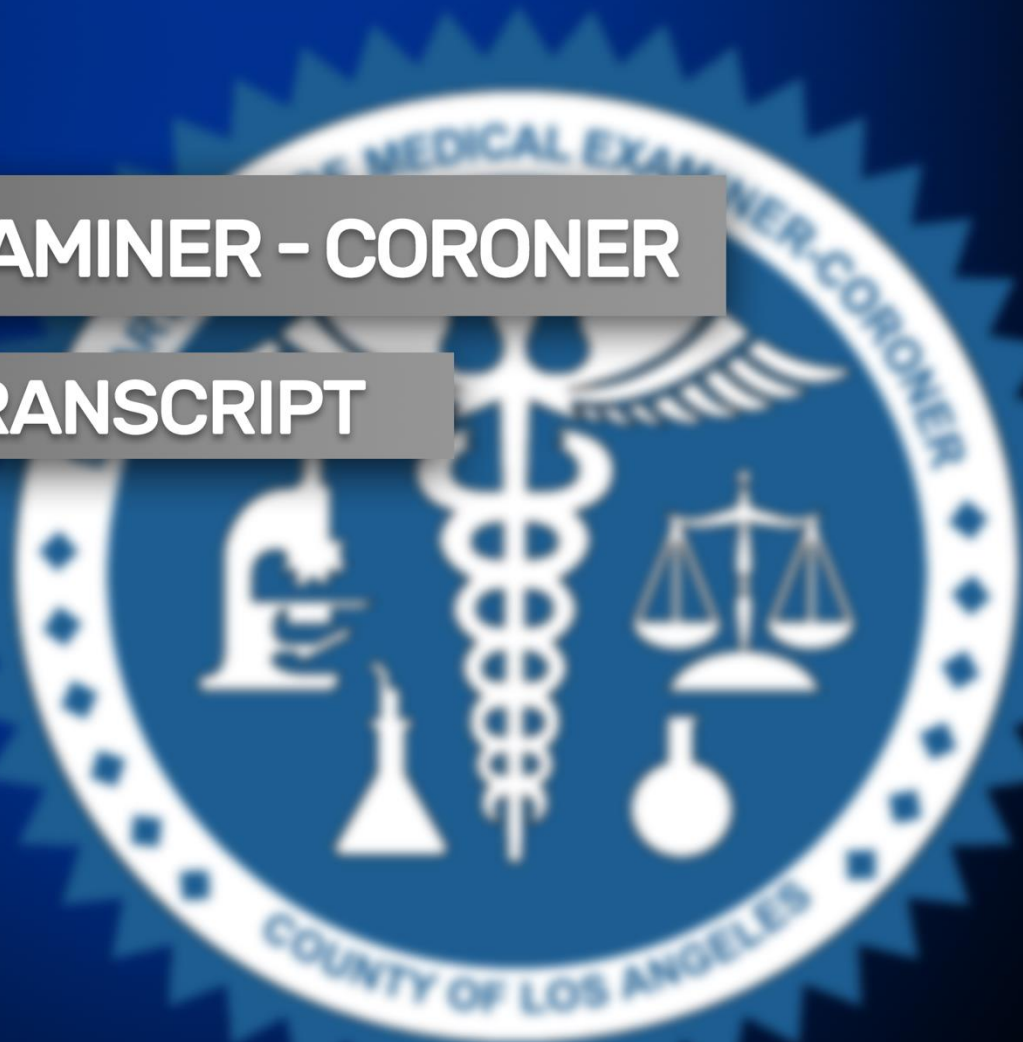


# MEDICAL EXAMINER - CORONER

## MEETING TRANSCRIPT





December 15, 2021

1                   **LOS ANGELES COUNTY MEDICAL EXAMINER – CORONER**

2                   **INQUEST IN THE DEATH OF DIJON KIZZEE**

3                   **WEDNESDAY, DECEMBER 15, 2021**

4

5   **HON. CANDACE COOPER:** WE ARE ON THE RECORD IN THE MATTER OF  
6   DIJON KIZZEE, PLEASE TURN OFF ALL RECORDING DEVICES. THIS  
7   MATTER IS A CORONER'S INQUEST, AN INQUIRY INTO THE DEATH OF  
8   THE INDIVIDUAL. MY NAME IS CANDACE COOPER, THE HEARING OFFICER  
9   OF THIS MATTER AND A RETIRED JUSTICE OF THE CALIFORNIA COURT  
10  OF APPEAL. I HAVE BEEN ASSIGNED BY THE LOS ANGELES COUNTY  
11  MEDICAL EXAMINER CORONER'S OFFICE TO CONDUCT THIS INQUEST. BY  
12  THE LAW OF THE STATE OF CALIFORNIA, THE COUNTY CORONER MAY  
13  ORDER A FORMER INQUIRY ANYTIME THERE IS A DEATH OF AN  
14  INDIVIDUAL IN THE COUNTY. AS A MATTER OF PUBLIC POLICY AN  
15  INQUEST MAY BE HELD WHEN THERE IS A DIRECT CONNECTION  
16  BETWEEN A LAW ENFORCEMENT AGENT IN THIS COUNTY AND THE DEATH  
17  OF A HUMAN BEING. THIS IS NOT AN ADVERSARIAL PROCEEDING. UNDER  
18  CALIFORNIA LAW, THE DECISION AT THE END OF AN INQUEST SHALL BE  
19  INADMISSIBLE IN ANY CIVIL OR CRIMINAL PROCEEDING HOWEVER IT  
20  DOES NOT MEAN THE SWORN STATEMENT OF THE WITNESS IN AN INQUEST  
21  IS INADMISSIBLE IN ANY SUBSEQUENT PROCEEDING. IT IS DESIGNED  
22  TO ENSURE THE TRANSPARENT AND INDEPENDENT REVIEW OF ALL THE  
23  EVIDENCE AND FINDINGS PERTAINING TO THE CIRCUMSTANCES CAUSED A  
24  MANNER OF DEATH OF MR. KIZZEE. FINDINGS MADE AT AN INQUEST DO



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1 NOT INCLUDE OR MAKE ANY REFERENCE TO CIVIL OR CRIMINAL  
2 RESPONSIBILITY ON THE PART OF THE DECEASED OR ANY OTHER  
3 PERSON. THE INVESTIGATEF FUNCTIONS USUALLY PERFORMED BY OTHER  
4 LAW ENFORCEMENT AGENCIES ARE NOT PART OF THE INQUEST PROCESS.  
5 LET ME EMPHASIZE THOSE LAST FEW COMMENTS AGNG. AN INQUEST IS  
6 AN INQUIRY INTO THE CIRCUMSTANCES THAT CAUSED THE MANNER OF  
7 DEATH OF AN INDIVIDUAL. IT IS NOT AN EVALUATION OF WHETHER  
8 THERE IS ANY WRONGDOING ON THE PART OF LAW ENFORCEMENT OR THE  
9 DECEASED. THOSE TYPES OF DETERMINATIONS ARE MADE BY OTHER LAW  
10 ENFORCEMENT AGENCIES AND THE LAW EXPRESSLY PROHIBITS ME FROM  
11 MAKING SUCH DAERNLATIONS IN MY INQUEST FINDINGS. THIS HEARING  
12 IS OPEN TO THE PUBLIC FOR VIEWING ON THE LOS ANGELES COUNTY  
13 CHANNEL FROM THE WEBSITE BROWSER. WITNESSES ARE NOT EXCLUDED  
14 FROM LISTENING TO OR WHEN SPACE OR OTHER CIRCUMSTANCES PERMIT  
15 DUE TO COVID-19 RESTRICTIONS. FROM THE BOARD OF SUPERVISORS'  
16 HEARING ROOM, DURING THE TESTIMONY. HOWEVER, DUE TO THE  
17 ONGOING COVID-19 PANDEMIC, AND IN ORDER TO COMPLY WITH THE  
18 PUBLIC HEALTH SAFETY GUIDELINES I WILL BE LIMITING ATTENDANCE  
19 TO ESSENTIAL STAFF, WITNESSES UP TO THE CAPACITY OF THE ROOM,  
20 APPLYING COVID-19 GUIDELINES AS WELL AS MAINTAINED RECOMMENDED  
21 SOCIAL DISTANCING. ALL OTHER INDIVIDUALS ARE WELCOME TO ATTEND  
22 THE INQUEST BY WATCHING VIA THE LOS ANGELES COUNTY CHANNEL OR  
23 STREAMING VIDEO. ALL PERSONS ENTERING THE HEARING ROOM ARE  
24 REQUIRED TO WEAR A MACHCK OVER FACE AND MOUTH AND REMAIN AT 6  
25 FEET FROM INDIVIDUALS, THIS APPLIES TO MYSELF, THE WITNESSES



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1 AND EXAMINERS THAT APPEAR IN PERSON. I HAVE SET ASIDE THE MASK  
2 AT THIS POINT FOR CLARITY WHILE SPEAKING ON THE PRELIMINARY  
3 REMARKS. AS WE MOVE INTO THE EVIDENCE PHASE OF THE HEARING I  
4 WILL EXPLAIN WHAT WILL HAPPEN ADTODAY'S HEARING. FIRST A COURT  
5 REPORTER WILL BE TAKING DOWN EVERYTHING WE SAY TODAY SO A  
6 PROPER RECORD CAN BE MADE. A TRANSCRIPT OF THE WITNESS'S  
7 TESTIMONY SHALL BE FILED WITHIN TEN DAYS FOLLOWING THE INQUEST  
8 EITHER WITH THE OFFICE OR THE COUNTY CLERK AS DETERMINED BY  
9 THE BOARD OF SUPERVISORS. I WILL CALL THE APPROPRIATE  
10 WITNESSES AND WILL DIRECT ALL QUESTIONS OF THE WITNESSES.  
11 BECAUSE I WILL ALSO BE ASSESSING THERE WITNESSES AND TAKING  
12 NOTES DURING TESTIMONY, IN ORDER TO REACH MY FINDINGS AND  
13 RECOMMENDATIONS, I HAVE ASKED THAT COUNTY COUNSEL ASSIST IN  
14 THE QUESTIONING OF EACH WITNESS. I HAVE CONFERRED WITH COUNTY  
15 COUNSEL IN ADVANCE OF TODAY'S HEARING, REVIEWED THE PROPOSED  
16 LINES OF QUESTIONING AND AGREE ON THE APPROPRIATENESS OF THE  
17 QUESTIONS TO BE ASKED. DURING THE QUESTION OF A WITNESS, I  
18 RETAINED THE AUTHORITY TO ASK FOLLOW UP QUESTIONS OR TO DIRECT  
19 COUNTY COUNSEL TO FOLLOW UP THEIR LINE OF QUESTIONING TO A  
20 SPECIFIC ISSUE. THE KIZZEE FAMILY AND THE LASD HAVE BEEN GIVEN  
21 THE OPPORTUNITY TO SUBMIT POTENTIAL QUESTIONS FOR MY REVIEW: I  
22 REVIEWED THOSE QUESTIONS AND WILL ASK THOSE PERTAINING TO THE  
23 PROCEEDINGS TODAY AND DO NOT DUPLICATE QUESTIONS THAT I  
24 IDENTIFIED TO BE ASKED. BECAUSE THERE ARE MULTIPLE REASONS WHY  
25 SUBMITTED QUESTIONS MAY NOT BE POSED, I WILL NOT ADDRESS THE



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1 REASONS WHY I ELECTED TO EITHER ACCEPT OR REJECT A SPECIFIC  
2 QUESTION. I WILL, HOWEVER, ADD THAT THE ONLY QUESTIONS BEING  
3 CONSIDER SAID FOR QUESTIONING ARE THOSE THAT ARE SPECIFICALLY  
4 RELEVANT TO THE PURPOSES OF THE CORONER'S INQUEST AND NOT (FOR  
5 ANY OTHER PROCEEDINGS. MY DECISION ARE BASED ON THE EVIDENCE  
6 RECEIVED IN THIS INQUEST, THAT EVIDENCE WILL INCLUDE THE  
7 TESTIMONY PRESENTED AS WELL AS DOCUMENTARY EVIDENCE RECEIVED  
8 WHICH MIGHT INCLUDE DECLARATIONS, REPORTS, PHOTOGRAPHS, AND  
9 OTHER RECORDS. THE EVIDENCE RECEIVED WILL BE IDENTIFIED IN THE  
10 RECORD OF THE PROCEEDINGS. AND I AM THE SOLE DESIDER OF THE  
11 RELEVANCE AND THE ADMISSIBILITY OF THE EVIDENCE OFFERED AND  
12 WILL UTILIZE STANDARD AND HISTORICAL RULES OF ADMISSIBILITY IN  
13 MAKING THAT DETERMINATION. HOWEVER, IT IS MY INTENTION TO  
14 RECEIVE ALL REASONABLY AVAILABLE ADMISSIBLE EVIDENCE FROM  
15 WITNESSES WHO ARE AT THE SCENE OF THE INCIDENT IMMEDIATELY  
16 BEFORE, DURING, OR IMMEDIATELY AFTER THE EVENTS. I WILL ALSO  
17 RECEIVE PATHOLOGY EVIDENCE REGARDING THE DECEASED. AFTER THE  
18 HEARING I WILL TAKE A RECESS TO ADJOURN AS MAY BE NECESSARY TO  
19 REVIEW THE EVIDENCE AND MAKE ANY DECISIONS. MY TASK IN THIS  
20 INQUEST IS TO DETERMINE WHICH OF THE ONE OF THE FOLLOWING FOUR  
21 POTENTIAL MODES OF DEATH APPLIES TO THE DEATH OF MR. KIZZEE. I  
22 AM REQUIRED TO RENDER A DECISION, SETTING FORTH ONE, THE NAME  
23 OF THE DECEASED, TWO, TIME AND PLACE OF DEATH, THREE, THE  
24 MEDICAL CAUSE OF DEATH, AND FOUR, WHETHER THE DEATH WAS BY  
25 NATURAL CAUSES, SUICIDE, ACCIDENT, OR AT THE HANDS OF ANOTHER



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1 PERSON, OTHER THAN BY ACCIDENT. IN DETERMINING THE MANNER OF  
2 DEATH, THERE ARE ONLY FOUR POSSIBLE MODES OF DEATH DEFINED AS  
3 FOLLOWS. ONE IS NATURAL CAUSES, AND THE EXAMPLES BEING HEART  
4 ATTACK, STROKE, OLD AGE, ETC. DEATH BY NATURAL CAUSES IS A  
5 DEATH ARISING FROM AN ACT OF NATURE AS OPPOSED TO ONE THAT IS  
6 ART FILTHSY INDUCED. TWO, ACCIDENT. FOR EXAMPLE, THERE WAS NO  
7 INTENT, THERE MAY HAVE BEEN AN ACCIDENT, SUCH AS A CAR CRASH.  
8 DEATH BY ACCIDENT CAN REFER TO A VARIETY OF UNFORESEEN OR  
9 UNINTENTIONAL ACTS, SOME OF THOSE INVOLVE NATURAL PHENOMENON,  
10 SUCH AS DEATH BY FIRE, FLOOD, OR EARTHQUAKE IN NO HUMAN OR  
11 AGENCY IS INVOLVED. ANOTHER TYPE OF ACCIDENT IS ONE THAT  
12 RESULTS FROM HUMAN ACTS OR CONDUCT. DEATH BY ACCIDENT WHERE A  
13 HUMAN AGENCY INVOLVED IS BEST DEFINED AS THE UNINTENDED OR  
14 UNEXPECTED RESULT OF HUMAN CONDUCT. THE TERM ACCIDENT AS IT  
15 APPLIES TO THESE PROCEEDINGS IS AN UNFORESEEN EVENT,  
16 MISFORTUNE, LOSS, ACT, OR OMISSION. SUICIDE IS WHERE ONE TAKES  
17 THEIR OWN LIFE OR PURPOSEFULLY CAUSE ANOTHER TO TAKE ONE'S  
18 LIFE. SUICIDE IS DEFINED AS AN INTENTIONAL ACT OF ELF  
19 DESTRUCTION TO UNDERSTAND THE NATURE OF HIVES OR OR ACT. THE  
20 FACT THAT ANOTHER PERSON, INCLUDING A LAW ENFORCEMENT OFFICER,  
21 ACTED AS THE INSTRUMENTALITY IS THE DECEASED SUBJECT'S  
22 DEATHING DOES NOT PRELEAD A FINDING OF SUICIDE WHEN THE  
23 SUBJECT INTENDED TO PRECIPITATE THE USE OF DEATHLY FORCE  
24 AGAINST HIMSELF OR HERSELF. AND LASTLY, AT THE HANDS OF  
25 ANOTHER, OTHER THAN BY ACCIDENT, MEANING PURPOSEFULLY, THE



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1 INDIVIDUAL WAS PURPOSEFULLY KILLED, IE, SHOT, ETC. DEATH AT  
2 THE HANDS OF ANOTHER, OTHER THAN BY ACCIDENT, IS ESSENTIALLY  
3 SELF EXPLANATORY. IT IS EITHER AN INTENTIONAL ACT THAT  
4 DIRECTLY CAUSES THE DEATH OF ANOTHER PERSON, OR AN INTENTIONAL  
5 OMISSION TO ACT THAT DIRECTLY CAUSES THE DEATH OF ANOTHER  
6 PERSON. I WILL DETERMINE THE MANNER OR MODE OF DEATH BY A MORE  
7 LIKELY TRUE THAN NOT TRUE STANDARD. THIS MEANS, IN EXAMINING  
8 ALL OF THE EVIDENCE, I WILL DECIDE WHICH MODE OR MANNER OF  
9 DEATH OF THE FOUR LISTED MODES IS THE MOST LIKELY TO BE TRUE.  
10 LET ME INTRODUCE THE MEMBERS OF THE COUNTY COUNSEL THAT WILL  
11 BE ASSISTING ME IN EXAMINING (THE WITNESS BY ASKING QUESTIONS  
12 AT TODAY'S INQUEST. I WILL BEGIN WITH PRINCIPAL DEPUTY COUNTY  
13 COUNSEL JOSEPH LANGTON.

