

SUPPLEMENTAL REPORT

1. Original File No. P14175586	2.	3. Off ID 0556	4. Dist.	5. Crime-Ct.	6. Crime-Ct.	7. Crime-Ct.	8. Date/Time Occurred 11-18-2014 1431	9. Day 2			
10. Date/Time Assigned	11. Date/Time Inv. Start	12. Date/Time Inv. Term.		13. Type Clr.	14. Type Cont.	15. Additional Adults Arr.	16. Additional Juv. Arr.				
17. Address of Occurrence (Street No. - Name - City) 10479 Keller Street, Riverside CA							18. Type of Place Rear yard of residence				
For ID USE: V = Victim, I = Informant, W = Witness, O = Other											
19. ID: V-1	20. Last Name - First - Middle (Firm Name if Business) Ortiz, Marco "Tony" Riverside Police Officer I.D. #1352					21. Race - Sex	22. DOB				
23. Residence Address				24. Business or School Address 4102 Orange Street, Riverside CA		25. Home Phone	26. Bus. Phone				
27. ID: V-2	28. Last Name - First - Middle (Firm Name if Business) Adcox, Jeffrey "Bryon" Riverside Police Officer I.D. #1463					29. Race - Sex	30. DOB				
31. Residence Address				32. Business or School Address 4102 Orange Street, Riverside CA		33. Home Phone	34. Bus. Phone				
SUSPECT	35. LAST Name - First - Middle Martinez, Vincente Robert			36. Race-Sex H M	37. Age	38. Ht.	39. Wt.	40. Hr	41. Eyes	42. DOB or ID 03-26-80	43. Arrested <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	44. Address - Clothing - Other Marks or Identifying Characteristics 5433 Bushnell, Riverside CA 92503										
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			
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
	45. Address - Clothing - Other Marks or Identifying Characteristics										
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			

ORIGINALLY REPORTED DOLLAR VALUES ARE CHANGED AS SHOWN BELOW

Cat	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) Officer Involved Shooting	61. Original Offenses Changed to (Code - Crime) (1) 245(d)(1)P.C. ADW on a peace officer	58. Stolen Auto Value ASP: \$ _____
(2)	(2)	

62. Narrative of Supplemental Report

This supplemental report will cover the interview with Officer Jeffrey Adcox.

Reporting Officer Jim Simons		
Reviewed By J. Banks		
COPIES TO		
VCLO ()		
ACTIONS		
APR Sent		
APR Cncl.		
APB Sent		
APB Cncl		
DOJ-NCIC		
Entered		
Cancl.		
ENTERED		
Stats	ARBK	ANK

**RIVERSIDE POLICE DEPT.
CONTINUATION PAGES**

PAGE NO: 2

FILE NO: P14175586

DATE 11/20/2014	TYPE OF REPORT O.I.S / 245(d)(1) P.C. ADW on a peace officer	INVESTIGATING OFFICER Jim Simons #0556
--------------------	---	---

Assisting Personnel:

Detective Adrian Tillett

Narrative:

On 11-18-2014, 1747 hours, partner Detective Tillett and I interviewed Officer Jeffrey Adcox regarding his involvement in the officer involved shooting that occurred in the rear yard of 10479 Keller Street, Riverside. The interview with Officer Adcox was audio recorded using my department issued Olympus Puma 3 digital recorder. The recording was downloaded into the database at the Magnolia Street Police Station. The interview with Adcox was conducted in Sergeant Troy Banks office at the Magnolia Street Police Station. The following is a summary of the interview;

Officer Adcox is currently assigned to the P.A.C.T Unit and has been working on the P.A.C.T team for about three years. Officer Adcox has been a sworn Riverside Police Officer for nine years. Officer Adcox is currently working partners with Officer Marco Ortiz. Officer Adcox and Ortiz were traveling in an unmarked P.A.C.T Unit police vehicle that is equipped with emergency lights and siren. Officer Adcox said their police vehicle's lights and siren were functioning properly during the incident. Both Officer Adcox and Ortiz were wearing their department issued uniform which consists of a black vest with "Police" printed on the front and rear of the vest. The front of the vest also has "Adcox" printed on front and the Riverside Police Department badge in the form of a soft patch attached to the front. Officer Adcox was wearing his department issued black pants and utility belt that secures his firearm in a holster along with other department issued police gear.

Officer Adcox said earlier in the day the P.A.C.T Unit was contacted by Detective Detmer from the Riverside Police Department Narcotics Unit. Detective Detmer informed them that he (Detmer) received information from a Citizen Informant that Vincente Martinez was involved in the use and sales of methamphetamine. The informant also reported that Martinez was in possession of a handgun. Officer Adcox said he reviewed the criminal history and previous booking photographs of Martinez. Members of the P.A.C.T Unit met with members of the Narcotics Unit at the Magnolia Street Police Station. The Officers and Detectives devised a plan which consisted of surveillance and attempting to locate Martinez at his residence located at 5433 Bushnell Street, Riverside. The informant reported that Martinez was currently in possession of and driving a grey Nissan Frontier truck.

Officer Adcox said members of the P.A.C.T Unit and Narcotics Unit drove to the area of Martinez's residence and quickly learned that Martinez's truck was not parked at his residence. Officer Adcox and Ortiz parked their police vehicle near the intersection of Jones and Keller Street. Other P.A.C.T members and Narcotics Detectives began a surveillance of the Bushnell residence and surrounding areas in an attempt to locate Martinez driving in his Nissan Frontier.

At about 1430 hours, Officer Adcox said he heard on the police radio that one of the Narcotic's Detectives observed Martinez driving his Nissan Frontier north on Jones near Keller Street. Officer Ortiz was the driver of their police vehicle and Adcox was the passenger. Ortiz pulled their police unit behind Martinez's truck.

RIVERSIDE POLICE DEPT.
CONTINUATION PAGE

PAGE NO: 3

FILE NO: P14175586

DATE 11/20/14	TYPE OF REPORT O.I.S / 245(d)(1) P.C. ADW on a peace officer	INVESTIGATING OFFICER Jim Simons #0556
------------------	---	---

Adcox saw the license plate on the truck and confirmed that it was the correct Nissan Frontier that the Citizen Informant had provided to Detective Detmer. Officer Adcox observed the truck do a "California" stop at the stop sign northbound Jones at Keller Street. Adcox said the truck rolled past the limit line without coming to a complete stop. Both Ortiz and Adcox decided to perform a traffic stop on the Nissan Frontier for the vehicle code violation.

Officer Adcox said they activated their police vehicles red lights and siren which was functioning properly. Martinez continued to drive north on Jones and did not pull the truck over. Adcox said Martinez began motioning with his hand, pointing his finger to the left as if he were trying to find a place to pull his truck over. Martinez continued driving north on Jones and turned west on Campbell Street. Martinez continued to make the motion with his hand as he continued driving. Officer Adcox estimated the speed of the truck at about 30 miles per hour. Martinez turned south on Bushnell from Campbell and continued driving. Martinez then made an eastbound turn into the driveway of his residence located at 5433 Bushnell. Officer Adcox said Martinez then quickly accelerated his truck to the end of the driveway and came to an abrupt stop.

Martinez got out of the driver's seat of the truck. Martinez was standing and facing their police vehicle. Both Adcox and Ortiz got out of their police vehicle. Adcox said it was at this time that he got a good view of Martinez and was able to identify him from the previous photographs of Martinez that he viewed earlier at the Magnolia Street Police Station. Officer Adcox said he drew his firearm and began yelling at Martinez to get on the ground. Martinez had his hands raised as he faced both officers. Officer Adcox said Martinez's hands appeared to be empty. Both Adcox and Ortiz continued to yell at Martinez to get on the ground. Martinez suddenly turned around and began running in an east direction away from Adcox and Ortiz. Adcox holstered his handgun and began running after Martinez along the passenger side of the Nissan Frontier. Ortiz began running after Martinez on the driver's side of the Nissan Frontier.

