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7 **INTERVIEW WITH OFC. MAURICIO CALDERON**

8 **Q=Detective Daniel Kohli**

9 **Q1=Detective Ruben Esparza**

10 **A=Ofc. Mauricio Calderon**

11 **A1=(Michael Selium)**
12
13

14 Q: Good afternoon.

15
16 A: Yeah.

17
18 Q: Uh, we are recording. Uh, it is, uh, March 31st. And we are here at the Hilton,
19 uh, Garden Inn Lompoc with Officer...
20

21 A: Calderon.

22
23 Q: From the Lompoc Police Department. Officer Calderon is, uh, here
24 accompanying, uh, by his attorney.
25

26 A1: (Michael Selyem) of (Castillo Harper).
27

28 Q: Okay. Um, before we get started, I want to confirm officer Calderon that you
29 are making a voluntary statement.
30

31 A: I am.

32
33 Q: Okay. Has anyone from your agency ordered you to give a statement?
34

35 A: No.
36

37 Q: Okay. And we are here today to discuss, uh, the incident that occurred within
38 the city limits of Lompoc on March 28th.
39

40 A: Okay.
41

42 Q: Um, can you please tell me about your background and experience as it, uh,
43 years in law enforcement training assignments that you have had, please.
44

45 A: I started my career in law enforcement in March of 1995. Uh, total years is 26.
46 I started in the city of Guadeloupe. Uh, been a, uh, canine handler. I worked,
47 uh, street narcotics. Uh, major narcotics. Um, gangs. Um, currently work
48 patrol with the city of Lompoc. And I've done, uh, different investigations
49 anywhere from traffic collisions, DUI patrol. Uh, narcotics investigations.
50 Anything in between.
51

52 Q: Okay. What's your, uh, current rank?
53

54 A: Uh, police officer.
55

56 Q: Police officer. Okay. Um, Officer Calderon just, uh, so kinda know how this-
57 we're gonna go- we're gonna go through some of your background questions
58 that we just did. We'll ask some little more specific questions. And then we're
59 gonna go into a, essentially like a narrative part where I'm gonna have you
60 kinda of explain to us what happened on this incident. Um, once the questions
61 are done, we'll take a quick break. Uh, we'll – we'll talk to our partners. And
62 if there's more follow up questions, we'll come back and we'll ask you those
63 questions at that time. Okay. Just so you have an understanding as to what to
64 expect for – for this interview. Okay. Um, moving on to some of those other
65 questions. I, um, what – what shifts do you – do you work, uh, currently at the
66 Lompoc Police Department?
67

68 A: I work, uh, Saturday, Sunday, Monday and every other Tuesday.
69

70 Q: Okay. So, on – on the night of the 28th, uh, how many sh- like what shift was
71 that for you?
72

73 A: This one would a been Saturday, Sunday and the Monday shift. And it's from
74 7am- 7pm to 7am.
75

76 Q: Okay. So...
77

78 A: And this was a mid-shift. It would a been Sunday.
79

80 Q: Okay. So that was your second day?
81

82 A: Yes, sir.
83

84 Q: Okay. All right. Um, before coming into work, how much sleep did you get
85 before that work assignment?
86

87 A: Quite a full shift. As soon as I get off shift and I pretty much sleep all day
88 when I get home. So I usually go to sleep 8:00 o'clock, 8:30 at the latest. And

89 I don't wake up until about 5:00 o'clock the next morning. So I slept my full
90 10 hours.
91
92 Q: Okay.
93
94 A: Yes.
95
96 Q: So that – so that you had a 10 hour sleep before coming...
97
98 A: Oh, yes.
99
100 Q: ...into work?
101
102 A: Yes.
103
104 Q: Okay. When did you last eat before the incident? And what did you eat?
105
106 A: Actually, I'm on a diet now. Um, I actually noticed my weight start to spike
107 up. So I've been eating very light. So I've been eating just vegetables. And I
108 ate that just before I came to work. Um, so just fruits and vegetables pretty
109 much before I came to work.
110
111 Q: Okay. Uh, do you remember how long before you started your shift?
112
113 A: Uh, I think it was about 5:30, 5:45 just before I came to work.
114
115 Q: Okay. And are you or were you at the time taking any medication that would
116 have affect your ability to do your job?
117
118 A: Whatever medication I'm taking is prescribed and I only take whatever, uh, is
119 recommended by the doctor, yes.
120
121 Q: And did you consume any alcohol before the incident?
122
123 A: No.
124
125 Q: And how were you dressed for this? During this incident.
126
127 A: Uh, my patrol uniform which is the navy blue, um, LAPD uniform I – I guess.
128 Which has the, uh, city patches. Says police on there. I also had my, uh, gun
129 belt that has all the gear on there handcuff. Or actually the – the, um, drop
130 holster which has my service weapon on there. Uh, then I have what's called a
131 load bearing vest which has the other equipment on there. My radio. Uh, other
132 pockets on there, which I stored other equipment that I use through out the
133 shift on that loading – load bearing vest. It also has my badge. Has my name

134 plate. Um, and, uh, other equipment that I may need on the run on this – my
135 shift. Uh, I guess for work.
136
137 Q: And what firearm do you carry?
138
139 A: Uh, 9mm Glock.
140
141 Q: You know the model?
142
143 A: Uh, 27 I believe. The Gen4. Gen4. Glock27.
144
145 Q: Okay. And how do you load your weapon?
146
147 A: They – by hand, I guess. Uh...
148
149 Q: Like how many – how many rounds do you put in?
150
151 A: Oh, there's, uh, 15 rounds in the mag. And then one in the chamber.
152
153 Q: Okay. And – and were you carrying any backup weapons?
154
155 A: No. I don't carry backup. No.
156
157 Q: Okay. And – and now we're gonna transition into the – actually do you know
158 there's – there's a little – a few more questions that we found out earlier this
159 morning, um, that they was a – a meeting this morning, uh, that you guys went
160 to. That you went to the police station to review some videos.
161
162 A: Yes.
163
164 Q: Um, so I kinda want a- talk to you a little bit more about that meeting.
165
166 A: Uh-huh.
167
168 Q: Um, as to what time you got to the station? Who you met with? And what
169 information was provided to you?
170
171 A: Well, it's briefing is what we had. If that's what you're asking about. We had
172 a briefing. We showed up there at 7:00 o'clock. And when we show up, we go
173 over, um, any activity that occurred during the day.
174
175 Q: Uh, um, I'm talking about today.
176
177 A: Oh.
178

