

1 SERGEANT KASPER: Okay. We met earlier, I'm
2 Jon Kasper, uh, I'm a sergeant here at the
3 Homicide Detail. This is regarding incident number
4 [REDACTED] ID. This is an officer-involved shooting
5 that occurred on 05/11 of 2018, at approximately
6 0057 hours, in the morning. This is an OIS as a
7 result of a, uh, 459 auto and a 245 on a police
8 officer. Uh, and today's date is, if I'm not
9 mistaken, 05/14 of 2018. I'm just going to shut
10 this door, and if we can all just go around the
11 room and introduce ourselves.

12 POA ATTORNEY FOX: I am Julia Fox, Officer
13 Reininger's legal representative.

14 RECRUIT OFC. REININGER: Uh, Officer
15 Reininger, Northern Station, Star number 374.

16 SERGEANT KASPER: How do you, what's the
17 proper way to say it?

18 RECRUIT OFC. REININGER: It's [Rainer].

19 SERGEANT KASPER: Okay. How do you spell
20 that?

21 RECRUIT OFC. REININGER: R-e-i-n-i-n-g-e-r.

22 SERGEANT KASPER: Okay.

23 POA ATTORNEY FOX: So, I clearly
24 [unintelligible].

25 SERGEANT DELANEY: Sergeant Delaney, Kyra

1 Delaney, Star number 1320 from the Homicide Detail.

2 ADA HARTMAN: Michael Hartman, uh,
3 Assistant District Attorney.

4 DAI FRIEDMAN: Jack Friedman, I'm an
5 inspector with the DA's Office.

6 SERGEANT KASPER: Okay. Uh, first of all,
7 you understand that this POBRA

8 RECRUIT OFC. REININGER: Yes.

9 SERGEANT KASPER: And you're here with your
10 counsel. Uh, are you familiar with, uh, General
11 Order 10.11?

12 RECRUIT OFC. REININGER: Yes, I am.

13 SERGEANT KASPER: Okay. Uh, would you like
14 me to read it, a pertinent part of it, portion of
15 it, about reviewing body worn camera footage or...?

16 POA ATTORNEY FOX: Uh, please, yeah.

17 SERGEANT KASPER: Or would you just like to,
18 uh, provide an initial statement?

19 POA ATTORNEY FOX: We do have an initial
20 statement prepared, it's been typed out. We're
21 asking that you read it into the record, and
22 Officer Reininger can sign and date it, if you'd
23 like?

24 SERGEANT KASPER: Okay. Would you like me to
25 read this?

1 POA ATTORNEY FOX: Well, it's our
2 understanding that, uh, after giving this initial
3 statement, that I'm sure you'll be gracious enough
4 to read into the record for us that Officer
5 Reininger will be able to view any video footage
6 that he chooses to.

7 SERGEANT KASPER: Okay. Is there...is there,
8 do you want me to read this into the record?

9 ADA HARTMAN: I don't see
10 [unintelligible]. If he's said he's familiar with
11 it.

12 SERGEANT KASPER: Okay.

13 ADA HARTMAN: And he has counsel here.

14 SERGEANT KASPER: Okay. I'll read it
15 verbatim. On May 11th, at approximately one in the
16 morning, my field training officer, Deniz Akmese,
17 and I were in the area of Geary and Steiner, City
18 of San Francisco, when we heard an auto alarm. Our
19 attention was drawn to the alarm. We observed a
20 shattered window on the auto and two subjects very
21 near to the auto alarm. We ordered them to stop.
22 One did, one ran off. My FTO remained with the
23 suspect who remained near the suspected auto
24 burglary, I gave chase to the subject who ran.

25 After a foot chase, the suspect got into a

1 vehicle. Despite my commands to exit the vehicle,
2 the suspect drove the car toward Officer Hillard. I
3 believed Officer Hillard's life was in jeopardy; I
4 discharged my firearm twice." Is this accurate,
5 what I just read?

6 RECRUIT OFC. REININGER: Yes.

7 SERGEANT KASPER: Okay. Is this your
8 statement?

9 RECRUIT OFC. REININGER: Yes.

10 SERGEANT KASPER: Okay. Can you sign and
11 date that please?

12 RECRUIT OFC. REININGER: What's today, the...?

13 POA ATTORNEY FOX: The 14th.

14 SERGEANT KASPER: 14th.

15 RECRUIT OFC. REININGER: 14th.

16 SERGEANT KASPER: Okay. Uh, after reading
17 this, do you request to view any, uh, any video
18 footage that we have available?

19 RECRUIT OFC. REININGER: Yes.

20 SERGEANT KASPER: Okay. And then, do you
21 intend to give an interview?

22 RECRUIT OFC. REININGER: Yes.

23 SERGEANT KASPER: Okay. So, we can go do
24 that and, uh, we can turn this off while we review
25 our video footage.

DPA REQUEST

1

END OF DOCUMENT

DPA REQUEST

5

DPA REQUEST

Recruit Officer William Reininger 2
OIS 18-004 - 05/14/2018

1 SERGEANT KASPER: Okay. Back on, uh, here
2 with Officer Reininger, and the time is...

3 SERGEANT DELANEY: It's 1438.

4 SERGEANT KASPER: 1438 hours. Uh, we just
5 reviewed BWC footage from Officer Hillard, uh,
6 about 13 seconds worth, and Officer Pfeifer, about
7 15 to 20 seconds. I wrote it down here, the time
8 that I started, or ended, and then the third-party
9 video from the street view, in its entirety; that's
10 on basically a loop. Uh, are you prepared to give
11 an interview, [REDACTED] POBRA [REDACTED] at this time?

12 RECRUIT OFC. REININGER: Yes.

13 SERGEANT KASPER: Okay. So, I'm going to go
14 over like basic questions that we come up with. We
15 already have your name, and what was your Star
16 number?

17 RECRUIT OFC. REININGER: 374.

18 SERGEANT KASPER: Okay. And your date of
19 birth?

20 RECRUIT OFC. REININGER: [REDACTED] PII [REDACTED]

21 SERGEANT KASPER: Okay. Uh, about height and
22 weight?

23 RECRUIT OFC. REININGER: [REDACTED] CI [REDACTED]

24 [REDACTED] CI [REDACTED]

25 SERGEANT KASPER: Okay. Do you wear glasses?

1 RECRUIT OFC. REININGER: [REDACTED] CI, I'm
2 sorry.
3 SERGEANT KASPER: Okay.
4 RECRUIT OFC. REININGER: No, no glasses.
5 SERGEANT KASPER: No contacts or anything?
6 RECRUIT OFC. REININGER: No.
7 SERGEANT KASPER: All right. Uh, hours of
8 sleep, uh, prior to your shift?
9 RECRUIT OFC. REININGER: Uh, seven to eight.
10 SERGEANT KASPER: Okay. Is that normal for
11 you?
12 RECRUIT OFC. REININGER: Yeah.
13 SERGEANT KASPER: So, were you all rested?
14 RECRUIT OFC. REININGER: Yes.
15 SERGEANT KASPER: Okay. Uh, last meal prior
16 to the event, were you well-fed or were you
17 starving?
18 RECRUIT OFC. REININGER: I was actually, I
19 was well-fed.
20 SERGEANT KASPER: All right. Are you left-
21 or right-handed, or ambidextrous?
22 RECRUIT OFC. REININGER: Right-handed.
23 SERGEANT KASPER: Right. And what was your
24 appointment date to the Police Department?
25 RECRUIT OFC. REININGER: Uh, I couldn't tell

Recruit Officer William Reininger 2
OIS 18-004 - 05/14/2018

1 you. Honestly, I don't remember.
2 SERGEANT KASPER: Okay. Uh, are you
3 currently in your training period, FTO phase?
4 RECRUIT OFC. REININGER: I, [I'm an FTO].
5 SERGEANT KASPER: So, what phase are you?
6 RECRUIT OFC. REININGER: [REDACTED] PII
7 SERGEANT KASPER: [REDACTED] PII
8 [REDACTED] PII
9 RECRUIT OFC. REININGER: Yes.
10 SERGEANT KASPER: I would take it then?
11 RECRUIT OFC. REININGER: Yes.
12 SERGEANT KASPER: Okay. And what is your
13 current assignment?
14 RECRUIT OFC. REININGER: Northern Station.
15 SERGEANT KASPER: All right. And what shift
16 do you work?
17 RECRUIT OFC. REININGER: Midnights.
18 SERGEANT KASPER: All right. And who's your
19 FTO?
20 RECRUIT OFC. REININGER: Deniz Akmese.
21 SERGEANT KASPER: Akmese, okay. And what was
22 your call sign that night?
23 RECRUIT OFC. REININGER: Uh, the 3 Edward 12
24 Edward.
25 SERGEANT KASPER: Okay. Uniform or

3

1 plainclothes?

2 RECRUIT OFC. REININGER: Uniform.

3 SERGEANT KASPER: Okay. Marked radio car?

4 RECRUIT OFC. REININGER: Yes.

5 SERGEANT KASPER: And what watch-off group

6 are you?

7 RECRUIT OFC. REININGER: Five.

8 SERGEANT KASPER: And your immediate

9 supervisor?

10 RECRUIT OFC. REININGER: Uh, Sergeant Shaw.

11 SERGEANT KASPER: All right. Your duty

12 firearm, what, what brand is that?

13 RECRUIT OFC. REININGER: It's a [REDACTED] LEI

14 SERGEANT KASPER: Okay. Is it S&W issued?

15 RECRUIT OFC. REININGER: Yes.

16 SERGEANT KASPER: Do you know what model it

17 is?

18 RECRUIT OFC. REININGER: The, I believe the

19 [REDACTED] LEI

20 SERGEANT KASPER: Okay. Caliber?

21 RECRUIT OFC. REININGER: [REDACTED] LEI

22 SERGEANT KASPER: Are there any

23 modifications other than the range did, if they did

24 any?

25 RECRUIT OFC. REININGER: No.

1 SERGEANT KASPER: Okay. Do you carry a
2 secondary firearm?

3 RECRUIT OFC. REININGER: No.

4 SERGEANT KASPER: All right. Uh, was the
5 last time you qualified, was it at the Basic
6 Academy.

7 RECRUIT OFC. REININGER: Yes.

8 SERGEANT KASPER: And do you remember what
9 vehicle number you were driving?

10 RECRUIT OFC. REININGER: I do not.

11 SERGEANT KASPER: Okay. Do, was it a Crown
12 Vic or a...

13 RECRUIT OFC. REININGER: It was a. uh, not
14 the Vic, it was the, the Ford Taurus

15 SERGEANT KASPER: Okay. Uh, and is that
16 marked or unmarked?

17 RECRUIT OFC. REININGER: Marked.

18 SERGEANT KASPER: All right. Were you the
19 driver or the passenger?

20 RECRUIT OFC. REININGER: Passenger.

21 SERGEANT KASPER: Okay. So, basically, from
22 here on, I just, you know, tell me what happened
23 and what brought you to, you know. What, what was
24 this call all about and everything.

25 RECRUIT OFC. REININGER: Okay. Uh, so, we

1 were driving back to the station. We were on Geary
2 Boulevard, we had made a left onto Steiner. Uh,
3 that's when I heard the auto alarm, vehicle alarm
4 on some sort of audible alarm. As we were driving
5 down the street, I pointed it out, trying to work
6 on, uh, letting Deniz know that I am aware of
7 things, and you know, self-initiated activities;
8 today, I hear a vehicle alarm. Uh, he pointed out
9 that the, he pointed out the vehicle that was
10 sounding the alarm, where the lights were going
11 off. He then stated that there were two suspects
12 walking away from the vehicle that were standing
13 next to it; I said okay.

14 **DPA REQUEST** So, we pulled up next to them. As we pulled
15 up, he rolled his window down, turned the, turned
16 the lights on and said, "Hey, stop," ordered them
17 to stop. Said, "Hey stop," ordered them to stop,
18 they didn't, they kept walking. Uh, he then yelled
19 out, uh, "San Francisco Police Department. Stop, I
20 need to talk to you." They didn't stop, I yelled
21 out for them to stop from the passenger side.

22 Then at that point, I opened my door, jumped
23 out of the vehicle. As I got out of the vehicle,
24 the one suspect stopped and the other turned, and
25 ran eastbound on O'Farrell. I gave, uh, I took off

1 running after him. Went over the radio. Uh, said,
2 "Code 33, I'm in foot pursuit." Uh, gave out our
3 location; kept chasing him. I then chased him
4 through, down that, that, the entirety of that
5 block into the street. We then crossed through the
6 intersection of O'Farrell and Fillmore, uh, then
7 the entire Safeway parking lot, uh, chased through
8 there.

9 During the Safeway parking lot, I gave the
10 description of the suspect, said it's a black male
11 wearing black top, black pants, black pants and,
12 uh, red running shoes, or red shoes. Uh, went
13 through the Safeway parking lot, then through the
14 intersection of Webster and O'Farrell. Uh, I gave
15 out that location, Webster and O'Farrell. Uh, at
16 this point, I'm alone. Uh, I believe, uh, Officer
17 Aknese stayed with the second suspect. Uh, the
18 suspect who I was chasing, then got into a vehicle.
19 I approached the vehicle, pulled my firearm out,
20 and pointed it at the, at the suspect, told,
21 ordered him to get out of the car. Uh, he wouldn't
22 comply.

23 At this point, the suspect's, I mean, crouched
24 isn't the right word, but he's staying very low in
25 the vehicle. He's at the point where all I can see

1 is like the top of his shoulders and his face. Uh,
2 he's staring at me the entire time, so he's looking
3 out at me. I'm probably from, probably in-between
4 the two of you in distance, maybe five feet from
5 the vehicle. Uh, he's locked on, we're looking
6 straight at each other. So, I'm yelling at him to
7 get out of the car, he's not getting out, and he
8 continues to, uh, kind of move around and fidget in
9 the car.

10 Uh, it's at that point that I thought he was
11 either loading a weapon or reaching for a weapon.
12 Uh, I kept yelling at him to get out of the car
13 with my gun pointed at him; he's not listening.
14 Sometime between that and a few moments later,
15 the second, the first patrol car pulls up on-scene.
16 Uh, I can see the lights behind me, uh, reflecting
17 off everything around, and I heard their sirens
18 come around the corner.

19 Uh, at that point, the suspect stops looking
20 at me, uh, and kind of looks behind me for a
21 second, looks up, throws it in reverse, and hits
22 the car behind him. After he hits the car behind
23 him, he puts it in drive, turns, and comes straight
24 at me. I'm able to like, uh, side, sidestep out of
25 the way, and then he hits the, that officer's

1 patrol, or those two officers' patrol car. He hits
2 their patrol car. Uh, at that point, I believe it's
3 Officer Hal, uh, [Hallard], is between the patrol
4 car and the parked vehicles on the side of the
5 street. The vehicle then drives straight at him;
6 Officer [Hallard] made his way to the side.

7 At that point, uh, reviewing the video camera,
8 I could see that he went to the side, uh, ran to
9 the side. I was unaware if he had been hit by the
10 vehicle or jumped to the side, uh, which, whatever
11 happened. I still had my gun pointed at the
12 suspect. Uh, at that point, I visual...I see the
13 vehicle slow down between, uh, almost parallel to
14 Officer [Hallard]. Uh, I was never able to confirm
15 whether the suspect had a gun or not, so at that
16 point, I, in my opinion, I thought he was producing
17 a weapon and going to shoot Officer [Hallard]. I
18 was unaware if he was, if Officer [Hallard] was
19 standing, as I couldn't see him, he was behind the
20 cars now. So, I thought that Officer [Hallard] was
21 either on the floor or at a disadvantage, with his
22 back turned to the suspect, and I thought that the
23 suspect was going to shoot him.

24 It's at that point that I fired two rounds, in
25 an attempt to stop the suspect from shooting

1 Officer [Hallard]. Uh, after I fired the two shots,
2 the vehicle then took off at a high-rate of speed
3 and, uh, went head-on with another police vehicle,
4 in the intersection of Webster and O'Farrell. Uh,
5 the vehicle then took off and the, the chase
6 ensued.

7 SERGEANT KASPER: Okay. Uh, where did you
8 fire the rounds?

9 RECRUIT OFC. REININGER: Into the back of
10 the car. I'm not sure where they hit, but...

11 SERGEANT KASPER: Where was, where, what was
12 your intention? Like what were you aiming at when
13 you were shooting?

14 RECRUIT OFC. REININGER: I was aiming at the
15 suspect.

16 SERGEANT KASPER: Okay. Uh, at what point,
17 at what point did you, did the vehicle already...you
18 said it drove towards Officer Hillard.

19 RECRUIT OFC. REININGER: Yes.

20 SERGEANT KASPER: At, I'm just, we need, we
21 need to get the point of when you, when exactly you
22 fired. Uh...

23 RECRUIT OFC. REININGER: It drove at Officer
24 Hillard. Officer Hillard, I saw...

25 ADA HARTMAN: You might have him draw a

1 diagram. I think that might be easier.

2 RECRUIT OFC. REININGER: Okay.

3 SERGEANT KASPER: Do you have a piece of
4 white paper? So, this does not have to be to-scale.

5 RECRUIT OFC. REININGER: Okay.

6 SERGEANT KASPER: It's just basically going
7 to give us a, a better way, rather than saying, you
8 know, ten feet or whatever.

9 RECRUIT OFC. REININGER: Right.

10 SERGEANT KASPER: So, don't worry about
11 being to-scale, but I'd like you to place...you know,
12 you can draw like the intersection or whatever.

13 RECRUIT OFC. REININGER: Uh-huh.

14 SERGEANT KASPER: And place the suspect
15 vehicle, the patrol vehicle, Officer Hillard, and
16 you, and what I want to know is where the vehicle
17 was in relation to the officer when you fired, in
18 relation to the police car. In relation to
19 everything.

20 RECRUIT OFC. REININGER: Okay. So, let's
21 see. So, if this is the intersection, uh, so this
22 being Webster and this being O'Farrell. Uh, I'm
23 standing here, the patrol car is a little further
24 back, it's like here. Then the, Officer Hillard is
25 here and the, uh, suspect car is here, and that's

Recruit Officer William Reininger 2
OIS 18-004 - 05/14/2018

1 when I fired.

2 SERGEANT KASPER: Okay.

3 RECRUIT OFC. REININGER: So, at this point...

4 ADA HARTMAN: Can I just make a request?

5 SERGEANT KASPER: Yeah.

6 RECRUIT OFC. REININGER: Yes.

7 ADA HARTMAN: Just to help us

8 understand.

9 SERGEANT KASPER: I was going to do that.

10 ADA HARTMAN: Sorry.

11 SERGEANT KASPER: So, what I need you to do,

12 because I don't know who is who.

13 RECRUIT OFC. REININGER: Okay.

14 SERGEANT KASPER: And we need to save this

15 for, for later.

16 RECRUIT OFC. REININGER: Okay.

17 SERGEANT KASPER: If you could put like your

18 Star number, your name, and then Officer Hillard's

19 name, if that's where you were.

20 RECRUIT OFC. REININGER: Okay.

21 SERGEANT KASPER: Uh, and then, is this the

22 correct orientation of where the vehicles were

23 facing?

24 RECRUIT OFC. REININGER: Uh, this vehicle

25 was facing this direction, which is the patrol car.

1 SERGEANT KASPER: Okay.
2 RECRUIT OFC. REININGER: And this vehicle is
3 facing this direction.
4 SERGEANT KASPER: Okay. And then, so if you
5 could write patrol car and suspect vehicle?
6 RECRUIT OFC. REININGER: Okay.
7 [Unintelligible conversation.]
8 RECRUIT OFC. REININGER: And I don't know
9 Officer Hillard's Star number.
10 SERGEANT KASPER: You can just write Officer
11 Hillard, how about that? Okay. So, that's where you
12 were, you were when you fired?
13 RECRUIT OFC. REININGER: Yes.
14 SERGEANT KASPER: Okay.
15 RECRUIT OFC. REININGER: Approximately 25 to
16 30 feet behind the vehicle.
17 SERGEANT KASPER: Okay. And you were firing
18 at the suspect in the vehicle?
19 RECRUIT OFC. REININGER: Correct.
20 SERGEANT KASPER: Okay. Where...you said that
21 Officer Hillard had to get out of the way?
22 RECRUIT OFC. REININGER: Yes.
23 SERGEANT KASPER: Okay. So...
24 RECRUIT OFC. REININGER: So...
25 SERGEANT KASPER: Maybe draw like a pointed

1 line or a dotted line of the vehicle path, and an
2 arrow where Officer Hillard was.

3 RECRUIT OFC. REININGER: Okay.

4 SERGEANT KASPER: Or you can just do it on
5 another piece of paper for that.

6 RECRUIT OFC. REININGER: Okay.

7 SERGEANT KASPER: That part of this. And if
8 you'd just sign that, and then write page one.

9 SERGEANT DELANEY: Or number one.

10 SERGEANT KASPER: Page one, number one,
11 either one.

12 RECRUIT OFC. REININGER: I'm sorry, the date
13 was?

14 SERGEANT DELANEY: Today's the 14th.

15 POA ATTORNEY FOX: The 14th.

16 RECRUIT OFC. REININGER: The 14th, okay, and
17 then page one?

18 SERGEANT KASPER: Why don't you just draw a
19 one at the top? That's fine.

20 RECRUIT OFC. REININGER: Okay. So, the
21 vehicle was initially parked on the side here, in-
22 between two vehicles.

23 SERGEANT KASPER: Okay. So, what I'm asking
24 for, to be clear, is I want you to draw the
25 incident when the vehicle almost, uh, struck

1 Officer Hillard.

2 RECRUIT OFC. REININGER: Okay. So, so, the
3 vehicle hit the patrol car and then drove straight
4 at Officer Hillard this way, and that's when
5 Officer Hillard ran towards the curb this way.

6 SERGEANT KASPER: Okay.

7 RECRUIT OFC. REININGER: From what I saw
8 from the video. I was unaware if he ran or was
9 actually struck and jumped.

10 SERGEANT KASPER: Okay.

11 RECRUIT OFC. REININGER: From what happened.

12 SERGEANT KASPER: And then, where were you
13 standing at that point?

14 RECRUIT OFC. REININGER: Back, back here. I
15 can't put it on paper though.

16 SERGEANT KASPER: Okay. So, you were off,
17 off the paper?

18 RECRUIT OFC. REININGER: Yes.

19 SERGEANT KASPER: Okay. Uh, did you see the
20 vehicle collide with the, uh, other SUV?

21 RECRUIT OFC. REININGER: I did.

22 SERGEANT KASPER: Okay. Can you just draw,
23 you can draw, uh, like a dotted..vehicle, and put
24 the SUV where it is.

25 RECRUIT OFC. REININGER: Okay.

Recruit Officer William Reininger 2
OIS 18-004 - 05/14/2018

1 SERGEANT KASPER: Where that collision
2 occurred.

3 RECRUIT OFC. REININGER: So, it was at this
4 point.

5 SERGEANT KASPER: Okay.

6 RECRUIT OFC. REININGER: Would you like me
7 to draw it, the car up there or just...

8 SERGEANT KASPER: No. I can, we can figure
9 that out.

10 RECRUIT OFC. REININGER: Okay.

11 SERGEANT KASPER: Uh, did that suspect
12 vehicle have an opportunity to avoid hitting
13 Officer Buhagiar's vehicle?

14 RECRUIT OFC. REININGER: I believe so,
15 absolutely. This entire area was open.

16 SERGEANT KASPER: Okay.

17 RECRUIT OFC. REININGER: And he drove this
18 way, and then went head-on with that vehicle, and
19 then proceeded to drive around the median, and back
20 off.

21 SERGEANT KASPER: Okay. So, he could have
22 avoided that collision. Is that what you're saying?

23 RECRUIT OFC. REININGER: Yes.

24 SERGEANT KASPER: Okay. Uh, you mentioned,
25 uh, about turning on lights, turned on lights.

1 RECRUIT OFC. REININGER: Yes.

2 SERGEANT KASPER: What, what did you mean by
3 that? This is like before, when you...

4 RECRUIT OFC. REININGER: Prior, prior to,
5 uh, me exiting the vehicle. Officer Aknese, uh,
6 activated the vehicle lights in an attempt to stop
7 the suspects, like turned on the overhead lights.

8 SERGEANT KASPER: Okay. Uh, was it clear
9 that you guys were the police?

10 RECRUIT OFC. REININGER: Yes.

11 SERGEANT KASPER: Okay. When you were
12 chasing them, were you yelling anything at them?

13 RECRUIT OFC. REININGER: Uh. "San Francisco
14 Police Department. Stop running, stop
15 San Francisco, stop."

16 SERGEANT KASPER: Okay. Did he ever look
17 back at you or anything?

18 RECRUIT OFC. REININGER: Multiple times.

19 SERGEANT KASPER: All right. Uh, did you
20 have your firearm out at that point?

21 RECRUIT OFC. REININGER: No.

22 SERGEANT KASPER: Okay. And why not?

23 RECRUIT OFC. REININGER: I was running. I
24 didn't want to pull my gun out when I'm running. I,
25 I didn't, at that point, I didn't, uh, he had made

1 no actions that made me believe he was running with
2 a gun. I didn't see a gun in his hand, so I felt
3 there was no need for me to draw my weapon at that
4 point. I thought he was...I, I just knew he was
5 running. And at that point, all we had attempted to
6 do was stop him for, uh, possibly breaking into the
7 vehicle, and I just knew that he was running for a
8 reason. I was unaware if he had a gun on him. It wa
9 because he had a burglary tool, or because he had
10 actually broken into the vehicle, but I knew he
11 had, there was no other reason to run, besides him
12 doing something.

13 SERGEANT KASPER: Okay. And then you
14 mentioned, when you approached him, uh, he was
15 sitting low in his vehicle.

16 RECRUIT OFC. REININGER: Yes.

17 SERGEANT KASPER: And you could just see the
18 top of his shoulders.

19 RECRUIT OFC. REININGER: Yes.

20 SERGEANT KASPER: Maybe just, you know, turn
21 your chair around and make yourself comfortable, or
22 [she] can slide over.

23 RECRUIT OFC. REININGER: So...

24 SERGEANT KASPER: Show me what you mean by
25 that.

1 RECRUIT OFC. REININGER: So, well, I mean,
2 if you're in reference, if you're like, if you're
3 me, he's sitting in the car here in the driver's
4 seat. There's the steering wheel in front of him
5 and then the car door. He's sitting like this, and
6 all I can see is his shoulders, kind of doing this
7 action.

8 SERGEANT KASPER: Okay.

9 RECRUIT OFC. REININGER: So, I was unaware if
10 he was reaching or if he was doing something down
11 here.

12 SERGEANT KASPER: You're indicating, like
13 almost making a motion like you're bending over,
14 tying your shoes.

15 RECRUIT OFC. REININGER: Yes.

16 SERGEANT KASPER: Is that fair?

17 RECRUIT OFC. REININGER: That'd be...

18 SERGEANT KASPER: Okay.

19 RECRUIT OFC. REININGER: That'd be the
20 closest reference I can think of.

21 SERGEANT KASPER: At that point, did you
22 have your gun fixed on him?

23 RECRUIT OFC. REININGER: Yes. Yes.

24 SERGEANT KASPER: Okay. What kind of
25 commands were you giving him at that point?

Recruit Officer William Reininger 2
OIS 18-004 - 05/14/2018

1 RECRUIT OFC. REININGER: I was yelling at
2 him to get out of the car. I was, uh, just yelling,
3 uh, "Get out of the car. Stop what you're doing.
4 Get your hands up. Get out of the car," uh, and he,
5 he just wasn't listening to me. He was looking at
6 me, dead in the, what I felt, dead in the eyes.
7 Looking only at me, not looking around and, uh,
8 just disobeying my commands completely.

9 SERGEANT KASPER: Okay.

10 RECRUIT OFC. REININGER: Continuing to do
11 whatever he was doing.

12 SERGEANT KASPER: Okay: Uh, and you
13 indicated, this is probably getting repetitive,
14 but, uh, like he was loading weapons or getting
15 weapons?

16 RECRUIT OFC. REININGER: Yes. Either
17 reaching for a weapon under the seat or somewhere
18 in the vehicle, in the floorboard area, or loading
19 a weapon. I was unsure what he was doing, but I,
20 that's what [unintelligible].

21 SERGEANT KASPER: Was it, was it at that
22 time, you gave that demonstration, like when I said
23 tying your shoes?

24 RECRUIT OFC. REININGER: Yes. That's, that's
25 what he was doing the entirety, the whole time,

1 until he flew, put it in reverse and took off. So,
2 from the moment I ran up and had my gun on him,
3 that was the motions he was making.

4 SERGEANT KASPER: All right. How long after
5 those motions did extra patrol units, uh, show up?

6 RECRUIT OFC. REININGER: Uh, it felt like
7 forever to me, but I mean, it couldn't have been...I
8 mean, maybe ten seconds at the most. I yelled for
9 him to stop probably four or five times, so.

10 SERGEANT KASPER: Okay. Uh, so, you're,
11 you're on your [REDACTED] PII of FTO at Northern;
12 Northern's busy. How many foot chases have you been
13 in?

14 RECRUIT OFC. REININGER: Two.

15 SERGEANT KASPER: How long was, when was the
16 first foot chase you got in?

17 RECRUIT OFC. REININGER: First phase.

18 SERGEANT KASPER: Okay. How long was that?
19 How long did that foot chase last?

20 RECRUIT OFC. REININGER: Uh, less than that,
21 maybe a block at the most.

22 SERGEANT KASPER: Okay. Uh, what was that
23 situation?

24 RECRUIT OFC. REININGER: Uh, just a suspect
25 just took off running. We tried to stop him, he

1 took off running. I ran up, and as soon as I, as
2 soon as I was within distance, he stopped running.
3 He just said okay, and that was it.

4 SERGEANT KASPER: Okay. Uh, all right. Let
5 me think here. I'm not going to have you draw. At
6 the, the car is at that point, you have yourself
7 here.

8 RECRUIT OFC. REININGER: Yes.

9 SERGEANT KASPER: Where was, where was,
10 where was the car when this car first started to
11 turn straight? Do you understand? That's kind of a
12 lousy question, but I'm trying to figure out how
13 long it had been going straight for.

14 RECRUIT OFC. REININGER: So, it hit this
15 car, and then kind of rebounded, and was at about
16 this point. So, it probably came here. It was...

17 SERGEANT KASPER: Just draw it, that's fine.
18 You can draw it. Draw, why don't you draw its path
19 from back here, because it was obviously back here.
20 Right? It came from, it came from there?

21 RECRUIT OFC. REININGER: Well, it came from
22 parked, and then hit this car. So, it...

23 SERGEANT KASPER: Just draw a line.

24 RECRUIT OFC. REININGER: Okay. So, it, it
25 came this way, hit that car, uh, kind of rebounded,

Recruit Officer William Reininger 2
OIS 18-004 - 05/14/2018

1 and then this way. And then, so at that, probably
2 right about this point is when it turned, and then
3 started going in that direction.

4 SERGEANT KASPER: Okay. And this is the
5 location of where it was when you fired your shots?

6 RECRUIT OFC. REININGER: Yes.

7 SERGEANT KASPER: Okay.

8 RECRUIT OFC. REININGER: Officer Hillard ran
9 from that direction.

10 SERGEANT KASPER: Okay.

11 SERGEANT DELANEY: Uh, is, so did, you didn't
12 have a visual, you didn't know where he was. You're
13 doing this, you're saying he ran over here because
14 [it was in the video?]

15 RECRUIT OFC. REININGER: I just know he was
16 that way.

17 SERGEANT DELANEY: Okay.

18 RECRUIT OFC. REININGER: That's it. So, I
19 don't know if he was actually in this spot up on
20 the sidewalk or anything. I just know that when I
21 saw him, he was here, and then I saw him go that
22 way. So, I'm just placing, somewhere in this
23 vicinity is exactly where Officer Hillard was.

24 SERGEANT KASPER: Did you place him here
25 because of the video that you saw or because that's

1 where you saw him or last saw him?

2 RECRUIT OFC. REININGER: I, when I last saw
3 him in this little section, but then he went out of
4 my visual.

5 SERGEANT KASPER: Okay.

6 RECRUIT OFC. REININGER: So, I don't know
7 exactly where he was after that.

8 SERGEANT KASPER: Okay.

9 RECRUIT OFC. REININGER: I just placed him
10 that way, because he was...that, this is where the
11 car was, so he was behind the car, is, that, that
12 was my thought.

13 SERGEANT KASPER: Okay. So you don't know
14 exactly where he was at the time?

15 RECRUIT OFC. REININGER: No.

16 SERGEANT KASPER: Okay.

17 RECRUIT OFC. REININGER: No.

18 SERGEANT DELANEY: I just wanted to go back,
19 because you said that the car slowed.

20 RECRUIT OFC. REININGER: Yes.

21 SERGEANT DELANEY: So, and I don't want to
22 put words in your mouth. You said it was, it was
23 revving, you said revving its engine, or you heard
24 the engine, or you shout out, you said? I'm not
25 sure exactly what you said.

1 RECRUIT OFC. REININGER: Yeah. So, so the
2 suspect, when he was parallel, when he was parked,
3 parallel parked, uh, reversed, hit the car, and
4 then, I mean, for lack of...he floored it. So, he, at
5 a high rate of speed took off from the parked, from
6 the parked area, then he hit this car. After he hit
7 this, or hit the patrol car, he then sped up. It
8 was at that point, I heard the engine rev up, and
9 then it stopped revving. So, then I saw the go from
10 a high acceleration to a slow, and at that point is
11 when I assumed, I mean, he could have just kept
12 going, uh, but instead, he slowed down. So, it was
13 at that point that I felt he was producing a weapon
14 to try and shoot Officer Hillard; I fired my
15 rounds. After that, he floored it again, and you
16 hear the engine rev up, and he goes up Webster and
17 O'Farrell, and gets into the second collision.

18 SERGEANT DELANEY: Okay. So, was it, you, you
19 felt it was an intentional act that he stopped or
20 slowed the car?

21 RECRUIT OFC. REININGER: Yeah.

22 SERGEANT DELANEY: To, in some way, engage or
23 to, or something having to do with Officer Hillard?

24 RECRUIT OFC. REININGER: Yes.

25 SERGEANT DELANEY: Okay.

Recruit Officer William Reininger 2
OIS 18-004 - 05/14/2018

1 RECRUIT OFC. REININGER: Which is why I
2 believed Officer Hillard's life to be in danger. I
3 felt that, I thought he was slowing down
4 purposefully, because he was going to shoot Officer
5 Hillard.

6 SERGEANT DELANEY: Okay.

7 SERGEANT KASPER: How hard did he hit that
8 car?

9 RECRUIT OFC. REININGER: Uh, I mean, pretty
10 hard.

11 SERGEANT KASPER: Like would it have slowed
12 him way down or?

13 RECRUIT OFC. REININGER: No, because he, he
14 only took out the corner. So, like just the front
15 light housing.

16 SERGEANT KASPER: Okay.

17 DAI FRIEDMAN: You're talking about the
18 parked civilian car?

19 SERGEANT KASPER: No. I'm talking about the
20 parked, uh...

21 RECRUIT OFC. REININGER: The patrol vehicle.

22 SERGEANT DELANEY: The patrol car.

23 SERGEANT KASPER: The vehicle that Officer
24 Pfeifer was driving.

25 RECRUIT OFC. REININGER: He hit, uh, he took

1 out like the front right, the front right of the
2 vehicle. So, like the housing light.

3 SERGEANT KASPER: Okay. Would that have
4 slowed the suspect vehicle down, that type of an
5 impact?

6 RECRUIT OFC. REININGER: No. No, not, not
7 the point that I felt, no.

8 SERGEANT KASPER: Okay.

9 RECRUIT OFC. REININGER: Because he, after
10 hitting the car, sped up, and then slowed down
11 again. So, that's when I saw the slowing, was after
12 the collision, it wasn't, he didn't speed up, hit
13 the car, and continue. It was he hit, and then sped
14 up and slowed down, and that's when I fired.

15 SERGEANT KASPER: Okay. I got it now. Okay.

16 SERGEANT DELANEY: Okay.

17 DAI FRIEDMAN: So, uh, let me, uh, let me
18 ask you a little bit more about the path of the
19 car. Uh, can you estimate the speed at which the
20 suspect car was going when it hit the patrol car?

21 RECRUIT OFC. REININGER: This patrol car?

22 DAI FRIEDMAN: Yes.

23 RECRUIT OFC. REININGER: Uh, from parked to
24 that, I'd say between 15 and 20. I just know I
25 heard, the engine revved up loud and he took off.

1 So, I, I don't think he could have got any higher
2 than, than that, but 15 to 20 because he was
3 floored.

4 DAI FRIEDMAN: Okay. And then you said
5 it, it bounced, bounced back a little bit?

6 RECRUIT OFC. REININGER: Uh, well, it just
7 kind of like just came off. So, when, rebounding
8 wouldn't be the right word, but like he hit it, and
9 then just kind of went over, and then floored it
10 again. So, I don't know if when he hit he kind of
11 yanked, but then he floors it and turns, and then
12 he turns left.

13 DAI FRIEDMAN: Okay. So, he's going 15 to
14 20 when it hits the patrol car. How much did the
15 collision slow it down?

16 RECRUIT OFC. REININGER: Uh, I don't know,
17 maybe five miles an hour? I, I'm not quite, I'm not
18 sure.

19 DAI FRIEDMAN: Okay. It slowed it down by
20 five miles an hour or down to five miles an hour?

21 RECRUIT OFC. REININGER: Uh, I mean
22 probably, I guess if he was going 15, and slowed it
23 down by five miles an hours, then it would have
24 slowed him down to ten miles an hour. I can't
25 really say, I don't know.

1 DAI FRIEDMAN: Okay. Uh, and then you
2 said it, it sped up, the car sped up again after
3 that.

4 RECRUIT OFC. REININGER: Right.

5 DAI FRIEDMAN: How fast did it get going?

6 RECRUIT OFC. REININGER: Uh, five to ten
7 miles an hour faster than it was going after the
8 collision. I really couldn't say, I just, I hear, I
9 heard it rev up.

10 DAI FRIEDMAN: Okay.

11 RECRUIT OFC. REININGER: That's, I couldn't
12 estimate the speed, but I, I heard it rev.

13 DAI FRIEDMAN: Okay. Uh, how far did the,
14 the patrol vehicle, or the sorry, the suspect
15 vehicle travel then, from the, from the time that
16 you heard it speeding up again after, after it hit
17 the patrol car? Before, because then you said it
18 slowed down again, at the point in time when you
19 decide to shoot.

20 RECRUIT OFC. REININGER: So, you're saying
21 how...?

22 DAI FRIEDMAN: So, what's I'm asking,
23 yeah. How, how far did it travel from the point
24 where it starts, he starts to accelerate again, to
25 the point where it slows down?

Recruit Officer William Reiningger 2
OIS 18-004 - 05/14/2018

1 RECRUIT OFC. REININGER: To the point where
2 I felt he was slowing down?

3 DAI FRIEDMAN: Correct.

4 RECRUIT OFC. REININGER: Uh, probably 12 to
5 15 feet, because it was from the front end of the
6 patrol car to around the back, so.

7 DAI FRIEDMAN: Okay. Can you estimate the
8 amount of time that...?

9 RECRUIT OFC. REININGER: Seconds at the
10 most. I mean three seconds, four seconds.

11 DAI FRIEDMAN: Okay. And then it slowed
12 down. How slow did it get? How slow
13 [unintelligible]?

14 RECRUIT OFC. REININGER: I wouldn't say it
15 stopped, but I mean, to the point where like, uh,
16 I'd say five miles an hour. So, he was probably, I
17 heard it rev up, and then I, and then I didn't hear
18 it revving anymore, and that's the point that... So,
19 it revved up, and then slowed down. So, I'd say he
20 probably was going five miles an hour when I felt
21 he had slowed down.

22 DAI FRIEDMAN: Okay.

23 RECRUIT OFC. REININGER: And I wasn't hearing
24 it rev anymore.

25 DAI FRIEDMAN: Okay. Did you see the

1 brake lights come on?

2 RECRUIT OFC. REININGER: I can't remember,
3 to be honest.

4 DAI FRIEDMAN: Okay. Uh, do you remember
5 if the headlights were on?

6 RECRUIT OFC. REININGER: I don't remember.

7 DAI FRIEDMAN: Uh, now Officer Hillard
8 was in the path of that vehicle.

9 RECRUIT OFC. REININGER: Yes.

10 DAI FRIEDMAN: As it was moving forward,
11 and then you saw Mist...Officer Hillard move out of
12 the way.

13 RECRUIT OFC. REININGER: Yes

14 DAI FRIEDMAN: Is that right? Do you
15 remember, can you describe how, how he moved?

16 RECRUIT OFC. REININGER: Uh, as I said
17 earlier, I, I don't, I wasn't aware if he had
18 actually been hit by the car, or jumped out of the
19 way himself, or ran over. I just remember seeing
20 him go out of, out of my sight.

21 DAI FRIEDMAN: Do, do you remember...as,
22 just from what you saw him going out of your sight,
23 do you remember, was he, which way was he facing?

24 RECRUIT OFC. REININGER: He, his back would
25 have been to the suspect.

Recruit Officer William Reininger 2
OIS 18-004 - 05/14/2018

1 DAI FRIEDMAN: So, he turned to, to move
2 away?

3 RECRUIT OFC. REININGER: Yes. Yes.

4 DAI FRIEDMAN: Okay. Had you seen him
5 move before that? Officer Hillard?

6 RECRUIT OFC. REININGER: No. I saw him
7 standing in-between, in-between the two, the patrol
8 car and the parked vehicles, and then facing my
9 direction.

10 DAI FRIEDMAN: Okay.

11 RECRUIT OFC. REININGER: And then, the next
12 time I saw him, his back was turned to the suspect,
13 going southbound.

14 DAI FRIEDMAN: You, you also, on your
15 diagram, or on your diagram, you didn't draw a car,
16 but I think you talked about there being a parked
17 car?

18 RECRUIT OFC. REININGER: Yes.

19 DAI FRIEDMAN: Could, could you put, uh,
20 yeah, there you go.

21 RECRUIT OFC. REININGER: So, there would
22 have been a car there, and then one in front of
23 that as well.

24 DAI FRIEDMAN: Okay. So, Officer Hillard
25 moves out of the way, and is out of your line of

1 sight.

2 RECRUIT OFC. REININGER: Correct.

3 DAI FRIEDMAN: Because of this, this
4 parked car?

5 RECRUIT OFC. REININGER: Correct.

6 DAI FRIEDMAN: Is that right? At the time
7 you decide to shoot?

8 RECRUIT OFC. REININGER: Correct.

9 DAI FRIEDMAN: Okay. And how far was the
10 suspect vehicle from the parked car at the time you
11 decided to shoot?

12 RECRUIT OFC. REININGER: Uh, there was
13 probably, uh, five feet on either side, between the
14 parked car and the, between the parked car and his
15 car, and then the patrol car and the other car.

16 DAI FRIEDMAN: Okay. How long between the
17 time you decided to shoot and the time you actually
18 shot?

19 RECRUIT OFC. REININGER: Uh, not very...like
20 seconds. I mean because I, I had had my gun drawn
21 and pointed at him the entirety of the time. So, at
22 that moment, when I felt he slowed down to produce
23 the weapon and shoot Officer Hillard, I think, I
24 mean I thought I'm not going to, like I'm not going
25 to let him shoot him, and then, that's when I shot.

Recruit Officer William Reininger 2
OIS 18-004 - 05/14/2018

1 So, maybe two seconds, three seconds.

2 DAI FRIEDMAN: Okay. Were you able to
3 see, uh, the driver of the, were you able to see
4 the suspect in the car, at the time you decided to
5 shoot?

6 RECRUIT OFC. REININGER: Uh, I mean, not
7 clearly. He was the driver, so he was in the front.

8 DAI FRIEDMAN: I guess where I'm at,
9 where I'm getting at is...

10 RECRUIT OFC. REININGER: I mean, did I see
11 where he was at?

12 SERGEANT KASPER: Could you see him doing
13 anything or any movement?

14 RECRUIT OFC. REININGER: No.

15 DAI FRIEDMAN: Okay. Uh, other than what
16 you've already told us, was there anything else,
17 uh, that the, that you saw that made you think that
18 the suspect may have a gun?

19 RECRUIT OFC. REININGER: Not other than what
20 I've told you, besides the movements that he was
21 making when he was parked, and I was yelling for
22 him to get out of the car. Uh, and the fact that he
23 ran, uh, for so long, and wasn't just going to give
24 up, based off a misdemeanor crime.

25 DAI FRIEDMAN: Okay.

1 RECRUIT OFC. REININGER: I mean I, that's
2 all I can, nothing else though.

3 DAI FRIEDMAN: All right. During the foot
4 chase, did you see anything, any, any bulky objects
5 in his pockets or his pants?

6 RECRUIT OFC. REININGER: I never saw his
7 waistband or anything like that. He was
8 approximately 30 feet ahead of me.

9 DAI FRIEDMAN: Okay. Did he ever reach
10 for his waistband?

11 RECRUIT OFC. REININGER: I couldn't tell
12 you. He was just ahead of me, and at some points,
13 his hands were in front of him, at some points,
14 they were to the side. He was just looking back at
15 me, he was, to be honest, he was a lot faster than
16 I was.

17 DAI FRIEDMAN: Okay. That's actually one
18 of the questions I was going to ask you then. So,
19 he gets to the car before, he managed to run and
20 gets to the car.

21 RECRUIT OFC. REININGER: Uh-huh.

22 DAI FRIEDMAN: How, how far away were you
23 at the point in time when he got to the vehicle?

24 RECRUIT OFC. REININGER: When he was getting
25 in the car?

Recruit Officer William Reininger 2
OIS 18-004 - 05/14/2018

1 DAI FRIEDMAN: Yeah.

2 RECRUIT OFC. REININGER: How far back was I?

3 DAI FRIEDMAN: Yeah.

4 RECRUIT OFC. REININGER: Uh, 25 feet.

5 DAI FRIEDMAN: Okay. Uh, was that the

6 farthest distance he was from you during that foot

7 chase?

8 RECRUIT OFC. REININGER: I'd say the

9 furthest point is probably 30 feet that he got out

10 ahead of me.

11 DAI FRIEDMAN: Okay. You kept him in

12 visual contact, uh, you were able to see him the

13 whole time you were chasing him?

14 RECRUIT OFC. REININGER: There were a couple

15 of moments when I didn't, or like we were running

16 between cars, and I had, I was trying to move

17 between the cars, so I might look down. Or at one

18 point, my radio, my radio mic flipped off and hit

19 me in the head, so I grabbed it, and pulled it back

20 down, and clipped it to my shirt.. So, there were a

21 couple of moments where I would have looked down,

22 but not anything more than like five seconds.

23 DAI FRIEDMAN: Okay. Uh, did, uh, did the

24 suspect ever say anything?

25 RECRUIT OFC. REININGER: No, never.

1 DAI FRIEDMAN: By the way, have you, have
2 you ever had any contact with him before?

3 RECRUIT OFC. REININGER: No. I, no. I
4 haven't even seen photos of him or anything like
5 that.

6 DAI FRIEDMAN: So, you didn't know him?
7 Okay. Uh, the point in time when you decided, uh,
8 to shoot...well, you saw, you saw the, the video from
9 the, uh, the surveillance video.

10 RECRUIT OFC. REININGER: Yes.

11 DAI FRIEDMAN: From, from the street. Uh,
12 did you see, in that video, did you see, uh, a
13 vehicle driving through the video?

14 RECRUIT OFC. REININGER: Uh, slightly, not
15 really. I mean you kind of see like a little bit of
16 it, but not really, because you pretty much only
17 get a good sight of the parked car.

18 DAI FRIEDMAN: What vehicle was that that
19 was parked, that you got a glimpse of moving
20 through the...

21 RECRUIT OFC. REININGER: The suspect
22 vehicle.

23 DAI FRIEDMAN: Okay. Uh, when you shot at
24 the suspect vehicle, was that before or after that,
25 the, the point in time when we see it go through

1 the, the video screen?

2 RECRUIT OFC. REININGER: Uh, it would have
3 been during, I believe, because in the video, you
4 see Officer Hillard get to the side and out of the
5 direction of the vehicle, and it was at that point
6 that I would have fired. So, I would say during;
7 I'm not sure.

8 DAI FRIEDMAN: Okay. So, I guess what
9 I'm, uh, what I'm wondering, what I meant. So,
10 during that period of time, that was the vehicle
11 going slow? We saw that on the video that was the
12 point in time when it was slowing down.

13 POA ATTORNEY FOX: If you know, don't guess.

14 RECRUIT OFC. REININGER: I, I'm not sure if
15 the vehicle slowed down in the video or not. I
16 mean, I can't really see it very well, but I...I
17 couldn't really tell you.

18 DAI FRIEDMAN: Okay.

19 RECRUIT OFC. REININGER: But at that point
20 in time, when that, when you see Officer Hillard
21 run to the side, it would be just after that that I
22 fired. But you, I, I can't say whether the vehicle
23 actually slows down. That's what I perceived on,
24 when I was there.

25 DAI FRIEDMAN: Yeah, got you. Uh, can you

1 estimate, you say when Officer Hillard gets to,
2 gets to the side, just after that you decide, you,
3 you shoot. Can you estimate about how much time?

4 RECRUIT OFC. REININGER: Seconds. I mean
5 this really all took like a couple, like maybe a
6 maximum of a couple of minutes. So, I mean,
7 seconds.

8 DAI FRIEDMAN: Okay. Two seconds or five
9 seconds?

10 RECRUIT OFC. REININGER: I, I couldn't give
11 you an exact, I mean, if I give you a number, it's
12 going to be just like a ballpark guess. Like I
13 really have no idea.

14 DAI FRIEDMAN: No, I want you to
15 estimate, because you were, you were there. I don't
16 want you to guess. You know?

17 RECRUIT OFC. REININGER: Well, that's all
18 it's going to be.

19 DAI FRIEDMAN: Okay. Uh, after, uh, after
20 the suspect vehicle fled the scene, uh, and this
21 incident's over, uh, who did you talk to?

22 RECRUIT OFC. REININGER: I didn't talk...well,
23 I, I asked Officer Hillard if he's okay, because at
24 that point, I still didn't know if he was ever
25 struck by the car. What I said, I just said, "Hey,

1 are you okay?" And then he was on the radio, so I
2 didn't talk to him anymore, and then I just waited,
3 I just didn't talk to anybody. Uh, I believe
4 another officer, I can't even remember who, asked
5 if I was okay. I said yeah, and then I just waited,
6 and didn't talk to anybody until, uh, the sergeant
7 got there, and issued me, or not issued, I made a
8 statement.

9 DAI FRIEDMAN: Okay. Uh, which sergeant
10 was that?

11 RECRUIT OFC. REININGER: Uh, it was, uh, it
12 wasn't Sergeant...uh, I'm drawing a blank right now.
13 It's, uh, I can't think of his name right now. I'm
14 just drawing a blank.

15 DAI FRIEDMAN: It's okay. Do you remember
16 what, what you told the sergeant?

17 RECRUIT OFC. REININGER: Uh, he just asked
18 questions off of the card. I believe it's like the,
19 the statement you give after something like that.
20 It's, that's, so I just answered those, he just
21 asked me those questions, and I answered them, and
22 then that was it. And then he told me that they
23 would be taking me back to Northern Station.

24 DAI FRIEDMAN: Okay. Do, do you remember
25 what the questions were specifically?

1 RECRUIT OFC. REININGER: It was like how
2 many, how many rounds I shot, or how, how many
3 shots fired, uh, in what direction, and with what
4 gun?

5 DAI FRIEDMAN: How many rounds did you
6 tell the sergeant that you fired?

7 RECRUIT OFC. REININGER: I believe two.

8 DAI FRIEDMAN: Okay. And what direction?

9 RECRUIT OFC. REININGER: Westbound.

10 DAI FRIEDMAN: And then any, any what did
11 you tell him about the suspect or suspects?

12 RECRUIT OFC. REININGER: I didn't say
13 anything about the suspects.

14 DAI FRIEDMAN: Okay. Uh, at the time you
15 decided to shoot, uh, was there anything else, were
16 there any other alternative to shooting? Did you
17 consider that?

18 RECRUIT OFC. REININGER: No, not at the
19 time. At the time that, at the time that I decided
20 to shoot, I don't think there were no alternatives,
21 no.

22 DAI FRIEDMAN: Okay.

23 RECRUIT OFC. REININGER: Besides not
24 shooting, but I mean, I thought that he was going
25 to shoot Officer Hillard, so I, that was my only

1 option at that point. It was either that or let him
2 shoot Officer Hillard.

3 DAI FRIEDMAN: Okay. If, if, uh, all
4 right. Uh, did the sergeant, when he was taking
5 that Public Safety statement from you, did, did the
6 sergeant ask you why you shot?

7 RECRUIT OFC. REININGER: No.

8 DAI FRIEDMAN: Okay.

9 SERGEANT KASPER: Can I go back, or did you
10 want to go now?

11 ADA HARTMAN: No.

12 SERGEANT KASPER: I just have, came up with
13 a couple

14 ADA HARTMAN: Go ahead. I'll I'll...

15 SERGEANT KASPER: Are you sure? Okay.

16 ADA HARTMAN: Then I'll go.

17 SERGEANT KASPER: So, he asked you when you
18 shot at the car? Did you shoot at the car or did
19 you shoot...

20 RECRUIT OFC. REININGER: No. I shot at the
21 suspect.

22 SERGEANT KASPER: Okay. I wanted to be clear
23 about that.

24 DAI FRIEDMAN: Yeah. Sorry if I
25 misspelled those.

1 SERGEANT KASPER: Uh, when you chased him,
2 did you actually, were you behind him, close enough
3 that you saw him enter the car or?

4 RECRUIT OFC. REININGER: Yeah. I saw him get
5 into the car, yes.

6 SERGEANT KASPER: Okay. Did he use keys or
7 how did he get in?

8 RECRUIT OFC. REININGER: No. He actually, he
9 ran up and just got in. I was actually, at that
10 point, thrown off, because I was like, "Who gets
11 that lucky and just finds an unlocked car?"

12 SERGEANT KASPER: Okay. How long did he, how
13 long did it take from the time that he got in the
14 car and started it up, if you know, from the time
15 that, uh, he crashed into Buhagiar's car, SUV, if
16 you know?

17 RECRUIT OFC. REININGER: I don't know.

18 SERGEANT KASPER: Okay. Have you ever been
19 in a position like this before?

20 RECRUIT OFC. REININGER: No, never.

21 SERGEANT KASPER: Okay. Uh, did you, in
22 going through the Academy or after the Academy or
23 anything, did you ever, do you have any military
24 training or anything like that?

25 RECRUIT OFC. REININGER: No. I mean in the

1 Academy, we had like officer survival training,
2 which was probably like the most, the most training
3 that we had for a situation like this, and then, I
4 mean...

5 SERGEANT KASPER: Can you just describe a
6 little bit about it, that training that you went
7 through in officer survival, if it's relevant to,
8 or close to this scenario that happened?

9 RECRUIT OFC. REININGER: So, officer
10 survival training, they had a few different
11 scenarios where they put you through, such as
12 ambush moments or moments like this. Uh, I mean,
13 not exactly this moment, but uh, just like being
14 put into a high-stressful situation, or I mean
15 you're, you get shot at, or you're shooting, or
16 something along those lines. Or don't shoot, or to
17 restrain and things like that, if an officer's life
18 is in danger. Things along that lines, but which
19 is, I believe it was a week-long and we did it out
20 at like a training facility, where everything was
21 set-up with TAC officers and Specialists.

22 SERGEANT KASPER: Beginning, middle, or end
23 of the Academy?

24 RECRUIT OFC. REININGER: End of the Academy.

25 SERGEANT KASPER: Okay. I think I'm good,

1 sir.

2 ADA HARTMAN: Okay. Uh, may I ask? Uh,
3 this, uh, Paper One.

4 RECRUIT OFC. REININGER: Yes?

5 ADA HARTMAN: Uh, you put yourself here.

6 RECRUIT OFC. REININGER: Yes.

7 ADA HARTMAN: Am I right? With 374.

8 RECRUIT OFC. REININGER: Yes, sir.

9 ADA HARTMAN: And then the, the car in
10 which the suspect was, am I pointing to the right
11 one here, facing forward, going away from you?

12 RECRUIT OFC. REININGER: Correct.

13 ADA HARTMAN: Okay. So the way it's
14 here, it looks like you're directly behind the car.
15 That is, if you were looking straight at the car,
16 you're looking at the license plate in the rear, in
17 effect, the middle of the car.

18 RECRUIT OFC. REININGER: Correct.

19 ADA HARTMAN: If you're looking straight
20 ahead.

21 RECRUIT OFC. REININGER: Correct.

22 ADA HARTMAN: Okay? At the time you
23 shot, was that the same angle, or did you or the
24 car move, so that you were maybe off, or the car
25 was off to one side or another, so that you didn't

1 have a direct, uh, so that you weren't directly
2 behind the car?

3 RECRUIT OFC. REININGER: Uh, I was behind
4 the car. That's, I mean, I'm not sure if I was
5 closer to the passenger side or the driver's side.

6 ADA HARTMAN: Okay.

7 RECRUIT OFC. REININGER: But I was behind the
8 car.

9 ADA HARTMAN: So, when you, let's see,
10 if you can give us an estimate, uh, between, from
11 you and, uh, where the driver was in the driver's
12 seat. About how many feet or yards or car lengths
13 was that?

14 RECRUIT OFC. REININGER: 15 to 20 feet.

15 ADA HARTMAN: Okay. And when you, when
16 you shot, as I understand, please correct me if I'm
17 wrong, that was after he did the motions that you
18 previously described down at his feet, and then he
19 started the car, and the car then drove in the ways
20 you have described, and then you shot?

21 RECRUIT OFC. REININGER: Correct.

22 ADA HARTMAN: Okay. So, can you give us
23 an idea? When you see him do these motions, uh, and
24 then he's driving, could you see whether he had one
25 or two hands on the wheel when he's driving?

1 RECRUIT OFC. REININGER: No.

2 ADA HARTMAN: And could you, could you
3 see which hand he was using to drive?

4 RECRUIT OFC. REININGER: I couldn't tell
5 you.

6 ADA HARTMAN: Okay. Uh, when, so when
7 you were, when you shot the two shots, uh, what
8 were you aiming at?

9 RECRUIT OFC. REININGER: The suspect.

10 ADA HARTMAN: Okay. And you said you
11 could see his head and his shoulders. Well, let's
12 go back, you didn't say that. You were talking
13 about when it was stopped.

14 RECRUIT OFC. REININGER: Right

15 ADA HARTMAN: When he was driving, could
16 you see his head and shoulders?

17 RECRUIT OFC. REININGER: I can't say that I
18 could see his shoulders or his head, to be honest,
19 I just know that he was driving the vehicle, and I
20 know that that's where he would have been.

21 ADA HARTMAN: Okay.

22 RECRUIT OFC. REININGER: So, it's more so
23 the, the driver's seat that I was aiming at.

24 ADA HARTMAN: So, when you say you're
25 aiming at the driver's seat, are you aiming sort of

Recruit Officer William Reininger 2
OIS 18-004 - 05/14/2018

1 at middle of the back, the head, the neck?

2 RECRUIT OFC. REININGER: Uh, it would have
3 been...

4 ADA HARTMAN: And I'm just talking about
5 aiming.

6 RECRUIT OFC. REININGER: Right. I, I would
7 have been aiming center mass. So, I mean, not the
8 head portion, but just right...

9 ADA HARTMAN: Okay. When, when you, in
10 addition to what you've already described about
11 what led you to believe that he, uh, did or may
12 have a gun, uh, could you see where the suspect had
13 his hand, or his forearm, or his arm? Could you see
14 that?

15 RECRUIT OFC. REININGER: At the point I
16 shot.

17 ADA HARTMAN: At the point you shot?

18 RECRUIT OFC. REININGER: Yeah.

19 ADA HARTMAN: Okay.

20 RECRUIT OFC. REININGER: I couldn't see, I
21 couldn't.

22 ADA HARTMAN: So, you couldn't tell
23 whether or not that, at the time you shot, he might
24 be aiming, he might be having his arm out, aiming
25 out of the window?

1 RECRUIT OFC. REININGER: No. No, I didn't
2 see his arm out of the window.

3 ADA HARTMAN: Okay.

4 RECRUIT OFC. REININGER: But I, I can't say
5 for sure whether he was doing that, no.

6 ADA HARTMAN: Okay. Thank you. Uh, a
7 couple more questions. When he was down, while he
8 was looking at you, as you described [in the
9 shoes], did you consider there might be other
10 alternatives to what he was doing, other than
11 possibly getting a weapon?

12 RECRUIT OFC. REININGER: Uh, I didn't know
13 what he was doing. In my head, I thought he might
14 be getting a weapon or going for a weapon, but at
15 that point, I wasn't sure if that's exactly what he
16 was doing, which is why I didn't, I didn't do
17 anything at that point. I waited, because I was
18 unsure if he was doing anything or not.

19 ADA HARTMAN: Okay. Uh, and you, and I
20 know that you're in your first year, but have you
21 either had training or experience that sometimes,
22 uh, when someone jumps into a car like that being
23 pursued, they may be trying to, uh, perhaps empty
24 a, uh, some baggies of drugs onto the floor—opening
25 them up and emptying them? So, in order to destroy

1 evidence?

2 RECRUIT OFC. REININGER: I have no training
3 or experience with that, no.

4 ADA HARTMAN: Okay. Uh, you said you
5 thought he was a burglar of cars. That was, he was
6 a suspect for that?

7 RECRUIT OFC. REININGER: That's what
8 the...yes.

9 ADA HARTMAN: Sure. So, uh, did you
10 think that perhaps he may have some burglary tools,
11 or even something as simple as the type of rock you
12 use to break the windows in his pockets, and he's
13 dumping that down the floor?

14 RECRUIT OFC. REININGER: Uh, not at the
15 moment. I didn't think. It's possible, but that's
16 not what I was thinking, no.

17 ADA HARTMAN: Okay. You, you mentioned
18 just before that you, at the time he was down
19 there, you didn't, uh, you decided that he was not
20 a threat, in terms of shooting, so you didn't take
21 any action. What made you, what was it that he did
22 that made you then change your mind and shoot?

23 RECRUIT OFC. REININGER: So, at that point
24 in time, I didn't, I didn't decide that he wasn't a
25 threat; he was still a threat. I just didn't, I

1 felt as though nothing had been confirmed. I felt
2 that if he was to present a weapon, and this could
3 just be because I'm a new officer or something, but
4 I felt that I had the upper hand, and that if he
5 was to present a weapon, I could react in time, and
6 then neutralize the threat. I thought at that
7 moment, I still could wait, think, and try to not
8 shoot somebody.

9 But then, at the time where I couldn't see him
10 anymore, and I felt the car had slowed down
11 purposefully, I thought he was going to then shoot
12 at Officer Hillard. I didn't know if Officer
13 Hillard was in my opinion I thought his back was
14 turned to me, or he was laying on the floor, so I
15 thought he was 100 percent vulnerable, and did not
16 have a way of defending himself, and I feared for
17 his life. So, that's why I shot, I shot at that
18 point, because I felt then, he had the upper hand
19 on Officer Hillard and was going to shoot him.

20 ADA HARTMAN: Okay. Did you have a
21 flashlight on you?

22 RECRUIT OFC. REININGER: I did.

23 ADA HARTMAN: Did you, when you say you
24 didn't see him, did you think, at some point, as
25 you held your gun in one hand, of taking the

1 flashlight out and beaming it into his car, so that
2 you could see what he was doing, when you said you
3 couldn't see what he was doing?

4 RECRUIT OFC. REININGER: I, I did have my
5 flashlight in my hand, but it was just, it was the
6 angle that he was sitting at that I couldn't see
7 him.

8 ADA HARTMAN: Uh, so the flashlight...

9 RECRUIT OFC. REININGER: The flashlight was
10 on, yes.

11 ADA HARTMAN: Uh, it was on?

12 RECRUIT OFC. REININGER: Yes.

13 ADA HARTMAN: Okay.

14 RECRUIT OFC. REININGER: Yes. As soon as I
15 pulled my gun out and got up, I pulled the
16 flashlight out.

17 ADA HARTMAN: All right. Thank you.

18 RECRUIT OFC. REININGER: And as we're, as
19 we're trained.

20 ADA HARTMAN: Uh, one or two more
21 questions, if I can read my doctor-like
22 handwriting. Uh, let me just have one second. (To
23 his colleague.) [Unintelligible]? No? Okay. Thank
24 you, very much.

25 RECRUIT OFC. REININGER: Yes, sir.

1 POA ATTORNEY FOX: I just have a couple.

2 Going to drawing number one here.

3 RECRUIT OFC. REININGER: Uh-huh.

4 POA ATTORNEY FOX: So, at the point when you
5 fired, and you've marked Officer Hillard here and
6 the suspect car here, did it appear to you as
7 though the suspect's driver's side was lined-up,
8 uh, right where you believed, based on what you had
9 seen, where Officer Hillard was?

10 RECRUIT OFC. REININGER: Yes. Uh, the
11 drawing's not perfect, but, uh, I felt that his
12 driver, the driver's side seat was in parallel
13 with, or in unison with where I thought Officer
14 Hillard would have been from the last time I saw
15 him go that direction. So, I...

16 POA ATTORNEY FOX: So, direct line, in other
17 words?

18 RECRUIT OFC. REININGER: Yeah, I thought he
19 was...

20 POA ATTORNEY FOX: Between the driver's seat,
21 the driver to where you believed Officer Hillard to
22 be?

23 RECRUIT OFC. REININGER: Correct.

24 POA ATTORNEY FOX: And you believed Officer
25 Hillard was either down on the ground or had his

1 back to the driver?

2 RECRUIT OFC. REININGER: Correct.

3 POA ATTORNEY FOX: So, to use your word,
4 vulnerable, to the driver, who's now lined-up?

5 RECRUIT OFC. REININGER: Correct..

6 POA ATTORNEY FOX: Okay. Now, since the
7 inception of this incident, and I'm going way back
8 to what you believed to be an auto burglary, this
9 suspect had been, uh, very aggressive in his
10 efforts to get away from you. Is that right?

11 RECRUIT OFC. REININGER: Absolutely.

12 POA ATTORNEY FOX: Okay. So, there's this,
13 uh, foot chase that goes on for about how long,
14 geographically speaking?

15 RECRUIT OFC. REININGER: Uh, a third-of-a-
16 mile, a quarter-mile, something like that.

17 POA ATTORNEY FOX: Okay. So, you're running
18 after him, he's got the upper hand. So, presumably,
19 he's running pretty fast. Right?

20 RECRUIT OFC. REININGER: Yeah.

21 POA ATTORNEY FOX: So, he's trying to get
22 away from you by foot, and then he gets into a car,
23 and he's trying to get away from you by way of the
24 car. Right?

25 RECRUIT OFC. REININGER: Yes.

1 POA ATTORNEY FOX: Okay. And he's trying so
2 hard to get away from you that you've described him
3 as revving the engine?

4 RECRUIT OFC. REININGER: Correct.

5 POA ATTORNEY FOX: Okay. And he even hits
6 another car. Right?

7 RECRUIT OFC. REININGER: Correct.

8 POA ATTORNEY FOX: A patrol car, and he's
9 still trying to get away?

10 RECRUIT OFC. REININGER: Correct.

11 POA ATTORNEY FOX: Yet suddenly, he slows
12 down at this point, when he's lined up with Officer
13 Hillard?

14 RECRUIT OFC. REININGER: Correct.

15 POA ATTORNEY FOX: Correct?

16 RECRUIT OFC. REININGER: Yes.

17 POA ATTORNEY FOX: Okay. So, did that seem to
18 be incredibly, uh, dangerous or really, uh,
19 alarming to you that throughout the entirety of
20 this incident, up to that point, this person had
21 been doing everything in their power to get away
22 from you? But now, when in close proximity to, uh,
23 a partner of yours, he suddenly slows down?

24 RECRUIT OFC. REININGER: Yes. Which is what
25 gave me...I don't know if I made it clear enough, but

1 that's, that's why I felt he was going to shoot
2 Officer Hillard, because at that point, he had been
3 trying. He floored it to try to get away at that
4 point, hit the car, and then I heard the engine rev
5 again, and then it ceased. So, that's why I think
6 he slowed down, because, and I, from my memories of
7 the incident, I visually felt that I saw the
8 vehicle stop going at such a high rate, like slow
9 down, not completely stop, but slow down. He never
10 once made any indication, any indication that he
11 was going to stop for me, slow down, or even
12 somewhat comply with my commands as I was screaming
13 for him to stop and chasing him the entirety of the
14 way. Uh, at no point did he verbally say anything,
15 or like anything like that, or along those lines.
16 And even after that situation, he then went and hit
17 another patrol car, and then again, took off from
18 that car.

19 So, during the chase, I, I was thinking, like
20 I mean, this was in my head like he was, "I'm only
21 trying to stop you to really talk to you first. And
22 I don't even know for sure if you've done anything.
23 So, I just want to, but you're obviously running
24 from me for a reason." I mean, I don't know what's
25 going on.

Recruit Officer William Reininger 2
OIS 18-004 - 05/14/2018

1 SERGEANT KASPER: Did you ever...sorry. Go
2 ahead.

3 POA ATTORNEY FOX: I just had one more, and
4 then you're done with me. I'm sure you've
5 highlighted this already, but his companion, that
6 is, the suspect's companion.

7 RECRUIT OFC. REININGER: Yes?

8 POA ATTORNEY FOX: Stayed behind. He, he
9 stopped when he was told to stop?

10 RECRUIT OFC. REININGER: He stopped
11 immediately.

12 POA ATTORNEY FOX: Okay.

13 SERGEANT KASPER: Did you ever lose sight of
14 that suspect, who, that got into the car?

15 RECRUIT OFC. REININGER: Just for the few
16 moments where I said I might have, I grabbed my mic
17 radio, or tried to get in-between cars without
18 hitting something.

