

TAPE RECORDED TELEPHONE INTERVIEW WITH RAFAEL ANTONIO PEREZ.

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CASE NO.: BA109900
CASE NAME: People vs. Rafael A. Perez
INTERVIEW DATE: July 21, 2000
INTERVIEW TIME: 10:42 a.m.
TAPE NO.: 233762
DEPUTY D.A.: Margo Baxter
D.A. UNIT: Special Prosecution Team

LEGEND:
F - Detective P. Ferguson
B - DDA Margo Baxter
P - Rafael A. Perez
M - Atty. W.K. McKesson
W - Det. Tom Wich
U - Unidentified Voice
*** Unintelligible

TRANSCRIPT PROVIDED BY
Los Angeles County District Attorney's Office

July 2000

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D That was interesting. Testing. Testing. One, two, three. One, two.

B ***. All right. Today is, uhm, July 21st of the year 2000. This is Deputy District Attorney Margo Baxter speaking. It's 10:42 in the morning. And these are the continuing interviews or Rafael Perez. This is telephonic.

Present with me are -- I'm gonna let you introduce yourselves.

D Detective Patty Ferguson. 25036.

W And Detective Tom Wich. 25201.

B And also on the line, we have Mr. Perez' attorney, Mr. McKesson.
(Beep heard.)

M Winston McKesson. One sec. Let me step out for a second. One second. I'll be right back.

B All right.
(Beeps heard.)

U ***.
(Beep heard.)

1 M *** , you know, collect hours ***. Hello?

2 B Hi. Are you back?

3 M Yeah, I'm back. Thank you.

4 B Okay. And, uhm, Mr. Perez, are you ready?

5 P I'm sorry. Give me thirty more seconds.

6 B No problem. Take your time. Uhm, I'll take this time, then, to just
7 put on the record that, uhm, -- or ask Detective Ferguson and Detective Wich
8 whether -- whether or not either of them have compelled any of the target
9 officers in this case?

10 F No, I have not.

11 W And neither have I.

12 B All right. Then, we'll just wait until Mr. Perez indicates that he's
13 ready, and we'll begin.

14 F And, just also for the record, uhm, this is being tape recorded. And
15 the tape number is 233762. We hope it's being tape recorded.

16 B You did a test run.

17 P Okay. I know this is telephonic. Did you want to put me under
18 oath? Or -- I'm ready.

19 B You know, I don't think, uhm, -- I spoke with Mr. Rosenthal, and I
20 -- and I think the detectives are satisfied if you're not put under oath for these
21 questions.

22 M I want him to be put under oath.

23 B You want him to?

24 M Yes.

25 B That's fine. And I know that there's a sergeant, uh, present here.
26 I believe it's a Deputy Jaspas. So, he'll be -- he'll be a witness to this. So, Mr.
27 Perez, if I could ask you, at this time, uh, to raise your right hand.

28 P Hold on one second. Let me get the deputy here. Okay?

B Okay.

1 P I'm gonna have the sergeant stand in front of me. Could you come
2 here a second? With just me. I'm gonna take the oath over the phone. So,
3 they just need you witness. Go ahead.

4 B Okay. Now, Mr. Perez, could you please raise your right hand?

5 P All right.

6 B Uhm, you do solemnly swear that the testimony you're about to
7 give will be the truth, the whole truth, and nothing but the truth, so help you
8 God?

9 P I do. And the witness will be a Sgt. Reese for CODF.

10 B Thank you very much.

11 P William Reese.

12 B Got it.

13 P All right.

14 B All right. I'm gonna now turn over the, uh, interview to Detective
15 Ferguson.

16 P All right.

17 F Good morning, Mr. Perez.

18 P Good morning.

19 F The reason that we are here today is to ask you certain questions
20 regarding an arrest that you made in 1996.

21 P Okay.

22 F You have had a chance to read the arrest report?

23 P I have.

24 F Uh, DFAR?

25 P I have.

26 F And, uh, copies from Volume 8 and 12 of transcripts of your
27 interviews with us in the past.

28 P I've read both of them.

F Wonderful. This is an arrest report D.R. No. 96-11-00781. And it's

1 D.A.'s Case No. BA135759. Uh, Mr. Perez, this was an arrest that you made
2 when you were working with Officer McNeil of four individuals. Mr. Granillo,
3 Mr. Marroquin, Mr. Martinez, and Mr. Lopez. Is that correct?

