

SUPPLEMENTAL REPORT

Date Prepared: 01-22-09

1. Original File No. P09-008550	2. [Redacted]	3. Off. ID 496	4. NPC N	5. Crime-Ct.	6. Crime-Ct.	7. Crime-Ct.	8. Date / Time Occurred 01-17-09 / 1943	9. Day 7				
10. Date / Time Assigned	11. Date / Time Inv. Start	12. Date / Time Inv. Term.	13. Type Cir. EXC	14. Type Cont. REC	15. Additional Adults Arr.	16. Additional Juv. Arr.						
17. Address of Occurrence (Street No. - Name - City - Zip) 2800 block of Mulberry Street							18. Type of Place city street					
For ID USE: V = Victim, I = Informant, W = Witness, O = Other												
19. ID: V-1	20. Last Name - First - Middle (Firm Name if Business) Officer Jeremy Miller #1565						21. Race - Sex W - M	22. DOB				
23. Residence Address			24. Business or School Address Riverside Police Officer			25. Home Phone	26. Bus. Phone					
27. ID:	28. Last Name - First - Middle (Firm Name if Business)						29. Race - Sex	30. DOB				
31. Residence Address			32. Business or School Address			33. Home Phone	34. Bus. Phone					
S U S P E C T	35. Last Name - First - Middle Hyatt, Russell			36. Race - Sex W - M	37. Age 48	38. Ht. 6-0	39. Wt. 170	40. Hr.	41. Eyes	42. DOB or ID	43. Arrested Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
	44. Address - Clothing - Other Marks or Identifying Characteristics (deceased)											
45. Juv. Other () 2 Disp: Juris.		Juv. Ct. () 5 Prob.		Within () 6 Dept.		Detained () 1		Not Detained () 2				
S U S P E C T	46. Last Name - First - Middle			47. Race - Sex	48. Age	49. Ht.	50. Wt.	51. Hr.	52. Eyes	53. DOB or ID	54. Arrested Yes <input type="checkbox"/> No <input type="checkbox"/>	
	55. Address - Clothing - Other Marks or Identifying Characteristics											
56. Juv. Other () 2 Disp: Juris.		Juv. Ct. () 5 Prob.		Within () 6 Dept.		Detained () 1		Not Detained () 2				

ORIGINALLY REPORTED DOLLAR VALUES ARE CHANGED AS SHOWN BELOW

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

60. Originally Reported Offenses (Code - Crime) (1) 664/187 P.C.-Attempt Murder on a Police Officer (2)	61. Original Offenses Changed to (Code - Crime) (1) (2)	58. Stolen Auto Value ASP: 59. Recovered Auto Value A2
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62. Narrative of Supplemental Report Evidence--1RJS- one sheet of notebook paper with documentation of scene (written by Officer Miller on 01-18-2009 at 0110 hours).	62a. Audio Recording Available? Yes	62b. Incident Number:
Officer Jeremy Miller:	Reporting Officer Det Sanfilippo	
Assignment- Patrol.	Reviewed By M. Rossi 603	
Shift-- Watch Three	COPIES TO	
Unit-3749	VCL0 ()	
	ACTIONS	
	APB Sent	
	APB Cancl.	
	APR Sent	
	APR Cancl.	
	DOJ - NCIC	
	Entered Cancl.	
	ENTERED	
	STATS	ARBK ANI

**RIVERSIDE POLICE DEPARTMENT
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FILE NO. P09-008550

DATE	TYPE OF REPORT	REPORTING OFFICER
01-22-09	664/187 P.C.-Attempt Murder on a Police Officer	Det Sanfilippo

I met with Officer Jeremy Miller on 01-18-2009 at 0034 hours at the Riverside Police Department Magnolia Street Station. Officer Miller advised he received a subject with a gun call at an address on Spruce Street (Officer Miller was unable to remember the actual address). Officer Miller said Officers Russell and Quinn (two man unit) also responded to the call that was dispatched at "dusk" believing it could of been 1745-1800 hours. Officer Miller stated he spoke with the daughter (unknown name) of S-Hyatt at the residence. Officer Miller said he was told by S-Hyatt's daughter that she saw her father (S-1) in possession of a possible .25 caliber handgun describing it as silver or chrome.

Officer Miller advised Officer Quinn and Officer Russell spoke with S-Hyatt's wife (unknown name) while at the initial call. Officer Miller learned from the officers that S-Hyatt had talked about feeling suicidal, threatened suicide by cop and he didn't want to go back to jail. Officer Miller stated the officers at the scene were provided a picture of S-Hyatt by family members so they would be able to recognize who they were looking for. Officer Miller advised S-Hyatt had left five minutes prior to officers arrival, last seen walking west on Spruce Street.

Officer Miller said approximately forty five minutes to an hour later he learned from RPD dispatch that S-Hyatt was currently in possession of a handgun on Mulberry Street. Officer Miller responded to that location and upon arrival saw Officer Taylor in the middle of the street and Officers Quinn and Russell on the west side of the street. Officer Miller added S-Hyatt was south of the officers on the west side of the street. Officer Miller stated S-Hyatt was facing the officers and had a handgun in his right hand pointed at the right side of his head. Officer Miller said he heard officers (unknown) yelling out commands to "drop the gun" numerous times. Officer Miller advised he pulled his police unit in front of Officer Taylor to provide cover for him. Officer Miller said he pointed the spotlight in S-Hyatt's direction and at this point S-Hyatt took off running south on Mulberry Street.

Officer Miller advised he stayed at the drivers door frame in possession of his RPD shotgun prior to S-Hyatt running away from the officers. Officer Miller said Officer Taylor got into his unit (passenger side) as they drove slowly in the direction S-Hyatt ran to. Officer Miller stated he lost sight of S-Hyatt for a brief moment as he ran around the corner of a fence. Officer Miller added Officers Quinn and Russell followed S-Hyatt's path to the corner of the fence. Officer Miller said he stopped his police unit at the corner of the fence and directed his spotlight into the open field. Officer Miller stated he observed S-Hyatt in a prone position facing the officers. Officer Miller advised S-Hyatt had his handgun pointed in their direction. Officer Miller advised S-Hyatt was lying on a slope which allowed him some cover.

Officer Miller stated at this point he requested a rifle on the radio and moved to the back of his police unit. Officer Miller said when he observed S-Hyatt again S-Hyatt was on his knees pointing his handgun in the direction of the officers. Officer Miller advised as he raised his shotgun to "engage" S-Hyatt he heard one gunshot and observed a "muzzle flash" to his right where Officer Taylor was standing. Officer Miller said he observed S-Hyatt fall back on the ground onto his chest.