14

15 **JOSEPH LANGTON:** GOOD MORNING, JOURN.

16

17 **HON. CANDACE COOPER:** SENIOR DEPUTY COUNTY COUNSEL ALEXANDRA  
18 ZUIDERWEG, GOOD MORNING. AND DEPUTY COUNTY COUNSEL, MICHAEL  
19 MILLER. GOOD MORNING. WE WILL NOW MOVE INTO THE EVIDENTIARY  
20 PHASE OF THE PROCEEDINGS, INCLUDING IDENTIFYING DOCUMENTARY  
21 EVIDENCE AND TAKING TESTIMONY FROM WITNESSES. AS I PREVIOUSLY  
22 MENTIONED, ARRANGEMENTS HAVE BEEN MADE IN ADVANCE OF TODAY'S  
23 INQUEST SO THAT ALL WITNESSES CAN APPEAR AND TESTIFY REMOTELY.  
24 WHEN TESTIFYING, I NEED ALL WITNESSES TO UNMUTE THEIR



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1 MICROPHONES AND MAKE SURE THAT THEIR CAMERAS ARE TURNED ON, SO  
2 THAT I CAN BOTH SEE AND HEAR THE WITNESSES AS THEY PROVIDE  
3 THEIR TESTIMONY. IN ADDITION, I WANT TO NOTE THAT THE CORONER  
4 SUBPOENAED MULTIPLE WITNESSES FOR TODAY'S INQUEST. HOWEVER, I  
5 MAY ELECT NOT TO CALL EACH AND EVERY ONE OF THE SUBPOENAED  
6 WITNESSES BECAUSE THEIR TESTIMONY WOULD REPEAT AND BECOME  
7 CUMULATIVE OF THE TESTIMONY FROM OTHER WITNESSES. FOR EXAMPLE,  
8 SEVERAL REPRESENTATIVES OF THE LOS ANGELES COUNTY FIRE  
9 DEPARTMENT RESPONDED TO THE SCENE. IT IS NOT NECESSARY FOR ME  
10 TO HEAR FROM EACH AND EVERY INDIVIDUAL ASSOCIATED WITH THIS  
11 MATTER, IN ORDER FOR ME TO MAKE MY FINDINGS HERE TODAY. AND  
12 ALSO, I HAVE TO WEIGH AND BALANCE THE BENEFITS OF HEARING  
13 TESTIMONY FROM POTENTIAL PRECIPPIANT WITNESSES IN THE FATAL  
14 WITNESSES AGAINST THE FACTS NEEDED TO MAKE MY FINDINGS, AS  
15 WELL AS OTHER POTENTIAL SAFETY CONCERN WHEN IDENTIFYING  
16 CIVILIAN WITNESSES CONSIDERING THE MAYBE ONGOING LITIGATION  
17 CONCERNING THIS MATTER. I WILL NOW BE CALLING THE FIRST  
18 WITNESS. THIS IS GOING TO BE DEPUTY MEDICAL EXAMINER J. DANIEL  
19 AUGUSTINE. SPEAKING SPANISH THAT IS CORRECT, JOURN. THE  
20 CORONER DOES CALL MEDICAL EXAMINER J. DANIEL AUGUSTINE AT THIS  
21 TIME.

22

23 **HON. CANDACE COOPER:** MR. AUGUSTINE, I WILL ADMINISTER THE  
24 OATH. WOULD YOU PLEASE RAISE YOUR RIGHT HAND. DO YOU SOLEMNLY





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1 SWEAR THAT THE TESTIMONY YOU ARE ABOUT TO GIVE IN THE CAUSE  
2 PENDING A SHALL BE THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT  
3 THE TRUTH. PLEASE STATE YOUR FULL NAME AND SPELL YOUR NAME FOR  
4 THE RECORD.

5

6 **SPEAKER:** JOSEPH, JOE DANIEL AUGUSTINE, JOB D-A-N-I-E-L A-U-G-  
7 U-S-T-I-N- E

8

9 **HON. CANDACE COOPER:** MR. LANGDEN.

10

11 **EXAMINER:** YOU WERE WORKING AS THE MEDICAL EXAMINER'S OFFICE  
12 ON AUGUST 2, 2020, CORRECT

13

14 **WITNESS:** CORRECT

15

16 **EXAMINER:** YOU WERE THE PHYSICIAN THAT PERFORMED THE AUTOPSY  
17 ON DIJON KIZZEE

18

19 **WITNESS:** YES

20



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1     **EXAMINER:** BEFORE I ASK YOU ABOUT YOUR MEDICAL FINDINGS, I  
2 WILL INQUIRE INTO YOUR BACKGROUND, TRAINING, AND EXPERIENCE,  
3 IF I MAY, PLEASE

4

5     **WITNESS:** YES

6

7     **EXAMINER:** HOW LONG HAVE YOU BEEN EMPLOYED WITH THE LOS  
8 ANGELES COUNTY CORONER'S OFFICE

9

10    **WITNESS:** CONTINUOUSLY SINCE JULY OF 2010

11

12    **EXAMINER:** DO YOU HOLD ANY PROFESSIONAL LICENSES IN THE STATE  
13 OF CALIFORNIA

14

15    **WITNESS:** YES, A MEDICAL LICENSE

16

17    **EXAMINER:** PLEASE TELL US ABOUT YOUR EDUCATION, SIR, WHERE YOU  
18 GRADUATED, AND WHAT DEGREES YOU RECEIVED

19

20    **WITNESS:** YES. I RECEIVED A BACHELOR'S FROM UCLA .C.L.A. IN  
21 2000, A MEDICAL DEGREE FROM UC SAN DIEGO IN 2007



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1

2 **EXAMINER:** AND SIR, DID YOU COMPLETE ANY RESIDENCY PROGRAMS OR  
3 POST-GRADUATE FELLOWSHIPS

4

5 **WITNESS:** YES. I COMPLETED A RESIDENCY IN PATHOLOGY AT SEDAR-  
6 SAINAI IN LOS ANGELES, THAT WAS COMPLETED IN 2010. AND THEN I  
7 COMPLETED A FELLOWSHIP IN FORENSIC PATHOLOGY AT THE DEPARTMENT  
8 OF THE MEDICAL EXAMINER CORONER FROM 2010 TO 2011, ESSENTIALLY  
9 ON THE JOB TRAINING.

10

11 **EXAMINER:** THANK YOU. AND ARE YOU BOARD CERTIFIED, SIR?

12

13 **WITNESS:** YES, I AM BOARD CERTIFIED IN FORENSIC AND ANATOMIC  
14 PATHOLOGY

15

16 **EXAMINER:** AND JUST FOR THE COURT'S INFORMATION, WHAT DOES  
17 BOARD CERTIFIED MEAN, PLEASE

18

19 **WITNESS:** IT MEANS THAT YOU'VE MET A CERTAIN AMOUNT OF QUALITY  
20 ASSURANCE, QUALITY IN CONTINUING EDUCATION PARAMETERS THAT  
21 SHOWS THAT YOU ARE COMPETENT, ESSENTIALLY TO PRACTICE IN THE  
22 DESIGNATED FIELD OF STUDY



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1

2       **EXAMINER:** THANK YOU YOU REPORTED AN AUTOPSY STUDY IN THE  
3 MATTER OF DIJON KIZZEE, CORRECT?

4

5       **WITNESS:** CORRECT

6

7       **EXAMINER:** SIR I ASK THAT YOU REVIEW WHAT HAS BEEN MARKED AS  
8 DEPARTMENT OF MEDICAL EXAMINER NUMBER ONE, YOUR HONOR, IF I  
9 MAY, PLEASE. SIR, DO YOU HAVE THAT DOCUMENT BEFORE YOU

10

11       **WITNESS:** I DO

12

13       **EXAMINER:** YOU RECOGNIZE THAT DOCUMENT, YES

14

15       **WITNESS:** YES

16

17       **EXAMINER:** SIR. WHEN DID YOU PREPARE IT -

18

19       **WITNESS:** ON SEPTEMBER 2ND, 2020

20



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1     **EXAMINER:** SIR, DID YOU DICTATE AS YOU PROCEEDED WITH THAT  
2     PARTICULAR EXAMINATION, OR DID YOU COMPLETE MR. KIZZEE'S  
3     AUTOPSY AND REVIEW THE DOCUMENT AND SIGN IT THERE AFTER

4

5     **WITNESS:** I DICTATED IT THE DAY OF, IT WAS A WEEK LATER WHERE  
6     IT WAS TRANSCRIBED AND BY THE TIME I REVIEWED IT, IT WAS  
7     FINALIZED, OR SIGNED ON OCTOBER 1ST.

8

9     **EXAMINER:** AND SIR, DID YOU SIGN THIS DOCUMENT?

10

11    **WITNESS:** YES

12

13    **EXAMINER:** AND WHAT WAS THAT DATE, PLEASE

14

15    **WITNESS:** OCTOBER 1ST, 2020

16

17    **EXAMINER:** MR. MAXIMOTO, CAN I PLEASE ASK YOU TO BRING UP  
18    BATES 42. REFERRING TO THE DOCUMENT THAT HAS BEEN PUBLISHED ON  
19    THE SCREEN, THAT HAS BEEN YOUR SIGNATURE, DR. AUGUSTINE

20

21    **WITNESS:** CORRECT



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1

2 **EXAMINER:** AND THE DATE BEARING OCTOBER 1ST, 2020; CORRECT

3

4 **WITNESS:** CORRECT

5

6 **EXAMINER:** YOUR HONOR, THE CORONER OFFERS DMEC EXHIBIT NO. 1  
7 INTO EVIDENCE AT THIS TIME. DOCTOR, WHAT IS THE PURPOSE OF AN  
8 AUTOPSY?

9

10 **WITNESS:** IT IS TO ARRIVE AT A CAUSE AND A MANNER OF DEATH,  
11 THE CAUSE BEING A NATURAL DISEASE, OR INJURIES OR A  
12 COMBINATION THEREOF, RESULTING IN THE DEATH, AND THE MANNER  
13 BEING THE CIRCUMSTANCES UNDER WHICH THE DEATH OCCURRED

14

15 **EXAMINER:** AND DOCTOR, DO YOU DETERMINE THE NATURE OF FATAL  
16 INJURIES AT AN AUTOPSY?

17

18 **WITNESS:** YES

19

20 **EXAMINER:** AND IN THIS CASE, DOCTOR, DID YOU RECOVER SPENT  
21 BULLETS?



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1

2 **WITNESS:** YES

3

4 **EXAMINER:** DID YOU EVALUATE ENTRANCE AND EXIT WOUND PATTERNS?

5

6 **WITNESS:** YES

7

8 **EXAMINER:** AND YOU EVALUATED INTERNAL INJURIES; IS THAT  
9 CORRECT?

10

11 **WITNESS:** TAT'S CORRECT.

12

13 **EXAMINER:** SO I UNDERSTAND THAT YOU NOTE THE NUMBER OF GUNSHOT  
14 WOUNDS, DOCTOR. YOU DID NOT DETERMINE THE SEQUENCE OF THOSE  
15 SHOTS FIRED; IS THAT CORRECT??

16

17 **WITNESS:** CORRECT.

18

19 **EXAMINER:** DOCTOR, DRAWING YOUR ATTENTION TO DMEC1 MR.  
20 MAXIMOTO BATES NUMBER 25, PLEASE. DOCTOR, DO YOU SEE THAT  
21 DOCUMENT BEFORE YOU?



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1

2 **WITNESS:** I DO.

3

4 **EXAMINER:** WOULD YOU KINDLY READ YOUR SUMMARY ITEMS, ITEMS 1  
5 AND 2, PLEASE.

6

7 **WITNESS:** YES, 29-YEAR-OLD MALE, 224 INCHES, GUN SHOT 16, ALL  
8 INDETERMINATE RANGE OF FIRE, SUBHEADING A, RAPIDLY LIFE  
9 THREATENING WOUNDS, NUMBER ONE, GUN SHOT WOUND, TORSO, INJURY  
10 TO RIGHT LUNG, RIGHT CHEMO THORAX, 250CCS, 2, GUN SHOT WOUND  
11 NUMBER 5, SUBHEADING LOWER CASE A, INJURY TO LEFT LUNG,  
12 ESOPHAGUS AND HEART, B, LEFT HEMOTHORAX, NUMBER THREE, GUN  
13 SHOT WOUND NUMBER 11, TORSO, LATERAL RIGHT CHEST, INJURIES TO  
14 RIGHT LUNG, LOWER LOBE, DIAPHRAGM AND LIVER, LEFT HEMOTHORAX,  
15 INTRADOMINAL BLOOD, 100CCS CLOTTED, GUN SHOT WOUND NUMBER 12,  
16 TORSO, MIDUPPER BACK, INJURY TO LEFT DIAGRAM AND LEFT KIDNEY

17

18 **EXAMINER:** THANK YOU. DR. AUGUSTINE, HOW MANY TOTAL GUN SHOT  
19 WOUNDS DID YOU LOCATE?

20

21 **WITNESS:** ABOUT 16.

22





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1     **EXAMINER:** AND HOW MANY BULLETS DID YOU REMOVE FROM MR.  
2     KIZZEE'S BODY?

3

4     **WITNESS:** 11.

5

6     **EXAMINER:** AND DOCTOR, I SEE IN TERMS OF YOUR TESTIMONY, AND  
7     WITH THE INFORMATION DISCLOSED IN THE DOCUMENT BEFORE US, YOU  
8     IDENTIFIED FOUR RAPIDLY LIFE THREATENING WOUNDS, IS IT YOUR  
9     OPINION THAT EACH OF THE FOUR WOUNDS YOU IDENTIFIED POSSESSED  
10    AN INDEPENDENT LETHAL CAPACITY?

11

12    **WITNESS:** CORRECT.

13

14    **EXAMINER:** AND, TO CONFIRM, CON SHOT WOUNDS WITH THE  
15    INDEPENDENT LETHAL CAPACITY ARE WOUNDS NUMBER FOUR, FIVE,  
16    ELEVEN, AND 12; IS THAT CORRECT??

17

18    **WITNESS:** THAT'S CORRECT

19

20    **EXAMINER:** DR. AUGUSTINE, IS IT YOUR OPINION THAT THE  
21    REMAINING 12 GUNSHOT WOUNDS WERE NOT RAPIDLY LIFE THREATENING?



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1

2 **WITNESS:** IN AND OF THEMSELVES, NO.

3

4 **EXAMINER:** SIR, DRAWING YOUR ATTENTION TO GUN SHOT WOUND  
5 NUMBER FOUR, PLEASE. THAT IS NUMBER ONE ON THE FACE SHEET OF  
6 THE DOCUMENT WE ARE LOOKING AT NOW. WOULD YOU KINDLY DESCRIBE  
7 THAT WOUND, PLEASE.

8

9 **WITNESS:** THIS IS ON THE TORSI, RIGHT, THE COLLARBONE REGION  
10 ON THE RIGHT SIDE, AND THAT CAUSES A PENETRATION INTO THE BODY  
11 CAVITY, AND INTO THE TORSO, CAUSING INJURY TO THE RIGHT LUNG  
12 AND ACCUMULATION OF BLOOD WITHIN THE RIGHT CHEST. THAT IS WHAT  
13 A RIGHT HEMOTHORAX IS.

14

15 **EXAMINER:** PLEASE BRING UP BATES 28, PLEASE. THIS IS SIMPLY,  
16 FOCUSING ON GUNSHOT WOUND NUMBER FOUR, DR. AUGUSTINE. WHAT  
17 DOES SUPRA CLAVICKLER MEAN?

18

19 **WITNESS:** ABOVE THE LEVEL OF THE CLAVICLE ON THE SKIN.

