

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

INTERVIEW WITH DEPUTY BOB LUONG

Q=Sgt. Jason Brown

Q1=Sgt. Hermon Leon

A=Deputy Bob Luong

Q: No, we're (unintelligible) in here.

Q1: You already know me, Bob.

Q: Yeah, you know him, right?

A: Yeah.

Q: I'm going to you a card just for - for the sake of giving you one just in case, okay? Okay.

A: Thank you, Sarge.

Q1: You're welcome. Here you go.

Q: Aw, crud, let me see if I can even find my notebook (unintelligible), and I can't. So.

A: That's not good.

Q: (Unintelligible) can't. Uh, okay, I've got a couple of minutes after 8 o'clock. I think we're still in, uh, November 16, I think.

Q1: Okay.

Q: Yeah, 213.

Q1: Right.

Q: All right. Sergeant Brown, Sergeant Leon and, uh ...

A: Bob Luong.

46
47 Q: Yeah. Can you, uh, spell your last name for me?
48
49 A: Yes. Uh, L-U-O-N-G.
50
51 Q: Is it Bob or is it Robert?
52
53 A: Uh, Bob.
54
55 Q: Just Bob.
56
57 A: Just Bob.
58
59 Q: All right. And what's your badge number?
60
61 A: 9274.
62
63 Q: So, I am to understand that you are a - a reserve with the Sheriff's Office. Is
64 that correct?
65
66 A: Yes.
67
68 Q: Level ...
69
70 A: Two.
71
72 Q: ... 2 Reserve, okay. Um, how long have you been a reserve for ...
73
74 A: For Santa Clara County, since, uh, June 2000.
75
76 Q: So, a while.
77
78 A: Yeah, yes.
79
80 Q: Now, in the way you say that with Santa Clara County, was there a prior
81 experience somewhere?
82
83 A: Yes. Um, April of 1993 to June of 2000 with Orange County Sheriff.
84
85 Q: As a ...
86
87 A: Reserve.
88
89 Q: ... reserve?
90

91 A: Yes, sir.
92
93 Q: Anything before that?
94
95 A: No.
96
97 Q: So, as we sit here right now we're talking about 20 years' worth of reserve
98 experience?
99
100 A: Yes.
101
102 Q: You like it?
103
104 A: Yes, yeah.
105
106 Q: What do you do when you're not reserving?
107
108 A: I work as a, um, engineer.
109
110 Q: Uh-huh. Locally here?
111
112 A: Yes, North San Jose.
113
114 Q: North San Jose.
115
116 A: Yes.
117
118 Q: How often do you - you come out and work with us?
119
120 A: Um, recently, um, usually I have to work on Friday.
121
122 Q: Mm-hm.
123
124 A: So, um, typically 6:30 till maybe midnight.
125
126 Q: Mm-hm. What are your primary duties?
127
128 A: Uh, transportation and perhaps assist ...
129
130 Q: Mm-hm.
131
132 A: ... in the field - field and (unintelligible).
133
134 Q: Do you know how to do it every Friday?
135

136 A: Recently, it seems like that, but prior - prior it's a little different so ...
137
138 Q: Yeah.
139
140 A: ... but twice - twice a month.
141
142 Q: Twice a month ...
143
144 A: Yeah.
145
146 Q: ... a couple of times a month, two, three times? Um, and when you do that,
147 are you like countywide or is it a specific area?
148
149 A: Uh, typically, I work in either the - the transit network unit.
150
151 Q: Oh, okay.
152
153 A: Yeah.
154
155 Q: And, um, so I take it that you're - you're very familiar then with - with San
156 Jose area. Um, you probably lived in the area - got here at least since 2000,
157 right?
158
159 A: At - since 1997.
160
161 Q: Okay. Um, and, um, (unintelligible) everybody else. Um, do you - you - as a
162 Level 2, you - you usually go in patrol on your own or are you with
163 somebody?
164
165 A: Typically, um, I wait for a car in Transportation ...
166
167 Q: Okay.
168
169 A: ... at night. (Unintelligible) if there's a call pending, and there's a Level 1 -
170 Level 1 or full-time deputies already there, and I fill - fill them with the call.
171
172 Q: Okay. Um, you know, we're here concerning - it's now Saturday night - uh,
173 evening. We're here talking about, uh, an incident from Friday night, Saturday
174 morning, um - uh, which you may have been part of or witnessed. Um, I
175 would like to, you know, get your statement as to what happened and to help
176 fill in, you know, some of the gaps on our investigation. Um, you can, you
177 know, talk to us or not talk to us, answer and not answer, you know, questions
178 that you want. Um, if you feel you want, you know, some kind of, uh, person
179 here assisting you, we can do that. You know how to come in - in the - the
180 room here ...

181
182 A: Okay.
183
184 Q: ... free to stop and - and do with the interview whenever you want, okay.
185
186 A: Okay, okay.
187
188 Q: I just want to make sure that you're aware of that.
189
190 A: Okay.
191
192 Q: Um, and is that okay?
193
194 A: Yes.
195
196 Q: Okay. So what time did you begin your shift? Did you work Friday night...
197
198 A: Yeah.
199
200 Q: ... this - or last night?
201
202 A: Yes.
203
204 Q: What time did you begin your shift last night?
205
206 A: Um, I off work around 6:30.
207
208 Q: Off your - your engineering job.
209
210 A: Engineering job.
211
212 Q: Okay.
213
214 A: And I got here around, uh, 1900 or 7 o'clock or so.
215
216 Q: Okay.
217
218 A: Right? Um, I check out a vehicle.
219
220 Q: Mm-hm.
221
222 A: And I probably logged on right about 8 o'clock-ish.
223
224 Q: And where did you log on as last night?
225

226 A: 87 Edward A.
227
228 Q: You said that was about 1930-ish?
229
230 A: 1930-ish, yes.
231
232 Q: Um, how - how did you proceed with your - your - your evening after that?
233
234 A: Um, I normally draw up, uh, typically north, uh, (unintelligible)...
235
236 Q: Mm-hm.
237
238 A: ... right? And normally, I would hear a call from Edward units on the transit
239 units.
240
241 Q: Right.
242
243 A: And probably around 20 - 2000, there was a call in transit near Park and Race.
244
245 Q: Oh, okay.
246
247 A: Right.
248
249 Q: So, in the central area?
250
251 A: That's - that's correct.
252
253 Q: Okay.
254
255 A: Um, I attached myself to the call, and there was a - there was an arrest. And I
256 was - normally take the transport.
257
258 Q: The transport?
259
260 A: Right. As I get close, the transit unit say they can do it themselves.
261
262 Q: Oh, okay.
263
264 A: It turned out there was another deputy riding - I guess, there was a
265 (unintelligible) training event.
266
267 Q: Okay.
268
269 A: So, after that, I - I head in - I head into downtown.
270

271 Q: Okay, downtown San Jose?
272
273 A: Downtown San Jose.
274
275 Q: Correct.
276
277 A: Um, probably maybe 15 to 30 minutes later, uh, I went down to the (Bava)
278 unit.
279
280 Q: Okay.
281
282 A: I made a lot of activity, so I kind of keep my, uh, driving distance around
283 (unintelligible) ...
284
285 Q: You kind of have that freedom...
286
287 A: Yeah.
288
289 Q: ...while you're - while you're working, okay.
290
291 A: That's correct. Um, probably close to, I would say, somewhere 11 P.M., there
292 was another request for a transit unit to meet them at the jail.
293
294 Q: Okay.
295
296 A: So, I drove, uh, to the jail.
297
298 Q: Mm-hm.
299
300 A: I almost got there and the call canceled.
301
302 Q: Right.
303
304 Q1: So, it seems like you have, uh...
305
306 A: Yeah.
307
308 Q1: ...that happen to you a lot.
309
310 A: Yeah, (unintelligible). So - so I went back to central. And I would say
311 probably right around - um, I would say 11:30 pm, um, I begin picking around
312 heading back to the station.
313
314 Q: Okay.
315

316 A: Right, uh, headquarters. Uh, I heard a call went out, uh, where one of our
317 (Bava) units was stopping two individuals. And so, I directionally head in that
318 direction.
319
320 Q: Like a ped stop?
321
322 A: Pedestrian, yes.
323
324 Q: Okay.
325
326 A: That's two of them, two - two pedestrians. And ...
327
328 Q: Can you remember where that was?
329
330 A: Yes, it's, um, I think it was North Bascom.
331
332 Q: Okay.
333
334 A: Right. For now, it's actually into the city, but much into the business.
335
336 Q: Kind of to the end of the parking lot?
337
338 A: Yes.
339
340 Q: Okay.
341
342 A: Yes, yes. So, by - by the time I'm within like five minutes, the second unit
343 was on scene. So, I try to remember where I attached myself in that, but I
344 continue. And, um, you know, I don't remember this portion.
345
346 Q: Sure.
347
348 A: And, um, by the time I - I get around and I saw the third unit was already on
349 the scene, so I figured I circle around and parked there, and just kind of swing
350 by and see if there was any type of arrest I can help. Um, I - I was there
351 probably like five, 10 minutes. And, um, I believe the - the deputy had
352 decided that pedestrian stop was finished.
353
354 Q: Do you know the deputies that were on the scene?
355
356 A: Um, I recognize - I recognize two of them.
357
358 Q: Okay.
359
360 A: But I don't know them by name.

