

Riverside PD
CA0331300

SUPPLEMENTAL REPORT

Date Prepared: 09-03-08

1. Original File No. P08-126023	2. [Redacted]	3. Off ID 146	4. Dist.	5. Crime-Ct.	6. Crime-Ct.	7. Crime-Ct.	8. Date/Time Occurred 09-01-08 / 1955	9. Day 2	
10. Date/Time Assigned	11. Date/Time Inv. Start		12. Date/Time Inv. Term.		13. Type Clr. ARR	14. Type Cont. REC	15. Additional Adults Arr.	16. Additional Juv. Arr.	
17. Address of Occurrence (Street No. - Name - City) 5807 Yarborough Street, Riverside							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 J. Munoz (#1082)					21. Race - Sex		22. DOB	
23. Residence Address			24. Business or School Address Riverside Police Department			25. Home Phone	26. Bus. Phone (951) 787-7911		
27. ID: V/	28. Last Name - First - Middle (Firm Name if Business) Officer J. Heiting (#1610)					29. Race - Sex		30. DOB	
31. Residence Address			32. Business or School Address Riverside Police Department			33. Home Phone	34. Bus. Phone (951) 787-7911		
35. LAST Name - First - Middle Quinonez, Carlos David			36. Race - Sex H / M	37. Age 48	38. HT 509	39. WT 260	40. HR Brn	41. Eyes Hzi	
44. Address - Clothing - Other Marks or Identifying Characteristics 5807 Yarborough Street, Riverside			42. DOB or ID [Redacted]						43. Arrested <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
45. Juv. Other Disp: Juris. <input type="checkbox"/> 2		Juv. Ct. Prob. <input type="checkbox"/> 5	Within Dept. <input checked="" type="checkbox"/> 6		Detained <input type="checkbox"/> 1		Not Detained <input type="checkbox"/> 2		
46. LAST Name - First - Middle			47. Race - Sex	48. Age	49. HT	50. WT	51. HR	52. Eyes	
55. Address - Clothing - Other Marks or Identifying Characteristics			53. DOB or ID						54. Arrested <input type="checkbox"/> Yes <input type="checkbox"/> No
56. Juv. Other Disp: Juris. <input type="checkbox"/> 2		Juv. Ct. Prob. <input type="checkbox"/> 5	Within Dept. <input checked="" type="checkbox"/> 6		Detained <input type="checkbox"/> 1		Not Detained <input type="checkbox"/> 2		

ORIGINALLY REPORTED DOLLAR VALUES ARE CHANGED AS SHOWN BELOW

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

60. Originally Reported Offenses (Code - Crime)			61. Original Offenses Changed to (Code - Crime)			58.	Stolen Auto Value ASP: \$
(1) 245(d)(1) PC ADW on Peace Officer			(1)			59.	Recovered Auto Value A2 \$
(2) OIS			(2)				Reporting Officer Det. J. Brandt

62. Narrative of Supplemental Report
-Interviews with [Redacted] and Lupe Castro-

Reviewed By
M. V. Casero
COPIES TO

VCLO ()

ACTIONS

APR Sent
APR Cancld.
APB Sent
APB Cancld
DOJ-NCIC
Entered _____
Cancld. _____

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Stats	ARBK	ANK
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Riverside Police Department
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245(d)(1)PC

File #P08-126023
Det. J. Brandt #146**Witnesses:**

[REDACTED]
[REDACTED] home
[REDACTED] cell

Castro, Lupe Maynez
5808 Yarborough Drive, Riverside
[REDACTED] home
[REDACTED] cell

DOB: [REDACTED]

1611 Jenks Drive, Corona
[REDACTED] work

Narrative:

On 09-01-08, at approximately 2100 hours, Sergeant M. Rossi called me and asked that I respond to Yarborough Drive and Campbell Avenue, in the city and county of Riverside, regarding an Officer Involved Shooting investigation. I arrived at the scene at approximately 2206 hours. Upon my arrival at the scene I attended a briefing of the incident. Following the briefing, I was assigned to respond to the Magnolia Station and assisted with interviewing witnesses.

[REDACTED]
On 09-01-08, at approximately 2347 hours, I interviewed W/ [REDACTED] interview room number one (#1) at the Magnolia Station. The interview was recorded and later downloaded under file # P08-126023. Below is a synopsis of the interview.

[REDACTED] lives with his family across the street from 5807 Yarborough Drive. This evening he was at home when his brother, Thomas, came in and told him there was a commotion at the neighbor's house. His family has known the family across the street for some time, so they went over to see what was going on. There were several people arguing in and around the house. When he got there he saw Carlos (S/ Quinonez) who was arguing with other people. They tried to calm Carlos down but to no avail. He did not know if Carlos had been drinking but people at the house said he was drunk.

The argument continued out into the front yard and during the argument S/ Quinonez went into the garage and partially closed the roll-up garage door. He then reached up into the rafter area and removed a long blue bag. S/ Quinonez, his son "Junior" and an unknown female then started to leave. When they got to the street, W/ [REDACTED] ced that two uniformed police officers were walking up and he heard them tell S/ Quinonez to drop the weapon. S/ Quinonez then removed a black shotgun from the blue bag and pointed it at the officers. He then "cocked" the shotgun and fired one (1) round at the officers. W/ [REDACTED] turned away and stepped into the garage when he heard three (3) or four (4) more rapid shots, which he assumed were the officers returning fire. The officers then told everybody else to get on the ground.

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Det. J. Brandt #146

W/ [REDACTED] said he was approximately fifteen (15) to twenty (20) away from S/ Quinonez during the incident.

Refer to recording for details.

Lupe Castro

On 09-02-08, at approximately 0032 hours, I interviewed W/ Lupe Castro in interview room number one (#1) at the Magnolia Station. The interview was recorded and later downloaded under file # P08-126023. Below is a synopsis of the interview.

Lupe lives across the street from 5807 Yarborough Drive. The evening her son, Thomas, told her the neighbors were arguing and fighting. She has known the neighbors for a while and said she is close to the family. She is aware the family has had recent problems with some of the girls that live there so she ran to the neighbor's house to see what was going on. She ran into the garage and then into the house. When she got into the house she ran by two unknown males and then saw a female (Carline) lying on the floor. Carline was screaming for help and complaining about her stomach. She said "Carlos" (S/ Quinonez) was in the house and "going wild". S/ Quinonez was yelling at the two guys whom she had passed on her way in. Other people were trying to hold S/ Quinonez back and he was acting "all wild" and not like the Carlos she knows. S/ Quinonez was basically verbally assaulting all the family members in the house about various things from the past.

She further described S/ Quinonez as "going all crazy", "irrational", and said his eyes were bulging out. She overheard S/ Quinonez's son's ("Bugsy") girlfriend say that Carlos had been drinking Tequila earlier.

She was able to talk to S/ Quinonez and convince him to walk out with her. S/ Quinonez was calming down and was out front of the house, when an unknown lady (possibly an aunt) came out the front door. S/ Quinonez immediately got angry again. S/ Quinonez said he had to get something and walked into the garage. "Bugsy" closed the garage door and S/ Quinonez got onto a ladder and was reaching up into the rafters. S/ Quinonez's mom was asking him what he was reaching for and trying to pull him down. S/ Quinonez got down from the ladder and picked up an aqua blue umbrella, or something similar, that was leaning against the wall. Once he grabbed the item he said, lets go. She said he would not leave without the "umbrella".

S/ Quinonez started walking out to the street from the garage. About the time S/ Quinonez got to the street, W/ Lupe saw two police officers walking up and pointing their flashlights. She heard the officers yelling something but does not know what was said. S/ Quinonez also yelled something at the officers but she does not recall exactly what it was but you could tell he did not like the police. She then saw S/ Quinonez raise the "umbrella" up and saw it coming out. She demonstrated it as him holding the item with his left hand and then with his right hand pulling it outward (bending the elbow up and back). Based on his behavior and physical actions, she believed S/ Quinonez had a gun so she turned away because she did not know what was going to happen. She then heard six (6) to seven (7) gunshots. She got on the floor and then got up and looked for her family.

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She estimated there was approximately a car length distance between the officers and S/ Quinonez at the time of the gunshots.

Refer to recording for details.

I then assisted Riverside Police Department Forensic Technician T. Ellis' with charting the involved officer's weapons. Refer to my Supplemental Report for details.

No further information.

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Public Records Act
JPEDROZA Dec 03, 2009 04:18PM Unauthorized Release PROHIBITED

INTERVIEW WITH [REDACTED]

Interviewer: Det. Jim Brandt

09-01-08/11:47 pm

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INTERVIEW WITH [REDACTED]

Q=Det. Jim Brandt

A=[REDACTED]

Q: All right. This is ah, Detective Jim Brandt, Riverside Police Department. I'm at the Magnolia Station. It is ah, September 1, 2008 at 11:47 pm. Ah, what is your last name sir?

A:

[REDACTED]

Q:

A:

Yes.

Q:

First name?

A:

[REDACTED]

Q:

Spell it for me?

A:

[REDACTED]

Q:

Middle?

A:

[REDACTED]

Q:

And your birth date?

A:

Ah, [REDACTED].

Q:

And what is your address?

A:

Ah, 5808 (Yarborough) Drive.

Q:

9250?

