on
450 because it's on a timer. He keeps it on a timer." Is what he told us. I'm like,
451 "Oh okay cool." So one of them went on and off, and possibly I wasn't sure,
452 so we're banging on all the doors around the house nothing back there no
453 answer, um, so we go up to the front and this decision was made to force entry
454 into the house. So we drove, uh, well because he had guns, so we drove a
455 ballistic car up there with the doors open. I drove it up to the driveway I mean
456 you guys saw it that's where it was, um, we hit the front door first I mean it
457 wouldn't break open because it's reinforced I mean it didn't even move. Um, I
458 think Sergeant (Ulrich) kicked it like five or six times, and then we wait a
459 little bit, and then he put out we couldn't get - make entry in the front, so we

460 went around to the back the garage door which was not reinforced and, um, he
461 was at the door I was stacked up next to him and the two other deputies were
462 at the car so - but when we wen- transitioned to the back Sergeant (Ulrich)
463 went first then Deputy Weyhrauch, then Deputy Laguardia then I took the
464 back by the time I came around the corner he already entered the - they
465 already entered the garage and I don't know if they broke the second door
466 open but, um, when I made it into the garage all I can hear was, "Drop the
467 gun, drop the gun, drop the gun." A few seconds later, um, shots were fired.
468

469 Q: Okay. Um, that's really helpful. That - that provides like a huge like overall
470 global thing. And we'll go back and maybe ask - I'll ask more pointed...
471

472 A: Okay. Yeah.
473

474 Q: ...questions, but - but that's really super helpful. What happened after you, um,
475 you heard the shots were fired? What happened next?
476

477 A: So shots were fired. Um, the elderly wife was kind of like, when I - when I got
478 around, she was kind of like hovering over him. And then I don't think she
479 knew what was going on. Because she was like, "What happened? What
480 happened?" So all I saw was Deputy ver- uh, Deputy Laguardia take her. And
481 I said, "Hey, just get her outside." So we took her out. Deputy Weyhrauch
482 went inside to secure, because the house wasn't clear. So he - he stood behind
483 me to provide security. And I was, uh, running first aid.
484

485 Q: Okay, and tell - tell me about that.
486

487 A: Um, well, when I got there, there was a male on the ground laying face up.
488 His hands were, I don't know, his hands were like this. There was a, looked
489 like a small revolver at his feet. Um, I saw an entrance wound to the top of his
490 chest, and then I believe there was one on the side here. So, um, none of us
491 had a - a quick-lock - lock, uh, bandage. So I went outside and grabbed one. I
492 think Deputy (Harper) was there at the scene. He did, uh, I got one from him. I
493 went back in and I, um, it was myself and I think Sergeant (Owens) was in
494 there, and we were, uh, trying to stop the bleeding.
495

496 Q: Okay.
497

498 A: So I held it there, I don't know, couple - a minute maybe and then paramedics
499 arrived.
500

501 Q: Okay, they got there pretty fast?
502
503 A: Well, we staged them.
504
505 Q: Okay. So they were already there?
506
507 A: They were already there, yeah.
508
509 Q: Okay. Um, and then - and then what happened after that, once they got there?
510
511 A: So, um, they got there, and they took over that and, um, that's when everyone
512 arrived. They took him away and, uh, while I was there actually giving aid, it
513 was Deputy Weyhrauch and another deputy, um, secured the house with - for
514 people, there was no one else there. That was it.
515
516 Q: Okay, and then, um, and then the older gentleman got transported?
517
518 A: He got transported.
519
520 Q: Okay, and, um, and then what happened?
521
522 A: Um, well we stayed in the house for a little bit. Um, they told us to get out of
523 the house. They were taking pictures and then sit by in the street.
524
525 Q: Okay, and then at some point you were - you went from the scene I - I believe
526 to West Valley Patrol?
527
528 A: Yeah.
529
530 Q: And then you were there for a while and then from West Valley Patrol you
531 came here?
532
533 A: Yes.
534
535 Q: And to headquarters and now here we are? Okay, and if at any point today like
536 I say something that isn't accurate like cause I'm just paraphrasing.
537
538 A: Mm-hm.
539
540 Q: Just say no, Josh you're wrong. That's not what happened and then just clarify.
541
542 A: Okay.

543

544 Q: Cool. Um, all right, again that was super helpful like I really appreciate like
545 you were able to just articulate everything. So I really appreciate that. Um,
546 prior to yesterday, had you ever been to that house before?

547

548 A: No.

549

550 Q: Prior to yesterday, had you ever had contact with the male, the elderly male
551 who was shot?

552

553 A: No.

554

555 Q: Prior to yesterday, had you ever had contact with the elderly female that was
556 at the house?

557

558 A: No.

559

560 Q: Okay. And - and prior to yesterday, had you ever had contact with any of the
561 involved parties that were, uh, involved in the incident yesterday?

562

563 A: Uh, like deputies.

564

565 Q: No. I'm sorry, uh...

566

567 A: Oh just...

568

569 Q: The people that showed up in the car, the - the neighbors.

570

571 A: Oh, oh, yeah- no. I've never seen them before.

572

573 Q: No. You had no contact with any...

574

575 A: No.

576

577 Q: ...of those people ever before? Okay. Um, okay, so, uh, who were the fi- you
578 were one of the initial units to get dispatched?

579

580 A: Yes, I think I was the first one to get dispatched.

581

582 Q: Okay, you get dispatched, and then it sounds like Weyhrauch got dispatched?
583 Or did he just...

584

585 A: I - he didn't get dispatched. I think he just showed up to help.
586
587 Q: Okay, so it was a solo unit response?
588
589 A: Yeah, because there's only three of us.
590
591 Q: Okay, and then him just being a good partner...
592
593 A: Yeah.
594
595 Q: ...being a partner, he's like, hey, I'm just going to go show up?
596
597 A: He went and - yeah, and he actually got there first.
598
599 Q: Okay. And do you know how long he was there before you arrived?
600
601 A: Um, I got there pretty quick, because I was down the street, so at the most
602 maybe a couple minutes.
603
604 Q: Okay.
605
606 A: A minute or two.
607
608 Q: Okay. And I think you said when you got there, he was already like, I think
609 you said walking.
610
611 A: He was already out of his car. He was at - I believe he was in the - either in
612 the driveway or at the front door, um, you know, trying to make contact.
613
614 Q: Okay, and where was his patrol car parked when you got there?
615
616 A: Um, oh, it was right in front of the house.
617
618 Q: Okay, just parked right in front?
619
620 A: Yeah.
621
622 Q: Not in the driveway though?
623
624 A: No, it was in the, you know, right of the street.
625

626 Q: Okay. And, um, and the other thing I forgot to tell you too is if you don't
627 know something, just say I don't know.
628

629 A: Yeah.
630

631 Q: Or I don't remember. There's - I'm sure there's little details you don't
632 remember. Um, and where did you park when you arrived?
633

634 A: I parked, um, I actually parked in front of him. Uh, I think it was a little bit
635 front. So he was on the curb. And I was in the street because I usually take the
636 streets. So we have room to move.
637

638 Q: Okay, so you like parked next to him?
639

640 A: Yes, like next to him.
641

642 Q: In the - in the road way?
643

644 A: Kind of offset, yeah.
645

646 Q: Okay, cool. Um, so he's already up near the front, uh, either the front door or
647 the driveway area, you get out of your car, and you go, uh, what - what
648 happened? You went walking up there to...
649

650 A: I went to see, um, what he did, what he was doing, and he said, well, he said,
651 "I knocked on it and I think I heard someone inside and moving around, but
652 now there's nothing."
653

654 Q: Okay.
655

656 A: So...
657

658 Q: And - and did he tell you how that happened? Did he - did he say he knocked
659 on the door or tapped on the window?
660

661 A: Yeah, he knocked on it.
662

663 Q: Knocked on the front door?
664

665 A: Mm-hm.
666

667 Q: And did - what else did he say about he thought he heard something? Did he
668 elaborate?
669

670 A: He said - I asked him, like, "What did you hear?" He said, "He may - he might
671 have, um, someone said either hello or help, and it sounded like a male voice."
672

673 Q: Okay, did he say how many times that person said it?
674

675 A: Just one time.
676

677 Q: One time? Did he say anything else about what the person sounded like in
678 terms of in age or where they were? And...
679

680 A: No, he just - he just told me it sounded like a male voice, but he wasn't sure.
681

682 Q: Okay. Um, all right. And so, uh, now you're there with him. And did you guys
683 try knocking on the door again?
684

685 A: Mm-hm. Yes.
686

687 Q: How many times did you knock on the door? Or did you see Weyhrauch
688 knock on the door?
689

690 A: I don't know how many times I did, but we probably knocked on it for a good
691 10 to 15 minutes.
692

693 Q: Oh that long?
694

695 A: Yeah, because we went like window, to window, to door, to window, and then
696 we're kind of like, you know how you can kind of peek under the blinds? We
697 saw a light and there's a - he has a skylight and the light was on so.
698

699 Q: You could see the light from the inside of the house?
700

701 A: Yeah. Coming out and the neighbor - at that time it was already dark, so the
702 neighbor's like, "Well it's probably on a timer because that's what he puts on a
703 timer."
704