361
362 Q: Okay.
363
364 A: I just - I just recognize them by face facing them in that headquarter.
365
366 Q: All right.
367
368 A: Um, um ...
369
370 Q: So, the deputy in site, he's completed his ped stop.
371
372 A: That's correct.
373
374 Q: You guys are all still in the parking lot?
375
376 A: That's correct.
377
378 Q: Were you - I don't know - meeting or conversing with those other deputies or
379 were you kind off to the side?
380
381 A: Um, I was standing next to a female deputy.
382
383 Q: Okay.
384
385 A: And she was looking for something in the car, so she basically saying, "Watch
386 the suspect," watch the pedestrian - the individual that she was interviewing,
387 so I was watching her. And, uh, probably within a couple minutes, there was a
388 call coming out on the radio.
389
390 Q: What kind of call was that?
391
392 A: Um, I believe it was some sort of a suspicious circumstance.
393
394 Q: Mm-hm.
395
396 A: And, um, something about, uh - uh, someone report glasses broken in front of
397 the house. Um, and the deputy, I guess, finished the - the ped stop.
398
399 Q: Mm-hm.
400
401 A: And the female deputy was the first one to leave the parking lot.
402
403 Q: So, the female deputy?
404
405 A: Yeah.

406
407 Q: Okay.
408
409 A: Right. And fellow new deputy...
410
411 Q: Okay.
412
413 A: ...and the third deputy also took off.
414
415 Q: Okay.
416
417 A: I, uh, follow the last deputy.
418
419 Q: So, you were the fourth one out of the parking lot.
420
421 A: That's right.
422
423 Q: Okay.
424
425 A: Right.
426
427 Q: That's kind of altogether, one, two, three, four, or was there a gap in
428 between...
429
430 A: Um.
431
432 Q: ...with you guys?
433
434 A: I think there was a gap between the second and the last deputy.
435
436 Q: Okay, the second and third car.
437
438 A: The second and third car, because the third car was very deep into the parking
439 lot.
440
441 Q: Right.
442
443 A: And, uh, and the other two are the pretty much out the street and turned the
444 corner.
445
446 Q1: So (unintelligible).
447
448 A: Right.
449
450 Q: Okay.

451
452 A: That's right.
453
454 Q: Um, so you're the fourth one out of the parking lot. Um, where did you go?
455
456 A: So, apparently the call was pretty close by. What I...
457
458 Q: Do you remember - can you remember what - where it was, the street name or
459 address or anything?
460
461 A: Yes. Uh, first, I - I - I remember it was on Cleveland, but I didn't quite know
462 how far it was.
463
464 Q: Okay.
465
466 A: So, my thought process, if I follow the third deputy, I mean, I can't be too far
467 off. And so, the third deputy come out of the parking lot, veer - I mean, I
468 turned right, and Joe just tapped it and then turned left...
469
470 Q: Okay.
471
472 A: ...I believe onto Olive.
473
474 Q: Okay.
475
476 A: Right. Uh, I follow behind him. And as we turn on Cleveland, I pulled into,
477 um, to the - the right-hand side corner of, um, Olive ...
478
479 Q: (Unintelligible).
480
481 A: ...and Cleveland.
482
483 Q: Okay.
484
485 A: And I - I - I - I pretty much parked there.
486
487 Q: Okay.
488
489 A: Right.
490
491 Q: Um, when the deputy pulled onto Cleveland, did he keep going?
492
493 A: No, he exited the car and...
494
495 Q: So, he parked?

496
497 A: Yes, I believe he parked.
498
499 Q: Okay.
500
501 A: And he exited his car.
502
503 Q: Okay. Did you stay in your car or did you also exit?
504
505 A: Uh, actually, I was a little slow, so I - I typically - like, I turned off my car, so
506 I turned off my car. And I was coming to the light and everything, and I have
507 not exited my car yet, but I actually am watching the deputy. I think the - the
508 three big - the sort of three kind of converged and begin heading in the
509 location where, I guess, the - where they report it.
510
511 Q: Toward - towards the location.
512
513 A: The location.
514
515 Q: And these are all residences?
516
517 A: Uh, yes.
518
519 Q: Okay.
520
521 A: Yeah.
522
523 Q: When you pulled out, did you have any emergency lighting equipment on?
524
525 A: No, I did not. And, uh...
526
527 Q: ...including the back ambers?
528
529 A: No.
530
531 Q: No, okay. (Unintelligible) and the other deputies have theirs on?
532
533 A: Uh, no.
534
535 Q: Okay. Go ahead.
536
537 A: Um, immediately, um, as the deputy approached the location, I - I see him
538 back and yell.
539
540 Q: Are you still sitting in your car? Had you gotten out now?

541
542 A: No, I was still sitting in my car, right.
543
544 Q: Okay, so you see them start backing away.
545
546 A: They start backing away. Um, and then I - I saw a female approaching them.
547
548 Q: Not a deputy, but just a - a - okay.
549
550 A: Not the dep- not the deputy, but is actually - um, I believe is a white female.
551 And she was yelling and screaming. And I - I - I saw her holding something.
552
553 Q: Okay.
554
555 A: So as the deputy was backing up, she was advancing towards them. Now, this
556 time I begin to open my door, I haven't exited yet. And by the time I - I push
557 open my door, my ha- one foot is out. At this point, this female began chasing
558 the deputy. And two of the deputies - one deputy kind of - I - I believe veered,
559 so this is facing eastbound on - veered to - to the - the female's right-hand
560 side. The other two deputies veered to the left and to- right towards me.
561
562 Q1: Okay.
563
564 A: Right.
565
566 Q1: But the two - are there two deputies?
567
568 A: There are two deputies...
569
570 Q1: Okay.
571
572 A: ...run towards me. And the female, at this point, um, probably was chasing
573 them.
574
575 Q1: Right.
576
577 Q: Like on a sprint, on a run or on a walk?
578
579 A: No, he was on a sprint. She was chasing them.
580
581 Q: Right.
582
583 Q1: They are moving pretty good.
584
585 A: They are moving pretty quick because, by the time, I completely get out of the

586 car, uh, she already - um, she already turned around, uh, on the last - last - the
587 - the parked car. So, there's two parked car on, um, on, um, Cleveland.
588
589 Q: You're talking about citizen vehicles or patrol cars?
590
591 A: Patrol cars.
592
593 Q: Okay.
594
595 A: She's already - she's already chasing the deputy around the second patrol
596 vehicle, so pretty much it's like between my vehicle and the - the third deputy.
597
598 Q: The third deputy.
599
600 A: Right. And she was advancing back for the south side of Cleveland.
601
602 Q: So, going back to where they came from?
603
604 A: That's correct.
605
606 Q: Okay.
607
608 A: And she continued yelling and screaming, and the deputy was running -
609 running and looked back, but basically running. And at some point, um, they
610 are back in front of the location where they - where they since started.
611
612 Q: Okay.
613
614 A: And now instead of the deputy facing the east side, now the deputy is back -
615 pretty much back to the...
616
617 Q: The same deputy she was going after or one of the other deputies?
618
619 A: I think two deputies.
620
621 Q1: But there are two deputies.
622
623 A: They were pretty much back into the location where he was supposed to
624 investigate. While the female, uh, I guess, uh, I guess, this guy - the victim
625 and suspect became - advanced towards...
626
627 Q: Okay.
628
629 A: So I mean, (unintelligible).
630

