

RAMIREZ OID – FACT SHEET
13-039 | P13-169168

Date Occurred: November 22, 2013
Time of Occurrence: 2327 Hours
Decedent: Adolpho Ramirez
Location: "Poma Automated Fueling" 3020 La Cadena, Riverside

Officer(s) Involved: Officer Shadee Hunt, #1680

Officer Witnesses: None

Civilian Witnesses: Stephanie Suarez
Jose De La Luz Estrada
Mauricio Rodriguez
Lorena Rodriguez
Brandon Galicia
Vivian Lucero Hernandez
Irma Hernandez

Officer Injuries: None

Suspect's Injuries:

Ramirez sustained one gunshot wound to the left chest area.

Gunshots Fired by Officer Shadee Hunt:

Officer Hunt's duty weapon was examined by a forensic specialist at the California State Department of Justice. The examiner found that Hunt's weapon functioned properly during the examination. The following evidence is based upon the charting of Officer Hunt's duty weapon by RPD Detective Jim Brandt.

• **Officer Hunt fired (2) rounds**

Glock .40 Cal Model 22. One round was found in the chamber and 13 rounds were found in the magazine which has a capacity of fifteen rounds. Two additional magazines were found loaded to the capacity of fifteen rounds each. Officer Hunt carried a back-up weapon in an ankle holster. This was a Glock Model 27 .40 Cal semi-auto pistol with one round in the chamber and 10 in the attached magazine. This weapon was filled to capacity and was not used during this incident.

Gunshots Fired by Decedent Ramirez:

• **Adolpho Ramirez fired (3) rounds**

Smith & Wesson Model 14-3 .38 Cal revolver. The revolver holds six rounds in the cylinder. There were (3) expended shells located in the cylinder indicating that (3) rounds had been fired.

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FACT SHEET

The fact sheet is numbered and designed to point you to important factual information located in the criminal case book that will help guide you in your review process. It is not designed to take the place of a cover to cover review. It is up to you to review the “fact sheet” data before or after a cover to cover review. Each point of reference is preceded by a TAB number followed by a page number and paragraph number.

TAB 1 – OID Summary, Pages 1 – 9: OID Summary by Detective David Smith, Lead Investigator. The summary provides a detailed overview of the incident.

TAB 3 – Original Report, Page 1 Narrative: Detective David Smith. Took the initial crime report listing the crime as PC 664-187, Attempted Murder of a Peace Officer. Officer Shadee Hunt was listed as the victim of the crime. File #P13-169168. Detective Smith wrote in the narrative that Officer Shadee Hunt saw a vehicle parked in a darkened part of a parking lot at a closed business. Hunt saw a subject cross the street and attempt to enter the passenger side of the parked vehicle. Hunt felt that the subject, later identified as Adolpho Ramirez, acted suspicious and attempted to speak to him. Ramirez produced a handgun, pointed it at Hunt and fired the weapon. Hunt took cover and returned fire with his sidearm, striking Ramirez.

TAB 4 – Supplemental Report, Pages 1 – 2 Narrative: Sergeant D. Foy. Upon arrival, she located Officer Hunt taking cover behind a marked police vehicle. Foy asked Hunt if he was injured and he replied no. Hunt told Foy that he believed the suspects fired 2 – 3 shots in his direction. Hunt said he returned fire in an easterly direction at a parked vehicle. Hunt did not know how many suspect(s) were involved. He thought that a subject might be trying to hide on the front passenger seat. Once the scene was rendered safe, Foy transported Hunt to the Magnolia Station where he was later interviewed by detectives.

TAB 5 – Supplemental Report, Pages 1 – 2: Sergeant P. Elliott. Responded to a “shots fired” call. Upon arrival, saw the suspect vehicle with two occupants and one additional subject with his knees on the ground on the passenger side of the vehicle and his upper body lying on the front seat. There was a gun on the ground by the subject’s knees. Saw officers taking cover behind police vehicles. Directed and coordinated the removal of the two occupants and requested that the K-9 be deployed to pull the subject on the passenger side away from the vehicle.

