



**RIVERSIDE COUNTY DISTRICT ATTORNEY
SUPPLEMENTAL REPORT**



AR Number DAR2020-230-001	Date of Occurrence From 08/16/2020	Date of Occurrence To	Date Reported	Office RIVERSIDE
Offense Code OIS	Offense Description Officer Involved Shooting - FATAL		Felony/Misdemeanor FELONY	EDP Code 13C7-N
Offense Code	Offense Description		Felony/Misdemeanor	EDP Code
Offense Code	Offense Description		Felony/Misdemeanor	EDP Code
Location of Occurrence 560 N. San Jacinto, Hemet, CA 92543				Inv. Case Status OPEN
Business Name			Business Phone	Inv. Disposition

V- Victim W - Witness RP - Reporting Party O - Other

V/W/RP V	Name OFFICER SCHROEDER #10597	DOB	DL/ID#	State	Sex	Race	HT	WT	Hair	Eye
Residence Address								Res/Cell Phone		
Business Name HEMET PD		Business Address 450 E. LATHAM AVENUE, HEMET, CA 92543						Business Phone (951) 765-2400		

Suspect Arrested: Yes ☐ No ☒

Sus # 1	Name ESPINOZA, YSIDRO JOSE	DOB 04/29/1990	DL/ID# E30888857	State CA	Sex M	Race H	HT 5'9"	WT 185	Hair BLK	Eye BRN
Residence Address 1825 S. SAMNTA FE ST APT 110, SAN JACINTO, CA 92583								Res/Cell Phone		
Business Name		Business Address						Business Phone		

Summary

Prepared By Sr. Inv Moreno #MM395	Date	Approved By <i>R. Bodmer #215</i>	Date 6/15/21
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NARRATIVE

RIVERSIDE COUNTY DISTRICT ATTORNEY

FILE NUMBER: DAR2020-230-001

DATE: 10/22/20

RIVERSIDE COUNTY DISTRICT ATTORNEY'S OFFICE – BUREAU OF INVESTIGATIONS:

Sr Investigator II Mario Moreno

DA Office / Riverside

HEMET POLICE DEPARTMENT – INVESTIGATIONS BUREAU:

Detective Doug Klinzing
Officer Daniel Caballero #10179

Hemet Police Department
Hemet Police Department

HEMET POLICE OFFICERS LEGAL REPRESENTATIVE:

Brandy Harper

Law Firm of Castillo Harper

ASSOCIATED CASE NUMBERS:

Hemet Police Department

Case Number 20-6129

EVIDENCE:

ITEM	DESCRIPTION
01	DVD+R disk containing interview with Officer Caballero

The above listed item was placed into evidence at the Riverside County District Attorney's Office Forensic Unit

ATTACHEMENTS:

1. 23-page transcript(s) of Officer D. Caballero's interview on 08/19/2020
2. Copy of photograph shown to and used by Officer D. Caballero on 08/19/2020.

DETAILS:

The following supplemental report is regarding an officer involved shooting incident that occurred on August 16, 2020 at 516 North San Jacinto in the city of Hemet. The suspect, later identified as Ysidro Espinoza, was pronounced deceased at the scene.

Officer Caballero was charted on August 16, 2020 by Riverside County District Attorney Senior Investigator Villalobos and Menifee Police Department Forensic Tech Keene. The charting consisted of digital photographs of Officer Caballero and documentation of Officer Caballero uniform, equipment and service weapon. Sr. Investigator Villalobos charted Officer Caballero's service weapon; a Sig Sauer P320x5, serial number, 9mm caliber Semi-automatic handgun with a Streamlight TLR-2 tactical light. Officer Caballero did not fire his weapon during the incident.

Officer Caballero, from the Hemet Police Department, was identified as being present at the time of the officer involved shooting.

On August 19, 2020, at approximately 1314 hours, Officer Caballero agreed to meet me with me and provide a voluntary statement. The interview was conducted in a conference room at the Hemet Police Department. Detective Klinzing of the Hemet Police Department and Brandy Harper of Law Firm of Castillo Harper were also present during the interview. Per Hemet Police Department policy, officers can provide an uninterrupted statement prior to viewing video recordings of the incident. Officer Caballero chose to waive the uninterrupted statement and viewed his video recording prior to providing a statement.

The interview was audio recorded and later booked into evidence at the Riverside County District Attorney's Office. A copy of the recording was submitted to a transcription services company to be transcribed.

For additional information on the content of the interview, refer to the attached transcript(s) and / or audio recorded interview.

STATUS:

OPEN / CR-2

INTERVIEW WITH DANIEL CABALLERO

DAR2020-230-001

MORENO=Sr. Inv. Mario Moreno

KLINZING=Inv. Doug Klinzing

HARPER=Attorney Brandi Harper

CABALLERO=Daniel Caballero

(Duration: 00:31:30)

MORENO: It's August, uh, 19 approximately 1:14 pm. Um, this is, uh, we are at the Hemet Police Department interview room. This is in regards to, uh, officer involved shooting that occurred at 516 North San - San Jacinto on Sunday, August 16. It's documented under, uh, Riverside County District Attorney's office Case Number DAR2020-230-001. Also, Hemet Police Department Case Number 20-6129. We'll begin this by identifying everybody in the room. Uh, my name is Mario Moreno, I am a senior investigator with the District Attorney's office (unintelligible).

