

#19-02

DINUBA POLICE DEPARTMENT

INTERNAL AFFAIRS #19-02

OFFICER RYAN CLIFTON



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On July 16, 2019, I (Lieutenant Abel Iriarte) was assigned Internal Affairs Investigation 19-02 by Chief Devon Popovich. Chief Popovich provided me with a case packet with multiple items which will be described in detail throughout this investigation. The investigation was initiated after a citizen complaint was submitted to Sergeant Jason Kent on July 12, 2019. The complaint came from ***** (DOB 06/13/93) indicating that he was falsely arrested by Officer Ryan Clifton on July 7, 2019. I also received an email from Sergeant Thaddeus Ashford dated July 10, 2019 at 5:05 PM, indicating the ***** came to the Police Department to file a complaint against Officer Clifton for his arrest and booking. Sergeant Ashford indicated he provided ***** a complaint form.

On July 7, 2019 at approximately 2:16 AM, Officer Clifton radioed to Dinuba Dispatch that he was behind a vehicle who was failing to yield and a vehicle pursuit ensued. The pursuit started near the intersection of Nebraska and Crawford Avenue and ended at Park Way and Crawford Avenue. The driver exited the vehicle and began running. The subject jumped a wooden fence in the alley way of ***** Park Way. Other Dinuba Police Officers arrived and developed a perimeter. The Tulare County Sheriff's Department responded and assisted with a K-9 unit. The K-9 led the deputy handler in a search which ended up at a residence located at *** Gloria Avenue. The deputy knocked on the door of this residence, and ***** opened the door. Officer Clifton identified ***** as the subject whom exited the vehicle he had pursued. ***** was arrested and taken to the police department and subsequently interrogated before being transported to the Tulare County Jail.

Officer Clifton continued his investigation into the matter and interviewed several people. Up until July 8, 2019, Officer Clifton concluded that ***** was not the suspect involved in the vehicle pursuit. Officer Clifton contacted Sergeant Thaddeus Ashford and notified him that ***** was not the suspect and that he was still in custody at the Tulare County Jail. Sergeant Ashford signed a PC 849(b) form so that Officer Clifton could respond to the Tulare County Jail and release ***** from custody. Officer Clifton responded to the Tulare County Jail from the police department at approximately 10:45 AM.

NOTE: A PC 849 (b) is a form relating to California Penal Code Section 849 (b) which reads: A peace officer may release from custody, instead of taking the person before a magistrate, a person arrested without a warrant in the following circumstances:

(1) The officer is satisfied that there are insufficient grounds for making a criminal complaint against the person arrested.

Officer Clifton authored Dinuba Police Department report DF1902030 which documents his investigation and actions taken. Officer Alexander Cordell also provided a supplemental narrative to this report. The report did not contain any attached report or supplemental report from the Tulare County Sheriff Deputy that assisted in the K-9 search of the suspect. It was later learned that two deputies from the Tulare County Sheriff's Department assisted in the search along with a K-9.

I reviewed the Notarized complaint form from **** ** and saw that he had a typed statement attached to the complaint form. The following is the typed statement verbatim:

Sunday, July 7, 2019 at about 3am I was arrested for a crime I did not commit even after I kept telling the responding officers that I had been with my girlfriend since Saturday night to early Sunday morning a bit before I got arrested. My dad, mom, three sisters and two of my cousins were told they needed to get out of the house as officers went into our home with a K9 and searched our home. They had no warrant and did not state the reason they were forcing entry into our home. I remember hearing my mother ask what was going on and one of the officers told her to "he's a big boy he can tell you himself". However I was cuffed and put in the police car unable to communicate with my mother or father.

Saturday July, 6, 2019 I walked over to my girlfriends' house (***** **) on Magnolia ave at a bit after 10pm. As we were together I got ahold of one of my friends (*****) so he can loan me some money. He was at another friends house. So I asked my girlfriend if she can take me to pick up the \$20 dollars he was lending me. She did. We then stopped at Liquor Locker and I bought some snacks for my sisters and cousins that had stayed home but had previously asked me to buy them some snacks. After dropping off the snacks at around 11pm we went back to *****'s place down Magnolia. Then at about 1:30am (Sunday morning) she drove me back to my place and we stayed in her car talking. Then at about 3am, we noticed several

cops were coming down Parkway street and into Gloria avenue. One officer was parked facing North on Gloria avenue with his bright light on. While another officer parked in the middle of Echo street and Gloria avenue as he was moving his bright light back and forth to face both Gloria and Echo street. When the officer that was parked between Gloria and Echo street left down toward Crawford, me and my girlfriend stepped out to the car. However, the officer between Parkway and Gloria still had his bright light on facing North towards my house. I am sure he seen us standing outside in front of her car. My girlfriend decided to go home at about 2:30am Sunday (July 7) morning. I came inside my home and got my clothes ready to jump in the shower. As I was getting ready to jump in the shower, my girlfriend ***** called me to tell me that she got pulled over down Echo going into Crawford. My girlfriend also told me the officer made her open up the trunk of the car. She asked why and the officer told her they were just looking for someone who had hit a pedestrian and left the scene. ***** told me that the officer then let her go. I then jumped in the shower. Then I heard banging on the front door, my cousins and my sisters got scared because whoever was pounding on the door did not say anything. They thought it was an intruder. My sister *****, came to the bathroom door and told me someone was banging on the door and she was scared to open the door. I got out of the shower and quickly put some clothes on and went to open the door as I had water running down my body. When I opened the door, officers were hesitant as they had their hands on their weapon. They were not pointing the guns at me, but they were ready to pull out if needed. An officer asked "is it him?" they paused for a second and another officer said, yeah it's him. I asked what was going on and the officer replied asking "why are you sweating" I responded "I just got out of the shower, what is going on"? Right then they told me to turn around and put my hands on the back of my head. One officer walked me and put me inside the back seat of a police car. Then I seen them

proceed going inside the home with a K-9. I remember hearing my mom ask an officer "do you have a warrant"? The officer responded, "we don't need a warrant on a fresh case". Then an officer drove me to the Dinuba police department to interrogate me.

I obtained the vehicle pursuit report pertaining to the incident. The following is from Dinuba Police Department report DF1902030 authored by Officer Clifton. The narrative listed is up to the portion where he had ***** released from County Jail. The following is verbatim and it reads as follows:

Facts: Subjects led Officer's on a high speed pursuit before stopping the vehicle and fleeing on foot.

Narrative: On 07/07/2019 0216 hours, I (Officer Clifton) was in full uniform in a fully marked Police unit #17 traveling northbound in the 1500 block of N. Crawford. As I approached the intersection of Crawford and Nebraska Avenue I made a westbound turn and began traveling westbound on Nebraska. As I began traveling westbound on Nebraska I observed 2 vehicles traveling eastbound towards my location. The lead vehicle had a right front headlight out and I was planning on making a u-turn in order to conduct a traffic enforcement stop for the violation.

As the lead vehicle passed I was unable to make an immediate u-turn due to the proximity of the vehicle behind it and was forced to wait until the second vehicle passed me. As the second vehicle passed me I made a u-turn and was attempting to catch up to the lead vehicle. The lead vehicle made a southbound turn into the entrance of the apartment complex at 1655 N. Crawford. As I was getting closer to the apartment complex I observed the second vehicle accelerate at a high rate of speed and appeared he was trying to gain distance from me.

My attention was now focused on the second vehicle which was later identified as a 2002 Silver 2 door Mitsubishi Eclipse with a CA license plate number of

*****. I could hear the engine accelerating towards the intersection of Crawford and Nebraska and it appeared the vehicle was not going to stop. I began to accelerate my patrol vehicle in an attempt to catch up to the vehicle at which time the vehicle failed to stop at the posted stop sign and made a southbound turn onto N. Crawford Avenue.

At that time I activated my emergency overhead lights in order to conduct a traffic enforcement stop for the violation of Vehicle Code 22450. The vehicle continued to accelerate and was quickly picking up speed at which time I advised dispatch that I had a vehicle that was failing to yield traveling at a high rate of speed southbound on N. Crawford Avenue. I then activated my siren and was pursuing the vehicle and was attempting to close the gap in order to read the license plate.

The vehicle quickly approached the intersection of N. Crawford and Saginaw which is a 4 way stop with a vehicle stopped facing southbound on N. Crawford. Due to a vehicle being located in the southbound lane the suspects' vehicle crossed over a double solid yellow line and proceeded through the intersection without stopping for the posted stop sign. The vehicle was traveling approximately 75 MPH as he traveled through the intersection. Shortly after passing through the intersection we were passing 580 N. Crawford at which time the suspect began throwing things out of the sunroof. I initially thought that it was money and advised dispatch of what was occurring.

The vehicle continued southbound on N. Crawford where speeds were reaching approximately 85 MPH in a posted and surveyed 45 MPH zone. The vehicle continued southbound and approached the intersection of Crawford Avenue and E. El Monte Way which is controlled by a signal light in all directions. The light was a solid red for southbound traffic as the vehicle passed through the

intersection at approximately 75 MPH and failed to stop at the solid red light.

The vehicle traveled for approximately .2 of a mile further south before attempting to make a westbound turn onto E. Park Way. The vehicle was traveling a high rate of speed and was unable to make the turn and began traveling towards the south curb line. Due to the fact that the driver was unable to make the westbound turn and was facing the south curb line he placed the vehicle in park, exited the driver's side door and began to flee on foot.

As the driver exited the door he ran north towards the back of the vehicle at which time I got a good look at him and was able to provide dispatch with a description. As the driver got to the rear of the vehicle he then proceeded to head westbound on Park Way for a short distance. As the driver was running westbound I stayed in my patrol vehicle and was directly behind him. The driver then ran northbound in the alley directly east of Gloria Avenue. The driver then jumped the fence of **** E. Park Way at which time I advised the units responding to set up a perimeter. As the units were responding I advised them that the suspect was wearing black pants, a Gray shirt, and had a goatee. Although it was not broadcasted over the radio I was able to observe that the suspect also had short black hair and was a light skinned Hispanic male. I advised dispatch that the suspect was in his mid to late 20's or even early 30's.

After the units were in the area and a perimeter was set up I was advised that TCSO Deputies would be arriving shortly with a K-9 Officer. As I was standing by waiting for the K-9 to arrive on scene I went back to the suspects' vehicle and began searching for any evidence that may assist me with the investigation. Inside the center console I located a paycheck stub from Brandt Farms in Reedley that had the name **** ***** on it. I also located in the glove box a DMV bill of sell on the vehicle and it was

signed by a name ****. As I was searching the vehicle Officer Cordell arrived in the 500 block of N. Crawford and advised that the items thrown out of the vehicle were not paper money but in fact check stubs with the name **** on them. The check stubs were from Brandt Farms and Full Steam Staffing which is a temporary employment business.

Approximately 10 minutes after the suspect fled on foot Deputy Montoya arrived on scene and was briefed of the situation. Deputy Montoya made K-9 announcements at which time a yard to yard search began. We started the search in the backyard of **** E. Park Way where the suspect was last seen. Deputy Montoya was leading the search along with another Deputy, Officer J. Guzman and I (Officer Clifton).

Deputy Montoya's K-9 partner quickly searched the backyard and exited out the side gate onto Gloria Avenue and began traveling quickly northbound up the street. As we arrived in front of *** Gloria Deputy Montoya advised to look around carefully and he believed the suspect was in the area due to the way his K-9 was acting. The K-9 then searched in the yard for a brief moment and then headed directly for the front door. The K-9 continued to track near the front door and it appeared the suspect had entered the front door of that residence. See Deputy Montoya's report 19-8296 for full details regarding the incident.

We knocked on the front door of *** Gloria Avenue and did not get an answer initially. We continued knocking on the door at which time a male subject answered the door. As soon as the male subject answered the door I believed it was the driver and suspect that had just fled on foot. The male driver identified himself as **** and appeared to be sweating. The subject had black shorts on with no shirt, no socks or shoes. The subject later identified as **** advised that he was not sweating and had just exited the shower. Due to the fact that the subject matched the

description, the tracking of the K-9 and appeared to me to be the same subject as the driver who had just fled on foot, I advised **** to place his hands behind his back and placed him under arrest.

As I was placing **** under arrest he advised me that he heard something in his backyard and it sounded like someone was trying to break into his residence. At the time of the incident and based on the circumstances it appeared to me that **** was making this statement in a manner to take the focus off of him as the suspect and redirect it towards someone else. I advised Officer Guzman to take control of **** and place him into the back of his patrol unit. Officer Guzman later transported **** to the PD for booking.

Due to the fact that **** stated someone was possibly trying to break into the residence we had all of the occupants exit the residence and we began clearing each room. As we entered into the master bedroom of the residence I entered the bathroom and noticed that the shower had recently been used due to the walls being wet. Inside the bathroom was a hamper with clothes at which time I located a black pair of jeans size 33 that seem to match the jeans that the suspect was wearing as he fled on foot. After observing the jeans in the bathroom it led me to believe that the suspect entered the residence removed the jeans and entered the shower in an attempt to conceal that he was just fleeing on foot.

After clearing the residence I asked the occupants if anyone saw **** enter the residence. ***** advised me that she is ****'s sister and was on the couch in the living room watching television when **** arrived home. ***** stated that **** arrived home approximately 15 minutes ago and went straight to the room to take a shower. She stated a short time later she heard subjects knocking on the front door at which time she went and got

****. **** stated she did not see what **** was wearing at the time he entered the front door.

Officer Cordell had the vehicle removed and stored by Salinas towing.

Victim: ****

After **** was transported to the PD I responded back to **** E. Park Way and made contact with the home owner ****. **** advised me that 2 of the fence boards had been broken at the time the suspect jumped the fence. **** said he would be temporarily fixing the fence tonight and estimated the damage to be approximately \$30 dollars.

After arriving back at the PD I placed **** into the interview room and read him his rights from my department issued Miranda Card. At 0315 hours, I asked **** if he wished to talk to me at which time he stated "Yes I'll talk to you". The following is a summary of his statement. **** stated that he went to his girlfriend's house at approximately 2200 hours and was hanging out with her. **** stated that he then asked his friend **** if he could borrow \$20 dollars at which time he said yes. **** stated that his girlfriend **** took him to ****'s house in her vehicle to pick up the money. **** stated that they then proceeded to Liquor Locker to buy a few things and responded back to his residence on Gloria. **** stated that they were in ****'s car for over an hour and he was with her the entire time. **** stated the reason that he went inside to take a shower was that they were having sex in the car and he was sweaty.

I asked **** if he had ever worked under the name **** at which time he stated no and proceeded to say that he has only worked under his given name of ****. **** stated that he currently works at Mt. View Cold Storage and has been there approximately 2 weeks. I asked **** where he worked at before that and he stated a packing house in Reedley but was unsure of the name. He attempted to state the name but was having trouble

pronouncing it. I asked him if he had ever worked at Brandt Farms and he stated he doesn't think so. **** continued to state that he was with ***** the entire time and he was not the suspect that we were looking for. **** advised that ***** could corroborate his story and again stated he was with her the entire night.