A:

Five.

RIVERSIDE POLICE DEPARTMENT
PUBLIC RECORDS ACT
Unauthorized Release Prohibited

46 Q: How about a phone number at the house?

47
48 A: Ah, [REDACTED]

49
50 Q: And a cell?

51
52 A: Ah, [REDACTED]

53
54 Q: Mm-hm.

55
56 A: [REDACTED]

57
58 Q: You working right now or going to school?

59
60 A: [REDACTED]

61
62 Q: [REDACTED]

63
64 A: [REDACTED]

65
66 Q: Okay. Um, obviously we're here because of what happened over there. Um, I
67 don't know how you - how you become involved in it or what you saw or
68 whatever, so what I'd like you to do is just tell me what happened, what
69 happened today, if you were at the house today or if you just go over, all the
70 way through. And then if I have questions I'll just ask you questions as they
71 come up.

72
73 A: Okay. Um, well I was at my house and then my brother heard like a
74 commotion outside. And we looked outside the window and we seen the
75 neighbors. They were arguing and stuff. They were fighting in the backyard.
76 So we went out front. Then we went over to the house to see if everything
77 was okay, because obviously things were getting out of hand. They were
78 fighting, whatever was happening, I don't know. And then we were just
79 checking out to see if everything was okay. And then everybody came to the
80 front and then I guess ah, Carlos, he was arguing and, you know, he was angry
81 and stuff. So basically that's what happened when we went over. And then he
82 was - he was fighting with who else, I don't know who he was fighting with.
83 He had a problem or something with somebody else and beforehand they were
84 fighting. And then at that time we were just there trying to calm him down,
85 you know, for nothing would happen. And then I don't know if he was
86 drinking or not, but he seemed like he really was. So basically like after that,
87 they were fighting. We were trying to calm him down and everybody from
88 the house and my parents and my brothers all came over here to try to help
89 out. And um, I guess the neighbors had called the police. We were like,
90 okay, so we were trying to calm him down. And at that time he went into -

- 91 they went into the garage and they closed the garage. And I guess that's when
92 he pulled out a gun. At that time I didn't know what it was because it was
93 covered. It was in a blue cover. And then when he came ah, he was going to
94 leave. He was leaving. And then I guess two police officers came and they
95 saw he had a weapon. And then he pulled the weapon out and they told him
96 to put his weapon down. And at that time he opened fire on the police
97 officers. And at that time I ran into the garage, because gunfire was
98 happening, and that's how it happened.
99
- 100 Q: Okay. Um, were you at this house across the street at all today? I mean was
101 there like a barbecue type thing there for the Labor Day?
102
- 103 A: Um, I'm not sure, because I know they had guests and stuff. I wasn't at the
104 house at all today. But just that when everything happened.
105
- 106 Q: You started hearing the commotion?
107
- 108 A: Yeah.
109
- 110 Q: What time was it then you - if you remember like what time you noticed the
111 fighting or the arguing, whatever was going on over there?
112
- 113 A: Because I guess the arguing was already you know, going on. And when I
114 noticed it, you know, my brother had said that they were fighting up front.
115 And I was like, what are we missing. So we noticed that like their voices
116 started, you know, like everybody started getting angry and their voices were
117 louder. So we're like, all right, we'll go out front and make sure everything is
118 okay. I would say that was around like 8:00 or so, something. I don't know.
119
- 120 Q: Which brother of you said that they were fighting, of yours?
121
- 122 A: Um, my oldest brother, Thomas.
123
- 124 Q: Okay. Um, so who was all at your house when Thomas came in and said they
125 were fighting?
126
- 127 A: Um, at the time everybody was home. It was me, my brother (Chris),
128 Thomas, my dad and my mother.
129
- 130 Q: Okay. And your dad's name is Thomas also?
131
- 132 A: Yeah, Senior.
133
- 134 Q: Ah, and your mom's name?
135

136 A: Ah, Lupe, L-U-P-E.
137
138 Q: And it's Castro?
139
140 A: Yeah.
141
142 Q: Where do you guys live in comparison to this house where this happened at?
143 Are you right across the street?
144
145 A: Yeah. Their house is right here and our house is right across.
146
147 Q: Directly across the street?
148
149 A: Yeah, right in front.
150
151 Q: Okay, so you said that they were arguing out front. Do they - was there like a
152 physical fight out front? Did you see anybody swinging at each other or
153 anything like that, or swinging sticks or weapons at each other?
154
155 A: Well, at the time when I guess the fight was going on, I guess they were in the
156 backyard. And we had - we just - we could hear the voices. You could hear
157 them from across the street. Everybody was real loud. And we just - we were
158 going over to see if everything was okay on that side of the house. The - I
159 guess somebody was on the side of the house and I don't know what was
160 going on, but at that time - because we - we went to the house at that time and
161 everybody from the backyard came to the front. They came to the house and
162 they came to the front. And I don't know what happened or what was going
163 on.
164
165 Q: Okay, so when you first heard it and Thomas told you that something was
166 going on over there, you heard the - you could actually hear the arguing from
167 the backyard?
168
169 A: Yeah.
170
171 Q: I mean so it was like - there was nothing in the front, they were in the back?
172
173 A: No. At the time they were in the backyard.
174
175 Q: Okay. Who ended up - who was on the side of - of their house then?
176
177 A: Um, I guess it was Carlos' son. I think his two sons or one of his sons. There
178 were two men on the side of the house at the time when we went and I guess
179 so one of them was trying to calm the other one down, because they all had
180 been fighting. And ah, I don't know who they were though.

181
182 Q: Okay. Who were they fighting with?
183
184 A: Um, I don't - I don't know who they were. Because I guess all - there was a
185 few different people I don't know. And I guess they all had got in an
186 argument. I don't know who was there or what was happening.
187
188 Q: Are they all family?
189
190 A: I - I think most of them are - they are all family over there.
191
192 Q: Okay. So how old is Carlos?
193
194 A: Carlos?
195
196 Q: About, if you know.
197
198 A: I think Carlos - I think he was 55 or so.
199
200 Q: Carlos you think is 55?
201
202 A: Yeah, around 50s.
203
204 Q: Fifties?
205
206 A: Yes.
207
208 Q: Okay. Um, and how do you know Carlos?
209
210 A: Um, because Carlos is my neighbor's brother, their older brother. One of their
211 older brothers. And I know him ever since I was younger, like I seen him
212 before and I talk to him and stuff.
213
214 Q: Okay. So you guys have been neighbors for a while?
215
216 A: Yeah.
217
218 Q: Okay. And how about his sons. Do you know their names?
219
220 A: Um, I think one of the sons were - I think it's Junior, Carlos Junior, I think. I
221 don't know who the other one is.
222
223 Q: Okay. Um, did you notice if - if anyone was like bleeding because of a fight
224 or anything like that? Do you know if there was blood anywhere, like if
225 anyone was bleeding from getting hit or?

INTERVIEW WITH [REDACTED]

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226
227 A: I know that - I remember seeing ah, his son Carlos Junior. Carlos, he had like
228 a cut on his eye - one of his eyes. One of his eyes were, you know
229
230 Q: And he was bleeding?
231
232 A: Yeah. So I'm assuming he got hit or he was involved.
233
234 Q: Okay. And who were they arguing with? Other people from - that live at that
235 house?
236
237 A: Ah, I think so. I think they were having an argument with someone else that
238 was at the barbecue there.
239
240 Q: Do you know who it was?
241
242 A: No I - I can only identify only a few that were there.
243
244 Q: Could you see who was arguing? You just don't know who the other guys
245 were or you don't know who they were arguing with?
246
247 A: I wouldn't know who they were arguing with.
248
249 Q: Okay. All right. Um, how many people are at the house that you can think of
250 that you can like picture seeing?
251
252 A: Um, I think probably like a good guess would be probably like - at that time
253 maybe like 10, maybe 15 people.
254
255 Q: Okay.
256
257 A: (Unintelligible).
258
259 Q: Um, so you - do you, your brother, your dad, everybody go over at first? Or
260 do just like you and one of your brothers go over when you first go over there,
261 or does your whole family go right at the very beginning?
262
263 A: From the beginning, um, it wasn't like - we were - we were in the house and
264 we heard and so we were like, okay, we'll go check it out. We were in the
265 front and my mom, she came out. She went into the house. She actually went
266 into the house.
267
268 Q: Into their house?
269

INTERVIEW WITH [REDACTED]

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270 A: Yeah, she entered the garage, and I guess she went to the backyard. I don't
271 know. And then I went out and then my oldest brother came with me. We
272 both went at the same time. And then when Carlos and everybody came up
273 front, he was going to have a hand and that's when I think my - my brother,
274 my other brother and my dad came up at that time.
275
276 Q: Oka. Who is your oldest brother then?
277
278 A: Ah, Thomas.
279
280 Q: Thomas is the older brother?
281
282 A: Yeah.
283
284 Q: So you and (Chris) went over there first?
285
286 A: Ah, it was me and Thomas.
287
288 Q: You and Thomas went over there first.
289
290 A: Yeah. And (Chris) I guess came with my - my dad.
291
292 Q: Okay. Um, when you guys went over there, did you see anybody in a fist
293 fight in the backyard?
294
295 A: I didn't see anybody like physically fighting, but I assume that they were
296 fighting, because everybody was saying that they got into it.
297
298 Q: Okay. Did you see anybody with a weapon or anything? A gun, a knife, a
299 stick, a rock?
300
301 A: Um, I didn't see anybody with any weapon.
302
303 Q: Did you hear if somebody had one?
304
305 A: No.
306
307 Q: Okay. So when you guys go over there now, the fight was in the backyard
308 and they - everybody comes to the front yard?
309
310 A: Yeah.
311
312 Q: Okay. Um, what happens in the front yard? Is everybody calming down now
313 or is the fight still happening, arguing still happening?
314