Officer Miller stated the officers maintained cover for a short time and then approached S-Hyatt yelling commands but there was no response from S-Hyatt. Officer Miller said S-Hyatt's hands were under his chest area. Officer Miller stated he and Officer Taylor each grabbed one of S-Hyatt's arms which allowed Officer Taylor to handcuffed him. Officer Miller said he observed a handgun under S-Hyatt's body and a wound to his head. Officer Miller felt S-Hyatt was ready to shoot them by his actions (prone out on the ground as he

**RIVERSIDE POLICE DEPARTMENT
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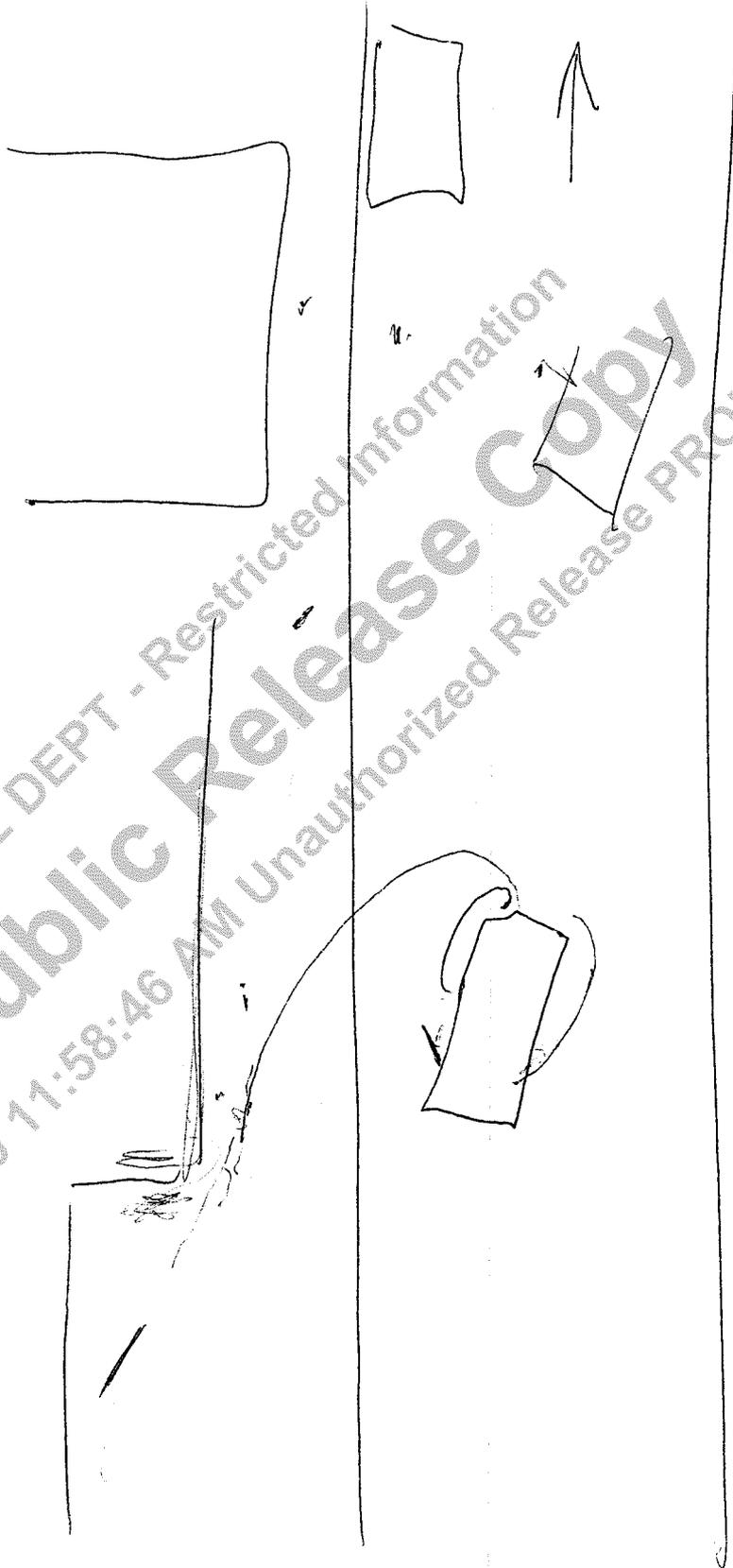
DATE 01-22-09	TYPE OF REPORT 664/187 P.C.-Attempt Murder on a Police Officer	REPORTING OFFICER Det Sanfilippo
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pointed his weapon in the officers direction). Officer Miller said S-Hyatt could of kept on running from the officers but instead positioned himself on the up slope of a slight hill in the field facing the officers. Officer Miller stated he felt S-Hyatt was going to shoot, adding "I was in fear" and was about to shoot when he heard Officer Taylor shoot. Officer Miller added "he was going to kill or shoot one of us, I thought he was going to kill Dave". Officer Miller believes S-Hyatt was 30-50 yards away from him at the time of the shooting. Officer Miller described S-Hyatt as a white male, late 40's, with a mustache.

The interview concluded at 0106 hours. For more details refer to the audio recording downloaded to the server.

RIVERSIDE POLICE DEPT - Restricted Information
CPRC Public Release
CPRCEVE 10/1/2010 11:58:45 AM Unauthorized Release PROHIBITED

RIVERSIDE POLICE DEPT - Restricted Information
CPRC Public Release Copy
CPRCEVE 10/1/2010 11:58:46 AM Unauthorized Release PROHIBITED



IRTS

N ↑

Jmm
01-18-09
0110 AM Hours

Property is released by appointment only. Call the Police Property Unit at (909) 351-6021 for an appointment. The Property Unit is open Monday through Friday between 8:00 a.m. and 5:00 p.m.

The property listed on the front of this sheet is currently under protection of the Riverside Police Department. This field receipt is your guide to our procedures regarding disposal of property. It is your responsibility to contact the Property Unit as soon as possible if you wish to claim your property. Property will not be held longer than the indicated dates. Please review the appropriate direction to recover your property. If special circumstances or need arises, please contact the Property Unit.

EVIDENCE:

FELONY ARREST CASES:

Evidence items will be held for a minimum of 60 days from the date of final disposition. If the owner does not claim the items at that time, they may be disposed of or destroyed in the manner prescribed by law.

MISDEMEANOR ARREST CASES:

Evidence will be held for 30 days from the date of sentencing, and then items will be disposed of or destroyed in the manner prescribed by law.

IF NO ARREST HAS BEEN MADE AND/OR NO SUSPECT IDENTIFIED:

Evidence items may be held up to 1 year or longer depending on the status of the case.

When evidence items are ready to be released, you will be notified by mail. It is your responsibility to notify DMV of address changes. Property will be held for 15 days from the date the notification is mailed and if unclaimed, the property will be disposed of or destroyed in the manner prescribed by law.

STOLEN OR EMBEZZLED PROPERTY:

If criminal charges are filed you may ask the court that hears the case to review the decision of this department concerning return of property.

SAFEKEEPING (§ 2080.10(a) Civil Code):

Items will be held for 60 days. If the owner is unable to retrieve the property, the owner must notify us in writing to hold the property and name an authorized person. That person will make an appointment with the Property Unit to retrieve the property. Items not claimed within 60 days will be disposed of or destroyed in the manner prescribed by law.

SEARCH WARRANT (§ 1536 Penal Code):

Penal Code §1536 requires a court order to release property held by a search warrant. A certified copy of the court order shall be submitted to front counter personnel at the Orange Street Police Station located at 4102 Orange Street. The responsible case agent has 15 days to respond to the court order and may authorize the release of property. Contact the Property Unit regarding return of property seized by calling (909) 351-6021.

FOUND PROPERTY (§ 2080 Civil Code):

Found property will be held for 90 days. If at the end of the 90 days the property is not claimed or returned to the rightful owner, the finder may claim the found property by calling (909) 351-6021.

FIREARMS (§ 12028.5 Penal Code): NOTE: Firearm seizures require separate receipts for each owner.