- 179 Q: This – this morning before you came over here.
180
- 181 A: Yeah. Yeah. We – we met, um, when I showed up, obviously we were told to
182 be there at 9:00 o'clock. Um, when I arrived there, um, they told me that
183 Officer (White) or Corporal (White) was already meeting with our attorney.
184 Uh, they told me to wait in the detective office, uh, office until I was called.
185 Um, roughly about an hour later, I was called, uh, to go meet with the
186 attorney. And we went over some videos.
187
- 188 Q: Okay. And who – who had told -who had told you to go to the office today to
189 – to meet?
190
- 191 A: We had already planned it. Uh, I think it was – it would a been Monday
192 morning, I guess around 4:30, 5am.
193
- 194 Q: Okay. And then once you were at the – at the station, did you meet with
195 anyone other than your attorney or prior to meeting with your attorney, did
196 you meet with anyone else?
197
- 198 A: No. I walked straight into the station. Uh, reported to the detective bureau we
199 were supposed to.
200
- 201 Q: Mm-hm.
202
- 203 A: I sat right there and waited until, uh- uh, I thought it was late 'cause I didn't
204 see anybody. And they said, no, actually, uh, Corporal (White) is already with
205 the attorney. Then I just waited to be called.
206
- 207 Q: Okay. And when – when you were called, and- and I'm not asking any
208 questions about the discussion you had with your attorney. Uh, but once you
209 started reviewing the videos. Uh, were you given any type of admonishment
210 before you were allowed to review the videos?
211
- 212 A: No, sir.
213
- 214 Q: Okay. How did you come into possession of those vides?
215
- 216 A: Uh, the attorney already had them in his possession.
217
- 218 Q: Okay. And were you given any instructions as to what you can or cannot
219 view? Or what items you can review?
220
- 221 A: Um, no sir. Uh, we were told ahead of time on Monday. Again, I say Monday
222 morning. Um, because there was a concern. Um, are we okay to see any
223 videos and sergeant – Sergios Arias said he actually already had reviewed the

224 policy. And that we were well within our rights to actually review the – any
225 videos that we had. So when the videos were handed over, uh, were – were in
226 our attorneys possession, I had no questions as to – to legality because I
227 already had prior knowledge from our sergeant that he said that we were in
228 within our (unintelligible).

229
230 Q: Which, uh, which videos did you review today?

231
232 A: Uh, he handed me a video from Officer (Carrillo), Officer (Strong), Officer
233 (Mendoza), Officer (White), the one from my car. And then one from the city.

234
235 Q: Okay. And did you review...

236
237 A: Oh, I'm sorry. There's another one from Officer, uh, Corporal (Guerra).

238
239 Q: Corporal (Guerra). Okay.

240
241 A: Yes.

242
243 Q: And can you briefly explain to me, like, what was the viewing procedure. Like
244 how did you watch these videos?

245
246 A: I started with mine first.

247
248 Q: Okay.

249
250 A: Um, and then we just pretty much put in the computer. And let the video load
251 and then we just hit play. And then just let the video play on it's on and then
252 just watch them.

253
254 Q: Okay. Did you watch the entire length of every video?

255
256 A: Uh, pretty much. Yes. I mean up until, I guess, until the actual incident took
257 place. 'Cause I think some of the videos went further.

258
259 Q: Mm-hm.

260
261 A: But we just went up until we were satisfied that we had seen what we needed
262 to see.

263
264 Q: Okay. And did you watch all those videos from all the – all the dash cams?

265
266 A: What I explained, yes.

267
268 Q: Okay. And how many times do you think you reviewed each video?

269
270 A: I think at least once. But some of those we did playback, uh, a couple times.
271 Yes.
272
273 Q: Okay. Um, you remember which videos you watch multiple times or which
274 videos you watched only once?
275
276 A: I want to say that all the videos we watched several times. Um, especially the
277 ones where – there were shots – that we can actually the muzzle flashes of the
278 guns. ‘Cause we’re trying to count how many actual shots were fired. Um, but
279 as far as we keeping the tally, I didn’t even think about even – but I know that
280 we watched each video several times, yes.
281
282 Q: Okay. And who all was with present with you when you were reviewing these
283 videos?
284
285 A: On – when I was just my – the attorney and I.
286
287 Q: Okay. And as you were watching these videos, uh, did you pause them?
288 Rewind them? Forward them as you were watching them?
289
290 A: We paused and re-winded them, yes.
291
292 Q: Okay.
293
294 A: And we did forward them, yes, so all the above.
295
296 Q: And during, uh-uh, during those videos, did you, like, manipulate those videos
297 in any other way, like, you know, put them on fast forward and watch them at
298 a faster pace? Or watch them at a slower pace?
299
300 A: No, all we did was again, was put play. Let them go. If there’s any part that
301 we thought we had r- uh, see again, we take the mouse. And we just kinda
302 move the arrow on the screen over. But we didn’t – I mean that’s the only
303 thing that we did is either move the little cursor on the actual screen. Either
304 forward or back? And then let it play on its own.
305
306 Q: Okay.
307
308 A: Um, and then if there’s a section of the actual clip that we thought we needed
309 to view is we try to click it quick enough to make it stop. But that’s the only
310 thing that we did.
311
312 Q: Can – can you explain that one more time. I didn’t quite get that.
313

