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7 **INTERVIEW WITH OFC. ANDREW WHITE**

8 **Q=Det. Ruben Esparza**

9 **Q1=Det. Daniel Kohli**

10 **Q2=Michael Selyem**

11 **A=Ofc. Andrew White**

12  
13  
14 Q: Let me see here. Um, is it going or...

15  
16 Q1: There you go.

17  
18 Q: Okay, I thought I did.

19  
20 Man: (Unintelligible).

21  
22 Q: Okay, it should be listening.

23  
24 Man: (Unintelligible).

25  
26 Q: Are we ready to go?

27  
28 A: Yes, sir.

29  
30 Q: Mr. Selyem?

31  
32 Q1: You ready?

33  
34 Q2: Okay.

35  
36 Q: You're good?

37  
38 A: I'm ready.

39  
40 Q: You ready? Okay. All right, so we are recording, uh, it is March 23, uh, 2021.  
41 Yeah, March -- sorry -- March 31, uh, 2021, approximately 11:25 in the  
42 morning. Uh, we are here at the Hilton Garden in Lompoc with Officer...

43  
44 A: Andrew White.

45

46 Q: ...Andrew White from the Lompoc Police Department, and it - here with him  
47 is his attorney...  
48  
49 Q2: Michael Selyem with Castillo Harper.  
50  
51 Q: Okay. First of all, um, Officer White, I want to confirm that you are making a  
52 voluntary statement?  
53  
54 A: Yes.  
55  
56 Q: Okay. Has, uh, anyone from your agency ordered you to give a statement?  
57  
58 A: No, sir.  
59  
60 Q: Okay. And we are here today to discuss the incident that took place on March  
61 23, 2021?  
62  
63 A: Uh, 28th.  
64  
65 Q: Is it...  
66  
67 Q2: 28th.  
68  
69 Q: Sorry. Yeah, the 28th, I wrote down the 23rd - March 28, 2021?  
70  
71 A: Yes, sir.  
72  
73 Q: Uh, can you tell us, uh, about your background and experience, uh, which is,  
74 uh, basically, years in law enforcement, training, assignments?  
75  
76 A: Sure. Um, I attended the Allan Hancock Police Academy. Um, my first job I  
77 was hired as a police officer for the City of Lompoc. I've been here a little  
78 over 14 years. While here I've worked various assignments, such as field  
79 training officer, um, Gangs Narcotics, K-9 Handler, uh, and currently I'm at  
80 the rank of corporal.  
81  
82 Q: Okay. How long have you been a corporal?  
83  
84 A: About two years now.  
85  
86 Q: Um, can you tell me the shifts you have been workin' on?  
87  
88 A: Primarily I work - I like to work night shifts. Uh, this rotation started in  
89 January and I'm working the weekend night shift, which consists of, uh, 7:00  
90 to s- - 7:00 pm to 7:00 am Saturday, Sunday, Monday and every other

91 Tuesday.  
92  
93 Q: Okay. So on the date of this incident what day was this, as far as your week?  
94  
95 A: It had been the second day of the week, uh, Sunday, and our shift was just -  
96 just starting.  
97  
98 Q: Okay. Uh, on that - on that note how much did you sleep, uh, before this work  
99 assignment?  
100  
101 A: I had a good night of sleep. It was - I would say 9:00 to 4:00, so seven hours  
102 of sleep.  
103  
104 Q: About seven hours?  
105  
106 A: Mm-hm.  
107  
108 Q: You said about - from 9:00 in the mornin' until 4:00 in the afternoon?  
109  
110 A: Yes.  
111  
112 Q: Okay. Um, when did you last eat before the incident?  
113  
114 A: Um, I believe I had a protein shake prior to coming into work, so probably  
115 around 1830 hours.  
116  
117 Q: Okay. Uh, are you, or were you at the time, taking any medications that would  
118 affect your ability to do your job?  
119  
120 A: No.  
121  
122 Q: All right, did you consume any alcohol before the incident?  
123  
124 A: No.  
125  
126 Q: And how are you dressed, uh, during that incident?  
127  
128 A: I was in a long-sleeve, uh, Lompoc Police Department issued uniform, which  
129 consists of patches, um, on either side of our - on both side -- I'm sorry -- on  
130 both shoulders, uh, along with my rank below them. Uh, on top of that was a -  
131 sorry, it's a long sleeve BDU style shirt, and then, uh, BDU style pants and,  
132 uh, I believe it's LA - LAPD blue color. And then I had a - a weight bearing  
133 vest -- um, I'm sorry -- a load bearing vest over the top of my uniform, which  
134 has my metal badge on my - above my left breast, and, um, my gear situated  
135 around my waist area.