TAB 6 – Supplemental Report, Pages 1 – 2: Sgt. M. Cash. Responded to the scene and made contact with Officer Hunt who told him that the subject on the passenger side of the vehicle fired a gun at him and he (Hunt) returned fire. Hunt said he believed that the subject had been hit. Provided cover for officers to remove the vehicle occupants.

TAB 7 – Supplemental Report, Pages 1 – 2 Narrative: Sgt. R. Wilson. Responded to a “shots fired” call. Upon arrival, saw several officers on scene. From radio traffic, had learned that a passenger in the suspect vehicle might have been shot. Learned at the scene that the

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occupants of the suspect vehicle fired at Officer Hunt. Directed officers at the scene to conduct a “high risk” stop on the vehicle and remove the occupants. Saw a subject at the open front passenger door with his knees on the ground and upper body hidden from view in the vehicle interior. Observed deployment of the K-9. Directed officers to canvass the neighborhood for witnesses and if anyone else might have been struck by gunfire.

TAB 8 – Supplemental Report, Page 2 Narrative: Officer Feimer. RPD K-9 Officer Feimer responded to the scene to assist. Described his observations of the suspect vehicle and suspect location. Described his K-9 deployment and purpose.

TAB 9 – Supplemental Report, Pages 1 & 3 Narrative: Officer Wilder. Responded to a “shots fired” called. Upon arrival, assisted with a felony car stop on the suspect vehicle. He was tasked with canvassing the neighborhood for witnesses. He interviewed two witnesses, Jon Hyde and Emilio Martinez. Hyde heard gunshots, but did not see what happened. Martinez saw the suspect, Ramirez, shoot at the officer and the officer shoot at him.

TAB 10 – Supplemental Report, Page 2 Narrative: Officer T. Childers. Responded to a “shots fired” call. Upon arrival saw Ramirez on the passenger side of the vehicle and two other occupants inside. Ordered the occupants of the suspect vehicle to exit. Saw the K-9 and other officers approach Ramirez. He was tasked with interviewing witnesses and interviewed two. Witness #1’s name was redacted, likely because she was a juvenile. W-1 saw Ramirez holding a gun and fire 2 – 3 shots. W-1 did not see or hear Officer Hunt’s response. W-2 Vivian Hernandez saw Ramirez with a gun in his hand on the passenger side of the suspect vehicle. She saw muzzle flashes come from the gun that Ramirez was holding and at the same time heard him (Ramirez) fire 2 – 3 rounds. Hernandez immediately ran into the house she was at and did not see or hear anything else.

TAB 11 – Supplemental Report, Page 1 Narrative: Officer P. Grey. Officer Grey responded to the area and took up a perimeter position. After this assignment, he was tasked with interviewing a witness whose name was redacted from the report, likely due to being a juvenile. Witness saw Ramirez on the passenger side of the suspect vehicle. She saw a police vehicle drive by and the officer shine a spotlight on the suspect vehicle. Witness saw Ramirez shoot toward the police vehicle and an officer jump over the hood of the vehicle. Then ran inside the house she was at and did not see or hear anything else.

TAB 12 – Supplemental Report, Page 2 Narrative: Officer D. Mowery. Responded to the scene of an officer-involved shooting and was directed to locate witnesses. He located one witness that he interviewed. The witness name was redacted, likely due to being a juvenile. The witness was in the front yard of a residence and saw a marked police vehicle stop in front of it. Saw an officer exit the police vehicle and begin to approach a vehicle parked on the east side of La Cadena Street. As the officer approached the parked vehicle, the witness saw a subject start shooting at the officer who then walked backward and took cover behind the police vehicle.

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TAB 13 – Supplemental Report, Pages 2 – 3 Narrative: Sgt. P. Elliott. Assisted with scene control when subjects involved in the shooting were still inside the suspect vehicle and preparations being made to remove them. Assisted with canvassing for witnesses. He interviewed Brandon Galicia and another witness whose name was redacted likely due to being a juvenile. Galicia was in the rear yard of a residence and saw the suspect vehicle parked. He did not initially see the police vehicle. He heard gunshots and looked across the street. He saw a male subject standing on the passenger side of the suspect vehicle with the door open. This suspect had a gun and was leaning over the top of the vehicle. The suspect fired 3 – 4 gunshots in the direction of a police vehicle. He did not see or hear anything else since he ran into the house he was at.