631 Q: Let me stop you right there. Would it help if - if we had a picture of...
632
633 A: Yes, yeah.
634
635 Q: ...the area? (Unintelligible)...
636
637 A: Exactly what I was gonna get at.
638
639 Q: (Unintelligible), okay. Yeah, I know it's hard to - to try and explain without
640 having it - having it in front of us. Ready to go home?
641
642 Q1: Yeah, okay.
643
644 Q: (Unintelligible). You drink soda or anything light?
645
646 A: I could use some water.
647
648 Q: Water?
649
650 A: Yeah.
651
652 Q: Can you go and grab some real quick while he's doing that? Unfortunately,
653 this is the only cup I have so.
654
655 A: Thank you, thank you.
656
657 Q: Okay. If you need some more, we can definitely arrange for (unintelligible).
658
659 A: I appreciate that.
660
661 Q: Bless you.
662
663 A: Thank you.
664
665 Q: Okay. Let me see if I can explain what we have here, okay? Are you familiar
666 with Google Earth?
667
668 A: Yes.
669
670 Q: I let you know that this - this road going across the top here would be Olive ...
671
672 A: Right.
673
674 Q: ...and this road going up and down would be Cleveland...
675

676 A: Right.
677
678 Q: ...and then we have marked here 95 Cleveland Avenue.
679
680 A: Okay.
681
682 Q: All right. Appears to be the second residence in - on - on - off the intersection
683 there.
684
685 A: That's right.
686
687 Q: Um, so having this here, if you can, um - I'll try and go through it or you said
688 that you had - you had parked on Olive, correct?
689
690 A: That's correct.
691
692 Q: Uh, where, uh, on Olive?
693
694 A: Right at the intersection right here.
695
696 Q: Okay, so right at the - the...
697
698 A: The (unintelligible).
699
700 Q: ...I guess, the southwest corner of - here we go.
701
702 A: Yeah.
703
704 Q: Since you're right, I just put like an A, (unintelligible) letter A there. Okay,
705 that will be your car.
706
707 A: That's right.
708
709 Q: Um, and then down (unintelligible) A, and then - so we know - it's like a
710 legend A ...
711
712 A: Yeah.
713
714 Q: A equals your car.
715
716 A: Yeah.
717
718 Q: Right, where you parked.
719
720 A: Yeah.

721
722 Q: Okay. Um, if you use the letter B, if you can show me where that third deputy,
723 the one right in front of you have parked?
724
725 A: Right here.
726
727 Q: Okay. Do you know where the deputy - I guess - I guess, it would've been the
728 second deputy parked his car?
729
730 A: Um...
731
732 Q: C.
733
734 A: C, um, I'm not sure because the - the first two deputies, by the time I get
735 there, the car is where I parked, but I know there's a car - there is one parked
736 here, and I believe there's one parked here.
737
738 Q: Okay. So why don't you use C for - um, yeah, there you go and just put
739 deputy car.
740
741 A: And...
742
743 Q: D.
744
745 A: D.
746
747 Q: Okay. And we'll do B as we'll use as third deputy. Let me ask you this. The
748 deputy that's for Car B...
749
750 A: Uh-huh.
751
752 Q: ...what does he look like? Is it a male?
753
754 A: Yes. He - he's a tall male deputy.
755
756 Q: Hispanic, white?
757
758 A: Uh, I believe Hispanic.
759
760 Q: Hispanic?
761
762 A: Yeah, I believe Hispanic.
763
764 Q: Okay. So, if we told you his name, would you recognize him?
765

766 A: Um, probably not, but I - I - uh, they're - they're very different, so I think I
767 can definitely recognize.
768
769 Q: Okay. When you say it's a Hispanic deputy...
770
771 A: Right.
772
773 Q: ...that would be the male - that would be Deputy Espinoza.
774
775 A: Okay.
776
777 Q: Okay? That sound right?
778
779 A: Um...
780
781 Q: As best as you know.
782
783 A: Yeah.
784
785 Q: Yeah.
786
787 A: I'm sure, yeah.
788
789 Q: And then the - and then for C, which is the car right in front of Deputy
790 Espinoza's car, right?
791
792 A: Right.
793
794 Q: What - it was - is that a male or a female deputy?
795
796 A: Um, at that point, uh...
797
798 Q: You don't know?
799
800 A: I don't know...
801
802 Q: Okay.
803
804 A: ...because by the time I get to here, I already see the deputy approaching this
805 direction.
806
807 Q: Okay. So, I guess, for C we just put Unknown Deputy Car, and then D would
808 be...
809
810 Q1: Unknown.

811
812 Q: ...Unknown Deputy Car.
813
814 A: Okay.
815
816 Q1: In fact, on B, if you want to (unintelligible) Espinoza since we've
817 (unintelligible).
818
819 A: Yeah, it's going to be (unintelligible), yeah. Okay.
820
821 Q: Okay? Um, okay, so you're sitting in your car, you see deputies kind of
822 approaching the location of the call, right? Um, and then so you're able to see
823 from your location kind of down the street here.
824
825 A: Yeah, down. It's (unintelligible) approaching.
826
827 Q: So, you see them kind of approaching there, okay?
828
829 A: Right.
830
831 Q: And then what?
832
833 A: And then they went away from my view. At that point, I can't see them
834 anymore.
835
836 Q: Oh, okay.
837
838 A: Right, and probably within, um, a few seconds, they moved back and backing
839 out again.
840
841 Q: When they were backing out, um, were backing out quickly?
842
843 A: They're backing out rather quickly.
844
845 Q: Did they kind of back out like all three of them together to kind of go separate
846 directions?
847
848 A: They backed out and then kind of fanned out.
849
850 Q: Fanned out.
851
852 A: Right, fan out fashion.
853
854 Q: Um, was it dark at the time?
855

856 A: Yes, a little dark.
857
858 Q: What kind of street lighting is - if any, was there?
859
860 A: Um, I think the lighting was good here and probably somewhere here, but this
861 area was - was dark.
862
863 Q: What about down closer to the - to where the deputy was standing?
864
865 A: Uh, it's dark.
866
867 Q: Dark?
868
869 A: It's dark.
870
871 Q: You can't see...
872
873 A: Yeah.
874
875 Q: ...because you're pointing and you're seeing here, here.
876
877 A: Right.
878
879 Q: What area is that? Is that the intersection of Olive and Cleveland that has -
880 that's well-lit?
881
882 A: Uh...
883
884 Q: The actual intersection, is that what you're pointing at?
885
886 A: That's correct, that's correct.
887
888 Q: And then as you go south of the intersection on Cleveland, it gets a little
889 darker?
890
891 A: That's - that's correct.
892
893 Q: But is there still streetlights there?
894
895 A: I want to say I'm not sure of streetlight, but light from somewhat actually
896 have a little light illuminate, but I'm not sure if this is...
897
898 Q: Not as much as that full intersection.
899
900 A: That's correct.

901
902 Q: Okay.
903
904 A: That's correct.
905
906 Q: Enough that you could see them?
907
908 A: I could see them.
909
910 Q: Okay. Um, enough that you could see which deputy was doing what? Imagine
911 you don't know their names, but now we've established there was a female
912 deputy, uh, Deputy Espinoza, and then another male deputy, correct?
913
914 A: That's correct.
915
916 Q: Okay.
917
918 A: Okay.
919
920 Q: Could you make out which deputy was which as they were backing away?
921
922 A: I believe I saw the male deputy was backing away first, and then I saw the
923 female deputy.
924
925 Q: The male, we don't know the name of?
926
927 A: We don't know the name of.
928
929 Q: Okay. He was backing away first. Um, which direction would you say he was
930 backing towards?
931
932 A: He was backing, uh, I believe toward the B car.
933
934 Q: Okay.
935
936 A: Right.
937
938 Q: And female deputy?
939
940 A: The female deputy was sort of backing to- - the female deputy and another
941 deputy was backing for the C car.
942
943 Q: Okay. And then what did you - uh, it was dark.
944
945 A: That's correct.

946
947 Q: There were some lighting around - street lighting, whatever (unintelligible).
948 Did you see if they were using flashlights?
949
950 A: I believe I - I saw one flashlight, but I can't - I can't remember where. I mean,
951 it's all illuminating.
952
953 Q: Fair enough.
954
955 A: Yeah.
956
957 Q: Did you see if they had anything else in their hands?
958
959 A: Um, no, not at that time.
960
961 Q: Okay.
962
963 A: Not at that time.
964
965 Q: So, backing away...
966
967 A: Right.
968
969 Q: ...kind of two deputies are kind of cornered coming towards C, one kind of
970 going towards D vehicle, correct?
971
972 A: Yes.
973
974 Q: And then what?
975
976 A: And then as I begin to step-up my car that's when I have seen, um, the white
977 female. It is not the deputy, it was the suspect...
978
979 Q: Citizen female.
980
981 A: ...citizen female...
982
983 Q: Suspect - okay, suspect.
984
985 A: ...that began chasing them at a rapid pace heading toward - I would say north
986 on, uh, Cleveland.
987
988 Q: Okay.
989
990 A: Right.