Martinez continued running through the yard and turned south towards a chain link fence. Adcox and Ortiz yelled for Martinez to stop and get on the ground. Martinez ignored their commands and continued running. Martinez jumped over the chain link fence but got caught up on the top of the fence. Adcox said Martinez fell to the ground on the opposite side of the chain link fence and landed on his stomach. Adcox said he was very close to Martinez and was almost able to grab onto Martinez as he was going over the fence. Adcox jumped over the fence as Martinez got back to his feet and continued running south through the rear yard where the shooting occurred. Ortiz jumped over the chain link fence after Adcox landed on his feet on the other side of the fence. Adcox continued running after Martinez along the side of a detached garage or "barn" type structure. Adcox's view was partially obscured by some trees or bushes but he could see Martinez standing near the front of the garage structure. Adcox said Ortiz was to his left, taking a wider approach to the front of the garage. Adcox said he saw Martinez pointing a black semi-auto handgun at him (Adcox). Adcox said the gun resembled a Glock pistol. Adcox said before he had an opportunity to draw his own handgun, he heard 7 to 8 shots being fired from Officer Ortiz's position. Adcox saw several bullet impacts on Martinez's body as he (Martinez) continued to point his handgun at Adcox. Adcox also saw several bullet impacts in the dirt where Martinez was standing. Martinez fell onto his stomach. Martinez's right hand was near his head. His left hand was concealed under his torso. Officer Adcox said he approached Martinez and pulled his left arm out from under his torso and handcuffed him.

RIVERSIDE POLICE DEPT.
CONTINUATION PAGE

PAGE NO: 4

FILE NO: P14175586

DATE 11/20/14	TYPE OF REPORT O.I.S / 245(d)(1) P.C. ADW on a peace officer	INVESTIGATING OFFICER Jim Simons #0556
------------------	---	---

Officer Adcox said they immediately requested medical aid for Martinez. Adcox did not see the handgun that Martinez pointed at him lying near his body after the shooting. Adcox conducted a quick search of Martinez for weapons. Adcox said Martinez had a pack of cigarettes, a knife and wallet in his pockets. Martinez also had a "Leatherman Tool" in a sheath on his belt. Adcox tried to talk to Martinez however Martinez was not responding.

Shortly after the shooting, Adcox noticed Officer Mercedefe and Officer Arangure standing in the backyard of the residence where the shooting took place. Officer Adcox said medical aid arrived on-scene and one of their personnel asked him to remove the handcuffs from Martinez so they could attempt to treat Martinez for his gunshot wounds. Officer Adcox said he removed the handcuffs from Martinez. Officer Adcox then reported to the Magnolia Station in order to be interviewed by Robbery-Homicide Detectives.

Officer Adcox received several abrasions on his right and left arms while jumping over the chain link fence. He also had a small puncture wound to his right hand.

Following the interview with Officer Adcox, Evidence Tech Susan Lane took photographs of Officer Adcox and completed the charting process of his department issued handgun.

No further information.

RIVERSIDE POLICE DEPT. Resistant Informant
Public Records Act
ANGIE 12/10/2015 8:49:26 AM Unauthorized Release Prohibited

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 OFC. JEFFREY ADCOX

Q=Det. Jim Simons

Q1=Det. Adrian Tillet

A=Ofc. Jeffrey Adcox

Q: Okay. This is Det. Jim Simons, Riverside Police Dept. We're at the M-Magnolia Street Police Station, in, uh, Sgt., uh, Troy Banks office, um, conducting an interview with Ofc. Adcox, and present is, uh, Det. Tillet. Um, the date is 11/18/2014, and it is approximately 5:47 pm. Um, so we'll just go around the room and introduce ourselves, um, starting with you Ofc. Adcox.

A: I'm Jeffrey Adcox.

Q: Uh, Det. Tillet?

Q1: Uh, Adrian Tillet.

Q: And this is Det. Jim Simons. My ID is 556. Uh, you go by Bryon also, right?

A: Yes.

Q: And your first true name is Jeffrey?

A: Yes.

Q: Is it B-R...

A: Y-O-N.

Q: And what's your date of birth?

A: Uh, [REDACTED]

Q: And Bryon, what's your, uh, ID number?

A: 1463.

RIVERSIDE POLICE DEPT. Public Records Request Information
ANGIE 12/10/2015 8:43:31 AM Unauthorizd Release PROHIBITED

46 Q: And how long have you been employed with the Riverside Police Dept.?

47

48 A: Nine years.

49

50 Q: And did you have any other, uh, law enforcement experience with any other
51 agencies prior from starting to work here at Riverside Police Dept.?

52

53 A: No.

54

55 Q: Okay. What's your current assignment?

56

57 A: I'm assigned to the Police and Corrections Team, PACT.

58

59 Q: And how long have you been with the PACT team?

60

61 A: Three years.

62

63 Q: And, um, so it's my understanding that you were a witness to an officer-
64 involved shooting, and we are here investigating an officer-involved shooting,
65 uh, that occurred today at approximately, uh, 2:31 pm, and it's my
66 understanding that the officer-involved shooting occurred to the rear of a
67 residence at 10479, uh, Keller. Does that sound about right?

68

69 A: Yes.

70

71 Q: Okay. And were, uh - did you have a partner officer today?

72

73 A: Yes, I did.

74

75 Q: And who was your partner officer?

76

77 A: Uh, Marco Ortiz.

78

79 Q: Okay. And were you guys, uh, traveling in a, uh, Riverside Police car?

80

81 A: Yes.

82

83 Q: And is it an unmarked PACT Unit car?

84

85 A: Yes.

86

87 Q: And is the car equipped with the emergency lights and siren?

88

89 A: Yes, it is.

90

91 Q: And were the, uh - it's my understanding that you guys were involved in a
92 pursuit or a failure to yield?
93

94 A: A slow one, yes.
95

96 Q: Okay. And were the, uh - was the unit's, um, lights and sirens - were they
97 functioning properly...
98

99 A: Yes.
100

101 Q: ...during - during the failure to yield? Okay. And I just want to talk about
102 what your, um, uniform of the day was today, and can you describe what your
103 uniform consists of?
104

105 A: I'm wearing a black raid vest that has my name and the word police on the
106 front. It has a Riverside badge, and police in bright yellow letters on the back.
107 I'm wearing, uh, black pants and a shirt, and, uh, a holster for a gun.
108

109 Q: Okay. And was this, uh, the same uniform that you were wearing during this
110 incident today?
111

112 A: Yes.
113

114 Q: Okay. Um, so I just want you to start from the beginning. I'm just gonna let
115 you go on into a narrative. Just tell me, um, about this incident, how you first
116 became involved in this incident, um, from the beginning until the end, and
117 then I'll probably have some additional questions to ask you, um, after you're
118 done telling me what - what occurred today. So just go ahead and start from
119 the beginning and tell me what you remember that occurred.
120

121 A: Uh, earlier in the day we were contacted by, uh, Det. Detmer. Um, he
122 informed us that he had a - a CI that, uh - whoever she knew - well the guy
123 was sellin' dope and he possibly had a firearm. Uh, he asked, uh, me if, uh, if
124 we could spare one car, um, but we didn't really have anything going on, so
125 our team, uh - we said we would help 'em out.
126

127 Q: Okay.
128

129 A: Um, our team met down - outside of Mag Station, and we had a brief, uh,
130 'bout the guy's name, his picture of what he was drivin', the license plate, and
131 we put together a little ops plan or a little, you know, um, uh, what we were
132 kinda gonna do. As Det. Detmer was gonna go get eyes on the house to see if
33 the truck was there, um, we came up with a plan of how we wanted to set up
134 our units, and, uh, we left the station. Um, once we got into the area, uh,
135 where the possible suspect was - house was, we again, you know - I assigned