FIREARMS: In those cases where Riverside Police has confiscated a firearm(s) or other deadly weapon(s) into custody pursuant to Penal Code § 12028.5, a petition may be initiated in the Superior Court within 60 days of seizure. (An ex parte petition may be filed to extend the time if necessary.) In those instances where a petition is filed pursuant to Penal Code § 12028.5, the Superior Court will determine whether the firearm(s) or other deadly weapon(s) should be returned. When a petition is not filed, the Property Unit shall obtain a Department of Justice firearms clearance and an authorization for release of the weapon(s) from the assigned case agent. **Under no circumstances will a weapon be released before 5 business days have passed.** Upon receipt of the clearance and authorization for release, the Property Unit will notify the owner by mail to call for an appointment. Inquiries regarding the status of the potential release of weapon(s) may be directed to the Police Property Unit by calling (909) 351-6021. Welfare and Institutions Code § 8102 mandates police officers confiscate weapons from persons detained under the provisions of Welfare and Institutions Code § 5150. Pursuant to Welfare and Institutions Code §8102, the health care facility must notify the detained individual of the procedure for return of the weapons.

RECEIPT RECEIVED BY: _____ DATE ISSUED: _____ ISSUED BY: _____ ID#: _____

ARMAS DE FUEGO: En los casos donde la policía de Riverside haya confiscado el o las armas de fuego u otra arma mortal en custodia, conforme al código penal 12028.5, entonces se puede iniciar una petición en la corte superior después de 60 días del embargo. (Si es necesario prolongar el tiempo, se puede presentar una petición con este fin) En estos casos donde se haya presentado una petición conforme al código penal §12028.5 la corte superior determinará si las armas de fuego u otras armas mortales deben ser devueltas. Cuando no se presenta una petición, la unidad de propiedad deberá obtener un permiso del Ministerio de Justicia y una autorización para que las armas sean entregadas por parte del agente asignado a este caso. **Bajo ninguna circunstancia se entregará un arma sin que antes hayan pasado tres días laborables.** Después de recibir el permiso y autorización para la entrega, la Unidad de Propiedad notificará al dueño por correo para que este llame para sacar una cita. Preguntas con respecto al estado de la entrega potencial del arma (s) se dirigirán a la unidad de propiedad de la policía llamando al (909) 351-6021. Los códigos de bienestar y de instituciones §8102 mandan que los oficiales de policía confisquen las armas de las personas detenidas bajo las provisiones del código de bienestar y de instituciones § 5150. Conforme al código de bienestar y a instituciones §8102, la instalación del cuidado médico debe notificar al individuo detenido en cuanto al procedimiento para la devolución de armas.

RECIBO RECIBIDO POR: _____ FECHA EN QUE SE EMITIÓ: ____/____/____ EMITIDO POR: _____ # DE IDENTIFICACIÓN: _____

鎗支武器: 若您的鎗支或其它致命武器被河岸(Riverside)鎮警察根據刑法第12028.5條沒收, 可在沒收之後60天之內向高級法庭提出請愿 (若需要, 可單方面提請延期)。若您根據刑法12028.5條提出請愿, 高級法庭將決定該鎗支武器是否應退還給您。若您不提出請愿, 財產處將從司法部獲取鎗支准照及從相關人員釋放該武器的允准。所有武器必須在5個工作天後才能被釋放。在獲取了鎗支准照和釋放允准後, 財產處將以信函形式通知您約面會晤。欲瞭解該武器釋放的具體情況, 可打電話(909) 351-6021 與警察局財產處聯絡。若某人依據福利和機構法第5150條被拘留, 警察必須根據福利和機構法第8102條沒收該人的武器; 依據該8102條法規, 健康看管機構亦必須向該人傳達武器退還的程序。

本人: _____ 接到收據, 收據發出日期: ____/____/____ 收據發放人: _____ 證件號: _____

SÚNG ỔNG: Trong trường hợp Cảnh Sát Riverside tịch thu một hay là nhiều súng ống hoặc những vũ khí giết hại khác chiếu theo hình luật 12028.5, đơn thỉnh nguyện với Tòa án phải được nộp trình trong vòng 60 ngày kể từ ngày tịch thu. (Đơn thỉnh nguyện bị quá hạn có thể xin gia hạn nếu cần thiết.) Trong những trường hợp đơn thỉnh nguyện liên hệ hình luật 12028.5, tòa án sẽ quyết định về sự hoàn trả súng ống hoặc vũ khí giết người đó. Nếu không có sự thỉnh nguyện nào, Văn Phòng Tài Sản sau khi nhận giấy chứng nhận và ủy nhiệm của toà án sẽ thu hồi vũ khí từ đơn vị trách nhiệm. **Không có trường hợp ngoại lệ nào một vũ khí sẽ được giao trả trước 5 ngày làm việc.** Sau khi nhận giấy chứng nhận và ủy nhiệm về sự hoàn trả, Văn Phòng Tài Sản sẽ thông báo số hữu chủ bằng thư để điện thoại xin ngày hẹn. Những liên hệ về sự hoàn trả vũ khí có thể gọi trực tiếp Văn Phòng Tài Sản Cảnh Sát qua số (909) 351-6021. Hình luật 8102 ủy nhiệm nhân viên công lực tịch thu vũ khí từ những tội phạm dưới hình luật 5150. Chiếu theo điều luật 8102, đơn vị y tế phải thông báo tội phạm về những thủ tục liên quan sự giao trả vũ khí.

BIỂN NHẬN ĐƯỢC NHẬN BỞI: _____ NGÀY GIAO: ____/____/____ GIAO BỞI: _____ SỐ NHÂN VIÊN: _____

INTERVIEW WITH OFC. JEREMY MILLER

Q=Det. Ron Sanfilippo

A=Ofc. Jeremy Miller

1
2
3
4
5
6
7
8
9
10
11
12 Q: Okay, I'm Detective Ron Sanfilippo. It is 12:34 in the morning on January 18,
13 2009. I'm at the Riverside Police Department, Magnolia Station. Um, in
14 Lieutenant (Myers)' office. And I am with Officer - can you tell me your first
15 and last name please?
16

17 A: Jeremy Miller.
18

19 Q: Jeremy Miller. Is that J-E-R?
20

21 A: E-M-Y.
22

23 Q: And Jeremy, what um, what is your position here at the police department?
24 What do you work right now?
25

26 A: Uh, police officer in Patrol.
27

28 Q: Okay, Patrol. Okay, what's your ID number?
29

30 A: 1565.
31

32 Q: Okay. And your hire date?
33

34 A: Uh...
35

36 Q: Do you remember?
37

38 A: 
39

40 Q: Okay. And today you were working what shift?
41

42 A: Uh, swing shift.
43

44 Q: Okay. And what beat were you working?
45

sm

46 A: I was working the uh, um, 10B North.
47
48 Q: So what was your call assignment?
49
50 A: Uh, Charles 120.
51
52 Q: Charles 120. Okay. Do you remember what unit you were driving?
53
54 A: Uh, 3749.
55
56 Q: Okay. Okay. Um, basically what I'm going to ask you, or have you tell me, is
57 what happened this evening. Um, I heard there was some talking with the
58 officers, some of the detectives and everything about this case. They said there
59 was some previous calls, but I don't know if you're privy to that or not, but?
60
61 A: Yes.
62
63 Q: But um, if you would just go into basically what you remember, if you have to
64 go back to previous calls that's fine. Just lay out to me exactly what happened
65 this evening and then the calls, responding and what you observed, um, if you
66 said anything? Or anything like that, okay?
67
68 A: Okay. Um, earlier in the evening - I'm not sure what time, uh, I believe it was
69 right about dusk - we uh...
70
71 Q: Okay.
72
73 A: Uh, myself and uh, Officers Russell and Quinn were riding two man. We were
74 dispatched to a subject with a gun call. Uh, an address off of Spruce. I don't
75 recall the address.
76
77 Q: Okay.
78
79 A: Um, we showed up on scene. Uh, I wasn't the initial contact officer. Uh, but
80 we were told - some of the other officers who talked to the family members
81 that um, the subject with the gun was uh, I believe the husband or ex-husband
82 of the wife at the house. She said he showed up, threatened to kill everybody
83 there...
84
85 Q: Okay, good, sorry about that.
86
87 A: No problem. Uh, he showed up, threatened to kill everyone there.
88
89 Q: Mm-hmm.
90