I asked **** if he was wearing black pants tonight and he stated no. **** stated that he was wearing black shorts and a white shirt, but never had black pants on. I advised **** that I located a pair of black pants in the laundry basket next to the shower. **** stated that he has several pairs of black pants but they are all clean and in the closet. I proceeded to ask **** what type of vehicle he has and he stated he has a BMW but it is not running at the moment. I asked him where he got the Eclipse from and he stated that he does not have an eclipse and does not know anything about an Eclipse.

After the interview was complete I asked **** for *****'s telephone number in order to obtain her statement. **** opened his cell phone at which time I asked him if he would show me his call log. **** advised me I could look at whatever I wanted on his phone and he had nothing to hide. I observed a call to ***** at 0225 for approximately 2-1/2 minutes. This phone call led me to believe that **** may have called ***** once he was inside his residence to tell her what had taken place and advised her to state that she was with him the entire night.

After booking was complete on **** he was transported to Pre-Trial by Officer Gonzalez for housing. When Officer Gonzalez advised over the radio that he was back in the City I requested he go by *****'s house and request that she respond to the PD for questioning regarding the incident. Officer Gonzalez advised that ***** had agreed and would be arriving shortly.

***** arrived at the PD at approximately 0550 hours and was placed in the interview room. She was advised she was not

under arrest and was free to leave at any time. Officer Gonzalez assisted me with translation during the interview.

***** was asked how she knows **** and she stated that he was her boyfriend for close to a year. ***** stated that **** came over to her house this evening 07/06/2019 approximately 2100-2200 hours. ***** stated that someone at ****'s house had asked him for chips or a snack so **** asked a friend to borrow money so he could get the snacks. ***** stated that she drove **** to an unknown friend's house to borrow \$20 dollars and then proceeded to Liquor Locker to purchase the items. ***** stated then then drover to ****'s house and parked out in front for a while. ***** said that **** lost his phone and went into the residence for a while to look for it and then returned. ***** said that **** then went inside for good and she drove off.

***** stated that she was stopped by Officer Gonzalez who was on perimeter as she was leaving the residence and told him she had just left a friend's house. ***** stated that **** then called her to see if she made it home at which time she told him that she was stopped and her vehicle was searched for a suspect. ***** advised that both of them were in her vehicle in front of the house when they saw all of the Police begin surrounding the neighborhood. ***** stated that it could not have been **** due to the fact that he was with her the entire night.

I asked ***** what **** was wearing and she stated black shorts and a white shirt. I asked ***** if she knew what type of vehicle **** drives and she stated a BMW but it was not running at the time and also stated he drives some of his parent's vehicles. I asked her if she knew when **** purchased the Eclipse and she stated she knew nothing about any other car that he may have.

On 07/07/2019 approximately 0830 hours I contacted ***** via telephone and requested he respond to the PD to question him regarding ****'s statement. A short time later ***** arrived at the PD and was placed in the interview

room. I advised him he was not under arrest or being investigated and was free to leave at any time. I advised ***** that **** had stated that he spoke with him early in the day at which time he stated yes. ***** advised that **** had asked to borrow \$20 and **** had showed up where he was at to get it. ***** stated that the contact was short and brief due to him just needing the money. ***** stated that he was unsure what **** was wearing due to the fact that he was intoxicated and does not remember.

Investigation: During my follow up investigation on 7/7/19 I was unable to make contact with either business due to the fact that it was Sunday and they were not open for business. Therefore the investigation was continued on 7/8/19 when the businesses re-opened.

On 07/08/2019 approximately 0900 hours I responded to SeaCa located in the city of Dinuba to investigate one of the check stubs that was thrown from the vehicle. The Check stubs show that **** ***** worked there for a very short time. As I was informing SeaCa of the situation they advised me that ***** worked at their plant through a temp agency called Full Steam Staffing and I would need to contact them in order to obtain any information on him. I then contacted ***** in HR at the corporate office of Full Steam Staffing. ***** advised that they did in fact have a ***** working for them for a short time but no longer works there. ***** stated that ***** worked through their agency from 05/13/2019 and was let go on 05/31/2019. I asked ***** if she could send me over all the information and a picture of *****. ***** advised she would and later emailed them to me through my work email.

After receiving the email I discovered that the picture of ***** did not match ****. Due to the fact that I had located a Brandt Farms check stub with the same information on it I responded there immediately after leaving SeaCa for further investigation. After arriving at Brandt Farms I made contact with ***** who

advised she was the night shift supervisor and knows ***** very well. Several people at Brandt Farms starting pulling his file and also printed out a picture of his work ID. This picture matched the picture I had just received from Full Steam Staffing.

I asked ***** when was the last time that she saw ***** and she stated on Sunday morning when he got off at work at 0200 hours. I then asked if they had a printout of when he clocked in and out that day at which time they provided me a copy of it. ***** stated that ***** had arrived to work late on Saturday evening around 2230 hours and did not clock in till 2238 hours. ***** stated that ***** had texted her stating that he was going to be late due to the fact that his wife was not home yet and he did not have any one to watch the kids. On the printout it shows that ***** clocked out at 2605 hours, at which time I questioned them regarding the time. ***** stated that 2605 means 0205 but they keep track of it differently for payroll purposes. She stated that if you start a shift the night before they don't want the system to think you worked all the way until the follow day. She said it's just a method they use but re-confirmed that ***** got off work at 0205 hours on 07/07/2019.

I then asked ***** if she knew what type of vehicle ***** drives and she stated she isn't sure on the exact make and model but described it as a silver 2 door vehicle. I asked ***** if she knew how long ***** has had that certain vehicle and she stated ever since he had started working at Brandt Farms which was in early June of 2019. I questioned ***** if she knew what type of clothing ***** was wearing that night and she stated she was unsure. I then asked if there was video surveillance that could be seen to observe what type of clothing ***** was wearing. ***** then proceeded to take me to where the video could be played and pointed out ***** on the screen the night of 07/07/2019. It should be known that ***** was observed wearing black pants, gray shirt and

a red hat. It should be noted that a red hat was located in the passenger front seat of the suspects' vehicle as it was being searched.

I then showed ***** a picture of ***** that I had just received from Full Steam Staffing and she stated yes that's him. ***** also stated that *****'s goatee is fuller (grown out more) than it is in the picture. I then had her look at the picture of ***** she had just provided me and she stated the same thing about his goatee being fuller or grown out and stated his hair is a bit longer as well. I then showed her a photograph of **** and asked if she knew him and she stated no but stated that it's not *****.

Based on the evidence obtained at Brandt farms it was determined that ***** was in fact the driver in the pursuit and not ****. The evidence shows that ***** left work at 0205 hours and was observed on surveillance wearing black pants, gray shirt and a red hat. ***** also described *****'s vehicle that he drives to work on a daily basis as the same type of vehicle that was in the pursuit.

I then responded back to the PD and made contact with Sgt. Ashford and advised him of the new evidence that was obtained. I advised Ashford that I was going to be releasing **** from custody and filled out a PC 849 (B) form which he signed. I then drove to Tulare County Men's Facility where **** was located and provided them the form and requested **** be released. I then placed **** in the back of my patrol vehicle and advised him of the situation and transported him back to his residence. **** was provided a copy of the form and his property that was held during the time he was in custody. While dropping **** off at his residence he advised that he was not involved and that as I investigate it further it will show that he was not the one I was looking for.

The following is a supplemental report from Officer Alexander Cordell for case DF1902030. The following is verbatim:

On 07/07/19 at approximately 0216 hours, I (Officer A. Cordell) was on duty in a Peace Officer capacity. At this time I heard Officer R. Clifton broadcast over the radio that he had a vehicle that was failing to yielded and that he was in pursuit of the vehicle.

While in pursuit of the vehicle, which Officer Clifton stated was a silver Mitsubishi Eclipse, he stated the driver of the vehicle was throwing money out of the vehicle. Officer Clifton stated the money was being thrown out in front of Dinuba Downs (580 N. Crawford Ave). The pursuit was then terminated and the subject fled on foot. Officer R. Clifton then requested I respond to the area of Dinuba Downs and recover what was thrown from the vehicle.

I arrived in the 500 block of N. Crawford Ave and located multiple pieces of paper which were pay stubs in the name of (**** *****). I recovered all of the pay stubs and advised Officer Clifton of my findings. I then responded to the termination point of the pursuit. I assisted Officer Clifton by completing a CHP 180 form and towing the vehicle. The vehicle was towed and stored by Salinas Towing. I later turned over the recovered pay stubs to Officer Clifton.

The complete report and narrative is uploaded to IA-19-02 in it's entirety

POLICE RADIO AND TELEPHONE CALLS

I retrieved recorded radio transmissions, and telephone calls related to the incident and uploaded them into IA-19-02 packet. The following are detailed radio transmissions and telephone calls from Dinuba Dispatch:

Radio Traffic

Start Time 2:16:02 AM

Officer Clifton: Dinuba sixteen I have a failure to yield.

Radio Traffic

Start Time 02:16:15 AM

Officer Clifton: It's going to be southbound Crawford at Saginaw

Radio Traffic

Start Time 02:16:24

Dispatcher *****: Southbound Crawford from Saginaw. Any description?

Radio Traffic

Start Time 02:16:30

Officer Clifton: Yeah it's a two door silver Eclipse. They are just throwing stuff out the window right at Dinuba Downs. Appears to be money. (Police Sirens are heard)

Dispatcher: *****: Copy

Officer Clifton: It just blew the light at Crawford and El Monte at about seventy.

Radio Traffic

Start Time 02:16:52

Officer Clifton: Continuing southbound on Crawford...He's going to go...Haa, he just T-C'ed on Olive...correction Parkway...Leg bail

Dispatcher *****: Copy, T-C at Crawford.

Officer Clifton:

Leg bail westbound, Hispanic male, grey shirt, black pants... He's going northbound in the alley... jumped the fence... somebody get on Gladys.

Radio Traffic

Start Time

02:17:38

Officer Clifton:

Sixteen, I have the alley covered if someone can get on Gladys.

Radio Traffic

Start Time

02:17:53

Officer Clifton:

He is probably trying to make it home if he lives in the area.

Radio Traffic

Start Time

02:18:12

Unknown Officer:

What was his last D - O - T

Officer Clifton:

Westbound in the back of the... house right here at the corner.

Radio Traffic

Start Time

02:18:26

Officer Clifton:

Grey shirt, black pants.

Radio Traffic

Start Time

02:18:53

Sergeant Ayala:

We need a unit here on Palm and Gladys.

Officer Guzman:

Thirty enroute.

Sergeant Ayala:

Confirming he went northbound?

Officer Clifton:

Going in a northwest direction towards Gloria.

Radio Traffic

Start Time

02:19:14

Sergeant Ayala:

Ten-Four. We need a unit towards the Rec Center or around that area in case he makes it past Crawford.

Radio Traffic

Start Time

02:19:28

Officer: Unknown

Twenty-eight, Ten-four.

Radio Traffic

Start Time

02:19:59

Dispatcher *****:

Somebody give me the plate of the car.

Radio Traffic

Start Time

02:20:03

Officer Clifton:

Sixteen, I'm enroute to the car. Sam eight is taking my spot at the alley.

Radio Traffic

Start Time

02:20:26

Officer Clifton:

Seven, correction sixteen, it's going to be four-Victor-Victor-Union nine-zero-six.

Dispatcher *****:

Ten-four

Radio Traffic

Start Time

02:20:54

Dispatcher *****;

The plate comes back clear, expired on an O-Two Mitsubishi with an R/O out of Farmersville.

Radio Traffic

Start Time

02:21:03

Officer Clifton:

Ten-four

Radio Traffic

Start Time

02:21:40

Sergeant Ayala:

Can I have unit that is not on perimeter respond to Parkway... we need a search team.

Radio Traffic

Start Time

02:21:50

Officer Cordell:

Thirty-one is on Parkway.

Radio Traffic

Start Time

02:22:16

Sergeant Ayala:

Nontangible... Units over here by the alley way.

Radio Traffic

Start Time

02:22:43

Officer Clifton:

Eight, Sixteen

Sergeant Ayala:

Go ahead.

Officer Clifton:

Hey, we are also going to need someone to go to Dinuba Downs to secure all that he threw out.

Sergeant Ayala:

Ten-four, stand by.

Radio Traffic

Start Time

02:23:24

Sergeant Ayala:

Thirty-one, Sam eight.

Radio Traffic

Start Time

02:23:31

Sergeant Ayala:

Go by Dinuba Downs first in that area and then come back over here. I will stay here. Sixteen can you come back this way.

Radio Traffic

Start Time

02:23:51

Officer Clifton:

Dinuba, sixteen, can you twenty-nine last of ***** first of ***** ... see if we have any contacts near Gloria or Echo.

Radio Traffic

Start Time

02:24:09

Dispatcher *****:

Have several contacts with that name, do we have an approximate age?

Officer Clifton:

I say mid-thirties.

Radio Traffic

Start Time

02:24:31

Officer Clifton:

Late twenties to mid-thirties.

Radio Traffic

Start Time

02:24:59

Sergeant Ayala:

Dinuba, Sam eight, can you have...contact T-C-S-O respond and...bring a K-9.

Dispatcher *****:

Copy... Stand by...break...sixteen.

Radio Traffic

Start Time

02:25:15

Dispatcher:

The only thing similar is a **** Luis ***** ... D-O-B of five, twenty nine, sixty-nine... Twenty-eighty-seven Park Way.

Radio Traffic

Start Time

02:25:30

Officer Clifton:

Ten-four

Sergeant Ayala:

Unit on Echo advice.

Officer Gonzalez:

Go-ahead

Sergeant Ayala:

Could you move to Echo and Crawford...make sure no one goes east or north.

Radio Traffic

Start Time

02:25:50

Officer Gonzalez:

Thirty-two en-route

Telephone Call from Dispatch

At 02:25:53 AM, Dispatcher ***** called Tulare County Sheriff's Department for a K-9 but advised that she just heard forty-Adam come over Dinuba Police Radio indicating he was responding.

Radio Traffic

Start Time 02:25:58

TCSO Deputy: Forty-Adam I will be seventy-six from Oroshi.

Sergeant Ayala: Forty-Adam we copy...Break...twenty nine make sure you have all that north side on Gloria.

Officer Cardenas: Copy that.

Radio Traffic

Start Time 02:26:21

Officer Clifton: Sixteen, can you contact C – H – P and see if they are in the air.

Radio Traffic

Start Time 02:27:22

Officer Cordell: Sixteen, ten-nine the name of your possible suspect.

Officer Clifton: Last of ***** , first of ****.

Officer Cordell: Ten-four, finding multiple deposits slips with that name on it out here, in front of Dinuba Downs.

