

Riverside Police Department
CA0331300

SUPPLEMENTAL REPORT

Date Prepared: 09-03-08

1. Original File No. P08-126023		3. Off. ID 605	4. NPC W	5. Crime-Cl.	6. Crime-Cl.	7. Crime-Cl.	8. Date / Time Occurred 09-01-08 / 1955		9. Day			
10. Date / Time Assigned /		11. Date / Time Inv. Start /		12. Date / Time Inv. Term. /		13. Type Cr. EXL	14. Type Cont. 28	15. Additional Adults Arr.	16. Additional Juv. Arr.			
17. Address of Occurrence (Street No. - Name - City - Zip) 5807 Yarborough St. Riverside, CA								18. Type of Place Residence				
For ID USE: V = Victim, I = Informant, W = Witness, O = Other												
19. ID: V	20. Last Name - First - Middle (Firm Name if Business) Officer Juan Munoz #1082						21. Race - Sex H - M		22. DOB			
23. Residence Address				24. Business or School Address Riverside PD			25. Home Phone		26. Bus. Phone (951) 787-7911			
27. ID: V	28. Last Name - First - Middle (Firm Name if Business) Officer James Heiting #1610						29. Race - Sex W - M		30. DOB			
31. Residence Address				32. Business or School Address Riverside PD			33. Home Phone		34. Bus. Phone (951) 787-7911			
S U S P E C T	35. Last Name - First - Middle Quinonez, Carlos David			36. Race - Sex H - M	37. Age 48	38. Ht. 5-09	39. Wt. 260	40. Hr. BRO	41. Eyes HZL	42. DOB or ID [REDACTED]	43. Arrested Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
	44. Address - Clothing - Other Marks or Identifying Characteristics 5807 Yarborough St. Riverside, CA											
45. Juv. Other () 2 Disp: Juris.		Juv. Cl. () 5 Prob.		Within Dept. () 6		Detained () 1		Not Detained () 2				
S U S P E C T	46. Last Name - First - Middle			47. Race - Sex	48. Age	49. Ht.	50. Wt.	51. Hr.	52. Eyes	53. DOB or ID		54. Arrested Yes <input type="checkbox"/> No <input type="checkbox"/>
	55. Address - Clothing - Other Marks or Identifying Characteristics											
56. Juv. Other () 2 Disp: Juris.		Juv. Cl. () 5 Prob.		Within Dept. () 6		Detained () 1		Not Detained () 2				

ORIGINALLY REPORTED DOLLAR VALUES ARE CHANGED AS SHOWN BELOW

Cat.	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	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$			
PR	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$			
60. Originally Reported Offenses (Code - Crime) (1) 245d1 PC (2)						61. Original Offenses Changed to (Code - Crime) (1) (2)				58. Stolen Auto Value ASP 59. Recovered Auto Value A2			
62. Narrative of Supplemental Report Officer Juan Munoz interview. See narrative.										62a. Audio Recording Available? No		62b. Incident Number:	
										Reporting Officer Rowe			
										Reviewed By JA			
										COPIES TO			
										VCL0 ()			
										ACTIONS			
										APB Sent			
										APB Cancd.			
										APR Sent			
										APR Cancd.			
										Entered DOJ - NCIC Cancd.			
										ENTERED			
										STATS ARBK ANI			

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DATE 9/3/2008	TYPE OF REPORT 245d1 PC	INVESTIGATING OFFICER Rowe #605
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Assisting personnel:

Sgt. Bruce Blomdahl
Sgt. Derwin Hudson
Detective Steve Shumway
Detective Mike Medici
Laura Ozols- Riverside Deputy DA
Saku Ethir- Attorney

Narrative:

On 9-1-08 I responded to 5807 Yarborough St. in the City of Riverside for an officer involved shooting investigation. Upon arrival I was assigned to assist Detective Steve Shumway with the investigation. Detective Mike Medici was assigned to process the crime scene. Sgt. Bruce Blomdahl briefed us on the incident and then guided us through a walk-through of the crime scene. We were advised that Officers James Heiting #1610 and Juan Munoz #1082 were involved in the shooting. Officers Heiting and Munoz had been transported to the Magnolia Station for interviews. Several witnesses that were at the residence when the shooting occurred were also transported to the Magnolia Station for interviews. The suspect was transported to Riverside Community Hospital (RCH) where he died as a result of injuries.

After the walk-through Detective Shumway and I responded to the Magnolia Station for interviews. Detective Shumway and I interviewed Carlos Quinonez Jr. and Officer Heiting. See Detective Shumway's supplemental report for details. Detective Shumway and I then interviewed Officer Munoz. The following is a summary of the recorded interview with Officer Munoz. The recording was downloaded to the RPD server.

Officer Munoz agreed to give a statement to Detective Shumway and I instead of writing a report. During the interview Deputy DA Laura Ozols and Officer Munoz' Attorney Saku Ethir sat in the room, but did not ask any questions. Officer Munoz advised us that he did not activate his department issued digital recorder during the incident. He advised that he had two previous recordings, but it was never activated during the shooting incident.

Officer Munoz stated he was working swing shift as C (Charles) 336 on 9-1-08 with partner Officer James Heiting. They were in police unit #3748 and he was driving. Officer Munoz was in his department issued blue short sleeve police uniform. Officer Munoz stated he has been a police officer for approximately 7 years.

Officer Munoz stated Officer Heiting and he were assisting another unit at the Magnolia St. Station. Officer Munoz stated they were just leaving the station and bought a call of a family fight (415 PC). Officer Munoz did not recall what time it was that they received the call, but stated it was dark outside. Officer Munoz stated he drove to the area and parked his police unit approximately 4-5 houses south of the residence at 5807 Yarborough. Officer Munoz stated they had not received any further updates to the call prior to arrival. Officer Heiting and he walked on the east side of the street in a north direction approaching the residence on the lawns. Officer Munoz stated he could hear a commotion at the residence as the garage door opened. Officer Munoz stated there was a lot of yelling going on between all the people in the garage.

Officer Munoz stated an older bald Hispanic male, S/ Carlos Quinonez, and an older heavy set Hispanic female walked from the garage to the end of the driveway. Officer Munoz stated S/ Quinonez was carrying what appeared to be a nylon beach umbrella carrying case. Officer Munoz stated he was standing just in front of the residence in the south portion of the lawn and partner Officer Heiting was to his left. Officer Munoz stated there was another heavy set, bald Hispanic male 5-08, 300 lbs. with a dark shirt on and tattoos (W/ Carlos

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Quinonez Jr.) that was coming in and out of the garage. Officer Munoz stated there was still yelling coming from inside the garage. Officer Munoz stated the Hispanic male in a dark shirt confronted him and asked Officer Munoz "who the fuck are you." Officer Munoz advised he was a police officer. Officer Munoz stated that while he was engaging the Hispanic male with the dark shirt in conversation, he could hear Officer Heiting talking with S/ Quinonez at the end of the driveway. Officer Munoz could hear that S/ Quinonez was not going along with the program and not complying with Officer Heiting's orders. Officer Munoz stated the Hispanic male with the dark shirt went back into the garage, but continued to act agitated. He was walking in and out of the garage, not listening to his orders, and was seen doing push ups in the garage. Officer Munoz felt he was trying to motivate himself to do something.

