

**SUPPLEMENTAL REPORT**

Date Prepared: 3/1/15

1. Original File No. P15-028755	2.	3. Off ID 260	4. Dist. E	5. Crime-Ct.	6. Crime-Ct.	7. Crime-Ct.	8. Date/Time Occurred	9. Day
10. Date/Time Assigned	11. Date/Time Inv. Start		12. Date/Time Inv. Term.		13. Type Clr. Exc	14. Type Cont. Rec	15. Additional Adults Arr.	16. Additional Juv. Arr.

17. Address of Occurrence (Street No. - Name - City) 2865 Prospect Ave. Riverside, CA	18. Type of Place Residence
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For ID USE: V = Victim, I = Informant, W = Witness, O = Other

19. ID: V-1	20. Last Name - First - Middle (Firm Name if Business) Officer Spencer Weddle	21. Race - Sex	22. DOB
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23. Residence Address	24. Business or School Address Riverside Police Department	25. Home Phone	26. Bus. Phone
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27. ID: V-2	28. Last Name - First - Middle (Firm Name if Business) Office Daniel Macias	29. Race - Sex	30. DOB
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31. Residence Address	32. Business or School Address Riverside Police Department	33. Home Phone	34. Bus. Phone
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SUSPECT	35. LAST Name - First - Middle Lewis, Steven Robert (Deceased)	36. Race - Sex W / M	37. Age 51	38. Ht. 510	39. Wt. 180	40. Hr. Bro	41. Eyes Grn	42. DOB or ID 2/12/64	43. Arrested <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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44. Address - Clothing - Other Marks or Identifying Characteristics 2865 Prospect Ave. Riverside, CA
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45. Juv. Other Disp: Juris. <input type="checkbox"/> 2	Juv. Ct. Prob. <input type="checkbox"/> 5	Within Dept. <input type="checkbox"/> 6	Detained <input type="checkbox"/> 1	Not Detained <input type="checkbox"/> 2
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SUSPECT	46. LAST Name - First - Middle	47. Race - Sex	48. Age	49. Ht.	50. Wt.	51. Hr.	52. Eyes	53. DOB or ID	54. Arrested <input type="checkbox"/> Yes <input type="checkbox"/> No
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55. Address - Clothing - Other Marks or Identifying Characteristics Clothing, other marks or identifying characteristics
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56. Juv. Other Disp: Juris. <input type="checkbox"/> 2	Juv. Ct. Prob. <input type="checkbox"/> 5	Within Dept. <input type="checkbox"/> 6	Detained <input type="checkbox"/> 1	Not Detained <input type="checkbox"/> 2
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ORIGINALLY REPORTED DOLLAR VALUES ARE CHANGED AS SHOWN BELOW

Category	A Currency Notes	B Jewelry Prec. Met.	C Clothing Furs	E Office Equip.	F T.V.-Radio Cameras	G Firearms	H Household Goods	I Consum. Goods	J Livestock	K Misc.
PS	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
57	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
PR	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

60. Originally Reported Offenses (Code - Crime) (1) 664/187 PC - Attempt Murder on P.O. (2)	61. Original Offenses Changed to (Code - Crime) (1) (2)	58. Stolen Auto Value ASP: \$
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62. Narrative of Supplemental Report Interview of Officer Weddle.	59. Recovered Auto Value A2 \$
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Reporting Officer  
Det Rick Cobb

Reviewed By  
*McLoy 177*

COPIES TO

VCLO ( )

**ACTIONS**

APR Sent  
APR Cncl.  
APB Sent  
APB Cncl.

DOJ-NCIC  
Entered \_\_\_\_\_  
Cancl. \_\_\_\_\_

**ENTERED**

Stats	ARBK	ANK
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V-3 Officer Edwin Romero Riverside Police Department

**Interview of Officer S. Weddle (Victim #1)**

Officer Weddle was interviewed at the Magnolia Station. The interview took place on 2/24/15 at approximately 0145 hours. Detective Wheeler and I conducted the interview. Officer Weddles' attorney, Saku Ethir, was also present. Deputy District Attorney John Brandon was also present along with his investigator, Scott Michaels.

The interview was audio taped with my department issued recorder. The recording was later downloaded to the department server.

Prior to the interview, Ms. Ethir asked to make a statement. She stated that Officer Weddle was providing this interview while complying with Riverside Police Department policy 4.8.

Officer Weddle said that when this shooting occurred, his call sign was "Charles 236". He was partners with Officer Macias and they were riding in Unit 3506. Officer Weddle was the passenger and Officer Macias was driving.

Officer Weddle said they were dispatched to a call at 2865 Prospect Avenue. The call was regarding a gunshot heard at the residence. He remembered the address from a call he and Officer Macias responded to yesterday. The previous call was regarding loud music. He said they spoke to a man and a woman and they turned down the music. He said the conversation was routine and they left on good terms. The man and woman wished them a good night and told them to be safe. He said they were there for about ten minutes.

Officer Weddle said that when they arrived this evening, he went to the front door. He said the front door was open but the black security screen was closed. He said he was "heightened" and "alert" because of the nature of the call. He said a light was on in the kitchen and he could see into the house through the security screen.

Officer Weddle said that while he was at the front door, he heard screaming from the back of the house. He said he moved to the "1-2 corner" of the house. I clarified with Officer Weddle that the #1 side of the house faced Prospect Avenue, the #2 side faced west, the #3 side faced north and the #4 side faced east. I also confirmed that the 1-2 corner was the southwest corner of the house.

Officer Weddle said he started walking towards the rear of the house when he heard a man say, "I've worked my whole life and you guys are fucking it up." He then heard the back door of the house closing. He believed the person went back inside the house.

Officer Weddle said he went back to the front door and knocked. He then saw a man walk from the back of the house to the kitchen. He asked the man what was going on. The man put his right hand in his pants pocket and turned off the kitchen light with his left hand. The man then walked to the back of the house. He said he could no longer see into the house since the kitchen light was turned off. He then heard a woman say she was in the shower. He said he recognized the man as the same man from the day before.

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Officer Weddle said he yelled to Officer Macias that the man was walking to the back of the house. He said that due to the nature of the call and the man acting suspiciously, he took out his handgun from its holster and he had it at his hip.

Officer Weddle said he then heard a struggle at the gate on the west side of the house. He thought Officer Macias was fighting the man so he ran towards the gate. He heard Officer Macias yelling, "Show me your hands! Let me see your hands!" He told Officer Macias that he was with him. Officer Macias told him that the man had a gun.

Officer Weddle said that he and Officer Macias were standing next to a metal shed. The shed was along the west side of the property and a few feet from the gate they came through. He said he thought the man would flank them so he covered the 1-2 corner of the shed while Officer Macias covered the 1-4 corner. I clarified with him that the side of the shed facing Prospect Avenue was the #1 side, the #2 side faced west, the #3 side faced north and the #4 side faced east. He and officer Macias were within an arm's length of each other.

Officer Weddle said that Officer Macias then began to "pie" the corner of the shed to get a view of the open door on the east side of the shed. He said he then heard a gunshot. He said it was definitely not a shotgun blast, but said it sounded like a 22. He said he did not know if the shot came from the shed or if Officer Macias fired a shot. He said the gunshot did not come from inside the house, but he believed it came from the shed.

Officer Weddle said he approached Officer Macias and Macias then moved to his left. He said he was now covering the 1-4 corner of the shed. A light was on inside the shed. He then heard the racking of a shotgun. He immediately saw the barrel of a shotgun come out of the door of the shed. He did not see the suspect, only the barrel of the shotgun. He said the barrel was about one arm's length from him. He immediately stepped back and fired his duty weapon once into the shed where he believed the suspect would be standing. He said he knew the tin metal of the shed would not protect them from the suspects gunshots and they had no other cover or concealment. He said he fired at the suspect to prevent him from shooting him and the subjects who were still in the house and in the line of fire.