Officer Clifton: Yeah, Affirm I have a paycheck or a pay stub. If you can photograph it and collect it please.

Radio Traffic

Start Time 02:35:22

Unknown Officer: T-C-S-O is on scene

Dispatcher *****; Copy.

Radio Traffic

Start Time 02:37:38

Officer Cardenas: Twenty-nine, Thirty-two

Radio Traffic

Start Time 02:37:46

Officer Gonzalez: Calling Thirty-two?

Officer Cardenas: A-firm there is a vehicle heading your way that was parked right here on Gloria.

Officer Gonzalez: I'm making contact now.

Radio Traffic

Start Time 02:38:43

Officer Gonzalez: The vehicle is clear.

Officer Cardenas: Ten-four.

Radio Traffic

Start Time 02:39:58

Officer Clifton: Information, K-9 Officer ... We are going to be doing a yard to yard.

Radio Traffic

Start Time

02:43:49

Officer Clifton:

Sixteen the dog is hitting on the front door of ***
Gloria...we are going to attempt to make contact.

Radio Traffic

Start Time

02:44:01

Dispatcher *****;

Dinuba copy... *** Gloria.

Officer Clifton:

Twenty-eight in the driveway.

Radio Traffic

Start Time

02:44:32

Officer Clifton:

Dinuba can you run a twenty-eight

Dispatcher *****;

Affirm, go ahead.

Officer Clifton:

Six-Yellow-Sam-Robert-Six-Six-Two.

Radio Traffic

Start Time

02:45:02

Dispatcher *****;

Sixteen that comes back to last of ***** ...first of ***** out
of that address to an O-nine Dodge.

Officer Clifton:

Ten-four

Radio Traffic

Start Time

02:45:18

Officer Clifton:

Twenty...correction, sixteen, do we have any prior
contacts with anybody at this residence?

Radio Traffic

Start Time 02:46:32

Officer Clifton: We have one in custody.

Dispatcher: Copy.

Radio Traffic

Start Time 02:46:51

Sergeant Ayala: Sixteen, Sam eight, confirming we can break perimeter, twenty-nine can respond to your unit.

Officer Clifton: Give us one...we are going to clear the house.

Sergeant Ayala: Ten-four

Radio Traffic

Start Time 02:47:22

Sergeant Ayala: Can we have a unit en-route that way.

Radio Traffic

Start Time 02:47:30

Officer Cardenas: Dinuba, I will be en-route

Radio Traffic

Start Time 02:47:35

Sergeant Ayala: Twenty-nine stand by.

Officer Cardenas: Copy

Radio Traffic

Start Time 02:48:26

Officer Clifton: Dinuba we are going to be entering to clear the residence

Dispatcher ***** Copy

Radio Traffic

Start Time 02:55:03

Officer Clifton: Eight, Sixteen, it's code four you can break down perimeter.

Sergeant Ayala: Ten-four...units go ahead and clear from perimeter.

Officer Clifton Telephone Call from Booking Room

At 03:38:25 AM, Officer Clifton called (559) ***** from the booking room and did not receive an answer. He left a call back message for a ***** (*****)

At 04:33:32 AM, Officer Gonzalez advises that he is en-route to County Jail with ***** and another subject unrelated to this incident.

Radio Traffic July 8, 2019

Start Time 09:38:02

Officer Clifton: Show me at Brandt Farms on four-thirty on a follow up.

Dispatcher ***** Copy

Officer Clifton Telephone call to Dispatch on July 8, 2019

At 09:48 AM Officer Clifton called Dinuba Dispatch while at Brandt Farms conducting a follow-up investigation. Officer Clifton asked Dispatcher Eloisa ***** to run a wants/warrant check on ***** with a date of birth of 05/09/94. Dispatcher ***** advised Officer Clifton that ***** was on County Probation for

burglary and also had a misdemeanor no bail warrant. Officer Clifton said, "That's why he ran." Officer Clifton told ***** that he arrested the wrong person.

Radio Traffic

Start Time 09:58:44

Officer Clifton Sixteen, clear me from here...I will be back en-route ten-nineteen.

Dispatcher ***** Copy

I retrieved three audio/video recordings from July 7, 2019. One was the interrogation of ***** by Officer Clifton. One was an interview of *****. This interview was done by Officer Clifton with Officer Jorge Gonzalez translating, and therefore asking the questions. The last one was an interview of ***** by officer Clifton. The following are there narratives of the three audio/videos:

INTERVIEW OFFICER CLIFTON AND *****

On July 7, 2019 at approximately 3:15 AM, Officer Clifton Interviewed ***** After advising ***** of his Miranda rights, and ***** agreeing to speak with him, Officer Clifton asked him what was going on tonight. ***** said he was with his 'girl' in her maroon car on Gloria Avenue. ***** said, "You guys pulled to my neighbor's house, the day care and there was a cop car at the beginning of Park Way and Gloria." ***** said, "I was with her the whole time officer, honestly." ***** said, his girlfriend left, he jumped in the shower and that is when his little sister told him that the police was at the door. ***** said he told his sister, "What, why don't you open it...she said I don't know, well open it, what are you scared of?" ***** said this is when he came outside and "You guys thought I was sweating." ***** said he had just gotten out of the shower. ***** said from the bottom of his heart he was telling the truth. ***** said the last time he got in trouble he was nineteen and he is now twenty six. ***** told Officer Clifton that he was with his girlfriend the whole time and he had just gotten off the phone with her before you guys came to his house.

Officer Clifton asked for his girlfriend's name and he quickly answered ***** told Officer Clifton, "From the bottom of my heart officer, I did not run from no one." Officer Clifton asked who said anything about running from someone.

**** ** said ***** told him on the phone that the police were looking for someone. **** ** said he has nothing to hide and said he was with ***** the whole time. **** ** said he was with her the whole time and they were in a maroon car in front of his house. **** ** continued to say he was with ***** the whole time. Officer Clifton asked **** ** where he was tonight. **** ** said he was at *****'s house on Magnolia then they went to his house. Officer Clifton asked **** ** what time he went to *****'s house, and he said he honestly did not know. **** ** said all he knows is that he was inside ***** car with her when you guys (police) came down Gloria Avenue. **** ** said from the bottom of my heart I'm not lying to you and I'm not wasting your time. **** ** said he had just gotten off the phone with her and she told him that police were looking for someone. **** ** said he does not have anything to hide.

Officer Clifton asked **** ** where he works, and he said he works at Mountain View Cold Storage. Officer Clifton asked how long he had been working there, and he said he just started on Monday. Officer Clifton asked him where he worked before that, and he said Bravante in Reedley. **** ** said he had been out of work for about a month before starting on Monday. Officer Clifton asked **** ** if he filled out an application at Mountain View Cold Storage, and he said he did, on line. Officer Clifton asked **** ** if he put the last two places of employment on the application, and he said he did. Officer Clifton asked him what were those places, and **** ** said he put down the last two packing houses he worked at. **** ** said he believes it was Fresh Select and Bravante. **** ** said he is not for sure though.

Officer Clifton asked **** ** if he ever worked at Brandt Farms, and **** ** asked Officer Clifton where that was. Officer Clifton told him it was in Reedley and **** ** asked where in Reedley. Officer Clifton said he did not know, and **** ** said that it sounded very familiar to him. Officer Clifton said then you probably worked there, and **** ** said years ago, years ago. Officer Clifton told **** ** that he knows the owner of the Brandt Farms very well and he texted him to get information regarding his employment there. Officer Clifton told **** ** that the owner is heading to his office right now, and **** ** responded by saying that the place sounds familiar. Officer Clifton told **** ** that he worked there last month. **** ** responded as if he was confused or questioning what Officer Clifton was telling him. **** ** then responded by saying that is not me. Officer Clifton asked **** ** if he took a picture when he started his job, and he said not at all the places where he worked. Officer Clifton asked **** ** if he took a photo when he started at Mountain View Cold Storage, and **** ** said no.

Officer Clifton asked ***** if he took a photo when he started at Brandt Farms, and he said no.

***** began to telling Officer Clifton that he was not involved in anything and that he could go to his 'girl's' house (***** and question her. ***** told Officer Clifton that ***** would tell him he was with her the whole time. Officer Clifton asked ***** what was *****'s date of birth, and he said he honestly did not know. Officer Clifton asked ***** where ***** resides, and he said the second house on Magnolia way as you come from Crawford Avenue, turning right. ***** said it was the second house on the left.

***** continued to tell Officer Clifton that he was with ***** the whole time. Officer Clifton asked ***** how much longer he was going to "play this lie." ***** told Officer Clifton that he is not lying. Officer Clifton told ***** that he saw him get out of the vehicle, run and jump the fence. ***** said hell no way, that was not me and told Officer Clifton he was in the maroon car the whole time. ***** told Officer Clifton he saw the cops flashing the lights and he was in the maroon car during all this time. ***** told Officer Clifton there was a cop flashing a bright light at Crawford and Gloria. ***** said the cop was flashing the light the whole time when he exited the maroon car. ***** told Officer Clifton, when he exited the maroon car, the cop was flashing the light. Officer Clifton told ***** that he saw him get out of the car, and ***** said, "But Officer it was not me." ***** said that is false identification. Officer Clifton told ***** that it was him. ***** told Officer Clifton it was not him and he has no business being out in the street. ***** told Officer Clifton that he is not bull shitting him and he is telling the truth from the bottom of his heart.

Officer Clifton told ***** that he found the black pants and grey shirt in his room. ***** said they were black shorts and a white shirt. Officer Clifton asked ***** "Those black pants are not yours?" ***** responded, "Those are freshly washed, I was not wearing those." Officer Clifton told ***** the pants that he found were not freshly washed. ***** told Officer Clifton that his black pants are freshly washed and was adamant that he has not used them. ***** said he is telling the truth from the bottom of his heart. Officer Clifton told ***** that he has multiple pairs of black pants, and ***** said he only has two. Officer Clifton said some of them were in his closet stacked up high, and ***** said those were sweat pants and regular pants. ***** said those pants and sweat pants are freshly washed and he was not wearing them today at all.

Officer Clifton asked **** ** "So you are just going to roll with this?" **** ** told Officer Clifton, it was not him, and he was with **** the whole time. **** ** told Officer Clifton again that he is not lying and is not wasting his time. Officer Clifton told **** ** that he was going to the county jail tonight for felony evading, and **** ** responded, "Are you serious?" **** ** told Officer Clifton that he has no business in the streets and he was with **** the whole time. **** ** told Officer Clifton to go and investigate ****, and Officer Clifton told him he was, but he was still going to jail. **** ** told Officer Clifton it was not him and that he had no business in the streets. Officer Clifton told **** ** that it was him and he was like ten feet from him. **** ** continued to tell Officer Clifton it was not him.

Officer Clifton asked **** ** if that is what he was going to stick with, and he told Officer Clifton that is what he is going to stick with. **** ** said he wants to talk with his parents because he wants them to get him an attorney. **** ** said that was not him. Officer Clifton told **** **, "You know you have a right to an attorney." **** ** told Officer Clifton, "Trust me, it was not me, and Officer Clifton asked **** whose car was it. **** ** said he does not know what car he is talking about. Officer Clifton said it was a "dead giveaway" when he told him you guys were looking for someone. **** ** told Officer Clifton that **** told him over a phone conversation, and Officer Clifton cut him off by saying it was a "dead giveaway." **** ** told Officer Clifton that **** told him over the phone that they were looking for someone. **** ** said he got off the phone with **** and this is when you guys (police) showed up at the front door.

Officer Clifton asked **** ** why he went inside to take a shower, and he told Officer Clifton that he was "hooking up with his girl" the whole time. **** ** told Officer Clifton that he was 'hooking up' with **** inside her car the whole time. **** ** said he went inside to take a shower and when he went outside he was asked why he was sweating. **** ** said he was not sweating and it was because he just got out of the shower. Officer Clifton said he did not say he was not in the shower, but that he was out of breath and that he barged into his house. **** ** told Officer Clifton all I have to say is I'm not lying to you. **** ** told Officer Clifton that it was false identification. **** ** told Officer Clifton he guarantees there is someone in that area hiding in someone's back yard. Officer Clifton told **** ** that there isn't. Officer Clifton told **** ** the K-9 went straight to his house. **** ** said he was 'hooking up' with his girl in the car the whole time. **** ** told Officer Clifton he has not come across him the entire night up until he knocked on his door. Officer Clifton asked **** ** "Is that all

you have?" **** ** told Officer Clifton that was all he had and he was not guilty of anything.

Officer Clifton told **** ** he was going to county jail and asked him if he is gang affiliated. **** ** told Officer Clifton he was not. Officer Clifton asked **** ** if he has ever been in the county jail before, and **** ** told him he had when he was nineteen. **** ** said he was on probation for a burglary he committed when he was nineteen. **** ** said he has stayed away from trouble ever since and discharged from a five year probation term. **** ** told Officer Clifton he is claiming it was him, but that he was mistaken because he has no business out in the streets. **** ** told Officer Clifton that he was inside ****'s maroon car the whole time and said he is pretty sure he saw that car in front of his house. Officer Clifton asked **** ** for ****'s phone number, and he said it is saved in his cell phone.

Officer Clifton told **** ** he is digging himself deeper, and he said he is not. Officer Clifton said that his employer is looking for information, and **** ** continued to say it was not him. Officer Clifton asked **** ** what other name has he worked under, and he said, "****, that's my last name." **** ** said every job he's had is under ****. Officer Clifton asked **** ** who **** is, and he said he has no idea. **** ** said every job he has worked at, he has used his legit name, ****.

Officer Clifton asked **** ** how long was he unemployed before starting at Mountain View Cold Storage, and he said for about a month and a half. Officer Clifton asked if he clocked in at the places he worked, and he said not all of them. **** ** said at Mountain View Cold Storage you don't clock in, they write it on paper. Officer Clifton asked **** ** who is his direct supervisor, and he said he does not really know his name because he just started. Officer Clifton asked **** ** what they think his name is and he said ****. **** ** said everywhere he's worked he's used his name, ****. **** ** said he uses his legit social security number and his legit name, ****. **** ** said he is not an immigrant or anything like that so he uses his legit name. Officer Clifton asked **** ** if the people who he got the vehicle from are going to be able to identify him. **** ** said he did not know because he does not know which vehicle he is talking about. Officer Clifton said they were going to come an identify him, and **** ** said that is fine because he was not driving any vehicle. Officer Clifton told **** ** his phone is going to get pinged and it will show where he was at. **** ** said that's fine. Officer Clifton asked **** ** how long was he in front of

his house, and he said for about 15 - 20 minutes. Officer Clifton asked **** ** where he was before this, and he said at ****'s house. Officer Clifton asked **** ** how long he was at ****'s house, and he said for a couple of hours. Officer Clifton asked **** ** what time he went to ****'s residence, and he said about 10:00 PM. Officer Clifton asked **** ** what time he got home and he said about 2:00 AM.