314 A: Yeah, so if the clip was playing...
315
316 Q: Mm-hm.
317
318 A: ...and if there was something that we wanted to see, then we would try to
319 click it soon enough. For example, there's a clip on there where the person
320 lifts his arm up. And we try to click it there to show what he was holding. And
321 that's when we try to – that's where we clicking on.
322
323 Q: Okay. Do- do you recall which video that was?
324
325 A: Yeah. It's on Officer (Mendoza)'s.
326
327 Q: Officer (Mendoza)'s. Okay. And after those – after you reviewed the videos,
328 did you meet with anyone?
329
330 A: No. We – well, we – we left there and we met with, uh, Officer, uh, Corporal
331 (White) and then we came here.
332
333 Q: Did you meet with, uh, Captain (Martin)?
334
335 A: Oh, yes. We met with cap- I met with Captain (Martin) and the chief and they
336 made a s- or they made me sign a, uh- a form saying that I'm on paid
337 administrative leave pending the outcome of the investigation.
338
339 Q: Okay. Did you meet with them – both of them at the same time? Or were there
340 individually?
341
342 A: No, in the same. They were in the same office.
343
344 Q: They were in the same office?
345
346 A: Yes, sir.
347
348 Q: Okay. And other than signing of the – the leave paperwork, was anything else
349 discussed?
350
351 A: They just said that obviously I need to go talk to a, uh, see somebody about a
352 fitness for duty examination. And then once that's established then it will be
353 determined if I can return to the duty and how – how soon that's gonna be?
354 And that was all that was discussed. The one that walked in that the end of the
355 conversation, I don't know how because I wasn't really paying attention was,
356 uh, Sergeant (Chisolm). He's from, um, training and standards. The IA
357 sergeant. He walked in towards the end.
358

359 Q: Okay. And was there any discussion pertaining this incident?

360

361 A: Not in de- no, nothing that he – the only thing he mentioned is, again, um, this
362 investigation is being conducted by the sheriff's office. You didn't do
363 anything wrong. There's a process that needs to be conducted and then he just
364 kinda went over a blanket statement. And said that there's a form that you
365 guys need to assign. Uh, just says it's pretty much getting paid pending
366 investigation and that's pretty much it.

367

368 Q: Okay. Um, not we kind a go into that free narrative that we were talking
369 about. Um, where if you can start with how your day started. How you
370 became aware of the call and just kind give us your version of how things
371 happened as you recall them.

372

373 A: Okay. So, again, on that day we arrived for work. It starts at 7:00 o'clock. So
374 we all sat down in briefing. We went over the daily activity and how it can
375 maybe, possibly bleed over into our shift. Um, after we went over that, we
376 usually go over training issues. Usually, it involves officer safety issues. It
377 may or may not effect how we, um, uh, deal with, uh, issues again, usually
378 officer safety issues. That in this case, we're talking about, um, attacks on
379 officers dealing with, uh, with knives. So once we talked about that, dispatch
380 mentioned that, uh, I think they called – they dispatch the call. I don't
381 remember the call. But we all left briefing. When we were down, uh, checking
382 out our vehicles, I remember they dispatched Officer, uh, (Carrillo). His body
383 number is sa- his call sign is 30. And Officer (Strong) which is number 24 to a
384 suspicious male, possibly armed with a gun at the old theatre. Uh, on H and G.
385 George Street or the ally way. So I was still actually in the process of cleaning
386 out my car. And, uh, I remember I still had my gloves on because I was
387 wiping down. We have a policy we have to wipe down the cars because of
388 Covid. So I was wiping down the car. And I remember looking over at the-
389 Officer (Carrillo). And he had just finished cleaning out his car. But had
390 already, uh, re- or, uh, put his magazine in his – in his, uh, rifle. So I know he
391 was ready. So he puts his rifle back in his car. Seats in driver seat. And then I
392 look over and I don't see anybody else with him. So then he gets in his car and
393 starts driving away while I'm thinking well, I haven't started cleaning out my
394 car yet other than wiping it down. But he can't go to a call by himself.
395 Especially not with a man with a gun call. So he starts pulling out of the
396 parking lot. I don't see the other two guys anywhere near ready to go back
397 him up. So I follow him out. So I still have my gloves on because he – he's
398 still going to a call by himself. So as he's driving over there, he pulls,
399 obviously onto Ocean Street. Goes left towards G Street. Turns onto G Street
400 when he starts turning into a small ally, uh, between, uh, Ocean and Walnut.
401 Um, I continue northbound on G Street. And I tell him I'm gonna continue
402 north and set up there. And then he says copy. But then he tells me actually he
403 wanted to follow me and I said, no, I'll continue north. That way you can