KLINZING: Doug Klinzing, uh, investigator Hemet Police Department.

CABALLERO: Officer Caballero with the Hemet Police Department.

HARPER: Brandi Harper from Castillo Harper, his attorney representative.

MORENO: Okay, Officer Caballero, this is a criminal investigation and it will be submitted to the District Attorney's office for review. You do not have to speak with me, no discipline can come to you for not speaking with me. Uh, prior to this interview has anyone ordered you to give me a statement?

CABALLERO: No.

MORENO: Other than the Public Safety Statement have you provided any infor- any statement?

CABALLERO: No.

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1
2 MORENO: Has anyone ordered you to speak to me?
3
4 CABALLERO: No.
5
6 MORENO: 'Kay it's my understanding that you've chosen not to provide a free and
7 uninterrupted statement?
8
9 CABALLERO: Yes.
10
11 MORENO: 'Kay, uh, I know that you've had some time to meet with your attorney prior to
12 today's interview?
13
14 CABALLERO: Yes.
15
16 MORENO: You have chosen not to give the free and uninterrupted statement but you've had
17 an opportunity to review your body-worn camera, is that correct?
18
19 CABALLERO: Correct.
20
21 MORENO: Do you have any questions before we get started?
22
23 CABALLERO: No.
24
25 MORENO: Okay and just to give you a head's up, um, if you need to take a break, if you
26 don't understand a question, feel free to let me know. If you need to take a break
27 we'll stop and take a break and come back.
28
29 CABALLERO: Perfect, thank you.
30
31 MORENO: Okay, uh, Officer Caballero, do you wish to speak to me?
32
33 CABALLERO: Yes.
34
35 MORENO: Can you spell your first and last name for me, please.
36

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1
2 CABALLERO: D-A-N-I-E-L C-A-B-A-L-L-E-R-O.
3
4 MORENO: What is your date of birth?
5
6 CABALLERO: 7/28/77.
7
8 MORENO: And approximate height and weight.
9
10 CABALLERO: About six-foot, 265.
11
12 MORENO: And years of service as law enforcement?
13
14 CABALLERO: Twenty.
15
16 MORENO: Uh, any previous law enforcement prior to Hemet Police?
17
18 CABALLERO: Yes the Riverside County Sherriff Department and then, uh, the San Jacinto
19 Police Department.
20
21 MORENO: How many years with each agency?
22
23 CABALLERO: Uh, San Jacinto four, RSO one, 15 with Hemet.
24
25 MORENO: What is your, uh, I.D. number?
26
27 CABALLERO: 10179.
28
29 MORENO: And what is your date of hire with Hemet?
30
31 CABALLERO: 2/15 of '05.
32
33 MORENO: And you currently hold a rank of officer?
34
35 CABALLERO: Yes.
36

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1
2 MORENO: What is your current assignment?
3
4 CABALLERO: Patrol.
5
6 MORENO: What is your patrol schedule?
7
8 CABALLERO: I work Team 4 which is Wednesday, Thursday, Friday, every other Saturday
9 night 6:00 pm 'til 6:00 am.
10
11 MORENO: What was your call sign on Sunday morning?
12
13 CABALLERO: Paul 47.
14
15 MORENO: What was your unit number?
16
17 CABALLERO: Unit 2907.
18
19 MORENO: Were you, um, with a partner or by yourself in the car?
20
21 CABALLERO: By myself.
22
23 MORENO: What uniform were you wearing that day?
24
25 CABALLERO: Um, I think it's considered a Class C uniform, it's the tactical vest with a, uh,
26 um, patrol - it's, like, the patrol, uh, pockets, the...
27
28 MORENO: BDU pants?
29
30 CABALLERO: ...BDU pants, yeah, BDU pants, BDU shirt and I had the patrol vest on on top of
31 that.
32
33 MORENO: As far as identifying marks on your vest?
34
35 CABALLERO: Um, I had police officer, um, over my name and I had a police cloth badge
36

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1 affixed to my left chest and then about, I think, three-inch letters police all over
2 my back.
3
4 MORENO: Okay, uh, did you have a digital recorder at the time of the incident?
5
6 CABALLERO: I did not.
7
8 MORENO: Is your vehicle equipped - equipped with a dash cam?
9
10 CABALLERO: No, it's not.
11
12 MORENO: Were you wearing any body-worn camera?
13
14 CABALLERO: I was not.
15
16 HARPER: At this point why don't we just clarify you did watch body-worn camera part as
17 your interview, correct?
18
19 CABALLERO: I did.
20
21 HARPER: And that was Corporal Christianson's body camera, correct?
22
23 CABALLERO: Yes, correct.
24
25 HARPER: And that is - so individual that was in the closest proximity at the time of the
26 incident, correct?
27
28 CABALLERO: Yes.
29
30 HARPER: And you did that, uh, (unintelligible) to him at (unintelligible), correct?
31
32 CABALLERO: Yes.
33
34 MORENO: Did you take any photos at the scene?
35
36

