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7
8 **INTERVIEW WITH DEPUTY LYDON**

9 **Q=Man**

10 **A=Deputy Lydon**

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14
15
16 A: And I believe he took a flight down and (Unintelligible). In the past years, we
17 definitely found, uh, many guards in that area.

18
19 Q: Okay. And, um, today's incident, uh, you guys have gone up to the (N3)
20 Ranch and what you - what you (Unintelligible)?

21
22 A: Um, we got to the (N3) - (N3) Ranch. Um, Sergeant (Peterson) and, uh,
23 some of them, two of the ranch units they organized the route that we were
24 gonna take. And, uh, basically went out and set out for our - our target
25 location.

26
27 Q: Okay. And while we were out to this target location, did anything happen?

28
29 A: No, sir.

30
31 Q: Your target location.

32
33 A: I'm sorry. Our - our landing point. So - so they - they coordinated where
34 we're gonna our landing drop point was gonna be. We were gonna start
35 walking off on foot from the - from the road from the trip, from the ranch to
36 where we're landing (Unintelligible).

37
38 Q: Okay. And when you got to your landing area, you went on foot as a - as a
39 team now?

40
41 A: Yes.

42

43 Q: What happened there?
44
45 A: Uh, once we landed, uh, uh, got it - got it out of gear - got a gear check, uh,
46 did a communications check...
47
48 Q: Yeah.
49
50 A: ...and set out for, uh, uh, the area where they found where that - that - the
51 waterline was sited.
52
53 Q: Okay. So, uh, you found the water line?
54
55 A: Yes. I did.
56
57 Q: And you started following it?
58
59 A: Yes. we did.
60
61 Q: And - and then what - what happened after that?
62
63 A: Oh, followed the waterline down to the creek. I was the second to the last
64 operator in a stack. Um, just continued to follow the waterline, um, quite a
65 ways. I don't believe, uh, three-quarters of a mile to a mile.
66
67 Q: Now you're talking about the stack that was an elevated, uh, stack?
68
69 A: Initially, it was Santa Clara was in front and then (Unintelligible) was
70 (Unintelligible). The operators were in front of us.
71
72 Q: Okay. And, um, the stacks started walking. You walk in the valley. Where
73 were you guys walking?
74
75 A: Uh, yeah, we were walking, uh, basically right next to the riverbed.
76
77 Q: Okay.
78
79 A: So we're following the stream and the waterline. We - we located. There's
80 one, uh, large waterline that just kept going down southeast down the
81 creek. And we basically followed it.
82
83 Q: Okay. Keep going.
84

85 A: Uh, we entered down through the creek. Uh, once we hit an open area and
86 once we passed the open area they (Unintelligible) the operators in the front
87 signaled us to stop. So at that point in time we (Unintelligible).
88

89 Q: (Unintelligible) hand signal. You guys are able to stop. Okay. Go ahead.
90

91 A: Um, used a hand signal to stop? Um, at that point, the riverbed kind of started
92 to kind of bottleneck in - into going to a very tight area to where the hills from
93 the north and the south basically kind of looking straight down on the - the
94 riverbed. Um, we were still stopped. And at that point in time, I heard one -
95 one gunshot. It was unknown whether a gunshot came from us or it came
96 from somebody else. Due to my training experience, you know, these
97 marijuana drugs, uh, the people that harvest these drugs are - are we found
98 ammunition. We had been on a grove where someone actually had a firearm
99 and he randomly dropped it. And then through, you know, listening to other
100 agencies do these marijuana groves, you know, there's a great, great chance
101 that they're armed. So at that point in time, I didn't know who was doing it or
102 who shot we verbally on our - on our, uh, on our radios kinda checked out to
103 see if everybody was okay. And, uh, (Unintelligible) they shot, I moved up to
104 give support and to find out where the gunshot was from.
105

106 Q: Okay. So you (Unintelligible). You just heard a gunshot, but you didn't know
107 where the gunshot came from?
108

109 A: Yes.
110

111 Q: Okay. And after the gunshot well, what happened after that?
112

113 A: Um, the gunshot sounded like a rifle. So at that point in time I, of course, I'm
114 moving up to support, you know, whatever, uh, my, our operators and Santa
115 Clara's operators in the meantime, you know, locate, uh, and - and covering
116 down. So just trying to do a 360.
117

