

SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

ORIGINAL
CONFIDENTIAL

PRIORITY: Yes
 No

- 3. INITIAL NON-CRIMINAL
- 4. INITIAL-CRIMINAL
- 5. FOLLOW-UP CRIMINAL
- 6. CONTINUATION REPORT NO.

MICHAEL S. CARONA, SHERIFF-CORONER LAST NAME FIRST -- SPELL OUT WHEN DICTATING FOLLOW-UP REPORT

7. OFFENSE Officer Involved Shooting		8. LOCATION OF OCCURRENCE ██████████ Stanton 90680	
9. VICTIM/INFORMANT Deputy Martin Ramirez		10. DATE AND TIME OF OCCURRENCE Tuesday, 4-29-03/1132 Hours	11. GRID 797J1

12. DETAILS OF OFFENSE:

WITNESS INFORMATION:

Deputy Larry Zurborg (North Gang Enforcement Team)
550 N. Flower Street, Santa Ana 92703
(714) 647-7089

EVIDENCE COLLECTED:

One audiotape of witness interview.
Sketch of ██████████

INVESTIGATION INFORMATION:

On Tuesday, 4-29-03 at approximately 1508 hours, Investigator Spencer and I interviewed Deputy Larry Zurborg in the briefing room at the Stanton Sub-station. Zurborg was represented by Bob McCloud, General Manager of the Association of Orange County Deputy Sheriffs. The interview was recorded and the tape booked into evidence.

For details of the interview see transcript.

During the interview, Deputy Zurborg drew sketches of the ██████████ Deputy Zurborg signed and dated the sketches. I made copies of the sketches and booked the originals into evidence.

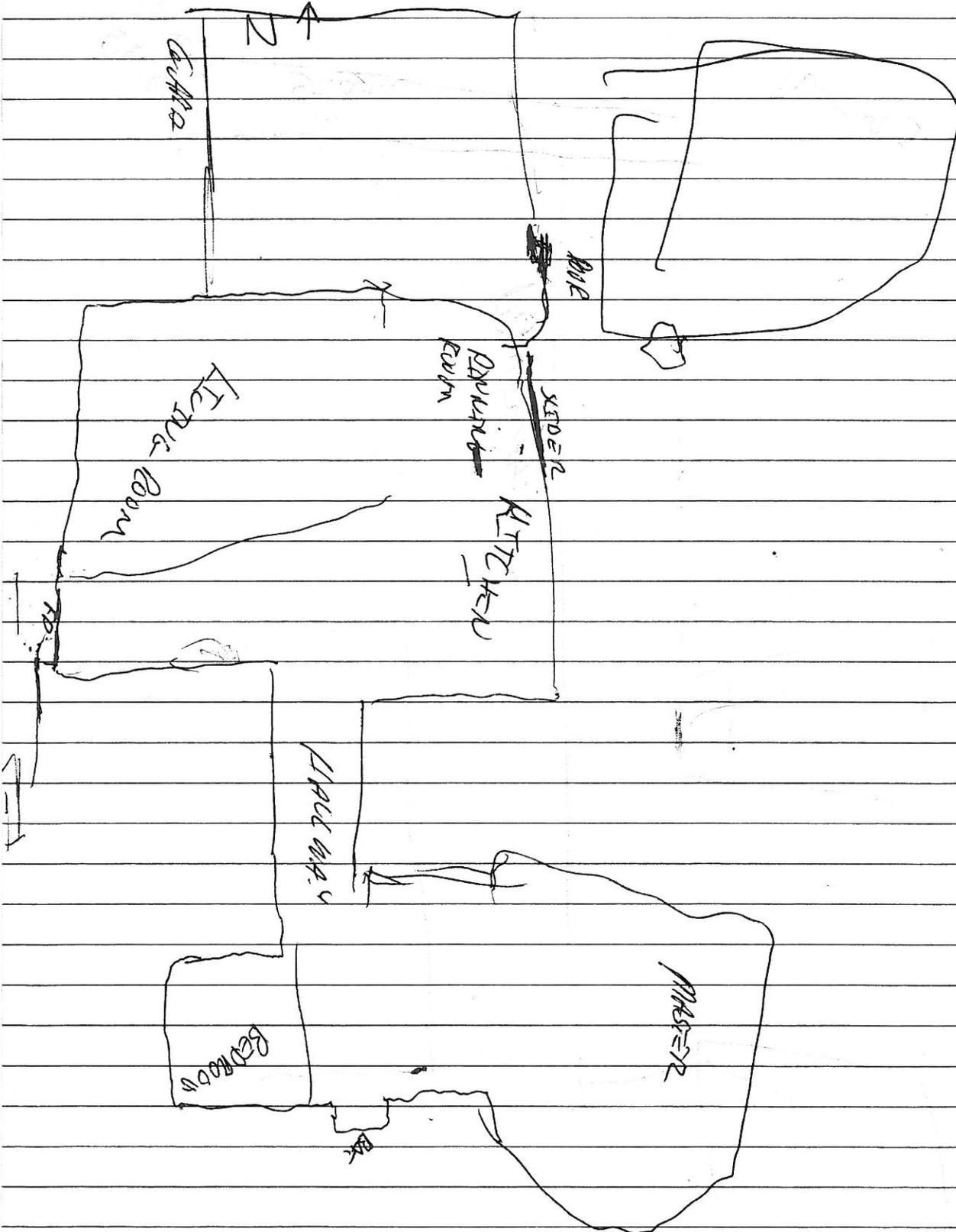
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INVESTIGATING OFFICERS Inv. Ken Hoffman	REPORT BY Inv. Brian Sutton #754	DATE OF REPORT 4/30/03	APPROVED <i>[Signature]</i>
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20-03
J. M. King

03-087626

MEMO

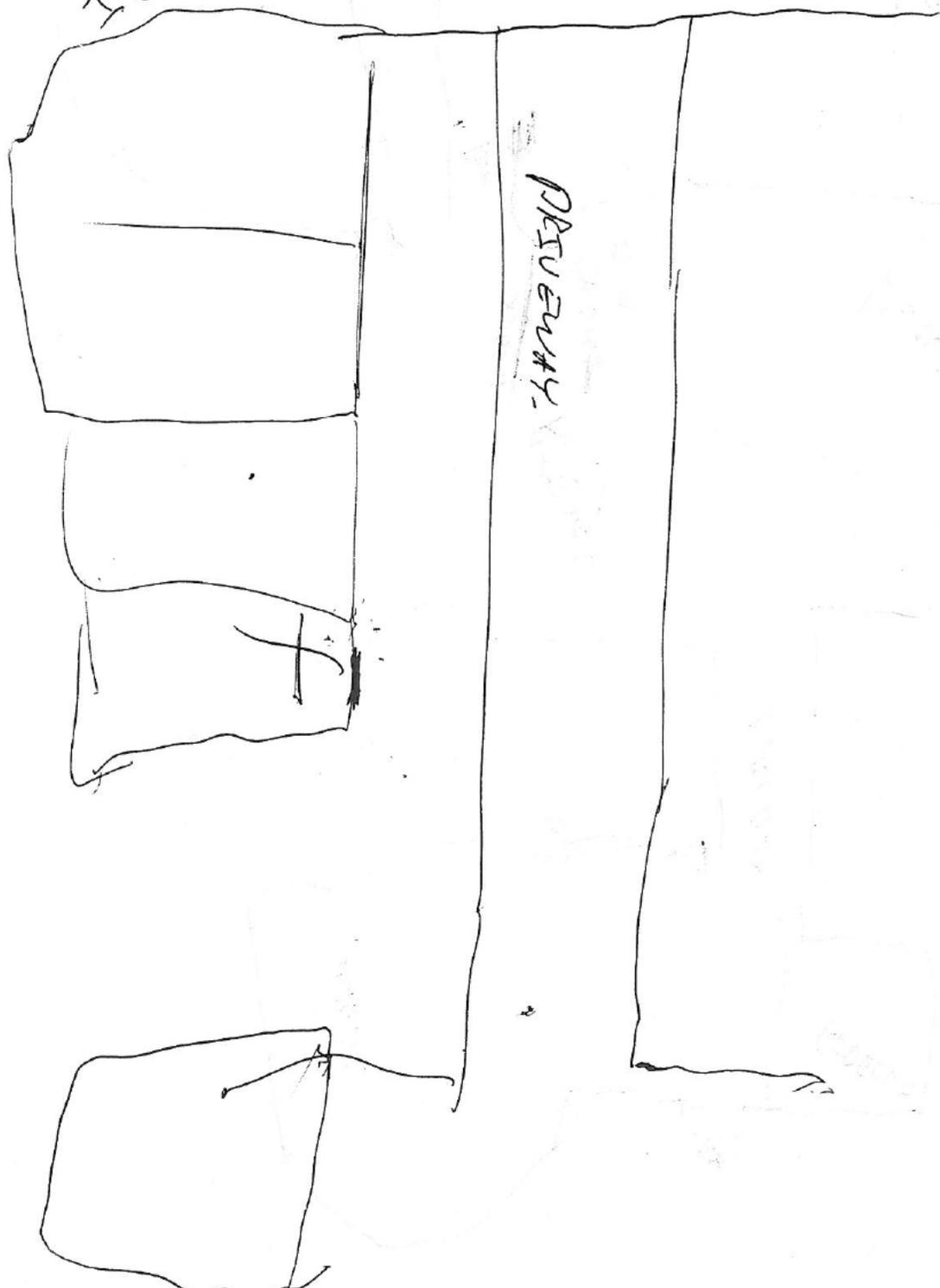


4-29-03

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1 COPIES TO:
ORIGINAL
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

2. CASE NO. 03-087626

PRIORITY: Yes
 No

3. INITIAL NON-CRIMINAL
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5. FOLLOW-UP CRIMINAL
6. CONTINUATION REPORT NO.

FOLLOW-UP REPORT

MICHAEL S. CARONA, SHERIFF-CORONER

7. OFFENSE Officer Involved Shooting / OCSD	8. LOCATION OF OCCURRENCE [REDACTED] Stanton, CA	
9. VICTIM/INFORMANT Inf: Lt. Phil Johnson, OCSD/WC	10. DATE AND TIME OF OCCURRENCE Tuesday, April 29, 2003 / 1132 hrs	11. GRID 797 J1

12. DETAILS OF OFFENSE:

1 **WITNESS INFORMATION:**

2

3

BAKER, John

4

DOB: [REDACTED]

5

Deputy Sheriff/OCSD North Gang Enforcement Team

6

7

ADDRESS: 550 N. Flower, Santa Ana CA

8

TELEPHONE: 714. 647.7089

9

10 **EVIDENCE COLLECTED:**

11 One master audio CD that was generated from the original digital recording of the interview
12 with BAKER conducted in front of [REDACTED] Stanton, on April 29, 2003 at 1334 hrs.
13 The original master audio CD was subsequently booked into Sheriff's property as evidence.

14

15 Summary of interview with BAKER:

16 On Tuesday, April 29, 2003 at approximately 1310 hours I conducted an interview with
17 Deputy John BAKER regarding his involvement in an officer involved shooting incident that
18 occurred in the city of Stanton. The interview took place in my car while we were parked in
19 front of [REDACTED] Stanton, the location of the incident.

20

21 BAKER told me that he was currently assigned to Special Investigations / North Gang
22 Enforcement Team and was working in that capacity when the incident occurred. BAKER
23 said he and other members of the gang unit were assisting Deputy Martin RAMIREZ in the
24 service of an arrest warrant. RAMIREZ had obtained an arrest warrant on [REDACTED]

25 [REDACTED] as part of an investigation he was conducting. BAKER said HARRIS'S

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MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

1 last known address was [REDACTED], Stanton, and in fact they had arrested HARRIS at
2 that location in the past. BAKER told me the gang unit held a briefing at approximately
3 0900 hours, Tuesday April 29th regarding the game plan for the arrest. He said when they
4 arrived at HARRIS'S address they noticed that his vehicle, a silver-gray Chevrolet S-10
5 pickup truck, CA License [REDACTED] was parked in the driveway in front of the apartment. A
6 plan was developed to sit on the house and wait for HARRIS to leave in his gray Chevrolet
7 S-10 pickup truck. The team would then have a patrol unit initiate a car stop on HARRIS
8 where he would be taken into custody.