991
992 Q: Kind of towards your direction then?
993
994 A: That's correct. They - she was heading towards it. She's chasing them towards
995 that direction.
996
997 Q: And she's holding something in her hands.
998
999 A: She was holding something in her hand. Um, at best I could recall was
1000 probably - uh, it look - it look and feel like kind of racket. I - I don't know
1001 what it is.
1002
1003 Q: Okay.
1004
1005 A: I can't - I can't...
1006
1007 Q: But a large item.
1008
1009 A: It was a large item.
1010
1011 Q: Okay.
1012
1013 Q1: It's shaped like a tennis racket?
1014
1015 A: Kind of - kind of like a tennis racket, right.
1016
1017 Q: Uh, and as she's holding it, um, if we're going to use - say - say a tennis
1018 racket description, the racket part up in the air?
1019
1020 A: Yes.
1021
1022 Q: And the handle part down.
1023
1024 A: That's correct.
1025
1026 Q: Okay. And she is chasing the deputies...
1027
1028 A: That's correct.
1029
1030 Q: ...running?
1031
1032 A: Running.
1033
1034 Q: When the deputies are, I guess, trying to get away if she's...
1035

1036 A: Right.
1037
1038 Q: ...chasing them, have they turned and are now running away from her? Are -
1039 are they still backing up?
1040
1041 A: That - well, (unintelligible) half turning but turning sideway and run.
1042
1043 Q: Mm-hm.
1044
1045 A: So, he kind of looked back and he sort of run around the corner of the car.
1046
1047 Q: And when you - you say that they came around the corner of the car, do you
1048 mean vehicle B around the back...
1049
1050 A: That's correct.
1051
1052 Q: ...of our vehicle B.
1053
1054 A: That's the ...
1055
1056 Q: So in between Vehicle B and your vehicle?
1057
1058 A: That's correct.
1059
1060 Q: Uh, and so they ran in front of you.
1061
1062 A: Right.
1063
1064 Q: At that point, did you see anything maybe that they were holding in their
1065 hands now?
1066
1067 A: Um, I remember as I - as I stepped out, the - the - the suspect - her backside
1068 turns - turn - turn - turned away from me. Uh, yeah, so she's already - she's
1069 already facing this direction.
1070
1071 Q: So, she's already making the turn around the vehicle.
1072
1073 A: That - that's correct. She was very fast, okay?
1074
1075 Q1: She's facing south now?
1076
1077 A: She's facing south on Cleveland.
1078
1079 Q: Okay.
1080

1081 A: And I believe - I remember...
1082
1083 Q1: The deputies are in front of her?
1084
1085 A: Yes.
1086
1087 Q: Okay.
1088
1089 A: And they - they will continue running, and I believe the deputies, at that point,
1090 I believe even reaching for their - I guess, their belt for the tools
1091 (unintelligible), okay?
1092
1093 Q: Uh-huh, uh-huh. Um, do you think that the suspect female saw you?
1094
1095 A: I want to say no because, uh, when she - when she was turning corner, that's
1096 when I just have only one foot - my foot is out so...
1097
1098 Q: Just starting to exit.
1099
1100 A: Just starting to exit.
1101
1102 Q: Um, how far away would you say she was when she - you know, we're
1103 talking between your car and the other - the other patrol car. How far away at
1104 her closest would she - you say she was to you?
1105
1106 A: I would say from here to the door, uh, the second door out there.
1107
1108 Q: Oh, the door coming into the - these rooms...
1109
1110 A: Right.
1111
1112 Q: ...here? Okay. Uh.
1113
1114 Q1: About 20, um, 25 feet.
1115
1116 Q: Okay, fair enough. Uh, and you said she was yelling and screaming?
1117
1118 A: Yes.
1119
1120 Q: Could you hear what she was saying?
1121
1122 A: I can't make out what she's saying, but, uh, i- extremely visible and upset.
1123 And I actually - I sense the deputy was in fear. They backed rapidly and - and
1124 I guess, (unintelligible) almost a sense of, uh, and they tried to get away from
1125 her. They tried to keep distant away from her.

1126
1127 Q: How did you feel?
1128
1129 A: I was scared, uh, I was scared because, um, I - at the same time when I exit, I
1130 begin reaching my - for my belt. But by the time I'm out the vehicle, she's -
1131 she's no longer in my direction. In fact, she was rapidly moving away toward
1132 the...
1133
1134 Q: Going away from you?
1135
1136 A: Yes, toward the other deputy.
1137
1138 Q: Did you hear anybody else yelling anything?
1139
1140 A: I believe the deputy, uh, yelled stop. I can't make out, but it's - it's - it's - I
1141 can't make out. And it was - it was, uh, pretty...
1142
1143 Q: But they're yelling something.
1144
1145 A: They were yelling something.
1146
1147 Q: All of them? One of them?
1148
1149 A: I - I hear at least two, the one that actually was being chased.
1150
1151 Q: He's yelling something?
1152
1153 A: Yes.
1154
1155 Q: Has anybody put out - any of those three deputies not put, uh, any radio or
1156 traffic?
1157
1158 A: Um, I don't remember.
1159
1160 Q: Okay.
1161
1162 A: I don't remember.
1163
1164 Q: So, the deputy is now running south.
1165
1166 A: Right.
1167
1168 Q: The suspect is now running south.
1169
1170 A: Right.

1171
1172 Q: The deputy - was it one or two deputies being chased by the suspect?
1173
1174 A: Two deputies.
1175
1176 Q: And where did they then go?
1177
1178 A: Uh, they seem to be heading toward Car D.
1179
1180 Q: Uh-huh.
1181
1182 A: And if I remember correctly, they actually run around Car D, like, here.
1183
1184 Q: Okay, so on the east side of Car D?
1185
1186 A: It's on - it's on the east side of Car D. And then one deputy head a little
1187 further, um, south while the other two deputy kind of backed - they backed
1188 again, turned toward the house.
1189
1190 Q: Backing away?
1191
1192 A: Backed - so they - they were running...
1193
1194 Q: Yeah.
1195
1196 A: ...this way, but they're facing the suspect...
1197
1198 Q: So, they were backing away.
1199
1200 A: Continue backing away from her.
1201
1202 Q: Okay, but now they're moving towards 95 Cleveland.
1203
1204 A: That's correct.
1205
1206 Q: Okay. But one deputy had continued to go south.
1207
1208 A: Uh, moved further south.
1209
1210 Q: Moved further south then. Who now has the suspect female focused on? Did
1211 she continue to go south?
1212
1213 A: No, she actually, um, so there was a male deputy down here I couldn't make
1214 out. I was a little far. But at this point in time, it was a - a female deputy and
1215 another male deputy who's back - they're back - pretty much goes back to 90,

1216 uh, 95.
1217
1218 Q: Okay.
1219
1220 A: Right.
1221
1222 Q: And the suspect female does what?
1223
1224 A: She continued to advance them, at this point...
1225
1226 Q: Towards the two?
1227
1228 A: The two.
1229
1230 Q: Okay.
1231
1232 A: Um, so they pretty much - so the back of the two deputies was facing the
1233 house yet, and the suspect to charge right, uh...
1234
1235 Q: So, they're face-to-face just kind of going back towards the house.
1236
1237 A: That's right.
1238
1239 Q: Okay.
1240
1241 Q1: And so, the two deputies are facing the east, but they're going from east to
1242 west?
1243
1244 A: That's correct.
1245
1246 Q1: And then the - the female suspect is facing west going from east to west
1247 towards them?
1248
1249 Q: Going (unintelligible).
1250
1251 A: Because they're faced - yes.
1252
1253 Q: So they're like...
1254
1255 A: That's right, that's correct.
1256
1257 Q: The deputies are backing up.
1258
1259 A: Right.
1260

1261 Q: The female is coming at them.
1262
1263 A: Right.
1264
1265 Q: Is she still carrying...
1266
1267 A: Yes.
1268
1269 Q: ...whatever that was?
1270
1271 A: Right, she was absolutely carrying something.
1272
1273 Q: Was she swinging it, just carrying it?
1274
1275 A: I - I do believe she's swinging, she was swinging, she was swinging.
1276
1277 Q: And how close would you say she was - how far away (unintelligible)?
1278
1279 A: I - I would say from my observation, it's just between here and the window.
1280
1281 Q: So very close.
1282
1283 A: Extremely close, extremely close. And...
1284
1285 Q: How are you feeling now for the deputies?
1286
1287 A: I feel - uh, I feel they were - I feel they were threatened, extremely threatened.
1288 And - and I remember the thought crossed my mind, they run out the room to
1289 run basically.
1290
1291 Q: Have you, uh, ever seen, you know, this - this driveway, this residence at
1292 Cleveland to know maybe what was there? Maybe they were running out a
1293 room or just kind of, you know, kind of whether you hypothesize.
1294
1295 A: I - I saw that the - the - the female was here.
1296
1297 Q: Mm-hm.
1298
1299 A: And as she approached in here, I - I no longer see - see the deputy on the
1300 street here...
1301
1302 Q: Mm-hm.
1303
1304 A: So, I - I guess that he went back into some sort of driveway.
1305