118 Q: Did you look up at all?
119

120 A: Yes. I did.
121

122 Q: What did you see upon - on the, you - you tell me you're in, like, a ravine,
123 right?
124

125 A: Yeah.
126

127 Q: What did you see upon?
128
129 A: Just heavy brush.
130
131 Q: That's all you could see?
132
133 A: Just (Unintelligible). Um, we moved up. Um, as we're moving up, I heard a -
134 a - a group of another, uh, couple of gunshots. And, uh...
135
136 Q: As you move cl- up.
137
138 A: I know as we move toward the - the bottleneck.
139
140 Q: Where were you trying to get to?
141
142 A: I was trying to just support, you know, support 'em. And, uh, I knew there's
143 gunshots so covering down, you know, just the covering ((CROSSTALK)).
144
145 Q: You're trying to get in the rocks.
146
147 A: Along- alongside we're trying to find out where that got shot was coming
148 from. And as a medic, I wanted to make sure everybody was okay. Because
149 if they were injured, I wanted to render aid to 'em.
150
151 Q: Okay. And then once you got into that area, you noticed none of you guys
152 were hurt. Did you guys...
153
154 A: Well mind you, everything's happening at the same.
155
156 Q: Yeah.
157
158 A: So I hear another group. Okay. At this point time I hear, "Uh, got one suspect
159 possibly has a rifle." And we (Unintelligible). I know they were giving
160 commands. I don't know exactly what they're giving commands
161 (Unintelligible).
162
163 Q: Who - who was giving commands?
164
165 A: Uh, I believe Santa Clara was giving commands.
166
167 Q: And what, where were they giving comments from?
168

169 A: Um, they're giving commands from the west, uh, side of the hill, over to the -
170 the side of the hill or - or south and north, depending upon (Unintelligible).
171
172 Q: Was that another team?
173
174 A: No. It was our - it was our Santa Clara team that we - we knew that came.
175
176 Q: And so they were at the point and they - they made it up on this ravine up on
177 top?
178
179 A: Uh, correct.
180
181 Q: How did that happen?
182
183 A: Um, they were heading in.
184
185 Q: Uh, they were heading.
186
187 A: They - they were. So the...
188
189 Q: Okay.
190
191 A: ...the initial team, initial Santa Clara team.
192
193 Q: But you knew they were with you?
194
195 A: Yeah. Correct.
196
197 Q: Okay.
198
199 A: I heard them give commands.
200
201 Q: You saw 'em? Did you see 'em up there?
202
203 A: Uh, once I - once I made it into that little bottleneck area, yes, I saw them
204 (Unintelligible). But I didn't know exactly which operator. But they were
205 giving verbal commands, you know, saying that he has a rifle and they're
206 yelling at him to drop his - his gun in English and Spanish.
207
208 Q: He's got a rifle.
209

210 A: Um, he has a rifle. And I - I believe they said he's down. Uh, I don't know
211 whether that meant he was injured or he was hunkering down in the brush.
212

213 Q: Mm-hm.

214

215 A: So we're still, um...

216

217 Q: You heard. You just is there a logically yelling or just, was this all just
218 coming from the top?
219

220 A: Uh, there wasn't a lot of people. There was - there was more than one person.
221

222 Q: Okay. And you said just a minute ago, you said that you heard somebody say
223 in Spanish?
224

225 A: Yeah. I believe I heard someone say.

226

227 Q: So w- do you know what you heard?
228

229 A: Uh, not specifically, it sounds like (Manos). Do you know what I mean?
230

231 Q: And do you know what Manos means, hands?
232

233 A: Hands.

234

235 Q: And...
236

237 A: I don't know specifically what everything has got to happen.
238

239 Q: This happened fast. Okay. And so you heard the - you heard the shot. You're
240 not sure who shot the first shot. Um, you were in the back. You ran up to try
241 to get cover, to see if anybody was hurt upfront. You didn't know who was
242 shooting. And you looked up and you could see two SO Santa Clara, uh,
243 deputies up on the top.
244