9
10 BAKER said he and RAMIREZ were parked in their unmarked vehicle on eastbound [REDACTED]
11 [REDACTED] just west of the address. BAKER said Sergeant Bill GRIFFIN and Deputy Larry
12 ZURBORG were parked on eastbound [REDACTED], across the street from the address and
13 Deputy Monty HOUTARI was parked on westbound [REDACTED], just east of the address.
14 BAKER told me that while he was sitting in his car he saw a black Saturn 4 door driving
15 eastbound on [REDACTED] past his location. BAKER looked over at the car as it past him and he
16 saw that HARRIS was sitting in the passenger seat. BAKER could see that a female subject
17 was driving the car. BAKER broadcast over the radio that HARRIS was in the Saturn and
18 was turning into the driveway of his apartment. BAKER said he saw ZURBORG and
19 GRIFFIN turn and follow the Saturn into the driveway. They had decided to take HARRIS
20 at the car as the car stopped in front of the apartment. BAKER said he and RAMIREZ
21 pulled in behind ZURBORG and GRIFFIN with HOUTARI pulling up and stopping behind
22 him.

23
24 BAKER said he and RAMIREZ exited their vehicle and saw HARRIS run into the house.
25 BAKER said he did not see where RAMIREZ went after they exited the car. BAKER also did
26 not think anyone else went to the rear of the apartment at the time of their arrival. BAKER
27 ran up to the front door with ZURBORG and GRIFFIN. BAKER saw ZURBORG break out
28 a portion of the front window and he heard ZURBORG begin to verbally order HARRIS out
29 of the house. BAKER saw ZURBORG with his duty weapon out and pointed through the
30 broken portion of the window in the direction of HARRIS. BAKER said the front door of the
31 apartment was open but the security screen door was closed and locked. BAKER could see
32 HARRIS through the screen door inside the living room. BAKER said he heard ZURBORG

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REPORT CONTINUATION

1 order HARRIS to come to the door and open the door. HARRIS eventually complied with
2 ZURBORG'S verbal commands and came out to the front door. ZURBORG told HARRIS to
3 open the door and then put his hands up. HARRIS again complied with ZURBORG'S
4 commands. As HARRIS opened the door BAKER said HARRIS was grabbed and pushed
5 face down onto the ground by he and ZURBORG at the threshold of the front porch.
6 BAKER said he remembered that HOUTARI was still covering the female driver of the black
7 Saturn 4 door. The driver was later identified as the mother of HARRIS. BAKER told me
8 that he remained at the front of the apartment and covered HARRIS at gunpoint while
9 ZURBORG and GRIFFIN entered the apartment. BAKER believed that they entered to clear
10 the interior of any possible additional suspects and secure the apartment. BAKER said
11 GRIFFIN told him they were making entry into the residence. I asked BAKER if he heard
12 either ZURBORG or GRIFFIN advise anyone else over the radio that they were making entry
13 into the apartment. BAKER said no. I asked BAKER if anyone had a radio with him or her
14 and he said yes. BAKER said he did not know if anyone had a radio with them but they
15 did have packset radio's available in their cars. BAKER said he had a radio on his person
16 at the time of the incident. I asked BAKER if he heard anyone yell out to RAMIREZ about
17 someone making entry into the apartment. BAKER replied that he did not know if anyone
18 told RAMIREZ or not.

19
20 Shortly after ZURBORG and GRIFFIN entered the apartment BAKER said he lost sight of
21 ZURBORG. A few seconds afterwards BAKER said he heard what he described as three,
22 "pop, pop, pop" sounds coming from inside the apartment. BAKER said he did not know
23 what the "pop" sounds were but he believed they could have been gunshots. BAKER said
24 he did not hear any commands of any kind after hearing the "pop" sounds. BAKER then
25 heard a single gunshot from inside the apartment. The single gunshot came almost
26 immediately after BAKER said he heard the three "pops". BAKER asked HOUTARI "Was
27 that a gunshot?" BAKER said he remained with HARRIS and HOUTARI walked over and
28 grabbed his packset. HOUTARI then put out a radio call advising of the possible shots
29 fired.

30
31 BAKER said ZURBORG and GRIFFIN came out of the apartment a few seconds later.
32 BAKER gave GRIFFIN his handcuffs and HARRIS was then handcuffed and searched.

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REPORT CONTINUATION

1 BAKER said he remained in the front of the apartment to watch both HARRIS and the
 2 female driver of the Saturn. While BAKER was watching HARRIS he said GRIFFIN and
 3 ZURBORG went into the back of the apartment and brought RAMIREZ out front. BAKER
 4 told me he did not know if RAMIREZ was walked through the apartment or around the
 5 outside from the backyard. BAKER said he did not realize RAMIREZ was shot until he
 6 walked up to the front of the apartment and BAKER saw that RAMIREZ'S hand was
 7 bleeding. I asked BAKER if he recalled hearing GRIFFIN or ZURBORG say anything to him
 8 or if he overheard any statements by GRIFFIN or ZURBORG about what had happened.
 9 BAKER said he does not recall hearing statements by GRIFFIN or ZURBORG until after
 10 RAMIREZ was brought around to the front of the apartment. BAKER said he did not see
 11 who went back and brought RAMIREZ around to the front.

12
 13 BAKER told me that HOUTARI called for the paramedics to respond. The paramedics
 14 arrived within minutes and GRIFFIN walked RAMIREZ and ZURBORG over to the medic
 15 truck. BAKER said he could see that ZURBORG was also bleeding from an unknown
 16 injury. BAKER said at some point HARRIS'S girlfriend was brought out of the apartment.
 17 BAKER did not know who brought the girlfriend out but that she was brought outside after
 18 the shot was fired. He and HOUTARI then separated both females by placing them into
 19 their cars. HARRIS was placed into the back of a patrol unit and transported to the
 20 Stanton substation.

21
 22 BAKER said he remained on scene until relieved by patrol deputies. BAKER told me that in
 23 addition to HOUTARI, Deputy Mike SHARPE had arrived later and was over to the east,
 24 behind the apartment when the incident occurred. BAKER said Deputy t. CULLEN had
 25 also arrived at some point during the incident. CULLEN was in the marked Sheriff's black
 26 and white patrol unit parked down the street and was to initiate the car stop on HARRIS
 27 when he drove away from his apartment. I asked BAKER if there was anything else he felt
 28 was important for me to know. BAKER said no. The interview was concluded at 1334
 29 hours.

30
 31
 32

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MICHAEL S. CARONA, SHERIFF-CORONER LAST NAME FIRST -- SPELL OUT WHEN DICTATING

FOLLOW-UP REPORT

7. OFFENSE OIS		8. LOCATION OF OCCURRENCE 8151 Starr # 3 Stanton, Ca	
9. VICTIM/INFORMANT Inf. Lt. JOHNSON		10. DATE AND TIME OF OCCURRENCE 4-29-03 /1132 hours	11. GRID 797J1

12. DETAILS OF OFFENSE:

IN PERSON INTERVIEW OF: [REDACTED] DOB: [REDACTED]

EVIDENCE: (1) original audio cassette tape, booked into OCSD Property

[REDACTED] DOB: [REDACTED] ✓
[REDACTED] Cerritos, Ca. 90703
Hm # [REDACTED]

On April 29, 2003 at approximately 1435 hours, Inv. Burke and I audiotaped an interview with [REDACTED]. The interview was conducted at the OCSD West Station. [REDACTED] told us that she has been HARRIS' girlfriend for about 2 months. She had arrived at HARRIS' on 4-28-03 and spent the night. She said HARRIS and she woke up this morning at about 0730 hours. She had planned on going to court with HARRIS but opted to just hang out and wait for his return. She said that HARRIS' mother showed up around 0800 hours and he left with her.

[REDACTED] said she fell back asleep. The next thing she remembered was waking up hearing male voices yelling "Sheriff's Department". She got up, put on her clothes and left the rear bedroom, entering the hallway so the "police" could acknowledge her presence.

She said that once she was in the hallway and saw that the officers had seen her she "covered her eyes with her hands". Although she was not clear on the chronology of events because it was "chaos", she did hear what sounded like a gunshot.

INVESTIGATING OFFICERS HOFFMAN	REPORT BY Inv. K. Hoffman #547	DATE OF REPORT 4/30/03	APPROVED <i>[Signature]</i>
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REPORT CONTINUATION

For further information refer to the audiotape. [REDACTED] was cooperative throughout the process and elected to leave the OCSD west substation via a cab.

INVESTIGATING OFFICERS HOFFMAN	REPORT BY Inv. K. Hoffman #547	DATE OF REPORT 4/30/03	APPROVED 
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MICHAEL S. CARONA, SHERIFF-CORONER

LAST NAME FIRST -- SPELL OUT WHEN DICTATING

FOLLOW-UP REPORT

7. OFFENSE Officer Involved Shooting		8. LOCATION OF OCCURRENCE [REDACTED] Stanton 90680	
9. VICTIM/INFORMANT Deputy Martin Ramirez		10. DATE AND TIME OF OCCURRENCE Tuesday, 4-29-03/1132 Hours	11. GRID 797J1

12. DETAILS OF OFFENSE:

WITNESS INFORMATION:

Sergeant Bill Griffin (North Gang Enforcement Team)
550 N. Flower Street, Santa Ana 92703 ✓
(714) 647-7089

EVIDENCE COLLECTED:

One audiotape of witness interview.

INVESTIGATION INFORMATION:

On Tuesday, 4-29-03 at approximately 1404 hours, Investigator Spencer and I interviewed Sergeant Griffin in the briefing room at the Stanton Sub-station. The interview was recorded and the tape booked into evidence.

Sergeant Griffin is the supervisor of the North Gang Enforcement Team (GET.) His team consists of Deputies Ramirez, Sharpe, Baker, Houtari, and Zurborg. He and his team had an arrest warrant for David Harris [REDACTED] with an address of [REDACTED] in Stanton. Griffin believed the warrant was for possession of dangerous drugs for sale.

Griffin and Deputy Zurborg were parked across the street (to the south) of the driveway of [REDACTED]. Deputy Ramirez notified the team, by pac-set; Harris was approaching his residence in a black car. Harris was the passenger. Griffin pulled in behind the vehicle as Harris exited and proceeded to his residence. Griffin said it appeared Harris saw them approach. Harris ran into his house and shut the security screen. Griffin pounded on the screen door but it did not open.

Deputy Zurborg broke a window adjacent to the screen door and told Harris to "freeze." Griffin went back to his vehicle to retrieve an entry tool made to open security screen doors. When Griffin came back to the residence, Deputy Zurborg was directing Harris out the threshold of the door. Griffin said Harris was positioned on the ground at the threshold. Deputy Baker watched Harris while Griffin and Zurborg entered the house to clear it for other people.

Griffin noticed Deputy Zurborg's attention was drawn to the rear slider. The rear slider was covered with vertical blinds. Zurborg told Griffin he thought someone ran out the rear slider. Griffin then heard the sounds of what he thought were two or three gunshots. The gunshot sounds came from the backyard of the residence adjacent to the slider. Griffin said Deputy Zurborg fired, what he thought

INVESTIGATING OFFICERS Inv. Ken Hoffman	REPORT BY Inv. Brian Sutton #754	DATE OF REPORT 4/30/03	APPROVED <i>[Signature]</i>
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ORANGE COUNTY
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REPORT CONTINUATION

was, one round from his weapon. Griffin could not tell what direction Zurborg's gun was pointed when he fired. Zurborg was only a few feet from the slider when he fired.

After Deputy Zurborg fired, Griffin saw a female down the hallway. At the time of the shooting, the residence had not been secured. Griffin said the female said she was sleeping. Griffin directed the female outside.

Griffin heard Deputy Zurborg say something to the effect of "Marty (Deputy Ramirez) got shot." Griffin asked how Ramirez was. Griffin learned Ramirez had been shot in the hand. Griffin and Zurborg were the only GET team members inside the house. Baker was still watching Harris who was not yet handcuffed.

Griffin told Deputy Houtari to call for paramedics because Ramirez was shot in the hand. Griffin said he did not know in what order his team members arrived at the scene. Griffin was unaware any of his team members were in the back of the residence.

Deputy Ramirez entered the residence through the rear slider and walked through to the front of the residence. A patrol deputy transported Deputy Ramirez and Deputy Sharpe to West Anaheim Medical Center. Griffin transported Zurborg to West Anaheim Medical Center for cuts he sustained breaking out the window. While Zurborg was being treated, Griffin collected his duty weapon (Sig-Sauer P228.) Griffin retained the weapon until Sheriff's Identification collected the gun. At the hospital, Zurborg told Griffin he thought he was being shot at.

Griffin has supervised Zurborg and Ramirez for the last six to eight months. He knows of no conflict between the two of them. Griffin believed the incident was purely an accident.

GET has had several contacts with Harris in the past. Approximately four months ago, GET assisted Sex Crimes with a search warrant for Harris' residence. During the search, GET located methamphetamine and several firearms. Sex Crimes notified Griffin they returned to the house approximately one month later and found more weapons and a wanted person at the residence. Approximately one month ago GET returned to Harris' residence for another warrant. GET located more methamphetamine in the residence. The current warrant was in relation to the last incident with Harris.