136  
137 Q: Okay, um, and I see you wear glasses?  
138  
139 A: Yes.  
140  
141 Q: Are they prescribed glasses?  
142  
143 A: Yes.  
144  
145 Q: Were you wearing them that night?  
146  
147 A: No.  
148  
149 Q: You were not?  
150  
151 A: No. They're mainly for reading. I have some, uh, glasses I wear in the field  
152 that were, at the time, up at this position above my head.  
153  
154 Q: Up above your head?  
155  
156 A: Yeah.  
157  
158 Q: Okay. Do you need 'em to see, uh, far distances, or are you - are you...  
159  
160 A: It's mainly...  
161  
162 ((Crosstalk))  
163  
164 A: ...for reading, for...  
165  
166 Q: Mainly for reading?  
167  
168 A: ...uh, stuff I need to read, like, a - a license plate that's 20 feet away, then I put  
169 the - I pull my glasses down to read it, but I can function fine without 'em. I  
170 usually don't have my glasses with me when I'm, um, on or off-duty - or,  
171 sorry, they're not on me, they're up top and then I use 'em when I need to.  
172  
173 Q: Okay. Um, what firearm do you carry?  
174  
175 A: Uh, it's a department -- well, sorry -- it's not department-issued. It's a Glock -  
176 is it 17? A .9 millimeter.  
177  
178 Q: Okay. And how do you load that, uh, Glock 17?  
179  
180 A: It's a 17-round magazine and I load it, uh, 16 in the magazine, one in the

181 chamber.  
182  
183 Q: So 16 and one in the chamber?  
184  
185 A: Yes. The magazine maxes out at 17, but I don't - I don't load an extra round  
186 into the chamber, um, so I know what 17 plus one - I go 16, plus one.  
187  
188 Q: Sixteen plus one, gotcha. Uh, were you carrying a backup?  
189  
190 A: No.  
191  
192 Q: Okay. Um, now before we get into the narrative, uh, we were made aware that  
193 you had previously viewed or listened to some of the, uh, the - the footage, as  
194 well as other, uh, possible audios?  
195  
196 A: Yes, sir.  
197  
198 Q: Okay. So when did you - were you given that, uh, opportunity to do that?  
199  
200 A: Uh, this morning prior to walking up - prior to coming over here.  
201  
202 Q: Okay, uh, what time did you arrive to the department where it took place?  
203  
204 A: The viewing?  
205  
206 Q: Yes.  
207  
208 A: Uh, about 9 o'clock this morning.  
209  
210 Q: Nine o'clock? Okay. What were you provided as far as, uh, CDs or disks or -  
211 how were they provided to you?  
212  
213 A: They were on CDs.  
214  
215 Q: On CDs?  
216  
217 A: Yes.  
218  
219 Q: Okay. Who viewed them with you or who showed them to you?  
220  
221 A: Uh, it was me with my attorney and we were the only two present in the room.  
222  
223 Q: Okay. Did you meet - meet up with anything - anybody prior to viewing those,  
224 uh, videos or audio?  
225

226 A: Did I meet, like...  
227  
228 Q: Did you meet up with your Chief or your Captain?  
229  
230 A: No.  
231  
232 Q: There was no meeting with them at all today?  
233  
234 A: The Chief and Captain I talked to them after I viewed the videos to sign some  
235 paperwork.  
236  
237 Q: Okay. So you and your attorney viewed the - the video that was provided to  
238 you?  
239  
240 A: Yes, there were several videos.  
241  
242 Q: Okay, prior to viewing or listening to any of the provided videos or audios,  
243 were you given a video admonishment?  
244  
245 A: No.  
246  
247 Q: Okay. And it was just you and your attorney at the time?  
248  
249 A: Yes.  
250  
251 Q: Where did this take place?  
252  
253 A: Uh, it took place in a secluded office in the back of the Police Department. It's  
254 got one computer and two chairs.  
255  
256 Q: Okay, and it was just you two?  
257  
258 A: Correct.  
259  
260 Q: Okay. What did you view?  
261  
262 A: I viewed dashcams, uh, dashcam footage from multiple, uh, Lompoc Police  
263 Department vehicles - patrol vehicles, uh, along with a, uh, City street camera  
264 view that's posted in the 100 block of West Walnut facing eastbound towards  
265 the location where the incident took place.  
266  
267 Q: Okay. Which specific videos do you recall watching?  
268  
269 A: I watched the dashcam video from Officer (Carrillo)' car. I watched dashcam  
270 video from Officer (Strong) car, Officer (Mendoza)'s car, my vehicle that I

271 was driving, uh, Officer (Calderon)'s car and that was it. I believe there were  
272 two other videos available that I didn't - I - that I didn't watch.  
273  
274 Q: Okay, and being aware that some of these videos were listed under another  
275 officer's name, were you made aware of that?  
276  
277 A: On the front of the disk it says what - who the vehicle was assigned to.  
278  
279 Q: Okay. In the actual footage did you see the names that were on the bottom  
280 right screen?  
281  
282 A: No.  
283  
284 Q: Okay.  
285  
286 A: It's opened up in, uh, Windows format, it doesn't show that.  
287  
288 Q: The videos you were watching didn't have the...  
289  
290 A: I don't believe so.  
291  
292 Q: ...the names of the officers or who was logged on?  
293  
294 A: I don't believe so. It might have been -- I just didn't notice -- um, but, I mean,  
295 I recognized people from my department, so I knew whose - whose car was it,  
296 by having to get out and where they were - were positioned from that night.  
297  
298 Q: So you were - you identified each of the videos to each of the officers by  
299 knowledge of who was driving what. Is that - is that right?  
300  
301 A: So on the - on the disk, where officer's name's listed on who was driving that  
302 vehicle, so each disk was, uh, specific to a vehicle that was there that night.  
303 Um, so then their names are on there, plus when I watched the video I can  
304 recognize who was where during the incident, and I matched them up  
305 basically from memory.  
306  
307 Q: Okay, and then just to confirm you watched Officer (Carrillo)'s, Officer  
308 (Strong), Officer (Mendoza), uh, yourself, your video and Officer  
309 (Calderon)'s video?  
310  
311 A: Yes, sir.  
312  
313 Q: Did you watch, uh, Sergeant (Morgan)'s video?  
314  
315 A: No.