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1 CABALLERO: No I did not.
2
3 MORENO: What weapon - what's your primary duty weapon?
4
5 CABALLERO: It's a Sig p320 X5 9mm pistol.
6
7 MORENO: Were you involved in the shooting?
8
9 CABALLERO: Uh...
10
11 MORENO: Did you fire your weapon?
12
13 CABALLERO: I did not fire.
14
15 MORENO: Were you injured?
16
17 CABALLERO: No.
18
19 MORENO: All right, Officer Caballero at this time I'm gonna - what I'm gonna do is, um,
20 I'm gonna ask you to provide me a detailed account of the incident and what you
21 remember from start to finish. Once you're done I will most likely ask some
22 follow-up questions, um, and if needed I might provide you a photograph to, uh,
23 refresh your recollection the position of the vehicles. Um, at any point in time,
24 again, if there's - if you decide or you need a break please let us know.
25
26 CABALLERO: Okay.
27
28 MORENO: Do you have any questions?
29
30 CABALLERO: No.
31
32 MORENO: Go ahead.
33
34 CABALLERO: So it was about 6:00 comin' up on six o'clock. This was my Friday which means
35 I was ready to go home. I had to take care of all my paperwork, um, take care of
36

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1 all my, uh, um, you know, evidence, booking evidence and all that stuff. And,
2 uh, what I also do is, uh, I, uh, take my body-worn camera and I put it on the
3 digital recorder, uh, for it to charge over the weekend. I - I don't take it home so I
4 was already on my way home. Um, I left - I left the station I was already on my
5 way home. Um, I live, um, outside of the city so I was at approximately Idyllwild
6 Drive and North State Street in the City of San Jacinto when I heard the, uh,
7 traffic where Officer Schroeder, um, is possibly, uh, behind the vehicle where he
8 - he ran the vehicle, um, usually that's - that means, you know, "Clear for a
9 roller", that means I'm behind a vehicle and I need to know the, you know, the
10 20 to vehicle.

11
12 MORENO: Mm-hm.

13
14 CABALLERO: So he was - he was in that, uh, in that stage there behind the vehicle and I
15 noticed, okay, somethin's up, I better, you know, start turning around. So I
16 started looking for a place to turn around and then he said he needs an 11-11 at
17 430 North Palm. Uh, and then all the sudden he says the vehicle has taken off
18 from him. So being here 15 years, you know, the valley actually being here 20
19 years in the valley, um, this is where I've been, you know, in law enforcements
20 where, you know, I have my career. Um, I know all these procedures they go to
21 the reservation. So I got onto North State Street to the Ramona Expressway, I
22 proceeded east to go all the way around the bend to Ramona Expressway but at
23 that point when I made my, um, you know, decision, like, you know, am I gonna
24 stay here, am I gonna go, they were still, uh, way far, uh, west into the city. So I -
25 I figured I continued on, um, passing up the expressway and then I made a
26 eastbound turn onto Esplanade. Esplanade so I try to, you know, kinda parallel
27 them and try to assist them and then at that point they were in the city of San
28 Jacinto goin' onto Main Street and 5th Street kinda over there by the - by the
29 church and the police department. I'm very - very familiar with that area so I try
30 to, uh, not actually get into the pursuit but kinda tryin' to parallel the pursuit
31 tryin' to figure out where's the best to actually, um, maybe - maybe actually
32 intervene or maybe even block off major intersections if he's comin' up on 7th
33 and San Jac. Maybe I could, you know, stop traffic before they actually proceed
34 there to be safe. Um, as they were going eastbound on Main Street they said
35 somethin', like, there - he's slowed way down. So at that point, um, speed wasn't
36

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1 really a, you know, an issue. He was going, like, maybe 10 miles an hour. Um, I
2 followed behind the pursuit, uh, at the point of, like, Main Street and Mistletoe
3 Avenue still going eastbound on Main Street approaching now the - the - the
4 Soboba Casino. But then the suspect made a, uh, left-hand turn to go, uh,
5 northbound Ramona Expressway towards College the big bend all the way up
6 there on the expressway and still maybe 15 miles an hour, still slow. There was,
7 like, three or four units in front or in front of the pursuit behind the suspect's car
8 that was full Code 3 lights and sirens. I was way far behind. I - I think I was
9 maybe, like, about 7th car there. I was with, uh, Sergeant Hall me and Hall were,
10 like, very, very back making sure nobody's passing us to actually kinda pass-up
11 the pursuit. There was, like, another vehicle tryin' to intervene.

12
13 MORENO: 'Kay.

14
15 CABALLERO: So we were very, very, far back from the pursuit but we were trailing and as the
16 pursuit vehicle made a right turn to go southbound on San Jacinto from the
17 Ramona Expressway it went southbound at still 10 miles an hour continued to go
18 10, continued to go southbound past Satawell past 1st Street, past, um, five-stop
19 so that's actually Main Street on San Jacinto and then somebody said, "Hey, let's
20 try to see if he - if he's gonna try to go his, uh, to his residence." At that point,
21 knowing the area, I kinda deviated off there, parallel, because he's on San
22 Jacinto, um, his registered address on, uh, South Santa Fee, 1800 it's the
23 apartments there. And I know there's a - there was a concrete median if you're
24 going from San Jacinto and then going westbound on - on Santa Fe I know
25 there's a concrete median just there by the - in front of the tool - the tool shop,
26 which is the northeast corner of Santa Fe and Esplanade. So that's where I first
27 started up my spikes. I stopped my unit I already had my spikes in my hand but
28 then they continued southbound on, uh, on Santa Fe, um, I'm - southbound on
29 San Jacinto so they didn't go on Santa Fe so he wasn't goin' home. Grabbed my
30 spikes, picked 'em up, get in my car and I went all the way down to Midway
31 southbound Santa Fe and I made my way back to, um, San Jacinto and I know
32 there's another concrete median just past the Walmart. So if you're going
33 southbound on, um, San Jacinto passing the Walmart there's a concrete median
34 just north of Midway. I put my spikes there again, um, I threw 'em out as I - as I
35 threw 'em out he totally saw me but I was tryin' to wait for him to kinda come
36

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1 closer, come closer. He made, uh, an abrupt right turn towards me, um, I pulled
2 'em - I pulled my spikes so even if his car's gonna - gonna hit 'em but he's goin'
3 so slow so he was able to maneuver very quickly to the right. As he moved over
4 just to the right he kinda went up on, like, a mailbox pillar, kinda like a rock
5 median kinda, like, on a mailbox.