**** ** said he was inside the car with **** in front of his house and this is when you guys pulled up. Officer Clifton asked **** ** if he was inside the car the whole time, and he said yes. Officer Clifton asked **** ** if he walked inside his house and he said he did. Officer Clifton asked **** ** if anyone (police) said anything to him. Officer Clifton said, "You said that you saw officers in front of your house" and **** said yes. **** ** said he saw officers at the corners of the streets, on the neighbor's side and at the 'T' of Crawford and Gloria. **** ** said he went inside and **** left. **** ** said he told **** to let him know if she gets pulled over or to let him know when she gets home. **** ** said **** got home and she called him. Officer Clifton asked **** ** if **** got pulled over, and he said according to her she did. **** ** said he does not think she would have any reason to lie to him.

**** ** said once he got off the phone with ****, he jumped in the shower and then his sister told him the cops were at the door. **** ** said he went to the door and opened it. **** ** said if he was involved, he would have not opened the door. **** ** said it was not him and he is not ****. Officer Clifton told **** ** that he identified him, because he saw him get out of the car. **** ** continued saying it was not him. Officer Clifton said he found black pants in the hamper, and **** ** said those were black shorts.

Officer Clifton asked **** ** if he had any cuts on his hands or arms. **** ** showed Officer Clifton including his back (**** didn't have a shirt on during this time) and revealed no injuries.

Officer Clifton asked **** ** where he banks and he said Bank of the Sierra. Officer Clifton asked **** ** how long he's banked there, and he told him he is not sure but it's been a while. Officer Clifton asked **** ** if he has an ATM card there, and he said he did. Officer Clifton asked **** ** how he gets his checks deposited and he said usually direct deposit. **** ** said he does not know how he will get his first check since he just started working at the cold storage. Officer Clifton asked **** ** when was the last time he had checks directly deposited into his bank account, and he said he honestly did not know. Officer

Clifton had what appeared to be checks or check stubs when he asked ***** if any of those checks are going to be deposited into his account. ***** said no sir. Officer Clifton told ***** that when he finds out where the checks were cashed he is going to look at video. ***** told Officer Clifton that it will not be him. ***** said, "I give my word on that."

Officer Clifton asked ***** how long he's known ***** and he said since about March of 2019. Officer Clifton asked ***** if he wanted to provide anything else, and he said he was not involved and was with ***** the whole time. ***** told Officer Clifton that he needs to go investigate her because he was with her the whole time. ***** said he was with ***** the whole time when the police arrived on his street. ***** said you could go investigate ***** , and Officer Clifton said he would. Officer Clifton thanked ***** and told him he was not going to take him to county jail yet because he was going to do some more follow up. Officer Clifton said he was going to possibly interview him some more, and ***** said that was fine.

INTERVIEW OF ***** BY CLIFTON AND GONZALEZ

On July 7, 2019 at approximately 5:50 AM, ***** was interviewed by Officer Clifton and Officer Gonzalez was translating. ***** only spoke Spanish. Through translation, Officer Gonzalez told ***** that Officer Clifton wanted to verify some things that were told to him with some of the things that are evidence. Officer Gonzalez asked ***** how she knows ***** , and she said she is with him, meaning in a relationship. Officer Gonzalez asked ***** if she was with ***** last night and she said they were. ***** said she had a missed telephone call from ***** and later received a text message from him asking if he could come visit her. ***** said ***** came over around 10:00 PM. ***** said they were together the whole time since then till about 1:00 AM or when ***** was going to go home. ***** said ***** was going to walk home, but she told him she would give him a ride. ***** said she drove ***** to his house and they parked out in front of his residence in the street. ***** said while they were still in the car, they saw that something happened with the police as they saw police vehicles in the area.

Through translation, Officer Gonzalez asked ***** what ***** was wearing. ***** said ***** was wearing a white shirt and shorts. ***** was not positive of the color but believed they were black and also had on white Nike shoes. Officer Gonzalez asked where does ***** work, and she said at a packing house somewhere near Alta Avenue. ***** said ***** has been working there about a

week or two, but was not positive. Officer Gonzalez asked ***** where ***** ** worked prior to this, and she said at another packing house and this is where she met him.

NOTE: I could not make out the name of the packing house ***** mentioned, but Clifton told Gonzalez that he knows which one she was referring to.

Officer Gonzalez asked ***** when **** ***** ** worked there, and she said it was during orange season, but did not specify a month or day other than it was during the cold season. Officer Gonzalez asked ***** when was the last time ***** ** worked there, and said she was not sure. Officer Gonzalez asked ***** if she knows if ***** ** worked at another place after this, and she said at a winery, but was not really sure. ***** said he worked at Family Tree as well and some other packing house but does not recall. Officer Gonzalez asked how long did **** ***** ** work at the business where they make cardboard boxes. ***** said she does not know and appeared not to know what business he was referring to.

Officer Gonzalez asked ***** how well she knows **** ***** **, and she said they are dating and are in a relationship. ***** said she does not know if **** ***** ** has done anything wrong in his past, but for the time she has known him, he has been a good person.

Officer Gonzalez asked ***** what type of car **** ***** ** drives, and she said he has a BMW. Officer Gonzalez asked ***** when he bought the other car, and ***** said she does not know. ***** said the other car **** ***** ** drives is his father's car. Gonzalez asked ***** what color is **** *****'s **'s father's vehicle, and she it's like a grey color. ***** said that it was the car that was parked in the driveway of ***** **'s house. ***** said it was the car that was parked there when the police were there.

***** said that she does not know what happened yesterday, but **** ***** ** was with her. Officer Gonzalez asked what incident or thing was she referring to, and ***** said whatever you (police) guys were investigating. ***** said they were parked next to the car she is referring to as **** ***** **'s father's car. ***** said they were in her car when you guys (police) arrived in the area.

Officer Gonzalez asked ***** if she talked with **** ***** ** at all after he exited her car. She said she called him after he she got home. ***** said she told **** ***** ** that the police had stopped her and checked her car after she left his house. ***** said ***** ** asked if everything was okay, and she told him yes and that she was

home. ***** said she told ***** that the police were looking for someone. ***** said the call she made to ***** is on her cell phone.

Officer Gonzalez asked ***** if they went somewhere last night, and she said they went to the store (Liquor Locker) to buy some chips and snacks. Officer Gonzalez asked what time they went, and she said she was not sure but it was still open. ***** guessed that they were there at about 11:00PM. ***** said she waited in the car and ***** went in by himself. Officer Gonzalez asked what car they went in, and she said in the red car that he (Officer Gonzalez) saw her in.

Officer Gonzalez asked again, what they had talked about on the phone after she left. ***** said that ***** asked her if everything was okay and she told him yes. ***** told ***** she was okay and got home safe. ***** said she told ***** that the police had stopped her and searched her car. Officer Gonzalez asked if she was in the car when all the police arrived, and she said yes. ***** said she is not sure if he (while pointing at Officer Clifton) was. ***** said when the cops arrived in the area, they (***** and she) were looking for *****'s cellphone which he had misplaced. ***** said they were looking inside of her car and she told him to go inside his house to see if it's inside. ***** said ***** went inside his house then came out with his cell phone. ***** said ***** told her that his cell phone was inside his house. ***** said ***** then went back into his house. Officer Gonzalez asked if the police were already there during this time, and she said yes. Officer Gonzalez asked if everything she was telling is the truth, and she said yes. Officer Gonzalez asked if she was covering for ***** , and she said no. ***** said if she is lying, you know where she lives. At this time Officer Clifton and Officer Gonzalez thanked ***** for coming in and talking to them. ***** asked if they were going to release ***** , and Officer Gonzalez told her no.

Through translation, Officer Gonzalez asked why ***** worked under a different name, and she said she did not know. When ***** responded she shrugged her shoulders as to indicate she did not know what they were talking about. ***** said she was just finding this out as he was telling her. Officer Gonzalez asked ***** what name she knows him by, and she quickly responded, "*****". Officer Gonzalez asked once again how long they known each other. ***** said she was not very positive, but it was during the cold season.

Officer Gonzalez asked if she went with ***** to his friend's house last night, and she said yes. Officer Gonzalez asked which friend, and ***** said she does not know his name. ***** said she does not speak English, but knew it was something about *****'s friend lending him some money. ***** said ***** asked her if

she could take him to his friend's house and she said yes. ***** said she took him, and he got the money from his friend. ***** said they went to the store after that. Officer Gonzalez asked ***** where *****'s friend lives, and she said he lives on the street off of Crawford just after the signal light. ***** said it was like the third house in from Crawford. She said she is not very familiar with the street names, but knows how to get around town. ***** said she could take them there. Gonzalez asked ***** how long they stayed at *****'s friend's house. ***** said for a short time, just to get the money and his friend said goodbye.

Officer Gonzalez asked ***** if she went to Jack in the Box with ***** Jr, and she said no. ***** laughing said, unless he has another girlfriend.

NOTE: Officer Clifton said he found a Jack in the Box receipt in the car, but Officer Gonzalez did not mention that to ***** and Officer Clifton asked another question to be translated.

***** said from the time ***** went over to her house to the time he went into his house, they were together. ***** said she does not know what he did before that. Officer Gonzalez asked ***** how long ***** remained in his house when he entered to look for his phone. ***** said she is not very sure but said about five minutes till he came out to tell her that he found it. Officer Gonzalez asked if there was any way ***** could have left. ***** said no, and she is 100% sure, he was with her all that time, from the time they met up till the time he went back inside his house. ***** said there is no way that he could have left. Officer Gonzalez asked ***** who went with ***** to Jack in the Box, and she said she did not know. ***** said if he did go it could have been with one of his nieces, because they are visiting from Mexico. Officer Gonzalez asked if ***** went to Jack in the Box before going to her house, and ***** said if he went to Jack in the Box, he went before. ***** said she did not go to Jack in the Box. ***** said that the chips and snacks that they went to pick up at the store were for his nieces and cousins.

Gonzalez and Clifton thanked her again for coming in, and ***** said she hopes that everything gets clarified. This concluded the interview.

INTERVIEW OF ***** BY CLIFTON

On July 7, 2019 at approximately 8:30 AM, Officer Clifton interviewed ***** in a Dinuba Police Department interview room. Officer Clifton told ***** that his phone number came up in *****'s cellphone and that he had visited him today. ***** told Officer Clifton he did visit him. Officer Clifton asked ***** how long has

he known **** **, and he said for about two years. ***** said ***** ** texted him asking him to borrow twenty dollars and he replied to him yes. ***** said he was at his friend's house on Gerald (Avenue) when ***** ** arrived to pick up the twenty dollars he was going to lend him. ***** said ***** ** was with a 'girl' when he arrived to pick up the money. ***** said he gave him the money and **** ** left.

Officer Clifton asked ***** how well he knows **** **, and ***** said he knows him pretty well. Officer Clifton asked ***** if he knew where **** ** was working. He said he knows he was working at a packing house but did not know which one. Officer Clifton asked ***** what did **** ** show up in (what car) to pick up the money. ***** said he was not sure and it was pretty late, so he just gave him the money and he left. Officer Clifton asked ***** how many cars **** ** has. ***** said he only knows of a BMW and does not know of any other vehicles that he might have.

Officer Clifton asked ***** what **** ** was wearing last night, and he said he did not remember. Officer Clifton told ***** that **** ** was arrested yesterday and ***** asked if he could know why. Officer Clifton told ***** that he was not sure if he could disclose why, but there were some items in the car. Officer Clifton told ***** he is trying to verify his story (**** **'s) and it is not adding up with all the people he has talked with. Officer Clifton told ***** he is trying to figure out what or how many cars **** ** drives. ***** said he believes **** ** might use his parent's car because his car was crashed into.

Officer Clifton asked ***** when was the last time he saw **** ** in a different car, and he said a couple of days ago. ***** said **** ** was driving his dad's Malibu. Officer Clifton asked ***** if he has seen **** ** in the new silver two door car he has, and he said no. ***** said he is currently working in Reno and came down for the Fourth of July. He said he had not seen **** ** for some time so he would not know if he was driving something different. Officer Clifton asked ***** if he has seen **** ** driving in the Eclipse, and ***** said he has not. Officer Clifton asked ***** what **** ** was wearing, and ***** said he believes he was wearing shorts. ***** said that this is all he could remember and said **** ** is always wearing shorts.

Officer Clifton asked ***** what **** **'s full name is, and he said he knows him as Junior. ***** said he knows him as **** ** and does not know any other names he might go by. This concluded the interview.

TULARE COUNTY REPORT 19-08296

On August 27, 2019 at approximately 3:00 PM, I contacted Tulare County Sheriff's Department and requested a copy of report 19-08296. This is the report authored by Deputy Javier Montoya regarding his assistance and investigation with Officer Clifton's pursuit:

On July 07, 2019 Deputy Javier Montoya was assigned to the Cutler/Orosi/ Substation as a patrol deputy with his K9 partner, Tex. Deputy Montoya reported he was wearing his full duty uniform consisting of green BDU pants, a tan load bearing vest with yellow "SHERIFF" patches, Sheriff's badge above his left chest pocket and tan uniform short-sleeve shirt with "TULARE COUNTY SHERIFF" patches on both of his sleeves. Deputy Montoya was driving a marked Tulare County Sheriff's Department K9 patrol unit (133).

At 2:27 AM, Dinuba Police Department (DPD) requested a K9 search after the driver of the vehicle they were involved in a pursuit crashed at the intersection of Park Way and Crawford Avenue and the driver fled on foot.

At 2:35 AM, Officer Montoya arrived and contacted Dinuba Police Department, Officer R. Clifton, who advised the driver had fled in a northwest direction from the vehicle. Officer R. Clifton advised the driver was currently wanted for CVC 2800.2 (Felony Evading).

Deputy Montoya responded to his patrol unit and retrieved his K9 partner, Tex. Deputy Montoya approached the last area where the suspect was last seen running through. After several K9 announcements were given, Deputy Montoya gave his K9 partner the command to track.

Deputy Montoya's K9 partner began to track northwest through the backyard of the residence and into Gloria Avenue. He then proceeded north along the sidewalk and immediately to the front door of *** Gloria. After several K9 announcements were made, they made contact at the front door with a male who Officer Clifton immediately recognized as the driver who had fled from the vehicle.

The male was immediately confrontational and was advised to turn around or his K9 partner would be released. The male complied and was successfully detained without incident.

The male was later identified as **** from Dinuba. For further information refer to Dinuba Police Department, Officer Clifton case number DF1902030.

At 3:09 AM, Officer Montoya responded back to his patrol unit and secured his K9 partner Tex without incident. Officer Montoya said it should be noted, the track distance was approximately 150 yards from the vehicle to the area where he was located and approximately 25 minutes in length. This was the end of Deputy Montoya's Narrative to the report.