Officer Munoz stated the lighting was good in the area. Officer Munoz stated there were street lights in the area and light coming from the garage. Officer Munoz also advised that he had his flash light with him. Officer Munoz advised that he could clearly see S/ Quinonez and the female at the end of the driveway. Officer Munoz stated after the Hispanic male went into the garage he turned his attention to S/ Quinonez and the female at the end of the driveway. Officer Munoz stated the female started to walk away towards the garage. Officer Munoz heard S/ Quinonez tell Officer Heiting to "get the fuck out of here." Officer Munoz could still see the light green nylon umbrella beach bag in S/ Quinonez arms. Officer Munoz stated S/ Quinonez was standing at the end of the driveway being confrontational with Officer Heiting.

Officer Munoz heard the sound of the nylon bag rubbing against something. Officer Munoz stated he saw S/ Quinonez pull some sort of rifle with a pistol grip out of the bag. Officer Munoz stated it was definitely a rifle or shotgun with a pistol grip. Officer Munoz stated he told S/ Quinonez to drop the gun or put the gun down. Officer Munoz stated S/ Quinonez racked a round into the chamber of the shotgun. Officer Munoz yelled to the Hispanic female to get out of the way and she went to the garage. Officer Munoz stated the female was also trying to tell S/ Quinonez to put the gun down. Officer Munoz stated after he racked the shotgun, S/ Quinonez raised it and started to point it at him. Officer Munoz stated he fired 2-3 rounds from his handgun at S/ Quinonez. Officer Munoz stated S/ Quinonez was approximately 30-35 feet away. Officer Munoz stated he was in fear for his life when S/ Quinonez raised the shotgun at him. Officer Munoz saw Officer Heiting to his left and he tried to get to cover behind a silver car that was parked on the street. Officer Munoz stated he put out his arm and Officer Heiting fell behind the car.

Officer Munoz stated he heard the gunshots and then he saw Officer Heiting lying on the ground behind the silver car. Officer Munoz stated S/ Quinonez was standing when he originally pointed the shotgun at him. Officer Munoz stated after he fired his handgun, S/ Quinonez went down to the ground. Officer Munoz thought that Officer Heiting might have been shot when he heard the gunshots and then saw Officer Heiting on the ground behind the car. Officer Munoz stated he called for an 11-99 and requested more units.

Officer Munoz turned his attention back toward S/ Quinonez who was now lying at the end of the driveway in the gutter with his head in a north easterly direction and the shotgun lying next to him. Officer Munoz stated the Hispanic male with the dark shirt came out of garage and appeared that he was going to try and get the shotgun. Officer Munoz was giving commands to the people in the garage to get on the ground. Officer Munoz advised the Hispanic male that he would shoot him if he got close to the shotgun. Officer Munoz stated S/ Quinonez was still talking and trying to get up. Officer Munoz stated S/ Quinonez got onto his knees or butt. Officer Munoz stated S/ Quinonez picked up the shotgun again and raised it towards Officer Munoz. Officer Munoz was yelling at S/ Quinonez to drop the gun several times. Officer Munoz stated S/ Quinonez would not drop the gun, so he fired 2-3 more rounds. Officer Munoz again felt that his life and Officer Heiting's life were

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endanger. Officer Munoz did not see S/ Quinonez fire any shots. Officer Munoz stated S/ Quinonez did not get up after that. Officer Munoz did not know if Officer Heiting fired any shots at S/ Quinonez during the incident.

Officer Munoz stated after the shots were fired people started running into the house from the garage. Officer Munoz stated the Hispanic male with dark shirt was still acting agitated and not complying with commands. Officer Munoz stated he called for the assisting units to bring a shield. Officer Munoz stated Sgt. Hoxmeier, Blomdahl, Officer Vince Morris, Officer Heiting and himself formulated a plan to get S/ Quinonez medical aid and render the situation safe. Officer Munoz stated they approached S/ Quinonez behind the shield and drug S/ Quinonez south away from the house behind some police units that had arrived. Officer Munoz stated Officer Heiting grabbed the shotgun and rendered it safe by removing a round from the chamber. Officer Munoz stated the shotgun and the round were placed in the back of Sgt. Hoxmeier's police unit. Officer Munoz stated medical aid arrived and began rendering medical aid to S/ Quinonez before transporting him. Officer Munoz stated as soon as they were able to safely get S/ Quinonez medical aid, they did.

Officer Munoz stated medical had been staging near the residence prior to their initial arrival at the residence due to the nature of the call. Officer Munoz stated he saw the medical unit or fire engine on Golden Ave as they were arriving on scene.

Officer Munoz stated he received updated information from radio that there was a subject in the house holding a gun to his head. Officer Munoz stated they began calling people out of the residence and garage. Officer Munoz stated he assisted with detaining the individuals from the house. Officer Munoz stated the Hispanic male in the dark shirt was handcuffed and detained in the back of a unit. Officer Munoz stated he did not assist in clearing the residence.

Officer Munoz was then transported to the Magnolia Station for an interview. After the interview I asked Officer Munoz if he was willing to give a voluntary blood sample. Officer Munoz refused to give a voluntary sample. Detective Brandt charted Officer Munoz' gun and he was issued a new one (See Detective Brandt's supplemental report). Officer Munoz was also given the opportunity to speak to somebody from the Counseling Team.

J. PEDROZA Dec 03, 2008

INTERVIEW WITH OFC. JUAN MUNOZ

Q=Det. Greg Rowe

Q1=Steve Shumway

Q2=Laura Olsen

A=Ofc. Juan Munoz

A1=Man

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2
3
4
5
6
7
8
9
10
11
12
13
14
15 Q: All right. Um, this is, uh, Detective Rowe with Riverside PD. It's, uh, 0439
16 hours on 9/2/08 and we're here with Officer Munoz. And if we could just go
17 around and, uh...

18
19 A1: Sure. Saku Ethir with Lackie, Dammeier and McGill, representing Officer
20 Munoz.

21
22 Q2: Laura Olsen, with the Riverside County D.A.'s Office.