6
7 MORENO: Mm-hm.

8
9 CABALLERO: And it kinda, um, jolted his - his, uh, his front passenger, uh, vehicle to the side
10 and then he manuev- maneuvered out. So he avoided my spike strip, I gathered
11 up my spike strip, put 'em in my car and then again waited for everybody to pass
12 through still at, like, 10 miles an hour and then I got behind the vehicle. Uh, we
13 continued southbound on San Jacinto Street then we passed Menlo and he was
14 still goin' very slow and at that point he's goin' slower and slower and slower.
15 Um, maybe 'til, like, about three miles an hour, like, if he's ridin' the brake.

16
17 MORENO: Mm-hm.

18
19 CABALLERO: He maintained, uh, his position of bein' on the right side of the road. Um, at the
20 point where I didn't really see him slow I heard the, uh, radio traffic, um,
21 because there were so many cars in front of me I didn't see him come to a stop. I
22 heard the radio traffic say, "Hey, we're comin' up to he finally stopped" or
23 somethin', like, "We're - we're on a felony stop." I, uh, quickly went all the way
24 over to the left to make sure we block the whole lanes of traffic and I was
25 actually - my vehicle was - was positioned on the northbound number two lane,
26 um, for San Jacinto.

27
28 MORENO: Mm-hm.

29
30 CABALLERO: As soon as I exited my vehicle I saw, um, the suspect exit with the - with a gun
31 in his right hand and quickly turned his torso towards police officers. At that
32 point it was just suddenly gunshots. I actually heard somebody at that point
33 where I heard the gunshots I heard somebody say, "He has a gun." And, um,
34 suspect was hit with a gunshot and he fell to the ground. Um, he was still movin'
35 at that point, he was, uh, kinda, like, in a modified seated position with his, uh,

36
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1 knees out and he was sittin' on his butt. Um, and the - and the pistol was - was
2 still in his right hand, uh, clearly visible in his right hand. He was movin' his
3 upper torso. We formulated a plan where we're gonna have to have the react
4 team. We kinda debated on if we're goin' now, if we're gonna wait and then, uh,
5 we also - I think Corporal Christianson said, "Hey, we gotta - we gotta check to
6 see if he's still alive, if he's gonna move, is he gonna react." And, uh, that's
7 protocol usually, you know, when we try to go up to someone and make sure that
8 they're - that they're safety issue. So, um, they deployed a bean bag, they hit him
9 with a bean bag there was no reaction so immediately after that we went up to,
10 uh, we went up to him. I was designated as - as a hands-on person. Um, I was
11 designated to be the hands-on person to - to retrieve the gun. Um, Corporal
12 Christianson was first, I was second, I think we had Tracali and Alex Reynoso on
13 the team. We moved up, I removed the gun from his hand, as soon as I secured
14 that gun I walked back and I put it in the back of my unit. I put it in a brown
15 paper bag and I secured it in my lock box of the trunk of 2907. Um, after that I,
16 uh, contacted the shooters, make sure they were safe and then, uh, escorted one
17 of the shooters back here to the - to the station and - and went in to be
18 interviewed.

19
20 MORENO: All right. Um, a few several questions. Uh, have you had any - any interaction
21 with the suspect and/or his family prior to this incident?
22

23 CABALLERO: No.
24

25 MORENO: Um, and you said that, um, you were on your way home and you heard Officer
26 Schroeder put out the, uh, plate. Um, what was the su- what was the ongoing
27 investigation that that plate, um, jogged your memory about?
28

29 CABALLERO: It wasn't really the plate. It's usually, like, you know, "Hey, are you clear for a
30 plate, are you clear for a roller?" It's usually, like, he knows it's stolen, he's done
31 with it somethin' so it wasn't the plate. It's, like, I started to slow down, "Okay,
32 Schroeder's lookin' for somethin', he's doin' somethin'."