19 SERGEANT KASPER: Okay. All right. Let me
20 rephrase it. Is the suspect, are you positive that
21 the suspect that you had began chasing...

22 RECRUIT OFC. REININGER: 100 percent that's
23 him.

24 SERGEANT KASPER: Uh, began chasing at the
25 car, the alarm, was the same suspect that got into

1 the car?

2 RECRUIT OFC. REININGER: Yes.

3 SERGEANT KASPER: Okay.

4 DAI FRIEDMAN: I just thought of two
5 more, so, I'm sorry.

6 SERGEANT KASPER: Okay.

7 DAI FRIEDMAN: Uh, did you ever consider,
8 uh, that he might be slowing for some other reason?

9 RECRUIT OFC. REININGER: No.

10 DAI FRIEDMAN: And, uh, when you were in
11 the Academy, you talked about the officer survival
12 that week or that training you got. Did you cover,
13 were there any scenarios or, or specific trainings
14 that addressed a situation like this?

15 RECRUIT OFC. REININGER: This exact?

16 DAI FRIEDMAN: Or something close, like
17 it would, that you connected in your mind?

18 RECRUIT OFC. REININGER: I mean the only
19 thing that I can think of would be all the time and
20 distance stuff, would be why I didn't initially
21 shoot. That'd be it, just because at that moment in
22 time, I thought that I had the upper hand, and I
23 didn't need to shoot the weapon at that exact
24 moment. So, I waited until I had confirmed that he
25 had a weapon, or until he made a gesture towards me

1 to point a weapon, or something along those lines.
2 But that'd be the only training that really, uh,
3 correlates exactly to this.

4 DAI FRIEDMAN: Did, did you consider, uh,
5 I mean, was one of the reasons why you shot, were
6 you concerned about him getting away?

7 RECRUIT OFC. REININGER: No, not at all.

8 DAI FRIEDMAN: That's all I've got.

9 ADA HARTMAN: One, just clarification.
10 I'm looking at Number One.

11 RECRUIT OFC. REININGER: Yes?

12 ADA HARTMAN: And looking at, uh, which
13 way is west on this?

14 RECRUIT OFC. REININGER: Uh, west...

15 ADA HARTMAN: Sorry, I'm bad...

16 RECRUIT OFC. REININGER: Westbound would be
17 this way, so this would be towards you.

18 ADA HARTMAN: The top of the page?

19 RECRUIT OFC. REININGER: Yes.

20 ADA HARTMAN: Okay.

21 SERGEANT KASPER: Just write it.

22 RECRUIT OFC. REININGER: Do you want me to
23 mark north?

24 SERGEANT KASPER: No, uh...

25 ADA HARTMAN: What's up here?

1 RECRUIT OFC. REININGER: That's west.
2 ADA HARTMAN: If he could just write
3 west?
4 SERGEANT KASPER: [Unintelligible.]
5 ADA HARTMAN: Thank you. Okay. Uh,
6 where, besides the cars you've drawn that are, the
7 two in the middle of the street, I'm not talking
8 about parked cars for now.
9 RECRUIT OFC. REININGER: Right.
10 ADA HARTMAN: Were there any other squad
11 cars or other cars coming from the direction of the
12 west that you've just drawn toward where all this
13 is happening?
14 RECRUIT OFC. REININGER: When I shot?
15 ADA HARTMAN: Yeah.
16 RECRUIT OFC. REININGER: No.
17 ADA HARTMAN: Okay. And when he slowed,
18 that, that's what I'm talking about, when he slowed
19 down. Uh...
20 RECRUIT OFC. REININGER: There were no other
21 vehicles there, no.
22 ADA HARTMAN: Were there any sirens or
23 any indication of police coming to that area?
24 RECRUIT OFC. REININGER: I mean there were
25 sirens, but there was, there was no cars on that,

1 right there. No, not within sight.

2 ADA HARTMAN: And so, if you look up the
3 street, assume that you're in front of his car, but
4 you're looking up the street, do you see any, uh,
5 police lights or police cars coming this way, from
6 west to east?

7 RECRUIT OFC. REININGER: I mean there may
8 have been lights. This car had his light, their
9 lights on.

10 ADA HARTMAN: Uh, I'm sorry. I meant
11 other than the two cars that you've drawn?

12 RECRUIT OFC. REININGER: There were no other
13 police vehicles here, no.

14 ADA HARTMAN: Going west to east?

15 RECRUIT OFC. REININGER: No. No, this is a,
16 the Safeway parking lot here, so there were no cars
17 coming from that direction.

18 ADA HARTMAN: Uh, I see. Okay.

19 RECRUIT OFC. REININGER: This is just this
20 direction, this street.

21 ADA HARTMAN: Thank you.

22 RECRUIT OFC. REININGER: So, there were,
23 there were not.

24 ADA HARTMAN: And last, uh, you, you
25 drew the two parked cars.

Recruit Officer William Reininger 2
OIS 18-004 - 05/14/2018

1 RECRUIT OFC. REININGER: Yes.
2 ADA HARTMAN: And then you drew where
3 the sergeant was or went.
4 RECRUIT OFC. REININGER: Officer Hillard,
5 yes.
6 ADA HARTMAN: Sorry, Officer Hillard
7 went. Now, were there any other parked cars here in
8 this space in front of Officer Hillard?
9 RECRUIT OFC. REININGER: I don't remember.
10 ADA HARTMAN: Okay. Thank you.
11 SERGEANT KASPER: All right. Were there any
12 obstructions that would have caused that car to
13 slow down?
14 RECRUIT OFC. REININGER: In the, not in the
15 street. No.
16 SERGEANT KASPER: Okay. I don't have
17 anything else.
18 UNKNOWN: [Unintelligible.]
19 SERGEANT KASPER: Uh, yeah. Just
20 [unintelligible] and please just sign that.
21 SERGEANT DELANEY: 1332.
22 SERGEANT KASPER: And we'll end the
23 interview at 1322.
24 END OF DOCUMENT

1 ATTORNEY BURRELL: All right. So, FYI, I'm
2 going to record also.

3 SERGEANT KASPER : Okay. This is regarding
4 incident number [REDACTED] ID an officer-involved
5 shooting that was the result of an auto burglary,
6 and an assault on San Francisco police officers. It
7 occurred on 05/11/2018 at approximately 0057 hours.
8 Uh, we'll all just go around the room and introduce
9 ourselves. Okay.

10 OFFICER PFEIFER: Starting with me? I am
11 Officer Pfeifer, San Francisco Police Department.

12 SERGEANT KASPER: Okay.

13 ATTORNEY BURRELL: Scott Burrell, I'm here
14 representing Officer Pfeifer.

15 DA FRIEDMAN: Jack Friedman, Inspector
16 with the DA's Office.

17 ADA HARTMAN: Michael Hartman, Assistant
18 District Attorney with Jack, with the Independent
19 Investigation Bureau.

20 SERGEANT DELANEY: I'm Sergeant Kyra Delaney
21 with the Homicide Detail.

22 SERGEANT KASPER: I'm Sergeant Jon Kasper,
23 Star number 68, with San Francisco Police
24 Department Homicide Detail. Uh, okay, before we
25 started, I know that you were given a chance to
26 review your body worn camera footage.

1 OFFICER PFEIFER: Uh-huh.
2 SERGEANT KASPER: Okay. Can you just, uh,
3 take me through the...well, first of all,
4 [unintelligible] this. I have your name, and what's
5 your date of birth?
6 OFFICER PFEIFER: [REDACTED] PII
7 SERGEANT KASPER: Okay. And do you wear
8 glasses?
9 OFFICER PFEIFER: No.
10 SERGEANT KASPER: Or contacts?
11 OFFICER PFEIFER: No.
12 SERGEANT KASPER: Okay. Uh, and what shift
13 do you work?
14 OFFICER PFEIFER: Midnights, which is
15 nine p.m. to seven a.m.
16 SERGEANT KASPER: Okay. Did you work last
17 night?
18 OFFICER PFEIFER: I did.
19 SERGEANT KASPER: Okay. You got off at
20 seven a.m.?
21 OFFICER PFEIFER: Yes.
22 SERGEANT KASPER: Okay. And where are you
23 assigned?
24 OFFICER PFEIFER: Northern Station.
25 SERGEANT KASPER: Okay. Uh, and then, what
26 was your call sign the night of this incident?

1 OFFICER PFEIFER: We were the 3 Edward 11
2 Edward.
3 SERGEANT KASPER: All right. And were you in
4 full uniform capacity or plainclothes or?
5 OFFICER PFEIFER: Full uniform.
6 SERGEANT KASPER: Okay. And a marked radio
7 car?
8 OFFICER PFEIFER: Correct.
9 SERGEANT KASPER: Okay. And who was your
10 immediate supervisor?
11 OFFICER PFEIFER: It'd be Sergeant Smith.
12 SERGEANT KASPER: Okay.
13 OFFICER PFEIFER: We had three on, Sergeant
14 Smith, Sergeant Shaw, and Sergeant Chambers.
15 SERGEANT KASPER: Okay. All right. Then, uh,
16 how many prior to that, uh, shift, how many hours
17 of sleep did you have?
18 OFFICER PFEIFER: I'd say I usually average
19 about six or seven.
20 SERGEANT KASPER: Okay. So, that was your
21 normal?
22 OFFICER PFEIFER: Yeah.
23 SERGEANT KASPER: Okay. And if you could
24 just, uh, take me through the events of that
25 evening?
26 OFFICER PFEIFER: I was doing routine patrol

3

1 with my, my partner, Officer Hillard.

2 SERGEANT KASPER: Okay.

3 OFFICER PFEIFER: I was driving, he was
4 passenger. Uh, about, before the call came out, we
5 were heading eastbound on Golden Gate, uh,
6 approaching Fillmore. A foot pursuit.

7 SERGEANT KASPER: Okay.

8 OFFICER PFEIFER: Came out over the, you
9 know, over the air. Slowed down, crossed to
10 Fillmore, kind of listening to where exactly it
11 was. Of course, after we already crossed Fillmore,
12 he stated he was going down Fillmore, uh, but I
13 didn't know from where; I didn't hear that.
14 Continued going eastbound on Golden Gate, as I hit
15 Laguna, he put out that he was running through the,
16 they were going through the Safeway parking lot.

17 SERGEANT KASPER: Okay.

18 OFFICER PFEIFER: So, I immediately knew he
19 was going eastbound and he was going to end up on
20 Webster. Northbound Laguna to westbound Eddy, as we
21 were Eddy and Webster, uh, he put out that he was
22 on O'Farrell and Webster, which is two blocks
23 north. Turned right, going northbound on Webster.
24 We didn't know exactly which part...so, O'Farrell and
25 Webster to the east is a street, to the west is the
26 Safeway parking lot, but we weren't exactly sure

1 where it exactly it was.

2 Slowed down in the intersection, I looked to
3 the right. I could see him to the east, so to the
4 right of me, down the street. Uh, I could see the
5 officer, uh, Reininger, who was the one that was
6 calling out the foot pursuit. We go...I turn right,
7 speed up. Uh, as we were...

8 SERGEANT KASPER: Turn right on what street?
9 I'm sorry.

10 OFFICER PFEIFER: Onto O'Farrell, sorry.

11 SERGEANT KASPER: Okay. From Webster?

12 OFFICER PFEIFER: From Webster, yes.

13 SERGEANT KASPER: Okay.

14 OFFICER PFEIFER: Uh, at that point, I saw
15 Officer Reininger, he had his firearm pointed
16 northbound towards the sidewalk. I couldn't see
17 exactly what it was at that time as I was pulling
18 up. There was a large, black SUV parked in-between
19 us, but on the north side. I stopped, as I'm
20 stopping the vehicle, my partner, Nick, Officer
21 Hillard, exits the vehicle to the right, and I saw
22 him going forward towards Officer [Rainer].

23 As I'm doing that, I'm stopping the car,
24 taking off my seatbelt. You know, putting it in
25 park and everything, I see a white, four-door
26 sedan, which is where Officer Rainer is pointing

1 his firearm. Inside of the white, four-door sedan,
2 I saw an unknown black male. At that point, I was
3 about to exit the vehicle. The sedan, I hear rev
4 its engine and it starts coming towards me. Uh, I
5 decided to stay in the vehicle because I didn't
6 want to get hurt. I felt that he was going to be
7 coming, he was directly coming for me.

8 At that point, it's kind of hard, but he comes
9 around, we're facing each other. He comes this way
10 and around the front of my...so, the passenger side,
11 the front part of the vehicle. He comes this way,
12 comes around that way. During that time, I heard
13 two gunshots. Uh, when I heard the first gunshot, I
14 just kind of ducked down. I didn't see who fired a
15 weapon. Uh, I ducked down and then as the car
16 continues to flee westbound, I observed Officer
17 Rainer not shooting, but still punched out with his
18 firearm pointing westbound.

19 And, uh, as I'm looking at that, I hear a
20 collision. I turn around, I see that it's one of
21 our vehicles. I hop out of my vehicle, which is
22 parked in the same spot, start sprinting over
23 there. At that point, I see that it's one of our
24 marked vehicles. I see my partner, Officer Hillard,
25 uh, and Officer Sharron pointing their firearm at
26 the white sedan, which is now, what I thought to be

1 disabled, airbags had been deployed, uh, and it had
2 severe damage just like the patrol vehicle.

3 It was in the northbound lanes of Webster,
4 which I don't know if you guys are familiar here?
5 It's two lanes going straight, and at that
6 intersection, there's another lane that turns left
7 into the Safeway parking lot, and he was kind of
8 right there, facing southbound, going the wrong
9 way. The car was stopped. As I'm running the car
10 flees again. Uh, at that point, I thought the
11 vehicle that was hit, not mine, the second vehicle,
12 uh, was disabled as well. So, I turn around and
13 sprint back to my car so that I could give chase as
14 he was fleeing.

DPA REQUEST

15 Uh, as I'm getting into the vehicle, I hear
16 Officer Buhagiar in Sharron's vehicle, take off
17 after it. I also heard lots of lights and sirens of
18 all the backup coming. So, I decided to not move my
19 car, I didn't want to risk getting in an accident
20 or doing anything else. So, at that point, I just
21 returned back, asked if Officer Sharron, Officer
22 Hillard, and Officer Rainer were okay. Then we just
23 kind of started putting everything out on the radio
24 and like securing our crime scene at that point.

25 SERGEANT KASPER: Okay. Uh, earlier, you
26 mentioned that you felt the vehicle was coming

1 directly towards you.

2 OFFICER PFEIFER: Correct.

3 SERGEANT KASPER: Can you just explain that
4 a little bit more? Like what made you really think
5 that?

6 OFFICER PFEIFER: The distance between the
7 front of my vehicle and the front of his vehicle,
8 while it was parked. So, he was, if this is the
9 north curb.

10 SERGEANT KASPER: Would it help you to draw
11 it or?

12 OFFICER PFEIFER: Uh, yeah.

13 SERGEANT KASPER: You don't have to make an
14 accident

15 OFFICER PFEIFER: It's not to-scale
16 everybody.

17 SERGEANT KASPER: You don't need to make an
18 accident diagram or anything like that.

19 UNKNOWN: You want, you want a white piece
20 of paper?

21 OFFICER PFEIFER: It's, this is white. Thank
22 you. Or all white?

23 UNKNOWN: Yeah, if you would...

24 OFFICER PFEIFER: This is fine.

25 SERGEANT KASPER: Do you?

26 OFFICER PFEIFER: Would that make it easier?

1 UNKNOWN: Yeah, actually.
2 OFFICER PFEIFER: Okay.
3 UNKNOWN: It might just be a little clearer
4 for my old eyes.
5 OFFICER PFEIFER: I'll just do a rough
6 sketch. (Draws diagram.) So, this is northbound.
7 SERGEANT KASPER: You can feel free to, uh,
8 speak what you're drawing too, then that way, it
9 will pick up what you're drawing.
10 OFFICER PFEIFER: Okay.
11 SERGEANT KASPER: And it will help explain
12 it to us as we go.
13 OFFICER PFEIFER: All right. So, the
14 beginning part, so I'm just, this is going to be,
15 Webster is going to be over here.
16 SERGEANT KASPER: Okay.
17 OFFICER PFEIFER: This is O'Farrell, the
18 north, the north sidewalk. This is the black Chevy
19 I was talking about. When I first turned the
20 corner, I couldn't see what was behind it.
21 ADA HARTMAN: Could you put an N, so I,
22 I know where north [inaudible]?
23 OFFICER PFEIFER: Uh, yes. I put an arrow,
24 but I will put an N for you, of course.
25 ADA HARTMAN: [Inaudible], it was just
26 myself using maps.

9

1 SERGEANT KASPER: May as well.

2 OFFICER PFEIFER: (Continues to draw.)

3 [Unintelligible] not to-scale. So, the rough, rough
4 sketch. Obviously, like I said, so that's the black
5 Chevy that was parked. This is the white four-door
6 sedan that was behind it. This would be Officer
7 Rainer, about kind of where he was, and the arrow's
8 facing that way. Both these cars are facing
9 westbound, this would be our patrol vehicle. So, I
10 parked it, it's a two, basically a two-lane, kind
11 of a two-lane road; two cars can go by.

12 So, I'm here. Like I said, as I'm pulling up,
13 Nick has hopped out of the vehicle by this point.
14 Uh, I'm the car is stopped. I observe an unknown
15 black male sitting in this car, in the driver's
16 seat.

17 ADA HARTMAN: This car meaning?

18 OFFICER PFEIFER: Uh, this is the white
19 sedan, the four-door.

20 ADA HARTMAN: Thank you.

21 OFFICER PFEIFER: The white, four-door
22 sedan. Uh, and then, Officer Rainer is right there.
23 I yelled, you know, "He's in the car," but Nick had
24 already hopped out of the car, so he didn't hear
25 me. Uh, and like I said, as I was coming out, this
26 vehicle just guns it, turns the wheels to the left,

1 and floors it; pedal to the metal; gas. So, as this
2 car's coming out, because it's legally parked, it's
3 coming straight for my vehicle, for a head-on
4 collision.

5 ADA HARTMAN: Uh.

6 OFFICER PFEIFER: At that point, that's when
7 I was saying I was fearful, that's when I stayed in
8 the car. That he was going to hit me, because at
9 that point, I felt that whoever was driving this
10 car was going to flee the incident and the area, by
11 whatever means it took. So, then he went around my
12 car this way.

13 SERGEANT KASPER: Why don't you draw a
14 little path? Did he strike your car?

15 OFFICER PFEIFER: I did not feel it at the
16 time. Uh, afterwards, we went back and, you know,
17 looked for damage, and he did strike my vehicle.
18 Uh, it's, he hit the passenger side, front bumper,
19 cracked it a little bit, paint transferred then to
20 the, it cracked the headlight. Uh, so the vehicle
21 went that way. While the vehicle was kind of right
22 here, I believe is when I heard the gunshots. So, I
23 couldn't see who fired the, who was firing a
24 weapon.

25 SERGEANT KASPER: Okay.

26 OFFICER PFEIFER: The car then continued

1 that way at a high rate of speed.

2 SERGEANT KASPER: Go back. Say that again,
3 go back to...

4 OFFICER PFEIFER: Uh-huh?

5 SERGEANT KASPER: Okay. Where the vehicle
6 was. When, when did you hear the shots?

7 OFFICER PFEIFER: I heard the shots when the
8 vehicle...so, it depends. The actual vehicle comes up
9 this way. When the vehicle was right about here,
10 because I wasn't able to see the other officers. I
11 couldn't see Officer Hillard nor Officer Rainer at
12 that time.

13 SERGEANT KASPER: Okay.

14 OFFICER PFEIFER: Uh, I heard two, two
15 **DPA REQUEST** gunshots, and then the vehicle fled at a high-rate
16 of speed, what I assumed to be, what sounded like
17 pedal to the metal, as fast as they could.

18 ADA HARTMAN: Could we just clarify when
19 you were holding your pen to show the car.

20 OFFICER PFEIFER: Uh-huh.

21 ADA HARTMAN: Where it was when you
22 heard the shots? Can you say how much of that car
23 was, had passed your car at the corner, and how
24 many...so, we get a rough idea of...

25 SERGEANT KASPER: Yeah. What I was going to
26 ask.

1 ADA HARTMAN: Sorry, go ahead.

2 SERGEANT KASPER: Was I was going to have

3 you draw like a, uh, you can either do a dotted

4 line of the suspect's car.

5 OFFICER PFEIFER: Uh, of the, like the car

6 body?

7 SERGEANT KASPER: Yeah, like where it was,

8 where it was pass, as it was passing you. Where it

9 was that you heard the shots, just so it will still

10 represent this vehicle?

11 OFFICER PFEIFER: Yeah, absolutely.

12 SERGEANT KASPER: Or you can do an X and

13 say, "Heard shots." Do you know what I'm saying?

14 OFFICER PFEIFER: Yeah, yeah, yeah, yeah,

15 yeah

16 ADA HARTMAN: Yeah. It will give us

17 where it was when the shots were...

18 SERGEANT KASPER: You know, you can do it

19 any way you want. I just want to know where the

20 vehicle was in relation to your vehicle, when you

21 heard the shots. That's what I [inaudible].

22 OFFICER PFEIFER: Yeah, absolutely. It's

23 kind of bent, sorry.

24 SERGEANT KASPER: Perfect.

25 OFFICER PFEIFER: But right about there. And

26 at that point too, Officer Rainer had stepped back

1 to get out of the way of this vehicle.

2 SERGEANT KASPER: Okay. And where was your
3 partner at that time?

4 OFFICER PFEIFER: I do not know.

5 SERGEANT KASPER: Okay.

6 OFFICER PFEIFER: Uh, last I saw was when he
7 exited the vehicle, and he was running forward, and
8 then instantaneously, pretty much, within a second
9 or two, the car started coming out.

10 SERGEANT KASPER: Okay.

11 OFFICER PFEIFER: So, that was my first
12 worry, uh, before the gunshots, was my partner is,
13 could possibly get hit. I don't know, he's in that
14 area.

15 **DPA REQUEST** SERGEANT KASPER: Where were your
16 eyes focused when you heard the shots? What
17 direction were you looking?

18 OFFICER PFEIFER: Uh, I was looking at the
19 car that was right in front of me. Uh, that's , I
20 was, like I said, I was still sitting forward in
21 my, in my vehicle. I watched him pull out, and I
22 was just kind of like this, holding on, you know,
23 and then just kind of ducked down, and then it
24 went, you know, went by, all the shots.

25 SERGEANT KASPER: Okay. Was your BWC on
26 during that part of it?

1 OFFICER PFEIFER: I had not, uh, activated
2 it at that point. Uh, what I usually, how, I, I'm,
3 I drive. My partner doesn't like to drive, he likes
4 to take the first report, which is fine by me. Uh,
5 so, as I, for me, when we were coming up, I was
6 driving, threw the car in park. I usually will undo
7 my seatbelt if I haven't done it already, to get
8 there, open the door. As I'm opening the door, this
9 hand muscle memory is when I'm hitting my BWC. At
10 that point, like I said, I didn't even have a
11 chance to really turn, before the white vehicle
12 started coming towards me. So, I had just kind of
13 went like that, uh, as soon as I heard the
14 collision. Gunshots, collision, it was probably
15 within three seconds I would say, three to five
16 seconds. At some point there, is when I turned my
17 BWC on.

18 SERGEANT KASPER: Okay. And then you, you
19 indicated you heard two shots.

20 OFFICER PFEIFER: Correct.

21 SERGEANT KASPER: What was the, uh, distance
22 between the two shots?

23 OFFICER PFEIFER: The succession between
24 them?

25 SERGEANT KASPER: Yes, that's the word I was
26 looking for.

1 OFFICER PFEIFER: Uh, kind of (makes his
2 version of gunshots being fired), [pew], (waits a
3 second) [pew]. Uh, fairly quick, not rapid-fire.
4 SERGEANT KASPER: Okay. Can you say it a
5 little louder, so the camera gets that?
6 OFFICER PFEIFER: Pew, pew.
7 SERGEANT KASPER: You can say bang. Okay.
8 OFFICER PFEIFER: It was not rapid-fire, but
9 it was not, there was no, it was not lengthy.
10 SERGEANT KASPER: Okay.
11 OFFICER PFEIFER: It was like a steady bang
12 (pause for one second) bang.
13 SERGEANT KASPER: Okay. Uh, do you know
14 where those rounds, uh, ended up on?
15 OFFICER PFEIFER: Uh, like I said, when, uh,
16 went to, our crime scene had kind of calmed down
17 and they were still pursuing the vehicle, we
18 started looking around. Uh, I went back to where
19 Officer Rainer was. I located his two shells. Uh,
20 we looked around a little bit. Uh, we weren't sure.
21 Like I said, it was a little chaotic just at first,
22 trying to put everything out on the radio, and
23 doing everything.
24 SERGEANT KASPER: Yeah.
25 OFFICER PFEIFER: Uh, later on, I did find
26 the, I found two fragments, and they were on the

1 south...like if you went further, that's where
2 Webster was. It was, uh, they were closer to the,
3 it'd be the southeast corner, but in the street
4 over...it hadn't quite hit. So, it's, I can't give
5 you, I don't know the exact dimensions, but in the
6 southern part of the street, southern lane of
7 O'Farrell, but before Webster.

8 SERGEANT KASPER: Okay.

9 OFFICER PFEIFER: I found two fragments. Uh,
10 later on, I did walk over and search the entire,
11 uh, Safeway parking lot, because there were
12 vehicles and everything. I searched that to make
13 sure there was no, no damage to anything, or anyone
14 injured, and that was negative results.

15 SERGEANT KASPER: Okay. And CSI collected
16 those, if you know?

17 OFFICER PFEIFER: I assume so.

18 SERGEANT KASPER: Okay.

19 OFFICER PFEIFER: I left the scene before.

20 SERGEANT KASPER: If you don't know, you
21 don't know.

22 OFFICER PFEIFER: Yeah.

23 SERGEANT KASPER: That's fine.

24 OFFICER PFEIFER: I don't know, yeah.

25 SERGEANT KASPER: Okay. What vehicle were
26 you driving?

1 OFFICER PFEIFER: 1238.

2 SERGEANT KASPER: Okay. Okay. I'm sorry, I'm
3 jumping around a little bit.

4 OFFICER PFEIFER: That's fine.

5 SERGEANT KASPER: And that's a, is that a
6 Crown Victoria or is it a...

7 OFFICER PFEIFER: Correct, yes.

8 SERGEANT KASPER: Okay. And you were the
9 driver, you mentioned that. And when was your
10 appointment date?

11 OFFICER PFEIFER: Uh, POBRA 2015.

12 SERGEANT KASPER: Okay. Uh...

13 SERGEANT DELANEY: I know it's, it's not
14 going to be exact, but when you first pulled up,
15 that's uh, between your front end, before the
16 vehicle went into motion? I'm talking about the
17 suspect vehicle.

18 OFFICER PFEIFER: Uh-huh.

19 SERGEANT DELANEY: What, what distance, do
20 you think, between, yeah, where the front.

21 OFFICER PFEIFER: Like the front?

22 SERGEANT DELANEY: Yeah.

23 OFFICER PFEIFER: The front of each of our
24 bumpers?

25 SERGEANT DELANEY: Yeah, the bumpers, the
26 bumper. What do you think that...

1 OFFICER PFEIFER: I would say approximately
2 10 to 15 feet.
3 SERGEANT DELANEY: Okay.
4 OFFICER PFEIFER: Because I wasn't behind
5 the Chevy.
6 SERGEANT DELANEY: Right.
7 OFFICER PFEIFER: And I wasn't in front of
8 the Chevy, and the Chevy's, what, maybe like 20...I
9 don't know. I don't know the exact, but it's not 20
10 feet long.
11 ADA HARTMAN: Don't know that.
12 OFFICER PFEIFER: Uh, so, I was parked
13 somewhat like that. So, I would say 10 to 15 feet.
14 SERGEANT DELANEY: Okay. And then, you said
15 you didn't move your car. So, when...you didn't move
16 it at the time.
17 OFFICER PFEIFER: Afterwards.
18 SERGEANT DELANEY: Yeah.
19 OFFICER PFEIFER: Yeah, correct. So, I...
20 SERGEANT DELANEY: So, it was, the spot it
21 was found in is where...
22 OFFICER PFEIFER: Right. It's exactly where
23 it was.
24 SERGEANT DELANEY: Okay.
25 OFFICER PFEIFER: Yeah.
26 SERGEANT KASPER: Anything else or?

1 SERGEANT DELANEY: I'm sure I'll think of
2 something else.

3 SERGEANT KASPER: Uh, do you, do you want to
4 ask questions? I don't know, maybe we'll decide,
5 are we going to ...?

6 DAI FRIEDMAN: I, I've got a few
7 questions and then, do you want to do that, if you
8 guys are done with your questions?

9 SERGEANT KASPER: I, I'm probably going to
10 think of a couple more. I know I am.

11 DAI FRIEDMAN: All right.

12 SERGEANT KASPER: Go ahead if you want to
13 go.

14 DAI FRIEDMAN: If you don't mind
15 [unintelligible] her out

16 SERGEANT DELANEY: Yeah, that's fine.

17 DAI FRIEDMAN: All right. Can...so, going
18 back to your diagram.

19 OFFICER PFEIFER: Uh-huh?

20 DAI FRIEDMAN: How far away was Officer
21 Reininger from the suspect vehicle?

22 OFFICER PFEIFER: When we first...

23 DAI FRIEDMAN: When you first see him?

24 OFFICER PFEIFER: When we first pulled in, I
25 would say approximately 10 to 12, 10 to 15 feet. I
26 can't, he was not an arm's distance of the vehicle.

1 He was, he was, he was about, approximately ten, I
2 would say 10 to 12 feet away from the vehicle.

3 DAI FRIEDMAN: Okay. And the way you've
4 got him right there, it looks like he's on the,
5 towards the side of the vehicle, but...

6 OFFICER PFEIFER: Uh, so, if like...

7 DAI FRIEDMAN: In relation, in relation
8 to the suspect vehicle, where is, where is he
9 standing?

10 OFFICER PFEIFER: So, in relation to the
11 suspect vehicle, that would be the front, the front
12 driver side door slash (/) window. So, he is, if
13 you were sitting in the car on the driver's side,
14 he is parallel, like parallel-or perpendicular
15 really, he's pointing at him. So, he's directly
16 outside, approximately 10 to 12 feet.

17 DAI FRIEDMAN: Okay.

18 OFFICER PFEIFER: South.

19 DAI FRIEDMAN: Excellent. And then, and
20 so, then his firearm is, is aimed?

21 OFFICER PFEIFER: Is aimed northbound at
22 the...

23 DAI FRIEDMAN: It would be the driver's...?

24 OFFICER PFEIFER: Correct.

25 DAI FRIEDMAN: Okay.

26 SERGEANT KASPER: How, how do you know that?

1 OFFICER PFEIFER: I, I saw his firearm. He
2 was, like I said, when I first came around the
3 corner, I saw him pointing his firearm northbound,
4 and then as I approached and I saw the unknown,
5 black male in the front of that, he was still
6 pointing his firearm, ordering him out of the
7 vehicle.

8 SERGEANT KASPER: Okay. And then the shots
9 happened after that?

10 OFFICER PFEIFER: The shots happened after
11 that. It happened...so, like I said, he was...

12 SERGEANT KASPER: That, that's why I got
13 confused. I kind of missed it for a second.

14 OFFICER PFEIFER: Uh.

15 SERGEANT KASPER: [Unintelligible]

16 OFFICER PFEIFER: So, yeah. So, when I
17 pulled up, he was...

18 SERGEANT KASPER: Right.

19 OFFICER PFEIFER: Everything was parked. He
20 was facing north, northbound.

21 SERGEANT KASPER: Okay.

22 OFFICER PFEIFER: Uh, the suspect was, uh,
23 inside, he was in the driver's seat, door closed,
24 everything. He was approximately 10 to 12 feet
25 south, but at the window, the driver's side window,
26 pointing his firearm that way.

1 SERGEANT KASPER: Okay. I got it now. Okay.
2 I'm sorry.
3 SERGEANT DELANEY: That's fine.
4 DAI FRIEDMAN: So, so then, at the point,
5 so, uh, so you, you come to a stop.
6 OFFICER PFEIFER: Correct.
7 DAI FRIEDMAN: Your partner exits the
8 vehicle. I'm trying to figure out when your partner
9 comes out of the vehicle.
10 OFFICER PFEIFER: My partner exited the
11 vehicle while it was still moving. We, I was
12 stopping.
13 DAI FRIEDMAN: Your vehicle was still
14 moving?
15 OFFICER PFEIFER: Yeah. We were, we were
16 stopping.
17 DAI FRIEDMAN: Okay.
18 OFFICER PFEIFER: I mean not, we weren't
19 going like 20 miles an hour. I was coming to, I was
20 almost to a stop.
21 DAI FRIEDMAN: Got you.
22 OFFICER PFEIFER: Uh, he, you know, observed
23 that Officer Reininger had somebody at gunpoint,
24 and so, he hopped out while the vehicle was still
25 moving.
26 DAI FRIEDMAN: Got you. Uh, was the

1 suspect vehicle moving at that point in time?

2 OFFICER PFEIFER: Not when Nick hopped out,
3 no.

4 DAI FRIEDMAN: Okay. How long after Nick
5 hops out, does the suspect vehicle start to move?

6 OFFICER PFEIFER: He hopped out, I came to a
7 complete stop, threw it in drive, and at that, and
8 while I'm doing all that, was when I observed the
9 person in the, in the vehicle. And that's why I
10 said he's in the car, uh, and then, right then was
11 when he, the white vehicle accelerated towards me.

12 DAI FRIEDMAN: Can you give me an
13 estimate about how many seconds that might be?

14 OFFICER PFEIFER: Two to six seconds, two to
15 four seconds, two to six seconds. I'm not, it was
16 very quick.

17 DAI FRIEDMAN: You talked before you
18 lost, you lost track of, of your, of your partner
19 at some point.

20 OFFICER PFEIFER: Correct.

21 DAI FRIEDMAN: Can you tell me, or maybe
22 put on the diagram even, the, so, the last point
23 you saw your partner?

24 OFFICER PFEIFER: His last known...

25 DAI FRIEDMAN: The last known, last known
26 location?

1 OFFICER PFEIFER: His last known location?

2 DAI FRIEDMAN: Exactly.

3 OFFICER PFEIFER: Uh, yeah. So, he, I mean
4 like I said, we weren't traveling fast. So, you
5 know, the vehicle's coming here, he probably hopped
6 out when the front, the front of the vehicle is the
7 front of the pen.

8 DAI FRIEDMAN: Okay.

9 OFFICER PFEIFER: It's probably right about,
10 you know, right about here, and I saw him running
11 towards this way.

12 [Unintelligible conversation in background.]

13 DAI FRIEDMAN: So, he exits about the
14 spot where the, the front of the Chevy. Would that
15 be accurate?

16 OFFICER PFEIFER: Yeah, but that's after the
17 Chevy, yeah, when the Chevy had, that's, the Chevy
18 had moved. When he exited, the Chevy...

19 SERGEANT KASPER: The Chevy's there.

20 OFFICER PFEIFER: Or, I'm sorry, the Chevy.
21 Uh, yeah. Yeah, probably right around the beginning
22 of the...

23 DAI FRIEDMAN: And then you said he, I
24 think you said before that he ran forward, Nick ran
25 forward?

26 OFFICER PFEIFER: Correct. He was running

1 towards Officer Reininger and the suspect.

2 DAI FRIEDMAN: How far, how far, at what
3 point, when's the last point you remember? Where
4 was he the last time you remember?

5 OFFICER PFEIFER: So, I stopped. I saw him
6 come about here and that's when this vehicle
7 started coming.

8 DAI FRIEDMAN: Can, can you, can you make
9 a mark or some notation about...

10 OFFICER PFEIFER: His last known, known
11 location?

12 DAI FRIEDMAN: Yeah, his last known
13 location.

14 SERGEANT KASPER: Are, are you guessing, or
15 is that, I mean...?

16 OFFICER PFEIFER: No, I mean, I'm just
17 trying to...I was looking at about here. I mean
18 honestly, somewhere right in here.

19 DAI FRIEDMAN: May, maybe you can write
20 his name there, so we know later. Maybe also, if
21 you don't mind, uh, the circle that you've
22 designated as Officer Reininger, if you could just
23 name that, that would help me later.

24 OFFICER PFEIFER: He spells his name, I
25 think this is how he spells his name, it's a little
26 different.

1 SERGEANT KASPER: Okay.

2 DAI FRIEDMAN: Okay. And then, the point
3 in time where Officer Hillard, your last known
4 location, that's the point in time when the suspect
5 vehicle starts to move?

6 OFFICER PFEIFER: Correct.

7 DAI FRIEDMAN: Okay. And then, can you
8 estimate the speed that, uh, the suspect vehicle
9 came out of that parking space?

10 OFFICER PFEIFER: I mean, I can't tell you
11 exactly how fast he was going. Uh, I, it was a
12 newer model car, I mean, and he, I felt he was
13 probably, from zero to me, he was probably at least
14 going, I would say from, by the time he was here, I
15 would assume he's probably going. I can't. I mean
16 I'm not sure. I didn't have like a lidar or
17 anything like that.

18 ATTORNEY BURRELL: That's, that's a tough
19 estimate, [unintelligible].

20 SERGEANT KASPER: Can I, can I ask a
21 question?

22 ATTORNEY BURRELL: Yeah.

23 SERGEANT KASPER: Just a, on this? Did it
24 appear that he pulled out of a parking place like
25 anybody else would do, or did he, did he, uh... He
26 mentioned, I'll just say it. You mentioned earlier

1 that you heard the engine rev.

2 OFFICER PFEIFER: Yeah. I mean, he did not
3 pull out, (clears throat), pardon me, of the
4 parking spot that he was parked in like you would
5 do if you were going to the grocery store or
6 anything. He pulled out at a very high rate of
7 speed. His wheels were, you know, completely turned
8 to the left, so he could attempt to get out, and he
9 was going as fast as his car, it seemed he was
10 going as fast as his car would take him.

11 SERGEANT KASPER: And why did it seem that
12 way?

13 OFFICER PFEIFER: The sound of the engine.
14 The, you know, you can tell with the RPMs.

15 SERGEANT KASPER: Okay.

16 OFFICER PFEIFER: And I, you know, I just
17 observed how he exited. It was more, it was more
18 kind of erratic than it would be if you were to
19 just pull out of a parallel parking spot.

20 ATTORNEY BURRELL: Right.

21 SERGEANT KASPER: Have you heard of, have
22 you ever had a car take off on you in a traffic
23 stop?

24 OFFICER PFEIFER: Yes, I have.

25 SERGEANT KASPER: Have you ever, uh, gotten
26 out of a car to approach a, uh, a driver in a

1 vehicle stop, and have the car take off on you?

2 OFFICER PFEIFER: I have.

3 SERGEANT KASPER: Okay. Yeah.

4 DAI FRIEDMAN: Did, did you, uh, did you
5 see, uh, the driver of the vehicle? Did you see
6 what he was doing, what his head was doing when he
7 was pulling away?

8 OFFICER PFEIFER: So, when I first observed
9 him in the vehicle, uh, he was kind of crouched
10 down in kind of like, you know, kind of crouched
11 down. So, if the top of the door, bottom of the
12 window, was here, he was kind of like that. Uh, I
13 then saw his head kind of pop up and then the
14 vehicle take off.

15 DAI FRIEDMAN: Okay.

16 OFFICER PFEIFER: Uh, I could only see his
17 head. I couldn't see his hands, I couldn't see. It
18 was very fast, like I said, uh, and he was inside
19 of a vehicle, no lights on, so.

20 DAI FRIEDMAN: He didn't look over his
21 shoulder before he, before he pulled out?

22 OFFICER PFEIFER: I, I mean, I couldn't tell
23 you for sure, but no, I don't...

24 [Unintelligible conversation.]

25 UNKNOWN: Could you [unintelligible] what
26 she said, top of window, she had made a motion. she

1 didn't say it.

2 DAI FRIEDMAN: Yeah, go ahead.

3 ADA HARTMAN: Sorry.

4 OFFICER PFEIFER: Yes.

5 ADA HARTMAN: You were saying, uh, you
6 made a hand gesture like this.

7 OFFICER PFEIFER: Correct.

8 ADA HARTMAN: Which you meant, I think,
9 where the window starts rolling up?

10 OFFICER PFEIFER: Yes.

11 ADA HARTMAN: That is the, the bottom-
12 most part of the window in the door?

13 OFFICER PFEIFER: Correct.

14 ADA HARTMAN: Okay. That's all I wanted
15 to put on the record.

16 OFFICER PFEIFER: Yes.

17 ADA HARTMAN: Because you had described
18 that.

19 OFFICER PFEIFER: Okay.

20 DAI FRIEDMAN: So, going back to your,
21 your diagram. Can you, can you estimate the
22 distance between Officer Hillard and Officer
23 Reininger on your diagram right there?

24 OFFICER PFEIFER: Right about here. Uh, like
25 I said, bumper to bumper, we were probably 10 to 12
26 feet, so maybe about, approximately 15 feet, maybe

1 approximately 20.

2 DAI FRIEDMAN: Okay.

3 OFFICER PFEIFER: Between there. I can't
4 give an exact.

5 DAI FRIEDMAN: Was, uh, did you see what
6 Officer Reininger did as the suspect pulled out of
7 the, the spot?

8 OFFICER PFEIFER: As the suspect pulled out,
9 yeah, I observed him take...I mean the last I saw
10 him, he was taking some steps back to get out of
11 the way of the vehicle.

12 DAI FRIEDMAN: Okay. Was it physically
13 possible for the suspect vehicle to pull out of
14 that spot, uh, without hitting Officer Reininger,
15 if he didn't move?

16 OFFICER PFEIFER: I don't believe so. I
17 think with, I mean, if you want to get into it, I
18 think with the real wheel cheat, the way the car
19 turns and hits, if he had stood there, he would
20 have, at minimum, gotten clipped by the vehicle.

21 DAI FRIEDMAN: Okay. Okay. Go ahead.

22 ADA HARTMAN: I'm sorry.

23 SERGEANT KASPER: Me? Do you want me to go?
24 I'll go. Uh, when, uh, when you, as you pulled
25 into, onto O'Farrell Street from Webster.

26 OFFICER PFEIFER: Uh-huh?

1 SERGEANT KASPER: Did you know where the
2 suspect vehicle was at that time?

3 OFFICER PFEIFER: No. There was no
4 information that there was even a vehicle involved.

5 SERGEANT KASPER: Okay.

6 OFFICER PFEIFER: Uh, like I said, and when
7 we first turned on, I just observed Officer
8 Reininger pointing his, standing in the street,
9 pointing his firearm northbound.

10 SERGEANT KASPER: And what made you stop
11 where you stopped?

12 OFFICER PFEIFER: Uh, officer safety, where
13 he was. I didn't know where the suspect was
14 originally, so we were slowing down. I wasn't going
15 to come right up on Reininger, of course, because I
16 didn't know what was there, I didn't want to hit
17 him nor a suspect, you know, nor anybody else. Uh,
18 like I said, also officer safety. That gives us a
19 little bit of time and distance, a little bit of
20 space, because I, like I said, I didn't know
21 anything. Uh, and then, like I said, as I was
22 stopping the vehicle, I then observed the person in
23 the white sedan.

24 SERGEANT KASPER: Okay. Do you know who the
25 suspect is in this case?

26 OFFICER PFEIFER: No.

1 SERGEANT KASPER: Okay. So, you don't know
2 if you've had any prior contacts with him?

3 OFFICER PFEIFER: I have...uh, I know the name
4 now, uh, I didn't at the time, but I don't know any
5 prior contacts with him.

6 SERGEANT KASPER: Okay.

7 OFFICER PFEIFER: Personally, yeah.

8 SERGEANT DELANEY: I just want to go over you
9 said, so when you pulled up, you, you mentioned,
10 you said you heard Officer Reininger giving
11 commands. What are, what are you hearing obviously,
12 when you, you see that he now has a suspect in the
13 vehicle? What are, do you, what are you hearing,
14 uh, from?

15 OFFICER PFEIFER: I couldn't hear everything
16 really great, because as we were driving there to
17 listen to the radio, I had rolled up the windows.

18 SERGEANT DELANEY: Uh-huh.

19 OFFICER PFEIFER: Uh, so I could hear what
20 was being broadcasted. Uh, I could hear him, you
21 know, yelling, "Get out of the car," that was one
22 thing I heard.

23 SERGEANT DELANEY: Uh-huh.

24 OFFICER PFEIFER: I couldn't give you any
25 more exact quotes.

26 DAI FRIEDMAN: Were there any

1 plainclothes officers at the scene or was everybody
2 in uniform?

3 OFFICER PFEIFER: Everybody was in uniform.

4 DAI FRIEDMAN: Okay.

5 SERGEANT KASPER: Do you have anything, Sir?

6 ADA HARTMAN: Sure. You said that as the

7 suspect car started moving out of the parking

8 place, uh, Officer Reininger moved back.

9 OFFICER PFEIFER: Correct.

10 ADA HARTMAN: Can you give us your best

11 estimate?

12 OFFICER PFEIFER: I can. Uh...

13 ADA HARTMAN: Wait, wait. Sorry. I, I

14 [unintelligible] question.

15 ATTORNEY BURRELL: Let him finish the

16 question.

17 OFFICER PFEIFER: Uh, I'm sorry.

18 ADA HARTMAN: Uh, excuse me. Can you

19 give us your best estimate as to how close the car

20 got to, uh, Officer Reininger, with him moving

21 back?

22 ATTORNEY BURRELL: Are you asking the best

23 estimate of how close she saw the car get?

24 ADA HARTMAN: Yes. How close you saw the

25 suspect car, as it's moving out of a parking lot,

26 sorry, out of the parking place.

1 OFFICER PFEIFER: Uh-huh.
2 ADA HARTMAN: Get to Officer Reininger,
3 who I understood was in the process of moving back?
4 OFFICER PFEIFER: I can't give an exact
5 estimate, just because the vehicle was in-between
6 both of us. I observed him probably take one, maybe
7 taking his second step, when the vehicle was then
8 in-between us. I would guess at the maximum, a
9 couple of feet.
10 ADA HARTMAN: So, that's the farthest
11 the car would have been. By a couple of feet, you
12 mean if, if Officer Reininger would have stuck his
13 arm out, he could have touched the car? That's a
14 couple of feet, approximately.
15 OFFICER PFEIFER: From what I saw.
16 ADA HARTMAN: Yeah.
17 OFFICER PFEIFER: That's my best estimate.
18 ADA HARTMAN: Okay.
19 OFFICER PFEIFER: Yeah.
20 ADA HARTMAN: Thank you.
21 DAI FRIEDMAN: I still have a few more,
22 unless you guys...
23 SERGEANT DELANEY: Is this on the same
24 [portion] of this topic?
25 DAI FRIEDMAN: Go ahead.
26 SERGEANT DELANEY: I just, because I want to

1 go back. Originally, earlier in the interview, uh,
2 you said, and maybe I might, didn't, you said you,
3 the vehicle turned its wheels [unintelligible], and
4 it guns it. Uh, but you said at that time, you
5 couldn't see where either Officer Hillard or
6 Reininger were at that moment, when it was
7 traveling towards you.

8 OFFICER PFEIFER: When, when, I'm sorry to
9 confuse it. When the shots...I lost sight of Officer
10 Hillard right when the car started, near me.

11 SERGEANT DELANEY: Okay.

12 OFFICER PFEIFER: I, when the shots were
13 fired, I had no visual on Officer Reininger or
14 Officer Hillard.

15 SERGEANT DELANEY: Okay. I just want to clear
16 that up because I want to make sure.

17 OFFICER PFEIFER: So, I was just kind of
18 bouncing around.

19 SERGEANT DELANEY: Yeah. So, when you gave
20 the estimate, uh, for him, it was prior to what,
21 what time period was that, would you say?

22 OFFICER PFEIFER: That would be right when
23 the suspect vehicle accelerated from the parking
24 spot.

25 SERGEANT DELANEY: Okay.

26 OFFICER PFEIFER: Uh.

1 SERGEANT KASPER: Okay.

2 OFFICER PFEIFER: Like I said, so...

3 ADA HARTMAN: (Whispering to colleague).

4 So, he's on this side of the car.

5 OFFICER PFEIFER: If this is the parked
6 vehicle and this is Officer Reininger, all I saw
7 was the car gunning it, him taking a step back.
8 That's why I can't give an estimate of how far
9 exactly he was, just based on where he was, and the
10 width of a vehicle as he was pulling out, is my
11 best bet.

12 DAI FRIEDMAN: From that point in time,
13 can, can you give us an estimate how long after
14 that you heard the gunshots?

15 OFFICER PFEIFER: The vehicle accelerated
16 about there—one to three seconds? I, I'm not. It
17 was very quick.

18 DAI FRIEDMAN: Okay.

19 OFFICER PFEIFER: So, yeah.

20 DAI FRIEDMAN: Did you see muzzle flash?

21 OFFICER PFEIFER: No, I did not.

22 DAI FRIEDMAN: Okay. Uh, when's the
23 next...after, after you hear the gunshots, when's the
24 next time that you see Officer Hillard?

25 OFFICER PFEIFER: I did not see Officer
26 Hillard until after I heard the collision, the

1 second, the collision on the corner of O'Farrell
2 and Webster, and when I exited my vehicle and
3 started running towards it, is when I saw Officer
4 Hillard.

5 DAI FRIEDMAN: So, that would be the
6 collision with the SUV?

7 OFFICER PFEIFER: Correct.

8 DAI FRIEDMAN: Okay. And where was
9 Officer Hillard when you saw him there?

10 OFFICER PFEIFER: He was already...

11 DAI FRIEDMAN: Hang on, hang on. Don't,
12 don't do it on that one. I'll give you a different
13 piece of paper, if you want. If you don't mind
14 actually, if you want to write like Exhibit A on
15 the bottom of that one? Here, I'll do it.

16 ADA HARTMAN: (Whispers to colleague.)
17 So, the car, now she's there, he's there. When the
18 shot happened, was the car between them or not?
19 That would help place where the shot went.

20 OFFICER PFEIFER: I mean, like I said. This
21 is just going to be a rough estimate, like a rough
22 drawing.

23 DAI FRIEDMAN: [He's just asking], yeah.

24 OFFICER PFEIFER: So, that's where
25 approximately where my vehicle is, up the street a
26 ways. This is approximately where the collision

1 happened.

2 DAI FRIEDMAN: Okay.

3 OFFICER PFEIFER: Of the corner, so this is
4 northbound coming up.

5 DAI FRIEDMAN: Got you.

6 OFFICER PFEIFER: Uh, when I exited the
7 vehicle, I was running here. I observed Officer
8 Sharron and Officer Hillard down in this vicinity.

9 DAI FRIEDMAN: So, they're out there on
10 the, on...

11 OFFICER PFEIFER: They're on foot. The
12 suspect vehicle, at this point, is in the, like I
13 said, in the turn lane to go into the Safeway
14 facing the wrong way

15 DAI FRIEDMAN: Right. He's, it's facing
16 southbound in the northbound turn. Right?

17 OFFICER PFEIFER: Correct.

18 DAI FRIEDMAN: Turn lane?

19 OFFICER PFEIFER: Correct. So, and that's,
20 so like I said, when I exited the vehicle here,
21 Officer Hillard and Officer Sharron were somewhere
22 kind of right around in here.

23 DAI FRIEDMAN: Okay.

24 SERGEANT KASPER: Did you ever move your car
25 after he fled?

26 OFFICER PFEIFER: No.

1 SERGEANT KASPER: So, your car was left in
2 place when it was processed by CSI [unintelligible]
3 and everything?

4 OFFICER PFEIFER: In the exact spot, yes.

5 SERGEANT KASPER: Okay.

6 OFFICER PFEIFER: That's why, once I kind of
7 heard the cavalry and saw that the other SUV had
8 taken off, I left my vehicle there.

9 DAI FRIEDMAN: Where was, when you heard
10 the, uh, and you may have covered this already, so
11 forgive me, but clarify for me. When you heard the
12 gunshots, where was the suspect vehicle in relation
13 to your vehicle?

14 SERGEANT KASPER: In that, here you need
15 that

DPA REQUEST

16 ATTORNEY BURRELL: Exhibit A.

17 OFFICER PFEIFER: Where the dotted line is
18 right there.

19 DAI FRIEDMAN: Got you. Okay.

20 OFFICER PFEIFER: And it was traveling
21 forward.

22 DAI FRIEDMAN: Okay.

23 OFFICER PFEIFER: So, that was where the
24 first shot happened, and like I said, bang, bang.
25 So, the car was coming around that way.

26 ADA HARTMAN: Could I clarify on that?

1 OFFICER PFEIFER: Sure.
2 ADA HARTMAN: Uh, when you heard the
3 first shot, you had mentioned before that the
4 suspect car was in-between you and Officer
5 Reininger.
6 OFFICER PFEIFER: Uh-huh.
7 ADA HARTMAN: When the first shot
8 happened, was the car still in-between your vision
9 of sight, between you and Reininger, or had it
10 passed that?
11 OFFICER PFEIFER: It was still in-between my
12 sight of Officer...yes.
13 ADA HARTMAN: Your scope of vision?
14 OFFICER PFEIFER: Yes, correct.
15 ADA HARTMAN: Okay.
16 DAI FRIEDMAN: Uh, you, you said you
17 inspected your vehicle later and found that it was
18 damaged.
19 OFFICER PFEIFER: Uh-huh.
20 DAI FRIEDMAN: This may sound like a
21 silly question, but had you inspected your vehicle
22 before this incident? And what I'm getting at is,
23 how do you know that that damage was fresh?
24 OFFICER PFEIFER: Uh, I did not inspect my
25 vehicle all the way around, before my shift. No.
26 Uh, it had white paint transfer. It, it, uh, where,

1 I mean...

2 SERGEANT KASPER: Did you mention that there
3 was a headlight broken?

4 OFFICER PFEIFER: Correct. It was cracked.

5 SERGEANT KASPER: Uh, cracked, but it was
6 still operable?

7 OFFICER PFEIFER: It was still operable,
8 yes.

9 SERGEANT KASPER: Okay.

10 OFFICER PFEIFER: Uh, so.

11 DAI FRIEDMAN: What was, uh, what was, do
12 you, at that time, did you know what the suspect
13 was wanted for?

14 OFFICER PFEIFER: Uh, at that time, I did
15 not know what he was wanted for, so I just knew
16 that it was, there was a foot pursuit, because like
17 I said, I just heard the foot pursuit over the air.
18 I was not, I did not know.

19 DAI FRIEDMAN: Okay. So, you talked about
20 going back after, after the vehicle had fled the
21 scene. You, I think you said, "we" went over the
22 scene and found some bullets. Who was the we?

23 OFFICER PFEIFER: Uh, there was, uh, I had
24 canvassed the, I had canvassed, and I had found,
25 uh, the fragments later. We, by that point, there
26 was other officers on-scene. Uh, Officer Aknese was

1 on-scene, there were so many people on-scene that
2 night. I can't give an exact of who, who was there.

3 DAI FRIEDMAN: Okay.

4 OFFICER PFEIFER: And who found what. Uh,
5 with the, the shells and the fragments, I had
6 placed, once they were found, I walked over there,
7 and I placed three by five cards that said, "1," on
8 top of it, "2," on top of it, and then, when I
9 found the fragments, I did, "Frag 1, Frag 2."

10 DAI FRIEDMAN: So, it sounds like you
11 were the first person to discover those?

12 OFFICER PFEIFER: I was the first person to
13 discover the fragments. Uh, there was another
14 officer. We all kind of, I mean, we all knew where
15 the, at that point, we knew where the shells, the
16 vicinity of where the shells were going to be. Uh,
17 somebody else had walked over there, there first,
18 and said that they had them, uh, and I cannot
19 recall who exactly it was.

20 DAI FRIEDMAN: Okay. Uh, right after the
21 car fled, or it happened in that period right after
22 there, uh, who did you talk to?

23 OFFICER PFEIFER: Fled, can you clarify,
24 clarify that?

25 DAI FRIEDMAN: Left, left the scene?

26 OFFICER PFEIFER: After the, both car

1 accidents and...?

2 DAI FRIEDMAN: Correct.

3 OFFICER PFEIFER: And had fled southbound on
4 Webster?

5 DAI FRIEDMAN: Correct.

6 OFFICER PFEIFER: Who did I talk to?

7 DAI FRIEDMAN: Yeah.

8 OFFICER PFEIFER: Uh, Officer Sharron was
9 there, uh, Officer Hillard was there, we were all
10 there, and Officer Reininger. Uh, as I came back,
11 it was pretty much like, "Hey, are you okay? Hey,
12 are you okay? Are you okay? You good?" Uh, and I
13 know Officer Sharron was on another channel
14 putting, calling for an ambulance for himself,
15 because he was in the vehicle that was struck, the
16 SUV, and Officer Hillard was attempting...the radio
17 was very busy. Uh, he was attempting to put out
18 that there was an OIS, and he was attempting to get
19 ahold of a sergeant.

20 DAI FRIEDMAN: Okay.

21 OFFICER PFEIFER: But that was in the
22 immediate, right after.

23 DAI FRIEDMAN: Did you talk to Officer
24 Reininger?

25 OFFICER PFEIFER: The only thing I said was,
26 "Are you okay?"

1 DAI FRIEDMAN: And what did he say?
2 OFFICER PFEIFER: He said, I can't give you
3 an exact quote, but it was, "Yes, I'm okay." It was
4 something like that. I didn't ask him any other.
5 ADA HARTMAN: Did, did he provide any
6 information about what had happened?
7 OFFICER PFEIFER: Not that I recall, no.
8 ADA HARTMAN: Okay. Uh, how did you know
9 where to go to look for the shell casings?
10 OFFICER PFEIFER: Uh, I believe, at one
11 point, he did say either, "I shot," or I could just
12 tell at that point. I can't give you an exact
13 quote, I'm not sure, uh, where the casings were.
14 Like I said, there was another officer there
15 already and people had come onto the scene at that
16 point, the backup, and I can't recall exactly who
17 it was. It might have been Officer Reininger. I
18 can't recall, I'd have to watch my video.
19 ADA HARTMAN: Okay. Uh...
20 OFFICER PFEIFER: The fragments, are you
21 talking about the shells or the fragments?
22 ADA HARTMAN: Uh, the shells.
23 OFFICER PFEIFER: Okay. Yeah.
24 ADA HARTMAN: I mean, is it different
25 with the fragments?
26 OFFICER PFEIFER: The fragments I found

1 later, just canvassing the crime, the scene.
2 ADA HARTMAN: Okay. Nobody had told you
3 to look over that area?
4 OFFICER PFEIFER: No. I just, we were, I was
5 walking and canvassing from where that happened,
6 just to where the car accident, and then I went
7 further on, just to make sure there was no other
8 damage.
9 DAI FRIEDMAN: Okay. Did somebody ask you
10 for a public safety statement?
11 OFFICER PFEIFER: No.
12 DAI FRIEDMAN: So, nobody asked you what
13 happened?
14 ATTORNEY BURELL: Uh, that's, yeah. I think
15 that would be a definite issue about a public
16 safety statement.
17 ADA HARTMAN: Okay.
18 DAI FRIEDMAN: All right. So, uh, while
19 you're still at the scene there, did a supervisor
20 arrive on-scene?
21 OFFICER PFEIFER: Yes.
22 DAI FRIEDMAN: Who, who was the first
23 supervisor on-scene?
24 OFFICER PFEIFER: I believe it was Sergeant
25 Chambers. I believe it was Sergeant Chambers. It
26 was either Sergeant Chambers or Sergeant Shaw, or

1 they both came together. I'm not, I, I'm not, I
2 couldn't, I'm not completely sure which one was on
3 first.

4 DAI FRIEDMAN: Okay. Did Sergeant
5 Chambers ask you what happened?

6 OFFICER PFEIFER: I don't recall if I talked
7 to him right off the bat or anything; I don't
8 recall. Like I said, there was a lot of people
9 there, and everyone was just kind of trying to get
10 the crime scene set-up as well.

11 SERGEANT KASPER: Was your BWC on during all
12 this?

13 OFFICER PFEIFER: Yes. At one point, I did
14 mute it. Officer Akmese did come, and he had a
15 custody in the vehicle at the time. Uh, Officer
16 Akmese is Reininger, is Officer Reininger's FTO.
17 Uh, when he came up, I saw he had a, a custody. He
18 asked if I could take it back, take the person
19 back. I didn't know what the custody was or
20 anything; to talk with him. I muted my camera. I
21 noted that in CAD as well, that I muted it to talk,
22 and then I turned it right back on.

23 DAI FRIEDMAN: Okay.

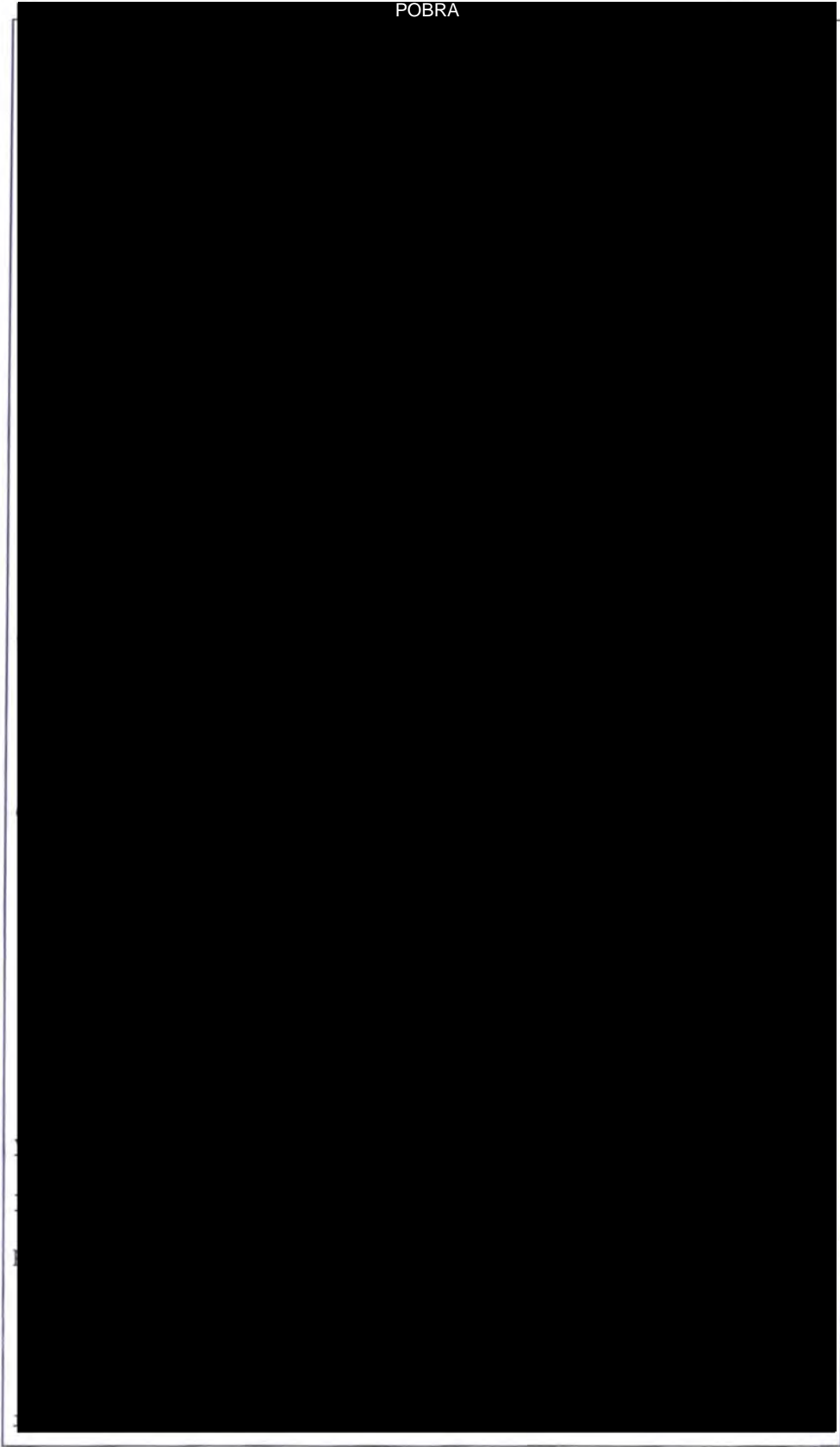
24 OFFICER PFEIFER: Later on, while we were
25 doing, it had died down, and we were just, I was
26 setting up crime scene tape. I believe I just muted

1 it, because I was literally just setting up, I was
2 setting up crime scene tape and stuff as well.

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POBRA

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8 SERGEANT DELANEY: I just have a real, one
9 more question. You mentioned, uh, I think you said
10 the lights were off. So, when the suspect vehicle
11 pulled out, were his, did he turn his headlights on
12 or were the headlights off, if you can recall?

13 OFFICER PFEIFER: Uh, when I couldn't see
14 what he was doing, that that part of the question?

15 SERGEANT DELANEY: No. I'm saying is when the
16 car accelerated or came out of the spot, were the,
17 was the suspect vehicle headlights on or off? And
18 if you can't remember, don't guess.

19 OFFICER PFEIFER: I can't remember.

20 SERGEANT DELANEY: That's fine. Okay.

21 OFFICER PFEIFER: I want to say yes, but I
22 can't. Like I said, I can't remember.

23 SERGEANT KASPER: If you don't remember, you
24 don't remember.

25 OFFICER PFEIFER: Yeah, I don't remember.

26 SERGEANT KASPER: I don't want a guess for

50

1 anything.

2 OFFICER PFEIFER: Yeah.

3 SERGEANT KASPER: It's just, if you don't

4 remember or...

5 OFFICER PFEIFER: I do not remember.

6 SERGEANT KASPER: Only what you know.

7 SERGEANT DELANEY: Okay. It's fine.

8 ADA HARTMAN: Could I just ask? You

9 didn't hear what Officer Reininger said to the

10 person in the car very well, but you mentioned that

11 he seemed to be giving some type of orders or

12 instructions. Do you remember any words at all in

13 that?

14 OFFICER PFEIFER: Not really. Like I said,

15 my windows were up

16 ADA HARTMAN: Right.

17 OFFICER PFEIFER: I heard that he was

18 yelling at him, because at that point, I had my

19 door open, but I was still moving in my vehicle and

20 everything.

21 ADA HARTMAN: Right.

22 OFFICER PFEIFER: So, I couldn't hear

23 exactly what he was saying.

24 ADA HARTMAN: Understood.

25 OFFICER PFEIFER: Yeah.

26 ADA HARTMAN: And when he was yelling

1 that you couldn't hear, did he, did he have his
2 firearm in his hand?

3 OFFICER PFEIFER: Correct.

4 ADA HARTMAN: The officer?

5 OFFICER PFEIFER: Yes.

6 ADA HARTMAN: And where was the firearm
7 pointed?

8 OFFICER PFEIFER: It was pointed northbound
9 at the suspect sitting in the...

10 ADA HARTMAN: It was pointed at the
11 suspect?

12 OFFICER PFEIFER: Yes.

13 ADA HARTMAN: And, and last, about how
14 far away would you say the gun itself, if he's
15 holding it on the suspect, was from the torso, the
16 body of the suspect?

17 OFFICER PFEIFER: I think an arm length,
18 which would be...

19 ATTORNEY BURRELL: The torso or just like the
20 car? I mean that's pretty specific.

21 ADA HARTMAN: Sorry, I'm trying, I'm...

22 ATTORNEY BURRELL: Do you know, do you know
23 that she was pointing? Are you saying that was she
24 was pointing, or he was pointing at the torso?

25 ADA HARTMAN: Sorry, let me rephrase.

26 Yes, good point. Uh, I'm trying to get an idea of

1 how far, how close the gun was to the body of the
2 person sitting there or the head, any parts of the
3 person?

4 SERGEANT KASPER: Why don't we just do this
5 for everybody? Why don't you stand up and then you
6 be the officer, and you place me where the suspect
7 was, if you know, or give an estimate.

8 OFFICER PFEIFER: Yeah. Uh...

9 SERGEANT KASPER: Sorry to interrupt.

10 ADA HARTMAN: No, no. That's fine.

11 SERGEANT KASPER: [Unintelligible], here.

12 ADA HARTMAN: Yeah.

13 SERGEANT KASPER: I'll keep them in the
14 back.

15 OFFICER PFEIFER: Probably like right about
16 there. If you were in the vehicle, maybe a little
17 bit further.

18 SERGEANT KASPER: Okay.

19 OFFICER PFEIFER: And you know, when I came
20 up, the officer's pointing his firearm.

21 SERGEANT KASPER: Okay. So, can you estimate
22 that or would you like me to pace this off for you?

23 ADA HARTMAN: Sure, just to make clear.
24 So, this is the distance?

25 OFFICER PFEIFER: Approximately.

26 ADA HARTMAN: Approximately from...?

1 OFFICER PFEIFER: Yeah. I mean I saw it from
2 over here, but approximately.

3 SERGEANT KASPER: Six feet to here, about.
4 I'm going to say nine, I have size 12 shoes.

5 SERGEANT DELANEY: And you don't know the
6 officer's arm length or anything like that.

7 OFFICER PFEIFER: No.

8 SERGEANT DELANEY: It's just all your best
9 guess.

10 ADA HARTMAN: Here, I'll take that.

11 [Unintelligible.]