INVESTIGATING OFFICERS Inv. Ken Hoffman	REPORT BY Inv. Brian Sutton #754	DATE OF REPORT 4/30/03	APPROVED 
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SANTA ANA, CALIFORNIA**

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MICHAEL S. CARONA, SHERIFF-CORONER

LAST NAME FIRST -- SPELL OUT WHEN DICTATING

FOLLOW-UP REPORT

7. OFFENSE Officer Involved Shooting		8. LOCATION OF OCCURRENCE [REDACTED] Stanton, 90680	
9. VICTIM/INFORMANT Informant: Lieutenant Johnson		10. DATE AND TIME OF OCCURRENCE 04-29-03 @ 1132 hours	11. GRID 797-J1

12. DETAILS OF OFFENSE:

On Tuesday, April 29, 2003, the Gang Enforcement Team was executing an arrest warrant at [REDACTED] City of Stanton when a shooting occurred. At 1310 hours on 04-29-03, I interviewed Deputy Monte Huotari #1602 regarding his involvement in this incident. The following is a synopsis of that interview.

Dep. Huotari told me that he, along with Sgt. Griffin, Dep. Baker, Dep. Zurborg, Dep. Sharpe, Dep. Ramirez and patrol deputy Cullen began surveillance on the residence about 1030 hours. Dep. Huotari stated there purpose was to arrest David Harris for an outstanding felony warrant. When the Gang Enforcement Team (GET) arrived they believed Harris was inside the residence because his truck was parked in the driveway, in front of Harris' apartment.

Dep. Huotari was in an unmarked vehicle, driving alone. Dep. Huotari told me that their plan was to arrest Harris once he left his residence. A marked black and white patrol unit was waiting nearby to initiate the vehicle stop. Dep. Huotari said he was not sure when Harris arrived but believed it was about 1145 hours. When Harris arrived Sgt. Griffin and Dep. Zurborg were directly across the street from Harris' apartment and saw him exit a black Saturn driven by his mother.

Sgt. Griffin and Dep. Zurborg announced via radio that Harris had arrived at his residence and they along with the rest of the GET team converged on the residence. Dep. Huotari said that he was the third vehicle in the driveway and when he exited his vehicle Sgt. Griffin and Dep. Zurborg along with Dep. Baker and Dep. Ramirez were already out of their vehicles. When Huotari exited his vehicle he saw the female driver and walked over to the driver side of the vehicle to detain the driver.

INVESTIGATING OFFICERS	REPORT BY <i>[Signature]</i> Inv. A. Bland (pid 1038)	DATE OF REPORT 5/1/03	APPROVED <i>[Signature]</i>
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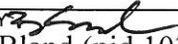
SHERIFF'S DEPARTMENT
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MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

Dep. Huotari said that he was not sure what happened on the porch with Harris or where each member of the GET team went once they exited their vehicles. Dep. Huotari said he could here commands being given to Harris and then Dep. Huotari saw Harris being detained by Dep. Baker. Dep. Huotari stated he believes that Sgt. Griffin and Dep. Zurborg went into the residence, Dep. Baker detained Harris on the porch and Dep. Ramirez went to the rear of the residence.

Dep. Huotari stated he then heard two loud pops come from the rear of the residence. Dep. Huotari said the popping sound was not as distinct as a gunshot but more like glass breaking or something banging on a window. The next thing Dep. Huotari heard was a single gunshot. Dep. Huotari asked Dep. Baker if he also heard the gunshot and Dep. Baker responded, yes. Dep. Huotari used Dep. Baker' radio to request radio silence and then advised dispatch that there had been a shooting at their location. Dep. Huotari also requested paramedics. Dep. Huotari stated he later saw Dep. Ramirez walk from the residence with something wrapped around his hand and realized that Dep. Ramirez had been shot. Dep. Huotari did not know how Dep. Ramirez was shot.

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MICHAEL S. CARONA, SHERIFF-CORONER

LAST NAME FIRST -- SPELL OUT WHEN DICTATING

FOLLOW-UP REPORT

7. OFFENSE Officer involved Shooting		8. LOCATION OF OCCURRENCE ██████████ Stanton, 90680	
9. VICTIM/INFORMANT Informant: Lieutenant Johnson		10. DATE AND TIME OF OCCURRENCE 04-29-03 @ 1132 hours	11. GRID 797-J1

12. DETAILS OF OFFENSE:

On Tuesday, April 29, 2003, the Gang Enforcement Team was executing an arrest warrant at 8151 Starr Street, City of Stanton when a shooting occurred. At 1405 hours on 04-29-03, I interviewed Deputy Timothy Cullen #1654 regarding his involvement in this incident. The following is a synopsis of that interview.

Dep. Cullen told me that he met with the Gang Enforcement Team about 0950 hours to brief about a subject (David Harris) who had a felony arrest warrant. Dep. Cullen met with the GET team and was told that he would initiate a car stop on David Harris' vehicle once Harris entered the vehicle and drove away from his residence. Dep. Cullen was in the Family Fun Center parking lot at the corner of ██████████ and Beach Blvd. It was about 1100 hours when Dep. Cullen heard over Gray channel (the alternate radio channel being used by the GET team) that Harris had arrived at his residence.

Dep. Cullen heard someone over the radio say, "let's move" and they all drove toward the residence. Dep. Cullen began driving toward the residence and as he approached he heard someone over the radio say, "he's going to run." Dep. Cullen drove past the drive way in an effort to set a perimeter, if Harris ran from behind his residence. Dep. Cullen drove eastbound on ██████████ and was turning north bound onto Fern street when he heard a single gunshot. Dep. Cullen then heard via his primary radio that an officer was involved in a shooting at his location.

Dep. Cullen turned around and drove to the ██████████ address. When Dep. Cullen arrived he parked west of the residence and ran down the driveway to the apartment. When Dep. Cullen arrived at the apartment he saw Harris being detained and a female subject being detained in a black Saturn.

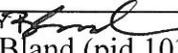
INVESTIGATING OFFICERS	REPORT BY <i>A. Bland</i> Inv. A. Bland (pid 1038)	DATE OF REPORT 5/1/03	APPROVED <i>[Signature]</i>
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REPORT CONTINUATION

Dep. Cullen than searched the residence with another investigator (Dep. Cullen did not know his name). Dep. Cullen then walked Harris to his patrol unit and placed him in the rear seat. Dep. Cullen did not know who fired the gunshot or if anyone was struck by the round until he heard the GET team members talking about what occurred.

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FOLLOW-UP REPORT

7. OFFENSE Officer Involved Shooting		8. LOCATION OF OCCURRENCE ██████████ Stanton 90680	
9. VICTIM/INFORMANT Informant: Lieutenant Johnson		10. DATE AND TIME OF OCCURRENCE 04-29-03 @ 1132 hours	11. GRID 797-J1

12. DETAILS OF OFFENSE:

On Tuesday, April 29, 2003, the Gang Enforcement Team was executing an arrest warrant at ██████████, City of Stanton when a shooting occurred. I conducted a neighborhood canvass of the area and spoke to resident's reference what occurred. The following is a synopsis of the neighborhood canvass.

██████████ Stanton, 90680

No Answer

██████████ Stanton, 90680

Subject: ██████████

I contacted ██████████ inside his residence. I explained to ██████████ who I was and why I was there. ██████████ told me he was home sleeping when he heard a commotion outside and male voices yelling the word "freeze". ██████████ said he tried to go back to sleep but continued to hear indiscernible yelling. ██████████ said he eventually dosed back off and woke to find the sheriff's department outside his residence. ██████████ said he did not here any gunshots nor did he know what time he heard the initial yelling. I asked ██████████ if he knew the person in apartment ██████████ he told me that he did not and only saw his neighbor in passing.

██████████ Stanton, 90680

No Answer

INVESTIGATING OFFICERS	REPORT BY <i>A. Bland</i> Inv. A. Bland (pid 1038)	DATE OF REPORT 4/30/03	APPROVED <i>[Signature]</i>
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

[REDACTED] Stanton, 90680

Subject: [REDACTED] No Phone ✓

I contacted [REDACTED] inside her residence. I explained to [REDACTED] who I was and asked her if she heard or saw what occurred at the residence next door. [REDACTED] told me she was home all day but did not hear anything, throughout the day, that she thought was unusual. The interview with [REDACTED] was concluded.

[REDACTED] Stanton, 90680

No Answer

[REDACTED] Stanton, 90680

No Answer

[REDACTED] Stanton, 90680

Subject: [REDACTED] y

I spoke to [REDACTED] at his residence. I explained to [REDACTED] who I was and why I was there. [REDACTED] told me that he had just arrived at his residence after attending school all day. [REDACTED] told me that he attends school from about 0730 hours until about 1445 hours. [REDACTED] added that there is no one at the residence during the day.

[REDACTED] Stanton, 90680

No Answer

INVESTIGATING OFFICERS	REPORT BY <i>[Signature]</i> Inv. A. Bland (pid 1038)	DATE OF REPORT 4/30/03	APPROVED
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

[REDACTED], Stanton, 90680

Subject(s): [REDACTED] and [REDACTED]

I spoke to [REDACTED] at her residence. I explained to her who I was and why I was there. [REDACTED] told me that she attends school during the day and was not home when the incident occurred. [REDACTED] mother [REDACTED] was inside the residence when she heard glass breaking, a banging sound that occurred twice and male voices shouting. [REDACTED] did not know what time this occurred but thought it was before noon. [REDACTED] did not know what was being said when she heard the male voices shouting because she is Vietnamese and does not understand English. When I spoke to [REDACTED] her daughter [REDACTED] translated my questions and [REDACTED] response.

[REDACTED], Stanton, 90680

No Answer

[REDACTED], Stanton, 90680

Subject: [REDACTED]

I spoke to [REDACTED] at her residence. I explained to her who I was and why I was there. [REDACTED] told me at about 1100 hours she saw two cars (unmarked sheriff's units) parked in an area near her residence. [REDACTED] pointed to a red zone where a basketball court is positioned and told me that was the area where the two cars were parked. [REDACTED] described one of the cars as white and the other as dark colored. [REDACTED] could not describe the individuals inside the cars. [REDACTED] told me she later saw both cars drive away and then saw the fire department, paramedics and an ambulance arrive. [REDACTED] did not know what occurred at or inside the residence.

[REDACTED], Stanton, 90680

No Answer

INVESTIGATING OFFICERS	REPORT BY <i>[Signature]</i> Inv. A. Bland (pid 1038)	DATE OF REPORT 4/30/03	APPROVED
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

[REDACTED] Stanton, 90680

Subject: [REDACTED]

I spoke to [REDACTED] at her residence. I explained to [REDACTED] who I was and why I was there. [REDACTED] told me although she was home all day she did not see or here anything that occurred. [REDACTED] did not realize anything had occurred until she saw paramedics arrive.

INVESTIGATING OFFICERS	REPORT BY <i>[Signature]</i> Inv. A. Bland (pid 1038)	DATE OF REPORT 4/30/03	APPROVED
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ORIGINAL

SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

2. CASE NO. 03-087626

PRIORITY: Yes
 No

CONFIDENTIAL

- 3. INITIAL NON-CRIMINAL
- 4. INITIAL-CRIMINAL
- 5. FOLLOW-UP CRIMINAL
- 6. CONTINUATION REPORT NO.

MICHAEL S. CARONA, SHERIFF-CORONER

FOLLOW-UP REPORT

7. OFFENSE Officer Involved Shooting		8. LOCATION OF OCCURRENCE ██████████ Stanton	
9. VICTIM/INFORMANT Lt. P. J. Johnson		10. DATE AND TIME OF OCCURRENCE Tuesday, 4-29-03, 1132 hours	11. GRID 797J1

12. DETAILS OF OFFENSE:

On 4-29-03, at approx. 1145 hours, homicide investigators were assigned to investigate an officer involved shooting located at ██████████ in the city of Stanton. Prior to leaving for the scene, I was told the Orange County Gang Enforcement Team was serving an arrest warrant at the location and Dep. M. Ramirez was shot by Dep. L. Zurborg.

I arrived at the location at approx. 1230 hours along with homicide investigators B. Sutton, T. Bland, D. Burke and Acting Sergeant Inv. B. Vining. Inv. K. Hoffman was assigned as the lead investigator on the case. After being briefed by Inv. Hoffman, I was assigned to assist with interviewing deputies involved.

TAPED INTERVIEW WITH DEP. MIKE SHARPE #1304 ✓

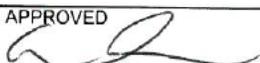
On 4-29-03, at approx. 1440 hours, Inv. Sutton and I interviewed Sharpe regarding the shooting incident that took place at ██████████ in the city of Stanton. The interview took place in the briefing room at the Sheriff's west station. The interview was taped and the tape was booked as evidence at the Sheriff's evidence locker. The following is a synopsis of the interview.