33
34 MORENO: Mm-hm.
35
36

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1 CABALLERO: And then when I - when he put out the, "Hey, 11-11 it's the suspect's vehicle."
2 Um, we just had the previous, you know, homicide just happen so that's when I
3 formulated, "Oh, it's the homicide suspect." But not as he said, "Clear for
4 roller." I kinda figured somethin's up he's gonna do somethin'.
5
6 MORENO: Yeah.
7
8 CABALLERO: You know and I'm already in my vehicle unavailable. I'm just outside the city so
9 if I'm gonna help I'm gonna go back to the city and help.
10
11 MORENO: Okay and, um, so were you in the pursuit at any time actively in the pursuit?
12
13 CABALLERO: No.
14
15 MORENO: Okay and at no time you had your lights and sirens on?
16
17 CABALLERO: I did have my lights, uh, to clear a couple intersections to make clear that I'm
18 gonna go ahead and - and clear those intersections clearly but I was not in
19 pursuit.
20
21 MORENO: Okay, um, can you give me a description or elaborate a little bit as to what kind
22 of radio traffic was goin' during the pursuit?
23
24 CABALLERO: Sure, um, from the very beginning, uh, they gave out, uh, clear radio traffic, no
25 peds, no pedestrians on the roadway, light traffic, um, I confirmed that when I
26 was following there wasn't any peds, wasn't any traffic. At one point I did hear
27 somebody say, I'm not sure who said it, but somebody said, "He has a gun." Or,
28 "He grabbed a gun", somethin' to that - to that effect. So obviously that
29 heightens everybody's aware - awareness on that he has a gun. I'm not sure - I
30 didn't follow-up with any kind of clarification but I did hear that on the radio.
31 Um, I did hear that he's going, you know, driving erratic, um, all over - he's on
32 the wrong side of the roadway. Um, and then all of the sudden he's, like, slowed
33 way down so, um, at that point, you know, being a veteran officer we kinda
34 figure he's gonna do somethin', he's gonna foot-bail, he's gonna - he's lookin'
35 for a house, he's lookin' for somewhere an - an avenue of escape so that's why I
36

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1 was very, like, you know, um, cautious about where's he's gonna go and what
2 he's gonna do. At what point I was paralleling, um, the units as they were going
3 eastbound on - on Main Street, I was on 5th Street and I was just paralleling 5th
4 Street so if he would've foot-bailed and went southbound I would've had a good,
5 uh, perimeter already set up.

6
7 MORENO: Okay, um, at any point in time during the pursuit, uh, were you made aware that
8 or was there a positive identification of the person driving the car?
9

10 CABALLERO: I did hear that over the radio that is a positive I.D. on the - on the suspect. I don't
11 know who said it, I don't remember who said it, um, but I did hear that over the
12 radio, "That - that is our suspect the 187."
13

14 MORENO: Okay, um, were you ever close enough, besides when you comin' down the
15 street and they were goin' pretty slow to see the actual vehicle and the suspect
16 during the pursuit?
17

18 CABALLERO: Yes, like I said, when I set up my spike strip, um, and he was comin' towards my
19 spike strip, 10 miles an hour so I did see the suspect and I did see the vehicle and
20 I did confirm myself that that was the suspect of the, uh, homicide that we were
21 just investigating. Um, I did see his - his photo, his DMV printout but I didn't see
22 the official D- or the official, uh, Hemet P.D., uh, wanted flyer. Um, as he came
23 towards me, um, he was driving 10 miles an hour he was about, in feet, I'd say
24 about 20 feet away from me. I had a very clear shot of him.
25

26 MORENO: Did you see him, um, make any movements while he was in the car during the
27 pursuit?
28

29 CABALLERO: No.
30

31 MORENO: Did you see him, uh, tossing items during the pursuit?
32

33 CABALLERO: No.
34

35 MORENO: At termination of the pursuit can you describe what the lighting was like?
36

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1
2 CABALLERO: Um, daylight, uh, there was no obstructions, no view obstructions, um, no
3 vehicles, no posing lanes, uh, no pedestrians in the - in the crosswalks. Um, it
4 was perfect lighting. It was, uh, it was - it was daybreak, um, not very many
5 people out.
6
7 MORENO: Okay that was my next question was there any, uh, did you see any citizens out
8 on the street at the time?
9
10 CABALLERO: No, not until we started settin' up, um, after the gunshots were ringin' out then
11 people started comin' out with, like, cell phones and opposing traffic stopped.
12 They got out of their vehicles, I did notice that. They went onto the sidewalks but
13 it was - people - people still in, uh, in - in their vehicles they were getting out.
14
15 MORENO: Okay.
16
17 CABALLERO: So I think they got out because - somebody said it on loud speaker, "Everybody
18 move."
19
20 MORENO: Can you describe to us, uh, your stress level during this pursuit and ultimately at
21 the termination of the pursuit.
22
23 CABALLERO: Very high. This is, uh, very unusual situation where we investigate a homicide,
24 have a homicide confirmed suspect in a pursuit knowing that, you know, guns
25 still at standing that was - it was scary. I mean, this is the things that happen in a
26 lifetime, once in a lifetime. I mean, I've been fortunate and the OISs that I've
27 been in and, you know, I come out okay and I was just prayin' that everything
28 was gonna be good for these guys.
29
30 MORENO: And, um, how - you just stated that and just to clear it up, have you been
31 involved in prior OISs?
32
33 CABALLERO: I have.
34
35 MORENO: Um, here in Hemet?
36

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1
2 CABALLERO: Yes.
3
4 MORENO: And approximately how long ago?
5
6 CABALLERO: Um, my last one was 2018.
7
8 MORENO: 'Kay, um - um, the decision that you made to deploy your spike strips, uh, on
9 two separate occasions during the pursuit, was this before or after the suspect
10 was I.D.'d?
11
12 CABALLERO: I believe it was. This was after the suspect was I.D.'d.
13
14 MORENO: Okay and was this also before the radio traffic of - before or after the radio traffic
15 of him being armed?
16
17 CABALLERO: Yes.
18
19 MORENO: Before or after?
20
21 CABALLERO: After.
22
23 MORENO: Okay.
24
25 CABALLERO: Both.
26
27 MORENO: Um, now so then at the termination of the pursuit you stated that, uh, you went
28 into the opposite direction of travel, the number two lane...
29
30 CABALLERO: Yes.
31
32 MORENO: ...on North San Jacinto.
33
34 CABALLERO: Correct.
35
36