The other witness was standing in the front yard of a residence on La Cadena talking with a friend when she saw a police vehicle stop next to a tan color vehicle parked across the street. The driver got out of the vehicle and she then heard three gunshots from the driver side of the suspect vehicle. At the same time, a police officer ducked behind the police vehicle. The witness ran inside the residence and did not see anything further.

TAB 14 – Supplemental Report, Pages 2 – 3: Officer Macias. Macias was working as a METRO SWAT officer when he heard Officer Hunt report via police radio that there were shots fired. Upon arrival, Macias assisted in clearing the suspect vehicle. He observed Suspect Ramirez on his knees on the passenger side of the vehicle with his upper body lying across the front seat. Assisted in canvassing for witnesses. Interviewed a witness whose name was redacted. The witness was in the front yard of a residence when another person in the yard said there was a police vehicle out front. The witness went to look further and saw a male subject shooting at the police vehicle. An officer took cover behind the police vehicle. The witness described the shooter as a male wearing a gray sweater, possibly wearing a hat. The witness ran into the house as the shots were fired.

Officer Macias was familiar with the residence across the street from where the shooting took place and knew it was a problem drug house. He ran a database check on it and learned that Gerald and Paula Galvan, two documented gang members who were on probation, resided at the residence. He and other officers conducted a probation compliance check at the residence. Paula Galvan had an outstanding felony warrant, but she was not at the location. Macias found a video camera system set up at the residence where the camera captured activity in front of the residence with recording equipment located in another room. The system was not operating at the time of the shooting.

TAB 15 – Supplemental Report, Pages 1 – 2: Officer Zuetel. Zuetel responded to a shots fired call and was the 3rd to arrive on the scene. He assisted in covering other officers when the suspect vehicle was cleared. He canvassed the neighborhood for witnesses. He interviewed Irma and Angel Hernandez. Neither saw the shooting, but heard the gunshots. Irma saw the suspect vehicle parked across the street before the shooting occurred. She thought it was suspicious since she had never seen it before. She saw a police vehicle driving down the street

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and at the time went back into her home. As she did so, she heard four gunshots. She did not see the shooting.

TAB 17 – Supplemental Report, Page 2: Officer Leyva. Leyva responded to an officer-involved shooting on La Cadena. Assisted in removing suspect vehicle's occupants that included Jose Estrada. Leyva escorted Estrada to his police vehicle and obtained his identifying information.

TAB 19 – Supplemental Report, Page 2 Narrative: Officer M. Cunningham. Responded to an officer-involved shooting on La Cadena involving Officer Hunt. Upon arrival, saw position of the suspect vehicle and Officer Hunt's police vehicle. Assisted in extracting suspects from the suspect vehicle that included a female that she (Cunningham) searched. Cunningham located and marked evidence with evidence placards. She located two shell casings next to Hunt's patrol vehicle. Plastic pieces from the police vehicle's driver side view mirror were lying on the ground below the mirror. Cunningham also located two bullet strikes on the driver's side of Hunt's vehicle just forward of the door.

TAB 21 – Supplemental Report, Page 1 Narrative: Officer S. Weddle. Responded to a shots fired call involving Officer Hunt. Upon arrival, assisted other officers as an arrest team on suspect Ramirez. Weddle was assigned to carry the less lethal shotgun as they approached Ramirez. The less lethal shotgun was not fired.

TAB 22 – Supplemental Report, Page 2: Officer Jerry Post. Post was working as an observer with the RPD air unit when the shots fired call was broadcast by Officer Hunt. The air unit responded to assist. Post was requested to utilize the FLIR equipment on the helicopter to check the area for any potential fleeing suspect and none was found. Used binoculars to check the suspect vehicle and saw a subject seated in the driver seat. He observed another subject at the front passenger door lying halfway inside the vehicle and halfway out. No further actions taken.

TAB 24 – Supplemental Report, Page 2 Narrative: Officer B. Crawford. Responded to a shots fired call by Officer Hunt. After staffing a perimeter post, Crawford responded to the scene and was assigned by a supervisor to check for bullet strikes that were fired at Officer Hunt by Ramirez. Crawford located two bullet strikes on the driver side of Hunt's police vehicle. One was located on the driver side view mirror and another was on the driver door near the "A-Pillar." He also located a bullet strike in a black Toyota pick-up truck that was parked on the west side of La Cadena. Crawford checked the surrounding area for other bullet strikes but none were found.