23
24 Q1: Steve Shumway, Detective, Riverside PD.

25
26 Q: All right. And we're here reference an officer-involved shooting that
27 happened on Yarborough. Um, did you?

28
29 A1: Yes. Uh, Officer Munoz is here, uh, today to cooperate with this criminal
30 investigation, uh, under Riverside, uh, Police Department Policies and
31 Procedures Manual, Section 4.8. Um, it's our understanding - his understand
32 that he's required to be here to, um, provide a statement in a criminal
33 investigation, um, the policy requires him to participate and, um, comply with,
34 and, um, cooperate with a criminal investigation being conducted by his
35 department and so he's here do to so. It's our understanding that failure on his
36 part to do so could subject him, uh, to potential discipline, uh, if he fails to
37 cooperate, as required by that policy. Um, also we wanna make it clear that
38 he's certainly not waiving any rights he has, um, to privacy under
39 (unintelligible) and again, he's ready and here, uh, willing to cooperate with
40 this criminal investigation.

41
42 Q1: Okay.

43
44 Q: Okay. Um, what's your ID#?
45

46 A: One-zero-eight-two.
47
48 Q: And, um, what - what shift were you workin' today?
49
50 A: I was, uh, swing shift, central.
51
52 Q: Okay. And what was your call sign?
53
54 A: Charles 336.
55
56 Q: And were you workin' by yourself or?
57
58 A: I was, uh, partnered up with Officer James (Heiting).
59
60 Q: And what, uh - what police unit were you in, do you remember?
61
62 A: The, uh, unit number was 3748.
63
64 Q: All right. And, um, can you just describe what you, uh, the uniform - what you
65 were wearing tonight?
66
67 A: I was wearing the, uh - a class B short-sleeve, uh, navy blue/dark blue
68 Riverside Police uniform. I was wearing a patch and a name tag.
69
70 Q: Okay.
71
72 A: And a badge.
73
74 Q: Okay. And how long have you been a - a peace officer?
75
76 A: Seven years.
77
78 Q: All with, uh, RPD?
79
80 A: Yes.
81
82 Q: Okay. Um, your digital recorder that, um, you're required to carry, did you
83 have that with you tonight?
84
85 A: I did.
86
87 Q: Okay and did - had - did you activate it during the incident?
88
89 A: I don't believe so.
90

- 91 Q: Okay. Has anybody looked at it to, uh, verify whether or not it had any
92 recordings?
93
- 94 A: I looked at it and I had two recordings but, uh, I had those two prior so I don't
95 believe anything recorded.
96
- 97 Q: Okay. All right. Um, if you can just start off, um, with, um, how you received
98 the call. Where you were at, how you received the call and, uh, just go
99 through the - the incident for us.
100
- 101 A: We were leaving the, uh, Magnolia Street Station, Officer (Heiting) and I after
102 assisting, uh, some other units with a - with a different investigation and
103 ended, um, buying the call from, uh, two different units, 'cause we were a
104 two-man.
105
- 106 Q: Where, um - where were you at when you got the call?
107
- 108 A: Uh, I believe we got the call leaving the parking lot here, the Magnolia Police
109 Station.
110
- 111 Q: All right. Do you know about what time the - you got the call?
112
- 113 A: I have no clue.
114
- 115 Q: Okay. Was it light out? Dark out?
116
- 117 A: It was already dark.
118
- 119 Q: Okay. Um, go ahead.
120
- 121 A: Uh, we bought the call. Cancelled the other units and then, uh - and then we
122 were en route to Yarborough.
123
- 124 Q: Okay. And when you go to Yarborough?
125
- 126 A: Um, we got to Yarborough. We were walking to the house. Hadn't received
127 any updates and, uh, we got on the radio and asked, uh, if the RP could direct,
128 uh, which house it was, you know, from - we didn't get very many - many
129 details, so I was tryin' to clarify which house it was.
130
- 131 Q: Okay. Where was the original call that came out?
132
- 133 A: I believe it was, uh, some sort of 415. I don't know if it was boy/girl or, but it
134 was people arguing inside a house.
135

136 Q: Okay.
137
138 A: It was pretty vague.
139
140 Q: Okay. Um, and you said you hadn't got any updates, um, as you got to the
141 house?
142
143 A: No, we asked for some and, uh, they said there had been no further
144 information.
145
146 Q: Okay. Where did you guys, uh, park?
147
148 A: Uh, south of the residence along the, uh, east curb.
149
150 Q: Okay. Up - up to the house or were you?
151
152 A: Uh, south of it.
153
154 Q: Okay.
155
156 A: South of it.
157
158 Q: Um, and then what happened?
159
160 A: Uh, we get - we were walkin' up on the house and as - as we're walkin' up on
161 the house, we see a, um - you can hear a commotion and then the garage door
162 opens.
163
164 Q: Okay. And what - what did you see?
165
166 A: Um, several individuals come out, uh, numbered more - more than a handful
167 all kind of emerged and everyone's yellin' and there's a lot of commotion
168 going on.
169
170 Q: Okay. When you were approaching the house, where - where at - where are
171 you at, um...
172
173 A: We're walking north from the south through the yards that are adjacent or
174 south of that house.
175
176 Q: Okay, so you're actually in the yards and not on the sidewalk?
177
178 A: Kinda on the grass where - which borders the, uh - the sidewalk's where I was
179 walkin'.
180

181 Q: Okay. And you said that the garage door opens as you're approaching it?
182
183 A: Yes.
184
185 Q: Okay. And a handful of people come out? Is it, um - are - you said you heard
186 noises coming from that area? Is it an actual argument or is there like a party
187 noise or could - could you?
188
189 A: No, there's just a lot - it's an argument, but between multiple people. A lot of
190 yelling going on.
191
192 Q: Okay. Could you just, um - um, specify which, um - which person was
193 involved in the argument?
194
195 A: It seemed that they all were.
196
197 Q: Okay.
198
199 A: I mean, everybody was going back and forth.
200
201 Q: Okay. Um, then what happened?
202
203 A: And, um, at that point, some of the group stops and then another said, uh - one
204 gentleman and a female walked further away from the street. They were
205 walkin' west down the driveway and then, um, past the curb, kind of stopped
206 in the gutter. Right where the gutter meets the street.
207
208 Q: Um, a male and a female?
209
210 A: Male and a female.
211
212 Q: Okay. Do you, uh - can you describe them?
213
214 A: Uh, the male was an older Hispanic male. Um, bald. Uh, the female was
215 Hispanic or white, heavy-set with, uh, either a print design or like a flower
216 top.
217
218 Q: Okay. Could you tell what color, um, they were wearing? What - what color
219 shirt?
220
221 A: No, I can't recall.
222
223 Q: Okay. Did either one of them have anything in their - their hands?
224
225 A: They did.