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1 MORENO: From where you positioned your vehicle to where suspect's car was, um, I'm
2 gonna show you a picture, um, -- where's the table, yeah. Uh, pictures been
3 depicted here has a green, uh, Toyota.
4
5 CABALLERO: Mm-hm.
6
7 MORENO: Uh, there's a barrier set around the driver side of the green Toyota followed by
8 what's depicted as five marked Hemet black and white vehicles. You have that
9 Sharpie right there, can you show us where abouts your vehicle was at the
10 termination of the pursuit.
11
12 CABALLERO: You want me to draw it?
13
14 MORENO: Yes, please, it's not - if it's not depicted here, please put us, uh, show us where
15 the car's at. Okay so you've marked a, uh, red box with a two lines on the side
16 depicting the doors open?
17
18 CABALLERO: Yes.
19
20 MORENO: And the arrow facing the - the direction of the front of the car.
21
22 CABALLERO: Correct.
23
24 MORENO: And that is almost in line with three cars that are directly behind the green car.
25
26 CABALLERO: Yes.
27
28 MORENO: I'm sorry, the three black and white units...
29
30 CABALLERO: Three black and white units behind the green car.
31
32 MORENO: Okay so where - at this red box is your vehicle, where were you standing when
33 you exited your vehicle at the termination of the pursuit?
34
35 CABALLERO: I exited my front driver side, um, as I exited I stayed here. Um, and I observed all
36

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1 my observations when he got out of the car with the gun in his hand and quickly
2 turned his torso towards the police officers. I was this - I was in the V of the
3 driver side door when I heard somebody say, "He has a gun", and immediately
4 after I heard gunshots. After the gunshots, um, I went over and opened my front
5 passenger door, I was sole-officer remained in the V of my front passenger door.
6 Officer Christianson's here in the old bubble-top the Crown Vic next to him.
7

8 MORENO: Mm-hm.
9

10 CABALLERO: Um, I went up to him 'cause he had his rifle deployed. I got up right behind him
11 and tapped him on the shoulders let him know I'm there, um, so just because,
12 you know, we have better coverage and now we're a team. So if we need to do
13 any kind of react we - we're - we're a two-man.
14

15 MORENO: Okay and from here where you put the vehicle and was depicted as your door
16 open.
17

18 CABALLERO: Mm-hm.
19

20 MORENO: Or you stated you were standing.
21

22 CABALLERO: Mm-hm.
23

24 MORENO: Estimate the distance to the driver side door of the suspect car.
25

26 CABALLERO: Maybe about 60 feet.
27

28 MORENO: Sixty-feet, um, and was there anything that obstructed your view of the suspect
29 as he exited and was standing by his car?
30

31 CABALLERO: No, nothing.
32

33 MORENO: Okay and, um, what was your mindset when you exited the car and the suspect
34 was exiting his car?
35
36

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1 CABALLERO: Honestly if, uh, he would've got out and ran with the gun I was gonna run him
2 over. I felt, like, you know, it was gonna be maybe he was gonna foot-pursuit,
3 maybe he was going to, um, you know, come out and start shooting but I was
4 gonna use my vehicle as a - as a deadly weapon. I felt, like, you know, all the
5 officers there on scene they were - lives were in danger.
6
7 MORENO: Okay and you said their lives were in danger because of what?
8
9 CABALLERO: Because he had a gun.
10
11 MORENO: And when he exited the car and he's standing on the driver side of his door, um,
12 where was the gun positioned.
13
14 CABALLERO: I'm sorry, say that again.
15
16 MORENO: When the suspect exited his car.
17
18 CABALLERO: Mm-hm.
19
20 MORENO: And you had a clear view from about 60 feet out, where was his gun when he
21 exited the car?
22
23 CABALLERO: It was in his right hand, it remained in his right hand the whole time?
24
25 MORENO: Was his hand down by his side?
26
27 CABALLERO: No as he came around he turned his torso, he exited the vehicle, put his left foot
28 on the pavement.
29
30 MORENO: Okay.
31
32 CABALLERO: Um, he swung his, uh, left shoulder around, um, I immediately saw the - the
33 weapon as - as it came up, um, past above the window line of the driver side door
34 and he came up like that and turned his torso. As he turned his torso, um, I heard
35 somebody say, "He has a gun." And immediately there I heard the gunshots. So
36

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1 it was in his right hand it was in his torso, oh I'm sorry, as he turns his torso I
2 saw the right hand come towards the officers.
3
4 MORENO: And could you just give me a description of the weapon you saw in his hand
5 when he was standing there?
6
7 CABALLERO: Um, I just saw a silver pistol.
8
9 MORENO: Okay and so when - when you made that motion that he swung out with his right
10 hand above, you said the window of the door?
11
12 CABALLERO: Yes.
13
14 MORENO: Was he still seating exiting the car or was he standing up?
15
16 CABALLERO: He was standing up.
17
18 MORENO: Okay so he was standing up and - and you saw, what you stated there was his
19 right hand comin' across with the gun as he raised it up towards his head,
20 correct?
21
22 CABALLERO: I didn't see him raise towards his head.
23
24 MORENO: Okay so you saw, I'm sorry, you saw the gun come around his side?
25
26 CABALLERO: Yes.
27
28 MORENO: And you heard somebody yell, "Gun"?
29
30 CABALLERO: Yes, "He has a gun."
31
32 MORENO: And then you heard the shots?
33
34 CABALLERO: Correct.
35
36