Officer Weddle said that after he fired into the shed, he listened for movement. He did not hear anything. He said he radioed that there were shots fired and he continued to listen for movement inside the shed. He did not hear movement. A few seconds later he heard the fence at the far north side of the backyard, as if someone was jumping over it. He ran to the middle of the backyard and shined his flashlight in the direction of the noise. He said there was black netting towards the rear of the backyard and he could not see through it.

Officer Weddle said that while he was moving towards the rear fence, he heard a shotgun blast coming from the area of the rear fence. He could not see the person shooting at him. He said he did not have any cover and he could not see where the shots were coming from, so he turned and started running back to the shed. He immediately heard another shotgun blast and felt what he described as fiberglass or something similar on the right side of his head. He said it did not hurt, but he knew the suspect shot at him. He said he was in the Marine Corps and had been in a gunfight and had been shot at. He said he knew he was being shot at when he heard and felt the shotgun blast.

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Officer Weddle said that about 1 to 1 ½ seconds later he heard another shotgun blast just before he made it back to the metal shed. He said he heard the BB's from the shotgun hit the metal shed, so he knows he was being shot at again. He radioed that he was being shot at and the suspect was armed. He said he did not know where Officer Macias was during the shots.

Officer Weddle said that when he got back to the shed, he heard a female voice from inside the house say, "Don't kill him." He yelled for the woman to stay in the house, although he did not see her. He said people started coming out of the detached house and he told them to also stay inside. He said he then went to the front of the main house to wait for back-up.

Officer Weddle said that while he was waiting for more officers to arrive, two African American males came up to him and said a man came inside their house and killed himself. He said he radioed the information to other units.

Detective Wheeler then asked Officer Weddle how many seconds went by from the time he heard the first "22" gunshot to when he heard the racking of the shotgun. He said it was four seconds at the most. He said that after he heard the first shot, Officer Macias did not say anything.

Detective Wheeler asked Officer Weddle if he had his belt recorder on during the incident. He said he did not.

The interview was concluded.

No further.

RIVERSIDE POLICE DEPT  
Public Records  
JPEDROZA 11/17/2016 2:13:59 PM Unauthorized Release Prohibited

**INTERVIEW WITH OFC. SPENCER WEDDLE**

**Q=Det. Rick Cobb**

**Q1=Saku Ethir**

**Q2=(John Brandon)**

**Q3=Det. Rick Wheeler**

**Q4=Inv. Scott Michaels**

**A=Ofc. Spencer Weddle**

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3  
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11  
12  
13  
14  
15  
16 Q: Okay this is Detective Rick Cobb. We are at the, uh, Magnolia Police Station.  
17 This is an interview with, uh, Officer, uh, Spencer Weddle. It is February 24,  
18 2015, approximately 1:45 am regarding Case Number P as in Paul 15-028755.  
19 Like to go around the room and just have everybody, um, state their name  
20 who is present.

21  
22 Q1: Saku Ethir, um, attorney for RPOA here to represent, um, Officer Weddle.

23  
24 Q2: (John Brandon), Riverside DA's Office.

25  
26 Q3: Uh, Detective Rick Wheeler, RPD.

27  
28 Q4: Investigator Scott Michaels, River - DA's Office investigator.

29  
30 Q: Okay. Okay, um, Saku, I guess you wanna state something before we get  
31 started.

32  
33 Q1: I do. Um, Officer, uh, Weddle is here under, Policy 4.8. He's here to fully  
34 comply as required under the policy and to answer all of your questions.

35  
36 Q: Understood. Thank you. Okay, uh, Officer Weddle, just, um, if I'm correct,  
37 your ID is 1718, correct?

38  
39 A: That's correct.

40  
41 Q: Okay, um, what were you working tonight? What was your call sign?

42  
43 A: I was in Charles 236.

44  
45 Q: Do you re- uh, know what unit you were you were driving?

46  
47 A: I believe it's 3506.  
48  
49 Q: Okay. And, uh, you were partners, correct? You had a partner tonight?  
50  
51 A: Yes, sir.  
52  
53 Q: And that's Officer Macias?  
54  
55 A: Yes, sir.  
56  
57 Q: Okay, um, and just for the record, too, right now you're dressed in, uh, you  
58 have a Riverside Police jacket. Underneath you have your Riverside Police  
59 uniform on, uh, Sam Browne gun belt and the whole works. Is that the -  
60 exactly the way you were dressed tonight? Do you have your jacket on also?  
61  
62 A: Yes, sir.  
63  
64 Q: Okay very good. Um, if you would, uh, kinda take me from the beginning, uh,  
65 where you were when you first got the call and take me from your response up  
66 until the end, if you would.  
67  
68 A: Okay, um, I'm not sure exactly where we're at when we first got the call. We  
69 weren't far away. Um, we were dispatched to the call. Uh, we were in the area  
70 of probably Victoria & Martin Luther King. Um, and, um, we recognize the  
71 address because, um, Officer Macias and I were there yesterday, um, for a - a  
72 music call, a music complaint at that address. And when we arrived, we came  
73 from the east, um, and parked in front of the house directly to the right of the  
74 suspect's house. Um, we immediately recognized and confirmed what we  
75 thought was the house because we recognized motorcycle sitting out in the  
76 front as the motorcycle in the house that we dealt with the day before on the -  
77 the music call. And on the music call yesterday, everything went fine. Um,  
78 showed up, talked to both, uh, both occupants of the house, male and female,  
79 um, no issues. We just told 'em, "Hey, you got a new - we got a music  
80 complaint." The music was odd. When we got there, he turned it off prior to  
81 answering the door. And, um, to make a long story short on that situation, we  
82 left in good terms, talked with the couple for probably ten minutes after  
83 advising them that they needed to turn the music off. They complied, wished  
84 us a good night. We told them a good night. They told us to be safe. And that  
85 was that for that. And then tonight we parked in front of the house to the right.  
86 Um, I got out of the car. I immediately saw the front door, is where I looked.  
87 Um, due to the text of the call, it was kind of heightened because it said that  
88 they possibly heard a.22. Uh, and then after they heard the.22, there was no -  
89 there was nothing going on in the house, silence in the house. So it was  
90 heightened because of that. I could see into the house because of the light in

91 the kitchen was on. So I could see into the house. Um, the front door of the  
92 residence was open. But the security (green) was closed, the black security  
93 screen. Um, but due to the light being on in the kitchen, I could see into the  
94 house. So I'm watching the front door, uh, as I'm approaching. And as I get to  
95 the front door, I hear screaming in the back, somebody yelling. So I walk  
96 around the one-two side of the house around to the west side of the house, um,  
97 and start walking towards the back. I hear a gentleman say, "I worked my  
98 whole life, and you guys are fucking it up." Pardon my French. Hope that's  
99 okay to...