91 A: Um, he brandished a uh, a chrome or silver handgun.
92
93 Q: Okay.
94
95 A: Uh, said he was uh, feeling suicidal and uh, had threatened - he threatened
96 suicide by cop. Um, I believe she said that he was on his second strike. Didn't
97 want to go back to prison. And uh, he was last seen westbound is pretty much
98 the only, um, west - west on Spruce.
99
100 Q: Okay.
101
102 A: Pretty much only in- information we had. Um, did an area check of the
103 neighborhood. Other officers responded. We searched a few different houses,
104 different residences.
105
106 Q: Mm-hmm.
107
108 A: Some vacant residences. Couldn't locate him. Uh, I cleared the call.
109
110 Q: You remember what the address was on Spruce?
111
112 A: No, I don't.
113
114 Q: Okay, but it was on Spruce near where? Do you remember where the cross
115 street would have been or anything?
116
117 A: It was mid-block between uh, Orange and um, and uh, Mulberry.
118
119 Q: Okay. And what about timeframe? Do you remember the timeframe? You said
120 dusk, do you know if it was like - so it was just turning dark then? Maybe
121 around 5:00 then or something like that, or?
122
123 A: Probably...
124
125 Q: 5:15?
126
127 A: ...about, maybe in between 5:45 and 6:00, maybe.
128
129 Q: Okay.
130
131 A: Somewhere around there.
132
133 Q: Do you remember who actually got the call, what unit?
134
135 A: Uh, myself and uh...

jm

136
137 Q: Okay, so you guys got the call?
138
139 A: Yes, and uh, Russell and Quinn which I think they were Charles 130.
140
141 Q: Okay. And then who actually spoke with the ex - or the wife?
142
143 A: Uh, I believe Officer Quinn spoke with her.
144
145 Q: Okay. Okay.
146
147 A: I'm not - I - I wasn't in there.
148
149 Q: Okay.
150
151 A: Um...
152
153 Q: But was the other unit that had the two man?
154
155 A: Yeah, and then it switched a couple times. A couple different officers took
56 over and I think Officer (Bolerice) responded to the scene and he ended up
157 taking the initial report. And ended up interviewing her again. I need to back
158 up too, while - while I was there I spoke to one of the uh, I believe it was his
159 daughter?
160
161 Q: Okay.
162
163 A: That was at - at the scene initially.
164
165 Q: Do you remember her name?
166
167 A: No, I didn't get the name from her.
168
169 Q: Okay.
170
171 A: Um, she was mentioning something about the gun which was my concern. I
172 asked her, um, if she had actually seen the weapon...
173
174 Q: Mm-hmm.
175
176 A: ...and uh, she told me she did. And I - I asked her um, if she was positive that
177 it was a real firearm. And she said, she was absolutely sure it was and that she
78 thought that it was .25 auto, is what she told me and that it...
179
180 Q: Okay.

181
182 A: ...was a chrome or silver in color.
183
184 Q: Okay.
185
186 A: And um, and then I believe I asked her uh, if he had previously owned any -
187 any guns or if, you know, if it was his and she knew that he had it and that's
188 how she knew it was real when she said no he had to have gotten it from
189 somewhere but uh, she said he wasn't - wasn't allowed to own any guns
190 because he was on parole.
191
192 Q: Okay.
193
194 A: And uh, that was pretty much the only person I actually talked to.
195
196 Q: That's when you talked to - when you guys had this or when you got the radio
197 call did you happen to have a name at the time?
198
199 A: For the suspect?
200
201 Q: The suspect.
202
203 A: Uh, they did provide a name. I don't recall what it was.
204
205 Q: Okay.
206
207 A: They also provided - the family brought a photograph out of him as well.
208
209 Q: Okay.
210
211 A: And they showed - we all got - I think everybody at the scene looked at the
212 photograph.
213
214 Q: Okay.
215
216 A: Uh...
217
218 Q: But you don't know at this time his name or anything, you don't remember?
219
220 A: Uh, I don't recall. I did at the time. They - they told us what his name was.
221
222 Q: Did he live there on Spruce did they tell you, or was he estranged from the
223 wife? So he no longer was there?
224
225 A: I didn't get that information.

Umm

226
227 Q: Okay. Are you...
228
229 A: I pretty much handling security and making sure that the officer's
230 interviewing were protected.
231
232 Q: So you, Quinn, and Russell were the three that looked at the photograph? Was
233 there anybody else that you know?
234
235 A: I believe - I believe that Sergeant (Corbitt) made all the officers after - before
236 we cleared the scene - I saw the photograph before we started searching
237 residences. Um, but before everybody cleared the scene, uh, Sergeant
238 (Corbitt) made everybody that was there take another look at the photograph.
239
240 Q: Okay.
241
242 A: That way, you know, in case we ran into him out in the street we - you know,
243 you would know for officer's safety purposes that was him so.
244
245 Q: How many other officers were out there?
46
247 A: Uh, I would - I would estimate that everybody north and east responded out
248 there.
249
250 Q: Okay.
251
252 A: Plus the two - two Sergeants and also I believe Watch Commander the first
253 time.
254
255 Q: And um, at the time, when you got this, what kind of - what was the actual
256 call that came out on the radio, do you remember that?
257
258 A: Subject with a gun.
259
260 Q: Subject with a gun? Okay. And when you got there, they said that he had
261 already left. Did they tell you how much earlier he had left prior to the police
262 arrival?
263
264 A: They said roughly five minutes...
265
266 Q: Okay.
267
268 A: ...before we had arrived.
269
270 Q: And you said he went westbound?

um

271
272 A: Uh, yes they said he - he had traveled westbound.
273
274 Q: Okay. Okay.
275
276 A: Uh, and uh, as far as that goes, that's pretty much it from the initial...
277
278 Q: Okay.
279
280 A: ...initial call. And then, uh, I cleared, went to an alarm call.
281
282 Q: Mm-hmm.
283
284 A: Uh, as I was clearing the alarm call, it's probably maybe 45 minutes later.
285
286 Q: Mm-hmm.
287
288 A: Uh, just roughly I'm just guessing.
289
290 Q: Right, and I understand.
291
292 A: Um, could have been an hour. Uh, I heard Officer Russell get on the radio -
293 'cause I believe they stayed on the call to code five the neighborhood.
294
295 Q: Mm-hmm.
296
297 A: He - he came back um. He asked - he asked dispatch if the update uh, that
298 showed up on his computer was the - a current update.
299
300 Q: Mm-hmm.
301
302 A: And uh, dispatch got on the radio, said that was a current update and that the
303 suspect was now on Mulberry at the - I don't recall the address - um, and that
304 uh, he had the - he had a gun with him. So at that point, I cleared my call. I put
305 myself assist on the computer.
306
307 Q: Mm-hmm.
308
309 A: 'Cause I didn't want to tie up the radio traffic or anything like that. Uh, was - I
310 was near - I was at Chicago and (Marlboro) so I wasn't too far away.
311
312 Q: Okay.
13