705 Q: The interior lights?
706

707 A: Yeah.
708

709 Q: Okay, all right, um, and all that contact that you were doing during that 10 or
710 15 minutes, you and Weyhrauch were doing, it was all centered in the front of
711 the house, the front windows, the front door?
712

713 A: Um, yes, well, he went to the back by himself.
714

715 Q: Okay.
716

717 A: And I was in the front and then we kind of regrouped, came back together and
718 kind of formulated a game plan.
719

720 Q: Okay, um, when he went to the back, and he came back up, did he give you
721 like a briefing on what he...
722

723 A: Yeah, he said, "There's - you can't see anything. Everything was shut and
724 there was no answer."
725

726 Q: Okay, the - he said the blinds were shut or?
727

728 A: All the drapes and - yeah, they're - they're actually like curtains.
729

730 Q: Curtains he said they were shut?
731

732 A: Yeah.
733

734 Q: Couldn't see anything?
735

736 A: Can't see anything.
737

738 Q: Okay. And then at some point, uh, there was you asked dispatch to make the
739 calls into the house.
740

741 A: Mm-hm.
742

743 Q: And they did, they said they did. But you didn't...
744

745 A: They said they did. But I didn't - I just did that, so I can hear if it's ringing.
746

747 Q: Okay.
748

749 A: And they said, "It just kept ringing." But I couldn't hear anything.
750

751 Q: Okay, couldn't hear the phone. All right, and then at some point, I think you
752 said you talked to the neighbors that were too - if you're facing the house...
753

754 A: The neighbors to the left.
755

756 Q: ...if you look to the left.
757

758 A: I talked to both, but the first one I went to was the one that left.
759

760 Q: Okay, tell me more about that interaction.
761

762 A: Uh, well, he answered the door, and he's friendly. He's like, "Oh yeah, um,
763 there's an elderly couple that lives there. He's - he's got some medical
764 problems. He doesn't - he just kind of sleeps a lot and, um, but the wife is
765 more active because she goes on walks." And I said, "Well, do you think
766 they're sleeping? They just don't hear the door?" He goes, "Well, if she heard
767 the door, she would probably answer it. Because she's active, and she's like,
768 she's not..." And he said that, "The male was, uh, the one with more medical
769 problems." I said, "Okay." I said, "Hey, do you know, that's when I asked
770 about the car." He said, "Yeah, that one silver..." I think it was an Altima. "If
771 it's there, it's not in the driveway, it's in the garage." So, um, and then I went
772 over like, "Hey, do you have a key? Maybe we can get in." And they gave us a
773 key. It didn't work. Um, yeah that's about it.
774

775 Q: Okay, were those - were those the neighbors that told you about the garbage
776 can being put out there after 4:00 pm?
777

778 A: Yeah, I asked, well I said, "Hey, is - when is your garbage day?" He said, "It's
779 today, meaning today." And I said, "Well, he's got a green can out there." He
780 goes, well, he went and talked to his wife, and the wife said that, "She didn't
781 see the garbage can that morning, but she saw it after 4:00." So we were able
782 to kind of narrow it down to when they were home.
783

784 Q: Okay.
785

786 A: But then again, he's like, "Well, uh, he might have a gardener." I don't know.
787

788 Q: Okay. And was it a garbage can? Or one of the green...
789

790 A: It's a green - it was a green one.
791

792 Q: Like the green where they put shrubs and...
793
794 A: Yeah.
795
796 Q: Okay. Um, did you guys ever talk to the wife, the neighbor wife, or was it all
797 communicated through the husband?
798
799 A: No, she was there.
800
801 Q: She was?
802
803 A: They were, uh, in the doorway. And so it was me, he was there, and then she
804 came out later. Um, she was talking to us. And then eventually, the - just the
805 male came over and helped us. Like, he tried the key. He tried knocking on
806 the door.
807
808 Q: Okay.
809
810 A: Because I think if maybe he got scared, it was us. So if I said, like, "Hey, just
811 tell him it's - hey, it's me. It's your neighbor. Can you open the door?" So he
812 knocked on it for a few times. And he said, "Hey, it's your neighbor, " I
813 think I don't know what his name is. And there was no answer.
814
815 Q: Okay, still nothing?
816
817 A: Yeah.
818
819 Q: All right. Um, okay, and then at some point, uh, Deputy Laguard- la-
820 Laguardia showed up. Was she there for that part of this as well? Like had she
821 already arrived?
822
823 A: Oh yeah, she was there.
824
825 Q: Okay, she was there.
826
827 A: Yeah.
828
829 Q: So at that point, it's the three of you.
830
831 A: Three of us.
832

833 Q: Okay. All right. And are they both assigned to Saratoga as well?
834

835 A: Yes, well, uh, Deputy Weyhrauch, uh, he's the hill car so basically in
836 Saratoga.
837

838 Q: Okay, so two Saratoga units and the hill car?
839

840 A: Yeah.
841

842 Q: Okay, all right. Um, okay, so then when neighbor goes over there, he
843 knocks on the door and says, hey, it's neighbor open up. Nothing, no
844 response still?
845

846 A: Nothing, nothing.
847

848 Q: Still don't hear anything?
849

850 A: Nothing and he actually, um, went to every window, and he actually opened
851 the lock for us, so we didn't have to jump the fence to the backyard. He
852 walked back there with us, and he actually tried pulling on all the doors and
853 knocking on the doors and nothing.
854

855 Q: Okay. So all the doors are locked?
856

857 A: All the doors are locked, yeah.
858

859 Q: Okay. Um, describe to me the condition of all the - I know you said they were
860 all locked, but I'm just gonna go through them just one by one.
861

862 A: Yeah.
863

864 Q: There's the back garage door that I think was eventually kicked open.
865

866 A: Mm-hm.
867

868 Q: That one was locked when you guys first went back there?
869

870 A: Yes.
871

872 Q: Um, there's a slider as you - as you go past the garage door and continue going
873 in the backyard. I believe there's a slider.
874

875 A: There's like three or four sliders I think.
876
877 Q: Okay three or four sliders?
878
879 A: Yeah.
880
881 Q: They're all locked?
882
883 A: They're all locked. He was pulling on them, we were tugging on them. We
884 were actually banging on it.
885
886 Q: Okay. Um, the - you said they were, I think, did you say draped or blind or
887 curtains?
888
889 A: I think they're - they looked like drapes or curtain you know the - they're not
890 plaited the - the cloth ones.
891
892 Q: Yeah. The ones that hang down?
893
894 A: Yeah. Yeah. Yeah.
895
896 Q: Okay, those are all closed?
897
898 A: They're all closed.
899
900 Q: And you can't see in?
901
902 A: We tried to peek underneath, but all you can - you can't - you couldn't see
903 anything.
904
905 Q: Okay, uh, condition of the lights in the house at that point, were the lights on
906 or off?
907
908 A: Um, you could see one like a faint light peeking through, um, but it wasn't
909 bright. It looked dark.
910
911 Q: Okay.
912
913 A: I mean, maybe it's like a night light or something.
914
915 Q: Okay, and if you need to take phone calls, go for it.
916

917 A: Yeah. I'm...
918
919 Q: I know...
920
921 A: I'm sorry.
922
923 Q: Dude, don't even be sorry.
924
925 A: It's probably my wife.
926
927 Q: Don't - dude do not be sorry. Yeah, take, uh, take care of that first.
928
929 A: Okay.
930
931 Q: And if - if you want to take a...
932
933 A: Yeah.
934
935 Q: ...like a quick phone break, just tell me.
936
937 A: Okay.
938
939 Q: Cause, uh, we're in a good place to stop and take a break.
940
941 A: No, I'm good.
942
943 Q: Okay. Um, all right so, uh, so then that all transpires you guys are in the
944 backyard for a while pulling on all the doors, knocking on the windows,
945 looking inside don't see much, uh, what - what happened after that? Did you
946 guys go back to the front?
947
948 A: We came back to the front and then, um, that's when we decided to call the
949 supervisor.
950
951 Q: Okay, how much - how long do you think you'd been at the scene at that - at
952 that point before you guys notified the supervisor?
953
954 A: We were probably on scene after all that, getting the neighbor to come over.
955 Maybe like 30, 40 minutes?
956
957 Q: Okay, long time.
958

959 A: 30 minutes. Yeah.
960
961 Q: Long time, all right, at some point you guys, I think you said you had contact
962 with the neighbors on the right-hand side.
963
964 A: The other side. Yeah.
965
966 Q: Tell - tell me more about that.
967
968 A: So I went over there myself, and I, um, just - just to try anything. So he came
969 out after a while. He said, "We just got back from Europe. Um, we haven't
970 seen him for a while." And, um, he gave me the landline number. But it was
971 the same number that we had. So and I said, "Thank you." And...
972
973 Q: That was it.
974
975 A: Yeah. That was it. It was real brief because he was like in his robe
976 (unintelligible).
977
978 Q: Okay, you went over there by yourself to talk to him?
979
980 A: Yeah.
981
982 Q: Okay, and do you remember his name?
983
984 A: I think it's either - it's on his door. I remember it being a or a
985 It's either one of those for sure.
986
987 Q: Okay, but it's immediate neighbor, right next door?
988
989 A: It's immediate to the right, yeah.
990
991 Q: Okay, and then I think you said at one point, one of the neighbors told you
992 that the ma- the elderly male had a difficult time walking. Do you remember,
993 uh, what - did you say that or am I mishearing things?
994
995 A: Um, I think he had some medical problems. I don't know if he had a difficult
996 time walking.
997
998 Q: Okay, just that he had medical problems?
999

