

EVIDENCE TAPE

People v. Issac Serrano
RIF 136250
Transcript of Interview [REDACTED]
March 24, 2007
074137

Key: BRYANT: Det. Andy Bryant

AUSTIN: Sgt. Fred Austin

[REDACTED]

[REDACTED]

[BEGINNING OF TRACK 2, DURATION: 08:12]

BRYANT: Okay, my name's Andy Bryant.

[REDACTED]

Oh, hi, Andy.

BRYANT: How you do? I'm a detective with Corona Police, with Sergeant Fred Austin.

AUSTIN: Hello.

[REDACTED]

Hi, how are you?

BRYANT: Let's see, and it's about 8:35. Do you have ID with you so I don't have to quiz you, I can just copy it down? If you don't, that's okay.

[REDACTED]

Oh, no, I, I just, uh, a driver's license?

BRYANT: Yeah, that's fine, that's fine.

[REDACTED]

Here you go.

BRYANT: Very good. Thank you very much. So, you're [REDACTED]?

[REDACTED]

Yes.

BRYANT: Oh, very good.

AUSTIN: What do you do there?

██████████ Oh, I'm just a ██████████

AUSTIN: Okay.

BRYANT: Do you still live, uh, on ██████████ on ██████████ in ██████████?

██████████ Yes, sir. I do, yes.

BRYANT: Very good, ██████████. Okay. How long have you worked over here?

██████████ Oh, already three years.

BRYANT: Oh, you've been here quite a while. Very good.

██████████ Yeah.

BRYANT: This the only job you have?

██████████ Oh, I'm also a piano teacher on the side.

BRYANT: Oh. Very good, so you're a ██████████ at, uh, Long John Silver's, and do you know the phone number for that store?

██████████ I think it's, uh, 3, I think, it's 371.

BRYANT: Uh huh.

██████████ 3044.

BRYANT: Thank you very much. And what's your home phone?

██████████ Oh, it's ██████████

BRYANT: Uh huh.

██████████ Uh, ██████████

BRYANT: Uh huh.

██████████ ██████████

BRYANT: And your cell phone number?

█ Uh, █

BRYANT: Uh huh, that's okay, uh huh.

█
BRYANT: Uh huh.

█
BRYANT: Oh, okay. Very good, what time did you come to work today?

█ Well, I was actually running late, so I came in around 5:03.

BRYANT: Oh, in the morning?

█ No, afternoon.

BRYANT: Oh, okay.

█ Afternoon.

BRYANT: Okay, so a little bit after five today?

█ After five, yeah.

BRYANT: Okay.

█ I was running a little late.

BRYANT: Okay, and, uh, what did you see, or what happened?

█ Well, honestly, I just saw that they're, they're, they just starting, uh, fighting already.

BRYANT: Who's they?

█ Um, who was that, that █ and uh, and uh, the hus—the wife, the husband of the █

BRYANT: Oh, okay. Do you know his name?

[REDACTED] I don't really know his name.

BRYANT: Oh, okay.

[REDACTED] From, but I know that is the husband of the cashier.

BRYANT: Then what's the [REDACTED] name?

[REDACTED] Uh, [REDACTED]

BRYANT: [REDACTED] okay. And, uh, did you, did you know what led up to them fighting?

[REDACTED] I didn't, I don't know what was going on.

BRYANT: Oh, okay.

[REDACTED] Because most of the time, um, that, I'm going, uh, closing shift, so I really don't really know what goes on in the morning shift. I don't know what kind of business is going in there.

AUSTIN: What, okay, what did you see today when they were fighting?

[REDACTED] They were just like, you know, they, they already had their fists at each other, like...

BRYANT: Gotcha. Yeah.

[REDACTED] About to strike each other and all that stuff.

AUSTIN: Did you see them actually hit each other?

[REDACTED] Well, not exactly hitting but you know, like...

AUSTIN: Swinging?

[REDACTED] Swinging, yeah.

BRYANT: Oh, okay.

AUSTIN: Did you see who swung first?

█ Uh, that, I cannot believe how, 'cause, you know, uh...

AUSTIN: Could you tell who appeared to be the more, the more aggressive of the, the two or three?

█ I think it's the husband I think is a little more aggressive.

AUSTIN: He...

BRYANT: Okay.

AUSTIN: That's what you, that's what you saw?

█ That's what I think, so...

AUSTIN: That's what you think or that's what you saw?

█ That's what I saw.

AUSTIN: And can you maybe describe that a little more?

█ Well, he was attacking, and then █ like, kind of backed off a little bit, because I guess he's being overwhelmed.

AUSTIN: Right, okay.

█ So, that's what I think.

BRYANT: Where were they when all that was taking place?

█ Well, they was, it was outside.

BRYANT: Okay.

█ It was outside, and it was, o—o—close to the, it was close to the drive-thru, uh, lane.

BRYANT: Exit?

█ The exit.

BRYANT: Okay. Did, uh, where were you when all this was going on?

[REDACTED] Actually, I was just coming in.

BRYANT: Oh, you were just walking in the door?

[REDACTED] And, oh, I just saw, like, hey, oh, my God, you know, hey, stop.

BRYANT: Yeah.

[REDACTED] But then again I didn't want to get too close.

BRYANT: Right, right.

[REDACTED] So, as, uh, then I just went inside.

BRYANT: As they were...

[REDACTED] As they were, like, doing their commotion.

AUSTIN: Now, did you, when you went inside, did you continue to watch it through the window?

[REDACTED] Yeah, I, I just saw a little bit of it, yeah, because, uh, someone came up, and then...

AUSTIN: Okay, did you actually see anybody get hit or they were just swinging and missing?

[REDACTED] Well, I don't know. They were clobbering each other.

AUSTIN: Okay.

BRYANT: Okay, and then what happened? You said another person came up?

[REDACTED] Well, yeah, well, yeah, another person came up.

BRYANT: Who's that?

[REDACTED] I think that's one of our, uh, it's just one of our cashiers.

BRYANT: Oh, okay, another...

██████████ One of the cashiers, uh, came up, and uh...

BRYANT: A guy?

██████████ Yeah, got involved in the whole scene.

BRYANT: Yeah.

██████████ Yeah.

BRYANT: And then what happened?

██████████ They start fighting.

BRYANT: All three of them then?

██████████ No, it was, then, no, after...

BRYANT: Oh, oh, then...

██████████ After that, after ██████████ and him...

BRYANT: Uh huh.

██████████ Then him, the other one got involved, so it was th—so it was them that started fighting.

BRYANT: Oh, who was the other one? What's his name?

██████████ The guy name's ██████████

BRYANT: ██████████ okay. So, then ██████████ started fighting with...

██████████ Yeah.

BRYANT: .. ██████████ husband.

██████████ Yes.

BRYANT: Okay, and then what happened?

[REDACTED] And then that's about it, and you know, they, they're all in the ground, you know, fighting. One got up, and the other one topple him down again.

BRYANT: Oh, okay.

[REDACTED] And then so a—after that, I just, I, I stayed away, and then someone call me to help out with the cus—the customer.

BRYANT: Oh, see, where, what part of the story did you help with the customer?

[REDACTED] The one close to the other time, the one close to the cash, the other cashier.

BRYANT: Oh.

[REDACTED] There's one cashier and there's one, I was on the other side.

BRYANT: Oh, the far side?

[REDACTED] The far side, yeah.

BRYANT: Oh, okay, all right. Did you see how the fight ended?

[REDACTED] No, I did not see the fight ended.

BRYANT: Oh, okay.

[REDACTED] That's the only thing.

BRYANT: What'd you hear?

[REDACTED] Well, uh, I just heard that, uh, someone got stabbed, and that's all I heard.

BRYANT: From, oh, from people talking you heard that.

[REDACTED] From people talking, yeah.

BRYANT: Okay. Did you hear any, anything going on while you were helping the customer that was probably coming from the fight?

[REDACTED] No, nuh uh, no.

BRYANT: No? Okay, 'cause I, I take it the doors...

[REDACTED] The doors were closed.

BRYANT: Okay.

[REDACTED] And I was already helping a customer.

BRYANT: I see, okay. Do you kn—do you know why all this is going on with, uh, [REDACTED] husband?

[REDACTED] Not that, I don't really know what's going on, but I guess it's just that, uh, I guess, they don't get along, I guess. Someone hates who or something like that. I don't really know.

BRYANT: You don't know who doesn't like who?

[REDACTED] I don't know. Just something...

AUSTIN: Did you see anybody get stabbed?

[REDACTED] No, I didn't see it...

AUSTIN: ...or you just heard...

[REDACTED] I just heard someone got stabbed.

BRYANT: Un.

[REDACTED] That's about it.

BRYANT: Yeah.

[REDACTED] So...

AUSTIN: Did you hear anything else?

[REDACTED] That's it.

AUSTIN: Did you hear any gunshots?

[REDACTED] No, I did not heard a gunshot.

AUSTIN: Okay.

BRYANT: Oh, okay.

AUSTIN: You didn't see it either I take it?

[REDACTED] I did not see it, sir.

AUSTIN: Okay.

BRYANT: Okay, uh, I heard that there was maybe somebody he, [REDACTED] husband got in a fight maybe with somebody else earlier in the morning? Do you know anything about that?

[REDACTED] Well, I was told that, uh, I just told that the, you know, that he was harassing one of our coworkers in there.

BRYANT: Oh, which coworker is that?

[REDACTED] I think that was [REDACTED] I heard.

BRYANT: [REDACTED] okay. All right, uh, and why do you think [REDACTED] husband doesn't like the people that work there?

[REDACTED] I don't really know what's going on. I think, uh, I don't, I, I don't want to judge, probably. They just don't like each other.

BRYANT: Oh, okay.

[REDACTED] I have no relationship with the husband. I don't, I saw him always pick up [REDACTED] but I don't see, I don't really have any relationship with him other than just, I was told...

AUSTIN: Have you ever seen him cause problems before?

[REDACTED] Uh, no, nuh uh. I wasn't aware of that.

BRYANT: Right, okay. And what shift do you normally work?

[REDACTED] I always work the closing shift.

BRYANT: Oh, which, what are those hours, by the way.

[REDACTED] That is five to close, five to ten.

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BRYANT: Five to ten, ten-thirty?

█ Yeah, five to ten, yeah, five to ten-thirty.

BRYANT: Okay, okay. Fair enough. Well, thanks for meeting us.

AUSTIN: Thank you.

█ Thank you.

BRYANT: Sure.

[END OF TRACK 2, DURATION: 08:12]

DGS:jg
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EVIDENCE TAPE

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RIF 136250
Transcript of 911 Call
March 24, 2007
07-4137

Key: DISPATCHER 1: 911 Operator
 [REDACTED] [REDACTED]
 DISPATCHER 2: 911 Operator
 OFFICER: Officer, CPD

[BEGINNING OF TRACK OIS 07 4137, DURATION: 06:42]

DISPATCHER 1: 911, what's your emergency.

[REDACTED] Yeah, I have an emergency right here at a Long John Silver's, A & W.

DISPATCHER 1: Hold on a moment.

[REDACTED] Yeah, there's been a fight. Come on there's, come on there's a fight.

DISPATCHER 1: Okay. What you need...

[REDACTED] There was a fight.

DISPATCHER 1: Okay. Instead of yelling at me, I need for you to tell me what's going on.
Are they verbal, or are they physical?

[REDACTED] The suspects came out of the car, and they start beating the, they start
beating my, my, one of my employees.

DISPATCHER 1: Okay. And the suspects came in what color vehicle?

[REDACTED] Oh, I'm sorry, what, what?

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DISPATCHER 1: What color vehicle did the suspects...

██████████ Oh, my God, I'm nervous. I don't know.

DISPATCHER 1: Okay. Okay. Listen, and if you wanna help them, if you wanna help out, you have to try to answer some of our questions. The suspect who came to beat your employee, where are they at right now?

██████████ We're right here at Long John Silver's. Oh, my God.

DISPATCHER 1: Okay.

██████████ We told them, we told them he's only 17.

DISPATCHER 1: Okay. What color vehicle are they driving? You've got to calm down.

██████████ He was driving the gray car with no—it's a Honda gray car, and they don't have a license plate. And he's still here.

DISPATCHER 1: Okay. So...

██████████ And he's beating my kid.

DISPATCHER 1: Okay. Listen, what's your name?

██████████ Okay, I'm ██████████ The car, the license plates are 5RK or F, 159.

DISPATCHER 1: 5KRF159.

██████████ 159. Come on, oh, my God.

DISPATCHER 1: And their physical in the parking lot, correct?

██████████ Yes, yes. Oh, can you please come right away.

DISPATCHER 1: Okay. Ma'am, I am not the one coming but yes, we're gonna get a call in from service. Do you see any weapons?

██████████ Oh, my God.

DISPATCHER 1: Do you see any weapons?

[REDACTED] No, no, no. Oh, my God, okay. I, I, I...

DISPATCHER 1: Okay. What is, if this is they employee, did he go outside of your business to make contact with him?

[REDACTED] No, no, no. He got inside, and he pushed me. He was here earlier, and started screaming at one of my girls. One of the managers in the morning. And he started beating, you know, he threat her. And then, my, my manager, my GM, he didn't call the cops because he didn't know.

DISPATCHER 1: Okay. Okay, listen to me. How many subjects got out of that gray Honda?

[REDACTED] There was only one and its (?)... bol

DISPATCHER 1: Is he black, white or Hispanic.

[REDACTED] He's Hispanic.

DISPATCHER 1: What color shirt is he wearing?

[REDACTED] He is wearing, he is wearing, he is wearing, uh, he is wearing a Levis and a, a black shirt?

DISPATCHER 1: A black long-sleeved, short-sleeved black shirt?

[REDACTED] And all of my kids are holding him. You need to send the cops right away.

DISPATCHER 1: Okay. Ma'am, we do have officers on the way. I do need to ask you some other questions. Where's your employee, did he come back in the business?

[REDACTED] No, they all holding him, because he's beating the shit out of one. And he wanted to beat the shit out of one. And they're all holding him, they're not beating him.

DISPATCHER 1: Okay. So, you've got subject holding the suspect down, correct?

[REDACTED] Yes.

[REDACTED] I guess he's on drugs or something. He's one of the husbands of the girls that works here.

[REDACTED] Oh, my God. And I'm sitting here I don't get this.

DISPATCHER 1: Do you know his name, do you not know his name at all?

[REDACTED] I don't know his name...

DISPATCHER 1: Okay...

[REDACTED] But the wife's name is [REDACTED]. And she works here, and she's here too. And she doesn't even know what's going on, I guess. I don't know.

DISPATCHER 1: Is he an employee there also?

[REDACTED] Yes.

DISPATCHER 1: Okay. Are you an employee also?

[REDACTED] Yes, I'm the, I'm the shift manager.

DISPATCHER 1: Okay. But you're standing by inside, correct?

[REDACTED] No, I'm outside.

DISPATCHER 1: How come you went outside?

[REDACTED] Because I needed to call you, and I, I needed to know the license plate for the car that he's driving.

DISPATCHER 1: Okay, okay. And they're still holding him down, correct?

[REDACTED] Yes, yes, yes, they are.

DISPATCHER 1: Okay. We have two officers on the way. I'm gonna keep you on the line, okay? Does it look like anybody needs any medical attention?

[REDACTED] I don't know, maybe I do because I'm all nervous.

DISPATCHER 1: Okay. The person who was hit by this other subject, is—where is that victim?

██████████ He's a minor. He's a minor.

DISPATCHER 1: Okay. Listen to me, I need you to calm down. Do you see him bleeding from anywhere? Is he injured?

██████████ No, no.

DISPATCHER 1: Okay. What about the suspect that they're holding down, do you see him bleeding from anywhere?

██████████ No.

DISPATCHER 1: Okay.

██████████ "Es que en la mañana vino y le quiso pegar a la Juvie"
"It's just that this morning he came and he wanted to hit Juvie"
He was here earlier, and he, he threatened, my sister in the morning.

DISPATCHER 1: Okay. Is this all family members?

██████████ Uh huh.

DISPATCHER 1: Are these—is, is there a relationship here, are these guys family members?

██████████ No, they're all employees. But he start beating one of my new, that one, one of my 17-year-old kid. You know, the one that works here.

DISPATCHER 1: Okay. I'm gonna try to...

██████████ Don't let him go...

DISPATCHER 1: Do you see an officer?

██████████ No, they hit him—there was—he beat two of my kids.

DISPATCHER 1: Okay.

██████████ He's still, he's still coming.

DISPATCHER 1: Okay. So, now they got—he got away from the people holding him down?

██████████ He probably said—Oh, my God. Oh, my God. Oh, my God, run, run.

(background noise, screaming)

DISPATCHER 1: Okay, calm down.

██████████ Oh, my God. Oh, my God. Run

DISPATCHER 1: What's going on? What's going on?

██████████ (screaming) Oh, my god. Oh, my God.

DISPATCHER 1: What's going on?

██████████ Oh, my God (screaming).

DISPATCHER 1: Is he hitting you?

██████████ Oh, my God. Oh, my God. Oh, my God.

(background noise, screaming and crying)

OFFICER: Get on the ground.

DISPATCHER 1: What's going on? Hello.

DISPATCHER 2: There it is.

DISPATCHER 1: Hello. Ma'am,

██████████ Oh, my God. Oh, my God. Oh, my God Oh, I can't...

DISPATCHER 1: Okay. Go ahead and call—talk to the officers, okay.

██████████ Don't let him die. Oh, my God. Oh, my God. (Crying)

DISPATCHER 2: He had a gun.

DISPATCHER 1: He had a gun?

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DISPATCHER 2: Um hmm.

DISPATCHER 1: I just heard, oh, my God.

██████████ Oh, my God, he has a gun.

DISPATCHER 2: Oh, my God he has a gun.

DISPATCHER 1: Dispatch the officers, one and two.

DISPATCHER 2: I don't know. We've already got the first one on scene.

DISPATCHER 1: Did you if you said something to him.

DISPATCHER 2: No, it's okay. My ear did not pick it up.

(background noise, screaming and crying)

DISPATCHER 1: I can hear her, actually.

