

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

Q=Dep. Galaviz

Q1=Man

A=

Q: This is Deputy Galaviz, Badge 2151. I'll be interviewing who witnessed an Event 13320004B- Bravo. The time is approximately 0122 hours. Okay, , if you can walk me through what led up to 911 being dialed, anything you heard or saw prior to?

A: Um, I arrived home around 10:30 - in between 10:30 and 10:40 from my sister's, um, and I came home. Uh, my fiancé was playing video games. We were talking through a little bit. He told me he was hungry and could I get him good? Um, and I walked out to go leave to go to Burger King to go get him some dinner. And, um, (Andi) - um, as I was walking down the stairs, (Andi), which is Apartment A, she, um, swung open her door and she was in her robe and she was nude and she faced the direction of Apartment B and Apartment C. And she said, "Do you want to see this, motherfucker? Do you want to see this?"

Q: And...

A: And opened her robe.

Q: Who is she talking to?

A: No one. There was no one there.

Q: You were already past her unit?

A: Yes, I was by the mailboxes upfront.

Q: So, she swung her door open?

A: Yeah, she didn't even see me and she just faced towards this way, opened up her robe and said, "Do you want to see this, motherfucker? I'll show you, motherfucker."

46 Q: Okay. So, you mean...

47

48 A: (Unintelligible).

49

50 Q: Your apartment is west of her apartment? She's Apartment A.

51

52 A: Yes.

53

54 Q: You're Apartment C. So, did she step out onto her balcony or...

55

56 A: She stepped out onto her balcony, yes.

57

58 Q: And how far away were you?

59

60 A: I was by the mailboxes, right, maybe like a - a foot away from the steps.

61

62 Q: So, from her, how far?

63

64 A: From her house, a couple feet.

65

66 Q: From her standing there like...

67

68 A: Maybe like 4 feet away from her.

69

70 Q: Okay. East and west. And can you say what she said again?

71

72 A: She said, "Do you want to see this, motherfucker? I'll show you this, motherfucker," as she had her robe opened and she was completely naked.

73

74

75 Q: Opened robe. And you saw her naked or...

76

77 A: I did not. I saw the back of the robe because she - when she opens up her door because it - if I'm in her door, she opens up this way, she just turned that way. She didn't even see me. And when she said that - after she said that, I said, "(Andi)," I said, "Are you okay?" And she swung her head towards me and closed her robe. And I said, "Are you okay?" And she said, "Are you okay?" And I said, "Yeah. Are you okay? Are you sure you're okay?" And she said, "Can I see Boston?" And Boston is, um, mine and my fiancé's dog. And I said, "He's sleeping right now." And she said, "Well then I am too," and walked inside her house, um, closed the door and I got in my car as fast as I could because for the first time in the past nine months that I've lived here with her, she scared me.

78

79

80

81

82

83

84

85

86

87

88

89 Q: Okay. Does she have - um, pardon me one moment and my partner's giving me a phone call. What's going on? I'm in Unit C. Yes. Yes. Hey, stand by real

90

91 quick. I want to put this on pause.
92
93 A: Okay.
94
95 Q: I'm gonna step out a bit.
96
97 A: Sure.
98
99 Q: Yeah, I'm taking statements. Uh, I've been - talked to him. I believe he's -
100 he's at yours. Give him a call. He's out of perimeter. All right then. Sorry
101 about that, it was my partner.
102
103 A: It's okay.
104
105 Q: So, you were saying the whole nine months you were here, you've been
106 scared of her or...
107
108 A: No, no, no, no.
109
110 Q: Or...
111
112 A: I was saying in the nine months that I've lived here, I've never been like so
113 scared.
114
115 Q: Oh.
116
117 A: Like, she looked like - like a different person. She looked...
118
119 Q: Okay.
120
121 A: I mean possibly she could have been on something, possibly she could have
122 been drunk, and I mean in the nine months that we've lived here, she's never
123 done any drugs except she smokes medical marijuana. She has MS. Um, and,
124 um, she's never...
125
126 Q: So you - you know she has MS?
127
128 A: Yes, I know.
129
130 Q: And that's - what would you say - just before recording purposes, what's MS?
131
132 A: Multiple sclerosis?
133
134 Q: Okay. You can go ahead and keep talkin'.
135

136 A: Um, and then, um, so, yeah, I - I've never seen her like - like looked so crazy
137 like she - like she gave me chills from head to toe. So, like I said, I just got
138 into the car. I left, went and got food, came back and walked by her door. I
139 didn't hear anything at all. So, I thought maybe she was like sleepwalking or
140 something or - I don't know, maybe she got too stoned or I - I don't - I don't
141 know. So, I didn't think anything of it. I came inside and I told my fiancé,
142 um...
143