On August 27, 2019, I called Liquor Locker located at 159 North Crawford Avenue. I inquired if they had video surveillance for July 6, 2019 regarding **** arriving there at approximately 10:00 PM as mentioned in **** Jr's interrogation and interview of ****. I was later notified that the video at the store recycles after a week and there is no video available.

On August 28, 2019, I contacted *****, **** and **** by telephone and set up appointments to interview them the following day.

On August 29, 2019 at approximately 4:12 PM, I interviewed ***** in my office. ***** related the following information to me.

NOTE: For purposes of this report the ****s that were interviewed will be referred to by their first name.

***** **** (*****)

I told ***** I was investigating an incident that occurred on July 7, 2019 between 2:00-3:00 AM, and asked her if she knew what I was referring to. ***** said yes. I asked ***** to tell me what she recalls. ***** said she was awoken by her kids advising her that police officers were outside of the residence and wanted everyone to exit immediately. ***** said she was the last one to awaken and the last one to exit the residence. ***** said she was half asleep and the police barely gave them a chance to dress up but not enough time to put on shoes. ***** said they (police) asked her if she was the last one in the house and she told them she was. ***** said once she exited, the police began entering the house. ***** said as they started going in, her kids told her that they did not have a warrant. ***** said she asked the officers if they had a warrant and one officer said they did not need a warrant because it was a "fresh case" and they did not need one. ***** said she did not know the officers name that said that and described him as a chunky guy with glasses.

I showed ***** a photo of *** Gloria Avenue from Google utilizing my computer. I also had a printed paper copy of this photo which is labeled IA#19-02 #2. This photo is a view of the front of the residence. Utilizing the photo, ***** said the

police officers had them stand on the cement portion in front of the residence. I asked ***** who was there standing with her. ***** said her husband, her two young daughters, her niece a nephew and her oldest daughter. ***** said they had her son ***** in handcuffs and standing under the tree. The tree is located just a few feet from the cement portion where she said they were standing. I asked ***** the ages of her two younger daughters and she said ***** is 16 and ***** is 13. I asked ***** if her daughters were still up before the police arrived, and she said they were. ***** said her husband and she were already sleeping. I asked ***** if her son, ***** was in handcuffs before she was awakened, and she said he was.

I asked ***** if the officers entered her residence, and she said they did. I asked ***** how many officers entered, and she said she was half asleep but said there were about three that entered plus a K-9. I asked if she could differentiate between a police uniform and a sheriff's uniform, and she said she probably can, but she was half asleep. I asked ***** if the K-9 Officer had a different uniform, and she said he did. I asked ***** how long the officers were inside her residence, and she said 10 or 15 minutes. I asked ***** if she saw the officers take any items out of her residence. ***** said no, but it appeared they ransacked her restroom. ***** said her residence has two restrooms and one is located inside her master bedroom. I asked ***** who uses her master bedroom restroom, and she said she and her husband, as well as her two younger daughters. ***** said her son and older daughter use the hallway bathroom. ***** said her son, ***** and his daughter ***** are not allowed in her bathroom because they utilize the hallway bathroom. ***** said they dumped her dirty laundry basket on the floor as if they were looking for something.

I asked ***** if she spoke with any of the officers, and she said she asked if there was a warrant. ***** said this is when she was told it was a "fresh case." ***** said she asked why her son was being arrested and one of the officers told her, "He's a big boy, he can tell you." ***** said one officer took her back inside her residence and asked for her son's name and date of birth. ***** said he also asked her what vehicle he drove. I asked ***** if she recalls what she told the officer, and she said she told him his name and date of birth. ***** said he also asked if her son had a brand new car and she told him no. ***** said she told the officer that ***** has a piece of junk car parked in her patio and full of dust. I asked ***** if she could describe the officer that spoke with her, and she said she was half asleep and could not recall. ***** said it's been a long time and could not remember their faces. ***** said she recalls the officer mentioning "new vehicle,

new vehicle". ***** said he asked her when was the last time she had seen ***** **, and she told him about 10:00/10:30 PM before she went to bed.

I asked ***** if she asked her son **** ***** ** anything while he was outside, and she said she asked him but he kept quiet. ***** said she later learned the officers found black pants in her restroom which they had ransacked. ***** said **** ***** ** told her that if he was going to run from the police, he was going to wear a pair of pants that are going to fit him. ***** said her husband is a size 30/32 and her son is like a 34/36. ***** said this was told to her after. This concluded the interview with *****.

At this time, I exited my office and contacted ***** who was in the PD lobby waiting. I interviewed ***** in my office. ***** was also present at her request. The following is a summary of *****'s statement.

***** *****

I explained to *****, that I was investigating an incident that occurred on July 7, 2019 sometime between 2:00 AM and 3:00 AM. I asked ***** if she knew which incident I was referring to, and she said she did. I asked ***** to tell me what she recalls. ***** said she and her cousin were in her room watching YouTube videos. ***** said her sister had gotten up and told them she was hearing noises in the back yard. ***** said they heard the cops banging on the front door. ***** said they opened up the front door and they were all scared. ***** said they had to wake up her mom and dad. ***** said her brother **** ***** ** got out of the shower and the cops started asking him "Why are you sweating". ***** said her brother told the cops that he just got out of the shower. ***** said the cops took her brother and her parents came out of their room.

I asked ***** what her cousin's name is, and she answered ***** age 16. I asked ***** if the ones making the noises in the backyard were the police officers, and she said she believes they were. Utilizing the same Google photo of *** Gloria Avenue, I asked ***** where she heard the noises coming from. ***** pointed to the side of the house where a side window is located. ***** said she also could hear what sounded like a police radio and this is why she believed it was the police. I asked ***** if she recalls hearing noises in her backyard, and she said she does not remember. ***** said when they heard the noises they went to tell her brother ****

**** ** who was in the shower. ***** said **** ***** ** began hurrying to come out of the shower and this is when they began knocking at the front door.

I asked ***** when she figured out that it was the police, and she said when she was in the hallway. ***** said she was afraid to go out and she did see the lights and believed it was the police. I asked ***** who answered the door, and she said her brother ***** ** I asked ***** what happened after he opened the door, and she said she recalls one of the officers asking him why he was sweating. ***** said ***** ** told him that he had just gotten out of the shower. ***** said they started accusing ***** ** of something and then they handcuffed him. I asked ***** where they kept ***** ** and she said in the police car.

***** said the police made everyone come out of the house and wait while they went in to search. ***** said a police dog also went into the house with the police. I asked ***** if she remembered what color uniform the police officer handling the dog was wearing, and she said she could not remember. ***** then said he was wearing something different after I asked her if she could differentiate the difference between what Sheriff's Deputies wear and municipal police wear. I asked ***** if she knows how long the officers were inside her residence, and she guessed between 10-15 minutes. I asked ***** if she saw the officers take anything out of the residence, and she said she did not see and didn't know. This concluded the interview with *****.

On August 29, 2019 at approximately 4:43 PM, I interviewed ***** in my office. The following is a summary of his statement. ***** is Spanish speaking only.

***** *****

I told ***** that I was investigating an incident that occurred on July 7, 2019, between 2:00 AM and 3:00 AM. I asked ***** if he recalls that incident, and he said he does. I told ***** to tell me what he recalls. ***** said he was sleeping when his kids were in the living room saying the police are here. ***** said he got out of bed and went to see what was occurring and noticed that his son ***** was under arrest. ***** said he was half asleep and did not know what was occurring. ***** said he learned that they needed to exit the residence. He said once his wife ***** exited, the police said they were going into the residence. ***** said he did not know the reason why they wanted to enter. ***** said they had a dog and they entered his residence. ***** said they went into the rooms searching for something. ***** said they dumped a basket of clothes on the

ground and he does not know why. **** said he told his wife to ask the officers why they are entering just like that because we have done nothing wrong. **** said his wife asked an officer that was standing there if they had permission to enter and the officer said in this situation they don't need permission.

**** said his kids were traumatized and couldn't sleep. **** said they did not want to go back to their rooms or be alone. **** said he knows that the police are doing their job. **** said there was an officer that was very upset and does not know why. **** said he understands some or a little English and he was listening to some of the things that were being said. I asked **** if he could describe the officer that was upset, and he said he was an American and believe he was from the Sheriff's Department. I asked **** how the officers treated them, and he said well they just made us go outside. I asked **** how long the officers were inside their residence and he said not that long. I asked **** if they were inside for more than 5 minutes and he said yes. I asked if it was more than 10 minutes and he said right around 10 minutes. I asked **** if the officers came out of the residence with any property, and he said no.

I asked **** how many officers entered the residence, and he said he believes it was three. I asked **** if the officers said anything after they exited his residence, and he said no. **** said his wife asked the officers if they were going to take their son **** and he said one of the officers told her he is kind of big, he knows what he does. **** said they took his son and they just stood quietly.

NOTE: I believe in this statement **** was referring that what ***** said in her statement when she said the one of the officers said, "He's a Big Boy" while referring to her son **** **

I asked **** if the officers asked him any questions, and he said no. **** said they did question his wife, but does not know what they asked. **** said she was questioned outside, and I asked who questioned her. **** said she was questioned by that same officer that was upset. I asked **** if they asked about a car, and he said he heard they had chased someone from a car, but he did not know exactly what they were saying. This concluded the interview with ****

On August 29, 2019 at approximately 5:04 PM, I interviewed **** in my office. The following is a summary of ****'s statement.

**** **

I told ***** that I was investigating the incident that occurred on July 7, 2019, sometime between 2:00 AM and 3:00 AM. I also told ***** that I received his complaint form with a typed statement which he advised he typed. I asked ***** to tell me about the incident. ***** said he was at *****'s house (***** and left with her to a friend's house to pick up money he was going to borrow. ***** said once he picked the money from his friend, they went to Liquor Locker to buy his siblings and cousins some items. ***** said they went back to *****'s house and then back to his house. ***** said they stayed in the car outside in front of his house till about three in the morning. ***** said he remembers while they were in the car, he saw Dinuba PD arrive at both corners of the block where he resides. ***** said the police had their bright lights on Echo and Gloria Avenue. ***** said another officer had his bright light on at the 'T' of Park Way and Gloria. ***** said the two police cars had their lights on down his street from both directions. ***** said he figured they were looking for someone.

***** said that ***** left but was not sure what time it was and guessed it was about 3:00 AM. ***** said as soon as ***** arrived at her residence, she called him to tell him what happened. ***** said ***** told him that the police pulled her over and he asked her what was going on. ***** told him that the police were looking for someone and they made her pop her vehicle's trunk. ***** said he told ***** to have a good night and left it at that. ***** said he then went into the shower and he shortly heard what sounded like someone was trying to force their way into his house. ***** said all his siblings got scared and they are all females. ***** said he is the only guy, so his siblings panicked and told him that someone was outside. ***** said he got out the shower to see what was going on. ***** said once he opened the front door, he saw two 'sheriffs' and one Dinuba PD officer. ***** said they stared at him for a couple of moments like they were not sure. ***** said it was like an awkward silence. ***** said he was half wet because he didn't dry himself and had only put on his shorts and sandals. ***** said one of the officers asked, "Is it him" and they were not sure. ***** said he told the officers he just got out of shower, "What's going on?" ***** said as soon as he said that, they wanted to put him in cuffs. ***** said they pretty much accused him of running from them.

I asked ***** how he knew there were two sheriff's deputies, and he said because the way they were dressed. ***** said they were dressed in green and brown and one had a K-9. ***** said he knew the other one was a Dinuba PD officer because he was wearing black. ***** said he believes this officer

was Officer Clifton but is not sure. I asked ***** who asked "Is it him," and he said most likely one of the 'sheriffs'. I asked ***** who looked confused when they contacted him, and he said all three. ***** said they also asked him why he was sweating and he said he told them the truth that he had just got out of the shower. ***** said they went off the judgement that he was wet, so they put him in cuffs. ***** said once they hand cuffed him they took him to the police car. I asked ***** if they asked him any questions, and he said they "Remanded me". ***** said they just pretty much told him his rights. I asked ***** if he was referring to his Miranda Rights, and he said yes. ***** said once he was in the police car, he did not get out till he arrived at the police station. ***** said they did not ask him any questions while he was in the car. I asked ***** if he asked the police any questions, and he said he does not remember if he did.

I had retrieved some photos from Google and placed them in Word Document and printed out on white paper. I also had my computer screen on Google displaying a photo of the front of *** Gloria Avenue which is where ***** resides. I asked ***** if he was with ***** inside her vehicle, and he said yes. ***** said they were parked in the street in front of his residence facing north. I presented IA#19-02 #2 which is a printed copy of the aforementioned photo of *** Gloria Avenue. Utilizing the photo, I asked ***** to mark where they were parked. ***** marked a line on the paper of IA#19-02 #2 indicating where the center of the vehicle he was in was located. It was approximately 15 feet from the residence south curb of the driveway. ***** also drew an arrow to indicate the front of the vehicle which was facing north. ***** said the vehicle was facing Echo Avenue.

I asked ***** when did he noticed the police presence. He said he knows that one of the police cars stopped at the corner of Echo and Gloria Avenue. ***** said this was the first cop to arrive and he came from Park Way. ***** said this officer positioned his car where he could see Echo and Gloria Avenue. ***** said the police car had its bright light on and it was flashing both ways (Echo and Gloria Avenue). ***** said he was flashing the light towards the car he was in and toward Echo Avenue. ***** said there was another police car and he was positioned at the 'T' of Park Way and Gloria Avenue. I asked ***** if he knew what type of police cars they were, and he said they were both Chargers. I asked ***** if he or ***** said anything when the police started showing up, and he said yes. ***** said they were curious as to what was occurring due to not seeing a lot of police cars going down his street every day. I asked ***** if he

heard anything before the police arrived, and he said no. I asked ***** if he saw anything before the police arrived, and he said no.

I asked ***** where they were seated inside the vehicle when the police arrived. He said he was in the back seat with ***** I asked ***** approximately how long they remained in the car after police showed up, and he said a good ten minutes. ***** said ***** and him even exited the car when the police were there. ***** said they were outside of the car for a good ten minutes while police were on scene. ***** said the police officer that was on Gloria and Park Way had his bright light on the whole time. ***** said he had the light on facing north towards where he resides. I asked ***** where they were standing outside of the car, and he said they were both in front of the car towards the front passenger side.

***** said after about ten minutes he went inside his residence and ***** drove home. ***** said he went to take a shower and ***** called him on the phone. ***** said ***** told him that she was pulled over by the police and that they were looking for someone. ***** said ***** told him the police made her pop her trunk. ***** said as he was speaking on the phone, he went to answer his front door and was met by police upon opening the door. ***** said the police looked confused when he opened the door, but he was still put in cuffs.