TAB 42 – Supplemental Report, Pages 3 – 6: Detective David Smith. Smith was contacted by telephone to respond to an OIS involving Officer Hunt. Smith arrived and was briefed on the incident by Sgt. Cash and informed as to what actions had been taken by patrol officers up to that point. This included a description of the scene, evidence, and witnesses that had been identified. Smith directed Detective Rowe to interview the male occupant of the suspect vehicle,

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W-Estrada, and Detective Sanfilippo to interview W-Suarez, the female occupant from the suspect vehicle. Rowe and Sanfilippo submitted reports in regard to their interviews.

Detective Smith interviewed Officer Hunt who related that he fired two rounds in the direction of where he last saw Ramirez at the suspect vehicle after Ramirez had fired rounds at him. Smith also reviewed the COBAN video from Hunt's vehicle. In his report, Smith described the COBAN video information where he reported seeing Hunt run around the front end of his vehicle and then observed two puffs of smoke where Hunt apparently fired his weapon at Ramirez. There is no audio.

TAB 43 – Supplemental Report, Pages 3 – 4 Narrative: Detective Rowe. This tab contains the interview of W-Estrada, the driver of the suspect vehicle. Estrada drove Ramirez to the La Cadena location after a request by Ramirez to drop him off at that location. Estrada and Suarez, the female occupant in the rear seat of the suspect vehicle, never exited the vehicle. Estrada said Ramirez left the vehicle and returned two times. Ramirez asked that they wait for him when he went into a residence. Ramirez was gone for approximately 15 minutes. Saw a police vehicle driving down the street as Ramirez ran across the street back to Estrada's vehicle. The officer shined a spotlight on Ramirez as he ran across the street. Ramirez got to the passenger side of Estrada's vehicle as the police vehicle drove up alongside Estrada's vehicle. Ramirez opened the passenger front door and said to the officer, "It's cool officer. It's cool." Estrada then heard gunshots on both sides of his vehicle. Estrada ducked down. Ramirez was on the ground with his head lying on the front passenger seat. Estrada asked Ramirez if he was okay, but got no response. Estrada was then ordered out of his vehicle by officers.

TAB 44 – Supplemental Report, Pages 2 – 3: Detective Sanfilippo. He was called at home and requested to respond to assist in the investigation of an officer involved shooting. Sanfilippo was tasked with conducting an interview with Stephanie Suarez, the female rear seat passenger from the suspect vehicle. The interview took place at the Police Department. Suarez said she was walking on 10th Street near Kansas when she came across Ramirez. She only knew him as "Angel Boy" or "Smirks." Ramirez told Suarez he was going to Estrada's residence to get a ride and invited her to come along. Estrada drove them to a residence on La Cadena. Estrada first parked on the same side of the street as the residence and Ramirez left for approximately 5 minutes. He returned and told Estrada to park across the street and went back to an unknown residence.

While seated in the rear seat of the suspect vehicle, Suarez noticed another vehicle had arrived and was shining a spotlight at Estrada's vehicle. Suarez then noticed Ramirez open the front passenger door. She then heard 4 – 5 gunshots. She put her head down in her lap. She noticed Ramirez was then lying partially inside the vehicle. Suarez was then removed from the vehicle by responding officers.

TAB 45 – Supplemental Report, Pages 1 – 3 Narrative: Officer N. Nakamura. Nakamura assisted Detective Smith with Spanish translation while interviewing two witnesses, Mauricio and Lorena Rodriguez. Mauricio and Lorena were at the business where the shooting occurred.

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They were the cleaning crew that had just completed their work. Mauricio was loading equipment in his work truck when he saw Ramirez running across the street carrying a handgun in his hand. He said Ramirez was running and acted as though he was doing something “bad.” Mauricio’s wife, Lorena, was seated in the driver's seat of their work vehicle. Mauricio feared that Ramirez was going to come and “rob” him. Mauricio told his wife that if Ramirez continued to come to them, that she was to “speed away” and that he would run through a hole in a chain link fence.