1 MORENO: Okay could you, based on your positioning, say where the shots were coming
2 from?
3
4 CABALLERO: No I just, uh, saw him immediately fall to the ground and I saw, um, uh, gunshot
5 wound on his chest.
6
7 MORENO: Okay, um...
8
9 CABALLERO: If I heard 'em I heard 'em to my right but I didn't see where they came from.
10
11 MORENO: Okay and you didn't fire - why did you not fire if you saw him with a gun
12 turning towards you with a gun?
13
14 CABALLERO: I wasn't in - I don't - I don't believe I was in a correct position to actually fire
15 upon him.
16
17 MORENO: What was your backdrop that made that decision?
18
19 CABALLERO: I had businesses back here, um, I had houses, residential back here, um, these
20 two officers were in optimal position. They had straight down share - here no
21 traffic. My position was far out so up here you have a business, you have, like, a,
22 uh, um, what is it, it's - it's, like, a pawn shop, a business and then you have
23 residential behind the street.
24
25 MORENO: Okay, um, and after the shots are fired, you, well, what did you see next from the
26 sus- uh, suspect?
27
28 CABALLERO: He immediately fell to the ground but he still had control of that - of that
29 handgun, that - that pistol was still in his right.
30
31 MORENO: Okay let me just back track, like, once that...
32
33 CABALLERO: Okay.
34
35 MORENO: Prior to the - as you exit the gun and you see him, what if any verbal commands
36

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1 were given?
2
3 CABALLERO: "Drop the gun, drop the gun, let me see your hands."
4
5 MORENO: Okay were you involved in those verbal commands or that some- you just heard
6 'em?
7
8 CABALLERO: No I heard 'em I - I wasn't - I wasn't talkin', I wasn't assigned as - as a
9 communicator.
10
11 MORENO: Okay and, um, shots were fired, suspect goes down, what - what does the subject
12 continue to do?
13
14 CABALLERO: Um, he kinda convulses he kinda, like, feels, like, it seems like he wants to, like,
15 stand up, his, like, shoulders shrug up, his - his head kinda moves over towards
16 the officers. He's, like, kinda feels, like, he's tryin' to, like, with strength tryin' -
17 tryin' to get up.
18
19 MORENO: Okay.
20
21 CABALLERO: You - you can fee- you can see, like, his torso tryin' to - tryin' to lift himself up.
22
23 MORENO: And - is that at the point that you walked over to Corporal Christianson's car?
24
25 CABALLERO: Yeah.
26
27 MORENO: And you tapped on the shoulder just to let him know that you were there with
28 him?
29
30 CABALLERO: Yes, correct.
31
32 MORENO: 'Kay and then what happened next?
33
34 CABALLERO: And then at that point we kind of, uh, determined that we need, uh - uh, check to
35 see if he's gonna react to any kind of a, uh, you know, uh, threat, touch, any kind
36

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1 of resistance. Um, that's - that's when, uh, Corporal Christianson decided to do -
2 use a bean bag round.
3
4 MORENO: Okay, um, how many shots from the bean bag were fired?
5
6 CABALLERO: Uh, one bean bag round.
7
8 MORENO: Do you recall who fired the round?
9
10 CABALLERO: I believe it was Detwiler.
11
12 MORENO: And where was, uh, Officer Detwiler at the time of the bean bag?
13
14 CABALLERO: He actually came to us so he was - he was here on the driver side of
15 Christianson's car.
16
17 MORENO: And were there any, uh, um, advisements prior to the deployment of the bean
18 bag?
19
20 CABALLERO: Yes, there was, uh, um, "Let me see your hands." Bean bag, "Stop resisting." I'm
21 - I'm not - not sure what it was.
22
23 MORENO: Okay.
24
25 CABALLERO: But it was some advisements.
26
27 MORENO: And then shortly thereafter was, um, you said, uh, was there an approach to the
28 suspect?
29
30 CABALLERO: Yeah, we used my car, um, as the vehicle for cover so we hid behind the front
31 driver and the rear, I'm sorry, the front passenger and the rear, uh, passenger, uh,
32 V of the door and we slowly approached in my veh- in my unit and we went, uh,
33 closer to the - to the - to the suspect and I was assigned to grab the handgun, I
34 grabbed the handgun then secured it behind my ve- unit.
35
36

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MORENO: All right we're gonna stop and take a quick break. It is 1:45 pm.