I asked ***** if he had his cell phone with him when he arrived at the police department, and he said yes. I asked ***** how was it that he had his phone with him, and he said when he went to the shower he took his phone with him. ***** said when he exited the shower he put on his basketball shorts and then placed his cell phone in his pocket prior to answering the front door. ***** said he arrived at the PD with only his phone and no wallet.

I asked ***** when he was placed in handcuffs and taken to a police unit, where was the police unit parked. ***** said it was parked right in front of his house. I asked ***** if the unit that was parked on Echo Avenue was still there when he was placed in the unit. ***** said he could no longer see that police car.

I asked ***** what direction of travel did ***** take when she left, and he said she went towards Echo (North). I asked ***** if he could see what was occurring at his residence when he was placed in the police car, and he said he had no view. I asked ***** if he talked with anyone, and he said he didn't and

didn't even get a chance to talk with his parents. I asked **** ** how long he was in the police car before leaving, and he said a good fifteen minutes.

**** ** said as soon as ***** turned on Echo, she was pulled over and they had her open her trunk. **** ** said this is what ***** told him over the phone.

I asked **** ** what happened when they arrived at the police station, and he said Officer Clifton tried to accuse him of something he didn't do. **** ** said that Officer Clifton asked him why he ran from him. **** ** said he had never seen Officer Clifton before in his life. **** ** said that Officer Clifton asked him if he worked under a different name and if he was a citizen. **** ** said he told Officer Clifton why would I work under a different name if I am a citizen. I asked ****

**** where Officer Clifton was asking him these questions, and he said in the interrogation room.

**** ** said Officer Clifton asked him why he knew they were looking for someone that was running from them. **** ** said he told Officer Clifton he was not the one being chased because he was not running from anyone, and told him that he knew because he was told before he was arrested. **** ** said he told Officer Clifton just because he knew they were looking for someone does not mean he was the one that ran from him. **** ** said that he told Officer Clifton the **** was pulled over by the police and she was the one that told him they were looking for someone. **** ** said that Officer Clifton told him they did not pull anyone over so how would she know. **** ** said he told Officer Clifton that **** would not lie to him.

**** ** said that Officer Clifton continued to accuse him of something he did not do. **** ** said he found out that Officer Clifton was lying to him once he was going to the county jail. **** ** said the officer that took him to the county jail is the officer that pulled ***** over.

NOTE: The officer that transported **** ** was Jorge Gonzalez based on booking records and police radio transmissions.

**** ** said he told Officer Gonzalez that he was in the car with the one (*****) that got pulled over. **** ** said he told Officer Gonzalez that Officer Clifton claimed they did not pull ***** over. **** ** said Officer Gonzalez said, "They said they didn't pull anyone over?" **** ** said he told Officer Gonzalez, "Yep Officer Clifton said." **** ** said he told Officer Gonzalez that he knows this woman (*****) would not lie to him. **** ** said that Officer Gonzalez said, "It's

funny because I'm the one that pulled her over". **** ** said Officer Gonzalez told him he does not know why Officer Clifton would tell him they didn't pulled anyone over when he did pull someone over. **** ** said he described **** to Officer Gonzalez. **** ** said Officer Gonzalez said that Officer Clifton outranks him so there is really nothing he could do about it. **** ** said he was transported to county jail. I asked **** ** if there was another person (prisoner) that went to county jail with him and he said there was.

**** ** said he told Officer Gonzalez that he was going to jail for something he did not do. **** ** said he told Officer Gonzalez he was with **** the whole night. **** ** said he told Officer Gonzalez how he passed by them in his police car and how he was flashing his police light. **** ** said he knew that Officer Gonzalez knew he was the one that had pulled **** over. I asked **** ** how he knew this. **** ** said he knew because Officer Gonzalez asked him, "You saw me?" **** ** said he told him yes he did see him. **** ** said he told Officer Gonzalez that he saw him park at an angle where he could see Echo and Gloria Avenue. **** ** said he told Officer Gonzalez he was in the maroon car in front of his house facing him. I asked **** ** if he told Officer Gonzalez that he was outside the car, and he said he did not tell him that. I asked **** ** if the other person (prisoner) was there listening, he said he was but he did not understand English.

**** ** said he told Officer Gonzalez that he was in the maroon car with **** for a good while. I asked **** ** what did Officer Gonzalez say, and he said he really could not say anything about that. **** ** said he told Officer Gonzalez that **** called him on the telephone while he was in the shower and told him she was pulled over. **** ** said Officer Gonzalez told him if he knew he didn't do it, to fight his case. **** ** said Officer Gonzalez told him "I know you are not lying to me, you described the woman." **** ** said Officer Gonzalez believed him because he described **** to him and he said that is the person he pulled over.

I asked **** ** to tell me more about what Officer Gonzalez said about being outranked. **** ** said that Officer Gonzalez told him Officer Clifton outranks him so he really could not do anything about it. **** ** said he really didn't know what he meant by that. **** ** said Officer Gonzalez told him just fight your case. I asked **** ** what happened next, and he said he got booked into the county jail.

I asked **** ** what happened to his phone, and he said they had taken his phone from him. **** ** said he last saw his phone at the police station. ****

**** ** said he was at the county jail for a day and a half, and Officer Clifton picked him up at the county jail. I asked **** ** when he got his phone back, and he said as soon as Officer Clifton brought him into town. **** ** said Officer Clifton had his cell phone in a property bag.

**** ** said to him it does not make sense that the officer who accused him of something he did not do, goes to the county jail and picks him up and drops him off at the front of his house. **** ** said Officer Clifton picked him up at the county jail and dropped him off at home and gave him his phone. **** ** said, "Who does that." **** ** said it didn't make sense to him.

I explained the process of PC 849 (b) and how and why he was released from the county jail.

I asked **** ** what he was wearing at the time of the incident, and he said black basketball shorts and a white shirt. I asked **** ** if Officer Clifton told him that he was wearing something different. **** ** said Officer Clifton said the person he was chasing was wearing black pants and a grey shirt. **** ** said he was wearing black shorts the whole night. **** ** said Officer Clifton told him he found black musty pants and as far he knows those pants were located in his parents shower. **** ** said he does not shower in his parents shower. **** **

** said those pants are his dad's and his dad is a 'buck sixty' and he is like 'two-ten.' **** ** said his dad is small and he weighs at least fifty more pounds than his dad. I asked **** ** if he has any other black pants, and he said yes, but they were all washed. **** ** said, if Officer Clifton would have looked in his room he would have found nothing but clean pants. **** ** said he is surprised they didn't damage his room. I asked **** ** how they would have known which room was his. **** ** said he has nothing but sisters and his room looks different from his sisters' rooms.

I asked **** ** if there was anything missing from his room when he returned from county jail, and he said no. **** ** said he has only two pair of black pants, blue shorts and the rest are basketball shorts. **** ** said all he wears is basketball shorts. **** ** said he told Officer Clifton that all his pants were washed. **** ** said if they found black musty pants, they would have found them in his parent's restroom. **** ** once again said he is much bigger than his father. I asked **** ** where he keeps his dirty clothes, and he said in his bedroom. I asked **** ** where he placed the shorts he was wearing, and he said he placed them on the couch in his room. I asked **** ** what he put on

after, and he said another black pair of shorts. **** ** said he has about five pairs of basketball shorts.

I asked **** ** if he spoke with Officer Clifton outside the interview room, and he said no. I asked **** ** who transported him to the police station, and he said Officer Clifton. I asked **** ** who booked him, and he said Officer Clifton. I asked **** ** if there were any other officers inside the booking room, and he said there was one officer, but he could not remember his face.

I asked **** ** if he told Officer Clifton that he went to a friend's house to pick up some money which he had borrowed. **** ** said he did because he needed the money to buy his siblings and cousins some chips and snacks. **** ** said **** drove him to where his friend was, which was located somewhere near JFK School. I asked **** ** if he exited the vehicle, and he said he did not and remained in the front passenger side. I asked **** ** if his friend could have seen what he was wearing, and he said yes. **** ** said he could have seen his white shirt and he said he is pretty sure. I asked **** ** if his friend was drinking, and he said he is not sure because he didn't ask him. **** ** said once he got the money they went to Liquor Locker, located on Crawford and El Monte Way. **** ** said he exited the car by himself while **** waited in the car. **** ** said they went back to his house and dropped off the snacks. **** ** said they then went back to ****'s house. **** ** said they were at ****'s house till about 1:00 AM and then went to his house. **** ** said they were parked in front of his house for about two hours when Dinuba PD starting arriving.

I asked **** ** if he recalls looking for his phone. **** ** said he does not remember looking for it and said he had it the whole time. I told **** ** if he recalls entering his residence and coming back out. I asked **** ** if he recalled losing his phone, and he said "Oh yeah, I lost it in her car." **** ** said right before **** left, they were looking for his phone and that is why they were outside the car. I asked **** ** if he went inside his house to look for his phone, and he said he did. **** ** said they were in the back seat of the car and said he really didn't want to speak about what they were doing in the back seat. **** ** said this is when he realized he had lost his phone.

**** ** said he went inside his house to retrace his steps in attempt to find his phone. I asked **** ** if the police were already there, and he said yes. **** ** said the police car that was on Echo and Gloria Avenue moved to a different location, but the one on Park Way and Gloria stood there the whole time with the bright light on. **** ** said he believes the officer at this location would have

seen him when he exited the car and went inside the residence. **** ** said he should have also been seen when they were outside the car for 10 to 15 minutes.

**** ** asked why he didn't harass him then instead of waiting till **** left. ****

**** ** said if the police were focused on something, they would have been focused on the street.

I asked **** ** if he came back to the car after he entered to look for his cell phone, and he said he did. **** ** said he didn't find his cell phone inside his residence and found it under the car seat of ****'s car. **** ** said when he went inside his residence, he was inside for about 3 to 4 minutes. **** ** said **** stayed outside and remained outside her car.

**** ** said **** drove home towards Echo and he went inside to take a shower.

**** ** said **** lives very close to his residence and she got home not very long after she was pulled over. I asked **** ** if **** called him before he took a shower, and he said yes right before he got into the shower. **** ** said it was a very short phone call. **** ** said he didn't take a complete shower because the police were trying to enter into his home.

I asked **** ** if he told Officer Clifton that he was with ****, and he said yes. I asked **** ** if he gave Officer Clifton ****'s full name, and he said yes. I asked **** ** if he asked Officer Clifton to contact ****, and he said yes. **** ** said he told Officer Clifton that ****'s contact information was in his phone. **** ** said he told Officer Clifton that he was not lying and **** would tell him everything he told him. **** ** said Officer Clifton insisted in not believing him. **** ** said he couldn't argue with someone (Clifton) like that. **** ** said if he acted up, it would make him look bad. **** ** said he told Officer Clifton to call **** and that he could look at the phone calls on his cell phone. **** ** said Officer Clifton stuck to his own story and didn't believe his. **** ** said after he was release from county jail, he called ****, and she told him she went to the police station to talk with the officers.

I asked **** ** if he told the officer that transported him (Gonzalez) to contact ****, and he said yes. **** ** said he told Officer Gonzalez that he was not lying and to make contact with ****. **** ** said Officer Gonzalez told him he would see what he can do, but never made anything clear to him.

I asked **** ** what type of vehicle **** drives, and he said it's a maroon 4-door Hyundai. I asked **** ** if he recalls any other vehicle parked in his driveway, and he said his sister's SUV, a red Dodge Nitro. **** ** said he does not recall

if any other cars were parked outside. I asked **** ** if his father's car was parked there, and said yes. **** ** said his father's car is a grey, 2004 Chevy Malibu. I asked **** ** where this car was parked, and he said he was not sure. At this time, the interview was concluded. I stopped the recording at 5:59 PM. At approximately 6:03 PM, I turned the audio recorder back on due to **** ** telling me the following outside after I stopped the recording.

I told **** ** to tell me what he told me after I stopped the recording. **** ** said when he was being taken to the county jail, he told the Hispanic Officer (Gonzalez) that he was being honest. **** ** said he told him he was being honest about where he was and he if he didn't believe him, he could go talk with **** himself. **** ** said he told Officer Gonzalez that **** will tell him exactly every detail he did tonight. **** ** said he told Officer Gonzalez that he would like for him to talk with ****. **** ** said he later learned that Officer Gonzalez went to talk with ****. I asked **** ** how he learned this, and he said he found out after spending a day and a half or two days in the county jail. **** ** said he called **** to tell her he was out of jail. **** ** said **** told him an officer (Gonzalez) came over to her house after sunrise and asked her to go to the police department to make a statement. **** ** said **** told him that Officer Gonzalez told her she was the only one that could help ****. **** ** said that **** told him that Officer Gonzalez said to her if he (**** Jr) is being honest like he said he is, you need to go downtown to give a statement especially if he is telling the truth.

**** ** said that right is right and wrong is wrong. **** ** said he feels like he needs to speak for himself and he is not lying to anyone. **** ** said he was being sincere with Officer Gonzalez, and he took it into consideration and contacted ****. I asked **** ** if **** told him that the officer that contacted her at her residence was the same officer that pulled her over. **** ** said yes. **** ** said he could not remember his name but it was the same officer which transported him. This concluded the interview.

On August 29, 2019 at approximately 6:20 PM, I interviewed **** ** in my office. The following is a Summary of her statement to me.

**** **

I told **** that I was investigating an incident the occurred on July 7, 2019 between 2:00 AM and 3:00 AM. I asked **** if she was familiar with incident, and she said she was. I asked **** to tell me about the incident. **** said she was getting ready to go to bed and her brother **** ** called her and asked her to open the

door. ***** said she opened the door for him and he went to take a shower. ***** said she had gone to sleep just before the police showed up which was about 20 minutes later.

***** said her cousin was staying in *****'s bedroom and he had gotten up to get a drink of water. ***** said while her cousin was in the kitchen he looked out the kitchen window and saw police lights. ***** said her cousin got scared since he is not from here. ***** said her cousin ran to advise them and during this time she heard banging as if someone was trying to force the door open. ***** said she went to her little sister's room who also had another cousin staying with her and told them the police were at the door. ***** said she went out into the hallway to peek out and she heard the police say open the door. ***** said her brother, ***** had just come in from outside and had been with his girlfriend. ***** said she did not want to open the door because she was scared, and she did not want cops pointing a gun at her or anything. ***** said she went to the restroom where ***** was taking a shower and let him know. ***** said she told her sisters to go wake her parents because they had their bedroom door locked.

NOTE: ***** identified her cousin as *****, age 16. ***** said ***** was visiting from Mexico and had already returned to Mexico.

***** said ***** got out of the shower and went to open the door. ***** said she heard something to the effect of, "Put your hands on your back and get on the floor." ***** said she recalls ***** asking what was going on and the police asked her sisters and cousins if anyone else was in the house. ***** said they asked them who was the person in the living room and they told them it was her (*****). ***** said the police told them to tell everyone to come out, and by this time everyone was up. ***** said they entered the house while they waited outside. ***** said the police told them they were looking for someone or something about a burglary. ***** said her mom, ***** asked the police why they were taking ***** and they asked her if she knew him. ***** said her mom said yes she knows him, and that it was her son. ***** said the police officer asked her if she was sure, and ***** told him yes, I'm sure.