Mauricio saw Ramirez go the passenger side of the suspect vehicle and raise the gun and fire 2 – 3 shots at a police officer. The officer returned fire toward Ramirez. It appeared that Ramirez was struck in the torso and fell to the ground. Mauricio feared for his life and quickly left the location. Lorena said she was seated in the driver's seat of their vehicle while Mauricio loaded equipment into it. She noticed Mauricio with a “frozen” stare as he looked straight ahead. He told her there was going to be a shootout and for her to get down. Lorena took cover and heard up to six gunshots. She saw a police officer take cover behind his police vehicle. She and Mauricio then quickly left the area.

TAB 46 – Supplemental Report, Pages 2 – 8 Narrative plus suspect vehicle impound form: Detective R. Wheeler. In this tab, Detective Wheeler described his assignment, evidence that he observed and collected, a scene description, and scene processing. Wheeler also completed the suspect vehicle impound form.

TAB 47 – Supplemental Report, Pages 1 – 2 Narrative and Property Report: Det. Brandt. Reported on assisting Forensic Tech McKay-Davis on evidence collection and photographs of evidence. Reported on the collection of a Smith & Wesson revolver that was found on the ground just outside the front passenger door of the suspect vehicle. The revolver is a .38 Special, model 143. Brandt also reported his observations of the on-scene death investigation by Deputy Coroners Ferris and Roberts.

TAB 48 – Supplemental Report, Page 1 Narrative: Officer Cavanaugh. Processed the COBAN video footage from Officer Hunt’s police vehicle. He cut and imported 38 minutes and 24 seconds of buffered video into the COBAN Back Office Application.

TAB 49 – Supplemental Report, Pages 1 – 2 Narrative, Property Report, Evidence Log, Photo Log, and Crime scene Sketch: Sr. I.D. Tech McKay-Davis. Processed the crime scene for evidence, evidence collection, and charting of a Smith & Wesson .38 cal revolver. The revolver had (2) empty chambers, (1) live round in a chamber and (3) expended shells in three of the chambers.

TAB 50 – Supplemental Report, Pages 1 – 2 Narrative, Charting Log, Evidence Log, Photo Log: Sr. Forensic Tech L. Velin. Took photos and conducted GSR tests on witnesses Jose Estrada and Stephanie Suarez. Took measurements at the crime scene. Took photographs of Officer Hunt and collected his duty weapon, a Glock .40 Cal Model 22 handgun. Charted Officer Hunt’s duty weapon, his Glock .40 Cal Model 27 back-up weapon and his long rifle. Officer

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Hunt's duty weapon contained one magazine with 13 live rounds with one live round in the chamber. This indicated that two live rounds were missing. If the gun was filled to capacity, this would reflect that Hunt fired two rounds.

TAB 51 – Supplemental Report, Pages 2 – 3 Narrative: Det. M. Medici. Conducted a search of the area for surveillance cameras to determine if the shooting incident was captured on video. Located cameras on two businesses, Eagle Road Service and Poma Fueling. Medici located an employee for Eagle Road Service who allowed Medici to view the video footage. Medici found the footage was distant and distorted. He was able to see Officer Hunt's vehicle as it arrived on scene and that the spotlight illuminated the suspect vehicle. Saw brief flashes of light (possibly gunfire from Hunt) and a figure run or walk around the police vehicle. Medici copied the footage on a flash drive. The video obtained from Poma Fueling was distant and very poor quality. The only thing that Medici claimed could be seen was the police vehicle spotlight. The video footage was loaded onto a flash drive.

Det. Medici located a surveillance camera at a private residence located at 3071 La Cadena. Medici and other officers had attempted to make contact at the residence, but no one would answer the door even though someone could be seen inside. Medici learned that the resident at the location was Gerald Galvan who was on probation for narcotics violations. He also learned that officers have made drug related arrests at the residence. Medici and other RPD officers conducted a probation search at the residence and found Galvan trying to hide in the kitchen. Although the cameras show views from outside of the residence, the footage is not recorded. The cameras and equipment are for viewing only.