100

101 Q: Oh, uh...

102

103 A: ...say.

104

105 Q1: Yeah.

106

107 A: Um...

108

109 Q1: Say what you heard.

110

111 Q: Ay, say everything exactly the same. Don't worry about anything.

112

113 A: Okay and, um, and then I heard what I believed to be the back door of the  
114 house closing. So thinking that the suspect or that person had walked back  
115 into the house, I walked around to the front side of the house again. And as I  
116 approached the front door, I looked in and, uh, knocked on the door. And then  
117 I see, um, a male subject walk from the back of the house through the front of  
118 the kitchen to where the - the entryway is to the kitchen. And, uh, I said,  
119 "Hey, what's going on?" And he - I saw the suspect put his hand, right hand in  
120 his pocket and shut off the light with his left hand. And I said - he said, "Hey,  
121 what's up," and then walked back out of my sight towards the back of the  
122 residence again. And then I heard a woman from inside say, "I'm in the  
123 shower. I'll be out in a second." And I didn't say anything. And I just stayed  
124 there 'cause my partner, Officer Macias, was on the one-two side watching.  
125 And I told Macias, I said, "Hey, he's walking to the back of the house. Go see  
126 if you can get eyes on him. And I stayed at the front door to see if he  
127 reemerged where I could see him. And now at this point, I really can't see into  
128 the house. I can - 'cause he turned off the light, so there's no way I can see  
129 inside the house. So I pulled my gun out and put it on my hip, um, and got out  
130 of the way of the door so I could see into the house. But I wasn't standing  
131 broad in the door in case he come out with a gun. And then I hear a sh- what  
132 sounded like a struggle at the gate in the back of the house on the s- on the  
133 west side of the house. So I was thinking maybe my partner's fighting with  
134 this guy or got attacked or something. So I ran around, um, to meet up with  
135 him. And as I'm approaching him, I hear, um, Macias say, "Show me your

136 hands. Show me your hands. Let me see your hands." And I said, "I'm with  
137 you. I'm with you." And he said this, "He's got a gun. He's got a gun." And  
138 where we were, the house was directly at my 5 o'clock directly. And we were  
139 standing at - at - at a, uh, metal shed that was kind of a miniature shed. To  
140 walk into it, you'd have to duck down. I mean, I don't - I'm not sure how big  
141 the shed was. But I noticed that the shed was away from the west fence line of  
142 the property. There's probably a 2 1/2 or approximately a 3-foot gap between  
143 the metal shed and the fence. And I was thinking in my head, well, if he's not  
144 coming out and showing Macias's hands, he might be walking around and  
145 he's gonna flank us. We already know he has a gun. Those are things that  
146 going through my head. And so I say I'm gonna - I just stayed on that corner  
147 to make sure he couldn't come around and shoot us in the back. And, uh,  
148 Macias started to pie the corner. I could see that out of my peripheral vision.  
149 He started to pie the corner to get eyes on the guy. And then I heard a shot. It  
150 definitely wasn't a shotgun shot. But I thought it might have been the guy  
151 shooting a .22 at us. So I directed my attention back. So I came up to Macias in  
152 case he in s- went to engage. I would be there to back him. And he started  
153 move to the left like he was gaining cover. And I was - I was at the corner. I  
154 was at the one-four corner of the, uh, of the shed. And as I approached the  
155 corner of the shed to pie the corner, I heard the shotgun rack. Right as I was  
156 looking around the corner, I see the barrel of the shotgun. I step back away,  
157 fire a shot directly into the, uh, into the shed where I anticipated that he was  
158 holding the shotgun and stepped away, put the - put the shots-fired call out,  
159 gave the address and, uh, just listened to see if I heard any movement. I didn't  
160 hear any movement. I put a suspect description out. And after I put out the  
161 suspect description, um, I hear the - I hear the fence on the far north part of  
162 the property, rustling like somebody's jumping the fence. So, um, as I s- I - I  
163 come out from behind the shed where I was. And I pied the - I cleared the  
164 shed as I walked by it. And I ran out to the middle of the yard. As I got out  
165 into the open part of the yard where I could see - where I thought I could see  
166 the back corner of where I heard the fence rustling, I pulled my light up. And  
167 there was a trampoline or some kind of a object over there with black netting.  
168 And when I pulled my light up, it just b- I couldn't see anything. So I  
169 continued to make my way towards that north fence through the middle of the  
170 yard so I could get to where I could see where he possibly would have went.  
171 And, um, as I got probably 25, 30 yards from the house in the middle of the  
172 yard, no cover, nothing, I hear a shotgun blast. I stop, turn around and start to  
173 head back where I was. Another shotgun blast. And I knew he shot at me  
174 because I felt the - the fiberglass or whatever. The debris from the - the  
175 shotgun blast hit me in the side of the head. Um, it didn't hurt or anything like  
176 that. I just continue. I just knew he was shooting at me. So as I reached - as I  
177 got back to the shed where I started from, another shotgun blast, I knew it was  
178 directed at us 'cause I heard the BBs hit the metal tin of the - of the, uh, of the  
179 shed.  
180



181 Q: So this was the third shotgun blast?

182  
183 A: Three shots at us. I know the la- I know the second two were directed at me  
184 because obviously, I felt the - the debris from it. There was no trees or  
185 anything for me to hit. Um, so once I got back to cover, put it out, "Hey, he  
186 just shot at us three times again. He's armed, uh, last seen north side of the  
187 residence, unknown direction from there." Um, and then I just - I got there.  
188 Uh, I think Macias, when I put that out, he left to go around to the other side.  
189 I'm not sure where he went. Um, I lost sight of him. I knew we were both  
190 code 4 at that point. And once I got back to cover, there were - I heard a voice  
191 inside the house, a female voice saying, "Don't - don't kill him. Don't kill  
192 him." And I didn't know what was going on with that. I just said, "Ma'am,  
193 stay in - stay in the house. Stay out - stay away from the windows.  
194 Somebody's shooting at us." And then in the house, there is a detached house  
195 directly north of the - the primary residence where there were individuals in  
196 there. They open the door. They were trying to come out. They were asking  
197 me what was going on. I told 'em repeatedly, "Stay in the - stay in the - stay in  
198 there. Somebody's shooting at us. We don't know where he's at. He's armed.  
199 Just stay in there. Close the doors. We'll - we'll come get you when it's safe."  
200 And at that point, I just, uh, went back to the front of the house and, uh,  
201 attempted to, you know, just wait for responding units, somebody else 'cause  
202 at that point I'm - I'm by myself. I wanted to seek some kind of cover 'cause I  
203 don't know if the threat's still in the house or if the people in the detached  
204 house to the rear are a threat to me. I just felt like I needed to get some - some  
205 - some form of cover. I didn't want concealment at that point. I wanna get  
206 some cover, um, 'cause I don't know if this guy is gonna come back. He's  
207 already shot at me three times. I didn't know if he was gonna come back. I  
208 never saw him. So I don't know exactly where he's at at this point. So I felt  
209 like I needed to get some hard cover. And then, um, once I got out to the front  
210 of the house, um, I got behind, uh, units that were there, stood behind a tree  
211 for a little bit and then we had two African American men run up to us at a  
212 certain point after we heard the radio track with - radio traffic with Officer  
213 Romero saying that he saw the guy running on Pleasant. And then, um, these -  
214 these African American boys walked up to us and said, "Hey, some guy just,  
215 uh, ran in our house and - and killed himself in our house." And so we walked  
216 up. I asked 'em where they were at. They gave me the residence. I informed,  
217 uh, all the officers on channel 1 the address where they lived and what they  
218 had just told us. Um, we patted those guys down, put 'em in the unit for  
219 safety, uh, because at this point, I think there was some confusion and maybe  
220 there was another suspect that was with them or anything. So at that point,  
221 things kind of fell into place. We search the house, cleared it and found them.  
222 Um, and that's pretty much...

223  
224 Q: Okay.

