

SUPPLEMENTAL REPORT

Date Prepared: 02-27-12

1. Original File No. P12-024811		3. Off. ID 0605	4. NPC W	5. Crime-Ct.	6. Crime-Ct.	7. Crime-Ct.	8. Date / Time Occurred 02-18-12 / 0245		9. Day			
10. Date / Time Assigned		11. Date / Time Inv. Start		12. Date / Time Inv. Term.		13. Type Cir. BXL	14. Type Cont. TSC	15. Additional Adults Arr.	16. Additional Juv. Arr.			
17. Address of Occurrence (Street No. - Name - City - Zip) 5652 Harold St. Riverside, CA							18. Type of Place Street					
For ID USE: V = Victim, I = Informant, W = Witness, O = Other												
19. ID: V	20. Last Name - First - Middle (Firm Name if Business) Sgt. William McCoy # #177						21. Race - Sex W M		22. DOB			
23. Residence Address				24. Business or School Address Riverside PD			25. Home Phone		26. Bus. Phone (951) 787-7911			
27. ID: V	28. Last Name - First - Middle (Firm Name if Business) Sgt. Ronald Whitt #346						29. Race - Sex W M		30. DOB			
31. Residence Address				32. Business or School Address Riverside PD			33. Home Phone		34. Bus. Phone (951) 787-7911			
S U S P E C T	35. Last Name - First - Middle Bond, Danny James			36. Race - Sex O - M	37. Age 38	38. Ht. 5-08	39. Wt. 185	40. Hr. BRN	41. Eyes HZL	42. DOB or ID 07-27-73	43. Arrested Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	44. Address - Clothing - Other Marks or Identifying Characteristics 7680 Gramercy Pl. Riverside, CA											
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) 245d1 PC (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 Sgt Ron Whitt interview. See narrative.										62a. Audio Recording Available? No		62b. Incident Number:	
										Reporting Officer Rowe		Reviewed By <i>[Signature]</i>	
										COPIES TO			
										VCLD ()			
										ACTIONS			
										APB Sent			
										APB Cancld.			
										APR Sent			
										APR Cancld.			
										DOJ - NCIC			
										Entered Cancld.			
										ENTERED			
										STATS		ARBK ANI	

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PAGE NO: 3

FILE NO: P12024811

DATE
2/28/2012

TYPE OF REPORT
245d1 PC

INVESTIGATING OFFICER
Rowe #605

Assisting personnel:

Detective Dave Smith
DDA Samah Shouka
DA Investigator Rick Fuentes
Attorney Russell Perry

Narrative:

On 2-18-12 at approximately 1945 hours Detective Dave Smith and I were following up on an officer involved shooting. Sgt. Ronald Whitt was identified as being involved in the shooting. He was transported to the Magnolia Police Station to be interviewed. Deputy District Attorney Samah Shouka and her investigator Rick Fuentes sat in on the interview, but did not ask any questions. Sgt. Whitt had his attorney, Russell Perry, present with him during the interview. The interview took place at the Magnolia Station in the conference room. Prior to the interview, Attorney Russell Perry advised that Sgt. Whitt would be giving a statement per RPD Policy. The following is a summary of the recorded interview with Sgt. Whitt.

I advised Sgt. Whitt that based on witness statements and evidence found at the scene he was considered a victim in this investigation. Sgt. Whitt stated he is a sergeant with the Riverside Police Department and currently assigned to supervise the METRO unit with Sgt. Billy McCoy. Sgt. Whitt described the METRO team as a specialized unit that responds to tactical and high risk situations. Sgt. Whitt advised that when anyone in the department is going to conduct an operation they fill out an operation plan. If there are any situations that involve high risk in the plan, a METRO supervisor must be contacted to decide if the METRO team will be involved.

Sgt. Whitt advised that Detective Mike O'Boyle had contacted the METRO team last week about arresting S/Danny Bond for a domestic violence warrant. Sgt. Whitt advised that Officers Dave Castaneda, Emilio Angulo and Dawson Smith were assigned to put together an operation plan on how to proceed with arresting S/ Bond. Sgt. Whitt advised his team received a flier about S/ Bond on 1-10-12 from Detective O'Boyle that was sent out department wide. Sgt. Whitt said the flier included photographs of S/ Bond, specific information about the domestic violence investigation, background information and comments that S/ Bond had made to others. Sgt. Whitt said those comments included that S/ Bond always carries a gun when he is out in public, he was a meth user and paranoid, and that he wasn't going back to prison if contacted by police. Sgt. Whitt said that Detective O'Boyle recently contacted his unit with specific information about S/ Bond staying on Knoll Dr. in San Bernardino with his mother.

Sgt. Whitt said his team set up surveillance on Knoll Dr. Sgt. Whitt said the residence on Knoll had surveillance cameras in front. They had a REACT team that could be deployed if S/ Bond was seen in the yard or to the front of the residence. Sgt. Whitt said the REACT team consists of several officers in a van that would surprise the suspect outside of a location. Sgt. Whitt said they had a search warrant for the residence on Knoll Dr., but they wanted to confirm the suspect was there before serving it. Sgt. Whitt said they surveilled the residence on 2-17-12 from about 1200 to 1800 hours, but never saw S/ Bond.

Sgt. Whitt said on 2-18-12 at 1000 hours the METRO team set up surveillance on the Knoll Dr. residence. The team consisted of Officers Dawson Smith, Emilio Angulo and Brett Stennett in undercover units, Officers Henry Park and Dave Castaneda in the REACT van, Officer Pete Elliot in a marked unit, and Sgt. McCoy and himself in a marked unit. Sgt. Whitt said Officers Smith, Angulo and Stennett were in plain clothes. The officers in the REACT van and marked units including himself and Sgt. McCoy were dressed in "raid gear", which included a raid vest, black pants and duty belt. The "Raid Vest" is a bullet proof vest with the word

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Police" across the front and back in bright yellow letters, it has the METRO patch and their names on the front along with pockets for equipment such as handcuffs, ear pieces, etc. Sgt. Whitt said his duty belt consisted of a holster with his fully loaded .45 caliber, Springfield 1911, semi-automatic handgun and four spare magazines. Sgt. Whitt said his magazines were fully loaded with (7) seven rounds each. Sgt. Whitt said they were planning on trying to take him into custody away from his residence or verify he was in the residence and use a surround and call out method to arrest him.

Sgt. Whitt said there was no activity at the residence other than a white van arriving with who he believed was S/ Bond's mother. Sgt. Whitt said they planned to have half the team follow the van if it left and see if they could find another residence for S/ Bond. Sgt. Whitt said the [REDACTED] van left about 1330 hours. Officers Smith and Stennett followed the van in their undercover units to a residence on the corner of Gramercy and Montgomery in the City of Riverside. Sgt. Whitt said he and Sgt. McCoy followed them to the area in their marked unit and set up at Foothill Elementary School. Sgt. Whitt said they were familiar with the Gramercy residence, because they had received information from West County Narcotics Task Force (WCNTF) several months earlier (possibly November) about a guy who was selling methamphetamine and who matched S/ Bonds description. They had a search warrant for the residence at that time, but they were never able to confirm the information about the guy so they didn't serve the warrant. Sgt. Whitt said the information from WCNTF about the subject in that residence was the same as the information they received from Detective O'Boyle about S/ Bond being paranoid on meth and that he always carried a gun.

Sgt. Whitt said they sat on the residence looking for S/ Bond, but there was no activity other than a possible tailor showing up at the residence. Sgt. Whitt said it was getting close to 1500 hours and they were preparing to pull the surveillance. Sgt. Whitt said about that time, Officer Stennett advised over the Nextel phone that he saw a guy that looked like S/ Bond walk out of the residence. Sgt. Whitt said they were using the Nextel two-way radio (chirp) and used Channel 7 as a back communication. Sgt. Whitt said Channel 7 could be monitored so they primarily used the Nextel. Sgt. Whitt said the subject walked back into the house and then came back out wearing a grey jacket with a hoodie and sunglasses. Sgt. Whitt said Officer Smith put out that the subject was leaving the residence on a bike eastbound on Gramercy.

