

INTERVIEW WITH OFC. RAMON ESPINOZA

Q=Det. Rick Cobb

A=Ofc. Ramon Espinoza

1
2
3
4
5
6
7
8
9
10
11
12 Q: Okay, this is, uh, Detective Rick Cobb. Uh, it is January 8, 2012,
13 approximately 12:54 am. This is an interview with Officer Ramon Espinoza.
14 Um, also present in the room is Officer Espinoza's attorney, Mr. Peter Horton,
15 uh, my partner, Detective (Rick Wheeler), uh, Deputy District Attorney (Sam
16 Shouka) and Investigator (Rick Fuentes) from the district attorney's office.
17 Okay, um, Officer Espinoza, um, I just wanna confirm that, uh, per the
18 department policy, you've agreed to, uh, give an interview regarding the
19 incident early - actually, the previous date. Is that correct?
20

21 A: Yes.
22

23 Q: Okay, uh, if you would, just take me from the beginning when you first got
24 the radio call. Tell me what the radio call was. And just do me - just take me
25 all the way up until the end, if you would.
26

27 A: Uh, I was riding in a two-man car with Officer Punan- Putnam. I was the
28 passenger in the vehicle. Uh, we were originally responding to a 476, a
29 Forgery radio call. We were approximately in the area of Van Buren and
30 Magnolia when, uh, they - dispatch (prior)ed us and send us to a 242, a battery
31 that had just occurred. Um, in the call text, it said that the - it was actually a
32 273.5, uh, domestic violence radio call. And the suspect was still on scene.
33 Um, and he was 594'ing, uh, uh, vandalizing a vehicle at the residence. Uh,
34 we started responding, went northbound on Van Buren from Magnolia. Uh,
35 we were the back-up unit to Officer Miranda. He was primary. Uh, he went
36 97 at the location. Uh, he put that over the air or over the radio and that he
37 was at the location, at which time we were still a little ways from the location.
38 And knowing that the suspect was still at the location and he was by himself,
39 we stepped up our response. We started, uh, clearing the intersections with
40 our lights and siren to get there faster just due to the fact from what our
41 location was. Um, as we went 97, we saw Officer Miranda was at the front of
42 the residence speaking with what appear we- well, she was a female but what
43 appeared to be the victim, uh, due to the fact that her makeup was all running,
44 and she appeared to be crying. Um, we got outta our vehicles, uh, myself and
45 my partner. And the female told us that - pointed towards the rear of the

46 residence and told us that the suspect was there. Um, in the call text, they had
47 given a description of a male Hispanic with blue pants and blue shirt. We saw
48 that there was a lone male back there, uh, around the vehicle. And she told us
49 that he was vandalizing the vehicle. Uh, the male matched the suspect
50 description. And she pointed him out, as well. We started approaching the
51 suspect. And Officer Miranda gave commands to him to - I believe he had
52 something in his hand at that time - uh, told him to drop what he had and told
53 him to come to us. Uh, the suspect disregarded our - his commands. We
54 continued walking towards him -- it was a long backyard -- at which time the
55 suspect, uh, armed himself with a knife. And he put it, uh, up to his throat or
56 to his neck and stated that he was gonna kill himself, uh, at which point we -
57 well, I started giving him commands. And I believe the other officer started
58 giving him commands to drop the knife, uh, told him repeatedly, "Drop the
59 knife." Uh, he wouldn't drop it. We started closing in on our distance to get
60 closer. Um, I started going towards the right side cuz I saw a vehicle ahead of
61 me, so I wanted to use that as cover, um, just cuz we were open. I started
62 approaching towards that vehicle to use that as cover, at which time the
63 suspect started walking away from us. Uh, he got to the front of the vehicle.
64 And as he was walking away from us, he started using profanity. And I
65 believe he told us, "Fuck you," or, "Fuck off," something to that - that extr-
66 extent. He went to the front of the vehicle. And he still had the knife. We
67 just continue giving him commands to drop the knife. And he grabbed the
68 knife. He threw it, uh, into the - threw it with overhand method onto the hood
69 of the car, at which time I was on the right side of the officers. I was on the
70 far right, um, trying to get cover behind a small, little shack or a storage shed
71 that was there. Uh, there was a lot of potential tools in the area. It looked like
72 he was working on the car. And there were wrenches and screwdrivers and
73 poles and pipes. Uh, not knowing, you know, if he was armed or anything
74 else, he appeared to be irate, so I took cover behind that, uh, at which time he
75 grabbed the pipe. It was about 2 to 3 feet long. Uh, it looked like a solid
76 metal or iron pipe. It looked like, uh, the pole or the pipe that you use for, uh,
77 a jack...