4 P Yes, it is.

5 F I am going to be reading some questions in regards to that arrest.

6 P Okay.

7 F And, uhm, the first question is, when you detained the suspects,
8 did you see any injuries to Granillo's face?

9 P When I took defendant, Mr. Granillo's into custody and handcuffed
10 him, and stood him up and began talking to him, I did not witness any injuries
11 to his face at all.

12 F So you did not?

13 P I did not.

14 F And would any other officer have seen that Mr. Granillo was not
15 injured also? McNeil, the sergeant, or any other officers that responded to the
16 scene?

17 P None of the officers that responded to the scene would have seen
18 any injury to Mr. Granillo's face at the time of them being taken into custody.

19 F Number -- and Question No. 2, is the arrest report accurate in
20 regards to Granillo's injury when he struck his head on a board while chasing
21 the victim's sister?

22 P That, uh, statement would be correct according to, I believe it's the
23 mother who told me that she believed that he might have hit his head, uh, on
24 a board that was in an archway or door entrance area. Uhm, and when she
25 told me that, I -- uh, I remember her telling me that. And I piggy-backed on that
26 and, uh, tried to justify his injuries, uh, with -- with that, supposed, him hitting,
27 uh, himself on the head. I think what I did add that was incorrect was that he
28 fell to the ground. I think that's something that I added. But the part about him
hitting his head, that is correct.

1 F Good. When you interviewed the mother, --
2 P Yes, ma'am.
3 F -- did you do that in person or telephonically?
4 P In person.
5 F And was that interview at Rampart Station?
6 P Yes, ma'am.
7 F Did Sgt. Ortiz sign the arrest report?
8 P No, ma'am. I signed the arrest report.
9 F Did Sgt. Ortiz understand that Granillo was injured while chasing
10 the victim's sister?
11 P Uhm, it was never --
12 F Or do you know?
13 P Well, you mean as far as how we wrote the report that that's how
14 he obtained his injuries?
15 F Yes.
16 P Uh, he knew that that's how it was gonna be written up, yes.
17 F And, uhm, --
18 P But it was, uh -- and I want to make it clear. I don't want there to
19 be any confusion.
20 F Mmnh-mmnh.
21 P He knew that the report was gonna say that the injuries obtained
22 by -- by Mr. Granillos was caused by him running into a board at the -- at the
23 residence -- at the crime location. But he knew exactly what had actually
24 happened at the station.
25 F Okay.
26 P All right.
27 F Do you know if Ortiz ever interview Granillo about his injuries?
28 P I have no independent, nor any -- any knowledge of that, no.
F Okay. Now, did Hewitt tell you, that same night, that he had

"tuned-up" Granillo?

1 P Uh, yes. Uh, but before I got it from, uh, as I'm sitting here
2 remembering now, uh, -- uh, Officer McNeil, uh, told me -- told me, "Hey, go
3 look at the guy on the bench." And he was laughing. And I'm like, "What's up?"

4 He said, "Go look at the guy at the bench." And I go over there.
5 This is right as we arrived at the station. And I see me Mr. Granillo's face. And
6 so, I'm a little bit upset. Because, now, I'm gonna have to figure out how I'm
7 gonna justify all this. And I see Hewitt coming out of the office. And he starts
8 -- that's when he, uhm, -- we go into the office. And he explains to me what
9 happened. And, uh, he tuned this guy up.

10 Uh, and I remember him telling me that he had thumped him, or
11 tuned him up. He had him handcuffed and then launched him. Uh, and the
12 guy landed on his face or something like that. And that's where the burn marks
13 came from. Or he had like -- like carpet burns on his face, or something like
14 that.

