

INCIDENT REPORT

DATE PREPARED: 04/18/2018

RIVERSIDE COUNTY SHERIFF CA0330000

INITIAL SUPPLEMENTAL

FILE NUMBER JV180670133	2. DATE/TIME REPORTED	3. DATE/TIME ASSIGNED	4. DATE/TIME INV. START	5. DATE/TIME INV. TERM	6. ADULT ARR	7. JUV ARR
8. OFFENSES - CODE SECTION OIS		CRIME Officer Involved Shooting- Fatal		COUNTS		9. EDP CODE 13C7-N
10. OFFENSES - CODE SECTION (Add or Change to)		CRIME		COUNTS		11. EDP CODE
12. OFFENSES - CODE SECTION (Add or Change to)		CRIME		COUNTS		13. EDP CODE
14. LOCATION OF OCCURRENCE			15. REP. DIST.	16. OCCURRED ON- DATE/TIME	17. OR BETWEEN DATE/TIME	
18. BUSINESS NAME			19. BUSINESS PHONE		20. CASE STATUS/ CLEARANCE	
21. WAS THIS INCIDENT RELATED TO MARIJUANA? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If yes, briefly include in narrative or additional details how it was related)						

VICTIM - REPORTING PARTY - WITNESS - OTHERS:

SEE ADDITIONAL PERSONS REPORT

22. INVL	23. NAME (Last, First, Middle)	24. SEX	25. RACE	26. DOB	27. AGE	28. HT	29. WT	30. HAIR	31. EYES	32. SKIN
33. RESIDENCE ADDRESS			CITY	ZIP	34. EMAIL ADDRESS			35. RES. PHONE		
36. BUSINESS ADDRESS			CITY	ZIP	37. EMAIL ADDRESS			38. BUS. PHONE		
39. INVL	40. NAME (Last, First, Middle)	41. SEX	42. RACE	43. DOB	44. AGE	45. HT	46. WT	47. HAIR	48. EYES	49. SKIN
50. RESIDENCE ADDRESS			CITY	ZIP	51. EMAIL ADDRESS			52. RES. PHONE		
53. BUSINESS ADDRESS			CITY	ZIP	54. EMAIL ADDRESS			55. BUS. PHONE		

SUSPECT: ADULT JUVENILE PAROLE PROBATION SEE ADDITIONAL PERSONS REPORT ARRESTED

56. SUSP# 1	57. NAME (Last, First, Middle) Saldivar, Ernie	58. SEX M	59. RACE H	60. DOB 08/06/1986	61. AGE	62. HT	63. WT	64. HAIR	65. EYES	66. SKIN
67. DRIVER'S LICENSE NUMBER / ID NUMBER		IN POSSESSION YES <input type="checkbox"/> NO <input type="checkbox"/>		68. STATE	69. SOCIAL SECURITY NUMBER			70. MNI NUMBER		71. CII NUMBER
72. RESIDENCE ADDRESS			CITY	ZIP	73. EMAIL ADDRESS			74. RES. PHONE		
75. BUSINESS ADDRESS			CITY	ZIP	76. EMAIL ADDRESS			77. BUS. PHONE		
78. JUVENILE DISPOSITION <input type="checkbox"/> OTHER JURIS. <input type="checkbox"/> JUV. CRT. PROB. <input type="checkbox"/>					WITHIN DEPT. <input type="checkbox"/> DETAINED <input type="checkbox"/> NOT DETAINED <input type="checkbox"/>					
79. GANG DATA					80. TATTOOS/SCARS/MARKS/CLOTHING DESCRIPTION					
GANG NAME(S): _____					Interview with RPD Ofc. Soria 35420127					
<input type="checkbox"/> Member <input type="checkbox"/> Associate <input type="checkbox"/> Self-Admit <input type="checkbox"/> Prior Knowledge										
TATTOOS / SCARS / MARKS <input type="checkbox"/> Face <input type="checkbox"/> Neck <input type="checkbox"/> R. Arm <input type="checkbox"/> L. Arm <input type="checkbox"/> Hands <input type="checkbox"/> Torso <input type="checkbox"/> Back <input type="checkbox"/> Legs										

VEHICLE: REFER TO CHP 180 FORM FOR STOLEN, RECOVERED, TOWED OR IMPOUNDED

81. INVL	82. LICENSE	83. STATE	84. YEAR	85. MAKE	86. MODEL	87. BODY STYLE	88. S/L/R/O AUTO VALUE Code: \$
89. COLOR/COLOR		90. VIN #		91. OTHER IDENTIFIERS			92. DISPOSITION OF VEHICLE
93. REGISTERED OWNER			94. ADDRESS		CITY	STATE	ZIP
							95. PHONE

PROPERTY REPORT ATTACHED FOR STOLEN, RECOVERED OR DAMAGED PROPERTY

101. DAMAGED PROPERTY VALUE \$

REPORTING OFFICER Inv. A. Johnson	OFFICER I.D. 3542	REVIEWED BY/DATE Sgt W Mendez #3448	ENTERED BY/DATE	ENTERED BY/DATE
PIES TO:		APR SENT:	APR CANCELLED:	DOJ-NCIC ENTERED:
				DOJ-NCIC CANCELLED:

Law Enforcement Others:**Central Homicide Unit:**

Investigator A. Johnson #3542 760-393-3500
Investigator N. Gomez #3018 760-393-3500

Riverside County District Attorney's Office:

DDA Chris Cook 951-955-5400
DA Inv. Campos 951-955-5400

RPD Officer Soria's Attorney:

Saku Ethir Law Office of Saku E. Ethir 909-260-9220

Attachment:

1. Transcription of interview with RPD Officer Soria.

Evidence:

AJ01 DVD of interview with Officer Soria BCN2052727

This item was entered into evidence at the Jurupa Valley Station.

Details:

On Friday, March 9, 2018, I continued with an Officer Involved Shooting investigation. At approximately 0132 hours, I interviewed Riverside Police Department Officer Abel Soria #1567 inside of the Captain's conference room at the Riverside County Sheriff's Department, Jurupa Valley station. Present at the time of the interview were Inv. Gomez, Officer Soria with his employee representative Saku Ethir, Deputy District Attorney Chris Cook and DA Inv. Campos. The interview was audio recorded. The following is a summary of Officer Soria's interview. For additional details, refer to the attached transcription.

I advised Officer Soria that I was solely conducting a criminal investigation regarding the incident and that a separate administrative investigation was being conducted by his agency. After consulting with his counsel, Officer Soria agreed to give a voluntary statement.