78
79 Q: Okay.

80
81 A: ...for a car jack. Uh, he grabbed that with the overhead method and threw it,
82 um, real hard towards the officers, towards us. Um, he threw it with enough
83 force that I - I was the only one, I believe, that, uh, was kind of in some type
84 of cover. And I thought he threw it. Well, he threw it at us, but I thought he
85 wa- it was going directly to me. So I dodged over to the right side, um, to
86 avoid getting hit, at which time Officer Putnam deployed his taser. Uh, I saw
87 one - or I believe I saw one taser prong hit his upper torso. And it appeared
88 that it was ineffective due to the fact that the suspect didn't go down and it
89 had no impact on him, at which time I moved from my position on the far
90 right to the middle between the two officers. The suspect picked up another

91 pole, another pipe. And he started to lift it up. And he took approximately
92 one - two ta- two - two steps forward advancing towards us. Um, I heard a
93 shot. And then I fired my weapon, as well.
94
95 Q: Okay.
96
97 A: Um, you want me keep going or...
98
99 Q: No. Please, yeah, go ahead. I'm sorry.
100
101 A: Um, there were several other shots. Uh, the suspect went down, uh, at which
102 time their - several family members, I'd say between five to ten family
103 members or - I don't know the family members but people that started coming
104 out and yelling. Uh, I kept my gun pointed at the suspect, not knowing if he
105 was still armed or if he had any other weapons or anything on him. Uh, I told
106 the officers that I had the suspect, that I was gonna cover the suspect. And I
107 told him to watch my back cuz we didn't know who was friendly or who was
108 foe. Um, they continue watching my back while I had my weapon on the
109 suspect, at which time - it seemed like forever - but officers arrived on scene.
110 And we formulated a plan. There was still what appeared to be like a back
111 house behind the suspect. So we didn't know if there was anyone there. So
112 we formulated a plan to, um, to handcuff the suspect and also to - to ca- uh,
113 clear the rest of the - the back house that was there.
114
115 Q: Okay. All right, um, what I'd like to do is kinda go back to the beginning.
116 I'm gonna kinda go over it again with ya and maybe ask a couple questions.
117 Um, when you showed up, uh, you obviously were talking to the victim, uh,
118 of the call, correct? You...
119
120 A: I - I never talked to her.
121
122 Q: Or, I'm sorry, you saw her?
123
124 A: Yes.
125
126 Q: And you believed she was the victim...
127
128 A: I did.
129
130 Q: ...of this? Okay wa- does she have any blood on her? You mentioned the
131 mascara running but...
132
133 A: Uh, uh, I didn't see no blood. I saw the mascara was all running. I saw tears
134 or...
135

136 Q: Okay.
137
138 A: ...what appeared to be tears in her face.
139
140 Q: Di- were you, um, were you there when, uh, she was giving any type of
141 statement to the other officer?
142
143 A: No.
144
145 Q: Okay so you never heard any background about what she was saying at all?
146
147 A: No.
148
149 Q: Okay but you knew it was a domestic violence call?
150
151 A: Correct, based on the call text on the...
152
153 Q: Okay and you looked down, and you saw him? And - and...
154
155 A: Correct.
156
157 Q: ...he was - he was down there. So you start approaching. Uh, at this point you
158 don't have any guns drawn; is that correct?
159
160 A: Uh, no.
161
162 Q: Okay and, uh, when you get to - whe- when do you g- um, let me rephrase
163 that. How far up the driveway -- and I've been there, so I know it's a long
164 driveway to get...
165
166 A: Mm-hm.
167
168 Q: ...to back where you guys -- did you guys start conversing with him?
169
170 A: Uh, we immediately started conversing as soon as we started walking towards
171 him.
172
173 Q: Okay.
174
175 A: Um, uh, as...
176
177 Q: What was his attitude toward you guys?
178
179 A: Uh, he appeared to be belligerent and appeared to be, I guess, bothered by our
180 presence there.