136 locations where I wanted units, uh, in case he either came home or he left
137 again we'd have a unit to be able to do a traffic stop on him. Uh, Detmer
138 advised over the radio that, uh, his truck was not there and we had, like - so
139 we had the license plate of the truck and we had the make and model so we
140 kinda just stayed in the area to see if we saw the truck drivin' around. Um,
141 Detmer advised us over the radio that, um, the suspect possibly is coming
142 back home, um, so just be on the lookout for the truck. Um, I'm tryin' to
143 think. One of the narcotics detectives was set up at Keller and Jones.
144

145 Q: Okay.

146
147 A: And he advised over the radio he possibly sees a - a light colored, uh, Nissan
148 Frontier coming northbound on Jones. Well that is where I had placed myself
149 and Ortiz to be the takedown unit - we were kinda tucked in in the school
150 parking lot. We saw the same vehicle. It was traveling northbound. We had
151 the license plate. We pull out, um, the truck - we kinda just meet at the
152 intersection at the same time. Um, we developed a probable cause to pull him
153 over. He didn't stop at the stop sign, and he crossed into the intersection. Uh, I
154 confirmed the plate matched the plate that Det. Detmer gave us -- and I'm the
155 passenger in the vehicle -- so, uh, Tony activates the, uh, lights and sirens on
156 our vehicle, and we are kinda followin' this guy. The whole time that we were
157 behind him he was lookin' in the rearview mirror, like, motioning to us like
158 he's gonna pull over.
159

160 Q: Okay.

161
162 A: So - I can't remember at this time if there were cars that - where he couldn't
163 pull over, but he kept making motions, like, "I'm gonna pull over. I'm gonna
164 pull over." Then we turned left which would be west onto Campbell I think.
165

166 Q: Mm-hm.

167
168 A: Again, he made a motion, "I'm gonna pull over right here." So at this time I
169 had already put the traffic stop out on channel 1, um, I thought I had hit my
170 recorder - I can't remember. Um, we continue west, and then at this point this
171 is where (Merc) and (Christina) were set up at mini five points, um, just north
172 of the target house. He sees them. I don't know if his intention was to go back
173 home, or if he saw them so he turned southbound onto Bushnell. Again, he's
174 still makin' these hand gestures, like, "I'm gonna pull over." He wasn't
175 drivin' crazy or, you know, it wasn't, like, a full on pursuit, um, kinda just
176 drivin' slow.
177

178 Q: Mm-hm.

179

180 A: Um, he gets to his house. I think I put the address out. I saw it on the mailbox.
181 It was, like, 5341 or 5344 Bushnell, but what...
182
183 Q: 5433? Does that sound right?
184
185 A: Yeah.
186
187 Q: 5433.
188
189 A: But once he gets into the driveway he accelerates very quickly, and slams on
190 his brakes. I mean, I already got the door open 'cause I'm - at this point I
191 think he's gonna run. I get out. I swing wide. I have my gun out at this point,
192 um, just based on his actions, and the information that he was possibly armed
193 - I just didn't know, but the guy suck his hands up in the air, and at this point
194 it was kinda, you know - Tony and I are both tellin' him, "Get on the ground."
195 I hear Tony yellin' more 'cause he can see - he has a - a clearer view 'cause
196 he's on the same side of the driver's side. The guy's kinda got his hands up.
197 He, uh, kinda starts to turn to his body, like, he's not fully committed to
198 running yet, but he's gonna run.
199
200 Q: Mm-hm.
201
202 A: I holster my gun, and I just start goin' in his direction. At that time he just
203 takes off. He turns and just - I believe he runs southbound. If - I didn't have
204 time to take a look, but I believe his house - there was two houses on the
205 property - I think his house was probably the back one...
206
207 Q: Okay.
208
209 A: ...since he drove back there. Um, we ran southbound in front of a - I believe it
210 was a white house. I saw him jump. He got caught up on a - a weak chain-link
211 fence, and he kinda falls. I do the same thing. I jump up on top of the chain-
212 link fence, and I kinda get stuck on it, so I have to, like, jump off of it. As I'm
213 doin' that, he stands up, and he starts runnin' eastbound. The whole time, uh,
214 he wasn't reachin' for his waistband. He wasn't trying to get rid of anything. I
215 just thought he was runnin'. I thought maybe there was narcotics in the car
216 since he was supposedly sellin' narcotics. I go over the fence first, then Tony
217 comes over the fence, and then there's a lot of, uh - not big trees, but, like
218 small, medium-size trees, and there's - I think a barn or somethin' that, uh -
219 once you jump the fence the next building closest to you is a - a barn or
220 somethin'. I kinda hug the barn...
221
222 Q: Mm-hm.
223

224 A: ...and (Pie) had come around the corner. Tony fans out to my left. I saw the
225 suspect, but I had a hard time seeing his complete body because of the limbs,
226 and - so I think I lowered down, and when I did I just saw him with a gun
227 comin' towards my direction, and, like, almost simultaneously I heard shots
228 being fired. I don't know if he fired - the suspect. I know that Tony fired
229 'cause I could hear it off to my left. Um, I saw - I saw the suspect get hit a few
230 times. I also saw, like, puffs of dirt which I believe were the bullets being
231 fired and missed. Obviously at this time I've got my gun out. I didn't fire
232 'cause I felt like the threat was over with at that point. I had - I saw the
233 suspect with a gun when he went down. When he fell I don't know where the
234 gun went. I thought he fell on top of it because his right arm was out and his
235 left arm was tucked underneath, and when he fell I just - I did not see what
236 happened. I gave him commands, "Show me your hands. Show me your
237 hands." Um, I holstered my gun. I think Tony said he tossed the gun, or the
238 gun flew out of his hand - I can't really remember. Um, I went over, I grabbed
239 his left arm, and I pulled it out from underneath his body, and I handcuffed
240 him.

241
242 Q: Okay.

243
244 A: And then I searched him. I t- I requested medical aid through (Christina)
245 'cause she was - I heard her doin' radio - workin' on the radio so I asked for
246 AMR. I tried talkin' to the guy. I tried sayin', "Can you talk to me? Can you
247 breathe?" He made some attempts. He lifted his head at one point, but he
248 really didn't say anything, so I just l- I - I stayed right there. I laid him on his
249 side until, uh, the fire guys got there, and then they took over from there.

250
251 Q: Okay.

252
253 A: So.

254
255 Q: All right. Um, so basically when you were contacted by Det. Detmer he
256 basically told you that he was contacted by a citizen informant, and the citizen
257 informant, um, told him that, um, the suspect was in possession of a firearm,
258 and was selling dope, or may be in possession of dope? Is that your
259 understanding?

260
261 A: He was sellin' - yeah, he was sellin' narcotics, and, uh, he's had a gun or he
262 possibly had a gun.

263
264 Q: Okay. So somebody - the citizen informant or somebody had seen him with a
265 gun recently?

266
267 A: Yeah, I believe so.

268

269 Q: Okay. Um, do you remember what name was given to you as far as the
270 suspect's name? Did Detmer give you the suspect's name and show you a
271 photograph?
272
273 A: No. He briefed, uh, Det. Williams...
274
275 Q: Okay.
276
277 A: ...uh, in their office as we got our units ready.
278
279 Q: Okay.
280
281 A: Um, I believe it was Vincent Martinez.
282
283 Q: Okay.
284
285 A: I ran the guy on the way there just to try to get a background of his - his
286 criminal history.
287
288 Q: Okay. Know who you're dealing with?
289
290 A: Yeah.
291
292 Q: Okay. Um, and then y- did you view a photo?
293
294 A: Yes.
295
296 Q: The photo that y- you viewed during this briefing or prior to, um, the incident
297 - does it look like the subject that you guys had a confrontation with?
298
299 A: Yes.
300
301 Q: Okay. So you're - you're sure it was him?
302
303 A: Yes.
304
305 Q: Okay. Um, and then you mentioned that you were given, uh, a specific vehicle
306 that he was - this Vincent Martinez was driving. Do you remember what kind
307 of vehicle it was?
308
309 A: It was a Nissan Frontier 2014 registered to the subject.
310
311 Q: What color was it?
312
313 A: Gray.