12 OFFICER PFEIFER: Yeah, this is just, this
13 is just an estimate of...

14 SERGEANT KASPER: It would have been harder
15 to add up for me.

16 ADA HARTMAN: So, the size 12s, about
17 nine feet?

18 SERGEANT KASPER: Yes, about, depending on
19 the officer's arms. I don't know this officer. I
20 don't know how long his arms or short his arms are.

21 ADA HARTMAN: Right.

22 OFFICER PFEIFER: I don't know his [wing]
23 span.

24 ADA HARTMAN: That's close enough.

25 SERGEANT KASPER: Okay. Good?

26 ADA HARTMAN: I can't think of anymore.

1 SERGEANT KASPER: Good? Sir?
2 ATTORNEY BURRELL: Uh, yeah. I'm good.
3 SERGEANT KASPER: Okay. Uh, should I play,
4 uh, one portion, and maybe to identify who this is?
5 ADA HARTMAN: Yeah, if you would.
6 SERGEANT KASPER: I'm going to show you a
7 video, okay, that...you want to see what I'm showing,
8 just so we're, one of us is over here?
9 SERGEANT DELANEY: Here.
10 SERGEANT KASPER: I'll stand up, you sit
11 down.
12 OFFICER PFEIFER: Okay.
13 SERGEANT KASPER: So, it says 05/11/2018,
14 Friday, 01:00 and 27, and I'm going to press, Play.
15 It's a very short clip. Okay?
16 DAI FRIEDMAN: So, do, do you recognize,
17 is that familiar to you? Just that scene right
18 there?
19 OFFICER PFEIFER: Uh, I mean, it's a
20 sidewalk. As I was looking at...I can just, I can
21 only guess that as I was doing...
22 DAI FRIEDMAN: I don't, I don't want you
23 to guess.
24 OFFICER PFEIFER: No, no, no, but I was
25 just, yeah. No, I didn't, it's a street with a car
26 and my vehicle.

1 SERGEANT KASPER: Put two and two together.
2 Right?
3 OFFICER PFEIFER: Yes.
4 SERGEANT KASPER: Okay. Do you know who that
5 officer is?
6 OFFICER PFEIFER: That's my partner, Nick
7 Hillard.
8 SERGEANT KASPER: Okay. And that, I'm going
9 to stop it now. Okay. Do you know who that officer
10 is that just ran by?
11 OFFICER PFEIFER: I believe that's
12 Reininger. I'd have to see it again, but...
13 SERGEANT KASPER: Okay. Let's show you
14 again. I'm going to...
15 OFFICER PFEIFER: Or pause it, if, when he's
16 in...
17 SERGEANT KASPER: Okay. So, it should be
18 coming soon.
19 OFFICER PFEIFER: Yeah, that looks like
20 Reininger. I'd have to just, maybe just pause it
21 like right when he's...
22 SERGEANT KASPER: Okay. Let me try.
23 OFFICER PFEIFER: I'm sorry. It's a little
24 blurry, but it has his stature, it looks like
25 Officer Reininger.
26 SERGEANT KASPER: Okay. And that's at

1 05/11/2018, Friday, 01:00:39.

2 ADA HARTMAN: And just to make clear,

3 this is which tape?

4 SERGEANT KASPER: Okay.

5 ADA HARTMAN: Well...

6 SERGEANT KASPER: This, uh...

7 ADA HARTMAN: Whose body cam?

8 SERGEANT DELANEY: It's not body cam.

9 DAI FRIEDMAN: It's not body cam. Do you

10 want to [unintelligible]?

11 ADA HARTMAN: Uh, got you. Okay.

12 SERGEANT KASPER: So, it's [REDACTED] PII

13 [REDACTED] PII

14 ADA HARTMAN: This is the surveillance

15 camera. **DPA REQUEST**

16 SERGEANT KASPER: Right.

17 ADA HARTMAN: Okay.

18 SERGEANT KASPER: Okay?

19 ATTORNEY BURRELL: No questions.

20 SERGEANT KASPER: Okay. Kyra?

21 SERGEANT DELANEY: Uh-uh. It's ended at 1022.

22 SERGEANT KASPER: Okay. Do you have anything

23 you need to add or?

24 OFFICER PFEIFER: No.

25 SERGEANT KASPER: Okay. This will conclude

26 the interview.

1

END OF DOCUMENT

DPA REQUEST

1 SERGEANT KASPER : It's, uh, this is incident
2 number [REDACTED] ID . This is, uh, regarding an, uh,
3 officer-involved shooting occurred after a, uh, a
4 vehicle break-in and foot pursuit, and assault on
5 police officers that occurred on 05/11/2018, at
6 approximately 0057 hours in the morning. And here
7 we have, we'll just go around the room and
8 introduce ourselves. Okay?

9 OFFICER HILLARD: Officer Nicholas Hillard,
10 H-i-l-l-a-r-d, Star number is 2353.

11 ATTORNEY BURRELL: And Scott Burrell,
12 representing Officer Hillard.

13 DAI FRIEDMAN: Jack Friedman with the
14 DA's Office.

15 DAI FRIEDMAN: Michael Hartman, DA's
16 Office.

17 SERGEANT DELANEY: Sergeant Kyra Delaney,
18 Star number 1320, Homicide Detail.

19 SERGEANT KASPER: [REDACTED] POBRA
20 [REDACTED] POBRA
21 [REDACTED]
22 [REDACTED]

23 [REDACTED] POBRA And, uh, I'm just going to
24 ask you basically, you had an opportunity to review
25 your body worn camera footage?

26 OFFICER HILLARD: Yes, I did.

1 SERGEANT KASPER: Okay. And did you only
2 review yours?

3 OFFICER HILLARD: Yes, I did.

4 SERGEANT KASPER: Okay. So, I'm just going
5 to ask you just, uh, like what shift do you work
6 at, what shift do you work at Northern Station?

7 OFFICER HILLARD: Uh, Northern Station,
8 midnights, nine p.m. to seven a.m.

9 SERGEANT KASPER: Okay. Uh, did you work
10 last night?

11 OFFICER HILLARD: Yes, I did.

12 SERGEANT KASPER: Okay. And what time did
13 you get off this morning?

14 OFFICER HILLARD: I did, I adjusted my
15 hours. So, I started at 11 p.m. to nine a.m.

16 SERGEANT KASPER: Okay. Did you have enough
17 sleep?

18 OFFICER HILLARD: Yeah.

19 SERGEANT KASPER: Okay. Uh, do you wear
20 glasses or contacts or anything?

21 OFFICER HILLARD: No.

22 SERGEANT KASPER: Okay. Uh, what watch-off
23 group do you wear, uh, work?

24 OFFICER HILLARD: Watch-off six.

25 SERGEANT KASPER: Okay. And do you wear
26 uniform or plainclothes or both?

1 OFFICER HILLARD: Uniform.
2 SERGEANT KASPER: Okay. And, uh, what kind
3 of vehicle do you drive?
4 OFFICER HILLARD: Uh, marked, uh, black and
5 white.
6 SERGEANT KASPER: Okay.
7 OFFICER HILLARD: SFPD patrol car.
8 SERGEANT KASPER: Uh, the night of this
9 incident, uh, do you remember what vehicle you were
10 driving, what vehicle number?
11 OFFICER HILLARD: Yeah, 1238.
12 SERGEANT KASPER: Okay. Is that a Crown
13 Victoria or an SUV?
14 OFFICER HILLARD: A Crown Victoria.
15 SERGEANT KASPER: Okay. Do you know what,
16 uh, vehicle number that was?
17 OFFICER HILLARD: Yeah, 1238.
18 SERGEANT KASPER: 1238. Okay. Uh, how much...
19 SERGEANT DELANEY: [You already asked.]
20 SERGEANT KASPER: How much sleep did you
21 have prior to the night of the incident, that we're
22 here talking about?
23 OFFICER HILLARD: Probably anywhere from six
24 to seven hours, my usual.
25 SERGEANT KASPER: Okay. So, that's normal
26 for you? You're fine with that?

1 OFFICER HILLARD: Yeah.

2 SERGEANT KASPER: Okay. So, I'd like you to
3 do now is just, you know, tell us what, what
4 happened, what brought you onto that call. Just go
5 through the events the best you can.

6 OFFICER HILLARD: All right. Uh, my partner,
7 Officer Pfeifer and I were just on patrol, down in
8 kind of the south end of Northern District, uh,
9 south where this incident occurred. We hear over
10 the radio that there's a foot pursuit and it's
11 going Geary towards Fillmore. Uh, my partner,
12 Officer Pfeifer, is driving. She takes us up, uh,
13 Laguna to westbound Eddy, and as we're getting
14 ready to go on the northbound Webster, we hear that
15 they're going through the Safeway parking lot,
16 which spans from Fillmore to Webster, and then all
17 the way to Geary, pretty much down to Eddy.

18 Uh, so as we started to go northbound up
19 Webster, we hear, uh, you know, he's heading
20 towards O'Farrell, and within five to seven
21 seconds, we're coming up on O'Farrell. Before we
22 clear the O'Farrell intersection, uh, Officer
23 Pfeifer brings the car up and kind of stops, so we
24 can take a look down. It's a short little block,
25 the 1500 block of O'Farrell. Uh, it kind of ends
26 into buildings, but it has a little side street.

1 I'm in the passenger seat. I'm able to look down
2 O'Farrell, and four cars in, I see Recruit Officer
3 Reininger. Uh, he's got his gun drawn, he's
4 pointing. I can't tell if he's pointing at a car or
5 at a person.

6 Officer Pfeifer makes the right-hand turn,
7 stops the car on the north side of the street. I
8 jump out of the passenger side, draw my firearm.
9 I'm approaching Officer Reininger, just to see if
10 he's got the guy proned out on the ground or if he
11 has the suspect in the car. I was a good probably
12 seven to ten feet in front of our patrol car, and
13 I'm probably still 15 feet away from Recruit
14 Officer Reininger, I hear the engine on the white
15 car start to rev. I started to give commands for
16 the driver to stop the car and turn off the car.
17 Uh, the white car then starts to come to the left,
18 uh, towards me. It accelerates and hits the back of
19 a black Chevy Suburban, and at that time, I'm wide
20 out, I'm completely out in the open, I've got
21 nowhere to go.

22 So, I start to backpedal. I take about five to
23 seven steps backwards. I look to my right, and my
24 closest cover is to run backwards, so I turn. I run
25 back about another ten feet and try to get cover
26 behind a parked white vehicle. As I'm running

1 backwards, and I get to the back portion of that
2 white car, I hear two shots go off. I'm unable to
3 turn back around, I'm on like the passenger side of
4 the white car that's parked on the south side of
5 the street now. As I get to that point, I look
6 back.

7 I see the white vehicle traveling west, past
8 our patrol car. As it gets past our patrol car,
9 it's getting ready to make a left-hand turn onto
10 southbound Webster, and as it does that, Officer
11 Sharron and Buhagiar in the black and white SUV,
12 are making the right-hand turn onto O'Farrell. They
13 meet pretty much, uh, driver side headlight to
14 passenger side headlight, at probably 40 miles an
15 hour. The white car goes across the three lanes of
16 traffic and ends up against the concrete median. I
17 take my position from O'Farrell, and I run in
18 behind the black and white SUV towards the car,
19 thinking it's disabled, because all the side
20 curtain airbags are off and we can't see in.

21 I'm giving the driver commands to get out of
22 the car, at which time, the car starts up again and
23 takes off southbound down Webster. Uh, Officer
24 Sharron, at the time, is next to me, and then
25 Officer Buhagiar makes a U-turn, and ends up
26 pursuing the, uh, the white vehicle to the

1 termination point at Civic Center.

2 SERGEANT KASPER: Okay. So, I'm going to
3 kind of take you back through that, just so that,
4 uh, we can understand exactly where people were in
5 all this.

6 OFFICER HILLARD: Yeah.

7 SERGEANT KASPER: Uh, can I have a white
8 piece of paper, please? Uh, and if you wouldn't
9 mind, and this does not have to be to-scale.

10 OFFICER HILLARD: Okay.

11 SERGEANT KASPER: Draw an indication for
12 north, show me which way north is.

13 OFFICER HILLARD: Okay.

14 SERGEANT KASPER: And any way you want to
15 describe the street or, or the incident I'd like
16 to know where you were, where Officer Reininger
17 was, and where the suspect vehicle was.

18 OFFICER HILLARD: Okay.

19 SERGEANT KASPER: And where your partner's
20 patrol vehicle was.

21 OFFICER HILLARD: All right.

22 SERGEANT KASPER: And well, just do that for
23 now.

24 OFFICER HILLARD: Okay. (Begins to draw
25 diagram.) Pretty much just like that.

26 SERGEANT KASPER: Okay. And then, if you

1 could just explain, uh, o-r?

2 OFFICER HILLARD: Uh, so, that would be like
3 a person; sorry.

4 SERGEANT KASPER: Okay.

5 OFFICER HILLARD: And then R for Reininger.

6 SERGEANT KASPER: Okay.

7 OFFICER HILLARD: The H will be for me, for
8 Hillard.

9 SERGEANT KASPER: Okay.

10 OFFICER HILLARD: And the G is for, uh,
11 sorry, it should be a P; she changed her name.

12 SERGEANT KASPER: Okay.

13 OFFICER HILLARD: It would be my partner,
14 Officer Pfeifer, was still in the car.

15 SERGEANT KASPER: Okay.

16 OFFICER HILLARD: This here would be the,
17 the white vehicle.

18 SERGEANT KASPER: Okay. So, that's an S?

19 OFFICER HILLARD: Yes.

20 SERGEANT KASPER: For suspect? Okay. And
21 then this, that says 260.

22 OFFICER HILLARD: Yeah. That's, uh, the
23 black and white 260, the SUV that Officers Sharron
24 and Buhagiar were driving.

25 SERGEANT KASPER: Is 260 the vehicle number?

26 OFFICER HILLARD: Yes.

1 SERGEANT KASPER: Okay. Uh, and then, that
2 is you?

3 OFFICER HILLARD: Yes.

4 SERGEANT KASPER: Okay. And that is north.
5 So, I can just assume that the, uh, these are the
6 triangles, or whatever that is, meaning the front
7 of the car?

8 OFFICER HILLARD: Yes.

9 SERGEANT KASPER: And the direction that's
10 facing?

11 OFFICER HILLARD: Yes.

12 SERGEANT KASPER: Okay. Uh, so, if you could
13 draw a, uh, you know, a path of travel for the
14 suspect vehicle.

15 OFFICER HILLARD: Okay.

16 SERGEANT KASPER: And then draw a path for
17 the suspect vehicle; that would be great.

18 OFFICER HILLARD: So, it comes out here. The
19 front passenger side collides with the rear
20 driver's side of the black Chevy that's here.

21 SERGEANT KASPER: Okay.

22 OFFICER HILLARD: As it's doing that and
23 it's making a sharper turn to come out, I backpedal
24 about five steps, and I go to take cover over here.

25 SERGEANT KASPER: Okay.

26 OFFICER HILLARD: As I'm about right here, I

1 hear two shots. I turn back around. The suspect
2 vehicle is passing past our car, our patrol car.
3 It's continuing down this way and it hits the front
4 driver's side, against the front driver's side of
5 260. And then comes this way and it spins out,
6 facing forward still, and it comes to rest against
7 the concrete median. This is all northbound traffic
8 here.

9 SERGEANT KASPER: Okay.

10 OFFICER HILLARD: And the southbound traffic
11 is on the opposite side of the median. I then, from
12 here, I run this way down the sidewalk, this way. I
13 get about right to here. I'm giving him commands to
14 get out of the car, to turn off the car, and then
15 it leaves southbound on Webster and Officer
16 Buhagiar takes 260 and turns around to pursue him.

17 SERGEANT KASPER: Okay. Uh, can you draw a
18 dotted suspect vehicle? Do you know what I'm
19 saying?

20 OFFICER HILLARD: Yeah, yeah.

21 SERGEANT KASPER: Of where the vehicle was
22 when you heard the shots? Did you see the officer
23 fire his, fire his gun?

24 OFFICER HILLARD: No. My back was turned,
25 and I was somewhere in this area when I heard the
26 shots.

1 SERGEANT KASPER: Okay. And why was your
2 back turned?

3 OFFICER HILLARD: I was running to get the
4 heck out of there because I, I had nowhere to go.
5 I, these cars were too close for me to get between
6 them. This was my only spot, and if I went to my
7 car, I was going to probably get stuck in there if
8 he hit us.

9 SERGEANT KASPER: Okay. Uh, yeah. So, then
10 if you could draw, I mean, if you know where the
11 car was.

12 OFFICER HILLARD: It was, it wasn't past me
13 yet. It was somewhere, I didn't see it down here
14 yet, when I heard the shots. It was somewhere in
15 this general area, leaving here to just about to
16 pass our car, because I was here, and I had a
17 vision this way, because I was still turning, and
18 it wasn't here. I didn't see it here.

19 SERGEANT KASPER: Okay. So, you didn't see
20 the vehicle then, when you heard the shots?

21 OFFICER HILLARD: No.

22 SERGEANT KASPER: Okay.

23 OFFICER HILLARD: I had my back to it.

24 SERGEANT KASPER: Okay. Uh, how many shots
25 did you hear?

26 OFFICER HILLARD: Two.

1 SERGEANT KASPER: All right. Uh, how, how
2 far were they apart?
3 OFFICER HILLARD: I'd estimate probably
4 less, less than a second.
5 SERGEANT KASPER: Okay.
6 OFFICER HILLARD: They're pretty just boom,
7 (brief pause), boom like.
8 SERGEANT KASPER: Okay. Did you hear, uh,
9 the officer, uh, Reininger, give any commands?
10 OFFICER HILLARD: He was giving commands to
11 get out of the car when I exited our patrol car,
12 and I was making my way up to him, and that's how I
13 knew someone was in the car. He wasn't proned out
14 on the ground somewhere or hiding under a car.
15 SERGEANT KASPER: Okay. What commands did
16 you hear him giving?
17 OFFICER HILLARD: "Get out of the car. Turn
18 it off. Get out of the car," and that's when I was
19 coming up and the car started moving.
20 SERGEANT KASPER: Okay. Uh, and you
21 indicated that the officer had his gun out?
22 OFFICER HILLARD: Yes, he did.
23 SERGEANT KASPER: Okay. Uh, can you just
24 describe how he had it out? Can you give a
25 demonstration?
26 OFFICER HILLARD: Yeah. He was standing

1 upright, like in [unintelligible].

2 SERGEANT KASPER: Go ahead and do it. Go
3 ahead and do it.

4 OFFICER HILLARD: Yeah. He was just standing
5 perfectly upright, left foot forward, hands out,
6 like directly at the car.

7 SERGEANT KASPER: Okay.

8 OFFICER HILLARD: And he was positioned more
9 towards the back door, it was a four-door. He was
10 positioned more towards the back door, with like a
11 line of sight on the front driver. So, he wasn't
12 perfectly staring straight at the driver. He, uh,
13 like an angle towards the driver.

14 SERGEANT KASPER: Okay. And at what
15 distance? And if it would help for us to stand up
16 and demonstrate, we'll be glad to do that.

17 OFFICER HILLARD: Yeah. He was, I'd estimate
18 he's less than ten feet away from the car.

19 SERGEANT KASPER: Okay.

20 OFFICER HILLARD: From the, from the back
21 bumper of the car.

22 SERGEANT KASPER: Okay. What was the suspect
23 doing at this time?

24 OFFICER HILLARD: I didn't see anybody. The
25 car was dark, and it had no lights on, so I
26 couldn't, I couldn't get a look inside the car.

1 From where I was, I wasn't able to get, see anybody
2 in the car at that time.

3 SERGEANT KASPER: Okay. Did you ever see
4 anybody in the car at any time?

5 OFFICER HILLARD: No. By the time I got
6 turned back around, it was already hitting, or
7 colliding with our SUV vehicle.

8 SERGEANT KASPER: Okay. Uh, did that vehicle
9 have its headlights on or anything like that?

10 OFFICER HILLARD: No. It was...

11 DAI FRIEDMAN: Which vehicle?

12 SERGEANT KASPER: I'm sorry, the suspect
13 vehicle?

14 OFFICER HILLARD: No, it was completely
15 dark. When it, when it, when it took off and it hit
16 the first contact to when I saw it disabled, I
17 thought it was disabled over here; I saw no lights.

18 SERGEANT KASPER: Okay. Uh, did you, where
19 did you go after the incident?

20 OFFICER HILLARD: Uh, I stayed, I stayed
21 here for a few minutes. There were some cars coming
22 up Webster, and I was flipping, turning them around
23 to divert them out of here, because we had a bunch
24 of debris in the intersection. Then, Officer
25 Reininger was standing here, so I walked him all
26 the way back over here to get him, get him out of

1 the way and away from everybody.

2 SERGEANT KASPER: Uh, did a supervisor show
3 up at the scene?

4 OFFICER HILLARD: Yes.

5 SERGEANT KASPER: Okay. And did you explain
6 to the supervisor what happened or?

7 OFFICER HILLARD: Yeah. They asked briefly
8 what happened. Uh, we had three sergeants working
9 that night. I'm not sure, I believe it was Sergeant
10 Chambers or Shaw that I spoke to first.

11 SERGEANT KASPER: Okay. What, which ones
12 were at the scene?

13 OFFICER HILLARD: Uh, Smith, Sergeant Smith,
14 Ben Smith. Sergeant, uh, Adam Shaw, and Sergeant
15 Angus Chambers.

16 SERGEANT KASPER: Okay. And was it, uh,
17 pretty much immediately after the incident? Did it
18 take a few minutes, or did you have to wait for
19 somebody? Was it...?

20 OFFICER HILLARD: It took them probably a
21 minute, minute-and-a-half. They went to the Civic
22 Center termination point.

23 SERGEANT KASPER: Okay.

24 OFFICER HILLARD: And then, one sergeant was
25 there for a little bit. The other two sergeants
26 came up to us, pretty much, right away.

1 SERGEANT KASPER: Okay. Uh, Kyra, do you
2 want to go for a little bit? I'm sure I missed
3 something.
4 SERGEANT DELANEY: Uh, gosh.
5 SERGEANT KASPER: Kyra, I'm sorry. I put you
6 on the spot.
7 SERGEANT DELANEY: It's all right.
8 SERGEANT KASPER: Uh, did you guys move your
9 vehicle after it was, uh, after? Did you move your
10 vehicle you were in after, or did it stay there the
11 whole time?
12 OFFICER HILLARD: Uh, from the time I got
13 out until we went and picked it up later, it didn't
14 move, it stayed right there.
15 SERGEANT KASPER: Did it, uh, was it, was it
16 struck?
17 OFFICER HILLARD: Yes, it was.
18 SERGEANT KASPER: Okay. And how do you know
19 that? Did you see it or hear it?
20 OFFICER HILLARD: I didn't hear it or see
21 the collision. After the fact, when we were walking
22 the area, we noticed the white paint transfer.
23 SERGEANT KASPER: Okay..
24 OFFICER HILLARD: On the front bumper and
25 the cracked turn signal.
26 SERGEANT KASPER: All right. That's, uh,

1 kind of common for a lot of our cars.

2 OFFICER HILLARD: Yeah. It was newer damage.
3 It's, it, it was white paint and it was cracked, we
4 would have...we kind of did the walk around every
5 shift.

6 SERGEANT KASPER: Okay.

7 OFFICER HILLARD: And that, that paint
8 transfer wasn't there before.

9 SERGEANT KASPER: Okay. Did you do the, did
10 you, you saw it? Okay.

11 OFFICER HILLARD: Yes.

12 SERGEANT KASPER: Uh, did you see any other
13 officers, uh, at the scene? Were any other officers
14 there at the time of the shots were fired?

15 OFFICER HILLARD: Myself, my partner,
16 Officer Pfeifer, and, uh, Officer Reininger were
17 the only three.

18 SERGEANT KASPER: Okay. Were there any
19 civilians out there or anything?

20 OFFICER HILLARD: No. It's a pretty quiet
21 street. There's none that we saw and none that came
22 out to talk to us.

23 SERGEANT KASPER: Okay.

24 SERGEANT DELANEY: When you exited, uh, your
25 patrol vehicle, uh, did you take your firearm out?

26 OFFICER HILLARD: Yes.

1 SERGEANT KASPER: Go ahead.

2 DAI FRIEDMAN: Why, why'd you draw your
3 gun?

4 OFFICER HILLARD: Uh, I saw Officer, Officer
5 Reininger with his gun out. Uh, saw him ordering
6 somebody to do something. I wasn't exactly sure
7 where the suspect was, wasn't sure at the time. I
8 don't know if he was between the cars, if he was
9 ducked behind the car, hiding under a car, or he
10 ended up being in the car.

11 SERGEANT KASPER: Did you point it at
12 anybody?

13 OFFICER HILLARD: I was pointing it at that
14 car. As I came up to the front of our car, I heard
15 him yelling, "Get out of the car. Get out of the
16 car," and I focused my gun on that car and started
17 giving commands myself.

18 SERGEANT KASPER: Okay. So, it sounds like a
19 crazy question, but why, why were you pointing it
20 in that direction then?

21 OFFICER HILLARD: To, if, if that thing came
22 out, or if he started shooting from that car, I was
23 going to have to return fire. I didn't know if he
24 backed up, headed towards Officer Reininger.
25 Luckily, I had a way to get out of there. It could
26 have been worse if I didn't have that car to hide

1 behind.

2 SERGEANT KASPER: Okay. Did you know where
3 your partner was at that time?

4 OFFICER HILLARD: Yeah. She was still in the
5 car as I jumped out. Uh, and as I was giving
6 commands, I saw her door swing open, and I didn't
7 know until after that, she was still inside.

8 SERGEANT KASPER: Okay. And how did you know
9 that after?

10 OFFICER HILLARD: Uh, we ran down, and I
11 looked back, and she was just then getting out of
12 the car.

13 SERGEANT KASPER: Okay. Okay.

14 DAI FRIEDMAN: Uh, so, let me bring you
15 back to that point where you're in the street,
16 pointing your gun at the car.

17 OFFICER HILLARD: Yeah.

18 DAI FRIEDMAN: The vehicle starts to
19 move.

20 OFFICER HILLARD: Yes.

21 DAI FRIEDMAN: How quickly did it leave
22 from that, that parking space?

23 OFFICER HILLARD: At first, it lunged
24 forward, and once it hit that Chevy Suburb...uh,
25 Tahoe, he just jumped on it, and it was, you hear
26 the engine revving. The tires weren't spinning, but

1 it was, he was trying to go.

2 DAI FRIEDMAN: Okay.

3 OFFICER HILLARD: He was probably...by the
4 time it closed the distance on me, he was probably
5 doing 20 within that; 20, 25, 30 feet maybe.

6 DAI FRIEDMAN: Okay. Uh, I think you said
7 you initially backpedaled and then turned?

8 OFFICER HILLARD: Yes.

9 DAI FRIEDMAN: Okay. At what point in
10 time did you start backpedaling away?

11 OFFICER HILLARD: Once he hit that black
12 Chevy Subur, uh, Tahoe, I started to backpedal and
13 look for a place to go. And then, I saw he was able
14 to get out of that parking lot, and he wasn't going
15 to listen. That's when I turned and got the heck
16 out of there.

17 DAI FRIEDMAN: Okay. Uh, how far, when
18 you started backpedaling, uh, how far were you
19 from, from the nearest point of the white vehicle?

20 OFFICER HILLARD: That one that I went
21 behind or the suspect's?

22 DAI FRIEDMAN: The suspect, the side of
23 the suspect vehicle?

24 OFFICER HILLARD: Uh, probably, I'd
25 estimate, less than 20 feet; probably about 15.

26 DAI FRIEDMAN: Okay. And then when he,

1 then when he, when, when that car, I think you said
2 he gunned it or revved it?

3 OFFICER HILLARD: Yeah.

4 DAI FRIEDMAN: And it really started
5 going, what, what direction was he, was that car
6 traveling, in relation to you?

7 OFFICER HILLARD: I was going kind of, I was
8 heading west, to try to get south behind the car,
9 and he was coming out heading west, like a
10 southwest angle to the south side of the street,
11 heading in the opposite lane of traffic.

12 DAI FRIEDMAN: Okay. If you had stayed
13 where you were, would you have been struck by the
14 vehicle?

15 OFFICER HILLARD: Yeah.

16 DAI FRIEDMAN: Okay. So, and this sounds
17 like a silly question, but what was going through
18 your mind right then? Why did you move?

19 OFFICER HILLARD: I was going to get run
20 over if I didn't.

21 DAI FRIEDMAN: Okay. Uh, did you see any
22 muzzle flash?

23 OFFICER HILLARD: I didn't. I had my back,
24 when I heard the two shots.

25 DAI FRIEDMAN: Okay. Uh, did you
26 reholster your gun at any point?

1 OFFICER HILLARD: Uh, once I got up to here.
2 I had it in my hand as I ran up to it, thinking it
3 was disabled, and when he pulled off, and Officer
4 Buhagiar, uh, gave pursuit on him, that's when I
5 reholstered because the threat was gone for us.

6 DAI FRIEDMAN: Uh, after the suspect
7 vehicle left the scene, you said you walked Officer
8 Reininger back to, I guess, the initial scene of
9 the incident?

10 OFFICER HILLARD: I brought him back onto,
11 uh, the 1500 block. He was kind of pacing around on
12 the corner, and there was a bunch of vehicle
13 traffic and debris out there.

14 DAI FRIEDMAN: Okay.

15 OFFICER HILLARD: So, we just brought him
16 back, back a ways.

17 DAI FRIEDMAN: Okay. Did he say anything
18 to you?

19 OFFICER HILLARD: No. He was just like, kind
20 of breathing hard, hands on his head, pacing back
21 and forth.

22 DAI FRIEDMAN: Okay. Why did you walk him
23 back that way?

24 OFFICER HILLARD: Just to get him back out
25 of, there was still patrol cars coming up, trying
26 to get around the center median to help Officer

1 Buhagiar. Either coming to help us, because they
2 heard shots fired. They weren't, they weren't sure
3 if anybody, if officers or anybody else was hurt.

4 DAI FRIEDMAN: Okay. At that point in
5 time, did you know who had fired the shots?

6 OFFICER HILLARD: Uh, yeah.

7 ATTORNEY BURRELL: At what point in time?

8 DAI FRIEDMAN: At the point in time when
9 he's walking Officer Reininger back.

10 ATTORNEY BURRELL: Okay.

11 OFFICER HILLARD: Yes.

12 DAI FRIEDMAN: Okay. How did you know
13 that?

14 OFFICER HILLARD: I was walking him back,
15 and I asked him if he fired, and he said yes.

16 DAI FRIEDMAN: Okay. Uh, did you ask him
17 anything else?

18 OFFICER HILLARD: No. I just got him, asked
19 him if he was okay.

20 DAI FRIEDMAN: Okay. And he said?

21 OFFICER HILLARD: He said, he said he was
22 fine. He was just, like I said, breathing kind of
23 heavy, pacing back and forth.

24 DAI FRIEDMAN: Okay. Any other comments
25 or statements by Officer Reininger that you heard
26 that night?

1 OFFICER HILLARD: No. We, once the sergeants
2 got there, they, they take him to the side and talk
3 to him.

4 DAI FRIEDMAN: Okay. And, uh, you said
5 you initially talked with, with either Sergeant
6 Shaw or Sergeant Chambers?

7 OFFICER HILLARD: Yes.

8 DAI FRIEDMAN: Do you remember that
9 conversation?

10 OFFICER HILLARD: Uh, it was just like, you
11 know, "Who fired?" I was like, "Officer Reininger
12 did." They go, "Are you guys okay?" "Yes." "Do you
13 know which direction the rounds went?" I was like,
14 "I think they went west, towards the car." but I
15 didn't see, my back was to it, when I was trying to
16 get to cover.

17 DAI FRIEDMAN: [REDACTED] POBRA

18 [REDACTED] POBRA

19 OFFICER HILLARD: Uh, they were asking what
20 all the debris there was, because when they showed
21 up, obviously 260, the SUV wasn't there because it
22 went to the termination point.

23 DAI FRIEDMAN: Right.

24 OFFICER HILLARD: So, I was kind of giving
25 them a breakdown of what we kind of had and why
26 there was debris spread throughout the

1 intersection.

2 POBRA

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10 SERGEANT KASPER: Uh, the pursuit, the foot
pursuit.

11 OFFICER HILLARD: Yes?

12 SERGEANT KASPER: Do you know where that
13 foot pursuit initiated?

14 OFFICER HILLARD: Uh, not at the time, but
15 I, after the fact, once we found out what had
16 caused it, yes.

17 SERGEANT KASPER: Okay. How long have you
18 been working in the Northern?

19 OFFICER HILLARD: Uh, a year-and-a-half.

20 SERGEANT KASPER: Okay. Where, so, where did
21 it start?

22 OFFICER HILLARD: Uh, Steiner and Geary, the
23 area of Steiner and Geary.

24 SERGEANT KASPER: Okay. And it ended at?

25 OFFICER HILLARD: Uh, Webster and O'Farrell.

26 SERGEANT KASPER: Okay. How much of a

1 distance is that, would you say?

2 OFFICER HILLARD: It's a good probably,
3 almost quarter-mile; it's a pretty good sprint.

4 SERGEANT KASPER: Okay.

5 OFFICER HILLARD: Cutting through the
6 parking lot and yeah, it's a good ways.

7 SERGEANT KASPER: Okay.

8 ADA HARTMAN: A question. You said
9 earlier that you saw Officer, it's Reininger, the
10 correct pronunciation?

11 SERGEANT KASPER: I'm going to say [Rhine-
12 injure].

13 OFFICER HILLARD: I think it's Rein...R-e-i-n-
14 i-n-g-e-r.

15 ADA HARTMAN: Reininger. You said you
16 saw him give orders to the man in the car, and then
17 you later clarified that he said things like, "Get
18 out of the car." Do you remember anything else that
19 Officer Reininger said to the man in the car?

20 OFFICER HILLARD: No, I don't. It's, from
21 the time I was out, and the car was moving, it was
22 a matter of seconds. It was already, already pretty
23 much mobile once I, once I got there.

24 ADA HARTMAN: Okay. And did you, did you
25 hear the man in the car say anything back?

26 OFFICER HILLARD: I heard, I heard nothing

1 at all. No.

2 ADA HARTMAN: Okay. Uh, how close, the
3 last time you saw Officer Reininger and the
4 suspect's car, how close was the car to Officer
5 Reininger?

6 OFFICER HILLARD: I'd estimate probably 15
7 feet at the most, maybe as close as 10 feet, from
8 him to the back-bumper portion.

9 ADA HARTMAN: Okay. And if we have the
10 suspect car, and we have you on the side on it that
11 you are, is Officer Reininger on your side of the
12 car, or the opposite side of the suspect car, or in
13 a different place?

14 OFFICER HILLARD: We're both in the middle
15 of the street on the same side of the car. I'm
16 more, I'm closer to the front end coming up, and
17 Officer Reininger is between the trunk, the rear
18 bumper, and the back door.

19 ADA HARTMAN: Okay. That's helpful. And
20 when, can you give us a rough idea of how close you
21 were to Officer Reininger, the two of you guys?

22 OFFICER HILLARD: The length of the car. I
23 was pretty much at the hood of, the front [length],
24 portion of that car when he was at the back bumper,
25 so.

26 ADA HARTMAN: About sort of the length,

1 half the length of that car?

2 OFFICER HILLARD: The length of the car,
3 yeah.

4 ADA HARTMAN: Okay. Thank you.

5 SERGEANT KASPER: Uh, I just, my last
6 question. When you, when you were, uh, arrived at
7 the scene, or even when you were making that corner
8 onto O'Farrell, did you know where the suspect
9 vehicle was parked or anything like that?

10 OFFICER HILLARD: We didn't know there was a
11 suspect vehicle he was in. We just heard a foot
12 pursuit. When we got up to O'Farrell, I saw Officer
13 Reininger, gun out, drawn, giving, yelling. I
14 didn't hear what he was yelling at first, until we
15 make the right and I get out, and then I'm able to
16 get the idea, or figure out that someone's in the
17 car, and not hiding under a car, or between cars.

18 SERGEANT KASPER: All right. And how quick
19 did that unfold?

20 OFFICER HILLARD: From that? A second, not
21 even two seconds. As soon as I got out, I heard,
22 "Car, get out of the car." I took five or six steps
23 up and that car was moving.

24 SERGEANT KASPER: Okay. All right.

25 DAI FRIEDMAN: Just one thing. When the
26 suspect vehicle starts to leave the parking space,

1 what did Officer Reininger do?

2 OFFICER HILLARD: He was, he was in a
3 position to where the car was driving away from
4 him. I didn't see which direction he may have
5 moved, I was backpedaling and getting out of there
6 myself.

7 DAI FRIEDMAN: Okay. Yeah, that's what I
8 was wondering, if you noticed what he was doing
9 while you were doing that?

10 OFFICER HILLARD: No, I didn't see where he
11 went.

12 DAI FRIEDMAN: Okay. Maybe have him sign
13 or initial that?

14 SERGEANT KASPER: Yeah.

15 DAI FRIEDMAN: So we [unintelligible].

16 SERGEANT KASPER: Yeah, I don't...so, you know
17 what? Do you want to, do you want...can identify.

18 DAI FRIEDMAN: Yeah, might as well, since
19 [unintelligible].

20 SERGEANT KASPER: Yeah. I'm going to show
21 you a quick video. Okay?

22 OFFICER HILLARD: Okay.

23 SERGEANT KASPER: And again, uh, I'll just
24 read what it is. This is from, uh, 05/11/2018,
25 Friday, 01:00:26. Uh, do you recognize this
26 location? If you don't, you don't.

1 OFFICER HILLARD: Yeah. I believe that's the
2 white car I went behind.
3 SERGEANT KASPER: Okay.
4 OFFICER HILLARD: If that's O'Farrell, yeah.
5 SERGEANT KASPER: Okay. So, I'm just going
6 to play this and..
7 OFFICER HILLARD: And there's a No Parking
8 sign there.
9 SERGEANT KASPER: Wait, wait, please. Okay.
10 Do you want to get back here?
11 ADA HARTMAN: Uh, I can sit here, yeah.
12 SERGEANT KASPER: Okay.
13 ADA HARTMAN: Thanks.
14 SERGEANT KASPER: Who is that officer?
15 OFFICER HILLARD: That's me.
16 SERGEANT KASPER: Okay.
17 DAI FRIEDMAN: Do you want to narrate
18 through what..
19 SERGEANT KASPER: I want to ask you this.
20 Why did you crouch down?
21 OFFICER HILLARD: Uh, that's when I heard
22 either a collision or I thought he was shooting.
23 That's right when he hit the black and white.
24 SERGEANT KASPER: You thought he was
25 shooting?
26 OFFICER HILLARD: The suspect vehicle,

1 because that's when, right when he hit, the
2 corner's right here, that's the sidewalk area, and
3 then the corner's there, and that's right where
4 vehicle 260 was when they hit each other.

5 SERGEANT KASPER: Okay. Where did you hear
6 the noise, where you thought someone was shooting,
7 coming from?

8 OFFICER HILLARD: I heard, well, I heard the
9 shots coming from behind me as I was backpedaling,
10 when I was...

11 DAI FRIEDMAN: So, I think the, I think
12 that when you said that you heard, when you
13 crouched down, and...

14 SERGEANT KASPER: I'm going to pause it
15 exactly where... Okay?

16 DAI FRIEDMAN: When you crouched down and
17 there was a bang, you thought that that might be
18 shooting, but that was actually the collision.
19 Correct?

20 OFFICER HILLARD: Yes. Yes, so I'm looking
21 that way and I'm crouching. That's right when he
22 hits vehicle 260.

23 SERGEANT KASPER: And is that, do you mean
24 that you thought you heard shooting from the
25 suspect vehicle?

26 OFFICER HILLARD: Yeah. I didn't know if he

1 missed 260 or they hit 260, but it was, it was loud
2 and stuff, there was debris everywhere.

3 DAI FRIEDMAN: So, at this point in time,
4 is this before or after you heard the two gunshots?

5 OFFICER HILLARD: That's after.

6 DAI FRIEDMAN: How long after?

7 OFFICER HILLARD: Probably less than a
8 second because I was, this portion of the, the rear
9 of this car, when I heard the gunshots, and then
10 that's, and then I get up on the sidewalk.

11 SERGEANT KASPER: Why don't we do this? Why
12 don't we do this?

13 DAI FRIEDMAN: Can we say that he pointed
14 between the 'I' on the Friday.

15 SERGEANT KASPER: I'm going to have him
16 pause.

17 DAI FRIEDMAN: And the zero-one (01)?

18 SERGEANT KASPER: I'm going to have him
19 pause where he is when he hears a gunshot. Okay?

20 ATTORNEY BURRELL: If it, if it...

21 SERGEANT KASPER: If you know.

22 OFFICER HILLARD: Yeah.

23 ATTORNEY BURRELL: If it's visible also.

24 SERGEANT DELANEY: If he's on the video.

25 SERGEANT KASPER: If you're on the video.

26 Okay. So, if you're not in the frame, you know, it

1 is what it is.

2 OFFICER HILLARD: Yeah.

3 SERGEANT KASPER: Just say, pause, when you
4 hear the gunshots.

5 OFFICER HILLARD: All right.

6 SERGEANT KASPER: If it's there. Okay. I'm
7 going to start at 05/11/2018, Friday, 01:00:25.

8 (Plays video.)

9 OFFICER HILLARD: Pause.

10 SERGEANT KASPER: Okay.

11 OFFICER HILLARD: It's [a credit], yeah.

12 SERGEANT KASPER: So...

13 DAI FRIEDMAN: At that, so, you're at 00.

14 Sorry, go ahead, Jon, you do it.

15 SERGEANT KASPER: No, that's fine. Jh, uh,
16 01:00:29.

17 DAI FRIEDMAN: Why don't you start it,
18 the pause was a little bit before that, yeah.

19 SERGEANT KASPER: And you know, was it a
20 little second? I mean, so we can call it, right in
21 that area, a rough estimate.

22 DAI FRIEDMAN: Yeah, 2-8 - 2-9.

23 SERGEANT KASPER: Because if...

24 DAI FRIEDMAN: So, it looks, just to be
25 clear on it. At this point in time, you're already
26 heard the gunshot?

1 OFFICER HILLARD: Yeah. Right as I'm getting
2 to the back of that car.

3 DAI FRIEDMAN: So, a fraction of a second
4 before this moment, is when you heard the gunshot?

5 OFFICER HILLARD: Yes.

6 DAI FRIEDMAN: Okay.

7 SERGEANT KASPER: Are you, do you want to
8 just point to where you are when you hear it,
9 because I know I...

10 OFFICER HILLARD: Yes. So, I was like right
11 in this area.

12 SERGEANT KASPER: All right. Okay. So,
13 underneath the 'r' on Friday. All right. Okay.
14 Good, or do you have anything else?

15 DAI FRIEDMAN: No, I'm good.

16 SERGEANT KASPER: Uh, anything you'd like to
17 add?

18 OFFICER HILLARD: Uh, no.

19 SERGEANT KASPER: Okay. Sir?

20 ATTORNEY BURRELL: No.

21 SERGEANT KASPER: I guess I'll, uh, Kyra?

22 SERGEANT DELANEY: Uh, no. I think we're
23 good.

24 SERGEANT KASPER: Are you sure?

25 SERGEANT DELANEY: Yeah.

26 SERGEANT KASPER: I mean, we can always

1 contact you if we have anything else. Right.

2 OFFICER HILLARD: Yeah.

3 SERGEANT KASPER: Okay.

4 END OF DOCUMENT

DPA REQUEST

DPA REQUEST

1 SERGEANT KASPER: So, this is Case number
2 [REDACTED] ID, it's regarding an OIS, an officer-
3 involved shooting that occurred on 05/11/18 at
4 0057 hours in the morning. This is an OIS that
5 resulted from a prior incident in a 245 on a police
6 officer. With us we have, we'll just introduce
7 ourselves; go around the room.
8 OFFICER SHARRON: Anthony Sharron,
9 S-h-a-r-r-o-n, Star number 382.
10 ATTY BURRELL: Scott Burrell,
11 representing Officer Sharron.
12 DAI FRIEDMAN: Jack Friedman with the
13 DA's Office.
14 ADA HARTMAN: Michael Hartman, DA's
15 Office
16 SERGEANT DELANEY: Uh, Sergeant Kyra Delaney
17 Star number 1320, from Homicide Detail.
18 SERGEANT KASPER : Sergeant Jon Kasper, Star
19 68, from the Homicide Detail. Uh, Officer Sharron,
20 what is, how long have you had in the Department?
21 OFFICER SHARRON: Approximately four years.
22 SERGEANT KASPER: Okay. And what's your
23 current assignment?
24 OFFICER SHARRON: Northern Station, Patrol,
25 midnights.
26 SERGEANT KASPER: All right. And how long

1 have you been assigned to Northern?
2 OFFICER SHARRON: Two years.
3 SERGEANT KASPER: Pardon me?
4 OFFICER SHARRON: Approximately two years.
5 SERGEANT KASPER: Okay. And you said you
6 work midnights?
7 OFFICER SHARRON: Yes.
8 SERGEANT KASPER: Okay. Did you work last
9 night?
10 OFFICER SHARRON: Yes, I did.
11 SERGEANT KASPER: Okay. What time did you
12 get off this morning?
13 OFFICER SHARRON: At 0700 hours.
14 SERGEANT KASPER: Okay. Uh, the night of
15 this incident, were you working midnights?
16 OFFICER SHARRON: Yes, I was.
17 SERGEANT KASPER: Okay. Were you working in
18 plainclothes or patrol?
19 OFFICER SHARRON: Patrol
20 SERGEANT KASPER: All right. Were you
21 driving a marked radio car?
22 OFFICER SHARRON: Passenger in a marked
23 patrol vehicle.
24 SERGEANT KASPER: Okay. What kind?
25 OFFICER SHARRON: Uh, PUV, it's a Patrol
26 Utility Vehicle.

1 SERGEANT KASPER: Okay. Is that a Ford
2 Explorer?
3 OFFICER SHARRON: Yes.
4 SERGEANT KASPER: Okay. Uh, marked, red
5 lights, and sirens?
6 OFFICER SHARRON: Yes.
7 SERGEANT KASPER: All right. How much sleep
8 did you have prior to your shift?
9 OFFICER SHARRON: Normal.
10 SERGEANT KASPER: Okay.
11 OFFICER SHARRON: Probably, probably seven
12 hours.
13 SERGEANT KASPER: So, you were well-rested?
14 OFFICER SHARRON: Yes.
15 SERGEANT KASPER: Okay. You were glasses,
16 contacts?
17 OFFICER SHARRON: No.
18 SERGEANT KASPER: Okay. POBRA
19 POBRA
20
21
22 SERGEANT KASPER: And I appreciate you being
23 in here. Uh, can you just tell me what happened?
24 OFFICER SHARRON: Uh, Officer Buhagiar is...
25 my partner and I, we were in the area of, uh, Eddy
26 and Polk Street. We heard over the radio that a

1 unit was in a foot pursuit of a subject, uh, over
2 on the, like O'Farrell and Steiner area, so we
3 responded. As we were responding, we heard that
4 they were, uh, running through the Safeway parking
5 lot, which is going eastbound from where they said
6 they initially were. Uh, we were traveling
7 westbound on Eddy Street, uh, as we were
8 approaching Webster, we heard that they were
9 crossing Webster. So, we made a right on Webster,
10 now traveling north.

11 As we were going north, I saw a patrol unit go
12 east on Webster, or east from Webster to O'Farrell.
13 Uh, we continued. As we came up to the intersection
14 of Webster and O'Farrell, I kind of told Officer
15 Bunagiar, "They're right here." As we were starting
16 to complete our right-hand turn, we got struck by a
17 vehicle. Uh, after we were struck by the vehicle, I
18 saw Officer Hillard running past me with his gun
19 out. So, I jumped out, now figuring that this had
20 to be somehow involved in the foot pursuit.

21 Uh, jumped out, Officer [Hill] and I drew our,
22 uh, firearm, tried to conduct a felony stop, get
23 whoever was in the vehicle out. Couldn't really see
24 in the vehicle, all the airbags had deployed. As we
25 were trying to conduct a felony stop, the white car
26 began going southbound on Webster, wrong way. It

1 was in the northbound lanes. I gave chase, and as I
2 was giving chase, I put out the-it just hit us and
3 was fleeing from us.

4 SERGEANT KASPER: Okay. And you gave chase
5 on foot?

6 OFFICER SHARRON: Yeah, I did.

7 SERGEANT KASPER: To the vehicle?

8 OFFICER SHARRON: I did.

9 SERGEANT KASPER: Well, you never know.

10 OFFICER SHARRON: It was not successful.

11 SERGEANT DELANEY: [Unintelligible.]

12 OFFICER SHARRON: Right, yeah.

13 SERGEANT KASPER: Sometimes the wheels fall
14 off, you never know.

15 OFFICER SHARRON: Yes.

16 SERGEANT KASPER: Uh, did you hear any
17 shots?

18 OFFICER SHARRON: I did not hear any shots.
19 Uh, did not obviously, see any gunfire. Uh,
20 regarding the incident, uh, I didn't see or hear
21 any.

22 SERGEANT KASPER: Okay. Did you ever go to
23 the termination point of the pursuit?

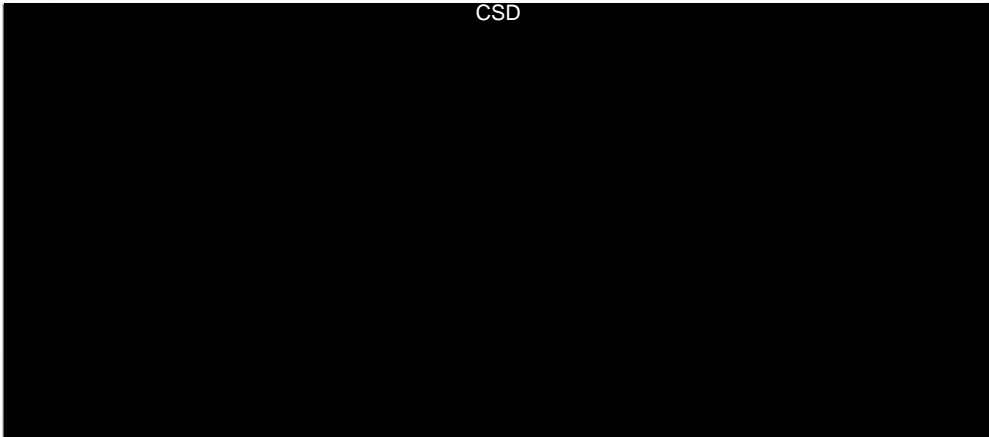
24 OFFICER SHARRON: I did not.

25 SERGEANT KASPER: Did you ever see the
26 suspect before?

1 OFFICER SHARRON: No.
2 SERGEANT KASPER: Or ever?
3 OFFICER SHARRON: Yes.
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SERGEANT KASPER: When you tried to effect the felony stop?

OFFICER SHARRON: No.

SERGEANT KASPER: Okay. Uh, at what point did you find out it was an OIS?

OFFICER SHARRON: I think when I was waiting for an ambulance.

SERGEANT KASPER: Okay. And you called your own ambulance?

OFFICER SHARRON: Yes.

SERGEANT KASPER: Okay. And what kind of injuries did you sustain?

OFFICER SHARRON: I hit my head, uh, either to the A-frame or to the windshield when we were pulling up, my knee struck the center console, and I like had back pain from the impact, so complaint of pain.

SERGEANT KASPER: Okay. Uh, did you see the car coming at...I mean obviously, you saw it coming

DPA REQUEST

1 at you, but did you see it coming at you from like
2 a distance? Did time go by or was it just like you
3 turned the corner and bam?

4 OFFICER SHARRON: It, it was pretty quick; I
5 wasn't looking for a car. I was under the im...from
6 all the information we had, it was a subject on
7 foot. So, I was kind of looking for, to see if
8 someone was going to backtrack and come running our
9 way or try and look ahead to see if I saw anyone on
10 foot in front. I wasn't looking for a car, it was
11 last minute. It literally was when it was hitting
12 us.

13 SERGEANT KASPER: Okay.

14 OFFICER SHARRON: That I saw a vehicle.

15 SERGEANT KASPER: Do you know what the
16 reason for the foot pursuit was?

17 OFFICER SHARRON: Uh, an auto burglary.

18 SERGEANT KASPER: Okay. And did you know
19 that at the time?

20 OFFICER SHARRON: No.

21 SERGEANT KASPER: Okay.

22 OFFICER SHARRON: Did not know at the time
23 what the, the pursuit was regarding.

24 SERGEANT KASPER: Okay. Uh, and you never
25 heard any gunshots or anything like that?

26 OFFICER SHARRON: I did not.

1 SERGEANT KASPER: Okay. Go ahead, Kyra. Do
2 you have anything? I mean...

3 SERGEANT DELANEY: It's [free], it's simple.

4 DAI FRIEDMAN: You said you found out
5 that it was an OIS when you were waiting for your
6 ambulance?

7 OFFICER SHARRON: Yes.

8 DAI FRIEDMAN: How did you find that out?

9 OFFICER SHARRON: Uh, I think, uh, the
10 training officer, uh, Officer Akmese, kind of, we,
11 I said, "What's going on?" And he said, it was,
12 they on-viewed an auto burglary and that it's
13 turned into an OIS, and was talking to, I think
14 notifying the sergeant. So, I was kind of like,
15 "Uh."

DPA REQUEST

16 DAI FRIEDMAN: Okay. Did he say anything
17 else like what happened with the OIS?

18 OFFICER SHARRON: No.

19 DAI FRIEDMAN: Okay. Did you ever talk
20 with Officer Reinenger after the incident?

21 OFFICER SHARRON: No.

22 DAI FRIEDMAN: All right. Did you talk
23 with any other officer about what happened last
24 night, that night?

25 OFFICER SHARRON: I got a brief outline,
26 because it, probably 15 minutes kind of when things

1 slowed down and sergeants showed up, they asked me
2 if I would write the report regarding this
3 incident. So, I said, "Yeah, I'll write it," like
4 we're kind of, my partner and I were kind of the
5 senior officers that night working.

6 DAI FRIEDMAN: Okay.

7 OFFICER SHARRON: So, I had to get an idea
8 of what took place. I had to make notifications.
9 However, 15, 20 minutes after I was in that role,
10 other higher bosses showed up and said, "He was in
11 an accident. He's not writing it," and it was given
12 to another officer.

13 DAI FRIEDMAN: Was that Officer [Ledge]?

14 OFFICER SHARRON: Yes.

15 DAI FRIEDMAN: Okay, so who gave you the
16 broad outline about what happened?

17 OFFICER SHARRON: I got, I spoke, uh,
18 briefly with...I got an outline from Officer Aknese,
19 kind of what started this, and then, I got a brief
20 outline from Hillard and Pfeifer, just what was
21 their role, and kind of that was it.

22 DAI FRIEDMAN: Okay.

23 ADA HARTMAN: No.

24 SERGEANT KASPER: No? Okay. Anything else
25 you think you need to add or?

26 OFFICER SHARRON: Uh, no. I, I think just

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the, [REDACTED] CI

[REDACTED] CI

DAI FRIEDMAN: Actually, I just have one little one I want to ask about. When you talked with Officer Hillard, did he describe what the suspect veheek, vehicle did?

OFFICER SHARRON: He just said that it came directly towards him and, uh, hit their patrol vehicle.

DAI FRIEDMAN: Okay. And did he tell you what, what he did in reaction to that suspect vehicle coming toward him?

OFFICER SHARRON: Uh, got out of the way.

DAI FRIEDMAN: Did he say [unintelligible]?

OFFICER SHARRON: I mean no, not like any specifics, just said he had to get out of the way.

DAI FRIEDMAN: Okay.

OFFICER SHARRON: And I figured, well, obviously.

DAI FRIEDMAN: Right.

OFFICER SHARRON: Or it'd be a different situation.

DAI FRIEDMAN: Yeah. And the reason I'm asking, I'm just curious what his words were when

DPA REQUEST

1 he, when he was describing the car coming at him,
2 if he told you?

3 OFFICER SHARRON: No.

4 DAI FRIEDMAN: Okay. That's it.

5 SERGEANT KASPER: Okay. All right. Thank
6 you.

7 **END OF DOCUMENT**

DPA REQUEST

1 SERGEANT KASPER: I'm here without a
2 recorder. I'll get copies from them.
3 DAI FRIEDMAN: Are you ready?
4 SERGEANT KASPER: Yeah.
5 DAI FRIEDMAN: Go ahead, I'm on.
6 SERGEANT KASPER: Okay. So, I'm Sergeant
7 Jon Kasper of the San Francisco Police Department,
8 Homicide Unit. We investigate officer-involved
9 shootings as well as homicides.
10 [REDACTED] ID: Uh-huh.
11 SERGEANT KASPER: And this is...
12 DAI FRIEDMAN: Inspector Jack Friedman with
13 the District Attorney's Office.
14 DAI HAYASHI: And I'm Inspector Magen
15 Hayashi with the District Attorney's Office.
16 [REDACTED] ID: Okay.
17 SERGEANT KASPER: So, this is regarding an
18 incident that happened on 05/11/2018 at about
19 12:59 a.m. Okay? And what was your name again?
20 [REDACTED] ID: I'm [REDACTED] ID
21 SERGEANT KASPER: Uh-huh.
22 [REDACTED] ID: Last name [REDACTED] ID
23 SERGEANT KASPER: Okay. So, I was talking
24 to your neighbor. In these cases, we knock on all
25 the doors and see if anybody saw or heard anything.
26 And he indicated that he received information from

DPA REQUEST

1 you that might have seen the incident. Okay?

2 ██████████ ID ██████████: Uh-huh.

3 SERGEANT KASPER: Just help us get more
4 details about it, so that's what we're here to ask
5 you about.

6 ██████████ ID ██████████: Okay. So, I started to say, my
7 bedroom is in the front.

8 SERGEANT KASPER: And it looks out onto
9 O'Farrell.

10 ██████████ ID ██████████: And it looks right out onto
11 O'Farrell Street. So, I heard a voice in yelling,
12 commanding tones, "Get out of the car. Get out of
13 the car, now." So, I jumped out of bed, grabbed my
14 glasses, looked out...well, all these things are
15 simultaneous, and looked out the window. I didn't
16 throw the window up, I was just standing in the
17 window.

18 So, I could see one officer, about midline to
19 the building, and he was standing in the middle of
20 the street. To the left, there was another officer
21 standing probably in front of these three doorways,
22 and across the street, behind a black SUV, there
23 was a white vehicle. And then, when the person or
24 persons didn't get out of the vehicle, they started
25 up the vehicle, and pulled out, and around the
26 police, the patrol car that was parked in the

1 crosswalk. When it was pulling out and around, then
2 the officer...I'm sorry. You know I'm describing
3 this, and you know how you can see many things at
4 one time?

5 SERGEANT KASPER: Uh-huh.

6 ██████████ ID ██████████: And I'm trying to describe it kind
7 of linearly, but all this stuff is happening pretty
8 much... So, then the car pulls out and the officer
9 that's in the middle of the street pulls out his
10 weapon, and two shots were fired. Then the vehicle
11 went and made a left-hand turn on Webster Street,
12 and I heard not a big crash, but a little crash,
13 you know, like the car bumped something or
14 whatever. I can't see out and around like that,
15 because these bays come out, so my windows are
16 flush to the building.

17 So, then I ran down the hall into this room
18 here, where I can see the whole intersection. Then
19 all these police cars started proceeding south on
20 Webster Street, and the other two officers were in
21 the street there. So, then I figured, "Uh, I can't
22 see any more," so then I looked out; then I threw
23 up my window and I'm looking out. I came back and
24 went back into my bedroom. I threw up my window and
25 I'm looking out. Then after a while, some police
26 officers, patrol vehicles came and they, you know,

1 a couple of people started walking across the
2 street into the Safeway lot, and they had a
3 flashlight and they're walking around, and then I
4 said okay after a while.

5 Then there was later on—I went to lay back
6 down, but I just saw the whole roundup. Then I got
7 out of the bed again when there was more activity
8 on the street, and then there was an ambulance
9 parked, and more and more vehicles. Then they
10 started taping off the street. And then I came to
11 the window of the room next door, and there was a
12 patrol car; there were two patrol cars there. They
13 took one person out the rear of one of the patrol
14 cars, and two officers walked him to another patrol
15 car, and then after a few minutes, they went away.

16 SERGEANT KASPER: Okay.

17 ID Then basically, after that, it was
18 a lot of officers on the street. The ambulance was
19 there. The rear of the ambulance was open and there
20 was one officer sitting in the back, and I could
21 tell that it couldn't have been serious, because
22 all the other officers were coming in and looking
23 in the doorway and pointing and laughing. So, I
24 said, "Okay. Nothing serious happened." And he was
25 sitting there, so I figured he didn't get shot in
26 the back or in his behind or anything, then they

1 would really be laughing at him.

2 So, then you know, there was just like noise
3 on the street. Then there were some older officers
4 that came by, and they were talking to the officer
5 who pulled the weapon. I figured by the way these
6 men looked, they must be Internal Affairs, so
7 that's what I figured.

8 SERGEANT KASPER: Why? What did they look
9 like that you thought that?

10 [REDACTED] ID What did they look like?

11 SERGEANT KASPER: Were they in uniform?

12 [REDACTED] ID: They had shirts and pants on.

13 SERGEANT KASPER: But you don't know if
14 they were police uniforms?

15 [REDACTED] ID: No. They had dark pants and shirts
16 on, because it wasn't cold or anything that people,
17 I guess...

18 SERGEANT KASPER: So, they weren't in
19 suits?

20 [REDACTED] ID: No, they weren't in suits, not
21 that I recall.

22 SERGEANT KASPER: And are you sure that was
23 the officer that fired the weapon?

24 [REDACTED] ID: Uh, yeah.

25 SERGEANT KASPER: Okay.

26 [REDACTED] ID: Uh, yeah.

1 SERGEANT KASPER: And what did he look
2 like?
3 [REDACTED] ID : Okay. You know, I'm looking down
4 on him.
5 SERGEANT KASPER: Okay.
6 [REDACTED] ID : So, you know.
7 SERGEANT KASPER: And I'm six feet.
8 [REDACTED] ID : No, well, no, no, no.
9 SERGEANT KASPER: It doesn't matter?
10 [REDACTED] ID : It doesn't matter because I'm
11 looking, I'm up here and I'm looking down, so I
12 can't tell height, and I was, in looking at him, in
13 terms of perspective.
14 SERGEANT KASPER: Young or old?
15 [REDACTED] ID : Young.
16 SERGEANT KASPER: Okay.
17 [REDACTED] ID : Young, I would say 30s. Dark hair,
18 cut.
19 SERGEANT KASPER: Okay. White?
20 [REDACTED] ID : Yeah, white male.
21 SERGEANT KASPER: Okay.
22 [REDACTED] ID : Yeah. Both of them were white
23 males. The other thing, like I'm recounting this,
24 but after it happened, I went to look at my
25 security cameras. So, from the camera, I could only
26 see the officer that was in front of our doorways

DPA REQUEST

1 here, because when the car pulled out and pulled
2 away, I could see him on the video. He jumped back
3 onto the sidewalk as that car pulled out, and went
4 around the patrol car, and turned southbound
5 Webster Street.

6 DAI FRIEDMAN: Did you see him jump back or
7 did you just get that from the video?

8 ██████████ ID ██████████: I got that from the video. I could
9 not have seen it, I was in my bedroom at that
10 point.

11 SERGEANT KASPER: So, when you were in your
12 bedroom, you didn't have a perspective of what your
13 camera shows?

14 ██████████ ID ██████████: That's correct
DPA REQUEST
15 SERGEANT KASPER: Okay. When you say that
16 the car pulled out after it started the engine, did
17 it pull out at a normal rate of speed?

18 ██████████ ID ██████████: No. No, and my vehicle was parked
19 in front of the building. I was afraid he was going
20 to hit, but he only hit the vehicle...

21 SERGEANT KASPER: So, you just described
22 how he...

23 ██████████ ID ██████████: Pardon?

24 SERGEANT KASPER: I didn't mean to cut you
25 off.

26 ██████████ ID ██████████: No, no.

1 SERGEANT KASPER: Can you describe how the
2 vehicle pulled out of the parking place?

3 [REDACTED] ID: The vehicle pulled out of the
4 parking space with speed and purpose, and at first,
5 I thought they were going to make a three... They
6 pulled out like they were going to make a three-
7 point turn, because he pulled out really wide.
8 Then, when I looked to the left, I could see he
9 pulled out wide because there was a patrol car in
10 the intersection, and he was going to have to come
11 out and go by them. So, when he came out, he came
12 very close to the vehicle. I mean he literally just
13 missed the vehicles that were parked, one of which
14 was mine, which are parked on the south side of
15 O'Farrell Street. So, when he came out, he came out
16 and around.

17 DAI HAYASHI: When you say like outward,
18 you're describing, your hand, you're moving like
19 your arms fast. Was he going [high]speed?

20 [REDACTED] ID: Yeah. I can't tell you what speed,
21 but he certainly...you know, like if you're sitting
22 in your car and you're parked, and you turn, and
23 you pull out, he wasn't like five, three miles per
24 hour.

25 DAI HAYASHI: Okay.

26 [REDACTED] ID: He was much faster than that.

1 DAI HAYASHI: Okay.
2 SERGEANT KASPER: Did you hear the engine
3 rev?
4 [REDACTED] ID : Yes.
5 SERGEANT KASPER: Did it sound like it was
6 revving like a normal car or was it a higher, I
7 don't want to use the word rpms, but I mean, was
8 it..
9 [REDACTED] ID : It was not normal.
10 SERGEANT KASPER: Well, you drive for a
11 living.
12 [REDACTED] ID : No. I didn't, it was, you would
13 have been interviewing me a lot sooner if I was a
14 driver. I could not never drive I was in the
15 office, [REDACTED] PII
16 [REDACTED] PII .
17 SERGEANT KASPER: Okay. I thought you said
18 you [REDACTED] PII [unintelligible]?
19 [REDACTED] ID : No, no. I said I worked [REDACTED] PII
20 SERGEANT KASPER: Okay.
21 [REDACTED] ID : I worked for [REDACTED] PII .
22 SERGEANT KASPER: Okay.
23 DAI FRIEDMAN: So, that car, when it pulled
24 away.
25 [REDACTED] ID : Uh-huh?
26 DAI FRIEDMAN: Did it ever change in speed?

DPA REQUEST

1 [REDACTED] ID : I can't say that. It just pulled
2 away really fast. I mean it slightly clipped the
3 SUV that was parked in front of it, and the person
4 who was driving it, I have to say, had some skills,
5 because I didn't see him backup to pull out of the
6 space. So, for him to be parked behind somebody, to
7 pull out that way and only clip the corner of that
8 SUV, that's some skill.

9 DAI FRIEDMAN: So, after the vehicle pulled
10 out into the street, what did it do?

11 [REDACTED] ID : Okay. So, it's across the street
12 over here. So, it pulled out and made a left on
13 Webster.

14 DAI FRIEDMAN: Okay.

15 [REDACTED] ID : Okay?

16 DAI FRIEDMAN: So, as it pulled around the
17 patrol car that was in the street, what was its
18 speed?

19 [REDACTED] ID : All I can say is fast, because by
20 that time, the officer that was in the street, had
21 pulled his weapon, and the first shot, at least,
22 had gone off.

23 DAI FRIEDMAN: Now, before that first shot
24 went off, did the white car ever slow down?

25 [REDACTED] ID : No, not to my recollection. And
26 this is not, this is only me watching. This is not

1 on video. My cameras don't go that far down the
2 street.

3 DAI FRIEDMAN: But you were able to see. You
4 had the white vehicle in-view when the
5 shots...between the time that it pulled out and the
6 shot was fired?

7 ██████████ ID ██████████ (Long pause.) I'm sorry. I am
8 thinking, I do want to answer you accurately. I
9 would say yes, I did not see the vehicle turn the
10 corner. I only operated on the assumption that the
11 vehicle turned the corner, because after the
12 officer fired the shots, that's when I ran to this
13 room over here.

14 DAI FRIEDMAN: Right.

15 ██████████ ID ██████████: And I did not see the car make a
16 left-hand turn onto Webster. I was operating under
17 that assumption, because then I started seeing all
18 these patrol cars.

19 DAI FRIEDMAN: Right.

20 ██████████ ID ██████████: Going very fast.

21 DAI FRIEDMAN: So, I guess what I'm asking,
22 it sounds like, I think you're telling me this, but
23 let's [unintelligible] clear. You saw, you were
24 able to see the car between the time it pulls out
25 of the parking space and the shot is fired?

26 ██████████ ID ██████████: Uh-huh.

1 DAI FRIEDMAN: And so, you're watching the
2 car as the shots get fired. Is that right?
3 [REDACTED] ID No. I'm watching the officer.
4 DAI FRIEDMAN: Okay.
5 DAI HAYASHI: Which officer are you
6 watching?
7 [REDACTED] ID The younger one.
8 DAI HAYASHI: Where was that younger officer
9 standing?
10 [REDACTED] ID In the middle of the street, here.
11 DAI HAYASHI: Is that near your apartment or
12 is that...
13 [Unintelligible conversation.]
14 DAI HAYASHI: I'm sorry. Could you just
15 clarify? I'm a visual person too, and I'm trying to
16 clarify where that officer was standing.
17 [REDACTED] ID Okay. My bedroom is the room next
18 to here, and the officer was just in the middle of
19 the street.
20 DAI HAYASHI: Okay.
21 [REDACTED] ID Just to, just a little bit east
22 of, just a few feet of my bedroom window.
23 DAI HAYASHI: Okay. Okay.
24 DAI FRIEDMAN: Go ahead.
25 SERGEANT KASPER: Okay. So, what I wanted
26 to get back to, where I left off, was as the

1 vehicle was pulling off and you said that it was
2 going at a high-rate of speed, or at above normal
3 rate of speed. Right? It's not just pulling out of
4 a normal parking spot, but was going fast?