Officer Soria said he has been a police officer with the Riverside Police Department for the past ten years. At the time of the shooting, Officer Soria was assigned to the METRO unit, or more commonly known as SWAT. Soria has been a member of METRO for approximately two and a half years. Soria started his shift at 0700 hours. From 0730 hours to 1500 hours Soria was conducting active shooter training for department personnel. After training, Soria returned to the METRO office and was briefed by Officer Wright reference information he received about the location of Ernie Saldivar. Soria and his team had tried several times to locate and arrest Saldivar reference a

1 shooting he was suspected of being involved with. Saldivar also had an outstanding felony warrant
2 for violating his parole. Soria did not have any contact with Saldivar prior to their investigation of
3 the shooting. Officer Wright received information from Det. Brian Adcox, of the Riverside PD gang
4 unit, that Saldivar was at 9931 Willowbrook Rd., and that he was armed with a firearm.

5
6 Officer Soria responded to the location with Officer Wright and Officer Lopez in an unmarked van
7 to conduct surveillance of the location. In the event Saldivar left the residence in a vehicle, Officers
8 Park and Pap were in a marked black and white patrol unit to conduct a vehicle stop. If Saldivar left
9 on foot, the officers in the van were going to attempt to apprehend him. Officer Wright drove the
10 van to the location and parked west of the residence on Fox Borough St. on the south side of the
11 street with a direct visual of the garage of the residence. After watching the residence for a short
12 time, Officer Wright saw what appeared to be two male subjects and one female in the garage. One
13 of the male subjects looked like Saldivar, but Soria was not sure because of their distance from the
14 residence. Officer Wright slowly drove past the residence to get a better look at the subjects. As
15 they passed, they were able to confirm Saldivar was one of the subjects in the garage. They
16 continued on to meet with officer's Pap and Park while Officer Monreal arrived and continued
17 surveillance on the residence. The team decided to go to the residence and take Saldivar into
18 custody. Soria was designated to use the less lethal DEF Tech 40 mm if needed. The weapons
19 system fires a sponge like projectile at suspects.

20
21 On arrival at the residence, Ofc. Wright was first in the line-up followed by Soria. Officers Pap,
22 Park and Lopez followed behind. They made their approach from the east side of the residence. As
23 they entered the garage, Soria saw Saldivar. Soria said he identified himself as a police officer.
24 Saldivar then walked quickly toward the interior door leading into the residence. Saldivar then
25 reached down with his right hand toward his pocket area as if he was trying to retrieve something
26 and quickened his pace. Soria believed he was reaching for a gun. Soria followed and continued
27 giving Saldivar orders to stop. Saldivar continued reaching in his waistband area and looking
28 toward Soria. Fearing Saldivar was trying to arm himself with a weapon and would harm him or
29 one of his partners, Soria fired his pistol at Saldivar. Soria believes he fired two times at Saldivar.
30 Saldivar continued into the residence, when he again turned and faced Soria while reaching into his
31 pocket. Soria then fired his pistol an additional five to six times at Saldivar striking him. Saldivar
32 fell to the ground on his stomach in the hallway of the residence.

33
34 I concluded my interview at 0213 hours. This report was generated to summarize my interview with
35 Officer Soria.

36
37 **Case Status:**

38
39 OPN/ CR-2
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Riverside County Sheriff's Department

New Property / Evidence Report

Deputy Name:	JOHNSON, ANTHONY	Deputy ID:	3542	Incident Number:	JV180670133
Evidence Barcode:	Date Entered:	Item Description:	Mailing Address:	Tickler will be sent:	Entered By (ID):
2052727	4/18/2018	Item Description: AJ01 - Audio recording of Ofc. Soria interview at JVS. This item is related to the following SUSPECT: saldivar, ernie.	[REDACTED]	7/17/2018	3542

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Attachment # 1
Audio Transcript/ Ofc. Soria

JV180670133

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Public Records Act Request
JPEDROZA 12/16/2019 11:01 AM Unauthorized Release PROHIBITED

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EVIDENCE RECORDING

JV180670133

Transcript of Interview with OFFICER ABEL SORIA

03/09/2018

Participants Key: SORIA: OFFICER ABEL SORIA

GOMEZ: INVESTIGATOR NELSON GOMEZ

JOHNSON: INVESTIGATOR ANTHONY JOHNSON

ETHIR: SAKU ETHIR, ATTORNEY

COOK: DEPUTY DISTRICT ATTORNEY CHRIS COOK

CAMPOS: DA INVESTIGATOR JAMES CAMPOS

[BEGINNING; RECORDING IDENTIFIED AS: OFFICER ABEL SORIA, DURATION: 41:20]

JOHNSON: All right. It's Friday, March 9, 2018, and we're in the captain's conference room interviewing RPD officer, reference Jurupa Valley File #180670133, and actually the time is 0132 hours. Before we begin I'll go ahead and identify myself. I'm Investigator Anthony Johnson, ID #3542 with the Central Homicide Unit, and to my left is?

GOMEZ: Investigator Nelson Gomez with the Central Homicide Unit, ID #3018.

COOK: Deputy District Attorney Christopher Cook.

CAMPOS: Investigator James Campos, District Attorney Investigations Bureau.

ETHIR: Saku Ethir, Attorney for Abel Soria.

SORIA: And Abel Soria, Police Officer with the Riverside Police Department.

1 JOHNSON: All righty. All right Abel. Like I said, we're here, we're investigating an
2 officer involved shooting that you were involved with yesterday evening, and
3 again I know you've had time to speak with your attorney. Again, this
4 interview is completely voluntary. We're with the homicide unit for the
5 sheriff's department, so we're not internal affairs or anything, so we'd
6 appreciate it if you'd give us a statement so we can go ahead and put this
7 thing together, and we'll give you an opportunity you know, just to tell your
8 side of the story as to you know, what occurred that night. Are you good
9 with that? You've had---

10
11 SORIA: Yes, sir, I am.

12
13 JOHNSON: Okay. All right. If you can do me a favor, just spell your first name for me?

14
15 SORIA: Yes. My first name is Abel, A B E L.

16
17 JOHNSON: Okay, and Soria?

18
19 SORIA: And my last name is Soria, S O R I A.

20
21 JOHNSON: Okay, and what was your ID number again?

22
23 SORIA: It's 1567.

24
25 JOHNSON: Okay. How long have you been a police officer with Riverside PD?

26
27 SORIA: I've been a police officer for ten years.

28
29 JOHNSON: Ten years. All with RPD?

30
31 SORIA: Yes.

32
33 JOHNSON: Okay. Any military experience?

34
35 SORIA: No. I started here at age 20.

36

1 JOHNSON: Oh wow. Young. You started as a police officer at 20?

2
3 SORIA: I went to the police academy at 20 and a half, and when I graduated---

4
5 JOHNSON: Okay, and then graduated?

6
7 SORIA: Yeah, I was 21.

8
9 JOHNSON: All right, and during your time with RPD, what assignments have you
10 worked?