144 Q: When you - when you arrived back home, did you see her?
145

146 A: No. She left, the door was closed.
147

148 Q: What time did you arrive back home?
149

150 A: Uh, oh, man, uh, 11:00, 11:10 - in between 11:00 and 11:10.
151

152 Q: With your food, right?
153

154 A: With the food, yes.
155

156 Man: Go ahead.
157

158 Woman: San Jose PD gave us a call and said that there's a 10-72 victim that walked
159 into DMC.
160

161 Q: Walked - walked by - you walked by, did not...
162

163 A: I didn't say anything to her when she said, "Well then I'm sleeping too," and
164 walked in. And when she closed the door, I didn't say anything. I thought to
165 myself, "What the hell is wrong with her? What's going on?" But I didn't
166 even want to deal with it so I just got in the car.
167

168 Q: Okay.
169

170 A: And then got the food, came back home, walked past her house. Everything
171 was quiet. Her door was closed. Came inside my house. My fiancé was
172 playing video games and I told him, "I gotta tell you something when you're
173 done playing." After he got off, I told him what she had done.
174

175 Q: Uh-huh.
176

177 A: And I said, "Babe, I've never been so scared of her, like she freaked me out."
178 And...
179

180 Q: And by scared, did you feel she was gonna harm you or...

181
182 A: Yeah, kind of, you know.
183
184 Q: What actions did she do for it?
185
186 A: Nothing. It was just the look in her eyes.
187
188 Q: Okay.
189
190 A: It was just - she - she wasn't there. The (Andi) that I've known for the past
191 nine months was not there. And she...
192
193 Q: The look in her eyes was what scared you?
194
195 A: Yes. She just looked like - like evil, like she had this anger and she was pissed
196 and she was just, you know, like what the, you know.
197
198 Q: Have you ever seen her like this before?
199
200 A: I mean I've seen her mad before. Her and her husband, they have issues every
201 now and then. I mean they fight just like any normal, you know, um,
202 relationship. There's nothing like we've heard them, you know, yelled a few
203 times. Nothing ever bad has ever happened. No hitting, no abuse, nothing like
204 that. He's - he works, you know, a lot. She's at home because she's on
205 disability. Um...
206
207 Q: Do you of them ever getting physical or...
208
209 A: Um, from stories she's told me in the past, a few times, she's had, um...
210
211 Q: You've never witnessed it?
212
213 A: I've never witnessed anything.
214
215 Q: Okay.
216
217 A: I've never seen her with bruises on her or...
218
219 Q: Okay.
220
221 A: ...anything like that.
222
223 Q: Which is tonight, she had a different look to her.
224
225 A: Yes, tonight, sh- she looked evil.

226
227 Q: Looked evil. Any other words to describe it?
228
229 A: I don't even know.
230
231 Q: Like...
232
233 A: Like possessed like - I mean she - from anyone off the street, she would look
234 like a crazy person because she's had a rough life.
235
236 Q: Okay.
237
238 A: She's - you know, her hair is all over the place, you know, very old-looking.
239 She's lived a rough life from stories that she's talked - I mean I've hung out at
240 her house. We've cooked dinner together. She - we're close neighbors. Um,
241 but she was a genuinely sweet person.
242
243 Q: Okay.
244
245 A: She was caring. She cared about people. She cared about these neighbors over
246 here. She...
247
248 Q: All right.
249
250 A: ...talked to neighbors around. Everyone kind of knew her.
251
252 Q: Okay.
253
254 A: She's been here for 15 years. She has lived here for 15 years.
255
256 Q: Okay. Um, we'll - we'll get back onto what happened tonight.
257
258 A: Okay.
259
260 Q: Um, we'll get some of that details after.
261
262 A: Yeah.
263
264 Q: But - so, you saw her, she seemed possessed, looked evil, you went, got your
265 food, you came home. Uh, y- you were talking to your husband after he's
266 done video games. You explained to him what you saw.
267
268 A: Yes.
269
270 Q: And from there, walk me through what occurred leading up...