225

226 A: ...all I...  
227  
228 Q: Okay now I just wanna kinda take you back...  
229  
230 A: Okay.  
231  
232 Q: ...to the beginning. And we'll kinda walk through it real slow...  
233  
234 A: Okay.  
235  
236 Q: ...and, uh, kinda take it step-by-step. Um, so as, um, uh, after you had already  
237 been at the house and the second time you had gone to the side of the o- but -  
238 side of the house and then you came back to the front door and that's when  
239 you saw the male...  
240  
241 A: Uh-huh.  
242  
243 Q: ...inside, could you actually identify who it was? Or did you just see a  
244 silhouette?  
245  
246 A: Well, I knew it was the gentleman that I had spoke with the day before  
247 because he had...  
248  
249 Q: Yeah.  
250  
251 A: ...a bandana on his head. And he had the same bandana on the day before.  
252  
253 Q: Okay.  
254  
255 A: And he wore it u- uniquely. Like he didn't have it covering his ears. It was  
256 just above his head. Um, I knew it - he was approximately, you know, 5, 10,  
257 in that area because of the doorway of the kitchen, it's not a very - it's not a  
258 vaulted...  
259  
260 Q: Right.  
261  
262 A: ...extended doorway. So, you know, he wasn't - that's - I mean, I - I  
263 recognized him from the day before.  
264  
265 Q: At that point when he's got his - you said he's got, uh, one of his hands in his  
266 pocket and then he turns out the light, is he saying anything at all?  
267  
268 A: Well, I knocked. And he came to the doorway of the kitchen and sees me. And  
269 I said, "Hey, what's up?" He put his hand in his pocket with his right hand in  
270 his pocket and then turns clockwise away from me and hits the light off with

271 his left hand and says, "Hey, what's up," as he's walking away from me.  
272  
273 Q: Okay and that's whe- at that point, then you hear some rustling over on the  
274 side gate where Macias is?  
275  
276 A: Well, yeah, I told Macias, uh, "He's walking out the back door. Hey, go see if  
277 you can get eyes on him." And then I heard what sounded like somebody  
278 struggling with the gate. So I'm not sure if mi- uh, Officer Macias is jumping  
279 the fence or what. I just - I felt like at that point, I didn't need to be at that  
280 front door...  
281  
282 Q: Right.  
283  
284 A: ...that my partner was either in foot pursuit or he's struggling with somebody  
285 and he needs help...  
286  
287 Q: Okay.  
288  
289 A: ...and he couldn't get to his microphone to tell me or yell or whatever. So  
290 instinctively, I just went over there to - to back up my partner, make sure that  
291 he wasn't being hurt or anything.  
292  
293 Q: Okay if I remember correctly, when you get back there, uh, we both went out  
294 there. We saw the shed. And just so we're clear, you're - you're saying the  
295 number 1 side is the side facing the street, correct?  
296  
297 A: Facing south, yes.  
298  
299 Q: Okay, um, and Officer Macias was at the one-four corner?  
300  
301 A: Yeah, he was...  
302  
303 Q: Is that right?  
304  
305 A: Yeah, he was standing...  
306  
307 Q: What...  
308  
309 A: ...back away from it, not up against it but back away for what like he couldn't  
310 see around the corner.  
311  
312 Q: Okay.  
313  
314 A: But he, you know...  
315

316 Q: Is it safer to say he's covering...  
317  
318 A: Yes.  
319  
320 Q: ...that one-four corner? And just...  
321  
322 A: Yes.  
323  
324 Q: ...so we clarify, that would be the southeast corner...  
325  
326 A: Yes.  
327  
328 Q: ...of the - of the, uh, shed. And you were worried about somebody coming  
329 around the corner. So you were at the so-called one-two corner, which would  
330 technically be the southwest corner.  
331  
332 A: Right.  
333  
334 Q: And you're covering that area, right?  
335  
336 A: Right. And we were approximately an arm's length away from each other.  
337  
338 Q: Okay and, eh, that - tell - tell me about the first gunshot again. You're both in  
339 those positions, correct?  
340  
341 A: Right.  
342  
343 Q: And you hear an - a gunshot. Did you - did it come from inside the shed?  
344  
345 A: I couldn't tell because I was - I wasn't looking at Macias. I was looking to see  
346 if somebody was come around. I just heard it. I couldn't tell if it came from  
347 inside the shed or if it was Macias firing inside because he said something or  
348 saw something or whatever. We already knew he had a gun at that point  
349 'cause Macias had already told me, "He's got a gun."  
350  
351 Q: And how do, uh, and Macias actually saw him with a gun in the shed? Or did  
352 he hear it?  
353  
354 A: Uh, I didn't...  
355  
356 Q: Or how do you know?  
357  
358 A: ...ask him. I just - he...  
359  
360 Q: No, you don't know?

361  
362 A: ...said, "He's got a gun." And I...  
363  
364 Q: Okay.  
365  
366 A: ...uh, "Oh okay. Well, I'm gonna cover this side." And I could just tell from  
367 his body language he was hunkered down and he was...  
368  
369 Q: Right.  
370  
371 A: I could tell by the tone of his voice he was worried.  
372  
373 Q: Now, eh...  
374  
375 A: And...  
376  
377 Q: Is it pretty safe to say the - the gunshot, though, came from either in the shed  
378 or outside? It wasn't inside the house or...  
379  
380 A: Um, yes.  
381  
382 Q: ...or is that a possibility?  
383  
384 A: I - it - it was in the area of where we were at, yes.  
385  
386 Q: Okay. All right so you hear the one gunshot. Now, did it - did Macias return  
387 fire at all that you know?  
388  
389 Q1: So - 'cause I wanna clarify 'cause...  
390  
391 Q: Sure.  
392  
393 Q1: ...the way I understood what you just said, Spencer, was that you - and clarify  
394 'cause I may have misunderstood. You don't know if it was the suspect or  
395 Macias that shot?  
396  
397 A: That's correct.  
398  
399 Q1: Yeah.  
400  
401 Q: Right. We don't - we don't know who it was.  
402  
403 Q1: Right.  
404  
405 Q: So you're not - you're not for sure if Macias fired or if it was the suspect?

406  
407 A: Uh, the - at that point, no, because...  
408  
409 Q: All right.  
410  
411 A: ...in the call text, they said something about a .22.  
412  
413 Q: Right.  
414  
415 A: Okay, uh, I understand that a .22 could be a rifle or it could be a pistol. But  
416 Officer Macias just told me he had a gun. So I didn't know if it was - if I was  
417 looking for a - a rifle or if I was looking for a shotgun or if I was looking for a  
418 pistol.  
419  
420 Q: Okay.  
421  
422 A: And I heard the shot. And it - it - it just surprised me. And I looked back at  
423 Macias. And I saw him moving back into cover 'cause he was stepping out to  
424 pie the corner to see if he could get eyes on the guy, is what I was assuming.  
425 Um, and I heard the shot. And I looked. And all I notice was Macias stepping  
426 back into cover. So at that point, I just felt like I needed to be closer to him  
427 because if somebody was shooting at him, we needed to go...  
428  
429 Q: Now, where was Macias stepping back? Towards...  
430  
431 A: He was stepping...  
432  
433 Q: ...the gate?  
434  
435 A: ...towards me back to the - what would be the east.  
436  
437 Q: Okay.  
438  
439 A: Okay so we were - in - in essence, I was looking at that corner. And he's  
440 stepping towards me back to where he couldn't be seen if the dude was inside  
441 the shed.  
442  
443 Q: Okay so now where - where - now where are you at at this point?  
444  
445 A: At this point, I start making my way to the one-two corner or the, I'm sorry,  
446 the one-four corner, um, to address the threat. Um, I felt like because of what  
447 was in front of us was - was tin...  
448  
449 Q: Mm-hm.  
450

451 A: ...and we had no hard cover at all, if he had some - any kinda gun at all, he  
452 could just start shooting at us and maybe get lucky with a potshot because that  
453 tin is not gonna protect us. So I felt like I needed to get in there and figure out  
454 if this guy is shooting at us, I needed to - to extinguish the threat and keep him  
455 from hurting anybody else 'cause at this point, I know somebody's in the  
456 house. And if he's shooting out at us, he has no regard for anybody inside the  
457 house 'cause he's shooting towards his house. I don't know at this point that  
458 there's people in the - in the detached residence yet. Um, I knew he was  
459 yelling at somebody back there. But I didn't know where they were at. So I  
460 felt like if somebody's shooting at us, I know he has a gun. I don't want him  
461 to hurt anybody in the house or us.