- 315 A: Um, I think there was still some arguing.
316
317 Q: Okay.
318
319 A: And um, the one mainly I remember arguing was Carlos. Carlos was real, I
320 guess - I assume he was drunk because everybody said he was drinking. And
321 so it was getting out of hand and we were all trying to calm him down, like all
322 of us, me and my brothers. We all tried to calm him down and he was
323 pushing us out of the way and stuff.
324
325 Q: What's he saying to you guys as he's pushing you guys out of the way and
326 stuff? What?
327
328 A: Ah, he was just mainly like, I don't know what he was saying.
329
330 Q: I mean, was he cussing you guys out?
331
332 A: Yeah.
333
334 Q: Like telling you F-ing leave him alone and that kind of stuff?
335
336 A: He was just like, move out of the way. You know, he was just cussing and,
337 you know, just saying all kinds of stuff.
338
339 Q: In English or Spanish or?
340
341 A: He was saying like mainly - first he was saying like English and then he
342 started saying stuff in Spanish.
343
344 Q: Okay. Okay, um, and where are his sons at the time?
345
346 A: Um, I think one of them was there - was there when everything was
347 happening. And he - he was on the side of the house when he came to the
348 front. And then he - he was kind of angry too. And then he was just like - at
349 first he was - he was like a little rowdy like at first.
350
351 Q: With you guys or with his dad or with - what do you mean?
352
353 A: Because when we first went there we went to - when we went to the side of
354 the house towards the front door and him and the other - other guy were at the
355 front talking, I guess they were both like kind of mad too. And he was trying
356 to calm him down I guess. And when we - well first, because I never really
357 met him, well first we went there, he was like, who are you guys, you know,
358 what are you guys doing here. Just said, we're just saying oh, we're the
359 neighbors just trying to see what everything, if everything is okay. And he

INTERVIEW WITH [REDACTED]

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360 didn't know us and we introduced ourselves, saying we were the neighbors
361 and stuff. And then after that we went around to the garage and that's when
362 everybody came up. And they were - everybody was just all like saying stuff
363 back and forth and arguing and just yelling and stuff.
364

365 Q: The girls were involved in it too? There were some ladies there too. Were
366 they all arguing and stuff too, or were they trying to calm people down or was
367 that all guys?
368

369 A: Um, I - I remember there was some ladies there. And I don't know if they
370 were involved or not. But at that time when we were there, they were trying
371 to calm everybody down, the guys.
372

373 Q: Okay. They were trying to calm them down.
374

375 A: Yeah.
376

377 Q: Okay. So then you said everybody went back - went into the garage then.
378

379 A: Yeah, like mainly we were all like right there, like on the driveway, like in
380 between the driveway and the garage. Like we would go in the garage and
381 they would come out.
382

383 Q: The big garage door was open?
384

385 A: Yeah, the garage door was open.
386

387 Q: Okay. Is there cars in the driveway?
388

389 A: Yeah. That one car.
390

391 Q: There was one car in the driveway?
392

393 A: Yeah.
394

395 Q: Okay. I haven't seen it so I don't know. So you guys were like in the
396 driveway then basically?
397

398 A: Yeah.
399

400 Q: Okay. And then you were just - you kind of go back and forth from the
401 driveway to the garage?
402

403 A: Yeah.
404

405 Q: This is just all part of the argument type thing?
406
407 A: Yeah.
408
409 Q: Okay. And then what happens?
410
411 A: Um, at that time like, because Carlos was angry and everything, because I
412 guess there was someone there he had a problem with. And like I guess, I
413 don't know if they were in the backyard or wherever. He was just saying, like
414 F-you. He kept trying to go back into the backyard, because the other person
415 was back there. And everybody was saying, no, calm down. We were trying
416 to keep him away from the house, from being inside from causing, you know,
417 causing trouble. And we were trying to keep him calmed down and calm
418 down, you know, it was cool. Just chill, you know. And at that time, um, his
419 mom (Margaret) was there.
420
421 Q: Whose mom?
422
423 A: Ah, Carlos' mom.
424
425 Q: Okay.
426
427 A: The owner of the house. She was there. You know, he was saying stuff to her
428 just about different things. And then...
429
430 Q: Like?
431
432 A: Like 'cause I don't know what the argument was about. But he would say like,
433 you know, 'cause he was talking about like how he was when he was younger
434 and stuff and how he never really disrespected her and how he never like
435 drank or smoked in front of her and stuff, like he's always shown her respect,
436 and just different stuff.
437
438 Q: Carlos is telling his mom that?
439
440 A: Yeah, he was saying stuff like that, to that.
441
442 Q: Okay.
443
444 A: And he was just going on about that. And then he was saying that someone
445 there, you know, was - I don't know what he was saying. And then he was
446 trying, cussing out, keep trying to go back into the house, trying to get back at
447 that person, but everybody was just trying to keep him away, calm him down.
448 And at that - after that, you know, he was calming down a little bit and then he
449 was like, no, no. Forget that. He started getting crazy again. And I guess at -

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450 at that time, you know, everybody was like, All right, you know. He was like,
451 whatever. He was like - and then he goes into the garage and he closes the
452 garage a little bit. And he reaches in the top of the garage and I guess that's
453 when he pulls out the gun.

454
455 Q: Okay. Did you see him do that?

456
457 A: Yeah. I was like - I was standing in the garage and it's like on the top of the
458 garage. And the garage would go down and he would reach for the weapon.

459
460 Q: Like, okay, is the garage door, it folds open or is it like a rolling one?

461
462 A: It's a rolling.

463
464 Q: Okay, so he rolls it partway down?

465
466 A: Yeah.

467
468 Q: An then where does he get the gun from? It's like sitting on top of the garage
469 door or it's like on a piece of wood up there or what?

470
471 A: It's like - I would say the garage door is like right here. Like there is a piece
472 of wood on top.

473
474 Q: Okay.

475
476 A: And the plank thing right here and the garage would come down.

477
478 Q: Okay.

479
480 A: And he can reach his arm up and grab it. He was like...

481
482 Q: On the wood?

483
484 A: There is like a little platform above the garage door.

485
486 Q: Okay.

487
488 A: Yeah.

489
490 Q: And then did you know that gun was there before that?

491
492 A: No. I never knew there was a gun there.

493

494 Q: Okay. So he grabs - he grabs the gun and you said it was in a blue case or
495 something?
496
497 A: Yeah. It was like in a bag like kind of like a long looking bag.
498
499 Q: And it was blue?
500
501 A: Yeah.
502
503 Q: Okay. Um, where is that bag? Do he just like throw it down in the garage or
504 did you see what he did with it?
505
506 A: Um, because it was in the bag when he was leaving. Because then after that I
507 guess he was all, you know, just leave and he took it with him. And at that
508 time they were walking down the driveway and they were in the middle of the
509 street.
510
511 Q: Who is they?
512
513 A: It was Carlos, his younger - his son Carlos Junior and then I guess there was a
514 lady. I don't know who she is. A girlfriend or sister or there was another
515 woman - a lady with them.
516
517 Q: Okay.
518
519 A: And they were leaving and making their way to the car. And that's when the
520 two police officers come. And um, they see Carlos with a bag, and they said,
521 put down whatever you have.
522
523 Q: Now this is something that you see right?
524
525 A: Yeah.
526
527 Q: Someone is not telling you that?
528
529 A: I was like in the middle of the driveway and they were in the middle of the
530 street. And two police officers on the side. And at that time they tell him to
531 put his weapon down, and he pulls it out. And he...
532
533 Q: After they already told him that they were the police and to put it down, he
534 pulls it out of the bag?
535
536 A: I guess he was in the process of already putting it down, and then they tell him
537 to put it down, put your weapon down. And then he - he just cocks the gun
538 and he shoots at the police. And that's when they opened fire on him.

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539

540 Q: Okay. When he shot at the police, did you hear his gun? Did it actually go
541 off or did it just click or did it actually shoot?

542

543 A: I think - I think it went off, cause I heard a gunshot.

544

545 Q: Okay.

546

547 A: So I'm pretty sure it went off.

548

549 Q: Um, when you saw the officers on the street and Carlos and his son and the
550 lady were in the middle of the street and you saw the people, did you know
551 right away those were police officers?

552

553 A: Well ah, all I heard - hear is two men, they are saying stop where you are.
554 And then they said, they said - I think they said freeze, then put down your
555 weapon. And I assumed right away they were policemen.

556

557 Q: Okay.

558

559 A: And I looked to the side, because they were on my left hand side. And I look,
560 and I see two police officers there. At the time I didn't notice they were police
561 officers when I looked at them. I noticed they were police officers and by that
562 time he already fired the shot. And then once I heard the first shot, I ducked
563 for cover to try to get into the garage, tried to get down. And then I heard two
564 shots after that from the police officers, opened fire.