Sharpe stated approx. four to five months ago, he and other Gang Enforcement Team members assisted the sex crimes detail on a search warrant regarding a subject named David Harris who lives at the ██████████ address. Sharpe said his team was used due to Harris' history of gun possession and violence. On this date Harris was taken into custody in front of his residence. Several guns and drugs were found during the search.

Sharpe told us of the second search at Harris' address where again weapons and drugs were found.

The third contact with Harris by the GET team was while assisting sex crimes again on an arrest warrant for Harris. Drugs were found inside of the residence and Harris was booked on the warrant and the drugs were going to be analyzed. Sharpe told us after the drugs were determined to be Methamphetamine another arrest warrant was issued for Harris.

Sharpe stated on Friday, 4-25-03, Dep. Ramirez received the warrant and the GET team attempted to locate Harris but were unsuccessful. He stated on Tuesday, 4-29-03, at approx. 0930 hours, he was at a meeting while other GET team members were surveilling the ██████████ address for Harris. After his meeting he went to the location and assisted in the surveillance.

INVESTIGATING OFFICERS Inv. Hoffman	REPORT BY Inv. Spencer PID 2707	DATE OF REPORT 4/30/03	APPROVED 
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

I asked Sharpe what team members were at the location and he said his Sergeant, Sgt. Griffin, Dep. Houtari, Dep. Ramirez, Dep. Baker, Dep. Zurborg and himself. He mentioned a patrol deputy was on scene but he did not know who it was.

I asked Sharpe what happened next and he said Dep. Ramirez stated on the radio that Harris was a passenger in a black vehicle that had just arrived. He stated the team members followed the vehicle into the driveway in front of the residence and Sharpe said he parked along [REDACTED]. He said he heard Dep. Zurborg on the radio state that Harris was running and Sharpe said he turned eastbound on [REDACTED] and parked north of the residence and went to the rear neighboring houses thinking Harris would run to the back and jump over the back fence.

Sharpe told us as he was running up he was on the other side of an eight foot wall and could not see what was going on at the [REDACTED] address but he could hear yelling and banging coming from the residence. He could not say if it was gunshots but it was banging. He again said he could not see anything but then heard Dep. Ramirez say he had been hit. Sharpe said he jumped over the wall and began to assist Ramirez.

Sharpe asked Dep. Ramirez what happened and he said he had been shot. He said was not sure at the time who shot Dep. Ramirez and they both waited at the rear until Sgt. Griffin told them to come inside of the residence.

Sharpe said they entered the apartment through the rear slider and went the front of the residence. He told us paramedics had already been called but it was decided to transport Ramirez to West Anaheim Memorial hospital by a patrol unit. Sharpe said he rode in the back of the patrol unit with Ramirez and Dep. Newberry, who had arrived after the shooting, drove them to the hospital.

Sharpe said at the hospital, he took Ramirez gun, a Sig Saur 226 semi automatic 9 mm handgun, because the staff there did not want the weapon with Ramirez while they administered aid.

Sharpe again told us he could hear yelling and the banging noise but he could not hear what was being yelled. He also said the banging sounded like someone banging on the rear slider but he is not sure. He said there was no delay from the banging and the gunshot and it all happened simultaneously.

I asked Sharpe if there was any problems between Dep. Zurborg and Dep. Ramirez and he stated no and that everyone on the Gang team gets along and have been working very well together.

Sharpe believed this was purely an accident.

I asked Sharpe if he talked to Dep. Zurborg after the shooting and he said that Zurborg had just stated that he thought he was being shot at. He thought the banging was shots and when he looked out of the window, he saw the gun and he shot.

The interview was completed 1455 hours.

INVESTIGATING OFFICERS Inv. Hoffman	REPORT BY Inv. Spencer PID 2707	DATE OF REPORT 4/30/03	APPROVED
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

PRIORITY: Yes
 No

CONFIDENTIAL

ORIGINAL

- 3. INITIAL NON-CRIMINAL
- 4. INITIAL-CRIMINAL
- 5. FOLLOW-UP CRIMINAL
- 6. CONTINUATION REPORT NO. FOLLOW-UP REPORT

MICHAEL S. CARONA, SHERIFF-CORONER

7. OFFENSE Officer Involved Shooting		8. LOCATION OF OCCURRENCE ██████████ Stanton	
9. VICTIM/INFORMANT Lt. P.J. Johnson		10. DATE AND TIME OF OCCURRENCE Tuesday, 4-29-03, 1132 hours	11. GRID 797J1

12. DETAILS OF OFFENSE:

On 4-29-03, at approx. 1145 hours, homicide investigators were assigned to investigate an officer involved shooting located at ██████████ in the city of Stanton. Prior to leaving for the scene, I was told the Orange County Gang Enforcement Team was serving an arrest warrant at the location and Dep. M. Ramirez was shot by Dep. L. Zurborg.

I arrived at the location at approx. 1230 hours along with homicide investigators B. Sutton, T. Bland, D. Burke and Acting Sergeant Inv. B. Vining. Inv. K. Hoffman was assigned as the lead investigator on the case. After being briefed by Inv. Hoffman, I was assigned to assist with interviewing deputies involved.

TAPED INTERVIEW WITH DEP. MARTIN RAMIREZ ✓

On 4-29-03, at approx. 1318 hours, Inv. Sutton and I conducted an interview with Ramirez. The interview took place in the emergency room at West Anaheim Memorial Hospital in the city of Anaheim. Also present during the interview was Rick Long of the Association of Orange County Deputy Sheriffs. The interview was taped and the tape was booked as evidence. The following is a synopsis of the interview.

Ramirez told us he and his partner, Dep. Baker arrived at the ██████████ address between 0900 and 0930 hours regarding a subject named David Harris who lived at the address. Harris had a felony warrant for his arrest and his vehicle, a gray pick up, was parked at the residence. Ramirez said he and Baker began surveillance on the residence and called the rest of the GET team members to come to the location and assist in the surveillance.

Ramirez said GET team members arrived at the location along with a Stanton Police Services patrol unit and set a perimeter around the residence waiting for Harris to arrive or to leave. Ramirez said a black vehicle arrived at the address and the passenger was David Harris. Ramirez said team members converged on the residence to take Harris into custody, when he heard the statement from someone that Harris was running. Ramirez realized no one was covering the rear of the residence and yelled out that he would cover the back of the residence. He said he went to the back and while at the back he heard some glass shattering in the front of the residence. Ramirez said he pounded on the glass of the rear slider, using a rake, in an attempt to open it.

Ramirez stated he believed if Harris was on the run he would come to the rear. He said he was looking in the rear slider when he could see Dep. Zurborg looking out in his direction. Ramirez said they both approached the slider at the same time and Zurborg was looking at his gun because that was only thing he could see because Ramirez body was covered. Ramirez said the glass shattered and he

INVESTIGATING OFFICERS Inv. Hoffman	REPORT BY Inv. Spencer PID 2707	DATE OF REPORT 4/30/03	APPROVED J. <i>Spencer</i>
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

stepped back and saw the wound to his hand. Ramirez said he told Dep. Zurborg that he was hit and he had shot him.

I asked Ramirez what team members were on scene and he stated Sgt. Griffin, Dep. Zurborg, Dep. Sharpe, Dep. Baker, Dep. Houtari, Dep. T. Cullen and himself.

I asked Ramirez if anyone was with him when he went to the rear of the residence and he said no, he knew he was by himself.

I asked Ramirez if he saw Zurborg through the window and yes but Zurborg was looking at the gun and his hands. He said there was no I contact.

Ramirez said everything happened quickly and there was no delay, everything happened fast. Ramirez said there was only one round fired and he did not returned fire.

Dep. Ramirez told us at the time he was shot; he did not know Harris was already in custody.

Ramirez said after he was injured he saw Dep. Sharpe come over a neighboring yard and assisted him. He then was transported to the hospital by Dep. Newberry in a patrol unit. Dep. Sharpe went with him.

The interview was complete at approx. 1330 hours.

For further information, see transcription of this interview.

INVESTIGATING OFFICERS Inv. Hoffman	REPORT BY Inv. Spencer PID 2707	DATE OF REPORT 4/30/03	APPROVED
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CONFIDENTIAL

SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

PRIORITY: Yes
 No

ORIGINAL

- 3. INITIAL NON-CRIMINAL
- 4. INITIAL-CRIMINAL
- 5. FOLLOW-UP CRIMINAL
- 6. CONTINUATION REPORT NO.

MICHAEL S. CARONA, SHERIFF-CORONER LAST NAME FIRST -- SPELL OUT WHEN DICTATING FOLLOW-UP REPORT

7. OFFENSE Officer Involved Shooting		8. LOCATION OF OCCURRENCE ██████████ Stanton, Ca.	
9. VICTIM/INFORMANT Inf. Lt. Johnson		10. DATE AND TIME OF OCCURRENCE 4-29-03 / 1132 hours	11. GRID 797J1

12. DETAILS OF OFFENSE:

IN PERSON INTERVIEW WITH ██████████

EVIDENCE: (1) original audiocassette tape, booked into OCSD Property.

██████████

██████████ Anaheim, Ca. 92804

██████████

On 4-29-03 at approximately 1330 hours, Inv. Burke and I audio taped an interview with ██████████. The interview was conducted at the OCSD West Station. The following is a summary of the interview;

██████████ told us that she is the mother of DAVID HARRIS, the person who was arrested. She said that she had picked her son up at his home at about 0800 hours as planned and transported him to West OC Court for his appearance on a pending criminal matter. He is apparently out on bail. They went to court and learned the case had been trailed.

Sometime after 1100 hours, she drove him back to his home. She turned eastbound onto ██████████ from Beach Blvd. She then turned northbound into the driveway. Her son, D. HARRIS exited the car and began to go inside the home. She exited the car, realizing that he left some court paperwork in her car. She stood in the driver's door area, asking him if he wanted the paperwork.

INVESTIGATING OFFICERS Hoffman	REPORT BY Inv. K. Hoffman #547	DATE OF REPORT 4/30/03	APPROVED <i>[Signature]</i>
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

It was then she observed several males running towards her direction. She said that she saw the males wearing police equipment. She heard some of the males yelling "Sheriff's Department" and something about a warrant. She saw them banging on the door to her son's home, then one broke a window. She said that the incident happened very quickly and she was unsure about the chronology of events, but at some point she heard what sounded like (2) gunshots. She saw one of the males with a towel around his arm.

For further details refer to the audiotape. [REDACTED] remained cooperative throughout the investigation, which included a consent search of her vehicle.

INVESTIGATING OFFICERS Hoffman	REPORT BY Inv. K. Hoffman #547	DATE OF REPORT 4/30/03	APPROVED
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CONFIDENTIAL

**SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA**

PRIORITY: Yes
 No

ORIGINAL

3. INITIAL NON-CRIMINAL
4. INITIAL-CRIMINAL
5. FOLLOW-UP CRIMINAL
6. CONTINUATION REPORT NO.

MICHAEL S. CARONA, SHERIFF-CORONER

LAST NAME FIRST -- SPELL OUT WHEN DICTATING

FOLLOW-UP REPORT

7. OFFENSE Officer Involved Shooting		8. LOCATION OF OCCURRENCE [REDACTED] Stanton, CA 90680	
9. VICTIM/INFORMANT Lt. P. J. Johnson		10. DATE AND TIME OF OCCURRENCE Tuesday April 29, 2003	11. GRID 797J1

12. DETAILS OF OFFENSE:

SUBJECT INFORMATION:

HARRIS, David Bryant [REDACTED]

Address: [REDACTED] Stanton, CA 90680

Phone: [REDACTED]

EVIDENCE COLLECTED:

One (1) audiocassette tape, interview of Harris

SUMMARY OF INTERVIEW:

On the above date and time, members of the Sheriff's Department Gang Enforcement Team were attempting to serve an arrest warrant for David Harris, at [REDACTED], Stanton. During the warrant service, Deputy Sheriff L. Zurborg fired his service weapon and the round struck Deputy Sheriff M. Ramirez in the hand. Homicide investigators responded to investigate the officer involved shooting. Inv. K. Hoffman, the case agent, and I interviewed David Harris at the Stanton/West Substation. The interview was tape-recorded, beginning at approximately 1520, and the following is a summary:

Inv. Hoffman asked Harris to tell us about the events at his residence beginning the night before. Harris said his girlfriend, [REDACTED] spent the night at his residence. He got up at approximately 0745 hours to get ready to make an appearance in West Court. Harris' mother, [REDACTED], was to pick him up and drive him to court. [REDACTED] picked Harris up around 0830 hours and they went to West Court in her black, two door, Saturn. Harris' court case was trailed to another date and [REDACTED] drove back to Harris' house, with Harris in the front passenger seat.