463 Q: Sure. Okay so now you're at the one-four corner. And that's when you hear a  
464 shotgun rack?

466 A: I hear the sh- as I'm approaching that one-four corner, I hear the shotgun rack.  
467 And - and that's almost simultaneous as I was peeking around the corner. And  
468 I'm probably - I think I have my elbow on the shed as I'm starting to peek  
469 around the corner. And I have my gun up. And I hear the shotgun rack. As I'm  
470 peeking around the corner, I see the tip of the barrel coming out of the shed.  
471 And I step back away and just put one round, um, into the shed into  
472 anticipating obviously where he was at holding the gun. And then I step back,  
473 uh, away more towards the walkway that leads into the backyard, um, and  
474 listen to see if I could hear, you know, him rack another shot or - or pull the  
475 trigger or fall or something. Um, at that point, when I didn't hear anything, I  
476 put the shots-fired call out. Um, and then I wanted to wait a little bit, see if I  
477 could hear him moving 'cause he's hear - obviously hearing me say, "Shots  
478 fired. Shots fired." I wanted to hear if he moved again. I didn't hear anything  
479 again. Um, so I put out my location where we were at, um, and then listened  
480 again and didn't hear anything. So at that point, I was maybe assuming that  
481 the one shot that I did shoot at him, maybe I killed him. So I came out from  
482 behind the shed. And right about that time is when I heard the fence rattling.  
483 So that's when I put out a suspect's last, "He's - he's - he's running north, uh,  
484 from the fence, uh, unknown direction from there," uh, put out his description,  
485 Hispanic male, 5'10", approximately 170, black bandana, gray shirt, blue  
486 jeans. Um, and then I ran past the shed, cleared the shed, made sure nobody  
487 else was in there, um, and then proceeded into the yard where...

489 Q: And - and at this point, you're - you're putting it out just by memory of what  
490 he looked like before? You'd never - you hadn't seen him, right?

492 A: Um...

494 Q: You didn't see him leaving the shed? You...

495

496 A: Well, when I saw him walk in from the back door, he was - the light was on in  
497 there.  
498

499 Q: Right. I'm s- I'm sorry. I mean you're - you're going off of memory of what  
500 you saw in the house. After you - the shotgun bla- after you s- the shotgun  
501 came around the corner, the barrel, and you fired, you didn't see him, correct?  
502 You didn't see him leave the shed? You didn't see him running towards the  
503 back?  
504

505 A: No, I didn't see him leave the shed.  
506

507 Q: Right. So at any p- whe- did you actually have eyes on him at all? You heard  
508 the rustling of the, uh, fence, right? And then you went to the - kind of the  
509 center of the yard?  
510

511 A: Mm-hm.  
512

513 Q: Did you ev- ever actually see him? Or did you just hear the shotgun blast?  
514

515 A: Uh, no, I didn't see him at all. I just - when he's - when I heard the shotgun  
516 blast, I thought, oh well, he sees me. I don't know where he's at. But I don't  
517 have any - I don't have anywhere to go. So I just went back to where I was,  
518 retraced my steps, um, because where I was at, my light wasn't gonna do  
519 anything but give him a better target to shoot at. So I turned off my light and  
520 ran back to where I was. And that's when another shot rang out. And I knew  
521 he was shooting at me 'cause I felt it.  
522

523 Q: Right.  
524

525 A: And then I knew again he shot at me again because I heard the BBs hit the -  
526 hit the, uh, the tin shed.  
527

528 Q: Right. Um, from the sound of the shotgun blast, could you tell where  
529 approximately he was?  
530

531 A: Yes. Uh, he was coming from the - the northeast corner of the property.  
532

533 Q: Which would have been on the other - opposite side of the...  
534

535 A: I'm sorry, northwest corner - northwest corner of the property.  
536

537 Q: Right. Northwest.  
538

539 A: Right.  
540



541 Q: But it's safe to say kinda behind all that, uh, that netting?  
542  
543 A: Yes, definitely behind the netting.  
544  
545 Q: Okay.  
546  
547 A: In that back corner over there.  
548  
549 Q: At any - at the time when he was shooting his shotgun at you, did you ever  
550 return fire at all?  
551  
552 A: No.  
553  
554 Q: Okay.  
555  
556 A: No.  
557  
558 Q: The only time you fired was back at the shed...  
559  
560 A: Right.  
561  
562 Q: ...the whole time?  
563  
564 A: When I - where I saw the barrel of the gun.  
565  
566 Q: Tell me about the - the shotgun blast. Was it boom, boom, boom?  
567  
568 A: Um, the first two were. It seemed like they were pretty close together like  
569 boom, boom, boom.  
570  
571 Q: Okay.  
572  
573 A: So the first two are pretty close together. Uh, the - the third one was a little bit  
574 sequenced out.  
575  
576 Q: A little spread out a couple seconds, safe to say?  
577  
578 A: Yeah, maybe second, second and a half maybe.  
579  
580 Q: Okay.  
581  
582 A: Definitely a - a - a - a greater span of time between the second and third shot  
583 than the first and second.  
584  
585 Q: Okay did you hear, uh, any voice, anybody yelling? Was it - this guy yelling

586 at you or anything like that? Or is he just shooting?  
587  
588 A: No, just no voi-I couldn't hear any voices.  
589  
590 Q: Okay and just so I'm clear, which - after which, uh, shotgun blast did you  
591 feel...  
592  
593 A: The second one.  
594  
595 Q: ...this? After the second one?  
596  
597 A: Yeah.  
598  
599 Q: Really describe it to me.  
600  
601 A: It felt...  
602  
603 Q: Was it more like just like a brush of the - of the wind like the pellets going  
604 past ya, the wadding?  
605  
606 A: No, it was - it felt like maybe residue from the - the pack of the shell that like  
607 it kinda felt like fiberglass, like little pieces of glass that - that would just  
608 barely hit your face. It just - I just remember feeling that because it, uh,  
609 startled me. And I - I was like, "Okay he's shooting at me." That was my first  
610 thought. Um, I mean, I've been in a gunfight before in the Marine Corps. And  
611 I know when somebody's shooting at you.  
612  
613 Q: Mm-hm.  
614  
615 A: Um, so I could definitely tell that that - that was at me because there was  
616 nothing else for me - there was no trees.  
617  
618 Q: Did - did you actually feel it kinda hit your face so to speak?  
619  
620 A: Yes, it - the side of my face, yeah, it like...  
621  
622 Q: Your right side. And you're pointing to the...  
623  
624 A: Yeah.  
625  
626 Q: ...right side of your face right now.  
627  
628 A: Right.  
629  
630 Q: Okay. All right.

631  
632 A: And that would've been coming from the northwest corner because I was  
633 running south back towards the house. So - and I felt it on my right ear, which  
634 would have been coming from the - the northwest quarter.  
635  
636 Q: And you're running back 'cause that's after the f- 'cause after the first  
637 gunshot, you turned and started running back?  
638  
639 A: Right, back to the shed.  
640  
641 Q: Back to the shed.  
642  
643 A: Right. I was just trying to get some cover 'cause we're out - there was no  
644 cover where I was at.  
645  
646 Q: Okay and, uh, so you - you took - where did you actually take cover at, do you  
647 remember?  
648  
649 A: I took cover back - took concealment...  
650  
651 Q: Yeah.  
652  
653 A: ...back behind the shed...  
654  
655 Q: Okay.  
656  
657 A: ...where I had originally fired the shot.  
658  
659 Q: All right and again, you never sa- you never saw this guy? All you just - you  
660 just assumed he took off running through the alley?  
661  
662 A: I - I - no, I didn't see him run from the shed. I just heard the - the rustling from  
663 just like somebody's jumping the fence.  
664  
665 Q: Okay. All right. Any questions off-hand while I think right now?  
666  
667 Q3: Um, yeah. Um, once you, uh, once you and Macias are set up, um, Macias is  
668 on the one-four corner as we look at the shed. And we're saying that the front  
669 of the shed for the one-side purposes is facing toward the street, facing south,  
670 right?  
671  
672 A: South.  
673  
674 Q3: So, um, the actual opening is considered the four side for you guys, right,  
675 where the actual doors slide open?