181
182 Q: He appear angry?
183
184 A: He appeared angry and...
185
186 Q: Okay.
187
188 A: ...appeared like he didn't want us there and didn't wanna deal with us.
189
190 Q: Was he saying - what was he saying to you; do you remember?
191
192 A: Uh, I don't. At the beginning, Officer Miranda was the one giving the
193 commands and tell him to come over here. And, um...
194
195 Q: Did he come toward you or no?
196
197 A: No.
198
199 Q: Okay so you approach even further. Um, is it, uh, about how far are you from
200 him when you see the knife?
201
202 A: Uh, I would say about - approximately 50 feet...
203
204 Q: Okay.
205
206 A: ...40 or 50 feet.
207
208 Q: Okay, um, uh, do you - do you see where he gets the knife from?
209
210 A: Uh, I didn't. I don't recall where, eh, if he had it down to his side or if he
211 retrieved it from a pocket or anything.
212
213 Q: Could you describe the knife for me?
214
215 A: Uh, it appeared to be - it looked to be a folding knife...
216
217 Q: Okay.
218
219 A: ...with approximately, I'd say, 3 to 4 inch, uh, blade.
220
221 Q: Do you remember what hand he was holding it in?
222
223 A: I don't for sure but I believe it might a been his right hand.
224
225 Q: Okay but not one that - you're not 100% positive, though?

226
227 A: Correct.
228
229 Q: Okay that's fine. Uh, did you, uh, when you say it was a folding knife, did
230 you actually see him unfold it when you...
231
232 A: No, I didn't. But just, uh, I guess just from looking at it, it didn't look like a
233 fix-blade knife or a kitchen knife.
234
235 Q: Okay, uh, and then he puts it right to his neck?
236
237 A: Correct.
238
239 Q: Do you remember what he's saying to you guys at that point?
240
241 A: Um, he made some statement to the effect that - that he was gonna kill
242 himself. And we took - we gave him commands to drop the knife. And he
243 told something to the effect of, "Fuck you," or...
244
245 Q: Mm.
246
247 A: ..."Leave me the fuck alone."
248
249 Q: Okay and you - you're all giving him commands?
250
251 A: Correct.
252
253 Q: Were you yelling commands at him?
254
255 A: Well, yes.
256
257 Q: At this point had you gotten closer to him?
258
259 A: Yes.
260
261 Q: How close - how close did you guys end up getting to him when he still had
262 the knife in his hand?
263
264 A: Um...
265
266 Q: Do you wanna judge anything by - from the room maybe or...
267
268 A: Uh, I would say probably still 30 or 40 feet away.
269

- 270 Q: Okay but it, uh, when he's sitting there with the knife, w- all - how are you
271 feeling? What - are you - are you on edge? Or are you startin' to - are you
272 concerned?
273
- 274 A: Oh yeah, I'm concerned cuz, obviously you know, there's the potential of him
275 hurting himself. But there's also the potential of him, uh, running towards us
276 and attacking us. And due to the fact that between us and the suspect, uh,
277 directly in front of us, there was really no - no type of cover.
278
- 279 Q: Okay you felt he was close enough to you that if he had a - that he - he very
280 well could run at you with that knife and hurt you?
281
- 282 A: I believe so.
283
- 284 Q: Okay did that concern you or do you...
285
- 286 A: Yes, it did. That's why I had my firearm...
287
- 288 Q: Okay.
289
- 290 A: ...pointed at him.
291
- 292 Q: And that - that was the next thing I was gonna say. At that point, when you
293 first saw the knife, is that when you took your gun out?
294
- 295 A: Yes.
296
- 297 Q: Okay, uh, and could you see the others with their guns out? Or were you just
298 concentrating on yourself?
299
- 300 A: Uh, I was constr- concentrating on myself. Uh, I was on the far right. And I
301 could see through my peripheral. Then Officer Miranda had his gun out, as
302 well.
303
- 304 Q: Okay.
305
- 306 A: Uh, I know Officer Putnam had something. But, uh, I wasn't sure if it was his
307 firearm or his taser (unintelligible).
308
- 309 Q: And at this point, even though with the guns pointed at him, he's not obeying
310 your commands?
311
- 312 A: Correct.
313
- 314 Q: Okay, um, at that point then he throws the knife?