271
272 A: Um, from there...
273
274 Q: ...to the 911 call.
275
276 A: ...he ate his food and then probably about 15, 20 minutes later...
277
278 Q: What time would you say that? You don't need the exact time but...
279
280 A: 11:30, 11:40, somewhere around there, 45.
281
282 Q: 11:30, 11:40?
283
284 A: Yeah, late 11:00 something. Um, and, um, you know, my times may be way
285 off. I - you know, I don't check the...
286
287 Q: That's fine.
288
289 A: But, um, so he finished eating and then all of a sudden, we hear her yelling
290 and yelling. I couldn't exactly make out what she was yelling at first, but we
291 could hear her and or they were yelling at each other. Um...
292
293 Q: And who...
294
295 A: And she's yelling...
296
297 Q: Who is ?
298
299 A: It is - that's her husband.
300
301 Q: Okay.
302
303 A: Um...
304
305 Q: Do you know his full name?
306
307 A: I don't to be quite honest. I should but I don't.
308
309 Q: The husband yelling?
310
311 A: Yes. So, they were outside on the porch from what I can hear. I couldn't see,
312 but from what I could hear, they were outside yelling. And, um - and then,
313 um, she's yelling out for Boston. She's always, "Boston. Boston." And I
314 believe she yelled for my fiancé, " " and she's yelling for them. And
315 is saying something to her like, "(Andi), get back in the house, calm

316 down, get back in the house,” or something to those lines. I heard him say,
317 um, “Calm down, get back in the house. Um, and then all of a sudden, we
318 heard the - the truck turned on. And so, I asked my fiancé and I said, “Is she
319 leaving? Is that her?” And my fiancé said, “I think that’s . I think she
320 went back in the house. And so, I was like, “Okay,” you know, so we’re kind
321 of listening. And the truck is still going, the truck is still going and we hear it
322 leave.
323

324 Q: How long would you say you heard it for?

325
326 A: Um, maybe 5 to 7 minutes, somewhere around there while he was parked
327 there along. Um...

328
329 Q: And then you heard it drove off?

330
331 A: Yeah.

332
333 Q: All right. You...

334
335 A: And then, um, so the car drove off and, you know, we kind of pulled away
336 from the door and we’re sitting here like, “Fuck up. You know, what the fuck?
337 What’s going on there?”
338

339 Q: And you still hadn’t looked out?

340
341 A: No, um, my fiancé, uh, like went to go look out and I told him, “No, please
342 don’t go look out,” because she was yelling for the dog and I was afraid that
343 she was gonna come over here already behind the door asking to see him and I
344 didn’t want to open up the door because...
345

346 Q: All right.

347
348 A: ...I was scared. Um, and so, we kind of pulled away from the door, we sat here
349 and we were kind of like, “What’s going on? What’s going on?” And, um, we
350 put the - the - that chair in front of the door just because we’re - you know,
351 we’re freaked out.
352

353 Q: You were scared of the situation.

354
355 A: Yeah.

356
357 Q: And so, that chair is usually standing right there?

358
359 A: Yeah.

360

361 Q: And how heavy would you say? That's a pretty big chair, huh..
362
363 A: It's a big chair, maybe about, um, I don't even know, 25, 35, 35 pounds
364 maybe.
365
366 Q: Oh, yeah.
367
368 A: I don't even think that heavy. It's not extremely heavy.
369
370 Q: And you did it because you're scared, you don't want her to come in?
371
372 A: Yeah, and we don't - I was just - I was afraid because she was yelling out for
373 my dog. I was afraid that she was gonna come over here and want him to
374 come out and want - you know, and I just - I knew within my gut she wasn't
375 in her right state of mind.
376
377 Q: Mm-hm.
378
379 A: And that's why I told him, "No, lock the doors, just lock the doors," because,
380 you know, see what happen, you know. And next thing I know is we hear just
381 - she's just breaking - glass is breaking. It honestly sounded like she was
382 breaking the wood of the - the deck.
383
384 Q: Mm-hm.
385
386 A: And, uh - and when I - when we heard the glass like we initially thought she
387 was breaking into the middle neighbors. Why? I would not know, she doesn't
388 have any problems. That neighbor has been here maybe a little over a month.
389 Um, and so, that's when my fiancé said like, "Screw this. I'm calling the
390 cops," like we're friends with her but that's a different line, you know, you
391 don't cross...
392
393 Q: So...
394
395 A: .. and they're scared and we were worried for them. She has a seven-month
396 old baby, um, next door, so we were worried and, you know, we didn't really
397 care if we had to call the cops on her.
398
399 Q: So, it'd been - it sound like it was right outside.
400
401 A: Right outside. And what scared me was that there's a door right here that used
402 to be all three unit shared a washer and dryer, but they just made it ours.
403
404 Q: Yeah.
405

406 A: So - and that door has a window and I was scared that she was going to try
407 and come in because she was screaming for my dog.
408