[END OF TRACK OIS 07 4137, DURATION: 06:42]

EVIDENCE TAPE

People v. Isaac Serrano
RIF 136250
Transcript of Interview of [REDACTED]
March 24, 2007
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Key: SEARING: Officer Searing

[REDACTED] [REDACTED]

[BEGINNING OF TRACK: [REDACTED] DURATION: 05:22]

SEARING: This is Officer Searing, George, 483. I'm at Long John Silver's on 24 March, 2007 at 1803 hours. I am speaking with [REDACTED]

[REDACTED] [REDACTED]

SEARING: [REDACTED] All right, [REDACTED] About what time did you arrive at Long John Silver's?

[REDACTED] Oh, my gosh, um, it must have been maybe ten to five. I just know my daughter's flight came in at 4:25.

SEARING: Okay.

[REDACTED] And we left the airport and came here.

SEARING: Okay. You didn't, I'm assuming, did you drive here?

[REDACTED] Yes.

SEARING: Okay. Um, you came in, you ordered food, you sat down.

[REDACTED] Exactly, and then...

SEARING: Did you notice anything going on when you first arrived here?

[REDACTED] Not when we arrived, no. When we, shortly after we sat down, um, we noticed commotion outside the door on the window.

SEARING: Uh huh.

[REDACTED] And looked over, and it was, you know there, I saw three guys fighting. There were, there were two guys at first, and then I saw one of the employees with a blue shirt out there, and I thought the way he put up his hands, he was trying to break it up, and actually, I made the comment, "oh, my" you know, it didn't look like much of a fight because at first one of the guys was just slapping with his palm, not even punching.

SEARING: Okay.

[REDACTED] Um, and...

SEARING: Do you know what, do you know what, uh, the two guys that were originally involved in the fight were wearing?

[REDACTED] Uh, one guy had on a white shirt.

SEARING: A white shirt?

[REDACTED] Yeah.

SEARING: Okay.

[REDACTED] I, I'm sorry, I wasn't, I, my concern was to keep my kids...

SEARING: I understand, I understand.

[REDACTED] Keep them over. I didn't, I was trying to not...

SEARING: If, if you don't know the answer to any question, say you don't know.

[REDACTED] Okay, okay.

SEARING: So then a white shirt, and do you know what the other guy was wearing?

[REDACTED] Um, you know I can't be sure. I would, I would say, maybe, a black shirt, I would say.

SEARING: Possibly a black shirt?

[REDACTED] And then there was, and then there was the blue shirt employee guy.

SEARING: Okay, the guy in the white shirt and possibly a black shirt...

[REDACTED] Uh huh.

SEARING: ...were originally fighting outside the door, or did you see all three fighting?

[REDACTED] Yeah, when I looked, um, it, it looked like all three were actually involved at that point.

SEARING: So, all three were fighting outside the door?

[REDACTED] Or one trying to break it up. That's what it seemed like to me, you know, just as a quick look at the blue shirt guy was trying to maybe break it up, I don't know.

SEARING: All right, what happened, so all three are together...

[REDACTED] Right, and as I said it, it looked like it wasn't gonna be much of a fight, and then it started going out that way, and I turned, you know, I didn't look for a while. I, I kept my kids at the table, and then, uh, the, you know, I looked, and, and the manager and one, uh, woman employee were with her -- she was on the larger side -- I saw that she was calling, so, you know, I knew that they were calling to get assistance, um, well, I assumed, um, and I thought it was just gonna break up, and then all of a sudden, it started coming back this way right in front of the window.

SEARING: Okay.

[REDACTED] And it, you know, much more violent in nature, the fighting at that point, and one guy, and I, I don't know this color shirt, kind of ran this way and then I saw the blue shirt, and I don't know the other, and then I heard two pops, and I realized well, the one lady out there immediately started crying and screaming and I realized it was a gunshot.

SEARING: Did you see the gunshots go off?

[REDACTED] No, No, I kept, no, I kept, my kids saw it, so.

SEARING: How come you don't see any people involved with any weapons any guns or none of those things?

[REDACTED] No, no, I assumed it was just gonna be a fist fight.

SEARING: Okay.

██████████ And I, you know, I, really, my initial thought was that it was gonna break up, and until it went this way, like I said they looked much more violently mad at that point, and then I was surprised, actually to hear the shots.

SEARING: And then after that, about what time did the police arrive? Were the police there when you hear the pops, the shooting?

██████████ Not that I was aware of, no.

SEARING: Not that you were aware of?

██████████ No.

SEARING: Was that, that was out of your sight at that point when you heard the pops?

██████████ Uh, yeah, yeah.

SEARING: Okay.

██████████ No, I looked out the window, I saw them going this way, and then I heard pops, and I, I kept here, I didn't want to go over there. I didn't know what was going...

SEARING: And you didn't, you didn't go to the window to look down?

██████████ No, no, I wanted to keep my kids over here by my...

SEARING: Okay, and that, and that was that, you stayed over here?

██████████ So, yeah, yeah we did. I'd, I didn't want them to know...

SEARING: Okay, is there anything else you want to add or say anything, to add?

██████████ Yeah, really, I'm, nothing else this time. Sorry, I'm not very observant.

SEARING: No, you did a fine job. Thank you very much.

██████████ Okay.

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[END OF TRACK: [REDACTED] DURATION: 05:22]

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EVIDENCE TAPE

People v. ISAAC SERRANO
RIF 136250
Transcript of Interview with [REDACTED]
March 24, 2007
074137

Key: NEVINS: Eric Nevins, Investigator, District Attorney's Office

[REDACTED] [REDACTED] Witness

[BEGINNING OF TRACK [REDACTED] DURATION: 01:51]

NEVINS: Okay, the date is 3/24/2007, about 17:54 hours. This will be an interview with [REDACTED] [REDACTED] date of birth, [REDACTED], taking place inside of Long John Silver's. Okay, you might have to speak up a little bit only because it, uh, I don't know if it's gonna pick up very well. Okay, I'd already done an interview with off tape, and I'm gonna re-interview on tape. Um, I'm just gonna let you tell me, in your own words, what you saw when you first got here and, um, what we talked about this morning.

[REDACTED] Okay.

NEVINS: Okay, go ahead.

[REDACTED] Um, basically, we pulled into the driveway, got out the car. Um, we came in, and when we were coming in, I seen a, uh, like, a ball of people, and came in and we were gonna order food and a lady came up to me and was, like, you're not gonna get any food right now, because everybody's outside. That's it.

NEVINS: And the people you saw outside, did they look like employees?

[REDACTED] Yeah, they were employees.

NEVINS: Okay. Did you see who the altercation was with?

[REDACTED] No, I just seen a ball of people. I didn't really pay attention.

NEVINS: Okay, and when you, uh, you came here today, you were with your boyfriend. His name is [REDACTED] is that right?

[REDACTED] Yes.

NEVINS: Okay, and was he walking with you when you guys came inside?

[REDACTED] Yes, we were walking together.

NEVINS: Okay. Now at some point in time, did you see, uh, a police car arrive?

[REDACTED] Yes, I did.

NEVINS: It was a marked police car?

[REDACTED] It was a black-and-white.

NEVINS: Okay. And did you see the officer get out or anything that happened?

[REDACTED] I didn't, I didn't see anything after that. I just seen a police car arrive and that was it.

NEVINS: Did you hear, did you hear the shot at all?

[REDACTED] I heard a shot.

NEVINS: How many?

[REDACTED] Just one.

NEVINS: Okay. Did you see him fire that shot?

[REDACTED] No.

NEVINS: Okay. Do you remember seeing anything else or hearing anything else that you think might be important?

[REDACTED] Nope. That's it. My boyfriend told me get away from the freakin' windows, that was it.

NEVINS: Okay. And this contact info that I got from you—everything's correct?

[REDACTED] Yes.

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NEVINS: All right. Thank you.

██████████ You're welcome.

NEVINS: And it's about 17, uh, 55 hours, and concludes the interview.

[END OF TRACK ██████████ DURATION: 01:51]

DDS:dmk
R-07-384-M
10/3/07

EVIDENCE TRANSCRIPT

People v. Isaac Serrano
RIF 136250
Transcript of Interviews with Victim and Defendant
03/24/07
074137

Key: MCCONNELL: Detective Michelle McConnell

██████████ ██████████

UNKNOWN 1: Unknown Male

UNKNOWN 2: Unknown Female

[BEGINNING OF TRACK: 07-4137 ██████████ DURATION: 23:28]

MCCONNELL: Okay. What's your stop? I--I'm going to start the interview. I know what he's asked you, so I'm going to ask you, 'cause I, I don't know what happened. So I'm going to start with your name.

██████████ You just want me to start all over?

MCCONNELL: Start all over like I--'Cause I don't know anything. I don't know what happened, so let's start with your name.

██████████ ██████████

MCCONNELL: ██████████? Now, it's loud in here.

██████████ ██████████

MCCONNELL: I'm going to move your little port-a-potty here.

UNKNOWN 1: You have the checks?

██████████ How embarrassing.

MCCONNELL: That is? Oh, I'm sorry. Everybody does it. Okay. ██████████, ██████████

██████████ ██████████

MCCONNELL: ██████████?

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[REDACTED] [REDACTED]

MCCONNELL: [REDACTED]?

[REDACTED] [REDACTED]

MCCONNELL: [REDACTED]?

[REDACTED] [REDACTED]

MCCONNELL: Okay. What's your middle name?

[REDACTED] I don't have one.

MCCONNELL: Okay, and what's your last name?

[REDACTED] [REDACTED]

MCCONNELL: Spell it.

[REDACTED] [REDACTED] [REDACTED]

MCCONNELL: [REDACTED]

[REDACTED] Yeah.

MCCONNELL: as [REDACTED]?

[REDACTED] Yeah. [REDACTED]

MCCONNELL: Uh, no, 'cause he—I, I—With that beeping, I can't—I can't even hear it.

[REDACTED] Oh.

MCCONNELL: Uh, what's your birth date, [REDACTED]?

[REDACTED] [REDACTED]

MCCONNELL: Okay, and what's your home number?

[REDACTED] Oh, the phone number?

MCCONNELL: Yeah.

[REDACTED] Uh, [REDACTED]

MCCONNELL: Okay.

[REDACTED] [REDACTED]

MCCONNELL: [REDACTED]?

[REDACTED] [REDACTED]

MCCONNELL: [REDACTED]?

[REDACTED] Yeah.

MCCONNELL: And what's your address?

[REDACTED] [REDACTED]

MCCONNELL: [REDACTED]?

[REDACTED] [REDACTED]

MCCONNELL: [REDACTED]

[REDACTED] [REDACTED]

MCCONNELL: [REDACTED]?

[REDACTED] Yeah. [REDACTED]

MCCONNELL: In [REDACTED]?

[REDACTED] Yeah.

MCCONNELL: And what's your work number?

[REDACTED] Then phone number?

MCCONNELL: Yeah.

[REDACTED] Uh, I don't it. It's in my--

MCCONNELL: Okay. That's fine.

[REDACTED] in my cell, but...

MCCONNELL: And what's your cell number?

[REDACTED] Uh, oh, my cell?

MCCONNELL: Yeah.

[REDACTED] [REDACTED]

MCCONNELL: Okay.

[REDACTED] [REDACTED]

MCCONNELL: Okay, and you work at Long John?

[REDACTED] Yeah. And...

MCCONNELL: How long have you worked there?

[REDACTED] For like, 5 months, 4,

MCCONNELL: 5 months?

[REDACTED] 5.

MCCONNELL: And what, what's your job there?

[REDACTED] Drive-thru or up front.

MCCONNELL: Drive--Drive-thru?

[REDACTED] Or up front.

MCCONNELL: But, but when you say that, what you—drive-thru, you wait on people?

[REDACTED] A drive-thru like the drive—It's a fast food restaurant.

MCCONNELL: Yeah, I know, but do you wait on people, like you get their orders?

[REDACTED] Yeah. Yeah.

MCCONNELL: Okay.

[REDACTED] I'm not going to kill you.

MCCONNELL: What do you want? Just relax.

[REDACTED] My cell phone.

MCCONNELL: No, don't call your dad, 'cause I'm interviewing you right now.

[REDACTED] No, for the—for the Long John Silvers...

MCCONNELL: I'll, I'll get it. No, I'll get that. That's, don't worry about that. Okay, so when did you start work today?

[REDACTED] At 5.

MCCONNELL: You started at 5?

[REDACTED] I got there at 4:30, and I was just playing arcade games. That would be do you want me to...

MCCONNELL: Pardon.

[REDACTED] Do you want me to tell you the story?

MCCONNELL: Yeah.

MCCONNELL: Go ahead.

[REDACTED] Okay. I got there at 4:30, and I started playing arcade games, and then I just waiting, so I ordered some food, started eating, and then it was 5 o'clock, so I went to the restroom, and I saw him outside.

MCCONNELL: And him is who?

[REDACTED] The, the guy.

MCCONNELL: Okay. Do you know him?

[REDACTED] Yeah. I don't know his name or anything,

MCCONNELL: Okay

[REDACTED] but like I know that he's the husband of a girl that, named [REDACTED] that works in there. And, um...

MCCONNELL: Okay.

[REDACTED] And I...

MCCONNELL: Okay, when you him outside, what was he doing outside?

[REDACTED] He was just parked outside in the front. He's usually—He's usually there at that time, you know, waiting for his girlfriend to get out or wife.

MCCONNELL: [REDACTED]?

[REDACTED] Yeah.

MCCONNELL: Yeah? What, uh, what, what's his vehicle look like?

[REDACTED] Uh, silver Honda Civic, probably around 2000, 2001.

MCCONNELL: Okay, and he was—he was in there by himself?

[REDACTED] Uh, yeah, he was just waiting, and I just went in the restroom. I got my—like, I took in my shirt and everything. And, um, and then I got in. I clocked in, and I went to the back real quick, check on my dishes and, um, I called it. And then I went...

MCCONNELL: You, you checked on the dishes to see if there's any dirty dishes, or what?

[REDACTED] Yeah.

MCCONNELL: Okay.

[REDACTED] And then I went to the front and how you call it...

MCCONNELL: You did what?

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[REDACTED] I went to the front,

MCCONNELL: Uh huh.

[REDACTED] and, um, and I was going to get the dishes that were in the front, the trays, and that's when I saw my, my friend leaving, like, real quick outside.

MCCONNELL: Okay. Where—So you're—You had a friend at the—at the restaurant this whole time, too?

[REDACTED] Well, he, he, he works there.

MCCONNELL: Okay.

[REDACTED] He was the one of the workers.

MCCONNELL: Uh, so a co-worker?

[REDACTED] Yeah. He was already working.

MCCONNELL: What's his name?

[REDACTED] Uh, [REDACTED]

MCCONNELL: So he's already at work.

[REDACTED] Yeah. And I saw him leave outside, and I, I was like, well, that's random, you know, 'cause he's in his shape. So...

MCCONNELL: You saw him saw him walk out as like normal so?

[REDACTED] No, like, kind of like, you know, fast.

MCCONNELL: Okay.

[REDACTED] And then I saw that both of them were talking, and I was like, I didn't if it was in, in a bad way or in a good way. And the manager was there. Um...

MCCONNELL: So you saw [REDACTED] and then this, uh, [REDACTED] husband working or talking out in the parking lot?

██████████ Well, it was right in front and, um...

MCCONNELL: In, in front? Where? Describe where in the front.

██████████ I mean in the sidewalk

MCCONNELL: Okay.

██████████ of the restaurant,

MCCONNELL: Is it...

██████████ not up the street.

MCCONNELL: Is it by the doors?

██████████ Yeah.

MCCONNELL: by the doors...

██████████ Right, right next to the door. And then they started fighting, and that's when I saw the manager go outside. And, um, when the manager went outside, I thought he was going to be able to calm them down, but...

MCCONNELL: Were they fist fighting or arguing?

██████████ Yeah, yeah,

MCCONNELL: Okay.

██████████ fist fighting.

MCCONNELL: Okay.

██████████ They were already fist fighting at the time.

MCCONNELL: Did you see who hit—who hit who first?

██████████ Uh, how you call it, the other guy, he hit ██████████

MCCONNELL: The other guy hit ██████████? Did you see where?

██████████ No. I just saw him, like, start swinging at ██████████ like backed up and started swinging, too. And...

MCCONNELL: Okay.

██████████ Um, and that's when I walked outside, and I got in front of them, you know, trying to stop it, but, like, I didn't tell them anything, and I was going tell them that this ain't worth it. You know? And...

MCCONNELL: So when the manager went out, it didn't work? He was trying to break it up. It didn't work?

██████████ Like, he was—He was just talking to them to calm down. You know?

MCCONNELL: Okay.

██████████ But they were, you know, it wasn't working.

MCCONNELL: Okay.

██████████ And that's when I was like—You know, I tell—I was going to tell them, you know this ain't worth it, and right when I said this, like, he just, just telling me, oh, you want to get in this. You want to get in this, and that's—and I told him this ain't worth it, you know, uh, and told him, if you're going do anything, do it when he gets out of work or something, and I told him. And that's when, um—That's when he started swinging at me, and I just backed up. And then he kept swinging at me.

MCCONNELL: He was hit—Was he landing on anything?

██████████ No. He was landing, nothing. And, like, and I kept backing up, and then, then—Then I was like, well, you know, I can't back up forever. You know? So I was like, well alright, I got to fight back. You know? So, uh, well, I kind of know how to fight, so I just knocked him out quick, and he fell on the ground then. He was bleeding from inside of his mouth. Um, how you call it...

MCCONNELL: How many times did you hit him?

██████████ Just once. It only took one time.

MCCONNELL: Where, where did you hit him?

██████████ Straight, direct.

MCCONNELL: In the mouth?

██████████ Yeah. Uh, just a sh..., like—Well, I kind of know how to fight, so it was just straight shot.

MCCONNELL: Okay. That's fine.

██████████ Just, uh, and, uh...

MCCONNELL: How many times did he, he swung at you?

██████████ At least like more than 5, something like that, but...