245 A: The first shot, you know, because it was a single shot.
246

247 Q: Yeah.
248

249 A: I didn't know. But the second grouping, I believe they came from us...
250

251 Q: Yeah.
252
253 A:from - from Santa Clara.
254 Q: So then you heard - you heard he's got a gun and then you heard a couple
255 more shots?
256
257 A: Right, uh, right.
258
259 Q: Okay. And then, uh, after those shots, you were still down in the - in the
260 creek, in the river.
261
262 A: I was - I was still in the creek. Uh, I moved over towards Sergeant (Peterson).
263
264 Q: Uh-huh.
265
266 A: And he basically told me to get, you know, uh, rear coverage. And I turned
267 around and saw another Santa Clara officer, and I knew that rear coverage was
268 okay. So then I went and I supported up, uh, to the guys uphill). Because,
269 you know, he gave me some. I'm on the medic. That shouldn't be going on...
270
271 Q: Mm-hm.
272
273 A: ... (Unintelligible). So I scaled the, started scaling the (Unintelligible). And
274 by this time I- I'm hearing, heard the guy move so I knew he was close, really
275 close. Um, and at this point in time too, they were also pointing out that
276 there's possibly more suspects could be heard, um, movement to the east of
277 us. And at the same time, they're continuing to say, you know, "hands," you
278 know, something to that effect to say "Keep your hands. Keep your hands"
279 and the fact that he kept on reaching for something. They kept on saying,
280 "He's reaching for something. He's reaching for something."
281
282 Q: So you were - you were down at the bottom and Sergeant (Peterson)
283 instructed you to go up with the other guys.
284
285 A: I cleared it with him making sure that - that rear, uh, the creek was
286 covered. Once I knew that rear creek was covered, I - I went up to give
287 support and, uh, he gave me the pass of, uh, uh, go and support him 'cause I
288 was a medic.
289
290 Q: (Unintelligible). Did you go uphill?
291
292 A: Yes, sir.

293
294 Q: Was it easy to go up that hill?
295
296 A: No. Very difficult.
297
298 Q: And, uh, when you got up, um, did you see any of your guys all meet up
299 there?
300
301 A: Yeah. When I looked up, I saw, um, (Polk) with, uh, another Santa Clara,
302 (Unintelligible) anymore (Unintelligible)...
303
304 Q: The (Unintelligible)?
305
306 A: The preacher-looking guy.
307
308 Q: You saw (Polk), uh...
309
310 A: ...and (Moore).
311
312 Q: You saw (Polk) and (Moore). And then did you, do you know what deputy,
313 (Unintelligible). Do you know him?
314
315 A: (Unintelligible). Yeah.
316
317 Q: Okay. Was he up there also?
318
319 A: I, at that point in time I didn't know if he was up there. I knew there were, uh,
320 two more Santa Clara guys up there or a couple more Santa Clara. I, at this
321 point in time I'm scaling them.
322
323 Q: You're still scaling them.
324
325 A: Yeah.
326
327 Q: Okay.
328
329 A: So once I scale up, scaling up, I hear another person.
330
331 Q: You hear another person?
332
333 A: Yeah.
334

335 Q: Oh...

336

337 A: Gunfire.

338

339 Q: Okay.

340

341 A: 'Cause in the meantime they're saying, you know, "They gotta rifle up here,"

342 you know, to that - to that effect. He - he already said he's got a rifle. They're

343 just trying to control his hand. He keeps reaching for something.

344

345 Q: You heard all that?

346

347 A: Yes. And he continues to keep reaching. And they don't know, they didn't

348 know what he was reaching for. And he had the rifle connected to him, which

349 I later found out. But I hear gunshots but I (Unintelligible).

350

351 Q: That, uh, so you didn't see. Okay. And after you heard the shots, what'd you

352 do?

353

354 A: Uh, I heard the shots. Yeah, I paused, and I was looking. And - and started

355 hearing him moan. I knew the shots came.

356

357 Q: Did you know who was moaning?

358

359 A: Uh, I believed the suspect 'cause everybody said that they're okay.

360

361 Q: Yeah.

362

363 A: And I just...

364

365 Q: You heard the shots.

366

367 A: I - I - I assumed it was the suspect. You know, they're - they're still saying,

368 "Hey, we still possibly have suspects going east," so.