1000 A: Yeah, because the - the other neighbor said that, um, "He actually drives, the
1001 wife doesn't drive, so if she needs to go somewhere he drives her."
1002

1003 Q: Hm, okay. All right.

1004

1005 A: So the - yeah. That's...

1006

1007 Q: Just that he - he knew - they knew that he had medical problems?
1008

1009 A: Yeah.

1010

1011 Q: Did they elaborate on what those medical problems were?
1012

1013 A: No, and he actually, I mean the first thing he said to me was, "Oh I'm afraid
1014 something might happen." When I knocked on the door. So I said, "Hey do
1015 you know your neighbor?" And he's like, um, "We can't get a hold of him."
1016 He's like, "Oh I'm afraid something happened." Because I guess they're
1017 elderly.
1018

1019 Q: Yeah. Did he - did he say what he thought might have happened?
1020

1021 A: No, I think I kind of - I didn't want to, you know, I kind of left it. I'm like,
1022 "Okay, we're going to try to contact them." And then...
1023

1024 Q: Was it, um, what did you think he meant? Cause I - I think I know what you're
1025 saying, but I...
1026

1027 A: Well I thought he meant that they were probably in the house dead.
1028

1029 Q: Okay, like something medically...
1030

1031 A: Something...
1032

1033 Q: ...happened?
1034

1035 A: ...medically happened, yeah.
1036

1037 Q: Okay, and they were...
1038

1039 A: That's what I got from him, but I didn't want to engage in that. So I...
1040

1041 Q: Yeah. Fair enough and I get it like if he says hey, I'm afraid something
1042 happened...
1043
1044 A: Yeah. And I said...
1045
1046 Q: ...you're - you're basically inferring...
1047
1048 A: Yeah...
1049
1050 Q: ...and - and tell me if I'm wrong.
1051
1052 A: I - I didn't want to tell him - I didn't want to tell him, hey, we're here because
1053 someone - we got to check on him. I just wanted to say, hey, have you seen
1054 him? And then...
1055
1056 Q: Okay.
1057
1058 A: ...hopefully, you know, he might answer the door, and he's fine.
1059
1060 Q: Okay, fair enough, fair enough. All right. Um, okay, so then the - the
1061 notification to - to Sergeant (Ulrich) happens. Who - who contacted him?
1062
1063 A: I did.
1064
1065 Q: By phone?
1066
1067 A: Um, yes.
1068
1069 Q: Text message or call?
1070
1071 A: Call.
1072
1073 Q: Okay, and what did you tell him when you called him?
1074
1075 A: I told him, "Hey, we're on this welfare check. Um, we talked to all the
1076 neighbors. Uh, (Veronica) talked to the reporting party. Everyone's saying the
1077 car's here. They're..." Um, I told him, "Deputy Weyhrauch might have heard
1078 someone inside, but now no one's answering. The lights are probably, we're on
1079 or off. We're not sure." And then, uh, he goes, "Okay, I'll be right over." I
1080 said, "Hey can you swing by?" He goes, "Yeah, I'll be right over."
1081

1082 Q: Okay, um, and then how long did it take him to get there after you called him?
1083
1084 A: Oh, for him to get, um, like five minutes, maybe.
1085
1086 Q: Okay.
1087
1088 A: Ten minutes.
1089
1090 Q: Five to 10 minutes he shows up?
1091
1092 A: Yeah. He shows up.
1093
1094 Q: Okay. And he gets there, and where were you guys at, and what were you
1095 doing when he showed up?
1096
1097 A: We were...
1098
1099 Q: Sergeant (Ulrich).
1100
1101 A: We were the driveway. All three of us with the neighbor.
1102
1103 Q: The neighbor to the left?
1104
1105 A: Yeah.
1106
1107 Q: Okay.
1108
1109 A: He was out there with us.
1110
1111 Q: Okay, so you guys are out there, um, and Sergeant (Ulrich) got there and then
1112 what - what happened? What did he - did he have any words of wisdom from
1113 being a Sergeant?
1114
1115 A: Um...
1116
1117 Q: Or what did he say?
1118
1119 A: Well, we kind of briefed him on what was going on. And then that's when I
1120 went to the other neighbor. And so he was there. I think he talked to Deputy
1121 Laguardia, Deputy Weyhrauch, and the first neighbor we talked to. So they
1122 were all like in a little, they were having a conversation. So I said, "Hey, I'm
1123 going to go check on this other side."

1124

1125 Q: Okay. And that was a brief interaction. They didn't really help you much. The
1126 guy was in a robe. You said, talk to you later.

1127

1128 A: That was like maybe a- well he didn't answer the door right away. I can hear
1129 his dogs barking, so I knocked for a while. So maybe like 10 minutes at the
1130 most. He comes out and then - oh he had - he had to actually go back in his
1131 house and get the phone number for me because he had some phone book, and
1132 then he came back out again so. At the most I talked to him maybe tops 10
1133 minutes.

1134

1135 Q: Okay, and, uh, you're done talking to him, and you come - you - you went
1136 back to the - to the house and what - what happened then?

1137

1138 A: Uh, I said, "Hey, this - this guy has the same number that we have. He just got
1139 back from vacation. This is what we have."

1140

1141 Q: Okay. And - and what did - what did the Sergeant say?

1142

1143 A: So I guess they reformulated a plan that, um, we were going to drive up the
1144 SUV because it's got the new ballistic panels up to the front of the house and
1145 then make contact at the front door.

1146

1147 Q: Okay. Um, all right. And that was a decision that was mad- that was
1148 formulated by the - the group, but concurred upon by the Sergeant. You guys
1149 all said this is what we're going to do?

1150

1151 A: Yeah.

1152

1153 Q: Okay.

1154

1155 A: But when I got - when I got back to - to where they were, that's - they already
1156 had it, um, I mean, that's what they were going to do.

1157

1158 Q: They made the plan and said, hey, this is your - this is your assignment?

1159

1160 A: They did. Yeah. And then, um, so I - well I'll just - I'll drive it. So I'll just got
1161 in there and drive it up.

1162

1163 Q: Okay, so you're driving, who else was in that car?

1164

1165 A: Just me.

1166
1167 Q: By...
1168
1169 A: So the doors were open, and they were actually behind - I think Deputy
1170 Weyhrauch was here, and then the other two were behind me.
1171
1172 Q: Okay, so you drive - you - you drive the , uh, the SUV up in the driveway?
1173
1174 A: Mm-hm.
1175
1176 Q: Um, you're the only one in the car. You think...
1177
1178 A: And both doors are open.
1179
1180 Q: Both doors are open.
1181
1182 A: Yeah.
1183
1184 Q: Uh, there's ballistic panels in there. Uh, I didn't know that. That's pretty cool.
1185
1186 A: Yeah, it's new.
1187
1188 Q: Oh, is it?
1189
1190 A: We just got them.
1191
1192 Q: Oh, that's cool.
1193
1194 A: Yeah, like we literally just got them like two weeks.
1195
1196 Q: Oh, okay. Well, good purpose today.
1197
1198 A: Yeah.
1199
1200 Q: Uh, so then the - the doors are open and, um, you said, tell me - tell me where
1201 everyone's standing at that point again.
1202
1203 A: So I - the plan was to just kind of - because it - the driveway curved, so we
1204 kind of curved it towards the front door just in case. You know, um, and the
1205 passenger seat, I think it was - or the side standing in that void was Deputy
1206 Weyhrauch, Deputy Laguardia. And then I think Sergeant (Ulrich) came
1207 around and went to the front door.

1208

1209 Q: Okay, so he was on the driver's side?

1210

1211 A: I think he was either on driver's side or to the rear.

1212

1213 Q: Okay, um, at that point, uh, when you drove up. Um, tell me about the patrol
1214 car, did that car - was that a car equipped with the dash camera or the - the
1215 camera?

1216

1217 A: Yeah.

1218

1219 Q: Tell - tell me about that camera activated or?

1220

1221 A: I think it was activated. It's - it's not my car, but I think it was - it was rolling
1222 the whole time.

1223

1224 Q: You didn't activate it?

1225

1226 A: I didn't activate it.

1227

1228 Q: Uh, do you know - do you remember if it was activated or not? If you don't
1229 remember...

1230

1231 A: I don't remember. But I - when I - when I actually got out of the car to go to
1232 the front door, I think I saw it on.

1233

1234 Q: Okay. Um, was the camera facing - does that camera swivel?

1235

1236 A: It does.

1237

1238 Q: Was that camera facing forward or some other direction?

1239

1240 A: Uh, I'm - I'm not sure. I mean, it's usually facing forward, but again, I don't
1241 know. It's not my car, so I don't...