11
12 SORIA: I worked---The first five years I worked patrol, and then I worked SRO for
13 two years, and then I came back out to patrol, worked there a few months,
14 approximately a year---actually a year, and then went on the full time metro
15 team, and I've been here ever since.

16
17 JOHNSON: Okay. Okay, and about how long have you been on metro, I'm sorry?

18
19 SORIA: Almost three years. Two and a half years, going on three.

20
21 JOHNSON: Two and a half years. Okay. Okay, and what time did you start work
22 yesterday?

23
24 SORIA: Yesterday, I--I'm in charge of CIT training, which is active shooter training
25 for our department, so I started my shift with that at 7:30 in the morning, and
26 that was overtime from 7:00 to 12:00, and then my normal shift started at
27 12:00.

28
29 JOHNSON: Okay. So CIT training, 7:00 to---Yeah, 7:00 to 12:00.

30
31 SORIA: Yeah, the CIT training is from---It was from 7:00 to 3:00, but the overtime is
32 from 7:00 to 12:00.

33
34 JOHNSON: Oh, I see.

35
36 SORIA: And then my shift starts at 12:00, so it overlaps with my instruction.

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JOHNSON: Okay. So you went 7:00 to 3:00 with the CIT training?

SORIA: Yeah, it's with the CIT training, yeah.

JOHNSON: Okay. Okay, so---Okay. So once you started your regular shift, what were you doing?

SORIA: We went back to the station. Our (INCOMPREHENSIBLE) renovation hangar, and my partner, Evan, he had an operation for the team, so the operation was to go attempt to find Ernie Saldayar, who is a suspect that we knew had a PAL warrant, and was also involved in a shooting in our city.

JOHNSON: Okay, and how long ago was that?

SORIA: The shooting, I know specifically when it happened, because it was the Mayweather fight, so I was having a party, and they called us out on this, so he had---our---the suspect, he shot his girlfriend, at his girlfriend, and the (INCOMPREHENSIBLE) techs came out, we did an investigation. They had intel that he was possibly staying at two locations, so they initiated a SWAT call out, and we served a parole search and a search warrant at two locations looking for him.

JOHNSON: Okay.

SORIA: And he was not there.

JOHNSON: And that was on the---in the 2017, the shooting?

SORIA: Yeah, that was---Yeah, 2017.

JOHNSON: Okay. Now, was the girlfriend---was she---How bad was her injuries? I mean was she shot or---

SORIA: He fired at her and he shot the vehicle.

1 JOHNSON: Okay.
2
3 SORIA: It sounded like---
4
5 JOHNSON: Okay, but he didn't hit her?
6
7 SORIA: He didn't hit her, no. No.
8
9 JOHNSON: Okay, and how many times---or how often had you guys been out looking for
10 the suspect?
11
12 SORIA: I think with that---That was the first time we all came out as a search warrant,
13 and then after that I believe maybe two additional times, and today was the
14 third time.
15
16 JOHNSON: Okay, or the third time that you're aware of?
17
18 SORIA: Yeah, that I---that I'm aware of.
19
20 JOHNSON: Okay. So what led you to the house today?
21
22 SORIA: My partner's close contact with one of the game detectives that's also
23 assisting in the case, and he provided him with an address where the suspect
24 may be staying at, and this is how we got to Jurupa Valley and set up on the
25 address.
26
27 JOHNSON: Okay, and what was the plan?
28
29 SORIA: The plan was we had six officers with us, so myself, my partner, Evan
30 Wright, and Officer Lopez were going to get in the van and conduct
31 surveillance in a UC vehicle on the primary residence. Officer Park and Pap,
32 they were going to be our take down unit, in the event that we did see the
33 suspect get in a vehicle, they were going to do a traffic stop on him, and our
34 other partner, Officer Monreal, he was in the office finishing up paperwork,
35 and when he was done, he was going to come in a UC vehicle and sit point
36 and keep eyes on the primary residence as well. So for us in the van, if we

1 saw the suspect like walking out to the driveway or something, we were
2 going to roll up and essentially exit the van and try to take him into custody
3 to the front of the residence.
4

5 JOHNSON: Okay, and had you ever contacted the suspect in the past?

6
7 SORIA: I have never contacted him before, no.

8
9 JOHNSON: Okay. Okay, so then what happened after you guys came up with your plan?
10 What happened?

11
12 SORIA: Well, we were initially---we were conducting surveillance on the house, and
13 we were watching the garage where he was staying at, and we could see three
14 individuals in there, two males and one female. One of them, the suspect was
15 wearing a black shirt. He fit the description. Tattoos kind of matched, but
16 we were kind of far away with binoculars, so we couldn't 100% identify that
17 it was him. So---

18
19 JOHNSON: And when you were set up in the van where---what---I guess where were you
20 in relation to the house?

21
22 SORIA: Oh, we were---Where the residence is at, we were set up several houses east
23 of. I'm not sure of the exact distance, but we were east of the residence.
24

25 JOHNSON: All right. I actually have a little map here. Well, very rudimentary.

26
27 SORIA: Okay, that's fine.

28
29 JOHNSON: Okay. So there's north, there's Willow Brook, I guess that's the western
30 most street, what's that Fox Borough?

31
32 SORIA: Yeah, I believe so.

33
34 JOHNSON: Okay, and here's the house. Now, about where were you guys?

35
36 SORIA: So we were like a little past Fox Borough.

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JOHNSON: Oh, so you were past Fox Borough?

SORIA: Yeah, we were past Fox Borough. Yeah, we weren't right on the house, we were past Fox Borough in the van, sitting in the van.

JOHNSON: Okay. Okay, and you guys were on the south side of the street or north side?

SORIA: We were parked on the south side of the street looking eastbound.

JOHNSON: Looking eastbound into the garage.

SORIA: Yeah, there's a garage right here.

JOHNSON: And I guess---Yeah, from my recollection there's like an adjacent garage have like one---like a two car and then another like one car garage on the property?

SORIA: Honestly, I'm not---I don't remember. I just remember that for a fact there was a garage right there.

JOHNSON: That was open.

SORIA: Yeah, that was open.

JOHNSON: Okay. So as you were watching it, what happened?

SORIA: So we couldn't 100% identify that that was the suspect, so we contacted our supervisor. I said hey, we're going to go up there and contact the individuals in the garage, and just get intel and identify if it is the suspect, and if it is, then we're going to take him into custody.

JOHNSON: Okay.