226
227 Q: Okay. What was that?
228
229 A: Uh, the male had what looked like a - to me, it appeared to be a - a nylon, like
230 a beach umbrella carrying case, uh, in his arms.
231
232 Q: And where - where are you guys at? I mean, uh, you said you guys were
233 approaching the house from the - from the south. Uh, where are you guys at as
234 far as - I guess, the easiest way would be to - how many houses down were
235 you when you first see these guys out in the driveway?
236
237 A: We were just in front of the house that's just - it's the first house south of...
238
239 Q: Okay.
240
241 A: ...you know, passing their house and getting to the area between where the
242 two yards meet. I believe - I don't think there's a wall. The yards just kinda
243 continue.
244
245 Q: Okay. And that's when you see the - these two separate from the crowd that
246 opened the garage?
247
248 A: As I recall yeah.
249
250 Q: Okay. What did you guys do then?
251
252 A: Um,
253
254 Q: Or what did you do?
255
256 A: What I did is, uh, we're lookin' - lookin' at the male. My attention's to him,
257 but also to the people that are, you know, still arguing. Uh, looking back.
258 Then, um, I'm confronted by, uh, one of the - one of the males there. It was
259 another heavy-set Hispanic guy.
260
261 Q: Somebody separate than the - than the male that was with the female?
262
263 A: Correct.
264
265 Q: Okay.
266
267 A: Kinda starts walkin' towards me, away from the group. Walks towards us and,
268 um, he starts kinda shoutin' like who are you, you know, type of thing. Kinda
269 confronting me.
270

- 271 Q: Okay. Where's Officer (Heiting) at this time?
272
- 273 A: He's, uh - he's off to my left, probably just about a step behind.
274
- 275 Q: Okay. Um, are you, um - well what - what is the guy that's, um, talk - um,
276 comin' at - towards you, what's he wearing? What does he look like?
277
- 278 A: He's a Hispanic male, probably about 25 to 30, um, 5'7", 5'8", close to 300
279 pounds, bald head. Um, I could see some tattoos, wearin' a - a dark shirt.
280
- 281 Q: Okay.
282
- 283 A: And jeans. I don't remember what color, but it was dark.
284
- 285 Q: Okay. Um, do you actually get, um, in a conversation with him?
286
- 287 A: I do. I engage him, uh, just quickly.
288
- 289 Q: Okay.
290
- 291 A: And tell him just, you know, who are you type thing and, um, let him know
292 hey, we're the police, you know. You need to get back.
293
- 294 Q: Okay. And at that point where you guys are at, how's the - how's the lighting?
295 You said it was dark out. It was already - had already become dark at that
296 time?
297
- 298 A: Yeah, we were, uh - as I recall we were coming in and out of the streetlights
299 and they're staggered so, you know, as we're walkin' up, we're comin' in and
300 out of the streetlights, so I don't know if we're under a streetlight or - I
301 couldn't - I couldn't recall.
302
- 303 Q: Okay. Um, when me and, uh, Detective Shumway went out the scene, I know
304 that there's a big tree in the front yard of the - the residence that, um, where -
305 where the incident occurred. Um, and there's also a streetlight out there. Were
306 you able to see, um, the subject that was out in - in the driveway in the female
307 and that guy clearly?
308
- 309 A: Uh, the subject that was in the street with the female, a little more clear. There
310 was a little more light compared to where the - the guy in the dark clothing
311 that I'm now engaging. It's like you said, the tree kinda gives a little shadow...
312
- 313 Q: Mm-hm.
314
- 315 A: ...so that was a little darker as we were on the grass.

316
317 Q: Okay. Did you - did you have your flashlight?
318
319 A: I did.
320
321 Q: Okay. Um, when the guy was contacting you, um, was he contacting you
322 knowing, as far as you know - knowing that you were the police? Um, I mean,
323 did he say anything that would...
324
325 A: Well, he challenged and asked who we were and I said - I - I informed him
326 who we were.
327
328 Q: Okay.
329
330 A: I told him we're the cops.
331
332 Q: Okay, so...
333
334 Q: We're the police. Yeah, he said who - you know, who the - somethin' similar
335 to, you know, who the fuck are you or who the fuck are you? Um, you know, he
336 challenges me. He walks over to us, challenges us - I immediately respond,
337 you know, we're the police and we got a call out here.
338
339 Q: Okay. Um, anything else said between you two?
340
341 A: Not that I remember. That's, uh, it was real quick.
342
343 Q: Okay. What did - what did he do?
344
345 A: He, um - he was just agitated. He starts to walk back towards the garage.
346
347 Q: Okay. Did you - did you give him any commands to do anything?
348
349 A: Yeah, I think I told him, you know, initially once I told him we were the
350 police, I go hey, you need to, you know, get back over there. Get down. I'm
351 just trying to get him to go back where he was at and trying to calm him
352 down.
353
354 Q: Okay. And then what happened?
355
356 A: Then, uh, I look over and divert my attention. I don't know if I hear (Heiting)
357 giving the guy commands. I kinda remember hear him, you know, tell him -
358 trying to contact him. You know, hey, come here type thing and, um - and this
359 is the guy in the street now. The older man with the female. Uh, first words
360 out of his mouth were somethin' similar to, you know, fuck you. I mean,

361 pretty much was confrontational also, you know. I'm not goin' with the
362 program, you know, get out of here. Get the f out her type thing. And then,
363 um, when I hear him being confrontational with "Heiting," look over at him
364 and then I notice he's carrying somethin' in his arms.
365
366 Q: Okay. Um, and is the female still with him at this point?
367
368 A: Yeah, she's standing, uh, with him, um, kind of in between from where we're
369 at and him.
370
371 Q: Okay. And what is it that you saw - saw in his hands?
372
373 A: I saw that - that nylon bag. It looks like a - looked like a light blue or a green.
374 It was like a teal nylon bag. Like I said, to me it appeared to be like an
375 umbrella. Like a beach umbrella bag. A nylon bag for a beach umbrella.
376
377 Q: Okay. And Officer (Heiting) is still off to your left?
378
379 A: He - he's still - he's still off to my left. I don't know if he's dropped back
380 behind me or not.
381
382 Q: Okay. Um, and is the - the guy with the - the bag, is he still in - in the
383 driveway or is he approaching you, or going away from you? What - what's
384 he doing?
385
386 A: He's standing, um, just in the street, just on the other side of the gutter. Um,
387 just at the end of the driveway, just where the gutter meets the, uh, street.
388
389 Q: Okay. And is he doin' what Officer (Heiting) asked - was askin' him to do?
390
391 A: No, and that's what diverted my attention over, you know, was his response.
392
393 Q: Okay. Do you - do you recall what, uh, Officer (Heiting) was giving?
394
395 A: No I just - I heard him contacting him and I'm trying to focus on my guy, but
396 I heard him contact and then I hear the, uh, the obvious negative response, you
397 know, that he wasn't gonna comply with whatever it was we were askin' -
398 what Officer (Heiting) was askin' him to do.
399
400 Q: Okay. Um, and then what happened? Then what happened?
401
402 A: Uh, then I notice - I hear the sound of that bag - nylon, sounded like - just
403 something rubbing, the material rubbing, and I noticed that, uh - he appeared
404 to be cradling it, whatever it was, with one hand. I'm remember thinkin',
405 kinda odd, you know, that he was carryin' it. Then I see him start pullin' out -