15 F Right.

16 P Uh, but, yes, uh, Mr. Hewitt himself -- Officer Hewitt, himself, uh,
17 explained to me, basically, how -- about thumping the guy and throwing him,
18 yes. F All right. Now, you're -- you're describing, uhm, Rampart Station.
19 And we all know that there's two -- there are two Rampart stations. Was this
20 the Patrol station or the Detectives station?

21 P This is the Patrol station on, uh, Temple and Benton Way.

22 F Did Officer Hewitt tell you where it was that he tuned Granillo up?
23 Was it in a police vehicle? Or was it at the station in the interview room? Was
24 it while he was sitting on the bench?

25 P Uh, from what he was telling me, and from what I remember, he
26 was at the police station in the C.R.A.S.H., in the upper level of Rampart Station,
27 uh, the old C.R.A.S.H. office. I don't know if you guys remember or know where
28 that's at.

1 If you're walking through the back door and make a right, the first
2 little office you come to on the left-hand side.

3 F Yes.

4 P At that -- right there. That's where it occurred. Inside that office.

5 F Now, on --

6 P Inside that office there's a carpet on the floor. In the hallway, I
7 believe it's just -- I'm not sure what's in the hallway. Like tile or something.
8 But inside that office, there's carpet.

9 F Now, outside of that office, are there benches?

10 P Yes, ma'am, there's a bench right outside the door.

11 F And if some -- if the other three defendants were on the bench,
12 would they have been in a position to have heard what was going on in the
13 interview room?

14 P Definitely. They were -- they were about, uh, three to four feet
15 from the door. So, they definitely would have been able to hear it.

16 F Okay. Did -- did you ever interview Granillo while he was either
17 on the -- in the -- that little interview room where he was tuned up, or while on
18 the bench?

19 P I -- I don't believe I had a formal interview. I may have spoken with
20 him a couple of times. But not -- definitely not a formal interview.

21 F Do you recall going in and out of that little interview room while
22 Granillo was in the interview room?

23 P Uh, yes, definitely. Yes.

24 F Do you know how long Granillo might have been in that interview
25 room?

26 P I'm sorry, at which time?

27 F Uh, after he was tuned-up by Hewitt?

28 P Uh, how long he stayed in that interview room?

F Correct.

1 P I -- you know, I couldn't even tell you. I -- I know this was a big
2 case. And I had called the Northeast Detectives to come down and try and
3 assist me with the report. I had to see what type of -- you know, what they
4 wanted me to book this guy on. So, how long they were there, I couldn't even
5 tell you. F Now, the first time you noticed Granillo's face, when McNeil
6 brings it to your attention, is Granillo sitting on a bench or is he in the interview
7 room?

8 P I don't remember him sitting somewhere -- and let me -- let me
9 think this out real clearly here. You know, I -- I'm -- I don't want to answer, you
10 know, with a tentative answer. I remember being told to check this guy out,
11 uh, by McNeil. I went and looked at the guy. And I remember seeing the
12 injuries to his face and thinking, oh, shoot, now, I have to justify these injuries.

13 And that's when I went and talked to Hewitt. But I couldn't tell you
14 definitely, you know, whether he was on the bench or in the interview room.

15 F And, when you -- when you recall talking to Granillo -- and this is
16 at the station now --

17 P Yes, ma'am.

18 F -- do you recall if, when you're, uh, -- and it's not a formal
19 interview, just maybe getting just some basic information -- that that might
20 have been in the interview room or while he was on a bench?

21 P Probably both.

22 F Okay.

23 P Probably both, yeah.

24 F Uhm, when, uh, Hewitt told you that he had "tuned-up" Granillo,
25 did he mention if anybody else was in the room with him when he did this
26 tuning up?

27 P No, he did not. He didn't tell me, you know, so-and-so was in the
28 room with me. No, he did not say anything like that.

F Okay.

1 W Now, this is Detective Wich. Uh, following up, where did Hewitt
2 tell you this? Was he in the hallway? Was he in the interview room? Where
3 did he actually tell you this story that this happened?