SORIA: So---

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1 JOHNSON: And at that time, does the suspect---did he have a warrant of any sort?
2
3 SORIA: Yeah. We---Yeah, he had---
4
5 JOHNSON: Was there a warrant in the system for the---
6
7 SORIA: He had a parole violation.
8
9 JOHNSON: Okay, and that was the only one?
10
11 SORIA: That was the only one, and he was still under investigation for the shooting in
12 our city.
13
14 JOHNSON: Okay.
15
16 SORIA: As well, but they couldn't 100% identify that he was the shooter, so
17 basically---their still---investigation needed to confirm that.
18
19 JOHNSON: Got it. Now, was the parole violation, was that issued because of this
20 investigation?
21
22 SORIA: Yes.
23
24 JOHNSON: Or was it just because he's just---
25
26 SORIA: It was---No, it was because of the investigation.
27
28 JOHNSON: Just because he doesn't know how to act.
29
30 SORIA: Yeah.
31
32 JOHNSON: Okay. Okay. So from there, as you guys were making---or once you got---
33 you contacted your supervisor, you were saying?
34
35 SORIA: Yes.
36

1 JOHNSON: All right, go ahead from there.

2
3 SORIA: So from there then we made the decision we're going to go up and contact
4 the occupants or the people that were inside the garage. So the van team,
5 which is the team that I was with, with Evan and Sancho Lopez, we met the
6 black and white, the take down team, down the street which was east of the
7 location. There's another entry into the neighborhood, that's where we met.
8 Officer Monreal, he took our spot where we were sitting watching the garage.
9 He pulled over and he was just keeping eyes on the house, just to make sure
10 that they were still in the garage and weren't in the house or anything, like
11 hanging out by the driveway.

12
13 JOHNSON: Now, did you guys pass the house when you were---went to go meet them on
14 the east side?

15
16 SORIA: Yeah, we were in the van. We went past where they---

17
18 JOHNSON: Oh, it was all blacked out.

19
20 SORIA: With the UC vehicle, you know, they didn't know we were police, and we
21 just drove past the house just to kind of get a layout as we passed by just to
22 confirm everything that we thought with the house.

23
24 JOHNSON: Okay. So then you met the black and white?

25
26 SORIA: Yeah, we met the black and white on the eastern entrance to that
27 neighborhood. We already had our roles and responsibilities set up before
28 we went in, because we went over the plan with our---Officer Wright, he did
29 an operation plan, (INCOMPREHENSIBLE) so we had our responsibilities,
30 and I was designated to be in charge of less lethal, primary less lethal if it
31 went to that. So once everybody was good to go, we drove up to the target
32 residence.

33
34 JOHNSON: And what---I'm sorry, what less lethal option did you have?

35
36 SORIA: I had a DEF Tech---technology 40 millimeter launcher.

1
2 JOHNSON: And that's a---like a---

3
4 SORIA: It shoots out like sponge rounds or---

5
6 JOHNSON: Sponge---Yeah, like bean bag rounds or something?

7
8 SORIA: Yeah, it's---No, it's an actual---It looks like a sponge. It's impact
9 ammunition that I primarily carry when we do operations.

10
11 JOHNSON: Okay, and you guys had---I guess your stack already designated?

12
13 SORIA: Yes.

14
15 JOHNSON: Okay. What was that stack if you can recall right off hand?

16
17 SORIA: I know Evan was primary, he was one. I was going right behind him, two,
18 with less lethal, and I can't remember where it was behind us with Park, Pap,
19 and Sancho.

20
21 JOHNSON: Okay. Okay. So as you guys dismounted, what happened?

22
23 SORIA: We parked in front of the residence, and we made our approach towards the
24 open garage where we saw all the people hanging out, and as soon as we pull
25 in the driveway and get into view of the garage from outside of the driveway,
26 immediately I see Ernie, and I'm like okay, 100%, that's the guy we're
27 looking for. I identified him. You could clearly see the tattoos that he has,
28 you can see the tattoos on his eyes, and I had seen his picture before, so I
29 knew 100% that it was him. So told them we were the police. I could see the
30 other people on---I could see people to my right. I wasn't 100% sure who
31 they were, because I keyed in on him, and immediately as soon as that
32 happened, he reached down. I believe it was with his right hand, reached
33 down towards like his pocket area. I'm not---I wasn't 100% sure, but
34 towards the pocket area, and he starts reaching for an object, and like
35 immediately I was like that's a gun, you know, it's a gun, and he turns
36 around and starts to walk away from us, and I'm giving him commands, and

1 as we're giving him commands, we're pursuing him now, and he starts
2 looking at us, and at that point I'm thinking he's going to shoot us with the
3 gun, so I'm like you know, he's going to shoot my---kill me or my partner,
4 and I engaged him. I don't know how many rounds, but I---at that point I
5 fired at him as he was walking towards. There was like an open door in to
6 like a laundry room.

7
8 JOHNSON: Okay. So basically you transitioned from your 40 millimeter to your pistol?

9
10 SORIA: No, I'm---I carry the 40 millimeter, but I always run primary with my pistol,
11 and if I have to switch to use the 40 millimeter, then I do that. Like if I get a
12 suspect, he's you know, hands up, uncooperative, I'm going to holster up,
13 and then I'll be primary less lethal on that suspect.

14
15 JOHNSON: Okay.

16
17 SORIA: But when we initially rolled up, I'm always holding my handgun.

18
19 JOHNSON: Always lethal?

20
21 SORIA: Yeah.

22
23 JOHNSON: Okay. Now, when you said you identified yourself as police, how many
24 times did you say---if you can recall?

25
26 SORIA: Yeah, I can't remember. I just---I'm pretty sure I said it was police
27 department, get on the ground.

28
29 JOHNSON: Okay.

30
31 SORIA: Get on the ground, that's just kind of---For me that's just what I always say,
32 and I'm pretty sure I said that, but I'm not 100% positive.

33
34 JOHNSON: Okay. Now, you had also mentioned that basically you knew when he
35 reached down towards his pocket, you knew that he had a gun. Tell me about
36 that. How did you know? What's your experience with that?

1
2 SORIA: Yeah, I---Yeah, just the way he reached down and was tugging on it, it was---
3 The way his hand was, it looked like he was grabbing something, the same
4 way somebody would grab a gun, and he was just trying to pull it out. You
5 could see the franticness in his face and just when he turned around, and he
6 just---It wasn't a normal, somebody trying to flee. We've contacted---I've
7 contacted several people, and I know when they flee, they turn on a---they go
8 in a full on sprint.

9
10 JOHNSON: Right.

11
12 SORIA: This wasn't a full on sprint. He was trying to get something. He couldn't, so
13 now he's trying to back away, but at the same time still looking, trying to
14 pull, and I don't know, I just keyed on it, just---I was---It was a gun, you
15 know, like this is a gun.

16
17 JOHNSON: Yeah. Have you been in that situation before where this---the potential
18 suspect has you know, made similar type of movements?

19
20 SORIA: I've been in one where a suspect threw a gun, but I was at a far distance from
21 him, but it was yeah, same type of movement. He pulled out a gun and he
22 threw it.