Jm

314 A: Uh, I showed up on scene. Or as - as I turned onto Mulberry, Officer - I
315 believe it's Officer Russell said he had the subject at gun point and that he had
316 a gun - the suspect had a gun to his head.
317
318 Q: Okay.
319
320 A: Uh, I come down the block. Their units are parked a distance away.
321
322 Q: And which way were you coming from?
323
324 A: I was coming from Spruce and I...
325
326 Q: Okay, so it...
327
328 A: ...turned southbound onto Mulberry.
329
330 Q: Okay.
331
332 A: Uh, as I approached, uh, Officer Dave Taylor, canine officer, he was in the
333 middle of the street. And uh, Officers Quinn and Russell were off to the right,
334 or the west side of the street.
335
336 Q: Mm-hmm.
337
338 A: The suspect was facing them with a gun to his head. Um...
339
340 Q: Where was he? Was he in the middle of the street?
341
342 A: He was uh, he was on the dirt. Uh, also...
343
344 Q: Okay.
345
346 A: ...on the west side of the street. Um, like I said, he was facing the officers. I
347 pulled my unit in front of uh, Officer Taylor to give him cover because he -
348 like I said, he was in the middle of the street. And uh, I shined my spotlight on
349 the suspect to put it into his eyes and make sure...
350
351 Q: Had anybody else had the spotlight on him up to that point?
352
353 A: No, they're - their units were parked down the street.
354
355 Q: Way down the street?
356
357 A: They had walked up - I was - my unit was the only vehicle up there.
358

359 Q: Okay.
360
361 A: Um, so I put the spotlight on, kind of give us a light curtain.
362
363 Q: Mm-hmm.
364
365 A: It's as much as I could. As I pulled up, I grabbed my shotgun, chambered a
366 round. Uh, put my weapon on him. Took a cover position at the door-
367 doorframe. Um, and he took off. The suspect took off running southbound
368 away from us.
369
370 Q: Okay.
371
372 A: Uh, at that point, Officer Taylor jumped in my vehicle. Um, he had his door
373 open. He was providing cover through the doorframe. We were driving up...
374
375 Q: So he was driving slow and you guys were - is that what you were doing? He
376 was driving while you guys were getting (unintelligible)...
377
378 A: I - I was driving.
379
380 Q: All right, I thought you said he jumped in your vehicle?
381
382 A: In the passenger side.
383
384 Q: Oh, okay.
385
386 A: He got in through the passenger side.
387
388 Q: Okay.
389
390 A: So I - I'm slowly driving up.
391
392 Q: Okay.
393
394 A: Um, driving southbound towards where the suspect fled. We - we lost sight of
395 the suspect. He ran around the corner of the (unintelligible) which...
396
397 Q: Was Quinn and Russell with you at the time also?
398
399 A: They were still basically following the path of the suspect on foot.
400
401 Q: Okay. Okay.
+02

smv

403 A: Um, the - there's a fence with uh, a bunch of ivy and bushes also on the west
404 side of the street.
405
406 Q: Mm-hmm.
407
408 A: Um, he kind of went ducked around the corner. Uh, I assumed it was an
409 alleyway. I did- it looked like it was opening up into an alley and we lost
410 sight. I kept pulling up slowly. You know, we didn't know if he was waiting
411 around the corner for us. Um, and then before we hit the corner, I stopped the
412 vehicle. Uh, shined the spotlight - or jumped out of the car and then readjusted
413 the spotlight and as I did that, um, Officer - Officer Quinn and Russell were
414 about to crest the corner of the fence. I saw the suspect was prone out on the
415 ground. Um, facing them. And uh, the ground slopes right there. There's a - a
416 slight hill.
417
418 Q: Mm-hmm.
419
420 A: So he was very, you know, a very small silhouette right there. And it looked
421 like - looked like he had a gun - a gun in his hands still.
422
423 Q: Mm-hmm.
424
425 A: Pointed towards them. And I yelled at them - I yelled at Officers Quinn and
426 Russell, I said, "He's prone out in front of you." They stopped immediately,
427 stepped back behind the fence.
428
429 Q: Okay.
430
431 A: As I said that, I started to go, um, toward the back of my unit instead of the
432 front because I felt like I was, you know, right open he had a good shooting
433 position right where he's at prone. So I went to the back and he went - at that
434 same time, Officer Taylor was already at the back of the unit. As I came
435 around, I was on my radio. I said, "We need a..." I requested a unit with a
436 rifle.
437
438 Q: Mm-hmm.
439
440 A: As I'm coming around the back of the car, I looked back at the - where the
441 suspect's at, right - starts to come into view again, um, and I notice at this
442 point he's on his knees and he's raising his pistol up and I - I can see the
443 gleam of his - of his - of the handgun...
444
445 Q: Mm-hmm.
446
447 A: ...in the spotlight, in the light, you could see it glisten.

JMM

448
449 Q: And the spotlight is still on him pretty much?
450
451 A: Spotlight's still on him. And uh, as I'm coming around to raise the shotgun to
452 engage him, uh, Dave Taylor - I hear - I only heard one - one shot go off.
453
454 Q: Mm-hmm.
455
456 A: And I remember seeing the muzzle flash. And right when I was about to - to
457 engage the suspect hit the ground. So then we - he hit the ground, maintained
458 cover for a second, see if he would move or try to engage us. Um, as he fell he
459 turned - I don't - I can't recall if he actually stood to his feet completely...
460
461 Q: Mm-hmm.
462
463 A: Or if he just was on his knees?
464
465 Q: Mm-hmm.
466
467 A: But I remember when he fell, he fell away from us and on his - on his - on his
468 stomach, on his chest.
469
470 Q: Okay.
471
472 A: Um, we - like I said, we maintained cover for a few seconds. Walked around
473 over with uh, Officers Quinn and Russell, est- established uh, contact team.
474 Walked up on the suspect. Um, I think I initially started yelling commands for
475 him to show his hands because he had fallen on both arms were tucked, uh,
476 underneath his chest.
477
478 Q: Mm-hmm.
479
480 A: And the - the weapon was still nowhere in sight.
481
482 Q: Okay.
483
484 A: So basically he was - had the weapon underneath - underneath him. Yelled -
485 yelled commands, "Show me your hands! Show me your hands!" He wasn't
486 moving. Uh, Officer Taylor, I believe said, you know, "Will you grab his right
487 arm, I'll grab his left arm?" And uh, we walked up and contacted him,
488 grabbed his arms and uh, Officer Taylor handcuffed him. We rolled - rolled
489 him over to look for the weapon. The weapon was underneath him. Uh, I
490 observed the uh, a wound to the back of his head. Uh, looked like an exit
491 wound.
492

sm

493 Q: Mm-hmm.

494

495 A: I'm not an expert on that, but that's...

496

497 Q: Okay.

498

499 A: ...that's what it looked like to me. And then uh, we uh, I don't recall who,
500 somebody put out, "Shots fired" and at some point in there, and I don't
501 remember where exactly.