676  
677 A: Right. Right.  
678  
679 Q3: So you guys are posted one-two and - or the one-four corner of one-two  
680 corner. Um, when you - Macias goes first to have contact with the guy or to  
681 try and find him, or do you brake cover first to go see if you can find him? I -  
682 I forget.  
683  
684 A: Um, after we fired the shots or before?  
685  
686 Q3: Uh, before you fire your shot, are you guys just static in place? Or what  
687 causes you...  
688  
689 A: We're static in place.  
690  
691 Q3: Okay.  
692  
693 A: Um, from what I could see at in periph- of my vision, again, I'm watching to  
694 make sure he's not running around.  
695  
696 Q3: Right.  
697  
698 A: Um, it looked like Macias was stepping out a way to pie the corner...  
699  
700 Q3: Okay.  
701  
702 A: ...to get eyes on this guy because Macias told him, "Show me your hands.  
703 Show me your hands." And he's not complying. And I don't...  
704  
705 Q3: Right.  
706  
707 A: ...see him. And Macias is closer. So I just assume...  
708  
709 Q3: Macias does, uh...  
710  
711 A: ...that position to make sure he's not gonna come around on us.  
712  
713 Q3: Okay.  
714  
715 A: Um, and because we're in close proximity and - and it's not - we could see  
716 each other, there's no obstacle between me and him, I felt it was better for me  
717 to watch our six by looking at that one-two side...  
718  
719 Q3: Right.  
720

721 A: ...and keep us safe from getting shot in the back. And as I - as I broke from  
722 touching him, I f- it - it just feel - it felt like to me he stepped out to pie the  
723 corner to get eyes on the guy. He had his gun up.  
724

725 Q3: Okay.  
726

727 A: I could see his gun up. And he stepped out away from it. And - and I took - I  
728 stepped over to the left just where I could get a good vision of - of that and see  
729 if anybody came around the, uh, the two-three corner.  
730

731 Q3: Right.  
732

733 A: Um, and that's when I heard the shot. And I looked to make sure he was okay,  
734 make sure he wasn't hit. And I saw that he was moving back towards me. And  
735 so my thought was, okay if - if he just shot at us, he missed 'cause Macias is  
736 not falling. He's not saying, "I'm hurt," or, "I'm hit." So I'm gonna go find  
737 this guy. He either just shot at us or we shot him, whatever.  
738

739 Q3: Right.  
740

741 A: So I'm gonna go extinguish a threat.  
742

743 Q3: And what direction are you moving as you - as you (unintelligible)?  
744

745 A: I'm moving towards the one-four corner.  
746

747 Q3: Okay where Macias had been earlier?  
748

749 A: Yes.  
750

751 Q3: What position did Macias move to as you move towar- towar...  
752

753 A: He was moving behind me.  
754

755 Q3: Okay.  
756

757 A: He was moving in behind me because he was - as he was moving left, I  
758 moved in a diagonal direction straight to the one-four corner to come around  
759 with my gun up and maybe catch this guy by surprise...  
760

761 Q3: Okay.  
762

763 A: ...'cause maybe he lost sight of Macias. I - I don't know. I just - I felt like that  
764 was where I needed to be.  
765

766 Q3: Okay.  
767  
768 A: Um...  
769  
770 Q3: Do you remember - and I'm not sure if you - if you would know for sure since  
771 you were watching the other side. Do you know where Macias was when you  
772 heard that gunshot? How far was he around like on the four-side?  
773  
774 A: Um, I don't know exactly how far.  
775  
776 Q3: Okay.  
777  
778 A: I felt like that he - because he was moving left, I felt like he was probably in a  
779 position of vulnerability or he would a - if it was him that shot, I felt like if he  
780 felt like he hit the subject or saw him, that he would just keep going towards  
781 him.  
782  
783 Q3: Okay.  
784  
785 A: So that's what kinda led me to be- okay maybe it wasn't him. And I didn't  
786 wanna - I didn't wanna fire my gun because I heard a gunshot...  
787  
788 Q3: Right.  
789  
790 A: ...'cause I didn't see who shot it. I don't know where it came from.  
791  
792 Q3: Okay.  
793  
794 A: I don't know who else is in that shed. So I'm not just gonna start shooting into  
795 a shed and not know who's in it. So my theory or what I've always - my  
796 training is is that you're not gonna shoot - you're not gonna superficially  
797 shoot just because your partner shoots.  
798  
799 Q3: Right.  
800  
801 A: You wanna see what you're gonna shoot at. And for me, hearing the shotgun  
802 and seeing the barrel of it, I'm thinking in my head this guy has the capability  
803 to kill me, my partner or the people inside the house. Um, and he's just put a -  
804 put a round in there.  
805  
806 Q3: Right.  
807  
808 A: And I am close enough to this guy where one gunshot could kill us both if it's  
809 a shotgun. And it appeared to be a shotgun to me when I saw the barrel of it.  
810 So I - I put a round where I thought he was sitting in that...

811  
812 Q: Right.  
813  
814 A: ...in that shed.  
815  
816 Q: How much time do you think between when you heard the first gunshot, the  
817 possible .22 gunshot, to the time you heard the shotgun rack?  
818  
819 A: Seconds. Um, probably four seconds at most.  
820  
821 Q: Okay so right away. Now, ma- when Macias was backing up, he's - he didn't  
822 say, "Hey, I - we got shots fired. I fired. He's firing at me"? He didn't say  
823 anything, obviously...  
824  
825 A: Huh-uh.  
826  
827 Q: ...that you heard?  
828  
829 A: No.  
830  
831 Q: Okay.  
832  
833 A: It wasn't till after I fired that put shot - shots fired out - shots fired.  
834  
835 Q: Okay.  
836  
837 Q3: Wh- where do you think you were standing when you actually fired your  
838 weapon? And - and you were firing the weapon in response to hearing the  
839 shotgun rack and seeing the barrel?  
840  
841 A: I was - I was right at the one-four corner. I mean, I was probably less than a -  
842 about a arm's distance away 'cause I stepped back away from the shed so I  
843 could pull up my sites and see.  
844  
845 Q3: Okay.  
846  
847 A: And I - I shot right probably navel level into the shed just to the left side of the  
848 corner of the shed.  
849  
850 Q3: Okay. Where - do you remember where the barrel was when you saw it? Do  
851 you remember if it was sticking out through maybe the open doors on the four  
852 side? Or was it more around the corner on the three-four side or...  
853  
854 A: No, it was out - out of the door.  
855

856 Q3: So the two...  
857  
858 A: The light - there was a light on in the shed.  
859  
860 Q3: Okay.  
861  
862 A: So you could see it...  
863  
864 Q3: Okay.  
865  
866 A: ...coming out. And I saw the - the barrel - the tip of the barrel. I could see the -  
867 the top of it. And I knew it was a shotgun 'cause...  
868  
869 Q3: Okay.  
870  
871 A: ...it - it was big. And I can see it coming out - I don't know, eh, how to explain  
872 it. But...  
873  
874 Q: Was it coming straight out? Or was it kinda coming up a...  
875  
876 A: It looked like he was holding it like straight out like it was point straight...  
877  
878 Q: Did you see a - did you see a hand or do you just see the barrel?  
879  
880 A: No. I just saw the tip of the barrel.  
881  
882 Q: Okay.  
883  
884 A: Like he was pointing it straight at the house dir- that little detached  
885 residence...  
886  
887 Q: Mm-hm.  
888  
889 A: ...right next - right - right across from it. So my thought, again, was I just  
890 heard him screaming at somebody back there telling them that they're - that  
891 he's worked his whole life and they're fucking it up. So he's maybe pissed  
892 that - we didn't do anything to this guy. I don't - I don't know why he would  
893 be wanting to kill us. My, uh, my fear was more towards whoever was back  
894 there that he was just yelling at. He knows that I'm there. And maybe he's  
895 gonna go handle business with them. Um, those are just some of the things  
896 that went through my mind right away. It was like, okay he's - he could hurt  
897 somebody else in the house. There's problems with this family. We were out  
898 here yesterday. They admitted that they were - had been arguing, whatever. So  
899 I - I just didn't want anybody else to get hurt.  
900