MCCONNELL: Okay, and what after—after you hit him, he went down, you said?

██████████ Yeah. Right, right away he went down and, um, and then, how you call it, and then I was going hold him down, but he got up and, like, we started, like, kind of wrestling, and then I kept taking him down, and then he'd go back up again and, how you call it, and then tried to hit me again, so I took him down again wrestling still.

MCCONNELL: What do you mean he, he tried to hit you again?

██████████ Like he, he, he tried to swing at me again.

MCCONNELL: Okay.

██████████ And, um, how you call it, and I, I basically thought, okay, he saw I can knock him out. You know, I didn't think he was going to do anything, but I guess he kept going, and then once, like the second time that I got him on the ground, how do you call it, um, ██████████ and another co-worker, named ██████████ which is our friend, too, uh, three of him down. I grabbed him by the chest, and they grabbed him by arms, by each arm, and we're holding him down. And he kept, like, pushing with his feet or whatever, but like we kept grabbing him, and he would just threatening us, oh, you know, it's all that we can get, and I will get you. And, uh...

MCCONNELL: He was telling you guys, it's over?

██████████ Yeah, like...

MCCONNELL: Do you remember exactly what he was saying?

Like, just that, oh, "you guys are fucking dead. We're going to get you, or I'm going to get you." And...

MCCONNELL: He said, you guys are dead?

Yeah. He was like, you are dead, all this bunch of bullshit.

MCCONNELL: Well, tell me exactly what he said.

Just like, um, I'm going to get you how you call it..., and he was like, you guys don't even know how much you're making us suffer, how you call it, my kid, she's going to suffer if I go to jail. And it was like—And I, I was telling him on the ground, I was like, I ain't got nothing to do with this. You know? And he was like, you should of never got in this, and I was like, I ain't got nothing to do with this. But, you know what, don't do this right now. If anyone's making anyone suffer, you're making your kid suffer.

MCCONNELL: You told him not to do it right now?

Yeah. I was like, you know, if anything, you're the one making, you know, your kid suffer. I says, you're doing this. You're starting this. And he just kept, you know, he was mad. And she went out, and she was like, crying.

MCCONNELL: Um hmm.

And, um, and she was telling him to calm down, and then he kept going, and he kept going. And he finally like—He seemed like he calmed down. And the manager told us to get off of him, and said that he was okay with her. So we let him go, and we backed up. And then, like, I saw him reaching in his pocket, and I knew that he had something. And, and he, he pulled it out and, like, I had my...

MCCONNELL: What hand did reach in?

This one.

MCCONNELL: He rea—in his pants or his

[REDACTED] Yeah.

MCCONNELL: shirt?

[REDACTED] In his pants.

MCCONNELL: Okay.

[REDACTED] He just went in the pocket. He was—At first, he was trying get it out, and then he finally did, and he opened it. And then, how you call it, and then I started, like, running, but...

MCCONNELL: Are you—I'm sorry I missed that one.

[REDACTED] I started running.

MCCONNELL: You started running?

[REDACTED] But, um, I had a...

MCCONNELL: Did you see the knife, though?

[REDACTED] Yeah. I saw

MCCONNELL: Okay.

[REDACTED] the knife. It was black with, uh—it was silver with

MCCONNELL: Black and silver?

[REDACTED] black handle, yeah. And, um, it was a flip, whatever.

MCCONNELL: A flip? A switchblade?

[REDACTED] Yeah, a switchblade _____

MCCONNELL: It was a switchblade?

[REDACTED] Yeah, _____, but, um, how do call it, but I had an apron, and I ended up slipping on the where you grab it, so...

MCCONNELL: Where you what?

[REDACTED] Where, where—'Cause the apron, it has two, like, strings to it where you tie it. Yeah, and I ended up slipping on it, 'cause I haven't really taken it off, and I slipped on it, and I fell on the ground. And that's when I saw him going, like, with the knife, and he had this hand, this one. He, like, he put it on me and, like, he started going like that, and I put my hand up.

MCCONNELL: Okay. Let's, let's freeze there, 'cause now, now you're—now we're getting into the physical part. Um, let, let me just back up.

[REDACTED] Okay.

MCCONNELL: So you saw the knife. You saw him pull it in his right pant's pocket. You saw him pull the knife out and open it up?

[REDACTED] Yeah.

MCCONNELL: Did he—Show me, with your hand right now, show me how he opened it.

[REDACTED] Well, he did it like that.

MCCONNELL: He opened it—He took his left hand and opened it with the—

[REDACTED] Yeah.

MCCONNELL: It wasn't something he flipped open or opened with his leg, or?

[REDACTED] Naw. He--It looked like he had to use both.

MCCONNELL: He used both hands?

[REDACTED] 'Cause it's—most of the switchblades, they're not really—you can't really open them like that.

MCCONNELL: Okay. That's not what he did. He knew the—

[REDACTED] Naw.

MCCONNELL: You knew that. He opened with his left hand

[REDACTED] Yes.

MCCONNELL: and opened it _____.

[REDACTED] 'Cause it's

MCCONNELL: Okay.

[REDACTED] some _____ like them, he went

MCCONNELL: Okay.

[REDACTED] like that.

MCCONNELL: So you saw the knife, um, black handle with the—with the silver blade.

[REDACTED] Um hmm.

MCCONNELL: And, um, and you started to run.

[REDACTED] Yes.

MCCONNELL: And you slip. That's when you slipped and tripped on your strings on your apron?

[REDACTED] Yes.

MCCONNELL: And did you fall down to the ground, or what?

[REDACTED] Yeah. I fell on the ground and, like, half of body was on the—on the parking lot, and then the other half was in like this patch of grass over there.

MCCONNELL: And now, now where—Now, tell me from there where were you at from—Like, if I'm walking into Long John Silver's, the front door here, is it to the right, left

[REDACTED] He _____

MCCONNELL: or _____?

[REDACTED] and _____.

MCCONNELL: I'll have you do a map.

[REDACTED] Alright.

MCCONNELL: Uh, 'cause it—'cause I got to use it. I'll have you do that later then. Okay?

[REDACTED] Hmm. _____

MCCONNELL: So you fell to the ground

[REDACTED] And...

MCCONNELL: and, uh...

[REDACTED] How do you call it?

MCCONNELL: A half on the curb and half on the, the grass?

[REDACTED] Yeah. And, um, how do you call it, and, yeah, that's when he grabbed with this hand.

MCCONNELL: He grabbed...

[REDACTED] Grabbed with this.

MCCONNELL: He grabbed your right hand?

[REDACTED] He grabbed this with his hand, with his right, right hand. No, left hand, he grabbed me with that hand. Right?

MCCONNELL: He grabbed your left hand, no, your left hand.

[REDACTED] No. This is the left hand. Right?

MCCONNELL: Yeah.

[REDACTED] Okay. With his left hand, he grabbed my back. Like, he put his hand on my back with his left hand.

MCCONNELL: Okay.

[REDACTED] And that—And he had the other hand on with the blade, and he started going like that.

MCCONNELL: So was he behind you, or in front of you, on the side of you?

[REDACTED] Behind me.

MCCONNELL: He's behind you?

[REDACTED] 'Cause I had ran.

MCCONNELL: He grabs...

[REDACTED] And but, soon as I slipped, he put his hand on top, and he started going.

MCCONNELL: So he grabbed with his, his left, your back.

[REDACTED] Yeah.

MCCONNELL: Okay. How did he grab your back?

[REDACTED] Like this. He just went like that.

MCCONNELL: I'm sorry.

[REDACTED] Like yeah like back

MCCONNELL: Did he...

[REDACTED] He pulled me down.

MCCONNELL: Oh, so he pushed you down to the ground?

[REDACTED] Well, I had already slipped, but like, yeah, he put his hand like _____

MCCONNELL: He's like, _____ like this?

[REDACTED] Yeah.

MCCONNELL: Okay. So you show me, motion with your hand, put, uh, in the middle? What part of your back?

[REDACTED] Just like right on the back, somewhere in the back. I don't know where.

MCCONNELL: You remember if some part of your back, he was holding you down with his

[REDACTED] Yeah.

MCCONNELL: left hand. And, um, and with his right hand, what was he doing?

[REDACTED] Well, I'm just batting.

MCCONNELL: And he knows that, that—You started to say that, and I interrupted you. I'm sorry. So he took the knife?

[REDACTED] Yeah. That's when he started, like, going like that, like...

MCCONNELL: Can you show me a motion of stabbing?

[REDACTED] Yeah, like that.

MCCONNELL: And, and where was that stab at?

[REDACTED] At—Well, the first one must have been right here, 'cause I put my—this hand up like that to—like that to try to stop it, and I think that where it landed right here.

MCCONNELL: Okay, so if you're on your stomach, and he grabbed your left hand...

[REDACTED] No, he didn't grab my left hand. I put my left hand up. With his left hand, he grabbed my back like that.

MCCONNELL: Okay. His left hand, he grabbed—He put on your back. Okay.

[REDACTED] And then

MCCONNELL: Okay

[REDACTED] my ____...

MCCONNELL: Oh, you were showing me that that's your left hand.

[REDACTED] Yes.

MCCONNELL: Okay. I'm sorry.

[REDACTED] _____

MCCONNELL: That's where you messed me up. Okay. Do you think it was—How did the left hand get in there? Okay, so your—That's your left hand, yeah.

[REDACTED] Yeah.

MCCONNELL: That's what he put on your back.

[REDACTED] Yeah.

MCCONNELL: And then he's—You think he stabbed your wrist first.

[REDACTED] Yeah, because I, I remember I put this hand up so like, like that to try to stop the knife, or whatever or, to stop him. But I think that's when he hit right here.

MCCONNELL: Okay.

[REDACTED] And then...

MCCONNELL: Can you—Can you remember the position of your body when you were...

[REDACTED] Yeah. I was, like, flat on my stomach, but I, I put this hand up like that. Like, I was kind of shifting to the side.

MCCONNELL: Okay, so if you're like this,

[REDACTED] Yeah.

MCCONNELL: you're like that?

[REDACTED] Basically, like that.

MCCONNELL: Okay, so you're twisting to the right or the left?

[REDACTED] To the _____.

MCCONNELL: To the right? Okay.

[REDACTED] And, um, and I don't know, and then he cut, you know, like I turned. And, like, he got me in the back, 'cause I didn't want him to get the front. You know?

MCCONNELL: So once he, he got your—he cut your wrist, you twist—you twisted back

[REDACTED] Yeah

MCCONNELL: flat on your stomach.

[REDACTED] So it's like he wouldn't get my front, and he got my back, and then I, I flew my, my back hand—my left hand. Like, if you back, and that's why I think he got me right there.

MCCONNELL: Okay. Okay, let me write that. Just a second. Okay?

[REDACTED] Oh, my dad can't come and see me?

UNKNOWN 1: Oh, no, we're talking about something else. Um, do you have your cell phone? When she's done, if you try calling your dad, 'cause we can't get a hold of him.

[REDACTED] It's right here.

MCCONNELL: Okay.

UNKNOWN 1: Yeah, just...

MCCONNELL: You can try—Oh, he doesn't speak English?

UNKNOWN 1: No, never.

MCCONNELL: Okay. You speak Eng—You speak—No.

[REDACTED] (laughing) damn... that straight ring says...

MCCONNELL: Um, where you're stabbed—And that's the right side?

[REDACTED] Yeah.

MCCONNELL: He stabbed your back right side, and then, um...

[REDACTED] This hand, this arm, it flew back, and I, I think it cut it over there, since it's got a hole.

MCCONNELL: So flew behind you, is what you're showing me right now?

[REDACTED] Yeah.

MCCONNELL: Okay.

[REDACTED] Like the one like that.

MCCONNELL: Okay, so what happened next?

[REDACTED] And then right after that, like he was going at it, and then all of..

MCCONNELL: I'm sorry. Explain that more. I don't understand you.

[REDACTED] He--He's just going at it.

MCCONNELL: He's...

[REDACTED] Like, stabbing me.

MCCONNELL: Okay.

[REDACTED] And then, like, right away I just heard pop, pop. You know, it was like—
And I knew that was the cops. You know? And they got there, and they
saw it. They shot him, shot him

MCCONNELL: Did you hear anything before that?

[REDACTED] I don't know. I just—I, I don't remember anything like much, but I just—
'Cause my hand—head was in the ground already. And, like, I just heard
the two gunshots, and then I just kind of like looked up, and that's when I
saw those policemen then.

MCCONNELL: And when you looked up, you saw what?

[REDACTED] The police just going straight towards him like...

MCCONNELL: Okay.

[REDACTED] And they told them about the, the, the knife or whatever...

MCCONNELL: You heard—You heard the officer say,

[REDACTED] Yeah.

MCCONNELL: Drop the knife?

[REDACTED] Yeah. Yeah.

MCCONNELL: Was that before or after you heard the shots?

[REDACTED] After.

MCCONNELL: After the shots?

[REDACTED] Yeah.

MCCONNELL: Could they have said it before the shots?

[REDACTED] I think they might of. I wasn't really paying attention to it. I was—I was on the ground.

MCCONNELL: Okay. Uh, so they could have said it before. You just didn't hear, 'cause your head's in the ground?

[REDACTED] Yeah.

MCCONNELL: Okay.

[REDACTED] Uh, I think I was passing out over there.

MCCONNELL: You, you think you're passing out?

[REDACTED] Yeah.

MCCONNELL: Okay.

[REDACTED] That's right.

MCCONNELL: But for sure, you heard it after when you heard the shots, and then you heard...

[REDACTED] Yeah.

MCCONNELL: How many—How many times did you hear, drop—drop the knife?

[REDACTED] Two times.

MCCONNELL: You hear two shots, but then you heard someone say, drop the knife?

[REDACTED] Yes.

MCCONNELL: How—Did you know how many say that or?

[REDACTED] I think two.

MCCONNELL: Two people said it?

[REDACTED] There was two guys going at him.

MCCONNELL: Okay, and then, um, so when you, you think you were—you were losing consciousness before that?

[REDACTED] Yeah.

MCCONNELL: Okay.

[REDACTED] 'Cause of the stabbings.

MCCONNELL: Did you hear anything else before while you were stabbed? Like, while he was on top you, did anybody else yelling or say anything?

[REDACTED] No.

MCCONNELL: Did you hear him say anything while you were say—while he was top on you doing...

[REDACTED] No.

MCCONNELL: Okay. Um, and then what happened after you heard the shots and you heard the officers say, drop the knife?

[REDACTED] Just, I remember both of them, went at him, and then some other ones came, and like he put his knee on my back, and like he handcuffed me.

MCCONNELL: The officer handcuffed you?

[REDACTED] Yeah. For r...

MCCONNELL: I'm sorry.

[REDACTED] Yeah.

UNKNOWN 1: Oh, no, that's fine. You're fine.

[REDACTED] ___(mumbling)___

MCCONNELL: You're going to take something off?

UNKNOWN 1: No.

MCCONNELL: Are you going to take—Oh.

UNKNOWN 1: No, no you can—you can be talking don't worry

[REDACTED] Another needle you got to be kidding me?

MCCONNELL: What?

[REDACTED] You gonna give me another shot?

UNKNOWN 1: No, well, what we're going to do, I got to look at your elbow, and we got to see did that cut go into the elbow joint? Okay?

[REDACTED] Whether or not it—If it—If it did...

UNKNOWN 1: It did, then they got to take it to the operating room to wash it out.

MCCONNELL: Are you going to unwrap his arm right now?

UNKNOWN 1: Um...I can wait til your done talking

MCCONNELL: That's alright. I was going to take pic—I was going to get my camera and take pictures.

UNKNOWN 1: Oh. Okay.

[REDACTED] So are you going to give me a shot—a shot?

UNKNOWN 1: Uh, kind of. Yeah. We're going to—I'm, I'm...

UNKNOWN 1: I'm going to look at your elbow and see if I can either do what I want to do. Okay? When I'm going to take off the...

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MCCONNELL: I need tape.

MCCONNELL: You okay?

██████████ Damn, man, got to stay away from _____

UNKNOWN 2: Do you want it to stay unwrapped, or what?

MCCONNELL: The, the , uh...

UNKNOWN 2: You want it unwrapped?

MCCONNELL: These—And kept trying to _____ these _____...

UNKNOWN 1: I can just put a piece of paper on it

UNKNOWN 2: Where's it that?

UNKNOWN 1: and take over.

UNKNOWN 2: Back here?

MCCONNELL: I want do it on paper. It's, uh, 4137.

██████████ Yeah. Hey, if it did go into the joint,

UNKNOWN 1: Huh?

██████████ can I, like, if you guys fix it, can I later use it like perfect?

UNKNOWN 1: Yeah. You should be able to. Yes. More of just a...

██████████ Cause I'm gonna get in boxing

UNKNOWN 1: It's more of just an infection

██████████ __ (mumbles) __

UNKNOWN 1: risk.

MCCONNELL: I'm going to take some pictures of you. Okay? I know you have a...

██████████ Am I going to _____?

MCCONNELL: Is that bad? _____

UNKNOWN 2: I'm going to do pictures.

MCCONNELL: Oh, you're going to take pictures? What?

UNKNOWN 1: No. She—She's not in the pictures.

UNKNOWN 2: (Female) I'm just being funny

MCCONNELL: Oh, I thought you said go take pictures.

██████████ I'm trying—I'm trying.

MCCONNELL: I gave you that thing, and I...

UNKNOWN 1: Yes.

MCCONNELL: Can you hold it up to his hand? Just, no what just...

UNKNOWN 1: No, just look straight ahead

██████████ So now I'm a convicted felon

UNKNOWN 1: Naw _____

MCCONNELL: No. It's injuries.

██████████ Hey, did you guys...

MCCONNELL: Keep it up here

UNKNOWN 1: We're just seeing how big your injuries are.

UNKNOWN 2: (Female) I feel some redness here.

██████████ Oh, yeah, I think we were wrestling.

UNKNOWN 2: Feel the other one.

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MCCONNELL: You know what? Get this. _____ Get this. I'm on the 60, 91, 60 and Danny calls

██████████ Hmm.