315
316 A: Uh, he walks away from us.
317
318 Q: Okay.
319
320 A: And then he throws the knife.
321
322 Q: Okay the - does - does he immediately pick up the pipe?
323
324 A: Uh, af- (unintelligible), I mean, a few seconds after he throws the knife is
325 when he picks up the knife.
326
327 Q: Okay he picks up the pipe, you mean?
328
329 A: Um, I mean, I'm sorry, the pipe.
330
331 Q: That's okay. She he p- picks up the pipe. Do you remember what hand he
332 had the pipe in?
333
334 A: I don't. I'm not 100% sure.
335
336 Q: Okay and you described it as a good, I think you said 2 to 3 foot?
337
338 A: Two to three foot. It looked like a solid metal...
339
340 Q: Metal - metal pipe.
341
342 A: ...or iron pipe.
343
344 Q: And he threw it similar like throwing a football or a baseball?
345
346 A: Uh, he threw it with the overhand method but not - he didn't launch it like a
347 spear. He kinda threw it more to where it actually turned.
348
349 Q: Uh, it was tumbling?
350
351 A: Correct.
352
353 Q: Did he - did he gave a f- full - full throw like he was throwin' 'em?
354
355 A: Yeah, it was a full throw with full force and...
356
357 Q: He wasn't just tossing it; he was throwing it at you?
358
359 A: No, he wa- he was throwing it at us, uh, trying to hurt us.

360
361 Q: Right. Um, and you said, uh, you actually had to dodge it...
362
363 A: Uh, I...
364
365 Q: ...or...
366
367 A: I dodged out of the way cuz I thought it was coming towards me.
368
369 Q: Oh it would have hit you...
370
371 A: Yes.
372
373 Q: ...if you - if you hadn't gotten outta the way?
374
375 A: Uh, I believe so.
376
377 Q: Okay.
378
379 A: That's why I dodged.
380
381 Q: Did you - did you actually kinda hear it go by ya?
382
383 A: Uh, no. I mean, it - I heard it coming at me. But I didn't know...
384
385 Q: Yeah.
386
387 A: ...if it hit someone or where it landed.
388
389 Q: Did you hear it land, by the way?
390
391 A: Uh, I didn't.
392
393 Q: Okay.
394
395 A: I - I don't recall and...
396
397 Q: All right so he - he throws it at you. And how far are you away from him at
398 that point when he first throws the pipe at you?
399
400 A: I'd say about - approximately 20 feet at that time.
401
402 Q: Okay so he's fairly close to you?
403
404 A: Yes.