4 P I am walking towards, uh -- I'm going back in towards the
5 C.R.A.S.H. office. And that's when he's coming out of the office. And that's
6 when we walk back in the office. And he starts explaining to me about how he,
7 uhm, tuned-up the guy for me. Uh, what happened -- well, let me -- if I can back
8 up a little bit.

9 F Sure.

10 P He was real eager, when we took everybody into custody -- he was
11 real eager to transport some of the bodies from Kent and Coronado back to the
12 station. Uhm, this was a -- an attempt rape of a -- of a juvenile. So, he was real,
13 uh, you know, kind of man-handled the guy. He wanted to transport the guy.
14 So, once we got back to the station, he, right away, tells me, "Hey, uh, I tuned
15 that guy up for you." Uh, and he starts explaining to me what he did. And, you
16 know, he -- he, uh, -- he took the guy up. And he did, uh -- and he took him and
17 launched him. And, uh, the guy landed on his face. Uhm, things like that.

18 Uhm, I can't, specifically, remember exactly what -- what exactly
19 he said. I know that he -- he was telling me that he tuned him up. And, uh,
20 what I do remember, too, is that he said he tuned him up for me, as though I
21 was gonna do it myself. And he -- you know, he took the liberty of doing it for
22 me. F Now, uhm, do you recall who you and McNeil transported to the
23 station from Kent and Coronado? Do you know if you transported the victim
24 or maybe the -- some of the suspects?

25 P I -- I believe I didn't transport anybody. I want to say I didn't
26 transport anybody. Uh, there were several units there. Uh, let me think here.
27 I'm not sure if I transported anybody at all. I know once I got -- I -- I know, I
28 definitely didn't -- I'm not sure who I transported, so, I can't really -- I don't want
to answer that with some definitive, you know, uh, tone to it. But, uhm, I'm --

I'm just not certain.

1 F Okay. Now, if you would have transported Granillo, Martinez, and
2 Lopez, did either you or McNeil ever hit any of them, or all of them, with your
3 flashlights while you were transporting them to the station, if you would have
4 transported them?

5 P Absolutely not. I mean, that I would remember. I definitely didn't
6 do that. And neither did, uh, McNeil.

7 F Okay. Do you recall how the four suspects were transported to the
8 station?

9 P By vehicle.

10 F And do you recall if all four of them went together, if they were
11 split up, two-and-two, three-and-one, and who -- who the transporting officers
12 were?

13 P I know, for a fact, that Hewitt transported, uh, at least one of the
14 defendants. Uh, and I am not certain, uh -- I'm just not certain as to who else
15 transported. But, I know Hewitt, definitely, uh, he was real eager, at the scene,
16 to transport some of the bodies.

17 Uh, and -- and he did so.

18 F Okay. Now, we're back at the station, now.

19 P All right.

20 F Did either you or McNeil conduct a live line-up with the four
21 suspects, uh, somewhere at the rear of Rampart Station for the victim and her
22 family?

23 P Uhm, at the rear of the station? Like out -- outside?

24 F Or somewhere inside the station?

25 P Well, yes. While they were in the station, uhm, -- after they were
26 in custody and they were at the station, and by the -- the -- the bench there --
27 the -- the little bench where they're right across from the C.R.A.S.H. office, after
28 I brought the -- the mother and the other daughter in, I wanted her -- I wanted

them to take a look at these guys.

1 And, so, I had -- I had the -- the defendants facing towards the
2 Detectives' side of the building facing westbound.

3 F Correct.

4 P And I had the mother, and I had the daughter take a look at them.
5 And -- and, also, I believe there was a brother who I had to take a look at them,
6 or have -- look -- make them look at them. Uhm, and I don't think I did it like a
7 formal thing. I think the mother -- it was more like the mother was so angry
8 and she wanted to see them. That type of thing. I never -- I don't think I ever
9 used like a -- a live line-up type form, or -- or, used that as a form of
10 identification. It was more like they wanted to see these people, uh, and I let
11 them look at them.