502

503 Q: Mm-hmm.

504

505 A: And uh, requested medical aid.

506

507 Q: Okay. Now any time during this engagement with him, while you saw him in
508 the middle of the street, was he making any kind of statements to the officers
509 at all? Did he say anything? Or did you hear anything?

510

511 A: From the time that I showed up, I never heard him say anything. Um, like I
512 said, pretty much when I got there he took off running. And uh, I never heard
513 him say any - any - any comments at all.

514

515 Q: Mm-hmm.

516

517 A: Um.

518

519 Q: So he just basically when you pulled up, he's standing - he's standing in the
520 dirt to the side, which is the west side of the street. And he's got a gun to - did
521 you actually see him with a gun to his head?

522

523 A: Yes.

524

525 Q: And was that with his right hand or left hand, do you remember?

526

527 A: Uh, I - I believe it was in right hand.

528

529 Q: Right hand?

530

531 A: It was to his right temple.

532

533 Q: Okay. And were there being commands being uh, stated at the time by any
534 officers that you heard when you rolled up, or was it just all quiet, basically?

535

536 A: Uh, I heard - I heard uh, several different people - I don't remember exactly
537 who, but I heard several commands of "Drop the gun! Drop the gun!"

JMM

538
539 Q: Okay.
540
541 A: Um, like I said, it was a split second basically s- as soon as I shined the
542 spotlight on him, that's when he decided to run.
543
544 Q: Okay.
545
546 A: He didn't like the light in his eyes and - and he took off.
547
548 Q: When he turned to run he had the gun up to his - to his head? When he turned
549 to run did he just back up and hold the gun down, do you remember? Or he
550 just really turned with the gun still there? Did he ever come towards you guys
551 (unintelligible)?
552
553 A: Uh, you know, I don't recall. He turned...
554
555 Q: Mm-hmm.
556
557 A: ...he turned really - I mean it was just a split second he was gone.
558
559 Q: Okay.
560
561 A: Um, I don't remember which direction he turned. Um...
562
563 Q: Okay.
564
565 A: I - I don't recall.
566
567 Q: From the location where he was standing at the time, to around that fence area
568 where he went around the corner, how far do you think that was?
569
570 A: Um.
571
572 Q: How far do you think he ran into that?
573
574 A: Probably...I'd say 50 yards.
575
576 Q: Mm-hmm.
577
578 A: It's not - not too great of a distance.
579
580 Q: Okay. Was there any people out there that you saw standing around, witnesses
581 or anything, or anybody on their porches or anything, or you didn't really
582 have time to recognize anything like that?

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583
584 A: Uh, I - I don't remember seeing anybody. I - I know when we - when the
585 suspect went to the final position where he was at...
586
587 Q: Mm-hmm.
588
589 A: ...I - I do recall if there's - I remember there's nobody behind him. I was
590 looking behind him to make sure, you know, if he uh, if we'd have to engage
591 him that, you know, there wasn't anybody behind him. And there's just an
592 open field and then there's a residence about maybe another 100 yards down
593 the street.
594
595 Q: Okay. Um, so then you guys - you - you move up on the - on the suspect
596 around the uh, field. How long from a timeframe standpoint do you think that
597 was from the time that you start - got back in your car and drove up to that
598 area, what was the time lapse at that point, you think?
599
600 A: From the initial contact?
601
602 Q: From when you got back - yeah, when he started running and you guys - you
603 stopped the car at that - the crest of that fence you said, was it...
604
605 A: Probably...
606
607 Q: ...seconds?
608
609 A: Yeah, seconds. I mean it - it wasn't really that far.
610
611 Q: Okay.
612
613 A: I mean it's like as long as it takes to drive a car...
614
615 Q: Okay.
616
617 A: ...twenty (unintelligible)...
618
619 Q: I didn't know - I'm trying to determine just, you know, how...
620
621 A: Yeah.
622
623 Q: ...slowly you guys went? If it was a good 20-30 seconds? 'Cause I'm trying to
624 figure if he positioned himself, was he lying in wait basically for you guys?
625 He's laying there, he's going to, you know, he's proning himself out...
626
627 A: Yeah.

Jim

628
629 Q: ...thinking you're - and he's going to take - that was his thinking, I'm sure,
630 and I didn't know how quickly he had a chance to do that, or was he just
631 laying there for a few - a minute or so while you guys were, you know moving
632 up? I just - trying to determine the time...
633
634 A: It was - it was pretty quick. It was probably um, like I said it wasn't that far.
635 I'd say, you know, 15 seconds, you know, maybe 20 seconds. Uh, it wasn't
636 very long. Um, like I said, when I saw him in the prone position...
637
638 Q: Mm-hmm.
639
640 A: ...facing us, I mean from - from my training in the military...
641
642 Q: Mm-hmm.
643
644 A: That's the most stable firing position and he was ready to engage us, I, you
645 know, as far - as far as I was concerned, he was ready to shoot us.
646
647 Q: Right.
648
649 A: And uh, I - I don't know any other reason why somebody would prone out,
650 facing the officers with a weapon in his hands. Just like he was, and like I
651 said, it was a sloping hill. So he pretty much had uh, he...
652
653 Q: But he was sloping - he was on the - the downward side of it then where he
654 had the hill kind of a - a...
655
656 A: He was facing up the hill.
657
658 Q: Right, okay.
659
660 A: And uh...
661
662 Q: Like he had some kind of a cover in front of him. Um, and he had an escape
663 route if he wanted to, he could have ran off? He chose to stay there. It wasn't
664 like he had no other escape route where he came to a wall? It was open field
665 where he could of kept going?
666
667 A: Uh, he - he would have had to jump the fence, but I mean he could of kept
668 running down the fence line.
669
670 Q: Right.
671

672 A: Um, uh, and like I said, initially we were getting the unit - I mean he could
673 have kept going. There's no real reason for him to stop other than to...
674
675 Q: Engage?
676
677 A: ...engage us.
678
679 Q: Okay. Okay. And then when you first saw him, who - do you remember
680 whose the first one that saw him laying the field? Was it you or Taylor?
681
682 A: Uh, th- the - when he proned out?
683
684 Q: Yeah.
685
686 A: Uh...
687
688 Q: When you guys - when you guys came up and you guys stopped and you guys
689 put the light on, do you remember who was the first one?
690
691 A: I believe I saw him first.
692
693 Q: Mm-hmm.
694
695 A: I know I was the first person to say something. I didn't think anybody had
696 seen him. Uh, so that's why I immediately, I said, "He's proned out in front of
697 you."
698
699 Q: Mm-hmm.
700
701 A: And uh, I didn't - it actually caught me off guard, you know, to see somebody
702 proned out on the ground like that.
703
704 Q: Mm-hmm.
705
706 A: Like I said, to me that - he was ready to engage and, you know, he was - he
707 was taking a hunkered down position to...
708
709 Q: Right.
710
711 A: ...to fire at us. And uh, I didn't know if they saw that. Uh, it's not, you know,
712 it's not a normal thing that I've seen out there for somebody.
713
714 Q: Exactly. The um, and basically by you doing that, it prevented the officers
/15 from walking into something that could have been worse if they went around