406 as soon - as soon as he starts to pull it out, it's clear to me what it is. You
407 know, it's some sort of rifle with a pistol grip. I could see the trigger guard...
408
409 Q: Okay.
410
411 A: ...comin' out.
412
413 Q: So, and - and so he's at the end of the driveway?
414
415 A: Yes.
416
417 Q: Okay. Um, and there's no obstruction between you and - you and him?
418
419 A: At this point, uh, kinda movin' over towards a - a silver car that's right on - on
420 the curb, kind of in that same area in between the two houses.
421
422 Q: Mm-hm.
423
424 A: I'm sure - you guys were out there.
425
426 Q: Right.
427
428 A: You know which one I'm talkin' about.
429
430 Q: Right.
431
432 A: And that's facing north, um, standing probably near the, uh, rear passenger
433 tire about that point.
434
435 Q: Okay, that's were you went?
436
437 A: Roughly. I'm on the - now I'm on the sidewalk, you know, right about that
438 area of the car.
439
440 Q: All right. And that's after he has already pulled the shotgun out or is that?
441
442 A: As he's - as he's pullin' the shotgun out. That's where I'm at now.
443
444 Q: Okay. Can you describe the shotgun?
445
446 A: Um, it looked like - at first, I didn't know it was a shotgun. I just thought it - it
447 was a rifle, 'cause you could see the length of it comin' out.
448
449 Q: Okay.
450

451 A: Pistol grip, dark colored.
452
453 Q: Okay. Um, does he say anything to you at that point?
454
455 A: Um, you know, I don't remember him saying - I remember him speaking, you
456 know, kind of yellin' back at us, but I don't know what he said.
457
458 Q: Okay. Um, and what does the female do at this point?
459
460 A: She's sayin' somethin' to us also, but I don't know what - what it was that she
461 said. She turned and saw that we were there.
462
463 Q: Okay.
464
465 A: And she's, uh - she's pleading with him, but you could see her, you know, like
466 trying to reason with him.
467
468 Q: Okay. Um, and then what happens?
469
470 A: And then, um, I see the bag come all the way off. He pulls the - the, uh, rifle
471 all the way out. I tell him to drop the gun, drop the gun. He chambers a round
472 into it.
473
474 Q: Okay.
475
476 A: That's when I realize that it's a shotgun.
477
478 Q: All right.
479
480 A: And then, uh, he starts - he squares off and, uh, as - as he's turning, I tell the
481 female, you know, to move. I tell her to move or she's gonna get shot. She
482 takes off runnin' away from him and then, uh, he's standing there. And he
483 starts to bring the shotgun up towards me.
484
485 Q: Okay. Then what happened?
486
487 A: Then I shoot about, uh, two to three rounds, I'm not sure, you know, how
488 many. It's roughly about that many.
489
490 Q: All right.
491
492 A: Right at that point.
493
494 Q: Okay.
495

496 A: Um, just prior to shooting, I remember seeing Officer (Heiting) there and I
497 was gonna go for cover on this car, so I'm tryin' to move over and he's kinda
498 to my left, so I remember kinda movin' or puttin' my arm out and feelin' him
499 there.
500
501 Q: Okay.
502
503 A: And then - then I shoot.
504
505 Q: And at this point, you're behind, uh, the - the rear of the...
506
507 A: I'm still next to the car, trying to get behind it.
508
509 Q: Okay.
510
511 A: I'm - I'm still in that same area and then as I motion, that's when I feel him
512 still to my left.
513
514 Q: Okay. And - and - and the suspect - how far would you say this, uh - the, uh,
515 suspect is from you?
516
517 A: I'd approximate, you know, 30 -30, 35 feet from, you know.
518
519 Q: Okay.
520
521 A: More or less, approximately.
522
523 Q: Okay. Um, and he came - you said he - you hear him rack?
524
525 A: I watch him do it and hear it clearly, just - and as he's saying somethin' to us
526 and I couldn't tell what it was, but it wasn't very nice, I know.
527
528 Q: Okay.
529
530 A: You could tell by his tone.
531
532 Q: Um, at this point, in your mind, is there any - any doubt that he knows that
533 you guys are the police?
534
535 A: None at all.
536
537 Q: Okay. Had - had you, um, identified yourself to him in particular? I know you
538 said you identified yourself to the guy that in the - the black, but did you
539 identify yourself as the police to him?
540

- 541 A: No, I don't remember.
- 542
- 543 Q: Okay. Um, and you said you - then you fired two to three rounds?
- 544
- 545 A: More or less, yeah. It wasn't very many. Just a few.
- 546
- 547 Q: Okay. Um, why - why - why did you feel that, uh - that you need to fire those
- 548 rounds?
- 549
- 550 A: Well, I knew that my - my life and the life of, uh, you know, the officer next
- 551 to me was in danger at that point. I mean, he was pointin' a shotgun at us.
- 552
- 553 Q: Okay. Um, after you fired the - the rounds, then what did you do?
- 554
- 555 A: I fired the rounds and I'm not too sure if I moved James into or as I'm doin' it,
- 556 but this was all kinda goin' real fast.
- 557
- 558 Q: Okay.
- 559
- 560 A: Um, I remember tryin' to get over to behind that car for cover.
- 561
- 562 Q: Okay.
- 563
- 564 A: Uh, at that point, I looked down and I - I don't see him. I don't see Officer
- 565 (Heiting) with me anymore and then I just see what looks to me like his legs
- 566 on the outside, like the driver's side of the car.
- 567
- 568 Q: Okay.
- 569
- 570 A: And at this point, you know, I just - I hear the gunshots, my shots and I see
- 571 him down. The suspect had already come all the way up.
- 572
- 573 Q: Okay.
- 574
- 575 A: So at this point, I thought that he had been hit. Uh, that Officer (Heiting) was
- 576 down and I put out an 1199 that an officer had been shot because I just heard
- 577 the shots. He had the gun pointed on us and now he's down.
- 578
- 579 Q: Okay. When - when you originally shot, did you - was - was the suspect still
- 580 standing up?
- 581
- 582 A: Uh, immediately after, no. When I put out the 1199, I remember seeing him
- 583 down. I don't remember seeing him going down.
- 584
- 585 Q: Okay. Prior to shooting, was he - was he standing up?