Sgt. Whitt said they left the school and went towards the subject's location in the marked unit. As they arrived in the area, Officer Smith advised that the subject turned northbound on Harold St. Sgt. Whitt said when they turned north on Harold St. they saw that the subject had stopped on the bike in the middle of the road. Sgt. Whitt said the subject turned and looked at them. Sgt. Whitt said he and Sgt. McCoy already began opening their car doors and exiting the car as he stopped the unit. Sgt. Whitt said he exited the driver's door and drew down on the subject. Sgt. Whitt said he immediately recognized the subject as S/ Bond when he turned and looked at them. Sgt. Whitt said they began giving him directions to get off the bike and get on the ground. Sgt. Whitt said S/ Bond started peddling the bike north on Harold in the middle of the street. Sgt. Whitt said he and Sgt. McCoy got back in the unit and S/ Bond was about 25-30 yards ahead of them. Sgt. Whitt said they caught up to S/ Bond, so he cut over to the west sidewalk of Harold St. Sgt. Whitt said he sped up to a driveway in front of S/ Bond and pulled in front of him to block his escape route. Sgt. Whitt said he pulled his unit up to a chain link fence so S/ Bond could not get past.

Sgt. Whitt said he and Sgt. McCoy exited the vehicle. Sgt. Whitt said he yelled at S/ Bond to get on the ground. S/ Bond jumped off the red mountain bike and stumbled. Sgt. Whitt said S/ Bond started running southbound on the sidewalk. Sgt. Whitt said he knew Officer Smith and Stennett were following them. Sgt. Whitt said Officer Smith pulled into a driveway south of them. Sgt. Whitt said he was very close to S/ Bond as he exited the unit. Sgt. Whitt said at one point he thought about grabbing or pushing S/ Bond, but he wasn't quite close

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enough. Sgt. Whitt said S/ Bond had his back to him, but he turned and looked over his left shoulder. Sgt. Whitt said they made eye contact and there was no doubt in his mind what was going to happen based on S/ Bonds comments about not going back to prison and the fact that he carries a gun. Sgt. Whitt said when S/ Bond looked back he had a very deliberate and committed look on his face. Sgt. Whitt said S/ Bond made a deliberate move with his right hand to his waistband. Sgt. Whitt said at that point he was in fear for Sgt. McCoy and his life. Sgt. Whitt said he drew his duty weapon at that point. Sgt. Whitt said Sgt. McCoy was on the passenger side and ran around the back of the unit. Sgt. Whitt said Sgt. McCoy was to his left and in the street. Sgt. Whitt said he was behind S/ Bond. Sgt. Whitt said he was approximately 8 feet from S/ Bond. Sgt. Whitt said he could not see S/ Bonds right hand because it went towards the front of his waist, but he was sure in his mind that S/ Bond was going for a gun. Sgt. Whitt said he heard the first round fired from Sgt. McCoy. Sgt. Whitt said he was firing at the same time Sgt. McCoy continued to fire. Sgt. Whitt said he fired four rounds that he believed hit S/ Bond in the middle of the back as he was falling down. Sgt. Whitt said S/ Bond fell to the ground and he held him at gunpoint with Officer Smith and Sgt. McCoy. Sgt. Whitt said he stopped firing when S/ Bond fell to the ground and the threat was over. Sgt. Whitt said S/ Bond was lying face down on the cement with his right hand under his body. Sgt. Whitt could see Officer Smith and Stennett to the left of him. Sgt. Whitt said Officer Stennett moved in and handcuffed S/ Bond. Sgt. Whitt said Sgt. McCoy got on the radio and advised that shots were fired and asked for medical aid. Sgt. Whitt said Officer Stennett rolled S/ Bond over and he saw that a gun fell from the area of his right hand or waistband. Sgt. Whitt said the gun was black and appeared to be a Colt or Springfield 1911 that was cocked. Sgt. Whitt said they left the gun there.

Sgt. Whitt said he could see that S/ Bond was injured. He asked medical aid to "run a tape" on S/ Bond and he said it was "flat lined". Sgt. Whitt said they left everything as it was. Sgt. Whitt said they set up a perimeter and had crime scene tape put up around the scene. Sgt. Whitt said he had Officer Stennett contact a group of guys that were in the garage of a residence where the shooting occurred (5664 Harold St). Sgt. Whitt said he gave a public safety statement to Lt. Phillips and then he was transported to the Magnolia Station to be interviewed.

Detective Jim Simons charted Sgt. Whitt's duty weapon prior to the interview and advised he was missing (4) rounds from the magazine in his weapon. Sgt. Whitt's duty weapon was collected as evidence and he was issued a new weapon. Sgt. Whitt said he was not carrying a backup weapon. See Detective Simons' supplemental report for details.

Sgt. Whitt said neither one of those weapons were removed from the unit. Sgt. Whitt said he was not carrying a digital recorder with him. He also advised that he had a COBAN in unit #3616, but it was not turned on.

Sgt. Whitt was given the opportunity to speak to a member of the "The Counseling Team".

INTERVIEW WITH SGT. RONALD WHITT

Q=Det. Rowe

Q1=Det. Smith

Q2=Attorney Russell Perry

A=Ronald Whitt

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12
13 Q: All right. This is uh, Detective Rowe. I'm here with Sergeant Ron Whitt, um,
14 his attorney Russell Perry, (Sama Shouka) from the DA's Office, (Rick) uh,
15 (Fuentes), uh, DA investigator and my partner Detective Smith. Um, this is an
16 interview with Ron Whitt Reference Incident P12024811, it's 2-18-12 at
17 approximately 1945 hours. Um, just...

18
19 Q2: Go ahead. Go ahead.

20
21 Q: And uh, um, if you wanna make a statement...

22
23 Q2: Yeah, my - my client is here and he's gonna give a statement pursuant to
24 Riverside PD policy.

25
26 Q: Okay. Um, and based on witnesses uh, based on previous interviews that
27 we've done and uh, everything that we've looked at, you're not a suspect in
28 this. Um, we're looking at you as a victim or a witness in - in this incident.
29 Um, we basically just wanna find out what happened out there today uh, from
30 your point of view, okay?

31
32 A: All right.

33
34 Q: Um, what is your current assignment right now?

35
36 A: Sergeant on the full-time SWAT team -- Metro Team.

37
38 Q: Okay. How many super- how many guys to you supervise?

39
40 A: Uh, currently we have uh, eight um, operators on the full-time team. Uh,
41 there's another sergeant, (Billy) McCoy, uh, my partner and then we also
42 supervise uh, the pilots, the bomb guys, and the uh, aircraft mechanics.

43
44 Q: Okay. And let me go back. How - how do you spell your uh, full name?
45

46 A: It's Ronald, R-O-N-A-L-D.
47
48 Q: And you go by Ron?
49
50 A: Yeah, A...
51
52 Q: And...
53
54 A: ...is my middle initial.
55
56 Q: A?
57
58 A: Mm-hm.
59
60 Q: And how do you spell your last name?
61
62 A: W-H-I-T-T, Whitt.
63
64 Q: Okay. And what's your ID?
65
66 A: Uh, 346.
67
68 Q: Okay. Um, what - what is the Metro Team?
69
70 A: The Metro Team...
71
72 Q: Um, what do you guys do, what do you consist of?
73
74 A: It - Metro actually stands for Multi Enforcement Tactical Response
75 Operations. Um, it's a specialized - specially trained group of officers that we
76 take care of tactical situations or anything that's high risk. Like for instance,
77 today, um, this guy uh, due to his um, um, information that we had on him, he
78 was considered high risk, um, person that we were looking at on an
79 investigation for the domestic violence unit.
80
81 Q: And other officers, detectives, supervision in the police department come to
82 the Metro Team to serve these type of high risk situations?
83
84 A: Yeah, they're - there's a form uh, department form that fills out - that you have
85 to fill out whenever you're doing an operation and there's a box on there that
86 asks some very specific questions about uh, weapons, prior history, and if
87 those boxes are checked yes, that unit is mandated to contact uh, either (Billy)
88 or myself with that information to run that by um, and if it meets a criteria,
89 which quite frankly if you call us, it meets the criteria, uh, for us to get
90 involved and either take that investigation into a point where we would hand it