1242

1243 Q: Okay, you didn't manipulate the camera?

1244

1245 A: I didn't touch the camera.

1246

1247 Q: Okay. Um...

1248

1249 A: But you can see the - you know how you see the yellow light. I think I saw it,
1250 maybe, maybe not. I was just trying to rush to the door.
1251

1252 Q: Okay, uh, you drive up at that point, um, are you still wearing the same class
1253 A uniform?
1254

1255 A: Mm-hm.
1256

1257 Q: Had you donned a - a helmet?
1258

1259 A: No.
1260

1261 Q: Uh, any type of vest or ballistic vest?
1262

1263 A: No.
1264

1265 Q: Nothing? Uh, no, uh, carrier. Like the...
1266

1267 A: Uh, carrier, no.
1268

1269 Q: The sheriff carriers? Nothing like that? Okay, um, are you equipped? What -
1270 what were you equipped with in terms of a weapon a handgun or?
1271

1272 A: Uh, handgun.
1273

1274 Q: Handgun. Did you have an AR-15?
1275

1276 A: I did.
1277

1278 Q: Did you have it with you?
1279

1280 A: It was in the trunk.
1281

1282 Q: The trunk of your patrol car?
1283

1284 A: Correct.
1285

1286 Q: Okay, so you - you just have your handgun?
1287

1288 A: Yes.
1289

1290 Q: Um, Deputy Laguardia, what was - was she wearing a class A uniform or
1291 standard patrol uniform?
1292
1293 A: She was.
1294
1295 Q: Was she, uh, wearing a ballistic helmet?
1296
1297 A: Yes.
1298
1299 Q: She was. Was she wearing a ballistic vest or any, uh, load carrying vest?
1300
1301 A: I don't - I don't think so.
1302
1303 Q: Just a standard uniform shirt?
1304
1305 A: I think it was a standard uniform shirt.
1306
1307 Q: Um, was she - did she have her, uh, Glock or another type of firearm?
1308
1309 A: I think she had her handgun.
1310
1311 Q: Just a handgun?
1312
1313 A: Glock, yeah.
1314
1315 Q: Okay, no long rifle or shotgun?
1316
1317 A: No.
1318
1319 Q: Okay. Uh, Weyhrauch was he wearing a ballistic helmet?
1320
1321 A: Yes.
1322
1323 Q: Was he, uh, wearing a load-bearing vest or plate carrier or something like...
1324
1325 A: Yes, he was.
1326
1327 Q: He was. Okay. Do you know what that was if it was a like a plate carrier or
1328 just a vest that carries extra gear?
1329
1330 A: Um, it looked like a plate carrier.
1331

1332 Q: Okay, so he's wearing that. Um, Sergeant (Ulrich), was he wearing a ballistic,
1333 uh, helmet?
1334
1335 A: He was.
1336
1337 Q: He was. And was he wearing a ballistic or a load-carrying vest or plate
1338 carrier?
1339
1340 A: No.
1341
1342 Q: No, just a standard uniform shirt?
1343
1344 A: Standard uniform.
1345
1346 Q: Okay. All right. Um, and was he - did he have a handgun or a long gun?
1347
1348 A: He had a handgun.
1349
1350 Q: And - and I - I don't know if I asked you about Weyhrauch. Was - did he have
1351 a handgun or a long gun?
1352
1353 A: He had a rifle.
1354
1355 Q: He had an AR-15 rifle?
1356
1357 A: Yes.
1358
1359 Q: Okay. Um, besides the helmets and the, uh, the - the vest, you were telling -
1360 telling me about any other special equipment that's beyond what you normally
1361 carried in a routine?
1362
1363 A: For me?
1364
1365 Q: Any of the people that...
1366
1367 A: Oh, for them? I - I don't think so.
1368
1369 Q: Okay, uh, anyone carrying a, um, what are they, the shield, the ballistic
1370 shield?
1371
1372 A: Uh, no, I don't think we had a shield.
1373

1374 Q: Okay.
1375
1376 A: I didn't see any.
1377
1378 Q: Okay, so - so the car comes up, um, and stops in front of the house. Did you
1379 make any announcements on the PA system?
1380
1381 A: Um, no.
1382
1383 Q: Do you remember if you shined any of the - the patrol cars, like emergency
1384 lighting or equipment at the house?
1385
1386 A: Yeah, the - the spotlights were in the windows.
1387
1388 Q: Uh, both spotlights?
1389
1390 A: Two spotlights were on. I know one - I put one of them into the - there's a
1391 window, two windows to the left of the front door and I know the other one
1392 was at the - either at the front door or - or at the window beside it.
1393
1394 Q: Okay, and I think I know why you did that, but maybe just so it's completely
1395 clear, why did you do that?
1396
1397 A: Um, so I could see who's coming to the door.
1398
1399 Q: Okay. So for would it be safe to say you did it for like a tactical consideration
1400 or an officer safety consider...
1401
1402 A: Yeah, just to, um, just for our safety, I could see who's coming out, and it'd be
1403 hard for them to see us.
1404
1405 Q: Okay, at that m- at that point when you're driving the car up there, tell me
1406 about your mindset. Are you - were you nervous, were you scared? I know
1407 you're a very seasoned - seasoned officer.
1408
1409 A: Um...
1410
1411 Q: But what was your mindset?
1412
1413 A: No. My mindset was I - I was thinking maybe he's asleep and if we hit the
1414 door hard enough maybe he'll come out, or maybe he might be dead in there,
1415 so we'll have to just, I mean, force entry and see.

1416
1417 Q: Okay, any concern or fear at that point that he's gonna come out and be
1418 assaultive?
1419
1420 A: Um, I - yeah, I mean, cause we - he had a lot of firearms and like the neighbor
1421 said he was an old military guy. So I mean that was in the back of my mind.
1422 So that's why we had, you know, that's why I brought the car up and everyone
1423 had their gear on.
1424
1425 Q: Okay. Um, all right, cool. That's - that's all helpful stuff. So then, um, car gets
1426 parked. What happens next? Who goes up to the door?
1427
1428 A: Car gets parked, uh, Sergeant (Ulrich) goes first, he's to the left of the door.
1429 Um, Deputy Weyhrauch actually comes back around to my left and the gate,
1430 so he covers the gate. And so I get - I put it in park, I get out of the driver's
1431 seat and I go up, uh, behind Sergeant - Sergeant (Ulrich).
1432
1433 Q: Okay, and, uh...
1434
1435 A: And...
1436
1437 Q: Weyhrauch was covering the gate?
1438
1439 A: Yeah, because there's a gate too. I mean, we're probably - I think he - he was
1440 thinking that what if he came out the gate. Back door.
1441
1442 Q: What - what about Deputy Laguardia? Where is she at?
1443
1444 A: She was at - she stayed at the - she stayed at the vehicle at the passenger side.
1445 And she was just - I think she was watching the front windows.
1446
1447 Q: Okay, and, um, did you - did you guys have your handguns out?
1448
1449 A: Um, they did, I did not at that time.
1450
1451 Q: Okay. So Sergeant (Ulrich) had his handgun out?
1452
1453 A: Um, I think he had it initially, and then he probably put it away when he
1454 kicked the door. I - I can't tell you for sure.
1455
1456 Q: Okay. Fair enough. You did not have yours out at that point?
1457

1458 A: I was not holding my handgun. No.
1459
1460 Q: Okay and if you remember la- uh, Laguardia, was she - did she have a
1461 handgun out?
1462
1463 A: I - I couldn't see.
1464
1465 Q: Okay and, um, uh, the other deputy, your partner, he - you said he had an AR-
1466 15 rifle?
1467
1468 A: He did.
1469
1470 Q: He - did he have that slung towards the front or was it over his shoulder or
1471 something?
1472
1473 A: No it was in the front.
1474
1475 Q: In the front so he had the rifle in his hands?
1476
1477 A: In his hands, yes.
1478
1479 Q: Okay, all right. Um, so who made contact at the door at that time?
1480
1481 A: Uh, there was no contact. Oh, there was no contact at the door.
1482
1483 Q: Anyone knock on the door to...
1484
1485 A: Yeah, we were knocked on - oh, yeah, we didn't contact a person, but we did
1486 make contact at the front door.
1487
1488 Q: Okay, so who - who was doing that?
1489
1490 A: Um, Sergeant (Ulrich).
1491
1492 Q: And how was he doing it?
1493
1494 A: Um, first he knocked and then, um, as he was knocking he was giving verbal
1495 announcements.
1496
1497 Q: What - what did you hear him say?
1498

1499 A: He said, uh, "(Eugene), the Sheriff's office opened the door. This is the
1500 Sheriff's office open the door." He said it maybe like five or six times. And we
1501 were knocking harder and harder.
1502

1503 Q: Okay, and no response?
1504

1505 A: No response.
1506

1507 Q: Okay, don't hear anything, don't see any changes in conditions in the house?
1508

1509 A: Don't hear anything. Um, I kind of peeked through the blinds. It kind of
1510 looked like the lights were still on. No movement.
1511

1512 Q: No change. Okay, uh, so you stay there for that period of time, then - then
1513 what happened?
1514

1515 A: Um, I remember him putting out the front door was, um, we were unable to
1516 get in, it was a steel reinforced door. Um, we were gonna to try the garage.
1517