314
315 Q: Gray? And, um, the plate that you were given during the briefing, or that you
316 were able to determine that he was in - driving - it's the same vehicle that you
317 guys...
318
319 A: Yes.
320
321 Q: ...observed coming down Jones Street? Um, so when you first saw this Nissan
322 Frontier coming, uh, I think you said northbound Jones?
323
324 A: It was definitely northbound. I'm just confused on my streets....
325
326 Q: Okay.
327
328 A: ...but I believe it was Jones.
329
330 Q: Um, Jones runs north/south, and it kind of parallels Tyler.
331
332 A: Yeah.
333
334 Q: And Jones is the first street that's west of Tyler.
335
336 A: That would be it then.
337
338 Q: Okay. Um, so the suspect was the only occupant of this truck.
339
340 A: The only, like, that I saw...
341
342 Q: Okay.
343
344 A: ...and I ran past the passenger's side of the vehicle, and I didn't see anybody
345 else in there.
346
347 Q: All right. Uh, so you picked him up right around Jones and Keller?
348
349 A: Yes.
350
351 Q: And he was going northbound towards Campbell?
352
353 A: Yes.
354
355 Q: Okay. And you guys said that you developed a probable cause. Do you
56 remember what the specific reason you guys were gonna try to pull him over
357 for other than the fact that you knew that - or you had information that he was
358 involved in being in - in possession of or sales of methamphetamine and that

359 he may have been armed. But you - you mentioned that you - you guys had
360 developed some kind of probable cause. I assume it was a vehicle code or
361 somethin'?

362

363 A: Yeah.

364

365 Q: Do you...

366

367 A: I mean, t- originally this was just gonna be treated as a (Wall) stop.

368

369 Q: Right.

370

371 A: But, yeah probable cause to pull him over was he didn't s- he didn't
372 completely stop at a stop sign.

373

374 Q: Was that the stop sign...

375

376 A: He clearly - he clearly came into the, uh, intersection before stopping.

377

378 Q: And...

379

380 A: I think he thought, "Oh, I'm good, 'cause", and then he realized we were the
381 police, so then he stopped.

382

383 Q: Okay.

384

385 A: So.

386

387 Q: So he passed the limit line...

388

389 A: Yeah.

390

391 Q: ...at the stop sign? And was that at, uh - was that northbound Jones at Keller
392 stop sign?

393

394 A: Yes.

395

396 Q: Okay. So you guys were basically gonna - you had the information about the
397 narcotics information, and the gun, and, um, why you were following him you
398 saw him commit a vehicle code violation, uh, running a stop sign, or doing a
399 California stop, or going past the limit line - so the vehicle continued
400 northbound Jones approaching Campbell, and it - was it at that point that you
401 guys tried to do a traffic stop on him?

402

403 A: Yes.

404
405 Q: Okay. So you turned the lights and siren on in the car?
406
407 A: Yes.
408
409 Q: Okay. And then you described that it wasn't like a full-on pursuit, but it was -
410 he wasn't pulling over, but he was, like - I mean we've all had people say,
411 "Oh, I'm gonna pull over", or "I'm gonna try to find a spot", so he was
412 motioning with his left hand out the driver's window that he was gonna pull
413 over, or he was pointing?
414
415 A: I don't want to say specifically with his left hand, but he was making the
416 movements - I can't remember which hand.
417
418 Q: Gestures that...
419
420 A: But even me and Tony had it back and forth. He was, like, "He keeps saying
421 he's gonna pull over here."
422
423 Q: Right.
424
425 A: So.
426
427 Q: Okay. Um, so did he do that the majority of the way down Jones, and then
428 Campbell, and then also Bushnell?
429
430 A: Yes.
431
432 Q: He was pretty much doin' it the whole way?
433
434 A: Yes.
435
436 Q: So it sounds like he was tryin' to make it home?
437
438 A: Yeah. I mean, that's - that's happened before...
439
440 Q: Okay.
441
442 A: ...where people think they...
443
444 Q: Yeah.
445
446 A: ...get their vehicle home that...
447
448 Q: they - you won't tow it or somethin'?

449
450 A: it won't get towed, or yeah.
451
452 Q: Okay. Um, so you continue attempting to stop him. He continues, uh, he
453 makes the left-hand turn which is westbound Campbell from Jones. Um, you
454 said he saw some of your partners near the intersection of Campbell and
455 Jones, and then he made a left on Bushnell?
456
457 A: Yes.
458
459 Q: I'm sorry. Campbell. Campbell and Bushnell - he made a left or southbound
460 turn on Bushnell?
461
462 A: Yes.
463
464 Q: And was he still - how fast was he goin' while he was driving?
465 Approximately?
466
467 A: Uh, if I had to guess approximately, it was at, like, 30 mph.
468
469 Q: Okay.
470
471 A: At pursuit standards it was not - it was slow.
472
473 Q: Not very fast at all?
474
475 A: So, yeah.
476
477 Q: Okay. Um, so he turned left into his driveway, or what you assume was his
478 driveway since you had an idea where he lived?
479
480 A: Yeah. I just assumed that he was going there, but I didn't...
481
482 Q: Okay.
483
484 A: ...for some reason I just remember seeing the - a 41 on a mailbox.
485
486 Q: Okay. And was it a long driveway? Is it, like, a driveway that goes behind the
487 residence or somethin'?
488
489 A: From what I can remember once you make the turn into the driveway there
490 was a house off to your right - or it's not really a house, it's a small - maybe
491 apartment.
492
493 Q: Okay.

494
495 A: And there was another one set even farther back on the property, so I wouldn't
496 - I mean it's not a long driveway, but it's not one you just pull right up to a - a
497 garage. You had to go past a- another building to get to where he drove to.
498
499 Q: Okay. And how far down this, uh, driveway - can you estimate about how far
500 in yards - feet he drove down before the vehicle came to a stop?
501
502 A: God, 30 yards.
503
504 Q: About 30 yards? Okay.
505
506 A: About 30, 40 yards.
507
508 Q: So it's still kinda within view from Bushnell St. if you were standing on the
509 street?
510
511 A: Yes.
512
513 Q: Okay. Um, and you said that he kind of accelerated quickly down the
514 driveway?
515
516 A: Yeah. Once he...
517
518 Q: Was he tryin' to get some distance between you and him?
519
520 A: Possibly, yeah.
521
522 Q: Okay. And he - and he came to a quick stop?
523
524 A: Yes.
525
526 Q: All right. And, um, so he g- I assume he got out on the driver's side?
527
528 A: Yes.
529
530 Q: And could you tell what he was wearing at that point?
531
532 A: I just saw he had a shaved head and a black shirt.
533
534 Q: Were you able to estimate the age of him?
535
536 A: I knew from running him - I think he was probably 33 - 34.
537