1306 Q: Okay.
1307
1308 A: Right.
1309
1310 Q: So you thought as they - they...
1311
1312 A: They run out of the room, they run out of the room, they run out of the room.
1313
1314 Q: Um, did they still - any of them have (unintelligible) slide out?
1315
1316 A: Uh, at that point, I couldn't see anyone.
1317
1318 Q: Do you know or did you ever see if any of them had reached and pulled out,
1319 you mentioned there, reaching for their tool belt. Had they pulled out any of
1320 their tools?
1321
1322 A: At that point, I - I - I couldn't see them anymore.
1323
1324 Q: Um, did you ever see them they could pull anything off of their belt? Any of
1325 them?
1326
1327 A: I saw someone having what - what I believe was a baton, but I - it was very
1328 brief. That was really brief.
1329
1330 Q: So, somebody had something?
1331
1332 A: Somebody has something.
1333
1334 Q: Okay. So, they're backing away, the female was advancing like what happens.
1335
1336 A: Uh, I heard, um, I believe the female deputy screamed, "Drop your knife, drop
1337 your knife."
1338
1339 Q: Okay.
1340
1341 A: Yeah, it was pretty loud.
1342
1343 Q: Very loud?
1344
1345 A: Very loud.
1346
1347 Q: And then what?
1348
1349 A: And then that's when I heard the shot.
1350

1351 Q: How many shots?
1352
1353 A: I want to say three.
1354
1355 Q: You want to say three?
1356
1357 A: Yeah.
1358
1359 Q: And then what happened?
1360
1361 A: Um, and I believe one of the deputies - and I'm trying to remember. I believe
1362 that was, um, Deputy Espinoza went toward my direction and asked me to
1363 begin - take out the crime tape and cordon off the - cordon off the area.
1364
1365 Q: Okay.
1366
1367 A: Right. He basically begin to cordon off - I believe he was cordoning off this
1368 area, yes.
1369
1370 Q: So, talking about the intersection there.
1371
1372 A: So the intersection here. And he asked me to basically - you know, uh, take
1373 my car from this pos- from this position here up to - up further east on Olive
1374 Street and begin turning car aw- back -- I'm sorry -- away from the scene.
1375
1376 Q: So, you were able to, I guess, tape - did you use tape...
1377
1378 A: I used tape to...
1379
1380 Q: ...to - to rope off, I guess, along the south curb line of Olive...
1381
1382 A: Right.
1383
1384 Q: ...and Cleveland.
1385
1386 A: I believe - I believe Deputy Espinoza was the one who did this portion.
1387
1388 Q: Okay, okay.
1389
1390 A: I did this portion, yeah.
1391
1392 Q: So, you did it across Olive just east of Cleveland?
1393
1394 A: That's correct.
1395

1396 Q: And you moved your car from where it was parked to...
1397
1398 A: To here.
1399
1400 Q: ...over to where you had placed the tape.
1401
1402 A: Right, right.
1403
1404 Q: Okay.
1405
1406 A: And then once I finished, I believe there's another deputy at that point around
1407 the scene and asked me to put my car out this direction, so I literally go from
1408 A to, uh, east of, uh, Olive to now, uh, uh, north of, uh, Cleveland. And I - I - I
1409 put a tape across, uh, Cleveland here.
1410
1411 Q: So, you're kind of making a circle there, huh?
1412
1413 A: That's correct.
1414
1415 Q: Right.
1416
1417 A: Yeah.
1418
1419 Q: Um, did anybody say anything to you about what had happened?
1420
1421 A: No, um, I - I noted, at the time after the shot rang out, there was a request for
1422 AMR to the scene, some sort of, uh, ambulance to the scene. And probably
1423 within a few minutes, I guess, an -an emergency vehicle that the medics in
1424 there came to the scene.
1425
1426 Q: What are the radio traffic did you hear, if any?
1427
1428 A: It was quite in the way of traffic, um, unit from the west side, south county,
1429 east side was that converging at the location.
1430
1431 Q: Right after the shots rang out, did any of the deputies on the scene conducting
1432 a radio traffic other than requesting emergency personnel? Did they advise
1433 what had happened?
1434
1435 A: My mind was racing, I - I couldn't remember.
1436
1437 Q: Understood.
1438
1439 A: I couldn't remember.
1440

1441 Q: Completely understood. Uh, right at the time when the shots happened...
1442
1443 A: Right.
1444
1445 Q: ...where exactly were you?
1446
1447 A: I was still at - uh, in front of - uh, in - in the passenger side of the vehicle - I
1448 mean -- I'm sorry -- the driver side and my door is open.
1449
1450 Q: Can you give me a flavor of what your pin here? Could you place an X where
1451 you were standing?
1452
1453 A: Right here.
1454
1455 Q: And add that to the legend just, you know, me. Um, did you ever advance
1456 down Cleveland towards the scene?
1457
1458 A: I did not.
1459
1460 Q: How far south would you say that you went?
1461
1462 A: Um, probably, um, before the stop sign (unintelligible).
1463
1464 Q: Okay, so really never down Cleveland at all.
1465
1466 A: Never down Cleveland at all.
1467
1468 Q: Um, did you hear any of the deputies screaming like they were hurt?
1469
1470 A: I don't remember.
1471
1472 Q: Um, did you hear - other than hearing the female deputy drop the knife, drop
1473 the knife, did you hear them saying anything else? Any yelling, any - anything
1474 else?
1475
1476 A: Um, no, no.
1477
1478 Q: Um, from where you were standing, could you look down there and see
1479 anything?
1480
1481 A: I see nothing in that direction.
1482
1483 Q: Did you ever see that third deputy, the male deputy that went south - kept
1484 going south? Did you ever see him again...
1485

1486 A: Um...

1487

1488 Q: ...well, prior to everybody showing up?

1489

1490 A: ...um, I want to say that after the shot, I believe the third deputy, which is the

1491 - the B car if I'm not mistaken, Espinoza, came back and immediately

1492 (unintelligible).

1493

1494 Q: What about the deputy we don't know his name, the other male deputy?

1495

1496 A: Uh, uh, he's much, much later when - when that deputy came back and he's

1497 without any shoe.

1498

1499 Q: Oh, he did not have shoes on?

1500

1501 A: Didn't have any shoes on.

1502

1503 Q: Okay. Is that the same deputy that kept running south while the other two

1504 backed in?

1505

1506 A: I don't know.

1507

1508 Q: Or do you know? Can you tell?

1509

1510 A: I don't know.

1511

1512 Q: I understand why the lightning might not have been real well. Tough to tell

1513 who was who.

1514

1515 A: Yeah.

1516

1517 Q1: Oh, so the - the deputy came back towards my direction. That's without shoe,

1518 it wasn't not - was not Deputy Espinoza?

1519

1520 A: He was the other guy.

1521

1522 Q1: He was the other - okay. Do you know where he was when the shots came?

1523 Was he one of the two?

1524

1525 A: My last known location, he was right about this side or...

1526

1527 Q: Yeah.

1528

1529 A: ...actually, um, uh, in front of, um, the D - Car D, yeah.

1530

1531 Q: Okay, all right. So, did you know where he went after that?
1532
1533 A: Yeah.
1534
1535 Q: He might have been one of the two. He might have been the guy who kept
1536 going. Not sure.
1537
1538 A: Not sure.
1539
1540 Q: Okay. Um, is it fair to say that maybe the female deputy was one of the ones
1541 backing up because she said, "Drop the knife, drop the knife?"
1542
1543 A: Well, absolutely. I saw her backing up.
1544
1545 Q: She was one of the ones backing up. We just don't know which one of the
1546 males were ...
1547
1548 A: That's correct.
1549
1550 Q: Okay. Um, after you had placed the tape and moved your car, you know, to a
1551 bunch of different locations, then what?
1552
1553 A: Um, the - uh, my units arrived on the scene. Um, deputy - not quite sure
1554 whether it's from east side, um, I believe it was on east side that arrived first.
1555
1556 Q: Yeah.
1557
1558 A: And followed by west side.
1559
1560 Q: Yeah.
1561
1562 A: And, um, (unintelligible), yeah.
1563
1564 Q: So you placed the tape. You placed it upon Olive. You moved your car back
1565 over to Cleveland.
1566
1567 A: Right.
1568
1569 Q: How long were you there?
1570
1571 A: I was there, um, 12:25 am all the way till - I will say close to t- 2:00 am in the
1572 morning.
1573
1574 Q: Mm.
1575