404 flush him out. If he continues north. And he goes copy. Then he says, no.
405 Come with me incase there's a crossfire. I said, no. I'll stay out of your way
406 incase he comes north. So he acknowledges. When I get there, I park my car,
407 um, right by, um, a building that's on the south side of the street and on the
408 block of East Walnut. Uh, in a – in a way that, uh, that I know that the subject
409 won't be able to see me. But will also allow me cover. And I'm also keeping
410 in mind what Officer (Carrillo) said, crossfire. So I bring up my- I keep in
411 mind also that there's a potential, uh, hand gun, um, that might be involved.
412 So I didn't want to just draw my- my – my service weapon. So in this case, I
413 choose to, uh, bring out my AR15, my rifle. So I bring out the – the rifle and I
414 make it ready by loading a- a round in it. By pulling back the, uh, the receiver
415 and I load a round in there. Bring it from safety to fire mode for me just –
416 loaded and ready to go. As I'm walking out of the patrol car, I kinda glance
417 back and I see, uh, another patrol car coming. Uh, I don't know who that is
418 but I kinda just glance really quick. But at the same time I hear, uh, officer –
419 Officer (Carrillo) say that he sees the subject in the open lot which I'm now
420 looking directly in front of me. Uh, walking around. And he describes him as
421 wearing, uh, black shorts. And a blue sweatshirt. So as I'm walking up there,
422 then I see Corporal (White) go forward. Even closer, uh, and then start getting
423 out of the car. Well, obviously I'm not gonna let Officer (White) just kinda
424 make his approach. And I'm gonna stay behind the car. So, that point, I walk
425 up, uh, with Officer (White) and to that point, I'm not gonna stay behind the
426 building while he's there by himself. So we both walk up. As I'm walking up,
427 I see the person that Officer (Carrillo) described. Black bottoms. Blue
428 sweatshirt. But I don't see the person's hands. So I yell at – I yelled at the
429 subject, "Police. Show me your hands." At this point, the subject is actually
430 walking southbound. Uh, he's walking northbound towards me. He turns
431 around. Uh, and walks, uh, southbound away from me. I yelled at him again,
432 "Show me your hands. Police." Um, he kind a takes a few steps forward. But
433 hesitates. I don't know what he saw or why he decided to turn back around
434 towards me. But he quickly turns around and starts coming back towards me. I
435 again, tell him stop. He – for whatever reason, glances up at me. I can see that
436 he's got a mask on his face. I kinda got this, uh, chill just kinda just down my
437 – my whole body. I – I just kind a hard to explain. So then I – I didn't have
438 much reacting time after that. Then next thing I know that he brings his hand
439 up. When he brought his hand up, he just started running. And then he kinda
440 just focused on his hand. And then that's when I saw that he had a knife. And
441 then he just started just coming straight at me. And then bef- I didn't have any
442 time after that to say anything else. I just started shooting. So I shot – I shot
443 once and then I knew I hit him. 'Cause I saw him flinch. But he was still
444 coming. So I shot some more – a couple more times. And then when I saw
445 him fall, then I – then – when I saw him fall a few feet in front of me, then I
446 knew he was the- he was not coming any further. Then that's when I stopped.
447 And then – and then I looked next to me. And that's when I saw Officer
448 (White) standing next to me. So I – I never knew where Officer (White) up –

449 up until then. And the only time that I heard the -my gun or the gun shot go
450 off was when my, um, gun was going off. 'Cause I never really heard his gun
451 go off. And I know that the 9mm makes a louder sound than the- than mine
452 does. But I never heard the other one. So then once that happened, obviously,
453 I maintained, um, my gun pointed towards the person. 'Cause I still didn't
454 know if, uh, if he was still gonna get up or not. Um, so at that point there
455 during the first brief that we had, before any of this even happened, I
456 remember that we were talking in briefing that when we have a critical
457 incident and something we learn on that thing is that when you have multiple
458 officers speaking, um, it's gonna create confusion. So on that incident there, I
459 also know that Officer (White) is on the SWAT team and he's also a
460 supervisor. So that being said, is - I obviously, uh, allowed him to make the
461 call as to what's gonna happen next. He's standing there next to me. So I - I
462 Officer (White) at that point, uh, began directing units into the scene. At that
463 point, I saw, uh, Officer (Carrillo) and Officer, uh, (Strong) right up, uh, on
464 my left side. And, uh, also, Sergeant, um, (Morgan). Uh, they all stood- we all
465 stood side by side. And, um, then we started, uh, once we had enough officers
466 there, I s- I also think Officer (Molina) arrived, uh, after that. Once we had
467 enough officers there, um, officer, uh, or Corporal (White) began or as
468 dispatch to have AMR, uh, respond and stage. Uh, we didn't want the AMR or
469 anybody to - to respond until we actually render the suspect, um, to be safe of
470 any weapons. So as I'm standing there. I remember looking around. 'Cause
471 I'm thinking I don't see a knife. But I know I saw a knife. But I don't see it.
472 So, um, at that point there I hear, uh, Corporal (White) yelling, okay, um,
473 something about where's the knife. We got to check for the knife. But then he
474 also started directing people to maintain, uh, obviously awareness of the
475 subject and to tactically make an approach. Uh, at that point there, he, uh,
476 directed, I believe it's officer (Molina), uh, while the rest of us maintain, uh,
477 our- our weapons drawn to the subject. How to position the subject. And as
478 we made the approach, I think Officer (Molina) kept saying, "I don't see a
479 knife. I don't see a knife." And again, I'm kinda going, like, "There should be
480 a knife 'cause I remember seeing a knife." So, um, and then I heard Corporal
481 (White) saying, "Look for the knife. Look for the knife." But then I'm telling
482 myself, I don't see a knife. So then we kept getting closer. And then at that
483 point there, we were - we or - I don't remember who 'cause I'm still focus on
484 covering the person that's on the ground. He pulled the subject. And I think
485 they turn him over 'cause initially he laid on his back. And they check his
486 right hand and right by there is when - when they turn him is when I saw the
487 knife. And then that's when, um, they - they saw that - I saw the knife and it
488 looked like it was a, uh, kitchen knife or a butcher knife. The handle was gray.
489 And on the video that we reviewed, uh, with, um, my attorney, that's the only
490 audio that's actually recorded. And you can actually hear, um, uh, Officer
491 (Molina) and Corporal (White) were the only one speaking. Corporal (White)
492 saying, uh, "Look for the knife. Look for the knife." And you can hear, uh,
493 Officer Molina saying, "There is no knife. There is no knife. I don't see a

494 knife.” And then eventually, uh, I believe there’s, uh, Officer (Molina) says,
495 “Oh, there’s the knife. There.” So eventually we did see the knife. And that’s
496 – I think the person may have fallen over the knife. But eventually the knife
497 was there. Uh, then after – after that – after we located the knife and the
498 subject was rendered safe, uh, that then, uh, we – we weren’t able to
499 administer any CPR on him because I’m looking aright at him and he had a
500 really big hole in his head. So one of the shots were fired struck him in the
501 head and blew out his head. So there’s – we couldn’t a administer any CPR
502 because obviously it was evident that one of the round struck him. And most
503 likely cause death immediately on impact.
504

505 Q: Um, you said the suspect was marrying -wearing a mask?

506
507 A: Yes.