As [REDACTED] drove down [REDACTED] Harris saw a black and white Sheriff's unit but did not think it was unusual because the deputies often parked and met at a business lot on the street. Harris made a joking comment to [REDACTED] that the deputy was probably coming to arrest him. Because Harris had just appeared in court, he did not know a warrant issued for his arrest had been issued.

[REDACTED] turned into the long driveway and stopped in front of Harris' residence. Harris got out of the car, walked directly into his residence, closed the security screen and began to close the door. He then heard someone screaming "Sheriff's Department, Sheriff's Department!" Harris did

INVESTIGATING OFFICERS INV. K. HOFFMAN	REPORT BY INV. D. BURKE # 939	DATE OF REPORT 4/30/03	APPROVED [Signature]
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

not have time to stop the door from closing and the plain-clothes deputy broke the window next to the door. The deputy pointed his gun through the window and yelled, "Come out, come out!" Harris opened the doors and walked onto the porch with his hands up. He was ordered to get on the ground and Harris complied, lying on porch face down.

While Harris was lying on the porch he heard a loud noise that sounded like a gunshot. One of the deputies near Harris asked, "Was that a shot? Did I hear a gun shot?" All the deputies then began yelling, "Shots fired, shots fired!" Harris was handcuffed and placed in the back of a car.

Inv. Hoffman asked Harris if he was injured: cut, bruised or scraped, at all during the incident. Harris said he was not injured. Inv. Hoffman asked if anyone else lives at the residence and Harris said he lives alone. Inv. Hoffman asked if anyone else has property at his residence. Harris said several people keep things at his residence. He specifically mentioned two of his ex-girlfriends, an aunt, a grandfather, and his ex-roommate. Inv. Hoffman asked if these were things like clothes, furniture, televisions and stereos and Harris said that is correct.

I asked about Harris getting out of his mother's car when they returned to the residence, and if he is certain he did not see or hear the deputies coming toward him as he got out of the car and/or walked to his door. Harris again said he did not see or hear the deputies until he was closing the main door. I asked if he slammed the door on the deputies intentionally and Harris said he did not; that if he had tried to keep the door from closing, it would have smashed his fingers. Inv. Hoffman asked about what the deputies were wearing. He said some were in plain clothes but some had vests on with "Sheriff" on the back and badges on the front. Harris said he never saw the injured deputy and did not know what had actually happened until later. He thought at first that his dog or his girlfriend had been shot. The interview ended at approximately 1540 hours.

After the interview, an ID technician photographed Harris. Inv. Hoffman again asked Harris if he sustained any injuries during the incident and said we would photograph the injuries. Harris repeated that he had not been injured.

END OF REPORT

INVESTIGATING OFFICERS INV. K. HOFFMAN	REPORT BY INV. D. BURKE # 939	DATE OF REPORT 4/30/03	APPROVED 
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ORIGINAL - CONFIDENTIAL

VIOLATION: OIS

(X) INTERVIEW () CONVERSATION () TELEPHONE

NAME OF INTERVIEWEE: DEPUTY MARTIN RAMIREZ ✓

DATE/TIME OF INTERVIEW: APRIL 29, 2003 – 1318 HOURS

LOCATION OF INTERVIEW: WEST ANAHEIM MEMORIAL HOSPITAL

CONDUCTED BY: INVESTIGATOR ANDRE SPENCER, OCSD, HOMICIDE
INVESTIGATOR BRIAN SUTTON, OCSD, HOMICIDE

TRANSCRIBED BY: E. HARGRAVE, OCSD, CRIMINAL INVESTIGATION DIVISION

--**-- (DENOTES INAUDIBLE PORTIONS OF TAPE)

.... (DENOTES SENTENCE TRAILING OFF)

... (DENOTES CHANGE IN THOUGHT OR INTERRUPTION IN SENTENCE)

- (DENOTES INCOMPLETE WORD SPOKEN)

SPENCER: Today's date is, ah, April 29th, 2003. It is a Wed, ah, Tuesday. Ah, this is Investigator Andre Spencer with the Orange County Sheriff's Department, ah, conducting an interview with Martin Ramirez. He's a deputy sheriff with Orange County Sheriff's Department. Ah, his date of birth is, ah, [REDACTED] Badge number 1246. His PID number is 2442. Ah, the time right now is approximately 1318 hours. Ah, this interview is taking place in the emergency room of West Anaheim Medical Center in the city of Anaheim. Also with me is Investigator Brian Sims, Orange County Sheriff's Department, Homicide. Ah, I'm sorry Brian Sims. Brian Sutton. That's a bad mistake. Ah, Orange County Sheriff's Department, Anaheim. And ...

LONG: Rick Long.

SPENCER: Rich Long, representing, ah, ah, Martin Ramirez. He works for the association. Ah, Martin, if you would before we go ahead and start the tape go ahead and give your, ah, your name and date of birth.

RAMIREZ: Martin Ramirez, [REDACTED]

SPENCER: Okay, Martin, it was brought to our attention that you guys, ah, had 10-32, Fox Trot information, warrant information, regarding a subject by the last

name Harris. Ah, so if you would, ah, start us out what time you guys gathered at this location, ah, and take us from there.

RAMIREZ:

Okay. Approximately, anywhere between nine (9) and nine-thirty (9:30) this morning, ah, Deputy Baker and I drove to the front of, ah, Harris' address, and we saw his, ah, pickup truck up in, ah, parked in front of his garage. So, we setup a surveillance at that time, thinking that he was at home. He had an outstanding warrant for, ah, possession for sales from, ah, our agency. Ah, we called up the rest of the team to surround the place. So it was the GET team and, ah, black and white from Stanton showed up. And we pretty much got on the place for him for any type of movement from the, ah, from the complex either him driving up or him driving away. Ah, sometime before the incident we saw a black, ah, vehicle pull in front of the house. We saw it coming down the street, ah, and, ah, we ID him sitting in the passenger seat. The vehicle was being driven by a female subject. Ah, we decided to go ahead and close in at that time to, ah, take him into custody. Sergeant Griffin and Deputy Zurborg were the first ones down the driveway and, ah, Deputy Baker and I followed in behind them. We drove in and, ah, I didn't see him, but I, I heard that, ah, he's on the run or he's running or he took off or something to that effect. And, ah, there was nobody covering the back at that time. So, at that time, I yelled, "I'll take the back." So, I went up to the back. Ah, came through the back. I heard some glass shattering in the front. Ah, I kind of pounded on the, ah, well I didn't kind of, I pounded on the glass to see if they would open up the rear slider. Ah, I used to, kind of like a rake, too, that was back there to, ah, the slider is kind of like a doggie, doggie door kind of slider.

SPENCER:

Yeah.

RAMIREZ:

So I kind of see like I managed to slip it in the slider and opened it up. Ah, if he was on the run I suspected this guy might be coming up to the rear here pretty soon. Ah, but when that didn't work I backed off a way. And, ah, I was watched ... I was looking inside the slider when I saw Deputy Zurborg looking out at the same time. Kind of like, kind of like I approached it and he approached it at the same time. And at one point I saw his face, and I

noticed that his face wasn't fixed at me, and my face. So we didn't make like eye to eye contact. Kind even worse he was looking down so I assumed maybe he was looking at my gun, 'cause that's the only thing that he could see at the time, I believe. And, ah, that's when I felt the glass shatter. Initially, I thought the glass was broken from the inside. So, I stepped back and --**-- for cover, and I realized that Larry was still by the window. And I saw the, ah, the wound on my hand so I knew that he had shot. He had been the one that shot. So he shot me. So, I looked at my hand, you know, and I told --**-- hey, ah, hey, I'm hit, I'm shot, you know, you shot me. And, ah, I just wrapped it around and he came out and, ah, that's pretty much it.

SPENCER: Um, start a little bit from the beginning. Ah, the address from where you guys are at was [REDACTED] does that sound familiar?

RAMIREZ: Yeah. Yeah, --**--.

SPENCER: In the city of Stanton.

RAMIREZ: Stanton.

SPENCER: And, ah, team members with you, ah, if you would just go ahead and give those names.

RAMIREZ: Everybody involved was, ah, Sergeant Griffin, Deputy Zurborg, Deputy Huotari, Deputy Sharpe, ah, Deputy Baker, myself and, ah, we had a black and white unit standing by.

SPENCER: Um, Deputy T. Cullen.

RAMIREZ: T. Cullen.

SPENCER: Ah, did you also have a Anaheim, ah, PD officer with you as well. Does that sound familiar to you?

RAMIREZ: No, it doesn't.

SPENCER: Okay. Also, ah, does David Harris that sounds like your subject with a date of birth of [REDACTED]

RAMIREZ: Yeah.

SPENCER: Okay.

SUTTON: How long were you guys looking for Harris?

RAMIREZ: Ah, since last, ah, Friday. Last week.

?: We got a present for you. --**-- show up anywhere so we'll send them with your wife, but that's a copy of your films, okay.

RAMIREZ: Thanks.

?: You guys want to look at `em there they are.

SPENCER: Okay, um, when you went to the back did anybody go with you or did you think anybody was with you?

RAMIREZ: No, I thought I was by myself.

SPENCER: You knew you were by yourself.

RAMIREZ: Yeah.

SPENCER: Okay. And, ah, when you see Deputy Zurborg looking through the window, ah, you can see him but he can't see you. The only thing you have basically showing was your hand and, ah, what you had in both hands ...

RAMIREZ: ... right ...

SPENCER: ... and the gun. So most likely he couldn't see your face.

RAMIREZ: Right.

SPENCER: Okay. So, at that point, ah, with the situation, ah, warrant, ah, a person in custody, ah, he's kind of excited. Ah, he goes to the rear. He hears the pounding. And, I think you initially stated you pounded on the glass.

RAMIREZ: Right.

SPENCER: Ah, you know how many times you pounded on the glass?

RAMIREZ: Naw, I don't remember.

SPENCER: Don't remember. So it, it could be that, ah, you know, he think there's somebody else outstanding or possible other suspects inside the resident. He hears a pounding, and he doesn't see you, all he sees is the gun.

RAMIREZ: Right.

SPENCER: So, um, I got a quick question. When, ah, you mentioned something about the drapes or the blinds being closed and trying to peep out. Is that....

RAMIREZ: Now I looked at that....

SPENCER: Well....

RAMIREZ: I, I don't know what kind of, if it was a curtain or, ah, vertical blinds or something. I just remember like something cleared the way for him to look outside.

SPENCER: You mean like initially everything was covered by drapes or blinds.

RAMIREZ: Right. Right.

SPENCER: And then you saw him. Something clear out ...

RAMIREZ: ... right ...

SPENCER: ...and you saw his face come out.

RAMIREZ: Right.

SPENCER: Okay. And like you said earlier, you guys didn't make eye contact. He was looking down at the gun.

RAMIREZ: Right.

SPENCER: Okay.

RAMIREZ: That's what I saw. I didn't see ... I, when I saw him I, you know, there was no eye contact.

SPENCER: Right.

RAMIREZ: I know if he was looking down.

SPENCER: So he, he never, never saw you whatsoever.

RAMIREZ: I don't think he did.

SPENCER: Okay.

SUTTON: How long was it from when you saw the blinds open, where you recognized, ah, Larry, till the glass shattered?

RAMIREZ: It was instant. You know, it was like, it's like blinds open, I see him; I saw his vision lowered, you know, the glass shattered, I moved back; and it was quick.

SUTTON: No delay. It was one continuous.

RAMIREZ: Right. There was no delay at all.

SUTTON: Okay.

SPENCER: Um, one (1) round fired?

RAMIREZ: That's what I heard just one (1) round.

SPENCER: That's all you heard was.... And, obviously you didn't return fire.

RAMIREZ: No, I didn't.

SPENCER: Okay. Um, and there was no, nobody else in the back, ah, backyard?

RAMIREZ: Ah, no. Later on I saw, ah, Mike Sharpe come through the, ah, that would be the west, on the west side of the wall.

SPENCER: Um-hum.

RAMIREZ: But that was after this whole thing went down.

SPENCER: Okay.

RAMIREZ: He, he was, ah, coming down the neighbors yard.

SPENCER: Ah, no other civilian, ah, neighbors, ah, peeking over walls.

RAMIREZ: Not that I know of.

SPENCER: Not that you know of. So, you didn't see anybody else at all?

RAMIREZ: No.

SPENCER: Ah, besides Larry when, ah, his face came through the, the curtains or blinds.

RAMIREZ: Right.

SPENCER: Okay, what happened after your injury to as far, ah, medical aid and all that kind of stuff? What did you guys do next?