20

21 **EXAMINER:** FOR THE COURT, WHAT IS A HEMOTHORAX

22



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1     **WITNESS:** ACCUMULATION OF BLOOD WITHIN THE CHEST CAVITY

2

3     **EXAMINER:** SIR, YOU WITH USED THE TERM PENETRATING WOUND, WHAT  
4     DOES A PENETRATING WOUND MEAN

5

6     **WITNESS:** IT MEANS THAT THE BULLET, THE PROJECTILE ENTERED BUT  
7     DID NOT LEAVE THE BODY

8

9     **EXAMINER:** AND YOU ALSO USED THE TERM ATYPICAL GUNSHOT WOUND  
10    ON BATES NUMBER 28, UNDERNEATH THE GUN SHOT WOUND NUMBER FOUR  
11    CAPTION. WHAT IS AN ATYPICAL GUNSHOT WOUND?

12

13    **WITNESS:** THAT IS LANGUAGE I USE TO DESCRIBE, SO TYPICAL WOULD  
14    BE, IN A GUNSHOT WOUND ENTRY, IT IS A HIGH VELOCITY BLUNT  
15    FORCE INJURY, WHICH IS ESSENTIALLY, AT A HIGH SPEED, IT PUSHES  
16    THROUGH INTO THE -- INTO A BODY, OR INTO A SKIN SURFACE. AND  
17    IN THIS CASE, IT DOESN'T HAVE APPEARANCE THAT MEETS THAT  
18    CRITERIA. AND SO I JUST DESCRIBED AS AN ATYPICAL APPEARING  
19    WOUND IN CONTRAST TO A TYPICAL OR A NORMAL ENTRANCE WOUND  
20    WHICH IS ALMOST ESSENTIALLY A CIRCULAR VOID WITH A MARGIN  
21    ABRASION, BEING A BLUNT INJURY, IT IS PUSHING THROUGH, SO AS  
22    IT ENTERS, IT CAN CREATE A REGION OF ABRASION OR SCRAPING  
23    AROUND THE ENTRANCE SITE.



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1

2       **EXAMINER:** YES, JUST TO SEGUE INTO THAT, YOU USE THE TERM  
3 MARGINAL ABRASION. AND COULD YOU FURTHER EXPLAIN MARGINAL  
4 ABRASION FOR THE COURT, PLEASE.

5

6       **WITNESS:** THE PREVIOUS DESCRIPTIONS IS PRETTY SUCCINCT. IT IS  
7 THE RIM AROUND A GUNSHOT WOUND INJURY, ON THE SKIN SURFACE.

8

9       **EXAMINER:** AND YOU NOTE A PARTICULAR MARGIN OF ABRASION IN  
10 GUNSHOT WOUND NUMBER 4, WHAT SIGNIFICANT IF ANY DID YOU DRAW  
11 FROM THIS MARGINAL ABRASION?

12

13       **WITNESS:** IT IS A DESCRIPTOR, ESSENTIALLY. IT PROVIDES  
14 INFORMATION THAT SUGGESTS THIS IS AN ENTRANCE WOUND. MARGINAL  
15 ABRASION, IF THEY ARE ORIENTED ON ONE SURFACE, RELATIVE TO THE  
16 PERFORATION OF THE SKIN, THAT MAY GIVE YOU INSIGHT INTO THE  
17 DIRECTION WITHIN THE BODY, AND NOT HAVING TO DO WITH DIRECTION  
18 OUTSIDE PERSON TO PERSON INTERACTIONS, BUT AN INJURY PATHWAY.  
19 IT MAY GIVE AN INKLING OR SUGGESTION AS TO WHERE THE BULLET  
20 MAY BE GOING INSIDE THE BODY, WHICH YOU CAN CONFIRM BASED ON  
21 INTERNAL EXAMINATION, SUBSEQUENT TO THAT EVALUATION.

22



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1     **EXAMINER:** AND WE WILL DISCUSS THAT IN A MOMENT. YOU NOTE THAT  
2     THERE IS NO SOOT, OR STIP LING PRESENT, WHAT DOES THAT MEAN?

3

4     **WITNESS:** THIS IS THE RANGE OF FIRE DETERMINE WANTS WE USE IN  
5     AUTOPSY WHEN EXAMINING DECEDENTS IN SKIN SURFACES. SOOT AND  
6     STIP LING ARE EXPRESSED FROM THE MUZZLE OF A GUN. THEY ARE  
7     EITHER CARBONACIOUS POWDERY MATERIAL, IN THE CASE OF SOOT,  
8     WHICH GIVES YOU A CLOSE RANGE OF FIRE DETERMINATION, AND THAT  
9     CAN OVERLAP WITH STIP LING, WHERE THOSE ARE EITHER PARTIALLY  
10    BURNT OR UNBURNT GUN POWDER PARTICLES THAT IMPINGE ON THE  
11    SURFACES, CAUSING ASCRAPES OR ABRASIONS TO THE SKIN'S SURFACE.  
12    AND YOU SEE, SOOT AND STIP LING TOGETHER YOU CAN COME TO A  
13    CONCLUSION IT IS AT SOME, YOU KNOW, SOME CLOSE RANGE THAT  
14    DEPENDS, AGAIN, ON A LOT OF VARIABLES THAT WE CAN'T ACCOUNT  
15    FOR AT AUTOPSY, TYPE OF AMMUNITION, THE GUN, THOSE ARE BEYOND  
16    OUR SCOPE OF PRACTICE. WHEN YOU SEE NO SOOT AND STIP LING,  
17    THAT GETS TO THE DEFINITION OF AN INTERMEDIATE GUN SHOT WOUND,  
18    FURTHER THAN CLOSE RANGE GUN SHOT WOUND, AND ALSO A  
19    CHARACTERISTIC AND DEFINING FOR INTERMEDIATE GUN SHOT WOUND,  
20    AND AN INDETERMINATE RANGE OF FIRE, I CANNOT TELL BASED ON THE  
21    BODY EXAMINATION WHAT RANGE THE SHOTS HAPPENED

22

23    **EXAMINER:** THANK YOU, I WILL ASK YOU TO BRING UP BATES 46 IN  
24    DMAC NUMBER 1 BEFORE YOU IS AN AUTOPSY REPORT WITH THE DIAGRAM



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1 OF THE BODY. SIR, ARE THOSE YOUR HAND WRITTEN NOTES ON THIS  
2 PARTICULAR DIAGRAM

3

4 **WITNESS:** YES

5

6 **EXAMINER:** DRAWING YOUR ATTENTION TO GUN SHOT WOUND NUMBER 4  
7 AS WE HAVE BEEN DISCUSSING, PLEASE DESCRIBE THE WOUND COURSE  
8 AND THE RESULTING DAMAGE TO INTERNAL TISSUES

9

10 **WITNESS:** YES, SO THE WOUND STARTS WITH INJURY TO THE SKIN AND  
11 UNDERLYING SOFT TISSUE ABOVE THE LEVEL OF THE CLAVICLE IN THE  
12 COLLAR BONE ON THE RIGHT SIDE AND CONTINUES TO WHAT IS  
13 REFERRED TO AS THE THORASIC OUTLET, THE SPACE WHERE NECK  
14 VESSELS AND NERVES WILL TRAVEL DOWN INTO THE TORSI, WE HAVE A  
15 PERFORATION AND A FRACTURE OF THE RIGHT CLAVICLE AND THE WOUND  
16 TRACT TERMINATES WITH PENETRATION OF THE RIGHT LUNG UPPER LOBE

17

18 **EXAMINER:** BRIEFLY, DESCRIBE WHAT THE CAVICLE IS, YOU CAN SHOW  
19 THE PARTIES ON THE SCREEN.

20



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1     **WITNESS:** SURE, I CAN SHOW, CLAVICLE IS RIGHT HERE, I AM  
2     POINTING TO MY RIGHT, IS THIS ON MR. KIZZEE, ABOVE THE  
3     CLAVICLE, THE COLLAR BONE, ON THE UPPER CHEST

4

5     **EXAMINER:** DR. AUGUSTINE, WHAT ARE THE PHYSIOLOGICAL EFFECTS  
6     TO THE BODY, AFTER SUSTAINING A WOUND SIMILAR TO GUN SHOT  
7     WOUND NUMBER FOUR

8

9     **WITNESS:** THERE CAN BE A COUPLE, A DIRECT INJURY TO THE LUNG  
10    CAN IMPAIR OR DID IMPAIR RESPIRATORY FUNCTION, AND ALSO,  
11    RELATED TO THAT, THE LUNG BEING A VASCULAR ORGAN, THERE IS  
12    BLEEDING INTO THE CHEST CAVITY. WE HAVE THE ELEMENTS OF BLOOD  
13    LOSS, THE PHYSIOLOGICAL EFFECTS OF BLOOD LOSS AND EFFECTS OF  
14    TRAUMA TO THE LUNG THAT CAN IMPAIR THE ABILITY TO BREATHE. SO  
15    WE ARE TALKING ABOUT THE BODY'S ABILITY TO CARRY OXYGEN AND TO  
16    BREATHE ADEQUATELY. SO THOSE WOULD BE THE PRIMARY EFFECTS OF  
17    THIS GUNSHOT WOUND.

18

19    **EXAMINER:** IS THAT IMMEDIATE EFFECTS IN TERMS OF THE INJURY  
20    SUSTAINED TO MR. KIZZEE, HIS IMMEDIATE EFFECT TO PROCESS  
21    OXYGEN?

22

23    **WITNESS:** YES



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1

2       **EXAMINER:** PAYING ATTENTION TO BATES 46, WHAT IS THE DIRECTION  
3 OF GUN SHOT WOUND NUMBER FOUR AS YOU HAVE DOCUMENTED

4

5       **WITNESS:** SO THE DIRECTION REFERS TO THE DIRECTION WITHIN THE  
6 BODY AND LUNG, AGAIN, LIKE I MENTIONED PREVIOUSLY, I CAN'T  
7 GIVE YOU ANY CONCLUSIONS AS TO EXTERNAL ENVIRONMENTAL PERSON  
8 TO PERSON INTERACTIONS. WITHIN THE BODY, IT IS RIGHT TO LEFT,  
9 DOWNWARD, AND FRONT TO BACK DIRECTION:

10

11       **EXAMINER:** SO 4 TRAVELED DOWN WARTEDS INTO MR. KIZZEE'S BODY,  
12 IS THAT A FAIR STATEMENT

13

14       **WITNESS:** YES, THIS IS THE -- THE IMPORTANT POINT IS WE ARE  
15 LOOKING, THESE DIRECTIONS ARE RELATIVE TO JUST AS WE SEE IN  
16 THAT DIAGRAM, THAT IS THE ANATOMIC POSITION, STANDING UP  
17 RIGHT, PALMS S S S S FACING FORWARD. THAT GIVES US REFERENCE  
18 POINTS WHEN WE PROVIDE AUTOPSIES, TISSUE PATHWAYS, WHEN  
19 DETERMINING DIRECTION OF INJURY PATHWAYS

20





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1     **EXAMINER:** AND SIR, YOU CANNOT GIVE AN OPINION AS TO BODY  
2     POSITION, AS THE TIME MR. KIZZEE SUSTAINED GUN SHOT WOUND  
3     NUMBER FOUR; IS THAT CORRECT?

4

5     **WITNESS:** THAT IS CORRECT

6

7     **EXAMINER:** DO YOU HAVE AN OPINION AS TO WHETHER MR. KIZZEE  
8     WOULD HAVE COLLAPSED AFTER SUSTAINING GUN SHOT WOUND NUMBER  
9     FOUR?

10

11    **WITNESS:** I DO NOT

12

13    **EXAMINER:** CAN YOU EXPLAIN, IN TERMS MORE FOR THE LAY PERSON,  
14    WHY DID GUNSHOT WOUND NUMBER FOUR POSSES INDEPENDENT LETHAL  
15    CAPACITY?

16

17    **WITNESS:** IT CAUSED INJURY TO THE LUNG, THE VASCULAR ORGAN, IT  
18    IS A MAIN RESPIRATORY ORGAN. IN FORENSIC PUTHOL, WE WORK UNDER  
19    THE ASSUMPTION IF AID HAD NOT BEEN RENDERED, WE DO NOT USE  
20    THAT AS A FACTOR TO CONSIDER. SO IN THIS CASE, IF LEFT  
21    UNTREATED, THE -- THAT WOUND ITSELF WOULD BE A FATAL WOUND,



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1 DUE TO THE FIZZ LOGIC EFFECTS WE MENTIONED AND DISCUSSED  
2 PREVIOUSLY.

3

4 **EXAMINER:** MR. MAXIMOTO, PLEASE BRING UP BATES NUMBER 28. DR.  
5 AUGUSTINE, WE WILL PROCEED TO GUNSHOT WOUND NUMBER 5, IT IS A  
6 WOUND YOU IDENTIFIED WITH INDEPENDENT LETHAL CAPACITY. AND MAY  
7 I KYOU TO DESCRIBE THAT WOUND, PLEASE.

8

9 **WITNESS:** IT IS ON THE LEFT UPPER CHEST OF THE TORSO. THIS ONE  
10 HAS INJURIES THAT INCLUDE THE LEFT LUNG, THE ESOPHAGUS, THE  
11 MAIN TUBE, THE CONDUIT BETWEEN OUR MOUTH AND OUR STOMACH THAT  
12 CARRIES FOOD, AS WELL AS THE HEART, AND IN A CASE, THERE IS  
13 ASSOCIATED BLOOD COLLECTION WITHIN THE LEFT CHEST CAVITY AS  
14 WELL.

15

16 **EXAMINER:** THAT IS A HEMOTHORAX; IS THAT CORRECT??

17

18 **WITNESS:** THAT'S CORRECT

19

20 **EXAMINER:** YOU NOTE MARGINAL ABRASION, IS THIS DIFFERENT IN  
21 ANY WAY THAN IN WOUND NUMBER FOUR?

22



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1     **WITNESS:** THIS HAS A MORE ROUND TO AVOID APPEARANCE, SO THE  
2 MARGINAL ABRASIONS SURROUND THE OUTER PORTIONS OF THAT ROUND  
3 PERFERATION

4

5     **EXAMINER:** AND AGAIN, YOU DID NOT FIND BASED UPON YOUR  
6 PREVIOUS TESTIMONY ANY SOOT OR STIP LING PRESENT IN THIS  
7 WOUND, CORRECT?

8

9     **WITNESS:** THAT'S CORRECT

10

11    **EXAMINER:** MR. MAXIMOTO, MAY I PLEASE ASK YOU TO BRING UP  
12 BATES NUMBER 46, AGAIN. DR. AUGUSTINE, RETURNING TO YOUR  
13 DIAGRAM THAT REFLECTS GUNSHOT WOUND NUMBER FIVE, I'M GOING TO  
14 ASK YOU PLEASE TO READ YOUR HAND WRITTEN ENTRIES AS YOU DID  
15 WITH WOUND NUMBER FOUR.

16

17    **WITNESS:** GUN SHOT WOUND NUMBER 5 IS 5/16THS OF AN INCH SKIN  
18 PERFORATION WITH A 1/16TH OF AN INCH MARGINAL ABRASION, M.A-  
19 STANDS FOR MARGINAL ABRASION. THERE IS AN INFERIOR REGION OF  
20 ABRASION, A QUARTER OF AN INCH BY 3/16THS OF AN INCH, NO SOOT  
21 OR STIP LING SEEN, THESE ARE THE MEASUREMENTS FROM THE TOP OF  
22 THE HEAD THAT AID IN THE DIRECTION WHEN WE RECOVER BULLETS AND  
23 SO FORTH AND LOOKING AT PATHWAYS, IT GIVES US A SENSE OF THE



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1 LOCATION AND HOW TO MAKE, YOU KNOW, MULTIPLE REFERENCE POINTS.  
2 AND THE OTHER MEASUREMENT STANDS FOR LEFT OF MIDLEAN, 4 AND 1  
3 QUARTER INCHES TO THE LEFT OF THE MIDLEN TO THE BODY, FRONT TO  
4 BACK AND DOWNWARD, REFERRING TO THE DIRECTION, INJURIES WITHIN  
5 THE BODY ITSELF AND THE COURSE FOLLOWS THROUGH THE SKIN AND  
6 SOFT TISSUE, THE LEFT INTERCOSTAL SPACE, THAT IS TISSUE, NOT A  
7 BONE. THE LEFT LOBE, THE UPPER LOBE AS AN INJURY AS WELL AS  
8 THE ESOPHIFS AND THERE IS AN INJURY TO THE HEART, I HAD  
9 UNDERNEATH IN PARENTHESES, DESCRIBING THE SEPTAL, THE MUSCLE  
10 BETWEEN THE LEFT AND RIGHT CHAMBERS OF THE HEART. AND THE  
11 SEPTUM ITSELF, THE THICK MUSKER LRB REGION AND THE RIGHT  
12 VENTRICLE, I IDENTIFIED A JACKET FROM THE CAVITY AT 0938  
13 HOURS.