508
509 Q: Can you describe the mask?

510
511 A: Like I said it’s when he looked at me, that’s why I got the eerie feeling. I want
512 to say look either like a clown mask or something. It was – it was white but it
513 also had coloring on it. And when he – when – like I said, it’s when he looked
514 and he looked right at me, that’s – that’s when it just kind a gave me the
515 chills. And then that’s when he just kinda look and just pull out the knife and
516 started running at me. And that’s so- as far as I can remember, it was some
517 type of clown mask. Or something. It was white with coloring on it.
518

519 Q: Was it like a full-face mask? Do you remember?

520
521 A: I don’t remember. I just remember it was a white mask and it had colors on it.
522 So I don’t know if it was full face or what it had. And I couldn’t tell anything
523 else because again, the bullet kinda...
524

525 Q: And – and – and you’re saying it gave you a chill.

526
527 A: Yes.

528
529 Q: Um, can you explain to me what you were feeling at that moment when you
530 got that chill? What do you mean by that?

531
532 A: Like I s- it – it was evident that this person was not gonna be running away. I
533 mean, s- I’ve had other people we’ve contacted before. And it – this person
534 here when he – the way he acted and the way he charged, it wasn’t that he was
535 trying to get away from us. This person, when I saw him coming towards me,
536 it di- I knew that if I didn’t stop him, he was either gonna kill me. Or – or
537 somebody else. And, uh, like I said, as I – at that point there, I knew that
538 officer white was close to me. I just didn’t know how close he was. And when

539 I – when I saw him turn at me and the way he was running and coming at me,
540 um, that – that just scared the shit out of me to be honest with you.

541
542 Q: Um, did you know this suspect before (unintelligible)?

543
544 A: I – I don't even know. 'Cause like said, there's a mask. And then the way
545 everything played out. The wound. I – I- no. I don't – I don't even know who
546 this person is now.

547
548 Q: Okay. Um, and I know as- as you're describing this incident, you're – you're
549 kinda a, you know, motioning some stuff. Um, you know as far as how that –
550 that knife was placed in that – in the suspect's hands. Can you – can you, like,
551 verbalizes that? And explain to me how that – that knife was held? Which
552 hand it was in? And where the knife was positioned?

553
554 A: Yeah, again, when – when the person was walking, uh, the – he was facing
555 away from me. So his hand would a been on the west side away from me.
556 When he turned around, it was now on the east side facing the ally towards
557 me. And then as he was running, um, I guess, like, some thing to jog in p- up
558 and down.

559
560 Q: Mm-hm.

561
562 A: Um, but he was, like, (unintelligible) exaggerated movements. Um, so but his
563 distance, again, he was really closing in fast. Like really – really – he was
564 trying to cover speed very, very fast towards me. And it was obviously, he
565 was coming directly at me. He wasn't going away from me. He was directly
566 focused really at me. So, yeah.

567
568 Q: So as – as this person's running towards you and you can see a knife in the
569 right hand, um, and how far was the person from you initially when you saw
570 them with the knife in their right hand?

571
572 A: When I initially saw them?

573
574 Q: Yeah.

575
576 A: Initially, when I saw him, I think they were about- I would say about 20-25
577 feet in the – in the open field where all the, um, overgrown plants are.

578
579 Q: Mm-hm.

580
581 A: In that slab of cement.

582

583 Q: Okay. And when they started running towards you- when that person was
584 running towards you, um, how far were you when you – when you fired?
585

586 A: 15-20 feet or so.
587

588 Q: Okay. Um, w-can you explain the – the lighting and the weather condition that
589 night?
590

591 A: Well there was – it was a clear night. Um, there is a streetlight and also
592 Officer (White) had angled his car. So he had the, uh, um, lighting from
593 Officer (White)'s car. Um, I tried to activate the light on my, uh- uh, rifle. But
594 I couldn't. It happened so quick that I couldn't get it. And I remember I was –
595 as I was making the approach, I remember I was fumbling through. Again, I
596 just didn't do it. And then after that but I was able to use a lighting from the
597 streetlight. And also from Officer (White)'s vehicle to illuminate. Uh, the
598 subject that is coming towards.
599

600 Q: Okay.
601

602 A: But I didn't not use anything on my – on my rifle. No.
603

604 Q: Or your handheld flashlight?
605

606 A: No. No. No. I didn't have time for that.
607

608 Q: Um, how about any, um, like body worn cameras? Or anything? Did you have
609 any of those? Do...
610

611 A: We don't have those yet. No, sir.
612

613 Q: Okay. Was the in car video on your, uh, on your patrol car activated?
614

615 A: No, like I said, it's – I had just started checking out my car. Um, so the – I did
616 have a mic that I checked out. But, uh, what I do first is I usually, well, wipe
617 down the vehicle. Then I will, uh, turn on the computer. I'll put the, uh, mic in
618 there on the cradle so I can synch in the computer. And while that's doing,
619 then I will go and get the, the, uh, rifle out. Check it out. And by that time, the
620 computer will already gone through all that needs to do. And then I'll log in
621 and – and do that. So when I saw Officer (Carrillo) leaving the parking lot by
622 himself, on the video you'll actually show me – I'm the only officer with
623 gloves on. Because I didn't take off my gloves. Because I didn't even take off
624 my gloves. I just took off. So that's why I'm the only one wearing gloves.
625 'Cause I didn't even ta- bother taking off my gloves. I just left. So I didn't
626 even – to be honest with you, I didn't even check out my- my rifle which I
627 probably should of. But I...