RAMIREZ: Ah, Mike was there. I said, "Hey, Mike, you know, call 91. I was shot in the hand." I took off my shirt. I wrapped it around. And, ah, they called for 91. So, I just walked to the front of the house and I waited for them to come back, but, ah, they transported me in one of the black and white's over here in Stanton. So that's pretty much it.

SPENCER: So you were transported by black and white. Ah, what was the reason behind that, just, ah, 91's taking too long?

RAMIREZ: Yeah, I guess. I just wanted them to get here quicker than that.

SPENCER: Okay. Ah, what was your demeanor then, were you, you know, were you crying; were you upset, were you calm?

RAMIREZ: No. I just looked at my hand, and, ah, I saw the big hole on the top. I turned it over. I didn't see a hole on the other side. I said, eh, thank goodness it didn't go through.

SPENCER: Okay, so you, you saw that it didn't go through. Most likely the bullet lodged in your hand or your wrist or....

RAMIREZ: Yeah. You know, I, I saw the wrist raised up a little bit so I kind of felt bad, because we were at an angle. The projector of the round probably tipped off the, the top of the hand, the knuckle portion. The rest continued down the wrist.

SUTTIB: Martin, you remember who transported you here?

RAMIREZ: Yeah, it was, ah, I can't remember. I know who he is, but I can't remember his name.

SPENCER: Stanton deputy?

RAMIREZ: Yeah.

SUTTON: Any of your guys go in the black and white with you or just you?

RAMIREZ: Oh, no, ah, Deputy Sharpe was in the back too with me.

SUTTON: Okay. Deputy's driving.

RAMIREZ: One deputy's driving and then myself and Sharpe are in the back.

SPENCER: Do you have any....

SUTTON: Going back to this suspect, ah, you guys do a --**--.
(TALKING IN THE BACKGROUND)

RAMIREZ: Yes, we do. Ah, we arrested him on the 18th of March. We arrested him for sales and that's what his warrant was about. And, ah ...

SUTTON: ... this was your prior case?

RAMIREZ: Yes, this was our case.

SUTTON: Okay.

RAMIREZ: And before that back in October, it was the, ah, search the vehicle, his, ah, residence. And there was two handguns, shotgun, found in the, ah, the house. There was a gun found in the garage. And a different time there's also a --**-- that was found in the back, one of the back sheds with a handgun as well.

SUTTON: So you know....

RAMIREZ: So he has a history of violence, gangs, guns, sales.

SUTTON: Yeah, pretty much everyone on the team is aware of that --**--.

RAMIREZ: Yes.

SUTTON: Criminal history, his background.

RAMIREZ: Right.

SUTTON: His arrest for weapons and drugs. Has he ever resisted arrest when you guys made contact?

RAMIREZ: Last time we arrested him we surrounded the place and called him out. Ah, ah, we used a black and white PA to call him out and he came out to the front door and looked at us, and slammed the door shut. Then about five (5)

minutes late he came back and opened up the doors. So I don't know if you want to call it resisting, but he, you know, he, he knew it was us at the front door and went back inside for a couple of minutes before he decided to come out.

SUTTON: So you called, but--**-- law enforcement in the past.

RAMIREZ: Yeah. Oh, yes.

SUTTON: Okay, and then, I had to walk away for a second. But, ah, basically when you guys pulled up you hear someone say, "Suspects on the run."

RAMIREZ: Right, I....

SUTTON: Something --**--.

RAMIREZ: Well, he took off and as he taking off or something to that effect. I mean I don't remember the exact words but I know that's what it was.

SUTTON: And you went to the back and covered it.

RAMIREZ: Right.

SUTTON: Any escape routes that....

RAMIREZ: Right.

SUTTON: And you didn't have any idea what was going on in the house at the time?

RAMIREZ: In the front side, no.

SUTTON: There was no radio communication or anything, ah, prior to you hear, or after you hearing that he's, ah, on the run or taking off?

RAMIREZ: No. No.

SPENCER: So basically you didn't know he was already in custody or you didn't know he was in custody to the front.

RAMIREZ: No.

SPENCER: You didn't know anything else that was going on.

RAMIREZ: No, I didn't.

SPENCER: Okay. Ah, only a couple of things. Ah, prior to this, obviously, I, I think we need to ask him. You had no problem with, ah, Deputy Zurborg, whatsoever?

RAMIREZ: No, I don't.

SPENCER: Ah, you guys been, ah, partners for eight (8) months I take it. You guys on the Get Team.

RAMIREZ: Right.

SPENCER: And, ah, this is purely an accident?

RAMIREZ: Yes.

SPENCER: All right. And, ah, once again, when you're at the rear of the residence, only thing exposed is your hand, which you're holding a gun and it's high tension here because of the subject in custody and banging in the back. And, ah, with this, Deputy Zurborg didn't know what he had back there

RAMIREZ: Right.

SPENCER: Okay. Ah, before we go off tape, ah, do you have questions of us, ah, regarding this situation, regarding anything that went down. Anything that we failed to ask you that, ah, you want to bring to our attention before we go off tape.

RAMIREZ: No, I can't think of anything at this time.

SPENCER: All right, with that we'll go off tape. And right now and it's, time is approximately, ah, 1330 hours.

**(END OF INTERVIEW, SIDE ONE, TAPE ONE,
DEPUTY MARTIN RAMIREZ.)**

ORIGINAL

SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

2. CASE NO. 03-087626

PRIORITY: Yes
 No

CONFIDENTIAL

- 3. INITIAL NON-CRIMINAL
- 4. INITIAL-CRIMINAL
- 5. FOLLOW-UP CRIMINAL
- 6. CONTINUATION REPORT NO.

MICHAEL S. CARONA, SHERIFF-CORONER

FOLLOW-UP REPORT

7. OFFENSE Officer Involved Shooting		8. LOCATION OF OCCURRENCE ██████████ Stanton	
9. VICTIM/INFORMANT Lt. P. J. Johnson		10. DATE AND TIME OF OCCURRENCE Tuesday, 4-29-03, 1132 hours	11. GRID 797J1

12. DETAILS OF OFFENSE:

On 4-29-03, at approx. 1145 hours, homicide investigators were assigned to investigate an officer involved shooting located at ██████████ in the city of Stanton. Prior to leaving for the scene, I was told the Orange County Gang Enforcement Team was serving an arrest warrant at the location and Dep. M. Ramirez was shot by Dep. L. Zurborg.

I arrived at the location at approx. 1230 hours along with homicide investigators B. Sutton, T. Bland, D. Burke and Acting Sergeant Inv. B. Vining. Inv. K. Hoffman was assigned as the lead investigator on the case. After being briefed by Inv. Hoffman, I was assigned to assist with interviewing deputies involved.

TAPED INTERVIEW WITH DEP. MIKE SHARPE #1304 ✓

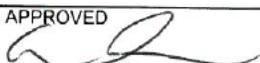
On 4-29-03, at approx. 1440 hours, Inv. Sutton and I interviewed Sharpe regarding the shooting incident that took place at ██████████ in the city of Stanton. The interview took place in the briefing room at the Sheriff's west station. The interview was taped and the tape was booked as evidence at the Sheriff's evidence locker. The following is a synopsis of the interview.

Sharpe stated approx. four to five months ago, he and other Gang Enforcement Team members assisted the sex crimes detail on a search warrant regarding a subject named David Harris who lives at the ██████████ address. Sharpe said his team was used due to Harris' history of gun possession and violence. On this date Harris was taken into custody in front of his residence. Several guns and drugs were found during the search.

Sharpe told us of the second search at Harris' address where again weapons and drugs were found.

The third contact with Harris by the GET team was while assisting sex crimes again on an arrest warrant for Harris. Drugs were found inside of the residence and Harris was booked on the warrant and the drugs were going to be analyzed. Sharpe told us after the drugs were determined to be Methamphetamine another arrest warrant was issued for Harris.

Sharpe stated on Friday, 4-25-03, Dep. Ramirez received the warrant and the GET team attempted to locate Harris but were unsuccessful. He stated on Tuesday, 4-29-03, at approx. 0930 hours, he was at a meeting while other GET team members were surveilling the ██████████ for Harris. After his meeting he went to the location and assisted in the surveillance.

INVESTIGATING OFFICERS Inv. Hoffman	REPORT BY Inv. Spencer PID 2707	DATE OF REPORT 4/30/03	APPROVED 
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

I asked Sharpe what team members were at the location and he said his Sergeant, Sgt. Griffin, Dep. Houtari, Dep. Ramirez, Dep. Baker, Dep. Zurborg and himself. He mentioned a patrol deputy was on scene but he did not know who it was.

I asked Sharpe what happened next and he said Dep. Ramirez stated on the radio that Harris was a passenger in a black vehicle that had just arrived. He stated the team members followed the vehicle into the driveway in front of the residence and Sharpe said he parked along [REDACTED]. He said he heard Dep. Zurborg on the radio state that Harris was running and Sharpe said he turned eastbound on [REDACTED] and parked north of the residence and went to the rear neighboring houses thinking Harris would run to the back and jump over the back fence.

Sharpe told us as he was running up he was on the other side of an eight foot wall and could not see what was going on at the [REDACTED] address but he could hear yelling and banging coming from the residence. He could not say if it was gunshots but it was banging. He again said he could not see anything but then heard Dep. Ramirez say he had been hit. Sharpe said he jumped over the wall and began to assist Ramirez.

Sharpe asked Dep. Ramirez what happened and he said he had been shot. He said was not sure at the time who shot Dep. Ramirez and they both waited at the rear until Sgt. Griffin told them to come inside of the residence.

Sharpe said they entered the apartment through the rear slider and went the front of the residence. He told us paramedics had already been called but it was decided to transport Ramirez to West Anaheim Memorial hospital by a patrol unit. Sharpe said he rode in the back of the patrol unit with Ramirez and Dep. Newberry, who had arrived after the shooting, drove them to the hospital.

Sharpe said at the hospital, he took Ramirez gun, a Sig Saur 226 semi automatic 9 mm handgun, because the staff there did not want the weapon with Ramirez while they administered aid.

Sharpe again told us he could hear yelling and the banging noise but he could not hear what was being yelled. He also said the banging sounded like someone banging on the rear slider but he is not sure. He said there was no delay from the banging and the gunshot and it all happened simultaneously.

I asked Sharpe if there was any problems between Dep. Zurborg and Dep. Ramirez and he stated no and that everyone on the Gang team gets along and have been working very well together.

Sharpe believed this was purely an accident.

I asked Sharpe if he talked to Dep. Zurborg after the shooting and he said that Zurborg had just stated that he thought he was being shot at. He thought the banging was shots and when he looked out of the window, he saw the gun and he shot.

The interview was completed 1455 hours.

INVESTIGATING OFFICERS Inv. Hoffman	REPORT BY Inv. Spencer PID 2707	DATE OF REPORT 4/30/03	APPROVED
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

PRIORITY: Yes
 No

CONFIDENTIAL

ORIGINAL

- 3. INITIAL NON-CRIMINAL
- 4. INITIAL-CRIMINAL
- 5. FOLLOW-UP CRIMINAL
- 6. CONTINUATION REPORT NO. FOLLOW-UP REPORT

MICHAEL S. CARONA, SHERIFF-CORONER

7. OFFENSE Officer Involved Shooting		8. LOCATION OF OCCURRENCE ██████████ Stanton	
9. VICTIM/INFORMANT Lt. P.J. Johnson		10. DATE AND TIME OF OCCURRENCE Tuesday, 4-29-03, 1132 hours	11. GRID 797J1

12. DETAILS OF OFFENSE:

On 4-29-03, at approx. 1145 hours, homicide investigators were assigned to investigate an officer involved shooting located at ██████████ in the city of Stanton. Prior to leaving for the scene, I was told the Orange County Gang Enforcement Team was serving an arrest warrant at the location and Dep. M. Ramirez was shot by Dep. L. Zurborg.

I arrived at the location at approx. 1230 hours along with homicide investigators B. Sutton, T. Bland, D. Burke and Acting Sergeant Inv. B. Vining. Inv. K. Hoffman was assigned as the lead investigator on the case. After being briefed by Inv. Hoffman, I was assigned to assist with interviewing deputies involved.

TAPED INTERVIEW WITH DEP. MARTIN RAMIREZ ✓

On 4-29-03, at approx. 1318 hours, Inv. Sutton and I conducted an interview with Ramirez. The interview took place in the emergency room at West Anaheim Memorial Hospital in the city of Anaheim. Also present during the interview was Rick Long of the Association of Orange County Deputy Sheriffs. The interview was taped and the tape was booked as evidence. The following is a synopsis of the interview.