***** said after the cops exited her residence one asked if ***** has a wife and they told them no. ***** said the same cop asked who *****'s mother was, and her mom ***** said she was. ***** said the officer took ***** inside the residence possibly to question her.

***** said they asked her questions like what type of car does **** drive and where does he work. ***** said she told them everything and they asked her when **** got home. ***** said she told them he got home about 20 minutes ago. ***** said one of the cops said to her, "More like 10 minutes ha?" ***** said she told him, "I told you 20 minutes". ***** said the officer made a smart remark and asked her for her name and phone number. ***** said she just gave them the information. ***** said her mom, ***** asked them why they enter the house without a search warrant and they said something to the effect of, "He's a felon or something."

I asked ***** how she knew that her brother was outside in a car. ***** said prior to the day, **** said he was going to be with some girl which is obviously his girlfriend. ***** said before they all went to bed **** and his girlfriend were outside in a car in the front yard. I asked ***** if she knew this or if someone told her. ***** said she saw when the car arrived and she knew he was going to be with her. ***** said she knew they were outside in the car but does not know if they were going to stay or go.

I asked ***** if she knows *****'s girlfriend name, and she said ****, but does not know her last name. I asked ***** if she has seen ***** before, and she said yes. I asked ***** if **** told her they were going to be outside, and she said no. I asked ***** if she saw them arrive in the car, and she said yes. I asked ***** if she knows what time they arrived, and she said she honestly didn't know. I asked ***** if they arrived before the police arrived, and she said yes way before in the day. ***** said she saw the car through the front window of the residence.

I tried to get clarification from ***** regarding the time and she said **** arrived about 3 or 4 hours before the police. I asked ***** if ***** went inside the residence, and she said no, but only when he went in to take a shower and go to sleep. ***** said she only saw him come in when he was going to take a shower and go to bed. I asked ***** if ***** told her anything, and she said he did not.

I asked ***** if her cousin was in *****'s room when ***** arrived, and she said yes. ***** said he exited the room because he had seen lights through the side window of *****'s room. ***** said her cousin went and opened the backdoor to look and saw lights. ***** said her cousin closed the door and went into the kitchen to get some water and this is when he heard "open the door." ***** said her cousin got scared and ran.

I asked ***** if she told the officers that **** had arrived home 20 minutes before the police arrived, and she said yes. I asked ***** if she knows which officer

told her, "More like 10 minutes," and she said she did not know any of the officers. I asked ***** if they asked her if ***** was outside, and she said no. ***** said they only asked her where he was working and what car he drives. I asked ***** what she told the officer, and she said she believes she told him that he works at a packing house or a cold storage somewhere on El Monte. ***** said she also told him that ***** drives a Beemer (BMW). ***** said the officer asked if ***** drives a car like straight out of the lot. ***** said she told the officer that ***** has never bought a car out the lot. ***** said the officer was referring if ***** has bought a car from a dealership. I asked ***** if they questioned anyone else, and she said only her mom. I asked ***** if they asked her for *****'s name, and she said she does not remember. I asked ***** if any officers came back to her residence later on, and she said she does not remember.

I asked ***** if there were any Sheriff's deputies with police officers, and she said she believes there were two "sheriffs" and one regular cop. ***** said one had a dog. ***** based this on the way they were dressed. I asked ***** who questioned her mom ***** , and she said she believes it was a "sheriff". I asked ***** if she ever told the officer that ***** was outside in the car, and she said no.

I asked ***** if there was a way to get a hold of their cousins, and she said she was not sure but they had bought cell phones while they were here.

On August 30, 2019 at approximately 3:30 PM, I interviewed ***** in my office along with her mother ***** . The following is a summary of *****'s statement.

I explained to ***** that I was investigating an incident that occurred July 7, 2019 between 2:00 AM and 3:00 AM. I asked ***** if she remembers what happened during that incident. ***** said that night her cousin ***** and her were in her room. ***** said they were on her phone and watched Netflix for a little bit. ***** said they finally decided to go to sleep and about 5 minutes later her cousin ***** and her sister ***** entered her room telling them the cops are here. ***** said she opened her bedroom door and she heard one of the cops say that everyone needed to get out of the house. ***** said they hurried up because they felt rushed and walked out without their shoes. ***** said they just basically exited the house as soon as they could. ***** said when she exited her house, she saw her brother ***** in handcuffs. ***** said the cops were asking questions and then took ***** and placed him into a police car.

I asked ***** if she saw **** enter her house, and she said no. ***** said they were in her bedroom the whole time. ***** said she only saw **** ***** ** when he was in handcuffs. I asked ***** if any officer spoke with her, and she said no. I asked ***** if any of the officers spoke with anyone else, and she said her mom, ***** and her sister, *****. ***** said that one officer spoke with her mother inside the house.

I asked ***** if she could distinguish the difference between a police uniform and a sheriff's uniform, and she said not really. I asked ***** if there were officers with different uniforms, and she said yes. I asked ***** if there was an officer with a dog, and she said yes. This concluded the interview with *****.

On September 3, 2019 at approximately 3:07 PM, I interviewed ***** in my office. The following is a summary of *****'s statement.

I told ***** that I was investigating an incident that occurred on July 7, 2019 between 2:00 AM and 3:00 AM. I asked ***** if she could tell me what occurred. ***** said she was with **** from around 10:00 PM that night until around 3:00 AM.

***** said she was inside her vehicle with **** parked in front of ****'s residence when the police arrived. She said it appeared they were looking for something. ***** said she was wondering what they might be looking for and ****

**** ** told her "who knows." ***** said she decided to go home shortly after that.

Before she left, **** ** told her to send him a message (text) or to call when she got home. ***** said she told **** ***** ** that she would. ***** said she left and ****

**** ** entered his residence. ***** said as she drove off, she made a turn and she was stopped by the officer.

NOTE: When ***** said she was stopped by the officer, she was holding a Dinuba Police Department business card with Officer Jorge Gonzalez's name. She said this was the officer that stopped her.

***** said as she was driving, Officer Gonzalez signaled her to stop and she did. ***** said that Officer Gonzalez asked if he could check her vehicle because there was a problem and they were looking for a person. ***** said she told Officer Gonzalez that he could check her vehicle and he did. ***** said Officer Gonzalez shined the light in her car and he said that it was okay. ***** said she drove home and when she arrived, she called **** ***** ** ***** said she told **** ***** ** that the police stopped her and he asked her why. ***** said she told **** ***** ** the police

told her that an accident had occurred and they were looking for a person that left. ***** said as she was talking with ***** ** on the phone, he told her, "Hold on, hold on". ***** said this is when the police were at his residence to do whatever they came to do. ***** said ***** ** was with her that whole night. ***** said ***** ** was with her from the time he showed up at her residence until the time she went home.

At this time, I showed ***** a Google Maps photo of *** Gloria Avenue on my computer screen along with IA#19-02 photo #2, which is a paper copy of the same photo. I told ***** that it was a Google photo of *** Gloria Avenue and I asked her if she was familiar with Google, and she said somewhat. I asked her if she was familiar with the location shown on the photo, and she said she believes its ***** **'s house. She said she rarely goes to his house and ***** ** is usually the one that visits her at her house. ***** said this was the second time she had been to ***** **'s residence. I explained to ***** so that she could be sure that ***** ** has *** Gloria Avenue listed as his address. ***** said that a lot of the houses look the same as they are built the same so it's confusing at times.

***** said she was outside of ***** **'s residence inside a red car. I asked ***** if the car she was in was her vehicle, and she said it's her daughter's vehicle. I had ***** mark on IA#19-02 where they were parked. ***** said they were parked next to a tree. ***** marked the location fairly similar to where ***** ** indicated they were parked. ***** marked a line to indicate the center of her vehicle to be parked approximately 15 to 18 feet from the south curb line of the driveway at *** Gloria Avenue. ***** said they were parked facing north towards Echo Street. I asked ***** how long ***** ** and her were inside her parked vehicle, and ***** said a good while. I asked ***** how long they were parked before the police arrived, and ***** said she does not want to guess or give a specific time, but said they were there a good while. I asked ***** if it was an hour, and ***** said she was not sure then said maybe half an hour, then said possibly an hour or so. ***** said she was not too sure, but wanted to be specific about the time, and said they were there a good while. ***** said what she could tell me was they were there before anything happened with the police and that something began occurring with the police. ***** said they began to see police lights and she asked or told ***** ** "I imagine what must have happened?" ***** said she was kind of embarrassed to get out of the car because of the police presence. She said ***** ** told her it's not as if they had to stay in the car forever. ***** said she saw a police unit pass them by while they were in the vehicle.

***** said **** ** and her exited the vehicle and stood outside of it for a while during the time police were still in the area. ***** said she was not ready to go home and he was ready to go inside his house so they spoke for a while before she left. I asked ***** where she and **** ** stood while they were standing outside of the vehicle. ***** said they stood by the hood of her vehicle. ***** said she had her back towards her vehicle while **** ** was facing her and the car. I asked how long they were outside of vehicle before she left, and she said she was not sure, but it was like 15 to 20 minutes.

I asked ***** if she saw where the police unit drove to after it passed by them while they were inside the vehicle. ***** described the police unit to have parked at the corner of Gloria Avenue and Echo Street where it curves.

NOTE: During this time, I utilized Google Maps on my computer to have ***** demonstrate where.

I asked ***** if the police unit stayed at this location, and she said it stood there for a short while. ***** said it then moved from that location and she did not know why.

***** said she then decided to leave. She said it was to her surprise when she left that the unit was now at the other corner. ***** said she truly didn't believe he was going to detain her, but he did. ***** said the unit was on the same street (Echo Street) but at the stop sign (Crawford Avenue). I asked ***** which officer stopped her and she said she does not know his name, but she would recognize him if he was here.

***** had a Dinuba Police Department business card in her hand so I asked her what name it had on it. ***** showed it to me and said, "Jorge Gonzalez." ***** said the officer that went to her residence to tell her to come to the police department gave her the business card. ***** again said she could identify the officer if she saw him. I asked ***** if the person that stopped her was the one that gave her the business card, and she said yes. ***** said when the officer arrived at her residence in the early morning, he asked, "Do you remember me, I stopped you last night?" ***** said she told him yes. ***** said the officer told her they had **** ** detained.

NOTE: It was determined that Officer Jorge Gonzalez was the officer whom detained ***** on Echo Street and Crawford Avenue.

I asked ***** if Officer Gonzalez checked her vehicle when he detained her, and she said she recalls him flashing his flashlight in to the rear seats of the vehicle. I asked

***** if he checked the trunk, and she said she does not recall. ***** said she is positive he checked the front and the rear seats of the vehicle, but to be sure and not lie, she is not sure if he checked the trunk. ***** said Officer Gonzalez told her something had happened and they were looking for someone so that was the reason he was checking cars. ***** told Officer Gonzalez that it was okay to check her vehicle and once he did, he told her everything was okay. I asked ***** if Officer Gonzalez asked her where she was coming from, and she said no. ***** said she drove home from there and when she arrived home, she called ***** **

I asked ***** if she recalls ***** ** losing his phone when they were parked in front of his residence. ***** said she did remember and she was helping him look for it. ***** said she was also looking for her cell phone to, in order to call his to locate it. ***** said she recalls ***** ** entering the residence but is not sure if it was to use the bathroom or to look for his phone. ***** said she does not want to lie about that so she said she does not clearly recall why he entered the residence. ***** said she recalls ***** ** said he had located his phone, but does not recall exactly at what point. I asked ***** how long ***** ** entered his residence before exiting, and she said he was in an out. ***** said he was just inside for a moment. I asked ***** if the police were already there when ***** ** entered the residence and exited. At first she said she was not sure and then said yes, because this is when she was ready to leave. ***** said they remained outside next to her car for a few more minutes before saying their goodbyes. ***** said she recalls telling ***** ** that it was late and she was going to leave now. ***** said ***** ** told her to call him as soon as she arrived home.

***** said when she arrived home she called ***** ** and told him she was detained by the police officer. ***** said as she was talking to ***** ** on the phone, she heard sounds coming from *****'s "side of the phone." ***** said ***** ** told her, "Wait, wait, they are knocking on the door." ***** said at this time she assumed it was the police because she didn't know what happened after that. ***** said she went to bed and very early in the morning, Officer Gonzalez was knocking at her door. ***** said this is when Officer Gonzalez told her she needed to go to the police department.

Utilizing Google Maps on my computer, I showed ***** Gloria Avenue to Parkway and Gloria Avenue to Echo Street. I asked her where there other police units parked. ***** indicated there was a police unit parked in the area of Park Way and Gloria Avenue. ***** said this police unit had red and blue lights on and the bright light used to see far away. I asked ***** if it was a possible that an officer from that

location could have seen **** ** and her standing outside of her car. **** said, "With those lights I think yes." **** reaffirmed that it was the strong lights that were being used to illuminate the street and not the red and blue lights. I asked **** if they should have seen **** ** enter into the residence, and she said yes. **** said she was surprised when she learned that **** ** was arrested because they must have seen him in front of the car with those powerful lights. I asked **** if any officers contacted them while they were outside standing by the car, and she said no. **** said this is why she was surprised that **** ** was arrested because they could have contacted them while they were standing there.

I asked **** if she heard voices on the other side of the phone when she was speaking with **** **, and she said yes. I asked **** if she knew they were the police, and she said no and could have not even imagined what had happened. **** said it was strange that **** ** didn't call her back.

I asked **** if she saw what had occurred, and she said only the police unit that drove by. I asked **** if she recalls what time she got home and she said it was late and really does not know.

I asked **** if she had the date and time of the phone call to **** ** saved on her phone, and she said she was trying to locate it but really does not know how to operate her cell phone that well. **** said she would give me the phone so that I could look at it. She asked what date I was looking for and I told her July 7th. **** handed me her cell phone and gave me permission to look at it. The phone call log for ****'s cell phone appears to stop at July 11th 2019.

I asked **** what Officer Gonzalez told her when he arrived at her residence that morning. **** said he first told her his name but she could not recall it. He then asked told her if she remembered him from last night, and that he was the one that stopped her. **** said she did remember him. **** said Officer Gonzalez told her that he was there because they had arrested **** ** and they needed her to come to the police department to verify what **** ** had told them. **** said she would respond to the police department. I asked **** if she recalls the conversation more specifically. **** said she recalls Officer Gonzalez telling her they (the police) attempted to call her two or three times and she did not answer. **** said Officer Gonzalez told her this was the reason he was there.