538 Q: Okay. Was it at that time when he got out of the car that you were able to say,
539 "Okay. That's the guy..."
540
541 A: Yeah.
542
543 Q: ...that's Vincent Martinez. That's the guy that I saw in the photograph earlier
544 during our briefing."
545
546 A: Yes.
547
548 Q: So you realized that this was your - the target?
549
550 A: Yes.
551
552 Q: The guy that you had information that he had a gun - possibly had a gun, and
553 drugs?
554
555 A: Yes.
556
557 Q: Okay. Um, when he got out, uh, did he say anything at that point? Was he
558 facing you, or was he...
559
560 A: He - he faced towards Tony.
561
562 Q: So he turned and faced towards Tony s...
563
564 A: He had his hands up.
565
566 Q: You're in the passenger side, Tony's to your left on the driver's side. He
567 turned - did he put his hands up in, like, the air like this, or just - did he show
568 you his hands?
569
570 A: I just kind of remember - yeah, kinda, like, just showin' my hands. 'Cause that
571 was what was throwin' me off. I was, like, "Well, if you have information he
572 possibly has a gun, most people that have a gun are gonna try to get rid of that
573 thing as fast as possible."
574
575 Q: Right.
576
577 A: And I never saw him reach for his waistband one time.
578
579 Q: Okay. Um, was his shirt untucked to where you could see - would you be able
80 to see, or was it tucked in?
581

582 A: I - well see at first I had a hard time seeing below chest-level because I'm -
583 the direction I was looking - he was kind of on the driver's side where the
584 hood area is, so all I saw was his hands.
585
586 Q: So he was slightly in front of the door.
587
588 A: Yeah. And we were both...
589
590 Q: (Unintelligible).
591
592 A: ...giving him commands to, "Get on the ground. Get on the ground," but he
593 kinda kept slowly doing the - I'm sure in his mind he was tryin' to make up,
594 "Am I gonna run or not?"
595
596 Q: Right.
597
598 A: So.
599
600 Q: Okay. Was he kinda, like, slowly backin' up...
601
602 A: Yes.
603
604 Q: ...while he was - so he had his hands up like this facing you guys. You're
605 giving commands, "Get on the ground. Get on the ground." And...
606
607 A: He slowly started to blade his body, like, trying to decide is he gonna run or
608 what's he gonna do?
609
610 Q: Okay. When you guys were giving him commands, did you have your guns
611 out at that point?
612
613 A: I did, yes.
614
615 Q: Okay. Did - could you tell if Tony did?
616
617 A: I want to say he did, yes.
618
619 Q: Okay. 'Cause I mean you had information that he may have been armed, so...
620
621 A: Yeah.
622
623 Q: ...it would make sense that you - you guys had your guns out. So, um, he's
624 not responding to your commands. Did he say anything at that point that you
625 can recall?
626

627 A: I wanna say he said somethin', but I can't remember. I know he made some,
628 like, a sound - I don't know if he started yelling when he took off running, or -
629 for some reason that's in my mind, but I don't remember him saying anything
630 specifically to me.
631

632 Q: Okay. Um, at any point during this pursuit or at the termination of this failure
633 to yield in the driveway, did you see him on a cell phone?
634

635 A: No, I did not.
636

637 Q: You never saw him talking on a cell phone - anything like that?
638

639 A: No.
640

641 Q: Okay. Um, so he's tryin' to decide what to do in your mind, and he starts to
642 blade his body and he starts to run away from you guys?
643

644 A: Yes.
645

646 Q: So his back's - his back is facing you now, and he's running away?
647

648 A: No. That's the - for me - the angle that I had...
649

650 Q: Right.
651

652 A: ...like, if this is it, and the truck's right here...
653

654 Q: Mm-hm.
655

656 A: ...he ran this way, so he literally ran in front of me. I had to close distance and
657 run - his back wasn't to me until I started chasing him towards that fence
658 where we all kind of got hanged up on.
659

660 Q: So he went around the front of his truck...
661

662 A: Yeah. And went through...
663

664 Q: ...and you're running
665

666 A: ...what I believe was another - there was another, like, small chain-link fence
667 - like, I wouldn't have been able to just tackle him, I'd of had to jump over
668 that fence - I went around it, and then that's when the- you know, were
669 chasin' him, you know, tellin' him to stop. He hits that chain-link fence and
670 falls over.
671

672 Q: Okay.
673
674 A: So.
675
676 Q1: Did - did you see the scene?
677
678 Q: No.
679
680 Q1: No. There's that initial chain-link fence, right?
681
682 A: In front of the house.
683
684 Q1: And then the one that's between the two yards - the Keller yard?
685
686 A: Yes.
687
688 Q1: That's - okay. So you initially didn't have the angle to get over that first
689 fence?
690
691 A: No.
692
693 Q1: He did because it was open, right?
694
695 A: Yeah.
696
697 Q1: And then the second fence at the - kind of almost looks like chicken wire?
698
699 A: Yeah.
700
701 Q1: Okay.
702
703 A: Yeah. Yep.
704
705 Q1: Yeah. Okay.
706
707 Q: So, um, did you guys continue yelling commands, "Stop. Police"? What were
708 you guys saying to him as he's running?
709
710 A: I know we were giving him commands because at one point I thought I was
711 gonna be able to grab him off that fence, but he was able to fall over...
712
713 Q: Okay.
14
715 A: ...and I think you drop down a little bit - it's not level with the...
716

717 Q: same property?

718

719 A: Yeah.

720

721 Q: It's like...

722

723 A: So we're tellin' him, "Stop. Stop. Stop runnin'." Um, and then I know for a
724 fact we were givin' the commands once we got out of the car.

725

726 Q: Okay.

727

728 A: 'Cause I - I - at one point I heard Tony yellin' at him, and, uh, telling him to
729 get on the ground and show his hands, and, uh...

730

731 Q: You guys recall yelling, "Police," or "Riverside Police," or anything like that
732 other than - besides, "Get on the ground."

733

734 A: I don't remember.

735

736 Q: Can't remember? But you were giving him commands?

737

738 A: Yeah.

739

740 Q: Okay.

741

742 A: He knew we were the police.

743

744 Q: Right.

745

746 A: So.

747

748 Q: Okay. Um, so he starts - he starts running - I guess it would be westbound like
749 he's jumpin' the fence - so he ki- he kinda got hung up on the fence to where
750 you were almost able to actually catch up to him?

751

752 A: I thought I was gonna be able to grab him.

753

754 Q: Pull him off the fence?

755

756 A: Yeah.

757

758 Q: And then he fell over on the other side?

59

760 A: Yes.

761

762 Q: So when he made it over on the other side, did he actually, like, fall on the
763 ground, or did he hit his - well, did he land on his feet, or...
764
765 A: No. He - he - I want to say he - he landed on his stomach.
766
767 Q: He landed on his stomach? Okay. And then he immediately popped back up?
768
769 A: Yeah. And that's - that's - that's - I don't know if I made it clear - that's why
770 it kind of threw me off this whole time with him having that gun 'cause he
771 wasn't tryin' to control it. He wasn't - I didn't think he had it on him to be
772 honest with you.
773
774 Q: Okay.
775
776 A: And then when I - or when I came around the corner and I saw it, that's
777 when...
778
779 Q: That's when you - okay.
780
781 A: Yeah.
782
783 Q: So he - he wasn't making any movements...
784
785 A: No.
786
787 Q: ...to try to keep it in his waistband or wherever he had it.
788
789 A: No.
790
791 Q: Okay. Um, so it's a chain-link fence, so you're able to kinda keep - keep an
792 eye on him as he's falling over the other side landing on his stomach?
793
794 A: Yes.
795
796 Q: Okay. And then I believe you said you jumped over the fence first?
797
798 A: Yes.
799
800 Q: And you kinda had a little problem on top of the fence also?
801
802 A: Yes.
803
804 Q: Okay. And then you - did you end up falling on your side? On your feet? How
805 did you land?
806