901 Q3: If I remember right, you said once you fired your shot, you started to retreat  
902 back toward the actual house, the residence itself?  
903  
904 A: Well, back 'cause the residence was - if I could set it up right, there's a  
905 walkway and then a fence line along the west that...  
906  
907 Q: Yeah, we were - we went out there, so...  
908  
909 A: Okay.  
910  
911 Q: ...it's, uh...  
912  
913 Q3: On the (unintelligible)...  
914  
915 A: So the walkway.  
916  
917 Q3: ...side.  
918  
919 Q: Mm-hm.  
920  
921 A: And then there's the corner of the house.  
922  
923 Q3: Mm-hm.  
924  
925 A: And then I just kinda retreated back into the walkway.  
926  
927 Q3: Okay.  
928  
929 A: That way if somebody did come out of the house, I could just retreat into and  
930 have the house as cover...  
931  
932 Q: Right. Right.  
933  
934 A: ...if somebody came out of the house, um, with a gun. And I could see the  
935 other residents' door. And I could see where I put the shot into the shed. So if  
936 he did come out of there...  
937  
938 Q3: Right.  
939  
940 A: ...I had some cover and I could see everybody.  
941  
942 Q3: And that's my question, is did - did you see the guy or anyone holding that  
943 shotgun? Did you see them exit the shed and start...  
944  
945 A: No.

946  
947 Q3: ...moving or...  
948  
949 A: No. I couldn't - I couldn't see that. I could just see the one-four corner...  
950  
951 Q3: Okay.  
952  
953 A: ...uh - uh, of the, uh, of the shed from where I was at. Um...  
954  
955 Q3: How long after you fired your shot do you remember hearing the fence rattle  
956 in the, uh - uh, northwest corner?  
957  
958 A: Um, it felt like ages. Um, but I would probably say probably 15 to 30 seconds,  
959 something...  
960  
961 Q3: Okay.  
962  
963 A: ...like that.  
964  
965 Q3: And then...  
966  
967 A: Long enough for me to put that stuff out and listen and put some more out and  
968 listen.  
969  
970 Q3: And at some point you moved, uh, deeper north into the backyard, I would  
971 assuming looking for...  
972  
973 A: Yes.  
974  
975 Q3: ...whoever the person was that had been...  
976  
977 A: Yes. Once I heard that fence rattling...  
978  
979 Q3: Okay.  
980  
981 A: ...I knew that that property was deep.  
982  
983 Q3: Mm-hm.  
984  
985 A: Um, so once I cleared, I - I - I came in through. And I gingerly approached the  
986 entrance to the shed 'cause I wasn't sure if he was still in there, if it was  
987 somebody else that was jumping the fence like scared...  
988  
989 Q3: Right.  
990

991 A: ...running away from the gunshots that I just shot, the gunshot that I just  
992 placed. So I cleared that. And it's a small shed. And the light was on in there.  
993 So I could see everything in there. I cleared it. And then I ran. I started  
994 running towards the northeast corner of the property at a diagonal, um, 'cause  
995 I knew that residence, that detached residence was back there. So if I needed  
996 to peel off and get some cover, I could do that. But by the time I got that first  
997 shot at me, I was - I was in no man's land.  
998  
999 Qe: How much time do you think it was by the time you broke cover, got into the  
1000 center of the yard and then you get that first gunshot, uh, the shotgun blast?  
1001  
1002 A: Probably five seconds, six seconds, something...  
1003  
1004 Q3: Okay.  
1005  
1006 A: ...like that.  
1007  
1008 Q3: Could you tell generally where it was coming from? Was it...  
1009  
1010 A: Nah, that...  
1011  
1012 Q3: ...deep in the yard? Was it in the alley? Was it from across the yard?  
1013  
1014 A: It sounded like they - it was coming from that alley, the northwest corner of  
1015 that alley that was back there.  
1016  
1017 Q3: Okay.  
1018  
1019 A: And, um, I remember when I - when I - when I heard the first gunshot, I  
1020 turned towards it and started to run hoping I would see movement or  
1021 something, see him running so I could, you know, let somebody know that,  
1022 hey, he's running this way or whatever. And I just saw - I remember seeing  
1023 the gate. There is a gate back there. And right next to the gate where the -  
1024 where the gate latches, the fence was - was bent over. I don't know if it was  
1025 bent inward or outward. But I just remember that it was bent. And I'm - I  
1026 remember thinking, okay that's where he went out. That's the rustling that I  
1027 heard, was him going over that fence and it broke or whatever.  
1028  
1029 Q3: How far do you estimate you were in the yard from that area when that first  
1030 gunshot went off?  
1031  
1032 A: Well, I don't know where he was. I didn't see the shotgun blast.  
1033  
1034 Q3: Okay.  
1035

1036 A: Um, but I would estimate my distance from that gate in that back corner...  
1037  
1038 Q3: Mm-hm.  
1039  
1040 A: ...to where I was, probably no more than 20 yards from that gate.  
1041  
1042 Q3: Okay.  
1043  
1044 A: And there was lights in the house that - that were shining out that kind of  
1045 illuminated the area but not really good. It wasn't good enough where I didn't  
1046 need to use my flashlight to see.  
1047  
1048 Q3: Mm-hm.  
1049  
1050 A: Um, so I turned off my flashlight because I felt like that that's why he knew I  
1051 was running out there, is 'cause my flashlight was on and he was shooting at  
1052 the flashlight. So I immediately extinguished that. And, um, I th- I - I turned  
1053 towards the gunshot direction where I heard it coming from just, I guess,  
1054 instinctively to see if I could see him...  
1055  
1056 Q3: Mm-hm.  
1057  
1058 A: ...um, and get a - kind of an idea of where he was at. And maybe I could take a  
1059 better position closer to him and go get him then. But when I didn't see  
1060 anything, I didn't see the shotgun blast when I was running out. I mean, I just  
1061 knew it came from that - that northwest corner. Could have been an alley. I  
1062 don't know. I didn't see it.  
1063  
1064 Q3: Did all three of 'em...  
1065  
1066 Q: And...  
1067  
1068 Q3: ...sound like they were coming from that...  
1069  
1070 A: Yes.  
1071  
1072 Q3: ...general area?  
1073  
1074 A: Yes.  
1075  
1076 Q3: Did they all sound like the same type of shot?  
1077  
1078 A: Yes.  
1079  
1080 Q3: And are those shots different than the very first one you guys heard, uh, right

1081 when you got in the backyard and were set up on the two corners of the shed?  
1082  
1083 A: Yes, much different.  
1084  
1085 Q3: Different...  
1086  
1087 Q: Yeah.  
1088  
1089 Q3: ...gunshots?  
1090  
1091 Q: Yeah.  
1092  
1093 A: I could definitely tell the difference between the two. I knew that the first shot  
1094 that I heard...  
1095  
1096 Q3: Mm-hm.  
1097  
1098 A: ...was not a shotgun blast.  
1099  
1100 Q3: Okay.  
1101  
1102 Q: Yeah, okay that was (unintelligible) that's...  
1103  
1104 A: It was not - definitely not a shotgun blast, that first one.  
1105  
1106 Q3: Okay.  
1107  
1108 A: But, you know, when we were getting into place, you could definitely hear  
1109 rat- r- rustling inside the, uh, inside the shed.  
1110  
1111 Q3: Mm-hm.  
1112  
1113 A: So we knew he was in there. And then when I heard the shotgun rack, I was  
1114 like, okay he went in there, maybe tossed the .22 and picked up a shotgun and  
1115 now he's gonna - 'cause he knows we're coming and we got guns.  
1116  
1117 Q3: Right.  
1118  
1119 A: So he's gonna get something bigger. So...  
1120  
1121 Q3: Was there, at some point when you were in the backyard and after you hear  
1122 the second or third gunshot, either one, you hear traffic from Officer Romero  
1123 in the area?  
1124  
1125 A: Yes, I did. I hear - I heard officer...