MCCONNELL: He goes, oh, Fred wants you to come with you. I'm like, where, and you don't have a car, so he might be coming, taking pictures, too.

UNKNOWN 3: Okay.

MCCONNELL: Yes. _____

UNKNOWN 3: I don't see what pictures he could take that you can't take.

MCCONNELL: I know, but is, is that the bar?

UNKNOWN 3: No. That's the small one.

MCCONNELL: Oh.

UNKNOWN 4: (Woman) I think there's one in back of the O.R. or something.

UNKNOWN 3: Yeah. We should keep them on the back

MCCONNELL: Okay.

UNKNOWN 3: of the door.

MCCONNELL: Okay.

UNKNOWN 2: I haven't seen it here.

UNKNOWN 3: You want the...

MCCONNELL: I'm good

UNKNOWN 3: You want to put...

MCCONNELL: Okay. I just want to get a big

UNKNOWN 3: Alright.

MCCONNELL: picture of that. That's his arm with his body.

UNKNOWN 3: Uh.

MCCONNELL: Put it back.

UNKNOWN 1: _____

MCCONNELL: That would be good.

UNKNOWN 1: Yeah. I'm going to try get around her real quick. I don't want to be

██████████ It didn't go in the joint?

UNKNOWN 1: Well—So _____ I just want to

██████████ Okay.

UNKNOWN 1: come _____ over here.

MCCONNELL: You have tattoos that _____

██████████ Uh, _____ collection.

UNKNOWN 1: You ever see him?

UNKNOWN 1: Yes. Yeah.

MCCONNELL: I'm sorry I didn't _____

UNKNOWN 1: Uh, okay. Yeah, that's fine. Have her go back, uh, and he can bring me
_____. Is he with the—

MCCONNELL: Huh?

UNKNOWN 1: Are you going to take him then?

MCCONNELL: Uh, no. I'm going to stop the interview right now, 'cause the doctor is
looking at his, um, arm at 8:16.

[END OF TRACK: 07-4137 Angel, DURATION: 23:28]

[BEGINNING OF TRACK: 07-4137 Angel statement, DURATION: 03:47]

UNKNOWN 1: [REDACTED] wake up. Let's go.

MCCONNELL: You alright? Is the pain—

[REDACTED] Yes.

MCCONNELL: You're alright? Okay. I—I'm just going to hurry up and go over what you said. Okay? You started work at 5 o'clock.

[REDACTED] Um hmm.

MCCONNELL: And you got there at 4:30? You're playing video games, and, uh, you ordered food. You started eating, and you saw the other guy sitting outside in a 2000, 2001 silver Honda Civic?

[REDACTED] Um hmm.

MCCONNELL: Is that right?

[REDACTED] Yeah.

MCCONNELL: Um, and, and the—and who's husband is it?

[REDACTED] [REDACTED]

MCCONNELL: [REDACTED] husband. Good. And, uh, he, he was alone in the vehicle? And you went to bathroom, and you clocked in, and when you back, you were back and forth, forth, uh, from the front of the business to the back looking for dishes, and then you saw your co-worker, [REDACTED] run outside or walk out fast, and then you saw him talking to other guy, and then you saw him fighting.

[REDACTED] Yeah.

MCCONNELL: Fist fighting, and then, uh, you, you saw the manager run out there, and he was talking to them and didn't stop the fight, so you ran out there. And do you remember what you said to him?

[REDACTED] Nothing.

MCCONNELL: You didn't say anything to him?

[REDACTED] I was _____ kind of like this ain't worth it.

MCCONNELL: Did, did you get that out, though, this ain't worth it?

[REDACTED] Yes.

MCCONNELL: Or you were going to say it?

[REDACTED] I was about to say it, but when he started swinging, I told him

MCCONNELL: Did...

[REDACTED] not to...

MCCONNELL: So did you

[REDACTED] I told him that...

MCCONNELL: get anything out?

[REDACTED] I told him that af— "He should at least _____" once he's out of work, or something.

MCCONNELL: So you said do, do it after work?

[REDACTED] Yeah.

MCCONNELL: Okay.

[REDACTED] Something like that.

MCCONNELL: And then what happened after that? You remember?

[REDACTED] Yeah. Um, and then he just telling me, "if I wanted some or wanted some," and then he started fighting me. And I just kept backing up, and then I had to do something, so I knocked him out.

UNKNOWN 1: Put your knees up.

MCCONNELL: Okay.

UNKNOWN 1: Okay?

[REDACTED] I was...

MCCONNELL: Put your knees up for the guy.

[REDACTED] When he was on the ground.

MCCONNELL: So you, you not—You swung him one and hit him face, you said.

[REDACTED] Yeah.

MCCONNELL: And he hit to the ground.

[REDACTED] Yes.

MCCONNELL: And then he got...

UNKNOWN 2: We're going to x-ray for his elbow.

[REDACTED] Yeah.

MCCONNELL: And he got back up?

[REDACTED] Yeah.

MCCONNELL: And then you guys—You said before you started wrestling with him, and he went back down.

[REDACTED] Yeah.

MCCONNELL: And then he—And then what happened?

[REDACTED] _____ he gets back up.

UNKNOWN 1: _____ statement.

MCCONNELL: He got back up?

[REDACTED] And we wrestled

UNKNOWN 1: Is he going to be much longer?

MCCONNELL: No.

again.

MCCONNELL: And he got up again? And then [REDACTED] and [REDACTED] came and helped you hold him down?

[REDACTED] and [REDACTED] yeah, were holding him down.

MCCONNELL: Okay.

[REDACTED] And I was trying to talk to him, telling him that "it wasn't worth it," that he should calm down and that "I had nothing to do with it."

MCCONNELL: Okay.

[REDACTED] Um...

MCCONNELL: And then he said, "you guys are dead? You're fucking going to get it." You know?

[REDACTED] Yeah. He started telling us, and I, I was like you know what the, like the manager said let him go, and wouldn't let him go, 'cause we thought he was calm. And...

MCCONNELL: Okay.

[REDACTED] He _____, and that's when

MCCONNELL: You, you saw him...

[REDACTED] I saw him take out a knife with his right hand, and he opened it up with his left, and then like I ran, and I trip on my apron, and I hit the floor and that's when I remembered that he grabbed his left hand and that's when he started stabbing me with the right. He got my wrist first, and then—and then I think that's when he got my back, 'cause I was just twisted to the side and when my arm flew up he must have had got in elbow or whatever.

MCCONNELL: Okay. Then did you hear the officers?

[REDACTED] Yeah.

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MCCONNELL: What did you hear the officers say?

██████████ Well, I just heard two shots, and then I heard the officer go, drop the weapon.

MCCONNELL: Okay. Okay, so can you think of anything else?

██████████ No.

MCCONNELL: No? Okay. Okay, they're going take you. Okay?

██████████ Alright.

UNKNOWN 1: Alright.

[END OF TRACK: 07-4137 ██████████ statement, DURATION: 03:47]

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[BEGINNING OF TRACK: 07-4137 Statement ██████████, DURATION: 00:39]

MCCONNELL: Okay.

UNKNOWN 1: Nagappan.

MCCONNELL: Nagappan? Are they still here, you know, or?

UNKNOWN 1: They must be here.

UNKNOWN 1: Yeah. Somebody's here.

MCCONNELL: Okay.

MCCONNELL: Actually I need to find and interview him.

UNKNOWN 2: See if you can find him.

MCCONNELL: You'd be up here or down in emergency room?

UNKNOWN 1: Between the two, probably.

MCCONNELL: Okay. I have to remember Dr. Nagappan.

[END OF TRACK: 07-4137 Statement ██████████, DURATION: 00:39]

[BEGINNING OF TRACK: 074137, DURATION: 01:45]

MCCONNELL: Okay. We're going to resume the interview at 8:30, um, with [REDACTED]. Okay. Um, the last thing you said before the doctor came in, you said, uh, um, you were losing consciousness before you could them, officers, saying something. Um, you—Uh, the officer came up and put his knee on your back and handcuffed you. And that's the last you said. What happened after that?

[REDACTED] Uh, then he just left and like...

MCCONNELL: Who left?

[REDACTED] The officer and more cops started coming, and like they were just like he wasn't...

MCCONNELL: How, how did, uh, the guy—the guy get off your back?

[REDACTED] When they shot him.

MCCONNELL: He—What, what happened? Tell me—Explain that to me.

[REDACTED] Like he fell backwards.

MCCONNELL: He fell backwards when they shot him? Do you know where he fell to when he fell backwards? No? Okay.

[REDACTED] He just fell on the ground.

MCCONNELL: Okay.

[REDACTED] And then I remember that I told him that the whole thing was, was wasn't worth it.

MCCONNELL: You told the whole thing wasn't worth it?

[REDACTED] I told him the whole thing

[REDACTED] wasn't worth it.

MCCONNELL: Okay.

UNKNOWN 1: Alright, put your hands down like this.

[REDACTED] I can't.

UNKNOWN 1: You can't? You can't do this?

[REDACTED] No. I really can't.

UNKNOWN 1: Why? Is it, it hurt too much, or you just...

[REDACTED] Yeah.

UNKNOWN 1: Okay.

[REDACTED] It hurts and then. They're kind of numb.

UNKNOWN 1: Okay.

MCCONNELL: Hello.

UNKNOWN 1: Put your hands down like this.

MCCONNELL: Hello.

UNKNOWN 1: And squeeze my hand...

MCCONNELL: Yeah.

UNKNOWN 1: really tight. You can't?

MCCONNELL: Uh, I'm in the--in the interview right now. The doctor's talking to the kid.

[END OF TRACK: 074137, DURATION: 01:45]

Key: MCCONNELL: Detective Michelle McConnell
NAGAPPAN: Dr. Nagappan

[BEGINNING OF TRACK: Dr. Nagappan interview 03-29-07, DURATION: 03:40]

MCCONNELL: When I—if it's not a good time or whenever, I need to talk to you about the, the surgery you have for, um, Serrano, and...

NAGAPPAN: Okay.

MCCONNELL: What occurred. Um, I have some of the paperwork, but not all of it.

NAGAPPAN: Okay.

MCCONNELL: Um, how many—how many times was he hit with the bullet?

NAGAPPAN: Uh, twice.

MCCONNELL: Twice? Where did they enter? Do you know?

NAGAPPAN: One in the right posterior shoulder.

MCCONNELL: One in the right shoulder?

NAGAPPAN: And one—the other one was in the left, uh, posterior, uh, lower back or below the chest line, chest line.

MCCONNELL: And left chest line?

NAGAPPAN: Yeah. On the po—back, kind of the side and back.

MCCONNELL: Side and back, and then, um, how many did you—How many bullets did you remove?

NAGAPPAN: Uh, the thoracic surgeon took one out of the lung. I think it was part of one, and then I took one out from the belly, the abdominal wall.

MCCONNELL: When did you take the one out of the belly, 'cause we only—we covered one bullet or that we only...

NAGAPPAN: Uh, it was a sec... when I took him back to the O.R. the second time.

MCCONNELL: Okay. You guys still that then or?

NAGAPPAN: No, well, I gave it to the nurse that was in charge that, that night, so.

MCCONNELL: Okay, so which one came out first? The one in the shoulder, or the in the...

NAGAPPAN: The one in—The one that was in the chest, yeah.

MCCONNELL: Okay, so that...

NAGAPPAN: That came out first. That was the first day—first night of surgery.

MCCONNELL: Okay.

NAGAPPAN: Then he went back in, I want to say, about 24 hours later, I think.

MCCONNELL: Okay, and you took the other one out, and it was in the belly area?

NAGAPPAN: Uh huh.

MCCONNELL: Okay, and, um—So just to—The one in the shoulder went—it traveled down to his chest area, which the other surgeon took out?

NAGAPPAN: Right. Uh huh.

MCCONNELL: And then the one in the back lower left side went up into his belly?

NAGAPPAN: Yeah. The...

MCCONNELL: And you...

NAGAPPAN: The abdomen and, and it got his spleen, his kidney, his pancreas and a small intestine.

MCCONNELL: It hit his spleen, his kidneys, pancreas...

NAGAPPAN: Small intestine, pancreas.

MCCONNELL: Small intestine, it hit it? Are you going to take them out?

NAGAPPAN: Well, I took the spleen out, took the kidney out, repaired the pancreas, uh, and took out small intestine.

MCCONNELL: Okay, and then, um, what is his diagnosis or prognosis? Do you think he's going to...

NAGAPPAN: It's still critical. Uh...

MCCONNELL: Critical?

NAGAPPAN: Yeah. It's critical.

MCCONNELL: Did he ever come to and say anything or?

NAGAPPAN: No. No.

MCCONNELL: Okay. Um, I think that's all I was going to ask you. Um, if it's hard to get a hold of you, is there like a, a good time where you're just in the office all the time or?

NAGAPPAN: Uh, I'm busy

MCCONNELL: Yeah, I figured this,

NAGAPPAN: all the time.

MCCONNELL: this is how...

NAGAPPAN: I mean if you need a certain time to talk or something,

MCCONNELL: Uh huh.

NAGAPPAN: uh, just page me

MCCONNELL: Alright.

NAGAPPAN: in the morning, and I tell you what time, and then...

MCCONNELL: Okay. Okay. Um, well I just need to find the nurse that's got the second bullet then.

NAGAPPAN: Yeah. I would call the O.R.,

MCCONNELL: Okay.

NAGAPPAN: and find out what time—I, I don't remember what time it was done. So many things happened that day.

MCCONNELL: Yeah.

NAGAPPAN: Uh...

MCCONNELL: When...

NAGAPPAN: But they should know.

MCCONNELL: When did you last see him?

NAGAPPAN: Just about an hour ago.

MCCONNELL: An hour ago? Is he still—Is, is he still out of it?

NAGAPPAN: He's still critical. Yeah. He's out of it. He's on the ventilator.

MCCONNELL: He's still on the ventilator? Is that—Is that what's keeping him alive, that ventilator?

NAGAPPAN: Well, well that's providing, yeah, some of it.

MCCONNELL: Okay. Um, is his wife there?

NAGAPPAN: Yeah. Yeah. His wife was there an hour ago.

MCCONNELL: Okay. Okay. I haven't had a chance to get over there. Uh, uh, maybe, the first time I went over there was like—I thought it was, um, a crook trying to get in there. It was real...

NAGAPPAN: Um hmm.

MCCONNELL: ...good security.

NAGAPPAN: Yeah.

MCCONNELL: Okay. Um...

NAGAPPAN: But you got to go to the lobby and talk to the people downstairs.

MCCONNELL: Yeah. That's what we did. We just didn't know how to get upstairs,

NAGAPPAN: Yeah.

MCCONNELL: And so...

NAGAPPAN: Yeah.

MCCONNELL: Uh...

NAGAPPAN: Yeah.

MCCONNELL: Even the security guard that works for the hospital

NAGAPPAN: Uh huh.

MCCONNELL: had trouble getting in.

NAGAPPAN: Yeah. Um...

MCCONNELL: Okay, so um I'll just—I'll call her if I can think of any other questions I'll give you a call back. Okay. Sounds good.

NAGAPPAN: Thank you, doctor.

MCCONNELL: Alright, thank you bye, bye.

[END OF TRACK: Dr. Nagappan interview 03-29-07, DURATION: 03:40]

Key: MCCONNELL: Detective Michelle McConnell
CEASAR: Ceasar, R.N., Defendant's Nurse
ANDERSON: Detective Anderson
RALSTON: Sergeant Ralston

[BEGINNING OF TRACK: RN Ceasar – 1, DURATION: 03:19]

MCCONNELL: April 10th, 2007, Riverside Community Hospital. Serrano. First name, Isaac. He's ____ passed out.

ANDERSON: He looks pretty alert.

MCCONNELL: Um, he does. He wasn't like that two, three days ago.

ANDERSON: I know a lot _____

MCCONNELL: Yeah. _____ said, who cares, what?

ANDERSON: ____ mom.

MCCONNELL: Oh.

ANDERSON: Somebody _____?

MCCONNELL: No. I need, uh, Ceasar?

MCCONNELL: Hey, you're Serrano's nurse, Isaac Serrano's?

CEASAR: Yeah.

MCCONNELL: Okay.

ANDERSON: We have two questions for you.

CEASAR: Um hmm.

ANDERSON: I'm Detective Anderson, Corona

CEASAR: Okay.

ANDERSON: Police Department. This is Sergeant Ralston.

RALSTON: Hi.

CEASAR: Um, he's stable enough that he can be moved to another room.

ANDERSON: On the _____?

CEASAR: Yes.

ANDERSON: here in the hospital?

CEASAR: Um, he's stable and, uh, _____ I think we will _____
_____ is the time to run a test. We ran a CT scan this
morning. They see something in that may be required for some procedure
_____ If that happens, _____
_____ in I.C.U.

ANDERSON: He still needs _____

CEASAR: Yeah. I.C.U., if that _____ Dr. Nagappan is
not here yet.

ANDERSON: Can he--If he wanted to, could he stand up and get up?

CEASAR: No _____

ANDERSON: He can't walk?

CEASAR: He's just _____ and same thing right now, so they call
me, and I'll go, but...

ANDERSON: But has he--has he lost any movement in his legs?

CEASAR: He's, he's weak from one side.

ANDERSON: Just weak?

CEASAR: One side, yeah.

ANDERSON: So if he wanted to, he could probably stand up?

CEASAR: To stand up.

ANDERSON: Oh, what his diagnosis be, that he will be able to walk?

CEASAR: Talk to Narappan.

ANDERSON: It's important.

CEASAR: I don't think so. Maybe, he's very. You know, see if he was just sitting low on the bed, feel dizzy and laid, laid back down on the bed. You know? _____

ANDERSON: Is there any medical reason why he couldn't walk?

CEASAR: Um...

MCCONNELL: So _____ still _____ these problems.

[END OF TRACK: RN Ceasar – 1, DURATION: 03:19]

[BEGINNING OF TRACK: RN Ceasar-2 ref meds, DURATION: 02:03]

CEASAR: _____ had a fever _____

ANDERSON: Nothing?

CEASAR: No.