14

15 **EXAMINER:** I WAS GOING TO ASK WHAT IS INTRACOSTAL SPACE, BUT  
16 YOU IDENTIFIED THAT ASETITION UBETWEEN THE RIBS; IS THAT  
17 CORRECT?

18

19 **WITNESS:** THAT'S RIGHT

20

21 **EXAMINER:** WOULD YOU PLEASE DEVIBE FOR THE COURT THE  
22 PHYSIOLOGICAL EFFECTS TO THE BODY AFTER SUSTAINING SUCH AS



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1 WOUND, SIMILAR TO GUNSHOT WOUND 5 WHICH IS A PERFORATION TO  
2 THE LEFT LUNG AND HEART

3

4 **WITNESS:** IT IS SIMILAR TO WHAT WE DESCRIBED IN FOUR, WITH  
5 THOSE, WITH THOSE EFFECTS THAT THE END RESULT, YOU HAVE INJURY  
6 TO LUNG AND HEART, IN THIS CASE, AND YOU MAY HAVE A DIRECT  
7 EFFECTS ON THE CARDIAC TISSUE ITSELF, THE MECHANICAL, AND  
8 MEANING THAT THE ACTUAL BULLET AND THE INJURY PATHWAY MAY  
9 RESULT IN ABNORMAL MOTION, OR ABNORMAL ACTIVITY OF THE HEART  
10 ITSELF. WE ARE ALSO DEALING WITH, AGAIN, THE HEART AND THE  
11 LUNG BEING VASCULAR ORGANS AND THE ACCUMULATION OF BLOOD  
12 WITHIN THE LEFT CHEST CAVITY WHICH WILL HAVE AN EFFECT ON THE  
13 BODY'S ABILITY TO TRANSPORT OXYGEN AND MAINTAIN THE  
14 PHYSIOLOGICAL, NORMAL STATE.

15

16 **EXAMINER:** AND THIS -- THIS SHOT, GUNSHOT WOUND NUMBER FIVE  
17 WOULD CONSTITUTE OR HAVE INDEPENDENT LETHAL CAPACITY, CORRECT

18

19 **WITNESS:** THAT'S CORRECT.

20

21 **EXAMINER:** AND ALSO, WITH REFERENCE TO YOUR DIAGRAM, DR.  
22 AUGUSTINE, THIS WOUND, AS WELL, WAS DOWNWARD; IS THAT  
23 CORRECT??



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1

2 **WITNESS:** CORRECT.

3

4 **EXAMINER:** AND AS I ASKED YOU WITH GUNSHOT WOUND NUMBER FOUR,  
5 WHY WOULD FIVE POZEZ INDEPENDENT LETHAL CAPACITY, IN BASIC  
6 TERMS

7

8 **WITNESS:** AS WE DESCRIBED BEFORE, INJURIES TO THE HEART AND  
9 LUNGS, YOU ARE IMPAIRING VITAL FUNCTIONS OF THE BODY, VERY  
10 IMPORTANT ROLES THAT ARE IMPORTANT IN ALL OF OUR ABILITY TO  
11 LIVE, TO HAVE INJURIES TO THE ORGANS, IT RESULTS IN AN  
12 ABNORMAL ACTIVITY, OR PHYSIOLOGY, OR ABNORNL MAL EFFECTS AND  
13 THE LOSS OF BLOOD RESULTING FROM THE INJURIES

14

15 **EXAMINER:** MAY I PLEASE ASK YOU TO BRING UP BATES NUMBER 32.  
16 WE ARE NOW GOING TO DISCUSS GUN SHOT WOUND NUMBER ELEVEN WHICH  
17 YOU IDENTIFIED THAT HAD INDEPENDENT LETHAL CAPACITY. WOULD YOU  
18 DESCRIBE THIS WOUND, PLEASE.

19

20 **WITNESS:** YES, SO THIS IS, AGAIN, A GUN SHOT WOUND OF THE  
21 TORSO. IN THIS CASE, WE ARE DEALING WITH THE LATERAL LEFT  
22 CHEST, THE OUTER PORTION OF THE CHEST, AND MORE TO THE UPPER



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1 SIDE OF THE BODY. THIS THE DIAGRAM, WHICH IS THE MUSCLE THAT  
2 MOVES UP AND DOWN AS WE BREATHE. AS WELL AS INJURY TO THE  
3 LIVER. WHAT ARE SOME OF THE IMMEDIATE EFFECTS TO THE LIVER,  
4 FROM AUGUSTINE?. WHAT WOULD THAT MEAN TO THE HUMAN BODY? A. IN  
5 THIS CASE WE ARE DEALING WITH THE BLOOD LOSS ESSENTIALLY. THE  
6 EFFECTS OF BLOOD LOSS. AGAIN, THE LIVER, LUNG, HEARTS ALL THAT  
7 WE ARE DISCUSSING ARE INJURED ARE HIGHLY VASCULAR. A LOT OF  
8 BLOOD FORM, CAN PERFORM FUNCTIONS THAT REQUIRES THAT. SO WHEN  
9 YOU HAVE AN INJURY SUSTAINED TO THEM, THEY HAVE THE PROPENSITY  
10 FOR BLOOD TO ACCUMULATE OUTSIDE IN THE FREE SPACES. IN THIS  
11 CASE THE LIVER SITS IN THE ABDOMINAL CAVITY. IN THIS CASE WE  
12 HAVE THE ACCUMULATION OF BLOOD. Q. AND THAT'S THE TERM YOU  
13 HAVE USED THROUGHOUT YOUR REPORT, HEMOTHORAX, YES? A. IN THIS  
14 CASE WE ARE DEALING WITH INTERABDOMINAL BLEEDING, WITHIN THE  
15 CAVITY. Q. IS THERE A TERM TO BETTER DESCRIBE THE BLOOD LOSS  
16 IN THE ABDOMINAL CAVITY? A. THE TECHNICAL TERM WOULD BE  
17 HEMOPER THAT KNEE YUM. THE CAVITY WHERE THE LIVER RESIDES. Q.  
18 AND MR. MAX MOTTO, CAN YOU PLEASE BRING UP BATES NO. 47 IF YOU  
19 PLEASE. DR. AUGUSTINE, WE WILL CONTINUE WITH YOUR HANDWRITTEN  
20 NOTES AS IT RELATES TO GUNSHOT WOUND NUMBER 11. WILL YOU  
21 KINDLY DESCRIBE THE WOUND COURSE AND RESULT IN DAMAGE TO THOSE  
22 INTERNAL TISSUES VIA YOUR HANDWRITTEN NOTES HERE? A. YES. SO  
23 THE COURSE BEGINS ON THE LATERAL OF THE OUTER LEFT CHEST. WE  
24 THEN HAVE THE LATERAL PORTION OF THE RIB ON THE SIDE OF THE  
25 BODY, WHICH IS IS THE SEVENTH RIB AND THERE'S A FRACTURE



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1 THERE. WE HAVE AN INJURY TO THE LOWER LOBE OF. THE LEFT LOBE  
2 OF THE LIVER IS INJURED. AND THEN WE HAVE INJURED TO THE SOFT  
3 TISSUES. AND THE PROJECTILE AND BULLET FROM THOSE TISSUES.

4

5 **WITNESS:** A. IN THIS CASE I PROBABLY JUST LEFT IT OFF. IN THIS  
6 CASE IT IS, IN FACT, BASED ON THE ANATOMIC LOCATION OF THE  
7 INJURIES, IT IS THE LEFT HEM MY DIAGRAM. THE DIAGRAM ITSELF  
8 HAS TWO PARTS. THE RIGHT AND THE LEFT ON THE DIFFERENT SIDES.  
9 BUT TOGETHER THEY MAKE UP THE DIAGRAM. Q. SO AGAIN, AS WITH  
10 THE WOUNDS NO. 4 AND 5, WOUND NO. 11 AS YOU DESCRIBED WAS LEFT  
11 TO RIGHT, IS THAT CORRECT? A. CORRECT. Q. DOWNWARD, YES? A.  
12 CORRECT. Q. AND FRONT TO BACK, IS THAT CORRECT? A. YES. Q. AND  
13 AS I HAVE ASKED YOU BEFORE WITH GUNSHOT WOUNDS NO. 4 AND 5,  
14 WHY DID NO. 11 POSSESS INSPECT LETHAL CAPACITY? A. JUST REAL  
15 BRIEFLY. I THINK WE SAID FOUR AND FIVE LEFT TO RIGHT. IT IS  
16 RIGHT TO LEFT. FOUR IS RIGHT TO LEFT. FIVE AND 11 ARE LEFT TO  
17 RIGHT. IN THIS CASE, AGAIN, SIMPLY, WE ARE DEALING WITH  
18 VASCULAR ORGANS THAT HAVE PROPENSITY TO BLEED AS WELL AS  
19 IMPAIRED LUNG FUNCTION ON THE LEFT SIDE WITH THOSE INJURIES.  
20 Q. THANK YOU. MR. MAXIMOTO, WILL YOU PLEASE BRING UP BATES NO.  
21 32 AS WELL AS 33, I BELIEVE. DR. AUGUSTINE, WE WILL NOW  
22 DISCUSS GUNSHOT WOUND NO. 12. AND OF COURSE, THE TITLE SIR IS  
23 ON BATES NO. 32.

24





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1     **MR. LANGTON:** IF YOU WISH TO BRING UP THE SINGULAR DOCUMENT,  
2     THAT'S FINE AS WELL. Q. WHILE WE WAIT, FOR THAT DOCUMENT TO BE  
3     BROUGHT UP, WOULD YOU KINDLY DESCRIBE WOUND NO. 12 PLEASE? A.  
4     YES, GUNSHOT WOUND NO. 12 IS A PENETRATING, AGAIN, THE BULLET  
5     ENTERS BUT DOESN'T LEAVE THE BODY. THE GUNSHOT WOUND OF THE  
6     MID BACK. IT HAS INJURIES TO THE POSTERIOR, OR THE BACK SIDE  
7     OF THE LEFT NINTH RIB. THERE'S A FRACTURE THERE. AGAIN INJURY  
8     TO THE DIAGRAM. THERE'S INJURY OF THE COLON AS WELL AS THE  
9     LEFT KIDNEY LACERATION. Q. SIR, IN THIS PARTICULAR DIRECTION  
10    TO POINT OUT, THE DIRECTION OF THIS WOUND IS WHAT, SIR?.

11

12    **WITNESS:** THE INJURY PATH WAY DIRECTION IS BACK TO FRONT.  
13    RIGHT TO LEFT AND DOWNWARD..

14

15    **EXAMINER:** IS THIS SIMILAR. IS THIS SIMILAR TO THE PRIOR  
16    INJURIES THAT YOU NOTED IN YOUR REPORT.

17

18    **WITNESS:** CORRECT. SO AGAIN WITH THE APPEARANCE, MY EXPERIENCE  
19    OF DEALING WITH GUNSHOT WOUND DEATHS, AS WELL AS MY TRAINING,  
20    THIS IS A CHARACTERISTIC FOR AN ENTRY GUNSHOT WOUND. WE HAVE A  
21    CIRCULAR PERFORATION WITH A MARGINAL ABRASION PRESENT.

22



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1     **EXAMINER:** MR. MAXIMOTO, WILL YOU PLEASE BRING UP BATES NO.  
2     47. DR. AUGUSTINE, WE WILL REVIEW YOUR NOTES AS IT RELATES TO  
3     GUNSHOT WOUND NO. 12 HERE. PLEASE -- IF YOU CAN, IDENTIFY THE  
4     GUNSHOT WOUND THAT WE ARE TALKING ABOUT.

5

6     **WITNESS:** THE GUNSHOT -- DO YOU WANT ME TO PROVIDE A  
7     DESCRIPTION OF MY HANDWRITTEN NOTES?

8

9     **MR. LANGTON:** BE YES, PLEASE. AND I BELIEVE MR. MAXIMOTO HAS  
10    HIGHLIGHTED THAT. IS IS THAT CORRECT THE GUNSHOT WOUND ON YOUR  
11    DIAGRAM.

12

13    **WITNESS:** THAT'S CORRECT. SO IT IS A WATER OF AN INCH INJURY.  
14    IN THIS CASE I HAVE PUT -- IT IS LOCATED ON THE 12 TO 3:00, SO  
15    IF YOU IMAGINE THE WOUND ITSELF IS A CLOCK FACE, IF YOU  
16    IMAGINE FROM A 12 TO ABOUT A 3:00. SO THAT WOULD BE FROM THE  
17    UPPER MID TO APPROXIMATELY THE MID RIGHT SIDE OF THAT INJURY.  
18    I SAW AN ELEMENT OF A MARGINAL ABRASION. THE WOUND IS 15  
19    INCHES ON THE TOP OF THE HEAD, AND AT THE MIDLINE OF THE BODY.  
20    THE DIRECTION AS WE DESCRIBED IS BACK TO FRONT, LEFT TO RIGHT,  
21    AND DOWNWARD. THE COURSE IS AGAIN TO REITERATE BACK SKIN AND  
22    SOFT TISSUE. SO THE BACK SIDE OF THE NINTH LEFT RIB, INJURY TO  
23    THE LEFT DIAGRAM. A PREPARATION OF THE COLE LOAN, SO RIGHT



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1 WHERE THE SPLEEN SITS THAT REGION WHERE IT GOES DOWN ON ON THE  
2 LEFT SIDE OF THE COLON, THAT'S REFERRED TO THE -- IT IS ALL  
3 VERY ANATOMIC JARGON WE WERE DEALING WITH. THERE IS --  
4 RECOVERED FROM THE INFRAREMEMBERRAL. SO INFRAMEANS BELOW. THE  
5 RENAL MEANING KIDNEY. SO BELOW THE LEFT KIDNEY, SOFT TISSUES  
6 IN THE ABDOMINAL AREA. AND THEN I GIVE A REFERENCE POINT FOR  
7 THE LOCATION OF THAT BULLET RECOVERY WHICH IS 26-INCHES FROM  
8 THE TOP OF THE HEAD AND THREE-INCHES TO THE LEFT OF MIDLINE.  
9 SO WHEN YOU LOOK AT THE ENTRANCE WOUND, AND THE RECOVERY SITE,  
10 THOSE TWO HELPS GUIDE WHAT I GIVE MY PATH WAY DIRECTIONS. AND  
11 THAT'S THE RATIONAL.

12

13 **EXAMINER:** SPEAKING OF WOUNDS DR. AUGUSTINE, AS IS ON YOUR  
14 DIAGRAM WITH THE HIGH LIT PORTION IN THE MIDDLE -- IN THE  
15 MIDLINE OF MR. KIZZEE'S BACK, THAT IS AN ENTRANCE WOUND,  
16 CORRECT.

17

18 **WITNESS:** THAT'S CORRECT.

19

20 **EXAMINER:** AS YOU HAVE DESCRIBED WITH THE PRIOR WOUNDS THAT WE  
21 HAVE DISCUSSED WHAT ARE THE EFFECTS TO THE BODY AFTER  
22 SUSTAINING WOUNDS SIMILAR TO THE WOUND THAT YOU FOUND IN WOUND



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1 NO. 12 WHICH WAS THE SPECIFICALLY LACERATION TO THE LEFT  
2 KIDNEY WITHIN.

3

4 .

5

6 >> **WITNESS:** THAT'S HOW WE DETERMINED THAT WILL BE A FATAL  
7 WOUND. AS WELL AS THERE'S A COMBINATION EFFECT BECAUSE YOU  
8 HAVE INJURIES TO THE DIAPHRAGM, AGAIN, WHICH HAS THE ADDED  
9 EFFECT OF IMPAIRING THE ABILITY FOR THAT MUSCLE TO MOVE AT  
10 PROPERLY, AND ALLOW NORMAL BREATHING. AND THEN MORE DELAYED. I  
11 KNOW YOU HAVE A PERFORATION OF YOUR BOWEL THAT HAS  
12 CONSEQUENCES THAT CAN BE DOWN THE ROAD. HOURS TO DAYS LATER.  
13 SOMEBODY DEVELOPS HAVING A BOWEL PREPARATION CAN LEAD TO STOOL  
14 OR ANY KIND OF CONTAMINANT GETTING OUT INTO THE CAVITY AND  
15 INTO INFECTION. BUT THAT IS MORE OF A DELAYED EFFECT, NOT  
16 IMMEDIATE. THE IMMEDIATE WOULD BE TO THE DIAPHRAGM AND KIDNEY.

17

18 **EXAMINER:** I UNDERSTAND. THAT ALSO KNOWN AS ACCEPT SIS, IS  
19 THAT CORRECT?

20

21 **WITNESS:** IF IT LEADS TO EN A INFECTION, THE END RESULT CAN BE  
22 SEPSIS.



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1

2       **EXAMINER:** AND AGAIN, AS WE HAVE DISCUSSED, AGAIN, IN BASIC  
3 TERMS, DR. AUGUSTINE, WHY DID GUNSHOT WOUND NO. 12 POSSESS  
4 INSPECT LETHAL CAPACITY?