369

370 Q: Who'd you hear that from?

371

372 A: Um, I'm not entirely too sure. It may have been (Unintelligible).

373

374 Q: But you - you definitely heard somebody say, suspects...

375

376 ((CROSSTALK))

377
378 Q: ...possible suspects.
379
380 A: (Unintelligible) what.
381
382 Q: Did you see a gun (Unintelligible)?
383
384 A: No. I didn't.
385
386 Q: Okay. And then, um, by this time, did you were you able to get out?
387
388 A: Yeah. (Unintelligible). I made my way up.
389
390 Q: Tired?
391
392 A: No. I (Unintelligible) hear a gun was going off.
393
394 Q: Yeah.
395
396 A: I was a little tired later. But once I got up and, uh, had a, I was basically, I
397 just still didn't see the suspect. But I did see (Mike) and I did see the
398 fireman. Um, so I'm kinda their - they're - their boots just holding and looking
399 for, you know, looking trying to get that - that east covered and just keep my
400 eyes open for possible suspects.
401
402 Q: 'Cause you actually made it to Deputy (Damego), the other deputy (Demora).
403
404 A: I eventually (Unintelligible).
405
406 Q: Deputy (Demora). Is that him? Did you, do you know him?
407
408 A: Is he the medi- (Medicast).
409
410 Q: Yes.
411
412 A: And - and - and then she made it all the way up.
413
414 Q: Did you see the suspect?
415
416 A: Yes.
417

- 418 Q: Okay.
419
- 420 A: Once I got to the top (Unintelligible).
421
- 422 Q: And what was your role there?
423
- 424 A: Um, once I got to the top, my role was them covering down on the
425 suspect. We ended up (Unintelligible) at that point in time. My role was to
426 search for what handcuff (Unintelligible).
427
- 428 Q: Okay. And, uh, (Unintelligible)?
429
- 430 A: Uh, yeah. Then what's the - what's the medic (Unintelligible)?
431
- 432 Q: (Demora).
433
- 434 A: (Demora).
435
- 436 Q: Okay. So you get you...
437
- 438 A: I initially went up to search, you know, ground because he was laying head
439 down, um, head down toward the creek, feet up. And there was probably a - a
440 large. There's a branch here, an assault rifle to his left, a full action rifle to his
441 left. And he was using, continuously moving around. So he was still
442 moving. So I went up, kind of grabbed, quickly did a pat search, then we
443 grabbed some handsome flex cuffs. At that time, the same time, (Demora)
444 came - (Demora).
445
- 446 Q: (Demora).
447
- 448 A: (Demora) came down and, uh, uh, flex cuffed - flex cuffed both of his
449 wrists. He had a, uh, s- he had a buck knife in a leather pouch, which I
450 removed and later discarded on the ground.
451
- 452 Q: And that was on his waistband?
453
- 454 A: Yes, sir. It was on his belt.
455
- 456 Q: After he was secured, uh, what happened?
457

458 A: After he was secured and, uh, the other units were able to start giving us more
459 than a 60% cover. And then we transitioned to giving him some medical aid
460 to see what we could do.

461
462 ((CROSSTALK)).

463
464 A: When I was now searching his legs, his legs felt really limp. Uh, his eyes
465 were open and he was breathing pretty heavy. Um, you can see, you know, he
466 had a couple of bullet holes in his arm, in his chest, and his leg. So at that
467 point in time, me and (Demora), we pulled him out. We really wanted to
468 position him around and to have his head elevated to (Unintelligible) his
469 system breathing a little bit better. Um, at that point in time, we put two
470 Asherman Chest Seal on.

471
472 Q: What was those called again?

473
474 A: Asherman Chest Seal.

475
476 Q: Ash- Asherman.

477
478 A: Asherman A-S-H-E-R-M-A-N. An assist in the prevention of second chest
479 wounds or to allow more of a secure seal when they - they're breathing.

480
481 Q: Okay.

482
483 A: And at that point in time, uh, he expired. Uh, (Demora) called it. He
484 pronounced him. Um, I - I - I don't know the exact time.

485
486 Q: Did the suspect try to say anything? Or when you're - you're pretty close to
487 him at that point.

488
489 A: Yeah.

490
491 Q: Did, where you just were hearing...

492
493 A: Just moans.

494
495 Q: Moans.

496
497 A: Just moans.

498

499 Q: No - no words at all came from him?
500

501 A: No.
502

503 Q: Okay.
504

505 A: Not that I recall.
506

507 Q: And then after - after he was (Unintelligible). Obviously, the - the medical
508 needs are done with him (Unintelligible).
509

510 A: After - after he was, you know, pronounced, uh, we still didn't have a cover on
511 the high ridge. So, um, that's when (Demora) was making his way up to the
512 up - up the ridge. And, uh, he was having a hard time doing it 'cause the
513 terrain was very steep. Uh, I went up trying to do with my pack. I was unable
514 to do with my pack, so I dropped my pack dropped his pack, and we scaled up
515 to the top and held up a proper position until we (Unintelligible).
516