I asked **** what her reaction was when Officer Gonzalez told her **** ** had been arrested, and **** said she reacted by saying "But why?" **** said he told her because of the incident that occurred there and he didn't tell me anymore. **** said

she asked Officer Gonzalez why they arrested ***** if he was with him the whole night. ***** said Officer Gonzalez said that ***** also mentioned the same thing. ***** said she told Officer Gonzalez that he (***** **) said that because it's the truth. ***** said Officer Gonzalez told her he just came to her to go to the police department. He also told her he remembered detaining her, so this is why he came for her. ***** said Officer Gonzalez told her she needed to go to the police department.

***** said she went to the police department. She said while being questioned by the officer, it seemed like he didn't know what to ask her. ***** said he would ask one thing then go to another. ***** said the thing the officer appeared to know is that she was telling the truth and ***** told him the truth.

I asked ***** if Officer Gonzalez told her that she was the only one that could help ***** ** ***** said he did and it gave her pleasure to hear that she could help out. I asked ***** to tell me how she recalls Officer Gonzalez telling her this. ***** said Officer Gonzalez told her she was the only one that could help ***** ** because she was with him. ***** said she told Officer Gonzalez that she was with ***** ** the whole night.

***** said she responded to the police department and was greeted by Officer Gonzalez who told her to come in. I asked ***** if she explained to the officer (Officer Clifton) that was questioning her that she was with ***** ** the whole time. I asked ***** if she told the officer who was interviewing her that they had seen police arrive on scene while she was in the car with ***** ** ***** said she does not recall being asked that by the officer. ***** said what I'm asking her is new. ***** said the questions that I'm asking her are much more different from the ones the officer asked her. I asked ***** if she spoke with any officer after she left from the interview, and she said no. I asked ***** if they told her ***** ** was going to remain in custody, and she said they didn't tell her that. ***** said she asked the officer if ***** ** was going to be able to leave now. ***** said she believed things were that easy so she asked that. ***** said she was told no because there were more things that were needed. ***** said she was told it all has to be done correctly, and she said okay.

***** said she didn't know where the police had taken ***** ** other than he was taken away somewhere. I asked ***** when was the next time she spoke with ***** **? She said she sent him a text message telling him when he gets out to contact her. ***** said she has the text messages on her cell phone. ***** said she

did not recall if **** ** returned the second day or the third day. **** said once **** ** returned, he sent her a text message or called her.

I asked **** if she had a conversation with **** ** regarding his arrest, and she said she did. **** said she told **** ** the good thing was that he was out and that he knows it was not him that did anything wrong. **** said the truth is that **** ** was bothered by the situation. **** said **** ** was bothered that he didn't do anything wrong and he was treated in that manner.

I asked **** if she explained to the officer that interviewed her that she and **** ** went to **** ** friend's house. **** said yes. I asked **** if she explained to him what type of car **** ** drives. **** said she explained that **** **'s car is not operable and told him that she believes he was driving his father's car to work. **** said the officer asked her what color the car was and she told him it was like a grey color. **** said he then asked her if they went to **** **'s friend's house, and she told him they did and it was to pick up some money. **** said she did not know if he was borrowing or paying his friend back. **** said she was asked if she recalls where **** **'s friend lives, and she told him that she does recall where he lives. **** said she was asked how long they were at **** **'s friend's house, and she told him as long as it took him to get the money. **** said she told the officer that from there they went to the liquor store to buy chips. **** said they took the chips to **** **'s residence and dropped them off to his cousins.

I asked **** if she recalls what **** ** was wearing, and she said yes. **** said, "I believe he was wearing black shorts and a white shirt." **** said she was wearing a black dress. **** said the shorts **** ** was wearing were basketball type shorts. I asked **** if **** ** was wearing a baseball hat, and she said no. I asked **** if she told the officer that interviewed her, what **** ** was wearing, and she said yes. **** said she told the officer when he asked her.

**** showed me two text messages she sent to **** ** on July 7, 2019 at 11:09 AM. The text was in Spanish and it was regarding **** asking **** ** to text her once all this passes and he is home. The second text is dated July 8, 2019 at 8:18 AM. This text message is also in Spanish and in essence it states: The officer came to my house and asked her to go to the police department to give a statement about what happened last night and I went. She said if there is no proof they will have to release you and that is how it will be because you didn't do anything.

**** allowed me to email the text message to my email address which I uploaded to this investigation packet. I asked ***** if she would look in her cell phone to make sure she didn't have any more text messages and she checked. ***** did not locate any more text messages pertaining to this incident.

**** said when **** ** was out of jail, he spoke with her and he was upset regarding what happened to him. ***** said **** ** asked why they did that to him because he didn't do anything. ***** said she told **** **, "yeah it already happened." ***** said **** ** told her that he didn't do anything and said he was going to the police department and talk to someone about what happened. ***** said **** ** said what happened to him was not right. ***** said **** ** said he went to jail for something he didn't do. ***** said **** ** also missed work.

I asked ***** if she believes she explained that situation to the officers when she was interviewed by them, and she said yes. I asked ***** if she believes the officers that interviewed her, listened to her. ***** said the one that appeared to believe she was telling the truth was Gonzalez. ***** said she believes Officer Gonzalez listened to her.

**** said she was being asked questions about **** ** before she had a relationship with him and about his prior employment. ***** said she was being asked about things she didn't know about ***** They were questions about **** ** before she knew him. ***** said that to her it appeared the questions being asked were irrelevant and it appeared he didn't know what else to ask. ***** said Officer Gonzalez paid attention to her and treated her well.

I asked ***** if there was any other conversation she recalls with Officer Gonzalez outside of the interview. ***** said she does not recall anything because it was quick. ***** said she assumed **** ** told the officer to call her to verify her story. ***** said this because when she was home she was very tired and fell asleep. ***** said her phone rang but she didn't hear it because she was tired. ***** said she woke up when Officer Gonzalez knocked on her door.

I asked ***** if she spoke with any of the officers after, and she said no. I asked ***** if she called the police department, and she said she did that night. ***** said she spoke with a lady to inquire about **** **, ***** said the lady told her to call back later or something to that effect. ***** said she actually received a telephone call from Officer Gonzalez. ***** said she really didn't think she would receive a call, and this is why she is saying that Officer Gonzalez treated her well. ***** said

Officer Gonzalez told her if there was not enough proof, **** ** would be released soon.

***** told me she was not able to recall why she sent the text message to ***** indicating that there is not enough evidence because he didn't do anything. I asked ***** if it was on that same night, and she said she is not sure if it was the same night or the following one. I asked ***** if she received the telephone call on her phone, and she said yes. I asked ***** if she had the call still listed on her phone, and she said she didn't know. ***** said that I could look to see if it's there. The saved calls on ***** phone only recorded to July 17, 2019. I asked ***** if it was more than a day later that she received the call from Officer Gonzalez and she said it was not. ***** said she believes she called the following morning and Officer Gonzalez called her in the night, but is not sure. ***** said Officer Gonzalez told her, I bet you didn't think I was going to call you back. ***** said she told him in reality she did not believe he would call back.

I asked ***** who was at her residence when she left to go with ***** on July 7, 2019, and she said she was not sure. ***** said she does not know if any of her daughters were in their room sleeping or not. ***** said if anyone one was home it would have been her 17 year old niece, ***** . I asked ***** if any officer spoke with Alondra, and she said no.

I asked ***** if I could photograph her vehicle which was parked outside of the police department. I asked ***** if the vehicle was the same vehicle which she and ***** ** were in when police arrived on July 7, 2019, and she said yes. This concluded the interview.

I followed ***** outside to the parking and took photos of her vehicle in case they were needed in this investigation. The photos are attached to IA-19-02.

On September 19, 2019 at approximately 2:15 PM, I called the Tulare County Sheriff's Department Crime Lab and inquired about the body camera video from Deputy Montoya. I was told they did have it and they would retrieve it for me.

On September 20, 2019 at approximately 10:30 AM, I received the video from Deputy Javier Montoya's body camera. The following is information pertaining to the video:

DEPUTY MONTOYA'S VIDEO CAMERA

The video recording from Deputy Montoya is an Axon Body camera and it has a date of July 7, 2019 with a time of 9:37. The time is actually 2:37 AM based on police radio transmissions, the Dinuba Police Call for Service Log, and TCOSO report 19-00008296. The following is a summary of what is seen and heard on the video:

It appears that Deputy Montoya arrives at approximately 2:35 AM. He turns on his camera at approximately 2:37:17 AM but the audio is not on. Deputy Montoya is walking towards the crime scene as he is shown walking towards Dinuba Police units. It appears that Deputy Montoya momentarily turned off the camera as a hand is shown directly in front of the camera.

The camera is back on at 2:37:48 and it's at a different location. It is now showing the alley located between Gloria and Crawford Avenue. It appears to begin in the 100 block. At this time the audio is on. Two residences, **** and **** Parkway share this alleyway. They arrive a **** Parkway in the alleyway and two fence boards appeared to be broken off a wooden fence. Deputy Montoya's K-9 partner is seen leading. One of the fence boards is seen lying up against the fence. There is one fence board between the two missing fence boards which appears to be attached to the fence. A missing fence board appears to be freshly broken. Deputy Montoya removes the fence board resting on the fence. Deputy Montoya is saying something about a dog house being in the backyard of **** Parkway and is not sure if there is a dog in the backyard.

At 2:38:58 AM, Deputy Montoya makes announcements to let anyone who may be in the backyard know that the Sheriff's Department is present. A second Deputy is seen in the video. This deputy was later identified as Christopher Durkee.

At 2:39:39 Deputy Montoya removes the middle fence board exposing an area the size of three fence boards.

At 2:40:00 AM, Deputy Montoya and his K-9 partner enter the backyard through the gap of the now missing three fence boards. Deputy Montoya makes another announcement that the Sheriff's Department is in the area. Deputy Montoya is speaking to another person while in the backyard of the residence; possibly Officer Clifton or Deputy Durkee.

At 2:41:36 AM, they exit the backyard of **** Parkway and are now on Gloria Avenue. The K-9 appears to be leading Deputy Montoya in a quick pace in front of the residences located on the east side of Gloria Avenue.

At 2:43:00 AM, it appears they are on the side of the front yard located at *** Gloria Avenue. Deputy Montoya says, "Look in the top of the trees, he is in the area."

At 2:43:18 AM, Deputy Montoya and his K-9 partner are in front of the residence located at *** Gloria Avenue. The residence door area appears well lit by a patio type light just over to the side of the door.

At 2:43:47 AM, Deputy Montoya says, "Yeah he is in here." Shortly Deputy Montoya knocks at the residence door.

At 2:44:10 AM, Deputy Montoya notifies his dispatch center via police radio of his location which is *** Gloria Avenue. Officer Montoya tells Deputy Durkee to keep an eye on the backyard as he knocks on the residence door once again but this time he announces, "Sheriff's Office."

At 2:44:28 AM, Deputy Montoya tells Deputy Durkee to keep an eye on the backyard. Shortly Deputy Montoya knocks on the front door and announces, "Sheriff's Office".

At 2:45:02 AM, Deputy Montoya knocks on the residence door multiple times.

At 2:45:18 AM, Deputy Montoya asks Officer Clifton, "Do we have any prior contacts with anyone here." Officer Clifton is heard asking Dinuba Dispatch via radio if we have any contacts at this location. As Officer Clifton is asking, Deputy Montoya is seen attempting to twist the door handle of the front door as if to want to open it.

At 2:45:56 AM, the front residence door opens, and Deputy Montoya announces, "Sheriff's Department" as a shirtless man appears at the door wearing shorts and sandals. This man was later identified as **** ** As **** ** opens the door he says, "Hey how is it going?" Deputy Montoya replies, "Hey what's going on. Who is in here?" **** ** says, "Just us, I heard someone broke in though." As he was saying this, **** ** pointed towards his backyard. A flashlight is pointed at **** ** and you can hear Officer Clifton say, "Yeah that's him." Deputy Montoya then says, "Get out, come here." At the same time **** ** says, "Not...it's not me." Deputy Montoya raises his voice as **** ** exits the residence with his hands partially raised. Montoya says, "Get out or he is going to bite you dude." **** ** appears surprised but fully complies with his hands now raised where they can be seen. **** ** says, "No it's not me, swear to God, I swear to God." Deputy Montoya tells him to turn around.

At 2:46:13 AM, **** ** is turned around and his back is facing Deputy Montoya and his K-9 partner. At this time, Officer Clifton asks **** ** Jr, "What is your name?" **** ** replies, "**** **." Officer Clifton asks, "*****?" and **** ** says, "No." Deputy Montoya in a raised voice asks **** **, "Why are you all sweaty?" **** ** had what appeared to be either water or sweat on his back and face. **** ** replied, "I just got out of the shower." Deputy Durkee, tells **** ** to turn away from him and put your hands on your head. **** ** complies and places his hands on his head and turns away from Deputy Durkee. Deputy Montoya tells **** ** "Don't do anything stupid, I'll let the dog go." As Deputy Durkee is placing hand cuffs on **** **, **** ** says, "My girlfriend just called me right now...We were hooking up in the car and you guys pulled up out of nowhere...I swear to God...That is on everything I love." Deputy Montoya replies as if in disbelief, "What?" Then he asks, "What happened?" **** ** says, "My girlfriend told me you guys pulled her over right now." Deputy Montoya asks, "Pulled her over?" **** ** replies, "Yeah you guys pulled her over right now." Before he could finish speaking, Deputy Montoya asks **** ** who else is in the residence. **** ** replies, "Just my family." Deputy Montoya asks **** ** who is your family, and **** ** replies, "My mom, my dad, my sisters...Honestly, honestly, I'm not lying to you." At this time, you could hear Officer Clifton advising via police radio that they were going to be clearing the residence.

At 2:47:02 AM, Deputy Montoya asks **** ** if anyone else is inside the residence. **** ** says, "My family, nobody else." Deputy Montoya asks **** ** "What is your girl's name, wife or whatever she is to you?" **** ** replies, "*****", you guys pulled her over in a maroon car." Deputy Montoya asks, "*****" and **** ** replies, "Yeah." Deputy Montoya asks **** ** "Okay, who else is here." **** ** replies, "Just my sisters and my mom and dad". Deputy Montoya then says okay and shouts out "***** this is the Sheriff's Office, can you come out." **** ** tells Deputy Montoya, "No, that's my sister." Deputy Montoya asks **** ** what is your sister's name, and he replies, "*****". Deputy Montoya then shouts, "***** this is the Sheriff's Office, bring everyone out of your house please." **** ** tells Deputy Montoya, "They just got scared because you guys were knocking." Shortly, people begin to appear near the front door and voices could be heard inside.

At 2:47:34 AM, the following individuals who were later identified began to exit the residence: **** ** (age 22), **** ** (age 13), **** ** (Age 51), **** ** (Age 16) a teenage girl and a teenage boy who are believed to be cousins to **** ** and **** ** (age 46). As they were exiting, **** ** appears confused