5 ██████████ ID ██████████: Uh-huh.

6 SERGEANT KASPER: Okay. Was an officer in
7 the way of the vehicle or anything? Did the car
8 drive at any officers or anything?

9 ██████████ ID ██████████: As I said, I could not see that
10 because I can't see past these bays, unless I'm
11 hanging out the window, and I was not hanging out
12 the window. It was only when I looked at the
13 footage that I saw the officer, the other officer
14 that was in the street in front of the doorway,
15 jump back into the driveway, which is adjacent to
16 here.

DPA REQUEST

17 SERGEANT KASPER: Okay.

18 ██████████ ID ██████████: I did not personally see that.
19 That's on the feed.

20 SERGEANT KASPER: Okay. And this might have
21 already been asked, but I just want to be clear.
22 Did you see the officer fire his gun?

23 ██████████ ID ██████████: Yes.

24 SERGEANT KASPER: Okay. Did you have a view
25 of the vehicle when the officer fired the gun?

26 ██████████ ID ██████████: I was...I can say again, I was

1 watching the officer. I was not watching the
2 vehicle.

3 SERGEANT KASPER: Okay. So, you couldn't
4 see the vehicle when the officer fired the gun?

5 ██████████ ID ██████████ That's correct.

6 SERGEANT KASPER: Am I correct? Okay.

7 ██████████ ID ██████████: If I had been looking, if I had
8 had my head turned left, I probably would have seen
9 the vehicle, but I was watching the officer.

10 SERGEANT KASPER: Okay. And do you know how
11 many shots the officer fired?

12 ██████████ ID ██████████: Two.

13 SERGEANT KASPER: Okay. Do you know how
14 fast they were or how slow they were? Can you just
15 say like...I don't want to put words in your mouth.
16 Was it bang (pause) bang, or was it bang, bang
17 (said rapidly), if you know?

18 ██████████ ID ██████████: I don't.

19 SERGEANT KASPER: Okay. All right. Did you
20 hear any other commands by the officer? You said he
21 was giving purposeful commands. Did you hear any
22 other commands?

23 ██████████ ID ██████████: No.

24 SERGEANT KASPER: Okay. Did you hear any
25 other commands by any other person there?

26 ██████████ ID ██████████: No.

1 SERGEANT KASPER: Okay. Were you able to
2 see the person that was in the vehicle?

3 ██████████ ID ██████████: No.

4 SERGEANT KASPER: Not at all?

5 ██████████ ID ██████████: No.

6 SERGEANT KASPER: Okay. Do you know how
7 many occupants were in the vehicle?

8 ██████████ ID ██████████: No.

9 SERGEANT KASPER: All right. Just before
10 you heard the officer giving commands, did you hear
11 anything else before that?

12 ██████████ ID ██████████: No.

13 SERGEANT KASPER: Okay.

14 ██████████ ID ██████████: I'm a poor sleeper, so I may have
15 heard something. There's noise on the street here
16 all the time, but there are certain things that
17 make me get out of bed and start looking.

18 SERGEANT KASPER: Uh-huh.

19 ██████████ ID ██████████: Like across the street, these were
20 built by the Longshoremen's union, and a lot of the
21 original owners are elderly and moved out, and
22 they're renting them out—they're a co-op. So, we
23 have a lot of young people that are renters now,
24 and sometimes, they come down the street drunk. And
25 I see these drunk, young women, and I get up and I
26 look out, because I want to make sure that they get

1 into the doorway okay.

2 SERGEANT KASPER: Right. That's good.

3 ██████████ ID ██████████: So, I can hear them like singing

4 or crying or whatever. So, then I just hang out at

5 the window until they get in the door.

6 SERGEANT KASPER: Okay.

7 ██████████ ID ██████████: So, no. I mean, if I heard

8 anything before that, then it wasn't enough to make

9 me get up and get out of bed.

10 SERGEANT KASPER: Okay. Your neighbor

11 mentioned that you talked to another officer, you

12 talked to somebody else about this. Did anybody

13 interview you about this?

14 ██████████ ID ██████████: No.

15 SERGEANT KASPER: Or about what you saw?

16 ██████████ ID ██████████: No, he just came to get the feed.

17 SERGEANT KASPER: Okay.

18 ██████████ ID ██████████: He didn't ask me about the

19 incident, he just came to get the feed.

20 SERGEANT KASPER: Okay. Did any other

21 officers come talk to you in uniform or out of

22 uniform?

23 ██████████ ID ██████████: No.

24 SERGEANT KASPER: Or anybody else?

25 ██████████ ID ██████████: No.

26 SERGEANT KASPER: I'm just curious.

DRAFT REQUEST

1 [REDACTED] ID : No.

2 SERGEANT KASPER: To see who else might

3 have gathered information, that's all.

4 [REDACTED] ID : Uh-huh.

5 SERGEANT KASPER: It's common that they do.

6 Did you call 911? There was no need.

7 [REDACTED] ID : (Laughs.)

8 SERGEANT KASPER: I have to ask, because

9 [unintelligible].

10 [REDACTED] ID : I know. No, no, no. Because, I

11 mean, there's no need.

12 SERGEANT KASPER: Right.

13 [REDACTED] ID : It would have been just throwing

14 things out there

15 SERGEANT KASPER: Yeah, an officer was

16 there. It was a ridiculous question, I apologize.

17 [REDACTED] ID : It's okay. I mean, somebody might

18 have.

19 SERGEANT KASPER: Yeah. Or did you come out

20 and talk to anybody?

21 [REDACTED] ID : No. I was [REDACTED] CI . No, I did not

22 come down and talk to anybody.

23 SERGEANT KASPER: Okay.

24 [REDACTED] ID : Because I figured there was enough

25 people on the street and they were working, they

26 had things to do. They didn't need to talk to me.

1 SERGEANT KASPER: Okay.

2 [REDACTED] ID The only other thing I wanted to

3 say, I texted a friend of mine that I worked with

4 when I was at [REDACTED] PII, and his [REDACTED] PII

5 [REDACTED] PII. I said to him, "You know, I really was

6 kind of foolish. This young man came to my door,

7 and he said there was an incident that happened,

8 and do your cameras have feed? He showed me his

9 badge, and I said, 'Okay. Come up and we'll

10 [unintelligible] about that.'" And I knew that

11 something that happened, but I said, "How will I

12 know if he's really a police officer or not?"

13 SERGEANT KASPER: He wasn't in uniform, the

14 officer?

15 [REDACTED] ID: No, he wasn't in uniform, he just

16 showed me his badge. So, I texted my friend and he

17 said, "Well, all SFPD officers have a badge and it

18 looks like this if they're an inspector or

19 whatever."

20 SERGEANT KASPER: We also IDs too, ID cards

21 like this.

22 [REDACTED] ID: You know, actually, I think I may

23 go to our next community meeting at Northern

24 because, if somebody comes to your door, you know,

25 that's why I was standing there and I didn't open

26 the door, because how do I know that this is a

DPA REQUEST

1 police officer?

2 SERGEANT KASPER: Right.

3 ██████████ ID ██████████: You know, you read stories about
4 people who have been fooled by people who say they
5 are PG&E.

6 DAI HAYASHI: It's true.

7 ██████████ ID ██████████: Or whatever, you know, to say if I
8 had the presence of mind to bring my cellphone down
9 with me, is there a number that I can call to
10 verify that this person is...

11 DAI HAYASHI: No, they have to show you
12 identification if somebody had asked.

13 ██████████ ID ██████████: Yeah, but if somebody had fake ID
14 or if ██████████ didn't know that their ID is supposed to
15 look like.

DPA REQUEST

16 DAI HAYASHI: Right.

17 ██████████ ID ██████████: How would I know?

18 SERGEANT KASPER: Exactly.

19 ██████████ ID ██████████: That this is really a police
20 officer? I'm by myself and I'm letting them inside
21 my house.

22 SERGEANT KASPER: I've just got one more
23 question.

24 ██████████ ID ██████████: Yes?

25 SERGEANT KASPER: The officer who fired his
26 gun, you said that you saw him fire his gun.

1 [REDACTED] ID Yes.
2 SERGEANT KASPER: You saw him afterwards
3 talking to, you believe that they were Internal
4 Affairs.
5 [REDACTED] ID: Uh-huh.
6 SERGEANT KASPER: How long after the
7 officer fired the gun was that person talking to
8 those individuals?
9 [REDACTED] ID: Uh, it was at least a couple of
10 hours.
11 SERGEANT KASPER: A couple of hours?
12 [REDACTED] ID: Yeah.
13 SERGEANT KASPER: Okay.
14 [REDACTED] PII: Yeah, because if this happened at
15 one in the morning, it was going on until six,
16 maybe? I mean at first, they just put yellow tape
17 up, and then they put red tape up.
18 SERGEANT KASPER: Uh-huh.
19 [REDACTED] ID: So, maybe about 3:30, 4:00? I'm
20 not quite sure, I didn't keep looking at...
21 SERGEANT KASPER: Like two-and-a-half
22 hours, two-and-a-half to three hours?
23 [REDACTED] ID: Yeah, yeah. I won't swear by it,
24 but that's what I think. You know, it's like when I
25 heard more voices, then I go look out the window,
26 "They're still there?"

DPA REQUEST

1 SERGEANT KASPER: Yeah.

2 ██████████ ID ██████████ They're still there.

3 SERGEANT KASPER: Do you know anybody else

4 who saw this? Did anybody else you know in this

5 neighborhood see it or [inaudible]?

6 ██████████ ID ██████████: You know, I can see there are a

7 lot of younger people around, because when there

8 are older...years ago, if there was an incident on

9 the street and I'd look out, and you look across

10 the street, the people would have their lights on

11 and stuff, or somebody would come down to the

12 doorway, I saw nobody.

13 SERGEANT KASPER: Okay. Did any of your

14 neighbors talk amongst yourselves about it?

15 Basically, what I'm asking is who else can we talk

16 to who may have seen it?

17 ██████████ ID ██████████ I don't know if anybody else saw

18 it. It was the neighbor on the ground floor. The

19 person you were speaking to, he's on the second

20 floor. The neighbor that's on the ground floor was

21 the one who texted me, that said, "Something

22 happened last night." Now, his bedroom is in the

23 back. He's a teacher, so when he got up, I guess

24 the street was still taped off. So, then he wrote

25 me and he also wrote the guy downstairs. The guy

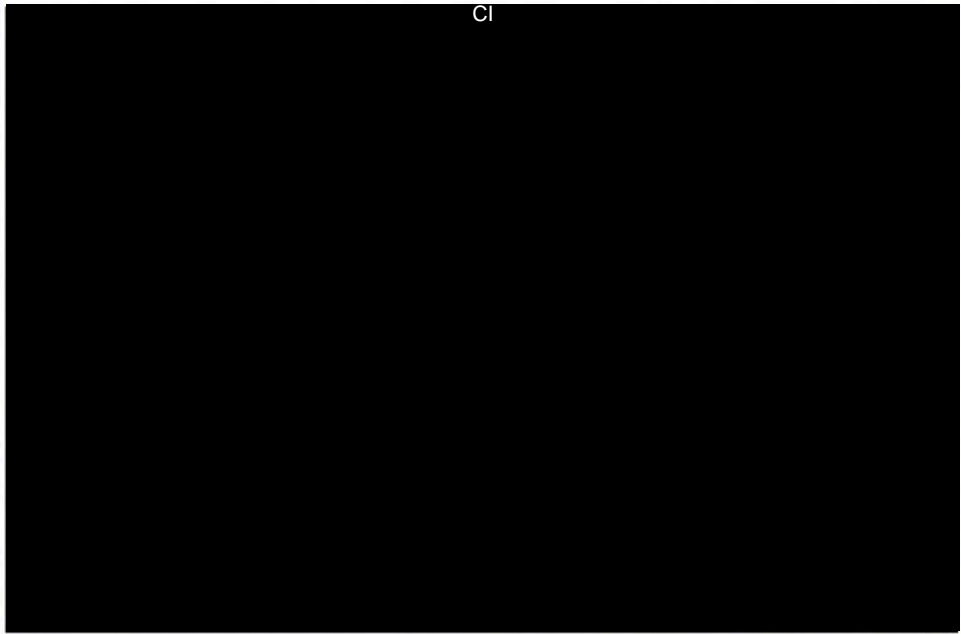
26 downstairs said he was away, and so, that's when I

1 started tiny keyboarding and sending back to them.
2 Then I also texted my neighbor that's on the second
3 floor, on the other side, and I said, "I think your
4 brother was here last night," she's in the state of
5 Washington, "Did he hear anything?" And she said
6 her brother said, "No, I didn't hear a thing." He
7 thinks his doorbell rang at two in the morning, but
8 he thought he was dreaming and went back to sleep.
9 So, as far as I know, no.

10 SERGEANT KASPER: Anything?

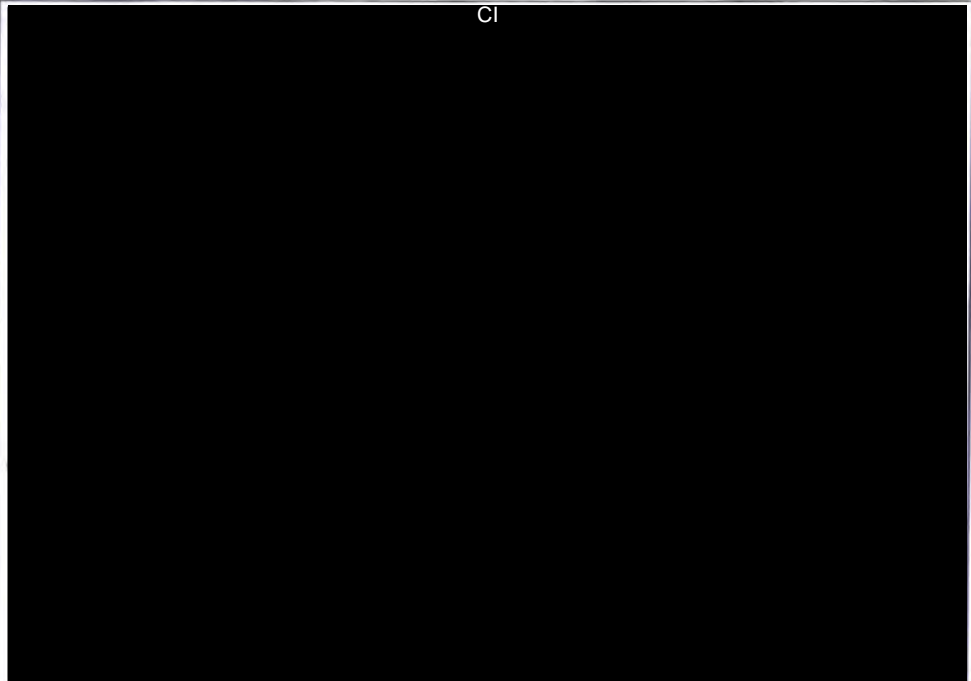
11 DAI FRIEDMAN: You said you put on your
12 glasses to see outside?

13 ██████████ ID ██████████ Yeah, when I heard the voice, I
14 grabbed my glasses, and then I span out of bed and
15 looked out the window, because I knew I couldn't
16 see.



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CI

DAI FRIEDMAN: Okay. Would you mind sharing those texts that you sent with us?

[REDACTED] ID Do I still have them? Just one second.

DPA REQUEST

[REDACTED] ID briefly walks into another room.)

[REDACTED] ID: Sorry. There were a lot of things on Mother's Day. (Searches through phone texts.)

SERGEANT KASPER: It would be on May 11th, the texts.

[REDACTED] ID: Yeah. I have May 9th, and then Thursday, but I'm not sure if I'm looking at it right, because it was a group text, I remember that. I don't have it. Maybe either [REDACTED] ID still has it, because those are the two people I was writing, I wrote to. But no, I don't have it.

1 Do the deleted texts just go into the ether or
2 something?'

3 SERGEANT KASPER: Do the text messages, did
4 any of the text messages, did anybody respond to
5 you, saying, "Yeah, I saw it too," or anything like
6 that?

7 ID: No. No, they just wanted to know
8 what was going on.

9 SERGEANT KASPER: Okay. So, you were the
10 one who had the most information?

11 ID I guess so. Uh...no, I didn't send
12 it to him. One of my neighbors that lives across
13 the street, he's part of their Association, he had
14 asked me about it. Because they had sent me their,
15 I think one of the downstairs neighbors sent me a
16 link to an NBC news article, and he had seen that.
17 But no, I don't have the text anymore, unless it
18 deleted it.

19 DAI HAYASHI: Had that neighbor seen
20 something as well?

21 ID: No. He said he hadn't seen a
22 thing. He and his wife had come back from Hawaii
23 the night before, and they were dead to the world.
24 So, and they were in there eating, so he said it ws
25 delicious, the [unintelligible].

26 DAI FRIEDMAN: You said you saw who you

1 thought were some Internal Affairs people talking
2 to the officer who shot, fired the shots.

3 ██████████ ID ██████████: Uh-huh.

4 DAI FRIEDMAN: Were you able to hear any of
5 that conversation?

6 ██████████ ID ██████████: No. No, I just, it was just mumbly
7 noise.

8 DAI FRIEDMAN: And how long did that
9 conversation go on?

10 ██████████ ID ██████████: I don't know. Once I looked out
11 the window and I saw these older men talking to the
12 younger guy, then I said, "It looks like Internal
13 Affairs." So, no, I don't know.

14 DAI FRIEDMAN: How many people were talking
15 to him?

16 ██████████ ID ██████████: There were at least two, two older
17 guys.

18 SERGEANT KASPER: Two older guys? Like
19 older like me or?

20 ██████████ ID ██████████: Yeah.

21 DAI FRIEDMAN: Yeah?

22 SERGEANT KASPER: But they weren't wearing
23 suits?

24 ██████████ ID ██████████: You asked that question again, and
25 I don't see suits in my head. I definitely see
26 dress shirts and dark pants, but I don't see suits

1 in my head.

2 SERGEANT KASPER: Okay.

3 DAI FRIEDMAN: And were they white guys,
4 black guys?

5 [REDACTED] ID: They were all white.

6 DAI HAYASHI: You said that you had heard
7 someone yelling, "Get out of the car," you heard
8 someone yelling that. Did you see where that person
9 was yelling? Where they were standing or what they
10 were doing?

11 [REDACTED] ID: No. When the, "Get out of the car.
12 Get out of the car now," was yelled, that's when I
13 grabbed my glasses and got out of bed and looked
14 out the window.

15 DAI HAYASHI: Okay. When you looked out the
16 window and you kind of described there were several
17 officers?

18 [REDACTED] ID: No. I can only see the one young
19 one.

20 DAI HAYASHI: Okay.

21 [REDACTED] ID: And he was like I said, mid-point
22 of the building, and he was looking. It was like
23 his body was angled to the opposite side of the
24 street.

25 DAI HAYASHI: Okay. Okay.

26 [REDACTED] ID: And it wasn't until that car

1 pulled out that I knew who he was...then I could
2 assume who his comments were directed at.

3 DAI HAYASHI: I see, okay. Okay.

4 DAI FRIEDMAN: Did he have his gun drawn at
5 that time?

6 ██████████ ID ██████████: I can't say for certainty. No, I
7 can't say for certainty. When I think about the
8 events, I think that he did, because when he fired
9 his gun, I don't recall like that rapid reach and
10 then to point. And only in retrospect can I say
11 that he must have had his gun drawn already,
12 because I didn't see that that when the car pulled
13 out and went. He definitely had his gun drawn and
14 his arms out.

DPA REQUEST

15 DAI FRIEDMAN: In what direction was he
16 pointing the gun when he fired?

17 ██████████ ID ██████████: West.

18 DAI FRIEDMAN: Both times he shot?

19 ██████████ ID ██████████: Both times.

20 DAI FRIEDMAN: And do you know how far the
21 white car was from him when he fired?

22 ██████████ ID ██████████: No. Like I said, I was watching
23 him. I wasn't watching the vehicle. But let me say
24 this. He did not fire until the white car was
25 straight. You know, like pointed west, because when
26 the car came out, like the car is curving out to be

1 able to come around the patrol car that was in the
2 crosswalk, he did not fire. Because at that time,
3 when the car pulled out and it was curving to turn,
4 I wasn't watching him. I was watching the car
5 because I was afraid that he was going to hit my
6 car, but he didn't hit my car. So, the car must
7 have gone straight, and then I looked back at the
8 officer, and that's when he fired.

9 DAI FRIEDMAN: And your car was parked on the
10 south side of the street?

11 [REDACTED] ID Yes.

12 DAI FRIEDMAN: And right in front of your
13 house?

14 [REDACTED] ID No. I guess in front of the
15 building, but not in front of the doorway.

16 DAI FRIEDMAN: Okay. So, closer...I guess it
17 would be to the east?

18 [REDACTED] ID Probably under, you know, under
19 these windows right here.

20 DAI FRIEDMAN: What kind of car do you have?

21 [REDACTED] PII, ID

22 DAI FRIEDMAN: Okay. And what color?

23 [REDACTED] ID It's a peeling blue [inaudible].

24 DAI FRIEDMAN: Peeling blue? Is that the
25 [macintosh] name for it?

26 [REDACTED] ID No, it's mine. If you don't have a

1 garage, it's parked on the street all the time.

2 DAI HAYASHI: It's perfect for being parked
3 on the street in San Francisco.

4 [REDACTED] ID: Uh, please. It doesn't stop people
5 from breaking in. And you know, we have like...and
6 the City, in its infinite wisdom, has all these
7 trees that drop sap all over the place. Okay. Never
8 mind, that's it [from] the soapbox of mine. So,
9 I've given up. It's going to be a peeling blue
10 paint.

11 DAI HAYASHI: Anything else?

12 SERGEANT KASPER: That covers it.

13 [REDACTED] ID: I hope that's a teensy bit
14 helpful.

DPA REQUEST

15 DAI HAYASHI: [Unintelligible]. Thank you.
16 Appreciate you taking the time.

17 RANKIN: Yeah. Our [REDACTED] PII, ID
18 was lucky. Well, you don't need to hear that. He

19 [REDACTED] PII
20 [REDACTED]
21 [REDACTED]

22 END OF DOCUMENT

DPA REQUEST

1 SERGEANT OSPITAL: This interview is
2 regarding case 18-004 which is taking place at the
3 Office of the Internal Affairs Division on June 5th
4 and 07-26 hours. Conducting this interview is
5 myself Sergeant Paul Ospital of the Internal
6 Affairs Division. Assisting me in this interview
7 from the Internal Affairs Division is-

8 SERGEANT CRUDO: Sergeant John Crudo, C-r-
9 u-d-o, star number 1694.

10 SERGEANT OSPITAL: The member being
11 interview is—please state and spell your name,
12 rank, and a star please.

13 OFFICER REININGER: Officer Reininger, Q2
14 Police Officer, star number 374. And my name is
15 spelled r-e-i-n-i-n-g-e-r.

16 SERGEANT OSPITAL: So the proper
17 pronunciation is Reininger?

18 OFFICER REININGER: It is.

19 SERGEANT OSPITAL: Okay. Officer Reininger
20 is the POBRA in this matter. Representing
21 Officer Reininger is?

22 JULIA FOX: Julia Fox, f-o-x.

23 SERGEANT OSPITAL: And there is no one
24 else present in the room at the time, correct?

25 JULIA FOX: Yes.

1 SERGEANT OSPITAL: Have you read
2 Department General Order 2.01 rule 21?
3 OFFICER REININGER: Yes.
4 SERGEANT OSPITAL: Have you read
5 Department General Order 2.08, the Peace Officers
6 Rights?
7 OFFICER REININGER: Yes.
8 SERGEANT OSPITAL: Do you understand that
9 this interview is being recorded?
10 OFFICER REININGER: Yes.
11 SERGEANT OSPITAL: Because there could be
12 criminal culpability on your part I am advising you
13 that you have the right to remain silent. Anything
14 you say may be used against you in a court of law.
15 You have the right to the presence of an attorney
16 before and during any questioning. If you cannot
17 afford an attorney one will be appointed for you
18 free of charge before any questioning if you want.
19 Do you understand each of these rights as I have
20 explained them to you?
21 OFFICER REININGER: Yes.
22 SERGEANT OSPITAL: Officer Reininger are
23 you prepared to be interviewed at this time?
24 OFFICER REININGER: No.
25 SERGEANT OSPITAL: All right. Although you

1 have the right to remain silent and not incriminate
2 yourself your silence may be deemed insubordination
3 and result in administrative discipline up to and
4 including removal from office as a police officer.
5 In Garrity versus New Jersey and reaffirmed in
6 Gardner versus Broderick the United States Supreme
7 Court held that a public employee has the right to
8 be free from compulsory self-incrimination. When an
9 employee is compelled to provide a statement under
10 the threat of removal from office the statement
11 cannot be used against the employee in a subsequent
12 criminal prosecution. In Lybarger versus the City
13 of Los Angeles the California Supreme Court held
14 that although you have the right to remain silent
15 and not incriminate yourself your silence may be
16 deemed insubordination and as such result in the
17 imposition of administrative discipline up to and
18 including termination. Any statement you made under
19 the compulsion of such a threat cannot be used
20 against you in a later criminal proceeding related
21 to this incident.

22 If you do answer my questions your statements
23 and any information gathered by reason of such will
24 be held confidential in accordance with California
25 Penal Code 832.7. Your statement and the

1 information gathered shall not be divulged except
2 as required by law.

3 Do you understand these decisions?

4 OFFICER REININGER: Yes.

5 SERGEANT OSPITAL: Are you familiar with
6 the Public Safety Officers Bill of Rights defined
7 in California Government Code Sections 3300 to
8 3312?

9 OFFICER REININGER: Yes.

10 SERGEANT OSPITAL: And affirmed in
11 Department General Orders 2.08 Peace Officers
12 Rights?

13 OFFICER REININGER: Yes.

14 SERGEANT OSPITAL: Okay. Do you understand
15 your rights as a sworn member of the San Francisco
16 Police Department?

17 OFFICER REININGER: Yes.

18 SERGEANT OSPITAL: Do you understand that
19 I am conducting an administrative investigation?

20 OFFICER REININGER: Yes.

21 SERGEANT OSPITAL: Officer Reininger my
22 name is Sergeant Paul Ospital. I work for the
23 Internal Affairs Division of the San Francisco
24 Police Department. I have been designated by the
25 Chief of Police to conduct this investigation. I am

1 therefore ordering you to answer my questions. Do
2 you understand this statement?

3 OFFICER REININGER: Yes.

4 SERGEANT OSPITAL: Officer Reininger are
5 you prepared to be interviewed at this time?

6 OFFICER REININGER: Yes.

7 SERGEANT OSPITAL: As you know, I
8 monitored your interview with Homicide conducted on
9 May 14th by Sergeant Kasper and Delaney as well as
10 ADA Hartman and Inspector from IAD Friedman.

11 OFFICER REININGER: Yes

12 SERGEANT OSPITAL: You were provided with
13 a copy of a recording and transcript from that
14 interview. Have you had the opportunity to review
15 the criminal interview?

16 OFFICER REININGER: Yes.

17 SERGEANT OSPITAL: Having read your
18 interview with the Homicide and DA investigators is
19 there anything you would like to clarify, correct
20 amend or add regarding your prior statement?

21 OFFICER REININGER: No.

22 SERGEANT OSPITAL: Are you currently under
23 the influence of any medication including
24 prescription medications or over the counter
25 medications that may affect your ability to

1 complete this interview?

2 OFFICER REININGER: No.

3 SERGEANT OSPITAL: I understand that you
4 attended the mandatory CERT debriefing with BSU,
5 your modified force options debrief at the Academy
6 and your firearms debrief at the SFPD range on May
7 15th, correct?

8 OFFICER REININGER: Yes.

9 SERGEANT OSPITAL: Have you been exposed
10 to any news coverage, social media or other
11 information or speculation about this incident?

12 OFFICER REININGER: Yes.

13 SERGEANT OSPITAL: During your [REDACTED] POBRA
14 [REDACTED] POBRA with the Homicide detail and DA
15 investigators I understand that you reviewed body-
16 worn video from Officer Hillard and Pfeiffer and as
17 well as a third-party video, correct?

18 OFFICER REININGER: Yes.

19 SERGEANT OSPITAL: Having reviewed this
20 material I am required to remind you that it is
21 important that the answers in this interview are
22 based only on what you recall of your first-hand
23 observations, perceptions, and recollection of the
24 events at the time you processed—on the morning of
25 May 11th, 2018. You should not answer based on

1 information or hearsay you may have been exposed to
2 since the incident, do you understand?

3 OFFICER REININGER: Yes.

4 SERGEANT OSPITAL: That said, do you have
5 a specific and independent recollection of May
6 11th, the day we are going to discuss?

7 OFFICER REININGER: Yes.

8 SERGEANT OSPITAL: Briefly in your own
9 words what are we here to discuss today?

10 OFFICER REININGER: The officer involved
11 shooting that I took part in on the day that we
12 just talked about.

13 SERGEANT OSPITAL: Before we get started
14 on this interview I'd like to briefly confirm and
15 expand on some of the background information that
16 you provided during your interview. Okay?

17 OFFICER REININGER: Yes.

18 SERGEANT OSPITAL: You said you were
19 unable to recall the date that you entered the
20 Academy. You just didn't remember at the time or do
21 you know now?

22 OFFICER REININGER: I just didn't remember
23 at the time and I couldn't tell you now either.

24 SERGEANT OSPITAL: All right, that's fine.
25 During your interview you said you were in your

1 [REDACTED] PII of FTO and you have approximately a
2 little less than under a year in the Department.
3 OFFICER REININGER: Correct.
4 SERGEANT OSPITAL: On May 11th were you in
5 the Field Training Program and assigned to Northern
6 Station midnights and watch-off group five?
7 OFFICER REININGER: Yes.
8 SERGEANT OSPITAL: Office Ackmache [sp]
9 was your Field Training Officer that night?
10 OFFICER REININGER: Yes.
11 SERGEANT OSPITAL: And was he your FTO for
12 that phase?
13 OFFICER REININGER: Yes.
14 SERGEANT OSPITAL: How many days or how
15 long have you been with or how long have you been
16 in [REDACTED] PII, I should say?
17 OFFICER REININGER: We were in week two.
18 SERGEANT OSPITAL: That was week two,
19 okay.
20 OFFICER REININGER: Yeah, that was the
21 last night of week two.
22 SERGEANT OSPITAL: That was your Friday.
23 OFFICER REININGER: That was our Friday.
24 SERGEANT OSPITAL: Your Supervisor that
25 night was Sergeant Shaw?

1 OFFICER REININGER: Correct.

2 SERGEANT OSPITAL: I know it's going back
3 but do you remember how much sleep you had prior to
4 your shift that night?

5 OFFICER REININGER: Seven to eight hours.

6 SERGEANT OSPITAL: Okay. What time did you
7 get up for work that day?

8 OFFICER REININGER: Probably around 2:00.

9 SERGEANT OSPITAL: And that's pretty-

10 OFFICER REININGER: Pretty regular.

11 SERGEANT OSPITAL: Okay. Do you wear
12 prescription or corrective lenses?

13 OFFICER REININGER: No.

14 SERGEANT OSPITAL: Okay. Were you taking
15 any prescription medication or over the counter
16 meds on the day of the incident?

17 OFFICER REININGER: No.

18 SERGEANT OSPITAL: Did you eat prior to
19 your shift or during your shift on that evening?

20 OFFICER REININGER: Both.

21 SERGEANT OSPITAL: Both, okay. How much
22 before work did you eat or-not food but time I
23 should say prior to coming in.

24 OFFICER REININGER: Like an hour before
25 coming in.

1 SERGEANT OSPITAL: Okay. And how far into
2 your shift did you eat again?

3 OFFICER REININGER: I think at that point
4 I'd already had like two meals during the shift.

5 SERGEANT OSPITAL: Oh wow, okay. So you
6 were well-fed.

7 OFFICER REININGER: Yes.

8 SERGEANT OSPITAL: And in the interview
9 you said you were wearing your Class B uniform that
10 night.

11 OFFICER REININGER: Yes.

12 SERGEANT OSPITAL: That would be the
13 [unintelligible]?

14 OFFICER REININGER: Yes.

15 SERGEANT OSPITAL: Okay. And patches and
16 star distinctly displayed?

17 OFFICER REININGER: Yes.

18 SERGEANT OSPITAL: On that evening did CSI
19 photograph you the day of the incident?

20 OFFICER REININGER: Yes.

21 SERGEANT OSPITAL: Were you photographed
22 in the uniform you were wearing at the time of the
23 officer involved shooting?

24 OFFICER REININGER: Yes.

25 SERGEANT OSPITAL: Were you wearing the

1 uniform in the same manner as you were during the
2 incident?

3 OFFICER REININGER: Yes.

4 SERGEANT OSPITAL: Just basic—I'm going to
5 ask you what you had as far as the Department
6 equipment you had on your person the night of the
7 incident, okay? You had your firearm?

8 OFFICER REININGER: Yes.

9 SERGEANT OSPITAL: And that is a?

10 OFFICER REININGER: [REDACTED] LEI

11 SERGEANT OSPITAL: Okay, how many
12 magazines did you have that night?

13 OFFICER REININGER: One in the gun and two
14 extra.

15 SERGEANT OSPITAL: Okay, so the standard
16 three?

17 OFFICER REININGER: Yes.

18 SERGEANT OSPITAL: Okay. And they were all
19 topped off?

20 OFFICER REININGER: Yes.

21 SERGEANT OSPITAL: And one was in the
22 chamber?

23 OFFICER REININGER: Yes.

24 SERGEANT OSPITAL: Okay. Any modifications
25 to your weapon?

1 OFFICER REININGER: No.

2 SERGEANT OSPITAL: Do you carry—obviously
3 you do, handcuffs?

4 OFFICER REININGER: Yes.

5 SERGEANT OSPITAL: How many did you have
6 that night?

7 OFFICER REININGER: Two.

8 SERGEANT OSPITAL: Two. So you had your
9 one standard and one extra?

10 OFFICER REININGER: One standard, one
11 extra.

12 SERGEANT OSPITAL: Okay. Any restraints
13 like the hobble? Do you carry the hobble with you?

14 OFFICER REININGER: Not on my person, no.

15 SERGEANT OSPITAL: Okay, so you didn't
16 have it on you?

17 OFFICER REININGER: No.

18 SERGEANT OSPITAL: Okay. Impact weapons
19 such as a baton?

20 OFFICER REININGER: Yes.

21 SERGEANT OSPITAL: Okay. And is that the
22 twenty—the wood?

23 OFFICER REININGER: Standard Department,
24 yes.

25 SERGEANT OSPITAL: Standard wood, okay.

1 Body-worn camera?

2 OFFICER REININGER: Yes.

3 SERGEANT OSPITAL: Okay. Flashlight?

4 OFFICER REININGER: Yes.

5 SERGEANT OSPITAL: Do you carry a

6 secondary firearm?

7 OFFICER REININGER: No.

8 SERGEANT OSPITAL: The last time you

9 qualified with your Department issued-

10 OFFICER REININGER: As of that date or?

11 SERGEANT OSPITAL: After the incident,

12 yes.

13 OFFICER REININGER: It would have been

14 basic Academy training.

15 SERGEANT OSPITAL: Okay. And do you carry

16 anything else like personal equipment, like a

17 knife, any other equipment on you?

18 OFFICER REININGER: Extra flashlight.

19 SERGEANT OSPITAL: So you carry two

20 flashlights?

21 OFFICER REININGER: Two flashlights. A

22 tourniquet and then a-

23 SERGEANT OSPITAL: Is that your own

24 tourniquet or is it Department issued?

25 OFFICER REININGER: Mine.

1 SERGEANT OSPITAL: Okay.

2 OFFICER REININGER: And then just--yes, a
3 Leatherman that's kept in my vest.

4 SERGEANT OSPITAL: Which is like a multi-
5 tool, like knife and all that kind of stuff, okay.
6 Having reviewed the recording of the voluntary
7 statement that you provided to the criminal
8 investigators on May 14th do you find that it is an
9 accurate description of your recollection of the
10 events from that day?

11 OFFICER REININGER: Yes.

12 SERGEANT OSPITAL: Okay. Because you've
13 already made a voluntary statement to the Criminal
14 Investigators I am going to try to avoid redundant
15 questions and ask clarifying questions based on
16 your previous interview or questions that may be
17 unique to this administrative investigation. I'm
18 going to keep a copy of the interview here for our
19 reference as needed. I have just a copy of the
20 transcripts but I see you have that. Okay. I'm
21 going to start going over the interview part. Okay,
22 in your interview you said you were working as the
23 3 Edward 12 Edward with your FTO Officer Ackmache.

24 OFFICER REININGER: Yes.

25 SERGEANT OSPITAL: And he was driving and

1 you were the passenger, correct?

2 OFFICER REININGER: Yes.

3 SERGEANT OSPITAL: During the interview
4 you said you'd just turned onto Steiner from Geary
5 or you were going southbound Steiner heading back
6 to the station at which point you said you heard an
7 audible alarm?

8 OFFICER REININGER: Yes.

9 SERGEANT OSPITAL: Okay. An audible alarm
10 would be like?

11 OFFICER REININGER: A car alarm.

12 SERGEANT OSPITAL: Car alarm, okay. And
13 that alerted your FTO?

14 OFFICER REININGER: Yes.

15 SERGEANT OSPITAL: And after alerting your
16 FTO you said Officer Ackmache pointed out the car
17 with the lights flashing and the alarm sounding?

18 OFFICER REININGER: Yes.

19 SERGEANT OSPITAL: And at that point he
20 alerted you and told you that there were two males
21 near the car?

22 OFFICER REININGER: Yes.

23 SERGEANT OSPITAL: One on the sidewalk and
24 one apparently next to the car?

25 OFFICER REININGER: Yes.

1 SERGEANT OSPITAL: And at that point did
2 he say when you saw them that they were walking
3 away from the car as well?

4 OFFICER REININGER: Yes.

5 SERGEANT OSPITAL: Okay. What's going
6 through your mind right now when he's telling you
7 all this after you've alerted him?

8 OFFICER REININGER: Auto burglary.

9 SERGEANT OSPITAL: Auto burglary, okay.
10 And what makes you think that?

11 OFFICER REININGER: Car alarm sounding so
12 it's going off because someone set it off and then
13 two guys walking away or next to the car seeing him
14 walk away from it, it's 1:00 o'clock in the
15 morning.

16 JULIA FOX: What about location?

17 OFFICER REININGER: That street is like
18 hit constantly so it's a hot spot for auto
19 burglaries and Northern has been getting hit like
20 crazy, so.

21 SERGEANT OSPITAL: Did you—if you—I don't
22 know if they asked you in the interview but did you
23 recognize anybody else on the block? Was there
24 anybody there besides the two?

25 OFFICER REININGER: There were on the only

1 two on the block.

2 SERGEANT OSPITAL: And this was on the
3 east side of the block?

4 OFFICER REININGER: Yes.

5 SERGEANT OSPITAL: So nobody else on the
6 block that you could see at that time?

7 OFFICER REININGER: Correct.

8 SERGEANT OSPITAL: And as you—in the
9 interview you stated as you guys were passing the
10 car now with the lights flashing, the alarms going
11 on, that you noticed that the window was smashed.

12 OFFICER REININGER: Yes.

13 SERGEANT OSPITAL: Okay. And at this point
14 the two subjects are still walking away.

15 OFFICER REININGER: Correct.

16 SERGEANT OSPITAL: And they're walking?

17 OFFICER REININGER: Southbound Steiner on
18 the east side.

19 SERGEANT OSPITAL: Okay. And then you said
20 FTO Ackmache pulled the car alongside?

21 OFFICER REININGER: Right.

22 SERGEANT OSPITAL: And then rolled down
23 his window and asked them to stop or ordered them
24 to stop.

25 OFFICER REININGER: Right.

1 SERGEANT OSPITAL: Did he do anything that
2 would obviously let them know that you guys were
3 the police? Did he do anything with the-

4 OFFICER REININGER: He flipped the lights
5 on.

6 SERGEANT OSPITAL: Okay. Do you-you said
7 he rolled down the window and did you hear what
8 commands he gave?

9 OFFICER REININGER: I can't exactly recall
10 but I believe it was something like hey stop, I
11 need to talk to you the first time. They looked
12 over then kind of like looked back straight, just
13 kept walking and he said hey police, stop, I need
14 to talk to you. And then at that point I pulled my
15 seatbelt off and popped my door waiting for him to
16 stop the car. They kept walking. I yelled out stop,
17 police. They kept walking. I opened my door and got
18 out and that's when he ran.

19 SERGEANT OSPITAL: Okay. So you even
20 actually yelled out stop, police.

21 OFFICER REININGER: Yeah.

22 SERGEANT OSPITAL: Even before existing
23 the car.

24 OFFICER REININGER: Before even getting
25 out.

1 SERGEANT OSPITAL: Okay. And at that point
2 now when you get out of the car-

3 OFFICER REININGER: He runs, instantly.

4 SERGEANT OSPITAL: And you said that one
5 stopped?

6 OFFICER REININGER: Right.

7 SERGEANT OSPITAL: And who was later
8 identified as [REDACTED] ID stopped for Ackmache.

9 OFFICER REININGER: Correct.

10 SERGEANT OSPITAL: Okay. And so as soon as
11 you got out you said [REDACTED] ID stopped and you said
12 that later the second individual identified as [REDACTED] ID
13 took off running. Did he say anything prior to him
14 running?

15 OFFICER REININGER: No.

16 SERGEANT OSPITAL: And when you gave the
17 commands.

18 OFFICER REININGER: No. I got out of the
19 car.

20 SERGEANT OSPITAL: You get out of the car
21 and then what happens?

22 OFFICER REININGER: I get out of the car,
23 turn-come around my door, look at him. [REDACTED] ID stops,
24 looks at us, stops, and [REDACTED] ID looks at me and then
25 takes off running immediately, doesn't say

1 anything. Doesn't--just takes off running so I
2 immediately give chase.

3 SERGEANT OSPITAL: Okay, so is it you're
4 already at the northeast corner?

5 OFFICER REININGER: Right at the corner.

6 SERGEANT OSPITAL: So he's right at the
7 corner. And then as soon as you--he makes like
8 whatever, sees you [unintelligible].

9 OFFICER REININGER: Looks over, sees me
10 get out and he takes off.

11 SERGEANT OSPITAL: And he beats feet.
12 Okay. So at this point did you notify Dispatch?

13 OFFICER REININGER: I did.

14 SERGEANT OSPITAL: And what did you tell
15 him?

16 OFFICER REININGER: I was like Code 33,
17 foot pursuit. Gave out the location.

18 SERGEANT OSPITAL: Location in the sense
19 that right at O'Farrell and Steiner?

20 OFFICER REININGER: The direction I was
21 travelling. So I just said eastbound O'Farrell.

22 SERGEANT OSPITAL: Okay. And then you said
23 you continued to pursue [REDACTED] ID past crossing Fillmore
24 Street?

25 OFFICER REININGER: Correct.

1 SERGEANT OSPITAL: Through the Safeway
2 parking lot?
3 OFFICER REININGER: Yes.
4 SERGEANT OSPITAL: And at this point where
5 you still attempting or were you updating Dispatch?
6 OFFICER REININGER: Yeah, so I updated
7 them when we went through Fillmore, when we crossed
8 through Fillmore and then updated again when we
9 were in the Safeway parking lot. I said we were in
10 the Safeway parking lot and then that's when I gave
11 out his description, keep chasing him. Then I
12 update again as we go through McAllister.
13 SERGEANT OSPITAL: Okay. So you say okay
14 you said through the Fillmore-through Fillmore
15 Street you update him and then you said you gave a
16 description when you were in the parking lot. What-
17 do you remember what you said or what description
18 you gave?
19 OFFICER REININGER: Black male, black top,
20 black sweats and red shoes. I think I said black
21 pants but I think I might have just said black over
22 black.
23 SERGEANT OSPITAL: Okay. But you think you
24 pretty much said pants.
25 OFFICER REININGER: Right, black top,

1 black pants, red shoes.

2 SERGEANT OSPITAL: Just basically just
3 confirming what you said. Now, at this point when
4 you're running from—you're going from O'Farrell and
5 Steiner and you're crossing Fillmore now and you're
6 going through the parking lot how much distance
7 have you got in between them? Is he in your line of
8 sight the whole time?

9 OFFICER REININGER: He was in my—he was
10 not too far. Like I think at the most he got thirty
11 feet away from me.

12 SERGEANT OSPITAL: Okay.

13 OFFICER REININGER: But for the most part
14 I had him in my sight but like I said there was
15 point where my like my radio—my mic came off so I'm
16 like trying to re-clip that or like getting my
17 baton because we're running through cars. So
18 there's points where I would have looked down and
19 not seen him but I mean for the most part he never
20 was like out of my sight for too long.

21 SERGEANT OSPITAL: Okay. So it would just
22 be for like a second?

23 OFFICER REININGER: Right.

24 SERGEANT OSPITAL: During this whole time
25 from now through the middle of the parking lot are

1 you saying anything to him? Are you-

2 OFFICER REININGER: I'm yelling stop. I
3 just keep yelling stop. Police, stop, stop. Stop
4 running. And he just keeps running.

5 SERGEANT OSPITAL: And it's not like he
6 doesn't know you're the police.

7 OFFICER REININGER: Oh no, he knows. The
8 Safeway parking lot is pretty lit up and a few
9 times he looked back at me.

10 SERGEANT OSPITAL: Okay, all right. Well
11 that's actually a good point that you said now when
12 you first initially saw him what was the lighting
13 like on that block when you get out of the car?

14 OFFICER REININGER: O'Farrell and Steiner-
15 yeah, Steiner and O'Farrell is pretty dim-lit,
16 pretty dark I'd say besides our lights lit up right
17 there on that block. And then-but then O'Farrell
18 gets brighter as it gets to Fillmore and then from
19 Fillmore to the end of Safeway is might as well
20 have been daylight the lights are so bright there.

21 SERGEANT OSPITAL: So it's pretty easy to
22 see him and there's no way for him to say he didn't
23 know you were the police?

24 OFFICER REININGER: Yeah, he knew.

25 SERGEANT OSPITAL: Okay, all right. While

1 he's running does he have anything in his hands
2 that you know of? Can you-

3 OFFICER REININGER: Not that I know of,
4 no. I mean I never saw the front of him from the
5 moment I got out his back was to me the whole way
6 so I never saw his front and his hands were pretty
7 much just running the whole time. So he was doing a
8 pretty good sprint.

9 SERGEANT OSPITAL: So it wasn't like he's-
10 was he-so you're making a motion like he's pumping
11 his arms the whole time.

12 OFFICER REININGER: Arm pumping, yeah.

13 SERGEANT OSPITAL: So it's not like he's
14 grabbing anything in his hands or dropping anything
15 or?

16 OFFICER REININGER: No, not that I saw.

17 SERGEANT OSPITAL: Okay. So you said you
18 never lost sight of him. You're giving him commands
19 to stop, police, and you saw nothing in his hands.
20 You said you broadcast with Dispatch when you
21 crossed Webster Street?

22 OFFICER REININGER: Yes, Webster.

23 SERGEANT OSPITAL: And what did you say?
24 How would-how did you say that or how did it?

25 OFFICER REININGER: I just put out the new

1 location, I said—because the last thing I said was
2 Safeway parking lot and then I said we're at
3 Webster and O'Farrell now.

4 SERGEANT OSPITAL: So you're kind of like
5 giving the landmark kind of thing, okay.

6 OFFICER REININGER: So I said Webster and
7 O'Farrell and then that's the last location I gave.

8 SERGEANT OSPITAL: And then at this point
9 you said Webster and O'Farrell and I guess this
10 time later you notified Dispatch that he jumped
11 into a car?

12 OFFICER REININGER: Yeah. So about
13 midblock between Webster and the dead-end he gets
14 into a white car.

15 SERGEANT OSPITAL: And I'm assuming he got
16 into the driver's seat?

17 OFFICER REININGER: Yes.

18 SERGEANT OSPITAL: Now, just to go back
19 really quick—from the time he jumped in—from the
20 time you saw him at O'Farrell or the time you saw
21 that car alarm going or heard the car alarm going
22 off and now the time that he jumps into the car
23 what's the timeframe?

24 OFFICER REININGER: I guess it was only a
25 couple minutes.

1 SERGEANT OSPITAL: I just want to know
2 like what's going-what are you thinking if felt
3 like?
4 OFFICER REININGER: It felt way longer
5 than that. I mean I would say it felt like forever
6 but I mean that's because I was running after him
7 but only a few minutes.
8 SERGEANT OSPITAL: Okay. So now you said
9 he jumped into the car and then once you said you
10 were alongside the car you drew your Department
11 issued weapon, correct, and started to give verbal
12 commands?
13 OFFICER REININGER: Correct.
14 SERGEANT OSPITAL: Okay. What commands
15 were you giving?
16 OFFICER REININGER: I just kept police,
17 stop, get out of the car, show me your hands, get
18 up, get out of the car. I just kept yelling for him
19 to get out.
20 SERGEANT OSPITAL: Was he complying?
21 OFFICER REININGER: Not at all.
22 SERGEANT OSPITAL: Is he saying anything
23 to you?
24 OFFICER REININGER: No, he's just looking
25 directly at me as I said in the previous report he

1 was kind of staying very low in the car so I
2 couldn't really see him.

3 SERGEANT OSPITAL: At this point now how
4 far-how far are you away from the car?

5 OFFICER REININGER: Five to ten feet at
6 the most, probably more like five.

7 SERGEANT OSPITAL: Okay. Do you recall if-
8 I don't know if they asked you-was the car window
9 down or up?

10 OFFICER REININGER: It was up.

11 SERGEANT OSPITAL: How was the lighting on
12 that block?

13 OFFICER REININGER: A couple streetlights.
14 Not too-it wasn't Safeway parking lot but it wasn't
15 like Steiner. It was dim-lit.

16 SERGEANT OSPITAL: Okay.

17 OFFICER REININGER: I had flashlight out,
18 so.

19 SERGEANT OSPITAL: So as you're-you've got
20 your weapon drawn on him you have your flashlight
21 out as well?

22 OFFICER REININGER: Correct.

23 SERGEANT OSPITAL: And at this point he's
24 not saying anything to you, he's just looking at
25 you you said.

1 OFFICER REININGER: No.

2 SERGEANT OSPITAL: And now you're saying
3 at this point now you could only see his shoulders
4 and his face and as like he was fidgeting around
5 but he's making eye contact with you the whole
6 time?

7 OFFICER REININGER: Correct.

8 SERGEANT OSPITAL: And this is at the same
9 time you're giving him verbal commands and he's not
10 complying.

11 OFFICER REININGER: Yes.

12 SERGEANT OSPITAL: Elaborate on—just kind
13 of give me a little bit of a picture of how he's in
14 the car.

15 OFFICER REININGER: So if he—

16 SERGEANT OSPITAL: Say you're the driver
17 right there.

18 OFFICER REININGER: So like you're me and
19 this is kind of about, probably about the distance
20 right here except I'm in the car and you're
21 standing. He was like the door is like about here
22 and he's down in this motion, here's the steering
23 wheel and I just see him kind of doing this, like
24 down by the floorboard and I just see his shoulders
25 kind of going up and down like the same motion as

1 like if you were reaching for something or if you
2 were loading a gun.

3 SERGEANT OSPITAL: So just for the record
4 we're just showing that he's facing towards the
5 steering wheel and his hands are your between your
6 legs or like by your feet.

7 OFFICER REININGER: Right.

8 SERGEANT OSPITAL: But the pedal area.

9 OFFICER REININGER: Yeah, down by like the
10 floorboard like under the seat area kind of.

11 SERGEANT CRUDO: But you drew a line
12 across your shoulder at shoulder-height?

13 OFFICER REININGER: Yeah, I mean I only
14 saw the tops of his shoulders.

15 SERGEANT CRUDO: So your field-what you
16 could see from five to ten feet away was?

17 OFFICER REININGER: Tops of the shoulders
18 and head.

19 SERGEANT CRUDO: Tops of the shoulders
20 only and head.

21 OFFICER REININGER: Uh-huh.

22 SERGEANT CRUDO: Okay, so you couldn't
23 actually see his hands?

24 OFFICER REININGER: No.

25 SERGEANT CRUDO: You saw the shoulders

1 moving, gyrating or doing something.

2 OFFICER REININGER: Right, right.

3 SERGEANT OSPITAL: At this point what's
4 going through your mind?

5 OFFICER REININGER: I'm thinking he's
6 either loading a gun or reaching for a gun and he's
7 just dead eye-locked on me so I'm thinking he's
8 making his choice right now what he's going to do.

9 SERGEANT OSPITAL: At this point like I
10 just want to get like your state of mind. Are you
11 like just focusing in right there? Can you see
12 what's going on around you? Are you getting a
13 little tunnel vision?

14 OFFICER REININGER: Maybe a little bit. I
15 mean I'm not going to say that I was like perfect
16 or anything but I felt like I was aware of what was
17 going on. I was watching him, I knew nobody else
18 was coming down the street. It was just me, I'm
19 yelling at him, there's no other cars and I'm kind
20 of like going through my head like okay, like
21 what's going to happen next, place this out like
22 try to plan and just keep yelling for him to get
23 out of the car and show me his hands. He won't, he
24 just keeps looking at me and so I'm at that point I
25 just kept thinking like all right, well.

1 SERGEANT OSPITAL: Okay. So now at the
2 time—let's just, now we'll just go up to where
3 you're at the car. He's in the car, you've got your
4 weapon out, you're ordering him out and now to this
5 point how many times do you think you've told—have
6 you told him to get out of the car?

7 OFFICER REININGER: I mean at least
8 twenty. I'm just repeating it back to back to back
9 and then looking at him for a second. I think I
10 said something over the radio I can't even remember
11 what and then I went back to tell him to get out of
12 the car.

13 SERGEANT OSPITAL: Okay. And what's—

14 OFFICER REININGER: I think I just yelled
15 out one at gunpoint and then I just went back to
16 yelling it.

17 SERGEANT OSPITAL: So you notified
18 Dispatch you had one at gunpoint?

19 OFFICER REININGER: I believe so, yeah.

20 SERGEANT OSPITAL: Okay. And obviously
21 he's not complying.

22 OFFICER REININGER: Right.

23 SERGEANT OSPITAL: Okay. And how much time
24 do you think has gone on from that point where he's
25 in the car and now you think it's about twenty

1 times you've told him?

2 OFFICER REININGER: Probably another
3 minute or two.

4 SERGEANT OSPITAL: All right, so you say
5 he's reaching down, you think he's going for a gun
6 or reaching for a weapon. What's making you—why are
7 you thinking that?

8 OFFICER REININGER: Well, I mean just
9 everything I know about crime lately I mean auto
10 burglary, guys that—I mean criminals are known to
11 have weapons, especially guys these days that are
12 robbing cars. I mean like back in the day it wasn't
13 really that, like people who rob cars just broke
14 into cars and that was it. But like now people
15 break into cars and shoot people over it, so I mean
16 I'm thinking this guy's got—he's been trying to run
17 from me this whole time, he's making this a much
18 bigger deal than I had initially thought it was
19 going to be. I mean it was just going to be an auto
20 burglary. I mean, which is a big—it's a problem but
21 I mean it's not like some huge offense and he's
22 running and running and now he's getting into a car
23 and how he's—I mean, I'm thinking he's reaching for
24 a weapon, I'm like this is—I don't know what I got
25 into here but this is a much bigger deal than I

1 thought it was.

2 SERGEANT OSPITAL: So you're thinking
3 you're dealing with this guy for a property crime.

4 OFFICER REININGER: Yeah, at first I
5 thought it was just a property crime and then now
6 I'm thinking there's something more. I'm like why-
7 why go through all this. The other guy stayed so
8 why do you run? So I'm thinking that there's got to
9 be more and then for him to be reaching down and
10 just staring at me, not complying, like not even
11 slightly complying and to have ran that far trying
12 to get away, had a car setup and ready to go.

13 SERGEANT OSPITAL: Have you gone through
14 anything like training? Did you go through training
15 that was something similar to this scenario or did
16 you go through anything like in your prior two
17 phases? I'm just trying to get some type of your
18 experience with your training.

19 OFFICER REININGER: As far as the two
20 phases I hadn't had anything like this. I mean
21 nothing like a chase that ended up with somebody in
22 a car or anything like that, somebody like getting
23 a little bit of not compliance but for the most
24 part they end up being compliant at the end of it.
25 I've never had to like fight anybody or anything

1 like that but then in the Academy like we had many-
2 they trained us on stuff like this as far as like a
3 foot chase and then having to talk somebody down
4 and get them in cuffs and everything like that.

5 OSFT we had a few things like ambushes or something
6 like that where you're thinking it's a regular call
7 and then it ends up being someone with a gun.

8 SERGEANT OSPITAL: OSFT that's your
9 officer survival training is what you're talking
10 about?

11 OFFICER REININGER: Yes. But that would be
12 it.

13 SERGEANT OSPITAL: Okay. So you think he's
14 loading a weapon and I just have a question, are
15 you still within five to ten feet from the car?

16 OFFICER REININGER: Yes.

17 SERGEANT OSPITAL: Why didn't you take any
18 over or any concealment or do you know the
19 difference?

20 OFFICER REININGER: I do. There wasn't
21 any. I mean I wanted him to get out of the car and
22 I'm yelling for him to get out of the car and at
23 that point I feel like if I back up to the point
24 where there's other cars I wouldn't even really be
25 able to see him and then at that point I feel like

1 I would be giving him more of an upper hand than he
2 had where I was on him. I felt like at that point
3 where I had my gun pointed at him, flashlight on
4 him, if he made a movement towards me I would have
5 had the upper hand but I felt like if I retreated
6 behind cover it would have taken me a good amount
7 of time to get behind cover and to try to backpedal
8 I would have ended up being in the defensive and
9 having a bad sense of anything.

10 SERGEANT OSPITAL: Okay. Do you know the
11 difference between cover and concealment?

12 OFFICER REININGER: Yeah, cover is to like
13 stop and then concealment would just be like
14 something you're hiding behind.

15 SERGEANT OSPITAL: Okay. Now at this point
16 when you say you have your firearm on him are you
17 like have your sights acquired or are you like at
18 point?

19 OFFICER REININGER: Like the low ready but
20 I mean my low—since he's sitting down in a car my
21 low ready is like probably where his body would
22 have been in the car. I'm just below the door like
23 at the mid-door and I haven't brought it up to like
24 where his head would be but it's like mid-door.

25 SERGEANT OSPITAL: And you're at the door?

1 OFFICER REININGER: Right.
2 SERGEANT OSPITAL: You're perpendicular to
3 the door, okay. You said at this point now a few
4 minutes have gone by that the second car has pulled
5 up.
6 OFFICER REININGER: Yes.
7 SERGEANT OSPITAL: The second patrol car
8 and that would be Officer Hillard.
9 OFFICER REININGER: Yes.
10 SERGEANT OSPITAL: And Pfeiffer correct?
11 OFFICER REININGER: Yes.
12 SERGEANT OSPITAL: Now, by the time they
13 got there how much time do you think has gone by?
14 OFFICER REININGER: From the point that he
15 got in the car?
16 SERGEANT OSPITAL: Yes.
17 OFFICER REININGER: About two minutes.
18 SERGEANT OSPITAL: Okay and then probably
19 in totality like three minutes?
20 OFFICER REININGER: Yeah.
21 SERGEANT OSPITAL: All right, at this
22 point I'm going to want him to—I want you to draw
23 out, give me a little diagram. Nothing has got to
24 be to scale and it's kind of like where when you
25 run up on O'Farrell where the suspect's car is, you

1 know, the cars where it's situated where you're at
2 and then when this first patrol car shows up on
3 scene.

4 OFFICER REININGER: Okay.

5 SERGEANT OSPITAL: And then if you could
6 kind of put some of the cars on the other side and
7 like we said it's not--this isn't to scale, this
8 just kind of gives us an idea of where you're at in
9 relation to the car and what proceeded after that,
10 okay?

11 OFFICER REININGER: Okay. So this is
12 Webster.

13 SERGEANT OSPITAL: Why don't you just put
14 up north that way and then just put the arrow going
15 up. And then this is O'Farrell, correct?

16 OFFICER REININGER: Right, this would be
17 O'Farrell.

18 SERGEANT OSPITAL: Yeah, so you can just
19 put O'Farrell like on that side. That's all right,
20 I've worked there for years and I still can't
21 remember how to spell it. And then this is Webster,
22 correct?

23 OFFICER REININGER: Yeah.

24 SERGEANT OSPITAL: Okay. And then that
25 will be just for the record that Webster that will

1 be the north side from Webster because Webster is a
2 two-way street.

3 OFFICER REININGER: Right.

4 SERGEANT OSPITAL: Okay.

5 OFFICER REININGER: There's a center
6 divide.

7 SERGEANT OSPITAL: Okay.

8 OFFICER REININGER: So we run down this
9 street. His car was probably about mid-block and
10 there's going to be like that, that's the front end
11 of his car.

12 SERGEANT OSPITAL: Of the suspect's car?

13 OFFICER REININGER: Yes.

14 SERGEANT OSPITAL: And then there is a car
15 behind.

16 OFFICER REININGER: There is a car
17 directly behind him and then a car in front of him
18 as well.

19 SERGEANT OSPITAL: Do you remember what
20 that car looked like?

21 OFFICER REININGER: I don't.

22 SERGEANT OSPITAL: Okay. That's fine.

23 OFFICER REININGER: But there's one in
24 front of him, one behind both facing the same way.

25 SERGEANT OSPITAL: Okay just so we know

1 this car here put an S please and that would be for
2 the suspect's car.

3 OFFICER REININGER: And then I'm standing
4 I mean five feet, I'm like right here is me.

5 SERGEANT OSPITAL: So for the record is
6 shows that you're towards the front driver-front
7 fender of the car.

8 OFFICER REININGER: Right, I'm probably
9 about even with the tire I just don't really know.

10 SERGEANT CRUDO: Slightly ahead of where
11 the suspect is sitting in the car.

12 OFFICER REININGER: Yes. I'm probably even
13 with the-

14 SERGEANT CRUDO: Just put a circle around
15 yourself there.

16 SERGEANT OSPITAL: And just for here too
17 just kind of put some cars.

18 OFFICER REININGER: So there was a-so when
19 he pulls up he's behind me and then there's a car
20 here.

21 SERGEANT OSPITAL: And those are just
22 parked cars on there.

23 OFFICER REININGER: Yeah, just parked
24 cars.

25 SERGEANT OSPITAL: On the south side of

1 O'Farrell.

2 OFFICER REININGER: Right.

3 SERGEANT OSPITAL: Okay.

4 OFFICER REININGER: So then--so I'm here
5 pointed at him probably even with the front tire
6 and then the first patrol car pulls up behind me.
7 So he pulls up--I believe Officer Pfeiffer was
8 driving, I'm not positive but they pull up here. So
9 do you want me to try like patrol car?

10 SERGEANT OSPITAL: Yeah, just patrol car.

11 OFFICER REININGER: Just P1?

12 SERGEANT OSPITAL: Yeah, that's fine. So
13 you're saying just to get this clear so you're
14 facing--so you're facing the car and so your back is
15 to the traffic?

16 OFFICER REININGER: Yes. So I know they
17 pull up because the whole street lights up with
18 their colors and I hear their sirens come about the
19 corner.

20 SERGEANT OSPITAL: Okay.

21 OFFICER REININGER: So that's what it
22 looked like initially.

23 SERGEANT OSPITAL: We have the car here
24 and it's right in front of the--the car that's right
25 in front of the patrol, I mean the car that's

1 parked in front of the suspect's car. It's that
2 close or is it-

3 OFFICER REININGER: I would say probably a
4 little set back. I think these cars were probably
5 like more like one back here.

6 SERGEANT OSPITAL: Okay.

7 OFFICER REININGER: And then that's
8 probably how it was. They weren't that close to the
9 car to me, so probably a little further back.

10 SERGEANT CRUDO: Like what, a car length
11 or how far?

12 OFFICER REININGER: Yeah, so I'd say if
13 you just took instead of these being here they were
14 like that. So this car is this one, this one's back
15 here. So there's like a car length between the
16 patrol car and this parked car.

17 SERGEANT CRUDO: The first parked car,
18 that's the east side, right?

19 OFFICER REININGER: This would be-

20 SERGEANT OSPITAL: This is the north side.

21 OFFICER REININGER: This is the north
22 side.

23 SERGEANT CRUDO: The north side, sorry. On
24 the north side of the street. So they're east of
25 that car.

1 OFFICER REININGER: Right. But they're
2 about that distance down the street so they're not-
3 because if I set them back far enough once I drew
4 this car they'd be out in the street but they were
5 down the street a bit.

6 SERGEANT CRUDO: You said this is
7 occurring about mid-block?

8 OFFICER REININGER: Right, right.

9 SERGEANT OSPITAL: So you said now the
10 second patrol car pulls up and then you said at
11 this point he stops looking at you.

12 OFFICER REININGER: So once he pulls up or
13 they pull up his eyes have been dead on me the
14 whole time, he never looked away and then-

15 SERGEANT OSPITAL: While he's?

16 OFFICER REININGER: Right, and then I see
17 all the lights come up around me, the sirens come
18 around the corner and then he kind of looks over my
19 shoulder like that, like I see him look past me
20 just a bit and so I know that he sees them now and
21 then that's-he throws it in reverse and hits the
22 car behind him.

23 SERGEANT OSPITAL: So is the car already
24 started? At what point did he start the car?

25 OFFICER REININGER: I don't remember. I

1 didn't even know the car—honestly at that point
2 that whole time I never even remember the car
3 behind started. So it was just I know that he
4 didn't start it then so he must have started it the
5 second he got in it because it was one fluid motion
6 that he just sat up threw it in reverse and went
7 back. So he didn't start it at that point.

8 SERGEANT OSPITAL: Okay. So when you said
9 now the second patrol car comes up. You noticed the
10 lights, you hear the sirens, you notice he's
11 looking like pretty much past you. What's going on
12 in your head right now?

13 OFFICER REININGER: I'm thinking again now
14 he's making his decision like he's either going to
15 look up—he's either going to now he's going to come
16 up and shoot or he's going to try and flee or give
17 up but I'm thinking this is like his next decision-
18 making point and then he makes his choice and
19 throws it in reverse.

20 SERGEANT OSPITAL: And at this point is he
21 still in that crouched position?

22 OFFICER REININGER: Yes. He's in that
23 position until he sits straight up, goes in reverse
24 and backs up.

25 SERGEANT OSPITAL: Okay and at this point

1 at any time do you see his hands, does he make a
2 gesture? Is he yelling at you, saying anything? Has
3 he said anything yet?

4 OFFICER REININGER: Never says a word.

5 SERGEANT OSPITAL: Never says a word.

6 OFFICER REININGER: Never makes a gesture
7 just all those movements down low and then straight
8 in reverse and that's it.

9 SERGEANT OSPITAL: Okay and at this point
10 I mean just trying to get a sense of how you're
11 feeling, you're thinking he's making his decision.
12 How are you feeling at this time? Are you anxious,
13 nervous, scared?

14 OFFICER REININGER: I mean yeah, all of
15 them. I mean I'm thinking he's going to try and
16 shoot me. So I'm a little nervous, yeah.

17 SERGEANT OSPITAL: You said he throws the
18 car in reverse, hitting the car behind him.

19 OFFICER REININGER: Right.

20 SERGEANT OSPITAL: Once he throws it in
21 reverse and hits the car behind him where are you
22 at now?

23 OFFICER REININGER: So he hits this car
24 behind him, now I'm a little further than-I'm
25 probably just past his bumper. So this would

1 probably be once he hits the car behind him I'm
2 more like that now because I was like even with the
3 tire and then he backs up, hits the car behind him.
4 I'm probably front bumper. And then he turns out
5 towards me and I kind of sidestep this way so he
6 comes straight.

7 SERGEANT CRUDO: So you sidestepped to the
8 south?

9 OFFICER REININGER: Out to the south side
10 of the street.

11 SERGEANT CRUDO: And to the east. You're
12 kind of drawing it going that way.

13 OFFICER REININGER: Yes.

14 SERGEANT CRUDO: So you moved up and out.
15 He had moved back basically the distance of his
16 engine block, right?

17 OFFICER REININGER: Yeah, yeah.

18 SERGEANT CRUDO: And then he swings it
19 forward. As he swings forward then you move?

20 OFFICER REININGER: Right. I move as he
21 starts pulling out towards me. So I move that
22 direction as he pulls out towards me. He then hits
23 this patrol car, hits that patrol car in the
24 passenger front bumper and then at that point
25 Officer Hillard is like mid-street right here.

1 SERGEANT CRUDO: Can you put an H for
2 where Hillard is. Did you see where Pfeiffer was?
3 OFFICER REININGER: I just know she was
4 off in this area. I never really saw her but I just
5 know she was over there.
6 SERGEANT CRUDO: So somewhere to the
7 north? So Pfeiffer had been the driver, right?
8 OFFICER REININGER: Right.
9 SERGEANT CRUDO: So Pfeiffer would have
10 been driver's side out of your-
11 OFFICER REININGER: I never even saw her.
12 SERGEANT CRUDO: Yeah, not captured by
13 you.
14 OFFICER REININGER: No. So he hits that
15 car and then drivers straight at Officer Hillard
16 and then as I said in the other thing I don't know
17 at that point I'm over this way and I'm just
18 looking straight this way I see the rear-I see this
19 car, the suspect car, driving westbound O'Farrell
20 towards Webster and all I see is Officer Hillard go
21 this way. I don't know that if the suspect car hit
22 him if he dove out of the way or what, I just see
23 Officer Hillard go this way behind this car so out
24 of my line of sight and I no longer see him so I
25 didn't know if he was on the floor standing, what's

1 going on. This, as he comes side by side with where
2 I believe Officer Hillard is now either on the
3 floor or looking that way the car slows down so it
4 had floored it and then it like lets off, so you
5 see the car kind of like tilt. And then at that
6 point is when I believed that based off of
7 everything he had been doing at that point, trying
8 to flee, trying to get away, flooring it to take
9 off and then now letting off I believed at that
10 point he was going to produce the weapon and shoot
11 Officer Hillard in the back.