5

6       **WITNESS:** AGAIN, BECAUSE IT -- THE STRUCTURES THAT ARE VITAL  
7 FOR THE NORMAL REST RACE RESPIRATION AS WELL AS THE PROPENSITY  
8 TO BLEED IN THE CASE OF A KIDNEY INJURY.

9

10       **EXAMINER:** AS THIS SHOT WAS FROM BACK TO FRONT, SPECIFICALLY  
11 GUNSHOT WOUND NO. 12, HOW MANY GUNSHOT WOUNDS DID YOU FIND  
12 THAT WERE BACK TO FRONT ON MR. KIZZEE'S BODY?

13

14       **WITNESS:** YO WOULD HAVE TO GIVE ME A MOMENT. I FOUND -- UP  
15 BATES NUMBER 33.

16

17       **EXAMINER:** DOES THAT REFRESH YOUR RECOLLECTION?

18

19       **WITNESS:** YES, THE 12, 13, AND 16 HAVE A BACK TO FRONT  
20 COMPONENT TO THE INJURY PATHWAY.

21



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1 **EXAMINER:** MR. MAXIMOTO, PLEASE ASK YOU TO BRING UP  
2 BATES NUMBER 34. 14, DOES THAT REFRESH YOUR RECOLLECTION.

3

4 **WITNESS:** YES, THE HAND INJURY AS WELL, THE RIGHT HAND, THE  
5 BACK TO FRONT

6

7 **EXAMINER:** WE IDENTIFIED GUN SHOT WOUNDS NUMBER 12, 13, 14, 15,  
8 AND 16 AS SHOTS THAT WERE BACK TO FRONT; IS THAT CORRECT? DR.  
9 AUGUSTINE.

10

11 **WITNESS:** IN REVIEWING THE DIAGRAMS AND BODY OF MY REPORT,  
12 THAT WOULD BE ACCURATE.

13

14 **EXAMINER:** JUST TO BE CLEAR, IN THE BODY OF YOUR REPORT, IS IT  
15 CLEAR THAT GUN SHOT WOUNDS 13-16, SIR, DID NOT POSSESS  
16 INDEPENDENT LETHAL CAPACITY?

17

18 **WITNESS:** THAT'S CORRECT.

19

20 **EXAMINER:** DID YOU REVIEW MR. KIZZEE'S TOXICOLOGY REPORT.

21



December 15, 2021

1 I DID

2

3 >>EXAMINER: PLEASE BRING UP BATES NUMBER 51. DR. AUGUSTINE, IS  
4 THIS MR. KIZZEE'S TOXICOLOGY REPORT.

5

6 WITNESS: YES.

7

8 EXAMINER: DID YOU REVIEW THIS DOCUMENT, SIR.

9

10 WITNESS: I DID.

11

12 EXAMINER: WHAT WERE THE RESULTS OF MR. KIZZEE'S TOXICOLOGY  
13 REPORT?

14

15 WITNESS: THERE WAS, IN ONE BLOOD SAMPLE, A SMALL AMOUNT OF  
16 ALCOHOL DETECTED. THE PRIMARY COMPONENT OF MARIJUANA, THC,  
17 DETECTED. AND THERE WAS A COCAINE METABOLITE, CALLED  
18 BENZLECONINE PRESENT. THERE WAS PENCYCLADINE, COMMONLY REFERRD  
19 TO AS PCP PRESENT, .

20



December 15, 2021

1     **WITNESS:** THE LAST TWO WERE FOUND IN URINE. ALL THE REST WERE  
2     DETECTED IN BLOOD SAMPLE.

3

4     **EXAMINER:** AND SIR, YOU CANNOT TESTIFY AS TO THE EFFECTS OF  
5     THOSE PARTICULAR DRUGS ON THE BODY, OR HOW MR. KIZZEE BEHAVED  
6     AT THE TIME OF THIS -- OF THESE INJURIES CAN YOU?

7

8     **WITNESS:** NO. I WOULD DEFER TOEN A EXPERT IN THAT FIELD OF  
9     STUDY.

10

11    **MR. LANGTON:** YOUR HONOR, I HAVE NO FURTHER QUESTIONS OF THERE  
12    AUGUSTINE.

13

14    **MR. LANGTON:** YOUR HONOR, AT THIS TIME THE CORONER WILL CALL  
15    THE CORONER'S INVESTIGATOR, MASON CHAO.

16

17    **SPEAKER:** YOUR HONOR, THIS IS THE COURT REPORTER. IF I COULD  
18    JUST ASK THE WITNESSES TO TAKE A BREATH. THERE'S DR. AUGUSTINE  
19    WAS SPEAKING VERY FAST.

20

21    **HON. CANDACE COOPERS:** I CERTAINLY WILL REMIND THEM OF THAT.





December 15, 2021

1

2 **SPEAKER:** THANK YOU.

3

4 **HON. CANDACE COOPER:** AND REMIND MYSELF TO TURN MY MICROPHONE  
5 ON.

6

7 **MR. LANGTON:** MAY DR. AUGUSTINE BE EXCUSED AT THIS TIME. THANK  
8 YOU FOR YOUR HELP.

9

10 **WITNESS:** THANK YOU.

11

12 **HON. CANDACE COOPER:** AND YOU SAID THE NEXT WITNESS IS MASON  
13 CHAO, CORONER'S INVESTIGATOR?

14

15 **MR. LANGTON:** THAT'S CORRECT.

16

17 **HON. CANDACE COOPER:** MR. CHAO IS BEING CONNECTED. GOOD  
18 MORNING, MR. CHAO, CAN YOU HEAR ME? GOOD MORNING MR. CHAO, ARE  
19 YOU PRESENT?

20



December 15, 2021

1     **HON. CANDACE COOPER:** OKAY, BEFORE WE ASK YOU QUESTIONS WILL  
2     YOU PLEASE RAISE YOUR RIGHT HAND? DO YOU BEAR THE TESTIMONY  
3     YOU ARE ABOUT TO GIVE IN THE CAUSE NOW PENDING SHALL BE THE  
4     TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH.

5

6     **WITNESS:** YES, I DO.

7

8     **HON. CANDACE COOPER:** STATE AND SPELL YOUR FULL NAME FOR THE  
9     RECORD.

10

11    **WITNESS:** MASON CHAO, M-A-S-O-N C-H-A-O.

12

13    **HON. CANDACE COOPER:** ARE YOU DOING THIS EXAMINATION.

14

15    **MR. LANGTON:** THANK YOU, YOUR HONOR.

16

17    **HON. CANDACE COOPER:** LET ME SPEAK MOMENTARILY. WE WOULD ASK  
18    YOU WHEN YOU ARE RESPONDING TO QUESTIONS IF YOU WOULD PLEASE  
19    DO NOT SPEAK TOO QUICKLY, PARTICULARLY IF YOU ARE READING.

20

21    **WITNESS:** YES, MA'AM.



December 15, 2021

1

2 **EXAMINER:** GOOD MORNING, MR. CHAO HOW ARE YOU.

3

4 **WITNESS:** GOOD, SIR, HOW ARE YOU.

5

6 **EXAMINER:** GOOD. WHAT IS YOUR OCCUPATION PLEASE.

7

8 **WITNESS:** CORONER INVESTIGATORS.

9

10 **EXAMINER:** AND YOU ARE EMPLOYED WHERE?

11

12 **WITNESS:** THE L.A. COUNTY MEDICAL EXAMINER.

13

14 **EXAMINER:** HOW LONG HAVE YOU BEEN EMPLOYED WITH THE LOS  
15 ANGELES COUNTY MEDICAL EXAMINER?

16

17 **WITNESS:** APPROXIMATELY THREE YEARS. MR. CHAO, CAN YOU BRIEFLY  
18 PROVIDE THE COURT WITH THE DESCRIPTION OF YOUR JOB DUTIES WITH  
19 THE CORONER?

20



December 15, 2021

1     **WITNESS:** I CONDUCT FIELD INVESTIGATION FOR OUR CASES. I GO  
2     OUT TO THE SCENE.

3  
4     **WITNESS:** YES, SIR.

5  
6     **MR. LANGTON:** MR. MAXIMOTO PLEASE BRING UP BATES NO. 54.  
7     BEFORE YOU IS A DOCUMENT THAT IS TITLED CASE REPORT, SIR, DO  
8     YOU RECOMMEND THAT DOCUMENT?

9  
10    **WITNESS:** YES, SIR.

11  
12    **MR. LANGTON:** YOUR HONOR, THIS WILL BE IDENTIFIED AS DMEC NO.  
13    2 IN ORDER. SIR, WHAT IS THIS CASE REPORT?

14  
15    **WITNESS:** THIS IS THE COUNTY'S FORM 1. PROVIDES A BRIEF  
16    SYNOPSIS OF THE ENTIRE CASE.

17  
18    **EXAMINER:** MR. CHAO, WHEN DID YOU PREPARE THIS DOCUMENT.

19  
20    **WITNESS:** DOCUMENT WAS PREPARED ON THE -- SORRY. CAN YOU GO  
21    AHEAD AND -- SEPTEMBER 1ST.



December 15, 2021

1

2 **MR. LANGTON:** MR. MAXIMOTO WILL YOU BRING UP BATES NO. 56.

3

4 **EXAMINER:** MR. CHAO DID YOU SIGN THIS DOCUMENT.

5

6 **WITNESS:** YES, I DID.

7

8 **EXAMINER:** IS THAT YOUR SIGNATURE THERE AT THE BOTTOM OF THE  
9 DOCUMENT?

10

11 **WITNESS:** YES, THAT IS.

12

13 **EXAMINER:** SIR, DID YOU INDICATE THE DATE OF THE SIGNATURE IN  
14 YOUR EARLIER TESTIMONY?

15

16 **WITNESS:** YES.

17

18 **EXAMINER:** AND WHAT WAS THAT DATE AGAIN SIR.

19

20 **WITNESS:** SEPTEMBER 1ST.



December 15, 2021

1

2 **MR. LANGTON:** YOUR HONOR, THE CORONER WOULD ASK THAT THIS  
3 DOCUMENT BE RECEIVED INTO EVIDENCE.

4

5 **HON. CANDACE COOPER:** IT IS RECEIVED.

6

7 **EXAMINER:** MR. CHAO, DIRECTING YOUR ATTENTION TO BATES NO. 54.  
8 UNDER THIS SYNOPSIS, SIR, FROM WHOM DID YOU RECEIVE THIS  
9 INFORMATION?

10

11 **WITNESS:** THE INFORMATION WAS RECEIVED FROM LASD PERSONNEL.

12

13 **EXAMINER:** DID YOU RECEIVE ALL OF THE INFORMATION IN THE BODY  
14 OF YOUR REPORT FROM THE LOS ANGELES COUNTY SHERIFF'S  
15 DEPARTMENT?

16

17 **WITNESS:** I WOULD SAY YES. YES.

18

19 **EXAMINER:** WOULD YOU KINDLY READ THE PARAGRAPH UNDER THE  
20 CAPTION "SYNOPSIS" FOR THE COURT, PLEA AND DO IT SLOWLY IF YOU  
21 PLEASE.



December 15, 2021

1

2       **WITNESS:** ACCORDING TO THE REPORTING INFORMATION, ON MONDAY  
3 EIGHTH, 31, 2020, THE SCENE WAS RIDING A BICYCLE AND CARRYING  
4 A BUNDLE OF ITEMS. TWO LOS ANGELES COUNTY SHERIFF'S DEPARTMENT  
5 DEPUTIES AT APPROXIMATELY 15:14 HOURS, ATTEMPTED TO STOP THE  
6 DECEDENT FOR A VIOLATION. THE TWO DEPUTIES WHO WERE ON FOOT  
7 MOMENTARILY LOST SIGHT OF THE DECEDENT. THEY FOUND HIM A FEW  
8 MOMENTS LATER BETWEEN SOME VEHICLES. THE SCENE ALLEGEDLY  
9 PUNCHED ONE OF THE DEPUTIES IN THE FACE, AND DROPPED THE  
10 BUNDLE OF ITEMS HE WAS CARRYING. THE DEPUTY SPOTTED A POSSIBLE  
11 FIREARM IN THE BUNDLE OF DROPPED ITEMS. THE DEPUTIES DREW  
12 THEIR WEAPONS AND FIRED MULTIPLE TIMES AT THE DECEDENT. 16  
13 APPARENT NINE-MILLIMETER CASINGS WERE RECOVERED AT THE SCENE.  
14 THE TWO DEPUTIES THEN RENDERED FIRST AID AT THE SCENE AND  
15 SECURES THE SCENE. L.A. FIRE ENGINE 14 RESPONDED TO THE SCENE,  
16 AND DEATH WAS DETERMINED BY PARAMEDIC JEFFRIES SERIAL NUMBER  
17 ON MONDAY 8:31, 2020, AT 15:27 HOURS. THE SEDENT SUSTAINED TEN  
18 GUNSHOT WOUNDS. PLEASE SEE CASE NOTES FOR CONTACT INFORMATION.  
19 .

20

21       **EXAMINER:** BASED UPON YOUR INVESTIGATION, MR. CHAO, WHAT IS  
22 YOUR UNDERSTANDING AS TO WHY DEPUTIES ATTEMPTED TO DETAIN MR.  
23 KIZZEE.

24



December 15, 2021

1     **WITNESS:** FROM THE REPORTED INFORMATION, THE DECEDENT HAD A  
2 VIOLATION WHILE HE WAS RIDING HIS BICYCLE.

3

4     **EXAMINER:** AT WHAT TIME DID YOU ARRIVE ON SCENE AT THE TIME  
5 YOU WERE CALLED?

6

7     **WITNESS:** I ARRIVED ON SCENE AT 22:30 HOURS.

8

9     **EXAMINER:** AND WHEN YOU FIRST ARRIVED ON SCENE, MR. CHAO, WHAT  
10 DID YOU SEE?

11

12     **WITNESS:** I ARRIVED ON SCENE. I SAW THE DECEDENT -- ARE YOU  
13 TALKING ABOUT THE DECEDENT'S LOCATION? SYNOPSIS JUST YOUR  
14 GENERAL OBSERVATIONS AND WE WILL GET INTO MORE SPECIFICS AS WE  
15 GO ON. SURE. JUST A DARK RESIDENTIAL STREET. CORDENED OFF BY  
16 OFFICERS AND PARKED VEHICLES. WITH THE DECEDENT LYING NEARBY.

17

18     **EXAMINER:** DID YOU MEET ANYONE UPON YOUR ARRIVAL?

19

20     **WITNESS:** YES, SIR.

21





December 15, 2021

1     **EXAMINER:** WHO DID YOU MEET, SIR?

2

3     **WITNESS:** LASD DETECTIVE.

4

5     **EXAMINER:** APPROXIMATELY HOW MANY?

6

7     **WITNESS:** I DON'T RECALL. THERE WERE MULTIPLE DETECTIVES.

8

9     **EXAMINER:** DO YOU RECALL HOW LONG YOU SPENT WITH THE  
10  DETECTIVES AT THAT TIME?

11

12    **WITNESS:** YES. I CLEARED THE SCENE AT THE FOLLOWING DAY AT  
13  00:15 HOURS.

14

15    **EXAMINER:** DID YOU ULTIMATELY PROCEED TO WHERE MR. KIZZEE LAY?

16

17    **WITNESS:** YES, SIR.

18

19    **EXAMINER:** WHAT WERE YOUR OBSERVATIONS, PLEASE.

20



December 15, 2021

1     **WITNESS:** HE WAS LYING ADJACENT TO A VEHICLE. HE WAS FACE  
2     DOWN. PRONE ON THE GROUND.

3

4     **EXAMINER:** ALL RIGHT. AND DO YOU KNOW IF ANYONE MOVED MR.  
5     KIZZEE BEFORE YOUR ARRIVAL?

6

7     **WITNESS:** YES, SIR. IT WAS REPORTED THAT THE DEPUTIES ON SCENE  
8     AT THE INSTANT SECURED THE SCENE AND TOUCHED HIM. AND THE  
9     PARAMEDICS ALSO TOUCHED FOR SIGN OF LIFE.

10

11    **EXAMINER:** WHEN YOU SAY TOUCHED, DO YOU MEAN MOVED MR.  
12    KIZZEE'S BODY?

13

14    **WITNESS:** YES, SIR.

15

16    **EXAMINER:** AND SIR, WHO PROVIDED YOU WITH THAT INFORMATION?

17

18    **WITNESS:** MY PRIMARY SOURCE OF INFORMATION WAS SERGEANT  
19    BOSIVE.

20

21    **EXAMINER:** DID YOU OBSERVE A WEAPON AT THE SCENE?



December 15, 2021

1

2       **WITNESS:** NO, I DID NOT.

3

4       **EXAMINER:** WHAT WAS REPORTED TO YOU REGARDING WEAPONS LOCATED  
5 AT THE SCENE?

6

7       **WITNESS:** A -- IT WAS SHOWN TO ME A MARKER IDENTIFIED WHERE A  
8 POSSIBLE FIREARM WAS FOUND AT THE SCENE. I WAS SHOWN JUST THAT  
9 MARKER.