91 back off to the investigator uh, or handle it all ourselves.
92
93 Q: And in this particular case um, uh, were you contacted?
94
95 A: Yes, we were contacted uh, last week by Detective (O'Boyle).
96
97 Q: Okay. And what information did - had you received from Detective
98 (O'Boyle)?
99
100 A: Uh, typically what happens is we will assign it to an operator and in this case,
101 um, it was (Dave Castaneda). Um, (Angulo, Officer (Angulo) um, (Emelio
102 Angulo) and Dawson Smith to come up with a surveillance plan and an
103 operations plan on how to take this guy into custody safely um, and there's a
104 couple contingencies that are involved. Um, but Sergeant McCoy and myself
105 we don't actually go out and if we get contacted that meets the criteria they do
106 - basically this flier is - was enough for us. Uh, we give it to the - our
107 operators, they go out and contact the detective, they'll put the packet together,
108 they'll come to us, run the - the um, plan by us, we'll throw our two cents in
109 and then we'll go out and work it.
110
111 Q: And on this case, did - did they give you a name and - and a packet um,
112 reference a guy that (O'Boyle) - Detective (O'Boyle) was looking for?
113
114 A: Yeah, this was uh - we - we got a flyer um, regarding this person that was sent
115 out department e-mail um, but we didn't know where he was at um, and this
116 was sent out on January 10th, 2012. I see you guys have a copy of it. Um, it's
117 got some photographs of uh, the wanted person (Danny) uh, (James Bond).
118 Um, and some very specific information about the investigation, the domestic
119 violence investigation, and his history and things that he had mentioned to
120 others um, uh, about going back to prison and - and um, that he was always
121 carrying a gun when he left the house and those types of things. So we had
122 this information um, and were waiting. We would do spot checks looking for
123 him um, in the (Gramercy) house. (O'Boyle) contacted us and had some
124 specific information that he was now staying out on Knoll and I don't have the
125 exact numbers -- it's in the car -- but on Knoll in the City of San Bernardo um,
126 and that his mother lives there, she owns that house on Knoll and then one on
127 - I can't remember the name of the street now, but right across the street and
128 that she's trying to sell that. It's vacant, but that our primary suspect has been
129 seen going between the two houses and that whenever he live - he leaves the
130 house, he's armed with a gun, um, and that he has surveillance at the front of
131 his house. Um...
132
133 Q: On Knoll Street?
134

135 A: On Knoll Street. Uh, we did a scout and um, the officers that did the scout
136 noticed the camera in front of the house. So we set up a surveillance team uh,
137 and a react team -- the surveillance was two operators uh, in unmarked cars
138 that were able to visually see the house and then we had a react team which
139 was in another unmarked van that we have uh, that had um, three operators in
140 it. So ideally in these situations, you wanna get him out of his comfort zone
141 and not hit the house. We had a plan to do a surround and call out. Since we -
142 we didn't need to do a dynamic entry into the house because we're not really
143 looking for evidence or worried about evidence being destroyed. We're really
144 there for his body and maybe any evidence related to him owning a gun or
145 something like that. So we had a plan to surround and call out, but we didn't
146 wanna implement that plan unless we were sure that he was there. So we
147 were kinda waiting to see that he was there, have some confirmation, and then
148 once we had confirmation, we would lock the perimeter down around that
149 location and then initiate the surround and call out. Um, so we were waiting
150 for that to happen. Uh, we sat all day yesterday um...

152 Q: And before you go into that, you kind of just breezed over it, but what specific
153 information about um, (Danny Bond) did - did you have um, as far as, you
154 mentioned that he was always armed. Was there any other information or
155 specific information that you had about the - this last crime that Detective
156 (O'Boyle) was concerned with?

158 A: That - that he was staying at that location on Knoll um, and that whenever, he
159 was very paranoid, that he's a methamphetamine user um, and that whenever
160 he left the house, he was always armed with a handgun um, and that he had
161 made statements that he wasn't gonna go back to prison. Uh, looking at this
162 flyer, he's also a 290 registrant. Um, so I can, you know, surmise that, you
163 know, going back to prison means he's gotta be in protective custody, he's in
164 um, and that's probably pretty unsavory for him. So um, and also he has got
165 prior gun contacts and uh, and acts of violence. So um, those are all things
166 that we took in consideration in putting our plan together and the ideal was
167 again to take him - if he left the location, get him out of his comfort zone --
168 comfort zone being his house. I mean he knows every room in the house, he
169 knows where his weapons are at, um, so we wanted to get him away from the
170 house if we could or if we're gonna do a surround and call, at least verify that
171 he was there because you get one shot at that and you do a surround and call
172 and he's not there, well, then now, we're gonna have to try to find him again.

174 Q: And he had um, an arrest warrant for him?

176 A: Uh, we had an arrest warrant and a search warrant for the house um, on Knoll
177 and the one across the street. And again, we have a copy of that search
178 warrant. I don't have it with me, but it was in our car.

179

180 Q: Okay.
181
182 A: I'm sure you guys probably went through that. It was up in the uh, passenger
183 visor.
184
185 Q: And that - the warrant was written by Detective (O'Boyle)?
186
187 A: Yeah, in San Bernardo County and it was endorsed for night service as well
188 uh, and specifically in the warrant in the body of the report, er warrant um, he
189 - what goes into his priors and that the Riverside Police SWAT team would be
190 um, conducting a surveillance and uh, serving the search warrant.
191
192 Q: Okay.
193
194 A: When he was requesting night service.
195
196 Q: And since 1-1, you said - you had mentioned that you had been doing spot
197 checks on the - on the residence. Is there a certain - at a certain point where
198 you guys decided to set up on him and - and start this surveillance?
199
200 A: Actually the surveillance um, once the information was uh, obtained from -
201 and I'm sure where the - what the source was. I'm not sure if it was the victim,
202 but what - that he was out on Knoll uh, the Inland Regional Apprehension
203 Team I think, IRAT, the FBI task force that we have an officer on, uh, they
204 actually sat on it on Wednesday the 15th and Thursday the 16th um, and then
205 we took over the surveillance on the 17th and we sat out there um, on Friday
206 yesterday.
207
208 Q: Yesterday?
209
210 A: Um, from uh, noon 'til about 6 o'clock at night. It was getting dark and so we
211 were kinda losing our - our advantage there to - to look at the house and - and
212 it's a different city. We don't know the city and we don't know the
213 neighborhood. So we decided to pull up stakes for the night and come back
214 this morning and hit it again.
215
216 Q: And this was the Metro Team that was out there yesterday?
217
218 A: Yes.
219
220 Q: Okay. And then um, so today um, what time did you guys get out there
221 today?
222
223 A: Uh, we were set up at 10:00, 10 am this morning.
224

225 Q: Okay. And who - who all was out there with you today?
226
227 A: Uh, today was uh, Dawson Smith in an un- undercover car, uh, (Emelio
228 Angulo) in an undercover car, they were the eyes on the - the house um...
229
230 Q: And when you're in an undercover car on your team, um, are you in full
231 uniform...
232
233 A: No.
234
235 Q: ...are you - how would an undercover...
236
237 A: Dressed in civilian clothes just - the whole purpose is just to blend in the
238 neighborhood. The cars that we have are - are very non-descript, and uh,
239 they're not typically used by police departments.
240
241 Q: What kind of car was Dawson in?
242
243 A: Uh, I believe Dawson was in [REDACTED]
244 [REDACTED] and then (Emelio) was in [REDACTED]
245
246 Q: Okay.
247
248 A: Uh, and then we had the React Team. Um, we're light a couple bodies. So
249 today, the React Team in the van was uh, Officer (Castaneda) and Officer
250 (Park). They were close to the location cause they could get in that - the
251 neighborhood and then we had Officer (Elliott) in a plain - I'm sorry. In a
252 black and white um, Metro unit um, covering one side of the um - there was
253 two ways to get out - out of this neighborhood, so we had both of them
254 covered and then Sergeant McCoy and I were west of the location out of the
255 area in a - a black and white.
256
257 Q: Okay. And the people that were in the React van, um, what is their uh,
258 uniform?
259
260 A: Their uniform is much like I'm wearing today. It's a raid gear, uh, black BDU
261 pants, um, either uh - I think because it was a little warmer today, most of the
262 guys had just T-shirts on or - our Metro T-shirts or um, like I've got a long
263 sleeve on and then we have the vests that clearly identifies that says uh, police
264 officers.
265
266 Q: And the people - and you and Sergeant McCoy and (Castaneda) and...
267
268 A: (Park).
269