316  
317 Q: No? Okay. How many times did you watch each of those videos?  
318  
319 A: Uh, in full length one time each, and then during the incident that took place I  
320 may have skipped back a couple times, uh, just depending on, um, what I was  
321 looking for, you know, focusing on little things.  
322  
323 Q: When you're talking about full-length, um, did you watch the entire video?  
324  
325 A: No.  
326  
327 Q: Okay. Um, do you recall how long each video was?  
328  
329 A: I saw that a lot of videos were a really long time. I just figured the cars were  
330 left on during the - during the crime scene investigation portion, so after the  
331 incident had taken place, um, and after the incident was, uh, basically, deemed  
332 Code 4, I stopped the video.  
333  
334 Q: Okay, so you'd stopped once the situation appeared to have come to a - a  
335 complete regarding the actual incident?  
336  
337 A: Yes, sir.  
338  
339 Q: Okay. And did you watch those videos from the beginning up to that point on  
340 each one, or did you scroll it forward, like you said, or back?  
341  
342 A: Uh, it depends on which video it was, um, like, I know what I was doing prior,  
343 so I forwarded my video to just prior to the incident taking place. Um, some  
344 other - some other videos I went slightly from the beginning where it shows us  
345 checking out our cars and getting into our cars, fast forwarded it slightly to -  
346 closer to when the incident took place, so I wasn't just the driving around.  
347  
348 Q: Okay. And you said you watched each video a few times?  
349  
350 A: Yes.  
351  
352 Q: Okay. During the, uh, process of watching the video, did you pause 'em...  
353  
354 A: Yes.  
355  
356 Q: ...during the timeframe as well?  
357  
358 A: Yes.  
359  
360 Q: Okay. Was the speed slowed down or sped up at any point?



361  
362 A: No.  
363  
364 Q: So there's just a few pauses throughout the - the watching of the video?  
365  
366 A: Correct.  
367  
368 Q: And then a few - a few times you'd go back and forward?  
369  
370 A: Yeah, like...  
371  
372 Q: And you'd just keep going back?  
373  
374 A: ...a quick - not a rewind or fast forward, but like clicking it, uh, click into  
375 another timeframe...  
376  
377 Q: Mm-hm.  
378  
379 A: ...right? Rather than rewinding and have it replayed, it was just click over,  
380 start over at a different timeframe.  
381  
382 Q: Okay. If you had to guess how many times you watched each video, how  
383 many would it be?  
384  
385 A: The incident in each video, I mean, it just depends. Um, some of them were  
386 once or twice and other ones, uh, maybe four or five times.  
387  
388 Q: Okay, what kinda time - timeframe do you think you took up between the  
389 first, uh, video to the last video?  
390  
391 A: How long? Like, how long did I view the videos for?  
392  
393 Q: The - in total timeframe, yeah.  
394  
395 A: Maybe 30, 35 minutes.  
396  
397 Q: Thirty, 35 minutes, okay. Um, was Officer (Calderon) with you at any point  
398 during the viewing of the videos?  
399  
400 A: No, sir.  
401  
402 Q: Okay. Did you listen to any of the audios as far as the 911 call or the radio  
403 traffic?  
404  
405 A: Yes.

406  
407 Q: Which one did you listen to?  
408  
409 A: Uh, the 911 call and the radio traffic from Dispatch.  
410  
411 Q: Okay. How many times do you think you listened to the 911 call?  
412  
413 A: Once.  
414  
415 Q: Once? And how about the, uh, radio traffic?  
416  
417 A: Once.  
418  
419 Q: Okay, so each once?  
420  
421 A: Yes.  
422  
423 Q: Gotcha. Before we go into the narrative, uh, do you have any questions on  
424 that...  
425  
426 Q1: Um...  
427  
428 Q: ...Detective Kohli?  
429  
430 Q1: Officer White, who - who provided you the videos once you arrived at your,  
431 uh, Station?  
432  
433 A: Sergeant (Magallon).  
434  
435 Q1: And once he, uh, when he gave you all the - the videos, did he give you any  
436 type of instructions telling you what to do with those videos?  
437  
438 A: No.  
439  
440 Q1: So can you - can you just give me briefly how that interaction happened  
441 between you and Sergeant (Magallo)?  
442  
443 A: Um, I arrived at the Department, I knew I was there to view video. Uh, he  
444 provided the videos to my attorney and my attorney provided them - we  
445 walked to the room, and my attorney provided them to me where I viewed  
446 'em.  
447  
448 Q: And after the viewing you said you spoke with the - the Chief or the Captain?  
449 Who did you speak to?  
450