12 Uh, I didn't do any six-pack or anything like that. Uh, you know,
13 these guys were taken into custody, you know --

14 F Sure.

15 P Well, while the whole incident was taking place. So, it wasn't like
16 I needed a -- an I.D. from anybody.

17 F Right.

18 P And do you recall if you might have asked the mother if she
19 recalled which of the four is the one that she saw hit the pole?

20 F The -- yes, I believe I -- I remember -- I remember when I initially
21 interviewed her, she told me that. Uhm, and, then, I needed to have like a little
22 bit more corroboration to justify the injury, and I think I had asked her some
23 more questions, uh, later. I called her at home, I believe. And -- and she -- she
24 -- I talked a little bit more about how the guy hit his head and -- and I was trying
25 to make sure that stood out in her mind just in case this ever came back up,
26 that the guy hit his head and face and received some injuries, or something like
27 that.

28 F Right. Now, while you're, uhm, conducting this -- this line-up, do

1 you recall if either you or McNeil, or any other -- any other of the officers
2 told the four suspects to close their eyes?

3 P Yes, we did.

4 F Now, do you -- do you recall which officers were present when this
5 live line was being -- and we're just gonna call it a live line for --

6 P Okay.

7 F -- for simplicity. Uh, when this live line took place.

8 P I know I was present. Uh, Martinez -- or, uh, McNeil was present.
9 Hewitt was present. Uhm, I believe Ortiz was present. Uhm, and those are the
10 four that I, at this point, remember. Uh, what we wanted was them not to see
11 the -- obviously, we didn't want them to see the -- the witnesses.

12 F Correct.

13 P And, so, we had them close their eyes so that the witness can poke
14 her head, or his head, from the -- uh, behind the wall and take a look at them.

15 F Okay. Now, do you recall if McNeil punched Granillo, or any of
16 the other four suspects, during this live line, 'cause they were either peeking or
17 not closing their eyes?

18 P I think there was like a little scuffle with McNeil. I don't know what
19 exactly he did, whether he punched him or pushed him or slapped him. But,
20 there was a little scuffle about, you know, close your eyes, that type of thing.
21 Uh, but I don't know exactly what happened.

22 F Okay. When you talk about a scuffle, could -- could you describe
23 that maybe a little bit more. Was it a -- a verbal scuffle? Uh, was it maybe a
24 push? Uh, a strike? Or do you even -- or do you even know?

25 P It appeared to be some type of physical, uhm, -- uh, how can I
26 describe it? Some type of physical altercation. I don't know exactly. Like I said,
27 I don't know if it was a punch. It appeared that something was physical. Uh, I
28 was with the witnesses. And McNeil and some other officers were with the
suspects.

1 So, I would have had my back turned or not paying attention to
2 them, but I'm trying to talk to the -- the -- the witnesses and telling, you know,
3 explaining certain things to them. And, then, all of a sudden, there's like a little
4 scuffle. And it looks like a physical scuffle. Uh, but, like I said, I don't know
5 whether it was a push, a slap, a -- a, you know, a punch. I don't know exactly
6 what might have happened. I know it was something regarding, you know,
7 keep your eyes closed. That type of thing. And it was regarding -- it was with
8 McNeil.

9 F And it was with -- and it was -- and you don't know which of the
10 four suspects it was with?

11 P I don't remember, no.

12 F Okay. Now, uhm, -- now, we're back at Kent and Coronado.

13 P Okay.

14 F When the four suspects were detained at Kent and Coronado, did
15 you ever kick Granillo, Lopez, or Martinez?

16 P Martinez, or Granillos?

17 F Or any of them?

18 P While they were on the ground, did I kick them?

19 F Yes.

20 P Oh, I -- I just don't think so. I mean, I can see myself sometimes,
21 you know, I'll -- I'll kick a guy's leg to separate their legs.

22 F Correct.

23 P Uh, and it wouldn't be unusual. It wouldn't -- I mean, it wouldn't
24 be far-fetched or whatever. But I just don't remember it. I'm not gonna say it
25 didn't happen. I just don't remember it. I mean, kicking the guy's legs open
26 and if that's what he's talking about, kicking like the guy's legs or his leg open,
27 wouldn't be unusual. Uhm, I just don't remember it.