23
24 JOHNSON: Okay. Now, as he---So you---The way you would describe that he was
25 reaching---Was it like towards the front of his waistband or---

26
27 SORIA: I'm not 100% positive, but it looked like it was like the right side, like the
28 right side of his body.

29
30 JOHNSON: Okay.

31
32 SORIA: So maybe a pocket, the waistband. I wasn't 100% positive.

33
34 JOHNSON: But he was reaching for something over in that area?

35
36 SORIA: Yeah, somewhere in this area, yeah, general area.

1
2 JOHNSON: And as he was reaching, what was he doing?
3

4 SORIA: He wasn't complying. He was backing away, looking at us, and at one point
5 I thought---I was like he's going to shoot us right now, so I engaged him. I
6 don't know, I think it was two rounds, and then he started turning around,
7 and then he completely faced us, and I'm---he's still trying to get whatever
8 he's trying to get out. I'm like okay, he's going to shoot us through his pants,
9 and then I engaged again, and then that's when he fell, and I can't remember
10 how he fell, but somehow he ended up on his stomach on the ground.
11

12 JOHNSON: Okay. Now, when you engaged him the second time, do you have an
13 estimate of how many times you shot?
14

15 SORIA: I---Honestly, I don't know. I think it was maybe four or five times.
16

17 JOHNSON: Okay.
18

19 SORIA: I'm not 100% positive, but I know it was like---It was two engagements back
20 to back.
21

22 JOHNSON: Okay. Now, when---At the time of the first engagement, about how much
23 time elapsed from the time that you entered the garage and saw the suspect
24 until you started shooting? Just in your best guesstimate.
25

26 SORIA: Seconds. It was, I don't know, maybe one or two seconds. It happened
27 really fast.
28

29 JOHNSON: Okay.
30

31 SORIA: It was quick.
32

33 JOHNSON: Okay. Now, did the suspect, did he say anything?
34

35 SORIA: He didn't---No, I don't remember him saying anything.
36

1 JOHNSON: Okay. Was anyone else in the garage saying anything? Any of the other
2 people that was with him, were they saying anything?
3

4 SORIA: Honestly, I was keyed in on him. I couldn't hear them. I couldn't hear what
5 they were saying. I could hear my partners yelling in the background, but I
6 couldn't make out what they were saying.
7

8 JOHNSON: Okay. Now after that first volley, how long---I guess how many seconds---
9 or how long before you engaged him again?
10

11 SORIA: I think maybe it was a second. I honestly thought that he was---I don't know,
12 for some reason in my head I pictured him going down, and he didn't. He
13 turned around and faced us, and then that's when---that was the second
14 engagement.
15

16 JOHNSON: Okay, and during that time were you giving him any commands?
17

18 SORIA: Afterwards, yeah, when he went down, yeah.
19

20 JOHNSON: Okay.
21

22 SORIA: Then let me see your hands, then we---He's still---He was still moving and
23 still---Even when he was on the floor, it looked like he was still trying to pull
24 whatever it was. We're giving him commands, giving him the commands,
25 and then he just stopped reaching for whatever he was pulling, but his hands
26 still---He just laid on his stomach with his hands under him.
27

28 JOHNSON: Now, did he initially go down on his back or---
29

30 SORIA: I couldn't---I don't remember.
31

32 JOHNSON: Okay.
33

34 SORIA: I don't---I---Because when he did face me, he was falling, so it looked like he
35 was maybe falling back, but I don't remember how, but he---I---He ended up
36 on his stomach somehow, so I just don't know, recall how it happened.

1
2 JOHNSON: Okay, and actually just something also---Just like when you---Just to go back
3 just a little bit. When you entered---because you had said that you were
4 number two in the stack. Now, when you entered the garage, I mean what
5 was your---if you can recall, like what was your movement to---once you got
6 into the garage? Did you fan out? Did you guys remain in the stack or---

7
8 SORIA: No. I---We fanned out, because I could feel my partner, he was next to me.
9 I could feel him next to me, and we were kind of spreading out a little bit, but
10 making our way towards the suspect.

11
12 JOHNSON: Okay. Which way did you---I guess once you entered, since you were the
13 number two, which way did you go if you remember, left or right?

14
15 SORIA: I---You know, honestly, I think maybe I went straight towards him. I don't--
16 -I can't recall, but I know my partner did fan out to my---I believe it was my
17 right side.

18
19 JOHNSON: Okay.

20
21 SORIA: He did fan out to one of the sides.

22
23 JOHNSON: Okay. Now, when he was going in the house, what was going through your
24 mind at that time, when he made it into the house?

25
26 SORIA: When he was going towards there, I'm just thinking he's trying to get that
27 gun to shoot us, that's what I'm thinking, and then just kind of quickly, I'm--
28 -just because we do a lot of SWAT training and stuff like that, I'm like shoot,
29 you know, like who is in this house, you know. I don't know who's in there.
30 Are other additional homeys inside the house, or are there you know, kids or
31 something like that, so I'm like you know, what's he going to go---I---It just--
32 --I was trying---I was thinking of all kinds of things, you know, I just wasn't
33 sure what was going on there. My first concern is all right, is he going to his
34 homeys, does he have additional friends inside the house, and then my next
35 instinct was what if there's kids in there, you know, what if he's going to hurt
36 a kid or something like that.

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JOHNSON: Okay.

SORIA: But this was after the fact as he was going down. I was kind of processing all these things.

JOHNSON: Right. Okay. Now, once he went down, what happened?

SORIA: So he went down. We---I was holding on him lethal coverage, and my partner was holding down the hallway. We were giving him commands, and--

JOHNSON: And which partner was that holding down the hallway?

SORIA: I know Evan, my partner, Evan was there, and I remember seeing Monreal, he came up as well.

JOHNSON: Okay.

SORIA: He was with us, and then Park, he---Officer Park, he came up as well, so there was four of us there, but I remember Park was like going back and forth like checking, making sure everybody was okay.

JOHNSON: Gotcha.

SORIA: So we were trying to give him commands just to see if he would react, and he just stopped reacting, and then at that point we were trying to figure out okay, are we going to move up on him, and we're like well, he's still kind of moving, you know, he has a gun, what if we try to come up on him, he's playing possum, shoots us. That's the kind of stuff that I was thinking in my head, and then out of nowhere a female came out from inside the house, and she saw us, and she didn't even like blink at us, and she started yelling at him. She's like oh my God Ernie, I can't believe you did this. Like something of that nature. She's like I can't believe you did this.

JOHNSON: Was she saying it in English or Spanish?

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SORIA: It was English.

JOHNSON: Okay.

SORIA: Yeah, she was yelling at Ernie. She---Like I said, she was very cooperative with us, but she was specifically yelling at him.

JOHNSON: Oh wow. Okay. Now, as far as Ernie, once he got into the house, about how far was he once he broke the threshold of the door?