451 A: Both.  
452  
453 Q: Okay. Separately or together?  
454  
455 A: Uh, separately.  
456  
457 Q: Who did you speak to first?  
458  
459 A: Captain (Martin).  
460  
461 Q: Okay, and during that meeting what was that meeting about?  
462  
463 A: It was about, uh, the possibility of us getting a new, uh, SWAT equipment  
464 truck.  
465  
466 Q: Was any of your conversation with, uh, Captain regarding this incident?  
467  
468 A: No.  
469  
470 Q: No? Okay. When - and then after you spoke with the captain you spoke with  
471 the chief?  
472  
473 A: Yes, sir.  
474  
475 Q: And what was that conversation about?  
476  
477 A: It was strictly about me signing my, uh, administrative leave paperwork.  
478  
479 Q: Okay. Anything related to this incident...  
480  
481 A: No.  
482  
483 Q: ...directly?  
484  
485 A: Sorry. No, sir.  
486  
487 Q: Okay. Have you got anything else on that?  
488  
489 Q1: No.  
490  
491 Q: No? Okay. So now that we're getting down to the narrative portion of this  
492 incident, uh, Corporal, can you basically give us a, uh, narrative of the  
493 incident from the time you received the call or the time you responded to the  
494 call up until a time you feel comfortable that it was over?  
495

496 A: Sure.

497  
498 Q: Okay.

499  
500 A: So we had just cleared briefing at the Lompoc Police Department. Um, as  
501 we're walking to the back lot two of our officers get dispatched to a, uh, man  
502 with a gun call in the 100 block of North - I believe it was North 8th Street,  
503 initially. Uh, call came out as subject wearing dark clothing, uh, with a - with  
504 a gun. Uh, I believe it was Officer (Carrillo) and Officer (Mendoza) were  
505 dispatched as primary and secondary. Um, they went out to start searching the  
506 area. I got into unit - I believe it's 0216, who is supposed to be the Watch  
507 Commander's car, but our Watch Commander doesn't fit in it, 'cause he's 7-  
508 foot tall, so I drove it. I went out the parking lot, um, they advised they were  
509 searching the area and they were unable to locate the subject. So the last  
510 information we had was that they were walking northbound in the 100 block  
511 north of George Henry alley, so I cut to the 200 block to see if maybe it was a  
512 delayed response and that the person was further out. As I'm getting to that  
513 area, Officer (Carrillo) announces that, um, that he found the subject matching  
514 the description, wearing a blue jacket and black pants, uh, walking in that 100  
515 block north George Henry alley, so I started heading there. I can hear him and  
516 Officer (Calderon), uh, coordinating how they're going to, uh, approach the  
517 subject, who possibly had a gun. Um, Officer (Calderon) was talkin' about  
518 waiting at the north end of the alley, offset from the alley, and to have Officer  
519 (Carrillo), uh, kind of push him out towards the street side. Um, Officer  
520 (Carrillo) was giving announce- - or updates on the radio that the subject was  
521 noncompliant and still walking away from him. Um, so at that time I arrived  
522 and I parked right next to Officer (Calderon), which is in the 100 block of East  
523 Walnut just prior to the George Henry alley access, and as I did Officer  
524 (Carrillo) put out that the subject is now walking west through the field. So in  
525 that area, um, there's a - there's the old theater, then north of the theater all the  
526 way to Walnut is a giant vacant lot that's got some parking spaces, and then,  
527 uh, like a community garden. So he said that he's walking west across the lot,  
528 so I peeled away from Officer (Calderon) to see if I could see the subject. Um,  
529 I could see a silhouette in the middle of the field kinda walkin' around, so I  
530 used my driver's side spotlight, lit them up, pulled up my car at an angle  
531 where I was face-on to the south curb of Walnut Avenue facing the subject,  
532 and then put my spotlight on him. Um, the spotlight was ineffective, because I  
533 had a giant bush in the way, which I didn't account for at the time, um, so I  
534 exited my vehicle, got out with my flashlight and tried to illuminate the  
535 subject even further. As I did I announced to the subject that, um, "Lompoc  
536 Police, show us your hands, show us your hands." The subject briefly put their  
537 hands up in the air and it looked like they had their, uh, their long sleeves  
538 pulled over their hands, um, so I couldn't see the hands, just, like, a - I don't  
539 know, just, like, a - almost, like, a stub, you know, (unintelligible) type thing.  
540 Um, briefly come up, come down, didn't see anything in their hands, but they

541 were - they were acting in a weird - weird way I guess is how I'd describe it,  
542 um, kinda pacin' around, kinda anxiety looking. Um, and then at that point  
543 they look over at where Officer (Carrillo) is at, I could see him down in the  
544 alley further south of us. They look at Officer (Carrillo), they look at our  
545 lights, look at Officer (Carrillo) and then start walking towards us at a brisk  
546 pace, um, more or less towards Officer (Calderon), so at me, but at the angle  
547 towards Officer (Calderon). Um, we continue to give commands, I take out  
548 my duty weapon, because of the - the - the mention of subject with a firearm,  
549 um, the fact that they're not being compliant to officers trying to stop him  
550 earlier, um, you know, the - their agitation level, just, uh, something felt  
551 wrong about it, so I took out my handgun. Um, subject continued walking  
552 forward, I had my flashlight on them. Um, we were still giving commands,  
553 "Show us your hands," and all of a sudden as I'm going to put away my  
554 flashlight, the subject starts just charging, I mean, just full-on sprint right  
555 towards where Officer (Calderon) was. Uh, so to kinda lay it out I'm here,  
556 Officer (Calderon) is offset to my left, and then the subject is - it's almost like  
557 a - a triangle.  
558