ANDERSON: So is my _____

CEASAR: We do sometimes for pain.

ANDERSON: But right now, he's not?

CEASAR: Nothing.

ANDERSON: Okay. What we're going to do, is we're going in and talk to him.

CEASAR: Um hmm.

ANDERSON: And then we'll probably, um, wait around.

CEASAR: Um hmm.

ANDERSON: And see what doctor diagnosis is today.

CEASAR: Yeah.

ANDERSON: And then we'll make some decisions on what we're going to do.

CEASAR: Okay.

MCCONNELL: Sounds good. Yeah.

ANDERSON: Now, the family, can you stop? We would rather have no one come in there while we're talking today.

CEASAR: Okay.

ANDERSON: So if somebody tries to come up, that can stop prior to...

CEASAR: Okay.

ANDERSON: I don't know if you do

CEASAR: Anyway,

ANDERSON: that downstairs.

CEASAR: they always, you know, call to go there _____

ANDERSON: They call first?

CEASAR: Uncle, whatever.

ANDERSON: Okay. If you can stop that for—Oh, he may not want to talk to us.

CEASAR: Yeah.

ANDERSON: So...

CEASAR: Okay. I just going to get something I can give. Will you give me 5 minutes to, to finish the _____

MCCONNELL: Is it medicine or what?

CEASAR: Yeah. I, I—Well, I'm just going to give some antibiotics, check his blood over _____

MCCONNELL: Okay.

CEASAR: _____

MCCONNELL: Okay. I want you to buy some lipstick.

ANDERSON: My mom likes that shit _____

MCCONNELL: Nothing here is like that Skin So Soft. Bugs don't like it. It's good for keeping bugs away.

ANDERSON: That's what I'm worried about. _____ when I come back, I'm _____

RALSTON: _____ out there?

ANDERSON: Some times you do. There's like a two hour window.

RALSTON: _____

ANDERSON: That's it. If there's standing water or in the _____ when the sun goes down, there's a two hour time period where you don't want to be outside.

RALSTON: Yeah, there were no bugs _____ It's cold down

ANDERSON: There must be nothing, and like you said it's standing water, and it's warm out.

RALSTON: Um hmm.

ANDERSON: Do the _____ interview _____ by herself. _____
let's go _____ Well, I want _____ to go, hey, uh, _____
_____ I say, hey, uh, _____

[END OF TRACK: RN Ceasar-2 ref meds, DURATION: 02:03]

Key: MCCONNELL: Detective Michelle McConnell
 ANDERSON: Detective Anderson
 RALSTON: Sergeant Ralston
 SERRANO: Isaac Serrano, Defendant

[BEGINNING OF TRACK: Serrano 04-10-07, DURATION: 12:42]

MCCONNELL: Uh, Isaac Serrano. He went—We're talking.

ANDERSON: Isaac, how are you doing? Uh, could be better. Huh?

SERRANO: I'm getting better.

ANDERSON: That's good.

SERRANO: I'll go soon.

ANDERSON: Detective Anderson, Corona Police Department, Detective McConnell,
 and this is Sergeant Ralston.

SERRANO: Uh huh.

ANDERSON: Um, we just have a few questions for you about the incident that happened

SERRANO: Yeah.

ANDERSON: that day. Um, do you understand that you're not under arrest or anything?

SERRANO: Uh huh.

ANDERSON: Obviously, you're in a hospital, and you're in a hospital bed. I don't know
 if you can get up, if you...

SERRANO: I don't have the energy to get...

ANDERSON: Don't have any energy right now.

SERRANO: Yeah. Right now, I need my—I, I need some pain medicine.

ANDERSON: Yeah. Okay. Well, we just had a few questions for you.

SERRANO: Okay.

ANDERSON: See what you can remember that day.

SERRANO: Okay.

ANDERSON: Um, you

SERRANO: Yeah.

ANDERSON: remember everything?

SERRANO: I, I, I—You know, I was getting jumped, you know what I mean? Like, I don't know how to play it. I know like what I did was wrong. I shouldn't—You know I shouldn't of stuck out that knife.

ANDERSON: Stab that guy?

SERRANO: and try to ____, you know, stab that guy.

ANDERSON: Well, you didn't try. You stabbed him.

SERRANO: I did—I did stab him.

ANDERSON: Yeah.

SERRANO: Okay? I'm not going lie. I stabbed him. Um...

ANDERSON: Why did you do that?

SERRANO: I got so angry, 'cause all three of them were holding me down, and weren't fighting fair. Just fist fight, and then—and then...

ANDERSON: Well, they were holding you down, they said, because they were trying stop the fight. They weren't hitting you or anything. They were trying to stop it. Do you remember that?

SERRANO: No. That—I think they knew you guys were there. That's why they were just holding me down trying to stop it. These guys were like always—they'd go to my old lady's house, and one of these guys would ask my old lady for condoms, and it's just like, I got tired of these guys, the shit all the time, and so I went over there, and I told them don't come and ask my old lady for condoms. He's like, oh, well, you more of these—more of these, something. Well, whatever they did and stepped outside, and it looked like we were scuffle, and then, um, what's, uh—that was, uh, [REDACTED]. And then, uh—And then, uh, what, [REDACTED]? Luis came out. The reason I went out there during the day for [REDACTED], because I, I went up there, and I grabbed him and told him don't be hitting me up, because like every time I go to pick up my old lady at Long John Silver's, they're like always like looking at me, like trying—like punking. You know what I mean? Like, like, uh, asking if I want to smoke weed. I told them, no, I don't do that shit. You know? And they offer my old lady that, and so...

ANDERSON: So is that when you went in the first time?

SERRANO: Yeah.

ANDERSON: Is that

SERRANO: That's the first...

ANDERSON: when you socked that guy the first time?

SERRANO: Well, I grabbed him. I told him don't be hitting me up.

ANDERSON: And that was who?

SERRANO: That was [REDACTED]

ANDERSON: And that was earlier in the day?

SERRANO: That's right _____

ANDERSON: How much earlier?

SERRANO: Uh...

ANDERSON: A couple hours, or...

SERRANO: That was about 2:30, and then when I came back, I came back by myself, and I kind of had a feeling something was going to happen, so I stuck that pocket knife in my pocket, 'cause I thought some--You know like these guys are like a gang. They're all together. [REDACTED] [REDACTED] and [REDACTED].

ANDERSON: So you put the knife in your pocket before you

SERRANO: Just

ANDERSON: left

SERRANO: in case

ANDERSON: the house?

SERRANO: I started getting my ass woop or something.

ANDERSON: Alright.

SERRANO: And going back there, I just looked—[REDACTED] looking at me, and I, I, I told him—I told him to step outside and told him, I want to talk to you. Don't go over at my old lady's house _____, and I have a wife and kid, now a 3-year-old. I use to be an idiot. I'm not an idiot no more. I stopped doing drugs. I stopped messing around. I don't want all this shit, and I wish I would of walked away.

ANDERSON: Right.

SERRANO: And I told that guy come over to my house and have a Collins and bullshit. And you know what? You want to do something, and then, uh, [REDACTED] came out backing him up, and [REDACTED] came out. 'Cause all three of those guys, man, it looked we were going to scrubble, and I think they seen you guys, and they were holding me down. But they're holding me down for a while like, like ____ing me like spit, you go crazy. And finally when they let go of me, that's when I grabbed my pocket knife out, and I stabbed him.

ANDERSON: Start chasing that kid?

SERRANO: Start chasing that kid.

ANDERSON: Do you remember the officers yelling at you?

SERRANO: Yeah. I remember.

ANDERSON: How come you

SERRANO: It was

ANDERSON: didn't listen?

SERRANO: too late. It was like—I didn't see the cops after the first stab, but the second I heard something, and I just looked up, and I seen the cops, and it was like, oh, man, I'm gone.

ANDERSON: When did you hear them yelling at you?

SERRANO: After I, I hear my, my old lady screaming and [REDACTED] and [REDACTED] and the cops.

ANDERSON: While you're stabbing the guy, what were the cops saying to you?

SERRANO: "He's got a knife." That's when—That's when he—When I heard the shots.

ANDERSON: Do you remember them telling you to "drop it" to "stop?"

SERRANO: Yeah. I, I dropped it

ANDERSON: Yeah, but do you...

SERRANO: after I got shot, though.

ANDERSON: Yeah, but do you remember hearing them yelling at you to, to stop? 'Cause you were right in front of them.

SERRANO: You know, I, I, I, I guess I must of lost it when—You know what I mean?

ANDERSON: You get so mad?

SERRANO: So pissed off then I _____

ANDERSON: Had you been drinking or anything that day?

SERRANO: I had one beer.

ANDERSON: Why did you go to the work and do that when these guys were working? Why didn't you wait and do

SERRANO: I had to

ANDERSON: it like

SERRANO: go pick...

ANDERSON: after work, or?

SERRANO: I had to go pick up my old lady at 5.

ANDERSON: So why did you go in at 2:30?

SERRANO: At 2:30, because I leave work at 2:30, and started to stop by and tell this guy how I felt, and then like when I did, I—the story I just told you.

ANDERSON: Right.

SERRANO: And when I came back at 5 to pick up my old lady, that's when all that happened.

ANDERSON: So you had basically worked yourself into such a rage...

SERRANO: Yeah. I was—I was kind of bottling up.

ANDERSON: Right.

SERRANO: Yeah.

ANDERSON: You understand what you did was wrong.

SERRANO: Yeah. That was so stupid.

ANDERSON: I mean the kid was trying to get away from you.

SERRANO: Yeah.

ANDERSON: And you chased him, and when you caught him, then you start stabbing him.

SERRANO: Uh huh. How's that guy doing?

ANDERSON: Uh, he's--uh, he's—uh, he's not going to die. You know?

SERRANO: Yeah.

ANDERSON: Uh, that's the good part for you.

SERRANO: Uh.

ANDERSON: But do you have black-outs like that a lot when you get so mad that you just forget, or just don't—You understand what I mean?

SERRANO: Yeah.

ANDERSON: You just get yourself so worked up.

SERRANO: I got—I got so worked up that day.

ANDERSON: Yeah.

SERRANO: Yeah.

ANDERSON: Do you remember the officers yelling at you to stop? I mean you're right in front of them.

SERRANO: Uh, yeah. Like, a li—You know what I mean? Like, a little bit.

ANDERSON: You remember a little bit of that?

SERRANO: Honestly.

ANDERSON: Did you turn to the one officer? Were you going to stab the officers?

SERRANO: No way.

ANDERSON: 'Cause you didn't know?

SERRANO: I didn't know there were cops right there.

ANDERSON: But you could

SERRANO: _____

ANDERSON: hear them.

SERRANO: _____

ANDERSON: You said you could hear them yelling.

SERRANO: Yeah. A—After I stabbed the guy

ANDERSON: You ran

SERRANO: and looked up.

ANDERSON: right to the cops. You ran from that front door, you ran right to the officers. That kid was running to where the officers were at.

SERRANO: _____ that kid was running, fell towards the bushes.

ANDERSON: Yeah.

SERRANO: Fell down in the bushes, and I went to stab him. And I looked up, and I seen the cops, and I was, oh, man, I'm done.

ANDERSON: Was that the kid you were the maddest at?

SERRANO: Yeah. I maddest at, 'cause I mean he's...

ANDERSON: Is he the one that asked for the condoms?

SERRANO: Uh, [REDACTED] is the one that asked for condoms. [REDACTED] the one that—I, I told [REDACTED] not to get involved that its between me and [REDACTED] and he was getting _____, the guy that I stabbed. I told him—I telling—I'm talking to this guy. Why are you getting involved? Well, and he's like, well, I—it's my business and...

ANDERSON: Do you remember them tell—trying—when they were holding you down, trying to calm you down? That they had called the police, and they were trying to calm you down?

SERRANO: Yeah. They're trying to tell me is it _____ and all that, yeah.

ANDERSON: You were still--You were so mad that...

SERRANO: Yeah. I was just—I lost it that day.

MCCONNELL: Did you say anything to them when they're—when they're holding you down? Did you say anything?

SERRANO: I said, “let me go. Fight fair,” you know, and all these guys holding me down, I was going--getting more hotter.

ANDERSON: Do you understand today though now that you're more rational that they were just holding you there, 'cause the fight was over, and they were trying to get the police there?

SERRANO: Uh huh.

ANDERSON: Do you understand that today?

SERRANO: _____

ANDERSON: Well, do you understand that they didn't want to fight. They were holding you down, because...

SERRANO: Yeah.

ANDERSON: ...the police were coming. Do you understand that now? Do you understand my question?

SERRANO: Is this how they're saying?

ANDERSON: That's what everyone's saying.

SERRANO: Well...

ANDERSON: And then, you know, you—They let you up, because you're wife came out and said that, you know, let you up. You remember that?

SERRANO: Yeah. My wife's telling me “let's go.”

ANDERSON: And then that's when you started chasing that kid, [REDACTED]

SERRANO: Is there all _____? Yeah. I don't know. I was—I must have a blackout or something.

ANDERSON: You just worked up into such a frenzy.

SERRANO: Yeah.

ANDERSON: that you

SERRANO: Or psych...

ANDERSON: weren't listening?

SERRANO: Psychologically not all _____

MCCONNELL: How old—How old is [REDACTED]

SERRANO: [REDACTED] 17. They're all school kids going to fast

MCCONNELL: Oh.

SERRANO: food temporary jobs. But you know what I mean?

ANDERSON: Do you think now that you look back at this, were you, uh—did you think your wife was having an affair with one of these guys, or did you think they were—What did you think was going on?

SERRANO: Because she's—I was thinking kind of that she might—could have have and affair, so it's probably what lied in my anger.

ANDERSON: Yeah. Do you think now today you see that it was wrong?

SERRANO: Yeah.

ANDERSON: Yeah?

SERRANO: That it's wrong.

ANDERSON: Have you ever worked yourself up this bad before were you?

SERRANO: No, no, never.

ANDERSON: Never?

SERRANO: No. I regret it so much. It's so stupid. It—It's going to give me a ride to stick piece of steel in somebody.

ANDERSON: How many times do you remember stabbing him?

SERRANO: Three.

ANDERSON: Three?

SERRANO: Um hmm.

MCCONNELL: _____

ANDERSON: Okay. We might, you know, have some more questions. Is there anything else you can think of that...

SERRANO: That's everything.

ANDERSON: That's everything?

SERRANO: That's everything I _____

MCCONNELL: Did, did you bring a—When, when you said you thought there might be trouble, did you bring the knife from home, or where did you get that knife?

SERRANO: This is the pocket knife I had in my car.

MCCONNELL: Put it in your car?

SERRANO: Yeah. Just like for whatever stuff.

MCCONNELL: What did you think was going to happen?

SERRANO: I just thought these guys were going to jump me. That's why I stuck it in my pocket.

MCCONNELL: But what, what was your intentions to go back just to do—to do what?

SERRANO: What, at 5?

MCCONNELL: Yeah.

SERRANO: Pick up my old lady.

MCCONNELL: And you thought something was going to happen just picking her up?

SERRANO: Something's going to happen picking her up.

ANDERSON: Well, if you thought that, though, why didn't you just wait in the car. I mean these kids are working. You know what I'm saying? You went

SERRANO: Yeah.

ANDERSON: inside and started it. If you thought they were going to do something to you, why wouldn't you just wait down the street or tell your, you know, your wife to meet you up at McDonald's or—You know what I'm saying?

SERRANO: Uh huh.

ANDERSON: So were you kind of going to settle it, too. You understand what I mean?

SERRANO: Yeah. I just wanted to talk to them verbally.

ANDERSON: So you weren't just waiting for them to start it. If you were pushing it a little bit yourself, would you say?

SERRANO: Um.

MCCONNELL: 'Cause you got out of your car.

SERRANO: I've been wanting to talk with them, 'cause remember I told you earlier

ANDERSON: Right.

SERRANO: they kept asking for condoms.

ANDERSON: Right. So you were mad, and so it's not—it's not a fair statement to say that they just jumped you, because you went inside _____ the kid two hours prior. Then you go back in and start more problems in there. You understand what I mean? So...

SERRANO: Um hmm.

ANDERSON: So you were kind of, would you say—I would say you were the aggressor.

SERRANO: I was—I was pissed off.

ANDERSON: Right, and you made a mistake.

SERRANO: I made a mistake.

ANDERSON: Right. Okay.

MCCONNELL: Okay.

ANDERSON: Alright. Well, if we have any other questions, we'll, we'll, uh, get in touch with you. Okay?

SERRANO: Okay.

ANDERSON: We'll probably be here for awhile, so if you want to talk to us some more

SERRANO: Just...

ANDERSON: let the nursed know.

SERRANO: You think there'll be any, uh, criminal charges as far as _____

ANDERSON: Um, I don't know.

SERRANO: No?

ANDERSON: That's what we're trying to figure out.

SERRANO: Uh huh.

ANDERSON: You know? I mean, obviously, you got to look at two ways. You can't stab somebody.

SERRANO: Yeah. I know.

ANDERSON: And you're really lucky you didn't kill the guy.

SERRANO: Yeah.

ANDERSON: That's, that's probably best thing that you having going for you right now.

MCCONNELL: Were, were you trying to kill him when you're stab?

SERRANO: I wasn't intending to kill him. I just like three pokes and that's, that's it. You know?

ANDERSON: Well, you know, I, I would say three times you're doing more than getting

SERRANO: Yeah.

ANDERSON: someone's attention.

SERRANO: I know it's bad _____

ANDERSON: You know what I'm saying? You're doing more

SERRANO: Yeah.

ANDERSON: than getting somebody's attention.

SERRANO: Uh huh.

ANDERSON: One time is bad enough, but three times...

SERRANO: Everything I had my job going on almost three years, my daughter, 3, my own apartment, my own car, my wife. Everything's going good. You know what I mean? I just wish on that day I would have just—You know what I mean?

ANDERSON: Wish you could take it back.

SERRANO: Yeah. You know what I mean?

ANDERSON: Well, jealousy is a bad thing. You know?

SERRANO: Yeah. I know.

ANDERSON: Jealousy causes a lot of problems. Okay. Well, we'll, we'll let you be for...