807 A: I landed on my feet.
808
809 Q: Landed on your feet? And then Tony followed over...
810
811 A: I think he had his gun out. I think Tony had his gun out, and that's what
812 hinked him up - I think he had to put his gun away...
813
814 Q: Okay.
815
816 A: ...and then get over the fence.
817
818 Q: Okay.
819
820 A: But I'm not a hundred percent sure.
821
822 Q: And at - at this time you're still - you're holstered as you're running?
823
824 A: Yes.
825
826 Q: Okay. Um, so Tony gets over the fen- you get over the fence. Tony gets over
827 the fence, and were you able to s- keep an eye on him, or did you ever lose
828 sight of him...
829
830 A: I lost sight of him for a second.
831
832 Q: Okay. And that's because there's some kind of a building, or...
833
834 A: I was...
835
836 Q: ...or a tree, or...
837
838 A: ...I assume it was a barn. I think there was a pony back there in the yard, um,
839 but at the end there's - once you were in the - if you were facin' this - towards
840 the wall, you go over the chain-link fence - there's a structure right there.
841
842 Q: Okay.
843
844 A: He goes eastbound and makes a hard right southbound.
845
846 Q: Okay.
847
848 A: I lost him for a second.
849
850 Q: Okay.
851

852 A: And, um - I - like I said I went over the fence, and then Tony came over my
853 left side so technically both - I'm guessing we started runnin' together.
854
855 Q: Right.
856
857 A: And I took the route closest to the building. He fanned out left.
858
859 Q: Okay. So he's kinda to your left...
860
861 A: Yeah.
862
863 Q: ...and he took a wide...
864
865 A: Yes.
866
867 Q: ...kinda, like, he's pie'ing to where he can see?
868
869 A: Yeah.
870
871 Q: And you're closest to the building?
372
873 A: Yeah.
874
875 Q: So...
876
877 A: I - I was closest to the building, yes.
878
879 Q: ...so did it - in your mind do you believe that Tony was able to see him first -
880 the bad guy first?
881
882 A: Yes.
883
884 Q: Okay.
885
886 A: Yes.
887
888 Q: And did you see Tony take his gun back out of the holster at any point?
889
890 A: No.
891
892 Q: So you're tryin' to figure out where the suspect went, and as - and when you
893 come around the corner, what - what did you see him doing?

895 A: That's when -- earlier I was saying I kinda got -- my view was kind of
896 obstructed, uh, obstructed. I saw him, but I didn't - there was leaves and, um -
897 it's hard to remember now, but...
898
899 Q: You're lookin' through a bush or a tree or something'?'
900
901 A: Yeah.
902
903 Q1: There's - there's trees, right?
904
905 A: Yeah.
906
907 Q1: There's several trees back there.
908
909 A: And so I could see his back, but once I - I came ov- I think I moved right, and
910 I ducked down a little bit. That's when I saw him like this coming towards me
911 with a gun. At the same time I - I think Tony was already shooting.
912
913 Q: Okay.
914
915 A: So.
916
917 Q: So you - you're makin' a motion like he had a gun in his right hand?
918
919 A: Yes.
920
921 Q: Okay. So you saw him with a gun in his right hand, and was he pointing it at
922 you, or Tony, or could you tell?
923
924 A: He was making his way towards me. I - that's what I believed.
925
926 Q: Okay. But it's definitely - you could see that it's pointing in your direction?
927
928 A: Yes.
929
930 Q: Okay. And, um, he had it in his right hand?
931
932 A: It was in his right hand. I'm not gonna - I don't wanna s- make a s- say that it
933 was definitely pointed at me. It was almost in my direction.
934
935 Q: Okay.
936
937 A: You know what I'm sayin'?' 'Cause I - I didn't - it happened so fast, that I
938 think he was coming my way, but Tony saw the threat bef- uh, before I did...
939

940 Q: Sure.

941

942 A: ...'cause my view was obstructed.

943

944 Q: Right.

945

946 A: He did what he - he did, and - and then I saw the suspect go to the ground.

947

948 Q: Okay. Could you de- do you remember what the gun looked like?

949

950 A: It was black.

951

952 Q: It was black? Was it a - could you tell if w- I know you were lookin' through

953 trees and stuff - could you tell if it was a semi-automatic or a revolver?

954

955 A: I thought it was a Glock to be honest with you.

956

957 Q: It looked like a Glock?

958

959 A: Yeah.

960

961 Q: Okay. Um, so as you first get visual of him with that gun in his right hand, and

962 then - and he's pointing it in your guys' direction, you said that you heard a g-

963 gun being fired?

964

965 A: Yes.

966

967 Q: And you don't know if it was the bad guy, but you do know that Tony was

968 shooting?

969

970 A: Yes.

971

972 Q: Because obviously he's to your left so I mean you probably - did you hear the

973 - the...

974

975 A: Yes.

976

977 Q: ...shots coming from Tony's gun?

978

979 A: Yes.

980

981 Q: Okay. Um, were you looking at Tony at that point, or were you trying to

982 keep...

983

984 A: I - I...

985
986 Q: ...visual lined up?
987
988 A: ...never took my eyes off the suspect.
989
990 Q: You were looking at the suspect?
991
992 A: Yes.
993
994 Q: Okay. Um, about how many rounds do you think - uh, just estimating, that
995 Tony fired?
996
997 A: Well, if I had to guess I would say seven or eight.
998
999 Q: Seven or eight shots?
1000
1001 A: I saw two - I saw him - the suspect being hit a few times.
1002
1003 Q: Where did you see him being hit at?
1004
1005 A: Once in the shoulder. Once - I remember seeing the shirt, like...
1006
1007 Q: So you could see the impacts on his body?
1008
1009 A: Yeah. And I remember seeing two puffs of dirt...
1010
1011 Q: Okay.
1012
1013 A: ...near the suspect too, which I believe were rounds that missed.
1014
1015 Q: Like, by his feet or something?
1016
1017 A: No. They were more towards his shoulders.
1018
1019 Q: The puffs of dirt?
1020
1021 A: Yeah. I think Tony was - the shots Tony shot that didn't hit him - I think that's
1022 what I saw was the puffs...
1023
1024 Q: Okay.
1025
1026 A: ...or rounds going into the ground.
27
1028 Q: I gotcha. Okay.
1029

1030 A: So.

1031

1032 Q: Um, while you were in the backyard before the shooting started, were there -

1033 did you guys - were you still yelling commands, "Stop running. Police"?

1034 Anything like that?

1035

1036 A: Yeah, we were gi- giving those commands the entire time.

1037

1038 Q: The whole time you were chasing him?

1039

1040 A: Yeah.

1041

1042 Q: What - do you remember what you were saying?

1043

1044 A: I was telling him to stop.

1045

1046 Q: Stop?

1047

1048 A: Stop running.

1049

1050 Q: Okay.

1051

1052 A: And I know I told him to get on the ground multiple times.

1053

1054 Q: Okay. And he just continued to go?

1055

1056 A: Yeah.

1057

1058 Q: All right. Um, So you never saw where he got this gun from?

1059

1060 A: No.

1061

1062 Q: The first time you saw this gun is when you came up - you were lookin'

1063 through the trees next to the building and you see the gun in his right hand,

1064 and he's pointing it towards you guys? That's the first time you saw it?

1065

1066 A: Yes.

1067

1068 Q: You never saw him making any kind of movements (unintelligible) like that

1069 one?

1070

1071 A: That's why when I saw him with a gun it through me off.

1072

1073 Q: Okay.

1074

1075 A: Because my experience when I've chased people with guns before - you can
1076 tell they're trying to get rid of it through their waistband, or they'll tell you,
1077 "I've got a gun." Especially when we were over the fence as hard as he did...
1078

1079 Q: Right.

1080

1081 A: ...that gun probably would have come out. I just - I didn't see anything that
1082 made me believe he had a gun.

1083

1084 Q: Right.

1085

1086 A: Until I actually saw it, so.

1087

1088 Q: Until you actually saw it in his hand? Okay. Um, now in your mind was he
1089 pointing the gun at you guys or was he trying to throw it?

1090

1091 A: What I - like I said it happened like that - my mind - he wasn't - I didn't see
1092 him do - reach down, like, towards his waist and try to throw it.