270 Q: ..(Park), they were...
271
272 A: And (Elliott).
273
274 Q: And (Elliott), they were...
275
276 A: Were all dressed the same. We were all in our - that's our daily uniform that
277 we wear.
278
279 Q: Your marked...
280
281 A: Yeah.
282
283 Q: ...Uniform and in marked police units?
284
285 A: Right.
286
287 Q: Okay. Um, and Sergeant McCoy described what the React uh, van is or React
288 Team just briefly what...
289
290 A: Uh, it's - you know, if - if he was to walk down the street, um, basically they
291 would - because people don't typically look for - that's [REDACTED] van that
292 looks horrible. Um, typically they don't look for police to come out of that.
293 So it's - it's something if he wau- took um, UM, a walk away from the house,
294 they would wait for him to get far enough from the house, drive up on them,
295 take him into custody. Um, and then we would have the other officers that
296 were on surveillance also. If he went - if he left the house on foot, everything
297 would tighten up. So the units would move closer, the React van would go in
298 uh, to a location where once he got far enough from the house and they would
299 drive down and then we would come into the neighborhood. So basically we
300 would try to hit it all at once and kind of overwhelm him, you know, basically
301 you're overwhelmed, give up.
302
303 Q: Okay.
304
305 A: And that's - that's typically, you know, you get them out of your comfort zone
306 of their house, that's typically what happens is they - they see that there's cops
307 coming from everywhere and they give up.
308
309 Q: All right. And you said you got out there about noon today?
310
311 A: No, today we got there at 10. Yesterday we got there at noon.
312

313 Q: Okay. Um, what happened once you got out - out to uh - I'm taking it you
314 guys went out to Knoll Street?
315

316 A: Yes, we set up exactly how we set up yesterday. Um, there was no activity.
317 Uh, it was 12:30 um, the van - a van pulled up that we saw there yesterday
318 driven by an older lady. Um, she arrived, backed in, got out, went inside the
319 house. Um, we surmised that that was probably his mother. So uh, we
320 decided that if she left again, that we would use the - we would leave the
321 React Team there to kinda watch the house, but that we would use the two
322 undercover cars to surveil her out uh, and then a marked unit would go with
323 that. One marked unit would stay with the React van and then the other
324 marked unit would go with the surveillance cars and see if she was going to
325 pick him up or just see what was going on. We didn't wanna stop her because
326 we didn't - again, we didn't wanna give it up. That - we were sitting on it. So
327 we surveilled her all the way back to the (Gramercy) address -- which uh, it's
328 on this 7680 (Gramercy).
329

330 Q: About what did she leave the Knoll address?
331

332 A: I wanna say it was about 1:30'ish. Uh, it was about 1:30 cause - between one
333 and 1:30 she left and drove to - drove directly uh, got on the 215 to the 91, got
334 off at Van Buren, uh, Van Buren to um, Wells, went westbound Wells,
335 northbound on Montgomery and the house is right on the corner of
336 Montgomery and (Gramercy) and pulled right to the house.
337

338 Q: And what kind of vehicle was she in?
339

340 A: A white uh, older - older than our [REDACTED]
341

342 Q: And did you - you knew about the Knoll address obviously. Did you already
343 know about the address on Montgom - Montgomery where she went to?
344

345 A: Well, we had it on the flyer. Um, we hadn't actually set up on that house.
346 Um, once because the information is that he wasn't there, I knew he - that
347 officers already gone there looking for him, he knew he was wanted, so he's
348 not at that house and that's why there' a break between, you know, 1-10 and 2-
349 15 um, February um, 15th because didn't know where he was at and we got
350 information he was out in San Bernardo. So that's what kinda got the ball
351 rolling again. Um, once we got out to the (Gramercy) house, ironically
352 Officer Stennett um, set up on the house and recognized the house from a
353 couple months prior, we had set up on that house for the West County
354 Narcotics Task Force. They had um, written a search warrant for the house
355 off some information they got from a CRI. The information they got from the
356 CRI was that there's a guy dealing methamphetamine out of there, he's really
357 paranoid, and he's armed with a gun. This is I believe November'ish. I'm -

358 I'm not sure. I would have to check our - our weekly summaries, but we sat
359 on it for two days, I was out of town. So I wasn't uh, on the surveillance on
360 this particular case. They sat on it for two days. All they saw was an older
361 gentleman that would leave the house walk out to the curb with the trash cans,
362 and there was no suspicious activity, nobody was coming and going like you
363 would typically get with a narcotics house. Um, so we opted not to serve the
364 search warrant um, because we couldn't corroborate what the - was in the
365 search warrant with our own eyes that this was, in fact, a dope house, uh, that
366 they were dealing drugs out of. So we opted not to - to do it. We let West
367 County know hey, we're not gonna serve this. Uh, I think that information
368 might not be good because we didn't see anything that was indicative and
369 nothing that matched the description of a guy that they gave us that was armed
370 and dealing dope. So when we pulled up out there, Stennett recognized the
371 house and said, "Hey, this is the house that we sat on with West County."
372 Well, ironically I mean the information we got from West County is the same
373 information we got from (O'Boyle) with this guy being paranoid, doing drugs,
374 and armed.

375
376 Q: And he put that out to do you guys? Stennett - when - once he got there...

377
378 A: Yes.

379
380 Q: ...and saw...

381
382 A: From the Nextel.

383
384 Q: ...saw this house, he put that out to you guys?

385
386 A: Yeah, he...

387
388 Q: That this was uh, the same house that you guys had already set up on?

389
390 A: Yeah, and (Billy) and I were at Foothill Elementary School, um, so we were
391 out of the area in the black and white. So when he put that out, (Billy) and I
392 had that discussion. I go, "How ironic. I said, you know, you guys set up for
393 two days, didn't see anything, but that information that that CRI gave and the
394 information that is on this flyer is identical." That this guys paranoid, doing
395 methamphetamine and he's armed with a gun. I mean it's the same stuff.

396
397 Q: When - when um, when you guys are communicating, is it all over Nextel or
398 are you guys using...

399
400 A: No, it's Nextel.

401

402 Q: ...our radios? Just Nextel?

403

404 A: We have channel seven as a backup if the Nextel's go down because you guys
405 have gone out on surveillances and it always happens the Nextel's stop
406 working when things start to happen. So we have - if that happens, then we
407 go to channel seven. We don't use channel seven typically because it can be
408 monitored on scanners that you can buy at Radio Shack. So uh, we use the
409 Nextel's uh, mainly for our - our surveillances.

410

411 Q: And on this incident, you guys were using the Nextel's?

412

413 A: Yes.

414

415 Q: Okay. Um, okay. So she gets to the (Gramercy) address around what - what
416 time would you say?

417

418 A: Oh, it was before 2 o'clock I know that and we had enough time. We sat out
419 long enough um, and I was getting low on gas cause we were sitting idling for
420 so long. So I was under a half a tank and I thought we might be going out to
421 San Bernardo. So (Billy) and I went to Lincoln Street, filled up real quick,
422 and came back. So there was enough time and we - she was there for a period
423 of time. I wanna say she got there before 2 o'clock. Um, and I say that
424 because there was a point in time where like we're gonna pull this um, and it
425 was about - you know, we put the drop dead time at 3 o'clock cause we have
426 to get ready for training, some other thing we're doing a search warrant on
427 Wednesday. So if nothing moves at 3 o'clock we're gonna pull this and go -
428 transition to do other things we need to do.