SORIA: It looked like---I don't know, it looked like maybe it was a small laundry room, because I remember there was two doors. There was the one door from the garage, and then the small laundry room, and there was another door.

JOHNSON: Yeah.

SORIA: So he was inside that laundry room, but between that secondary door into the house, but still hanging out in that laundry room.

JOHNSON: Right. I mean like how far into the---Like coming from the garage into that little laundry room---I guess once he broke the plane of the door.

SORIA: Oh he was---Yeah.

JOHNSON: About how far in was he?

SORIA: I think he was in the laundry room. I think his whole body was inside that laundry room.

JOHNSON: Okay. Was he like near the---I guess the secondary door entering into the---I think what, the kitchen/living room area?

SORIA: I don't know what it was, but---

1 JOHNSON: Okay.
2
3 SORIA: I'm---If I remember correctly, yeah, he was closer to that.
4
5 JOHNSON: Okay. Okay, and it's a pretty small space, so---Okay.
6
7 SORIA: Yeah, it was a little small.
8
9 JOHNSON: Okay. So once he's down, your partner steps---One person's kind of
10 covering you guys, you're covering down on the suspect, then what
11 happened?
12
13 SORIA: Then after that we tried to come up with a plan to give him---render some
14 type of medical aid for him, so Officer Monreal, he put on rubber gloves, and
15 he went in and secured his arms, and cuffed him up, and then from there he
16 turned him over like on a---like a rescue position, and he's our team
17 paramedic, so he was---
18
19 JOHNSON: Oh, Monreal?
20
21 SORIA: Yeah, it looked like he was holding on pressure. I'm not 100% positive, but
22 that was my---I thought that was the plan, he was going to turn him over and
23 then I help out with anything he might need.
24
25 JOHNSON: Did it look like he was giving him some type of medical aid?
26
27 SORIA: Yeah, it did, and then immediately after Officer Park---Additional officers
28 arrived on scene, and Officer Park told myself and Officer Evan---or Wright,
29 he said hey, you guys got to get out of here, because we're in OIS, he's like I
30 don't want you guys continuing further searching the rest of this house. So
31 he pulled us immediately from the scene.
32
33 JOHNSON: Okay. Did anyone broadcast---Well, obviously someone broadcast an 11-
34 99, shots fired.
35

1 SORIA: I---Officer Park said he was the primary, he's going to take care of primary
2 radio, I do remember that.
3
4 JOHNSON: Okay.
5
6 SORIA: So he handled that.
7
8 JOHNSON: So he had the coms?
9
10 SORIA: Yeah. We were doing our operation on a separate channel, and he went on
11 to our primary channel and put out all the information on---over our channel
12 one.
13
14 JOHNSON: Okay. Okay. So then---So shortly after that, that's when you guys were
15 removed from the scene?
16
17 SORIA: Yeah, we were. Additional officers arrived on scene and they pulled us so
18 we weren't there for any of the house clearing, any of that stuff. They just
19 pulled us immediately, and they just removed us from the scene.
20
21 JOHNSON: Okay, and I know I've probably asked this before, but---or in a couple of
22 different ways, but what could the suspect have done to keep you from
23 shooting him?
24
25 SORIA: Just given up, you know, just---Oh, I---There's been several situations where
26 I've encountered armed suspects, just having guns in their waistband, and
27 they just give up, you know, we take them into custody then. I just---It's just
28 as simple as that.
29
30 JOHNSON: Yeah, and how many times have you had instances like that?
31
32 SORIA: Just maybe a month ago we had a similar incident, same thing. The suspect,
33 he had a large gun in his waistband. We went up and contacted him and gave
34 him commands to get down, he complied, and we took him into custody. Off
35 the top of my head, I know maybe three incidents personally that I've been

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1 involved with, with that, taking the armed suspects into custody that have
2 given up.

3
4 JOHNSON: Okay. Nelson, do you have anything?

5
6 GOMEZ: The lighting conditions when you guys approached the residence, what time
7 of day was it?

8
9 SORIA: It was maybe 5:30, 5:15, 5:30. It was still daylight. The sun was starting to
10 go down, but it was still bright enough where you could see everything that's
11 going on.

12
13 GOMEZ: From the time you guys initially are there until Monreal gets there, how
14 much time did you guys---do you estimate you believed you were on
15 surveillance?

16
17 SORIA: Maybe 45 minutes to an hour.

18
19 GOMEZ: And once Monreal gets there, and the decision---basically you guys spot your
20 target, your person of interest, how much time goes by from when Monreal
21 takes the point position and you guys go and discuss it with your black and
22 white that's going to approach the residence with you?

23
24 SORIA: It took Monreal a few minutes to get to us, because he didn't want to pass the
25 primary residence, so I know he took a different route, so it took him a few
26 minutes to get to us, and then we went over and met the team, so I think
27 maybe total five minutes.

28
29 GOMEZ: Okay, and once you go and discuss it with Park and your other partner, and
30 you guys prepared yourselves to make the approach on the house, is it a rapid
31 escalation from when you guys park your car, get out of the car, make your
32 approach? What's that approach like?

33
34 SORIA: Yeah, it was a rapid approach. Our fear was that it was him, and we were
35 going up, we didn't want him coming out and seeing us as we're walking up
36 and then now he runs to the house and he barricades himself.

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GOMEZ: Did you guys go up in a stack or just---

SORIA: We went up and yeah, it was a line. I was the---I'm pretty sure the guys behind me were in a stack formation as we're coming up, but honestly I didn't look at them, but normally that's how we do roll up, we're in a stack as we're coming up to the house.

GOMEZ: And your position in that stack is what?

SORIA: For today's particular incident I was behind Officer Wright.

GOMEZ: Okay. So it's Wright, then you, then---

SORIA: Yeah.

GOMEZ: ---who?

SORIA: Behind me, I don't remember who was behind me.

GOMEZ: Okay. Before you guys rolled up, I mean was there any radio traffic that you were aware of before you pulled up in front of that residence? Like did Monreal put out anything, anyone else?

SORIA: Oh no, yeah. No, I don't recall that, no. I remember us just stopping in front of the house. I don't hear any radio traffic, and we just started moving up towards up the driveway.

GOMEZ: And from when you guys were on point, you saw three individuals?

SORIA: We saw three for sure, yeah. There was a---Maybe four, but it was three. Three for sure, but it could have been the same person that we may be identified as another person, but for sure I saw three people. Two males, and one was wearing a gray shirt. One was wearing a black shirt, which looked like our primary, and then a female that was also in the garage with them.