- 628
- 629 Q: When – when you encounter this person and you see the knife, what – what
- 630 are you – what’s going through your mind? What are you feeling at the
- 631 moment as this person is charging towards you? And you see a knife in their
- 632 hand?
- 633
- 634 Q: Well like a – like I mentioned before is, initially when the person is walking
- 635 away from me, when I gave him the commands, at that point there, I – I don’t
- 636 want to say I’m okay with it. But in this point there, there was no threat to me.
- 637 He’s walking away from me. Initially, he saw me. And when I – when he –
- 638 when I pulled up, and when I parked, he was walk – he walking northbound.
- 639 He saw me. And he turned around and walked away from e. But that’s – I
- 640 didn’t give him a command then. When he walked away from me, I said,
- 641 “Police. Show me your hands.” He continued walking. There was still no
- 642 threat. I’m like, just gonna be like anybody else. But then it would still struck
- 643 me odd. Because why you walking away from me? Like, well, maybe –
- 644 maybe he’s still a little scared or something. I don’t know. But then when he
- 645 turned around and then glanced at me again over his shoulder, I’m thinking,
- 646 that’s still a little odd. Because he’s still not complying. I mean, uh, why
- 647 aren’t you complying? I’m telling you – why – why aren’t you complying?
- 648 I’m saying it really loud. But then when he turned around, and then when I
- 649 saw the mask and like, that’s when I got the eerie feeling. And then he brings
- 650 out the knife and he starts charging. But not only does he – does he starts
- 651 running, he turns and completely comes right at me. I’m thinking this is not
- 652 good at all. If – and he distance he was covering. ‘Cause he started walking.
- 653 And then he starts running directly at me. I’m going th- again, it’s – it’s an
- 654 open lot. There are different ways you can go. You can go towards H Street.
- 655 Away from me. But you choosing to come right at me with a knife in your
- 656 hand. So there’s other avenues you can go to. But you’re coming right at me.
- 657 So if- if I let you get any closer to me, you’re – you’re gonna – yeah, you’re
- 658 gonna kill me. So I have to either, if – if I allowed you come any closer,
- 659 you’re gonna kill me, yes. And so obviously, in order to prevent him from
- 660 killing me, I had to react by – by shooting him.
- 661
- 662 Q: Did you consider any other force options?
- 663
- 664 A: I didn’t have the time to. I didn’t have any options. I mean, it was that quick.
- 665
- 666 Q: Um, did you try to use any de-escalation tactics?
- 667
- 668 A: I told him multiple times to show me his hands. I mean, like I said when I got
- 669 there, um, he knew who I was. I mean, I’m saying I knew he was because he
- 670 looked right at me. And he started walking away the other way. And then he
- 671 glanced and then he saw me again. So, I mean, I – I mean, my presence was

672 there. My voice commands were there. Um, I – I don't know what other. I
673 mean it was that quick.
674

675 Q: Now, when this person is running towards you with the knife, was there any
676 kind of obstruction in their way? Or was it just a complete open path directly
677 to you?
678

679 A: It was an open path. Uh, where- when he initially walked away from me, there
680 are some shrubs I guess. But – but again, I – when he was walking, uh, south
681 bound again. But then when he walked back towards me and 'cause that's
682 when he was walking kind of a little, uh, quicker. Then I think once he cleared
683 those shrubs is that when he started really running out towards with a knife.
684 Uh, but then that was clear. That's completely clear. There's no obstruction
685 there. And then he just bee-lined towards me.
686

687 Q: And what did you do after the incident? After the – the subject goes down?
688 What did you do after that?
689

690 A: Again, I just maintained the position there. Uh, right when I saw that he fell,
691 uh, right in front of me. I just maintained my, um, my weapon, uh, angled at
692 him or pointed at him covering him. Um, 'cause I knew there was other
693 officers on the scene waiting to see what else was gonna happen. And that's
694 when I heard, uh, Officer (White), um, beginning or again, that's when I heard
695 and also waited for the other officers to arrive. And then that's when, uh,
696 again I had said, okay. And then I'm gonna wait. I remember seeing him here
697 earlier. He's gonna be here right now. And sure enough he showed up and
698 that's when the orders started to be, uh, given to – what needs to be done. Uh,
699 'cause again, I'm not gonna start causing confusion. And that's when the
700 orders started to be given.
701

702 Q: What did you do with your, uh, with your firearm?
703

704 A: I held onto it, obviously. Uh, that point there, uh, once, uh, again the situation
705 was deemed to be safe. Uh, once the weapon the person had was located and
706 that was also deemed to be safe, and there was no need to, uh, render any
707 further aide and no officers were injured, then, uh, Sergeant (Morgan) asked
708 who the officers were involved in the shooting. Uh, I told him I was one of
709 them. Uh, Officer (White) said he was the other one. And they pulled us aside.
710 I said, okay. We don't want you to talk to each other. Uh, we didn't. Uh, right
711 after that, uh, he asked me to j- he says okay, we're gonna ask you a couple of
712 safety brief questions, I think is what he mentioned it. He asked me what the
713 back drop was. I said, well, mine was obviously H Street and the open lot.
714 And, uh, he said how many rounds did you shoot? He said, I'm guessing four,
715 maybe five. And as far as I could remember that's all that he asked me. I don't
716 remember him asking me any other – any other questions. He took my

717 weapon from me there. He didn't, uh, my rifle. He didn't take my, uh, side
718 arm because I didn't shoot that one. Um, they did take that side arm from me
719 later. Uh, the forensics, uh, CSI team did. Um, and then after that I was taken
720 back to the station. We were put in separate rooms. And later we met with our
721 attorney and that was it.