12 SERGEANT OSPITAL: Okay. So now let's
13 just—we'll just go back a little bit. So he backs
14 up the car, hits the car behind him, throws it in
15 drive. You see that he's coming out towards your
16 way, you back up. Now how far are you away from the
17 suspect's car as he's pulling out, what is your
18 distance, approximate?

19 OFFICER REININGER: Five to ten feet.

20 SERGEANT OSPITAL: So you're five to ten
21 feet now from the suspect's car as he's crossing in
22 front of you, as he's pulling out of the parking?

23 OFFICER REININGER: Yeah, so as he pulls
24 out at me I start shuffling out of the way so
25 within five to ten feet.

1 SERGEANT OSPITAL: So then at that point
2 when he's coming out he revs it up and you see that
3 he strikes this car and then as he passes the
4 patrol car heading towards Officer Hillard who's in
5 the street you say he-

6 OFFICER REININGER: I hear the engine rev
7 up.

8 SERGEANT OSPITAL: You hear the engine rev
9 up.

10 OFFICER REININGER: After the impact.

11 SERGEANT OSPITAL: After the impact of the
12 patrol car.

13 OFFICER REININGER: So it impacts, no more
14 rev. Rev up again.

15 SERGEANT OSPITAL: How far from the part
16 that the patrol car has contacted how far do you
17 think Officer Hillard is from that spot for the
18 contact?

19 OFFICER REININGER: He's middle of the
20 street so I'd say between ten and fifteen feet.
21 He's back near the—he's gotten out of the car so
22 he's probably like the B pillar of the car and then
23 middle of that street so I mean he's back and over.
24 So I'd say like fifteen feet, ten to fifteen feet.

25 SERGEANT OSPITAL: Okay and then so you're

1 giving me-

2 OFFICER REININGER: I'm right here.

3 SERGEANT OSPITAL: Put like an M for me

4 and then number two like where you're at.

5 OFFICER REININGER: Do you want me to just

6 do an X two?

7 SERGEANT CRUDO: Yeah, put a two next to

8 it.

9 SERGEANT OSPITAL: And then that's where

10 your secondary position is where you sidestep back.

11 OFFICER REININGER: Right because now I'm

12 direct view of where the car would have been going

13 this way because I was directly behind the car.

14 SERGEANT OSPITAL: Okay so the car is

15 coming out here, it accelerates when it hits the

16 patrol car you said.

17 OFFICER REININGER: So it accelerates from

18 this point.

19 SERGEANT CRUDO: Draw an arrow.

20 OFFICER REININGER: Okay, so it

21 accelerates from this point. It goes this way and

22 then it hits the-it makes impact here so as it-it

23 hits that car and then engine rev stops and then

24 from that point he accelerates again towards

25 Officer Hillard and then turns this way.

1 SERGEANT CRUDO: And at this point you're
2 here, have your gun out.
3 OFFICER REININGER: I have my gun drawn
4 still.
5 SERGEANT CRUDO: Okay and how gun is drawn
6 at?
7 OFFICER REININGER: Well, I'm drawn
8 pointing towards them the whole time and well, kind
9 of down, like at a low ready the whole time but
10 like tracking. And then once I'm directly behind
11 him and I see Officer Hillard go flying I'm still
12 low ready and then I see him slow down and that's
13 when I thought he was pulling a gun out and that's
14 when I picked my sights up.
15 SERGEANT CRUDO: So you're looking down
16 this way, what's it like here?
17 OFFICER REININGER: Empty.
18 SERGEANT CRUDO: There's no blue on blue?
19 OFFICER REININGER: There was nothing
20 besides Officer Hillard I think is behind the car
21 over here. I never see Officer Pfeiffer.
22 SERGEANT CRUDO: So at this point now the
23 car is coming this way.
24 OFFICER REININGER: Uh-huh.
25 SERGEANT CRUDO: You no longer see Officer

1 Hillard, correct?

2 OFFICER REININGER: Correct.

3 SERGEANT CRUDO: And now at this point
4 when the car is here you don't know if the car you
5 said struck him or if he jumped out.

6 OFFICER REININGER: Correct.

7 SERGEANT CRUDO: Okay. And then what-then
8 where did you see a car-what does the car do after
9 once you no longer see Officer Hillard here and
10 it's proceeding here?

11 OFFICER REININGER: So as I believe that
12 Officer Hillard is over here-

13 SERGEANT OSPITAL: Over here being where?

14 OFFICER REININGER: Behind this car
15 somewhere. I don't know if he's n the sidewalk or
16 over here I just know that he's-

17 SERGEANT OSPITAL: Behind this car
18 relative to you or behind this car relative to the
19 vehicle?

20 OFFICER REININGER: Relative to me. So I'm
21 standing here and he's out of my sight.

22 SERGEANT OSPITAL: This would be the back
23 end of this car? Is it facing towards you?

24 OFFICER REININGER: Yeah, they're facing
25 me.

1 SERGEANT OSPITAL: So-and why don't you
2 put an H2 where you think that he is approximately
3 positioned. The general area, okay.

4 OFFICER REININGER: He's just out of my
5 sight so I'm thinking he's somewhere over there
6 either on the floor back to the suspect, something.
7 I don't know if he's on the sidewalk or what he is
8 I just know I can't see him.

9 SERGEANT OSPITAL: There another car here
10 as well? Is he like in between cars or is that like
11 an open area? If you can remember.

12 OFFICER REININGER: I can't remember. I
13 thought he was between two cars from my
14 recollection but then I saw a video that showed
15 that there wasn't another car there, so.

16 SERGEANT OSPITAL: Okay, so what did you
17 think-let's go back to that beginning.

18 OFFICER REININGER: I thought he was
19 between cars.

20 SERGEANT OSPITAL: Right, not what you
21 might have learned. So?

22 OFFICER REININGER: So I thought that
23 there was another car here and that he had gone
24 between them and that's what I thought I saw.

25 SERGEANT OSPITAL: Okay.

1 OFFICER REININGER: And then—so now this
2 car takes off, floors it and then I stop hearing
3 the engine rev. I see it goes parallel with where I
4 believe Officer Hillard is now.

5 SERGEANT OSPITAL: Okay so now the car if
6 facing due west.

7 OFFICER REININGER: The car is facing west
8 towards Webster and parallel so exactly where
9 Hillard was to begin with that's where the vehicle
10 is now, the suspect. So I'm thinking he's side by
11 side with him now. I don't hear the engine rev
12 anymore so I'm thinking he's pulling the gun out to
13 now shoot Officer Hillard, that he's down, has his
14 back to him.

15 SERGEANT OSPITAL: Okay. And you're
16 believing that he's going to shoot Officer Hillard
17 or produce—now, at this point can you see the
18 suspect in the car?

19 OFFICER REININGER: No.

20 SERGEANT OSPITAL: Do you see his hands at
21 all?

22 OFFICER REININGER: No.

23 SERGEANT OSPITAL: When you say the car
24 now is parallel or slows down next to where you
25 believe Officer Hillard is in that area do you see

1 brake lights?

2 OFFICER REININGER: No. So the reason I
3 say it slowed down is because I hear the engine rev
4 up and then I hear the engine cut out, like I don't
5 hear it red-lining anymore and I see the car like
6 shift like you know when you floor a car and then
7 you let off the gas it kind of shifts forward. I
8 see that, like the weight transfer.

9 SERGEANT OSPITAL: And the weight transfer
10 just basically from gunning it and then letting go
11 off the gas. So you still had your gun out and
12 pointed at the suspect. Now the car is at
13 O'Farrell. You said your backdrop is clear and you
14 said you couldn't see the suspect nor his hands,
15 correct?

16 OFFICER REININGER: Correct.

17 SERGEANT OSPITAL: Now you said you didn't
18 know if he was standing or he was at a disadvantage
19 I think that's what you said.

20 OFFICER REININGER: Right.

21 SERGEANT OSPITAL: What did you mean by
22 that?

23 OFFICER REININGER: So what I mean was I
24 didn't know if Officer Hillard had-like I said I
25 didn't know if he had ran that way or jumped or if

1 he had been hit and thrown that way by being hit.
2 So I felt that he was either on the floor being at
3 a disadvantage, his back turned to the suspect
4 being at a disadvantage, you know. Like when it was
5 me and the suspect just me and him I didn't feel
6 like I was at a disadvantage. It was me, him, I was
7 looking at him, had my gun out. But at that point
8 I'm thinking Officer Hillard is at a disadvantage,
9 his back is turned to him. The suspect is looking
10 straight at him at this point, he's side by side
11 with him. If he had been—if he had pulled a gun out
12 at any point he now has the upper hand and Officer
13 Hillard's back is to him or he's on the floor and
14 just been hit by a car.

15 SERGEANT OSPITAL: And at this time did
16 the cars coming through, Hillard's there in that
17 area there, at this point do you know if the
18 suspect had ever rolled down his window? Was the
19 window still up? Do you—

20 OFFICER REININGER: Once he hit that car I
21 no longer have like a sight of the driver's seat or
22 anything like that.

23 SERGEANT OSPITAL: So then at this point
24 now when the car is in the area where Hillard's at
25 what part of the car that you see what do you see?

1 OFFICER REININGER: I see the back of the
2 car and I can see through the rear window to where
3 the driver's—to where like the driver's seat is but
4 it's just kind of like the silhouette of the seat.

5 SERGEANT OSPITAL: And at this point I'm
6 just trying to get your mind too—are you like just
7 focused in on that car now? Are you—like do you
8 think you're aware of what's around you?

9 OFFICER REININGER: I believe I was still
10 aware. I mean I was still making sure there wasn't
11 cars coming in from the back. I know that everyone
12 is coming, I can hear the sirens so I still see
13 that there's no other police vehicles here or
14 regular civilian vehicles. I don't see Officer
15 Pfeiffer coming this way. I haven't seen Officer
16 Hillard since I saw him go behind the car so I know
17 that my line of sight is clear.

18 SERGEANT OSPITAL: So now at this point if
19 I recall correctly in your statement you said the
20 car comes here, it's in the area, it's slowing
21 down. Now you see the back of the car. Pfeiffer is
22 there and at this point you believe he's going to
23 shoot Officer Hillard.

24 OFFICER REININGER: Correct.

25 SERGEANT OSPITAL: And at that point you

1 fired your weapon.

2 OFFICER REININGER: Yes.

3 SERGEANT OSPITAL: How many—at that point

4 now are you point shooting or do you have your

5 sights?

6 OFFICER REININGER: I picked my sights up.

7 SERGEANT OSPITAL: So you're up—you've got

8 your sights up and you're shooting.

9 OFFICER REININGER: Yes.

10 SERGEANT OSPITAL: Okay. Were you able to

11 give a warning prior to letting off or shooting

12 your two rounds?

13 OFFICER REININGER: No.

14 SERGEANT OSPITAL: Why?

15 OFFICER REININGER: He wasn't going to

16 hear me and he was already gone.

17 SERGEANT OSPITAL: You said he was already

18 gone?

19 OFFICER REININGER: I mean like he was in

20 a car, he was up ahead of me and it wasn't like I

21 was like looking—talking to him or something or he

22 was face to face with me or could see me at all.

23 SERGEANT OSPITAL: Okay. So basically what

24 you're saying it wasn't feasible to give a warning.

25 OFFICER REININGER: No.

1 SERGEANT OSPITAL: Okay, in your mind?
2 OFFICER REININGER: No.
3 SERGEANT OSPITAL: Okay. Was there any
4 other force option you could have used other than
5 the firearm?
6 OFFICER REININGER: No.
7 SERGEANT OSPITAL: Why?
8 OFFICER REININGER: Even if I had any
9 other options they would have done it—they wouldn't
10 have done what I was looking for. I mean I felt he
11 was trying to shoot Officer Hillard in the back. If
12 I had fired like a less lethal at the car it wasn't
13 going to stop him from shooting Officer Hillard in
14 the back. That's what I was trying to stop, so
15 other than using deadly force I didn't see any
16 other option.
17 SERGEANT OSPITAL: Okay. And once again
18 what were you shooting at?
19 OFFICER REININGER: The suspect.
20 SERGEANT OSPITAL: What were you—okay,
21 you're shooting at the suspect but what are you
22 shooting or what are you aiming for?
23 OFFICER REININGER: I'm shooting at the
24 rear of the vehicle through the back of the window.
25 SERGEANT CRUDO: So you said that you're

1 sight shooting.

2 OFFICER REININGER: Yes.

3 SERGEANT CRUDO: So you're picking up your
4 front posts on your firearm?

5 OFFICER REININGER: Yes.

6 SERGEANT CRUDO: What are you lining that
7 up on?

8 OFFICER REININGER: The silhouette of the
9 driver's seat.

10 SERGEANT CRUDO: So you talked about
11 seeing the silhouette of the driver's seat like the
12 headrest or whatever?

13 OFFICER REININGER: Yes.

14 SERGEANT CRUDO: So that area is—and what
15 are you firing through to that silhouette?

16 OFFICER REININGER: I would have been
17 firing through the rear of the vehicle, so the rear
18 windshield I guess, not windshield, the rear
19 window.

20 SERGEANT CRUDO: Rear window?

21 OFFICER REININGER: Yes.

22 SERGEANT CRUDO: The full back window of
23 the vehicle?

24 OFFICER REININGER: Yes.

25 SERGEANT CRUDO: So you had a direct line

1 of sight into that—towards that silhouette in the
2 driver's position.

3 OFFICER REININGER: Yes.

4 SERGEANT OSPITAL: And you said you shot
5 two rounds. Do you know where your shots went?

6 OFFICER REININGER: I don't.

7 SERGEANT OSPITAL: And do you know per the
8 General Order to be accountable for every shot that
9 you fire, correct?

10 OFFICER REININGER: Yes.

11 SERGEANT OSPITAL: Okay. Why did you stop
12 shooting?

13 OFFICER REININGER: I felt the threat was
14 over after I fired my shots he took off again so I
15 was trying to stop him from shooting Officer
16 Hillard so at that point I wasn't trying to—there
17 was no reason to continue firing.

18 SERGEANT OSPITAL: And the threat was over
19 to Officer?

20 OFFICER REININGER: To Officer Hillard.

21 SERGEANT OSPITAL: What happened after
22 you—after you stopped firing, after you—

23 OFFICER REININGER: So after I fired he
24 then takes off and then another patrol car pulls up
25 here at this corner and he hits him head-on. So the

1 other—the second patrol car comes up here.

2 SERGEANT OSPITAL: You can put—just put

3 P2.

4 OFFICER REININGER: So the second patrol

5 car comes up here and he comes this way and just

6 full-on hits head-on.

7 SERGEANT CRUDO: From Webster?

8 OFFICER REININGER: Correct. Right there

9 at the corner.

10 SERGEANT OSPITAL: And then if you can—

11 actually put if you don't mind do like a check box,

12 like of that car where you believe it was slowing

13 down to where you believe it was stopping, where

14 the threat was for Officer Hillard. And you can put

15 like S2. Okay and then where it ended up contacting

16 the second patrol car just put S3.

17 OFFICER REININGER: With another box?

18 SERGEANT OSPITAL: Yeah.

19 OFFICER REININGER: Like the dotted or

20 just a box?

21 SERGEANT OSPITAL: Just a dotted, it's

22 fine. And like I say it's not all to scale, it's

23 just kind of give us an idea of—

24 SERGEANT CRUDO: Dynamics.

25 SERGEANT OSPITAL: Yeah.

1 OFFICER REININGER: So he head-on hits
2 this car. One officer has gotten out of the
3 vehicle, the other officer is still in it. Or no,
4 they're both in the car when they get hit. They're
5 both in the car, they get hit. They both get out,
6 draw their weapons, they're giving orders now to
7 tell him to get out. I'm running this way. Then he
8 takes off and goes this way. One officer gets back
9 in and makes the chase.

10 SERGEANT CRUDO: Takes off as in?

11 OFFICER REININGER: He then-the suspect
12 car then drives around the center divide on Webster
13 and then starts driving southbound Webster and the
14 patrol car, the driver gets back in the car and
15 gives chase and multiple other vehicles I believe
16 get involved.

17 SERGEANT OSPITAL: Okay. Now, as the
18 suspect is coming out here do you think is there a-
19 you think he could have avoided the patrol car? Was
20 there any room out here?

21 OFFICER REININGER: This entire area was
22 open and he went straight at him. So he could have
23 easy just gone this way, gone anywhere there.
24 Anywhere else besides the direct path that he went
25 would have missed that car.

1 SERGEANT CRUDO: Was it stopped when he
2 made contact or was the other vehicle moving?

3 OFFICER REININGER: The other vehicle was
4 stopped. He had come here and he had come to this
5 corner and stopped and this car went directly at
6 him.

7 SERGEANT OSPITAL: So when you're saying
8 that car stopped you're meaning the second patrol
9 car?

10 OFFICER REININGER: The second patrol car
11 had come up to the corner and stopped.

12 SERGEANT OSPITAL: And it was in the stop
13 position?

14 OFFICER REININGER: Correct.

15 SERGEANT CRUDO: So just while we're
16 talking about this, when did you first notice this
17 vehicle then?

18 OFFICER REININGER: So after I fired my
19 shots he takes off and then maybe a couple seconds
20 I see that car pull up and he hits him.

21 SERGEANT CRUDO: Okay, so after you fire
22 the shots he takes off and then you notice the
23 vehicle, he makes contact.

24 OFFICER REININGER: Uh-huh.

25 SERGEANT CRUDO: The vehicle when you

1 first see it appears to be stationary?
2 OFFICER REININGER: Correct.
3 SERGEANT CRUDO: The police vehicle? Okay.
4 SERGEANT OSPITAL: Did you notify Dispatch
5 right after the OIS did you notify them?
6 OFFICER REININGER: Officer Hillard did.
7 SERGEANT OSPITAL: Okay. He did that over
8 the air?
9 OFFICER REININGER: Over the air.
10 SERGEANT OSPITAL: Okay. So after the
11 contact is made here the car goes around and takes
12 off, what are you doing? What's going through your
13 mind right now?
14 OFFICER REININGER: So I run this way, the
15 car takes off and he goes after it. I'm over about
16 here now.
17 SERGEANT OSPITAL: So you're pointing at
18 the southeast corner.
19 OFFICER REININGER: Southeast corner with
20 Officer Hillard and Officer Pfeiffer.
21 SERGEANT OSPITAL: The three of you.
22 OFFICER REININGER: Yes. And then he
23 starts—he starts going over the radio. I went to
24 ask—I asked if he was okay and then he starts
25 giving out radio traffic saying the direction

1 they're traveling, there's an OID at this location
2 and so I just stopped talking because he was going
3 over the radio.

4 SERGEANT OSPITAL: Okay and then the other
5 officer that's there on the scene would be the
6 officer that's the passenger in his car.

7 OFFICER REININGER: Yes, he had—he was
8 somewhere down here. He said he took off running
9 when the car took off after him and then he
10 realized I can't really run after a car so then he
11 came back.

12 SERGEANT OSPITAL: At any point in time
13 was your FTO on scene during the OIS?

14 OFFICER REININGER: No, he came up after.

15 SERGEANT OSPITAL: Okay. And were you ever
16 in radio contact with him at all during the pursuit
17 and during this?

18 OFFICER REININGER: Just the traffic I put
19 out about our locations and stuff but never direct
20 contact, no.

21 SERGEANT OSPITAL: Okay. What Supervisor
22 arrived on scene and approached you after the OIS?

23 OFFICER REININGER: Sergeant—this is the
24 second time that I've blanked on his name.

25 SERGEANT CRUDO: Can you describe him?

1 OFFICER REININGER: I don't know.
2 SERGEANT CRUDO: White?
3 OFFICER REININGER: White. He took my
4 initial statement or initial public-
5 JULIA FOX: Not Shaw?
6 OFFICER REININGER: Not Shaw. He's report
7 writing or used to be report writing at the
8 Academy. He's now at Northern.
9 SERGEANT CRUDO: Does he work swings or
10 mids?
11 OFFICER REININGER: Mids I believe. He was
12 there, so.
13 SERGEANT CRUDO: White guy?
14 OFFICER REININGER: White guy.
15 SERGEANT OSPITAL: Dark hair?
16 OFFICER REININGER: Older, bald.
17 SERGEANT OSPITAL: And you said that
18 Sergeant came up to you, took your public safety
19 statement from you?
20 OFFICER REININGER: Correct.
21 SERGEANT OSPITAL: Were you taken away
22 from the scene?
23 OFFICER REININGER: Yes.
24 SERGEANT OSPITAL: By who?
25 OFFICER REININGER: I couldn't tell you

1 their names but two officers took me.

2 SERGEANT OSPITAL: So two officers took
3 you?

4 OFFICER REININGER: Yes.

5 SERGEANT OSPITAL: Where did they take
6 you?

7 OFFICER REININGER: Northern Station.

8 SERGEANT OSPITAL: And once at Northern
9 were you monitored by anybody?

10 OFFICER REININGER: I sat in the
11 Sergeant's room with those two officers until
12 everyone got there, I mean like three or four guys
13 from BSU showed up, a bunch of people.

14 SERGEANT OSPITAL: But you were monitored
15 by people who were with you.

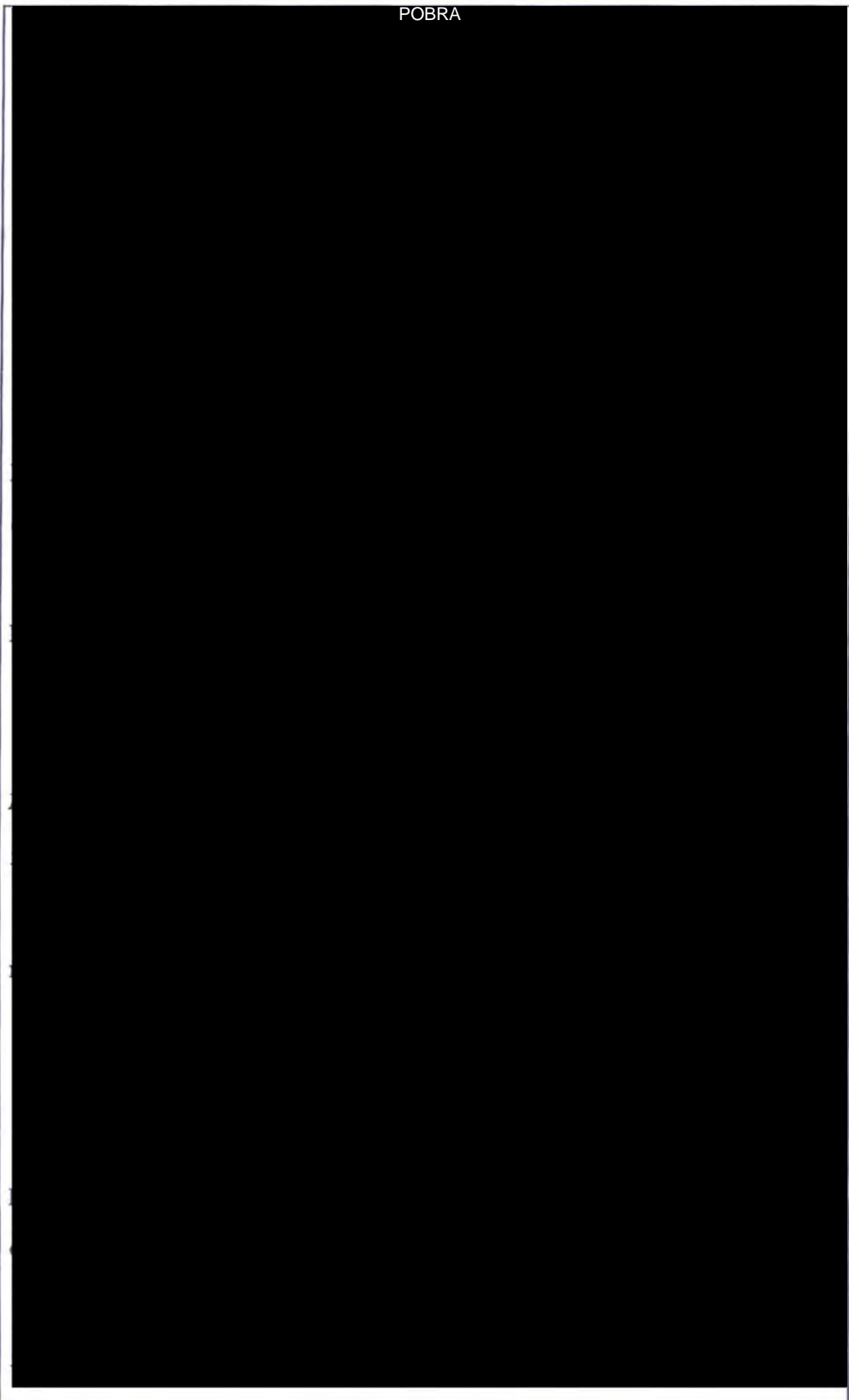
16 OFFICER REININGER: Oh yeah, the whole
17 time.

18 SERGEANT OSPITAL: Are you—obviously, I'm
19 sure you are but we're going to have to go over
20 this. POBRA

21 POBRA
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Officer William Reininger #374 - OIS Case No. 18-004 - 6/05/2018

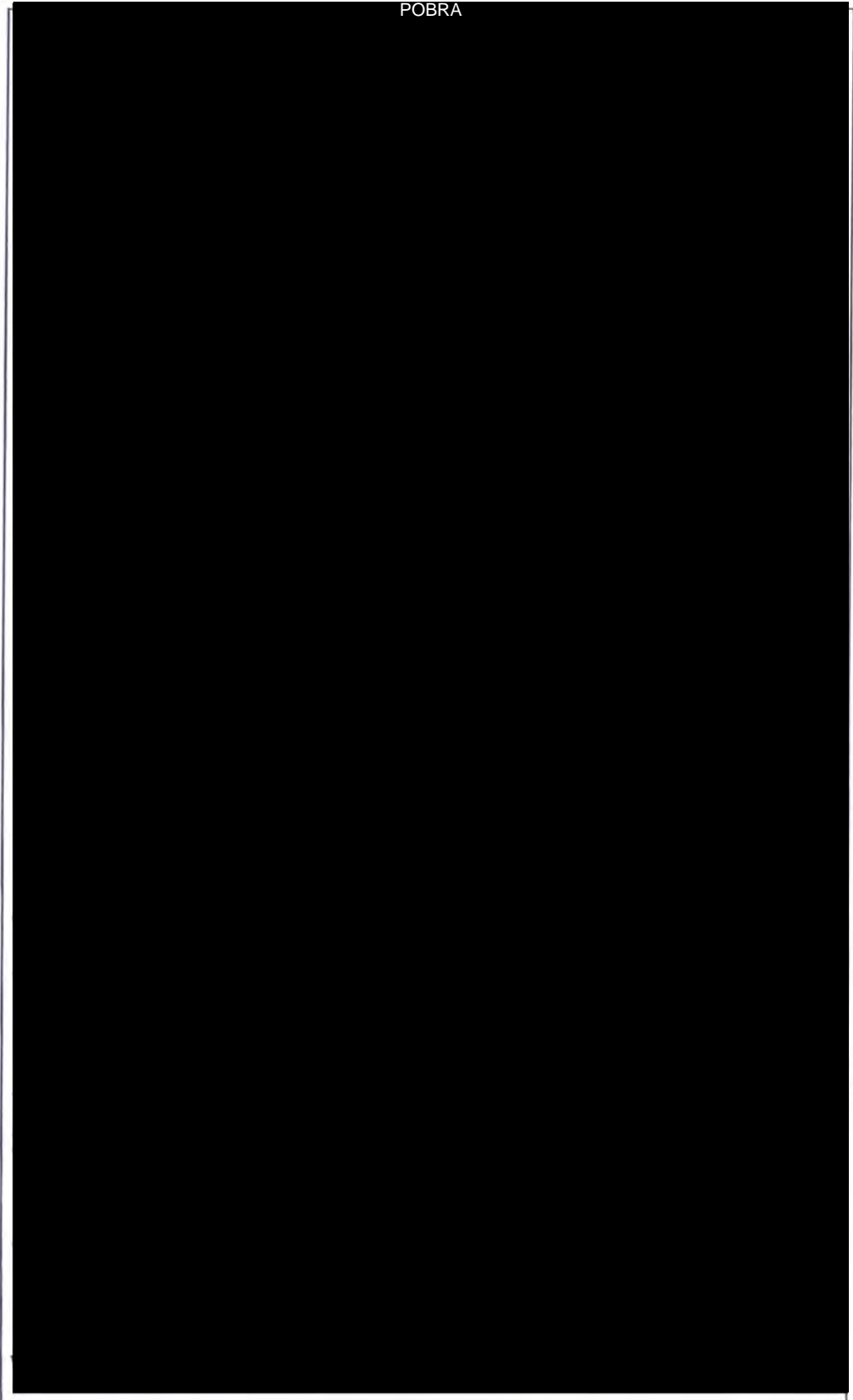
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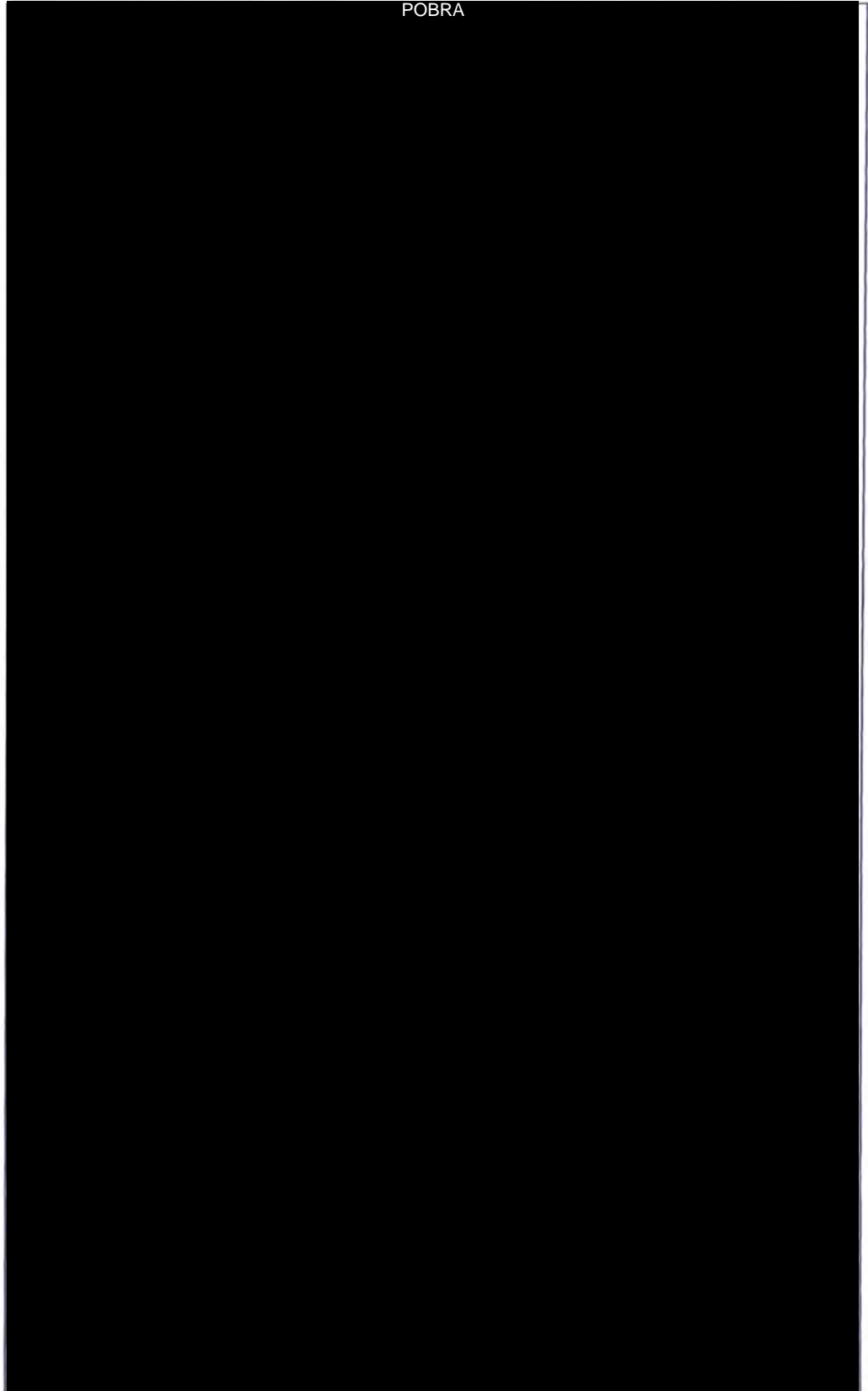
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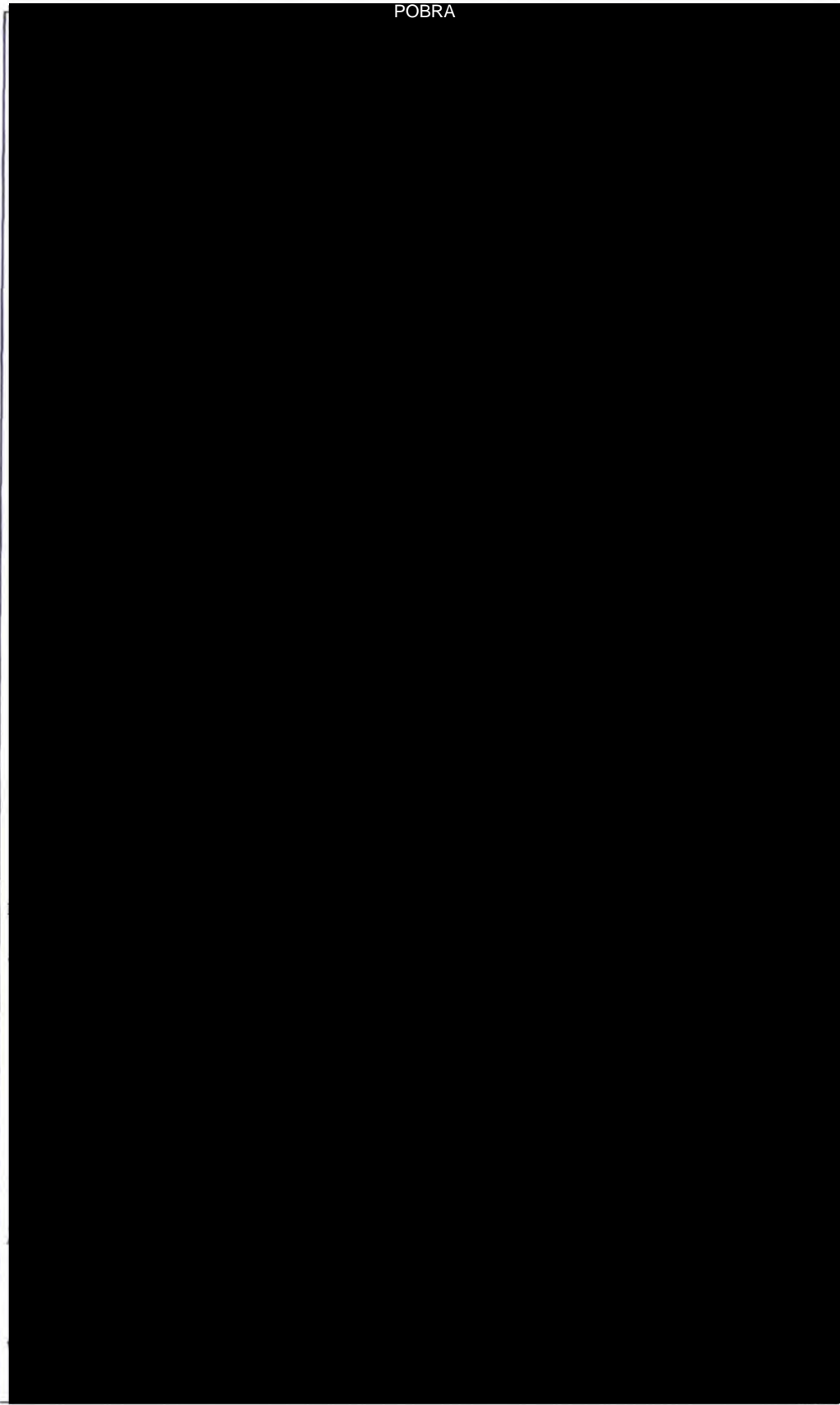
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POBRA

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SERGEANT OSPITAL: You have any follow-up?

5

SERGEANT CRUDO: Did you want to

6

[unintelligible]?

7

SERGEANT OSPITAL: I can. All right, okay.

8

I know the incident you were involved in was

9

traumatic and everyone is different and responds

10

differently, all right. Have you been able to sleep

11

since this?

12

OFFICER REININGER: Yes.

13

SERGEANT OSPITAL: Have you had any

14

nightmares, loss of appetite? The reason why I'm

15

asking you is because you know there are resources

16

for you in the Department. I mean you may not even

17

feel it—I mean, it's been less than a month. Three

18

months, six months, eight months, whatever. Just to

19

let you know there are resources for you out there

20

and I'm sure you've talked to the people from BSU

21

and you got their numbers.

22

OFFICER REININGER: Yeah.

23

SERGEANT OSPITAL: And if you need to get

24

in contact with them don't hesitate, call them 24

25

hours a day, okay?

1 OFFICER REININGER: Uh-huh.
2 SERGEANT OSPITAL: All right.
3 SERGEANT CRUDO: A couple follow-up.
4 First, do me a favor, just sign and date that.
5 SERGEANT OSPITAL: And put today's date
6 too, 6-5.
7 JULIA FOX: 6-5.
8 SERGEANT CRUDO: So I'll go through some
9 other questions to ask [unintelligible]. Let me go
10 through what I've got here. Just in terms of--so I'm
11 going to kind of go through in order. He asked you
12 how much sleep you had prior to your shift, you
13 said seven to eight hours. He said what time did
14 you get up for work that day. You said about 2:00
15 o'clock. In those cases do you specifically recall
16 that being the case on this night or is that sort
17 of your pattern and practice?
18 OFFICER REININGER: I know that I got
19 seven to eight hours of sleep for sure and 2:00
20 o'clock is just kind of my pattern and practice. I
21 just normally wake up at about 2:00 o'clock if I
22 work the night before.
23 SERGEANT CRUDO: Do you have any prior law
24 enforcement experience?
25 OFFICER REININGER: I do not.

1 SERGEANT CRUDO: Any prior first responder
2 experience?

3 OFFICER REININGER: I was a medic down in
4 LA County for three and a half years and then six
5 months here in the city.

6 SERGEANT CRUDO: Six months you said?

7 OFFICER REININGER: Yeah. Maybe a little
8 more, I'm not sure.

9 SERGEANT CRUDO: Did you carry FC with you
10 that night?

11 OFFICER REININGER: I did.

12 SERGEANT CRUDO: Okay. In regards to your
13 magazines you said you had one loaded in your
14 weapon with a round in the chamber, two spare
15 magazines. We used the term top off. What's topped
16 off?

17 OFFICER REININGER: Full. They had full
18 rounds.

19 SERGEANT CRUDO: How many?

20 OFFICER REININGER: Twelve rounds.

21 SERGEANT CRUDO: Twelve rounds apiece,
22 each magazine?

23 OFFICER REININGER: Yes.

24 SERGEANT CRUDO: Total of 37 rounds then
25 on your person?

1 OFFICER REININGER: Correct.

2 SERGEANT CRUDO: Okay. I was a little
3 confused. I was not there at your Homicide
4 interview. I just want to make sure, so you guys-
5 you and your FTO are driving down Steiner, alarm
6 goes off, your FTO says that he alerts you.
7 [unintelligible] see a smashed window?

8 OFFICER REININGER: No, I see it.

9 SERGEANT CRUDO: You saw the smashed
10 window, okay. So you saw the glass and or the
11 broken window.

12 OFFICER REININGER: Yes.

13 SERGEANT CRUDO: Okay, you saw both or
14 what did you see?

15 OFFICER REININGER: I saw the window had
16 been smashed and there was a hole and you could see
17 where like the broken jagged glass was.

18 SERGEANT CRUDO: And then-and then you saw
19 the only two guys on the street walking away and
20 your FTO pulls up alongside these guys and I think
21 you said they were on the east side of the block?

22 OFFICER REININGER: Yes.

23 SERGEANT CRUDO: Yeah, okay. Walking
24 southbound.

25 OFFICER REININGER: Correct.

1 SERGEANT CRUDO: And your FTO-it's pretty
2 dark over there.

3 OFFICER REININGER: Yeah.

4 SERGEANT CRUDO: But your FTO pulls up and
5 you said IDs and then you said he flips the lights
6 on.

7 OFFICER REININGER: Correct.

8 SERGEANT CRUDO: What do you mean by that?

9 OFFICER REININGER: He activates the
10 emergency lights, so the red and blues.

11 SERGEANT CRUDO: Did you turn on the
12 spotlights?

13 OFFICER REININGER: He may have. I didn't.

14 SERGEANT CRUDO: You didn't turn yours on.

15 OFFICER REININGER: No.

16 SERGEANT CRUDO: You don't know whether he
17 did but he activated so when you say he flipped the
18 lights on you're referring specifically to the
19 emergency lights, the red light.

20 OFFICER REININGER: Correct.

21 SERGEANT CRUDO: You said that-you
22 described kind of this process the attempt to
23 detain the suspect, you go running after him, runs
24 through 1335 Webster, the Safeway parking lot, over
25 he goes across from Webster, you chase this guy. He

1 gets all the way to this area that you've
2 diagrammed over Webster and O'Farrell and he gets
3 in a car.

4 OFFICER REININGER: Uh-huh.

5 SERGEANT CRUDO: Okay. You said that at
6 point you drew your firearm.

7 OFFICER REININGER: Yes.

8 SERGEANT CRUDO: Why?

9 OFFICER REININGER: Because I had—he was
10 stopped, he was in the car, I could no longer see
11 his hands or anything like that and he was down in
12 the vehicle so I wanted him to get out of the car.
13 I felt like just standing there yelling at him to
14 get out of the car wasn't good enough so I pulled
15 my gun out, yelled for him to get out of the car.

16 SERGEANT CRUDO: I think we touched on
17 this, the window on the vehicle was closed?

18 OFFICER REININGER: It was up.

19 SERGEANT CRUDO: Up. So everything was
20 closed up, button-up on the car?

21 OFFICER REININGER: Yes.

22 SERGEANT CRUDO: Okay. And you don't
23 recall—you saw motion belong the frame of the
24 window, you don't recall when the engine may have
25 turned on?

1 OFFICER REININGER: No, no.
2 SERGEANT CRUDO: All right.
3 OFFICER REININGER: I know from the point
4 that I got there at that point he never made a
5 motion to start it so it must have been started
6 before I got-before I ran up.
7 SERGEANT CRUDO: I want to talk to you
8 about-so an important kind of thing as we look at
9 this things with training and experience and you
10 know do have some experience on a rig in LA and San
11 Francisco and a little bit now in our Department.
12 But you were talking about your belief that he was
13 reaching for a weapon and I want to kind of get
14 into your frame of mind on that. You were saying
15 back in the day-
16 OFFICER REININGER: Well I-I mean I just
17 know where like law enforcement comes from. I mean
18 I've done a lot of research, I've wanted to be a
19 cop for a long time so I know how crime has evolved
20 over time. Since when I was medic like we ran calls
21 with cops all the time so I have a lot of contact
22 with police officers and I know that years ago it
23 wasn't as-like it just wasn't as crazy as it is
24 now. At least that's my opinion on it is like
25 people didn't just like break into a car and then

1 shoot someone over like a backpack. Now that's the
2 climate that we're in that people will do that or
3 produce guns to steal a backpack. So that was my
4 thought that this guy probably has a gun.

5 SERGEANT CRUDO: So it's based on sort of
6 the prevalence of firearms in theft?

7 OFFICER REININGER: Yes.

8 SERGEANT CRUDO: Okay. And then you said--
9 you talked about positioning and I think you kind
10 of covered it but just we talked about covering and
11 concealment and you described the fact that you
12 would have put yourself you believe that a
13 disadvantageous position had you moved to the cover
14 that was available to you, did I hear that
15 correctly?

16 OFFICER REININGER: Yes.

17 SERGEANT CRUDO: Okay. So you talked a
18 little bit about being in that space and I didn't
19 write the exact quote down but you referred to
20 trying to develop a plan. What kind of plan did you
21 have in mind at this point? You have a noncompliant
22 suspect buttoned-up in a car and you're in an open
23 area. What is your plan?

24 OFFICER REININGER: Well, at that point
25 I'm just trying to get him to get out of the car.

1 He's not—he hadn't made any movement yet and I felt
2 like it was just kind of waiting to see what was
3 going to happen. I knew that everybody was on their
4 way, I could hear them all coming so I knew that it
5 was only a matter of time before they all got there
6 and then once they were all there I felt like that
7 scene would have been buttoned down, there would
8 have been more vehicles there and he kind of would
9 have been blocked in so then I could have backed
10 off and made some space, figured it out from that
11 point but I felt like if I retreated I was going to
12 put myself at a disadvantage but the plan that was
13 developing was just at that moment was just kind of
14 rolling with it and making sure that he wasn't
15 going to shoot me or trying to get him out of that
16 car but hoping that it wouldn't—like that other
17 cars would get there sooner and then I could back
18 off and we could try to get him out of the car.

19 SERGEANT CRUDO: And this was that time-
20 period that you described as being about a minute
21 or two, is that correct?

22 OFFICER REININGER: Yeah.

23 SERGEANT CRUDO: Okay. And through this
24 whole time you're kind of yelling at him?

25 OFFICER REININGER: Yeah.

1 SERGEANT CRUDO: Sort of continuously?
2 OFFICER REININGER: Yeah.
3 SERGEANT CRUDO: Did you try using--was it
4 kind of pretty much sort of the same commands? Did
5 you try--
6 OFFICER REININGER: I tried different
7 things. I was yelling get out of the car, show me
8 your hands, get up, get out of the car and just
9 kind of the same things that were--
10 SERGEANT CRUDO: And at this point in
11 response to some questions you said that it sounds
12 like this was really the first active resistance
13 suspect that you've encountered.
14 OFFICER REININGER: Yeah.
15 SERGEANT CRUDO: You said you've never
16 been in a--like never been in a fight with--on the
17 job.
18 OFFICER REININGER: Right.
19 SERGEANT CRUDO: And so just for a sense
20 of the experience I mean do you have an idea in
21 your first two phases, because you almost complete
22 with your second phase, right?
23 OFFICER REININGER: I was almost--I was
24 working [unintelligible].
25 SERGEANT CRUDO: Yeah, the last day of

1 your second phase or third phase, sorry.

2 OFFICER REININGER: I was in the second
3 week of third phase.

4 SERGEANT CRUDO: Second week of third
5 phase. So you'd finished two. Right, okay. It was
6 your Friday. Okay, got you. All right so how many
7 stolen vehicles do you think you've recovered?

8 OFFICER REININGER: Recovered?

9 SERGEANT CRUDO: Uh-huh.

10 OFFICER REININGER: I think one.

11 SERGEANT CRUDO: One?

12 OFFICER REININGER: Yeah.

13 SERGEANT CRUDO: Was it occupied?

14 OFFICER REININGER: Yeah, it was day one
15 of FTO.

16 SERGEANT CRUDO: Have you been handling a
17 lot of—are you in Northern 2 car a lot?

18 OFFICER REININGER: Yeah.

19 SERGEANT CRUDO: Okay. Are you handling a
20 lot of auto burglaries?

21 OFFICER REININGER: Yeah.

22 SERGEANT CRUDO: How many felony arrests
23 have you had?

24 OFFICER REININGER: Five or six.

25 SERGEANT CRUDO: And have any of those

1 involved a 148, an active resistance?

2 OFFICER REININGER: A little resistance,
3 not like—I mean not like this, like not a chase and
4 then not normally like a fight. Like a little bit
5 of resistance or like somebody doesn't want to go
6 with the program or trying to give faulty
7 information but never like—

8 SERGEANT OSPITAL: Was this your first
9 foot chase?

10 OFFICER REININGER: Yeah.

11 SERGEANT CRUDO: So I just kind of want to
12 be clear and this will probably help me, your
13 diagram. But okay, so the first unit that arrives
14 is Hillard and Pfeiffer.

15 OFFICER REININGER: Correct.

16 SERGEANT CRUDO: Which is this vehicle P1.
17 And your position at that point is here, your
18 initial position where the X is roughly.

19 OFFICER REININGER: Correct.

20 SERGEANT CRUDO: Okay. So they're here.
21 You begin to move to this second position, this X2
22 position, right?

23 OFFICER REININGER: Yes.

24 SERGEANT CRUDO: Okay. As he backs up and
25 starts to pull out.

1 OFFICER REININGER: Correct.

2 SERGEANT CRUDO: Okay. Suspect strikes
3 their car at which time you haven't seen the second
4 unit yet.

5 OFFICER REININGER: No.

6 SERGEANT CRUDO: Hillard is—when you see
7 him is it at this time you notice is he in the
8 middle of this street?

9 OFFICER REININGER: Yes.

10 SERGEANT CRUDO: Okay. So you're aware
11 that the vehicle—the suspect vehicle is going
12 forward, Hillard's in the middle of the street.

13 OFFICER REININGER: Correct.

14 SERGEANT CRUDO: At some point you said
15 that you believe Hillard's here in position two.

16 OFFICER REININGER: Right.

17 SERGEANT CRUDO: You believe he's in
18 between two cars. When—did you see him move to that
19 position after the suspect struck the patrol
20 vehicle?

21 OFFICER REININGER: Yes.

22 SERGEANT CRUDO: Okay, so it strikes the
23 patrol vehicle. When it's struck he was
24 approximately in the same position?

25 OFFICER REININGER: Yes.

1 SERGEANT CRUDO: Okay. And for the record
2 a couple of things, number one I would suspect
3 you've talked about it a little bit, you were
4 narrowly focused on the suspect?

5 OFFICER REININGER: Yes.

6 SERGEANT CRUDO: Was that your focus
7 point?

8 OFFICER REININGER: My focus was, yeah,
9 the suspect vehicle.

10 SERGEANT CRUDO: And then we're sitting
11 here, we have this luxury now, I mean we're on the
12 record for over an hour already, we're talking
13 about something that you've described happening
14 from start to finish in three minutes, is that
15 correct?

16 OFFICER REININGER: Yes.

17 SERGEANT CRUDO: So this is happening very
18 quickly?

19 OFFICER REININGER: Yes.

20 SERGEANT CRUDO: Okay. So when we talk
21 about these things you know I get that we're kind
22 of breaking these things down and you know I'm
23 trying to ask you to kind of break things down,
24 they're probably happening close to nanoseconds.

25 OFFICER REININGER: Yeah.

1 SERGEANT CRUDO: Okay, I understand that.
2 So to the degree you can see Hillard's in the street
3 when the suspect contacts vehicle one or patrol
4 one.

5 OFFICER REININGER: Yes.

6 SERGEANT CRUDO: Is that approximately
7 when Hillard starts moving to cover or you talked
8 about this--this is where I get confused. You talked
9 about him, the vehicle possibly contacting Hillard.

10 OFFICER REININGER: So the suspect hits
11 the patrol vehicle and I know Hillard is here. At
12 that point--after he hits the patrol vehicle he
13 takes off towards Hillard. So when he takes off
14 this way I mean the arrow--that would be like the
15 right corner would be where the arrow is, so it's
16 right here. So as it takes off this way all I see
17 is the car come that way and then Hillard go that
18 way.

19 SERGEANT CRUDO: So you saw Hillard break
20 as the car began clearing the patrol vehicle?

21 OFFICER REININGER: I saw Hillard go that
22 way as--yeah, so as the car, after the car hits that
23 patrol vehicle it takes off towards Hillard and
24 then I see Hillard go.

25 SERGEANT CRUDO: Okay. So do you have--were

1 you able to get a sense of—you're behind the
2 vehicle?

3 OFFICER REININGER: I'm behind the suspect
4 vehicle, yes.

5 SERGEANT CRUDO: So your focus—have you
6 brought your weapon up?

7 OFFICER REININGER: It's still at a low
8 ready.

9 SERGEANT CRUDO: Okay. You described
10 looking at the silhouette of the car, you're
11 looking I imagine through the back window.

12 OFFICER REININGER: Yes.

13 SERGEANT CRUDO: At the silhouette, that's
14 kind of your primary focus.

15 OFFICER REININGER: Yes.

16 SERGEANT CRUDO: So we would call it a
17 narrow external focus on the driver's area defined
18 as a silhouette.

19 OFFICER REININGER: Yes.

20 SERGEANT CRUDO: Okay. But you see Hillard
21 beyond that sort of what you have or peripheral
22 vision?

23 OFFICER REININGER: Right.

24 SERGEANT CRUDO: Okay. Hillard is—from
25 what you're describing and what you've drawn here

1 would Hillard then be sort of in front of the car?

2 OFFICER REININGER: Yes, he would have
3 been in front of the suspect vehicle.

4 SERGEANT CRUDO: Okay. So then you see
5 Hillard moving. Did you believe then that—because
6 you talked about you didn't know if he had
7 contacted Hillard. Did it appear that Hillard had
8 been contacted—I mean was there some, like,
9 [unintelligible] of movement?

10 OFFICER REININGER: I just kind of saw his
11 body go that way fast and he was—I just saw him go
12 that way fast, that's all I remember. I wasn't
13 sure.

14 SERGEANT CRUDO: So moves in this
15 direction and—and again I mean your focus is on
16 something else, this is happening very quickly, I
17 get that stuff. So he moves to the south.

18 OFFICER REININGER: Yes.

19 SERGEANT CRUDO: As the suspect is driving
20 in the general position he had occupied.

21 OFFICER REININGER: Yes.

22 SERGEANT CRUDO: Possibly could have been
23 hit by the car.

24 OFFICER REININGER: Correct.

25 SERGEANT CRUDO: Can you see him?

1 OFFICER REININGER: No. After he moves
2 southbound no, I lose visual.

3 SERGEANT CRUDO: So you couldn't see where
4 he's facing?

5 OFFICER REININGER: No, I wasn't—that's
6 why I said I wasn't sure if his back was turned to
7 the suspect, if he was laying on the floor. I
8 didn't know where he was.

9 SERGEANT CRUDO: Is it possible—I mean,
10 and I get it, your thought at the time is that his—
11 he has his back to the suspect or he's down.

12 OFFICER REININGER: Right.

13 SERGEANT CRUDO: Could he have been facing
14 the suspect?

15 OFFICER REININGER: I didn't think so, no.
16 I mean unless he's on his back I just felt it—the
17 amount of time that it took him to get to where he
18 was and he had gone this direction he couldn't have
19 ran and turned around to face the suspect is what I
20 thought.

21 SERGEANT CRUDO: Okay, okay. And when he—
22 when Hillard is here in this position that you
23 first kind of noticed him and when the suspect
24 strikes the vehicle and begins to accelerate again
25 you talked about it I think also kind of the engine

1 revving.

2 OFFICER REININGER: Yes.

3 SERGEANT CRUDO: Which way is Hillard
4 facing? Is he facing the suspect vehicle?

5 OFFICER REININGER: Yes.

6 SERGEANT CRUDO: Okay. Can you tell which
7 way he's facing as he moves from here to here?

8 OFFICER REININGER: No.

9 SERGEANT CRUDO: Okay. And you said that
10 you couldn't like at that-you weren't-we've talked
11 about this, I just want to make sure. You're not
12 able to see really any-with any specificity you're
13 not able to see the driver.

14 OFFICER REININGER: No.

15 SERGEANT CRUDO: There's not detail.

16 OFFICER REININGER: No.

17 SERGEANT CRUDO: So you wouldn't know
18 where the driver is looking.

19 OFFICER REININGER: No.

20 SERGEANT CRUDO: And you talked about the
21 brake lights. I think that's it.

22 POBRA

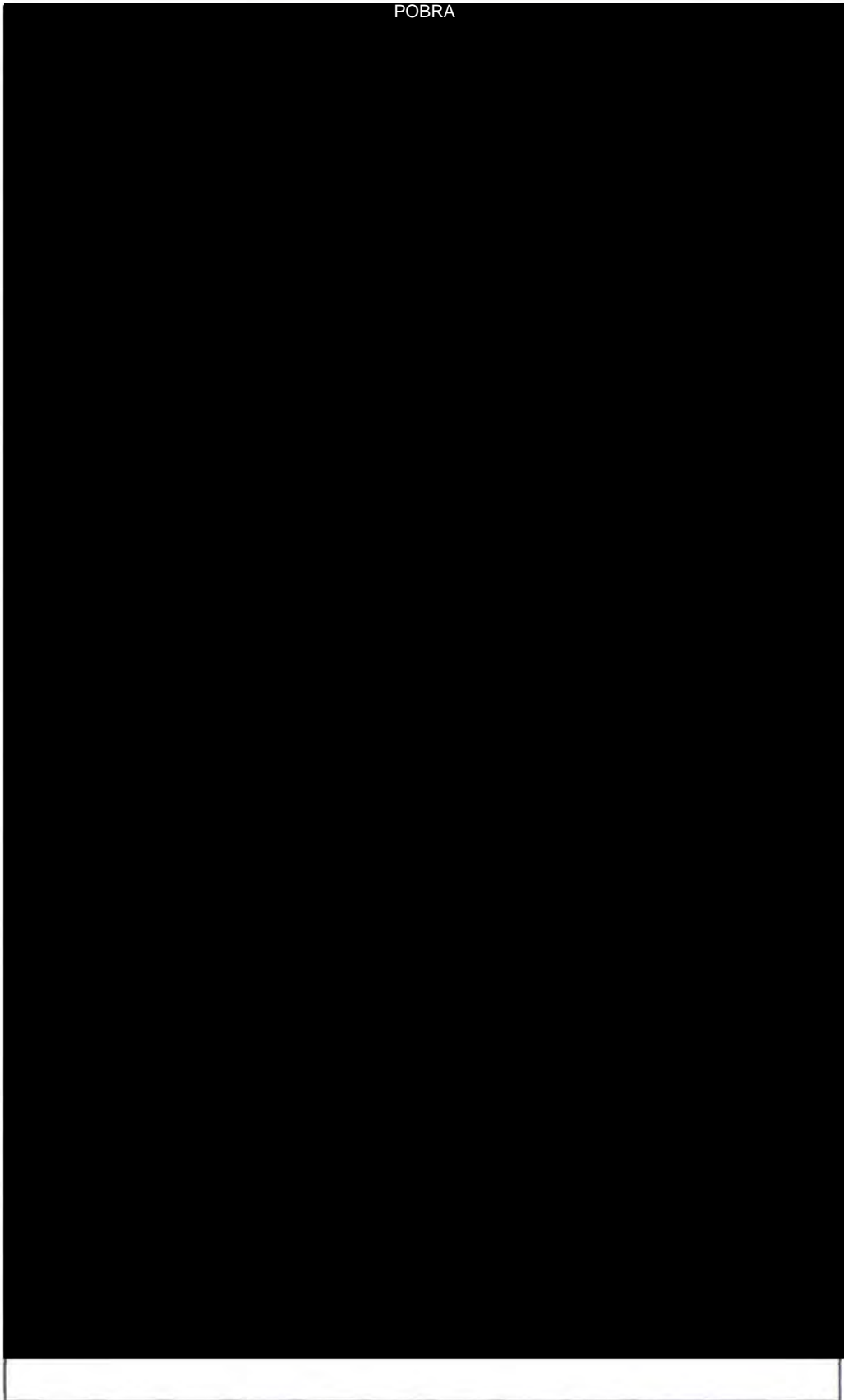
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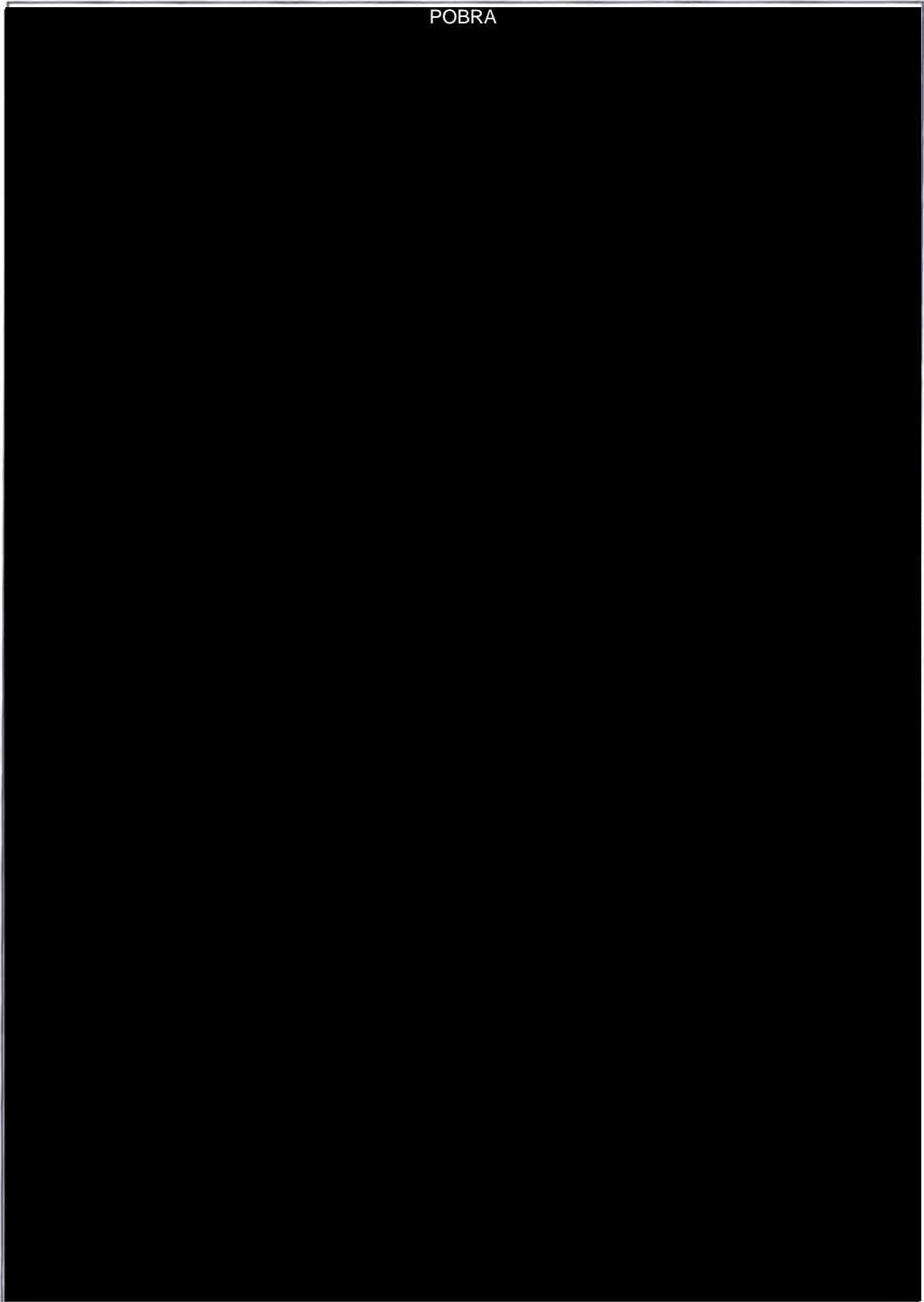
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POBRA

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POBRA

JULIA FOX: Okay.

OFFICER REININGER: Is the only thing I
can think of.

1 JULIA FOX: Okay.
2 POBRA
3
4 OFFICER REININGER: The-I believe it was
5 the same officer who took my gun.
6 SERGEANT CRUDO: CSI? Who took your gun?
7 OFFICER REININGER: Whoever photographed
8 me.
9 SERGEANT CRUDO: So the folks from CSI
10 when they photographed they replaced your firearm?
11 OFFICER REININGER: Yes. They photographed
12 me and then the range personnel took my gun.
13 POBRA
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24 SERGEANT CRUDO: But that Sergeant didn't-
25 that Sergeant didn't seize it, it went back to the

1 station with you.

2 OFFICER REININGER: No there was--yes.

3 There was a discussion of how it was supposed to go
4 and then Sergeant--I believe it was Sergeant Shaw
5 said that it's not supposed to be taken until the
6 station.

7 SERGEANT OSPITAL: Anything else?

8 JULIA FOX: No, thanks.

9 SERGEANT OSPITAL: Officer Reininger is
10 there anything else regarding this incident and
11 investigation that we have not covered that needs
12 to be added?

13 OFFICER REININGER: No.

14 SERGEANT OSPITAL: Is there anything
15 stated during this interview that needs to be
16 changed or clarified?

17 OFFICER REININGER: No.

18 SERGEANT OSPITAL: After leaving this
19 interview should you recall anything that differs
20 from or is in addition to the information you've
21 provided today you are ordered to provide that
22 information to me as soon as practical, do you
23 understand?

24 OFFICER REININGER: Yes.

25 SERGEANT OSPITAL: You may discuss this

1 matter with your representative as you choose
2 otherwise I am ordering you not to discuss any
3 portion of this investigation with any other
4 Department employee per Department General Order
5 2.01 rule 49, do you understand?

6 OFFICER REININGER: Yes.

7 SERGEANT OSPITAL: This interview is
8 concluded. The time is 8:55. And this recording
9 will now end.

10 **END OF DOCUMENT**

Confidential Copy

1 SERGEANT OSPITAL: Okay. This interview is
2 regarding OIS Case 18-004, and it's taking place at
3 the Office of the Internal Affairs Division on June
4 28th, at 2045 hours. Conducting this interview is
5 myself, Sergeant Paul Ospital of the Internal
6 Affairs Division. Assisting me in this interview
7 from the Internal Affairs Division is..

8 SERGEANT TORRES: Sergeant Pilar Torres,
9 Star 597.

10 SERGEANT OSPITAL: The member being
11 interviewed is, please state and spell your name,
12 rank, and Star number, please.

13 OFFICER AKMESE: Deniz Akmese, D-e-n-i-z,
14 A-k-m-e-s-e, Q4, Star 1339.

15 SERGEANT OSPITAL: Okay. Officer Akmese is
16 the **POBRA** officer in this matter. Representing
17 Officer Deniz Akmese is..

18 ATTORNEY FOX: Julie Fox, F-o-x.

19 SERGEANT OSPITAL: Okay. And is there
20 anyone else present in the room?

21 ATTORNEY FOX: No.

22 SERGEANT TORRES: No.

23 SERGEANT HOSPITAL: No. Okay. Officer
24 Akmese, have you read Department General
25 Order 2.01, Rule 21?

1 OFFICER AKMESE: Yes.

2 SERGEANT OSPITAL: Have you read and do you
3 understand Department General Order 2.08, Peace
4 Officers Rights?

5 OFFICER AKMESE: Yes.

6 SERGEANT OSPITAL: Okay. Do you understand
7 that this interview is being recorded?

8 OFFICER AKMESE: Yes.

9 SERGEANT OSPITAL: Officer Akmese, are you
10 prepared to be interviewed at this time?

11 OFFICER AKMESE: Yes.

12 SERGEANT OSPITAL: Let me make sure. Okay.
13 Officer Akmese, are you currently under the
14 influence of any medication, including prescription
15 medications or over-the-counter medications that
16 may affect your ability to complete this interview
17 today?

18 OFFICER AKMESE: No.

19 SERGEANT OSPITAL: Okay. I read your
20 statement and the report by Officer [Lynch],
21 regarding the incident on May 11th of 2018. I
22 provided you a copy of your statement and the
23 report. Have you had the opportunity to review the
24 material provided?

25 OFFICER AKMESE: Yes.

DPA REQUEST

1 SERGEANT OSPITAL: Okay. Having reviewed
2 the material, is there anything you would like to
3 clarify, amend, or add regarding the incident?

4 OFFICER AKMESE: No.

5 SERGEANT OSPITAL: Okay. Having reviewed
6 the material, do you find that it is an accurate
7 description of your recollection of events from
8 that night or slash (/) morning?

9 OFFICER AKMESE: Yes.

10 SERGEANT OSPITAL: The material, the
11 written statement, and report were provided to you
12 to refresh your memory of the facts, circumstances,
13 and sequences of events to verify the accuracy of
14 reports and statements surrounding the incident.

15 Have you been exposed to any news coverage, social
16 media, or other information about this incident?

17 OFFICER AKMESE: No.

18 SERGEANT OSPITAL: Okay. Having reviewed
19 the material, I am required to remind you that it
20 is important your answers in this interview be
21 based on only what you recall of your firsthand
22 observations, perceptions, and recollection of
23 events at the time you processed them on the
24 morning of Friday, May 11th, 2018. You should not
25 answer your questions based on information or

1 hearsay to which you may have been exposed to since
2 the incident. Do you understand?

3 OFFICER AKMESE: Yes.

4 SERGEANT OSPITAL: Okay. That said, do you
5 have specific and independent recollection of the
6 incident we are going to discuss?

7 OFFICER AKMESE: Yes.

8 SERGEANT OSPITAL: Okay. Briefly, in your
9 own words, what are we hear to discuss today?

10 [REDACTED] POBRA

11 SERGEANT OSPITAL: Okay. Before we get
12 started with the interview, I'm going to ask you
13 some background questions. Okay?