TAB 52 – Supplemental Report, Page 2 Narrative: Det. R. Wheeler. Searched and assisted RPD ID Techs in collecting evidence from the suspect vehicle. .3 grams of a brown tar-like substance determined to be heroin through a presumptive test was located in the vehicle. Inspected gunshot holes in the suspect vehicle. The trajectory of two rounds was determined to have been fired in a direction from the driver side of the suspect vehicle to the passenger side. This would be consistent with the rounds being fired from Hunt's position toward the suspect vehicle. One ricochet dent from a bullet was located on the top of the vehicle that appeared to have a trajectory going from the passenger side of the suspect vehicle toward the driver side. The suspect vehicle was a 1997 4-door Nissan Altima, champagne color.

TAB 53 – Supplemental Report, Pages 1 & 8 Narrative, Property Report, Evidence Log and Photo Log: ID Tech McKay-Davis. Reported on evidence processing and evidence collection from the suspect vehicle. On Page 8 narrative, McKay-Davis described the retrieval of a bullet fragment from the driver's side window molding of the RPD Unit used by Hunt at the time of the shooting.

TAB 55 – Supplemental Report, Pages 2 & 3 Narrative: Det. J. Brandt. Described the DNA and GSR processing of witnesses Estrada and Suarez. Reported on the charting of Officer Hunt's weapons. His duty weapon, Glock .40 Cal semi-auto Model 22, back-up weapon, Glock .40 Cal Model 27, and Colt 556 mm rifle Model 6940.

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TAB 56 – Supplemental Report, Pages 2 – 4 Narrative and Property Report: Det. J. Brandt. Attended the autopsy of Ramirez and described the process and results. The autopsy was performed by Dr. J. Park with the assistance of Coroner Techs C. Willis and P. Salyer. Dr. Park cited the cause of death as a gunshot to the chest. Ramirez was struck once in the chest. The bullet projectile trajectory revealed that it entered the left chest and traveled in a downward trajectory from left to right. The projectile struck the heart, diaphragm and liver. It also bruised a lung. There were several abrasions on Ramirez' body that were likely caused when the K-9 pulled him away from the suspect vehicle. Ramirez also sustained several dog bites.

TAB 57 – Supplemental Report, Page 1, Photo Log and Property Report: ID Tech T. Ellis. Attended the autopsy of Ramirez where photos were taken and property collected and booked.

TAB 58 – Coroner Death Investigation Report, Pages 1-19, Narrative and Lab Reports. Cause of Death reported as Gunshot Wound to the Chest. The lab reports reflect that Ramirez had the following drugs in his system: Amphetamines, Opiates, Cannabinoids, and alcohol.

TAB 59 – Supplemental Report, Pages 2 & 3, Narrative and Property Report: ID Tech S. McKay-Davis. Removed items of evidence from the RPD evidence lockers for further processing. Conducted further processing of the revolver that was used by Ramirez for fingerprints and DNA. ID Tech E. Dorothy test-fired the revolver at the RPD range in order to recover bullets for ballistics analysis.

TAB 60 – Physical Evidence Examination Report: Two-page report submitted by the State of California Department of Justice. The examination and report was prepared by Sr. Criminalist Richard Takenaga.

TAB 61 – Audio Log, 1 page: Log listing information on audios associated with this investigation.

TAB 62 – Photo Logs: P13136168MD and P13169168LV

TAB 64 – Supplemental Report, Page 9, Narrative. Det. Collopy. Based upon his training, education and experience, Det. Collopy provided his expert opinion on the identification of the East Side Riva as a criminal street gang and that Ramirez was an active member of this street gang at the time of his death.

TAB 66 – Riverside County D. A. Staffing Review Letters: Letter from Riverside County DA Michael Hestrin to Chief Sergio Diaz indicating that upon review of the facts of this case, there was no evidence of criminal liability on the part of the officer involved in this case.

TAB 67 – Interview Transcript, Pages 1-29: Interview with Officer Hunt conducted by Det. Smith and Det. Rowe.

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TAB 68 – Interview Transcript, Pages 1 – 46: Interview with Witness Jose Estrada conducted by Det. Smith and Det. Rowe.

TAB 69 – Interview Transcript, Pages 1 – 48: Interview with Witness Stephanie Suarez conducted by Det. Sanfilippo.

By Frank Hauptmann, CPRC Manager