1093

1094 Q: Right.

1095

1096 A: He had an extended arm out, and - and a rotating motion. It would have been
1097 towards me first.

1098

1099 Q: Towards you?

1100

1101 A: And, like, at the same time shots were being fired.

1102

1103 Q: Okay.

1104

1105 A: So.

1106

1107 Q: So if he was going to just throw the gun, he would have made, you know, a - a
1108 different type of motion, not actually - like, the way you - the way he was
1109 holding it - did the way he was holding it, um, did that form your opinion -
1110 whether or not he was trying to throw it or whether he was pointing it at you
1111 to use?

1112

1113 A: I never thought he was trying to throw it. Because once I saw him fall I
1114 thought he fell on top of the gun.

1115

1116 Q: Okay.

1117

1118 A: And h- he - obviously I didn't see him. I lost him for that split second. If he
1119 wanted to get rid of it he could have threw it in front of him.

1120
1121 Q: Sure.
1122
1123 A: There was plenty of room to throw it in front of him. Um, it makes no sense to
1124 me why he would, you know, locked arm it's hard to throw something - well,
1125 a - a gun with a locked arm.
1126
1127 Q: Right. And the...
1128
1129 A: So.
1130
1131 Q: ...he was holding it like you normally would hold it by the handle as if you
1132 were going to fire a gun?
1133
1134 A: Yes.
1135
1136 Q: Okay. Um, could you see where he was looking when he was pointing the gun
1137 in your direction?
1138
1139 A: His body was just like I said, turning towards me.
1140
1141 Q: It's kind of all one movement? S...
1142
1143 A: Yeah, it happened that fast. Uh...
1144
1145 Q: Okay. Um, if Tony wouldn't have shot him do you believe that this guy could
1146 have end up shooting one of you guys?
1147
1148 A: Yes.
1149
1150 Q: Okay.
1151
1152 A: Because I didn't have my gun out, and I'm not saying he would have shot me
1153 per se, but I thought maybe he did fire because - just all the rounds and
1154 sounds going on - but yeah he easily could have got some shots off toward
1155 me, so.
1156
1157 Q: Okay. So right now you - you don't know if he did or not? It's possible that he
1158 did?
1159
1160 A: Yeah.
1161
62 Q: Okay. Um, so the way he was holding the gun, the way he started pointing it
1163 at you guys, um, in your mind it's possible that this guy could have fired a
1164 round at you?

1165
1166 A: Yes.
1167
1168 Q: Okay. Um, and obviously the, you know, the detectives are out there
1169 investigating the crime scene portion, you know, check to see if the gun was
1170 fired, look for casings to see if it was fired. And I don't know if he did or not,
1171 you know, I - I don't have that information yet. It's possible that he may have.
1172
1173 A: I just saw some weird bullet casing on the ground. I thought near his head or
1174 his hand or somethin'...
1175
1176 Q: Okay.
1177
1178 A: ...so I didn't know if he got jammed or - but that's just a piece of somethin' I
1179 saw - I don't know, so.
1180
1181 Q: Right. After the fact?
1182
1183 A: Yeah.
1184
1185 Q: Okay. Um, so, uh, you see this guy pointin' the gun at your direction, and you
1186 hear your partner fire seven to eight rounds, and you see some impacts and
1187 some misses and then the guy goes down? Um, so you holstered your gun, and
1188 you - you went over there to handcuff him, and you said you pulled one of his
1189 hands out from underneath him?
1190
1191 A: When he - when I saw him go to the ground, um, his right - I could see his
1192 right hand, and his left arm was underneath his body.
1193
1194 Q: Okay.
1195
1196 A: And so...
1197
1198 Q: So his right hand was out to where you could see that there was nothing in it?
1199
1200 A: Yes.
1201
1202 Q: Okay. And his left hand was underneath his body?
1203
1204 A: Yes. I - I wanna say his right hand was, like, near his - near his head.
1205
1206 Q: Okay.
07
1208 A: Um.
1209

1210 Q: Was he on his belly?

1211

1212 A: Yes.

1213

1214 Q: Okay. Um, and you said you grabbed his left hand, and at some point you
1215 handcuffed him?

1216

1217 A: Yes.

1218

1219 Q: Okay. And, um, was he saying anything at that point? Did he appear like he
1220 was...

1221

1222 A: When he first got h- shot...

1223

1224 Q: ...going into stress?

1225

1226 A: ...uh, you could tell that he was, uh - I thought he was gonna comply to be
1227 honest with you.

1228

1229 Q: Mm.

1230

1231 A: I thought he was gonna show his hand, and, um, move his arm out, but then,
1232 uh, (Merc) and (Tony) had lethal cover. Um, I felt comfortable out there, and
1233 grabbed his arm. I cuffed him. He - he - at that time he seemed to be breathing
1234 okay, but then I - he started to kinda, you know...

1235

1236 Q: Slowly start to sink?

1237

1238 A: Yeah.

1239

1240 Q: Okay. Shallow breathing?

1241

1242 A: Yeah. I - I just - I handcuffed him. I requested AMR. I rolled him on his side.
1243 I tried to talk to him - see if he'd communicate with me, but, uh - I think he
1244 made a little bit of attempt, but he didn't say anything.

1245

1246 Q: You couldn't tell what he was saying or anything?

1247

1248 A: No.

1249

1250 Q: Okay. Um, and did you see his firearm any point after that?

1251

1252 A: No. That's why I was - I asked, "Where's the gun? Where's the firearm?"
1253 And, uh, someone said it was over there on the concrete.

1254

1255 Q: Okay.
1256
1257 A: So.
1258
1259 Q: So it wasn't around his immediate area?
1260
1261 A: No.
1262
1263 Q: So at some point during the shooting the gun ended up a - a little distance
1264 away from him?
1265
1266 A: Yes.
1267
1268 Q: Okay. Um, when the shooting actually occurred, uh, who all was in the
1269 backyard, or who was in that area that you saw?
1270
1271 A: Just me and Tony, but honestly I know now - just, uh, when I turned around,
1272 but when the actual shooting happened I thought it was just me and Tony.
1273
1274 Q: Okay. And then, um, after you handcuffed him and started looking around did
1275 you see more people there?
1276
1277 A: Yeah. I saw, um, (Mercadefe), and (Christina Angure).
1278
1279 Q: You don't know if they were in the backyard during the shooting or if they
1280 had jumped the fence shortly after the shooting?
1281
1282 A: At the time I did not know.
1283
1284 Q: Okay.
1285
1286 A: But, uh, now I do know that they were there when it happened, but that's just
1287 about, you know, uh...
1288
1289 Q: Something you learned after the fact?
1290
1291 A: Yeah.
1292
1293 Q: Okay. Did you see any other civilians in the area that may have witnessed it?
1294
1295 A: Uh, I wanna say there was a lady in the - probably the backyard - I don't - the
1296 Keller address. I'm not a hundred percent positive of the address. I saw her
1297 face in a window, but I don't think she saw it, I think it was after the fact, and,
1298 um, I remember someone asking her if she's okay, if everybody in her house
1299 is - everybody was okay.

1300
1301 Q: Okay.
1302
1303 A: And I remember her saying...
1304
1305 Q: So the officers checked to make sure that they were...
1306
1307 A: Yes.
1308
1309 Q: ...'cause that's the direction that officer, uh, Ortiz was firing?
1310
1311 A: Yes.
1312
1313 Q: Okay. Yeah we did - we also checked everybody and they're - they're fine.
1314 Um, so that lady - you saw her looking through I - I assume it was a back
1315 window in the backyard area?
1316
1317 A: Yes.
1318
1319 Q: Um, towards you guys?
1320
1321 A: Yes.
1322
1323 Q: Uh, of that residence where the shooting occurred?
1324
1325 A: Yes.
1326
1327 Q: On Keller? Um, do you remember what she was wearing? Could you see her
1328 top?
1329
1330 A: No.
1331
1332 Q: Couldn't tell what she was wearing?
1333
1334 A: No.
1335
1336 Q: Could you tell if she was white, black, Hispanic?
1337
1338 A: Uh, I think she was Hispanic.
1339
1340 Q: Hispanic lady?
1341
1342 A: Yes.
1343
1344 Q: Uh, do you know about old she was, or...