565

566 Q: All right. So the first shot you hear you - you think it's coming from Carlos'
567 gun?

568

569 A: Most likely, yeah.

570

571 Q: Okay. And is it one shot or is it more than one, do you remember?

572

573 A: Because I - I remember - I remember hearing one big shot, because he had a
574 shotgun. I'm pretty sure it was the shotgun that I heard - I heard it go off and
575 then I heard about three or four shots after that. Like quicker shots.

576

577 Q: Okay.

578

579 A: Because the shotgun takes longer to shoot. And I heard most likely the police
580 officers' guns.

581

582 Q: Then you heard like three or four shots - you heard het one loud one?

583

584 A: And probably three or four shots after that.
585
586 Q: Okay. Um, did you see the gun that he - he got? How did you know he had a
587 shotgun?
588
589 A: 'Cause - well I - 'cause I was probably within like probably 15 feet, maybe 20
590 feet max. And then I seen him pull it out and I seen him cock it.
591
592 Q: And he's aiming at the police officers now? The people who have just told
593 him to drop his weapon, he pulls it out and aims it right at them? And does he
594 say anything?
595
596 A: I didn't remember hearing him say anything.
597
598 Q: Ah, is it - is it daylight outside or what is the - what's the light like?
599
600 A: It was already dark, like pretty dark. You know, like the sun had already gone
601 down, probably maybe a little bit before that.
602
603 Q: All right. But when you saw the officers, you heard the commands. Ah, and
604 then you saw the officers. They were in police uniforms?
605
606 A: I think they were, because well it looked like they were wearing all black.
607
608 Q: Okay.
609
610 A: But I'm pretty sure it was police uniforms.
611
612 Q: Okay. Um, and so you - and you don't know who that he was fighting with
613 before or whatever? You had no idea how much he had to drink today,
614 anything like that?
615
616 A: No I don't.
617
618 Q: What was Carlos wearing?
619
620 A: Um, I remember he was wearing - he was wearing like a button up shirt.
621
622 Q: What color?
623
624 A: Um, I'm not too sure what color.
625
626 Q: Okay.
627

- 628 A: I think it might have been a - not a Hawaiian shirt but, you know, something
629 like that. It was like a - like a looser button up shirt and he was wearing some
630 shorts, like I think blue or black shorts.
631
- 632 Q: Okay.
633
- 634 A: And I think he was wearing like some sandals or like some slip on shoes.
635
- 636 Q: Okay. And um, what is he like? What is his haircut like or?
637
- 638 A: Um, I think he has his head shaved. His head was shaved. And he has a - like
639 a mustache or a goatee.
640
- 641 Q: What do you know about him as far as ever being in trouble before or
642 anything like that? Has he never really caused problems before or has he
643 caused problems before that you know of?
644
- 645 A: Um, as far as I know - as far as I know, like since I talked to him, you know,
646 and he's come over to my house and he knows my parents, you know, they're
647 pretty cool, you know. Like as far as I know is the way he came off to me is
648 he seemed like a nice guy. You know, like the way he acted tonight and the
649 things happen, you know, it didn't seem like him to me. You know, he
650 seemed like a different person. But like the way he was, I would think he was
651 a pretty - like a pretty nice guy, pretty mellow, you know, kept to himself. He
652 never would cause trouble, like trouble. And he was always looking out for
653 his - his family and stuff. You know, just trying to um, take care of his sisters
654 and stuff, you know, if they get in trouble.
655
- 656 Q: Has he ever been in jail or anything like that before that you know of, or have
657 you heard that he's been in jail or anything?
658
- 659 A: Not that I know of.
660
- 661 Q: Okay. Um, all right. Um, when you saw him pull out the gun, can you
662 describe the gun like what color it was or any of that stuff, or did you just
663 notice that he had like a rifle and he pulled it out?
664
- 665 A: Um, from what I could tell, from the short time that I was - like I looked - I
666 was looking at him, in the short time I seen him to me it seemed like when I
667 saw it, I would assume it was a shotgun. But I would say it was like a sawed
668 off shot gun.
669
- 670 Q: Okay.
671

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672 A: It wasn't like a long shotgun. It was like kind of short. And he - he was
673 holding it like that. You know, he cocked it. But it was black. Ah, I think it
674 was - I'm pretty sure it was a shotgun.
675

676 Q: Okay. After - after he cocked it, racked it, how long before you heard the first
677 shot?
678

679 A: Um, right after he cocked it, I would say a few seconds, a couple seconds.
680 Like it was almost immediately that he shot.
681

682 Q: The officers, are they still yelling at him to put his weapon down and stuff like
683 that or do you remember? Or is that stuff?
684

685 A: It was kind of like, you know, it happened so fast. But what I remember, like
686 I remember hearing them say put it down. And then he cocks it and then from
687 what I see real quick, it seemed like the officers were backing up. And I heard
688 a shot and once I heard that first shot, I was ducked down, dodge into the
689 garage. And then I run into the house and I just hear like three or four more
690 shots. And then by the time I come back and I look, I see Carlos on the
691 ground. I guess he was shot.
692

693 Q: Okay. Um, so you only heard the one big shot and then three or four other
694 shots. Not three or four, and then a gap and then three or four more? You just
695 heard the loud one and then three or four other shots?
696

697 A: Yeah, I would say the loud one, like I heard the first one. And all of a sudden
698 like maybe five or so seconds, and then they shot back. They fired back.
699

700 Q: Okay.
701

702 A: And it just went like, pow, pow, pow, pow. Like that.
703

704 Q: Okay. Um, who was out there with you when - when this happened?
705

706 A: Um, I think everybody that was there like trying to calm him down. Most of
707 us were all there, like my family, my parents and stuff and my brothers. And
708 then his mom (Margaret) and then (Clyde) was in the garage watching his TV
709 right there.
710

711 Q: Who is (Clyde), the dad?
712

713 A: Yeah, the dad. The older man who was sitting there. While everything was
714 going on he was sitting there the whole time. And then as they make their
715 way out, when they were leaving, it was like me and my brothers and my dad
716 were standing in the driveway. And all of a sudden the police officers, that's

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717 when the police officers were there. And when that all happened they told us
718 just to get down, and we all got down and that's when we went into the house.

719
720 Q: Okay. Did you ever see anybody else reach for that shotgun or anything like
721 that after - after Carlos had been shot and was down? Did you see anyone else
722 try to get that shotgun?

723
724 A: When it happened I didn't see anybody else 'cause Carlos was there, like the
725 two people that were there with them, they had like ran when he pulled it out.
726 They kind of made their way away from him. And they ran towards the
727 garage, like towards the driveway. And at that time that's when everybody
728 like when it happened, everybody got down. And once it - I guess when it
729 was all over the police officers told everybody to stay down on the ground,
730 keep their hands where they could see them, and everybody was laying down,
731 you know. And everybody was right there in the garage just laying down on
732 the floor at that time. But I never seen anybody reach for it.

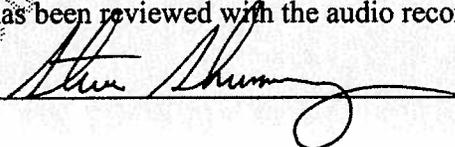
733
734 Q: Okay. Um, and you say Carlos is like more or less in the middle of the street
735 when this thing happened, or was he closer to the like driveway or gutter, curb
736 area?

737
738 A: I would say he's like more towards - like at that time I think he was more
739 towards like - like not the middle, but like farther from the driveway. He was
740 like closer to the middle than he was to the driveway.

741
742 Q: Okay. All right. Give me a second and I'll make sure I didn't forget anything.
743 And then I'll be back. And if we're done I'll get you out of here.

744
745
746 This transcript has been reviewed with the audio recording submitted and it is an accurate
747 transcription.

748 Signed _____



INTERVIEW WITH LUPE CASTRO
Q=Det. Jim Brandt
A=Lupe Castro

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45

Q: For this so I don't have to take a lot of notes and I can listen to you, okay?

A: Okay.

Q: Um, today is September 2.

A: (Unintelligible).

Q: It's about midnight 32. Um, this is Detective Jim Brandt. And I'm here with
- your last name is Castro?

A: Correct.

Q: And your first name?

A: Lupe.

Q: And the middle?

A: M.

Q: It - what is it?

A: It's Maynez, M-A-Y-N-E-Z.

Q: M-A-Y-N-E-Z. And your birthday?

A: [REDACTED]

Q: All right. And your address please?

A: 5808 Yarborough Y-A-R-B-O-R-O-U-G-H Drive, Riverside, California
92505.