559 Q: Mm-hm.

560  
561 A: Um, so I was makin' a beeline for Officer (Calderon) through the bushes. Um,  
562 as I see them running they're flailing their arms, like, this, like, windmill style  
563 with arms. Um, I'm tryin' to figure out what I'm gonna do, so I - I go to  
564 holster my handgun, because I'm, at this point, gonna deliver a - some type of  
565 front kick or some type of distraction strike to throw the person off their  
566 course and away from Officer (Calderon), because I don't see a weapon. So as  
567 I go to holster and that person's still flailing their arms and with the cop light  
568 just right, because at the very top right here and it's - it's still - still which I  
569 have in my head, at the top right here all of a sudden the knife lights up.  
570

571 Q: Which arm are you pointing upwards?

572  
573 A: The right hand.

574  
575 Q: The right arm?

576  
577 A: The right arm, it - it's, like, it's, like, lit up right - right by me, um, and it's a  
578 distinct shape of a knife and a large knife, um, and then distinct kinda metal  
579 (unintelligible) get off of, you know, like, reflecting off of a metal object. And  
580 as soon as I see that I bring my - my duty handgun back up, um, and I hear one  
581 shot from my left. I begin, uh, shooting the threat, um, and at that point they  
582 go down and they go down lying on their back and aren't moving anymore.  
583 So at that point we start coordinating, um, efforts with the rest of the Police  
584 Department, police officers on-scene to, uh, get the person into custody, so we  
585 can start providing medical care. So we formulate a plan, next thing approach,

586 get him custody. Uh, I had AMR standin' - standing by on we- - on East  
587 Walnut just in case when we were ready they can come in immediately. Um,  
588 and once we put him in handcuffs other supervisors on-scene took over, and  
589 that was it, that's it.  
590

591 Q: So the information you initially had was the subject with the gun?  
592

593 A: Correct.  
594

595 Q: Okay. Uh, any clothing description?  
596

597 A: Uh, I believe initially from Dispatch it was dark clothing.  
598

599 Q: Okay. What...  
600

601 A: And Officer (Carrillo) had provided the clothing description of a blue  
602 sweatshirt and black pants - black sweats.  
603

604 Q: And other than the communication that you were listening to between, uh,  
605 Officer (Carrillo) and Officer, uh, (Calderon), was there any other  
606 communication going on regarding the incident itself?  
607

608 A: Not that I can recall.  
609

610 Q: Did you see the suspect's face?  
611

612 A: No. I mean the actual face? No. I saw that they were wearing a mask, but...  
613

614 Q: Okay, so suspect had a mask on? What kind of mask was it?  
615

616 A: Uh, it - it looked like a clown mask.  
617

618 Q: Okay.  
619

620 A: Um, didn't really recognize it as a mask until they got up, like, seriously close,  
621 like, that 10-yard mark.  
622

623 Q: Mm-hm.  
624

625 A: Um, and then I kinda noticed that something was wrong, there was no - there  
626 was no facial details. And then once they were laying on the ground and I  
627 could see - I could see that they were wearing some type of clown mask on.  
628

629 Q: How much of that mask covered the suspect's face?  
630

631 A: The full face...  
632  
633 Q: The full face?  
634  
635 A: ...from what I saw. Yeah.  
636  
637 Q: Okay. And during your initial response, um, was - did you activate your - your  
638 - would it - I don't know if you guys call it COBAN or your...  
639  
640 A: We call the MAVS system.  
641  
642 Q: MAVS?  
643  
644 A: Yeah. Um, I went to, but, you know, had not - I had not synched it yet with  
645 the in-car video, um, so we have little recorders that we car- carry on our belt.  
646  
647 Q: Mm-hm.  
648  
649 A: In order to use those we have to sync 'em with the system inside the car, and  
650 then we can take 'em out and use it to b- - activate the camera system. We had  
651 just got out of briefing. I just got into the car, didn't have time to synch it and,  
652 uh, about the same (unintelligible).  
653  
654 Q: Had you logged onto the MAV under your name or was it - had you logged on  
655 at all?  
656  
657 A: I hadn't logged on, no.  
658  
659 Q: Okay. Would you have to have logged on first and then synched it, in order  
660 for it to be captured under your - your mic, or could you have just synched the  
661 mic and it would have captured it, regardless of who was logged on?  
662  
663 A: Uh, it would - yeah, if - as long as it's synched, it'll just record for whoever's  
664 logged on for it. The mic isn't specific to us just the login for it.  
665  
666 Q: Gotcha, okay. Did you have any other personal devices on you, uh, bodycam  
667 or any other recorder that could have captured the - captured the event?  
668  
669 A: Uh, I had a digital recorder on me, the LBD digital - digital records - LBD-  
670 issued digital recorder, um, but as soon as the incident was over Sergeant  
671 (Morgan), um, asked to use that for his - his supervisory details, so he took it  
672 and he still has it.  
673  
674 Q: You didn't have it activated though during the, uh...  
675