1345
1346 A: No.
1347
1348 Q: ...any- anything like that? Or could you tell if she had long hair?
1349
1350 A: I think she had blonde hair.
1351
1352 Q: Blonde hair? So she was loo- you noticed her looking through the window
1353 shortly after you handcuffed him, and...
1354
1355 A: Yes.
1356
1357 Q: Okay. Did you see anybody else in the area?
1358
1359 A: No.
1360
1361 Q: Um, did any of you guys, uh, conduct a search of the suspect, or...
1362
1363 A: I did.
1364
1365 Q: Okay. Did you locate anything during the search?
1366
1367 A: I just remember he had a - a knife on him, a Leatherman tool, some cigarettes,
1368 and a wallet.
1369
1370 Q: And I assume those were in some pockets?
1371
1372 A: Yes. Well, the Leatherman was, like, in a little black case on his belt.
1373
1374 Q: On his belt?
1375
1376 A: Yeah.
1377
1378 Q: Okay. And y- was there - there was a separate knife in one of the pockets?
1379
1380 A: I believe so, yes.
1381
1382 Q: Okay. Did you see any - any bullets, casings, anything like that in any of his
1383 pockets, any like a - baggies of dope, anything like that?
1384
1385 A: No.
1386
1387 Q: You just kinda did a...
1388
1389 A: Yes.

1390
1391 Q: ...quick search for, like, I assume weapons, or something?
1392
1393 A: Yes.
1394
1395 Q: Okay. Um, and you said at some point you un-handcuffed him. I assume that's
1396 because medical aid was responding and they were hopefully - they...
1397
1398 A: They - they asked me, yeah.
1399
1400 Q: They asked you? Somebody asked you to un-handcuff him?
1401
1402 A: Yes.
1403
1404 Q: Okay. Um, now before we, uh, I - we went on tape, you handed me your, uh,
1405 your PUMA recorder and you said that you - you may have activated it at
1406 some point.
1407
1408 A: Yes.
1409
1410 Q: And possibly captured some of this on audio? Do you remember at what point
1411 you may have activated it? Was it during the pursuit?
1412
1413 A: Well during the pursuit I know, uh, I - I turned it on because when we do a
1414 traffic stop we're supposed to record, so I know it was on. I know I hit it.
1415
1416 Q: Okay.
1417
1418 A: And I remember, um, once the sus- once I handcuffed the suspect I checked it
1419 again to make sure, and I don't remember if I hit stop, and I - and I hit play
1420 again.
1421
1422 Q: Okay.
1423
1424 A: So I don't know if I got the - the mini slow pursuit portion.
1425
1426 Q: Okay. Um, is there any other recordings on here, besides that?
1427
1428 A: There - there shouldn't be.
1429
1430 Q: Okay. All right, cool. Uh, let me just go here - is there anything else that we
1431 didn't talk about that you want to add while I go through my notes real quick?
32 Oh I know, did you get any - any injuries?
1433
1434 A: From the suspect?

1435
1436 Q: Did you get any injuries at all during this entire incident?
1437
1438 A: Yeah. I just got - just got cut up on arms and stuff going over the fence.
1439
1440 Q: So I - I see you've got some contusions and abrasions on your left forearm,
1441 uh, a little s...
1442
1443 A: Some scratches.
1444
1445 Q: ...looks like a cut - scratches to your right forearm and your palm. Um, when
1446 we do, uh, the charting just make sure we, you know - we'll get photographs
1447 of everything. Any other injuries?
1448
1449 A: No.
1450
1451 Q: Besides the visible ones on your arms?
1452
1453 A: No.
1454
1455 Q: Other than that you're all right?
1456
1457 A: Mm-hm.
1458
1459 Q: Okay. Um, do you have any questions?
1460
1461 Q1: (Unintelligible).
1462
1463 Q: Go ahead. You can ask him.
1464
1465 Q1: Um, just you talked about meeting at Mag to come up with an ops plan.
1466
1467 A: Mm-hm.
1468
1469 Q1: Can you - can you just kind of describe, um, what the plan was - your plan of
1470 attack or whatever you guys agreed to do and what, you know, whose role?
1471
1472 A: Yeah. Um, the plan was the - we had the suspect's - the target residence was
1473 based at the corner of Bushnell and Keller. Um, I assigned (Mercadefe) and
1474 (Christina) to be north of that location, and we call 'em mini five points. They
1475 were staged there, and - 'cause when we left here we believed that the - the
1476 person in question was home. So, if he drove northbound it would have been
1477 (Christina) and (Mercadefe)'s assignment to, uh, find a reason to stop him. I
1478 placed Det. Williams, uh, our DA investigator and the Corona guys and the
1479 (RSO) guy south of the location in case he went south, and I placed myself

1480 and, uh, Ortiz in the area of Keller and Jones, Keller and Bushnell area. Um,
1481 we do things like this all the time, um, so ops plan would be either we fill out
1482 an operations form -- a real quick one -- or it could be something as, you
1483 know, like, our team leader in this case, De- Chris Williams documented in
1484 his notepad. Um, I'm not a hundred percent sure if he filled out an actual ops
1485 plan but, um, we met here in Mag - kinda went over the suspect's name, his,
1486 uh - where he lives, his pictures, car, uh - in this case, uh, just when he threw
1487 out the fact that he's possibly armed, (Christina) grabbed, uh, the .40 mm, uh,
1488 in case it turned into where we don't need to use lethal, we have, uh, less
1489 lethal options. Um, and, you know, yeah the plan changed a little bit when he
1490 wasn't home, but, uh, other than that everything kinda stayed in place except
1491 we ended up doin' a traffic stop and he doesn't pull over.
1492

1493 Q1: Okay. Thank you.

1494
1495 Q: What kinda - what kinda previous information did you have about him beside
1496 - I think you said that you, uh, that you kinda looked at his criminal history?
1497

1498 A: In doing the brief, uh, I think they told us that he does have some violence in
1499 his past, so I just looked him up on my own through the courts, and I
500 remember telling Tony, I'm all, "I don't see any violence on this guy." If I
1501 remember correctly, I mean it was a lot of drugs. I want to say I saw a 211
1502 back in 2001, but I looked - just a lot of his history - through Riverside
1503 County...
1504

1505 Q: Hm.

1506
1507 A: ...it was in Narcotics, but I'm not a hundred percent accurate on that - I can't
1508 remember everything. It wasn't - you know, he had, like, six - six court
1509 cases...
1510

1511 Q: Okay.

1512
1513 A: ...so it wasn't like he had 19 and 20.
1514

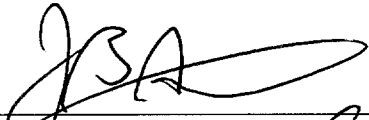
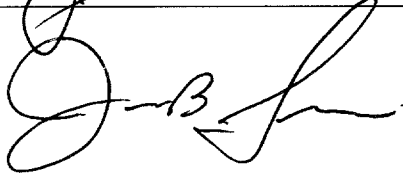
1515 Q: Right. Okay. Can you think of anything else? Can you think of anything else
1516 you want to add?
1517

1518 A: No.
1519

1520 Q: All right. We'll conclude the, uh, interview. It is about 6:29.
1521

22
1523 This transcript has been reviewed with the audio recording submitted and it is an accurate
1524 transcription.

1525 Signed

 1-21-2015
 1-21-2015

RIVERSIDE POLICE DEPT - Restricted Information
Public Records Act Request
ANGIE 12/10/2015 8:51:54 AM Unauthorized Release PROHIBITED