RIVERSIDE POLICE DEPARTMENT - Restricted Information
PUBLIC RECORDS ACT
MEDROZA Dec 03 2009 10:10 AM Authorized Release PROHIBITED

46 Q: All right, thanks. And the phone number at the house?
47
48 A: [REDACTED]
49
50 Q: And do you have a cell phone?
51
52 A: [REDACTED]..
53
54 Q: Mm-hm.
55
56 A: ... [REDACTED]
57
58 Q: All right. And do you work right now?
59
60 A: Yes.
61
62 Q: Uh, work address?
63
64 A: Um, 1611 Jenks J-E-N-K-S..
65
66 Q: J...
67
68 A: E-N..
69
70 Q: ...E-E-N-K..
71
72 A: ...K-S..
73
74 Q: Mm-hm.
75
76 A: Drive. Corona, California 92880.
77
78 Q: And the number there?
79
80 A: [REDACTED]
81
82 Q: Okay. Obviously, we're trying to figure out what happened over there in your
83 neighborhood tonight. Um, so if you would, just tell me, you know, when it is
84 you became aware there was a problem over there and what happened, you
85 know, if you were there at the barbeque or...
86
87 A: No.
88
89 Q: ...seeing something earlier. Okay.
90

UNIVERSITY POLICE DEPT - Restricted Information
PUBLIC RECORDS ACT
MEDROZA Dec 04 2009 04:18PM Unauthorized Release PROHIBITED

91 A: We weren't there at the barbeque. My son just told me, "There's something
92 happening across the street. I hear yelling and stuff." He goes, "They're
93 fighting." So then I took off running because my neighbors have had trouble
94 with the girls fighting um, (Rita) and (Jennifer). And (Carlos) has been trying
95 to um, keep them from fighting and separating them. And that's why he's
96 been pretty much staying at the house, because they've had trouble with
97 (Rita), their daughter. So anyway, (Carlos) has been there, has been staying
98 there and stuff. And he comes over all the time. So anyway, I heard all the
99 commotion. I took off running 'cuz I'm close with the family. Took off
100 running, went through the garage, seen (Clyde) in the garage. As soon as I
101 entered in, there was two guys right at the kitchen door. I didn't recognize
102 'em. I don't know who they were. I told them, you know, "Get out of my
103 way." Because I seen someone on the ground. At that moment, I didn't know
104 who was on the ground. I just seen a body on the ground. And I told 'em to
105 get out of my way. And they go, "Who - who the fuck are you? You can't
106 tell us to get out of the way." Well when I went like this, that's when I heard
107 (Carlos) start yelling at those guys, "Don't be telling her nothing." And next
108 thing you know is he's trying to - I don't know, a bunch of people are trying
109 to hold him back. It turned out it was (Carlene) on the ground, his wife.

110
111 Q: Who's....

112
113 A: It's - (Carlene) is (Carlos)' daughter.

114
115 Q: Okay.

116
117 A: She was on the ground screaming for help, something about her stomach,
118 something about her stomach's, you know, and they're saying, "Call an
119 ambulance, call an ambulance." I didn't know what was wrong with her. I
120 didn't see any blood or anything. Um, (Carlene)'s on the ground. At first I
121 thought it was (Cindy), his wife, so I thought maybe he hit his wife. I didn't
122 know what was going on. But no, it turned out it was (Carlene). She's on the
123 ground. Um, she's - she's crying and screaming. (Carlos) is going wild.
124 And he's yelling at the guys that I passed. And he kept yelling at, "You
125 motherfuckers, you," whatever. And he's yelling at them. So I jus - I go,
126 "(Carlos), you know, calm down, calm down." And then he was like going all
127 wild. And then...

128
129 Q: What do you mean "wild"? Explain it to me what - what...

130
131 A: Well I...

132
133 Q: ...(unintelligible).

134

135 A: ...yelled. It wasn't (Carlos). It wasn't the way (Carlos) act. So I knew he
136 had to have been under the influence alcohol or something. Because I've seen
137 (Carlos) when he's mad and stuff. And that wasn't (Carlos). Um, he - I - I
138 believe - later on I found out they gave him tequila, which explains why he
139 was acting the way he was. But at that moment, I didn't know that he had
140 taken anything. I didn't know. I just knew it was a family barbeque that was
141 going on. And (Carlos), I just told him, "(Carlos), it's me, (Pita)." 'Cuz he
142 knows me as (Pita), which is my nickname. And he - he's looking at me. His
143 eyes are bulging. He takes a look at me. At the same time, people are holding
144 him back. There was an old man and a lady, which I believe were um,
145 (Cindy)'s parents. And for some reason, I don't know if he's going - he was
146 going into the past or whatever but anger was coming out of him. And...
147
148 Q: Out of (Carlos)?
149
150 A: Out of (Carlos). And he was like, "You, because of you." And he's yelling
151 out. And I'm like, "(Carlos), calm." He goes - he goes, "(Pita), you don't
152 understand what these people have done to me." And next thing I know is
153 he's going again. But this time trying to grab the lady. Meanwhile um, what's
154 her name? Um, oh (Margaret)'s trying to hold him down. And she's yelling
155 at him, "mijo, mijo," whatever. So is (Cindy). (Cindy)'s trying to get to her
156 daughter. And um, (Carlos) is just going all crazy. And then he goes, "(Pita),
157 I love you. I love you." But he goes, "No, that motherfucker (Eddie)." And
158 he kept saying, "(Eddie)". And I didn't know that (Eddie) was his son.
159
160 Q: Okay.
161
162 A: Okay? Because he told me outside. 'Cuz I told him, "Who is (Eddie)? You
163 keep referring to an (Eddie). I don't know who (Eddie) is." He goes,
164 "(Eddie)'s my son." He goes, "She keeps letting him stay here," and this and
165 that. And I was like - I didn't even know (Eddie) was staying there. And so I
166 don't know if he was referring to the past or maybe he's stayed there a couple
167 days now or - but he was furious for some reason, something to do with
168 (Eddie).
169
170 Q: Now is (Eddie) one of the two guys that you passed, do you think?
171
172 A: Yes. It was one of the two guys.
173
174 Q: Okay. Now uh, (Eddie) and (Carlene) are brother and sister?
175
176 A: Uh, yes.
177
178 Q: Okay.
179

180 A: And so is um, (Bugsy), the one that we have here. The one in the – that kept
181 mouthing off to the cops.
182

183 Q: He wasn't in that room with you guys just now, right?
184

185 A: No.
186

187 Q: Okay. That – okay.
188

189 A: And (Bugsy), I kept – I don't know his real name but when everything was
190 happening, we brought him outside. (Carlos) started calming down.
191

192 Q: Inside the house still?
193

194 A: Um, outside of the house. We finally got (Carlos) to come outside. I thought
195 – I told (Carlos), "(Carlos), come with me. Just come with me. We'll go to
196 my house." You know? Just...
197

198 Q: Going in the front yard?
199

200 A: Yeah. I go, "Let's just get out of here." 'Cuz everybody in the house, it was
201 like he wanted to – like he had hatred towards different people. And even his
202 aunts, older people and stuff. But he didn't have no um, towards me. He
203 didn't have any anger. And he didn't – and he would calm down. Then all of
204 a sudden my sons and my husband came. And they started um, talking to him.
205 And then (Tom) starts talking to him. And then he starts telling (Tom),
206 "(Tom), do you know these guys?" And I don't know what (Tom)...
207

208 Q: Is (Tom) your husband or you have a son...
209

210 A: My husband.
211

212 Q: Okay.
213

214 A: Then he starts talking to him. And he's calming down, he's calming down.
215 So it was like (Carlos) is finally calming down. Then his mom comes out.
216 And when she came out, then again (Carlos) would act up. And then he kept
217 saying, "You better tell those motherfuckers get the hell out of the house," and
218 this and that. 'Cuz he was convinced they were still in the house. But in
219 reality, they left when I came in. They pretty much left 'cuz we kept yelling
220 for everybody just to leave. So they left because I could see (Carlos) wasn't
221 gonna calm down until these people left because he was getting really wild.
222 And so they had taken off. I see the old man and the old lady. They get into a
223 van, I don't know what – some like van. They take off. And there was some
224 kids. And I'm not sure where (Chris), I mean (Cindy) and (Carlene) left.

225
226 Q: Left? Like...
227
228 A: They left.
229
230 Q: ...the whole house?
231
232 A: The whole – the whole house before...
233
234 Q: The party, everything?
235
236 A: Yeah. They all left. And then the rest of us stayed there. The next thing I
237 know is um, (Carlos) is calming down again. Then he says, "Okay, you
238 know," then I notice um, I don't know the – the girl that lives in the – in the
239 room with us, the blonde-ish looking hair.
240
241 Q: Unfortunately I don't know who anybody is either yet by names or anything.
242
243 A: Yeah I don't – I don't know her. I guess she's (Bugsy)'s girlfriend...
244
245 Q: Okay.
246
247 A: ...or something. She ends up telling him, "Just come on, (Carlos). Let's go.
248 Let's go." So then he's like, "Okay." You know? "We're gonna go, mijo,
249 we're gonna go," he's telling um, his son (Bugsy). And then they're calming
250 down. Next thing I know is he was, you know, settling down. But then
251 (Carlos) goes back into the garage and says he has to get something. We're
252 like, "What?" He starts pulling – he starts having (Bugsy) pull – close the
253 garage. I thought he was closing the garage to go out the front or something.
254 And I was like, "Well whatever, just come on. Let's go out." But then he
255 starts climbing up on a ladder and reaching his hand over. And his mom starts
256 going, "What are you reaching for? What are you reaching for? What's up
257 there? Why are you reaching your hand up there?" And he goes, "Just leave
258 me alone." And then they're trying to pull him down. At the same time
259 they're pulling his pants down and stuff and...
260
261 Q: Who's "they"? Who start to pull 'em down?
262
263 A: Um, the girl, (Bugsy)'s girlfriend, and um, (Margaret). So they're trying to
264 pull him down. And next thing I know is he finally gets down. You know,
265 'cuz he convinced 'em to get down. But I guess at the same time he went for
266 some umbrella that was on the side. And I was like, "What the hell is he
267 getting an umbrella for?" I didn't know. And I was thinking he just lost it.
268 So then he grabs for this aqua blue looking umbrella looking thing. And he
269 grabs it.