1518 Q: Okay.
1519

1520 A: The back garage door.
1521

1522 Q: Okay, all right. Was the , um, was the front door did it - there's a security gate
1523 there right? A security door like a bird cage?
1524

1525 A: No, there's no bird cage. It's just a solid - it's just a solid door.
1526

1527 Q: Oh really?
1528

1529 A: Yeah, the - I think the frame, the neighbor was telling me it's like a European
1530 door, I've never heard of it. He said he changed it to a European door. It's like
1531 a solid frame, and it's like a solid piece of wood.
1532

1533 Q: Oh, okay.
1534

1535 A: And it was - I mean, it - it was not moving.
1536

1537 Q: Okay, (Ulrich) is a big guy.
1538

1539 A: He's a big guy, and it was - that thing was not moving.
1540

1541 Q: I've seen (Ulrich) kick doors.
1542
1543 A: Yeah.
1544
1545 Q: Um, okay, and how many times did (Ulrich) try kicking that door?
1546
1547 A: I'd say, betw- five, six times.
1548
1549 Q: And how was he kicking it?
1550
1551 A: What do you mean?
1552
1553 Q: Was he kicking it forwards or doing...
1554
1555 A: Forward.
1556
1557 Q: ...like a donkey kick?
1558
1559 A: No, no, no, forward.
1560
1561 Q: Forward. Five or six?
1562
1563 A: They were all forward. Yeah.
1564
1565 Q: No movement in that door?
1566
1567 A: No, that thing was not moving. It was like kicking a brick wall.
1568
1569 Q: Okay. So - so someone puts out radio traffic, hey we're kicking a brick wall,
1570 this isn't working.
1571
1572 A: Somewhat.
1573
1574 Q: Uh, we're going to go to the rad- uh, to the garage. Who - do you remember
1575 who put that radio traffic out?
1576
1577 A: I think it was - uh, I think it was, uh, Sergeant (Ulrich).
1578
1579 Q: Sergeant (Ulrich)?
1580
1581 A: Yeah.
1582

1583 Q: Okay. And so then you guys say, okay we're going to go to the garage. So
1584 walk me through that process. What happened?
1585

1586 A: So, um, decision the was made, I don't know by who, to try the garage. So,
1587 um, Sergeant (Ulrich) goes through the gate first, then it was, uh, Deputy
1588 Weyhrauch, then Deputy Laguardia, then I took the rear, because as they were
1589 peeling out, I was the last one. Um, I don't know if you've seen the layout, but
1590 there's two, there's a wooden fence and there's a chain link fence inside. They
1591 get through that, um, and then they make entry into the garage, uh, by - they
1592 broke the - it was like a wooden door.
1593

1594 Q: Okay, and you - you didn't see how that got broken?
1595

1596 A: No, by the time I came around both fences, they were already inside the
1597 garage.
1598

1599 Q: Okay.
1600

1601 A: I did hear it, but I didn't...
1602

1603 Q: What it sounded like someone kicking it?
1604

1605 A: Kicking the door. Yeah.
1606

1607 Q: Kicking the door, okay. And you didn't see it But is it safe to say that was to
1608 your knowledge was that, uh, Sergeant (Ulrich) that kicked that door because
1609 he was still in the lead? Or you just...
1610

1611 A: Yeah. Uh, I mean, I didn't see him, but, um, it's safe to assume that he was the
1612 first one, uh, in the line. That he kicked it.
1613

1614 Q: Okay, so he goes in, um, I'm gonna deviate for a second.
1615

1616 A: Sure.
1617

1618 Q: As you guys were walking, uh, to the backyard was there anything unusual on
1619 that path to go to that back, uh, back door?
1620

1621 A: What do you - what do you mean?
1622

1623 Q: Uh, anything on the ground that was unusual any - was there slippers on the
1624 ground or footwear on the ground? If you remember.
1625

1626 A: No. All I remember is like there's little it was concrete pads, and it looked
1627 normal, like a normal backyard.
1628

1629 Q: Okay. You don't remember any shoes or slippers on that path?
1630

1631 A: Shoes? No.
1632

1633 Q: No. Okay. So then, uh, so then the doors open, you get around, uh, by the time
1634 you round that corner, uh, it sounds like they were already making entry into
1635 the garage?
1636

1637 A: Yeah, when I came around the corner, they're actually making entry into the
1638 second inner door.
1639

1640 Q: Oh okay, so it happened. I mean...
1641

1642 A: It was quick.
1643

1644 Q: How long do you think it took before - by the time that the - the exterior door
1645 got kicked to the time the interior door into the garage - from the garage into
1646 the house got breached?
1647

1648 A: Between the first breach and the second breach? Uh, I don't know. I'd have to
1649 guess, uh, it was quick like 10 seconds, maybe.
1650

1651 Q: Okay. Fast. Boom, boom.
1652

1653 A: Yeah, because it - I think it was just like a little padlock or a little lock. So it
1654 was breached first and then they kind of all stacked into that doorway and then
1655 the second one was breached.
1656

1657 Q: Okay.
1658

1659 A: 10 to 12 seconds.
1660

1661 Q: Okay, um, were you - did you see the second door get breached the interior?
1662 The one that goes - you did not? You did not see that get breached? Okay.
1663 Um, so tell me what is the first thing you - you saw or heard that was

1664 significant?

1665

1666 A: So, uh, when I got through the first door, they were already at the second
1667 door. Um, all I heard was, I think it was Deputy Wey- Weyhrauch, "(Eugene),
1668 drop the gun, drop the gun, put the gun down." Um, I turned around real quick
1669 just to see if there was anyone behind us. So I - I was covering the door we
1670 came in, and I turned back around and, um, there - there were - it was shots
1671 fired already.

1672

1673 Q: Okay. Um, so you think it was Deputy Weyhrauch or you - you know it was
1674 Deputy Weyhrauch that addressed him, he said, "(Eugene) drop the gun."

1675

1676 A: I - I wasn't - I - they were - I think they were all yelling commands. And like
1677 I'm assuming it was Deputy Weyhrauch because he was the - he was the one
1678 right in the middle of the doorway.

1679

1680 Q: Okay, so, uh, tell me where everyone is in the garage like explain that to me.

1681

1682 A: So - so - so I don't know. I could draw it for you.

1683

1684 Q: You can, you draw it too. Yeah, yeah, yeah.

1685

1686 A: I can draw it for you.

1687

1688 Q: Here you go.

1689

1690 A: It's a really small doorway. Can you guys see - can you see it?

1691

1692 Q: Yes.

1693

1694 A: Can you see?

1695

1696 Q: And again, we realize this isn't to scale so...

1697

1698 A: Yeah. It's - here's the garage.

1699

1700 Q: ...you're not gonna get graded.

1701

1702 A: I know, I'm just a - a bad drawer, man.

1703

1704 Q: No, you're not gonna get graded on this.

1705

1706 A: So here's the gar- here's the car. It's parked this way. Okay. This is to the best
1707 of my ability.
1708
1709 Q: Sure.
1710
1711 A: So here's the inner door. Here, here's the car. Here's the garage door. Okay.
1712
1713 Q: Yep.
1714
1715 A: We're going this way. Weyhrauch is here. Deputy Laguardia is here. Sergeant
1716 (Ulrich) is here. I'm back here. So I'm back basically covering this door. This
1717 door was really little. I thought about squeezing in there, but then I would be
1718 masking them. So I didn't go that - all the way. So I stopped here, turned
1719 around, cover the back.
1720
1721 Q: Okay, just maybe put like a name, so I know who the X is or whatever.
1722
1723 A: This is the Sergeant. This is Laguardia. This is Weyhrauch, I think he spells
1724 his name. Y-H-R-A. Can you read that?
1725
1726 Q: Good enough. I got - I know who you're talking about. And that's you?
1727
1728 A: Right. That's me.
1729
1730 Q: Okay, is this door, the garage door open?
1731
1732 A: This - it does open.
1733
1734 Q: Was it open at that time?
1735
1736 A: No.
1737
1738 Q: That's all closed?
1739
1740 A: Yeah.
1741
1742 Q: Um, okay, so the first thing, uh, you hear is you hear someone shouting
1743 commands, and you're assuming it's Weyhrauch because he's in the middle of
1744 the...
1745
1746 A: He's in the - yeah, and he was kind of up - well she was back here more than
1747 he was. Sergeant was over here to the side.