Ramirez told us he and his partner, Dep. Baker arrived at the ██████████ address between 0900 and 0930 hours regarding a subject named David Harris who lived at the address. Harris had a felony warrant for his arrest and his vehicle, a gray pick up, was parked at the residence. Ramirez said he and Baker began surveillance on the residence and called the rest of the GET team members to come to the location and assist in the surveillance.

Ramirez said GET team members arrived at the location along with a Stanton Police Services patrol unit and set a perimeter around the residence waiting for Harris to arrive or to leave. Ramirez said a black vehicle arrived at the address and the passenger was David Harris. Ramirez said team members converged on the residence to take Harris into custody, when he heard the statement from someone that Harris was running. Ramirez realized no one was covering the rear of the residence and yelled out that he would cover the back of the residence. He said he went to the back and while at the back he heard some glass shattering in the front of the residence. Ramirez said he pounded on the glass of the rear slider, using a rake, in an attempt to open it.

Ramirez stated he believed if Harris was on the run he would come to the rear. He said he was looking in the rear slider when he could see Dep. Zurborg looking out in his direction. Ramirez said they both approached the slider at the same time and Zurborg was looking at his gun because that was only thing he could see because Ramirez body was covered. Ramirez said the glass shattered and he

INVESTIGATING OFFICERS Inv. Hoffman	REPORT BY Inv. Spencer PID 2707	DATE OF REPORT 4/30/03	APPROVED J. Spence
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

stepped back and saw the wound to his hand. Ramirez said he told Dep. Zurborg that he was hit and he had shot him.

I asked Ramirez what team members were on scene and he stated Sgt. Griffin, Dep. Zurborg, Dep. Sharpe, Dep. Baker, Dep. Houtari, Dep. T. Cullen and himself.

I asked Ramirez if anyone was with him when he went to the rear of the residence and he said no, he knew he was by himself.

I asked Ramirez if he saw Zurborg through the window and yes but Zurborg was looking at the gun and his hands. He said there was no I contact.

Ramirez said everything happened quickly and there was no delay, everything happened fast. Ramirez said there was only one round fired and he did not returned fire.

Dep. Ramirez told us at the time he was shot; he did not know Harris was already in custody.

Ramirez said after he was injured he saw Dep. Sharpe come over a neighboring yard and assisted him. He then was transported to the hospital by Dep. Newberry in a patrol unit. Dep. Sharpe went with him.

The interview was complete at approx. 1330 hours.

For further information, see transcription of this interview.

INVESTIGATING OFFICERS Inv. Hoffman	REPORT BY Inv. Spencer PID 2707	DATE OF REPORT 4/30/03	APPROVED
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CONFIDENTIAL

SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

PRIORITY: Yes
 No

ORIGINAL

- 3. INITIAL NON-CRIMINAL
- 4. INITIAL-CRIMINAL
- 5. FOLLOW-UP CRIMINAL
- 6. CONTINUATION REPORT NO.

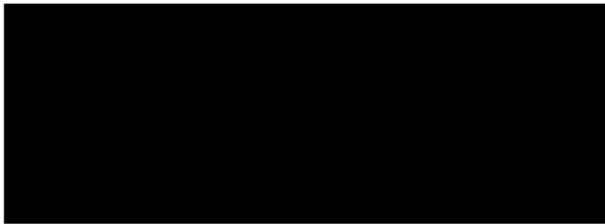
MICHAEL S. CARONA, SHERIFF-CORONER LAST NAME FIRST -- SPELL OUT WHEN DICTATING FOLLOW-UP REPORT

7. OFFENSE Officer Involved Shooting		8. LOCATION OF OCCURRENCE ██████████ Stanton, Ca.	
9. VICTIM/INFORMANT Inf. Lt. Johnson		10. DATE AND TIME OF OCCURRENCE 4-29-03 / 1132 hours	11. GRID 797J1

12. DETAILS OF OFFENSE:

IN PERSON INTERVIEW WITH ██████████

EVIDENCE: (1) original audiocassette tape, booked into OCSD Property.



On 4-29-03 at approximately 1330 hours, Inv. Burke and I audio taped an interview with ██████████. The interview was conducted at the OCSD West Station. The following is a summary of the interview;

██████████ told us that she is the ██████████ the person who was arrested. She said that she had picked ██████████ up at his home at about 0800 hours as planned and transported him to West OC Court for his appearance on a pending criminal matter. He is apparently out on bail. They went to court and learned the case had been trailed.

Sometime after 1100 hours, she drove him back to his home. She turned eastbound onto ██████████ from Beach Blvd. She then turned northbound into the driveway. Her son, ██████████ exited the car and began to go inside the home. She exited the car, realizing that he left some court paperwork in her car. She stood in the driver's door area, asking him if he wanted the paperwork.

INVESTIGATING OFFICERS Hoffman	REPORT BY Inv. K. Hoffman #547	DATE OF REPORT 4/30/03	APPROVED <i>[Signature]</i>
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

It was then she observed several males running towards her direction. She said that she saw the males wearing police equipment. She heard some of the males yelling "Sheriff's Department" and something about a warrant. She saw them banging on the door to her son's home, then one broke a window. She said that the incident happened very quickly and she was unsure about the chronology of events, but at some point she heard what sounded like (2) gunshots. She saw one of the males with a towel around his arm.

For further details refer to the audiotape. [REDACTED] remained cooperative throughout the investigation, which included a consent search of her vehicle.

INVESTIGATING OFFICERS Hoffman	REPORT BY Inv. K. Hoffman #547	DATE OF REPORT 4/30/03	APPROVED
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CONFIDENTIAL

**SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA**

PRIORITY: Yes
 No

ORIGINAL

3. INITIAL NON-CRIMINAL
4. INITIAL-CRIMINAL
5. FOLLOW-UP CRIMINAL
6. CONTINUATION REPORT NO.

MICHAEL S. CARONA, SHERIFF-CORONER

LAST NAME FIRST -- SPELL OUT WHEN DICTATING

FOLLOW-UP REPORT

7. OFFENSE Officer Involved Shooting		8. LOCATION OF OCCURRENCE [REDACTED] Stanton, CA 90680	
9. VICTIM/INFORMANT Lt. P. J. Johnson		10. DATE AND TIME OF OCCURRENCE Tuesday April 29, 2003	11. GRID 797J1

12. DETAILS OF OFFENSE:

SUBJECT INFORMATION:

HARRIS, David Bryant [REDACTED]

Address: [REDACTED]

Phone: [REDACTED]

EVIDENCE COLLECTED:

One (1) audiocassette tape, interview of Harris

SUMMARY OF INTERVIEW:

On the above date and time, members of the Sheriff's Department Gang Enforcement Team were attempting to serve an arrest warrant for David Harris, at [REDACTED] Stanton. During the warrant service, Deputy Sheriff L. Zurborg fired his service weapon and the round struck Deputy Sheriff M. Ramirez in the hand. Homicide investigators responded to investigate the officer involved shooting. Inv. K. Hoffman, the case agent, and I interviewed David Harris at the Stanton/West Substation. The interview was tape-recorded, beginning at approximately 1520, and the following is a summary:

Inv. Hoffman asked Harris to tell us about the events at his residence beginning the night before. Harris said his girlfriend, [REDACTED] spent the night at his residence. He got up at approximately 0745 hours to get ready to make an appearance in West Court. Harris' [REDACTED] was to pick him up and drive him to court. [REDACTED] picked Harris up around 0830 hours and they went to West Court in her black, two door, Saturn. Harris' court case was trailed to another date and [REDACTED] drove back to Harris' house, with Harris in the front passenger seat.

As [REDACTED] drove down [REDACTED] Street, [REDACTED] saw a black and white Sheriff's unit but did not think it was unusual because the deputies often parked and met at a business lot on the street. Harris made a joking comment to [REDACTED] that the deputy was probably coming to arrest him. Because Harris had just appeared in court, he did not know a warrant issued for his arrest had been issued.

[REDACTED] turned into the long driveway and stopped in front of Harris' residence. Harris got out of the car, walked directly into his residence, closed the security screen and began to close the door. He then heard someone screaming "Sheriff's Department, Sheriff's Department!" Harris did

INVESTIGATING OFFICERS INV. K. HOFFMAN	REPORT BY INV. D. BURKE # 939	DATE OF REPORT 4/30/03	APPROVED [Signature]
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SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

MICHAEL S. CARONA, SHERIFF-CORONER

REPORT CONTINUATION

not have time to stop the door from closing and the plain-clothes deputy broke the window next to the door. The deputy pointed his gun through the window and yelled, "Come out, come out!" Harris opened the doors and walked onto the porch with his hands up. He was ordered to get on the ground and Harris complied, lying on porch face down.

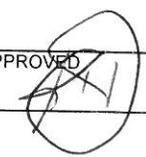
While Harris was lying on the porch he heard a loud noise that sounded like a gunshot. One of the deputies near Harris asked, "Was that a shot? Did I hear a gun shot?" All the deputies then began yelling, "Shots fired, shots fired!" Harris was handcuffed and placed in the back of a car.

Inv. Hoffman asked Harris if he was injured: cut, bruised or scraped, at all during the incident. Harris said he was not injured. Inv. Hoffman asked if anyone else lives at the residence and Harris said he lives alone. Inv. Hoffman asked if anyone else has property at his residence. Harris said several people keep things at his residence. He specifically mentioned two of his ex-girlfriends, an aunt, a grandfather, and his ex-roommate. Inv. Hoffman asked if these were things like clothes, furniture, televisions and stereos and Harris said that is correct.

I asked about Harris getting out of his mother's car when they returned to the residence, and if he is certain he did not see or hear the deputies coming toward him as he got out of the car and/or walked to his door. Harris again said he did not see or hear the deputies until he was closing the main door. I asked if he slammed the door on the deputies intentionally and Harris said he did not; that if he had tried to keep the door from closing, it would have smashed his fingers. Inv. Hoffman asked about what the deputies were wearing. He said some were in plain clothes but some had vests on with "Sheriff" on the back and badges on the front. Harris said he never saw the injured deputy and did not know what had actually happened until later. He thought at first that his dog or his girlfriend had been shot. The interview ended at approximately 1540 hours.

After the interview, an ID technician photographed Harris. Inv. Hoffman again asked Harris if he sustained any injuries during the incident and said we would photograph the injuries. Harris repeated that he had not been injured.

END OF REPORT

INVESTIGATING OFFICERS INV. K. HOFFMAN	REPORT BY INV. D. BURKE # 939	DATE OF REPORT 4/30/03	APPROVED 
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ORIGINAL - CONFIDENTIAL

VIOLATION: OIS

(X) INTERVIEW () CONVERSATION () TELEPHONE

NAME OF INTERVIEWEE: DEPUTY MARTIN RAMIREZ ✓

DATE/TIME OF INTERVIEW: APRIL 29, 2003 – 1318 HOURS

LOCATION OF INTERVIEW: WEST ANAHEIM MEMORIAL HOSPITAL

CONDUCTED BY: INVESTIGATOR ANDRE SPENCER, OCSD, HOMICIDE
INVESTIGATOR BRIAN SUTTON, OCSD, HOMICIDE

TRANSCRIBED BY: E. HARGRAVE, OCSD, CRIMINAL INVESTIGATION DIVISION

--**-- (DENOTES INAUDIBLE PORTIONS OF TAPE)

.... (DENOTES SENTENCE TRAILING OFF)

... (DENOTES CHANGE IN THOUGHT OR INTERRUPTION IN SENTENCE)

- (DENOTES INCOMPLETE WORD SPOKEN)

SPENCER: Today's date is, ah, April 29th, 2003. It is a Wed, ah, Tuesday. Ah, this is Investigator Andre Spencer with the Orange County Sheriff's Department, ah, conducting an interview with Martin Ramirez. He's a deputy sheriff with Orange County Sheriff's Department. Ah, his date of birth is, ah, [REDACTED] Badge number 1246. His PID number is 2442. Ah, the time right now is approximately 1318 hours. Ah, this interview is taking place in the emergency room of West Anaheim Medical Center in the city of Anaheim. Also with me is Investigator Brian Sims, Orange County Sheriff's Department, Homicide. Ah, I'm sorry Brian Sims. Brian Sutton. That's a bad mistake. Ah, Orange County Sheriff's Department, Anaheim. And ...

LONG: Rick Long.

SPENCER: Rich Long, representing, ah, ah, Martin Ramirez. He works for the association. Ah, Martin, if you would before we go ahead and start the tape go ahead and give your, ah, your name and date of birth.

RAMIREZ: Martin Ramirez, [REDACTED]

SPENCER: Okay, Martin, it was brought to our attention that you guys, ah, had 10-32, Fox Trot information, warrant information, regarding a subject by the last

name Harris. Ah, so if you would, ah, start us out what time you guys gathered at this location, ah, and take us from there.