429

430 Q: Was there any radio traffic between the time that she arrived and - and uh, or
431 Nextel traffic uh, that they saw anything...

432

433 A: Yeah.

434

435 Q: ...at the residence or anything?

436

437 A: Yeah. I was gonna get into that. Um, when - when we call it landing. Uh,
438 when she arrived, um, at that residence, um, there was - it looked like a realtor
439 um, and on our CAD printouts um, you'll be able to pull our unit history. It's
440 under Sam 63 um, you'll be able to pull our unit history. We ran the plates.
441 One of them came back to (Mountain View) in the city. Um, so we didn't see
442 any correlation there and we thought well, and it - from Stennett and (Park) it
443 looked like it was - it was a realtor and some people were looking at the house
444 although it went pretty quick when she got there and then they left within five
445 minutes. So...

446

447 Q: Be- who - who actually surveilled her back to the house?
448
449 A: To the (Gramercy) house?
450
451 Q: (Gramercy) house?
452
453 A: It was Stennett and (Smith).
454
455 Q: Okay. I thought you said (Park)?
456
457 A: I'm sorry. Did I say - I apologize.
458
459 Q: Okay.
460
461 A: No, it's Stennett and uh...
462
463 Q: Okay. I just wanted to make sure?
464
465 A: Yeah. Yeah, (Park) was in San Bernardo when this all happened.
466
467 Q: And so you were - you guys were set up at Foothill and - and...
468
469 A: (Dawson)...
470
471 Q: ...(Smith) and Stennett were set up in their UC cars or at the (Gramercy)
472 house?
473
474 A: Yes.
475
476 Q: Okay.
477
478 A: Um, so that - that little whatever contact completed, the cars left, we got the
479 license plates, we ran them just in case, you know, maybe it's something for
480 later on we can look at, but uh, one of them came back to a Pick A Part and
481 the other came to a Honda that was registered on (Mountain View) in the city.
482 So it's about 2:40, 2:45, (Billy) and I are talking. There's a lot of stuff that we
483 gotta do for the search - get ready for the search warrant and since we're going
484 on our days off, we've gotta get ready today so we can come in early
485 Wednesday morning and do the search warrant and then we have training that
486 day. So we decided we'll get the guys back to the hanger, we'll go look at the
487 training location and then get ready for the search warrant. So we tell them 3
488 o'clock we're gonna pull this thing. Within five minutes after we put that out
489 uh, Stennett, Officer Stennett, puts out that a subject same height and weight
490 just basic description of our suspect had stepped out of the residence. He
491 stepped out, he left - left the front door open. I guess it has a - uh, a security

492 screen.

493

494 Q: And this is Stennett that's putting this out?

495

496 A: I believe it's Stennett and then it transitions to (Park) cause he walks back
497 inside the house and then - I'm sorry. I said (Park) again. It's Smith. Stennett
498 and (Park) usually work together. Um, Dawson Smith said he's back out now,
499 he's dressed in I believe a - a grey jacket um, with a hood - hoodie and
500 sunglasses and he's on a bicycle and he puts out he's away, which means he
501 left the location and he's away eastbound (Gramercy). Well, about that time,
502 uh, Sergeant McCoy and I left Foothill and we're coming northbound on uh,
503 Montgomery when Dawson Smith put out he just turned northbound on
504 (Harold). So we...

505

506 Q: And you guys are in...

507

508 A: In a marked unit.

509

510 Q: (Unintelligible) you're in a marked unit and what - what are you wearing?

511

512 A: Um, our raid gear.

513

514 Q: Okay. And you have it here on the table?

515

516 A: It's a bulletproof vest that has a patch of our badge, the Metro emblem, uh, it
517 says police in bright yellow, my name and on the back, it's got police in bright
518 yellow um, it contains two pairs of handcuffs, flashlight, my HT, and my
519 earpiece.

520

521 Q: And um, did you have your duty gear?

522

523 A: And my duty gear that I have on now, which is a sam brown with a um, 45
524 um, semiautomatic handgun and uh, four magazines.

525

526 Q: Okay. And um, I'm just gonna get a little descriptive on as far... what kind of
527 gun are you carrying?

528

529 A: Uh, Springfield 1911 operator.

530

531 Q: Okay. Um, and what - what do you normally carry it loaded with?

532

533 A: I carry it loaded with um, one chambered and a magazine with seven rounds.
534 So eight and then I have four extra magazines with seven rounds a piece.

535

536 Q: Okay. And anything else on your - on your duty belt?
537
538 A: Uh, no, I have a baton ring and that's it. I put everything on the vest.
539
540 Q: And when...
541
542 A: It gets a little nice when you're older. Easier on the back.
543
544 Q1: That's a 45, right, 45?
545
546 A: Yes, it is.
547
548 Q: And you have a black long sleeve shirt on and black BDU pants?
549
550 A: Yes, and Oakley boots.
551
552 Q: Okay. Um, so you guys turned north onto Montgomery, east onto (Gramercy)
553 and then what happens from there?
554
555 A: Well, we got information that he was off on the bike and he turned uh,
556 northbound on (Harold). About two houses in, he had stopped along the west
557 curb of (Harold). So when Sergeant McCoy and I - and I was driving,
558 Sergeant McCoy was the passenger, uh, when we turned the corner, had a
559 couple of - of options depending on what he did and what uh, we would do.
560 Um, um, but he turned and looked at us and saw that it was a marked unit. So
561 fearing that he might be armed, because the information that we had, I didn't
562 wanna get that close, that we would still be sitting in the car where we could
563 be um, shot at. So I stopped maybe 15 yards shy. (Billy) - or Sergeant
564 McCoy and I both exited the vehicle, drew down. When he looked back,
565 instantly recognized that was our guy, and he looks like - on the flyer, the
566 photograph if you're looking at the flyer to the far left uh, where's he's in a, it
567 looks like a reddish orange shirt, and he's significantly thinner than the other
568 two photographs and he has a shaved head, but the other two photographs has
569 hair. Uh, he looked like that. He had a hood on, but there was no mistaking
570 the face. Um, as - as a matter of fact, I mean, I looked him right in the eye. I
571 mean there was no doubt this was our guy.
572
573 Q: When - when he - when he stopped in the middle, was he in the middle of the
574 road or on the sidewalk?
575
576 A: No, he was on the - next to the curb.
577
578 Q: Okay.
/9

580 A: So he was in the gutter area...
581
582 Q: Okay.
583
584 A: ...um, on the - still on the bicycle, he looked back over his right shoulder, saw
585 that the police car was coming up, we exited, he looked back again, we were
586 starting to give him - we were exiting the car giving him directions to get off
587 the bike, get on the ground, he started pedaling.
588
589 Q: Had you - anybody told you or um, that he had - was stopped in the - in the
590 road or...
591
592 A: Yes.
593
594 Q: ...or did you notice that when you came around?
595
596 A: No, uh, Dawson Smith put that out clearly on the Nextel that he is now
597 stopped on the west curb.
598
599 Q: Okay. Did he say what he was doing or anything like that?
600
601 A: No, cause we were right there. I mean there was no time. That he stopped
602 against the curb. So as soon as we turn the corner, you know, we're scanning
603 looking for him and we could see him next to the curb.
604
605 Q: Okay.
606
607 A: He looked over his right shoulder, saw the car come up, turned back, turned
608 back again, grabbed his handle bars, and started pedaling off. We had to jump
609 back in the car um...
610
611 Q: You - so you had time to get out of the car, draw down and then...
612
613 A: Yeah, well, we were - the doors were opened, we were - before the car was
614 even stopped, we were ready to get out of the car. Um, so, you know, and the
615 reason for that is it gives us a tactical advantage, you know, we're - we - you
616 can't really respond to a deadly threat while you're sitting in the car. So we
617 train to get out of cars very quickly. Uh, and most often, the doors are opened
618 before the car stopped. Um, and we just pin the door open with the foot. I'm
619 the driver, so I'm on the brake, throw it in gear and (Billy) is already out of the
620 car.
621
622 Q: And when you say that um, responding to a deadly threat, based on the stuff
623 that you had learned on this?
624

625 A: Yeah, all the information - all the information that is on this flyer was
626 corroborated by what we - what we've seen so far. The surveillance was - was
627 on the - on the house on Knoll was absolutely accurate. The fact this guy
628 never comes out of the house, we sat on it for two days, never saw him, um,
629 so, you know, this was kind of one of those - those opportunities that, you
630 know, he did leave and the information was, whenever he leaves the house he
631 is armed with a gun. Um, so we were acting accordingly. I mean there was
632 no doubt in my mind, you know, you always plan for the worst and you hope
633 for the best, but you have to plan that this guys armed. So given the
634 information -- and I thought it was credible information -- there was no doubt
635 in my mind. I mean and - and ironically we corroborate this flyer by
636 information that we got a couple months earlier from West County Narcotics
637 Task Force. I mean it's the same information. So we look him in the face, I
638 make - make eye contact with him. There's no doubt in my mind that this is
639 our guy. We start to give him direction, get off the bike and on the ground.
640 He chooses not to do that, grabs the handlebars and he's off northbound on
641 um, (Harold).