586
587 A: He was standing and he was, um - that I recall, he was almost completely
588 squared off towards my direction.
589
590 Q: Right. And then after you fired the shots, then he went down to the ground?
591
592 A: Fired the shots. I kinda see him just move a little bit and then I looked for
593 (Heiting). And then, uh, next think when I look back, he's down. The suspect
594 is down.
595
596 Q: Okay. Do you - if - if you recall, do you recall how he was - once - once he
597 went down on the ground, how he was facing? Whether his head was north or
598 head was east?
599
600 A: You know, I don't think he was, uh, north or east, but if I had to approximate,
601 I would say in a northeasterly direction, his head? Kind of a little diagonal.
602
603 Q: Okay. Did he still have the shotgun with him?
604
605 A: Uh, the shotgun - uh, when he was on the ground, the shotgun was, uh, on his
606 left. On his left side. It was still touching.
607
608 Q: Okay. Um, then - then what'd you do?
609
610 A: Uh, I put out the 1199, thinking that Officer (Heiting) had been hit and
611 requested a few more units.
612
613 Q: Okay.
614
615 A: And, uh, kind of turned my focus back towards the group, who was shouting.
616 In particular, the same individual that I contacted, uh, the first time. Uh, he
617 starts running towards the body. I direct my attention and tell him, you know,
618 to stop and stop. And, um, he's yellin' and yellin', and yellin', eggin' me on.
619 What I remember him tellin' me is that he was gonna get the gun.
620
621 Q: Okay.
622
623 A: And I with no uncertain terms told him, "If you pick that gun up, I'm gonna
624 shoot you too."
625
626 Q: Okay. And this is the guy that you initially contacted that was in the black?
627
628 A: Yes.
629
630 Q: Okay. Um, what did that - what did he end up doing?

631
632 A: He kept going back and forth, kind of in like a crouching - you know, trying to
633 walk sideways over and was tellin' me he was gonna get the gun, and he was
634 reachin' out as he kept comin' away from the, uh, garage and towards the, uh,
635 the suspect that was now in the street.
636
637 Q: Okay. After Officer (Heiting) went down, um, and you're - you're focused on
638 - on this guy, did you, uh, ever hear or see Officer (Heiting) fire his weapon?
639
640 A: I didn't know if he fired, uh, then. After I tell this guy in the black a few
641 times, you know, that I was - you know, not to pick it up type thing and, um,
642 he kinda retreats back into the - into the garage and - just still shouting and
643 then I notice Officer (Heiting)'s up next to me.
644
645 Q: Okay.
646
647 A: And then I don't know if it was at that point or real shortly after, I tried to
648 make an effort to say, hey, the officers are code 4. The suspect is down.
649
650 Q: Okay. After the suspect went - goes down, do you ever notice him going for
651 the shotgun again or - after you fire your initial, uh, rounds?
652
653 A: Yes.
654
655 Q: Okay. What - what happened at that point?
656
657 A: Uh, I can hear him talking. I can hear the suspect talking and he says
658 somethin', uh, kind of in a struggled voice and it's like a muffled - I don't - I
659 don't know what it is...
660
661 Q: Okay.
662
663 A: ...and he - I notice he's struggling to kind of get up.
664
665 Q: Okay.
666
667 A: I mean, he was either laying down on his back or his side. I really don't know,
668 but he's clearly getting up. And I tell him to stay down and, you know, to
669 move away from the gun. He, uh, he somehow gets up, kind of - kinda not
670 clear if it's on his knees or on his butt, but and now he's kinda turned, but he's
671 turned towards me and he grabs the gun, and I'm tellin' him not to pick it up.
672 You know, I clearly tell him drop the gun, drop the gun, drop the gun. Drop
673 the gun or I'll shoot. And he clearly, I mean I must've said it, you know,
674 several times, you know, shouting at him at gunpoint and he still picks the gun
675 up and points it directly at me again, as he's on the ground.

676
677 Q: All right. And what'd you do?
678
679 A: And I fired another, uh, two or three rounds at that point.
680
681 Q: So, initially when he's standing up, you fire two to three rounds and then you
682 retreat to the rear of the car along with Officer (Heiting). And while you're
683 back there, the other guy's, um, comin' back and forth towards the gun as he's
684 on the ground?
685
686 A: When the, uh - when the guy comes out of the garage and starts telling me
687 he's gonna get the gun and he's makin' a move towards the gun, I have to
688 come out from behind the car and back to right around the area where I was,
689 which is on the, uh, like the rear quarter panel of the passenger side.
690
691 Q: Uh-huh.
692
693 A: I have to actually come out of the - my cover just to be able to see I'm only
694 five foot seven so I could look and see over the car - just to see him and make
695 sure, you know, any point where he got the gun. Um, he goes back and that's
696 when I notice the suspect gettin' up.
697
698 Q: Okay. So, that all happened in between the two volleys of - of rounds?
699
700 A: Yes. Yes.
701
702 Q: Okay. Um, and then after you fired the - the second, uh, volley of rounds, then
703 what happened?
704
705 A: I fired the, uh, the second volley. He stays down. He's not reaching for the
706 gun. I started, uh, coordinating. We have people run in the house. A very fluid
707 situation. I mean, everybody's running in the house, still shouting. Um, that
708 same individual with the black top is now shouting, just challenging, wanting
709 to fight and trying to - he's trying to lure us into the garage.
710
711 Q: Mm-hm.
712
713 A: And then, uh, he's just yellin'. Um, at some point, he's doin' pushups. I don't
714 know how long, but I remember he's doin' pushups. He was gettin' agitated.
715 We instruct - I instructed - I heard Officer (Heiting) also like say somethin',
716 but I'm - I know I instructed the people to get down at that point. I had
717 everybody else lay down on the ground, everybody that remained in the
718 driveway and the garage.
719