676 A: No.  
677  
678 Q: ...the event?  
679  
680 A: No.  
681  
682 Q: Do you remember the weather conditions that night?  
683  
684 A: Um, no, just it was dark.  
685  
686 Q: Dark?  
687  
688 A: Yeah.  
689  
690 Q: On that note, the - the lighting there was it poor, was it dark, was it - was there  
691 any lights illuminating any of that area, any streetlights or anything else?  
692  
693 A: There's streetlights illuminating where we were on Walnut Avenue, but that  
694 that lot is - is dark, dark. Uh, I don't know if there is - I know there's lights on  
695 H Street, I don't know of any other lights in the alley or anything, but the  
696 lighting that we had from the opposite unit pointing down towards us, our  
697 lights - my spotlight on, um, and then our headlights.  
698  
699 Q: Okay. When you were identifying yourself and advising or directing the  
700 suspect to show you their hands, um, what was the suspect doing?  
701  
702 A: They were - at that time they were in the middle of the parking lot, kind of,  
703 like, I won't - they weren't really pacing, but they were kind of like moving  
704 side-to-side, um, and looking at the cars or the lights.  
705  
706 Q: Did they respond, uh, verbally in any way to you?  
707  
708 A: Not one time did I hear anything verbal from the subject.  
709  
710 Q: Uh, what was going through your mind? What were you thinking when you  
711 saw the suspect running towards, uh, your partner's direction?  
712  
713 A: Initially, I was thinking, okay, I've got the - I've got a holster and I need to  
714 move to a different force option, because right now I'm not seeing - I'm not  
715 seeing this gun, I'm not seeing anything. I just see these - the last I'd seen  
716 were these just sleeve - sleeves over the hands part and they're charging him,  
717 so, you know, my - like I said, before my thought was I was gonna, you know,  
718 kick him off their track, or I knew that Officer (Calderon) was on my left with  
719 a - with a firearm (unintelligible) firearm, so I knew that tackling the subject  
720 was gonna be out of the question. So, uh, he had a big baggy jacket on, I



721 wasn't gonna go to taser. My .40 millimeter's in the car. I can't go back and  
722 get that, because of the - the urgency. Um, so my initial thought was going to  
723 go to a distraction strike, distraction kick.  
724  
725 Q: Mm-hm.  
726  
727 A: But once they got within -- I'll guess it's 10 yards or so -- um, that's when I  
728 saw the knife and I immediately knew a person with a large knife, they're  
729 charging, they're closing distance fast on Officer (Calderon), my partner, um,  
730 not me, but on him. Um, you know, they've already said that they've -  
731 somebody's already called and said that they had a gun, um, now they've got  
732 a knife and they're charging, they're not responding. It - it - I felt that he was  
733 gonna either be seriously hurt or killed, or that subject was gonna, you know,  
734 inflict damage on him and then come to me, so I took out my duty handgun  
735 and, um, shot what I thought was two rounds, but I guess it was four rounds.  
736 Um, and then once the subject stopped and the threat was over, I stopped  
737 using my firearm.  
738  
739 Q: And you said you additionally believed you had only fired two rounds?  
740  
741 A: Yes.  
742  
743 Q: Okay, and then my understanding after watching the video that changed your -  
744 your...  
745  
746 A: Recollection.  
747  
748 Q: ...recollection that it was actually more...  
749  
750 A: Four rounds.  
751  
752 Q: ...like, four?  
753  
754 A: Yes, sir.  
755  
756 Q: Gotcha. Um, prior to shooting your - your firearm, did you give any  
757 commands?  
758  
759 A: Uh, I gave commands of to show - the last commands I gave were to, um,  
760 "Show us your hands," and, "Lompoc Police." Um, I don't - I - I assumed I  
761 would have yelled at the subject to stop, but I can't specifically recall that  
762 right now, so I don't know if there were any other, um, commands given from  
763 me.  
764  
765 Q: Did you use any, uh, de-escalation tactics during this event, uh, or did - did

766 you think about using any de-escalation tactics?

767  
768 A: Um, I - I had thought about how I'm gonna - when they're in the middle of the  
769 field how I'm gonna address this. Um, like, I had just my flashlight out  
770 already tryin' to - "Hey, Lompoc Police, show us your hands." Um, just, uh,  
771 from there once I see hands are empty I can kind of move onto other  
772 procedures, 'cause I know there's not a, you know, an imminent threat about  
773 to happen, um, but right from that point when they started walkin' at us and  
774 then started charging, it all just felt so fast. And once that 10-yard - one - I  
775 mean, once I saw that knife, I mean, that - that, uh, there was no time - there  
776 was no time to - to deli- - to deliver a message of, you know, we're gonna use  
777 deadly force or anything, it was imminent threat and if they were closing fast.  
778

779 Q: What's your best estimate of distance, uh, uh, when you began shooting at the  
780 suspect? How far was the suspect from you?