14 OFFICER AKMESE: Okay.

15 SERGEANT OSPITAL: And on your work
16 history. When was your hire date to the police
17 department?

18 OFFICER AKMESE: [REDACTED] POBRA 06.

19 SERGEANT OSPITAL: Okay. And your current
20 assignment?

21 OFFICER AKMESE: Northern Station,
22 midnights.

23 SERGEANT OSPITAL: Okay. 2100, correct?

24 OFFICER AKMESE: Yes.

25 SERGEANT OSPITAL: How long have you been

1 assigned to Northern?
2 OFFICER AKMESE: About five years.
3 SERGEANT OSPITAL: Okay. Let me just ask,
4 the night of the incident, you were assigned to
5 Northern. Correct?
6 OFFICER AKMESE: Yes.
7 SERGEANT OSPITAL: Okay. Do you have any
8 prior military or EMT history?
9 OFFICER AKMESE: I had an EMT [at least
10 15 years ago], but no.
11 SERGEANT OSPITAL: Okay. Do you remember
12 how...if you don't know exact, it's...
13 OFFICER AKMESE: Maybe 2000, 2001.
14 SERGEANT OSPITAL: Okay. And where though?
15 OFFICER AKMESE: San Francisco.
16 SERGEANT OSPITAL: San Francisco? Okay. Any
17 other First Responder?
18 OFFICER AKMESE: No.
19 SERGEANT OSPITAL: Okay.
20 OFFICER AKMESE: A firefighter actually;
21 [wild land] firefighter.
22 SERGEANT OSPITAL: Okay. When?
23 OFFICER AKMESE: About the same time.
24 SERGEANT OSPITAL: Okay. Where at?
25 OFFICER AKMESE: Cal Fire.

1 SERGEANT OSPITAL: Okay. All right. So,
2 you're an FTO. Correct?
3 OFFICER AKMESE: Yes.
4 SERGEANT OSPITAL: And how long have you
5 been an FTO?
6 OFFICER AKMESE: A little over two years.
7 SERGEANT OSPITAL: Okay. Approximately how
8 many recruits have you had since becoming an FTO?
9 OFFICER AKMESE: 10 or 11.
10 SERGEANT OSPITAL: Okay. Staying busy.
11 OFFICER AKMESE: Yeah.
12 SERGEANT OSPITAL: Can you explain the
13 duties and responsibilities of an FTO?
14 OFFICER AKMESE: You kind of teach the
15 new officer the right way to do things—policy, make
16 sure they're safe, and they learn the job, what
17 they're supposed to do. You kind of document the
18 different categories, the performance that they're
19 expected to do.
20 SERGEANT OSPITAL: Okay. And when you
21 document them, how do you document it?
22 OFFICER AKMESE: DOR, Daily Observation
23 Report.
24 SERGEANT OSPITAL: Okay. And in that DOR,
25 what's like, what are some of the categories, or

1 what's entailed in a DOR?

2 OFFICER AKMESE: Officer Safety, self-
3 initiated activity, policies and procedures,
4 vehicle code, penal code.

5 SERGEANT OSPITAL: Okay. On the night of
6 May 10th, you were the 3 Edward 12 Edward?

7 OFFICER AKMESE: Correct.

8 SERGEANT OSPITAL: Okay. And you had a
9 recruit of Officer Reininger?

10 OFFICER AKMESE: Yes.

11 SERGEANT OSPITAL: Okay. And on that
12 evening, you were wearing your Class Bs?

13 OFFICER AKMESE: Correct.

14 SERGEANT OSPITAL: Okay. And the equipment
15 that you carried on your belt on that night, do you
16 remember? Like on your belt, what's your standard?

17 OFFICER AKMESE: The same thing I have on
18 now.

19 SERGEANT OSPITAL: Okay.

20 OFFICER AKMESE: Magazine, two magazines.

21 SERGEANT OSPITAL: Okay.

22 OFFICER AKMESE: Department issued
23 firearm.

24 SERGEANT OSPITAL: And just noted for the
25 record, he's going from right to left; you're going

1 clockwise?
2 OFFICER AKMESE: Yeah. Flashlight,
3 handcuffs, pepper spray, baton.
4 SERGEANT OSPITAL: Okay.
5 OFFICER AKMESE: Handcuffs.
6 SERGEANT OSPITAL: Anything else on your
7 body that you have that's Department issue?
8 OFFICER AKMESE: Department issue
9 cellphone and a body worn camera.
10 SERGEANT OSPITAL: Okay. That evening, were
11 you driving in a marked patrol car?
12 OFFICER AKMESE: Yes.
13 SERGEANT OSPITAL: SUV or?
14 OFFICER AKMESE: It was a Taurus.
15 SERGEANT OSPITAL: Okay. And it's obviously
16 equipped with lights, siren?
17 OFFICER AKMESE: Lights, siren.
18 SERGEANT OSPITAL: Okay. And Recruit
19 Officer Reininger, was he in his [REDACTED] POBRA during
20 this?
21 OFFICER AKMESE: Yes.
22 SERGEANT OSPITAL: Okay. How many [REDACTED] POBRA
23 [REDACTED] POBRA recruits have you had prior to Officer
24 Reininger, if you can...?
25 OFFICER AKMESE: Maybe three or four.

1 SERGEANT OSPITAL: Okay. In your routine
2 when you have recruits, what is it? Do you have,
3 like prior to your shift, like prior to line-up, is
4 there a certain routine that you have with your
5 recruits like setting up the car or just...?

6 OFFICER AKMESE: [REDACTED] POBRA they
7 usually [issue] the car themselves.

8 SERGEANT OSPITAL: Okay.

9 OFFICER AKMESE: Yeah, and we just go to
10 line-up and go from there.

11 SERGEANT OSPITAL: Okay. So, basically on
12 [REDACTED] POBRA, you let them do everything?

13 OFFICER AKMESE: Yeah.

14 SERGEANT OSPITAL: And then you'll just,
15 you evaluate it. At the end of shift or just prior
16 to leaving?

17 OFFICER AKMESE: What do you mean?

18 SERGEANT OSPITAL: Of what they've, if
19 they've set everything appropriately.

20 OFFICER AKMESE: Yeah.

21 SERGEANT OSPITAL: You know, if they got
22 the car, when do you do it?

23 OFFICER AKMESE: Just when I get in the
24 car.

25 SERGEANT OSPITAL: Okay. And this is what

1 you do with all your recruits?

2 OFFICER AKMESE: Yeah.

3 SERGEANT OSPITAL: Okay. With your
4 recruits, after they've gone, they've set up the
5 car and they do what they're doing, do you ever go
6 over scenarios with your recruits?

7 OFFICER AKMESE: Sometimes.

8 SERGEANT OSPITAL: Okay. Like what kind of
9 scenarios?

10 OFFICER AKMESE: If a call comes out, we
11 might talk about the call.

12 SERGEANT OSPITAL: Okay. Like even prior,
13 just for an example, do you like go over how you'd
14 handle like a traffic stop, 585, or going to a DV
15 call, pursuits?

16 OFFICER AKMESE: Sometimes, more so in
17 first phase and second phase. Third phase, they're
18 usually familiar with most of that if they're
19 squared away.

20 SERGEANT OSPITAL: Okay. And did you and
21 Officer Reininger, prior to obviously, the incident
22 of that evening, ever had like a resistor or a 148?

23 OFFICER AKMESE: I don't recall.

24 SERGEANT OSPITAL: Okay. In your **POBRA**
25 **POBRA** with Officer Reininger, how many days have

1 you had him?

2 OFFICER AKMESE: That was our eighth day.

3 SERGEANT OSPITAL: Your eighth day? Based
4 on your observations of Officer Reininger, in your
5 opinion as an FTO, how would you rate his overall
6 performance during the phase with you? Strengths,
7 weaknesses?

8 OFFICER AKMESE: He was pretty solid. He
9 was better than most of the POBRA recruits
10 that I've had.

11 SERGEANT OSPITAL: All right. Okay. So,
12 prior to the incident that evening, had you or
13 Officer Reininger handled any runs for service that
14 were being dispatched to you or were self-
15 initiated?

16 OFFICER AKMESE: I don't know. I don't
17 recall.

18 SERGEANT OSPITAL: You don't recall?

19 OFFICER AKMESE: Are you saying that
20 night?

21 SERGEANT OSPITAL: Yes, yeah.

22 OFFICER AKMESE: I think we went to an
23 FTO meeting that night and may have handled one or
24 two calls before then.

25 SERGEANT OSPITAL: Okay.

1 OFFICER AKMESE: I'm not sure, I have to
2 look at the CAD.

3 SERGEANT OSPITAL: And the FTO meeting is
4 up at the Academy, you said?

5 OFFICER AKMESE: Yeah.

6 SERGEANT OSPITAL: Okay. And those usually
7 go for a couple of hours. Right? Or an hour?

8 OFFICER AKMESE: About an hour or two.

9 SERGEANT OSPITAL: Okay. Do you remember
10 handling a run prior to this incident?

11 OFFICER AKMESE: I think we may have.
12 Like I said, I don't recall.

13 SERGEANT OSPITAL: Okay. All right. So,
14 prior to the incident, what was your status? Were
15 you guys 10-8? Were you actually..well, you say you
16 don't know if you were handling or around. What was
17 your status prior to the incident?

18 OFFICER AKMESE: I think we were 10-8.
19 Yeah, I think we were 10-8.

20 SERGEANT OSPITAL: Okay. Okay. So, now I'm
21 going to just kind of start going into the
22 incident. Okay? Start going in from there, unless
23 you have anything right now? If not, I can, I'm
24 just going to start right into it.

25 SERGEANT TORRES: Yeah, go ahead.

1 SERGEANT OSPITAL: Okay. All right. So,
2 based on the initial report, your written
3 statement, and statements made by Officer
4 Reininger, you and Officer Reininger were
5 southbound Steiner approaching Geary Boulevard,
6 heading back to Northern Station?

7 OFFICER AKMESE: Correct.

8 SERGEANT OSPITAL: Okay. Was that from a
9 follow-up from a run or from the Academy or just...?

10 OFFICER AKMESE: I don't recall.

11 SERGEANT OSPITAL: Okay. And it stated as
12 you were approaching Geary Boulevard, Recruit
13 Officer Reininger stated he heard an audible car
14 alarm and alerted you?

15 OFFICER AKMESE: Yeah.

16 SERGEANT OSPITAL: At this point, I think
17 you said that you, in your statement, stated that
18 you observed headlights flashing and alarms
19 sounding from a car slash (/) Honda, just south of
20 Geary, parked on the east side?

21 OFFICER AKMESE: Yes.

22 SERGEANT OSPITAL: That would be closer to
23 where, KFC's parking lot?

24 OFFICER AKMESE: Yeah.

25 SERGEANT OSPITAL: Okay.

1 OFFICER AKMESE: Like right next to it.
2 SERGEANT OSPITAL: Okay. And at this point,
3 as you're crossing, or when you observed the car
4 with the lights flashing and the alarm sounding,
5 you alerted Officer Reininger you saw two
6 individuals by the car?
7 OFFICER AKMESE: Yes.
8 SERGEANT OSPITAL: Okay. One was bent over,
9 near the car, later identified as [REDACTED] ID .
10 OFFICER AKMESE: Correct.
11 SERGEANT OSPITAL: And then the second
12 standing as a lookout, later as [REDACTED] ID .
13 OFFICER AKMESE: Correct.
14 SERGEANT OSPITAL: And [REDACTED] ID I guess, was
15 off to, on the sidewalk part, not close to the car
16 or, where was he?
17 OFFICER AKMESE: They were pretty close.
18 I think they were right next to the car.
19 SERGEANT OSPITAL: Okay. Do you recall if
20 there was anybody else on the block?
21 OFFICER AKMESE: Yeah. The block was
22 pretty much pretty empty. I don't remember seeing
23 anybody else on the block.
24 SERGEANT OSPITAL: Okay. So, there was no
25 body else on the block?

1 OFFICER AKMESE: No.

2 SERGEANT OSPITAL: Okay. How was the
3 lighting on the block?

4 OFFICER AKMESE: Dark.

5 SERGEANT OSPITAL: Just your basic street
6 lights or whatever, the overhead lights?

7 OFFICER AKMESE: Yes, overhead lights.
8 There's a park next to there, and a lot of trees,
9 so it's pretty dark.

10 SERGEANT OSPITAL: All right. So, and I
11 think in your statement or in the report as well,
12 it says that as you were crossing the intersection
13 of Geary and Steiner, you and Recruit Officer
14 Reininger observed the two individuals starting to
15 walk away from the car?

16 OFFICER AKMESE: Correct.

17 SERGEANT OSPITAL: And which way were they
18 going?

19 OFFICER AKMESE: South towards O'Farrell.

20 SERGEANT OSPITAL: Okay. All right. So,
21 now, as you're going across, explain your mindset
22 as a Field Training Officer at this time. What's
23 going through your mind?

24 OFFICER AKMESE: We were just going to
25 stop and talk to these guys and see what's going

1 on.

2 SERGEANT OSPITAL: Okay.

3 OFFICER AKMESE: Yeah. Reininger was
4 pretty squared away, so it was kind of more working
5 with a partner than a recruit.

6 SERGEANT OSPITAL: Okay.

7 OFFICER AKMESE: He kind of knew what he
8 was doing, so...

9 SERGEANT OSPITAL: Okay. So, in your
10 mindset and experience, what did you think just
11 happened?

12 OFFICER AKMESE: I think these two
13 individuals just broke into the car.

14 SERGEANT OSPITAL: Okay. I'm sorry, I'm a
15 slow writer. So, now as they're walking away,
16 you're crossing the intersection. Did you say
17 anything to Recruit Officer Reininger?

18 OFFICER AKMESE: I probably pointed the
19 guys out, you know, and told him we were going to
20 stop the guys, but I don't recall exactly what I
21 said.

22 SERGEANT OSPITAL: Okay. But you made
23 mention that you were going to take these guys on?

24 OFFICER AKMESE: Yeah.

25 SERGEANT OSPITAL: Okay. Did you say why

1 you were going to take them on?
2 OFFICER AKMESE: I don't recall.
3 SERGEANT OSPITAL: Okay.
4 OFFICER AKMESE: I think it was pretty
5 apparent.
6 SERGEANT OSPITAL: Apparent meaning?
7 OFFICER AKMESE: Meaning they just broke
8 into the car.
9 SERGEANT OSPITAL: Okay.
10 OFFICER AKMESE: We drove past the car
11 and saw the broken window, and these guys are
12 walking away.
13 SERGEANT OSPITAL: Okay.
14 OFFICER AKMESE: I may have said
15 something, but I don't recall what I said though.
16 SERGEANT OSPITAL: Okay. As you two
17 approached the car with the alarm sounding, you
18 said that you observed the passenger window to be
19 smashed?
20 OFFICER AKMESE: Correct.
21 SERGEANT OSPITAL: Okay. And as we know,
22 all these things happen fast; everything goes
23 quick, within seconds. As you were crossing the
24 intersection, you see them walking away, you see
25 the window smashed. At any time, were you able to

1 try to discuss any tactics with Recruit Officer
2 Reininger while approaching the two individuals?

3 OFFICER AKMESE: No.

4 SERGEANT OSPITAL: Why?

5 OFFICER AKMESE: [Due to] the car alarm
6 going off, I see them walk away, and rolling up on
7 them, and it was probably a matter of ten seconds,
8 something like that, 15 seconds; it was a pretty
9 short time.

10 SERGEANT OSPITAL: Okay. I think you said
11 you pulled the patrol car alongside the two
12 individuals as they were walking away towards
13 O'Farrell and you rolled down your window. Is that
14 correct? As you're going down, you're approaching
15 them, you rolled down your window?

16 OFFICER AKMESE: I don't recall.

17 SERGEANT OSPITAL: Okay.

18 OFFICER AKMESE: Rolling down the window.
19 I think we stopped and got out.

20 SERGEANT OSPITAL: Okay.

21 OFFICER AKMESE: I might have rolled down
22 the window and said stop or something like that, as
23 we were approaching them.

24 SERGEANT OSPITAL: Okay. Okay. So, if you
25 don't actually...do you want to see it real quick?

1 OFFICER AKMESE: [Unintelligible.]
2 SERGEANT OSPITAL: Do you want to take a
3 look at it? It just says you stopped the patrol car
4 and then you stopped. So, basically, you think you
5 opened up the door?
6 OFFICER AKMESE: Yeah.
7 SERGEANT OSPITAL: And then what did you
8 say, if you remember?
9 OFFICER AKMESE: Stop.
10 SERGEANT OSPITAL: Okay. Did they comply?
11 OFFICER AKMESE: For a second.
12 SERGEANT OSPITAL: Okay. What do you mean?
13 OFFICER AKMESE: We stopped the car, you
14 know, both got out, POBRA
15 POBRA, and I told them
16 to stop. As Reininger walked towards ID
17 bolted and Reininger took off after him.
18 SERGEANT OSPITAL: Okay.
19 OFFICER AKMESE: And then I grabbed ID
20 and pat him down real quick. He was trying to pull
21 away.
22 SERGEANT OSPITAL: Okay. Prior to even
23 pulling up, was there any reason why they wouldn't
24 know you were the police? Did you do anything else
25 besides just pull up, and get out of the car, and

1 say, stop?

2 OFFICER AKMESE: I don't know. I think
3 Reininger put out we were taking on 9-17s, but I
4 don't recall anything else.

5 SERGEANT OSPITAL: Okay.

6 OFFICER AKMESE: We were in full uniform
7 and driving a marked patrol vehicle.

8 SERGEANT OSPITAL: Did you announce
9 yourself as police, and if so, how?

10 OFFICER AKMESE: I don't know, I don't
11 recall.

12 SERGEANT OSPITAL: So, you don't recall
13 announcing or saying you're police and if he said
14 anything?

15 OFFICER AKMESE: No.

16 SERGEANT OSPITAL: Besides your initial
17 statement of saying, "Hey, stop"?

18 OFFICER AKMESE: Yeah.

19 SERGEANT OSPITAL: Okay. Do you remember
20 using your light bar? Did you use your light bar?

21 OFFICER AKMESE: I don't recall.

22 SERGEANT OSPITAL: Okay. So, you exited the
23 patrol car, you deal with [REDACTED] ID ?

24 OFFICER AKMESE: Yes.

25 SERGEANT OSPITAL: And [REDACTED] ID stops for you,

1 and then what happens next? If you can remember
2 when Reininger gets out, what happens?

3 OFFICER AKMESE: I was driving and
4 Reininger was the passenger, so as we pull up on
5 them, I'm closer to [REDACTED] ID, so I go to grab him. And
6 as Reininger is walking around, he gets like a few
7 feet from [REDACTED] ID and [REDACTED] ID just bolts, and Reininger
8 takes off after him.

9 SERGEANT OSPITAL: Okay. And which way does
10 he head?

11 OFFICER AKMESE: East on O'Farrell
12 towards Fillmore.

13 SERGEANT OSPITAL: Okay. Prior, just to the
14 take-on, did you guys notify Dispatch of what you
15 had or possibly what you had?

16 OFFICER AKMESE: Yeah. I think we put
17 ourselves out 9-17 or two 9-17s at O'Farrell and
18 Steiner.

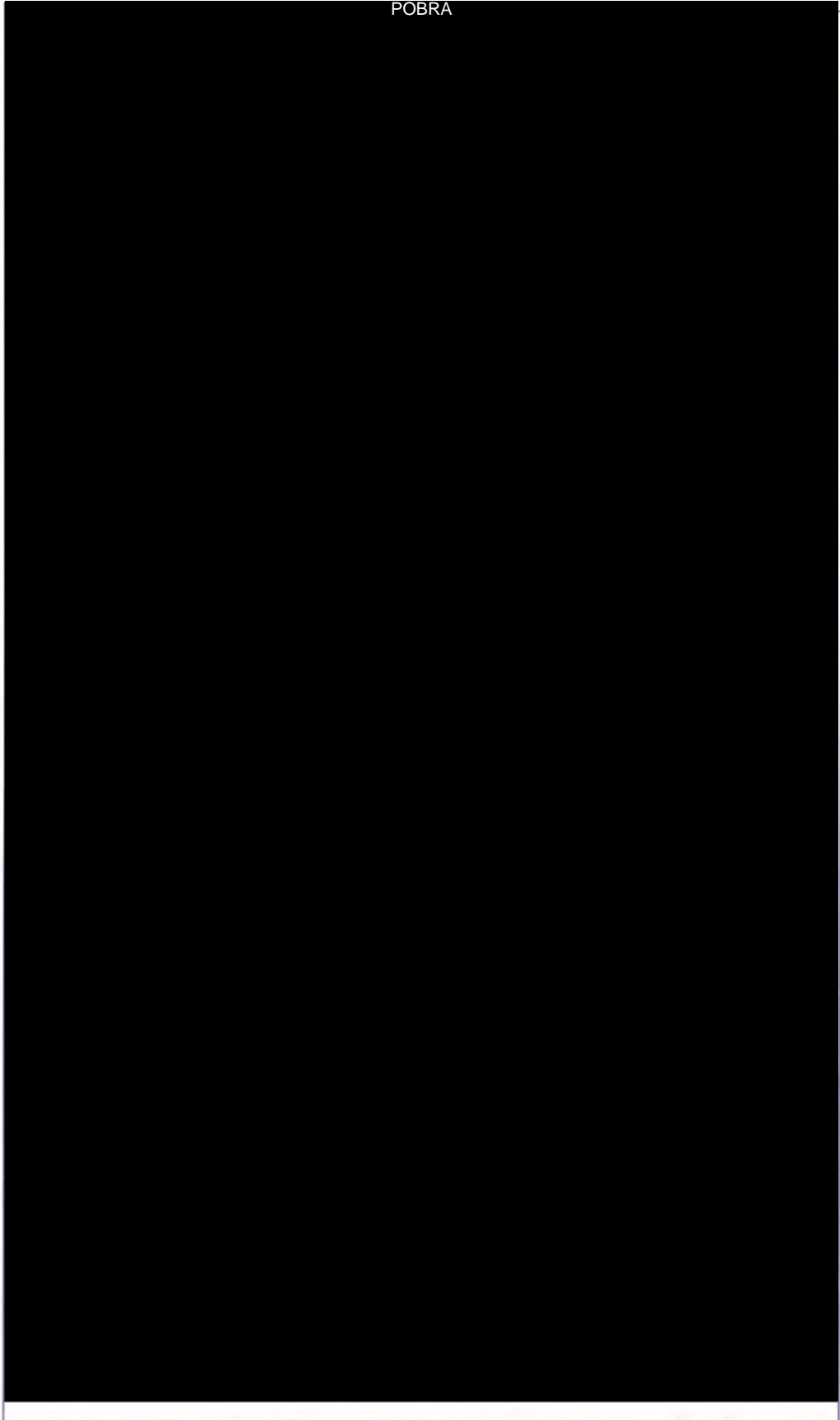
19 SERGEANT OSPITAL: You think you did or you
20 did?

21 OFFICER AKMESE: I'm pretty sure
22 Reininger did.

23 [REDACTED] POBRA
24 [REDACTED]
25 [REDACTED]

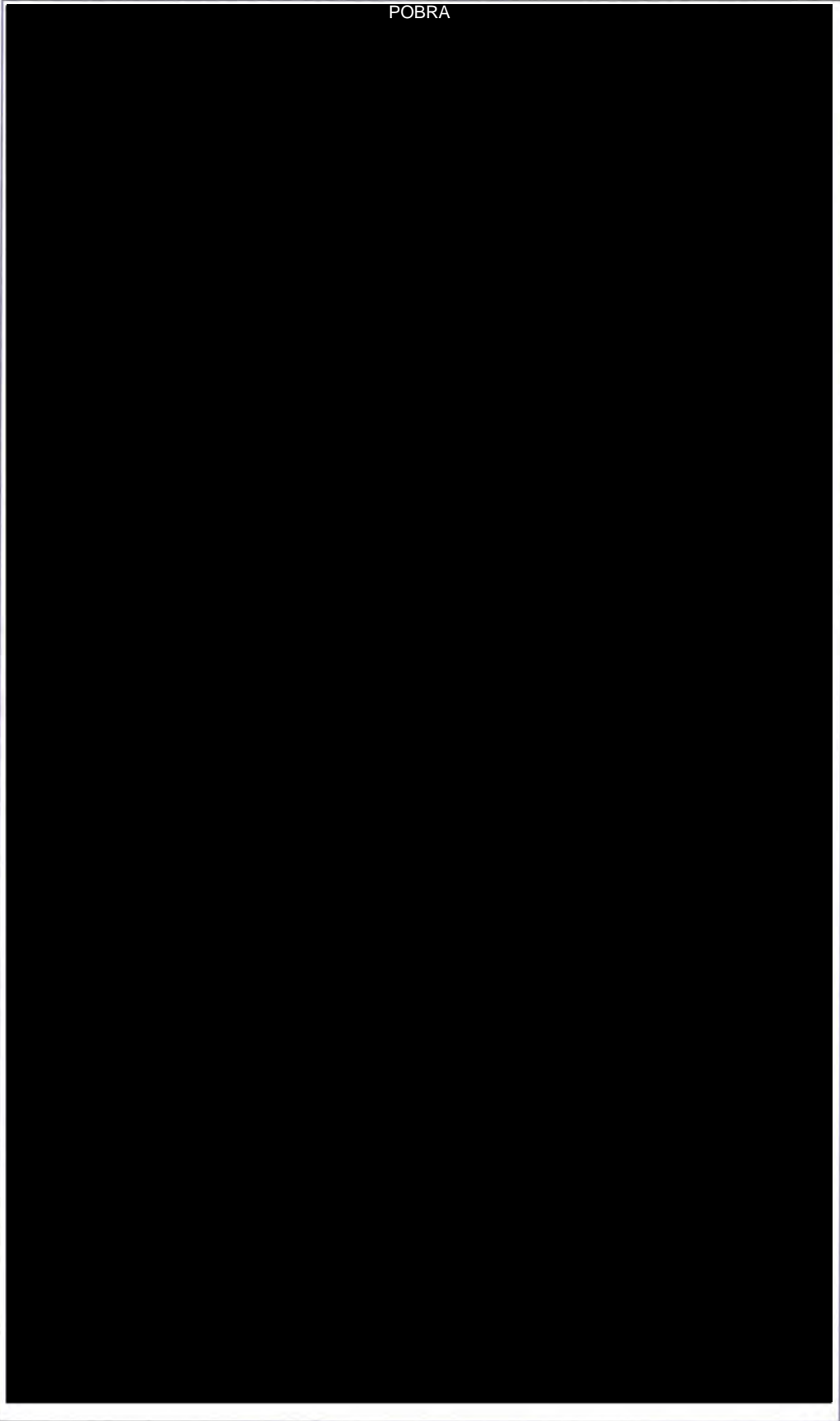
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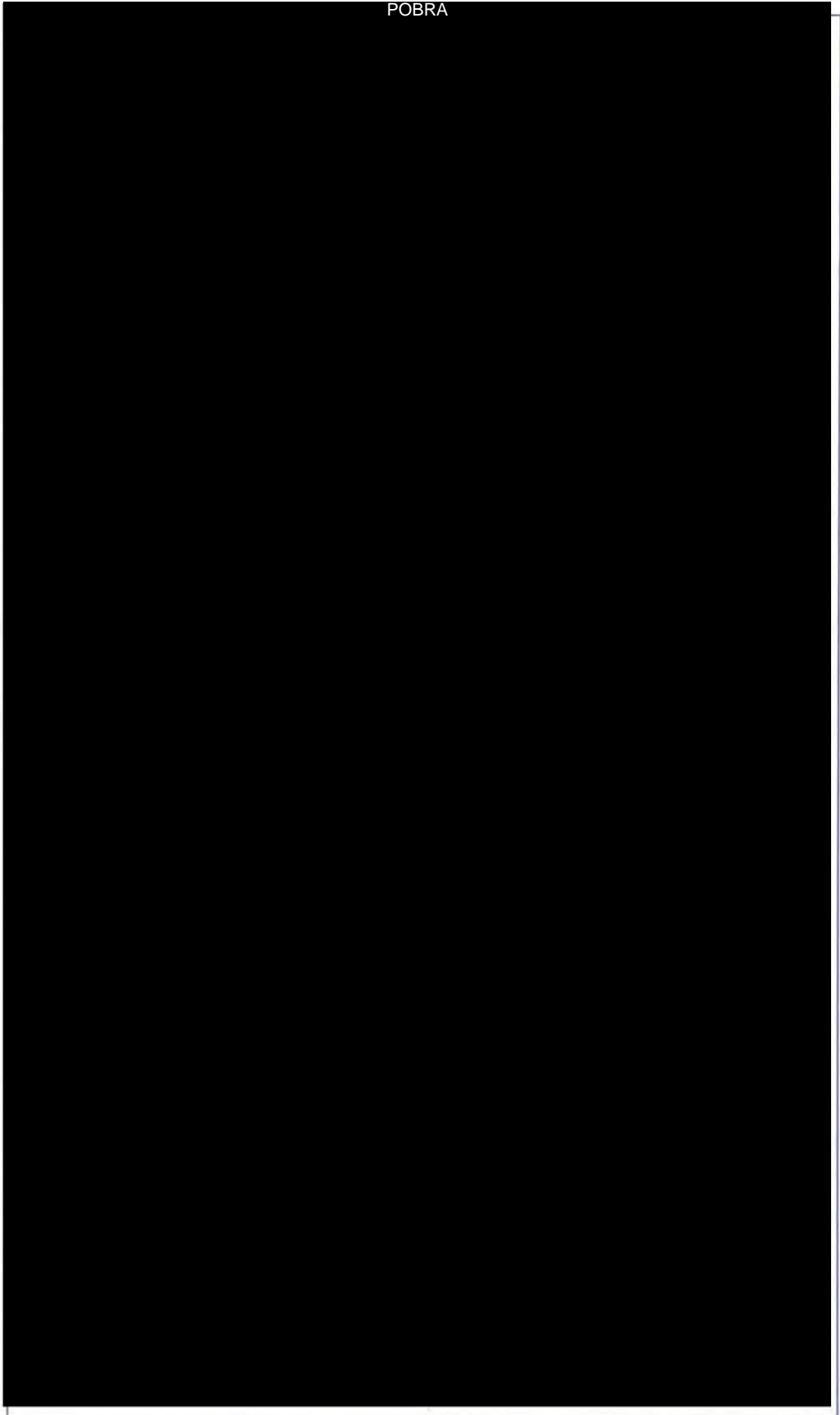
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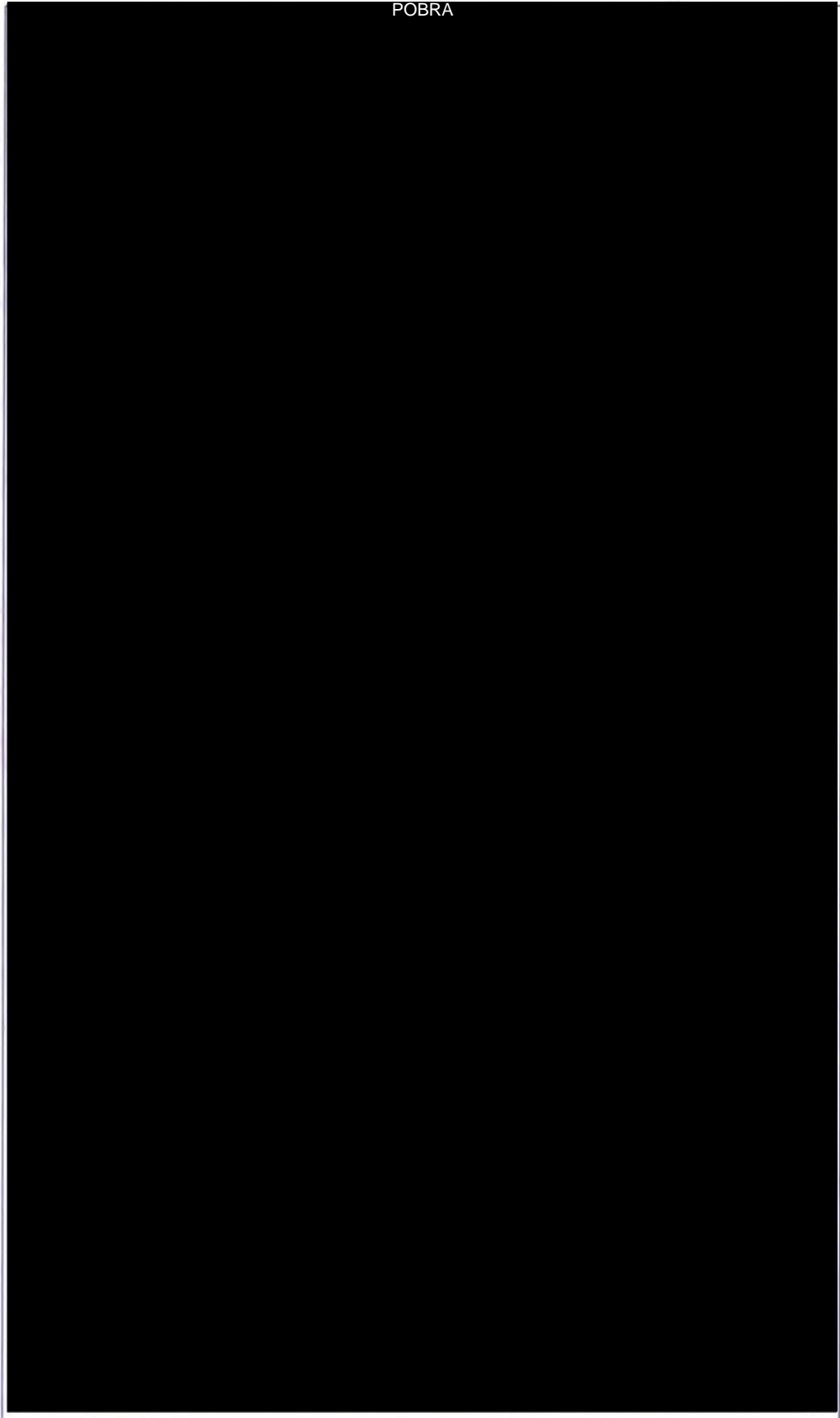


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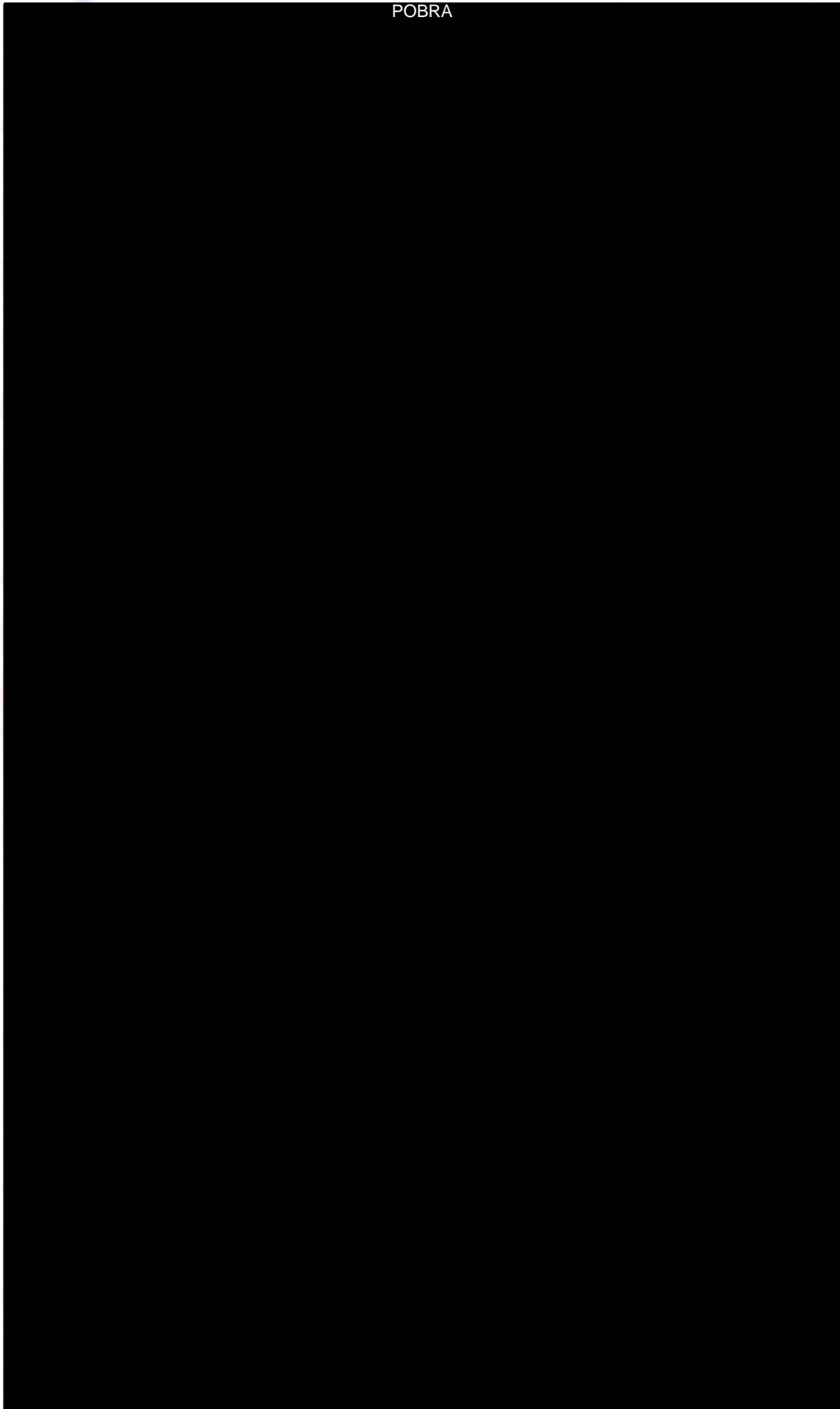
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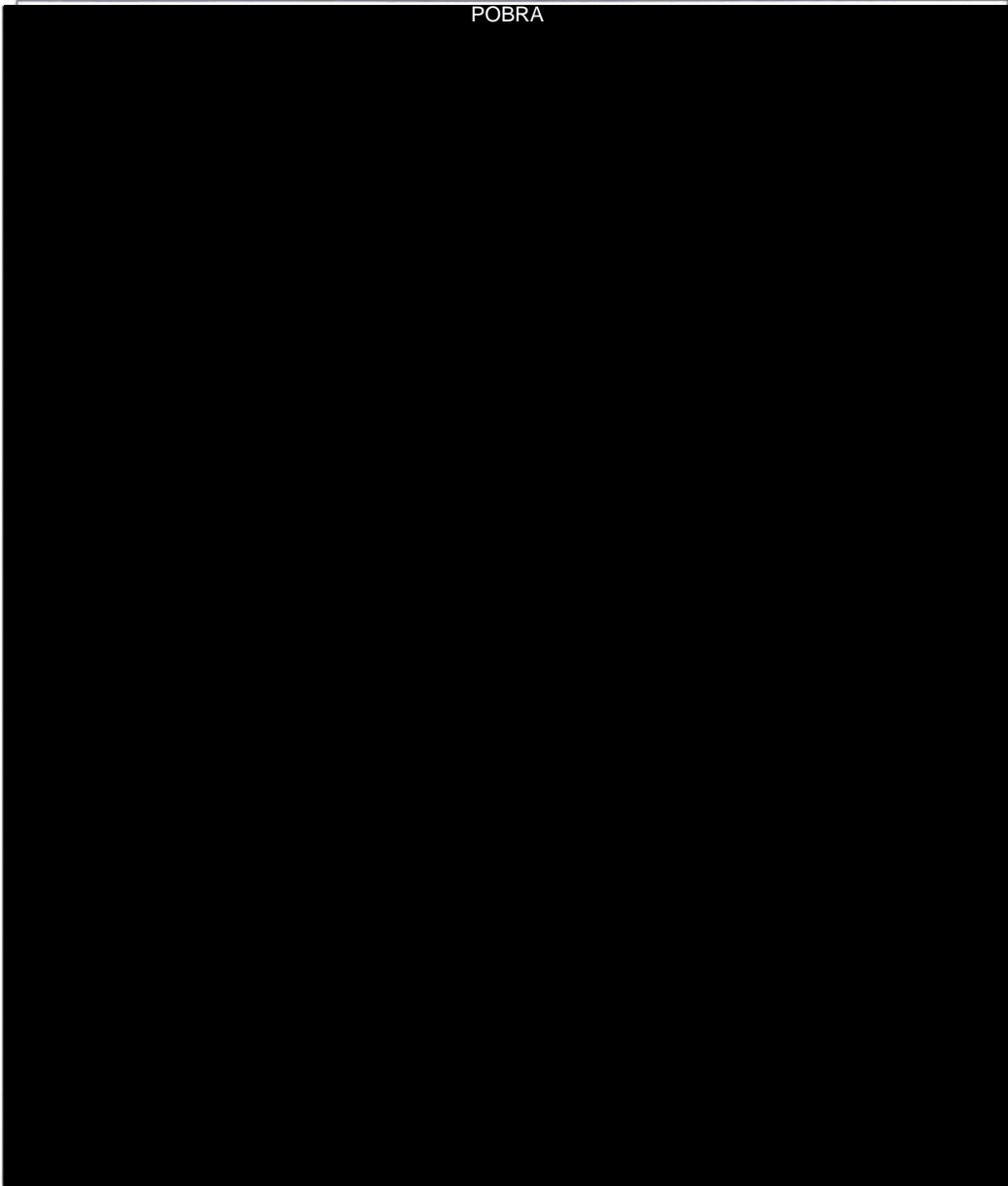
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SERGEANT OSPITAL: Okay. Do you have anything?
SERGEANT TORRES: Officer [Ak-mess-say].
OFFICER AKMESE: [Ak-mah-shay].
SERGEANT TORRES: [Ak-mah-shay], Akmese, I'm just going to go through in kind of the order that I have questions, where Sergeant Ospital, the

1 order in which he asked the questions.

2 OFFICER AKMESE: Sure.

3 SERGEANT TORRES: You had stated that you
4 had not been exposed to any news coverage, social
5 media, or other information about this incident.
6 So, you didn't see anything on television regarding
7 the OIS?

8 OFFICER AKMESE: No.

9 SERGEANT TORRES: No? You had stated that
10 Officer Reininger's, it was his eighth day with
11 you?

12 OFFICER AKMESE: Correct.

13 SERGEANT TORRES: I'm sorry?

14 OFFICER AKMESE: Yes.

15 SERGEANT TORRES: And that would have been
16 the eighth training day?

17 OFFICER AKMESE: Yes.

18 SERGEANT TORRES: Okay. Do you ever talk
19 to your recruits about getting separated? If it
20 were to happen, what you would expect from them,
21 what they can expect from you?

22 OFFICER AKMESE: No.

23 SERGEANT TORRES: Is there a reason why?
24 It's hard to cover every situation.

25 OFFICER AKMESE: Right.

1 SERGEANT TORRES: To me, that seems like
2 it would be a big one, if something...

3 OFFICER AKMESE: Yeah. No, it hadn't
4 happened before.

5 SERGEANT TORRES: Okay.

6 OFFICER AKMESE: But definitely something
7 to go over in the future.

8 SERGEANT TORRES: Several instances during
9 Sergeant Ospital's questioning, you said you do not
10 recall, several times. Would pulling up the CAD
11 help you?

12 OFFICER AKMESE: Absolutely.

13 SERGEANT TORRES: Would it?

14 OFFICER AKMESE: Yeah.

15 SERGEANT TORRES: Okay. Because I have
16 several questions with regard to, that if the CAD
17 can help you, I'd like to get answers to. So, maybe
18 we'll take a break and do that?

19 OFFICER AKMESE: Okay.

20 SERGEANT TORRES: Is that okay?

21 ATTORNEY FOX: Okay.

22 SERGEANT OSPITAL: Is that okay? All right.
23 We'll just turn this off for now. All right.

24 SERGEANT TORRES: What time is it?

25 SERGEANT OSPITAL: It is 2116, and we'll be

1 ending; turning off the recorders.

2 **END OF DOCUMENT**

DPA REQUEST

1 SERGEANT OSPITAL: All right. It is 2119
2 and we are back on the record with Officer Akmese,
3 and in the room is still myself, Sergeant Paul
4 Ospital.

5 SERGEANT TORRES: Sergeant Pilar Torres.

6 ATTORNEY FOX: Julia Fox.

7 SERGEANT TORRES: So, we had stopped
8 because I had a question with regards to, a
9 question about CAD, and we retrieved the CAD, and
10 the CAD number listed here is [REDACTED] ID. Officer
11 Akmese, you had stated that previously to Sergeant
12 Ospital, you had stated, or the question was asked
13 of you, "What was your last run prior to the
14 incident?" Of course, I should have been more clear
15 to Sergeant Ospital what I was requesting, so I'll
16 bypass that. Where I want to get to is, earlier you
17 had stated that you went out on a 9-17, in the area
18 where this was initiated, and I just don't see that
19 listed anywhere on the CAD. Typically, what happens
20 with CAD is if you go out on something, a 9-17, and
21 it changes and it turns into something more, a
22 higher priority, they'll change the CAD, but
23 they'll show that sequence of change.

24 OFFICER AKMESE: Correct.

25 SERGEANT TORRES: So, I just don't see

1 that. So, that's a question I had was you had
2 stated earlier that you went out on a 9-17.

3 OFFICER AKMESE: When we took them on?

4 SERGEANT TORRES: When you took them, yes.

5 OFFICER AKMESE: Correct.

6 SERGEANT TORRES: And correct me if I'm
7 wrong. Then I think you said you think Officer
8 Reininger put it out?

9 OFFICER AKMESE: Correct.

10 SERGEANT TORRES: I know you can't speak
11 to what he did, but you yourself?

12 OFFICER AKMESE: I remember, I'm pretty
13 sure I remember him saying, you know, "Show us at
14 the 9-17 at O'Farrell and Steiner."

15 SERGEANT TORRES: Okay. And that was when?
16 On the approach? As you're getting out?

17 OFFICER AKMESE: As we're getting out.

18 SERGEANT TORRES: Okay. And that was after
19 pulling up and seeing the broken window?

20 OFFICER AKMESE: Correct.

21 SERGEANT TORRES: Okay. So, I'm looking at
22 CAD [REDACTED] ID, and it appears the first entry in
23 here is, "Northbound Fillmore through the parking
24 lot, going through Safeway." So, maybe I should
25 pull up the whole CAD, because it may be there.

1 OFFICER AKMESE: Yeah. The CAD history,
2 it might be a separate...

3 SERGEANT TORRES: It might be there. So,
4 that's the point that I want to make.

5 OFFICER AKMESE: Yeah.

6 SERGEANT TORRES: That it's not on here.

7 OFFICER AKMESE: I don't know if there's
8 two separate ones. Dispatch [unintelligible].

9 POBRA

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16 OFFICER AKMESE: Yes.

17 POBRA

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25 SERGEANT TORRES: Okay. Good point. Good

1 point. Good point.

2 ATTORNEY FOX: But I do have some
3 questions, if I can ask some, if you're done,
4 Sergeant Torres?

5 SERGEANT TORRES: Absolutely. Absolutely.

6 ATTORNEY FOX: Okay. So, I want to get
7 to your statement, and it looks like you wrote it
8 the night of the incident, May 11th. Did you?

9 OFFICER AKMESE: Correct. Yes.

10 ATTORNEY FOX: In close time, in close
11 proximity time-wise to the incident?

12 OFFICER AKMESE: Yes.

13 ATTORNEY FOX: It looks like, and I'm
14 asking because I don't know, that you either
15 started or turned this in just before six?

16 OFFICER AKMESE: Yes.

17 ATTORNEY FOX: Okay. So, just within
18 hours after the incident?

19 OFFICER AKMESE: Yes.

20 ATTORNEY FOX: Is an OIS a pretty
21 profound event for a police officer?

22 OFFICER AKMESE: Yes.

23 ATTORNEY FOX: When a trainee is
24 involved in an OIS, is that an even more profound
25 event for an FTO?

DPA REQUEST

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OFFICER AKMESE:

Yes.


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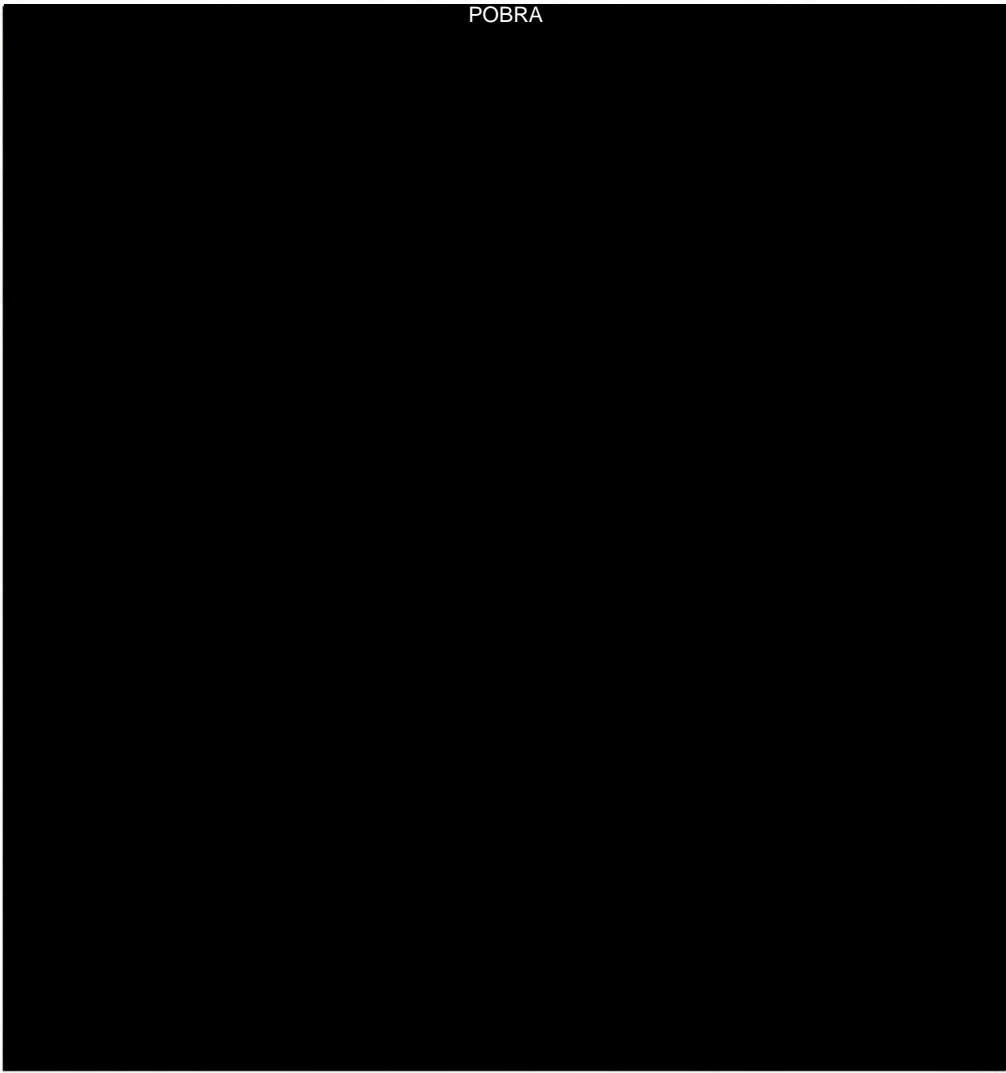


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ATTORNEY FOX: Okay. That's it for me.
Actually, I do have one more. Thank you, I
appreciate you allowing me that. With regard to
telling a trainee what's to happen were you two to
separate, you the FTO and he the trainee, 



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OFFICER AKMESE: Correct.

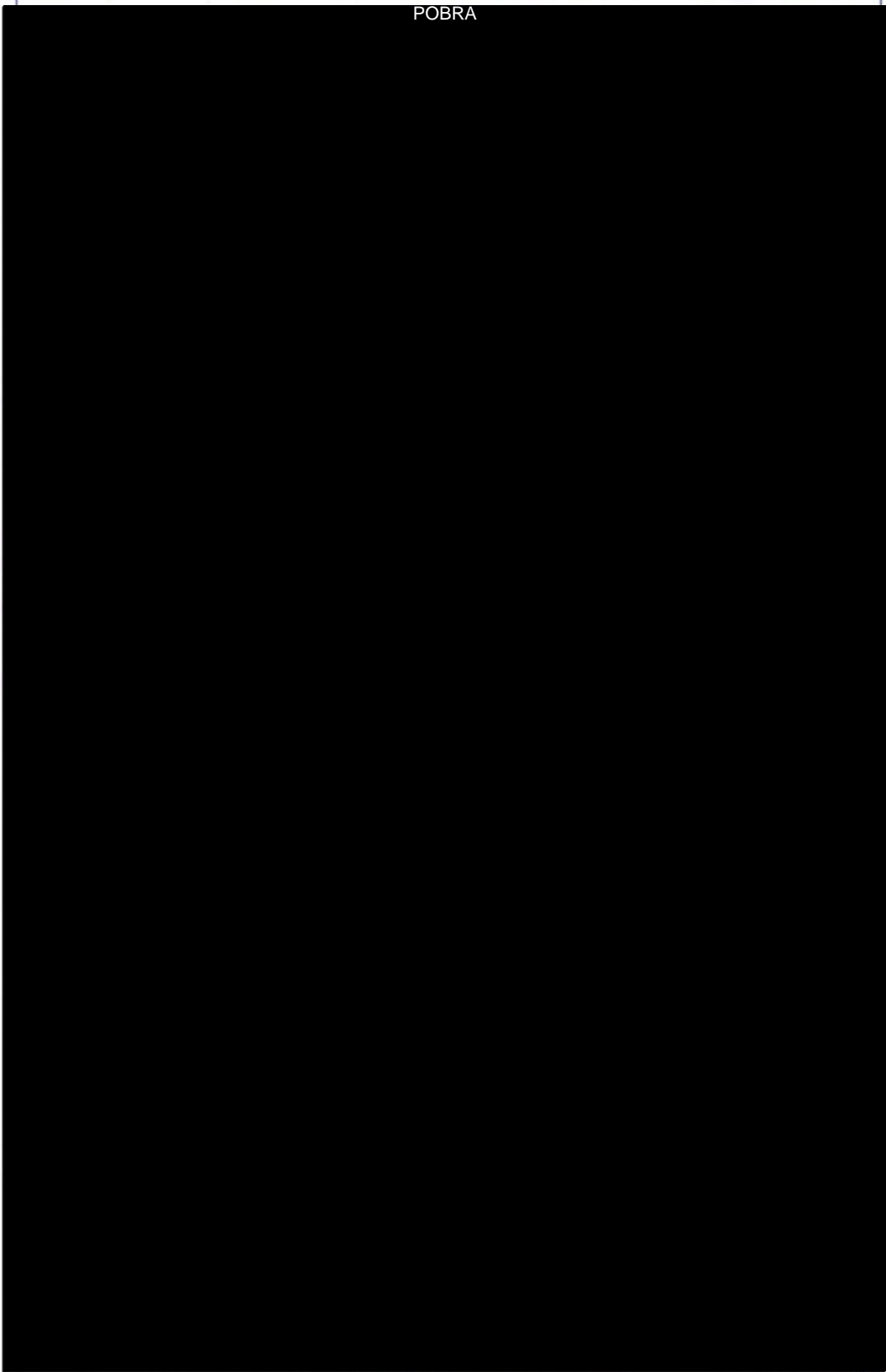
ATTORNEY FOX: That's it for me.

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SERGEANT TORRES: And yeah, we'll go into

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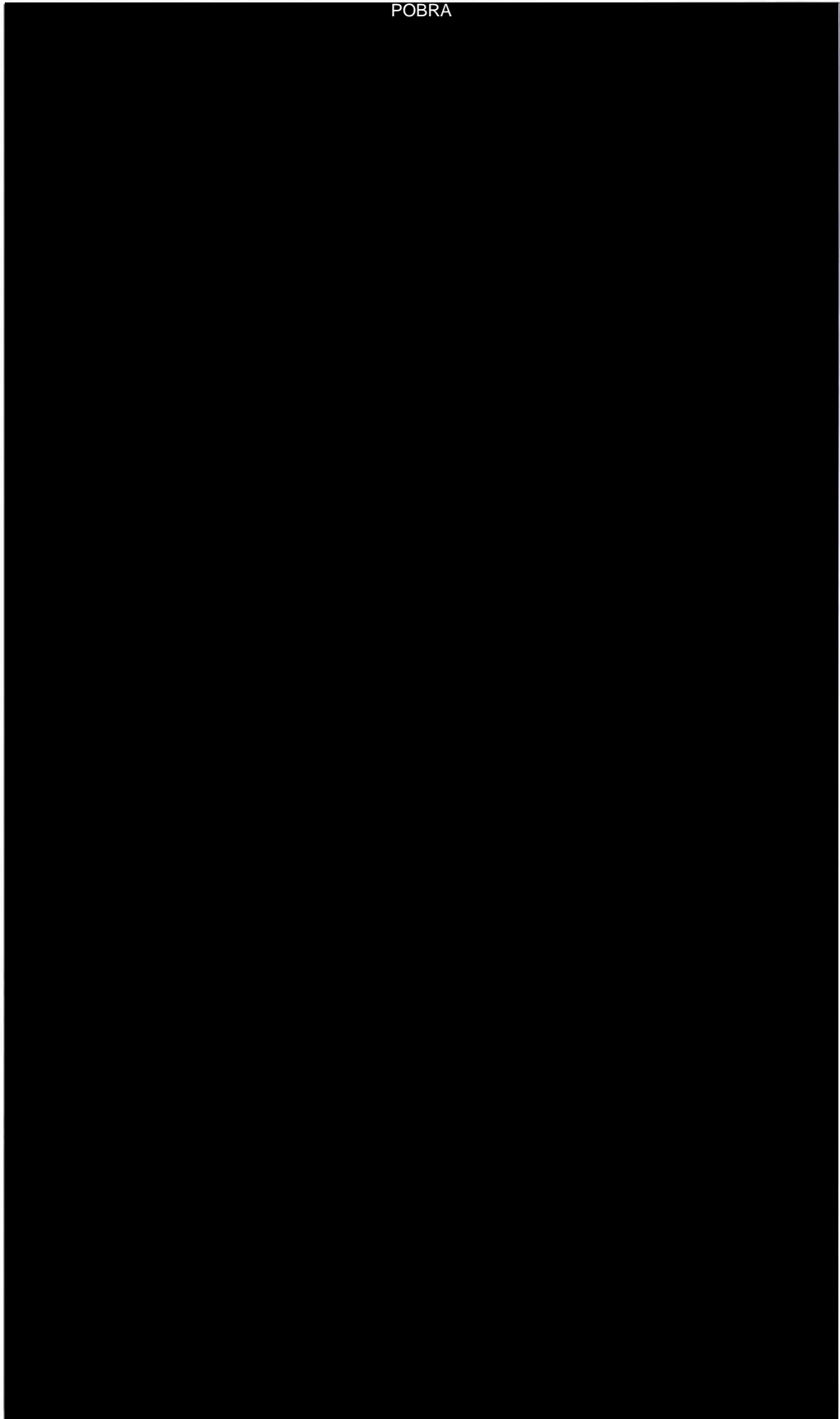
that later. I'm done.
SERGEANT OSPITAL: Did you...?



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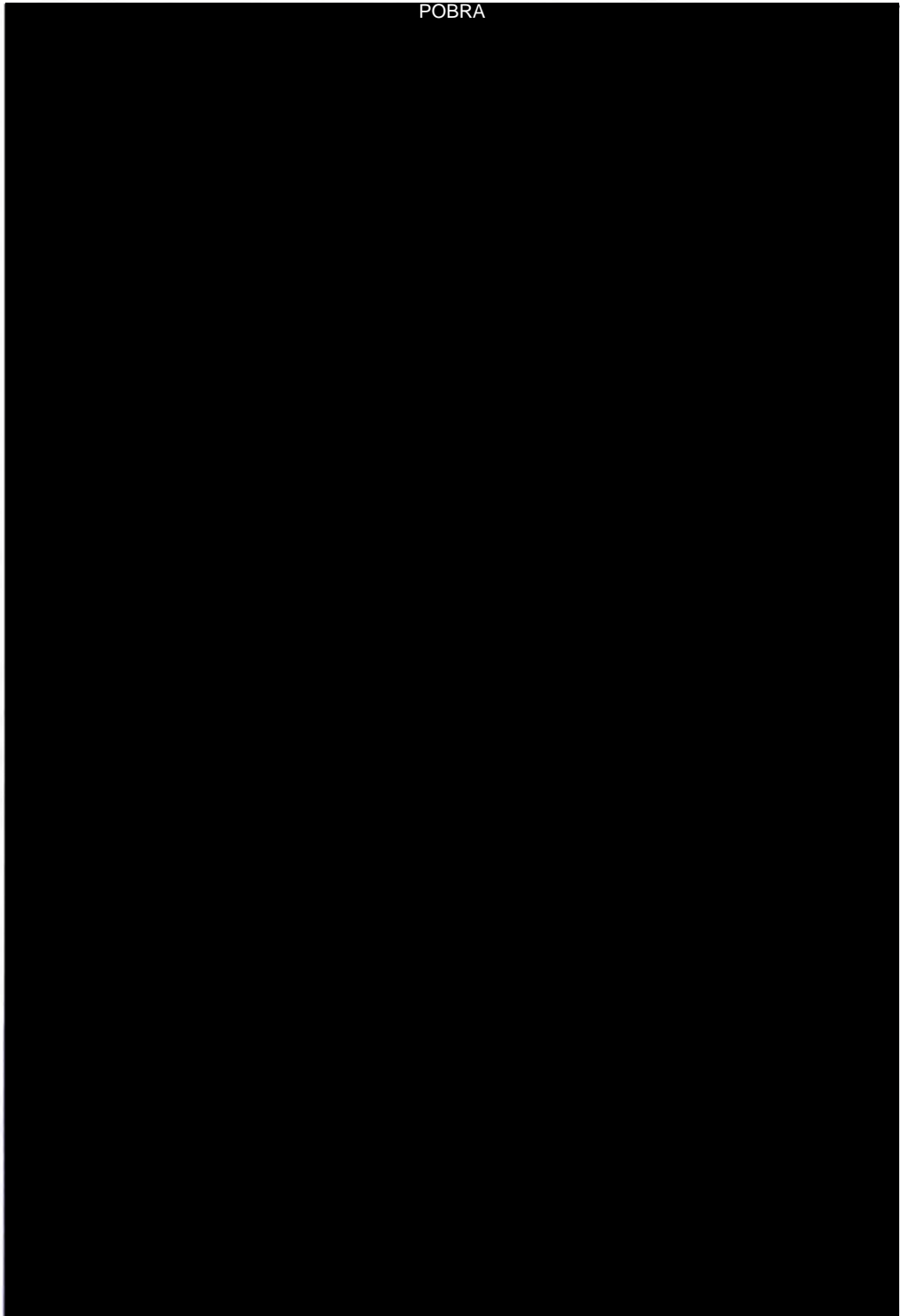
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SERGEANT TORRES: Understood.

SERGEANT OSPITAL: All right. Do you have
anything else?

1 SERGEANT TORRES: Nothing for right now.

2 ATTORNEY FOX: No, that's my final-
3 final.

4 SERGEANT OSPITAL: Are you sure?

5 ATTORNEY FOX: Yeah. I'm super-sure
6 this time.

7 POBRA

10 SERGEANT OSPITAL: Okay.

11 ATTORNEY FOX: I do appreciate you
12 providing this to me. I'm grateful that you did
13 that.

14 SERGEANT OSPITAL: Yeah, no problem.

15 SERGEANT TORRES: It's not a secret. I
16 wish they knew it as well as we do.

17 ATTORNEY FOX: Right.

18 SERGEANT TORRES: Yeah.

19 ATTORNEY FOX: Probably with most
20 policies, you feel that way.

21 SERGEANT TORRES: Yeah, absolutely.

22 POBRA

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OFFICER AKMESE: No.
POBRA
OFFICER AKMESE: No.
SERGEANT OSPITAL: After leaving this interview, should you recall anything that differs from or is in addition to the information you've provided today, you are ordered to provide that information to me as soon as practical. Do you understand?
OFFICER AKMESE: Yeah.
SERGEANT OSPITAL: You may discuss this matter with your representative as you choose, otherwise, I am ordering you not to discuss any portion of this investigation with any other Department employee, per Department General Order 2.01, Rule 49. Do you understand this order?
OFFICER AKMESE: Yes.
SERGEANT OSPITAL: Okay. This interview is concluded. The time is 2132 hours and the recording will now be ended.
END OF DOCUMENT

DPA REQUEST

1 SERGEANT OSPITAL: This interview is
2 regarding OIS case number 18-004. It's taking place
3 at the Office of the Internal Affairs Division on
4 August 1st, 2018, at 6:37 p.m. Conducting this
5 interview is myself, Sergeant Paul Ospital of the
6 Internal Affairs Division. Assisting me in this
7 interview from the Internal Affairs Division is?

8 SERGEANT FRANCO: Sergeant Cristina
9 Franco, star number 1443.

10 SERGEANT OSPITAL: The member being
11 interviewed is—please state and spell your name,
12 rank and star please.

13 OFFICER HILLARD: Officer Nicholas
14 Hillard, n-i-c-h-o-l-a-s. Hillard, h-i-l-l-a-r-d.
15 Star number 2353, Q4 patrol, Northern Station.

16 SERGEANT OSPITAL: Officer Nicholas
17 Hillard is the POBRA in this matter.
18 Representing Officer Nicholas Hillard is?

19 BURRELL: Scott Burrell.

20 SERGEANT OSPITAL: And we have nobody else
21 present in the room, correct?

22 BURRELL: Correct.

23 SERGEANT OSPITAL: Officer Hillard, have
24 you read Department General Order 2.01, rule 21?

25 OFFICER HILLARD: Yes I have.

1 SERGEANT OSPITAL: Have you read
2 Department General Order 2.08, the Peace Officers
3 Rights?
4 OFFICER HILLARD: Yes.
5 SERGEANT OSPITAL: Do you understand that
6 this interview is being recorded?
7 OFFICER HILLARD: Yes.
8 SERGEANT OSPITAL: Officer Hillard are you
9 prepared to be interviewed at this time?
10 OFFICER HILLARD: Yes.
11 SERGEANT OSPITAL: I monitored your
12 interview with Homicide conducted on May 12th by
13 Sergeant Kasper and Delaney along with ADA Hartman
14 and IIB Inspector Friedman. You were provided with
15 the copy or a recording and transcript from that
16 interview on July 20th of 2018. Have you had the
17 opportunity to review the [REDACTED] POBRA
18 interview?
19 OFFICER HILLARD: Yes I did.
20 SERGEANT OSPITAL: [REDACTED] POBRA
21 [REDACTED] POBRA
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 OFFICER HILLARD: No.

1 SERGEANT OSPITAL: Are you currently under
2 the influence of any medication including
3 prescription medications or over-the-counter
4 medications that may affect your ability to
5 complete this interview today?

6 OFFICER HILLARD: No.

7 SERGEANT OSPITAL: Have you been exposed
8 to any news coverage, social media, or other
9 information or speculation about this incident?

10 OFFICER HILLARD: No.

11 SERGEANT OSPITAL: During your POBRA
12 interview with the Homicide Detail and DA
13 investigators I understand that you reviewed your
14 body-worn video as well as a third party video,
15 correct?

16 OFFICER HILLARD: Yes.

17 SERGEANT OSPITAL: You were allowed to
18 view your body-worn camera video, Officer
19 Pfeiffer's and the third party video prior to the
20 beginning of this interview today. You were also
21 provided with your transcription of your homicide
22 interview to refresh your memory on the facts,
23 statements circumstances and the sequence of events
24 surrounding this incident, correct?

25 OFFICER HILLARD: Yes.

1 SERGEANT OSPITAL: Having reviewed this
2 material I'm required to remind you that it is
3 important that the answers in this interview are
4 based only on what you recall or your firsthand
5 observations, perceptions and recollection of
6 events at the time you processed the morning of May
7 11, 2018. You should not answer based on
8 information of hearsay you may have been exposed to
9 since the incident, do you understand?

10 OFFICER HILLARD: Yes.

11 SERGEANT OSPITAL: That said, do you have
12 a specific and independent recollection of the
13 morning of May 11, the day we're going to discuss?

14 OFFICER HILLARD: Yes.

15 SERGEANT OSPITAL: Briefly, in your words
16 what are we here to discuss today?

17 OFFICER HILLARD: An officer involved
18 shooting. It started-me and my partner Officer
19 Pfeiffer were responding to the area of a foot
20 pursuit that a [unintelligible] was involved in. As
21 we arrived on scene I existed the patrol vehicle. I
22 see the recruit officer with his handgun drawn
23 pointing in the general direction of a car. Not
24 knowing where the suspect was, whether they were

1 hiding between the cars, under the cars. Ultimately
2 he was in the vehicle itself.

3 As I was coming up towards the vehicle the
4 engine started, drove at me. I had to backpedal out
5 of the way. He ended up striking another SFPD
6 patrol car before he ultimately fled southbound
7 Webster Street.

8 SERGEANT OSPITAL: Okay. Before we get
9 started on the interview I'd like to briefly
10 confirm and go over some of the background that you
11 gave to the Homicide investigators during your
12 POBRA interview, okay?