28 F Okay. What you recall is -- is after you had them detained and
they were -- they were, uh, kneeling down, with their hands behind their head,

uhm, kicking one of them in the -- in the leg's thigh area?

1 P Mmnh, no.

2 F Do you know if McNeil or any other officer might have done that?
3 Did you see that happen?

4 P I don't remember seeing that.

5 F And did you ever punch any of the four in the back? Now, we're
6 back at the station, the four of them are sitting on the bench.

7 P Mmnh-mmnh.

8 F Did you ever punch, uhm -- and it's Martinez and Lopez. Or Lopez.
9 I don't know if you recall, uh, what the four of them look like. Granillos is easy,
10 because he's the one with the injury.

11 P Right.

12 F Uh, but did you ever punch any of the other three in the back, while
13 they were sitting on the bench -- arrest bench?

14 P I did not. And I don't remember seeing anybody. Well, let me --
15 that I can recall right now, I don't remember seeing anybody else touch them
16 either. F Do you recall if the four of them were on the bench
17 together? The four arrestees were on the bench together, after, uh, -- while
18 you're at Rampart Station?

19 P Yes.

20 F Okay. Do you recall if any of the other three ever went into an
21 interview room, other than Granillos, alone?

22 P I -- you know, I want to say -- mmnh. I want to say that I attempted
23 to talk to each one of them individually. Uh, I'm not positive. I think -- I know
24 that I wanted to talk to, uh, -- the driver, Mar- -- uh, Martinez, maybe. I think
25 that was the driver.

26 F Correct.

27 P Uhm, I think I wanted him to go over something. Uh, and I think I
28 just talked to them all individually. I wanted -- or, at least, I wanted to. I mean,

1 I just don't remember if I did it or not. So, I -- I really don't have a clear memory
2 on that. So, it's real difficult for me to answer that.

3 F Okay.

4 W And this is Detective Wich again.

5 P Sir?

6 W Were there any other arrestees on the bench, besides these four
7 that night? If you remember.

8 P I don't believe so. I don't believe so.

9 W Now, just a couple of other questions. When you spoke to the
10 mother concerning the injury on Granillo, did she ever tell you that she jumped
11 on Granillo after he fell down in the back yard?

12 P That she jumped on top of him?

13 W Correct.

14 P No.

15 W Did she ever -- did she say she wrestled with him, in any way, or
16 grabbed him?

17 P No.

18 W No?

19 P Oh, no.

20 W Did -- did you ever ask her that?

21 P I asked her, you know, what she saw. And she said that she saw
22 him hit his head. He, uh -- you know, he hit his head. He continued running,
23 you know, and jumped into the car. And they all left.

24 W Okay.

25 P Uhm, you know, those are her observations. So, I didn't ask her,
26 hey, did he fall and did you jump on top of him. No, I didn't ask her that. Uh,
27 I just, basically, had her give me a narrative as to what happened. And she did
28 so.

W Okay. Did she say that she chased him at all?

1 P Yes, she said, as he was running, she was running after him. Uhm,
2 but, like I said, you know, the incident that she described occurred, and, then,
3 the guy left.

4 W Right.

5 P Uh, she never described anything about jumping on top of him or
6 wrestling with him or anything like that, no.

7 W Okay. Uhm, did she say anything about her husband chasing after
8 the car also?

9 P I remember them saying that they -- they saw the car taking off.
10 And they were -- they ran a little bit after the car, uh, yes.

11 W Okay. And, uh, concerning the victim, now, did you help out
12 transferring her to court, at all?

13 P Yes, sir.

14 W Okay. Was she in custody, because she didn't want to go to court?
15 Do you know anything about that?

16 P Yes, sir, on the last day -- on -- on ten of ten, uh, I found -- I -- well,
17 actually, uh, on the last day that the case was gonna go, uh, we still hadn't
18 found her.

19 W Right.

20 P I, finally, found her living somewhere in South Central. Uh, I took
21 her into custody and brought her to the judge. The judge ordered her in
22 custody until that following Monday or so, when she had to testify. And that's
23 what I did. I placed her under custody and, uh -- and, then, brought her back,
24 uh, on the day of trial.