SERRANO: You tell my—You tell my nurse I need some pain medicine.

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MCCONNELL: Yeah. He was working on it when we were coming in.

SERRANO: Okay.

MCCONNELL: Okay.

ANDERSON: Okay.

MCCONNELL: Thank you.

SERRANO: What is your guys' name?

ANDERSON: Uh, Anderson.

SERRANO: Anderson.

ANDERSON: McConnell.

MCCONNELL: I'm McConnell.

ANDERSON: and Ralston.

SERRANO: Okay.

ANDERSON: Okay?

[END OF TRACK: Serrano 04-10-07, DURATION: 12:42]

[BEGINNING OF TRACK: Serrano place under arrest, DURATION: 04:43]

MCCONNELL: __(Whispers) is it? _____

ANDERSON: Hey, Isaac, we're just going to let you know that your doctor's releasing you to go to another hospital.

SERRANO: Um hmm.

ANDERSON: So we're going to place you under arrest, and you're going to go to the jail ward of General Hospital. And you're probably going there in the next 30 minutes or so.

SERRANO: My doctor's releasing?

ANDERSON: Yeah.

SERRANO: I thought he wasn't done with me yet.

ANDERSON: No. He's released you to another doctor.

SERRANO: Oh, I see.

ANDERSON: at another hospital.

SERRANO: Someone else is assuming responsibility?

ANDERSON: Pardon me.

SERRANO: Another doctor assumed responsibility?

ANDERSON: Right.

SERRANO: What doctor's that?

ANDERSON: Uh, I don't know. It's another hospital.

MCCONNELL: Yeah. All I know, it could be a

ANDERSON: __(talks over McConnell)_____

MCCONNELL: Dr. Delacruz. I'm not sure.

ANDERSON: He's with General Hospital, the jail ward.

SERRANO: Is that a jail ward?

MCCONNELL: Yeah.

SERRANO: Oh, that big one over there in the desert?

ANDERSON: Well, it's the big one that's...

MCCONNELL: Oh, but not desert.

ANDERSON: It's in Moreno Valley. There, there in Moreno Valley.

SERRANO: Okay.

ANDERSON: Yeah. It'll be in the jail ward.

MCCONNELL: You--You'll get treatment—good treatment there, too.

SERRANO: Okay.

MCCONNELL: Okay?

ANDERSON: Yeah.

SERRANO: I won't be like

MCCONNELL: In the lobby or...

SERRANO: ...no bed...uh

MCCONNELL: No. No.

ANDERSON: Uh, we won't make those decisions.

MCCONNELL: That's—Oh...

ANDERSON: We're not going handcuff you.

MCCONNELL: What is that?

ANDERSON: You're going to get...

MCCONNELL: Oh, handcuff? No. Uh, we're not sure.

ANDERSON: You'll get transported by ambulance during the next half an hour or so.

SERRANO: Um hmm.

ANDERSON: And then, you know, you'll go through court process.

SERRANO: Okay.

ANDERSON: But you'll still get medical attention.

SERRANO: Okay.

ANDERSON: You know what I mean? You're not going to go downtown to the jail,

SERRANO: Yeah.

ANDERSON: not until that's off of you ...

SERRANO: Um hmm.

ANDERSON: That makes sense to you?

MCCONNELL: Um, it sounded like a cut or something?

ANDERSON: She just has a few questions that she needs to get some more information.

MCCONNELL: I'm fine. Um, Isaac, what's your home phone number?

SERRANO: Um, it's, uh, my home, apartment?

MCCONNELL: Yeah.

SERRANO: Uh, 951-

MCCONNELL: Okay.

SERRANO: 340-9457.

MCCONNELL: 9457?

SERRANO: Uh huh.

MCCONNELL: And where were you born?

SERRANO: Um, I was born in Los Angeles, California.

MCCONNELL: Los Angeles? Okay, and are you employed? Do you have a job?

SERRANO: Yeah.

MCCONNELL: Okay. Where, where at?

SERRANO: I was working with Purry's.

MCCONNELL: Purry?

SERRANO: Purry's.

MCCONNELL: Spell it.

SERRANO: C-U-R-R-I-E-E-S.

MCCONNELL: And what did you do there?

SERRANO: I weld.

MCCONNELL: Welder?

SERRANO: Um hmm.

MCCONNELL: Okay. Um, what's your wife's name? That—If, if you wanted someone contact like an emergency, would be your wife. Correct?

SERRANO: Yeah. Can you call? Yeah.

MCCONNELL: Okay. What's her name?

SERRANO: [REDACTED] I think she likes to call her that.

MCCONNELL: Is it the same number?

SERRANO: No. Her, her number is, uh, [REDACTED]. That's her cell.

MCCONNELL: [REDACTED]

SERRANO: [REDACTED]

MCCONNELL: Same address, correct?

SERRANO: Uh, her address—She lives on her own right now __(?)__ Street.

MCCONNELL: What's that address?

SERRANO: Uh, you know, I'm not sure what number on the house, but my dad—my dad knows and his number is at, uh, [REDACTED], uh, [REDACTED]. You can contact him, too.

MCCONNELL: Okay. Um, you go by any other names?

SERRANO: Just Isaac.

MCCONNELL: Isaac?

SERRANO: Yeah, I don't...

MCCONNELL: Okay. That's alright.

SERRANO: I don't have ____ (mumbles) ____ I was __ (mumbles) ____ Isaac.

MCCONNELL: Okay. I think that's all I need. So we're going to wait out here. Okay?

SERRANO: Okay.

[END OF TRACK: Serrano place under arrest, DURATION: 04:43]

EVIDENCE TAPE

People v. Isaac Serrano
RIF 136250
Transcript of Interview with [REDACTED]
March 24, 2007
074137

Key: MEYER: Detective Meyer

[REDACTED] [REDACTED]

[BEGINNING OF TRACK 07-4137OIS, DURATION: 18:00]

MEYER: The date is March 24, 2007. The time is 20:55 hours. I'm sitting um, with um, [REDACTED], [REDACTED], [REDACTED] I'm doing an interview um, of [REDACTED] who is a General Manager of Long John Silver's. Um, can you just say your name for me?

[REDACTED] Yes, [REDACTED], [REDACTED]

MEYER: Okay. And um, basically just um, go we'll go from the start to the finish um [REDACTED]

[REDACTED] Okay.

MEYER: As to what happened today. Um, what time did you start work today?

[REDACTED] 9:30

MEYER: 9:30 this morning? And you are the General Manager?

[REDACTED] Right.

MEYER: And so you, you showed up at work and what did you do? Did you—what do you do when you come here to work?

[REDACTED] Just the routine work when I come in. I you know, get everything started you know, put everything together and get the store opened, get the computer right, get the cash drawer already, everything have the store ready so that everything is ready before 10:00.

MEYER: 10:00 is when you open?

[REDACTED] Right.

MEYER: And how many employees did you have working today?

[REDACTED] Um, in the morning there was um—she comm.—first of all [REDACTED] is the cook that comes in at 9:00. He opens and she starts preparing the food.

MEYER: What's his name?

[REDACTED] Um, [REDACTED]

MEYER: [REDACTED] okay.

[REDACTED] Yeah, he prepared the food and then um, I come in and then after that [REDACTED] is the lady, she is a cashier she comes in at around 10:00 and then another gentleman come in at 11:00.

MEYER: What's his name?

[REDACTED] [REDACTED]

MEYER: [REDACTED] okay. So there is 3 um, plus you?

[REDACTED] Um, yes I mean um, yeah three and then me.

MEYER: Okay.

[REDACTED] And then another lady comes in at 11:00 [REDACTED]

MEYER: [REDACTED]

[REDACTED] She's a shift manager.

MEYER: Okay. Alright and, so there is 5 of you there?

[REDACTED] Right.

MEYER: And what happened in—from what I understand um, what happened today with [REDACTED] husband Isaac?

[REDACTED] Isaac. Um, I um, in the afternoon, I don't know what time was it but he um, I just, I was just standing on the side you know and um...

MEYER: What time do you think it was? Was it after lunch?

[REDACTED] Umm, probably yeah. I think around after lunch around after that time. I don't know honestly speaking, I have no clue what time it is.

MEYER: Okay.

[REDACTED] So um, I saw he just came in and...

MEYER: Where were you inside the restaurant?

[REDACTED] I was inside the restaurant on the side. I, I think in the—on the side somewhere. So he just—I saw him he came in, he walked in.

MEYER: Who's he?

[REDACTED] Um, Isaac I guess.

MEYER: Isaac?

[REDACTED] Isaac walked in and I saw him going inside to the um, inside the restaurant and um, he grabbed off [REDACTED] and he just threw him down and you know, and then I guess hit him or punch or something and then he walked over here and says walked away.

MEYER: Okay. Now were—you were inside—were you in the back where the employees are when you saw um, Isaac walks in?

[REDACTED] I was, I was in the restaurant yeah, not way in the back but in the restaurant in the side.

MEYER: Where the patrons are?

[REDACTED] Yeah.

MEYER: Okay. And you saw Isaac walk in. Did he look angry?

[REDACTED] Um, yeah he was—he looked upset.

MEYER: Did he?

[REDACTED] Yeah.

MEYER: Okay. And you saw him walk to the back.

██████████ Yeah.

MEYER: To where the cashier's are?

██████████ Yeah, right at the—yeah the cashier's are.

MEYER: And that's where ██████████ was?

██████████ Yeah he was in the drive-thru area.

MEYER: In the drive-thru area? So ██████████ was working?

██████████ Right.

MEYER: Okay. And what did you see Isaac do? He, he...

██████████ Told him I think he, I think I, I'm not sure it was too fast I didn't really see. All I saw was that he ██████████ was on the floor then he got up and then you know, I just walked and I said "everything okay" and the guy left and he said "everything was fine."

MEYER: Did you see um, Isaac choking, punching, pushing ██████████?

██████████ No, not really no.

MEYER: When, when you, when you first saw you saw, all you saw was Isaac standing up?

██████████ Yeah, I didn't see.

MEYER: And ██████████ was on the ground?

██████████ ██████████ was on the ground and he got up.

MEYER: Did, did you go try and intervene or did Isaac just leave on his own?

██████████ No he left on his own. It was too fast.

MEYER: Did you tell him to leave?

[REDACTED] Yeah, I said that afterward. I said please leave and when he walked, started walking over I asked very nicely that if he could please get out of the restaurant.

MEYER: And did he?

[REDACTED] Yeah he left.

MEYER: Did he say anything to you?

[REDACTED] No.

MEYER: Did you hear him say anything to um, [REDACTED]?

[REDACTED] No.

MEYER: No?

[REDACTED] Not that I hear of no.

MEYER: So okay, and then Isaac walked out of the restaurant and did you see him leave?

[REDACTED] Yeah I saw from the door outside he left.

MEYER: In, in his car?

[REDACTED] Car yeah, he left.

MEYER: What kind of car do you know?

[REDACTED] No I don't know what kind vehicle.

MEYER: Okay. Um, was he by himself you know?

[REDACTED] Um, there was another guy with him.

MEYER: Was the other guy—where was the other guy at?

[REDACTED] Umm.

MEYER: Was he in the restaurant, in the car, in the parking lot?

[REDACTED] I think in the restaurant or someplace.

MEYER: He was.

[REDACTED] I think so.

MEYER: Do you know his name?

[REDACTED] No.

MEYER: Okay.

[REDACTED] I don't know.

MEYER: Alright. Do, do you know what he looked like?

[REDACTED] Not really it was too like—I was more concentrated on you know, like all of a sudden I turned and I saw [REDACTED] he's gone and that's why I didn't really have a chance to really...

MEYER: Look at him?

[REDACTED] Kind of like yeah, yeah.

MEYER: Okay.

[REDACTED] Since I was there.

MEYER: Yeah. Okay, now after that happened, did you have a chance to talk to [REDACTED]?

[REDACTED] Yes I talked to him.

MEYER: What did he tell you?

[REDACTED] I, nothing—I asked him are you okay, you want me to call the cops, call the police, you want to file a claim um, like a you know...

MEYER: Report?

[REDACTED] Report against the incident. As a manager it's my job to ask you and it's my job to make sure that everything is okay and the employee. He said no,

no, no it's okay, it's fine. And um, he said no it's okay with him. So he said no problem.

MEYER: Did he look hurt too?

[REDACTED] No not really.

MEYER: No.

[REDACTED] No.

MEYER: Did he complain of pain or anything?

[REDACTED] No.

MEYER: Okay, but he told you he was okay.

[REDACTED] He told me he was okay, said no, nobody no need to call anybody.

MEYER: So did he just go back to work?

[REDACTED] Yeah, he go back to work.

MEYER: Alright, and that was sometime after lunch you're not sure...

[REDACTED] No sure exactly what time right.

MEYER: ...what time. Okay. Do you know why that happened?

[REDACTED] No sir.

MEYER: You don't know?

[REDACTED] Not at all.

MEYER: You don't know why he came in and did that?

[REDACTED] Not at all.

MEYER: But his wife, this Isaac, his wife works for you?

[REDACTED] Yeah.

MEYER: And she's a cashier?

[REDACTED] Yeah.

MEYER: Okay. Has he, has Isaac come into the store like that before?

[REDACTED] Yeah, he always comes sits down, he sits there and talks with her at least you know.

MEYER: So he'd come and sit down and then wait for her?

[REDACTED] For her a few minutes and then she...

MEYER: Pick her up?

[REDACTED] pick her up right.

MEYER: And he's never caused a problem before?

[REDACTED] No never, always a good person.

MEYER: Okay.

[REDACTED] Always a very good person.

MEYER: Okay. Um.

[REDACTED] Comes with his daughter I saw all the time. No problem very nice. He's always a very cool guy.

MEYER: Was, is the daughter with him today?

[REDACTED] No.

MEYER: Okay. Now how long has [REDACTED], his wife, worked for you?

[REDACTED] I don't know how long for the company but since I'm there since November she's there.

MEYER: She's been there.

[REDACTED] So I don't know how long ago she was there for.

MEYER: Before you got here?

[REDACTED] Yeah.

MEYER: Okay. Um, okay and at some point today Isaac came back?

[REDACTED] Right I didn't hear.

MEYER: You know what time that was?

[REDACTED] In the evening.

MEYER: Later in the evening.

[REDACTED] In the evening yeah.

MEYER: Okay. Were you working then?

[REDACTED] Yeah.

MEYER: Can you tell me real—basically tell me what happened with that?

[REDACTED] Well all I, all I know that I was um, I um, went to get um, I was a pain.

MEYER: What did you get?

[REDACTED] So I went to get the Advil from the store so when I came back so I walked inside and that's when um, on the other side I, I saw these two like, [REDACTED] and him arguing.

MEYER: [REDACTED] and Isaac?

[REDACTED] Yeah.

MEYER: Where were they at arguing?

[REDACTED] At the door side by the door or entrance.

MEYER: On the other side?

[REDACTED] Yeah.

MEYER: Which is to on the Magnolia side.

[REDACTED] Yeah.

MEYER: Okay. Did—could you hear what they were arguing about?

[REDACTED] No.

MEYER: Okay. And what did you do as the Manager.

[REDACTED] I just kind of like said, “hey guys you know, please break it up there's customers” and I tried to talk to the guy and I said “hey you know um, let me talk to you. Come here my friend, you know, let's not argue and fight here the customer you know, you are good people” this and that. And that's when I tried to talk to him and then I guess he, he then started, he started punching throwing punches.

MEYER: Well, so you're trying to calm him down and talk with him.

[REDACTED] Right.

MEYER: Were you able to escort him out of the restaurant?

[REDACTED] Well not outside he was already outside the restaurant when I talked to him.

MEYER: Isaac was?

[REDACTED] Yeah.

MEYER: Where was [REDACTED]?

[REDACTED] Talking to him in front of him.

MEYER: Okay. So they were outside and near the, the doors?

[REDACTED] Right, right.

MEYER: Okay. Okay, so you tried to calm Isaac down.

[REDACTED] Right.

MEYER: Was [REDACTED] upset?

[REDACTED] No, not really.

MEYER: No?

[REDACTED] No.

MEYER: Okay. And what did you see at that point what happened?

[REDACTED] They were just, they were just throwing punches and all.

MEYER: They just started fighting right there in front of you?

[REDACTED] Yeah.

MEYER: Okay. Did you see who threw the first punch?

[REDACTED] No sir.

MEYER: No?

[REDACTED] Not at all.

MEYER: Okay. Why could you see that were you...

[REDACTED] I don't know that, I, I don't know. Like I said I was not feeling well so I had—I don't really honestly, with all honesty I don't know and I don't remember.

MEYER: It happened so fast.

[REDACTED] No I don't.

MEYER: And the next thing you knew they both, both [REDACTED] and Isaac was throwing punches at each other?

[REDACTED] Right, right.

MEYER: Okay. And what happened there?

██████████ Well then the—that I know and that I guess then ██████████ is—the other guy ██████████ came he started coming out. I think he was talking to him or saying you know, stop it why are you fighting or something like that. And I guess he got in an argument with him.

MEYER: With Isaac?

██████████ Yeah.

MEYER: ██████████ is he an employee?

██████████ Yes.

MEYER: Okay. So he came outside where you guys were, ██████████ did?

██████████ Right.

MEYER: And he started talking with Isaac?

██████████ Yeah.

MEYER: Did you see what he—could you hear what he was talking to him about?

██████████ He just said like, I think he was just saying calm down, calm down you know, what's wrong what's wrong, calm down why are you fighting this and that.

MEYER: And was Isaac saying anything to ██████████?

██████████ I don't remember.

MEYER: You don't remember? And what happened at that point?

██████████ Then um, they started talking and then I guess then they got into a fist fight.

MEYER: They meaning Isaac and ██████████?

██████████ Right.

MEYER: So ██████████ had stopped fighting at this point?

██████████ Right, right.

MEYER: Okay. Was ██████████ ██████████ still out there?

██████████ He was standing outside on the side.

MEYER: So now it's, okay Isaac and ██████████?

██████████ Right.

MEYER: Were they standing up fighting.