517 Q: Okay. I'm gonna ask you a couple of questions, uh, pretty basic stuff. Um,
518 what did you know about the suspect prior to the shooting? Did you know
519 anything about him?
520

521 A: I didn't know him.
522

523 Q: And how close were you to the suspect?
524

525 ((CROSSTALK)).
526

527 Q: How close, uh, when - when, uh, (Domingo) shot 'em?
528

529 A: Uh, 15, 20, it could be anywhere from 10 to 20, 15, 20.
530

531 Q: Yards, feet?
532

533 A: Uh, probably yards. It- it's hard to say. When I was on the side of the hill,
534 they were up and around, uh, 15, 10, 15, 20.
535

536 Q: Okay. And did the suspect have a weapon?
537

538 A: Pardon?
539

540 Q: Did the suspect have a weapon?

541

542 A: Yes. He did.

543

544 Q: What kind of weapon did he have?

545

546 A: Uh, he had a bolt action rifle. He had a Wood Stock. And at - at that point in
547 time, there was speculation on whether or not he had a, uh, pistol that he may
548 have dropped in the bushes ahead of him because he, I - I don't know where
549 that speculation came.

550

551 Q: You said you found a knife on him too, right?

552

553 A: I found a knife on him, uh...

554

555 Q: So you had a bolt-action rifle and buck knife. And did you hear the suspect
556 say anything? Did you hear the suspect...

557

558 A: I - I heard the suspect moan. That's it. I forgot to mention. I, after, uh, we
559 had cuffed him, and he went 10 - 10. Uh, I, someone said, "Hey, let's cover
560 him up." So I took a burn sheet out of my medic bag and laid out of a blue
561 burn sheet covering him up.

562

563 Q: Um, did you hear, um, what did you say anything to the suspect?

564

565 A: No. I did not.

566

567 Q: Tell me, are you (Unintelligible). Um...

568

569 A: In situations of apprehending the suspect, it's best to leave the verbal
570 communication to one deputy.

571

572 Q: Okay. So I still got a few juices so we'll keep going. Um, did you hear, uh,
573 others say anything to the suspect?

574

575 A: Yes, sir.

576

577 Q: What were you hearing?

578

579 A: I was hearing, uh, something to that effect.

580

581 Q: (Unintelligible). (Unintelligible) just pause for one second. Maybe that might
582 help me out. I've been doing a lot of interviews, dude. Give me one more
583 toolbar. Oh, come on. There we go. One, two, yeah. Back on. Let's
584 see. There's seven. Okay. Now what - what - what again did you hear?
585

586 A: When I was first in the creek bed.
587

588 Q: Okay. So, yeah go ahead.
589

590 A: When I first in the creek bed on my way up, I constantly heard, you know,
591 "Hands - hands," just something to that effect. You know, "Don't go for
592 it. Hands - hands, keep your hands where we can see them."
593

594 Q: And you heard something in Spanish too?
595

596 A: Yeah.
597

598 Q: And I believe you said manos?
599

600 A: Manos.
601

602 Q: Okay. And you know that as being the, uh, hands in Spanish? And did
603 anyone identify themselves as law enforcement to the suspect?
604

605 A: I - I believe they did. I'm not entirely too sure. I'm not sure.
606

607 Q: Okay. And, uh, what were you feeling prior to shots being fired?
608

609 A: Prior to shots being fired?
610

611 Q: What were you feeling?
612

613 A: Before the first shot?
614

615 Q: Yeah.
616

617 A: Uh, awareness. You know, keep your eyes and ears open, especially from the
618 terrain that we were heading into. Um, just try to get a 360 (Unintelligible)
619 coverage on this 'cause, you know, this is a really bad - bad position. A really
620 good position to be ambushed.
621