- 720 Q: Okay. And I just wanna go back real quick. Um, when you fired that second
721 volley of rounds, why did you feel that you needed to fire those - those
722 rounds?
723
- 724 A: The same reason. It was obvious that my life and the life of Officer (Heiting)
725 was in danger. I mean, the suspect I had just shot is now pointing the gun at
726 me a second time.
727
- 728 Q: Okay. Um, and then - for the - for the most part, when, uh, in - in the garage,
729 um, you said that the, uh, um, the guy in the black shirt's doin' pushups,
730 besides that guy, for the most part, is everybody else in the garage being
731 cooperative?
732
- 733 A: There's about, uh, I think two other males and a female. They were
734 cooperative. The initial female that was out there with him, um, what I wasn't
735 too sure, I remember seeing a flurry of them, but it looked like another -
736 another male all ran back in and we never saw them.
737
- 738 Q: Okay.
739
- 740 A: While we were out there, I never saw them again.
741
- 742 Q: Okay. And, you already called 1199 with 1111 that identifies that the officers
743 are code 4?
744
- 745 A: Yes, and then.
746
- 747 Q: (Unintelligible).
748
- 749 A: No, go ahead.
750
- 751 Q: What, um - what - what is it that you guys, uh, um, did as far as the suspect
752 that was out on the, um...
753
- 754 A: Tried to give him commands to roll over - trying to get him to roll over onto
755 his stomach, because the shotgun's still next to him and he had just moved
756 from that same position and tried again, uh - I remember I asked for, uh - for a
757 shield - for, you know, the next unit - for one of the next responding was to
758 bring a shield in order to, uh - to disarm him and, uh, try to get him some
759 medical attention.
760
- 761 Q: Okay. Did - did, um - um, did he ever go for the shotgun again after - after
762 the second round or what was he doin' after you fired that second volley?
763
- 764 A: No, at that point he was down. He was, uh - as I recall, he was on his back.

765
766 Q: Okay. Um, and did a unit eventually show up with a shield?
767
768 A: Yes.
769
770 Q: Okay. And then what'd you guys - what did you guys do?
771
772 A: And, uh, a supervisor - we all formulated a plan and then we went up and, uh,
773 Officer (Heiting) grabbed the shotgun as part of the plan. Uh, Sergeant Bruce
774 (Blomdahl) and I grabbed the suspect and drug him back to a, um, safe
775 position behind our units to get him some medical aide.
776
777 Q: Okay. Those responding officers that - that arrived, you guys - you said you
778 formulated a plan. Do you - do you remember, uh, who was involved in that?
779
780 A: Uh, that I - that I recall seeing was Sergeant, uh, Dan (Hoxmeier), Sergeant
781 Bruce (Blomdahl), Officer (Heiting), myself, and uh, Officer Vince (Morris).
782
783 Q: Okay. And, um, what, if you recall, what was the plan that you guys were
784 gonna do?
785
786 A: Uh, I don't recall the specific plan, but the jist of it was to get up there, get the
787 shotgun away from him and get him to a position where we could get him,
788 um, medical aide while the people in the house were dealt with.
789
790 Q: Okay. Um, after the second volley or after the first volley of rounds, um, do
791 you recall whether or not medical aid was, um - was called at that point or do
792 you - or at what point, was medical aid called?
793
794 A: Um, we had been informed that medical aid, uh, I think during the initial call,
795 when we asked for an update, they told us a medical aide, uh, was already en
796 route or they were in staging.
797
798 Q: Okay.
799
800 A: Um, as we drive up to the house, I remember asking, uh, Officer (Heiting), I
801 said, "Hey, I thought RFD was supposed to be here? Do you see 'em?" And
802 then he points down the street, where we see the lights which appear to be that
803 of a fire truck. Uh, it was down Golden, but I don't know what - where it was
804 parked. It was just somewhere down Golden and they were staging before we
805 got there, so I knew that they were in an area or had been.
806
807 Q: So before you guys even arrived at the residence, you already saw that
308 medical aid was there?
809

810 A: Uh, it would appear to be. They had told us medical aid was staging and then
811 we saw, you know, we pointed out a truck on Golden that looked like it was a
812 fire truck with the lights for a distance.
813

814 Q: Okay. Um, and that - they were staging, based on just the 415 call or?
815

816 A: I - I don't know. I don't know why they were staging.
817

818 Q: Okay. Um, when you guys decide to go in there and, um, have medical aid,
819 um - well, how - how is it that you guys get him medical aid?
820

821 A: We, uh, physically grab him, drag him back to, uh, an area behind some of the
822 police cars that were there. We go south behind the police cars and then we
823 have the fire department come to us.
824

825 Q: Okay. How long do you - would you approximate or estimate it was from the
826 time that the shots were fired to the time that you got him out of that area to
827 medical aid? Just an approximate.
828

829 A: It all seemed like it was just continually unfolding, so I mean in my mind,
830 approximately seconds. I mean, it all just seemed so fast.
831

832 Q: Okay. Was there a timeframe between the time that the shots were fired and
833 the time that the other units arrived?
834

835 A: Yes.
836

837 Q: Okay. And then, I guess, the - the - what I'm gettin' at is the reason - what
838 was - what was the reason why medical aid wasn't called in right away to - to
839 - to help?
840

841 A: Well, it was - at that point, it wasn't safe. You know, usually the practice -
842 they won't come in until we render the scene safe.
843

844 Q: Okay.
845

846 A: And it was far from it.
847

848 Q: Okay. Um, 'cause the shotgun was still out there and...
849

850 A: The shotgun was out there and then we had people retreat into the house. Uh,
851 then we receive a, uh - an update from dispatch and I don't recall at what
852 point the other officers were already there, if it was just still Officer (Heiting)
853 and I that - someone in the house, they received - they broadcasted that

854 someone in the house called and said there was a male outside with a gun to
855 his head.
856
857 Q: Okay. Um, you heard that over the radio?
858
859 A: I did and, uh, that led me to believe that one of the people who retreated in the
860 house was not also armed inside that house.
861
862 Q: Okay. All right. And I just wanna go back and touch on some. When - when
863 the, uh, suspect pointed the shotgun at you both times, um, did you ever see or
864 hear, um, him fire a shot...
865
866 A: No, I...
867
868 Q: ...that you recall?
869
870 A: I didn't recall. No, I just hear the gunshots.
871
872 Q: Oh, okay...
873
874 A: ...themselves.
875
876 Q: All right. Your - your gunshots? You never hear the (unintelligible)...
877
878 A: I hear the gunshots, yeah.
879
880 Q: ...a shotgun shot?
881
882 A: You know, I - I just don't remember hearing anything that, you know, was
883 different to me.
884
885 Q: Okay. Once, uh - once you get, uh, medical aid to, uh - to the suspect, what -
886 what happens?
887
888 A: Uh, he's treated and then we're diverted to - well I'm - I'm diverted to help
889 with some of the people they're bringing out.
890
891 Q: Okay. Um, do you know - how is it that you got the - the rest of the subjects
892 out of the house, do remember?
893
894 A: They were callin' 'em out. I don't know how they formulated the plan or not.
895 I - I just walked up towards the end after they had a few of the people out.
896 Um, prior to helping with that, I did help, uh, Officer (Heiting) secure the, uh -
897 the shotgun. He - he was struggling to clear the shotgun. He got it cleared and