██████████ Yeah, kind of they were throwing punches and then yeah like that.

MEYER: And what, what, what did you do at that point, what were you saying or doing?

██████████ I was just trying—it happened so fast I mean, I didn't want to get hurt myself.

MEYER: Um hmm.

██████████ I was trying to talk and say you know, please cut it out you know, cut it out man, cut it out you know, you got a family, you got a kid you know, cut it out.

MEYER: Okay.

██████████ Did that work with Isaac?

██████████ Um, not that much he was still upset I guess.

MEYER: And so at one point ██████████ and Isaac did they stop fighting at one point?

██████████ yeah then he—I think he they, they tried to control him, they put him on the floor.

MEYER: Whose they?

██████████ Um, Isaac, ██████████ and um...

MEYER: ██████████?

[REDACTED] ... [REDACTED] they put him down.

MEYER: They, they kind of pinned...

[REDACTED] Put him down.

MEYER: ...Isaac on the floor and held him there?

[REDACTED] Held him there yeah. So, so they could calm him down and I guess [REDACTED] his wife, was trying to talk to him you know, saying that you know, calm down please calm down we got a child, you got a—don't fight it's not work it.

MEYER: Okay. Was, when when they were holding Isaac down, was he trying to get up and fight with them?

[REDACTED] He was kind of yeah a little.

MEYER: Yeah he was? Trying to get up, trying to fight still?

[REDACTED] Not fight, but he was trying to get up.

MEYER: But they were doing a pretty good job holding him?

[REDACTED] They were holding him nicely.

MEYER: And at, at some point what ha—did, did Isaac get up at some point?

[REDACTED] Yeah I think I believe they figured that he's calm down or something like that.

MEYER: Okay.

[REDACTED] So they let him go. They didn't want to I guess upset him no more.

MEYER: Um hmm.

[REDACTED] So at that point I guess he came out and he fought with—again I think he threw some punches at him.

MEYER: With who?

[REDACTED] I think with [REDACTED]

MEYER: With [REDACTED]?

[REDACTED] Yeah.

MEYER: Okay. Um, so [REDACTED] and um...

[REDACTED] That's all I saw and then the...

MEYER: Okay.

[REDACTED] ...I wasn't there inside it.

MEYER: Okay. So af-after that they let him up, you saw him fight with [REDACTED] again?

[REDACTED] When they came out I think, I think when he came out, I think they got into argument and I guess they, they threw punches or something like that.

MEYER: No, no, at one point you said you saw them three trying to hold Isaac down.

[REDACTED] Right, right, right.

MEYER: And then at one point when they thought he was calmed down...

[REDACTED] Right.

MEYER: ...they let him up.

[REDACTED] Right.

MEYER: Were you still out there then?

[REDACTED] Yeah, I was out there.

MEYER: Okay. What did you see Isaac do at that point?

[REDACTED] He—because [REDACTED] walked away from him so he started walking towards him.

MEYER: Okay. Now where was [REDACTED] walking?

[REDACTED] Out on the other side of the door.

MEYER: Okay. So [REDACTED] was he walking toward the front of the restaurant?

[REDACTED] Um, stand on the—he was on the, the two doors so he was on the—not on the—he was side walking to the Magnolia side you know, away from the other door.

MEYER: So [REDACTED] is walking away from Isaac?

[REDACTED] Yeah, yeah.

MEYER: And you said Isaac went after him?

[REDACTED] Yeah, I think he went after him.

MEYER: And what did he do?

[REDACTED] I think that's when he pushed him or something like that so he fell.

MEYER: So [REDACTED] fell?

[REDACTED] Fell on he bushes. That's, that's when I saw that he fell in the bushes.

MEYER: Okay.

[REDACTED] He lost control and he fell in the bushes.

MEYER: Right there in front of the restaurant?

[REDACTED] Right there yeah.

MEYER: Okay. And what did you see happen after that? Did Isaac continue to fight with him?

[REDACTED] I didn't see that. I, I had to go inside for a second because they called me.

MEYER: Okay. So you, at that point...

[REDACTED] Yeah.

MEYER: ...you went inside.

[REDACTED] I saw him down on the floor—yeah on the inside.

MEYER: Okay. Now okay, and what did you do at once you went inside?

[REDACTED] Um, I just wanted to show that everything was okay and then she was crying, the lady was crying so I tried to calm her down, just calm her down, calm her down. And then when I came out and I saw that um, there were cops all around and, and you know, I saw that she...

MEYER: Did you see the officers arrive there?

[REDACTED] Yeah, not arrive but I saw them when I came out, they were standing there and then I guess they...

MEYER: So you went in for a minute or so?

[REDACTED] Yeah to investigate It.

MEYER: Okay. Then you came back out.

[REDACTED] Right.

MEYER: The officer's were there.

[REDACTED] Yeah.

MEYER: Were they, what were they doing?

[REDACTED] Well um...

MEYER: What was [REDACTED] still fighting with Isaac?

[REDACTED] Yeah Isaac was on top and he was fighting with him.

MEYER: Okay.

[REDACTED] And, and then at that point I saw I think the officer's shot him.

MEYER: With a taser or a gun or what?

[REDACTED] I don't know that I didn't see.

MEYER: Did you hear a loud bang.

[REDACTED] I just bang, I heard a bang.

MEYER: How many times?

[REDACTED] One time.

MEYER: One time, one bang.

[REDACTED] I think I heard one bang.

MEYER: Okay. Do you know if the officer's shot him?

[REDACTED] That I don't know.

MEYER: Or I'd he shoot at the officer's?

[REDACTED] No, no...

MEYER: Okay.

[REDACTED] He didn't have any.

MEYER: You, you suspect that the officer's shot him?

[REDACTED] I just hear a, a, a, a...

MEYER: A bang?

[REDACTED] A bang.

MEYER: But you don't know who fired it.

[REDACTED] No.

MEYER: Okay. Did you see um, Isaac have any weapon on him?

[REDACTED] I—he was at a distance so I don't know what he was hitting him with a punch or what I don't know.

MEYER: Did you—could you see Isaac um, stabbing [REDACTED]?

[REDACTED] No nothing. I saw him touching...

MEYER: With the knife?

[REDACTED] No.

MEYER: You just saw him punching?

[REDACTED] I saw him punching yeah.

MEYER: So you didn't see him use any weapon on [REDACTED]?

[REDACTED] No, no.

MEYER: Okay. Um, before you heard the bang, did you hear the officer's give um, yell anything to Isaac or give him any commands or tell him to do anything?

[REDACTED] Not that I heard of, not that I remember.

MEYER: You couldn't, you don't remember? It just—I know it just happened so fast.

[REDACTED] Yeah, not that I, not that I...

MEYER: But you, when you...

[REDACTED] ...I don't recall now. I—not that I remember sir.

MEYER: Okay. So when you walked out you, you saw the officers already there?

[REDACTED] Right.

MEYER: In the parking lot.

[REDACTED] And I was talking to the officer that you know, "is everything okay sir?" He told me "sir you go inside just get out from here."

MEYER: Okay.

██████████ "Everybody like _____move away_____."

MEYER: When you were talking to the officer was, was um, Isaac still fighting with ██████████?

██████████ No he was, he was on the, on the, on the floor.

MEYER: So you talked to the officer after you heard the bang?

██████████ Right, I was standing when they came up.

MEYER: And they asked you to step inside?

██████████ Yeah, he said step inside.

MEYER: Okay. Did you see um—so you didn't see the officer shoot anybody?

██████████ No I don't remember no, I didn't I didn't.

MEYER: You just heard a bang?

██████████ Right.

MEYER: Okay. At some point did you see Isaac or anybody on the ground?

██████████ Well, Isaac I saw he was on the ground and ██████████ was on the bush and Isaac was on the ground.

MEYER: Was that after the bang?

██████████ After the bang.

██████████ Okay. But you only remember one bang?

██████████ As far as I think I remember one bang yeah.

MEYER: Okay. Um, and then you went back inside?

██████████ Right, then I started because I was concerned about my employees.

MEYER: That's understandable yeah, and you should be. Um, so you didn't

See Isaac stab [REDACTED]?

[REDACTED] No I just, no I...

MEYER: Just the fist?

[REDACTED] ...just saw a punch fight.

MEYER: Okay. And you didn't see the officers shoot anybody? You just heard a bang?

[REDACTED] Right.

MEYER: Okay, I just want to make sure it you know...

[REDACTED] Sure __no, no__ right.

MEYER: So at that point pretty much you stayed inside with the patrons?

[REDACTED] Right.

MEYER: Okay.

[REDACTED] And from then on yeah.

MEYER: Okay. Alright um, do you have any idea what this is all about?

[REDACTED] Not as...

MEYER: Has anybody talked to you about it?

[REDACTED] No since...

MEYER: Any of the employees?

[REDACTED] No such a nice guy, they're all nice. Employees are good even their client's husband is a very nice guy. He always comes sits with his daughter so that's why I was so shocked I would expect him to loose his temper.

MEYER: And to do something like this?

[REDACTED] Yeah, like you know, hit somebody or you know, he's a nice guy a

very nice guy.

MEYER: Did you suspect him today to be under the influence of drugs or alcohol?

[REDACTED] No.

MEYER: No?

[REDACTED] Not that I know of.

MEYER: Did you smell any alcohol in him?

[REDACTED] No, not that I...

MEYER: Not that you remember?

[REDACTED] No.

MEYER: Okay. Alright um, you have no idea what brought this on?

[REDACTED] I wish I knew so if I knew I would have solved it before or something.

MEYER: Okay.

[REDACTED] No I had not the faintest idea or nothing.

MEYER: Okay. Alright um, is there anything else you—that I may have forgotten to ask you or that you want to add to your, to this or that you can remember or...

[REDACTED] No I hope everybody is okay.

MEYER: ...anything said.

[REDACTED] And I hope that everybody is okay that's all I can say okay.

MEYER: Okay. Alright we'll go ahead and um, um, end this interview then.

[REDACTED] Okay.

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MEYER: And it's March 24th at 21:12 hours.

[END OF TRACK 07-4137OIS, DURATION: 18:00]

DS:nh
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09/24/07

EVIDENCE TAPE

People v. Isaac Serrano
RIF 136250
Transcript of Interview of [REDACTED]
March 24, 2007
074137

Key: SEARING: Officer Searing
[REDACTED] [REDACTED]

[BEGINNING OF TRACK: [REDACTED] DURATION: 02:54]

SEARING: All right, this is Officer Searing, George 482, and I am speaking with [REDACTED]

[REDACTED] [REDACTED]

SEARING: [REDACTED] [REDACTED] is your current address, [REDACTED] in [REDACTED]?

[REDACTED] Yes.

SEARING: Date of birth is [REDACTED] of [REDACTED] correct?

[REDACTED] Uh huh.

SEARING: All right. About what time did you arrive here today?

[REDACTED] About a quarter to five.

SEARING: About a quarter to five? How did you get here?

[REDACTED] I got here on a motorcycle.

SEARING: Was there anything going on when you walked into the business?

[REDACTED] No, just came into eat. I was in there with some friends, was, was planning on leaving.

SEARING: All right, how did things transpire, the events?

When, uh, I, I didn't see the guy come in. I don't know if he came in or not, but when I noticed him, guy in a black shirt, he was outside, and one of the other employees, another guy in a white shirt, had gone outside to, uh, and they were talking, so I really didn't think anything of it until they started throwing punches at each other. So, a couple more employees came outside, and, uh, one of the employees backed the other employee up, so it was, like, a two on one. And they went back and forth down the building, and they were able to subdue the guy in the black, and they had him on the ground outside the door. Uh, they had him on the ground for probably about five minutes, and in the meantime, they had called you, and, uh, eventually, they let him up, and when they did, he started, started coming after him again, and they went...

SEARING: Did you see him carrying any weapons or anything?

No.

SEARING: No.

I had, if, if I would have had any inclination he had a knife, I wouldn't have gone outside to move my bike. So, we watched him go back down. They were headed, I guess, east...

SEARING: That would be east?

Down the building.

SEARING: Okay.

And that's when I went to the window looking east, and I noticed there were officers here that had their guns drawn. I didn't hear any shots fired, but when I went to the other window again, they were both on the ground. The one had a nice wound on his, on his elbow. It looks like his elbow was exposed, and, uh, the other guy was on the ground, and he had been shot.

SEARING: Okay. At no time, you didn't see any gunshots, or you didn't hear any gunshots?

I didn't hear anything. That's why I was surprised.

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SEARING: And you didn't see anyone to carry a knife. Correct?

██████████ No, I saw it on the ground.

SEARING: Okay. Is there anything else that was suspicious or anything else you want to add?

██████████ Not that I can think of.

SEARING: Okay. All right, thank you for your time.

██████████ No problem, thank you.

[END OF TRACK: ██████████ DURATION: 02:54]

DGS: jg
R-07-384-D
9/24/07

EVIDENCE TAPE

People v. Isaac Serrano
RIF 136250
Transcript of Interview of [REDACTED]
March 24, 2007
074137

Key: SEARING: Officer Searing

[REDACTED]

[REDACTED]

[BEGINNING OF TRACK: [REDACTED] DURATION: 05:13]

SEARING: This is officer Searing, George 482. I am out with [REDACTED] at Long John Silver's. The time is 1753. [REDACTED] about what time did you arrive at the establishment?

[REDACTED] Uh, approximately, a quarter 'till, a quarter 'till five.

SEARING: How did you get here?

[REDACTED] On my motorcycle with, with two, my friend and my fiancé.

SEARING: When you got here, did you see anybody fighting?

[REDACTED] Uh, no. No, I did not.

SEARING: Okay, about what time did the altercation happen?

[REDACTED] Uh, I'd say probably around, probably around 5:30, probably be about that time; probably 5:25, 5:30.

SEARING: Okay, did you, did you see the, how the fight started or...

[REDACTED] Uh, no, I was, I was sitting facing the other, other side of the building, and my friend had made a comment, like, ooh, turn around, so I turned around and looked and saw two guys swinging at each other.

SEARING: Okay, where were they, uh, swinging at each other.

[REDACTED] Uh, on the side, closest to the building, near the windows, facing the parking lot.

SEARING: Okay, um, so they, they started to fight, the two guys. What were they wearing?

[REDACTED] Uh, one guy was wearing a, I believe, a black shirt, and it looked like green and yellow lettering on it, and one other gentleman, white, white shirt, and they just started out at it. There wasn't, there wasn't preliminary action anywhere not that I saw.

SEARING: Did you see that anyone started the fight...

[REDACTED] Uh...

SEARING: ...or did you just see, you saw who was in a fight?

[REDACTED] I just, I heard my friend say turn around, they were going at it.

SEARING: Okay, so a guy in a black shirt and white shirt are fighting outside the front entrance to the store. What, how long did the fight go, and what happened?

[REDACTED] Um, well, I think the fight went in spurts, and, like, part of it went for like, for like five, six minutes when they were, when it was him and the white, the guy in the white shirt, and then more people started coming out of the building, but, and then it kind of cooled down, and then once the other, another gentleman came out and then said stop, and it proceeded again once that second gentleman had come out of the building.

SEARING: What did the, what was the second gentleman wearing?

[REDACTED] Uh, he was wearing the, the Long John Silver's uniform, uh, black apron.

SEARING: Okay, what did he do at that point?

[REDACTED] He was out there, they were yelling back and forth at each other, and then the guy in the black shirt proceeded to swing at the gentleman in the...

SEARING: The guy in the black shirt then attacked the guy in the blue shirt who was an employee of the restaurant?

[REDACTED]

Yes.

SEARING:

Okay, so those two began fighting at that point?

[REDACTED]

Yeah, after him and the guy in the white shirt had already been fighting.

SEARING:

All right, was that in the parking lot, or was it still in, right in front of the store on the side.

[REDACTED]

Yes, sir, right in front of the store.

SEARING:

Still right in front of the store?

[REDACTED]

Yeah.

SEARING:

And what happened next?

[REDACTED]

And once that happened, him and the employee in the blue shirt went back at it again. They kept going at it, and it proceeded down farther towards the main entrance of the building, towards the, actually, the first, the second building, and then from there, it went and they got, they didn't, the employees and the people that were around pinned them to the ground to, I don't know, to stop the fight.

SEARING:

Pinned which guy to the ground?

[REDACTED]

The, uh, gentleman in the black shirt.

SEARING:

Okay. So, they had him pinned to the ground?

[REDACTED]

Yeah, they had him pinned him to the ground, and then they let him up, and after they let him up, he proceeded to fight him, go through all, that same guy again.

SEARING:

Is that the guy in the blue?

[REDACTED]

Yeah. And once they did, cornered him, at the second door by the entrance, at the corner, they were talking to him and whatever, and then after that, they let him up again, and he was down on the floor right then, and then he got, gentleman, I saw him here, and the other gentleman in the blue shirt had walked away also in the same direction.

SEARING: Okay, they were walking east...

[REDACTED] Towards the freeway.

SEARING: ...toward, towards the freeway.

[REDACTED] Yeah, towards the freeway.

SEARING: Okay.

[REDACTED] And then after that, I thought I saw the gentleman in the white shirt come this way, and I saw the other guy in the black shirt come running this way, and started swinging again, and then they went out of my vision and went over and into the parking lot closest to the street.

SEARING: So, at that point, the guy in the black shirt again started to attack the other guy.

[REDACTED] Yeah.

SEARING: But you lost sight...

[REDACTED] But I lost sight, yeah.

SEARING: Okay.

[REDACTED] And then after that, I had sat back down figuring on what I had just seen in the fight, proceeded to sit there, and then my friend said, "Oh, man. Look." I turned around and looked, and that's when I saw that the police had arrived. The gentleman in the black shirt, he was on the ground, and the other gentleman in the blue shirt with the black apron had a, was also on the ground, but he had, looked like he had been something had happened to his elbow. I thought it looked like he'd hit his elbow on the ground or something like that, but, and I looked at it, and you could see his bone through it, so I looked next to the gentleman in black and saw that there was a knife on him.

SEARING: Did you see the knife prior to that?

[REDACTED] No, that was the first time I saw it.