1576 A: On (unintelligible).
1577
1578 Q: Is there a sergeant arrived on the scene?
1579
1580 A: I saw - I saw - and - and over to (unintelligible), right in here.
1581
1582 Q: Yeah.
1583
1584 A: (Unintelligible) was there. I saw Sergeant Nellie, I believe (unintelligible).
1585
1586 Q: Yeah, okay.
1587
1588 A: And then I saw another sergeant. I - I couldn't remember his name, but he's,
1589 like, Asian fellow.
1590
1591 Q: Okay.
1592
1593 A: Yeah.
1594
1595 Q: Sergeant (Tong).
1596
1597 A: Sergeant (Tong). I should (unintelligible) before but I know (unintelligible).
1598 Later I saw - I saw Sergeant (unintelligible).
1599
1600 Q: Oh, okay.
1601
1602 A: Right.
1603
1604 Q: Did any of them ask you if - if you've seen or heard anything?
1605
1606 A: Um, no.
1607
1608 Q: Okay. Did you tell any of them that you had seen or heard anything?
1609
1610 A: Um, when they unfortunately say, "What do you need me to do?" They asked
1611 me to just stay and maintain the security armory.
1612
1613 Q: Gotcha, okay. And when you left at two in the morning...
1614
1615 A: Right.
1616
1617 Q: ...where did you go?
1618
1619 A: I went back to headquarter.
1620

1621 Q: Okay.
1622
1623 A: I - I, um, I guess, I went back to headquarter.
1624
1625 Q: Okay.
1626
1627 Q1: Did you off-duty?
1628
1629 A: Uh, no. Actually, I went back to headquarter. I'm trying to remember what
1630 I'm doing. Um, when we turned the car, and I was - oh, at that point, I saw a -
1631 a - a known male deputy was at the headquarter.
1632
1633 Q: Oh, without the shoes?
1634
1635 A: That's - oh, he went - when - when he - when he went back to this direction,
1636 he said - well, that point has quite a few deputies. And he said, "You need to
1637 get another pair of shoes." Yeah.
1638
1639 Q: Okay. But you saw him in the headquarters?
1640
1641 A: Yes.
1642
1643 Q: Did you stay here though the whole time?
1644
1645 A: No. Um, what I forgot to mention along the way, I - I notify Captain Rumley
1646 when I was doing the (unintelligible), I was explaining to him that, you know,
1647 I - I was at - on the scene.
1648
1649 Q: Was this by phone?
1650
1651 A: By phone.
1652
1653 Q: Okay.
1654
1655 A: Um, I mentioned to him that it looked like, you know, we may need more
1656 reserves out to help...
1657
1658 Q: Cool.
1659
1660 A: ...with the crime scene, right?
1661
1662 Q: Okay.
1663
1664 A: Um...
1665

1666 Q: You tell him what you had seen or heard?
1667
1668 A: I mentioned to Captain Rumley, I said I was on the scene when the - the
1669 incident happened.
1670
1671 Q: Okay.
1672
1673 A: Right?
1674
1675 Q: And did he tell you that - talk to anybody about that?
1676
1677 A: No, he says, "Stay put. Um, you're gonna have someone call me back."
1678
1679 Q: Okay.
1680
1681 A: Um, Deputy Gionetti- gio- gio ...
1682
1683 Q: Giovanetti.
1684
1685 A: Yeah, gio- Deputy gio- he called me back and I explained to him what
1686 happened. I said, "This is what happened. I was on the scene," right?
1687
1688 Q: Okay, okay.
1689
1690 Q1: What did - what did Giovanetti tell you?
1691
1692 A: Um, he just like know. He's saying that he'll call back.
1693
1694 Q1: Okay. And what...
1695
1696 A: And he - I'm sorry, he - he's saying Reserve Sergeant Leo will call me back.
1697 And Reserve Sergeant Leo called me back and saying that I think you need to
1698 make sure, you know, you prepare to do a - a report on this.
1699
1700 Q: Okay.
1701
1702 A: Right.
1703
1704 Q: So other than those people, you didn't tell any- anyone else at the scene
1705 though that you had witnessed what had happened?
1706
1707 A: Um, no, no.
1708
1709 Q: And then just so it's clear, Giovanetti, what is he in the world of the reserves?
1710

1711 A: I think occasionally Giovanetti is (unintelligible) RDO - position RDO.
1712
1713 Q: What does that mean?
1714
1715 A: It's kind of like on-call incident person for a reserve unit.
1716
1717 Q: Like a supervisor?
1718
1719 A: It's kind of like supervisor unit sometimes.
1720
1721 Q: And he's a reserve also?
1722
1723 A: Yes.
1724
1725 Q: Okay. And then you said Reserve Sergeant Leo, was that Sergeant Leo
1726 Gonzalez?
1727
1728 A: Yes.
1729
1730 Q: Is he a reserve or is he a regular?
1731
1732 A: He's a regular.
1733
1734 Q: Okay. And then, uh, a lot of this is for the record. Kevin Rumley...
1735
1736 A: Uh.
1737
1738 Q: ...who is he?
1739
1740 A: He's another reserve.
1741
1742 Q: What - does he have a rank in the reserves?
1743
1744 A: Yes, I believe he's - he's a captain.
1745
1746 Q: A reserve captain?
1747
1748 A: Yes.
1749
1750 Q: Okay. That way it explains why you were making these notifications.
1751
1752 A: Right.
1753
1754 Q: Okay. Um, can I ask (unintelligible)...
1755

1756 Q1: Go for it.
1757
1758 Q: Okay. When you parked - and I know you said it was better lit in the - in the
1759 intersection at Olive and Cleveland...
1760
1761 A: Right.
1762
1763 Q: ...than it was further south just on Cleveland.
1764
1765 A: Right.
1766
1767 Q: But you said you could see the deputies, um, advancing, walking up...
1768
1769 A: Right.
1770
1771 Q: ...towards 95 Cleveland, correct?
1772
1773 A: Uh, yes.
1774
1775 Q: How did you know they were deputies?
1776
1777 A: They were in full uniform.
1778
1779 Q: So, from the position you were at at the intersection of Olive and Cleveland...
1780
1781 A: Right.
1782
1783 Q: ...north of where the deputies were, right?
1784
1785 A: Right.
1786
1787 Q: You could clearly see that they were wearing Sheriff's Office uniforms?
1788
1789 A: That's correct, that's correct.
1790
1791 Q: So, there was enough light for you to see that?
1792
1793 A: That's correct.
1794
1795 Q: Okay. Um, and regarding their cars...
1796
1797 A: Right.
1798
1799 Q: ...did you see their cars?
1800

1801 A: ...I can see clearly the car in front of me here...
1802
1803 Q: Okay.
1804
1805 A: ...which is Car - Car B. Okay, Car C was completely blocked because right -
1806 they're right - they're right behind Car C.
1807
1808 Q: What about Car D?
1809
1810 A: Car D, uh, I can make out silhouette.
1811
1812 Q: Was it - were - is that because there was obstacles in between you and the
1813 cars?
1814
1815 A: No, it was dark, it was dark.
1816
1817 Q: It was too dark?
1818
1819 A: Right.
1820
1821 Q: Okay.
1822
1823 A: I - I believe the deputy was visible when they crossed the street. So, you - so
1824 by the time I started looking out, they were crossing a streetlight here. And
1825 there's - there was sufficient light that I could see them.
1826
1827 Q: Okay. Was your - do you - if you know, was there sufficient light there that if
1828 somebody would have been at 95 Cleveland, they also would have been able
1829 to see that they were deputies?
1830
1831 A: Yes, yeah.
1832
1833 Q: Was there enough lighting for that?
1834
1835 A: From - from 95 looking out, there's - there's sufficient light.
1836
1837 Q: Okay. And you're at a distance. What - what distance were you at when you
1838 could see from your position that they were walking up? About how far away
1839 were you from them? Ballpark.
1840
1841 A: Three time- three to four times this (unintelligible).
1842
1843 Q: And you already said this was about 20, 25 feet?
1844
1845 A: Yeah.