25 W Now, when you placed her into custody, you did this in front of a
26 judge, uh, what did you book her into?

27 P Uh, it was a juvenile hall.

28 W Now, was it Los Padrinos?

P I --

1 W Was it over at Eastlake?

2 P Uh, --

3 W Was it close to downtown? Or farther -- the one down --

4 P The -- down, in Whittier or whatever.

5 W Well, I think it's Imperial Highway, yeah. And the other is Los
6 Padrinos.

7 P I just don't remember right now. I know she was taken into
8 custody. I booked her into custody, though.

9 W When you say you booked her, did you transport her, then, to the
10 juvenile hall?

11 P Yes, sir.

12 W Okay. And you think she spent -- how many days do you think she
13 spent in juvenile hall before you came back to court?

14 P I believe it was a -- a day or two days, I believe.

15 W Okay. And, then, so, you went back. Did you pick her up yourself
16 from juvenile hall and bring her back to court?

17 P Oh, darn it. I believe so.

18 W Okay. And, then, after she went to court, she was released on her
19 own to go home?

20 P Right. Well, she -- she didn't testify. Well, she refused to testify.
21 She, basically, said, "Who -- who's Perez? What are you guys talking about?"
22 Yeah, she, basically, -- uh, she was scared. What happened was, the gang came
23 and intimidated her family and told her that they were gonna kill the family if
24 she testified. And, so, she was real scared.

25 Uhm, so, after she refused to testify, she was released on her own
26 recognizance.

27 W Okay. You didn't force her to testify because of the suspects that
28 were arrested you had maybe a dispute going with them?

P I had never even met these guys before.

1 W Okay. Good. So, you don't know who any of these guys are, at
all?
2 P I -- I've never -- uh, I had never met any of these guys before this.
3 W Okay. And you didn't threaten to violate her parole or probation if
4 she didn't testify?
5 P Violate her parole?
6 W Right. Was she on parole or probation, do you know?
7 P I don't think so.
8 W Okay.
9 P I don't think she had been -- I mean, I don't think she ever been
10 arrested.
11 W All right. But you would have never told that to her?
12 P Absolutely not.
13 W Do you remember who was with you when you arrested her at
14 court?
15 P Oh, Lord. I want to say it was McNeil again.
16 W Okay. And, then, to help you transfer her, uh, back from jail to
17 court, would have been McNeil again? Or do you think it might have been
18 somebody else?
19 P You know, I'm really not positive as to -- as far as the transporting,
20 uh, back from -- from the jail. I believe it was McNeil. But I'm not a hundred
21 percent positive.
22 W And when you guys transported her, being that she was a female,
23 did you guys get on the air, showing that you're transporting a female from
24 Point A to Point B?
25 P Uh, probably not. I mean, it's possible. I know that's procedure.
26 But we didn't always follow procedures.
27 W Okay. Just questions to be asked. Uh, that's all I have then.
28 P Uh, that's all of the questions that I have also.

1 B Uh, Mr. McKesson, you still there?
2 M I'm here.
3 B You've been so quiet. I thought we lost you somewhere along the
4 line.
5 M I'm here.
6 B Okay. Well, that -- oh, we have another question.
7 W I lied. I have one more, 'cause it always is that way.
8 P (Laughing heard.)
9 W Uh, Perez, while you were at the scene, uh, of the arrest, did you,
10 at any time, bring out a photo book from your car, and did you look at these
11 photos and look at the suspects sitting there and identify them as anybody in
12 the photo book?
13 P No, sir. I don't -- I don't keep an M.S. book. I don't -- I've never
14 worked M.S. gang.
15 W Okay.
16 P Uh, I definitely -- I mean, I.D. them how? I mean, I would do that
17 at the station, number one. And, uh, I have them in custody. It's not like I need
18 to do a want post or anything like that on them.
19 W Right.
20 P Uh, but, no, I definitely didn't do that.
21 W So, if somebody said that you told them anything that -- or McNeil
22 told them that you're the leader of a certain gang or a clique of a gang, that
23 wouldn't have happened then?
24 P The leader of a certain gang?
25 W Like, "You're the leader of M.S. clique."
26 P The only thing that -- now, that you mention something like that, I
27 believe someone stated, while we were at the scene, that the guy that goes by
28 the moniker -- I'm not sure what it was. Again, I don't have all the face sheets
here. But, I think it was Geovani Lopez.