- 622 Q: Uh, my memory's full-on this so let me make sure we're (Unintelligible)
623 here. All right. Uh, memory full on my, uh, video recorder and question
624 number 23, I'll just go based on the video recorder. Okay. And, um, so, uh,
625 when - when I asked you, uh, what were you feeling prior to shots being
626 fired? You said awareness. You sure everything was okay in the
627 area. You're out on this obviously dangerous. You're not sure of the terrain
628 and stuff like that. Okay. And, um, what were you feeling while shots were
629 being fired?
630
- 631 A: Um, i initially scared, you know, where are the shots coming from? Is
632 everybody okay thinking this is a shitty place to be ambushed.
633
- 634 Q: And what were you feeling after shots were fired?
635
- 636 A: Um...
637
- 638 Q: He just answered that question. Um, how, uh, the question, the first one was
639 what were you feeling while shots are being fired?
640
- 641 A: Um...
642
- 643 Q: You said scared. Uh, where were the shots coming from? Uh, this is a shitty
644 place for an ambush. And then after the shots were fired.
645
- 646 A: It- it's a little bit being naive. Where's the suspect? How many suspects are
647 there besides the (Unintelligible). What weapons do they have?
648
- 649 Q: And, uh, what did you think, uh, the suspect was going to do?
650
- 651 A: I believe he was gonna shoot us from his position and from our location. Uh,
652 that was a that's a perfect place to ambush somebody. He had a great
653 advantage point over us. He had a lot of covers, a lot of consuming, and we
654 were wide open basically.
655
- 656 Q: And, uh, do you feel the suspect intended to harm you today or harm anyone
657 today?
658
- 659 A: Yes.
660
- 661 Q: That's based on the position of where he was at that he had a weapon?
662
- 663 A: Yeah - yeah.

664
665 Q: You have...
666
667 A: I mean, I - I believe we had 13 or 14 people walking down or, uh, trying to be
668 as quiet as we could. But yet there was noise. Cars coming in. We had an
669 ATV. So enough of noise was being made. What was he doing running in
670 our direction with a rifle in hand?
671
672 Q: Uh, did you fire at the suspect?
673
674 A: No. I did not.
675
676 Q: Okay.
677
678 A: From my training experience, he was protecting a crop. You know, he's pro-
679 protecting what, you know, the reason why he's being there.
680
681 Q: Yeah.
682
683 A: He didn't - didn't belong there. It wasn't his property, you know.
684
685 Q: And who was working with you today? Who else was working with you
686 today?
687
688 A: Uh, you want everybody?
689
690 Q: The - the who you can remember?
691
692 A: Um, Sergeant (Peterson), Deputy (Demora), Deputy (Ortiz), Deputy (Polk),
693 uh, Deputy (Fruza), myself and then, um, the Santa Clara guys, uh, and
694 (Mike), uh, the medic, the big guy (Moore), um, the other (Unintelligible). I
695 forget his name. He's an RTO over at, uh, for the sheriff's office
696 (Unintelligible) for Santa Clara but he's working over at RRTC, uh, and
697 another gentleman.
698
699 Q: Okay. Are we good?
700
701 A: Yeah.
702
703 Q: All right. What's your date of birth, Deputy Lydon?
704
705 A:

706
707 Q: And are you out of the Santa Clara office also?
708
709 A: Yes, sir.
710
711 Q: Okay. And a contact phone number that you wanna leave for this report.
712
713 A: Yeah.
714
715 Q: Do you know your, um, driver's license?
716
717 A:
718
719 Q: Okay. So, uh, just to recap all of this. You're, uh, did he have (Unintelligible)
720 for your SWAT team?
721
722 A: Yeah.
723
724 Q: That's cool. Uh, today you were part of an ops plan to for marijuana
725 eradication, uh, in conjunction with (Stafford) County. Uh, you went up to
726 the (N3) Ranch. You had information that there was a waterline being
727 pumped and basically (Unintelligible) waterline is used for marijuana groves
728 in those types of rural areas. Um, Santa Clara had the lead. You guys had the
729 - the rear. Uh, you were the last man?
730
731 A: Second to last.
732
733 Q: Second to the last man. (Big stack), right?
734
735 A: Yes, sir.
736
737 Q: Okay. Um, you guys got in. You guys were following this line. Um, you
738 heard s- actually, you heard. You got a signal to, uh, uh, a visual signal to
739 stop - to stop. You heard a shot. Didn't know where it came from. Didn't
740 know whether a suspect shot or apparently was shot. Um, this you described
741 this area as kind of, like, (Unintelligible) that came a little bit. And you guys
742 proceeded forward to try to get cover to see if anybody was injured 'cause
743 you're a medic make sure everybody was okay. Uh, you can see two
744 (Unintelligible) upon the, was it to the right of you?
745
746 A: ((CROSSTALK)). It was on my right side.
747

748 Q: Your right side. All right. You hear he's got a gun, some verbal
749 commands. You started hearing people from the bottom. You heard Spanish
750 command your Manos, Spanish. Um, your, uh, you heard so more
751 gunshots. Uh, and you recognized those coming from the deputies.
752