781  
782 A: Uh, I would - if I had to guess, I would say probably about ten yards.

783  
784 Q: Ten yards?

785  
786 A: Maybe 20 feet, but 20 to 30 feet away.

787  
788 Q: What took place immediately after you guys, uh, stopped firing?

789  
790 A: Immediately afterwards, um, I then move my way over to Officer (Calderon),  
791 who is in a stationary position to my left, um, grabbed him, had the units that  
792 were parked down in the alley had them come up with their vehicle up to  
793 provide a shield, um, between the subject and us. Uh, once we got in that  
794 position more officers arrived on-scene. Um, I had Officer (Strong) and  
795 Officer (Carrillo) who were in the - the unit that had moved up, I had them  
796 move around to Officer (Carrillo)'s side and then pie off to see the subject's  
797 right hand, because where the subject had landed I could only see their left  
798 hand and their left side, so I couldn't tell if the right hand was clear. The left  
799 hand was still in the sleeve balled up over the hand. The right hand I couldn't  
800 tell. So they pried around, um, to the south of the subject to where they could  
801 see the hand, and they said that there was - there was nothing in the hands. So  
802 at that point I had them hold - I coordinated, uh, two of our guys who arrived  
803 on-scene to go hands-on - to glove up and go hands-on. Um, we developed a  
804 plan that we were going to approach, grab the subject's - each of the officers  
805 would grab the subject's wrist, drag him away from where the object's  
806 supposed to be, 'cause I let them know there was a knife involved, drag him  
807 away from the area where the knife would be, roll him over, put him in  
808 handcuffs, um, and that's when I called for AMR to standby on west Ocean,  
809 so that they can immediately come in when we were ready. Um, so that's how  
810 the plan went. We walked up, Officer (Mendoza), Officer (Melina) grabbed

811 the wrist, pulled the subject away, rolled him over, handcuffed him. As they  
812 pull him away I could see the - the knife - the large knife where the subject's  
813 right hand would have been, uh, prior to us movin' it. Um, they put him in  
814 handcuffs and, uh, the supervisor on-scene they - they took over everything.  
815 And at that point I kinda just stepped off and, um, Sergeant (Arias) arrived,  
816 uh, Sergeant (Chip Arias) arrived and asked who - who shot, and then they  
817 pulled both of us off to the side and separated us from there.  
818

819 Q: Okay. Uh, who were you speaking to once you got pulled off to the side?

820  
821 A: Uh...

822  
823 Q: Did you speak to anybody? Did anybody give you any, uh, admonishments,  
824 any directives?

825  
826 A: Once we were off to the side, um, Sergeant (Morgan) came over. Like I said  
827 he asked for, uh, my recorder. Um, he turned on the recorder and, uh, asked  
828 me safety questions, basically, um, how many rounds I fired, what direction  
829 they fired in, um, and then I provided that information, such as no other  
830 suspects, no other subjects that we saw, uh, nobody outstanding.  
831

832 Q: Okay. And then just to back up a little bit, when, uh, you said (Malena) and,  
833 uh, (Mendoza)?

834  
835 A: Yes, sir.

836  
837 Q: Grabbed the - the wrist...

838  
839 A: Yes, sir.

840  
841 Q: ...of the suspect, uh, pulled the suspect, flipped, uh, him over, put him in  
842 handcuffs, did anybody assess the suspect at any point to render aid?

843  
844 A: Uh, Corporal - Corporal (Guerra) did, um, we - we both did, and we both saw  
845 that it - it - the person was deceased right there, so, um, there was no, like, uh,  
846 we didn't use any medical treatment on them because of the severity of the  
847 wound, and we can't address those type of wounds, so we just called for AMR  
848 to come up at that point.  
849

850 Q: When you're talking about which wound was obvious, which wound was  
851 that?

852  
853 A: The back of the head appeared to have been blown out.

854  
855 Q: Okay. Uh, at any point after the shots were fired did the suspect say anything,

856 do anything? Was there any movement at all? Any - any signs of life?  
857  
858 A: No. After the suspect dropped, uh, hit the ground and rolled over on the - their  
859 back, um, as they rolled on their back kind of - it's, like, everything just kind  
860 of - the whole body relaxed, and there was no - there was zero movement,  
861 there was zero talking, no moans of in - you know, bein' in pain or anything,  
862 it was just quiet.  
863  
864 Q: What did you do with the weapon you deployed during the incident?  
865  
866 A: I holstered it and then, uh, later in the evening it was seized.  
867  
868 Q: Okay. Now have you discussed the incident with, uh, each other, as far as you  
869 and - and (Calderon) or any other personnel after the incident?  
870  
871 A: Um, I had discussed it with my attorney, um, I discussed it with, uh, my - my  
872 wife, obviously, um, and I discussed it with - I think that was it. I mean, there  
873 were people present in the room when me - me and my attorney were talking,  
874 you know, but that's about it.  
875  
876 Q: Who else was present in the room with you and your attorney?  
877  
878 A: Um, well Sergeant (Arias) 'cause that's kind of...  
879  
880 Q2: Well - well, who was present is something different than what - what we  
881 talked about.  
882  
883 A: Okay.  
884  
885 Q2: So, yeah.  
886  
887 A: Okay, so, um, Sergeant, uh, (Sergio Arias) was there. He was my, um, my -  
888 what do you call them?  
889  
890 Q2: Your rep?  
891  
892 A: No. Yeah, kind of like a rep, but, like, the buddy, you know...  
893  
894 Q2: Support?  
895  
896 A: Support person - peer, there you go, um, and then, uh, Detective, uh, (Rena)  
897 was there.  
898  
899 Q: (Rena)  
900