10

11       **EXAMINER:** WAS ANY EXPLANATION GIVE TO YOU AS TO WHY THE  
12 FIREARM WAS REMOVED FROM THE SCENE?

13

14       **WITNESS:** NO.

15

16       **EXAMINER:** DO YOU KNOW IF IT WAS COLLECTED AS EVIDENCE?

17

18       **WITNESS:** YES.

19

20       **EXAMINER:** AND SIR, WAS THAT BY THE LOS ANGELES COUNTY  
21 SHERIFF'S DEPARTMENT.



December 15, 2021

1

2 **WITNESS:** YES.

3

4 **EXAMINER:** DID ANYONE TELL YOU WHO THEY BELIEVED THE WEAPON  
5 BELONGED TO?

6

7 **WITNESS:** THEY INDICATED THAT THE WEAPON BELONGS TO THE  
8 DECEDENT.

9

10 **EXAMINER:** AND DID ANYONE TELL YOU WHY THIS WEAPON WAS  
11 REMOVED?

12

13 **WITNESS:** NO, SIR.

14

15 **EXAMINER:** DO YOU HAVE ANY KNOWLEDGE WHETHER MR. KIZZEE'S DNA  
16 MATERIAL WAS LOCATED ON THIS WEAPON?

17

18 **WITNESS:** NO, SIR.

19

20 **EXAMINER:** SIR, DO YOU KNOW APP HOW MANY DEPUTIES WERE  
21 INVOLVED IN MR. KIZZEE'S SHOOTING?



December 15, 2021

1

2 **WITNESS:** JUST THE REPORT INFORMATION OF TWO.

3

4 **EXAMINER:** TWO, SIR, IS THAT CORRECT?

5

6 **WITNESS:** YES, SIR.

7

8 **EXAMINER:** DID ANY OF THE INFORMATION YOU ATTAINED FROM THE  
9 LOS ANGELES COUNTY SHERIFF'S DEPARTMENT REFLECT THAT MR.  
10 KIZZEE ATTEMPTED TO SURRENDER BEFORE HE WAS SHOT?

11

12 **WITNESS:** NO.

13

14 **EXAMINER:** WHAT KNOWLEDGE, IF ANY, DO YOU HAVE THAT MR. KIZZEE  
15 ATTEMPTED TO SURRENDER BEFORE HE WAS SHOT?

16

17 **WITNESS:** NONE.

18

19 **EXAMINER:** DID THE DETECTIVES THAT YOU SPOKE TO TELL YOU WHY  
20 DEPUTIES USED DEADLY FORCE AGAINST MR. KIZZEE?

21



December 15, 2021

1     **WITNESS:** YES.

2

3     **EXAMINER:** AND WHAT DID THEY TELL YOU?

4

5     **WITNESS:** THE FIREARM THAT WAS DROPPED.

6

7     **EXAMINER:** DID THEY GIVE YOU ANY FURTHER DETAILS REGARD THING  
8 WEAPON THAT WAS DROPPED?

9

10    **WITNESS:** NO.

11

12    **EXAMINER:** DID YOU HAVE ANY CONVERSATIONS WITH PARAMEDIC  
13 PERSONNEL?

14

15    **WITNESS:** NO, I DID NOT.

16

17    **EXAMINER:** HAD THEY LEFT THE SCENE PRIOR TO YOUR ARRIVAL.

18

19    **WITNESS:** YES. THEY HAVE LEFT.

20



December 15, 2021

1     **EXAMINER:** DID YOU LOCATE OR SPEAK WITH ANY OTHER WITNESSES TO  
2 THE SHOOTING, SIR?

3

4     **WITNESS:** NO, I DID NOT.

5

6     **EXAMINER:** CAN YOU PROVIDE THE COURT WITH MORE DETAILS OF YOUR  
7 OBSERVATION AT THE TIME YOU SAW HIM?

8

9     **WITNESS:** IN WHAT ASPECT?, SIR.

10

11    **EXAMINER:** YOUR OBSERVATIONS OF WOUNDS, OR ANY OTHER  
12 DESCRIPTION?

13

14    **WITNESS:** THERE WERE SEVERAL APPARENT GUNSHOT WOUNDS THAT I  
15 OBSERVED WHILE I WAS AT THE SCENE.

16

17    **EXAMINER:** AND SO DID YOU HAVE ANY KNOWLEDGE OR RECOLLECTION  
18 AS TO WHERE YOU SAW WOUNDS ON MR. KIZZEE'S BODY?

19

20    **WITNESS:** I WOULD HAVE TO REFER TO MY INVESTIGATION REPORT.  
21 BUT, YES, I HAVE GENERAL RECOLLECTION.



December 15, 2021

1

2       **EXAMINER:** DO YOU HAVE ANY RECOLLECTION AS TO ABRASIONS OR  
3 OTHER REMARKABLE APPEARANCES OF MR. KIZZEE'S BODY WHEN YOU SAW  
4 HIM?

5

6       **WITNESS:** HE WAS PRONE. SO THERE WAS BLOOD ALL OVER HIS FACE.  
7 IT WAS HARD TO TELL THE EXACT NUMBER OF ABRASIONS HE POSSIBLY  
8 HAD.

9

10       **EXAMINER:** DID YOU MOVE THE BODY WHEN YOU INVESTIGATED MR.  
11 KIZZEE?

12

13       **WITNESS:** YES, SIR.

14

15       **EXAMINER:** AND WHAT DID YOU DO, SIR?

16

17       **WITNESS:** I -- FIRST OFF I EXAMINED HIM FOR ALL HIS INJURIES  
18 AND THEN FROM HIS ORIGINAL POSITION I DID MOVE HIM INTO THE  
19 SUPINE POSITION TO FURTHER EXAM FOR EXTERNAL INJURIES.

20





December 15, 2021

1     **EXAMINER:** DID YOU NOTE IN YOUR REPORT ANYTHING UNUSUAL OR  
2     REMARKABLE ABOUT MR. KIZZEE'S BODY?

3

4     **WITNESS:** REMARKABLE AS IN BEYOND THE GUNSHOT WOUNDS?

5

6     **EXAMINER:** YES, SIR.

7

8     **WITNESS:** NO..

9

10    **EXAMINER:** DID YOU NOTE ANYTHING UNUSUAL ABOUT THE INCIDENT  
11    SITE?

12

13    **WITNESS:** NO.

14

15    **EXAMINER:** AND MR. CHAO, YOUR REPORT REFLECTS THAT YOU USED A  
16    GSR KIT, SIR, FOR THE COURT'S PURPOSES WHAT IS A GSR.

17

18    **WITNESS:** IT IS A GUNSHOT RESIDUE KIT.

19

20    **EXAMINER:** OKAY, AND WHAT IS THE SIGNIFICANCE OF YOU TAKING A  
21    TEST FOR GUNSHOT RESIDUE?



December 15, 2021

1

2       **WITNESS:** GUNSHOT RESIDUE KIT COLLECTS THE RESIDUE FROM  
3 POSSIBLE GUNSHOTS FROM WHAT WE USE ON ON THE DECEDENT'S HANDS  
4 AND FACE.

5

6       **EXAMINER:** DID YOU COLLECT SAMPLES AT THE TIME THAT YOU  
7 ENCOUNTERED MR. KIZZEE'S BODY ON THAT DAY?

8

9       **WITNESS:** WE -- WHAT KIND OF SAMPLES ARE YOU SPECIFYING SIR?

10

11       **EXAMINER:** GUNSHOT RESIDUE, SIR.

12

13       **WITNESS:** YES, I DID.

14

15       **EXAMINER:** DO YOU HAVE ANY INFORMATION THAT GUNSHOT RESIDUE  
16 WAS LOCATED ON MR. KIZZEE'S BODY?

17

18       **WITNESS:** I AM SORRY CAN YOU REPEAT THE QUESTION.

19

20       **EXAMINER:** SIR, DO YOU HAVE ANY INFORMATION THAT GUNSHOT  
21 RESIDUE WAS LOCATED ON MR. KIZZEE'S BODY?



December 15, 2021

1

2       **WITNESS:** DID I HAVE ANY INFORMATION THAT GUNSHOT RESIDUE WAS  
3 LOCATED ON HIS BODY? YES. I WOULD ASSUME FROM THE SHOOTING.

4

5       **EXAMINER:** DO YOU HAVE ANY INSPECT KNOWLEDGE THAT INDEED  
6 GUNSHOT RESIDUE WAS IN FACT LOCATED ON MR. KIZZEE'S BODY?

7

8       **WITNESS:** NO.

9

10       **EXAMINER:** DOWN, I HAVE NO FURTHER QUESTIONS.

11

12       **HON. CANDACE COOPER:** I HAVE ONE OR TWO. MR. CHAO, YOU  
13 INDICATED THAT THE DEPUTIES REPORTED THAT THERE WAS A WEAPON  
14 IN THE BUNDLE THAT HAD BEEN DROPPED. DID ANY OF THE DEPUTIES  
15 REPORT TO YOU ANY ACTION OR ATTEMPTED INTERACTION BETWEEN THEM  
16 AND THE WEAPON?

17

18       **WITNESS:** NO.

19

20       **HON. CANDACE COOPER:** THAT WAS MY ONLY QUESTION.

21



December 15, 2021

1     **EXAMINER:** YOUR HONOR, I DO HAVE NO FURTHER QUESTIONS OF MR.  
2 CHAO, MAY MR. CHAO BE EXCUSED?

3

4     **HON. CANDACE COOPER:** MR. CHAO THANK YOU VERY MUCH FOR YOUR  
5 ASSISTANCE TODAY. YOU ARE FREE TO GO. NEXT WITNESS --

6

7     **MR. LANGTON:** BEFORE WE GET THERE, WAS THE CORONER'S INTENTION  
8 TO CALL THE PRIVATE PATHOLOGY IN THE KIZZEE MATTER. MR. JOHN  
9 HISERODT. H-I-S-E-R-O-D-T. MR. MAXIMOTO, WILL YOU BRING UP  
10 PLEASE BATES NO. 86. YOUR HONOR, THE CORONER SUBPOENAS MR.  
11 HISERODT TO APPEAR TODAY. THE CORONER HAS NOT HEARD ANY  
12 INFORMATION, OR HAS NOT HEARD ANYTHING FROM MR. HISERODT. AND  
13 THE SUBPOENA IS -- WE WOULD ASK THE COURT TO MAKE A  
14 DETERMINATION ON THE SUBPOENA AND JUST ADVISE THE COURT OF MR.  
15 HISERODT'S FAILED APPEARANCE TODAY.

16

17     **HON. CANDACE COOPER:** OKAY. THE COURT WOULD NOTE IT APPEARS TO  
18 ME THERE WAS A VALID SUBPOENA ISSUED FOR THE PRESENE OF DR.  
19 JOHN HISERODT. AND THAT THAT SUBPOENA WAS SERVED. WE HAVE NO  
20 INFORMATION REGARDING HIS FAILURE TO APPEAR TODAY. I WILL  
21 EXCUSE -- IT IS KNOWN TO ME -- WHAT WE HAVE HERE IS A  
22 SITUATIONS WHERE IT IS A VALID ISSUE SUBPOENA, AND A WITNESS  
23 WHO HAS DECLINED TO APPEAR.



December 15, 2021

1

2 **MR. LANGTON:** THANK YOU, YOUR HONOR, I HAVE NOTHING FURTHER.

3

4 **HON. CANDACE COOPER:** DO YOU HAVE OTHER WITNESSES FOR THIS  
5 HEARING.

6

7 **MS. ZUIDERGWEG:** GOOD MORNING, YOUR HONOR. AT THIS TIME WE  
8 CALL MR. A SAGRAVES.

9

10 **WITNESS:** HELLO.

11

12 **HON. CANDACE COOPER:** HELLO, GOOD MORNING.

13

14 **WITNESS:** GOOD MORNING.

15

16 **HON. CANDACE COOPER:** HOW IS YOUR LAST NAME PRONOUNCED SAY  
17 SAGRAVASS. SIR, I WOULD LIKE TO SWEAR YOU IN. DO YOU SOLEMNLY  
18 SWEAR THE TESTIMONY YOU ARE ABOUT TO GIVE WILL BE THE TRUTH,  
19 THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH.

20

21 **WITNESS:** I DO.



December 15, 2021

1

2 **HON. CANDACE COOPER:** STATE AND SPELL YOUR FULL NAME.

3

4 **WITNESS:** MY FULL NAME IS MATTHEW A GRAVES. LAST NAME IS S-A-  
5 G-R-A-V-E-S.

6

7 **EXAMINER:** GOOD MORNING.

8

9 **WITNESS:** HI.

10

11 **EXAMINER:** ARE YOU AN EMPLOYEE OF THE LOS ANGELES COUNTY FIRE  
12 DEPARTMENT.

13

14 **WITNESS:** I AM. YES, I AM. SORRY, I GOT IT LOOKS LIKE THE  
15 SHERIFF IS COMING TO THE DOOR.

16

17 **EXAMINER:** DO YOU NEED TO GO?

18

19 **WITNESS:** NO. I WILL -- I WILL BE IN LIKE 20 MINUTES YOU WANT  
20 TO GO IN THE KITCHEN. OKAY, THANK YOU. SORRY ABOUT THAT,  
21 MA'AM.



December 15, 2021

1

2 **EXAMINER:** NO WORRIED. HOW LONG HAVE YOU BEEN EMPLOYED BY THE  
3 LOS ANGELES COUNTY FIRE DEPARTMENT?

4

5 **WITNESS:** I GOT HIRED IN 2012.

6

7 **EXAMINER:** WHAT IS YOUR POSITION WITH THE FIRE DEPARTMENT.

8

9 **WITNESS:** I AM CURRENTLY A FIREFIGHTER SPECIALIST OR ENGINEER.

10

11 **EXAMINER:** HAVE YOU HELD THAT POSITION FOR YOUR ENTIRE TIME  
12 WITH THE FIRE DEPARTMENT?

13

14 **WITNESS:** NO, MA'AM. I GOT PROMOTED IN 2021 IN NOVEMBER.  
15 BEFORE THAT I WAS A FIREFIGHTER PARAMEDIC, AND BEFORE THAT I  
16 WAS JUST A REGULAR FIREFIGHTER.

17

18 **EXAMINER:** SO ON AUGUST 31ST, 2020, YOU WERE A FIREFIGHTER  
19 PARAMEDIC, IS THAT CORRECT?

20

21 **WITNESS:** YES, MA'AM.



December 15, 2021

1

2 **EXAMINER:** AND YOU WERE ON DUTY ON AUGUST 31ST, 2020.

3

4 **WITNESS:** YES, MA'AM.

5

6 **EXAMINER:** AND ON AUGUST 31ST, 2020, WERE YOU DISPATCHED TO  
7 1226, ONE HUNDRED NINTH PLACE IN LOS ANGELES.

8

9 **WITNESS:** YES, MA'AM.

10

11 **EXAMINER:** IS AT APPROXIMATELY WHAT TIME WERE YOU DISPATCHED?

12

13 **WITNESS:** I AM LOOKING AT MY RUN SHEET. AND IT LOOKS LIKE WE  
14 WERE DISPATCHED AT -- IT LOOKS LIKE 15:23, MAYBE. I AM TRYING  
15 TO FIND IT RIGHT NOW. WAS IT AROUND 3:15 P.M., THEREABOUTS.

16

17 **WITNESS:** YES. WE WERE DISPATCHED AT 15:17. SO AT 3:17 WE WERE  
18 DISPATCHED.

19

20 **EXAMINER:** AND WHAT INFORMATION DID YOU RECEIVE WHEN YOU WERE  
21 DISPATCHED TO THIS LOCATION?





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1

2 **WITNESS:** I BELIEVE IT WAS FOR A G.S.W. STAGED FOR SHERIFF.

3

4 **EXAMINER:** AND G.S. -- I APOLOGIZE, CONTINUE.

5

6 **WITNESS:** SO -- YEAH.

7

8 **EXAMINER:** AND A GSW IS GUNSHOT WOUND, CORRECT?

9

10 **WITNESS:** YES, MA'AM.

11

12 **EXAMINER:** AND WERE YOU AWARE THAT AFTERS DEPUTY INVOLVED  
13 SHOOTING THAT YOU WERE RESPONDED TO?

14

15 **WITNESS:** YES. I BELIEVE OUR TECHS STATED IT.

16

17 **EXAMINER:** AND WHAT ARE TYPICALLY YOUR DUTIES AS A PARAMEDIC  
18 WHEN RESPONDING TO DEPUTY INVOLVED SHOTS?

19



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1     **WITNESS:** THEY ARE TREATED LIKE ALL SHOOTINGS. WE ARE REQUIRED  
2 TO STAGE ONCE WE ARE ALLOWED TO ENTER AND THE ENVIRONMENT IS  
3 SAFE. WE THEN RENDER CARE AND WHOEVER HAS BEEN SHOT PRETTY  
4 MUCH.