753 A: The...

754

755 Q: Or the - the - the round, the second. There's a gunshot, the second burst of the
756 shots.
757

758 A: Yes, sir.
759

760 Q: Did that come from the deputies?
761

762 A: Yes.
763

764 Q: Okay. And then, you were advised by your sergeant, uh, to go up the hill to
765 assess and try to get up that hill. Um, you did see (Polk). Um, you heard
766 some more shots. You ended up making it up. And, uh, you saw the
767 suspect. And you saw (Tamigo) and you saw, um, (Demora) who is our
768 medical for Santa Clara County. Um, you assisted in the search for the
769 suspect, handcuffing him and taking him into custody, and started rendering
770 first aid. Uh, during that point, the suspect expired and he was pronounced
771 dead by our medical staff at (Unintelligible), correct?
772

773 A: Yes.
774

775 Q: After that, uh, he provided cover, um, the scene set that up until you're
776 relieved.
777

778 A: Yes, sir.
779

780 Q: And, um, once you were relieved, you were brought here.
781

782 A: Yes, sir.
783

784 Q: Okay. Um, told the suspect to (Unintelligible). Do you remember?
785

786 A: Yeah. Hispanic male, approximately he was laying down so appeared to
787 anywhere from 5'8" to 5'10", um, thin built, probably about 1- 1- 160, 170,
788 um, goatee, shaved head, but he had kinda a faded shaved heard, you
789 know. Uh, medium complexion, maybe had a couple of caps in his teeth. He

790 wore a, um, black hair, brown eyes. He wore a T-shirt similar to my (Digi)
791 colored T-shirt...
792
793 Q: Yeah.
794
795 A: ...blue jeans. He had brown shoes...
796
797 Q: (Unintelligible) camo shirt.
798
799 A: ...and a brown belt and I believe brown, uh, gun (Unintelligible) and a knife
800 (Unintelligible) so (Unintelligible). Uh, he also had a, uh, a red, uh, fabric, uh,
801 necklace, uh, possibly, you know, the rosary keychain or necklace. You
802 know, from my training experience, people who wear those necklaces are - are
803 affiliated with gangs such as the Nortenos gang.
804
805 Q: Uh, just like those jail-made necklaces?
806
807 A: Yes, sir.
808
809 Q: All right. Um, is there anything I may not have asked that you think maybe
810 important?
811
812 A: Nothing that I - I can think of. I can't think of anything. One thing, it is
813 customary for us whenever we do approach any suspects to announce
814 ourselves as sheriffs. So I - I - I think probably was said. I was probably way
815 in the back when the initial verb-...
816
817 Q: You were too far back. Did - did the original stack that you guys went in, um,
818 were you guys, like, stacked up? Like, where you're sitting here?
819
820 A: No. In- initially, you have a little bit of distance between (Unintelligible).
821
822 Q: Yeah. I - I - I what was it - what was the distance sort of being?
823
824 A: Um, I would say about 10 yards (Unintelligible).
825
826 Q: And then this is 10 yards and then the next guy 10 yards and the next guy 10
827 yards. So you guys were spread out.
828
829 A: Yeah.
830

831 Q: So really, I mean, you're being the second to the last you couldn't hear
832 anything that was going on in the front.
833
834 A: Uh, yeah. (Unintelligible).
835
836 Q: And, uh, go ahead.
837
838 A: And whatever was yelling kinda, you know, couldn't hear what
839 (Unintelligible) said.
840
841 Q: (Unintelligible). And, uh, wherein, were in, uh, deputies injured, hurt. Did
842 you render first aid for anybody besides the suspect?
843
844 A: No, sir.
845
846 Q: Nobody was injured at all?
847
848 A: No, sir.
849
850 Q: Okay. Um, that's gonna do it for me. My recorder died out on me but I'm
851 using the one in my (Unintelligible). And I'll - I'll just get a copy
852 (Unintelligible). Um, that's all I have.
853
854 A: Okay.
855
856 Q: All right. Thank you very much.
857
858 A: Thank you very much.
859
860 Q: All right. Do you want this one?
861
862 A: (Unintelligible).
863
864 Q: All right. I'm done. (Unintelligible).
865
866 A: (Unintelligible).
867
868 Q: (Unintelligible).
869
870
871

872 This transcript has been reviewed with the audio recording submitted and it is an accurate
873 transcription.
874 Signed _____