642
643 Q: When you say - and before you get to that point, when you say we we're
644 telling him to get off the bike get on the ground, was that you or was the
645 (Billy), both of you?

646
647 A: Both of us were giving direction.

648
649 Q: Okay.

650
651 A: He gets back on the bike and he starts pedaling as fast as he can and he's now
652 in the middle of the roadway pedaling. We get back in the car, get the car in
653 gear, take off, he's gotten about 25 or 30 yards on us by the time we get back
654 in the car, um, and uh, I get it in gear and we go. We quickly -- obviously
655 cause we're in a car, he's on a bicycle, we quickly catch up to him. He sees us
656 and hears us coming. He looks back over his shoulder a couple times, he
657 jumps uh - and I don't know if he jumped the curb or if he went up a driveway
658 onto the sidewalk, but now he's on the sidewalk.

659
660 Q: Which sidewalk?

661
662 A: He's on the west sidewalk. So as we accelerate, pull up next to him, again,
663 he's looking over at me, um, and I see a driveway coming up um, and so I
664 decided to accelerate a little bit in front of him and pull in that driveway to cut
665 his escape - his escape off. I also notice that there's a chain link fence that's
666 right there in that yard. So he can't ride in the yard. So he's either gotta
667 quickly maneuver around our car or he's gonna run into our car, but one way
668 or the other, that - that escape route was gonna come to an end. As I pulled in
669 the driveway, stopped, (Billy) and I exited, as I pulled in the driveway, he saw

670 what I was doing. He ditched the bike, he laid the bike down um, and I don't
671 remember if he fully was on the ground or not. I don't - I don't really recall,
672 but he started running southbound uh, the other direction away from us on
673 (Harold). Exited the car, um, and I will tell you um, we were - he and I were
674 very close. Uh, cause there was a little stumble getting off the bike. So that
675 gave me time to get out of the car. And again, we exit the cars very quickly,
676 doors already opened, got the car in gear, and I'm exiting. (Billy) is already
677 out of the car running around the back of the car.
678

679 Q: Before you get to that point, do you know if - if uh, Dawson or Brett Stennett
680 were - where they were at this - at this point?
681

682 A: I knew that they were falling in behind us um, because at this point, the jigs
683 out. We - this guys running, they know he's running cause Dawson can see
684 that from whatever and I don't know where his vantage point was at, but I
685 mean I know afterwards where he was parked. So I know he was behind us
686 and I know he was cutting off - he had pulled into um, a driveway that was
687 south of our driveway to cut him off from running um, so he was close
688 proximity to us. So...
689

690 Q: And that's Dawson?
691

692 A: That was Dawson Smith.
693

694 Q: At any point when after the initial stop and then the I guess semi-pursuit down
695 (Harold), did you get on the radio or any - you or (Billy) or anybody that you
696 know of got on - get on the radio and say, you know, we're in pursuit of this
697 guy or any - any - did you have time to do any of this?
698

699 A: No, none of that. None of that. And - and quite frankly, we have personnel
700 there. I mean our backups right there. So, you know, we - we're pretty much
701 - we're dealing with it, our backups right there, our resources are there. So
702 um, we'll deal with it. Um, and there was no time. I mean this went very
703 quickly. I mean it was less than 30 seconds. So...
704

705 Q: Did um, and before we get to you guys getting out of the car, when - when
706 you guys pull into the driveway, you said he ditched the bike. Did he fall off
707 the bike or did he just kind of get rid of the bike and - and take off on foot?
708

709 A: Well, I - I think he saw that I was cutting his - his route off and again, he got
710 off the bike. I don't know if he laid the bike down, got up and ran, or he just
711 got off the bike, stumbled a little bit, but there was a little bit of lag time by
712 the bike and I really honestly don't recall if he went down to a knee or he just
713 threw the bike and then started running the other way.
714

715 Q: Do you know what color bike he was on?
716
717 A: No, I - no.
718
719 Q: Or what kind of bike?
720
721 A: It was mountain bike style, but I don't remember - I wanna say it was red, but
722 I'm not sure on that.
723
724 Q: Do you uh, do you recall what he was wearing um...
725
726 A: He had a jacket - he had sunglasses, uh, jacket with a hood pulled up um, and
727 I wanna say the jacket was grey, um, and I - and he had dark colored pants and
728 I think they were denim.
729
730 Q: Okay.
731
732 A: Um...
733
734 Q: Had (Dawson) or Stennett put out his clothing over the Nextel prior to this?
735
736 A: That he had - that he had a hoodie on. A jacket with a hoodie, which is - it
737 was kind of warm today which was kind of odd, you know, which also makes
738 you think people generally conceal things with a jacket. So um, that also
739 played into, you know, this guys going out, he's probably armed.
740
741 Q: So you get - so he starts running southbound on the sidewalk?
742
743 A: On the sidewalk.
744
745 Q: Okay. And you get out of the car?
746
747 A: I get out of the car, (Billy) gets out of the car, um, I'm close to him. I'm within
748 - I mean I haven't drawn - I'm this close. Like I'm almost to the point where
749 I'm gonna reach out and grab him. I mean we're pretty close, but I'm not close
750 enough where I could grab him, but we're pretty close and I - two of my
751 options was to grab him or push him forward to get him on the ground. So
752 those were going through my head. He turns at me and looks over his left
753 shoulder and we make eye contact and I will tell you that that eye contact was
754 - there was no doubt what was gonna happen in my mind. I mean he was
755 committed to this, the information that we had that he wasn't going back um,
756 to prison, wasn't gonna go back to that - to that again, so - and that he was
757 carrying a gun all the time when he leaves the house. When he looked back, I
758 - I mean I don't even know how to describe it, but it was very - very
759 deliberate, committed look. I mean right at me. We locked eyes. Um, his