270
271 Q: And where is it? Where is that thing at?
272
273 A: That's in the garage on the side um, just by the shelves. I don't know if he
274 seen it when he was up there or when he turned. He might've seen it because
275 as soon as he got down, he went straight for that umbrella. Then he grabs it.
276 And he goes, "Come on, let's go. Let's go." So then he goes out. As soon as
277 he goes out uh, you know, they're going, "Well we're gonna take - we're
278 gonna leave and stuff." And then um, (Margaret)'s like, "Okay, you guys are
279 okay," and stuff. And then as soon as he sees the one aunt coming out, he was
280 like, "What the hell? I'm gonna get you too," and this and that, you know?
281 "For what you did," and I don't know what he was mad at her for. He said -
282 and I just told her, "You know what? Get in the house. Just get in the house.
283 Get away from him. I don't know what anger he has. Just, you know, get
284 inside. You guys are, for some reason, angering him." And I could see it
285 because he was calmed down. Then he starts, you know, being okay and is
286 willing to leave. But he wouldn't leave without that umbrella. Then he takes
287 it and she's like, "Well what it - why is he taking umbrella?" And we're - I -
288 I go, "I don't know but just let him take it, whatever it is. I don't know what it
289 is." So then he goes out. When he's going out, two police officers start
290 walking up. And at the same time they start pointing flashlights. And when
291 they started pointing flashlights back, he was there. I think (Bugsy)'s
292 girlfriend was near him or somewhere near there because all I seen was the
293 lights, the umbrella go up and then he started pulling out. So I don't know.
294 'Cuz then all of a sudden I just turned and when he pulled out, I turned it 'cuz
295 right away I just seen the officers yelling out. I don't know what the hell they
296 said. But they - I - I know it was something like for him to stop or whatever.
297 And I know I turned 'cuz for some reason I feared. And I turned for my sons
298 'cuz my youngest sons were in the, you know, in the house. And when I
299 turned, I didn't see them. Then I turned back. At the same time I know I seen
300 (Carlos)' hand go out. I heard the gunshots. I went down to the floor. Then I
301 started running, trying to get in the house 'cuz I was looking for my sons. I
302 couldn't find 'em. Then I found my other two sons and then I turned, looked
303 for my husband and um, my other son. And I didn't see them at all. I don't
304 know where they ran to or where they - 'cuz they were in the front.
305
306 Q: In the front yard or in the driveway?
307
308 A: Uh, in the driveway in front of the car. So...
309
310 Q: Closest to the garage or closer to the street?
311
312 A: Uh, yeah.
313
314 Q: Which one?

315
316 A: The – I mean...
317
318 Q: Closer to the garage or closer to the...
319
320 A: Closer to the garage.
321
322 Q: Okay. And where were you standing?
323
324 A: I was standing in the middle. I mean I was standing near the – here's like the
325 parked car, like if it was right here, my husband was right here. My son was
326 somewhere around here. And then I was right here.
327
328 Q: Okay. And where is the street?
329
330 A: The street is right here.
331
332 Q: Okay. So you guys are closer to the garage? The garage is right here?
333
334 A: Yeah.
335
336 Q: Then this is the cars in the driveway?
337
338 A: Right.
339
340 Q: Okay.
341
342 A: And so all I could see...
343
344 Q: When (Carlos) leaves, (Carlos) and (Bugsy) and...
345
346 A: Leaves...
347
348 Q: ...and his girlfriend are...
349
350 A: Leaves this...
351
352 Q: ...down the driveway to the street. He gets down to the street basically?
353
354 A: Yeah. He's in the street already.
355
356 Q: At what – how – how do you notice the two officers walking up? Do they
357 yell? Do they say something that...
358
359 A: They're saying...

360
361 Q: ...makes you...
362
363 A: ...something at the same time that (Carl) – (Carlos) is leaving. (Carlos) is...
364
365 Q: But you don't know what they're saying?
366
367 A: I don't recall.
368
369 Q: Okay.
370
371 A: I just know – that part I don't recall. I just know that they're tell – they're
372 telling him something. And 'cuz he – I mean by then he was already more
373 calmed down but yet all of a sudden when he seen the officers it was like
374 anger I guess...
375
376 Q: He got...
377
378 A: ...a little bit.
379
380 Q: I mean that – when he saw them, he got angry like he did when he saw his
381 aunt or...
382
383 A: Yeah.
384
385 Q: ...what – whatever. I mean...
386
387 A: Just like blows up again.
388
389 Q: What – did he say anything to the officers?
390
391 A: He said something. But I don't recall the exact words, no. I guess...
392
393 Q: So the officers you said had their flashlights out?
394
395 A: Yeah.
396
397 Q: Um, were you able to – to somewhat see them with the flashlights and stuff?
398 Or at – at what...
399
400 A: I couldn't tell which – what the officers looked like, no.
401
402 Q: Okay. But you knew they were officers based on...
403
404 A: Right.

405
406 Q: ...the flashlights, what they were saying to him?
407
408 A: Based on what – pretty much what they were saying I guess and the way they
409 were walking together. And they were in the dark uniforms. Plus you could
410 see like um, what is it? I think from the lights or something you could see like
411 they had guns and stuff. So (unintelligible)...
412
413 Q: I mean there was no question to you that they were police officers?
414
415 A: Yeah I – I knew for a fact they were police officers...
416
417 Q: Okay.
418
419 A: ...yeah.
420
421 Q: Um, and then you – you said you...
422
423 A: But it was
424
425 Q: ...saw...
426
427 A: ...it was still dark in all that area.
428
429 Q: Mm-hm.
430
431 A: It was real dark.
432
433 Q: Right. Um, and this...
434
435 A: Mm-hm.
436
437 Q: ...this umbrella thing that (Carlos) grabbed, did he get that from the rafters or
438 that was actually down somewhere...
439
440 A: No, it was...
441
442 Q: ...else in the garage?
443
444 A: ...down on the – on the ground. I mean it was down on the side.
445
446 Q: Okay.
447
448 A: He didn't get it out of the rafters.
449

450 Q: Okay. So he has that, whatever it was, he has that. And he's walking down
451 into the driveway.
452
453 A: Mm-hm.
454
455 Q: And the officers started giving the commands and they're shining these
456 flashlights on him.
457
458 A: Right.
459
460 Q: And he actually – you actually see his arm like obviously...
461
462 A: Extend out.
463
464 Q: Like he's pulling something out of that...
465
466 A: Yeah.
467
468 Q: ...umbrella case type thing?
469
470 A: Yeah.
471
472 Q: Did you ever see him like pull it up and like aim it at the officers or anything?
473
474 A: No.
475
476 Q: Did he point it at the officers?
477
478 A: At that point I turned.
479
480 Q: You turned away 'cuz you were afraid...
481
482 A: Yeah.
483
484 Q: ...of what was gonna happen?
485
486 A: But for some reason I – I guess I feared because I seen his hand going...
487
488 Q: What'd you think at that time?
489
490 A: At that time, I – I thought it was – I would've thought it was a gun or
491 something.
492
493 Q: Um...
494

495 A: I mean at that time, only because of the positioning, you know?
496
497 Q: Did you um...
498
499 A: And then how long it was.
500
501 Q: So it...
502
503 A: I mean...
504
505 Q: ...was like a rifle or would you say it was a handgun? If it was a gun would
506 you think...
507
508 A: No, it wasn't a handgun.
509
510 Q: Okay. It -- it was some kind of rifle or something?
511
512 A: Yeah because it, whatever it was, if it was a gun, I don't know. If it turned out
513 to be an umbrella, I don't know. But whatever it was, it had to have been
514 about this big.
515
516 Q: Okay.
517
518 A: I don't know.
519
520 Q: All right. Did you ever...
521
522 A: Because that's how -- that's how big the umbrella thing looked.
523
524 Q: Okay. Um, did you ever hear like um...
525
526 A: I heard like...
527
528 Q: ...any kind of like a -- like a metal noise? Or have you ever heard like a -- like
529 a gun being like racked or cocked like (noise resembling shotgun being
530 racked)? Anything like that? Did you hear any noise like that before the
531 gunshots?
532
533 A: Uh, no. I didn't hear anything...
534
535 Q: Okay.
536
537 A: ...like that, no.
538
539 Q: How many gunshots do you think you heard?