1748
1749 Q: Okay, and - and why - and this is like, obviously this is the key point, right?
1750 So walk me through this transaction. What happened here?
1751
1752 A: This is transaction, um, they get here to this point. I can see them. Yelling
1753 commands, drop the gun, drop the gun. I turn and face this way just to make
1754 sure no one backdoor-ed us. I turn back around. And it's already shots fired.
1755
1756 Q: Okay.
1757
1758 A: And the shots already been fired so.
1759
1760 Q: At any point...
1761
1762 A: It was quick.
1763
1764 Q: ...did you see (Eugene)?
1765
1766 A: From here I couldn't see him. There's a - I mean this doorway is like really
1767 little, it's probably half the size, but I just drew it like that.
1768
1769 Q: Yeah, no, I got it.
1770
1771 A: So from here...
1772
1773 Q: So you - you never saw him?
1774
1775 A: Yeah. No.
1776
1777 Q: Okay. Um...
1778
1779 A: And it kind of - there's a little - I think there's one or two steps. It steps up.
1780 You have to kind of step up into it, if I remember correctly, from here.
1781
1782 Q: Okay, uh, so there's some - some verbal commands being given...
1783
1784 A: Mm-hm.
1785
1786 Q: ...uh, by Weyhrauch. How about Laguardia, did you hear her give any verbal
1787 commands?
1788

1789 A: I think so, I'm not sure. I think there was a lot of yelling going on, drop the
1790 gun, drop the gun. Um, I'm assuming it was Deputy Weyhrauch since - since
1791 he was at - in the front.
1792

1793 Q: Okay. Uh, how about Sergeant (Ulrich) specifically? Do you hear him give
1794 any commands?
1795

1796 A: Um, again, I think he did, but there was just - I think there was too many
1797 people yelling, dropped a gun, that it all came out as, you know. Drop the gun.
1798

1799 Q: No, no, I get it man. I know that's - that's a chaotic - that's a chaotic scene.
1800

1801 A: Yeah.
1802

1803 Q: And there's a lot of noise going on. So all right, um, Sergeant (Ulrich) have
1804 his gun out?
1805

1806 A: Uh, all three of them did.
1807

1808 Q: Okay, tell me about Sergeant (Ulrich) and, uh, how he had his weapon
1809 positioned.
1810

1811 A: Uh, when I saw him, they all had it up at the, I guess it was - they were
1812 pointing it at him.
1813

1814 Q: Okay.
1815

1816 A: Through the doorway.
1817

1818 Q: Okay, so Sergeant (Ulrich) pointing a gun...
1819

1820 A: Mm-hm.
1821

1822 Q: ...into the doorway?
1823

1824 A: Yeah.
1825

1826 Q: Weyhrauch pointing an AR-15?
1827

1828 A: His rifle, yeah.
1829

1830 Q: Still? Okay. And Laguardia pointing a handgun?
1831
1832 A: Yeah, I'm not sure about her. I think she either had a handgun or a shotgun. I -
1833 I really - I'm - I'm not sure.
1834
1835 Q: Okay, no problem, no problem. Um, and you're never able to, uh, see Mr.
1836 (Eugene) at all?
1837
1838 A: The first time I saw him was when I went inside.
1839
1840 Q: Okay, uh, did you hear him say anything?
1841
1842 A: No.
1843
1844 Q: No. How - and again, I mean, I know this probably happens so fast, but how
1845 long were they like challenging him, giving him commands to drop the
1846 weapon before there were shots fired?
1847
1848 A: How long were - oh, from first contact? Um, it was a while. Maybe 10
1849 seconds.
1850
1851 Q: So 10 seconds of them giving him commands...
1852
1853 A: Them giving commands.
1854
1855 Q: ...him not doing it?
1856
1857 A: Yeah.
1858
1859 Q: And then shots fired?
1860
1861 A: And the shots were fired, yeah.
1862
1863 Q: Any radio traffic during that time that you remember?
1864
1865 A: Um, I - during, there was traffic after, but, uh, during that time there was - I
1866 don't remember.
1867
1868 Q: Okay.
1869
1870 A: Sorry.
1871

1872 Q: No, again, like there's - there's nothing, uh, there's nothing to be, uh, if you
1873 don't know, you don't know, no big deal. Um, you said shots were fired. Do
1874 you know who fired those shots?
1875
1876 A: At this point, I did not.
1877
1878 Q: Okay. Did you see anyone shoot their firearm or discharge it?
1879
1880 A: Dis- no.
1881
1882 Q: Didn't see? Um, how many shots did you hear?
1883
1884 A: I heard three to four.
1885
1886 Q: Okay. And, uh, did it sound like it was coming from the same gun, or could
1887 you tell?
1888
1889 A: I couldn't tell.
1890
1891 Q: Hard to say, okay.
1892
1893 A: It's hard say. Yeah.
1894
1895 Q: Um, okay, and what were the , uh, succession of those shots like? Was it like,
1896 maybe you could just say boom, boom, like however like...
1897
1898 A: Um...
1899
1900 Q: ...was it fast or slow?
1901
1902 A: It was like the first pair - it was like two pairs, the first pair and the second
1903 pair. Like boom boom, boom boom.
1904
1905 Q: Okay. And...
1906
1907 A: From what I remember.
1908
1909 Q: Okay, the first two, they were - were they pretty - in pretty rapid succession?
1910 Like bam, bam? Like a double tap or was it longer?
1911
1912 A: I think it was - I think it was longer than a double tap.
1913

1914 Q: Okay, and then there's a pause.
1915
1916 A: Real quick, I mean it was - it was pretty fast.
1917
1918 Q: Okay. All right, um, so three to four shots, uh, and then what happened next?
1919
1920 A: Um, I could hear the - the elderly female saying something. I couldn't
1921 understand her. I think she was speaking another language or. And I told, uh,
1922 Deputy Laguardia, hey, let's - so we kind of had to pull her away out the door,
1923 and I said, "Hey, just get her out of here." So she took - I think she just carried
1924 her out the door they breached to the front.
1925
1926 Q: So she comes back out this way?
1927
1928 A: So, yeah, she runs - she goes by me with her, comes out this way, and then out
1929 this way. Um, Deputy Weyhrauch enters. Um, he's down here. He enters this
1930 way. I follow him in. I think, um, Sergeant stayed out here. So I rendered aid
1931 here, and he was actually behind me just watching my back.
1932
1933 Q: Okay. Um, and you already described how you're rendering aid, but you said
1934 that you saw, and again, if I'm wrong, just tell me I'm wrong.
1935
1936 A: Yeah.
1937
1938 Q: But I think I thought you said that there was a - a - a bullet wound in his upper
1939 right chest area?
1940
1941 A: He had a blood - I mean you could see it, it was bleeding through his shirt.
1942 And then, um, I'm assuming it went through and through since there was
1943 blood coming out of his back, back here. And then I saw like a, I think it was
1944 either a grazing shot or a through and through shot here on his like lower rib
1945 cage.
1946
1947 Q: Okay. And, um, what - how did you render aid to him?
1948
1949 A: Um, I - we - I didn't have a quick-lock tourniquet, so I actually had to - and n-
1950 no one in there had one, so I had to actually run back outside and grab it from
1951 one of the other deputies. I think it was Deputy (Harper) had one.
1952
1953 Q: Okay, and when you ran back out, did you go back out this path?
1954
1955 A: No, I went out the garage door because it was open.

1956

1957 Q: Do you know who opened that?

1958

1959 A: I don't. I do not.

1960

1961 Q: Okay. So you run out. You...

1962

1963 A: So I run out here to the driveway. I met the deputies there I think it was - I
1964 think it was Deputy (Harper). Gra- grabbed me his med kit, went back inside
1965 and I, um, I put a tourniquet dressing on his - the one on his up- upper one
1966 with Sergeant (Owens).

1967

1968 Q: Okay, so, uh, you and Sergeant (Owens), anyone else present there while you
1969 were doing that?

1970

1971 A: Um, Deputy Weyhrauch was still inside, and I think Deputy (Vincent) entered
1972 the scene as well.

1973

1974 Q: Okay.

1975

1976 A: And I think he's the one that - I think, he's the one that cle- cleared the house
1977 with Deputy Weyhrauch.

1978

1979 Q: Okay. So Weyhrauch and possibly (Vincent) cleared the house?

1980

1981 A: Yeah.

1982

1983 Q: No other people there?

1984

1985 A: Me and Sergeant (Owens).

1986

1987 Q: Okay. Uh, no - I mean, no other homeowners or...

1988

1989 A: No other civilians there.

1990

1991 Q: Okay. All right. And then, um, I think you said it was fairly quick that EMS
1992 personnel got there and took over medical aid?