INTERVIEW WITH DANIEL CABALLERO

DAR2020-230-001

MORENO=Mario Moreno

CABALLERO=Daniel Caballero

(Duration: 00:00:52)

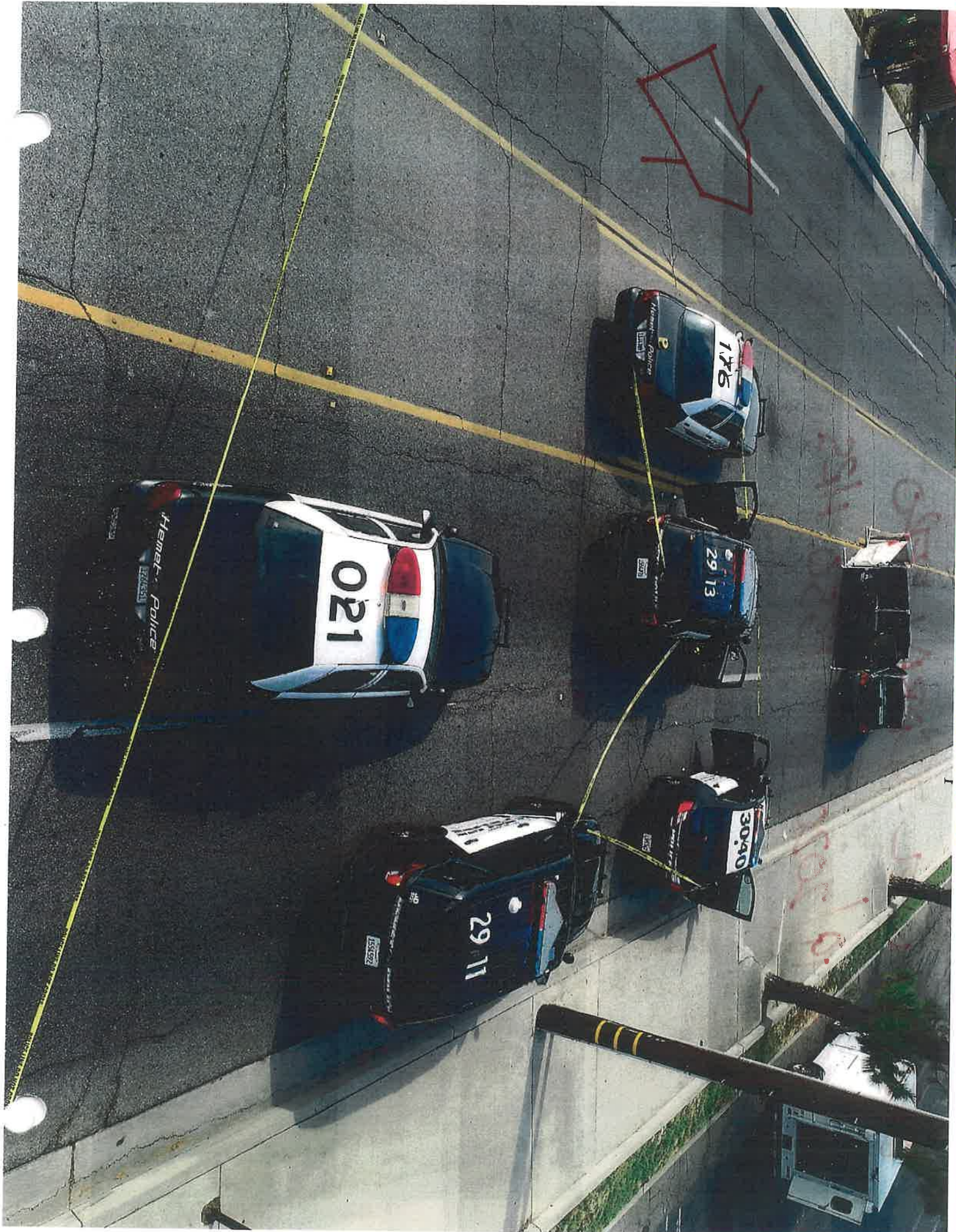
MORENO: And it is, uh, 1:50, we're back on the record, um, still the officer involved shooting, Riverside PD - I'm sorry, Riverside DA's Office, Case Number DAR2020-230-001. All parties are same from earlier. Um, real quick, Officer Caballero, can you just put your name on the back of that...

CABALLERO: Sure.

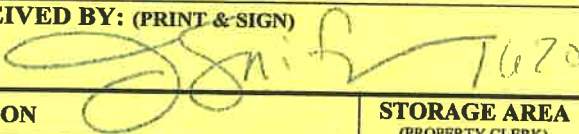

MORENO: ...date and time?

CABALLERO: What's the date?

MORENO: 19. About 1:50 or so. And we do not have any other questions, so thank you very much. I'll stop the recording at, uh, on...



Riverside County District Attorney's Office PROPERTY SHEET

DATE/TIME: 09/30/2020 1607		COURT #: DAR 2020. 220. 001	
AGENCY #: HOMER PD 20-6129		SUSPECT: YESIDZO ESPINOZA	
OFFENSE/CRIME TYPE: 245 PC / OIS		SUSPECT:	
SEARCH WARRANT #:		LOCATION OF PROPERTY FOUND:	
RELEASED BY: (PRINT & SIGN)		RECEIVED BY: (PRINT & SIGN)  1670	
ITEM#	QTY	DESCRIPTION	STORAGE AREA (PROPERTY CLERK)
01	01	INDR OFFICER INTERVIEWS. OFFICERS CABALLERO, CHRISTIANSON, WOOD, WILLISON * HALL	
02	01	INDR OFFICER INTERVIEWS OFFICER SCHROEDER, OFF. DETWILER	
03	01	INDR OFFICER INTERVIEWS OFFICERS REYNOSO, FEATHERLY, MAKER, SKAUG	
04	01	INDR OFFICER INTERVIEWS * IND BLADE NO VIDEO ON DVD	
CASE AGENT: (PRINT & SIGN) M. MORANO 		DATE: 9/30/2020	