409 Q: Um, and what's your neighbor's name?
410

411 A:
412

413 Q: Okay. And when you heard the breaking and you thought they're going to -
414 that's when you guys called 911.
415

416 A: Yeah, that's when my fiancé...
417

418 Q: Or not you, but your fiancé?
419

420 A: My fiancé called 911 and he was on the phone with the dispatcher. I was
421 trying to listen to what was going on, um, and kind of trying to - tuning him
422 out. But, um, I mean that was pretty basic. You know, he told, um, "You
423 know, we think there's a break in going on at 95 Cleveland Avenue." Um, you
424 know, the dispatcher asked why we thought it was a break in, and so, he's
425 saying, you know, "We hear someone breaking glass and - and boards and
426 stuff like that, or, you know, there's - they're just beating the shit out of
427 something." Um, and so, she was asking him questions and I was trying to
428 hear and she's screaming. I don't even know like I thought, all right, she
429 might have said - what I thought I heard she said was, "You can bark again.
430 You can bark again." And I don't know what she meant. I know she's very
431 close to my dog.
432

433 Q: You thought she heard that?
434

435 A: Yeah, I thought - for what I remember, I heard her say, "You can bark again,
436 Boston. You can bark," or, "Go ahead and bark, dog," or something along
437 those lines. And then, I mean, we're just hearing her bash and bash and bash
438 and I'm - looked at my fiancé and I said that, "Please get someone over here
439 fast, like, she was scaring me." And I thought that if she was breaking into
440 theirs, she was gonna hit us next.
441

442 Woman: (Unintelligible).
443

444 Q: Mm-hm.
445

446 A: And it was freaking me out. And, uh, so next thing I know, maybe about 15 -
447 10, 15 minutes into her breaking stuff, we heard three shots. And I - I didn't
448 even hear that the police had arrived.
449

450 Q: Mm-hm.

451
452 A: Um, I just heard the three shots and I said, "Oh my God, tell them that they -
453 three shots, three shots." And so, he tells the dispatcher, and I don't even
454 know what to do. I couldn't really hear what they were talking about. I was
455 just trying to focus on what was going on out there. And my first thought was
456 that she shot a gun on - at her husband. Um, a couple months ago, I was at her
457 house...
458
459 Q: Okay, slow down. Let me catch up.
460
461 A: Okay.
462
463 Q: Yeah. Come in.
464
465 Q1: Galaviz?
466
467 Q: Yes.
468
469 Q1: Okay.
470
471 Q: I'm live. So, you thought (Andi) had shot a gun?
472
473 A: I thought that that's a gun that, yeah, I heard.
474
475 Q: Why did you believe (Andi) shot?
476
477 A: Um, a couple months back, um, I was at her house. Um, sometimes I would
478 go over there after work and just hang out, um, and talk to her about she's
479 going through some court thing with her disability and a company she worked
480 for that they didn't pay her. She's going through this big old process.
481
482 Q: All right.
483
484 A: Um, and so, I'd go in there and we talked about it. Um, and I noticed the
485 silver thing. She has a little, well, a high table behind her door next to her
486 couch. And, um, I've noticed this little silver thing out of the corner of my eye
487 and I kind of glanced over and it looked like a gun. And I was thinking to
488 myself like, "What the hell? Like, are you kidding me? Like, why would she
489 have that."
490
491 Q: Do you know if she had a gun or do you know it was a gun?
492
493 A: Um, I kind of looked on my way out and it looked like one, I can't say I was
494 100% sure.
495

496 Q: Okay.
497
498 A: I mean as far as I know, it could have been a play gun, you know.
499
500 Q: So, initially, you thought (Andi) had done the three shots?
501
502 A: Initially, yes. And then I heard my fiancé say that the police had arrived.
503
504 Q: Uh-huh.
505
506 A: And so right then I put together that possibly, they - she, uh, went after the
507 police officers and the police officers...
508
509 Q: Give me a few minutes.
510
511 A: ...fired.
512
513 Q: Okay. Um, at that moment, did you go outside to see anything?
514
515 A: Um, no, I was kind of, um, scared. But then I heard the radios from the, um,
516 cop or the police officers and I told my fiancé, "Is that the radio from the - the
517 police out there, the police out there," and he was like, "Yeah, that's a radio."
518 So then that's when we opened up the door and we went out probably till
519 about the front of that next door, that door that leads to my washer. Um, and I
520 asked my fiancé, "Should we knock on door? Should we see if she's
521 okay?" And the cops told us to get back. So, we moved back a little bit. Um,
522 and we were right here about in front of our door. And then opened
523 up her door and...
524
525 Q: Whose door?
526
527 A: the Apartment B.
528
529 Q: You - you opened it up?
530
531 A: No, she...
532
533 Q: Oh.
534
535 A: She opened up her door. And I - um, she was - the screen was still closed. And
536 I asked her if she was okay and she was like, "Well, now I am." And I was
537 like, "Is the baby okay? Like, are you okay?" And she was just like, "What is
538 going on?" And I was like, "I don't know." And then she's like, "She's been
539 yelling all day." And I was like, "I know that she's been yelling all day,"
540 because earlier when I got home from work around like 5:10...