722

723 Q: Have you discussed this incident with, uh, any- any other – anybody else? Or
724 you and Officer (White)?

725

726 A: No, just my wife and family.

727

728 Q: Okay. Uh, who all did you – with your wife and who else in your family?

729

730 A: My – my kids. Uh, 'cause...

731

732 Q: And...

733

734 A: And 'cause they're obviously, I told them they eventually, you're gonna see it
735 in the paper. So you guys see it in the paper, obviously I don't want you guys
736 to be all freaking out if people start asking you guys questions. So yeah, I told
737 them. And...

738

739 Q: What – how much detail did you sh-...

740

741 A: Oh, I didn't tell them any details. I just said, this- "I – I was obviously at
742 work. Um, something happened at work. I shot and killed somebody. I can't
743 give you any details but just so you guys are aware." My wife, obviously,
744 knows all the details. But not the kids, no.

745

746 Q: Does she know the same details that you shared...

747

748 A: Yes.

749

750 Q: ...with me? Um, and so you have – you have reviewed the – the videos, um,
751 as provided by your agency? Um, in addition to those, have you reviewed any
752 other videos out on social media? Or on anybody's personal, uh, devices or
753 anything like that?

754

755 A: Yeah, I obviously saw the press release – not the press release. But the one
756 that they put on (Lompoc) record. And then, uh, my son, he, uh, was able to
757 find some on YouTube. And he – the ones that they did same thing on the
758 KSBY and KCOY. Showed me those. Whatever those were at the – the two
759 minute – two-minute ones. But that's about it.

760

761 Q: Actual videos?

762
763 A: The press releases is the ones they did.
764
765 Q: Press release.
766
767 A: Not the videos. But the actual...
768
769 Q: Okay.
770
771 A: ...release.
772
773 Q: So – so you haven't seen any videos of this incident...
774
775 A: No. No.
776
777 Q: ...outside of what your agency has showed you?
778
779 A: No.
780
781 Q: Okay. Um, prior to, uh, leaving- leaving briefing that day. Was there any ty-
782 as – as you guys are getting ready to leave briefing to go to this call, was there
783 any discussion, uh, amongst, uh, your squad as to what type of actions you
784 guys would take? Was there any type of, like, use of force planed that was
785 developed? Or de-escalation plans that were – that were developed if – if and
786 when you guys encounter this subject?
787
788 A: Yeah. Uh, this subject? Or any subject in general?
789
790 Q: This subject.
791
792 A: Uh, I don't – I don't mean...
793
794 Q: Uh, um, was there any – any plan that was developed that if you guys find this
795 subject that, you know one person would do this? Or this...
796
797 A: No. No. No. Because not really for this person because the thing is that we
798 had actually already talked about this scenario in general. So and that's why
799 Officer (Carrillo) on the way there, I actually left him because we actually was
800 talking about it on the way there. If you se- on the radio call, he says, "Why
801 don't you follow me?" And I said, no. I'm gonna – so I guess the – the plan,
802 we're devising it as we're responding. Um, and as far as the safety plan, that's
803 when I kind a talked about is that, uh, when we have something like that is
804 we're gonna allow either the more experienced officer or a supervisor to take
805 control. Um, or whoever the, um, um, primary officer is gonna be to do that.
806 Well, in this case here, again the reason I did that was because we have a

807 supervisor which is, uh, Officer (White). Then he's also on the SWAT team.
808 So I said, well if you're here, then go ahead and take – assume, uh, control
809 But one thing that we had mentioned is that, uh, before we, uh, do anything is
810 that we have to first of all is we have to make sure that if there's any officers
811 that are injured, then we have to care for them. Secondly is that we have to go
812 in there and render, uh, the suspect and make sure that they – he doesn't pose
813 any other threat to anybody else. Uh, we have AMR begin to stage before we
814 allow them to come in so that they don't, uh, um, get injured in any other way.
815 Uh, but in this case here, um, there's no need for AMR. Because it was
816 obvious that the person, there's nothing we can do to help this person out. So
817 as far as that goes, we weren't talking about that as we were leaving the
818 station, no. But we already had that in place before any of this happened. We
819 talked about that frequently, um, during our briefings. Yes. So we pretty much
820 know what's gonna happen before it happens. So, yes, we – we already knew
821 about that. Yes.

822
823 Q: You have anything?

824
825 Q1: I'll, uh, just a few things here. Uh, when you were addressing the suspect, was
826 the suspect responding to you either verbally or physically in anyway? Was he
827 making any hand gestures? Or...

828
829 A: Just body as far as him glancing over towards me. So I knew he was there and
830 then walking away. And then but nothing verbal. Not – not a word.

831
832 Q1: Uh, what – what was your position when you fired the, the shots? Where were
833 you at positioned?

834
835 A: Actually, I walked completely a – across the street. Or the s- the sidewalk –
836 the ally. Um, 'cause I was trying to – when I saw Officer (White) get out of
837 his patrol car, I was trying to stay in line with Officer (White) and I actually –
838 I wasn't next to Officer (White) but I was walking – I left my point of cover.
839 'Cause I saw Officer (White). And then I walked completely across the ally.
840 And that's when the person started rushing.

841
842 Q1: Okay. So were you on the street? On the sidewalk? Uh, when you fired those
843 rounds, where were you?

844
845 A: I was, uh, already almost completely – I was, I think- I started backing up,
846 stumbling back.

847
848 Q1: Mm-hm.

849
850 A: And I was- first I walked to make – to yell at the subject. I walked all the way
851 through the ally onto that lot. And then when the guy started charging is when

852 I started backing up. And that's when I started firing. So I think I made it half-
853 way into the ally again.
854

855 Q1: Okay. Uh, how far you think the suspect was when you fired your first shot, if
856 you can estimate?

857
858 A: 10 to 15 feet from me.
859

860 Q1: Okay. Did you say anything?

861
862 A: Not then.
863

864 Q1: Uh, prior to shooting?

865
866 A: No. I didn't have time to. Between backing up and trying to figure out what's
867 going on, no. Too much stuff going on.
868

869 Q1: What were you feeling when you saw the suspect, like going towards you and
870 you saw the knife and – and then in his hand?