dmw

716 that corner. 'Cause if they didn't see him and they turned that corner, who
717 knows what could have happened then?
718
719 A: (Unintelligible).
720
721 Q: So basically - and then he was - you noticed - you put your light, you went to
722 the rear of your car you said - when you got back there, you notice that
723 Officer Taylor is already back there. You guys were getting your cover. And
724 then, um, Quinn and Russell were out of - out of any kind of fire at that point
725 with the suspect? They were safe enough away from behind the fence where
726 they weren't in any kind of uh, line of fire or anything at that point, is that
727 correct?
728
729 A: Uh, after - after I said that to them...
730
731 Q: Right.
732
733 A: ...and I started to back up, I - my attention was back on the suspect.
734
735 Q: Okay.
36
737 A: So I don't know how far they got...
738
739 Q: Okay.
740
741 A: ...or where they moved to.
742
743 Q: Okay. And then y- then just go over one more time at the point when, time
744 wise, you said he was prone out then he got to his knees? Was it an
745 immediate thing like within a couple of seconds he did that? Or were you guys
746 out there for a good minute or so while he was still prone out there? You
747 guys giving him commands or...
748
749 A: Uh-huh.
750
751 Q: ...how did that go?
752
753 A: I'm not sure timeframe. What - what I did, when we got to that second point
754 where I stopped the vehicle.
755
756 Q: Mm-hmm.
757
758 A: Put it in park. Um, jumped out. Then - started to position myself in the
759 doorway, like - um, like you would for a felony traffic stop.
760

jmw

761 Q: Right, right.

762

763 A: Um, and when I was doing that, I thought I saw him on the ground so I
764 readjusted the light.

765

766 Q: Okay.

767

768 A: I saw him prone out. I figured I'm in a bad spot. That's when I was yelling,
769 "He's prone out on the ground!" And as I was yelling that, I started to move
770 to the back of the vehicle. I figured since, you know, he was prone out like
771 that he was a small target. If we could - think they had a rifle there.

772

773 Q: Mm-hmm.

774

775 A: Where we could get some distance and if we had to engage him it would be
776 safer for us and um, more accurate.

777

778 Q: Right.

779

780 A: So uh, that's when I was on my radio calling for the - the unit with a rifle.

81

182 Q: Mm-hmm.

783

784 A: From the time it - it took me to go from the front of the car to the back of the
785 car, as I was looking, you know, coming around the, you know, the top of the
786 car where I could start...

787

788 Q: Mm-hmm.

789

790 A: ...to see the suspect again, he was already up on his knees.

791

792 Q: Okay, so he was moving when...

793

794 A: So...

795

796 Q: ...you readjusted is when it appears to you that he decided to readjust his
797 body...

798

799 ((Crosstalk))

800

801 A: From - from the time I went from the front of the car he was prone.

802

803 Q: Mm-hmm.

804

805 A: When I got to the back of the car he was on his knees.

vim

806

807 Q: Okay.

808

809 A: And uh, I - I don't know. I don't know if I paused in there when I put out the
810 radio traffic, I - I don't recall.

811

812 Q: Okay.

813

814 A: It just kind of blended together.

815

816 Q: Were you the one doing most of the radio traffic that you remember, or was
817 there (unintelligible)?

818

819 A: Um, that's pretty much the only radio traffic that I put out.

820

821 Q: Okay.

822

823 A: Was uh, because I saw the need for the rifle.

824

825 Q: Okay.

26

827 A: And then uh, that - that's - I believe that's the only radio traffic that I put out.

828

829 Q: Okay.

830

831 A: And I don't even know if it went out. I don't remember hearing anything after
832 that on the radio about that. I think my attention was on the subject.

833

834 Q: Right.

835

836 A: Um, like I said, as I rounded back the car, I heard one shot and then caught the
837 muzzle flash out of Dave Taylor's gun. And then that's...

838

839 ((Crosstalk))

840

841 Q: And he was to the right of you?

842

843 A: Yes.

844

845 Q: Okay.

846

847 A: And uh, like I said, I was - I was raising my shotgun. You know, I felt that he
48 was getting - well he pointed the weapon at us and I felt that he was getting
649 ready to shoot, you know, my partners and myself and, you know, I was in
850 fear too.

um

851
852 Q: Mm-hmm.
853
854 A: And I was ready to - to engage and uh, he - he went down to the ground and
855 um, wasn't a threat at that point.
856
857 Q: Okay.
858
859 A: So.
860
861 Q: What would you determine the - a distance to be at that point from you and
862 Dave Taylor to the suspect?
863
864 A: Uh, I would say probably uh, 30 to 50 yards approximately.
865
866 Q: Mm-hmm.
867
868 A: Probably - probably closer to 30.
869
870 Q: Okay.
71
872 A: Thirty yards roughly.
873
874 Q: Okay. And what - were you guys more on the - still in the middle of the street
875 then behind - behind the vehicle? Was it more over to the west - or do you
876 remember?
877
878 A: I - it's - I believe my unit's closer to the - the west side of the street. Um.
879
880 Q: And it hasn't been moved, so it would be wherever they got it out there at
881 during the scene, right?
882
883 A: Yes.
884
885 Q: It hasn't been moved?
886
887 A: Yes.
888
889 Q: Okay.
890
891 A: She will still be sitting.
892
893 Q: Just as it was?
894

Jim

895 A: Yes, sir. When I left it was - the spotlight was still on, right where it was. The
896 door was still open.
897
898 Q: Okay.
899
900 A: Um, just like how we left it.
901
902 Q: Would he - and I'm just going to go back and - here and there so I may just
903 jump around but, he was prone out? You did see him with two hands on the
904 gun? You were showing me with two hands pointing towards...
905
906 A: Yes.
907
908 Q: ...your direction?
909
910 A: Yes, he had two hands in front. Um, I couldn't tell if his hands were out
911 extended from the incline he was at, or if he had them under his - under his
912 chest like this. I couldn't tell if it was out or like this, but he did have both
913 hands...
914
915 Q: Where they definitely pointed towards you guys though, not at his own chin or
916 anything? I mean, it wasn't like this?
917
918 A: (Unintelligible).
919
920 Q: Or could you not tell.
921
922 A: Uh, I can tell for sure it was...
923
924 Q: Okay.
925
926 A: ...pointed at us.
927
928 Q: Okay. And then when he got on his knees, could you tell any- anymore at that
929 point, which direction was he - was he outward with his - with his elbows
930 extended, or was it in close? Or...
931
932 ((Crosstalk))
933
934 A: Uh, his arms started to extend, um, to me it looked like he was pointing
935 directly at Dave Taylor.
936
937 Q: Okay. And with the spotlight - do you know if the passenger spotlight was on
938 also?
939

Um

940 A: No, it was not.
941
942 Q: Okay, just...
943
944 A: Just the driver...
945
946 Q: ...the driver?
947
948 A: ...side spotlight.
949
950 Q: That was smart getting out of that line of fire 'cause he'd probably try to shoot
951 at that. Okay, and then you heard one shot, um, and then one muzzle flash you
952 saw. At that point you saw him go down. And then you guys made your
953 approach carefully. And did determine after he's handcuffed that um, you
954 know, rolling him or I guess whatever, he's - I don't know did - did you
955 determine at that point that he was code eight or anything like that? Or you
956 just said roll in AMR he's been shot, or you don't know if anything was said?
957
958 A: I believe uh, Officer Russell requested AMR.
959
960 Q: Okay.
961
962 A: I don't think he said.
963
964 Q: Okay.
965
966 A: I know somebody did. I heard it go out. Uh, briefly. I was mainly - I was still
967 there maintaining control of the suspect and - and just in case he was still
968 alive.
969
970 Q: Okay.
971
972 A: Um, I just kind of took over for Officer Taylor so he could...
973
974 Q: Right.
975
976 A: ...not worry about it.
977
978 Q: Okay.
979
980 A: And uh, just maintain control on his hands just in case, you know, so he
981 wouldn't move for the weapon. We don't want to touch the weapon. Um...
982
983 Q: Okay.
984

UW

985 A: Like I said, I think he had an exit wound in the back of his head. We didn't
986 think he was uh, still living, so.