RAMIREZ:

Okay. Approximately, anywhere between nine (9) and nine-thirty (9:30) this morning, ah, Deputy Baker and I drove to the front of, ah, Harris' address, and we saw his, ah, pickup truck up in, ah, parked in front of his garage. So, we setup a surveillance at that time, thinking that he was at home. He had an outstanding warrant for, ah, possession for sales from, ah, our agency. Ah, we called up the rest of the team to surround the place. So it was the GET team and, ah, black and white from Stanton showed up. And we pretty much got on the place for him for any type of movement from the, ah, from the complex either him driving up or him driving away. Ah, sometime before the incident we saw a black, ah, vehicle pull in front of the house. We saw it coming down the street, ah, and, ah, we ID him sitting in the passenger seat. The vehicle was being driven by a female subject. Ah, we decided to go ahead and close in at that time to, ah, take him into custody. Sergeant Griffin and Deputy Zurborg were the first ones down the driveway and, ah, Deputy Baker and I followed in behind them. We drove in and, ah, I didn't see him, but I, I heard that, ah, he's on the run or he's running or he took off or something to that effect. And, ah, there was nobody covering the back at that time. So, at that time, I yelled, "I'll take the back." So, I went up to the back. Ah, came through the back. I heard some glass shattering in the front. Ah, I kind of pounded on the, ah, well I didn't kind of, I pounded on the glass to see if they would open up the rear slider. Ah, I used to, kind of like a rake, too, that was back there to, ah, the slider is kind of like a doggie, doggie door kind of slider.

SPENCER:

Yeah.

RAMIREZ:

So I kind of see like I managed to slip it in the slider and opened it up. Ah, if he was on the run I suspected this guy might be coming up to the rear here pretty soon. Ah, but when that didn't work I backed off a way. And, ah, I was watched ... I was looking inside the slider when I saw Deputy Zurborg looking out at the same time. Kind of like, kind of like I approached it and he approached it at the same time. And at one point I saw his face, and I

noticed that his face wasn't fixed at me, and my face. So we didn't make like eye to eye contact. Kind even worse he was looking down so I assumed maybe he was looking at my gun, 'cause that's the only thing that he could see at the time, I believe. And, ah, that's when I felt the glass shatter. Initially, I thought the glass was broken from the inside. So, I stepped back and --**-- for cover, and I realized that Larry was still by the window. And I saw the, ah, the wound on my hand so I knew that he had shot. He had been the one that shot. So he shot me. So, I looked at my hand, you know, and I told --**-- hey, ah, hey, I'm hit, I'm shot, you know, you shot me. And, ah, I just wrapped it around and he came out and, ah, that's pretty much it.

SPENCER: Um, start a little bit from the beginning. Ah, the address from where you guys are at was [REDACTED] does that sound familiar?

RAMIREZ: Yeah. Yeah, --**--.

SPENCER: In the city of Stanton.

RAMIREZ: Stanton.

SPENCER: And, ah, team members with you, ah, if you would just go ahead and give those names.

RAMIREZ: Everybody involved was, ah, Sergeant Griffin, Deputy Zurborg, Deputy Huotari, Deputy Sharpe, ah, Deputy Baker, myself and, ah, we had a black and white unit standing by.

SPENCER: Um, Deputy T. Cullen.

RAMIREZ: T. Cullen.

SPENCER: Ah, did you also have a Anaheim, ah, PD officer with you as well. Does that sound familiar to you?

RAMIREZ: No, it doesn't.

SPENCER: Okay. Also, ah, does David Harris that sounds like your subject with a date of birth of [REDACTED]

RAMIREZ: Yeah.

SPENCER: Okay.

SUTTON: How long were you guys looking for Harris?

RAMIREZ: Ah, since last, ah, Friday. Last week.

?: We got a present for you. --**-- show up anywhere so we'll send them with your wife, but that's a copy of your films, okay.

RAMIREZ: Thanks.

?: You guys want to look at `em there they are.

SPENCER: Okay, um, when you went to the back did anybody go with you or did you think anybody was with you?

RAMIREZ: No, I thought I was by myself.

SPENCER: You knew you were by yourself.

RAMIREZ: Yeah.

SPENCER: Okay. And, ah, when you see Deputy Zurborg looking through the window, ah, you can see him but he can't see you. The only thing you have basically showing was your hand and, ah, what you had in both hands ...

RAMIREZ: ... right ...

SPENCER: ... and the gun. So most likely he couldn't see your face.

RAMIREZ: Right.

SPENCER: Okay. So, at that point, ah, with the situation, ah, warrant, ah, a person in custody, ah, he's kind of excited. Ah, he goes to the rear. He hears the pounding. And, I think you initially stated you pounded on the glass.

RAMIREZ: Right.

SPENCER: Ah, you know how many times you pounded on the glass?

RAMIREZ: Naw, I don't remember.

SPENCER: Don't remember. So it, it could be that, ah, you know, he think there's somebody else outstanding or possible other suspects inside the resident. He hears a pounding, and he doesn't see you, all he sees is the gun.

RAMIREZ: Right.

SPENCER: So, um, I got a quick question. When, ah, you mentioned something about the drapes or the blinds being closed and trying to peep out. Is that....

RAMIREZ: Now I looked at that....

SPENCER: Well....

RAMIREZ: I, I don't know what kind of, if it was a curtain or, ah, vertical blinds or something. I just remember like something cleared the way for him to look outside.

SPENCER: You mean like initially everything was covered by drapes or blinds.

RAMIREZ: Right. Right.

SPENCER: And then you saw him. Something clear out ...

RAMIREZ: ... right ...

SPENCER: ...and you saw his face come out.

RAMIREZ: Right.

SPENCER: Okay. And like you said earlier, you guys didn't make eye contact. He was looking down at the gun.

RAMIREZ: Right.

SPENCER: Okay.

RAMIREZ: That's what I saw. I didn't see ... I, when I saw him I, you know, there was no eye contact.

SPENCER: Right.

RAMIREZ: I know if he was looking down.

SPENCER: So he, he never, never saw you whatsoever.

RAMIREZ: I don't think he did.

SPENCER: Okay.

SUTTON: How long was it from when you saw the blinds open, where you recognized, ah, Larry, till the glass shattered?

RAMIREZ: It was instant. You know, it was like, it's like blinds open, I see him; I saw his vision lowered, you know, the glass shattered, I moved back; and it was quick.

SUTTON: No delay. It was one continuous.

RAMIREZ: Right. There was no delay at all.

SUTTON: Okay.

SPENCER: Um, one (1) round fired?

RAMIREZ: That's what I heard just one (1) round.

SPENCER: That's all you heard was.... And, obviously you didn't return fire.

RAMIREZ: No, I didn't.

SPENCER: Okay. Um, and there was no, nobody else in the back, ah, backyard?

RAMIREZ: Ah, no. Later on I saw, ah, Mike Sharpe come through the, ah, that would be the west, on the west side of the wall.

SPENCER: Um-hum.

RAMIREZ: But that was after this whole thing went down.

SPENCER: Okay.

RAMIREZ: He, he was, ah, coming down the neighbors yard.

SPENCER: Ah, no other civilian, ah, neighbors, ah, peeking over walls.

RAMIREZ: Not that I know of.

SPENCER: Not that you know of. So, you didn't see anybody else at all?

RAMIREZ: No.

SPENCER: Ah, besides Larry when, ah, his face came through the, the curtains or blinds.

RAMIREZ: Right.

SPENCER: Okay, what happened after your injury to as far, ah, medical aid and all that kind of stuff? What did you guys do next?

RAMIREZ: Ah, Mike was there. I said, "Hey, Mike, you know, call 91. I was shot in the hand." I took off my shirt. I wrapped it around. And, ah, they called for 91. So, I just walked to the front of the house and I waited for them to come back, but, ah, they transported me in one of the black and white's over here in Stanton. So that's pretty much it.

SPENCER: So you were transported by black and white. Ah, what was the reason behind that, just, ah, 91's taking too long?

RAMIREZ: Yeah, I guess. I just wanted them to get here quicker than that.

SPENCER: Okay. Ah, what was your demeanor then, were you, you know, were you crying; were you upset, were you calm?

RAMIREZ: No. I just looked at my hand, and, ah, I saw the big hole on the top. I turned it over. I didn't see a hole on the other side. I said, eh, thank goodness it didn't go through.

SPENCER: Okay, so you, you saw that it didn't go through. Most likely the bullet lodged in your hand or your wrist or....

RAMIREZ: Yeah. You know, I, I saw the wrist raised up a little bit so I kind of felt bad, because we were at an angle. The projector of the round probably tipped off the, the top of the hand, the knuckle portion. The rest continued down the wrist.

SUTTIB: Martin, you remember who transported you here?

RAMIREZ: Yeah, it was, ah, I can't remember. I know who he is, but I can't remember his name.

SPENCER: Stanton deputy?

RAMIREZ: Yeah.

SUTTON: Any of your guys go in the black and white with you or just you?

RAMIREZ: Oh, no, ah, Deputy Sharpe was in the back too with me.

SUTTON: Okay. Deputy's driving.

RAMIREZ: One deputy's driving and then myself and Sharpe are in the back.

SPENCER: Do you have any....

SUTTON: Going back to this suspect, ah, you guys do a --**--.
(TALKING IN THE BACKGROUND)

RAMIREZ: Yes, we do. Ah, we arrested him on the 18th of March. We arrested him for sales and that's what his warrant was about. And, ah ...

SUTTON: ... this was your prior case?

RAMIREZ: Yes, this was our case.

SUTTON: Okay.

RAMIREZ: And before that back in October, it was the, ah, search the vehicle, his, ah, residence. And there was two handguns, shotgun, found in the, ah, the house. There was a gun found in the garage. And a different time there's also a --**-- that was found in the back, one of the back sheds with a handgun as well.

SUTTON: So you know....

RAMIREZ: So he has a history of violence, gangs, guns, sales.

SUTTON: Yeah, pretty much everyone on the team is aware of that --**--.

RAMIREZ: Yes.

SUTTON: Criminal history, his background.

RAMIREZ: Right.

SUTTON: His arrest for weapons and drugs. Has he ever resisted arrest when you guys made contact?

RAMIREZ: Last time we arrested him we surrounded the place and called him out. Ah, ah, we used a black and white PA to call him out and he came out to the front door and looked at us, and slammed the door shut. Then about five (5)

minutes late he came back and opened up the doors. So I don't know if you want to call it resisting, but he, you know, he, he knew it was us at the front door and went back inside for a couple of minutes before he decided to come out.

SUTTON: So you called, but--**-- law enforcement in the past.

RAMIREZ: Yeah. Oh, yes.

SUTTON: Okay, and then, I had to walk away for a second. But, ah, basically when you guys pulled up you hear someone say, "Suspects on the run."

RAMIREZ: Right, I....

SUTTON: Something --**--.

RAMIREZ: Well, he took off and as he taking off or something to that effect. I mean I don't remember the exact words but I know that's what it was.

SUTTON: And you went to the back and covered it.

RAMIREZ: Right.

SUTTON: Any escape routes that....

RAMIREZ: Right.

SUTTON: And you didn't have any idea what was going on in the house at the time?

RAMIREZ: In the front side, no.

SUTTON: There was no radio communication or anything, ah, prior to you hear, or after you hearing that he's, ah, on the run or taking off?

RAMIREZ: No. No.

SPENCER: So basically you didn't know he was already in custody or you didn't know he was in custody to the front.

RAMIREZ: No.

SPENCER: You didn't know anything else that was going on.

RAMIREZ: No, I didn't.

SPENCER: Okay. Ah, only a couple of things. Ah, prior to this, obviously, I, I think we need to ask him. You had no problem with, ah, Deputy Zurborg, whatsoever?

RAMIREZ: No, I don't.

SPENCER: Ah, you guys been, ah, partners for eight (8) months I take it. You guys on the Get Team.

RAMIREZ: Right.

SPENCER: And, ah, this is purely an accident?

RAMIREZ: Yes.

SPENCER: All right. And, ah, once again, when you're at the rear of the residence, only thing exposed is your hand, which you're holding a gun and it's high tension here because of the subject in custody and banging in the back. And, ah, with this, Deputy Zurborg didn't know what he had back there

RAMIREZ: Right.

SPENCER: Okay. Ah, before we go off tape, ah, do you have questions of us, ah, regarding this situation, regarding anything that went down. Anything that we failed to ask you that, ah, you want to bring to our attention before we go off tape.

RAMIREZ: No, I can't think of anything at this time.

SPENCER: All right, with that we'll go off tape. And right now and it's, time is approximately, ah, 1330 hours.

**(END OF INTERVIEW, SIDE ONE, TAPE ONE,
DEPUTY MARTIN RAMIREZ.)**