1126  
1127 Q3: Or what the traffic was?  
1128  
1129 A: Um, no. There was - there was - people were stomping on him, unfortunately.  
1130 Uh, when I say stomping, I mean like talking over him. There was...  
1131  
1132 Q3: Okay.  
1133  
1134 A: ...several people trying to get out. And, um, at the s- you know, I'm trying to  
1135 put out, "This guy is shooting at us." I may have stomped on him.  
1136  
1137 Q3: Mm-hm.  
1138  
1139 A: I don't know. I just know that this dude was just shooting at me.  
1140  
1141 Q3: Mm-hm.  
1142  
1143 A: And he's in a very close (pricinity), uh, vicinity of where I'm at. So if any  
1144 other officers are in the area, be - watch out. I'm trying to get that out. He just,  
1145 obviously, hopefully they would hear it but...  
1146  
1147 Q: Did you hear further gunshots after that?  
1148  
1149 A: Um, I did not. I did not hear further gunshots after that. Um, so that - the first  
1150 gunshot, because I, uh, I didn't feel like that - I didn't see the shotgun blast  
1151 and I didn't see anybody, I think maybe he didn't s- wasn't shooting at me  
1152 then. Maybe he was shooting at another officer. I don't know. I definitely  
1153 know the second and third one were at me...  
1154  
1155 Q: All right.  
1156  
1157 A: ...definitely without a doubt.  
1158  
1159 Q3: Okay.  
1160  
1161 Q: Good. Um, I can't think of anything else here.  
1162  
1163 Q3: Once you guys got to the house where, um, the - the two black men had come  
1164 and told you, "Hey, a guy just went into our house and shot themselves," did  
1165 you go in and see the guy...  
1166  
1167 A: No.  
1168  
1169 Q3: ...himself?  
1170

1171 A: No, no, no. That was over on Pleasant. And I was still on - I was out to the  
1172 front house on Prospect.  
1173  
1174 Q3: Okay.  
1175  
1176 A: I - we didn't go over there. We just did - we just put those guys - we pat 'em  
1177 down, make sure they don't have any weapons and then put 'em in the car for  
1178 safety 'cause at that point, we hadn't confirmed that this guy is in that house  
1179 yet.  
1180  
1181 Q3: Right.  
1182  
1183 A: There were - there was radio traffic saying that this guy was in a house  
1184 shooting. Um, but we didn't know. We were just getting people safe.  
1185  
1186 Q3: Right.  
1187  
1188 A: And those guys said, "Hey, he just got - he just went in our house and - and  
1189 shot himself." And I was like, "Do you know him?" He's like, "Yeah, we've  
1190 known him our whole life."  
1191  
1192 Q3: Mm-hm.  
1193  
1194 Q: After - after the three gunshots came at you and you ran back, did the other  
1195 people start coming out of the house into the backyard at all?  
1196  
1197 A: Yes. While I was in the back trying to put out that this guy was shooting at us,  
1198 those people - there - the people that were in that detached residence came  
1199 out. And I was telling them, "Hey, get back in your house. Get back in there.  
1200 Close the door. Somebody's shooting at us. It's not safe."  
1201  
1202 Q: Did they get back in?  
1203  
1204 A: Um, not right away. I had told them repeatedly, several, several times, "Get  
1205 back in the house. Get back in the house. You didn't just hear the gunshots?  
1206 Get back in the house."  
1207  
1208 Q: Okay.  
1209  
1210 A: And the female inside the house, I heard her say, "Don't kill him. Don't kill  
1211 him." And so that was going on. And I'm like t- I'm like I'm screwed." I'm  
1212 sitting here by myself.  
1213  
1214 Q: That anything's going on?  
1215

1216 A: I don't know what's going on in the house. I don't know if they're friendly or  
1217 foe. Those guys aren't doing - in that house aren't doing what I'm telling 'em.  
1218

1219 Q3: Mm-hm.  
1220

1221 A: So I'm trying to deal with that and - and keep myself safe 'cause I don't know  
1222 if this guy is gonna double back and shoot at me again. I don't - I - I just don't  
1223 know at that point. I know he's already shot at me twice for sure.  
1224

1225 Q: Yeah.  
1226

1227 A: I don't know what he's capable of, so...  
1228

1229 Q3: Do you know where Macias was once you went deep into the yard and were  
1230 shot at?  
1231

1232 A: I assume he stayed there 'cause when I ran back, he was still there.  
1233

1234 Q3: Um, uh...  
1235

1236 A: Behind the shed.  
1237

1238 Q3: Behind the shed.  
1239

1240 A: Right.  
1241

1242 Q: Okay.  
1243

1244 A: I assume that he was probably watching my six to make sure nobody came out  
1245 of the house after me.  
1246

1247 Q: All right.  
1248

1249 Q3: So if - if I understand you right, one round is what you fired? Eh, that's what  
1250 you recall firing tonight is the one?  
1251

1252 A: And just one.  
1253

1254 Q3: And that was into the shed when you just heard the shotgun rack...  
1255

1256 A: Yes.  
1257

1258 Q3: ...and saw the barrel?  
1259

1260 A: Just one.



1261  
1262 Q: Okay, uh, is there anything that, uh, we might not have asked you that you,  
1263 uh, think might be important - important?  
1264  
1265 A: Um, I think yesterday...  
1266  
1267 Q: (Unintelligible).  
1268  
1269 A: I don't know if I talked about this. When we went for the music call, they  
1270 advised us while we were en route to that call that officers were out there  
1271 earlier for a 415 between the two, the male and the female...  
1272  
1273 Q: Okay.  
1274  
1275 A: ...residents that live back there.  
1276  
1277 Q: Prior to your music call?  
1278  
1279 A: Prior to our music call.  
1280  
1281 Q: The same day or a day before?  
1282  
1283 A: Same day.  
1284  
1285 Q: Same day? Okay.  
1286  
1287 A: Same day. And we just went out later that night. And we, you know, we asked  
1288 'em, "What - what's going on?" And he's like, "Yeah." I just, "Hey, can you  
1289 turn the music down?" "Yeah, yeah, I just turned it down."  
1290  
1291 Q: You remember about what time that was give or take?  
1292  
1293 A: I don't. It's probably...  
1294  
1295 Q: (Unintelligible).  
1296  
1297 A: I wanna - it was dark outside.  
1298  
1299 Q1: The music call?  
1300  
1301 Q: Yeah, the music call.  
1302  
1303 A: It was dark outside. Um, I wanna say probably...  
1304  
1305 Q1: I think you said...

1306  
1307 A: ...between...  
1308  
1309 Q1: ...it was raining also.  
1310  
1311 A: Yeah, it was raining. Between the hours of...  
1312  
1313 Q: Were you...  
1314  
1315 A: ...20 and 2000 and 2200 hours.  
1316  
1317 Q: Were you, uh, Charles 236 last night also?  
1318  
1319 A: Yes, sir.  
1320  
1321 Q: Okay. We'll be able to find it.  
1322  
1323 Q3: Do you guys have, uh, your - either your audio, COBAN, or your recorders  
1324 running at any time during this incident?  
1325  
1326 A: This incident?  
1327  
1328 Q3: Yeah.  
1329  
1330 A: Uh, I didn't have a COBAN mike on, uh, 'cause I was riding passenger. And,  
1331 no, my PUMA was not activated.  
1332  
1333 Q3: Okay.  
1334  
1335 Q: All right. Okay I think we're gonna conclude the interview. It is  
1336 approximately, uh, 2:28 am.  
1337  
1338  
1339 The transcript has been reviewed with the audio recording submitted and it is an accurate  
1340 transcription.  
1341 Signed Spencer Weddle 4-30-15

RC