1846
1847 Q: So, it could be anywhere from 60 to 100 feet away?
1848
1849 A: That's correct.
1850
1851 Q: Okay. And even at that distance, you can clearly see their night uniforms.
1852
1853 A: (Unintelligible) uniform.
1854
1855 Q: Okay. Um, and then you said that when they went through, I think you - you
1856 say you momentarily lost sight of them...
1857
1858 A: That's correct.
1859
1860 Q: ...before you saw them? Why did you lose sight of them?
1861
1862 A: Because once they approached us here, again, I can no longer see them.
1863
1864 Q: How come?
1865
1866 A: This area apparently is dark, real dark.
1867
1868 Q: Okay.
1869
1870 A: Right.
1871
1872 Q: Was there any object or obstacle between where you were and where they
1873 were walking into? Is there anything blocking your view...
1874
1875 A: Um ...
1876
1877 Q: ...besides darkness?
1878
1879 A: ...I don't see anything blocking me, but I just can't see them.
1880
1881 Q: Okay.
1882
1883 A: It's really dark.
1884
1885 Q: Okay. So, you don't know if there was trees, shrubs, fences or anything
1886 between.
1887
1888 A: There was a big tree above them. There was something blocking the light, I
1889 believe so, so really dark so...
1890

1891 Q: That's what made it dark?
1892
1893 A: Yeah.
1894
1895 Q: Okay. And the picture that we're looking at, obviously, this picture is taken
1896 during daylight. That was not a picture from that night.
1897
1898 A: Right.
1899
1900 Q: Um, but aside from - from it being daylight, and I realized that some of these
1901 cars were - were not there...
1902
1903 A: Right.
1904
1905 Q: ...at the time of the incident and, in fact, I know that there's cars that were
1906 there. They aren't shown on this, okay?
1907
1908 A: Right.
1909
1910 Q: But other than that, is that a fair and accurate depiction of what the
1911 intersection and the roadway generally look like?
1912
1913 A: Yes.
1914
1915 Q: And how was this okay? Um, at any point in time could you tell whether or
1916 not any of the deputies had their guns out, their pistols out?
1917
1918 A: I want to say prior to the - the - the - the shot, I believe, as they back into the
1919 house, I think their weapon was down. I think at least one deputy. I want to
1920 say the female deputy was having a (unintelligible).
1921
1922 Q: And what makes you say that?
1923
1924 A: I think - I think her hand was up and she's backing out. She keeps backing
1925 out.
1926
1927 Q: So, it looked like her hand was up and extended and...
1928
1929 A: Right.
1930
1931 Q: ...like some sort of a shooting platform...
1932
1933 A: That's right.
1934
1935 Q: ...that shows backing.

1936
1937 A: Yeah.
1938
1939 Q: Be- before that point when the deputies were first backing away from the
1940 house...
1941
1942 A: Right.
1943
1944 Q: ...could you tell if their guns were out then?
1945
1946 A: I know they were holding something, but I wasn't sure it was the gun because
1947 they were - they were half running. And my eye was rather not focused on the
1948 deputy, I was focused on the female at that point.
1949
1950 Q: And why would you focus on the female at that point?
1951
1952 A: Because I can see she was the threat that she was - yeah, she was...
1953
1954 Q: Even from that distance, you are...
1955
1956 A: Yeah.
1957
1958 Q: ...perceiving her as a threat?
1959
1960 A: Absolutely.
1961
1962 Q: Okay. Have you ever seen - because you have a vast knowledge and
1963 experience, right, about 20 years? Have you ever seen deputies move away
1964 from a subject like that before?
1965
1966 A: No, actually, very rare, um, especially if subject is unarmed, deputy can be
1967 more stationary and pay attention. In this scenario, the deputy was - I - I - I
1968 interpret they were - they were in fear. They were running in a rapid pace and
1969 retreat very quick.
1970
1971 Q: Is that based on your experience and training...
1972
1973 A: Yes.
1974
1975 Q: ...why you have that opinion?
1976
1977 A: Yes.
1978
1979 Q: Have you been in training scenarios where you see situations similar to that
1980 where that - the subject that is confronting the deputies or the subject that the

1981 deputies are confronting is armed, and that's why they're reacting in that way?
1982
1983 A: Um, in simulation, yes.
1984
1985 Q: You've seen similar things like that?
1986
1987 A: Like that.
1988
1989 Q: Did - did the fact that there was three deputies there and all three seemed to be
1990 backing away...
1991
1992 A: Um...
1993
1994 Q: ...did that also add to your level feeling that she was a threat?
1995
1996 A: Absolutely, absolutely. I - the - with the fact that she have, uh, chasing them
1997 and to the level that the deputy has run away from her, right, um, yes.
1998
1999 Q: Okay. And I know you said that what - at one point you saw she is carrying an
2000 object similar in shape to a tennis racket.
2001
2002 A: Right.
2003
2004 Q: Does that mean it - it appeared to have like a - a long handle or a neck and
2005 then there was some sort of rounded shape...
2006
2007 A: Yes.
2008
2009 Q: ...on the other end?
2010
2011 A: Yes.
2012
2013 Q: Okay. Did you ever find out exactly what it is she was carrying?
2014
2015 A: I did not.
2016
2017 Q: Did you ever hear anyone yell out what type of - if any, what type of weapon
2018 that female suspect may actually have had?
2019
2020 A: No, have none.
2021
2022 Q: Okay.
2023
2024 Q1: Other than the female deputy saying, "Drop the knife."
2025

2026 Q: Dr- drop the knife, drop the knife. Did you ever hear anybody say or identified
2027 themselves as Sheriff's deputies, law enforcement, anything along those lines?
2028
2029 A: If I heard something, it was at the time when they're approaching the house.
2030
2031 Q: For the first time?
2032
2033 A: First time.
2034
2035 Q: Wha- what do you think you may have heard?
2036
2037 A: I heard Sheriff - Sheriff - uh, Sheriff Deputy or Sheriff Department, Sheriff
2038 Deputy at that point.
2039
2040 Q: And you could hear that from 60 to 100 feet away?
2041
2042 A: Yes, I believe just right before (unintelligible) have retreated.
2043
2044 Q: Okay.
2045
2046 A: Right.
2047
2048 Q: Okay. And then when the shots rang out, you said you could not see the
2049 deputies?
2050
2051 A: I could not.
2052
2053 Q: Could you see the suspect?
2054
2055 A: No. At that point, it - it appeared the suspect also passed the point where I
2056 can't see her anymore.
2057
2058 Q: And that was again because it was darker in that area?
2059
2060 A: It was darker in that area.
2061
2062 Q: Okay. After the shots, did the suspect come back into view?
2063
2064 A: No, no, not at all.
2065
2066 Q: Okay.
2067
2068 A: No, not at all.
2069
2070 Q: No?

2071
2072 A: Not at all.
2073
2074 Q: Okay. And then after the shots rang out to the time that the first emergency
2075 crews arrived, whether...
2076
2077 A: Yeah.
2078
2079 Q: ...it was fire or paramedics...
2080
2081 A: Right.
2082
2083 Q: ...about how long - uh, how much time had gone by if you can recall?
2084
2085 A: Probably about 10 minutes.
2086
2087 Q: Okay.
2088
2089 A: And - and just right before 12:30 emergency, right, so it's really fast.
2090
2091 Q: Okay, okay. And from the minute you saw the deputies first walking up ...
2092
2093 A: Right.
2094
2095 Q: ...to the shots ringing out, about how much time passing?
2096
2097 A: Maybe - I would say maybe only three, four, five minutes. It was happening
2098 very quickly.
2099
2100 Q: Very quickly?
2101
2102 A: Very quick. I remember when - when the shot rang out and within my minute,
2103 I look at my - my clock just barely, um, 9:21, 9:22 - I mean, I'm sorry, 12:21,
2104 12:22, so it was like almost five minutes.
2105
2106 Q: And that was on your - your watch?
2107
2108 A: That's right.
2109
2110 Q: Okay. Do you know what time the actual call came out?
2111
2112 A: I want to say somewhere around 12:15 - 12 - about 12:15-ish.
2113
2114 Q: Okay.
2115

2116 A: Oh, yeah, yeah.
2117
2118 Q: Okay. So, it was at 12:15. You looked at your watch, it was 12:21.
2119
2120 A: Right.
2121
2122 Q: That's only, like, six minutes.
2123
2124 A: That's right. It was very short duration.
2125
2126 Q: Yeah, yeah. And that also includes the time - the travel time it took to get
2127 there...
2128
2129 A: Okay.
2130
2131 Q: ...which - which we all understand was not very long.
2132
2133 A: Not - not very long at all, right.
2134
2135 Q: Maybe a minute or two.
2136
2137 A: I don't think it was a minute. I would probably say like probably in the - in the
2138 40 - 40 second (unintelligible).
2139
2140 Q: Less than a minute, yeah.
2141
2142 A: Very quick.
2143
2144 Q: Yeah.
2145
2146 A: It was very quick.
2147
2148 Q: Okay. Um, and you said you were in a Sheriff's Office uniform that night?
2149
2150 A: That's right.
2151
2152 Q: Driving a marked Sheriff's Office patrol car.
2153
2154 A: That's correct.
2155
2156 Q: Okay. Anything?
2157
2158 Q1: You're - as the suspect female was running by, did you ever say anything to
2159 her, stop (unintelligible)?
2160