541
542 Q: Mm-hm.
543
544 A: I walked by the apartment and she was just yelling and just yelling, like,
545 nobody - because the other car wasn't there. So, I don't think her husband was
546 home unless he parked the car somewhere on the street, but they never do that.
547
548 Q: All right. And this is...
549
550 A: It's just thoughts.
551
552 Q: This is all what was telling you?
553
554 A: Yeah, that's what...
555
556 Q: Okay.
557
558 A: said after.
559
560 Q: And then...
561
562 A: And then that's when...
563
564 Q: All right.
565
566 A: ...you, guys, arrived. And then the two, uh, ladies - uh, the two police officer
567 ladies, they came up.
568
569 Q: They had you come back in there?
570
571 A: They come back in here.
572
573 Q: All right.
574
575 A: Gave them our ID and then that's where...
576
577 Q: And that's around where I came into picture?
578
579 A: Yeah. Yeah.
580
581 Man: (Unintelligible).
582
583 Q: Um, with what occurred today leading up to...
584
585 Woman: (Unintelligible).

586
587 Q: .. um, the moment you went out and ate and you saw her, as what you
588 described as being possessed or evil, to the portion of 911 being called or to
589 the portion of you hearing shots in what led up to me arriving here with you.
590 Do you know of any details that you may have forgotten that you remember
591 now or something that I may not have asked that you feel maybe pertinent?
592
593 A: No. I mean it's pretty much everything. It happened so fast. And I mean, you
594 know, you're terrified. I don't remember. I wish I could make out more of
595 what she was saying, but she was just...
596
597 Q: Mm-hm.
598
599 A: ...yelling and - I mean it's hard to hear her normally sometimes.
600
601 Q: Okay.
602
603 A: You know.
604
605 Q: Um, do y- do you know of her - any drug history or any alcohol history? I
606 know you said medical marijuana because of MS.
607
608 A: Um...
609
610 Q: But do you know...
611
612 A: Since I've known her - no, um...
613
614 Q: How long have you known her?
615
616 A: ...her stories - for nine months.
617
618 Q: Okay.
619
620 A: Since we've moved in.
621
622 Woman: (Unintelligible).
623
624 A: Um, I mean we - I see her on a daily basis. She watches our dog sometimes
625 for a few hours. If we're at work and she hears him barking, sometimes she
626 comes over here. She has a key to our house. This is how safe I felt with this
627 lady, so it's really weird. Um...
628
629 Q: So, to see that side of her tonight...
630

631 A: It's - it's...

632

633 Q: ...to you being safe with her having a key completely...

634

635 A: There is nothing normal about what I saw tonight. Nothing normal about her
636 daily actions for the past nine months since I've lived here. Um, but I mean
637 from stories, yeah, when she was younger, she had drug problems, alcohol
638 problems. She's been through a rough life of abuse, rape, all that. She's lived
639 a rough life of that stuff. Her kids don't even live in the States, I believe. I
640 believe she has a niece that maybe lives here in California, but her children
641 don't. Her and [redacted] had been together for 15 years. Um...

642

643 Q: Uh, when she - she told you that long ago she had drug...

644

645 A: Yeah, yeah, she - (unintelligible) stories from...

646

647 Q: Okay.

648

649 A: ...when we talk outside or, you know, just...

650

651 Q: Did she say what type of drug problems or...

652

653 A: Um, I remember her telling me she's done coke, she's done acid, shrooms and
654 then marijuana.

655

656 Q: Okay. Shrooms, mushrooms?

657

658 A: Yeah.

659

660 Q: Okay. Anything else you think, details, um, that you do remember? You don't
661 have to remember right now. Um, we're going to be here for a while. So, if
662 you feel comfortable, I'll - I'll conclude this interview.

663

664 A: Okay.

665

666 Q: At any point, one of us will be around. We have other partners. But you just
667 grab us, um, and just let me know and I'll come back, I'll talk to you. I'll be in
668 this close vicinity. Okay?

669

670 A: All right. Did she...

671

672

673 The transcript has been reviewed with the audio recording submitted and it is an accurate
674 transcription.

675 Signed _____