871
872 A: I'm – I'm gonna get stabbed or killed? This is like I said, I didn't have time to
873 do anything. I – I couldn't even speak. He just – he was just coming at me that
874 fast.
875

876 Q1: I know that's what you were thinking. But you have any feelings in you?
877 What – what kind of feelings you think you...
878

879 A: Like I said, I just – just, the chills.
880

881 Q1: The chills.
882

883 A: Yeah, I was – like I said, I was just trembling.
884

885 Q1: Okay. Um, just to back up a little bit. I know my partner inquired about the
886 videos you watched. Uh, and I know there was two sets of videos. One was,
887 basically normal view. And they have others that were wide screen basically.
888 Like you know, wider. Each video had different, uh, angles of it. Uh, one
889 being the normal view that you would normal see. And the other one being
890 more of a – a wide screen type, do you recall watching the wide screen? Or
891 one or the other?
892

893 A: I don't remember being wide screen. I think they're all b- I just remember,
894 like I just mentioned. Just put them in the thing. Put in play. I don't remember
895 them being wide screen.
896

897 Q1: Okay. All right. And, uh, were you also provided access to the 911 call? Or
898 the radio traffic?
899

900 A: Yes.
901

902 Q1: Okay. Did you review either one of those two?
903

904 A: I did.
905

906 Q1: Uh, reviewed both?
907

908 A: Yes.
909

910 Q1: Okay. How many times do you recall listening to the 911 call?
911

912 A: I think we just reviewed it once at the- in the hotel room.
913

914 Q1: Okay. How about the radio traffic?
915

916 A: Just one time. Yes.
917

918 Q1: Just one time.
919

920 A: Yes.
921

922 Q1: You understand there was two different ones, right? I'm talking about the 911
923 call. Where the RP called...
924

925 A: Yes.
926

927 Q1: ...regarding the...
928

929 A: Yes. Yes.
930

931 Q1: ...the man with gun.
932

933 A: Yes. Yes.
934

935 Q1: You listened to that and then as well at the radio traffic?
936

937 A: Yes.
938

939 Q1: Between you and – and the...
940

941 A: Yes.

942
943 Q1: All three?
944
945 Q1: I think I'm – you s- you reviewed that today? Or you reviewed that...
946
947 A: No, we reviewed – I didn't re- not the one with (Carrillo). We didn't review
948 that today at all. That with the radio traffic that you're talking about with me
949 and (Carrillo), we reviewed those – all of those we reviewed them on the same
950 day. Um, at the hotel room on Monday morning, I guess.
951
952 Q1: Okay. So you reviewed the 911 call and the radio traffic on...
953
954 A: Yes.
955
956 Q1: ...Monday morning?
957
958 A: Yes.
959
960 Q1: Not today?
961
962 A: No.
963
964 Q1: Today you only...
965
966 A: Was only videos.
967
968 Q1: Okay. Monday morning when you were provided access to the 911 call or the
969 radio traffic, who provide that to you?
970
971 A: Uh, who brought it in? Uh, shoot. I don't remember who brought it in. But,
972 um, who brought it in? 'Cause I know we were having trouble playing it. And
973 then we had to – have somebody bring us a laptop. I don't even remember
974 who brought it to us. Um, oh, um, (Mike) (Miller). Detective, (Mike) (Miller)
975 brought it to us. And then, um, we were having a difficult time and then
976 Detective (Reyna) went out and got us a laptop. And then we had to call our
977 tech guy to walk us through. And officer or Corporal (White) was able to,
978 based on the instructions that our tech guy, uh, (Jim) (Brown) was able to
979 walk us through and then we were able to play them back using that way.
980
981 Q1: Who was in the room when you guys listened to those 911 calls or the radio
982 traffic?
983
984 A: It was Sergeant, uh, (Sergio) (Arias). Um- um, (Rob) (Doogan), an officer.
985 Um, (Reyna), Detective (Reyna). Um, our attorney, Corporal (White), me.
986

987 Q1: Okay. And that Monday morning, you remember what – about what time that
988 was?
989
990 A: I would say three in the morning. Between three and four. ‘Cause I think we
991 left here about 5am or something.
992
993 Q1: Mm-hm.
994
995 A: Somewhere between three and four.
996
997 Q1: And this was at the Lompoc Police Department?
998
999 A: No. No. No. This was over here at the Hilton.
1000
1001 Q1: Or o- at the hotel. Okay. Uh, but no, no – have radios or nothing? It was just
1002 the 911 call and the (unintelligible)?
1003
1004 A: Yeah, I don’t know- no, just the 911.
1005
1006 Q1: Okay. And that was just once each, you said?
1007
1008 A: Yeah.
1009
1010 Q1: Gotcha. Anything else? Did you watch anything else? Or anything?
1011
1012 A: No, we didn’t have any – we -we kept asking for the videos. But they didn’t
1013 have anything ready. ‘Cause we wanted to watch them that night, but they
1014 didn’t have anything ready.
1015
1016 Q1: Okay. I think that was my follow up questions for now.
1017
1018 Q: Uh, we’re – we’re gonna take a, uh, quick break. And then, uh, the door will
1019 be locked. And then w- before we come in, we’ll knock on the door. That way
1020 you and – your attorney have some privacy.
1021
1022 A: Okay.
1023
1024 Q: So we’re gonna go ahead and, uh, turn off our recordings at this point.
1025
1026
1027 This transcript has been reviewed with the audio recording submitted and it is an accurate
1028 transcription.
1029 Signed  # 3933