901 A: (Rena), yeah, he was there as a liaison for what was going on and  
902 coordinating, getting us what we needed, you know, water, food, stuff like  
903 that while we were at the hotel.  
904  
905 Q: Okay, and you say you spoke to your wife about it as well?  
906  
907 A: Yes, sir.  
908  
909 Q: Okay, what did you tell her about this incident?  
910  
911 A: Uh, basically, what had happened. Um, I knew she was probably gonna hear  
912 about it on the news and wanted to calm her about what was, you know, she  
913 was, "Hear it from me first before start makin' assumptions," so I told her  
914 about what unfolded and - and how it happened.  
915  
916 Q: So you told her what you basically have told us today?  
917  
918 A: Not in this much detail, but, yeah.  
919  
920 Q: Okay. And then, uh, obviously, you viewed the - the video, right? Um, have  
921 you watched any other video or anything else outside the scope of what you  
922 viewed this morning, whether it be - be, uh, social media or anywhere else?  
923  
924 A: No, I read an article in Lompoc record and that was about it.  
925  
926 Q: Okay. Do you have any questions, officer - Detective Kohli?  
927  
928 Q1: Yes. Um, you - in your statement you described the s- the subject's reaction as  
929 weird. Can you - can you elaborate on that?  
930  
931 A: So if I'm, uh, so if I'm layin' it out, it - they were kind of - not - they weren't  
932 pacing in place, they were kind of, like - like, almost, like, standing - walking  
933 back and forth in one spot. Um, they were frantically lookin' around at the  
934 different pa- patrol cars or the lights. Um, you know, they - there were very  
935 quick movements, like, when I asked 'em to show me their hands, like, the  
936 hands went up and the hands went down, and they kind of - they were amped  
937 up, right? They were kind of like - I don't know, the - I couldn't tell if it was  
938 anxiety or amped or - or what it was, but they couldn't stand still essentially.  
939 Um, and I don't know, the - the call comin' out and then seein' that behavior  
940 and then my spotlight and me givin' them instructions and them doing this,  
941 and then immediately walked towards us, to me that's, uh, that's not a normal  
942 behavior. So I described it as weird, but what I meant was pacing back and  
943 forth in place, quick movements, agitated, aggre-, you know, um, just - I don't  
944 know different than what normal people are normally like.  
945

946 Q1: Uh, like, after viewing that - that - what you just described, did that behavior  
947 have any significance to you?  
948

949 A: That - that told me that this - this was probably the person that we were mean  
950 to - to - to find, so who the caller had called about, um, just ba- based on the  
951 mannerism, they're refusing to listen to the officer to stop in the alley, where  
952 the officer put on the radio, and then goin' - goin' into the field and the way  
953 that they're acting, kind of standoffish, you know. When - when you have -  
954 when you have, you know, say on a normal call for service, you have a bike  
955 stop on somebody and they're kind of, like, movin' around and they're lookin'  
956 each direction for their escape route, that kind of feeling that you get, you  
957 know, that you know something is about to happen that - and that's - that's  
958 kind of just the feeling I got from it.  
959

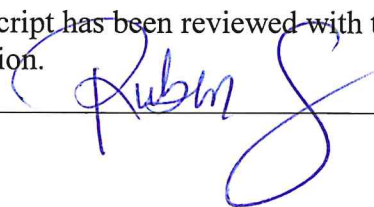
960 Q1: Um, you said just within, like, 10 yards you saw the - the knife in the  
961 suspect's right hand kind of raised up. Um, would that distance and the - and  
962 the knife did that have any - any significance to you?  
963

964 A: Yeah, absolutely. It was - they were closing distance and that 10 yards had  
965 already been twice as much than the suspect had already - the subject had  
966 already ran from their original spot when I saw them, and, yeah, they were  
967 closing - they were closing really fast. I mean, that was some- - yeah, I - I  
968 mean, I don't know how even to describe it, it's - to me it felt a heck of a lot  
969 closer when everything was happening, but then when I was able to kinda step  
970 back and look it was about ten yards, but seeing them do this and then just  
971 catchin' that knife - a glint of the knife, um, yeah, I knew - I knew something  
972 bad was about to happen to Officer (Calderon), so, uh...  
973

974 Q: All right, so just, uh, let's take a quick break and we're gonna go next door  
975 and - and talk to our partners. We'll be pausing these recordings and it should  
976 be back. Okay, all right, and we're off.  
977

978  
979 The transcript has been reviewed with the audio recording submitted and it is an accurate  
980 transcription.  
981

Signed

 4-26-21