2161 A: I - I believe, oh, the deputy was telling her to stop...
2162
2163 Q1: Okay.
2164
2165 A: ...stop, stop.
2166
2167 Q1: But you - you - you - you didn't? Okay.
2168
2169 A: I didn't, I didn't.
2170
2171 Q: Now, you stayed at that position there by your car?
2172
2173 A: Right.
2174
2175 Q: Um, can you explain why or what you're thinking was?
2176
2177 A: My thinking was is like I'm - I'm in line of the deputy (unintelligible) I was in
2178 line - line of fire and same thing in reverse. So, my door was open, I croppped
2179 (unintelligible) down at that point. Um, that's all I can remember at that point,
2180 yeah.
2181
2182 Q: So - so you - you stayed there as the position to cover?
2183
2184 A: That's correct.
2185
2186 Q: Okay. Was a part of that decision because of the threat that you felt this
2187 woman was?
2188
2189 A: Yes.
2190
2191 Q: Okay. And did she always - because when you were talking about what - she's
2192 carrying something, it looked like you - a couple of times you put your hands
2193 together almost like a bat or a slight - more like a sword.
2194
2195 A: That's right.
2196
2197 Q: Is that the way she was carrying - is that the way...
2198
2199 A: Yes.
2200
2201 Q: ...(unintelligible)?
2202
2203 A: Yes.
2204
2205 Q: Were they always like that, kind of like...

2206
2207 A: It's always like that.
2208
2209 Q: ...on top of the other?
2210
2211 A: It was always like that.
2212
2213 Q: Okay.
2214
2215 A: And she was chasing the deputy, yes.
2216
2217 Q: Okay. But the time - when the shots did run out, you couldn't see her? And
2218 you don't know if her hands were still in that position.
2219
2220 A: I think probably the shot went out and the last time I saw her, I believe she
2221 was (swunging) - she was swinging something...
2222
2223 Q: Okay.
2224
2225 A: ...just before she disappeared behind the darkness.
2226
2227 Q: (Unintelligible) back...
2228
2229 A: Yeah, (unintelligible) back.
2230
2231 Q: And side to side, not up and down?
2232
2233 A: Kind of...
2234
2235 Q: Kind of like - like a overhand slashing angle?
2236
2237 A: Chop like...
2238
2239 Q: Chopping?
2240
2241 A: ...like the chopping, yeah.
2242
2243 Q: Okay, okay. And the - the woman, you said you knew she was yelling, but
2244 you could not make out what she was yelling?
2245
2246 A: That's right, I could not think (unintelligible).
2247
2248 Q: Was - was it because she was speaking a different language or was...
2249
2250 A: No, I - I think, um, my - my - my - my sensory is a little low at that point. I'm

2251 just hearing yelling. I see the deputy was in threat. The first, um, inclination, I
2252 thought she was going towards me, so I was scrambling trying to look - reach
2253 for my gear.
2254
2255 Q: What were you initially reaching for?
2256
2257 A: I was initially trying to grab my - my baton.
2258
2259 Q: Okay.
2260
2261 A: I - I was ready to grab my baton.
2262
2263 Q: Okay.
2264
2265 A: Right? And then when she advanced first towards me farther way, my
2266 immediate thought is, you know, I was thinking about pulling my weapons
2267 out. And I - I recognize it was just like - it was just a long (unintelligible)
2268 pointing...
2269
2270 Q: The crossfire.
2271
2272 A: The crossfire was there.
2273
2274 Q: Okay. Had you ever been to that house before?
2275
2276 A: Uh, no, but I've been to the vicinity before. There was a few other times that
2277 I've been in this area. Um, I believe probably months - probably last year. We
2278 also arrested someone out in that area.
2279
2280 Q: On Cleveland?
2281
2282 A: On - on - I believe on Cleveland.
2283
2284 Q: Okay.
2285
2286 A: A very combative individual around that area.
2287
2288 Q: Okay. Um, and I realized this happened really early in the morning, and here
2289 we are at this hour. But have - as of now, do you know the name of the female
2290 suspect?
2291
2292 A: I do not yet.
2293
2294 Q: Okay. Have you heard anything or do you know anything about anyone
2295 talking about any prior contacts with that female?

2296
2297 A: Uh, when I was back in, um -- I don't know which point -- but - oh, earlier I
2298 was there, there was another deputy that was, um, (unintelligible) deputy she
2299 says she's been in that house a few times. And the occupant had drug use and
2300 that so and so. But this is just like today, right?
2301
2302 Q: Okay. And did they sp- did they specify which house because...
2303
2304 A: No, they did not.
2305
2306 Q: Okay. Just because there's three units...
2307
2308 A: That's right.
2309
2310 Q: ...at that residence, so they - it could have been either one of the three units...
2311
2312 A: That's correct.
2313
2314 Q: ...they didn't specify. Okay.
2315
2316 A: But prior to today, uh, I am not under that particular household location. You
2317 know, the last time I was having anything (unintelligible) in this corner.
2318
2319 Q: At the intersection?
2320
2321 A: At the intersection.
2322
2323 Q: Okay, mm-hm. Okay, mm-hm. I - I don't think so.
2324
2325 Q1: I don't think so either.
2326
2327 Q: Any - uh, anything maybe you feel you want to add that maybe we didn't get
2328 to as thoroughly as you think we should have?
2329
2330 A: No, no.
2331
2332 Q: No?
2333
2334 A: I think - I just basically say that I - I sense the fears in the deputy. I was
2335 running around the - the car. And (unintelligible) helping she turned my way,
2336 but she didn't. She actually pretty much (unintelligible) the two deputies and
2337 little chasing and everything so.
2338
2339 Q: Okay. At any point did you find out whether or not, in fact, the suspect did
2340 have a knife?

2341
2342 A: I - I do not, I have not.
2343
2344 Q: Okay. Do me a favor. I ask you put the event number across the top. If you
2345 don't know what, I'll tell you.
2346
2347 A: I think, uh...
2348
2349 Q: Okay.
2350
2351 A: ...I called the radio.
2352
2353 Q: Thirteen?
2354
2355 A: Thirteen.
2356
2357 Q: Mm-hm. Okay, I have another (unintelligible) out, okay -320.
2358
2359 A: Three ...
2360
2361 Q: Yes.
2362
2363 Q1: Here, yeah, use this one.
2364
2365 Q: 320-0004. Well, put another zero in there somewhere. Here we go. And B,
2366 bravo. If you can sign it, put your badge number...
2367
2368 Q1: So, you know it's yours.
2369
2370 Q: ...so you know it's yours. Um, and, uh, kind of off the side, you'll put 1116-
2371 2013. And let's do 2100 hours. All right, all right.
2372
2373 Q1: Thank you very much, Bob. Any questions?
2374
2375 A: Well, I don't know if you will share anything on this (unintelligible).
2376
2377 Q: Not - not really at this point, and so it's an ongoing...
2378
2379 A: Yeah.
2380
2381 Q: ...um - I assume you know the female was - ended up being fatally shot.
2382
2383 A: Right.
2384
2385 Q: Um, but I mean that - right now, that's about the most we can share...

2386
2387 A: Okay, I understand.
2388
2389 Q: ...to the public.
2390
2391 A: How's - how's the female deputy?
2392
2393 Q: She - she's doing as - I guess, as good as could be expected, yeah.
2394
2395 A: Okay.
2396
2397 Q: So, nobody relishes having to be put in that position, right?
2398
2399 A: No, I understand.
2400
2401 Q: Yeah, but everyone - physically, at least everyone seems to be okay.
2402
2403 Q1: (Unintelligible) say other than the suspect female, everybody's physically
2404 okay.
2405
2406 Q: Okay.
2407
2408 A: I wish I could do more.
2409
2410 Q: Yeah. You were there.
2411
2412 Q1: You...
2413
2414 Q: That's - that's more than enough.
2415
2416 Q1: ...you - you've done enough.
2417
2418 Q: Uh, thank you.
2419
2420 A: Thanks. Thank you.
2421
2422
2423 The transcript has been reviewed with the audio recording submitted and it is an accurate
2424 transcription.
2425 Signed _____