5

6     **EXAMINER:** AND WHEN YOU ARRIVED AT 12:26, ONE HUNDRED NINTH  
7 PLACE, WHAT DID YOU OBSERVE?

8

9     **WITNESS:** WE WERE STAGING AROUND THE CORNER TO SEE THE  
10 SITUATIONS. WHEN WE WERE CLEARED TO ENTER, WE WALKED IN WE  
11 FOUND A ADULT MALE PRONE, LAYING ON THE SIDEWALK. THE PATIENT  
12 WAS APPEARED TO BE DEAD, AND AT THAT POINT WE WENT TO RENDER  
13 CARE. WE WERE ABLE TO THEN ESTABLISH THAT THE PATIENT WAS  
14 PULSE CYST ABNICK (SIC.). AND THEN WE WENT TO OUR CRITERIA,  
15 WHICH IS OUR TERMINATION OF DEATH. THE PATIENT HAD SEVERAL  
16 BLUNT INJURIES, OR PENETRATING INJURIES. AGAIN, HE WAS ALSO  
17 HAD NO RESPONSE, WE PUT HIM ON OUR EKG, AND SO AT THAT POINT  
18 WE WERE ABLE TO DETERMINE THE PATIENT IS DECREASED.

19

20     **EXAMINER:** I AM GOING TO BACK UP TO WHEN YOU FIRST ARRIVED. SO  
21 WHEN YOU FIRST ARRIVED YOU OBSERVED A GUNSHOT WOUNDS ON MR.  
22 KIZZEE'S BODY, IS THAT CORRECT?

23



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1     **WITNESS:** YES.

2

3     **EXAMINER:** HOW MANY DID YOU OBSERVE?

4

5     **WITNESS:** WE COUNTED SEVEN HOLES. WE FOUND ONE IN THE BACK OF  
6 THE HEAD, ONE TO THE BACK, HIS LEFT SHOULDER, WRIST, AND HAND.  
7 AND HIS RIGHT HAND, AND ANOTHER ONE A BRAISED WOUND TO THE TOP  
8 OF THE HEAD.

9

10    **EXAMINER:** AND YOU SAID THAT WHEN YOU ARRIVED MR. KIZZEE WAS  
11 FACE DOWN, CORRECT.

12

13    **WITNESS:** YES, MA'AM.

14

15    **EXAMINER:** AND DID YOU MOVE HIM BODY AT ALL TO ASSESS HIS  
16 INJURIES?

17

18    **WITNESS:** WE DID. WE ROLLED HIM -- OBVIOUSLY WE KNEW IT WAS  
19 GOING TO BE A HIGH PRIORITY SITUATIONS. SO WE TRIED TO DO AS  
20 MINIMAL I GUESS -- DOING ANY KIND OF MINIMAL MOVEMENT TO THE  
21 CRIME SCENE. SO WE DID HAVE TO ROLL HIM JUST TO CHECK HIS  
22 PUPILS AND MAKE SURE HE WASN'T BREATHING AND STUFF.



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1

2 **EXAMINER:** AND YOU DETERMINED THAT HE WAS IN FACT BREATHING,  
3 CORRECT?

4

5 **WITNESS:** YEAH. #NAME?

6

7 **EXAMINER:** WHEN YOU FIRST ARRIVED TO YOUR KNOWLEDGE, HAD MR.  
8 KIZZEE'S BODY BEEN MOVED AT ALL SINCE THE SHOOTING OCCURRED.

9

10 **WITNESS:** I BELIEVE NOT.

11

12 **EXAMINER:** AND WHEN YOU REACHED MR. KIZZEE, YOU ALREADY WALKED  
13 US THROUGH A LITTLE BIT ABOUT WHAT YOU DID, BUT YOU CERTAINLY  
14 ASSESS WILLED HIS INJURIES COULD BE TREATED CORRECT?

15

16 **WITNESS:** CORRECT.

17

18 **EXAMINER:** AND YOU ULTIMATELY DETERMINED THAT HE WAS DECEASED  
19 ON ARRIVAL, CORRECT.

20

21 **WITNESS:** CORRECT.



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1

2 **EXAMINER:** AND WHAT DID YOU DO ONCE YOU DETERMINED THAT MR.  
3 KIZZEE WAS DECEASED?

4

5 **WITNESS:** ONCE WE DETERMINED THAT HE WAS DECEASED, WE BACKED  
6 OUT AND THEN TURNED IT OVER TO THE SHERIFF'S. TO TAKE CONTROL  
7 AND THEN WE PROCEEDED TO DOCUMENT OUR FINDING IN OUR REPORT.

8

9 **EXAMINER:** DID YOU SEE A GUN NEAR MR. KIZZEE'S BODY?

10

11 **WITNESS:** YES.

12

13 **EXAMINER:** APPROXIMATELY HOW FAR AWAY WITH US THE GUN FROM MR.  
14 KIZZEE'S BODY.

15

16 **WITNESS:** I BELIEVE MAYBE A FOOT OR TWO. IT WAS JUST A HANDGUN  
17 ON THE RIGHT SIDE OF HIM.

18

19 **EXAMINER:** AND YOU SAID A HANDGUN, DO YOU HAVE ANY KNOWLEDGE  
20 AS TO SPECIFICALLY WHAT TYPE OF GUN YOU OBSERVED?

21



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1     **WITNESS:** I DON'T. IT WAS JUST A BLACK HANDGUN, SIT WILLING  
2     AND WE JUST TRIED TO KEEP AWAY FROM IT AS MUCH AS WE COULD.

3

4     **EXAMINER:** DID YOU HAVE ANY CONVERSATIONS WITH ANY EMPLOYEES  
5     AT THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT AT THE SCENE OF  
6     THE SHOOTING?

7

8     **WITNESS:** MOSTLY JUST TO SEE IF ANYBODY ELSE WAS HURT OR  
9     INJURED AND THAT WAS ABOUT IT.

10

11    **EXAMINER:** AND DID YOU RECEIVE ANY INFORMATION INDICATING THAT  
12    WHAT HAD HAPPENED DURING THE SHOOTING?

13

14    **WITNESS:** NEGATIVE. NO INFORMATION.

15

16    **EXAMINER:** DID YOU HEAR ANYONE AT ALL AT THE SCENE MAKING ANY  
17    STATEMENTS ABOUT HOW THE SHOOTING HAD OCCURRED?

18

19    **WITNESS:** NOT THAT I CAN REMEMBER, NO.

20



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1     **EXAMINER:** AND APPROXIMATELY HOW LONG FROM WHEN YOU ARRIVED AT  
2     THE SCENE TO WHEN YOU OBSERVED THAT MR. KIZZEE WAS DECEASE  
3     TODAY WHEN YOU LEFT, APPROXIMATELY HOW LONG WERE YOU THERE?

4

5     **WITNESS:** WE DETERMINED THAT HE WAS DEAD AT 15:27. SO WE WERE  
6     ON SCENE ABOUT TEN MINUTES. AND THEN IT LOOKS LIKE WE CLEARED  
7     THE SCENE ABOUT -- 15:43. SO ON THE SCENE ABOUT A LITTLE UNDER  
8     30 MINUTES.

9

10    **EXAMINER:** IS THERE ANYTHING ELSE THAT WE HAVE NOT DISCUSSED  
11    ALREADY THAT YOU FEEL IS RELEVANT TO THE CIRCUMSTANTIALS  
12    CAUSE, AND MANNER OF MR. KIZZEE'S DEATH?

13

14    **WITNESS:** I DON'T BELIEVE SO.

15

16    **MS. ZUIDERGWEG:** YOUNG I HAVE NO FURTHER QUESTIONS FOR THIS  
17    WITNESS.

18

19    **HON. CANDACE COOPER:** I HAVE NO QUESTIONS FOR THIS WITNESS  
20    EITHER DUDE.

21

22    **MS. ZUIDERGWEG:** THANK YOU, FOR YOUR TIME, SIR.



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1

2 **WITNESS:** NO PROBLEM, HAVE A GOOD REST OF YOUR DAY.

3

4 **MS. ZUIDERGWEG:** YOUR HONOR, AT THIS TIME ONE OF MY COLLEAGUES  
5 WILL BE TAKING OVER. SO WE'LL MAKE THE TRANSITION.

6

7 **HON. CANDACE COOPER:** OKAY.

8

9 **SPEAKER:** YOUR HONOR, THIS IS THE COURT REPORTER. JUST FOR THE  
10 RECORD THAT WAS ALEXANDRA --

11

12 **HON. CANDACE COOPER:** YES, THAT'S CORRECT.

13

14 **SPEAKER:** THANK YOU. MR. MILLER IS APPROACHING NEXT.

15

16 **MR. LANGTON:** BEFORE WE PROCEED WITH THE NEXT WITNESS, I  
17 BELIEVE THERE'S GOING TO BE DISCUSSION OF THE DOCUMENTS YOU  
18 REVIEWED FROM THE SHERIFF'S DEPARTMENT AS WELL AS A CRITICAL  
19 INCIDENT BRIEFING OR A BRIEFING VIDEO FROM THE SHERIFF'S  
20 DEPARTMENT.

21





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1     **HON. CANDACE COOPER:** FINE. READY NOW?

2

3     **MR. LANGTON:** MAY WE HAVE ONE MOMENT? MAY I APPROACH.

4

5     **HON. CANDACE COOPER:** YES.

6

7     **HON. CANDACE COOPER:** THANK YOU, MR. MILLER. NEXT ITEM THAT WE  
8 ARE GOING TO REVIEW IS GOING TO BE A VIDEOTAPE -- BEFORE THAT,  
9 I WILL ALSO ADD THAT THE L.A. COUNTY SHERIFF'S DEPARTMENT HAS  
10 PROVIDED ME WITH SUBPOENA RECORDS IN THE FORM OF A PASSWORD  
11 ENCRYPTED ZIP DRIVE IN ADVANCE OF TODAY'S PROCEEDING. I STILL  
12 HAVE TO REVIEW THOSE ITEMS. AND -- PREPARATION FOR MY FINING.  
13 THESE PASSWORD ENCRYPTED DOCUMENTS, HOWEVER, WILL REMAIN  
14 EXCLUDED FROM THE PUBLIC RECORD PURSUANT TO CALIFORNIA  
15 GOVERNMENT CODE SECTION 27-4-98 HAVING TO DO WITH OFFICIAL  
16 INVESTIGATIONS. IN ADDITION, THE CORONER REVIEWED A PUBLICLY  
17 AVAILABLE BRIEFING VIDEO RELEASED BY THE L.A. COUNTY'S  
18 SHERIFF DEPARTMENT REGARDING THE SHOOTING INCIDENT AND  
19 INVESTIGATION INTO THE DEATH OF MR. KIZZEE. I WOULD LIKE TO  
20 PLAY THAT VIDEO AT TODAY'S PROCEED. THE VIDEO PROVIDES SOME  
21 DETAILS PERTAINING TO THE CIRCUMSTANCES SURROUNDING MR.  
22 KIZZEE'S DEATH. AND BEFORE WE PLAY THAT VIDEO, I WANT TO  
23 INFORM THE AUDIENCE AND THOSE WATCHING, THAT THIS VIDEO



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1 CONTAINED FOOTAGE OF THE DEPUTY INVOLVED SHOOTING OF MR.  
2 KIZZEE, AND THE IMAGES MAY BE DISTURBING TO SOME OF THE  
3 INDIVIDUALS WATCHING. THE DEPARTMENT PROVIDE AS DETAILED  
4 VIEWER DISCRETION ADVISEMENT AT THE BEGINNING OF THE VIDEO,  
5 BUT I WANTED TO ADD AN EXTRA WORD OF CAUTION BEFORE IT IS  
6 PLAYED. THIS VIDEO IS APPROXIMATELY 38 MINUTES IN LENGTH. WE  
7 ARE GOING TO VIEW THAT VIDEO AT THIS TIME AS PART OF THE  
8 RECORD. AT THE CONCLUSION OF THE VIDEO, WE WILL TAKE A BREAK.  
9 THE VIDEO WILL BE NEXT. GOOD JANUARY. THANK YOU FOR COMING. I  
10 AM JOE MEN MENDOZA. WE ARE HERE TO DISCUSSION THE LATEST  
11 DEVELOPMENTS IN THE DIJON KIZZEE INVESTIGATION. THE ORDER OF  
12 SPEAKERS WILL BE THE SHERIFF OF LOS ANGELES COUNTY, AND THEN  
13 IT WILL BE HOMICIDE BUREAU CAPTAIN KENT WAGNER. AT THIS TIME I  
14 WOULD LIKE TO INTRODUCE THE SHERIFF OF LOS ANGELES COUNTY,  
15 ALEX VILLANUEVA.

16

17 **SPEAKER:** FIRST AND FOREMOST, I WANT TO GIVE YOU A QUICK  
18 UPDATE ON THE AMBUSH CASE OUT OF COMP TOPP. THE INVESTIGATION  
19 IS PROGRESSING AND IT IS PROGRESSING WELL. THE INVESTIGATORS  
20 ARE FOLLOWING NUMEROUS AND SUBSTANTIAL LEADS. AND WE HAVE NOT  
21 YET IDENTIFIED THE INVOLVED SUSPECTS. AND NO SHOOTING.  
22 INVESTIGATORS ARE TRYING TO LOCATE AN INDIVIDUAL, AND IF YOU  
23 SEE TOWARDS THE TOP OF YOUR SCREEN THERE, GO ON TO THE NEXT  
24 SLIDE. THAT INDIVIDUAL. WHO IS STAND INNING THE WALK WAY WHEN



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1 THE SHOOTER RAN BY. THAT PERSON IS A WITNESS. AND I CAN SAY  
2 NOW THAT THE TOTAL NUMBER OF MEN THAT HAS BEEN PLEDGED BETWEEN  
3 ACTUAL REWARD MONEY, AND PRIVATE PLEDGES IS NOW UP TO  
4 \$640,000. FOR THE CARE OF THE DEPUTIES BETWEEN PRIVATE  
5 DONATIONS AND THE CARE FOUNDATION A GO-FUND-ME ACCOUNT, THAT  
6 NUMBER IS SWELLED TO \$800,000. SO THE OUTPOURING OF SUPPORT  
7 THROUGHOUT THE NATION HAS BEEN OVERWHELM ZIG THANK EACH AND  
8 EVERY PERSON, HOPEFULLY ONE WILL BE ABLE TO PROVIDE LONG TERM  
9 CARE FOR THE RECOVERY OF BOTH DEPUTIES INVOLVED. THE MALE  
10 DEPUTY IS OUT OF THE HOSPITAL RECOVERING AT HOME, THE FEMALE  
11 DEPUTY STILL REMAINS HOSPITALIZED. AND ALSO FOR THE  
12 APPREHENSION OF THIS COWARDLY SUSPECT RIGHT THERE. NOW MOVING  
13 ON TO WHAT WE ARE HERE TODAY FOR THE DIJON KIZZEE  
14 INVESTIGATION I WANTED TO GIVE SOME PERSPECTIVE OF THE  
15 COMMUNITY PRIOR TO THE HOMICIDE. CAPTAIN WAGNER PROVIDING HIS  
16 INFORMATION ON THE SPECIFICS OF THE SHOOTING. THE WESTMONT  
17 COMMUNITY WAS DUGGED BY THE L.A. TIMES IN 24 TEEN AS DEATH  
18 ALLEY. AND WE WILL SHOW YOU A SLIDE HERE. THIS SLIDE WILL BE  
19 FOR CRIME STATISTICS JUST FOR THE YEAR, 2020. FROM JANUARY --  
20 THERE WE GO. FROM JANUARY FORWARD. AND AS YOU CAN SEE, THERE'S  
21 A 12 HOMICIDES IN THAT ONE MILE RADIUS, IN THE CENTER OF THE  
22 DOT IS ROUGHLY WHERE THE DEPUTY INVOLVED SHOOTING OF DIJON  
23 KIZZEE OCCURRED. NOW WE WILL MOVE ON TO THE NEXT SLIDE. KEEP  
24 THAT IN MIND THESE ARE ASSAULTS WITH A DEADLY WEAPON WITH THE  
25 USE OF A FIREARM. THERE THAT SAME AREA, AND ALSO THAT'S FROM



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1 JANUARY TO SEPTEMBER OF THIS YEAR. LOOK AT THE AMOUNT OF  
2 SHOTS. THESE ARE ALL A VIOLENT ASSAULTS WITH A DEADLY WEAPON.  
3 NOW THE THIRD SLIDE YOU WILL SEE, THESE ARE ALL ARRESTS. OF  
4 INDIVIDUALS WITH HANDGUNS. WITH FIREARMS. OVERWHELMING  
5 MAJORITY ARE GANG MEMBERS. NOW WE'LL TAKE A LOOK AT THE FOURTH  
6 SLIDE. UNFORTUNATELY, THE OVERWHELMING MAJORITY OF THE  
7 RESIDENTS OF THIS COMMUNITY ARE UPSTANDING GOOD HONEST LAW  
8 ABIDING CITIZENS, HARDWORKING, TRYING TO SURVIVE. THEY ARE  
9 SURVIVING ALMOST IN A WAR ZONE AS YOU CAN SEE. THIS IS NOT  
10 YOUR AVERAGE COMMUNITY ACROSS AMERICA. UNFORTUNATELY. SO WHEN  
11 SOMEBODY ASKS WHAT QUESTION ARE DOING IN THIS COMMUNITY, OR  
12 WHY WE ARE DETAINING INDIVIDUALS, THIS SHOULD GIVE YOU A VERY  
13 CLOSE IDEA OF WHAT WE ARE DOING AND WHY WE DO IT. WE ARE  
14 TRYING TO SAVE LIVES, PLAIN AND SIMPLE. WE AREN'T OUT THERE  
15 TORE RISING. WE AREN'T RACIALLY PROFILING. WE ARE TRYING TO  
16 KEEP PEOPLE ALIVE. AND IT IS A VERY TOUGH JOB. PARTICULARLY  
17 WHEN WE ARE DEFUNDED. PARTICULARLY WHEN WE HAVE ALL THESE  
18 DIFFERENT ISSUES ABOUT THE STAFFING LEVELS OUT THERE ON  
19 PATROL. PARTICULARLY WHEN THE BOARD OF SUPERVISORS KNICKSED  
20 OUR SUMMER ENFORCEMENT TEAM PROGRAM, AND ALL THE COMMUNITY  
21 PROGRAMS THAT KEEPS US WORKING WITH THE YOUTH IN THE COMMUNITY  
22 TRYING TO PREVENT THEM FROM ENGAGING IN CRIME OR JOINING GANGS  
23 FOR EXAMPLE. ALL THESE PROGRAMS HAVE BEEN ELIMINATED BECAUSE  
24 OF THE BUDGET. IT HAS AN IMPACT. AND AS YOU CAN SEE, OUR  
25 CHALLENGE IS ENORMOUS. OUR CHALLENGE FOR THE COMMUNITY IS



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1 ENORMOUS. SO WE WILL CONTINUE WORKING DAY IN AND WITH EVERY  
2 MEMBER OF THE COMMUNITY TRYING TO FIND WAYS TO KEEP THEM SAFE.  
3 AND KEEP THEIR KIDS OUT OF HARM'S WAY. SO WITH THAT, I WILL  
4 TURN IT OVER TO CAPTAIN KEN WAGNER FROM THE HOMICIDE BUREAU.