540
541 A: Oh God, about six or seven.
542
543 Q: Okay. How soon after you saw his hand like pulling this thing out of this
544 case, how long after that did you hear the shots?
545
546 A: Oh God, immediately.
547
548 Q: Okay. Um...
549
550 A: Immediately.
551
552 Q: ...the gunshots, did they all sound um, the same? Like maybe it's from the
553 same kind of weapon? Or was some louder than others?
554
555 A: I wouldn't be able to -- to tell. I just know that it just sounded like popping
556 noises, like back and forth type.
557
558 Q: Well do you think -- I mean it -- the way -- how far from (Carlos) would you
559 say the officers are?
560
561 A: At that point, they were um, gosh let's see, they're about a -- maybe a car --
562 maybe the length of a car...
563
564 Q: So, I mean...
565
566 A: ...away from (Carlos). They're not...
567
568 Q: So not...
569
570 A: ...that far.
571
572 Q: ...not at all far at all?
573
574 A: No.
575
576 Q: Um...
577
578 A: 'Cuz they were already...
579
580 Q: ...if you...
581
582 A: ...at the edge of the -- the front of the house. And (Carlos) is right at the edge
583 of the white car at the right -- at the right, left taillight.
584

585 Q: Which is – which is the car that's in the driveway?
586
587 A: Right.
588
589 Q: Right?
590
591 A: So if you put a car or maybe a large van or something, that's how far they
592 were.
593
594 Q: Okay. Is there a sidewalk along that street right there?
595
596 A: Yeah there's a sidewalk.
597
598 Q: Is that where the officers were, on the sidewalk or...
599
600 A: They were on the sidewalk. Yeah...
601
602 Q: Okay.
603
604 A: ...the officers were on the sidewalk.
605
606 Q: You said something a – you – or the way you described it is that um, they
607 were shooting back and forth or whatever. Do you think (Carlos) shot at the
608 officers? It uh, if there's a difference between distance, you know, are the
609 shots coming from here and shots coming from here? Could you tell? Or
610 were they more directed like where the officers were?
611
612 A: Hm, I wouldn't be able to tell. I just know it sounded like a – they were like
613 firecrackers because it's uh, the way they sounded it was like – it didn't sound
614 like, you know, like you see – see in the movies like boom, boom, boom,
615 boom, boom like that. No. Sounded like popping noises and then popping
616 noise and then popping again.
617
618 Q: But did they all sound like – as far as like the popping noise, did they sound...
619
620 A: Like...
621
622 Q: ...like the same? Or were there some that were louder than others?
623
624 A: God, I wouldn't be able to say that.
625
626 Q: Okay.
627
628 A: No.
629

630 Q: All right. Did you ever see (Carlos) shoot at the officers?
631
632 A: Not actually shoot, no.
633
634 Q: Okay. Do you think he shot at the officers?
635
636 A: If it turns out to be a gun, probably.
637
638 Q: Okay.
639
640 A: In the state of mind that I seen him, I would've – I would've assumed.
641
642 Q: That it was a gun?
643
644 A: Mm-hm. Only because of the way he was acting, which was not (Carlos).
645 That was not (Carlos). That was...
646
647 Q: Okay. And then later on you said that you learned that he had been drinking
648 and someone had actually gave him tequila?
649
650 A: Hm.
651
652 Q: Um, did – who – who's – who said he drank tequila?
653
654 A: Um, actually (Bugsy)'s girlfriend. She said, "It's all – it's my fault. I gave
655 him – we were drinking tequila."
656
657 Q: But you don't know how – how much or anything like that? Is she here?
658
659 A: Yes.
660
661 Q: Is that her in there?
662
663 A: Yeah she's the one that's like Caucasian girl with blonde hair or
664 (unintelligible).
665
666 Q: Okay. So she was in the room when I just went in and got you (unintelligible)
667 then, right?
668
669 A: Um, no. She had already been taken.
670
671 Q: She had already been talked to?
672
673 A: So I don't know...
674

675 Q: What do you know about (Carlos) - (Carlos)' past or whatever? Has he been
676 in trouble before? Does he...
677
678 A: Yes.
679
680 Q: ...use?
681
682 A: Yeah he's...
683
684 Q: What kind of trouble has he been in?
685
686 A: Well I don't know what for. All I know is that he is an ex-con. He is an ex-
687 heroin addict. Um, actually he's been doing good in the past year that I've
688 seen. Actually he has turned his whole life around but he's, you know, since
689 he's been coming to his mom. He's actually been coming to my house. And
690 he's - he's actually been very good.
691
692 Q: You know what kind of stuff he got in trouble for before?
693
694 A: Hm, no. He just talks about like fighting, you know, getting in street fights
695 and, you know, one time when he had a - when he was protecting his
696 daughter he got in a - a beef over that and ended up in jail for it. And then
697 another time, like when he was young, he used to, you know, he stole his
698 mom's car, stuff like that.
699
700 Q: Okay.
701
702 A: But I'm, you know, I'm sure he's done a lot 'cuz he said that it was the life that
703 he did not want for his kids. And when (Carly) - 'cuz actually we had a
704 conversation just last week 'cuz he was talking about his sister has been doing
705 drugs. That was the reason (Carlos) has been out here is to be helping his
706 mom. And he's been under a lot of stress too, you know, dealing with her
707 coming back and forth into the house. And he's been trying to get his mom
708 to, you know, turn his - turn her back on her or get her some help or get her
709 into rehab or something because, you know, the girls are fighting. He even
710 came over and he was telling us that he's never seen his sisters fight before.
711 You know, and he thought he was the only bad seed in the family. But I
712 was...
713
714 Q: Where does he - where does he live if he's not living at his mom's?
715
716 A: Um, in Anaheim somewhere.
717
718 Q: Oh.
719

720 A: He usually stays with his -- I think it's his mother-in-law's house.
721
722 Q: Now (Cindy) is his wife?
723
724 A: Mm-hm.
725
726 Q: Did you ever find out what happened to (Carlene), why (Carlene) was on the
727 ground screaming for help?
728
729 A: Um, no. I was just -- I just assume she got probably pushed or something.
730
731 Q: Okay.
732
733 A: Because the way he was pushing and stuff, I mean if you just got in his way
734 you were gonna get pushed. It didn't matter.
735
736 Q: Did you notice any -- if anybody was injured? Was anybody bleeding or
737 anything that you noticed or anybody have, you know, like red marks on 'em
738 or anything?
739
740 A: Hm...
741
742 Q: When you first got there?
743
744 A: When I first got there, no. I didn't even see -- there was no blood on the
745 ground or not even (Carlene), she wasn't bleeding or anything.
746
747 Q: Okay.
748
749 A: She was just yelling something about her stomach hurting.
750
751 Q: Okay. So when you get there, there's two guys like by the garage door, inside
752 the house.
753
754 A: No, inside the house...
755
756 Q: Inside the house but by the...
757
758 A: ...by the kitchen door.
759
760 Q: By the kitchen door that go -- comes from the garage?
761
762 A: Um, well it comes from the living room to the kitchen.
763
764 Q: Okay.

765
766 A: He – they're already in the house. And all the fighting and everything, (Carl)
767 – 'cuz it's like...
768
769 Q: Here.
770
771 A: Do you have a piece of paper? It's like um, let's see. Let's say the – the
772 kitchen door is right here. These two guys are standing right here. And the
773 table is here. (Carlene)'s on the ground right here. Okay?
774
775 Q: Mm-hm.
776
777 A: And (Carlos) is right – let's see, when I get in he's right here. (Carlos) is right
778 here. And he's yelling. I come through.
779
780 Q: Where is the garage? The garage is over here?
781
782 A: Garage is over here.
783
784 Q: Okay. And you come in through the garage door?
785
786 A: Yeah, which I normally do. I never go through the front door.
787
788 Q: Okay.
789
790 A: But we're like family. So I come running 'cuz of all the commotion. I come
791 running in and when I come in I see these two guys here. And at the same
792 time I see a body. I don't – see I don't see the face because someone's crow,
793 you know, hovering over. At that moment, I didn't know who it was. I didn't
794 know if it was (Margaret). I didn't know if it was one of the girls. So I told
795 the – the guys, "Move out of the way." And then that's when they replied,
796 "Who the fuck are you to tell me to move out of the way?" or something. And
797 that angered (Carlos).
798
799 Q: And he told them something?
800
801 A: He started yelling at them.
802
803 Q: Okay.
804
805 A: And I come through.
806
807 Q: Now did you figure out who – one of these guys is (Eddie)? Is that right?
308
809 A: Yeah 'cuz he's yelling.