1 W Uh-huh.

2 P Uh, no, I'm sorry. Uh, Marroquin. William Marroquin.

3 W Okay.

4 P Uh, that he was wanted for murder.

5 W Okay.

6 P And while at the scene, I think somebody might have pulled out a
7 flier or something like that, uh, and indicated that, yeah, this is guy that is
8 wanted for murder also.

9 W Okay. Now, flier, is that like just one of those wanted bulletins?

10 P Exactly.

11 W And would it have his picture on it?

12 P Yes, sir.

13 W Okay.

14 F And, that same type of line of questioning, uhm, McNeil, uhm,
15 never had a book of photographs that he showed to the victim, while you were
16 at Kent and Coronado?

17 P Absolutely not.

18 F Do you recall about how many officers responded to Kent and
19 Coronado?

20 P There was quite a few. Uhm, I want to say somewhere around
21 eight officers, at least.

22 F Do you recall what vehicle you were in?

23 P I was in my, uh, Ford. Oh, wait a minute. I want to say that I was
24 in my Ford Taurus.

25 F Okay.

26 P Uh, light blue.

27 F And do you know if, at any time, the defendants were placed into
28 your car, and, then, removed from your car and placed into another vehicle?

P Yes, that's -- that's very possible. Yes.

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F And, now, would this be possible that they were placed into your car, but other officers drove your car?

P That's also possible.

F Okay. And do you recall if there was a van? Did anybody -- any of the officers that responded, were they ever in a van?

P In a van? I mean, we have a van at Rampart. Uh, you know, we have a gray van that we use -- a plain van. But I don't know why we would -- anybody would respond in a van on this type of call. And I don't remember seeing one there.

F Okay. This gray van, could you describe it for me? I'm not -- I'm not familiar with it.

P I believe it's a Ford like Aerostar Van.

F Okay.

P Uh, it's gray. And it's got tinted windows. Uh, it's got one of those sliding doors.

F Okay.

P Uh, two front doors.

F Any markings on it?

P Uh, it's pretty -- pretty simple looking.

F Okay. And seats in the back?

P Yes, sir. Seats in the back. Got bench seats.

F Okay. Uh, that's it.

W I'm done.

F Are you sure?

W Positive.

F Okay. He's done. All right.

P You guys done?

B Everybody's finished.

F Yeah.

1 P Okay.

2 B Uh, Mr. McKesson, do you have anything you want to add?

3 M Nothing at all.

4 B All right. Well, the time is 11:16, uh, a.m. We're going to end this
5 interview at this time. Thank you, uh, Mr. Perez and Mr. McKesson.

6 P All right.

7 M No problem.

8 B And, uh, Mr. Perez, if I could please, uh, speak to, uh, Sgt. Reese,
9 if he's available briefly. I just want to get his serial number for the tape.

10 P Hold on one second.

11 B Thank you.

12 U Yes.

13 B Hi. Sgt. Reese?

14 U Yes.

15 B This is Deputy District Attorney Margo Baxter.

16 U Hello.

17 B Thank you very much for, uh, helping us with this interview. I was
18 wondering if, uhm, -- we're on -- we're being tape recorded right now. But,
19 because you're a witness to Mr. Perez, uh, raising his hand and saying "I do"
20 after I administered an oath, uhm, would you please just state your, uhm, name
21 and, uhm, serial number?

22 U Yes. My name is William Reese. R-e-e-s-e. Serial Number 075053.

23 B Thank you very much.

24 U You're welcome.

25 B All right. Good-bye.

26 U Bye-bye.

27 M Bye-bye.

28 B Bye.

F Bye.

M Bye.

(Side A of Tape 233762 ended.)

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