760 right hand and he's looking over his left shoulder, his right hand, a very
761 deliberate move to his waistband. Um, at that point, I'm in fear of my life and
762 (Billy)'s life and - and I think just the look that he gave me was very cold. It
763 was like - I don't know how to describe it, but it was just we locked eyes for a
764 moment and it was like in my mind, I thought oh, God, here we go. This is -
765 this - he's committed to this fight. So...
766
767 Q: And at this point, his back is to you and he's looking over your left shoulder?
768
769 A: He's looking over his shoulder. Now, I'm directly behind him, (Billy) is off to
770 my left and in the street. So he's still - he's kinda hard to - if you have the
771 sidewalk, there's a grassy area between the sidewalk and the curb line and then
772 there's the curb and the pavement. McCoy is coming up trying to take that
773 angle on him. Um...
774
775 Q: He had gotten out of the passenger side (unintelligible)?
776
777 A: Out of the passenger side. So he ran around the back of the car and he was -
778 had an angle to cut him off. So and I'm not sure exactly where he was at. I
779 know he was probably about the curb line. So his view of (Bond) was
780 different than my view. My view was I could see his right hand very
781 deliberate movement to his - to his waistband, but right about his mid section,
782 as he's turned towards me, I - I lose his hand. About that time because a look
783 where his hands going, I'm starting to draw my gun because in my mind, this
784 is - there - this is going bad.
785
786 Q: And how far would you say you were from him?
787
788 A: I was pretty close. Um, I'd say within eight feet. Um, so I'm - as I'm pulling
789 my gun, the first shot that (Billy) uh, Sergeant McCoy shoots rings out. Um, I
790 think (Billy) and I he - he shot one maybe two rounds as - as I was about right
791 here and then I clicked my safety off and when I punched out um, I shot four
792 rounds. Um, and (Billy) was shooting the same time that I was um, and he -
793 as he fell to the ground, I shot him uh, four times as he was falling to the
794 ground. Once he was on the ground, I noticed that Dawson Smith was out of
795 the peripheral vision to the left. (Billy) was directly to my left side um, and I
796 held on him. Obviously I knew that we had hit him. I mean I - there was no
797 doubt that - that he was hit. Um, he was face down on the ground um, I held
798 on him, uh, I heard Sergeant McCoy do a re-load, uh, he dropped his mag and
799 did a re-load - tactical re-load on his gun. About that time, I saw Officer
800 Stennett also coming up. Um, so Dawson was coming up from his left
801 shoulder - head area at that angle. So we weren't in the crossfire or anything
802 like that. Uh, we had triangulation on the suspect and then um, Stennett had
803 come in and was gonna handcuff him. He handcuffed him, uh, I went to
804 holster, he pulled him over, Sergeant - I heard Sergeant McCoy asking for -

805 put out that we were - had shots fired and asked for medical aide. My radio
806 ironically the battery died. It - right before this happened cause I was on the
807 radio listening to channel three uh, cause we were monitoring three while we
808 were on seven on the unit radio and I had my earpiece in. Uh, it wouldn't
809 transmit. So I heard him ask for medical aide. Uh, put out that we had shots
810 fired, that we needed some backup there. Um, as Stennett rolled um, (Bond)
811 over, I saw a gun fall from his - it looked like his right hand, right waistband
812 area and fell next to him. Uh, which is where we left it. Um, it was at that
813 point um, I knew he was severely injured. Um, when AMR did get there, I
814 asked them to run a tape on him uh, to confirm what we pretty much
815 suspected. Uh, and they did, it was flat lined, and then we just left everything
816 and then, you know, um, (Billy) and I went into our sergeant mode and started
817 making sure that we had crime scene tape and then an inside perimeter set up
818 around the immediate crime scene, I sent Stennett up to talk - there was at
819 least three, four, or five - there was at least three guys, but I think there was
820 four, possibly five in the garage of the area where - of the house that this
821 happened at. Um, I pulled in that driveway, there was guys in the - in the
822 garage and the shooting occurred like just outside the - the chain link fence
823 line.

824

825 Q: The driveway that you pulled into is where the - you say the witness - the four
826 or five guys were at?

827

828 A: Yeah, there was like - I mean they were right there. So I asked Stennett, I
829 said, "Go block those guys out. Obviously they saw the entire incident." Um,
830 so we locked it down, I made sure that uh, officers arriving on scene, started a
831 crime scene log, and uh, put up the tape. Uh, about that time, uh, we gave a
832 public safety statement to Lieutenant (Phillips) that was there. Uh, shortly
833 after that, other sergeants started to get there. Sergeant (Mason) got there uh,
834 and (Billy) McCoy and I got in his car and were transported to Mag.

835

836 Q: Okay. When - when you got - when you and (Billy) got out of the car when
837 he started - the suspect started running south, um, did any - either one of you
838 or if you recall say anything to the suspect, did you hear anything being said
839 to him?

840

841 A: I was telling him to get down on the ground. So...

842

843 Q: Okay. Did you hear - at any point did you hear anybody yelling he's got a gun
844 or any - anything like that?

845

846 A: I didn't hear anything, um, at all. I - I was yelling. So I mean it's not - I didn't
847 hear that and - and it was like a quiet a moment when we made eye contact. I
848 mean it - I mean it's kinda slow motion for me now, but it was a - it was a very
849 defining moment in this situation, um, that I knew that there was no doubt in

850 my mind this was gonna go bad and, you know, it was either I was gonna get
851 hurt or he was gonna get hurt and it was the first one to the gun. I mean that -
852 that's - that's honestly how I felt. I was in fear for my life, (Billy)'s life, I
853 knew I had plainclothes officers coming up on us. I mean, you know, had he
854 got to the gun...

855
856 Q: And when you...

857
858 A: ...God only knows.

859
860 Q: And when you fired your gun, kinda of - what was going through your mind?
861 What did you think he was doing?

862
863 A: He was pulling a gun. There was no doubt in my mind he was pulling a gun.
864 Um, and - and there's a lot of trust when you get into tactical teams. Um, and
865 (Billy) - I have nothing but trust for Sergeant McCoy. I knew that he saw
866 something maybe different than I did cause his angle. I knew he was going
867 for a gun. There's no doubt in my mind uh, and I know my rounds hit him in
868 the back um, because his back was facing me uh, and I just - to be honest with
869 you, I - I don't even remember looking at the front sight. I was point shooting
870 cause I was that close and I remember - you know, my rounds were pretty
871 tight and right directly into his - his back and around the spine area mid back.

872
873 Q: And what made you decide to stop firing at - after the four rounds?

874
875 A: Because it was over. I mean we - I knew my rounds hit him, I knew he was
876 critically injured, um, I know (Billy)'s a very good shot um, and I knew he
877 was hurt, bad.

878
879 Q: Was he moving at all?

880
881 A: Yes, he was kind of squirming around a little bit. Not very fast, I mean I think
882 he was in pain. He was still alive at that point. Um...

883
884 Q: Where were - where were his hands at - his hands at?

885
886 A: Underneath his body. Um, Stennett had to pull his hands from underneath his
887 body to handcuff him. I think his left hand was maybe by his side, but his
888 right hand was underneath his body and when Stennett pulled it out, there was
889 blood on his hand and I think Stennett might have even got blood on his hands
890 handcuffing him. Um, and then when he rolled him over, I mean it was - I
891 knew that he was critically injured. Um, you know, been doing this job for 26
892 years and unfortunately, I've seen people die. Um, and he took his last breath.
893 He exhaled and I saw some pooling of blood in his mouth and there was no
894 more chest compressions um, and although AMR got there very quickly, we

895 asked for them very quickly, it still took maybe two minutes for them to get
896 there and he hadn't taken a breath in two minutes.
897

898 Q: And when - and when - you said when Stennett rolled him over, um, that's
899 when you saw...
900

901 A: The gun.
902

903 Q: ...the gun that was previously underneath him?
904

905 A: Underneath him. It - when he rolled him over, it kind of fell out um, so he
906 rolled him over and - so it fell on his left side, but it was in his right hand
907 waistband area. It was dislodged from the waistband. So it wasn't in the
908 waistband still. It was out and I can't say for certain that it was in his hand,
909 but it was out of his waistband and it just fell to the side um...
910

911 Q: Where were you standing when...
912

913 A: I was standing right over him. I was at his feet. So when he rolled him over, I
914 was standing at his feet and I could tell you it was a - a 1911 Colt or
915 Springfield um, it had the same - I noticed the grips. Our grips were the same
916 grips that I had on my gun and it was - it looked up to be a 45, it was cocked -
917 or uh, cocked and locked. Um, and it was black. It wasn't silver.
918

919 Q: And then (Billy)'s the one that got on the radio and called AMR and then you
920 guys kind of locked - locked down the scene?
921

922 A: We locked the scene down. I - I sent Stennett up there to talk to the guys in
923 the garage. Uh, Dawson Smith uh, started coordinating with the officers that
924 were arriving on scene, um, we put out some information um, that we were on
925 Montgomery, we were on (Harold) uh, cause (Billy)'s like what street are we
926 on even though we knew that ahead of time. The last street that we remember
927 driving on was Montgomery. So I said we're on Montgomery and he put the
928 address out and then we realized it was - it was um, (Harold) and not
929 Montgomery.
930