SEARING: Okay, but it was lying on the ground?

[REDACTED] Yes.

SEARING: Next to the guy in the black?

[REDACTED] Yes, sir.

SEARING: Okay, then after that...

[REDACTED] Then after that just the police took over and...

SEARING: The police took over?

[REDACTED] [No Audible Response]

SEARING: And you came back inside?

[REDACTED] No, I was, I was always inside the building.

SEARING: You were inside the whole time?

[REDACTED] Yeah.

SEARING: Watching through the window?

[REDACTED] --There was one moment where we had to be, and my friend had actually gone outside to move our motorcycles away from that because they were gonna dump 'em, knock 'em over, I guess.

SEARING: Anything else you want to add?

[REDACTED] That's it.

SEARING: All right, thank you for your time.

[REDACTED] Bye-bye.

[END OF TRACK: [REDACTED] DURATION: 05:13]

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EVIDENCE TAPE

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RIF 136250
Transcript of Interview with Witness [REDACTED]
March 24, 2007
074137

Key: MAZZARINI: Officer Mazzarini
[REDACTED] [REDACTED] Witness

[BEGINNING OF TRACK: 01 DM100001, DURATION: 22:20]

MAZZARINI: Okay. It's Saturday, March 24th at 19:31 hours and, and I'm here with [REDACTED] DOB of [REDACTED] Go ahead and tell me, uh, what happened today.

[REDACTED] I was standing at the counter waiting to order. Uh, we'd been standing there for a few minutes, and the employees came out of back and just kind of ignored us and walked us as, as we turned to observe the fight going on in the northwest corner of outside of the building.

MAZZARINI: What corner was that?

[REDACTED] Northeast corner.

MAZZARINI: Okay.

[REDACTED] Um, and I just observed that wa—uh, watch, uh, one would have picked—be a Caucasian, uh, gentleman and, uh, a Hispanic looked like employee. He was dressed like the rest of the employees. Uh, going back and forth, uh, the Hispanic seemed to be walking away from the guy. The guy, the other guy kept on charging him. It progressed from the northeast along the building to the northwest of the building, and that was out of—out of my sight. They were there for a while. Then I walked away from the counter, looked over, and there was four employees holding the Caucasian gentleman down, and it looked like they were just restraining him. After a while, they let him up, and he charged the guy again and went back again towards the, uh, northeast corner. They're down in the planters. They were, uh—I turned around and then turned around again, and they were still fighting in the planters, and then, uh, as the police showed up, first gentleman that pulled up—I believe the car pulled, got out, yelled something at the—at both of them, and the Caucasian guy kind of turned,

started walking towards him, and then the gun was drawn, and I saw, saw two shots being fired.

MAZZARINI: Okay. Um, now, you could see the officers and, and the white guy

██████████ Correct.

MAZZARINI: outside?

██████████ Right.

MAZZARINI: Okay. Okay, so you were at the counter waiting to order. The employees just walked

██████████ Walked right past...

MAZZARINI: right past you. How many employees?

██████████ Um, it was a lady that came out of the back and, what it appeared to be like, the guy working the, uh, drive-thru window, and then some guy that—another guy that came out of the back, and that was it. They kind of walked outside.

MAZZARINI: So it was two males and a female?

██████████ Correct.

MAZZARINI: So they walked from behind the counter and walked out towards the lobby?

██████████ Uh, out, out of the restaurant over towards the northeast side of the building.

MAZZARINI: So they actually exit

██████████ Exit out

MAZZARINI: the building.

██████████ of the res—There was already other employees out there.

MAZZARINI: Okay. Were they originally behind the counter?

[REDACTED] No. I didn't even see those—They were, uh—The guys that were outside—there was a young lady and the guys were outside. They were outside. I never observed—We parked, walked in the building. They were already outside.

MAZZARINI: Um hmm.

[REDACTED] We didn't observe them when we walked in

MAZZARINI: Okay.

[REDACTED] until we kind of just felt like we were being ignored there after five minutes of standing trying to order, and that's when they came out of the back, and I walked—they walked past us. And we turned around, and I observed them.

MAZZARINI: So they walked from, like, behind the counter area.

[REDACTED] From behind the counter, I said from behind the kitchen, they came out.

MAZZARINI: and they go a restaurant.

[REDACTED] Right.

MAZZARINI: Okay. Now, when they exited the building, which direction did they walk?

[REDACTED] To the west—east--northeast.

MAZZARINI: Okay. Now, once they reached the northeast corner of the building, were you watching?

[REDACTED] I watched the, the one lady turned back around, got a phone and started calling the police.

MAZZARINI: Okay.

[REDACTED] and this is the taller one. She, she was pregnant.

MAZZARINI: Okay.

[REDACTED] And there was, like, four other, uh, male employees out there, but, uh, the main two guys that were going back and forth was this one Caucasian and this other Hispanic guy. The other ones, guys, were just kind of walking around. I mean they tried to break it up, and, to no avail, the guy kept on charging. They kind of stepped back.

MAZZARINI: Okay. Um, now, after the after the, the female and two males exited the building and walked over there, how many people were already outside?

[REDACTED] At least three guys.

MAZZARINI: Okay, and it was—You said there was, uh, a white guy and —two Hispanic guys

[REDACTED] —What appeared to me... What appeared to be was three employees and the one Caucasian guy...

MAZZARINI: Was already outside.

[REDACTED] Right.

MAZZARINI: Were the—Were they three male employ—

[REDACTED] Yes.

MAZZARINI: employees? Were all the male employees—I mean they appeared Hispanic to you?

[REDACTED] Yeah.

MAZZARINI: Okay, and then there was the one white,

[REDACTED] White.

MAZZARINI: white guy. And they were just standing there while

[REDACTED] the two, uh—The—One of the guys that actually got arrested.

MAZZARINI: Oh.

[REDACTED] They were going back and forth. I mean..

MAZZARINI: Okay.

[REDACTED] I heard them—I was inside. I heard them kind of yelling that they were trying to stop it. They—It appeared that they try to break it up a couple times, and they didn't. They just stepped back.

MAZZARINI: So basically what it looked like was the white male and one Hispanic male were arguing?

[REDACTED] Oh, back—Oh, they were

MAZZARINI: Okay.

[REDACTED] more than arguing, but the aggressor seemed to be the Caucasian gentleman.

MAZZARINI: Okay.

[REDACTED] And I only say, aggressor, 'cause I kept on seeing him lunge after the other guy like two or three times.

MAZZARINI: But you couldn't hear what they were arguing about?

[REDACTED] No.

MAZZARINI: So during the argument, you mentioned that the Caucasian male was lunging at him?

[REDACTED] Yeah. Well, they went from the northwest corner then to the middle of the building. As I'm turning around looking at the middle of the building, the one guy's standing back and then the, the Caucasian guy just jumped at him trying to slug him and just missed him. That was...

MAZZARINI: Shoved...

[REDACTED] Yeah. Oh, yeah.

MAZZARINI: Could you—Could you tell which hand he was punching with?

[REDACTED] He's—It looked like it was a right—he was right-handed.

MAZZARINI: Okay. Could you tell it was like a closed fist?

[REDACTED] Oh, there were fists. He missed him. I've—'Cause I even commented that he wasn't a very good fighter. He missed him twice.

MAZZARINI: Okay, and after he lunged at him a couple times, you said they were more towards the mid—center of the building, like where the doors are?

[REDACTED] Uh, right in between the doors.

MAZZARINI: Okay. And then what happened?

[REDACTED] He—Well, he missed him. He lunged over and missed him, and then the guy went out around the corner to the back door. I guess not the back door, but the...

MAZZARINI: Little more towards the west?

[REDACTED] Yeah, the west door.

MAZZARINI: Okay.

[REDACTED] Um, and that was out of my sight.

MAZZARINI: And then what happened?

[REDACTED] Oh, I, I stayed away. I was still waiting to order, and about two, three minutes went by, and then I walked over around to see what was going on, and that's where I saw, like, at least four of the, uh, employees holding the gentleman down.

MAZZARINI: So you actually looked —

[REDACTED] Yeah, yeah.

MAZZARINI: —out the doors?

[REDACTED] I, I, I actually walked over and looked to the back

MAZZARINI: Okay.

[REDACTED] over there and, uh, observed where they were holding them down, and he was struggling to get up.

MAZZARINI: How many people were holding him down?

[REDACTED] I'd say at least four, like four males. Yeah.

MAZZARINI: Okay, and then what happened?

[REDACTED] Uh, I don't what he convinced them, but they let him up. And, and when once they let him up, he started charging the guy again going back the other way now.

MAZZARINI: Like, just as you looked out,

[REDACTED] Right.

MAZZARINI: you could tell he was on the ground? They were holding him down?

[REDACTED] Yeah.

MAZZARINI: And as you watched, he

[REDACTED] They let him—They let him up yeah.

MAZZARINI: Okay.

[REDACTED] Actually, I think I now--That I heard the door open. I heard somebody say—the lady said, “the police are coming” and that’s when they let him up.

MAZZARINI: Okay. Okay, then what happened after they let him up?

[REDACTED] He, he just charged after that guy, the same guy, again. Uh, he, instead of going back, uh, followed him all the way until he come back to the, uh, northeast planter. They kind of struggled around, fell in the planter. Fell in the planter a couple times, and then I...

MAZZARINI: So when he ran after him, he actually take him to the ground?

[REDACTED] Yeah.

MAZZARINI: Okay. And then what happened? Was he on the ground?

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[REDACTED] Um, they got up—The were able to get up again. They fell back into the planter again, and I just observed, uh—At that point, I just observed blood on that Hispanic's—I think it was his left arm by the elbow.

MAZZARINI: Okay.

[REDACTED] Um, so he took him down in the planter, and then they got up.

MAZZARINI: Yeah.

[REDACTED] and there was blood on the...

MAZZARINI: Could you tell...

[REDACTED] No. I thought maybe he fell on the sprinkler head or something, 'cause they were on—'cause there's a lamp, I mean a pole right there, so I thought maybe he hit the pole and busted his skin open.

MAZZARINI: So you didn't actually see him hit him or anything on the ground?

[REDACTED] Unh uh.

MAZZARINI: Okay. You saw blood on which arm?

[REDACTED] The left arm.

MAZZARINI: Could you tell which area of the arm?

[REDACTED] Above the elbow, the back of the elbow.

MAZZARINI: And then what happened?

[REDACTED] Um, and they got up one more time, and as they were getting up the last time...

MAZZARINI: So did he take him to the ground again after you saw blood?

[REDACTED] Right.

MAZZARINI: Okay. How did he take him to ground? Just kind of grabbed him and threw him

[REDACTED] Yeah.

MAZZARINI: or?

[REDACTED] Actually he was able to—He grabbed and just like lunged at him and then got him almost like a football tackle.

MAZZARINI: Okay, and then what happened?

[REDACTED] Um, they got up again, and as they're getting up again, uh...

MAZZARINI: Like, right away?

[REDACTED] Yeah.

MAZZARINI: Okay. Okay.

[REDACTED] And the police car drove in. Um, then I think there's another one behind that one, and the car...

MAZZARINI: And, and, and now at this point, they were back in the east, northeast corner area?

[REDACTED] Yeah, they're in the northeast corner. They're still in that planter area.

MAZZARINI: Okay, and as they stood there, you said the police pulled up?

[REDACTED] The police pulled up, and, um, the first car of the uhm--policeman got out of the first car, yelled something, and then, um, the guy turned and was walking towards him.

MAZZARINI: Okay, um, you said, okay, the first car, the officer exited the driver's door,

[REDACTED] Um hmm.

MAZZARINI: and he yelled something at them?

[REDACTED] Um hmm.

MAZZARINI: Could you tell he—who he was talking to, or anything?

[REDACTED] Um, I thought he was talking to both of them, 'cause that there

MAZZARINI: Okay.

[REDACTED] was one guy in the first parking stall, and the other guy was still in the planter.

MAZZARINI: And then what happened after he yelled at them?

[REDACTED] The guy—It, it looked like the Caucasian gentleman was walking towards him.

MAZZARINI: Towards...

[REDACTED] Towards the police officer.

MAZZARINI: And could, could you tell the distance how far the officer was from the two guys?

[REDACTED] About ten feet, at most.

MAZZARINI: Okay. And then what happened?

[REDACTED] Um, the I don't, the gun was drawn, and I see, uh, two rounds were discharged.

MAZZARINI: Could you see the muzzle flash like you could tell it was coming from his gun?

[REDACTED] Uh...

MAZZARINI: Or did you just—Or did you just hear it.

[REDACTED] I just heard—I saw it drawn, and that's why I thought there were—well, I think they were bullets. They drew the gun.

MAZZARINI: Um hmm.

[REDACTED] He did the gun. I saw, saw—heard the first round, and then this other guy jerked back, and I'm not sure where he got hit in the front, and then I know it, it—I saw he got hit in the back with the second shot.

MAZZARINI: So he didn't actually fall to the ground?

[REDACTED]

No.

MAZZARINI:

Okay.

[REDACTED]

And then even when he was on the ground, he was...

MAZZARINI:

Okay, you said he jerked back and then, then what did he do?

[REDACTED]

It seemed like he was going forward still.

MAZZARINI:

He was walking forward still?

[REDACTED]

Of course, this all happened in a split second.

MAZZARINI:

Right. And then after that second shot was fired, what happened?

[REDACTED]

Uh, the rest of the policemen just moved in.

MAZZARINI:

I mean was the guy still standing up?

[REDACTED]

Oh, no, he, he had—he went to back down.

MAZZARINI:

Okay. After that second shot?

[REDACTED]

Yeah.

MAZZARINI:

And after he fell to the ground, what happened?

[REDACTED]

Uh, then, uh, more officers came in and handcuffed him.

MAZZARINI:

Where did they come from?

[REDACTED]

Uh, they were—Well, there was a car right behind the other car, so they were right behind.

MAZZARINI:

Okay.

[REDACTED]

They would have been the ge—the officer was northeast. They were just a little further north,

MAZZARINI:

Okay.

[REDACTED] and the same right behind him. Actually.

MAZZARINI: Could you tell, was that other officer involved at all or, like, could you hear him say anything

[REDACTED] I couldn't, I mean once the ones—I, I was just focused on what was going on right in front of me.

MAZZARINI: Okay. Could you tell, was the suspect holding—did he have anything in his hands?

[REDACTED] No,

MAZZARINI: You know?

[REDACTED] Actually, I didn't—I couldn't te—I couldn't tell. Some of, you know, sitting in the restaurant, some of the other people talking said that there was a knife involved. I didn't observe anything.

MAZZARINI: Okay. Initially, when he—when, um, the Caucasian guy was walking towards the officers, how, how were his hands? Was—Were they down by the sides? Were they up, or

[REDACTED] It looked like maybe they were up.

MAZZARINI: did you notice?

[REDACTED] and he just—he just looked in a hostile position the whole time, even when he was down after he had been shot, he looked hostile to me, so I kept on asking, uh, if he was on any, any kind of drugs, but just because of, you know, he got shot twice, and he's still fighting.

MAZZARINI: So when he was walking towards the officers, did he have his—have his hands like in front of him, or I mean were they down by his sides or could

[REDACTED] I thought he had them like this.

MAZZARINI: Like, like in a fighting status?

[REDACTED] Yeah.

MAZZARINI: Like in front of him a little bit?

[REDACTED] Well, like to the sides, but turned out.

MAZZARINI: Okay. Now you said his up. Could you tell—I mean was it like shoulder height, or

[REDACTED] Well...

MAZZARINI: waistline height?

[REDACTED] Looking up from behind, all I could see was his left hand.

MAZZARINI: Um hmm.

[REDACTED] His left hand was up. His other hand, I didn't see it—didn't see it down and see anything, so I didn't know—I don't know if he had anything on his right hand.

MAZZARINI: Okay, so...

[REDACTED] or where...

MAZZARINI: So you saw his left hand up.

[REDACTED] Yeah.

MAZZARINI: Couldn't see right hand.

[REDACTED] Alright.

MAZZARINI: Okay. And how far were you from the guys—from the two guys that were fighting distance wise? Just approximately.

[REDACTED] It's under 20, 25 feet if that.

MAZZARINI: Okay.

[REDACTED] I mean it's not a very far—long distance.

MAZZARINI: And how far were you from where the Caucasian guy got shot by the officers? How far were you from that?

[REDACTED] About the same, I didn't know

MAZZARINI: Okay.

[REDACTED] from that.

MAZZARINI: So after he got shot, and he was on the ground, you said the officers came up, and what did they do?

[REDACTED] Handcuffed him, and they handcuffed the other gentleman, as well.

MAZZARINI: And where was the other gentleman at?

[REDACTED] He was at...

MAZZARINI: The guy he was fighting with.

[REDACTED] Just a little east of him.

MAZZARINI: I mean was he standing up or lying down, or could you tell?

[REDACTED] I couldn't tell. I mean I just fixated on the one guy.

MAZZARINI: Okay. So after they handcuffed the guy that was shot...

[REDACTED] I looked over. The other guy was literally just east of him right there in the planter. They handcuffed him there. I think he was sitting on the planter when they handcuffed him.

MAZZARINI: Okay. So they both handcuffed this, this guy. Then they walked over and handcuffed the other guy. After that, what happened?

[REDACTED] I think a bunch of—bunch of Norco, Corona, Corona PD showed up. Riverside, uh, Sheriff showed. Paramedics showed up. Paramedics were treating, uh, both the guys.

MAZZARINI: Okay.

[REDACTED] And, uh, I don't—I'm not sure where the—I never saw—I turned around, 'cause I didn't see where the Hispanic guy was taken away, but he wasn't there. Then I saw them go—Uh, take a—paramedics took the Caucasian gentleman off.

MAZZARINI: Okay. Do you have a cell phone number?

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██████████ ██████████
MAZZARINI: Is there anything else you can think of that happened, or that you saw that?

██████████
No. It's about...

MAZZARINI: Okay. Okay, if I have any other questions, I will, uh, give you a...

[END OF TRACK: 01 DM100001, DURATION: 22:20]

DS:jej
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