405
406 Q: Once he throws that one, does he - when does he pick up the next one?
407
408 A: Uh, he immediately picked up the - or, uh, not immediately but a few seconds
409 after.
410
411 Q: (Unintelligible) right away he picks up another one?
412
413 A: Correct.
414
415 Q: Now, whe- when at - at what point was he tased?
416
417 A: After he threw the first one...
418
419 Q: Okay.
420
421 A: ...he was immediately tased. And the taser was ineffective.
422
423 Q: No effect.
424
425 A: And that's when he picked up the second pipe.
426
427 Q: Okay and when he picks up the second pipe, eh, describe again the mo- is he
428 getting ready to throw it at you again?
429
430 A: He's - he's getting ready to throw it again. Uh, he starts lifting it up. I don't
431 recall which hand he used. But it appeared that - like he was lifting it up with
432 the same method he did the first one. And he started, uh, he took about one or
433 two steps forward towards us...
434
435 Q: Mm-hm.
436
437 A: ...uh, and, uh, took it as aggressive behavior.
438
439 Q: Mm-hm.
440
441 A: And due to the fact that he had already thrown one pipe at us and the taser was
442 ineffective, uh, I feared that he was gonna hurt us or kill us, uh, due to the
443 force that he had thrown the first one with.
444
445 Q: Mm-hm.
446
447 A: Um, so the...
448


449 Q: Now had - was he actually throwing it when he's comin' at you? Or does he
450 have it up? Can you describe it for me?
451
452 A: Ish- from what I could recall, he started - he - he was starting to lift it up.
453
454 Q: So he's - he's walking towards you with a pipe up...
455
456 A: Correct.
457
458 Q: ...obviously not - he's not ready to give up. He's not gonna drop the pipe.
459 He's got the pipe up like he's getting ready - I don't want - is it safe to say he
460 was getting ready to attack you?
461
462 A: Ye-...
463
464 Q: Is that what you believe?
465
466 A: Yes.
467
468 Q: Okay how did you feel at that point?
469
470 A: I felt like, uh, I felt, I could say, scared and...
471
472 Q: Well, that - yeah, tell me...
473
474 A: And...
475
476 Q: ...exactly. Were you...
477
478 A: I - I felt scared. And, uh, I truly believed that he was gonna hurt me or one of
479 my partners and...
480
481 Q: Okay.
482
483 A: ...thought that he could obviously, with the pipe, cause great bodily injury or...
484
485 Q: Okay.
486
487 A: ...even death if hittin' in the right place.
488
489 Q: Um, do you remember how many shots you fired?
490
491 A: Uh, I recall firing approximately four to five shots.

493 Q: Okay, um, and were they in very quick succession? Or was there a pause? Do
494 you remember?
495
496 A: Uh, there was no pause. Uh, they were all pretty much together.
497
498 Q: So what - what, you probably got off your four to five rounds in a matter of a
499 second or two at the most?
500
501 A: Um, yeah, I'd say maybe two to three seconds.
502
503 Q: Okay, um, when this happened and when he threw the par- uh, first of all,
504 when he threw the first pipe at you and then he's coming at you the second,
505 was there anything in between you two?
506
507 A: Uh, no. It was open.
508
509 Q: It was open. So there wa- you're not behind a tree? You're not - you don't
510 have cover of...
511
512 A: No, there was no type of cover or even concealment...
513
514 Q: So - okay.
515
516 A: ...between us.
517
518 Q: So he would - he would a just come right at ya?
519
520 A: Correct.
521
522 Q: Okay, uh, after you, uh, after you shot, he went down?
523
524 A: Uh, yes.
525
526 Q: Okay, um, what did, uh, what did you do right after he went down?
527
528 A: I kept my gun on him. And I, um, I gave him commands, when he went
529 down, to see his hands. He was kinda - he went down. But he had his hands
530 in the front of his waistband. Um, I gave him commands to let me see his
531 hands. And then, um, I gave him commands to roll over onto his stomach and
532 put his hands out to his side.
533
534 Q: Okay.
535
536 A: Um...
537

538 Q: Who - who ended up, uh, handcuffing him?
539
540 A: I...
541
542 Q: Do you remember?
543
544 A: I don't remember cuz once more officers got there, uh, we formulated...
545
546 Q: Okay no, I'm sorry. Go ahead.
547
548 A: Oh okay.
549
550 Q: No.
551
552 A: ...formulated a plan. And, uh, I covered him. But I don't recall who exactly
553 handcuffed him.
554
555 Q: Okay no problem.
556
557 A: I remember handing latex gloves to someone cuz, mm, he had blood on him.
558 That...
559
560 Q: Okay but you didn't handcuff him?
561
562 A: No.
563
564 Q: Is that safe to say?
565
566 A: Correct.
567
568 Q: Okay, um, you know, and I forgot to ask too, you described the first pipe as
569 being 2 to 3 feet long?
570
571 A: Mm-hm.
572
573 Q: How about the second pipe?
574
575 A: Uh, the second one appeared to be 2 to 3 feet long, um, as well. It appeared to
576 be also kinda the same - same type of pipe, uh, appeared to be kinda like for a
577 jack for - a lift jack.
578
579 Q: And what color was it?
580
581 A: Uh, the second one...
582