1 GOMEZ: Okay. So when you roll in, I mean you didn't hear anything about anyone
2 coming out of the garage or anything like that?
3

4 SORIA: Out of---Coming out of the garage, no. I---Remember I keyed in on the
5 suspect. I keyed in on him, and usually I rely---I trust my guys, so I know
6 that the guys behind me, they'll handle another---if there's another threat,
7 that they'll take care of that. Just kind of what we're---
8

9 GOMEZ: Okay, and you said you keyed in on your person of interest?
10

11 SORIA: Yes. I saw them through my peripherals, and I remember them, you know,
12 they weren't doing anything crazy. They were just kind of like moving back.
13 I didn't---and then I just focused on him.
14

15 GOMEZ: When is it that you see---and we're talking about this person, it's Ernie,
16 right?
17

18 SORIA: Yes, Ernie.
19

20 GOMEZ: Salvador, I believe it is.
21

22 SORIA: I'm not 100---His last name starts with an S, yeah, but his first name is Ernie
23 for sure.
24

25 GOMEZ: All right. This Ernie, where is it that you see him initially?
26

27 SORIA: As we go up the driveway, he's in that garage. He's initially right in front of
28 us. Right there in the garage, and they---I'm not 100% positive, but they
29 were maybe to his right. I don't remember, but I---
30

31 GOMEZ: Who's right?
32

33 SORIA: Ernie's. Or maybe his left, Ernie's left, my right, but I just focused on him.
34 I just keyed in on him.
35

36 GOMEZ: And what was his initial reaction from what you could see?

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SORIA: Oh, his initial demeanor, he saw us and he knew that we were police and we were probably there for him, and that he just immediately reached into that waistband, and whatever he tried to---he couldn't pull out, what I thought to be a gun, and then he just started turning and walking away.

GOMEZ: Okay, and you said you're more than positive he saw you? The lighting conditions in that garage were---

SORIA: Yeah, it was---

GOMEZ: It was pretty visible, right?

SORIA: It was, yeah.

GOMEZ: And you're wearing exactly what you're wearing tonight?

SORIA: Yeah, this is---Yeah, that's what I'm wearing.

GOMEZ: When you approached it, you got a black LBV, load bearing vest, your tactical gear, you have identification on the front that says police, and I'm sure there's a big patch on the back of it that says police, right?

SORIA: Yes, sir. Yes.

GOMEZ: And that's your standard, metro uniform?

SORIA: Uniform, yes.

GOMEZ: Okay, and this guy is a known Riverside guy, right? He's a known ESR gang member?

SORIA: Yeah, he's a known ESR gang member, and the incident that we have is that he knew he's wanted, he was on the run, which is why he kept bouncing around from location to location.

1 GOMEZ: And I'm sure he's had contacts with you---Not with you particular, but with
2 your department.
3
4 SORIA: Yeah, law enforcement. Yeah.
5
6 GOMEZ: Your department. You didn't have any prior contacts with him, right?
7
8 SORIA: I---Personally, no, I've never had prior contacts with him.
9
10 GOMEZ: Okay. So he definitely sees you guys and you said his initial response is
11 what? What does he do? Reach in towards his waistband?
12
13 SORIA: Yeah, he starts reaching towards---on his right side. It was a pocket or his
14 waist. I couldn't---I honestly couldn't confirm, but I'm pretty sure it was the
15 right side of his body.
16
17 GOMEZ: Okay. So definitely the right side, he's digging for something?
18
19 SORIA: Yeah, he is. Yeah.
20
21 GOMEZ: And again it's Wright, then you, right?
22
23 SORIA: Yes.
24
25 GOMEZ: Do you ever lose sight of him?
26
27 SORIA: Of Ernie?
28
29 GOMEZ: Yeah.
30
31 SORIA: No, I never. No.
32
33 GOMEZ: No.
34
35 SORIA: I'm---I was on him the whole time.
36

1 GOMEZ: Does anything obstruct your view whatsoever, a garage door, Wright's
2 position, anything?
3
4 SORIA: Nothing obstructed my view, no.
5
6 GOMEZ: No. Okay. From that initial contact, eye to eye, however you want to
7 describe it, does he say anything to you guys?
8
9 SORIA: I don't---I honestly don't remember hearing him saying anything.
10
11 GOMEZ: Nothing?
12
13 SORIA: I don't remember hearing nothing at all.
14
15 GOMEZ: From the point that you see them to the point that this whole thing ends, once
16 he's in the house, and he never says a single word to you?
17
18 SORIA: I don't ever---No, I don't ever recall him saying anything.
19
20 GOMEZ: Did you give him any commands?
21
22 SORIA: I was giving him commands. I remember I---Especially when we went
23 down, I told him let me see your hands.
24
25 GOMEZ: Okay. Did you give him any commands when you initially see him?
26
27 SORIA: I identified myself as police, get on the ground, and that's when he started.
28
29 GOMEZ: Did you hear anybody else identify themselves or give any commands?
30
31 SORIA: I could hear the people behind me---the officers behind me, I can hear them
32 yelling. I---I'm sure that's what they were saying, but honestly I can't make
33 out---I can't tell you exactly what they were saying, but---
34

1 GOMEZ: All right, and you said that you could see peripheral, someone else was in the
2 garage too, but your focus was on Ernie, you're not worried about what they
3 were doing.

4
5 SORIA: It was on him, yeah. Yeah.

6
7 GOMEZ: You're in line and your partners to handle them. When is it that you hear the
8 first volley, the first shots?

9
10 SORIA: As I'm engaging, as I'm pulling the---Like I---It was really quick. Like as
11 I'm starting to engage him, I hear a loud bang, and then I engage as well, so
12 it was---

13
14 GOMEZ: Do you know where that shot's coming from?

15
16 SORIA: It was---I wasn't 100% positive where it came from to be honest with you. I
17 was like man, was it him that shot me or that shot. I wasn't 100% positive,
18 but I did hear that loud bang as I was shooting as well, so I---

19
20 GOMEZ: And what was he doing at that time?

21
22 SORIA: He was looking at me like with his body, but looking at me still pulling this,
23 so I'm like did he shoot from here, from the hip, you know, did my partner
24 shoot. I couldn't identify where it was, and I was like you know, somebody's
25 trying to kill me or my partner at that time.

26
27 GOMEZ: Okay. Do you know---remember what your backdrop was when you fired at
28 him?

29
30 SORIA: It was like a door. There was like a door that's I guess leading to that
31 laundry room, or it was the entry---

32
33 GOMEZ: The garage door, the entry towards the residence?

34
35 SORIA: Yeah, to that laundry room, yeah.