987

988 Q: When you guys rolled him - that's when you found the gun, it was underneath
989 him then?

990

991 A: Yes.

992

993 Q: Okay. Um, now the audio recorder, did you guys have your - did you have
994 your recorder on?

995

996 A: No.

997

998 Q: Okay. Anything else you can think of that I haven't asked or you want to
999 expand on a little bit, or?

1000

1001 A: No, I just uh, I absolutely felt in my mind that he was going to try to kill one
1002 of us or shoot us. And uh, if - you know, I would of - I would of engaged too
1003 if I would of...

1004

1005 Q: Yeah.

1006

1007 A: ...rounded the vehicle any quicker. Um, just I wasn't able to - to get a shot off
1008 there. I mean I thought he was going to kill - I - I thought he was going to kill
1009 Dave.

1010

1011 Q: What did - what did the uh, family - going back to earlier in the - your
1012 previous call, what was the family's concern at that point when he was
1013 behaving the way he was with the gun? What was their fear that he was going
1014 to hurt himself or hurt other people? Or what - what were they expressing to
1015 you guys at the time? What you got out of it?

1016

1017 A: I - I recall that the - I believe it was the ex-wife or...

1018

1019 Q: Right.

1020

1021 A: ...his significant other, whatever she was, uh, I know that she was showing
1022 great concern about going outside for her own safety she was afraid to go
1023 back...

1024

1025 Q: Mm-hmm.

1026

1027 A: ...into the vehicle. She wanted us to check. Wanted us to check her house. She
1028 was worried that, you know, he was going to - he had threatened to kill them
1029 as well from - from what I recall from the...

umw

1030

1031 Q: Do you know - did they give a reason why he was upset with them?

1032

1033 A: Uh, not - not that I'm aware of.

1034

1035 Q: Okay.

1036

1037 A: Um...I don't remember where I heard - r- heard this, but I - I thought that I
1038 heard something uh, on the scene the first time that um, he wanted the keys to
1039 the vehicle, she wouldn't give him the keys.

1040

1041 Q: Okay.

1042

1043 A: And uh, he had - that's when he had started saying stuff about suicide. If he
1044 didn't - if she wouldn't give him the keys back and um, but I don't know
1045 recall where I heard that information.

1046

1047 Q: Okay.

1048

1049 A: If it's from another officer or somebody at the scene.

1050

1051 Q: Then it was obviously serious enough for um, all you officers to look at his
1052 photo and the Sergeants to be there and that's maybe a couple code five the
1053 area 'cause it was real threat there that he was going - maybe be back in the
1054 area or is on foot in the area?

1055

1056 A: Absolutely.

1057

1058 Q: They didn't know where he would go? Did they - did they have any kind of
1059 location they give you guys or anything? Or was he just kind of...

1060

1061 A: Well, they gave us another address on Spruce that was a uh, sober living
1062 home, that I believe they owned or...

1063

1064 Q: Okay.

1065

1066 A: ...his - his wife or significant other owned. Um, at least at the far west dead
1067 end of Spruce. Um, I don't recall the address. We went out to that residence
1068 and searched it. Uh, the - the people were there gave us permission to search.
1069 Um, we called and he said he never showed up there. Uh, I believe we were
1070 told that he had friends on the east side of the city, but he was I'm sure where
1071 um, we also requested, uh, helicopter support.

1072

1073 Q: Mm-hmm.

1074

JW

1075 A: Our helicopter is down and we had uh, I believe it was San Bernardino
1076 County Sheriff helicopter, um, responded.
1077
1078 Q: Okay.
1079
1080 A: To assist.
1081
1082 Q: What about the suspect? Did you have any information on the suspect at all? I
1083 know you can't remember his name, did you know anything about him? Was
1084 he...
1085
1086 A: Just a description.
1087
1088 Q: What - what was the description you were given?
1089
1090 A: Uh, he was a white male, thin. Uh, he had a mustache. Uh, I believe he was
1091 wearing a um, darker colored striped shirt and blue jeans. If I recall, he said.
1092
1093 Q: Okay.
1094
1095 A: The photo they showed, they told us pretty much looks just like in the photo.
1096
1097 Q: Mm-hmm.
1098
1099 A: Um, and uh, uh...
1100
1101 Q: And the guy you rolled up on when you were there and the officers - when he
1102 was with the gun, was that the - pretty much the same description as was
1103 given earlier, this?
1104
1105 A: Uh, just his face and...
1106
1107 Q: Mm-hmm.
1108
1109 A: ...he had blue jeans on. Uh, he wasn't wearing the dark colored stripe shirt like
1110 they had said. Collared shirt. He had a t-shirt on at that point.
1111
1112 Q: White t-shirt or dark?
1113
1114 A: Uh, white t-shirt.
1115
1116 Q: Okay.
1117
1118 A: Um, but uh, from what I could see from his face from a distance...
1119

VW

1120 Q: Mm-hmm.
1121
1122 A: ...looked just like - just like the photograph.
1123
1124 Q: Okay. Any cap or anything?
1125
1126 A: No.
1127
1128 Q: Okay.
1129
1130 A: No hat.
1131
1132 Q: How tall are?
1133
1134 A: I - I couldn't tell from the distance...
1135
1136 Q: Okay.
1137
1138 A: ...he was at.
1139
1140 Q: How about age?
1141
1142 A: Uh, it looked like he was probably in his late 40's.
1143
1144 Q: Okay. Okay. Um, I don't have any other questions for you. I think you've
1145 pretty much covered everything. Um, is there anything else you want to add,
1146 you can. If you think of something later, uh, something comes up - 'cause
1147 sometimes it does at shootings, you know, you remember something, but I've
1148 pretty much covered everything. I mean it's pretty, you know, did pretty much
1149 gave a good uh, statement on what you saw and what you heard. Um, once
1150 again, the suspect didn't make any statements that you heard? Just his actions
1151 alone, um, so if something comes to you later, you want to make another
1152 statement, or add to it, feel free to get a hold of - I think Detective Wheeler is
1153 going to be the one that's actually handling this case.
1154
1155 A: Sure.
1156
1157 Q: Um, and they're going to interview all three of the officers. You and the other
1158 two witness officer and of course Dave. So any time, if there's anything else
1159 you need or anything, feel free to, you know, call us or whatever.
1160
1161 A: Yes, sir.
1162
1163 Q: But uh, I think that pretty much covers it for right now. Okay?
1164

1165 A: Okay, sir.

1166

1167 Q: All right? Any questions from you?

1168

1169 A: Uh, no sir.

1170

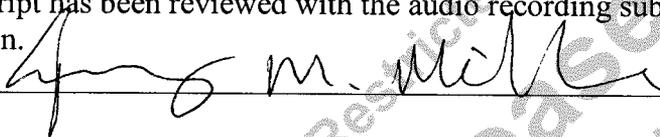
1171 Q: Okay. It is 1:06 in the morning and that concludes the interview.

1172

1173

1174 This transcript has been reviewed with the audio recording submitted and it is an accurate
1175 transcription.

1176 Signed



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