1993

1994 A: Yeah, maybe - yeah. It was very - it was quick.

1995

1996 Q: I think you said a minute.

1997

1998 A: Like a minute, two minutes.
1999
2000 Q: A minute, two minutes. Okay. Did, um, did Mr. (Eugene) say anything while
2001 he was - while you were providing aid to him? Did he tell you anything?
2002
2003 A: He didn't say anything.
2004
2005 Q: Okay, and was - was he conscious and breathing?
2006
2007 A: Um, his eyes were open, and I could see his - he was breathing long - he was
2008 breathing, he was taking long, deep breaths. So it wasn't shallow breathing. It
2009 was long, deep breaths. So, um, up until the time they took him away, he was
2010 still breathing.
2011
2012 Q: Okay, did anyone perform, uh, CPR on him at any point?
2013
2014 A: Anyone?
2015
2016 Q: Yeah.
2017
2018 A: No.
2019
2020 Q: And while you guys were there?
2021
2022 A: No.
2023
2024 Q: No need to - no need to use CPR because, uh, he doesn't - he's conscious and
2025 breathing.
2026
2027 A: He's breathing. Yeah.
2028
2029 Q: He's breathing. Okay, all right. Um, and you don't remember him saying
2030 anything during that time when you're tending to him?
2031
2032 A: When I was - I was - he was in between my legs here, and he didn't say
2033 anything.
2034
2035 Q: Okay. Um, okay. And what - did you say anything to him?
2036
2037 A: Um, I think I said, "Hang on, we got help on the way. Just ha- just hang on."
2038

2039 Q: Giving him some reassuring words?
2040
2041 A: Yeah.
2042
2043 Q: Uh, did you hear anyone else say anything to him?
2044
2045 A: Um, no.
2046
2047 Q: Okay. Um, when you got - I know you - I'm kind of scattering...
2048
2049 A: Yeah, go ahead.
2050
2051 Q: ...a little bit now. But...
2052
2053 A: It's okay.
2054
2055 Q: ...I know at some point, you - I think you told me you said that you guys
2056 announced yourself as the Sheriff's office as you were - in the very beginning
2057 as you were knocking on the door.
2058
2059 A: Mm-hm.
2060
2061 Q: Um, was that pretty consistent all the way through? Were you - at every time
2062 you tried to make contact, were you notifying them that you were with the
2063 Sheriff's office?
2064
2065 A: Yes.
2066
2067 Q: Okay.
2068
2069 A: It's pretty standard.
2070
2071 Q: Yeah. Right. Okay, I get that. Um, and then when - when you guys were in the
2072 garage, and they had contact with (Eugene) and they're saying, drop the gun,
2073 drop the gun, do you remember anyone saying police, Sheriff's office or
2074 something like that?
2075
2076 A: Um, I - no. All I heard, what really sticks out in my mind was just, "(Eugene),
2077 drop the gun, drop the gun."
2078
2079 Q: Okay, do you remember, um, all three of them were pointing weapons of
2080 some sort at him. Uh, do you remember any of them pointing flashlights at

2081 (Eugene)?
2082
2083 A: Flashlights? No. I mean, I couldn't - from here I couldn't see. But, um, it was -
2084 the garage was lit, we turned the lights on. I think someone turned the lights
2085 on. But it was lit, because I could see. And inside, interior was lit. Like fully,
2086 there was lights.
2087
2088 Q: Okay.
2089
2090 A: So I didn't - I don't think - I don't know, I didn't see.
2091
2092 Q: All right. What were you feeling prior to those shots being fired?
2093
2094 A: What do you mean?
2095
2096 Q: Um, you're hearing then - you're hearing your partners tell this guy, drop the
2097 gun, drop the gun.
2098
2099 A: Mm-hm.
2100
2101 Q: How were you feeling at that point? I mean...
2102
2103 A: Um...
2104
2105 Q: ...are you - is your anxiety level rising?
2106
2107 A: Yeah. It ri- it - I mean it hit the - when you hit the top you can go. So I just
2108 wanted - I just, my main concern was I don't want anyone coming through the
2109 door. Because I was going to - I mean I was thinking like, okay should I go
2110 over there and crowd it, or should I just watch the back? So I decided to watch
2111 the back door.
2112
2113 Q: Okay.
2114
2115 A: I mean I figured they had it, there's three of them so.
2116
2117 Q: You did the - it sounds to me, you did the tactically sound thing to me. Hey,
2118 they got this. Let me just make sure no one creeps up on us.
2119
2120 A: Yeah. I mean I kind of - I mean, I thought about getting in there, then it would
2121 be like all four of us in a little, I mean, it was a little - a little - if you saw the
2122 door, it's pretty small.

2123

2124 Q: Yeah, I - I did, it was narrow.

2125

2126 A: Big guys.

2127

2128 Q: Um, how about when the shots were being fired? What - did you feel anything
2129 then? What did you feel when those shots were actually being fired?

2130

2131 A: Um, not - not, you know I - I - you can hear it, but it wasn't as loud as I
2132 expected it to be. And then after it kind of, you know, time kind of slowed
2133 down, then I'm like, oh, we better go inside and see what's going on.

2134

2135 Q: Okay.

2136

2137 A: So it was like, it was quick.

2138

2139 Q: You said it didn't sound as loud as you thought it would be? And you're
2140 talking about the gunshots?

2141

2142 A: The gunshots, yeah.

2143

2144 Q: Okay.

2145

2146 A: I mean you go to the range and sometimes one will slip, and it's pretty damn
2147 loud. There it was - I don't know.

2148

2149 Q: Kind of muffled?

2150

2151 A: A little muffled.

2152

2153 Q: Okay. What about, um, what about visual? Did you feel like any visual?
2154 Distortions or any visual...

2155

2156 A: No.

2157

2158 Q: ...reductions? That was okay? Just the audio?

2159

2160 A: Just the audio, yeah.

2161

2162 Q: Okay. All right, um, how about immediately after the shots being fired? How
2163 were you feeling then?

2164

2165 A: Um, I was feeling okay. I mean, I'm at work. I'm, you know, I've been doing
2166 this for a while, so it's not like, but I felt okay, I went inside and, uh, um, my
2167 next priority was to secure the house and just render aid.
2168

2169 Q: Okay.

2170

2171 A: That's what we did.

2172

2173 Q: Okay. Did you, um, did you think (Eugene) was gonna hurt you guys like at
2174 any point I mean did - were you feeling like you guys were threatened?
2175

2176 A: Um, yeah, well, I don't, you know, I - I don't know. We didn't know what was
2177 behind the door. Um, the - we did precautionary because the neighbor said,
2178 "He's an old military guy. He's got a lot of guns." So that's why we did that.
2179 Um, he also, uh, I forgot one thing. When we were walking up, we were
2180 actually driving up, the friend who pulled up in the car, I don't know his name.
2181 He said, "Hey, he sleeps with a revolver under his pillow." That's what he
2182 yelled at us. I said, "Okay." So we got up there and then, by the time we were
2183 in the doorway.
2184

2185 Q: Okay, so you didn't know that until - until you're driving up, that's when the
2186 neighbor...
2187

2188 A: Uh, we knew he had a revolver. We, you know - you know we - we knew he
2189 had a bunch of guns, but he said, "He sleeps with one under his pillow."
2190

2191 Q: Okay, and that was the guy that drove up to the scene?
2192

2193 A: That's the guy that drove up with the female.
2194

2195 Q: Okay.
2196

2197 A: I don't - I never got his name.
2198

2199 Q: Okay. Fair enough. Um, did you ever fire your weapon at the suspect?
2200

2201 A: No.
2202

2203 Q: Okay. Um, you said it - you when you went in to render medical aid, that was
2204 the first time that you saw (Eugene) and that there was a - a firearm near his
2205 feet?
2206

2207 A: It was at his feet, yes.
2208
2209 Q: Tell - tell me more about that.
2210
2211 A: Um, like?
2212
2213 Q: What kind of gun it was, where it was in relation to him?
2214
2215 A: Um, it was - so, it was under - so he was lying face down - or I'm sorry, face
2216 up. It was like by his right leg.
2217
2218 Q: Okay, down on the ground?
2219
2220 A: His - down - his foot.
2221
2222 Q: And what kind of gun was it?
2223
2224 A: To me, it looked like a little ch- like a small revolver.
2225
2226 Q: Okay. Could you tell if that had been fired?
2227
2228 A: I couldn't tell.
2229
2230 Q: Do you know if he fired at you guys?
2231
2232 A: I don't know - I don't know.
2233
2234 Q: Okay. Um, okay are you current in your range qualification?
2235
2236 A: Yes.
2237
2238 Q: All right. Um, is there anyone else besides - besides you, Sergeant (Ulrich),
2239 Deputy Laguardia, Deputy, uh, Weyhrauch and, um, the elderly female that
2240 was there, is there anyone else that witnessed this incident?
2241
2242 A: This whole thing right here?
2243
2244 Q: Yeah, in the garage.
2245
2246 A: No, just us.
2247

2248 Q: Okay. Um...
2249
2250 A: And the - and the wife.
2251
2252 Q: Yeah, yeah, the wife too.
2253
2254 A: Yeah.
2255
2256 Q: Okay. All right. Uh, I may have a few more questions, but that's - that's mostly
2257 it for me. I don't know.
2258
2259 A: Okay.
2260
2261 Q1: Uh, we talked about the, um, the rifle and Wey- Wey- uh, Weyhrauch had the
2262 rifle, right?
2263
2264 A: Mm-hm.
2265
2266 Q1: And the rest of you had your handguns out. Um, anybody on your team, uh,
2267 trained with less lethal munitions?
2268
2269 A: There are.
2270
2271 Q1: Okay. Did - would - did you know of anybody of those four people at the
2272 scene initially, anybody have less lethal there?
2273
2274 A: No, we - no.
2275
2276 Q1: Okay, so it wasn't even at the scene at that point?
2277
2278 A: It wasn't in here, no.
2279
2280 Q1: Okay. Um, in early on - early on we talked about kind of your - your training
2281 and background and all that stuff. In addition to all that kind of foundational
2282 training, uh, do you have any specialized training like advanced officer or
2283 officer survival or any...
2284
2285 A: Um, nah, just a bunch of classes. I actually took a tactical, uh, we just took a
2286 tactical pistol carving class on Wednesday.
2287
2288 Q1: Okay.
2289