36

1 GOMEZ: Do you remember if that door was closed or open?
2
3 SORIA: I don't---Honestly, I don't remember.
4
5 GOMEZ: Okay, and then obviously this proceeds into the house?
6
7 SORIA: Yeah. Then he starts going, breaking---Yeah, after the initial shots, he starts
8 going through that threshold, and I don't know why, but like I said in the
9 back of my mind, I thought he was going to go down after those initial shots,
10 and he didn't. He just turned around and it looked like he was starting to
11 face us and still reaching, and that's when I fired again.
12
13 GOMEZ: Once he makes it inside, do you remember what the lighting conditions were
14 inside?
15
16 SORIA: It was darker in---It was a little bit darker inside. I could still see from all the
17 light in the garage coming in, but in the house, I don't recall any lights being
18 turned on. It was darker in there for sure.
19
20 GOMEZ: Was there any concern that if he made it into the house, that he could move
21 further into the house or other occupants?
22
23 SORIA: Yeah, it was a large---That house was huge. It was a huge house. That was a
24 big concern if he got in there. We don't know who else was in there, kids,
25 but for sure if he got in that was going to be a real bad situation.
26
27 GOMEZ: And you guys---And obviously this is out of your guys' beat, right?
28
29 SORIA: Yes, it is, yeah.
30
31 GOMEZ: It's in the county area, and you guys had never responded to that location.
32
33 SORIA: We've never been there before.
34
35 GOMEZ: Had never had any contacts with it, never had any---gone inside, knew the
36 layout, none of that.

1
2 SORIA: No, no, just---

3
4 GOMEZ: It was all unknown?

5
6 SORIA: Yeah, the normal follow up that we do just to try to get all the information on
7 the residence, things like that that my partner found out, but other than that
8 we just---we didn't know much about who was at the house and anything of
9 that nature.

10
11 GOMEZ: Okay. Once you're inside and he's on the ground, where are his hands?

12
13 SORIA: He---If I recall they were both under him. That was my big concern, because
14 he was still moving, and I'm like man, he's still trying to get that gun, you
15 know, but he's laying flat on the ground at this point on his stomach.

16
17 GOMEZ: And you guys are verbalizing commands loud enough so that he had to have
18 heard?

19
20 SORIA: Yeah, yeah.

21
22 GOMEZ: Do you recall if anyone else ended up showing up during your guys'---when
23 you guys are in that---

24
25 SORIA: For 100%, I know that a canine from RSO showed up. I know that for a fact.
26 I recognized his face, because we did some SWAT training not too long ago
27 with RSO, and they were showing us like how they do like hostage rescue
28 with the canines. So I remember seeing him that day, and I saw him roll up,
29 and I was like oh, that's the canine. I remember thinking that, so I know for
30 a fact RSO canine came up.

31
32 GOMEZ: How about if---Did you have any other contact with any other occupants
33 within that house?

34
35 SORIA: A female. There was a female that---Like I said, when he was on the ground,
36 a female came out and she was yelling at him, like yelling at Ernie.

1
2 GOMEZ: What was she yelling at him if you can recall?
3

4 SORIA: I think she said Ernie, I---like why did you do this. I don't---Something of
5 that nature. I'm not 100% positive what she said, but she was---The yelling
6 was directed at him, not at us.
7

8 GOMEZ: Okay. When the decision is finally made to approach him and handcuff him,
9 do you remember who it was that handcuffed him?
10

11 SORIA: I know for a fact it was Officer Monreal.
12

13 GOMEZ: Okay.
14

15 SORIA: Because he gloved up, because he was going to handcuff him and then check
16 him, treat him, and at that point though when he started doing that, they
17 pulled us out.
18

19 GOMEZ: Okay. So you weren't there present once he handcuffed him, patted him
20 down?
21

22 SORIA: Yeah, he turned him over and he patted him down. He---As I was walking
23 away, I looked back and he was pulling out a gun. I looked but that's all I
24 saw.
25

26 GOMEZ: Okay. You don't know where he pulled that gun from?
27

28 SORIA: I don't know where he pulled it from.
29

30 GOMEZ: Is it possible it was from where you originally saw Eddie[sic] reaching on his
31 right side?
32

33 SORIA: It's possible because I'm---Like I said, I'm not 100% sure, but I think maybe
34 he turned him---he was turning him like on to his left side. On to his left
35 side when he pulled it out, but like I said, I wasn't paying---I honestly wasn't
36 paying attention to what he was pulling out.

1
2 GOMEZ: And I mean---You've been---How long have you been with the department?

3
4 SORIA: Going on ten years.

5
6 GOMEZ: Ten years.

7
8 SORIA: Yeah.

9
10 GOMEZ: Have you had encounters with other suspects that have been armed in the
11 past?

12
13 SORIA: Yeah, I have.

14
15 GOMEZ: Okay, and I mean usually where do these guys carry their guns?

16
17 SORIA: Their waistband, you know, or pocket, but most of the time I see it in their
18 waistband.

19
20 GOMEZ: So this is something you've dealt with in the past and you're more than
21 familiar with the fact that this guy's most likely armed or possibly armed,
22 he's definitely not following commands, and I mean did that heighten your
23 awareness of the possibility that this guy could turn around and shoot at you?

24
25 SORIA: It did, yeah. It did.

26
27 JOHNSON: And just to go back---I'm pretty sure you answered it already, but when you
28 were getting---When you guys were getting the information from the gang
29 investigator with the informant, what was that information that that
30 investigator relayed to you guys?

31
32 SORIA: He told us that he was armed. He said that for sure that Ernie was armed, and
33 that he knew he was wanted, and that's why he was kind of moving around
34 from location to location. I know---I'm not 100% sure, but I remember even
35 at one point my partner even told me that he had his own lookout that was
36 looking out for him in case like the police were looking for him.

1
2 JOHNSON: Now was that the information you had---Had you guys received that
3 information on your previous attempts to apprehend him that he was possibly
4 armed?

5
6 SORIA: Yeah. It's all information that we were obtaining yeah, when we were trying
7 to apprehend him in the past.

8
9 JOHNSON: Okay, and was that always---I guess on those other instances, was that also
10 information that was relayed to you guys from an informant or---you guys
11 would obtain that you know, pretty much from an informant?

12
13 SORIA: The gang detective, he was---Like I said, he was in close contact with my
14 partner.

15
16 JOHNSON: Okay.

17
18 SORIA: And he provided him with that information.

19
20 JOHNSON: Okay.

21
22 SORIA: So if he obtained---I believe he obtained it from an informant, but I'm not
23 100% positive.

24
25 JOHNSON: Okay.

26
27 SORIA: But he did give that information to---

28
29 JOHNSON: And said yeah, that he's armed and he---

30
31 SORIA: He's armed, yeah.

32
33 JOHNSON: ---know that you guys are out hunting him down.

34
35 SORIA: Yeah.

36

1 JOHNSON: Okay. That's all I have. Anybody?

2
3 ETHIR: Nope.

4
5 JOHNSON: All righty. This will conclude the interview at 0213.

6
7
8 [END; RECORDING IDENTIFIED AS: OFFICER ABEL SORIA, DURATION: 41:20]

9
10 AJ/BOS/Bkc

11 Job N^o: Document N^o:2986034

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