898 then, uh, I - we opened, um, I think it was Sergeant Hoxmeier's vehicle to
899 secure it in the trunk while we deal with, you know, people at the scene.
900
901 Q: Okay. And when you say you got it cleared, what - what do you mean by that?
902
903 A: He rendered, um - render it - well, he said it was safe. You know, removed,
904 uh, any ammunition from - from inside the chamber.
905
906 Q: He took...
907
908 A: He put the slide back.
909
910 Q: He took some rounds out of it?
911
912 A: I believe he said - he - he gave me around. He had one round.
913
914 Q: Okay. Do you recall if that was a live round or if that was a spent - spent
915 round?
916
917 A: I don't.
918
919 Q: Okay. Um, and did medical aid, then, eventually end up transporting, uh, the
920 suspect?
921
922 A: At some point, yeah, 'cause he wasn't there after a few minutes.
923
924 Q: Okay. And I wanna go back to when you guys first arrived. Had you guys
925 talked about how you guys were gonna handle this situation or had you guys
926 ever been partners before?
927
928 A: That was a first time that we were partners.
929
930 Q: Okay. When - when you guys were approaching, did you talk about how you
931 guys were gonna handle this situation? Less lethal or anything like that?
932
933 A: I believe I asked him if he had his TASER on him.
934
935 Q: Okay. Um, you got anything, Steve?
936
937 Q1: Yeah, um, you said when you were on your way to the call, did, um, you had
938 some - there was another broadcast or any supplemental information? Is that?
939
940 A: Um, I don't know if that was...
941
942 Q1: That you can remember?

943
944 A: Yeah, I don't remember if - the only supplemental before we got there, I
945 remember, was about the RFD thing, about them staging and I don't
946 remember what point we got that. I remember and I asked, uh, Officer
947 (Heiting) - and I was driving and Officer (Heiting) was passenger, and I asked
948 him hey, ask - I asked him to ask if there was any - you know, any updates on
949 that call.
950
951 Q1: There wasn't any, like supplement calls as far as you know coming in from
952 neighbors or do you know?
953
954 A: No, but the response that I believe that I heard the dispatch said, no. No
955 updates.
956
957 Q1: When the call - if you know, answer this if you know, when the call was
958 coming out, did it seem like somebody was calling from in the house or a
959 neighbor?
960
961 A: Um, my impression afterwards, I mean not when it was dispatched, but that it
962 was coming from a neighbor who said one to the left.
963
964 Q1: Okay.
965
966 A: Or something similar. It was to the left, though, so. Didn't - it didn't appear to
967 me that it was coming from that house.
968
969 Q1: Okay. Okay. Do you, uh - do you know what ever happened with the guy in
970 the black or whatever happened with the, uh, the guy that had the gun to his
971 head or?
972
973 A: No.
974
975 Q1: (Unintelligible).
976
977 A: Uh, not with him. The guy in the black, I do know he was, uh - he was
978 brought out of the house. He was detained and, uh, I assisted with the - just
979 pattin' him down, search and then placing him into a - a patrol car.
980
981 Q1: Okay. Was he handcuffed?
982
983 A: Yes.
984
985 Q1: Okay. Do - was anybody else that you know of handcuffed that was in - inside
986 the residence?
987

988 A: Uh, no. I just believe I saw one other person being handcuffed that was in the
989 garage at the time I walked up.
990
991 Q1: Okay. Did you assist with clearing the house?
992
993 A: No.
994
995 Q1: When you fired, um, your rounds, where you were located was pretty much
996 just to the rear of a, uh, of that silver car?
997
998 A: I was out - I was still next to it.
999
1000 Q: Or to the side.
1001
1002 A: Then I recall - I don't remember being around it 'cause he was right in front of
1003 the car, so if I would've been behind it, I don't think I'd have - I'd have had a
1004 shot, so I was probably right next to it on the passenger side.
1005
1006 Q1: And he - and he's about 30 - you said about 30 feet from you?
1007
1008 A: Approximately, yeah.
1009
1010 Q1: All right. Um, I don't have any other questions.
1011
1012 Q: All right. Um, we're probably gonna need to see your recorder before you
1013 leave, just to look at it and so we can just document that there were no
1014 recordings. Um.
1015
1016 A: Well, they'll be two on there, but I don't know if you're - you're gonna have
1017 to time stamp 'em or you have to download 'em to get the times.
1018
1019 Q: Um.
1020
1021 A: Or you can listen to 'em.
1022
1023 Q: Yeah, I was gonna say I can just listen to 'em and - and know that they're not
1024 from this incident. Do you have anything? Um, I know they're gonna ask us to
1025 ask you to give a voluntary blood sample, um, so that's what we gotta do if I
1026 get - if you've been through this before, you know that if you don't give a
1027 voluntary sample, that we'll have to - that IA will be calling you, um, to order
1028 you to give - give a sample, so. Um, it's up to you whether or not...
1029
1030 A: Yeah, we can bring 'em - you can bring 'em in 'cause I'm - I'm not gonna
1031 give it.
1032

INTERVIEW WITH OFC. JUAN MUNOZ

Interviewer: Det. Greg Rowe

09-02-08/4:39 am

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1033 Q: You're not gonna give 'em one? Okay. All right. I'll, uh - we'll let them know
1034 that and, um, do you have anything else? Do you have anything? Any
1035 questions?
1036

1037 A1: Nope. Nope. Covered it.
1038

1039 Q: All right. Um, then I'm gonna end the interview at, uh, 0518 hours.
1040

1041
1042 This transcript has been reviewed with the audio recording submitted and it is an accurate
1043 transcription.
1044

Signed _____

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**Riverside Police Department
General Investigations Bureau**

OFFICER INTERVIEW REPORT REVIEW

Case # P08-126023

The attached report accurately portrays the interview conducted with me concerning this incident. I understand that this is a synopsis of the interview and not intended to articulate all facts and statements.

I have had the opportunity to review the transcript as well as any audiotape(s) of the interview and I am satisfied that they are complete and accurate as to content.

No transcripts were made of this interview.

I wish to add the following information to this report: (Officer's comments if any)

PC 20 = 2860 "NOT" SHOULD BE OMITTED.
I BELIEVED THERE WAS ANOTHER ARMED
SUSPECT INSIDE THE RESIDENCE.

Date: 10-1-08

Officer's Signature: 

Officer's Name: MUNOZ, J #1082

Print Name

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J. PEDROZA Dec 03, 2008