2290 A: Yeah.
2291
2292 Q1: Okay.
2293
2294 A: Um, but nothing really major. Just...
2295
2296 Q1: Any, uh, um, specialized units like ancillary duties other than just, uh, run-of-
2297 the-mill deputy sheriff?
2298
2299 A: Um, I did - I did - we did a stint at the - the (Brooke) suppression unit in West
2300 Valley.
2301
2302 Q1: Okay.
2303
2304 A: It was like a five-month stint.
2305
2306 Q1: Okay. And, um, have you gone - ever gone to the crisis intervention training?
2307
2308 A: No.
2309
2310 Q1: Okay.
2311
2312 Q: The, um, there was a set of handcuffs here on top of this car, the - the car
2313 inside the garage.
2314
2315 A: Mm-hm.
2316
2317 Q: Do - what - do you know anything about those handcuffs and how they might
2318 have got up there?
2319
2320 A: Handcuffs?
2321
2322 Q: Handcuffs.
2323
2324 A: Oh, I don't know.
2325
2326 Q: No, okay. All right. Um, now's probably a good time just to break. If you
2327 could just give us - I know you're probably dog-tired, um, if we could just get
2328 five minutes, just make sure there's nothing else that we...
2329
2330 A: Yeah.
2331

2332 Q: ...forgot to ask and then...
2333
2334 A: Yeah.
2335
2336 Q: ...we'll come back.
2337
2338 A: Okay.
2339
2340 Q: You cool with that?
2341
2342 A: Yeah. I am.
2343
2344 Q: And if you want to use the restroom.
2345
2346 A: Is that, uh, cool?
2347
2348 Q: Yeah, yeah, yeah.
2349
2350 A:
2351
2352 Q1: Absolutely.
2353
2354 Q: Yeah, yeah, absolutely. And if you want longer than five minutes.
2355
2356 A: I'm good.
2357
2358 Q: It's on you. You tell me.
2359
2360 A: Yeah, yeah, no, I'll be over there. You can just come get me.
2361
2362 Q: Okay, yeah.
2363
2364 A: (Unintelligible).
2365
2366 Q: Absolutely. One of those things. Okay, we're back, it's 8:16 am. Uh, present
2367 again, Josh Singleton, (Jim Cardenas), and (Alan) Reyes. Um, okay, so we
2368 just have a few follow-up questions. The first one is gonna be, um, about the
2369 house. I know it sounds like you guys made contact at - at all the - the front
2370 door, all the windows in the front. I know you went around the side of the
2371 house through both the gates to the back where the sliders were. Did anyone
2372 go past that to the South side of the house and try anything back there?
2373

2374 A: I did.
2375
2376 Q: You did? And were there doors or windows or anything back there?
2377
2378 A: I remember it's - there's like a big fruit tree. I think there was one small
2379 window. I visually did it real quick. I looked, and then I walked a little bit, but
2380 I think if I remember correctly, it was like a little bathroom window.
2381
2382 Q: Okay.
2383
2384 A: Nothing major.
2385
2386 Q: Did you look at it or did you make contact?
2387
2388 A: I looked at it.
2389
2390 Q: Okay.
2391
2392 A: Cause it...
2393
2394 Q: All right. Um, I know there was - I know none of you had less lethal on you.
2395 Um, do you know if anyone present at the scene had less lethal in their vehicle
2396 just wasn't deployed?
2397
2398 A: Um, I - I don't know. I - I don't know who's trained. I know for me, I'm not -
2399 I'm not qualified for less lethal.
2400
2401 Q: Okay. And you don't know if the Sergeant (Ulrich)...
2402
2403 A: I don't know...
2404
2405 Q: ...w- Deputy Weyhrauch or Laguardia is trained?
2406
2407 A: I - I do not know.
2408
2409 Q: Okay. Um, uh, handcuffing was, uh, after, uh, after, uh, he was shot, did
2410 anyone handcuff him?
2411
2412 A: No.
2413
2414 Q: Okay. Why not?
2415

2416 A: Um, well, because he was, uh, you know, I don't know. We - he was down on
2417 the ground, he wasn't moving. Um, I think initially we thought - we thought
2418 he was - he had expired, but then I saw his, you know his chest moving, but
2419 his hands were kind of like not moving, and he was not moving. So he was
2420 like this, and he was breathing, but he was perfectly still.
2421
2422 Q: And you're over the top of him providing aid?
2423
2424 A: I'm on his - yeah. So he - his heads between my legs, so I'm at his top.
2425
2426 Q: Oh, you're at the top of him looking down providing aid?
2427
2428 A: Correct, correct.
2429
2430 Q: Okay.
2431
2432 A: So he's like this. Um, gun was at the feet. I was looking for a trauma kit. No
2433 one handcuffed him.
2434
2435 Q: Did you feel he was a threat to you at that point?
2436
2437 A: No.
2438
2439 Q: Okay. Did, um, did anyone move the gun or try and collect the gun or - or put,
2440 you know, put the gun in safekeeping?
2441
2442 A: No.
2443
2444 Q: The gun stayed at his feet, no one...
2445
2446 A: Yes.
2447
2448 Q: ...touched it or manipulated it?
2449
2450 A: No one touched it, I kept my eye on it.
2451
2452 Q: Okay, and you didn't move it or collect it? Again, I don't want to put words in
2453 your mouth, but tell me if I'm wrong, but you didn't move it or collect it
2454 because you didn't feel he was a threat? Is that accurate?
2455
2456 A: I didn't - yes, I didn't feel that he can get it from where he was.
2457

2458 Q: Okay. All right. Um, di- the - when you guys were doing the perimeter check,
2459 trying to make contact, you said the blinds in the back were closed and all the
2460 sliders were locked. Do you know if anyone at the scene, patrol personnel, uh,
2461 open the blinds at any point?
2462

2463 A: Open the blinds?
2464

2465 Q: Open the blinds or the curtains?
2466

2467 A: No, we couldn't get in the back.
2468

2469 Q: No. Well...
2470

2471 A: I mean we couldn't get in the house.
2472

2473 Q: But once you guys were inside the house, right? Once you guys were inside
2474 the house...
2475

2476 A: Uh-huh.
2477

2478 Q: ...and all this happened, did anyone then open the curtains that you're aware
2479 of?
2480

2481 A: Oh. Yeah, I think we did.
2482

2483 Q: Okay, tell me about that.
2484

2485 A: So we were trying to open the front door because it's locked from the inside
2486 too. So we couldn't find a key because we were trying to get - I wanted to
2487 secure the scene where he was, so I was trying to get personnel in and out
2488 another way. So I couldn't, um, myself and Deputy Weyhrauch were looking
2489 for another way that, um, you know, our deputies could come back and forth.
2490

2491 Q: Okay.
2492

2493 A: Because they would trample over. So front door was locked, couldn't find a
2494 key. And so we went to the back, we started opening the - the blinds, so we
2495 can find a way in. Um, they were kind of locked too. There was like a little
2496 pin down there, and we don't want to really mess with the door. So, um, when
2497 fire took him away, that's when everyone else came in.
2498

- 2499 Q: Okay, and so you guys used the - the back sliders as a point of entrance and
2500 egress?
2501
- 2502 A: No, we never opened it.
2503
- 2504 Q: The sliders never got opened?
2505
- 2506 A: Uh, we didn't. Me, uh, myself, and Weyhrauch, we never opened it.
2507
- 2508 Q: Okay.
2509
- 2510 A: We just kind of - we looked, we opened the blinds a little bit, we thought
2511 about it. I mean, I thought about it, but then, by that time, fire was taking him
2512 out, so we could use the walkway.
2513
- 2514 Q: Okay.
2515
- 2516 A: The garage door.
2517
- 2518 Q: Okay, so you didn't - you didn't - you never opened the sliders, but you did
2519 open the curtains?
2520
- 2521 A: Yes.
2522
- 2523 Q: Okay, all right. Uh, those are the only questions that - that I think we have. Do
2524 you have any questions of us, or is there anything you thinks important that
2525 we're not asking you that you think we should know?
2526
- 2527 A: Uh, that's what I'm trying to think of. But I think you - I mean that's -that's
2528 what happened.
2529
- 2530 Q: Yeah, I think we covered al- almost everything.
2531
- 2532 A: Yeah.
2533
- 2534 Q: And - and again, like I mean you know all this, so I'm - I'm just going to say it
2535 just for the sake of saying it, but, you know our memories over time, uh, the
2536 way we interpret events and stuff like that sometimes changes and we s-
2537 things come to mind. So, um, as that happens, that'll be important just for you
2538 to remember those kinds of things.
2539
- 2540 A: Mm-hm.

2541

2542 Q: Because we'll probably do follow-up interviews to just - just see if there's
2543 anything else that comes up, you know?

2544

2545 A: Okay.

2546

2547 Q: Yeah. All right. If, uh, there's no other questions, we'll go ahead and end this
2548 interview. It's 8:21 am.

2549

2550

2551 This transcript has been reviewed with the audio recording submitted, and it is an accurate
2552 transcription.

2553 Signed _____