13 OFFICER HILLARD: Okay.

14 SERGEANT OSPITAL: Your hire date to the
15 Department if you can recall?

16 OFFICER HILLARD: Is POBRA. I'm not
17 sure of the exact date.

18 SERGEANT OSPITAL: 2011?

19 OFFICER HILLARD: 2011, yeah.

20 SERGEANT OSPITAL: Do you have any prior
21 law enforcement experience?

22 OFFICER HILLARD: Yes, five years in the
23 town of Atherton, San Mateo County.

24 SERGEANT OSPITAL: Atherton P.D.?

25 OFFICER HILLARD: Yes.

1 SERGEANT OSPITAL: Any other first
2 responder experience?
3 OFFICER HILLARD: No.
4 SERGEANT OSPITAL: Military?
5 OFFICER HILLARD: No.
6 SERGEANT OSPITAL: The night of the
7 incident you were working midnights?
8 OFFICER HILLARD: Yes.
9 SERGEANT OSPITAL: And you're watch-off 6?
10 OFFICER HILLARD: Yes.
11 SERGEANT OSPITAL: And you're assigned to
12 Northern Station?
13 OFFICER HILLARD: Yes.
14 SERGEANT OSPITAL: Okay. How long have you
15 been at Northern Station at the time of the
16 incident?
17 OFFICER HILLARD: At the time about a year
18 and a half or so.
19 SERGEANT OSPITAL: Okay. Your partner the
20 night of the incident was Officer Pfeiffer?
21 OFFICER HILLARD: Yes.
22 SERGEANT OSPITAL: And how long have you
23 two been partners?
24 OFFICER HILLARD: Probably almost a full
25 year and a half.

1 SERGEANT OSPITAL: That evening were you
2 in a marked patrol car?
3 OFFICER HILLARD: Yes.
4 SERGEANT OSPITAL: SUV or car?
5 OFFICER HILLARD: A Crown Vic, one of the
6 older ones.
7 SERGEANT OSPITAL: Do you wear
8 prescription or corrective lenses and if so were
9 you wearing them that night or morning?
10 OFFICER HILLARD: I do not wear them, no.
11 SERGEANT OSPITAL: On the day of the
12 incident were you taking any prescription or any
13 over-the-counter meds?
14 OFFICER HILLARD: No.
15 SERGEANT OSPITAL: Because you have
16 already made a POBRA statement to the criminal
17 investigators I am going to try to avoid redundant
18 questions and ask clarifying questions based on
19 your previous interview or questions that may be
20 unique to the administrative investigation. I'm
21 going to keep a copy of the interview here for our
22 reference. You were in full uniform?
23 OFFICER HILLARD: Yes.
24 SERGEANT OSPITAL: Class B?
25 OFFICER HILLARD: Yes.

1 SERGEANT OSPITAL: And star just like
2 pretty much the way you are now?

3 OFFICER HILLARD: I would have had a
4 jacket on.

5 SERGEANT OSPITAL: But easily recognizable
6 as a police officer.

7 OFFICER HILLARD: Yes.

8 POBRA

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POBRA

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9 SERGEANT OSPITAL: So we'll get into
10 pretty much the start of this whole thing. So you
11 stated in your interview you and your partner were
12 on patrol when you heard a unit broadcast, a foot
13 pursuit Geary towards Fillmore.

14 OFFICER HILLARD: Yes.

15 SERGEANT OSPITAL: So you weren't like at
16 the station, you were out on patrol you said down
17 at the southern end of the district?

18 OFFICER HILLARD: Yeah, the southern, kind
19 of that general portion, 2 car, 1 car.

20 SERGEANT OSPITAL: Okay. And you stated
21 that you guys started heading that way northbound
22 Webster from Eddy?

23 OFFICER HILLARD: Yes.

9

1 SERGEANT OSPITAL: And that's when you
2 hear the broadcast coming up something to the
3 effect that through the Webster parking lot?

4 OFFICER HILLARD: Yeah.

5 SERGEANT OSPITAL: Okay and that parking
6 lot is of?

7 OFFICER HILLARD: Where the big Safeway is
8 it stretches from Fillmore to Webster up to Geary
9 and almost down to Van Ness.

10 SERGEANT OSPITAL: So as you're going
11 northbound Webster I think you said a few seconds
12 later you and your partner you guys are at
13 O'Farrell and Webster Street?

14 OFFICER HILLARD: Yes.

15 SERGEANT OSPITAL: And your partner either
16 slows or stops the car down?

17 OFFICER HILLARD: Yeah, we hear them
18 saying towards O'Farrell so we assume he's possibly
19 be coming out of the parking crossing Webster
20 towards O'Farrell or they've already made it to
21 O'Farrell. It's a short, little tiny section of
22 O'Farrell.

23 SERGEANT OSPITAL: So when you're saying
24 coming out of the parking lot you're saying running
25 eastbound?

1 OFFICER HILLARD: Yes.

2 SERGEANT OSPITAL: Okay. And so let's just
3 get this straight, so you're in the car, you are
4 the passenger.

5 OFFICER HILLARD: Yes.

6 SERGEANT OSPITAL: So we get this on
7 record. And your partner Pfeiffer is the driver.

8 OFFICER HILLARD: Yes.

9 SERGEANT OSPITAL: Okay. So since you're
10 the passenger you said in your interview you said
11 once you're at the intersection of O'Farrell and
12 Webster you look to your right down O'Farrell?
13 OFFICER HILLARD: Down the 1500 block of
14 O'Farrell, yeah.

15 SERGEANT OSPITAL: And then you say you
16 see Recruit Officer Reininger with his gun drawn?

17 OFFICER HILLARD: Yes.

18 SERGEANT OSPITAL: Do you know at this
19 point what he's pointing or do you-what's going
20 through your mind right now?

21 OFFICER HILLARD: We assumed he had the
22 suspect proned out on the ground between the cars.
23 We had-there's a building line to the north of the
24 cars, there's a big grass area and then there was a
25 whole bunch of cars on the street so we don't know

1 where. We assumed the suspect was hiding somewhere,
2 we didn't know where.

3 SERGEANT OSPITAL: Okay. Did you hear
4 anything over the radio? Was anything broadcast
5 like when you're at the intersection?

6 OFFICER HILLARD: Nothing.

7 SERGEANT OSPITAL: Besides seeing what you
8 see?

9 OFFICER HILLARD: No, the last thing we
10 heard was towards O'Farrell and we made the corner
11 at O'Farrell and we saw the recruit there.

12 SERGEANT OSPITAL: And then just to
13 reflect what you said, what's going through your
14 mind, you think he's got somebody either in between
15 the car or-

16 OFFICER HILLARD: In the car or under the
17 car.

18 SERGEANT OSPITAL: Okay. You're at the
19 intersection. You see Officer Reininger on
20 O'Farrell from Webster. How far do you think he is?

21 OFFICER HILLARD: About five cars in. So
22 maybe fifty feet, sixty feet.

23 SERGEANT OSPITAL: So at this point you
24 say now your partner turns right from O'Farrell
25 onto-I mean, from Webster onto O'Farrell?

1 OFFICER HILLARD: Yes.

2 SERGEANT OSPITAL: How far into O'Farrell
3 do you guys go from Webster?

4 OFFICER HILLARD: About 25, maybe 30 feet
5 at the most. Just enough to get our car out of that
6 intersection.

7 SERGEANT OSPITAL: Now, as you're pulling
8 up obviously you see Officer Reininger out with the
9 gun. What's going through your mind right there as
10 you're pulling up?

11 OFFICER HILLARD: I'm jumping out probably
12 before the car is even in park. My partner is
13 slowing down. I'm drawing my gun with my right
14 hand, getting my seatbelt off and going to go help
15 him, see what he's got.

16 SERGEANT OSPITAL: What was the lighting
17 like on that block?

18 OFFICER HILLARD: It's pretty dark. I know
19 Webster is kind of well-lit because of the Safeway
20 parking lot right there but that street itself
21 there's only like a few hours on the south side,
22 some big trees and then the north side of the
23 street is like the side of an apartment complex so
24 there's no front doors. The lighting is not too
25 good.

1 SERGEANT OSPITAL: So you said as you
2 approached Officer Reininger you see—you approach
3 him to see if he's got somebody proned out,
4 correct? Or in the car?

5 OFFICER HILLARD: Yeah, we didn't know
6 where—I didn't know where he was at that point.

7 SERGEANT OSPITAL: So as you're
8 approaching where Officer Reininger is how far are
9 you away from him?

10 OFFICER HILLARD: Probably twenty feet.
11 About two car-lengths. He's at the back of the
12 suspect vehicle and I'm kind of at the front of the
13 car in front of him. So there's a suspect vehicle
14 and then there's a black Chevy Tahoe.

15 SERGEANT OSPITAL: Is Officer Reininger or
16 Recruit Officer Reininger. Is he saying anything to
17 the suspect as you're approaching?

18 OFFICER HILLARD: I was hearing him say
19 show me your hands. I heard him say that a couple
20 times and that's about it.

21 SERGEANT OSPITAL: So as you're
22 approaching and you hear him saying that are you
23 seeing anything at this time?

24 OFFICER HILLARD: Nothing yet.

1 SERGEANT OSPITAL: You don't know who he's
2 talking to yet.

3 OFFICER HILLARD: Yeah, I don't see a body
4 or a person at all.

5 SERGEANT OSPITAL: Okay. Now, as you're
6 approaching—we'll have him draw this out after but
7 I'm kind of—so you're coming eastbound, there's
8 cars here on the north side. Is he facing north?

9 OFFICER HILLARD: He's facing kind of
10 northwest. He's positioned himself kind of in the
11 center of the street towards the trunk of the
12 suspect vehicle, aiming in the general direction of
13 the front of the suspect car or the back of the car
14 in front of the suspect car.

15 SERGEANT OSPITAL: Okay. And as he's
16 giving these commands do you hear anything from
17 anybody else besides him? Or obviously you can't
18 see the suspect, did you hear anybody complying
19 with anything he's saying?

20 OFFICER HILLARD: No other voices at all.

21 SERGEANT OSPITAL: So you said you're
22 about fifteen feet from him. You said you hear the—
23 you said you heard the engine of a white car start
24 to rev.

25 OFFICER HILLARD: Yes.

1 SERGEANT OSPITAL: Now is that when you're
2 still within that same twenty feet?

3 OFFICER HILLARD: Yeah, I was walking up
4 kind of slow because I didn't know if the person
5 was in front of that white car or under that white
6 car so I didn't want to get in a bad angle. So as
7 I'm making the approach up the white car that
8 [unintelligible] has got his gun focused on the
9 engine starts revving.

10 SERGEANT OSPITAL: So at this point how
11 much time has elapsed do you think from the time
12 you jumped out of the car to where you hear the
13 engine of the white car start to rev up?

14 OFFICER HILLARD: A few seconds. Three,
15 two, three seconds. It was pretty quick.

16 SERGEANT OSPITAL: So basically as soon as
17 you jump out and you get to that twenty feet spot
18 it's already revving up?

19 OFFICER HILLARD: Yeah. I was out making
20 pretty much as soon as I was getting ready to stop
21 to start kind of processing what he sees that
22 engine starts revving.

23 SERGEANT OSPITAL: Okay. So I think at
24 this time you started giving commands as well?

25 OFFICER HILLARD: Yes.

1 SERGEANT OSPITAL: What did you say?
2 OFFICER HILLARD: I said turn off the car,
3 turn off the car. I said it at least twice.
4 SERGEANT OSPITAL: And was there any
5 compliance with your commands?
6 OFFICER HILLARD: No.
7 SERGEANT OSPITAL: Now at this point when
8 you're giving commands and you hear that do you see
9 the suspect?
10 OFFICER HILLARD: I don't see him. The
11 tires started turning and the car lunges forward.
12 SERGEANT OSPITAL: Do you remember well,
13 you see the car now, you say you see the car
14 lunging forward. Do you know if the window is up or
15 down?
16 OFFICER HILLARD: All the windows are dark
17 so there's like no interior lights on. I couldn't
18 see anything.
19 SERGEANT OSPITAL: The headlights weren't
20 on in the car either?
21 OFFICER HILLARD: No.
22 SERGEANT OSPITAL: All blacked out. So
23 there's nobody-was there anybody else on the block?
24 OFFICER HILLARD: My partner was still in
25 our car.

1 SERGEANT OSPITAL: While giving the
2 commands was there any reason why the suspect
3 shouldn't have heard what you were saying?

4 OFFICER HILLARD: No, not at all.

5 SERGEANT OSPITAL: Was any like sirens
6 going on from the cars or did they-

7 OFFICER HILLARD: No, our sirens were off
8 when we turned onto O'Farrell.

9 SERGEANT OSPITAL: So they had no reason
10 not to hear you?

11 OFFICER HILLARD: No, no reason.

12 SERGEANT OSPITAL: In your interview you
13 stated that that car starts to turn left and
14 accelerates and hits a black SUV parked in front,
15 is that correct?

16 OFFICER HILLARD: Yes, yes.

17 SERGEANT OSPITAL: Did the car even before
18 going forward did it every go backwards or did it-
19 from what you remember?

20 OFFICER HILLARD: From what I remember
21 [unintelligible] and he just lunged forward
22 clipping that black SUV.

23 SERGEANT OSPITAL: Okay. So when he lunged
24 forward and his the SUV did at any point do you
25 remember did it slow down or was it just?

1 OFFICER HILLARD: At that point I was
2 backpedalling trying to get to cover.

3 SERGEANT OSPITAL: All right. So you see
4 the car hit the black SUV that's parked in front,
5 what's going through your mind?

6 OFFICER HILLARD: If I don't get out of
7 there I'm going to get run over and I have nowhere
8 to go directly to my right which would be south so
9 I had to try to look for cover back behind me, the
10 direction that he was going to be going himself.

11 SERGEANT OSPITAL: Where was your partner
12 at this time?

13 OFFICER HILLARD: As far as I know she was
14 still in our car. She wasn't on my side. It
15 happened so quick and I was out before she was even
16 in park.

17 SERGEANT OSPITAL: Okay. So you don't see
18 her at all?

19 OFFICER HILLARD: No.

20 SERGEANT OSPITAL: At this point I want to
21 have him draw out, kind of get a little layout of
22 what we're seeing here, so. Let's make this part
23 here we'll make the arrow pointing this way we'll
24 make that north. You can just put an N there and
25 we'll put this as Webster and then this is

1 O'Farrell and kind of how many cars you think the
2 suspect car is, where your car is and then when you
3 get out and then how many cars you think are on the
4 south side.

5 OFFICER HILLARD: Okay.

6 SERGEANT OSPITAL: We'll go from there.

7 OFFICER HILLARD: You want me to put where
8 the recruit would have been?

9 SERGEANT OSPITAL: I'm sorry?

10 OFFICER HILLARD: Do you want me to put
11 where the officer recruit would have been?

12 SERGEANT OSPITAL: Sure, yes.

13 OFFICER HILLARD: So the recruit's
14 standing here, he's facing this direction.

15 SERGEANT OSPITAL: So just for the record
16 you're showing that the recruit is at the rear
17 driver's side approximately almost at a 45 degree
18 angle facing the suspect vehicle, correct?

19 OFFICER HILLARD: Yeah, he kind of has-
20 he's like keeping an eye on this general area here.
21 The one that's marked E11 Edward that's our call
22 sign, that would be mine and my partner's car.

23 SERGEANT OSPITAL: So you're stating that
24 your vehicle is approximately one and half car-
25 lengths away from where the suspect's car is.

1 OFFICER HILLARD: Yes.

2 SERGEANT OSPITAL: And then you are
3 standing in front of your patrol car?

4 OFFICER HILLARD: Yes.

5 SERGEANT OSPITAL: How far away from the
6 suspect car would you say you are?

7 OFFICER HILLARD: About three-quarters to
8 a half a length, vehicle length away. This is the
9 black Tahoe that he strikes.

10 SERGEANT OSPITAL: Okay, that's the SUV.

11 OFFICER HILLARD: Yes.

12 SERGEANT OSPITAL: Okay and how far? So
13 you're saying between yourself and the recruit
14 you're about twenty feet away?

15 OFFICER HILLARD: Yeah.

16 SERGEANT OSPITAL: And how far is he away
17 from the suspect car?

18 OFFICER HILLARD: He's almost in the
19 middle of the street.

20 SERGEANT OSPITAL: Okay so how far do you
21 think approximately?

22 OFFICER HILLARD: From that door probably
23 about ten to twelve feet.

1 SERGEANT OSPITAL: Okay, this is nothing
2 to scale, this is just all an approximate. So he's
3 about ten to twelve feet.

4 OFFICER HILLARD: Yeah.

5 SERGEANT OSPITAL: And then you are?

6 OFFICER HILLARD: Fifteen to twenty feet
7 because I'm the full length of this and I'm a
8 little more in the center of the street than he is
9 because I was going to try to keep my eyes in here
10 to see if there was anybody on the back side.

11 SERGEANT OSPITAL: And at this point this
12 is when you say you're there, you start giving
13 commands and all of a sudden you see the car tire
14 from the suspect car cranked to the left after it's
15 revving up?

16 OFFICER HILLARD: Yeah.

17 SERGEANT OSPITAL: And then he accelerates
18 forward and you say he contacts the black SUV which
19 is parked directly in front.

20 OFFICER HILLARD: Yeah, the back driver's
21 side bumper.

22 SERGEANT OSPITAL: So the left rear bumper
23 and you know what part of the suspect car contacts?

24 OFFICER HILLARD: Just jammed the front
25 passenger side bumper.

1 SERGEANT OSPITAL: Of the suspect car,
2 contacts the parked vehicle.

3 OFFICER HILLARD: Yeah, he had almost
4 enough room to make it out, he just barely clipped
5 it.

6 SERGEANT OSPITAL: Okay. And then at that
7 point you hear the engine revving and he comes
8 right out towards you.

9 OFFICER HILLARD: Yeah. As soon as he
10 starts moving out and he makes contact I'm kind of
11 backpedalling and then I turn and run and I
12 couldn't get between this car, they were too close
13 together and I didn't want to get sandwiched in
14 there because it's like a driveway and I went up
15 this driveway area here.

16 SERGEANT OSPITAL: And I just want to
17 state for the record that you do illustrate two
18 lines going into the sidewalk showing a driveway,
19 okay? Now at this point when you hear the car
20 accelerating and coming forward are you still—you
21 still have your Department issued firearm out?

22 OFFICER HILLARD: Yeah, it's still out. As
23 I start to run back to look for cover I'm putting
24 it away.

25 SERGEANT OSPITAL: So you reholster?

1 OFFICER HILLARD: Yeah.

2 SERGEANT OSPITAL: Okay and then that's
3 when you say you start backpedalling?

4 OFFICER HILLARD: Yes.

5 SERGEANT OSPITAL: And what's going
6 through your mind there?

7 OFFICER HILLARD: If I didn't move he was
8 going to run me over. I was trying to get to a
9 close position of cover, I didn't want to have to
10 run back down the street the way he wanted to go.
11 The only thing I had was to go back and duck behind
12 the first thing I could.

13 SERGEANT OSPITAL: Now, what's the
14 distance between the patrol car and I know it's not
15 to scale-but what's the distance?

16 OFFICER HILLARD: It's probably ten feet.
17 A car would fit by. Cars could easily pass each
18 other driving down there.

19 SERGEANT OSPITAL: So you would say it's
20 about ten feet distance between the patrol car and
21 the cars parked on the south side of O'Farrell?

22 OFFICER HILLARD: Yeah.

23 SERGEANT OSPITAL: Okay. So that's why you
24 wanted to make sure you got out because if he came

1 down alongside the patrol car you would be hit
2 because it was tight.

3 OFFICER HILLARD: Yeah.

4 BURRELL: You should probably identify the
5 street on the diagram.

6 OFFICER HILLARD: And you just do
7 O'Farrell and then just do Webster this way.

8 SERGEANT OSPITAL: So you said you
9 backpedalled, obviously you backpedalled to get out
10 of there so you didn't get run over.

11 OFFICER HILLARD: Run over.

12 SERGEANT OSPITAL: So you said once you
13 got behind the back portion of the car-so I guess
14 in your interview you said a white car.

15 OFFICER HILLARD: Yeah, there was a white
16 car that was the first car that was right there.

17 SERGEANT OSPITAL: So you kind of put
18 where you were when you got-

19 OFFICER HILLARD: I ran back this way and
20 I trip over like the driveway cutout for the
21 sidewalk right here and almost fall down.

22 SERGEANT OSPITAL: And at this point I
23 think you said you hear shots go off?

24 OFFICER HILLARD: Yeah, I heard two
25 gunshots, two pops.

1 SERGEANT OSPITAL: Okay, so when you're
2 there—when you hear the shots are you facing south
3 or are you turned around?

4 OFFICER HILLARD: I'm kind of going—I'm
5 going back and I'm down behind that car. I can't
6 see down O'Farrell anymore. I can kind of see our
7 car and I can see like the back portion of this car
8 and I'm kind of falling back because my left heel
9 hit the sidewalk.

10 SERGEANT OSPITAL: So now you're faced
11 through—you're facing now northbound.

12 OFFICER HILLARD: Northbound, yeah.

13 SERGEANT OSPITAL: So when you hear the
14 shots can you see Officer Reininger?

15 OFFICER HILLARD: No.

16 SERGEANT OSPITAL: Do you know where the
17 shots come from or who they come from?

18 OFFICER HILLARD: No.

19 SERGEANT OSPITAL: So you just hear two
20 shots.

21 OFFICER HILLARD: Yes.

22 SERGEANT OSPITAL: At what do you hear the
23 shots, where do you see the suspect's car or do you
24 see the suspect's car?

1 OFFICER HILLARD: I don't see—I heard the
2 two shots and as I'm going to get back up the
3 suspect vehicle was flying, going right past me.

4 SERGEANT OSPITAL: So you're stating—
5 you're correctly—you hear the gunshots, you're
6 facing now towards your patrol car.

7 OFFICER HILLARD: Yes.

8 SERGEANT OSPITAL: Prior to the suspect
9 car coming in between you and the patrol car you've
10 already read the two shots.

11 OFFICER HILLARD: Yes.

12 SERGEANT OSPITAL: Do you know after you
13 hear the shots how long after the suspect car goes
14 past or see it go in front of your vehicle?

15 OFFICER HILLARD: Like instantaneous,
16 right away. Two pops and then headlights, white
17 car, like one after another.

18 SERGEANT OSPITAL: So at that point the
19 headlights are on now and the car is going?

20 OFFICER HILLARD: Yeah. As he—yeah. He's
21 coming by with his lights on me. I remember seeing
22 the glare as I'm turning.

23 SERGEANT OSPITAL: So at this point do you
24 know if he contacts the patrol car at all? Can you?

1 OFFICER HILLARD: We didn't know that
2 until after.

3 SERGEANT OSPITAL: So at the time you
4 don't know.

5 OFFICER HILLARD: No.

6 SERGEANT OSPITAL: When the suspect car
7 goes past you how fast do you think he's going?

8 OFFICER HILLARD: Probably upwards of
9 thirty miles an hour. I mean that short distance
10 nothing too fast but it was definitely on the gas.
11 Just fully on the gas getting out of there.

12 SERGEANT OSPITAL: So you don't think he's
13 slowing down or nothing, he's going?

14 OFFICER HILLARD: He's going, yeah.

15 SERGEANT OSPITAL: Okay. You said you
16 didn't know. And just to clarify, when you hear-
17 actually do like a checker box, just check the box
18 where you think maybe where the suspect car may
19 have been when you heard the shots. Actually, can
20 you do S1 here first and then just do S2 and then
21 just clarify where it says S2 is where he believes
22 the shots-you believe where the shots went off
23 where the suspect car was.

24 OFFICER HILLARD: Yeah.

1 SERGEANT OSPITAL: You believe that's
2 where the suspect car was when the shots went off.

3 OFFICER HILLARD: Yeah and then his path
4 of travel.

5 SERGEANT OSPITAL: Okay. And that's right
6 in between you and the patrol car.

7 OFFICER HILLARD: Yes.

8 SERGEANT OSPITAL: And he's going at a
9 pretty good, high rate of speed and you would
10 guesstimate again?

11 OFFICER HILLARD: At least 25, 30 miles an
12 hour for that short little 20-foot distance.

13 SERGEANT OSPITAL: Okay. And you don't
14 think any attempt to slow down?

15 OFFICER HILLARD: No.

16 SERGEANT OSPITAL: Okay. Now, as he goes
17 by you have an unobstructed view of seeing the
18 suspect car go by?

19 OFFICER HILLARD: Yeah.

20 SERGEANT OSPITAL: You're behind—you're
21 obviously behind the trunk but what I'm saying is
22 from where you're standing at to where the car
23 comes by here there's nothing in front of you?

24 OFFICER HILLARD: Yes.

1 SERGEANT OSPITAL: And actually why don't
2 you put H1 here, that's where you're initially
3 standing, and then let's do H2 there it shows where
4 your secondary position was, okay? You said how
5 fast you thought they were going. Now at this point
6 the car goes past you, what do you do?

7 OFFICER HILLARD: I'm getting back up and
8 I almost fell down. I was crouched down so I'm
9 getting back up and as I'm starting to look back
10 towards Webster I hear it smash into one of our
11 other patrol cars.

12 SERGEANT OSPITAL: So you don't actually
13 see the contact you just hear?

14 OFFICER HILLARD: No, there's a car.

15 SERGEANT OSPITAL: Now, at any point from
16 here on out do you acquire the suspect again? Do
17 you pull your weapon out again?

18 OFFICER HILLARD: Yes.

19 SERGEANT OSPITAL: Okay. At what point do
20 you pull the weapon out, your Department issued?

21 OFFICER HILLARD: As I stand back up my
22 hand's on my gun already, I'm pulling it out as the
23 suspect car came to rest against the concrete
24 median facing southbound in the northbound Webster
25 lane.

1 SERGEANT OSPITAL: Okay but I'm just
2 saying you as the car is coming in front of you
3 you've already pulled your weapon out of your
4 holster.

5 OFFICER HILLARD: It's going back away as
6 I'm back there and it goes by me and my hand's on
7 it and as I'm getting up looking it's already
8 wrecked out and it's coming back out of my holster.

9 SERGEANT OSPITAL: Okay so at that point
10 that's where he hits the SUV.

11 OFFICER HILLARD: Yeah.

12 SERGEANT OSPITAL: That was driven by the
13 officers responding to the scene, correct?

14 OFFICER HILLARD: Yes.

15 SERGEANT OSPITAL: Okay and at that point
16 you hear the collision and you start running?

17 OFFICER HILLARD: Yes.

18 SERGEANT OSPITAL: Okay and what do you
19 see then?

20 OFFICER HILLARD: I stay on the sidewalk,
21 as I'm running down the sidewalk I see our SUV, the
22 black and white SUV we had and the suspect car is
23 now stopped against the concrete median that
24 separates northbound and southbound traffic and
25 he's facing southbound in the northbound lane and

1 all the airbags are deployed, we can't see inside
2 the car at all. [unintelligible].

3 SERGEANT OSPITAL: So he hits the police
4 vehicle and then comes to rest on the number one
5 lane facing southbound in the northbound lane?

6 OFFICER HILLARD: Yes.

7 SERGEANT OSPITAL: Nobody comes out of the
8 car, the door is still shut, you just see the
9 airbags.

10 OFFICER HILLARD: Yeah.

11 SERGEANT OSPITAL: At this point is the
12 car running at all do you know?

13 OFFICER HILLARD: We couldn't tell. As I
14 was running up, gun out, I'm giving him commands
15 to get out of the car. The engine starts and gone,
16 took off.

17 SERGEANT OSPITAL: And you were giving
18 commands. Were there other officers giving commands
19 as well?

20 OFFICER HILLARD: Yeah, the passenger in
21 this car Officer Sharon had jumped out after the
22 collision and I don't know if he was on my right-
23 hand side or if he was down here on this side. He
24 was-when I came up and I was coming into Webster he
25 was by my side with me.

1 SERGEANT OSPITAL: Okay. So obviously as
2 you're going you're giving the commands. What
3 commands are you giving or what did you give if you
4 can recall?

5 OFFICER HILLARD: Get out of the car, show
6 me your hands just something to get him to open the
7 door because we had no visual of anybody inside.

8 SERGEANT OSPITAL: At any point were you
9 even able to see anybody in the car?

10 OFFICER HILLARD: No.

11 SERGEANT OSPITAL: So you never saw
12 anybody in the—you couldn't see anybody in the car?

13 OFFICER HILLARD: No.

14 SERGEANT OSPITAL: Okay and that was due
15 to the, I believe you said earlier the windows were
16 like tinted out?

17 OFFICER HILLARD: They were tinted, yeah.
18 The door windows were all tinted. And after you
19 came to rest the air bags on the doors were
20 deployed so you couldn't even—even if the windows
21 were broken out you couldn't see inside.

22 SERGEANT OSPITAL: Okay. And then at this
23 point you said the car starts up and then just
24 takes off fleeing southbound Webster?

25 OFFICER HILLARD: Yeah.

1 SERGEANT OSPITAL: And then did it
2 continue all the way down southbound on the
3 northbound lanes or?

4 OFFICER HILLARD: As far as I could see
5 it, I think it's Eddy Street and the
6 [unintelligible] and 260 pursued him all the way
7 down to City Way.

8 SERGEANT OSPITAL: And as that started
9 going down what did you do after?

10 OFFICER HILLARD: Walked back, asked who
11 shot, if anyone was shot. My partner told me that
12 the recruit Office Reininger shot. I told him—asked
13 him if he was all right. He was standing out here
14 on the corner so I told him go back, stand back by
15 our car to get him kind of our of this intersection
16 because there was debris and stuff everywhere and
17 people still responding up and down the block.

18 SERGEANT OSPITAL: Okay so then just to
19 show just for the record he was standing on the
20 southwest corner?

21 OFFICER HILLARD: He was kind of on the—

22 SERGEANT OSPITAL: On the sidewalk?

23 OFFICER HILLARD: Yeah, somewhere on the
24 sidewalk.

1 SERGEANT OSPITAL: That's when you
2 approached him and you--
3 BURRELL: And he--I'm sorry--is he the
4 recruit?
5 SERGEANT OSPITAL: Yeah.
6 OFFICER HILLARD: Reininger.
7 SERGEANT OSPITAL: And at that point
8 that's when you--because obviously you know shots
9 have been fired, you wanted to know who and then
10 your partner advised you was it the recruit?
11 OFFICER HILLARD: Yes.
12 SERGEANT OSPITAL: And then at that point
13 that's when you--to get him out of the area where
14 the debris was you brought him just back onto the--
15 OFFICER HILLARD: I told him to back over
16 to our car, to go stand by our car.
17 SERGEANT OSPITAL: And what did you do
18 after that?
19 OFFICER HILLARD: We kind of assessed what
20 was going on. There was still a bunch of radio
21 traffic going on, everything was tied up because
22 they were pursuing him. Everything kind of mellowed
23 out. I got a hold of one of our Sergeants over the
24 phone because the radio was so crazy. I told him
25 that one of the officers had fired two rounds into

1 the suspect vehicle and that we were going to set
2 up a crime scene.

3 SERGEANT OSPITAL: Do you remember which
4 Sergeant you notified?

5 OFFICER HILLARD: I talked to Sergeant
6 Smith on the phone.

7 SERGEANT OSPITAL: Okay. Do you know which
8 Sergeants responded to the scene if you can?

9 OFFICER HILLARD: We had all three at some
10 point in the night I don't when they came in. We
11 had Sergeant Shaw, Sergeant Chambers, and Sergeant
12 Smith.

13 SERGEANT OSPITAL: Okay. Do you recall who
14 approached recruit Officer Reininger of the three
15 Sergeants?

16 OFFICER HILLARD: I don't. Shaw and
17 Chambers may have been driving together, I'm not
18 sure.

19 SERGEANT OSPITAL: Okay, that's fine. All
20 right so from the time you jumped out of the car
21 and you approached Officer Reininger how much time
22 do you think elapsed?

23 OFFICER HILLARD: Two to three seconds
24 from the time I was out and I was giving commands
25 myself.

1 SERGEANT OSPITAL: Two to three seconds?
2 OFFICER HILLARD: Yeah.
3 SERGEANT OSPITAL: Okay. From the time you
4 jumped out of your car—well, let's put it this way,
5 by the time you get to O'Farrell and Webster you
6 see recruit Officer Reininger standing out with his
7 gun pointed to the time where the suspect ends up
8 fleeing the scene, how much time elapsed there?
9 OFFICER HILLARD: Probably five seconds
10 because it was—we're at the intersection, we see
11 him. My partner is on the gas, we make the right-
12 hand turn and we're only on the street twenty feet
13 into the intersection and my door was already
14 coming open.
15 SERGEANT OSPITAL: So you're saying from
16 the time you get to that intersection your partner
17 pulls up, you exit out, start giving commands, you
18 notice the suspect car revving up, coming out
19 towards you. You backpedal. Suspect car hits the
20 SUV, flees out, takes off, ten seconds?
21 OFFICER HILLARD: If that, yeah, seven to
22 ten seconds. It was quick. It was like from the
23 time I got out I was coming up before I could even
24 get like settled I was backpedalling and before I

1 could even like get back to my feet he was already
2 wrecked out.

3 SERGEANT OSPITAL: So we'll just go back.
4 Like when we were here when you first came up just
5 obviously I'm assuming with your experience and
6 everything you know the difference between cover
7 and concealment, correct?

8 OFFICER HILLARD: Yeah.

9 SERGEANT OSPITAL: Knowing what you know
10 at the time do you think this was an appropriate
11 place where you were at, knowing the facts at the
12 time do you think you had adequate cover?

13 OFFICER HILLARD: Knowing now?

14 SERGEANT OSPITAL: No, at the time.

15 OFFICER HILLARD: At the time, yeah. I was
16 trying to get up to him. I didn't know if he had
17 the guy in between this car, if he had someone on
18 the back side of the car, under the car. So at the
19 time I was just trying to get up to him to see what
20 he needed to see who he was giving commands to.

21 SERGEANT OSPITAL: Okay. But then you
22 would has assessed it once you've known what was
23 going on.

24 OFFICER HILLARD: Yeah.

25 SERGEANT OSPITAL: Okay.

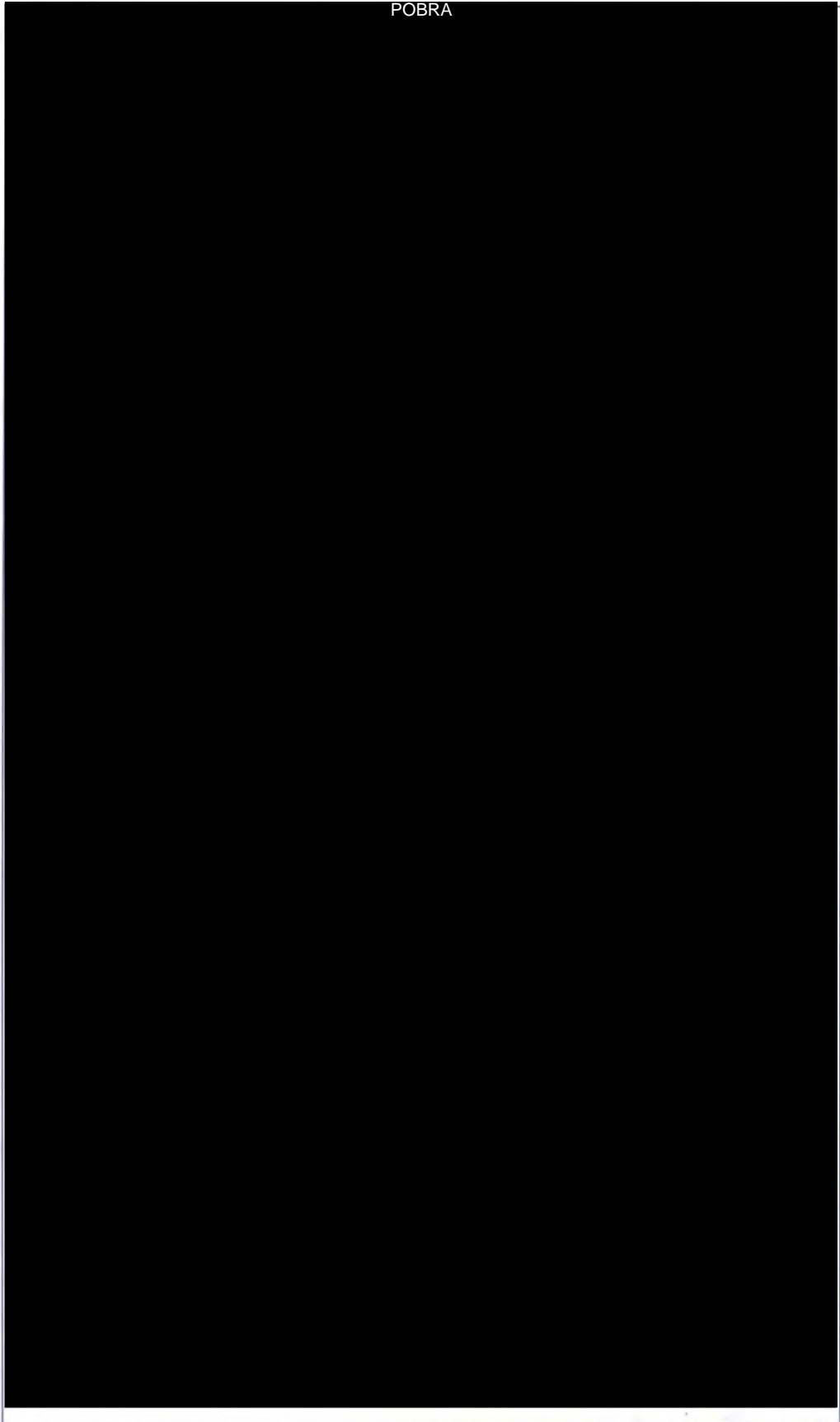
1 SERGEANT FRANCO: I was just going to ask
2 something real quick. So as you're approaching at
3 this time you don't know where the suspect is at?

4 OFFICER HILLARD: No, I thought he might
5 be under the car or in the car. There was never a
6 mentioned of him getting into the car over the
7 radio. So the last thing we heard was foot pursuit
8 eastbound towards O'Farrell and they were coming
9 from the Safeway parking lot. We see them, we make
10 the turn. I'm out of the car and he's giving
11 commands. I'm like all right, this guy is hiding,
12 he's crouched down. I didn't know that he had
13 enough time to get actually into the car himself.

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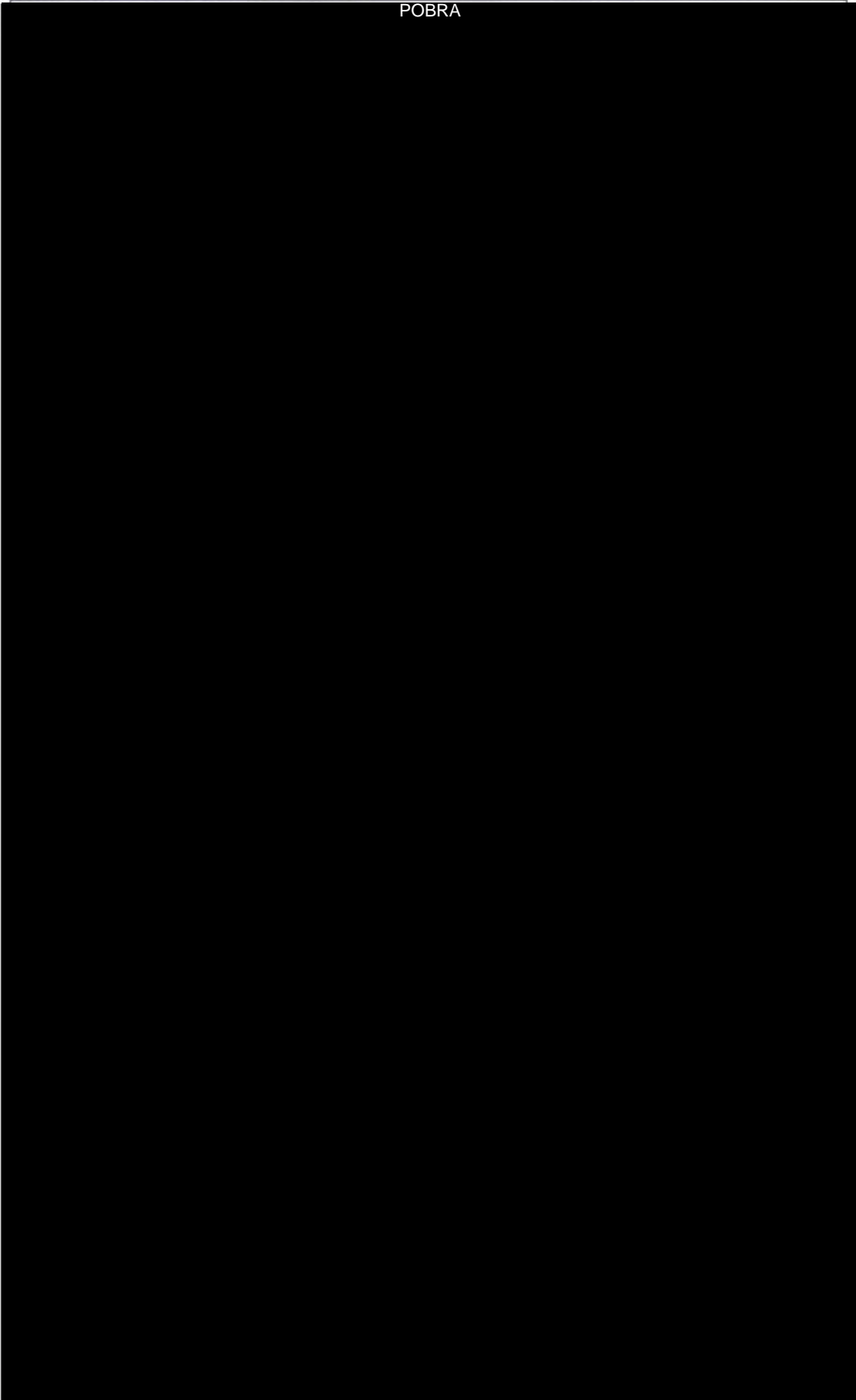
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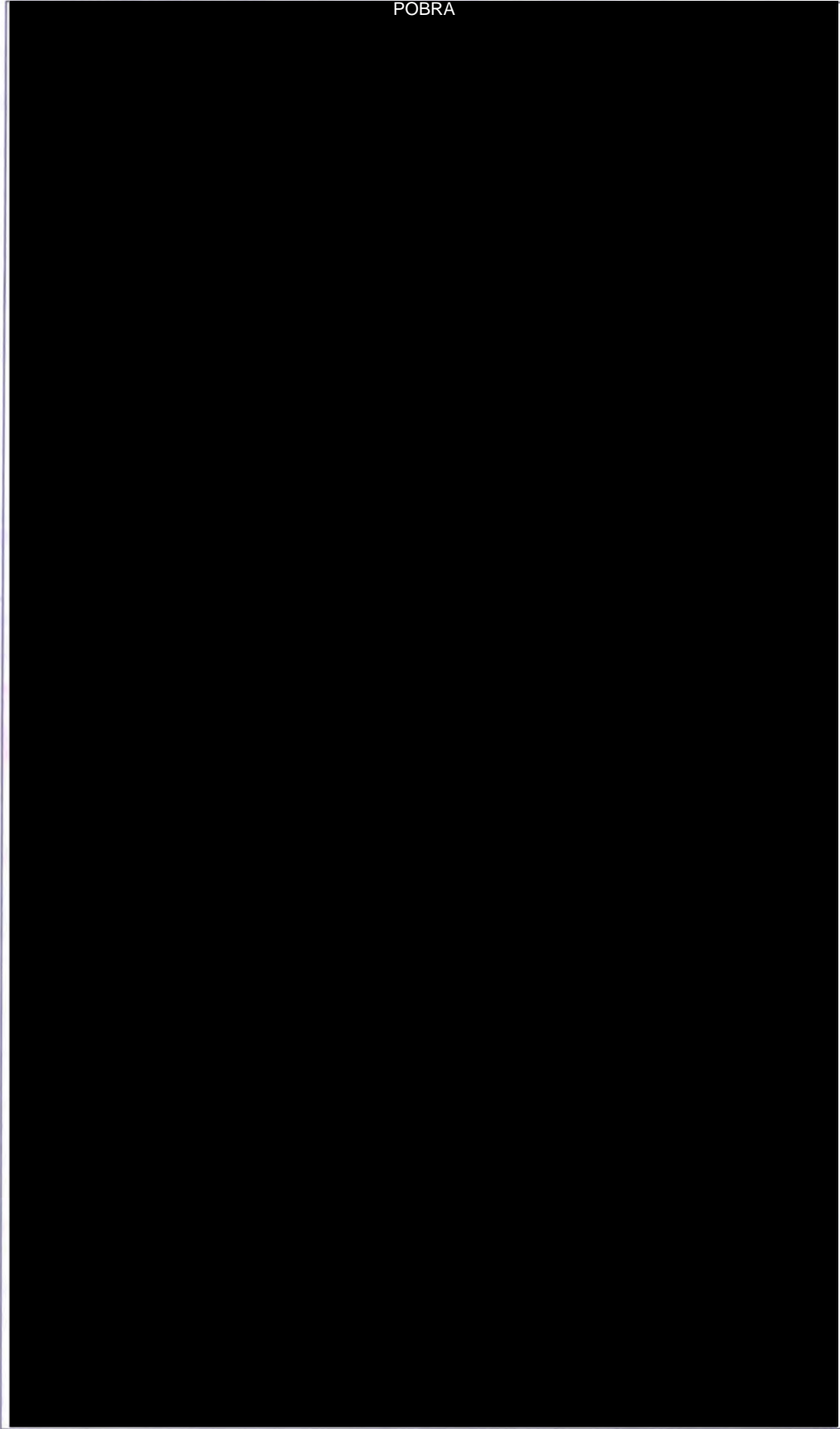


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20 SERGEANT FRANCO: And then just going back
21 to the actual incident, you mentioned that you
22 heard a broadcast of a foot pursuit.

23 OFFICER HILLARD: Yes.

24 SERGEANT FRANCO: Is that all the
25 information you had as you're responding? Was there

1 anything else that you recall being said? Do you
2 know what the foot chase was for or anything?

3 OFFICER HILLARD: We didn't know anything.
4 We just heard foot pursuit. We were hearing the
5 recruit over there and it was moving pretty quick
6 because he was a good three blocks into it.

7 SERGEANT FRANCO: So was the foot pursuit
8 being broadcasted by the recruit? Did you recognize
9 that to be him or?

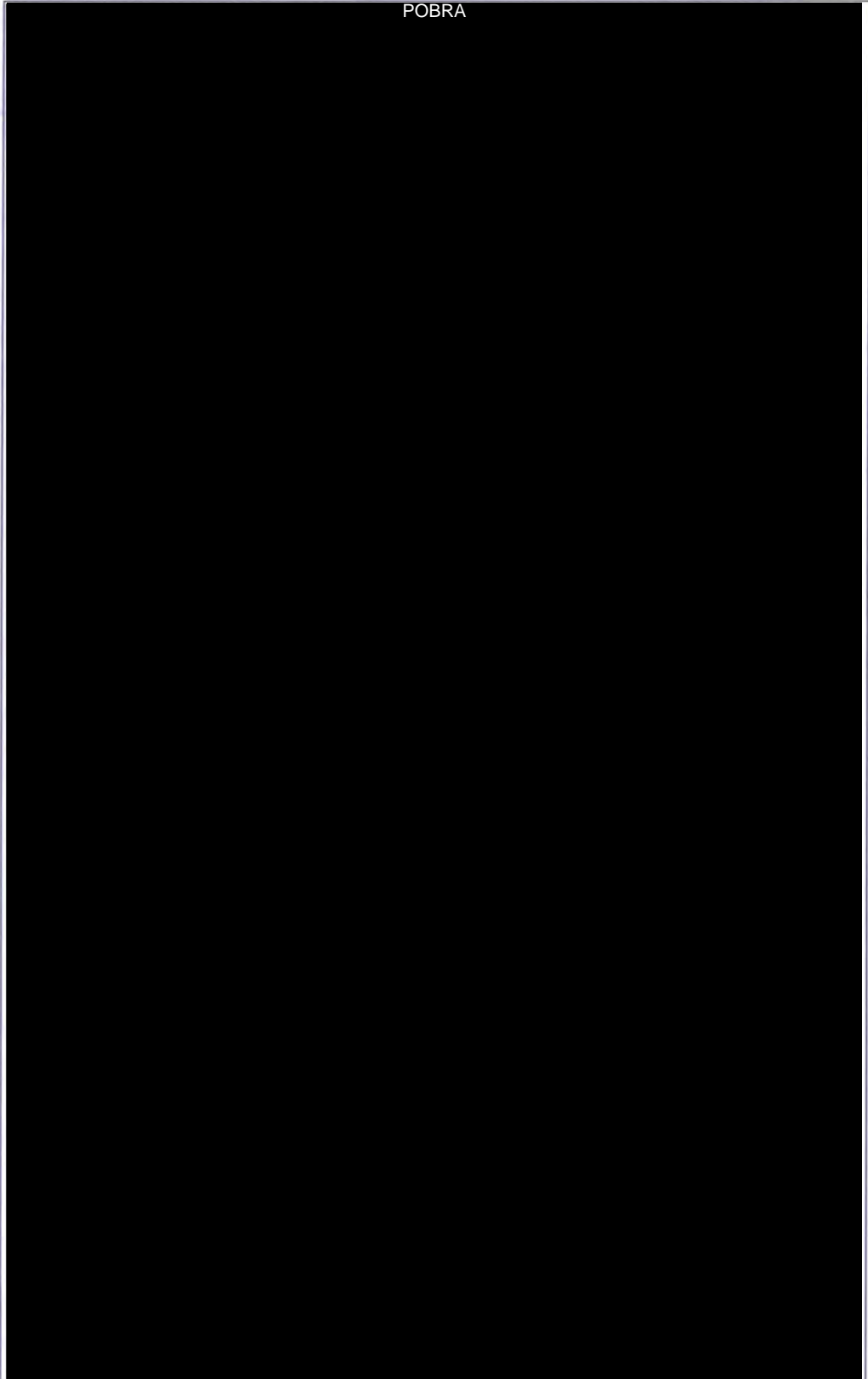
10 OFFICER HILLARD: I know his FTO's voice
11 and it was definitely [unintelligible] voice so I
12 assumed it was the recruit because he's using the
13 same call sign.

14 SERGEANT FRANCO: Okay.

15 SERGEANT OSPITAL: Just to clarify and we
16 can pull it out here if you want, do you know the

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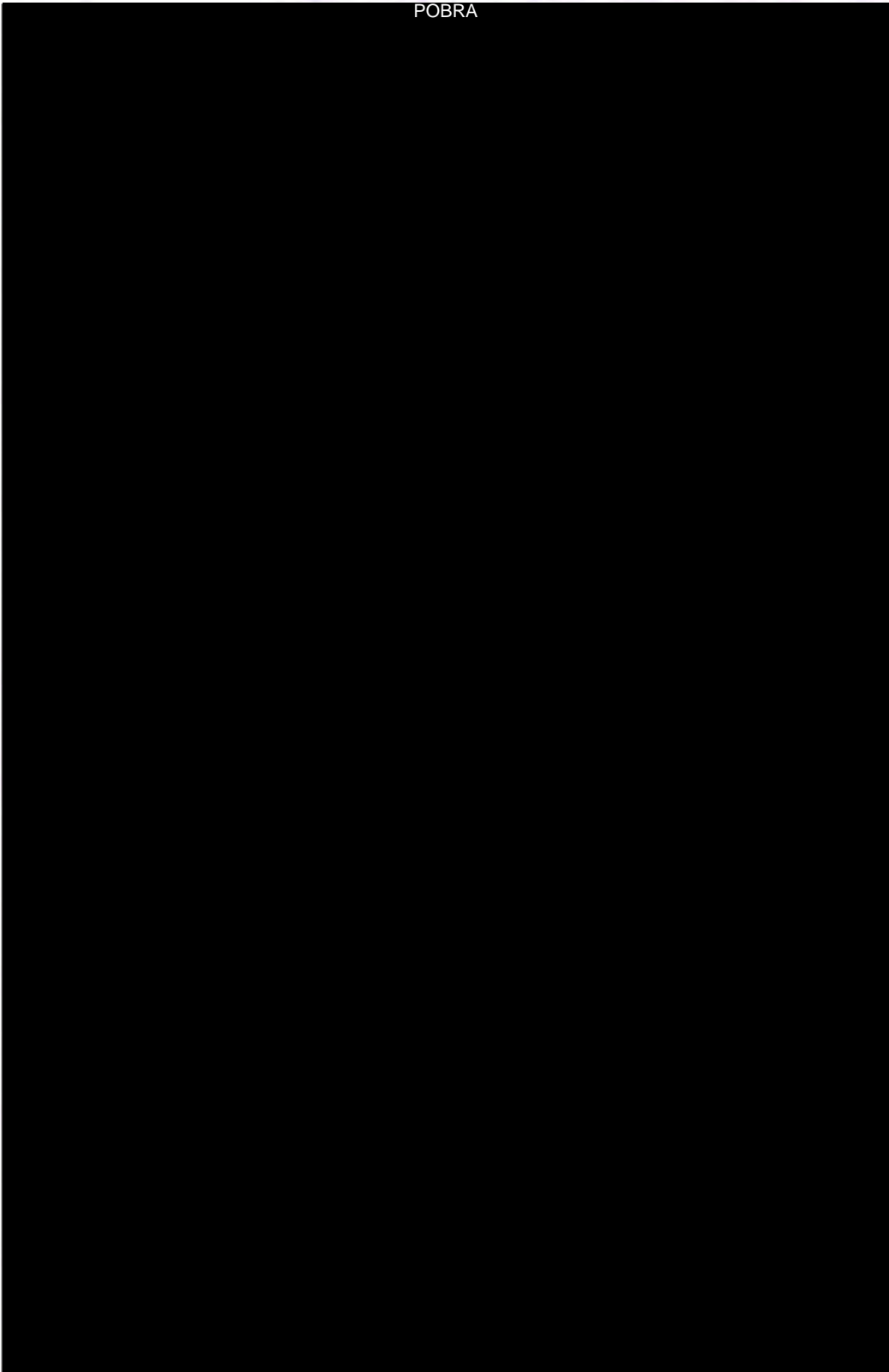
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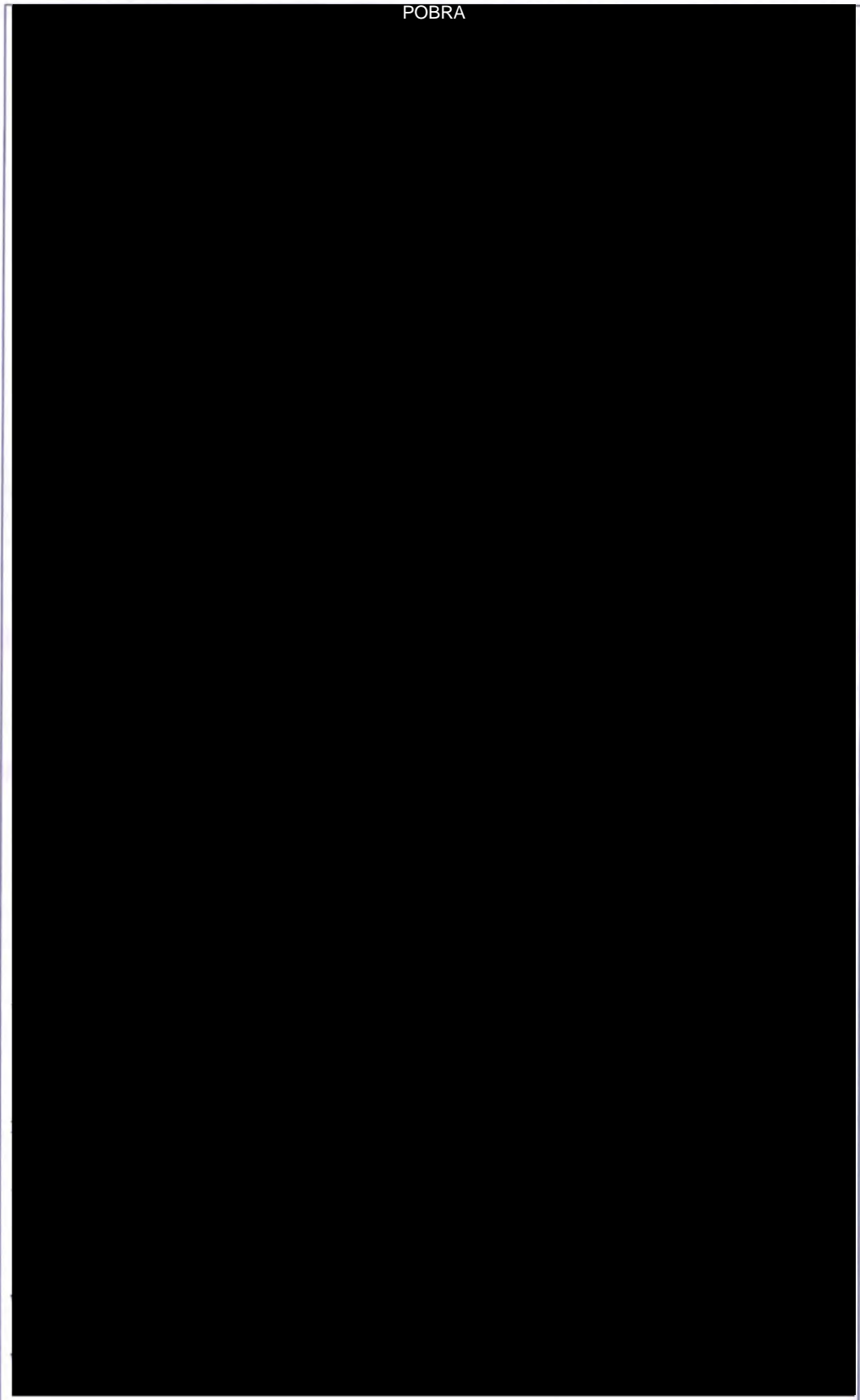


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SERGEANT OSPITAL: Okay. Sir?

BURRELL: No, I don't have anything but as per usual I want to talk to him before we completely close so I'll take him out.

SERGEANT OSPITAL: We'll take a break and the time right now is 7:22 p.m.

END OF DOCUMENT

DPA REQUEST

1 SERGEANT OSPITAL: All right, the time is
2 7:27 p.m. We are back on the record and just once
3 again we'll state who's in the room.
4 OFFICER HILLARD: Officer Nick Hillard.
5 BURRELL: Scott Burrell.
6 SERGEANT FRANCO: Sergeant Cristina
7 Franco, star 1443.
8 SERGEANT OSPITAL: And myself Sergeant
9 Paul Ospital, star 121.
10 SERGEANT FRANCO: And there's no one else
11 in the room.
12 SERGEANT OSPITAL: Right.
13 BURRELL: Thank you for giving me time to
14 consult with my client a little bit and we have
15 nothing further for the interview.
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DPA REQUEST



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OFFICER HILLARD: Yeah.

SERGEANT OSPITAL: Okay.

SERGEANT FRANCO: Okay, I have nothing
further.

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OFFICER HILLARD: No.

POBRA

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OFFICER HILLARD: No.

SERGEANT OSPITAL: After you leave this
interview should you recall anything that differs
from or is in addition to the information you've

1 provided today you are ordered to provide that
2 information to me as soon as practical, do you
3 understand?

4 OFFICER HILLARD: Yes.

5 SERGEANT OSPITAL: You may discuss this
6 matter with your representative as you choose
7 otherwise I am ordering you not to discuss any
8 portion of this investigation with any other
9 Department employee per Department General Order
10 2.01 rule 49, do you understand?

11 OFFICER HILLARD: Yes.

12 SERGEANT OSPITAL: This interview is
13 concluded, the time is 7:29 p.m. And the recording
14 will not be ended.

15 **END OF DOCUMENT**

DPA REQUEST

1 DEPARTMENT OF POLICE ACCOUNTABILITY

2 DPA CASE NO.: 0204-18

3

4 INTERVIEW OF: [REDACTED] ID

5 DATE OF INTERVIEW: 05/21/2018

6

7

8 [PHONE]

9 [REDACTED] ID: Hello.

10 SGT. JON KASPER: Hi, um, [REDACTED] ID?

11 [REDACTED] ID: Yes.

12 SGT. KASPER: Hi. This is Jon Kasper. I'm a Sergeant
13 with the San Francisco Police Homicide Unit.

14 [REDACTED] ID: Yes. Hm-hmm.

15 SGT. KASPER: How are you?

16 [REDACTED] ID: Good.

17 SGT. KASPER: I know I sent officers over to see if you
18 and--was it your [REDACTED] PII?

19 [REDACTED] ID: Yes. Hm-hmm.

20 SGT. KASPER: Okay, if you heard or saw anything on 501--

21 [REDACTED] ID: Yes. Yeah, I was actually--I was actu--well, I
22 was--I had fallen asleep on the sofa right in the downstairs,
23 right on the corner where the windows were. And I think I was
24 woken up by the gunshot and the crash.

25 SGT. KASPER: Okay.

26 [REDACTED] ID: And then all of the lights. And so I actually
27 didn't see the shooting. I didn't--I then saw all of the
28 officer walking around. But I didn't actually see the--the

1 incident itself.

2 SGT. KASPER: Okay. So and what about your [REDACTED PII]?

3 [REDACTED ID] He was asleep upstairs.

4 SGT. KASPER: Okay.

5 [REDACTED ID]: So he didn't see anything. And I was--I was
6 going to go outside and ask but then I--you guys looked all
7 really busy and I didn't want to--I didn't want to get in the
8 way so--yeah, so I saw--and then I saw the one--the one guy,
9 because I've read the article since. The one guy that you guys
10 had. I saw him in cuffs.

11 SGT. KASPER: Okay.

12 [REDACTED ID]: But then I didn't--I didn't--I didn't actually
13 see the incident of the shooting or the crash.

14 SGT. KASPER: Okay.

15 [REDACTED ID] I heard it.

16 SGT. KASPER: No problem. And then--did anybody else come
17 and talk to you or anything?

18 [REDACTED ID] You mean, like--

19 SGT. KASPER: Like an Investigators of--

20 [REDACTED ID]: An investigator? For the--for the defendant?

21 SGT. KASPER: No. Just anybody, period.

22 [REDACTED ID]: Well, I think that you said that you sent someone
23 out. He spoke to [REDACTED ID]. I'll check with [REDACTED ID] I've--
24 actually flew out on Sunday and was gone for all week.

25 SGT. KASPER: Okay.

26 [REDACTED ID] Did anyone other than the one police officer talk
27 to you about the incident? Well, the two officers that came
28 together. Two different times.

1 [REDACTED ID] [UNINTELLIGIBLE] There were two of them.
2 [UNINTELLIGIBLE]
3 [REDACTED ID]: Okay. So--and that was only--
4 [REDACTED ID]: One time.
5 [REDACTED ID]: Okay.
6 SGT. KASPER: All right. No--
7 [REDACTED ID]: Okay, yeah, just the one--
8 SGT. KASPER: [UNINTELLIGIBLE]
9 [REDACTED ID]: Just the one time. Yeah. Yeah, no. So I didn't
10 see. I didn't see anything. I only heard--heard something.
11 SGT. KASPER: No problem.
12 [REDACTED ID]: I'm not of any help, am I?
13 SGT. KASPER: No, it's--it's fine. We just have to talk
14 to everybody who may or may not have seen anything. That's all.
15 [REDACTED ID]: Yes.
16 SGT. KASPER: It's--you know, it's our investigation's
17 pretty--
18 [REDACTED ID]: Processed.
19 SGT. KASPER: We're just--we just need to make sure that
20 we talk to everybody who may or may not have seen anything.
21 That's all.
22 [REDACTED ID]: Okay. I--
23 SGT. KASPER: All right? You take care.
24 [REDACTED ID]: Thanks. Hm-hmm.
25 SGT. KASPER: Okay.
26 [REDACTED ID]: Bye-bye.
27 SGT. KASPER: Bye-bye. The date is 5/21/2018. The time
28 is 11:03 hours. That was just a phone call I made to a resident

1 at [REDACTED] PII, basically the southeast corner of O'Farrell
2 and Webster, regarding the OIS. That was a [REDACTED] ID
3 Her phone number [REDACTED] PII

4 **END OF DOCUMENT**

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1 DEPARTMENT OF POLICE ACCOUNTABILITY

2 DPA CASE NO.: 0204-18

3

4 INTERVIEW OF: [REDACTED] ID

5 DATE OF INTERVIEW: NOT INDICATED

6

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8 [BUZZER]

9 [REDACTED] ID: Hello.

10 SGT. PARKER: Hello. Is this [REDACTED] ID?

11 [REDACTED] ID: Who is this?

12 SGT. PARKER: This is Sergeant Parker. I will San
13 Francisco Police Department's Homicide Detail. How are you,
14 sir? Ma'am. Excuse me.

15 [REDACTED] ID: Yeah. Hi.

16 SGT. PARKER: How you doing?

17 [REDACTED] ID: I'm okay.

18 SGT. PARKER: So we're investigating the incident that
19 happened the other night.

20 [REDACTED] ID: Yes. I heard--I heard it. It was right
21 outside of my window.

22 SGT. PARKER: Could you--you have a moment to--to speak
23 with me about that?

24 [REDACTED] ID: Absolutely. I'd be glad to. I'm actually
25 really concerned about the people. I hope there was no
26 fatality.

27 SGT. PARKER: No. None whatsoever.

28 [REDACTED] ID: Okay.

1 SGT. PARKER: Hm-hmm. But, you know, unfortunately, as
2 I'm sure you may have heard on the news, that there was an--
3 well, not an exchange but a shot was fired. And--

4 [REDACTED ID]: Yeah, I heard--I heard two shotguns. Two--
5 two were fired. So I can--

6 SGT. PARKER: Two shots.

7 [REDACTED ID]: Yeah. Two shots were fired.

8 SGT. PARKER: Hm. Okay. You want to tell me exactly what
9 you heard? Kind of, you know--

10 [REDACTED ID]: Absolutely. It was a little after one
11 o'clock in the morning because I looked at my alarm clock and I
12 don't exactly know. It was between 1 a.m. and 1:15.

13 SGT. PARKER: Okay.

14 [REDACTED ID]: And I heard the man following a woman. I
15 didn't hear a woman's voice but a man was--it may have been loud
16 but not --he wasn't mad at her but he was concerned. Maybe her
17 name was [REDACTED ID] I don't know. I was half-asleep. But he said,
18 again, I don't know if her name was [REDACTED ID] but he said, "[REDACTED ID]
19 please don't get into the car. Please don't get into the car."
20 I heard the--door car slam shut. And then shortly after the
21 door got shut I heard pop-pop--and the shotgun was fired. One
22 of the--one of them sounded a little more muted than the other
23 one, like one of them sounded more like it was outside because
24 it echoed?

25 SGT. PARKER: Okay.

26 [REDACTED ID]: The other one sounded more like inside and
27 that's why I was concerned, maybe it was a murder-suicide
28 because maybe the one of the shots were fired inside of the car.

1 I didn't know. And then after the shots were fired, it was just
2 complete silence and then I heard sirens. And that was it.

3 SGT. PARKER: And what was it.

4 [REDACTED ID]: Yes.

5 SGT. PARKER: Okay. Okay. You mind if I get some--just
6 some info from you. I guess officer at the scene may have
7 talked to your--your housemate or your roommate?

8 [REDACTED ID]: Yeah. My landlord. His name is [REDACTED ID]
9 [REDACTED ID].

10 SGT. PARKER: Okay. [REDACTED ID]-okay, [REDACTED ID] And so your
11 first name is [REDACTED ID] Am I saying that correct?

12 [REDACTED ID]: That's correct.

13 SGT. PARKER: Okay. And you have a last name?

14 [REDACTED ID]: Yes. Can I just go by last name initial [REDACTED ID]
15 since for my--do I have to go to court and testify?

16 SGT. PARKER: No. Nothing like that. But it's just for
17 our records--for our records. We'll--

18 [REDACTED ID]: Okay.

19 SGT. PARKER: Yeah.

20 [REDACTED ID]: You can put down--[REDACTED ID] as in [REDACTED ID]

21 SGT. PARKER: Hm-hmm.

22 [REDACTED ID]: [REDACTED ID] as in [REDACTED ID].

23 SGT. PARKER: Hm-hmm.

24 [REDACTED ID]
25 [REDACTED ID]
26 [REDACTED ID]

27 SGT. PARKER: Okay.

28 [REDACTED ID]: And I don't have a middle initial. It's

1 just first and last name.

2 SGT. PARKER: Okay then.

3 [REDACTED ID]: Yeah. So it was in the news.

4 SGT. PARKER: Yeah, it was on the--

5 [REDACTED ID]: Because I--

6 SGT. PARKER: Hm-hmm.

7 [REDACTED ID]: Okay.

8 SGT. PARKER: I'm listening--I'm listening. Go ahead?

9 [REDACTED ID]: So I'm glad that there was no fatality so,
10 you know, nobody got hurt. I'm glad about that.

11 SGT. PARKER: Okay. You mind if I get your date of birth.
12 I hate to ask that. My mother would turn over in her grave if
13 she knew I was asking.

14 [REDACTED ID]: No, that's okay. [REDACTED PII]

15 SGT. PARKER: [REDACTED PII] Okay. All right. Thank you very
16 much, ma'am. If we need--if there's any more information that
17 we possibly need is it okay if we reach out with you once again?

18 [REDACTED ID]: Yeah, absolutely. I'd be glad to be of
19 help, you know?

20 SGT. PARKER: Okay. Thank you for your time, ma'am.

21 [REDACTED ID]: Yeah. No problem.