810
811 Q: Do you know who the other one is?
812
813 A: No. I never found out.
814
815 Q: All right. I'm gonna mark – I'm gonna mark this the way you described it. If...
816
817 A: Mm-hm.
818
819 Q: ...so there's (Eddie)'s one of these people, what – I don't know which one,
820 and then this...
821
822 A: I don't either.
823
824 Q: Some other...
825
826 A: (Unintelligible)...
827
828 Q: ...unknown...
829
830 A: ...else (unintelligible)...
831
832 Q: ...other person.
833
834 A: ... (unintelligible).
835
836 Q: Okay. So you came from your house into the – through the garage, into the
837 door?
838
839 A: Mm-hm.
840
841 Q: This is the living room.
842
843 A: Right.
844
845 Q: Right. This – kind of this room right here is kind of a – a – a living room.
846
847 A: Also when I came in running, I noticed when I – I started approaching the
848 garage because I didn't know what was happening first. First thing I see is
849 (Clyde)'s over here.
850
851 Q: Who's (Clyde)?
852
853 A: I mean (Clyde) is the um, what's it? (Margaret)'s husband.
854

855 Q: So (Clyde), he's in the garage?
856
857 A: Yeah he's sitting in, you know, has a seat 'cuz he can't really move around. At
858 the same time, my neighbor that lives right next to me uh, black lady, she's
859 yelling over here. And I don't know what she's yelling. But I don't know if
860 she's fighting with somebody or what. But she's yelling at somebody.
861
862 Q: Over here?
863
864 A: Yeah. That's coming towards the house. Because I go running in and – and
865 my neighbor's yelling at somebody because I remember I turned. And she's
866 yelling and I'm like, "What the hell?" You know, I thought she was yelling at
867 me. But she was yelling. It turns out she was yell – I think she was yelling at
868 (Bugsy) and her – his girlfriend for some reason.
869
870 Q: Now if you're looking...
871
872 A: 'Cuz she's...
873
874 Q: ...if you're in the street and you're looking at your house...
875
876 A: Mm-hm.
877
878 Q: ...this lady, is she on your left or your right if you're looking at your house?
879
880 A: If you're looking? She'd be on my left.
881
882 Q: On your left?
883
884 A: Yeah.
885
886 Q: Okay.
887
888 A: She's in the red barn looking colored house.
889
890 Q: Okay.
891
892 A: Yeah. So then she ends, you know, she's yelling out something. I know I
893 turned and then I see that she wasn't yelling at me. So then that's when I
894 proceed. And I, you know, I start 'cuz I hear yelling more. So I took off
895 running. And then that's when I told them to move out of the way. And they
896 tell me, you know, "Who the hell are you?" and all this stuff. And then that's
897 when I seen (Carlos) saying, "Don't be telling her," and then he starts yelling.
898 I come in. I looked down. I thought it was um, (Cindy) but it turned out to be
899 (Carlene). I move – I move through here to get to (Carlos). And then I tried

900 to, you know, start calming him down. And then I told him, "(Carlos), it's
901 me, (Pita)." And then that's when he's right there with his eyes all bugging
902 out and stuff. And he's going like this.

903

904 Q: So he's like flailing around kinda?

905

906 A: Yeah. And...

907

908 Q: Is somebody holding him at the time or...

909

910 A: Yeah they're holding him.

911

912 Q: Who's "they"?

913

914 A: Um, I think it was the old man, was trying to hold him, and (Margaret).

915

916 Q: Not (Clyde) old man?

917

918 A: No.

919

920 Q: It was another old man?

921

922 A: There's another old man there.

923

924 Q: Okay.

925

926 A: And they were at the...

927

928 Q: And you think those are...

929

930 A: ...(unintelligible)...

931

932 Q: ...(Cindy)'s parents and for some reason?

933

934 A: I'm - I'm almost positive they're (Cindy)'s parents.

935

936 Q: Okay.

937

938 A: They're there. And they're right at the um, sliding glass door. And all of a
939 sudden he - every time they opened their mouth he would flare up. And then
940 as soon as he'd see the old man it was like he wanted to string 'em up alive,
941 whoever he was.

942

943 Q: Well the guy who's trying to hold him back?

944

945 A: Mm-hm.
946
947 Q: Okay. Uh, then these two guys leave.
948
949 A: Right. They take off.
950
951 Q: (Cindy)...
952
953 A: (Cindy) takes off. Um, (Carlene) takes off. They took their little kids 'cuz it
954 was some little babies or something.
955
956 Q: All that before the police show up?
957
958 A: Right.
959
960 Q: Okay.
961
962 A: They all leave before.
963
964 Q: Okay.
965
966 A: (Unintelligible).
967
968 Q: So which one of your sons heard the commotion and told you guys there was
969 a problem over there?
970
971 A: Um, (Tommy) was the first one to notice it.
972
973 Q: Okay. And then – then – then you went over there and then you...
974
975 A: Uh...
976
977 Q: ...do your thing and then you're...
978
979 A: Then the rest of my kids and my husband came running.
980
981 Q: Okay.
982
983 A: Yeah be – I guess they came running 'cuz they seen I didn't come out and
984 there's more yelling and screaming and...
985
986 Q: Okay.
987
988 A: ...by then I brought – I started bringing (Carlos) out by the time they started
989 all running, you know, coming.

990
991 Q: Okay. And then when uh, to go over this one part real quick and then we'll be
992 done. When um, (Carlos) is pulling that thing out of that cover or whatever, is
993 he pulling it out with his right hand? Do you notice like...
994
995 A: I think it's his right.
996
997 Q: Okay.
998
999 A: He's pulling out like this.
1000
1001 Q: And he's facing towards where the officers are?
1002
1003 A: Yeah.
1004
1005 Q: And he's looking at 'em and he's pulling this thing out? Or I mean I don't...
1006
1007 A: While he's...
1008
1009 Q: ...if you're looking at him when he's facing...
1010
1011 A: I don't...
1012
1013 Q: ...this direction...
1014
1015 A: Yeah I facing that direction.
1016
1017 Q: Okay.
1018
1019 A: I don't know...
1020
1021 Q: Yeah.
1022
1023 A: ...if he was - what he was...
1024
1025 Q: Looking at?
1026
1027 A: ...you know?
1028
1029 Q: I - and that's (unintelligible)...
1030
1031 A: Yeah.
1032
1033 Q: ...(unintelligible) it was just uh...
1034

1035 A: Yeah, I don't know what he was looking at.
1036
1037 Q: Okay.
1038
1039 A: And that – and act – at the same time I was thinking, “What is he pulling out
1040 an umbrella for?” But at the same time I thought, you know, no these, you
1041 know, he's um, what is it? He's like spaced out or whatever you want to call
1042 it because I could tell it wasn't him.
1043
1044 Q: Right.
1045
1046 A: But yet at the same time I feared it because if it – even if it was a gun or
1047 whether it was an umbrella, I was – I was in fear that the police officers just
1048 with the movement they're gonna, you know, fire.
1049
1050 Q: Right. But like you said...
1051
1052 A: Honestly...
1053
1054 Q: ...you – you thought the same...
1055
1056 A: Yeah.
1057
1058 Q: ...thing though, you – based on the movement, you thought it was a gun
1059 and...
1060
1061 A: I – I mean I wouldn't have – I mean basically because of the way he was
1062 screaming, I mean I personally would have thought that because I seen him,
1063 how irrational he was. As far as the police officers, they'd probably would've
1064 based it, not because they seen how he was, because they weren't there long
1065 enough to even find out...
1066
1067 Q: Mm-hm.
1068
1069 A: ...how he was acting um, or to see if he was drunk or see if he was under the
1070 influence, nothing. But just the fact that – I'm trying to think of what (Carlos)
1071 said. (Carlos) said something to them.
1072
1073 Q: Like – like that he had a like (unintelligible)...
1074
1075 A: No, not – not...
1076
1077 Q: ...like he was gonna hurt 'em or like...
1078

1079 A: No. Not like he had a gun. More like I think like something like -- not -- I
1080 don't know, not even -- I don't know if it was like what he actually said but to
1081 me it seemed more like um, like you could tell he didn't -- he didn't like the
1082 police. That was the bottom line.
1083
1084 Q: Right. Okay.
1085
1086 A: That was the bottom line.
1087
1088 Q: Okay.
1089
1090 A: You could tell at that moment he didn't want the police there. He didn't, you
1091 know, want to deal with the police or whatever. And then the fact that he
1092 went for that umbrella or whatever it was and the way he -- his arm went back
1093 I -- I guess I feared -- I knew the police were gonna shoot.
1094
1095 Q: Mm-hm.
1096
1097 A: Because they would've -- I mean anybody would've thought something
1098 because of the way he was just seeing. If somebody's, you know, you barely
1099 approaching them and they yell something at you and then with the anger and
1100 then you just see an arm go like -- I mean what would you think?
1101
1102 Q: Right. And you said you heard about seven or eight shots? Is that right?
1103
1104 A: About seven.
1105
1106 Q: About seven shots?
1107
1108 A: Six to seven.
1109
1110 Q: Six to seven?
1111
1112 A: I think. Yeah.
1113
1114 Q: All right. Um...
1115
1116 A: But I'm not -- yeah I wouldn't...
1117
1118 Q: That's fine.
1119
1120 A: ...bet my life...
1121
1122 Q: Yeah I'm...
1123

1124 A: ...on it. It was just like...
1125
1126 Q: There's no way...
1127
1128 A: ...pop, pop, pop, pop...
1129
1130 Q: Yeah it was so fast...
1131
1132 A: ...pop.
1133
1134 Q: ...there's no way you're gonna...
1135
1136 A: Yeah.
1137
1138 Q: count 'em.
1139
1140 A: Mm-mm.
1141
1142 Q: Um...
1143
1144 A: Was quite a bit though. It wasn't, you know, one or two.
1145
1146 Q: Okay. Um, let me go out and make...
1147
1148 A: Yeah.
1149
1150 Q: ...make sure there's nothing else I need to ask you and then uh, if not, we'll
1151 get you with your sons and then hopefully your husband and your other son's
1152 done and we can let you guys get going.
1153
1154 A: Ok.
1155
1156 Q: Hold on one sec.
1157
1158
1159 This transcript has been reviewed with the audio recording submitted and it is an accurate
1160 transcription.
1161 Signed 