583 Q: Okay.
584
585 A: ...I believe was like a white or gray...
586
587 Q: Okay.
588
589 A: ...if I recall correctly.
590
591 Q: Okay what was the first one?
592
593 A: The first one...
594
595 Q: Do you remember?
596
597 A: ...was a darker color.
598
599 Q: Darker color? Okay.
600
601 A: I think a dark gray or black.
602
603 Q: Okay I'm sorry, I forgot to mention too, is you - you were dressed as you are
604 now? You were in full uniform...
605
606 A: Correct, full uniform.
607
608 Q: ...no doubt who you were?
609
610 A: Yes.
611
612 Q: Okay you got any questions?
613
614 Wheeler: Uh, do you remember if there was any family member that was out there at
615 any time?
616
617 A: Uh, there was the female, obviously, the one we contacted - or not we but the
618 female, uh, that Officer Miranda had - had contacted.
619
620 Wheeler: Mm-hm.
621
622 A: Um, at the time when we started approaching, uh, uh, I could hear voices. But
623 I - I could - I wasn't sure if they - if - if it was coming from the street or it was
624 coming from the residence or, uh, my m- I just stayed focused on him.
625

626 Wheeler: Focused on him? Eh, do you remember any - anybody else besides you and
627 your partner officers yelling at him to drop the knife or stop what he was
628 doing or anything like that?
629
630 A: Uh, no, I don't recall.
631
632 Wheeler: Okay I think we - I don't know if I missed it or not, but what unit number
633 were you in?
634
635 A: Uh, I believe it was 3931.
636
637 Wheeler: Okay and your designator that night?
638
639 A: Uh, (Charles) 426.
640
641 Wheeler: Six. Okay. Um, I can't think of anything more.
642
643 Q: Okay, um, is there anything else that, uh, you might think of that we forgot to
644 ask you or that you wanna add?
645
646 A: Uh, no. I think we covered pretty much everything.
647
648 Q: Okay any questions at all from you?
649
650 Wheeler: (Unintelligible) ask him. Can you estimate the distance, when you fired, how
651 far you guys might a been? I know it l- sounds like the last time might a been
652 30 to 40 feet. Were you still at about that distance when you fired? Or do you
653 think you were a little closer?
654
655 Q: I...
656
657 A: No.
658
659 Horton: I think he said the last...
660
661 Q: I think he's...
662
663 Horton: ...was 20.
664
665 Q: Yeah, I was just gonna say...
666
667 Wheeler: Oh I missed that.
668
669 Q: ...I think he got to the point - you said 20 feet.
670

671 A: Yeah, and, um...
672
673 Q: And then he was approaching you too, correct?
674
675 A: I think, uh, yeah. And it...
676
677 Wheeler: Okay my bad. I missed that part.
678
679 Q: Okay.
680
681 Wheeler: Okay.
682
683 Q: And then he was approachin' ya too...
684
685 A: Correct.
686
687 Q: ...and, I mean, at least a couple feet at you?
688
689 A: Correct.
690
691 Q: Okay.
692
693 Wheeler: Okay thank you. All good.
694
695 Q: Okay I'm gonna go ahead and conclude the interview. It's about 1:14 am.
696
697
698 This transcript has been reviewed with the audio recording submitted and it is an accurate
699 transcription.
700 Signed 

RAMON ESPINOZA 02/29/12

Public Records Act Request
ROZ 12/14/2012 3:18 PM Unauthorized Release PROHIBITED