22 SGT. PARKER: All right.

23 [REDACTED ID]: Bye

24 SGT. PARKER: Bye-bye.

25 **END OF DOCUMENT**

26

27

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1 DEPARTMENT OF POLICE ACCOUNTABILITY

2 DPA CASE NO.: 0204-18

3

4 INTERVIEW OF: [REDACTED] ID

5 DATE OF INTERVIEW: NOT INDICATED

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8 [Transcriber's note: Poor audio recording, difficult to
9 understand.]

10 --

11 [0:39:02.1]

12 [DOOR]

13 INV.: How you doing? [UNINTELLIGIBLE]

14 SGT. GARY WATTS: Good morning, [REDACTED] ID.

15 SGT. MICHAEL ALEXANDER: All right, [REDACTED] ID I'm Sergeant
16 Mike Alexander. [UNINTELLIGIBLE] This is Sergeant Gary Watts.

17 INSP. JACK FRIEDMAN: I'm Inspector Jack Friedman. And
18 I'm [UNINTELLIGIBLE].

19 SGT. ALEXANDER: We need to talk to you today about what
20 happened earlier today. But before I'm going to read you your
21 rights. All right? You have the right to remain silent. You
22 understand? Can you say "yes" or "no", please?

23 [REDACTED] ID: Yes.

24 SGT. ALEXANDER: Anything you say can and will be used
25 against you in a court of law. Do you understand?

26 [REDACTED] ID: Yes.

27 SGT. ALEXANDER: You have the right to talk to a lawyer
28 and have him present with you while you are being questioned.

1 Do you understand?
2 [REDACTED] ID Yes.
3 SGT. ALEXANDER: If you cannot afford to hire a lawyer,
4 one will be appointed to represent you before any questioning,
5 if you wish one. Do you understand?
6 [REDACTED] ID Yes.
7 SGT. ALEXANDER: Having these rights in mind, do you
8 want to talk to us about what happened today?
9 [REDACTED] ID : No.
10 SGT. ALEXANDER: You do not want to talk to us about
11 [UNINTELLIGIBLE]
12 [REDACTED] ID : [UNINTELLIGIBLE]
13 SGT. WATTS: Well, you're here because [UNINTELLIGIBLE]
14 some officers [UNINTELLIGIBLE] breaking into a vehicle.
15 [REDACTED] ID So that's why I'm here?
16 SGT. WATTS: Hm-hmm.
17 [REDACTED] ID Yes.
18 SGT. WATTS: That's right. So we want to talk about what
19 happened [UNINTELLIGIBLE]. How about from the [UNINTELLIGIBLE]
20 doing okay?
21 [REDACTED] ID No.
22 SGT. WATTS: No? What happened? Some pain?
23 [REDACTED] ID [UNINTELLIGIBLE]
24 SGT. WATTS: From the crash?
25 [REDACTED] ID [UNINTELLIGIBLE]
26 SGT. WATTS: What was that [UNINTELLIGIBLE]?
27 [REDACTED] ID I said I'm in here.
28 SGT. WATTS: You're in here. Okay. Okay. Who's--who's

1 in the white car, the white Toyota [UNINTELLIGIBLE]?

2 [REDACTED] ID I need a lawyer.

3 SGT. WATTS: Okay.

4 SGT. ALEXANDER: I'm going to end the interview

5 [UNINTELLIGIBLE]. Okay. Thank you, sir.

6 [0:42:38.5]

7 [LONG PAUSE]

8 [1:32:00]

9 INV.: What's up, my man? I'm going to take a couple

10 pictures and--I'm going to take your shoes.

11 INV.: [UNINTELLIGIBLE] gentlemen.

12 INV.: This is [REDACTED] ID

13 INV.: Okay.

14 INV.: [UNINTELLIGIBLE] shoes. So this is the Sergeant.

15 You might take it up when he get a chance. He has that

16 information? [UNINTELLIGIBLE]

17 [REDACTED] ID [UNINTELLIGIBLE]

18 INV.: Huh?

19 [REDACTED] ID [UNINTELLIGIBLE]

20 INV.: [UNINTELLIGIBLE]

21 INV.: We just going to take a couple pictures they want

22 us to have. So for that can I get you to stand up.

23 [REDACTED] ID [UNINTELLIGIBLE]

24 INV.: Okay.

25 INV.: Nice shoes. They look pretty expensive.

26 [REDACTED] ID What, these?

27 INV.: Those are Nikes?

28 [REDACTED] ID I don't know. [UNINTELLIGIBLE]

1 INV.: Okay, then why do you sit up and
2 [UNINTELLIGIBLE]. There we go.
3 ID Damn.
4 INV.: [UNINTELLIGIBLE] Okay. [UNINTELLIGIBLE] 360
5 [UNINTELLIGIBLE] take you [UNINTELLIGIBLE] there. Okay, and
6 turning. Turning. Okay. Face me. Okay. Hold your hand out
7 for me. I'm going to take some pictures of your hands.
8 [UNINTELLIGIBLE] Got that scale. Okay. [UNINTELLIGIBLE]
9 injury right there. Put the scale next to it.
10 INV.: Okay.
11 INV.: [UNINTELLIGIBLE]
12 ID [UNINTELLIGIBLE]
13 INV.: I don't know. [UNINTELLIGIBLE]
14 ID Oh, really?
15 INV.: Okay. [UNINTELLIGIBLE]
16 ID [UNINTELLIGIBLE]
17 INV.: How are you.
18 ID Oh, you taking everything?
19 INV.: Everything.
20 ID All right.
21 INV.: Taking everything.
22 ID [UNINTELLIGIBLE]
23 INV.: Yeah. We'll give you a--
24 ID [UNINTELLIGIBLE]
25 INV.: We're going to give you--
26 INV.: How about taking [UNINTELLIGIBLE]. Just look up?
27 Turn around. [UNINTELLIGIBLE] back. [UNINTELLIGIBLE] your
28 head. [UNINTELLIGIBLE]

1 [REDACTED] ID [UNINTELLIGIBLE]
2 INV.: [UNINTELLIGIBLE]
3 INV.: Huh?
4 INV.: Right. Go off to get that set.
5 INV.: Okay.
6 [REDACTED] ID [UNINTELLIGIBLE]
7 INV.: Is it too late? Is it too late?
8 [REDACTED] ID Yeah, just going to be [UNINTELLIGIBLE]. Yeah.
9 I'm going to jail. I can appreciate [UNINTELLIGIBLE] but I
10 ain't [UNINTELLIGIBLE].
11 INV.: Apparently, you're going to get over that.
12 You're going to be--we're not going to be taking your money.
13 Okay? I'm going to cross it off on this receipt and
14 [UNINTELLIGIBLE] number 9.
15 INV.: Oh.
16 INV.: [UNINTELLIGIBLE] My initials.
17 INV.: [UNINTELLIGIBLE]
18 INV.: And I'll write "Not seized" underneath it, okay?
19 [REDACTED] ID Ah.
20 INV.: Understand that?
21 [REDACTED] ID Yeah.
22 INV.: [UNINTELLIGIBLE] Alexander.
23 [REDACTED] ID Alexander?
24 INV.: All right. Then--[UNINTELLIGIBLE] I got called
25 last night. [UNINTELLIGIBLE]
26 [REDACTED] ID Is there like a restroom [UNINTELLIGIBLE] real
27 quick?
28 INV.: I got--hm?

1 ID Restroom I could use real quick? I've been
2 [UNINTELLIGIBLE] couple hours.

3 INV.: Once we get to the [UNINTELLIGIBLE] you can use
4 the restroom.

5 INV.: Thank you. [UNINTELLIGIBLE]

6 ID : Oh.

7 INV.: Yeah. I got--[UNINTELLIGIBLE]

8 [INDISTINCT VOICES]

9 ID : Yeah.

10 INV.: I'll call you back. Yeah, we're
11 [UNINTELLIGIBLE].

12 ID : Hey, this your only interview room?

13 INV.: What's that?

14 ID : Not interview room. Like only interview section?

15 INV.: [UNINTELLIGIBLE]

16 ID : I thought they'd be [UNINTELLIGIBLE].

17 INV.: Huh?

18 ID : Why the hell they bring me [UNINTELLIGIBLE].

19 INV.: [UNINTELLIGIBLE]

20 INV.: Hey, what kind of car were you in?

21 ID : Honda.

22 INV.: Honda?

23 ID : [UNINTELLIGIBLE] Hey, how many [UNINTELLIGIBLE]?

24 INV.: [UNINTELLIGIBLE] only start this morning
25 [UNINTELLIGIBLE].

26 [VOICES IN HALLWAY, UNINTELLIGIBLE]

27 ID : Whoa, bro. I didn't even have my
28 [UNINTELLIGIBLE].

1 INV.: My partner's [UNINTELLIGIBLE] right now.
2 ID There's a lot of [UNINTELLIGIBLE].
3 INV.: Like, too, say the guys from last night. We just
4 rolled them all down. We got [UNINTELLIGIBLE] car now. We're
5 going to head over. We'll be walking down, hopefully now.
6 RADIO: [UNINTELLIGIBLE]
7 [VOICES IN HALLWAY]
8 ID Oh, my God, brah. [UNINTELLIGIBLE] Through all
9 this time kind of like do you think we will be able to make it
10 to the court today?
11 INV.: Today? No. You got any open cases?
12 INV.: Hey, could you--could you guys [UNINTELLIGIBLE]
13 you guys cuff this guy now?
14 INV.: Yeah. We're ready. We're just waiting--
15 INV.: Let me see. You [UNINTELLIGIBLE]. I just want
16 to get my [UNINTELLIGIBLE].
17 INV.: Okay.
18 INV.: Sorry. I'm just [UNINTELLIGIBLE].
19 INV.: Oh, is he cuffed now?
20 INV.: Yeah. He should have been but [UNINTELLIGIBLE].
21 INV.: Sorry. I [UNINTELLIGIBLE] 28 years. You know
22 how that goes. You know what I'm saying? [UNINTELLIGIBLE] I
23 think it's like a good luck charm, dude. Saying I never been to
24 [UNINTELLIGIBLE]. Nobody ever run me--run over. None of that
25 kind of stuff. You know? Twenty-eight years. [UNINTELLIGIBLE]
26 Of course now that the [UNINTELLIGIBLE] my biggest threat.
27 [LAUGH] I try to keep the [UNINTELLIGIBLE] alive, hear?
28 ID I get it. Oooh, motherfucking [UNINTELLIGIBLE].

1 INV.: Want to stand for me? [UNINTELLIGIBLE]
2 ID Hey, think you could put these cuffs on better?
3 INV.: The what?
4 ID [UNINTELLIGIBLE]
5 INV.: No, they're [UNINTELLIGIBLE]--
6 ID [UNINTELLIGIBLE]
7 INV.: Huh?
8 ID [UNINTELLIGIBLE]
9 INV.: [UNINTELLIGIBLE]
10 INV.: Hi, man.
11 INV.: How about you?
12 INV.: Good. How are you?
13 INV.: Oh, can't complain. [UNINTELLIGIBLE]
14 ID [UNINTELLIGIBLE]
15 INV.: Do you need cuffs for him?
16 INV.: No, I got him [UNINTELLIGIBLE].
17 INV.: Oh, okay. What's up?
18 INV.: Another day. [UNINTELLIGIBLE]
19 INV.: Oh, you don't happen to use [UNINTELLIGIBLE].
20 INV.: [UNINTELLIGIBLE] Where you live? You homeless?
21 ID Yeah.
22 INV.: [UNINTELLIGIBLE]
23 INV.: [UNINTELLIGIBLE] homeless. You guys ready to
24 bounce or what? Mike. Said, ready to bounce or what?
25 INV.: Yeah.
26 INV.: [UNINTELLIGIBLE]
27 INV.: [UNINTELLIGIBLE]
28 INV.: Get him in and out? [UNINTELLIGIBLE]

1 INV.: Ready to go [UNINTELLIGIBLE].
2 INV.: [UNINTELLIGIBLE]
3 INV.: So how long does [UNINTELLIGIBLE].
4 INV.: Forever. [UNINTELLIGIBLE]
5 INV.: [UNINTELLIGIBLE]
6 INV.: [UNINTELLIGIBLE]
7 INV.: No, the reason why [UNINTELLIGIBLE]. And his
8 partner's [UNINTELLIGIBLE]. ID He's probationary. He just
9 got out. He was--
10 INV.: Oh, well, yeah, yeah, yeah.
11 INV.: So all that he was not here [UNINTELLIGIBLE].
12 Big whiner.
13 INV.: [UNINTELLIGIBLE]
14 INV.: So--apparently [UNINTELLIGIBLE] fucking complain
15 about it, jeez. Fucking--
16 INV.: Well, now [UNINTELLIGIBLE]--
17 INV.: Oh, is that right? All right. Well. Yeah, but
18 he doesn't have to cry all the time. Holy shit. Right?
19 INV.: Right.
20 INV.: Stop already.
21 INV.: But [UNINTELLIGIBLE]--
22 [LAUGHTER]
23 INV.: Oh, they're fine. [UNINTELLIGIBLE]
24 INV.: Oh, yeah.
25 INV.: And he's fucking--[UNINTELLIGIBLE] so every day
26 they eat [UNINTELLIGIBLE] and they go get the--[UNINTELLIGIBLE]
27 for dinner. You know.
28 INV.: Yeah, yeah, yeah. [UNINTELLIGIBLE]

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END OF DOCUMENT

1 DEPARTMENT OF POLICE ACCOUNTABILITY

2 DPA CASE NO.: 0204-18

3

4 INTERVIEW OF: [REDACTED] ID - PART 1

5 DATE OF INTERVIEW: 05/11/2018

6

7

8 *[Transcriber's note: Audio recording extremely poor*
9 *quality--distorted and very fuzzy. Difficult to hear speakers.]*

10 --

11 [18:58]

12 [REDACTED] ID Hello. Hello. Who is this?

13 [UNINTELLIGIBLE] Ah!

14 [19:30]

15 [21:39]

16 [REDACTED] ID: Hey, how sir?

17 MALE SPEAKER: Huh?

18 [REDACTED] ID [UNINTELLIGIBLE]

19 MALE SPEAKER: Huh?

20 [REDACTED] ID: family how?

21 MALE SPEAKER: What?

22 [REDACTED] ID: This [UNINTELLIGIBLE]. You got a hella time.

23 MALE SPEAKER: What?

24 [REDACTED] ID: [UNINTELLIGIBLE]

25 MALE SPEAKER: Huh?

26 [REDACTED] ID: [UNINTELLIGIBLE]

27 MALE SPEAKER: No, they didn't [UNINTELLIGIBLE] relax.

28 [REDACTED] ID I'm trying to but I--this is--this is like,

1 [UNINTELLIGIBLE]
2 MALE SPEAKER: Okay, well, you got arrested before.
3 [REDACTED ID] [UNINTELLIGIBLE]
4 MALE SPEAKER: Okay, but you got arrested before, right?
5 MALE SPEAKER: You wanted big time. You got
6 [UNINTELLIGIBLE]--
7 MALE SPEAKER: You got to arrest.
8 [REDACTED ID]: I'm asking you, sir, [UNINTELLIGIBLE]
9 MALE SPEAKER: Okay.
10 [REDACTED ID] I'm trying to [UNINTELLIGIBLE]
11 MALE SPEAKER: [UNINTELLIGIBLE]
12 [REDACTED ID]: [UNINTELLIGIBLE] homeless. [UNINTELLIGIBLE] [REDACTED CI]
13 [REDACTED CI] right now, man. Ah. Horrible.
14 MALE SPEAKER: Well, you got plenty of room to relax.
15 [REDACTED ID]: [UNINTELLIGIBLE]
16 [22:44]
17 [33:55]
18 [REDACTED ID] Officer! Hey, officer!
19 MALE SPEAKER: What?
20 [REDACTED ID]: Can you come here?
21 MALE SPEAKER: [UNINTELLIGIBLE]
22 [REDACTED ID]: [UNINTELLIGIBLE]
23 MALE SPEAKER: [UNINTELLIGIBLE]
24 [REDACTED ID]: [UNINTELLIGIBLE] I'm feeling suicidal. And I
25 really hurt on my hands and my [UNINTELLIGIBLE]. I know--I hurt
26 in my shoulder and my back. I [UNINTELLIGIBLE] on there.
27 [UNINTELLIGIBLE]
28 [36:00]

1 [40:47]
2 [REDACTED] ID: Hey, officer. Might be having a seizure, right?
3 Hey, officer, right now! Officer!
4 [42:55]
5 [44:17]
6 MALE SPEAKER: Okay. [UNINTELLIGIBLE]
7 [REDACTED] ID [UNINTELLIGIBLE]
8 MALE SPEAKER: Hey, man. Hold on a second.
9 [REDACTED] ID: [UNINTELLIGIBLE]
10 MALE SPEAKER: [UNINTELLIGIBLE]
11 [REDACTED] ID: [UNINTELLIGIBLE]
12 MALE SPEAKER: [UNINTELLIGIBLE]
13 MALE SPEAKER: [UNINTELLIGIBLE]
14 MALE SPEAKER: [UNINTELLIGIBLE]
15 MALE SPEAKER: I'll put it around, tie it for you, okay?
16 That all right?
17 [REDACTED] ID: [UNINTELLIGIBLE]
18 MALE SPEAKER: [UNINTELLIGIBLE]
19 MALE SPEAKER: All right. Same type of [UNINTELLIGIBLE].
20 [REDACTED] ID: All right.
21 MALE SPEAKER: Okay.
22 MALE SPEAKER: [UNINTELLIGIBLE]
23 [45:21]
24 [46:55]
25 [BANGING]
26 MALE SPEAKER: You want some water or anything? Are you
27 okay?
28 [REDACTED] ID: [UNINTELLIGIBLE] some water.

1 MALE SPEAKER: Yeah. I'll get you some water.
2 [REDACTED ID]: [UNINTELLIGIBLE]
3 MALE SPEAKER: You want--you want ice or anything with it?
4 [REDACTED ID]: [UNINTELLIGIBLE] right now?
5 MALE SPEAKER: All right. [UNINTELLIGIBLE]
6 [BANGING]
7 MALE SPEAKER: [UNINTELLIGIBLE]
8 [REDACTED ID]: [UNINTELLIGIBLE]
9 [ODD CONSTANT TONE]
10 [47:51]
11 [49:20]
12 MALE SPEAKER: [UNINTELLIGIBLE] make sure you don't
13 [UNINTELLIGIBLE]
14 [REDACTED ID]: [UNINTELLIGIBLE]
15 MALE SPEAKER: Yeah, no sweat, man.
16 [BANGING]
17 [49:30]
18 [01:03]
19 [SILENCE]
20 [01:06:00]
21 [1:07:00]
22 [DOOR]
23 [REDACTED ID]: [UNINTELLIGIBLE]
24 [MODULATING TONES]
25 [NOISES]
26 [UNINTELLIGIBLE MALE VOICES]
27 MALE SPEAKER: You don't need the bathroom?
28 [UNINTELLIGIBLE] some water?

1 [REDACTED ID]: [UNINTELLIGIBLE]
2 MALE SPEAKER: You need the bathroom?
3 [REDACTED ID] If I can.
4 MALE SPEAKER: [UNINTELLIGIBLE] Okay. You
5 [UNINTELLIGIBLE]?
6 [REDACTED ID] [UNINTELLIGIBLE]
7 MALE SPEAKER: You [UNINTELLIGIBLE]?
8 [REDACTED ID] Yeah, my--
9 MALE SPEAKER: [UNINTELLIGIBLE] Come on. You follow me.
10 [LOUD STATIC]
11 [UNINTELLIGIBLE VOICES IN DISTANCE]
12 SGT. MIKE ALEXANDER: Okay. All right, [UNINTELLIGIBLE]
13 Sergeant Mike Alexander. We'll go around the room.
14 SGT. GARY WATTS: My name is Sergeant Gary Watts.
15 INSPECTOR JACK FRIEDMAN: Jack Friedman.
16 DA ATTY. ANDREW LAH: Andrew Lah from the District
17 Attorney's Office.
18 MALE SPEAKER: And we're going to talk to you about the
19 incident. But first we're going to read your rights. You have
20 the right to remain silent. You understand?
21 [REDACTED ID]: Hm-hmm.
22 MALE SPEAKER: Anything you say can and will be used
23 against you in a court of law. Do you understand?
24 [UNINTELLIGIBLE]
25 [REDACTED ID] Yes.
26 MALE SPEAKER: All right. You have the right to talk to a
27 lawyer and have him present with you while you are being
28 questioned. Do you understand?

1 [REDACTED ID]: Yes.

2 MALE SPEAKER: If you cannot afford to hire a lawyer, one
3 will be appointed to represent you before any questioning, if
4 you wish one. Do you understand?

5 [REDACTED ID]: Yes.

6 MALE SPEAKER: Having these rights in mind, do you want to
7 talk to us about this incident today?

8 [REDACTED ID]: [UNINTELLIGIBLE]

9 MALE SPEAKER: Okay. [REDACTED ID], can you spell your first and
10 last name?

11 [REDACTED ID]

12 MALE SPEAKER: And your last name?

13 [REDACTED ID]

14 MALE SPEAKER: And your date of birth?

15 [REDACTED ID, PII]

16 MALE SPEAKER: And your address.

17 [REDACTED ID]: I ain't got no address.

18 MALE SPEAKER: No address. Do you--your old address? Your
19 prior address?

20 [REDACTED ID, PII]

21 MALE SPEAKER: And do you have a phone number?

22 [REDACTED ID, PII]

23 MALE SPEAKER: Okay. So can you tell me how do you know
24 [REDACTED ID]?

25 [REDACTED ID] I don't know who that is.

26 MALE SPEAKER: You don't know [REDACTED ID]

27 [REDACTED ID]: No, sir.

28 MALE SPEAKER: All right. Were you with someone earlier

1 today?

2 [REDACTED ID]: I was by myself.

3 MALE SPEAKER: Okay. So can you tell us what happened
4 today before you ran into the police?

5 [REDACTED ID]: [UNINTELLIGIBLE] the origin.

6 MALE SPEAKER: Hm-hmm. Where's that at?

7 [REDACTED ID]: On Geary. All on Geary and--and I got stopped by
8 the police [UNINTELLIGIBLE] I stopped on Geary. To tell 'em,
9 and they just told me, they [UNINTELLIGIBLE] and throw me in the
10 car. [UNINTELLIGIBLE] and throw me out. And then took me to
11 the station and so--

12 MALE SPEAKER: Do you know what street you were on when
13 they [UNINTELLIGIBLE] you?

14 [REDACTED ID]: Steiner.

15 MALE SPEAKER: And so which way were you walking? Like,
16 were you walking--

17 [REDACTED ID]: Steiner and towards--towards Eddy.

18 MALE SPEAKER: You were running towards Eddy?

19 [REDACTED ID]: Yeah.

20 MALE SPEAKER: Eddy. Then when they stopped you, how did
21 they stop you? Did they run up and grab you or--or--

22 [REDACTED ID]: They just right up and say, "Hey," and I said,
23 "Yes."

24 MALE SPEAKER: Were they in a car?

25 [REDACTED ID]: Yes.

26 MALE SPEAKER: Okay. Cut you out and what'd they say to
27 you?

28 [REDACTED ID]: "Hey." And I said, "Yes."

1 MALE SPEAKER: Hm-hmm.
2 [REDACTED] ID And he said, "We [UNINTELLIGIBLE] you." And I
3 said, "Okay."
4 MALE SPEAKER: Okay.
5 [REDACTED] ID [UNINTELLIGIBLE] he just got on [UNINTELLIGIBLE].
6 MALE SPEAKER: Did they tell you why they cut you?
7 [REDACTED] ID I don't know.
8 MALE SPEAKER: Okay. So they get you in the car.
9 [REDACTED] ID Yes.
10 MALE SPEAKER: And then what happened after that?
11 [REDACTED] ID: And so [UNINTELLIGIBLE]
12 MALE SPEAKER: Where'd they [speak] to?
13 [REDACTED] ID: [UNINTELLIGIBLE]
14 MALE SPEAKER: I actually don't.
15 [REDACTED] ID Oh, [UNINTELLIGIBLE] Safeway.
16 MALE SPEAKER: By Safeway?
17 [REDACTED] ID: Yes.
18 MALE SPEAKER: And then did--what happened there?
19 [REDACTED] ID I don't know. I was just trying to get onto
20 cars. [UNINTELLIGIBLE]
21 MALE SPEAKER: When you say you were trying to get out of
22 car, what do you mean? You were--
23 [REDACTED] ID I was [UNINTELLIGIBLE] hurts.
24 MALE SPEAKER: And what's that?
25 [REDACTED] ID Oh, my leg.
26 MALE SPEAKER: What is it?
27 [REDACTED] ID, CI
28 MALE SPEAKER: [UNINTELLIGIBLE]

1 [REDACTED ID] [UNINTELLIGIBLE]

2 MALE SPEAKER: So did you have anything with you? Did they
3 take anything from you?

4 [REDACTED ID] Well, just my property.

5 MALE SPEAKER: And what property did you have?

6 [REDACTED ID] My money. My [UNINTELLIGIBLE] case. And my
7 [UNINTELLIGIBLE].

8 MALE SPEAKER: Did you see the police do anything else?

9 [REDACTED ID] No.

10 MALE SPEAKER: Do you have any other questions?

11 MALE SPEAKER: No.

12 MALE SPEAKER: [UNINTELLIGIBLE]

13 [REDACTED ID] [UNINTELLIGIBLE]

14 MALE SPEAKER: [UNINTELLIGIBLE]. And [UNINTELLIGIBLE]

15 [REDACTED ID] I was in the City.

16 MALE SPEAKER: You were in the City? What time did you get
17 in the City [UNINTELLIGIBLE]?

18 [REDACTED ID] I been in the City for days.

19 MALE SPEAKER: Days? Three or four days?

20 [REDACTED ID]: Right.

21 MALE SPEAKER: Staying with friends?

22 [REDACTED ID]: Yeah.

23 MALE SPEAKER: Okay. And--do you're gonna [UNINTELLIGIBLE]
24 this club. I'm just trying to fill in the blanks from what he
25 was saying. And [UNINTELLIGIBLE] police just handcuffed,
26 somewhere?

27 [REDACTED ID] Yes. I got cut off. Went into the car.

28 MALE SPEAKER: You say you got cut off. How'd you get cut

1 off?

2 [REDACTED] ID : He turned around [UNINTELLIGIBLE] and said,
3 "Stop." And I said, "Yes."
4 MALE SPEAKER: Okay.

5 [REDACTED] ID And he said--and he didn't say why. Then he
6 just, "Turn around." I just cooperated is all. I been told to
7 say stop me.

8 MALE SPEAKER: Right.

9 [REDACTED] ID And treated hella fucking [UNINTELLIGIBLE] I
10 don't know. [UNINTELLIGIBLE] You ain't even talked to me
11 [UNINTELLIGIBLE]

12 MALE SPEAKER: [UNINTELLIGIBLE] friends before the police
13 cut you off?

14 [REDACTED] ID : No.

15 MALE SPEAKER: No? Do you--[UNINTELLIGIBLE] anybody
16 [UNINTELLIGIBLE] it was just you?

17 [REDACTED] ID It just me by myself.

18 MALE SPEAKER: So you by yourself?

19 [REDACTED] ID : Yes, sir.

20 MALE SPEAKER: Okay.

21 MALE SPEAKER: How many police stopped you?

22 [REDACTED] ID Two.

23 MALE SPEAKER: Did you see any other police?

24 [REDACTED] ID No.

25 MALE SPEAKER: Did you see anyone else in the area?

26 [REDACTED] ID : No.

27 MALE SPEAKER: And you were not with anyone?

28 [REDACTED] ID No. By myself.

1 MALE SPEAKER: By yourself.

2 [REDACTED] ID Yes, sir.

3 MALE SPEAKER: Do you be over accounted--you're counted as
4 someone [UNINTELLIGIBLE] for you.

5 [REDACTED] ID [UNINTELLIGIBLE] order for me. [UNINTELLIGIBLE]
6 first seen them--again, and then--that's what I'm trying to tell
7 you.

8 MALE SPEAKER: Right.

9 [REDACTED] ID Yeah.

10 MALE SPEAKER: And what kind of club is this?

11 [REDACTED] ID It's a night club.

12 MALE SPEAKER: It's a night club where it's dancing--

13 [REDACTED] ID Yes.

14 MALE SPEAKER: Yeah? Is there a dress code?

15 [REDACTED] ID [UNINTELLIGIBLE] dress code.

16 MALE SPEAKER: All right, that's what I'm--

17 [REDACTED] ID Here I am [UNINTELLIGIBLE]

18 MALE SPEAKER: [UNINTELLIGIBLE] your stuff.

19 [REDACTED] ID I don't talk to [UNINTELLIGIBLE] I'm been keeping
20 it real [UNINTELLIGIBLE].

21 MALE SPEAKER: When the cops cut you off, they just--
22 [UNINTELLIGIBLE] just cut you and put you in handcuffs?

23 [REDACTED] ID Yes, sir.

24 MALE SPEAKER: They didn't say anything?

25 [REDACTED] ID No.

26 MALE SPEAKER: How many cops--

27 [REDACTED] ID: Nobody talked to me. Everybody being hella rude.

28 MALE SPEAKER: [UNINTELLIGIBLE] cops or police. Do you

1 think that's what they're going to tell us? That they just
2 stopped you, put some cuffs on you.

3 [REDACTED ID] [UNINTELLIGIBLE]

4 MALE SPEAKER: I mean, do you think that's what they're
5 gonna tell us?

6 [REDACTED ID] I would hope they would. [UNINTELLIGIBLE] they
7 might, though.

8 MALE SPEAKER: You also know they have--they have
9 [UNINTELLIGIBLE]--

10 [REDACTED ID] [UNINTELLIGIBLE] of course. [UNINTELLIGIBLE]

11 MALE SPEAKER: And why is that?

12 [REDACTED ID] [UNINTELLIGIBLE] It ain't gonna matter anyway.

13 MALE SPEAKER: Well, no, no--how did you--

14 [REDACTED ID]: [UNINTELLIGIBLE] help me [UNINTELLIGIBLE] not
15 [UNINTELLIGIBLE] I been consider [UNINTELLIGIBLE] I didn't
16 [UNINTELLIGIBLE] like that. It never been like this before.

17 MALE SPEAKER: And you said you thought that you--

18 [REDACTED ID] [UNINTELLIGIBLE]

19 MALE SPEAKER: Why'd you feel violated? Because they
20 cuffed and put you in the car or--

21 [REDACTED ID] [UNINTELLIGIBLE]

22 MALE SPEAKER: It was something else.

23 [REDACTED ID] Lot of things. Just sort of [UNINTELLIGIBLE]

24 MALE SPEAKER: [UNINTELLIGIBLE]

25 [REDACTED ID] Confused.

26 MALE SPEAKER: Well, no, because [UNINTELLIGIBLE] nervous?

27 [REDACTED ID] Yeah.

28 MALE SPEAKER: Nervous? You're nervous?

1 [REDACTED ID] : [UNINTELLIGIBLE] people [UNINTELLIGIBLE]
2 MALE SPEAKER: [UNINTELLIGIBLE]
3 [REDACTED ID] [UNINTELLIGIBLE]
4 MALE SPEAKER: [UNINTELLIGIBLE]
5 [REDACTED ID] I felt like it. Yeah.
6 MALE SPEAKER: What did they say?
7 [REDACTED ID] : [UNINTELLIGIBLE]
8 MALE SPEAKER: [UNINTELLIGIBLE]
9 [REDACTED ID] [UNINTELLIGIBLE] It's not gonna happen. I just
10 don't--I don't care about it. I never felt right
11 [UNINTELLIGIBLE].
12 MALE SPEAKER: [UNINTELLIGIBLE]
13 [REDACTED ID] [UNINTELLIGIBLE] sir, but I just--I been
14 [UNINTELLIGIBLE] so I don't feel comfortable.
15 MALE SPEAKER: Is that because you attempt from a stolen
16 vehicle? [UNINTELLIGIBLE]
17 [REDACTED ID] Oh--
18 MALE SPEAKER: No?
19 [REDACTED ID] [UNINTELLIGIBLE] I'm telling you, sir.
20 [UNINTELLIGIBLE]
21 MALE SPEAKER: You mean, you don't do it anymore?
22 [REDACTED ID] No. I don't it.
23 MALE SPEAKER: [UNINTELLIGIBLE]
24 [REDACTED ID] [UNINTELLIGIBLE]
25 MALE SPEAKER: Yeah. When was the last time you did it?
26 [REDACTED ID] I haven't ever done it.
27 MALE SPEAKER: You've been arrest for it, though.
28 [REDACTED ID] Yes.

1 MALE SPEAKER: So when was the last time?
2 [REDACTED ID] [UNINTELLIGIBLE]
3 MALE SPEAKER: You know how many times you were arrested
4 for it?
5 [REDACTED ID] No.
6 MALE SPEAKER: More than once, though, right?
7 [REDACTED ID] You tell me. [UNINTELLIGIBLE]
8 MALE SPEAKER: More than once. So each time you are
9 arrested you were tampering with a car.
10 [REDACTED ID] [UNINTELLIGIBLE]
11 MALE SPEAKER: Think the police arrest you for no reasons?
12 [REDACTED ID] One time for no car. [UNINTELLIGIBLE] I ain't
13 touched it.
14 MALE SPEAKER: Hm-hmm. And you didn't tamper with a car
15 today?
16 [REDACTED ID] No.
17 MALE SPEAKER: Were you looking inside any car?
18 [REDACTED ID] [UNINTELLIGIBLE] turn around [UNINTELLIGIBLE]
19 MALE SPEAKER: Where you work at?
20 [REDACTED ID] I work at a [REDACTED PII].
21 [UNINTELLIGIBLE]
22 MALE SPEAKER: [UNINTELLIGIBLE] see what's going on. This
23 is your opportunity, right? To tell us A, what the cops said to
24 you. B, why you think they put you in handcuffs.
25 [REDACTED ID] [UNINTELLIGIBLE] they told me why--why I'm here.
26 [UNINTELLIGIBLE] nobody tell me what I did. Nobody tell me
27 anything.
28 MALE SPEAKER: Okay.

1 [REDACTED ID] [UNINTELLIGIBLE]

2 MALE SPEAKER: So are you saying that you were--you been
3 dissed. Why don't you tell us about that?

4 [REDACTED ID] [UNINTELLIGIBLE]

5 MALE SPEAKER: [UNINTELLIGIBLE]

6 [REDACTED ID] Right. [UNINTELLIGIBLE]

7 MALE SPEAKER: [UNINTELLIGIBLE]

8 [REDACTED ID] [UNINTELLIGIBLE] the cops shows. Everything's
9 happening like [UNINTELLIGIBLE]

10 MALE SPEAKER: [UNINTELLIGIBLE] That's a no, right? You're
11 shaking your head like it's a no.

12 [REDACTED ID] I don't want to talk about it.

13 MALE SPEAKER: Okay.

14 [REDACTED ID] [UNINTELLIGIBLE] and [UNINTELLIGIBLE] people just
15 staring at me. [UNINTELLIGIBLE]

16 MALE SPEAKER: [UNINTELLIGIBLE] both sides.

17 [REDACTED ID]: [UNINTELLIGIBLE] I didn't do anything. I don't
18 think I've been treated right so I'm nervous right now. It's
19 not right. It's just not. Anything I say--I feel like--as far
20 as the police thing, I mean, it's just some--you know,
21 [UNINTELLIGIBLE]

22 MALE SPEAKER: Well, we're going to listen to both sides.
23 So we--we're giving you a chance to tell your story but you're
24 not [UNINTELLIGIBLE]--

25 [REDACTED ID] No.

26 MALE SPEAKER: [UNINTELLIGIBLE] all right.
27 [UNINTELLIGIBLE]

28 [REDACTED ID] No.

1 MALE SPEAKER: No? You sure?
2 [REDACTED] ID [UNINTELLIGIBLE] no glass on me.
3 MALE SPEAKER: [UNINTELLIGIBLE]
4 MALE SPEAKER: [UNINTELLIGIBLE] officers take you to the
5 other scene? [UNINTELLIGIBLE] What happened at that other
6 scene?
7 [REDACTED] ID I don't know. I wasn't paying attention.
8 MALE SPEAKER: What'd you see?
9 [REDACTED] ID: Just seen a whole bunch of officers running
10 around.
11 MALE SPEAKER: Just officers? Any other people?
12 [REDACTED] ID: Just four officers. [UNINTELLIGIBLE] like that,
13 you know, so what I was worried about. I mean, I
14 [UNINTELLIGIBLE] and I made clear right from the jump but nobody
15 cared about that.
16 MALE SPEAKER: And you said it was two officers?
17 [REDACTED] ID Yes.
18 MALE SPEAKER: Contact you again?
19 [REDACTED] ID Yes.
20 MALE SPEAKER: Okay. How many put you in the car?
21 [REDACTED] ID Just me.
22 MALE SPEAKER: How many officers?
23 [REDACTED] ID Just one.
24 MALE SPEAKER: Just one officer?
25 [REDACTED] ID Yes.
26 MALE SPEAKER: Okay. What did he look like? Was it a he?
27 [REDACTED] ID Of course it was a he. [UNINTELLIGIBLE] answer
28 to him. [UNINTELLIGIBLE]

1 MALE SPEAKER: All right. Well, I'm not from the police
2 world.
3 ID Oh, okay. Excuse me.
4 MALE SPEAKER: I'm from the DA's Office so I ain't playing
5 a game. I'm just trying to get information because I wasn't
6 there.
7 ID Yeah.
8 MALE SPEAKER: And I'm not with the police.
9 ID Okay. Yeah, I mean, the same [UNINTELLIGIBLE]
10 before, right? Because you're law enforcement.
11 MALE SPEAKER: Well, I'm--with the DA's Office. All right.
12 So, but--what about the officer put you in the car? Can you
13 describe him for us?
14 ID No, I can't. Just a cop.
15 MALE SPEAKER: Is he--do you know what race he was?
16 ID Caucasian.
17 MALE SPEAKER: White guy.
18 ID Yeah.
19 MALE SPEAKER: Okay. Was he older than you? Younger than
20 you?
21 ID [UNINTELLIGIBLE]
22 MALE SPEAKER: Bigger than you? Smaller than you?
23 ID Bigger than me. [UNINTELLIGIBLE]
24 MALE SPEAKER: All right.
25 ID [UNINTELLIGIBLE] than me.
26 MALE SPEAKER: What--so how many cops drove you over to the
27 other scene?
28 ID [UNINTELLIGIBLE]

1 MALE SPEAKER: Say again?
2 [REDACTED] ID Yes.
3 MALE SPEAKER: Okay. What happened to the second guy?
4 [REDACTED] ID [UNINTELLIGIBLE] police officer the only guy who
5 was talking to me. [UNINTELLIGIBLE]
6 MALE SPEAKER: Okay. So you were walking along. Two cops
7 contact you.
8 [REDACTED] ID Yes.
9 MALE SPEAKER: All right. And one of them's talking to
10 you.
11 [REDACTED] ID Yes.
12 MALE SPEAKER: Where was the second cop?
13 [REDACTED] ID [UNINTELLIGIBLE]
14 MALE SPEAKER: Okay. Was he the one who was driving the
15 car?
16 [REDACTED] ID Yeah.
17 MALE SPEAKER: So were you--when you were walking, were
18 you--wherever--were you in the street?
19 [REDACTED] ID Just walking down the street.
20 MALE SPEAKER: Where were you?
21 [REDACTED] ID Walking on the sidewalk like a normal person.
22 [UNINTELLIGIBLE]
23 MALE SPEAKER: Okay.
24 [REDACTED] ID [UNINTELLIGIBLE] here.
25 MALE SPEAKER: All right.
26 [REDACTED] ID [UNINTELLIGIBLE]
27 MALE SPEAKER: Now you--when that officer took you to that
28 other scene, did you see the--you see there were some other

1 officers running around, right?

2 [REDACTED] ID Yes.

3 MALE SPEAKER: Okay. Was one of them--that officer's
4 partner, the one you had seen earlier?

5 [REDACTED] ID I can't tell. There was a whole bunch of
6 officers out there.

7 MALE SPEAKER: Okay. You hear that the--the other officer
8 talk to anybody else when they first stopped you?

9 [REDACTED] ID No.

10 MALE SPEAKER: Okay. Was there anybody else on the street
11 when you got stopped?

12 [REDACTED] ID No.

13 MALE SPEAKER: Okay. You were all by yourself.

14 [REDACTED] ID Yes. Only speak for myself, sir.

15 [UNINTELLIGIBLE]

16 MALE SPEAKER: You said you take a Uber that somebody paid--
17 -somebody else paid for it?

18 [REDACTED] ID Yes.

19 MALE SPEAKER: Who was it that paid for it?

20 [REDACTED] ID This friend of mine. But this was way, way--
21 [UNINTELLIGIBLE] already and [UNINTELLIGIBLE].

22 MALE SPEAKER: Where did he drop you off?

23 [REDACTED] ID On Golden Gate.

24 MALE SPEAKER: Golden Gate and--you remember the cross-
25 street?

26 [REDACTED] ID Golden Gate on [Laguna].

27 MALE SPEAKER: Why did you have the Uber drop you off
28 there?

1 [REDACTED] ID It's just where I got dropped off at, sir.

2 MALE SPEAKER: And there's no reason for it? You just pick
3 that randomly?

4 [REDACTED] ID It's where I was at. I jumped off right here.
5 [UNINTELLIGIBLE] been moving around all day.

6 MALE SPEAKER: Who was the friend who paid for your Uber?

7 [REDACTED] ID It's my friend [REDACTED] ID

8 MALE SPEAKER: [REDACTED] ID got a name?

9 [REDACTED] ID No. It's [UNINTELLIGIBLE] He just sat me down
10 here.

11 MALE SPEAKER: About what time you get dropped off at
12 Golden Gate/Laguna.

13 [REDACTED] ID 2:30.

14 MALE SPEAKER: 2:30 in the afternoon?

15 [REDACTED] ID Yes.

16 MALE SPEAKER: Okay. And what were you doing at 2:30 in
17 the afternoon?

18 [REDACTED] ID Just hanging around. [UNINTELLIGIBLE]

19 MALE SPEAKER: You hanging out with any people?

20 [REDACTED] ID: By myself.

21 MALE SPEAKER: Nobody else?

22 [REDACTED] ID I can't speak of nobody else. I can only speak
23 about myself. [UNINTELLIGIBLE]

24 MALE SPEAKER: That sounds like you were probably with
25 somebody but you don't want to talk about it.

26 [REDACTED] ID No, man, I only want to speak for myself. I was
27 by myself. [UNINTELLIGIBLE] what's going on? You know?

28 MALE SPEAKER: When you were riding in the car, did you

1 | hear the officer on the radio--
2 | █ ID No, I'm not paying attention to anyone.
3 | MALE SPEAKER: You hear anything they were saying?
4 | █ ID [UNINTELLIGIBLE]
5 | MALE SPEAKER: When you got over to--over near
6 | [UNINTELLIGIBLE], did you hear anything--
7 | █ ID No.
8 | MALE SPEAKER: Nothing at all?
9 | █ ID I was [UNINTELLIGIBLE].
10 | MALE SPEAKER: Okay, and you saw officers running.
11 | █ ID : All over the place.
12 | MALE SPEAKER: All over the place. And did you see what
13 | they were running after?
14 | █ ID No.
15 | MALE SPEAKER: Did you see anyone chasing anyone in the
16 | car?
17 | █ ID No.
18 | MALE SPEAKER: [UNINTELLIGIBLE]
19 | █ ID Huh?
20 | MALE SPEAKER: [UNINTELLIGIBLE] the City [UNINTELLIGIBLE]
21 | █ ID [UNINTELLIGIBLE]
22 | MALE SPEAKER: [UNINTELLIGIBLE]
23 | █ ID My friend.
24 | MALE SPEAKER: With your friend?
25 | █ ID Yeah.
26 | MALE SPEAKER: [UNINTELLIGIBLE]
27 | █ ID I don't appreciate--don't try to just go into
28 | that like that.

1 MALE SPEAKER: We had him in custody, too, so--
2 ID Okay.
3 MALE SPEAKER: We're going to also talk to him.
4 ID That's fine.
5 MALE SPEAKER: That's what I need now. I'm not saying
6 [UNINTELLIGIBLE]
7 ID [UNINTELLIGIBLE] fine.
8 MALE SPEAKER: Yeah--
9 ID Say, I don't want to give [UNINTELLIGIBLE] and
10 all that [UNINTELLIGIBLE].
11 MALE SPEAKER: You guys were on camera then.
12 [UNINTELLIGIBLE] figure you guys know each other, right?
13 ID No.
14 MALE SPEAKER: Oh, you just met him for the first time
15 tonight.
16 ID I don't know who that is.
17 MALE SPEAKER: Have you ever talked to him before?
18 ID Um.
19 MALE SPEAKER: In passing?
20 ID Um.
21 MALE SPEAKER: You talked to him--you talking to anybody in
22 that area before the police got you. Did you stop to talk to
23 any person at all? Male, female, or anyone?
24 ID Yeah, the people that was around the cars.
25 MALE SPEAKER: I'm talking about where the police stopped
26 you at, on Steiner Street.
27 ID Oh, yeah, no.
28 MALE SPEAKER: Did you talk to anyone right before the

1 | police stopped you?

2 | ID No.

3 | MALE SPEAKER: Did you talk to anyone--was anyone near you?

4 | Were you walking close to someone? Where the--the police would

5 | think that you're with another person?

6 | ID No. I don't know. It was [filming].

7 | MALE SPEAKER: You don't know who was [filming].

8 | ID The police was filming.

9 | MALE SPEAKER: That's what I'm saying. Did--was there any

10 | reason the police would think that you were with someone else?

11 | ID Not that I know of, sir.

12 | MALE SPEAKER: They wouldn't say not that you know of

13 | because--you--you may have talked to someone [UNINTELLIGIBLE].

14 | ID No, I didn't talk to no one.

15 | SGT. WATTS: So, yeah, I have questions. So when the

16 | police--you know, did the police cut you off, put you in

17 | handcuffs and put you in the patrol car, is that right? Yes?

18 | Did they put you in the patrol car right after they put you in

19 | handcuffs?

20 | ID Yes.

21 | SGT. WATTS: Did you hear any gunshots when you were in

22 | the patrol car?

23 | ID No.

24 | SGT. WATTS: You didn't hear any gunshots at all?

25 | ID No. Why you say that?

26 | SGT. WATTS: Okay. Just asking.

27 | SGT. WATTS: Do you have any questions?

28 | ID Yeah. [UNINTELLIGIBLE]

1 SGT. WATTS: [UNINTELLIGIBLE]
2 [REDACTED] ID Just ask him, they took [UNINTELLIGIBLE].
3 SGT. WATTS: So what's your question?
4 [REDACTED] ID Saying that I heard gunshots. Did you hear
5 gunshots?
6 SGT. WATTS: [UNINTELLIGIBLE] That's why I'm asking you.
7 MALE SPEAKER: Yeah.
8 MALE SPEAKER: I didn't hear them.
9 MALE SPEAKER: No, I didn't hear--
10 [REDACTED] ID You hear gunshots?
11 SGT. WATTS: I'm just asking.
12 [REDACTED] ID Just ask one question. I asked you one question.
13 [UNINTELLIGIBLE]
14 SGT. WATTS: Asked you that question. [UNINTELLIGIBLE]
15 again?
16 [REDACTED] ID I don't know.
17 SGT. WATTS: You ever seen him with that?
18 [REDACTED] ID No.
19 SGT. WATTS: You don't know if you've even see him?
20 [REDACTED] ID I don't know. [UNINTELLIGIBLE] we know.
21 [UNINTELLIGIBLE] I done told you earlier, sir.
22 SGT. WATTS: You have a nickname?
23 [REDACTED] ID Who, me?
24 SGT. WATTS: Yes.
25 [REDACTED] ID No.
26 SGT. WATTS: No. So you happen to be [UNINTELLIGIBLE]
27 that's what we're trying to see [UNINTELLIGIBLE].
28 [REDACTED] ID Oh.

1 SGT. WATTS: You sure about that?
2 [REDACTED] ID [UNINTELLIGIBLE]
3 MALE SPEAKER: In that Uber, that Uber car?
4 [REDACTED] ID Hm-hmm.
5 MALE SPEAKER: What kind of car was it?
6 [REDACTED] ID [UNINTELLIGIBLE]
7 MALE SPEAKER: What car?
8 [REDACTED] ID [UNINTELLIGIBLE]
9 MALE SPEAKER: Could there be any reason why your DNA might
10 be in [REDACTED] ID car?
11 [REDACTED] ID Never was in his car.
12 MALE SPEAKER: At any time?
13 [REDACTED] ID No.
14 MALE SPEAKER: [REDACTED] ID drives a black Toyota Corolla?
15 [REDACTED] ID I don't know what he drives, sir.
16 MALE SPEAKER: You don't drive him?
17 [REDACTED] ID No.
18 MALE SPEAKER: Have you seen him drive some other car?
19 [REDACTED] ID No.
20 MALE SPEAKER: So to your knowledge does [REDACTED] ID even own a
21 car?
22 SGT. WATTS: [UNINTELLIGIBLE]
23 [REDACTED] ID No, I'm tired. [UNINTELLIGIBLE]
24 MALE SPEAKER: We got you because you broke into a car or
25 attempted to break into a car. That's to my knowledge, that's
26 why you were stopped.
27 [REDACTED] ID Yes.
28 MALE SPEAKER: All right.

1 [REDACTED] ID And what's [UNINTELLIGIBLE] why you tell me one
2 thing [UNINTELLIGIBLE] something.

3 MALE SPEAKER: You never knew that, though.

4 [REDACTED] ID [UNINTELLIGIBLE]

5 MALE SPEAKER: And when you would ask them, what did they
6 tell you?

7 [REDACTED] ID They tell me nothing. [UNINTELLIGIBLE] more like
8 I killed somebody or something.

9 SGT. WATTS: You just [UNINTELLIGIBLE] you were about to
10 break into a car. [UNINTELLIGIBLE] the first time getting
11 caught as well.

12 [REDACTED] ID I didn't break into a car, sir.

13 MALE SPEAKER: Was that [REDACTED] ID broke into
14 [UNINTELLIGIBLE]?

15 [REDACTED] ID I didn't break into a car. I promise you all,
16 did not break into a car.

17 SGT. WATTS: [UNINTELLIGIBLE]

18 [REDACTED] ID Didn't break into a car, period.

19 SGT. WATTS: Did you see someone break into a car?

20 [REDACTED] ID No, sir.

21 SGT. WATTS: What might--you know, made the police think
22 that it was you that broke in?

23 [REDACTED] ID No, sir.

24 SGT. WATTS: You didn't hear the sound of breaking glass?

25 [REDACTED] ID No, sir.

26 SGT. WATTS: Were you around a car that had broken
27 windows?

28 [REDACTED] ID No, sir.

1 MALE SPEAKER: Did you hear an alarm going off? Car alarm?
2 [REDACTED] ID No. Excuse me.
3 MALE SPEAKER: You're excused. I have no more questions.
4 SGT. WATTS: All right.
5 MALE SPEAKER: So do you have any more questions?
6 MALE SPEAKER: No.
7 [REDACTED] ID [UNINTELLIGIBLE]
8 MALE SPEAKER: All right. So you know, right. You know
9 now.
10 [REDACTED] ID [UNINTELLIGIBLE] attempted auto burglary or
11 something like that. [UNINTELLIGIBLE]
12 SGT. WATTS: [UNINTELLIGIBLE] that's why we're here.
13 That's [UNINTELLIGIBLE]. So right now you--
14 [REDACTED] ID [UNINTELLIGIBLE] it must be [UNINTELLIGIBLE] been
15 seen--if it's like [UNINTELLIGIBLE] that's what I'm trying to
16 figure out. That's what I wanted to know.
17 MALE SPEAKER: Well, you know what? I think that if you
18 would have paid attention more and listened and--and observed,
19 you would know more.
20 [REDACTED] ID I was worried about my--my condition. And once I
21 was--once I was [UNINTELLIGIBLE] scared.
22 MALE SPEAKER: Okay. All right. That's it. We'll
23 conclude the interview. It's--05:9 hours. [UNINTELLIGIBLE]
24 [REDACTED] ID [UNINTELLIGIBLE]
25 MALE SPEAKER: [UNINTELLIGIBLE] Appreciate it. Might be
26 able to [UNINTELLIGIBLE].
27 [REDACTED] ID How long I'm going to be here for?
28 MALE SPEAKER: [UNINTELLIGIBLE] [NOISE]

1 [REDACTED ID] [UNINTELLIGIBLE]
2 MALE SPEAKER: Well, we have to go [UNINTELLIGIBLE]. We
3 got [UNINTELLIGIBLE].
4 [REDACTED ID] Oh, all right.
5 MALE SPEAKER: Can we get you these chips?
6 [UNINTELLIGIBLE]
7 [REDACTED ID] And you ask [UNINTELLIGIBLE]?
8 MALE SPEAKER: [UNINTELLIGIBLE]
9 [NOISE]
10 [UNINTELLIGIBLE VOICES AT DISTANCE]
11 [1:40:00]
12 [1:41:00]
13 [STATIC]
14 MALE SPEAKER: [UNINTELLIGIBLE]
15 [1:42:00]
16 **END OF DOCUMENT**
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1 DEPARTMENT OF POLICE ACCOUNTABILITY

2 DPA CASE NO.: 0204-18

3

4 INTERVIEW OF: [REDACTED] ID - PART 2

5 DATE OF INTERVIEW: 05/11/2018

6

7

8 [Transcriber's note: Audio recording quality extremely
9 poor-distorted and very fuzzy. Difficult to understand
10 speakers.]

11 --

12 [00:00]

13 OFFICER: Okay.

14 [REDACTED] ID Okay. You mind, you mind, you mind,
15 [UNINTELLIGIBLE] water and told [UNINTELLIGIBLE] I want some
16 water.

17 OFFICER: I'll get you some water.

18 [REDACTED] ID Thank you, sir.

19 [00:06]

20 [00:48]

21 OFFICER: Go ahead.

22 [01:22]

23 [No speech sound]

24 [48:03]

25 OFFICER: [UNINTELLIGIBLE] You all right?

26 [REDACTED] ID Yeah, I got some [UNINTELLIGIBLE].

27 OFFICER: How you doing, [REDACTED] ID Going to take a picture
28 of you.

1 █ ID What? What time is it?
2 OFFICER: 7:12. A.M.
3 █ ID I want to make a call.
4 OFFICER: You want to make a call? We'll soon--to your
5 babysitter?
6 █ ID Yes, sir.
7 OFFICER: Okay. When they're done with the photos, I'll
8 bring a phone in here for you, okay?
9 █ ID [UNINTELLIGIBLE]
10 OFFICER: Do you have a phone with you?
11 █ ID Yeah.
12 OFFICER: Where's it at?
13 █ ID In my [UNINTELLIGIBLE].
14 OFFICER: [UNINTELLIGIBLE]
15 █ ID Yeah.
16 OFFICER: [UNINTELLIGIBLE] Be with you right quick.
17 █ ID Okay.
18 OFFICER: I wonder if you--can you get your arms back into
19 the hoodie? Okay, just stand right here and just face me. All
20 right. And just face that wall. Just 360 right here yet?
21 Okay, face--keep your hands [UNINTELLIGIBLE] around. Just, uh,
22 face away from me. I just want to do your back. All right?
23 Could you face me now? Okay, just take your hands out of your
24 [UNINTELLIGIBLE] and hold them out for me? Okay.
25 OFFICER: See why this guy [UNINTELLIGIBLE].
26 OFFICER: And just turn your arms. Arms up.
27 █ ID [UNINTELLIGIBLE] money is--
28 OFFICER: No, it's just--just like [UNINTELLIGIBLE]

1 █ ID No, [UNINTELLIGIBLE].

2 OFFICER: You aren't okay?

3 █ ID : It's just [UNINTELLIGIBLE] the World Trade Center

4 or something, man.

5 OFFICER: [UNINTELLIGIBLE]

6 OFFICER: Yeah. Right. You guys have [UNINTELLIGIBLE]

7 OFFICER: Hm-hmm.

8 OFFICER: So I know those guys went out on a call but we're

9 going to need those BWCs today. They collected them.

10 [UNINTELLIGIBLE] but do you know where they might be? They're--

11 OFFICER: Yeah, we'll check if they're in the

12 [UNINTELLIGIBLE] office.

13 OFFICER: Right.

14 OFFICER: Um, if they are we can bring them back out--

15 OFFICER: I mean, [UNINTELLIGIBLE] out and bring them back

16 out? And then we'll have them because everybody's going to have

17 to do that all [UNINTELLIGIBLE] so [UNINTELLIGIBLE] deal with--

18 OFFICER: Yeah, I'll deal with [UNINTELLIGIBLE]--

19 OFFICER: Okay.

20 OFFICER: Hey, boss. Take your stuff off. Going to change

21 your clothes.

22 █ ID Oh, no. I'm going to change my clothes, too?

23 OFFICER: Yep. Hurry up. Chop, chop. We have things to

24 do. Got to hurry up and get some breakfast.

25 OFFICER: [UNINTELLIGIBLE] on tape.

26 OFFICER: Thanks, guys.

27 OFFICER: Yeah. No problem.

28 OFFICER: And then you have my number, right?

1 OFFICER: Yeah. [UNINTELLIGIBLE]
2 OFFICER: Yeah. We gotta [UNINTELLIGIBLE]. Thank you,
3 thank you.
4 OFFICER: [UNINTELLIGIBLE]
5 [REDACTED] ID [UNINTELLIGIBLE]
6 OFFICER: Here. Take your stuff.
7 [REDACTED] ID Can you talk to me, talk back [UNINTELLIGIBLE]--
8 OFFICER: [UNINTELLIGIBLE] Don't you remember, don't you
9 remember? The way I heard it, you don't want them to stay so
10 you had the chance. You ain't talking.
11 [REDACTED] ID What are you talking about, man? You just gave
12 me a--[UNINTELLIGIBLE]
13 OFFICER: [UNINTELLIGIBLE] bro. [UNINTELLIGIBLE]
14 OFFICER: Anyway, you're being charged with auto
15 [UNINTELLIGIBLE] conspiracy. So there you go.
16 [REDACTED] ID [UNINTELLIGIBLE]
17 OFFICER: [UNINTELLIGIBLE]
18 [REDACTED] ID [UNINTELLIGIBLE]
19 OFFICER: Right?
20 [REDACTED] ID I ask a simple question because you know, I ask a
21 simple question, you [UNINTELLIGIBLE].
22 OFFICER: Well, then--
23 [REDACTED] ID I'm talking to [UNINTELLIGIBLE]--
24 OFFICER: [UNINTELLIGIBLE] standing here.
25 [REDACTED] ID I want to ask a question, though.
26 OFFICER: You had your chance to talk to the cops. You
27 didn't want to--
28 [REDACTED] ID [UNINTELLIGIBLE] I want to talk to them

1 [UNINTELLIGIBLE]. Talk about, right?

2 OFFICER: You had a chance.

3 [REDACTED] ID [UNINTELLIGIBLE]

4 OFFICER: [UNINTELLIGIBLE]

5 OFFICER: [UNINTELLIGIBLE]

6 OFFICER: [UNINTELLIGIBLE]

7 OFFICER: You had a right to silence. Exercise it.

8 [REDACTED] ID The reason to talk about it--

9 OFFICER: Silence is golden. You want a t-shirt? T-

10 shirt's in there, too, bro. The thing is you give this shit

11 back [UNINTELLIGIBLE]. Know what I'm saying? I mean, you can

12 keep your--your drawers. And keep your socks. It's just--got

13 to lose the pants.

14 [REDACTED] ID [UNINTELLIGIBLE] crazy. [UNINTELLIGIBLE]

15 OFFICER: Hard as anyone else. All right. Put this stuff

16 on, bro. The one person who didn't get no coffee today

17 [UNINTELLIGIBLE] going to get you coffee.

18 [REDACTED] ID Okay. [UNINTELLIGIBLE]

19 OFFICER: You know what? I will address [UNINTELLIGIBLE]

20 sporting guy. I'm going to have to find a bigger--let me try

21 this [UNINTELLIGIBLE].

22 [REDACTED] ID [UNINTELLIGIBLE]

23 OFFICER: You want to give up the coats [UNINTELLIGIBLE]

24 here you go.

25 [REDACTED] ID Oh, man. I don't feel right.

26 OFFICER: [UNINTELLIGIBLE] too bad.

27 [REDACTED] ID [UNINTELLIGIBLE] fucking put on these fucking

28 [UNINTELLIGIBLE] and you're telling me nothing.

1 OFFICER: Wait, wait, wait, wait, wait. I told you--
2 ID No, no. You [UNINTELLIGIBLE]
3 OFFICER: Hold--hold on.
4 ID [UNINTELLIGIBLE] you ain't tell me nothing.
5 Where [UNINTELLIGIBLE]
6 OFFICER: [UNINTELLIGIBLE] hold on.
7 ID [UNINTELLIGIBLE]
8 OFFICER: Hold on.
9 ID [UNINTELLIGIBLE]
10 OFFICER: [UNINTELLIGIBLE] don't start being disrespectful
11 with me.
12 ID I--well, I been respectful to you.
13 [UNINTELLIGIBLE] talking to [UNINTELLIGIBLE] all night, just
14 right there.
15 OFFICER: Well, I would--
16 ID And I thought you said [UNINTELLIGIBLE]
17 OFFICER: Okay, but did--
18 ID Now you know [UNINTELLIGIBLE]. Now you know how
19 I feel now?
20 OFFICER: We're taking your clothes to Evidence.
21 ID [UNINTELLIGIBLE]
22 OFFICER: That's why we [UNINTELLIGIBLE]
23 ID [UNINTELLIGIBLE]
24 OFFICER: I'll get these [UNINTELLIGIBLE] taken care of.
25 [UNINTELLIGIBLE]
26 ID [UNINTELLIGIBLE] going to jail?
27 OFFICER: I'll give you bigger pants. That's just to
28 [UNINTELLIGIBLE] And you want to throw your socks around

1 [UNINTELLIGIBLE]

2 [REDACTED] ID No. [UNINTELLIGIBLE] You gonna lend me a few--

3 gonna lend me to call my girl so I can check on my girl.

4 OFFICER: [UNINTELLIGIBLE]

5 [REDACTED] ID I need a--I need a regular call, man.

6 OFFICER: Hey, tell you what. Put your pant--

7 [REDACTED] ID I been trying--I been trying to [UNINTELLIGIBLE]

8 OFFICER: Listen, I'll--what's going to happen. It would

9 be a lot easier if you just took your socks off and

10 [UNINTELLIGIBLE]--

11 [REDACTED] ID [UNINTELLIGIBLE]

12 OFFICER: Okay, [UNINTELLIGIBLE] I hear you. I'm going to

13 get--though let me write this down. These items we're seizing

14 from you. Write a receipt for them, says this is the thing,

15 this is what we're taking. For now. I just need you to sign

16 right there for it.

17 [REDACTED] ID [UNINTELLIGIBLE]

18 OFFICER: [UNINTELLIGIBLE] tag the bag or [UNINTELLIGIBLE]

19 OFFICER: [UNINTELLIGIBLE]

20 OFFICER: Oh, yeah. [UNINTELLIGIBLE] You get a different

21 answer from us. [UNINTELLIGIBLE] Oh, it doesn't matter to you

22 but it really can be but what are you, wake-ee, time to wake up,

23 [UNINTELLIGIBLE].

24 OFFICER: Yeah. [LAUGH]

25 OFFICER: [UNINTELLIGIBLE]

26 [REDACTED] ID [UNINTELLIGIBLE]

27 OFFICER: That's all right. Yeah. Okay.

28 [REDACTED] ID [UNINTELLIGIBLE] [REDACTED] PII [REDACTED], she

1 [UNINTELLIGIBLE].

2 OFFICER: Okay. No problem. I'll do that.

3 OFFICER: [UNINTELLIGIBLE]

4 [REDACTED ID] [UNINTELLIGIBLE]

5 OFFICER: There's a [UNINTELLIGIBLE]. You--you just walk
6 over there in your sweat [UNINTELLIGIBLE].

7 [REDACTED ID] [UNINTELLIGIBLE]

8 OFFICER: Do you want to wear those sandals at all? Or you
9 just want to walk in the socks?

10 [REDACTED ID] [UNINTELLIGIBLE] socks on [UNINTELLIGIBLE]

11 OFFICER: Okay.

12 [REDACTED ID] [UNINTELLIGIBLE]

13 OFFICER: [UNINTELLIGIBLE] Need your bag? Here's--

14 OFFICER: Cross off [UNINTELLIGIBLE] I'm warning you.
15 [UNINTELLIGIBLE VOICES AT DISTANCE]

16 OFFICER: So what's your decision on the--on
17 [UNINTELLIGIBLE].

18 [REDACTED ID] [UNINTELLIGIBLE]

19 OFFICER: You going to wear them?

20 [REDACTED ID] [UNINTELLIGIBLE]

21 OFFICER: No problem.

22 [REDACTED ID] [UNINTELLIGIBLE]

23 OFFICER: All right.

24 OFFICER: [UNINTELLIGIBLE] go by.

25 OFFICER: [UNINTELLIGIBLE] with you?

26 [REDACTED ID] [UNINTELLIGIBLE] Oh, brah. Hey, Officer! How
27 do you--how do you [UNINTELLIGIBLE]?

28 OFFICER: What happened?

1 [REDACTED ID] I got to call--I got to call [UNINTELLIGIBLE].
2 OFFICER: [UNINTELLIGIBLE]
3 [REDACTED ID] Number is [REDACTED PII]
4 OFFICER: [UNINTELLIGIBLE]
5 [REDACTED ID] [UNINTELLIGIBLE] [REDACTED PII] - [UNINTELLIGIBLE]
6 OFFICER: Oh, yeah, it always does that.
7 [REDACTED ID] [UNINTELLIGIBLE] Because I'm going to--I'm going
8 to check up on my [REDACTED PII]. She--she [UNINTELLIGIBLE] when I
9 get her. [UNINTELLIGIBLE]
10 OFFICER: [UNINTELLIGIBLE] we can do that but otherwise you
11 must make a call from the sheriff's [UNINTELLIGIBLE]--
12 [REDACTED ID] [UNINTELLIGIBLE] call for [UNINTELLIGIBLE]
13 OFFICER: [UNINTELLIGIBLE]
14 OFFICER: [UNINTELLIGIBLE]
15 OFFICER: Your fault.
16 [REDACTED ID] [UNINTELLIGIBLE]
17 OFFICER: Oh, see? [LAUGH] [UNINTELLIGIBLE]
18 [REDACTED ID] [UNINTELLIGIBLE]
19 OFFICER: You homeless?
20 [REDACTED ID] Yeah.
21 OFFICER: Okay. [UNINTELLIGIBLE] Does your [REDACTED PII] live
22 [UNINTELLIGIBLE] [REDACTED PII]
23 [REDACTED ID] No. [UNINTELLIGIBLE]
24 OFFICER: [UNINTELLIGIBLE]
25 RADIO: [UNINTELLIGIBLE]
26 OFFICER: You guys ready to bounce or what? You guys ready
27 to bounce or what?
28 OFFICER: Yeah.

1 OFFICER: Well, good.

2 OFFICER: Okay.

3 OFFICER: Does someone want to walk down there with him?

4 OFFICER: [UNINTELLIGIBLE]

5 OFFICER: Get him in and out, you know what I mean?

6 OFFICER: [UNINTELLIGIBLE]

7 OFFICER: Yeah, you're good. [UNINTELLIGIBLE]

8 OFFICER: Sorry, I'm [UNINTELLIGIBLE].

9 OFFICER: [UNINTELLIGIBLE]

10 OFFICER: Hey, you got promoted, man. He's a frickin'

11 Lieutenant [UNINTELLIGIBLE]. So how long has it been

12 [UNINTELLIGIBLE]?

13 OFFICER: [UNINTELLIGIBLE] Four years, something like that.

14 I've been here since December.

15 OFFICER: December? Where'd you come from?

16 OFFICER: Bayview. Oh, did you do yours out there?

17 OFFICER: Hm-hmm.

18 OFFICER: Oh, I got it. [UNINTELLIGIBLE] Six years ago?

19 Way back in the day. The only reason I [UNINTELLIGIBLE]

20 Southern and his partner called me [UNINTELLIGIBLE], he was a

21 probationary [UNINTELLIGIBLE]. He just got off. So he went to

22 Southern [UNINTELLIGIBLE] said all they do back there from

23 [UNINTELLIGIBLE]

24 OFFICER: [UNINTELLIGIBLE]

25 OFFICER: Oh, well, apparently, I mean, he fucking

26 [UNINTELLIGIBLE] the job. What are you fucking complaining

27 about? Jesus. [UNINTELLIGIBLE]

28 OFFICER: [UNINTELLIGIBLE]

1 OFFICER: Oh, is that right? All right. Well.
2 OFFICER: Yeah.
3 OFFICER: [UNINTELLIGIBLE] crying all the time. Holy shit,
4 right? Better stop it already.
5 OFFICER: [UNINTELLIGIBLE]
6 OFFICER: What?
7 [REDACTED] ID My shoulder.
8 OFFICER: Oh. Shit. We're in the fucking Mission
9 [UNINTELLIGIBLE]. [LAUGH] [UNINTELLIGIBLE]
10 OFFICER: No, we're fine. I mean, I guess things are a
11 little [UNINTELLIGIBLE] the one that left.
12 OFFICER: Yeah.
13 OFFICER: And he's right. [UNINTELLIGIBLE] so every day
14 [UNINTELLIGIBLE] at Southern, they go [UNINTELLIGIBLE] the
15 Northern [UNINTELLIGIBLE] for dinner.
16 OFFICER: Yeah, yeah.
17 OFFICER: [UNINTELLIGIBLE]
18 RADIO: [UNINTELLIGIBLE]
19 [1:08:27]
20 **END OF DOCUMENT**
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