931 Q: So the first radio traffic that was put out actually over the radio?
932

933 A: That we were at...
934

935 Q: ...radios?
936

937 A: The address was clearly is 58 something I think. He put it out as Montgomery
938 and then we corrected it later because the ambulance actually drove by and
939 went around the block and came around. Um, cause we - we put the corrected

940 information out. They came around on (Harold). They came out with their -
941 and then the fire department also arrived on scene with their lifesaving um,
942 equipment.
943
944 Q: Okay. Um, going back, did you have any backup weapons on you?
945
946 A: No.
947
948 Q: Okay. And um, on your - on your vest, do you have a pocket for your digital
949 recorder?
950
951 A: I do.
952
953 Q: Did you have the digital recorder with you or - and was it on?
954
955 A: No, I did not. I didn't have it with me so - and it wasn't on.
956
957 Q: Okay.
958
959 A: It's on my desk.
960
961 Q1: I think (Greg) asked you this, but when you guys got out on (Harold) out of
962 your car, were you saying anything to this guy, were you?
963
964 A: Yes, I told him to get on the ground.
965
966 Q1: Okay. So you were giving him - you gave him commands at the corner and
967 then...
968
969 A: Yeah, and as soon...
970
971 Q: (Unintelligible)?
972
973 A: I got out of the car in the driveway as he started to run southbound, I was
974 telling him repeatedly get on the ground, get on the ground, just like - I mean
975 that's what we're trained to do. I mean when we do search warrants and we do
976 - you know, we want people at a disadvantage and we put them on the ground.
977 So it's very automatic that comes out of my mouth.
978
979 Q1: Could you hear uh, if Sergeant McCoy was saying anything?
980
981 A: I don't recall. I mean I had - I can say he probably was, but I can't tell you
982 that. I mean I was pretty focused on uh, Mr. (Bond) at that time and - and
983 what he was doing and again, you know, time kind of slows down during
984 these - and that that eye contact that we made was - was pretty significant for

985 me and pretty telling to me on what was going to happen. I mean there was
986 just - there was a certain level of commitment that I - and that look in his face,
987 I - he was committed to this fight and I - I knew at that point that it - it was
988 gonna be a gun fight.
989
990 Q1: Um, is your car uh, equipped with the COBAN, your marked unit?
991
992 A: Yes.
993
994 Q1: And that's the video uh, system. Was that on?
995
996 A: No, it was not.
997
998 Q1: Okay. Why? How come that wasn't on?
999
1000 A: Uh, well, it wasn't a - it wasn't an investigative stop. It wasn't um, anything
1001 that was self-initiated or anything like that and per policy, we're not required
1002 to put it on. There's a certain part of the policy specifically uh, addressing
1003 Metro units on surveillances and some of the things that we do, we don't
1004 videotape.
1005
1006 Q1: Okay. So that wasn't even powered up...
1007
1008 A: Wasn't even powered up.
1009
1010 Q1: ...like the power button wasn't on?
1011
1012 A: No, now...
1013
1014 Q1: And neither...
1015
1016 A: And - and to be honest I mean if a pursuit, a vehicle pursuit, um, as a result of
1017 one of our surveillances if we go on vehicle pursuit of something, um, the
1018 COB... we just power the COBAN it automatically will start recording when
1019 we power it up, hit the button, but - but there was no time for that on this
1020 incident.
1021
1022 Q1: Okay. Were you injured at all?
1023
1024 A: No.
1025
1026 Q1: Um, can think of anything that we haven't talked about that - that occurred out
1027 there you think would be important to us, or that's important to you, that we
1028 didn't talk about?
1029

1030 A: No, I mean I think uh - I mean, you know, his background um, again, a copy
1031 of the search warrant will go into some of the background. So, you know, we
1032 don't get called in to assist units for, you know, non violent 490.5 shoplifting
1033 people. We are a specially trained unit that's designed to deal with high risk
1034 personnel - or suspects. I'm sorry. Um, and this guy certainly meets our
1035 criteria and why we were there um, and uh, so I mean I think the flyer says a
1036 lot of it, the search warrant uh, will go into detail. There's some stuff in the
1037 search warrant that's not on the flyer.
1038
1039 Q1: You read - you personally read the search warrant?
1040
1041 A: I personally read the search warrant. Yeah, we had the service copy. So if we
1042 had transitioned to a surrounded call out on Knoll, obviously we would have
1043 to eventually serve the - the search warrant on the - on the people at the
1044 residence or leave a copy of it there if we made entry.
1045
1046 Q1: Okay. And you're - you're referring to a flyer that you have the colored flyer
1047 and this is the one that was disturbed to Riverside Police Department On
1048 January...?
1049
1050 A: On January 10th.
1051
1052 Q1: Okay.
1053
1054 Q: You said on that flyer, there's a - it's all three of the same - same guy (Daniel
1055 Bond), but the - the one on the far left...
1056
1057 A: Yes.
1058
1059 Q: ...you recognized...
1060
1061 A: That's what he looks like today.
1062
1063 Q: That is what he looks like and that's when you recognized him when he
1064 stopped on the bike when you first...
1065
1066 A: Yeah, and just...
1067
1068 Q: ...made contact with him?
1069
1070 A: ...I mean from my training and experience, I recognize that this is, you know,
1071 that there's some time lapse between these photos one, two and he's obviously
1072 loss a substantial amount of weight which is consistent with
1073 methamphetamine use. Somebody that's a habitual user. Um, and although I
1074 don't believe his head was shaved, uh, it was very much like this uh, you

1075 know, he's got like maybe a one uh, clipper cut on his head uh, in this picture.
1076 It's very close to that and he had sunglasses on um, today.

1077

1078 Q: Anything from you (Jerry)?

1079

1080 Q1: No?

1081

1082 Q: All right. Um, anything else that you can think of Ron that you...

1083

1084 A: Nope.

1085

1086 Q: Any questions?

1087

1088 A: Nope.

1089

1090 Q: All right. That will conclude the interview at approximately 20...

1091

1092 Q1: Oh, you know, what? I'm sorry. I do have another question. What other
1093 firearms did you have in your car that belonged to you?

1094

1095 A: Uh, we have um, in the trunk um, I have [REDACTED]
1096 [REDACTED]
1097 [REDACTED] Uh, I have a baton
1098 inside the car with me. Um, uh, I don't believe - (Billy) also - Sergeant
1099 McCoy also has an [REDACTED] but I don't believe uh - I don't believe he put that in
1100 the car today. I think he put his SWAT gear in the car, but I don't think he put
1101 his [REDACTED] there 'cause we got two of them in the car. I've got mine and
1102 we've got the one in the rack.

1103

1104 Q1: Did you use either one of those - have either one of those out during this
1105 incident?

1106

1107 A: No, no, there was no time for getting rifles out or anything like that and - and
1108 really, you know, given the situation, I mean it's not really a preferred weapon
1109 to tackle a guy or engage a guy in a foot pursuit with. So I mean that was
1110 never - there was no time and that wasn't even a thought.

1111

1112 Q: Is that your assigned unit or is that (Billy)'s or do you guys have...

1113

1114 A: We have a set - that's a Metro unit. Um, it's a black and white car uh, that has
1115 the city seal police on the - on the uh, driver's and right front passenger door.
1116 Uh, it has a Metro emblem on the uh, uh, behind the rear window uh, on the
1117 side. Um, it has no overhead lights, but it has uh, takedown lights and strobes
1118 and whatnot around the car. Um, I have a plain car that I'm assigned.
1119 However, it's down and we had a - because we have two openings right now

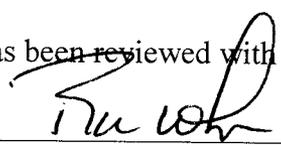
1120 because of promotions, that black and white - I've been driving that black and
1121 white for like the last six weeks. Um, my cars got a lot of miles on it.
1122

1123 Q1: That's all the questions I have.
1124

1125 Q: Um, that will conclude the interview at approximately 2040 hours.
1126

1127
1128 This transcript has been reviewed with the audio recording submitted and it is an accurate
1129 transcription.
1130

Signed

 #346

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