5

6 **SPEAKER:** [INAUDIBLE] [INAUDIBLE QUESTION]?

7

8 **THANK YOU, SHERIFF. MY NAME IS KEN WAGNER. I AM THE CAPTAIN**  
9 **OF THE SHERIFF'S HOMICIDE BUREAU. I AM HERE TO PROVIDE DETAILS**  
10 **RELATED TO THE DEPUTY INVOLVED SHOOTING OF DIJON KIZZEE ON**  
11 **AUGUST 31ST, 2020. BECAUSE OF THIS INVESTIGATION IS IN ITS**  
12 **EARLY STAGES, DETAILS MAY CHANGE AS MORE INFORMATION IS**  
13 **GATHERED. ON ALL THIRTY-FIRST, 2020, AT 3:14 P.M., DEPUTIES**  
14 **ATTEMPTED TO DETAIN 29-YEAR-OLD DIJON KIZZEE FOR A TRAFFIC**  
15 **VIOLATION. AS HE RODE HIS BIKE EAST ON 110 STREET IN SOUTH LOS**  
16 **ANGELES. KIZZEE REFUSED TO STOP. FLED ON HIS BIKE, UNTIL HE**  
17 **FELL, ABANDONED HIS BICYCLE AND RAN FROM DEPUTIES NORTH ON BUD**  
18 **LONG AVENUE. THE DEPUTIES RETURNED TO THEIR RADIO CAR AND**  
19 **BEGAN CHECK THING AREA FOR KIZZEE. AT THE TIME OF THE**  
20 **ENCOUNTER, KIZZEE WAS PROHIBITED FROM OWNING OR POSSESSING ANY**  
21 **FIREARM, AS A CONDITION OF A RESTRAINING ORDER WHICH WAS IN**  
22 **PLACE AND ACTIVE AND BECAUSE OF HIS CRIMINAL RECORD AS A CON**  
23 **CON CONVICTED FELON. AS HE PLED HE WAS IN POSSESSION OF A**  
24 **LOADED NINE-MILLIMETER SEMIAUTOMATIC PISTOL WRAPPED IN A PIECE**



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1 OF CLOTHING THAT HE CARRIED AS HIS RAN. THE DEPUTIES LOCATED  
2 KIZZEE ON 109 PLACE. STILL UNAWARE OF THE FACT THAT HE WAS IN  
3 POSSESSION OF A PISTOL. THE PASSENGER DEPUTIES WITH A GREEN  
4 TOWEL IN ONE HAND AND A RED AND BLACK JACKET IN THE OTHER AS  
5 HE MOVED AWAY FROM THE DEPUTY. THE PISTOL WAS CONCEALED. AS  
6 THE DEPUTY CLOSED ON KIZZEE, HE LOWERED HIS HANDS AND STRUGGLE  
7 WITH THE DEPUTY. ULTIMATELY THROWING PUNCHES INTO THE DEPUTY'S  
8 FACE. DURING THE STRUGGLE, KIZZEE'S PISTOL FELL TO THE GROUND  
9 BETWEEN HIM AND THE DEPUTY. AT THIS MOMENT, THE DEPUTY SAW THE  
10 GUN, AND DREW THEIR PISTOLS AS KIZZEE STOPPED, BENT OVER,  
11 REACHED BACK AND PICKED UP THE PISTOL. EACH DEPUTY FIRED AT  
12 KIZZEE STRIKING HIM SEVERAL TIMES IN THE TORSO, CAUSE THING  
13 GUN TO AGAIN FALL TO THE GROUND. KIZZEE FELL TO THE GROUND AND  
14 A COMBINED TOTAL OF 19 ROUNDS WERE FIRED. ADDITIONAL DEPUTIES  
15 AND L.A. COUNTY FIRE DEPARTMENT RESPONDED TO THE SCENE. AND  
16 PROVIDED EMERGENCY MEDICAL CARE FOR KIZZEE HOWEVER HE WAS  
17 PRONOUNCED DEAD AT THE SCENE. DETECTIVES FROM SHERIFF'S  
18 HOMICIDE BUREAU RESPONDED TO CONDUCT INTERVIEWS FOLLOW UP, AND  
19 PROCESS THE SCENE. REPRESENTED FROM THE INTERNAL AFFAIRS  
20 BUREAU OF THE SHERIFF'S DEPARTMENT, THE OFFICE OF THE  
21 INSPECTOR GENERAL, AND THE LOS ANGELES COUNTY DISTRICT  
22 ATTORNEY'S OFFICE, JUSTICE SYSTEM INTEGRITY DIVISION, ALSO  
23 RESPONDED TO VIEW THE INCIDENT SCENE. A NEIGHBORHOOD CANVAS  
24 WAS CONDUCTED IN ORDER TO LOCATE AND INTERVIEW WITNESSES TO  
25 THE INCIDENT. THOSE INTERVIEWS WERE AUDIO RECORDED AND WILL BE



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1 INCLUDED IN THE COMPLETED INVESTIGATION. INVEST FAYE TORS ALSO  
2 LOCATED SEVERAL SOURCES OF VIDEO RECORDING, FROM BOTH FIXED  
3 POSITIONS AND HANDHELD RECORDING DEVICES. MANY OF THESE MAIN  
4 STREAM AND SOCIAL MEDIA PLATFORMS. THESE VIDEOS WILL BE  
5 PROCESSED BY EXPERTS IN ORDER TO ATTAIN THE BEST QUALITY  
6 POSSIBLE FOR ANALYSIS. THE VIDEOS WILL ULTIMATELY BE INCLUDED  
7 IN THE COMPLETED INVESTIGATION BY SHERIFF'S HOMICIDE AND  
8 AVAILABLE FOR REVIEW BY THE OTHER INSPECT INVESTIGATIVE  
9 AGENCIES. THE FEDERAL BUREAU OF INVESTIGATION IS IN MONITORING  
10 THIS INVESTIGATION, AND AGENTS HAVE MET WITH INVESTIGATORS AND  
11 REVIEWED THE VIDEO EVIDENCE COLLECTED TO THIS POINT. ON  
12 WEDNESDAY SEPTEMBER SECOND, 2020, A POSTMORTEM EXAMINATION WAS  
13 PERFORMED BE I THE LOS ANGELES DEPARTMENT OF MEDICAL EXAMINER  
14 CORONER, THE AUTOPSY REPORT HAS AND OR PUBLISHED. DIJON KIZZEE  
15 DIED AS A RESULT OF MULTIPLE GUN SHOT WANTEDS, SUSTAINED TWO  
16 WOUNDS TO THE CHEST, THE ARMS, ONE WOUND TO THE BACK, AS WELL  
17 AS A GRAZING WOUND TO HIS HEAD. THE DETAILS OF THE TRAUMA AND  
18 TOXICOLOGY REPORTS ARE CONTAINED IN THE COMPLETED CORONER'S  
19 REPORT. THE RUGER9 MILLIMETER SEMIAUTOMATIC PISTOL RECOVERED  
20 AT THE SCENE WAS LOADED WITH 15 LIVE ROUNDS AND IS AT THE LOS  
21 ANGELES COUNTY SHERIFF'S DEPARTMENT CRIME LAB FOR TESTING. THE  
22 TESTS INCLUDE VISUAL INSPECTION, CEROLGY AND FINGER PRINTS.  
23 IT WAS STOLEN FROM LAS VEGAS, NEVADA, FROM A REZ DEATHS  
24 BURGLARY IN 2017. AS PART OF THE INVESTIGATION, THE CELLULAR  
25 TELEPHONE OF DIJON KIZZEE WAS FORENSICALLY REVIEWED. VIDEOS



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1 WERE REVIEWED IN POSSESSION OF THE SAME PISTOL, DAYS BEFORE  
2 THIS SHOOTING. WE KNOW IT WAS A SAME PISTOL BOSS THE VIDEO  
3 REVEALS THE SERIAL NUMBER ON THE FIRE ARM IN KIZZEE'S POCKET.  
4 WE WILL SHARE INSIGHT INTO THE SEQUENCE OF EVENTS AS WE NOTED.  
5 AND KEEP IN MIND AS ADDITIONAL EVIDENCE IS DISCOVERED,  
6 LABORATORY RESULTS ARE MADE AVAILABLE AND ADDITIONAL WITNESSES  
7 ARE INTERVIEWED, THE FACTS OF THIS CASE MAY CHANGE. THE FIRST  
8 VIDEO SHOWS DIJON KIZZEE RIDING HIS BICYCLE ON THE WRONG SIDE  
9 OF THE STREET AND THE DEPUTIES ATTEMPTING TO STOP HIM. HE  
10 MAKES A U TURN, ABANDONS HIS BICYCLE AND FLEES ON FOOT. NOTICE  
11 HE HAS CLOTHING IN HIS HANDS AS HE FLEES. THE SECOND VIDEO  
12 SHOWS KEZZE RUNNING NORTH, STILL HOLDING HIS CLOTHING. THE  
13 DEPUTIES DO NOT CHASE HIM, BUT RETURN TO THEIR PATROL CAR. THE  
14 NEXT VIDEO SHOWS THE SHOOTING ITSELF. IT IS GRAPHIC IN NATURE,  
15 AND MAY BE DIFFICULT TO WATCH. ALTHOUGH IT HAPPENS QUICKLY,  
16 YOU WILL SEE ONE DEPUTY APPROACH KIZZEE ON THE SIDE WALK AS HE  
17 ATTEMPTS TO DISTANCE HIMSELF. KIZZEE'S ARMS ARE IN THE AIR  
18 BRIEFLY, STILL HOLDING CLOTHING IN EACH OF HIS HANDS. HE  
19 STRUGGLES AND HITS THE DEPUTY IN THE FACE, HIS PISTOL DROPS TO  
20 THE GROUND, HE REACHES OVER TO PICK UP HIS GUN AND IS SHOT  
21 WITH GUN IN HAND, THE DEPUTY DOES NOT ARM HIMSELF UNTIL HE  
22 BEPDS DOWN TO PICK UP THE GUN HE DROPPED. THE SECOND DEPUTY  
23 JOINS THE FIRST AND THE DEPUTY INVOLVED SHOOTING OCCURS.  
24 KIZZEE IS DOWN APPROACHING THE SIDE WALK, AND AS THE --  
25 (SPEAKER FAR FROM MIC) -- TAKES OFF. HE HITS THE SIDE WALK AND





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1 COMES TOWARDS US AS WE VIEW IT, THE DEPUTY PARALLELS AND  
2 APPROACHES HIM ON THE SIDE WALK. AND THIS IS WHEN THE STRUGGLE  
3 ENSUES. HE BENDS OVER, AND HE IS SHOT, AND DOWN HE GOES. THE  
4 NEXT VIDEO SHOWS THE END OF THIS INCIDENT IN SLOWER MOTION.  
5 BECAUSE IT IS IN ENLARGED VIEW THE QUALITY IS NOT OPTIMAL, IT  
6 SHOWS KIZZEE REACHING OVER, BENDING TO PICK UP THE PISTOL AND  
7 THE DEPUTY-INVOLVED SHOOTING. IT WILL TAKE PLACE IN THAT -- HE  
8 STOPS, REACHES BACK, WE HAVE FROZEN IT THERE AS HE BEGINS TO  
9 BEND OVER. HE BENDS OVER, PICKS IT UP, AND THAT'S WHEN THE  
10 SHOOTING OCCURS. THIS PHOTO SHOWS THE PISTOL RECOVERED AT THE  
11 SCENE, AN RUGER9 MILLIMETER SEMIAUTOMATIC PISTOL LOADED WITH  
12 15 LIVE ROUNDS. THE FINAL TWO VIDEOS ARE DISCOVERED ON  
13 KIZZEE'S CELL PHONE AND SHOWS HIM ARMED WITH THAT PISTOL, A  
14 FEW DAYS PRIOR TO THE INCIDENT. WE ARE ABLE TO READ THAT  
15 SERIAL NUMBER. IT IS A RAPSO, WITH A LOT OF F BOMBS, AND THE N  
16 WORD BEING THROWN AROUND. WE DECIDED NOT TO PLAY THE AUDIO.  
17 YES. ONCE COMPLETED, THE CRIMINAL INFORMATION OF THE DEPUTY  
18 INVOLVED SHOOTING WILL BE FORWARDED TO THE DISTRICT ATTORNEY'S  
19 OFFICE TO DETERMINE IF THE FORCE USED BY THE INVOLVED  
20 PERSONNEL VIOLATED ANY CRIMINAL LAWS. ONCE THAT IS CONCLUDED,  
21 THE LASD WILL EVALUATE THE ACTIONS OF THE PERSONNEL WITHIN THE  
22 APPLICATION OF POLICY, PROCEDURES, AND TACTICS. I WILL TAKE  
23 ANY QUESTIONS. (SPEAKER FAR FROM MIC).

24



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1 **EXAMINER:** AS YOU SAW, HE WAS RIDING HIS BICYCLE ON THE WRONG  
2 SIDE OF THE ROAD, SPLITTING TRAFFIC. THAT'S THE TRAFFIC  
3 VIOLATION, YES.

4

5 **SPEAKER:** I UNDERSTAND THE DEPUTIES PULLED A U TURN AND --  
6 (SPEAKER FAR FROM MIC) .

7

8 **EXAMINER:** NO, THAT IS NOT EXACTLY CORRECT.

9

10 **SPEAKER:** OKAY.

11

12 **EXAMINER:** IN THE FIRST VUDIO, THE DEPUTIES WERE GOING THE SAME  
13 WAY, AS MR. KIZZEE. HE FLIPS A U TURN, COMES UP ON THE SIDE  
14 WALK, WHERE HE CRASHES HIS BIKE AND TAKES OFF ON FOOT. AT THAT  
15 POINT, THE DEPUTIES ARE GETTING OUT OF THEIR CAR AND THEY GO  
16 TOWARDS HIM ON FOOT. THEY DON'T TURN AROUND AND CHECK THE  
17 NEIGHBORHOOD UNTIL HE'S LONG GONE. AT THIS POINT, THERE IS NO  
18 INDICATION THAT THEY KNEW WHO HE WAS.

19

20 **SPEAKER:** (SPEAKER FAR FROM MIC) .

21



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1 **EXAMINER:** YOU ARE GOING TO HAVE TO ASK THE CORONER ABOUT THAT.  
2 IT IS NOT DONE. ASK THE CORONER. THIS IS THE NORMAL PACE OF  
3 TIME. THE CORONER, THE AUTOPSY REPORTS ARE NOT DONE IN AN  
4 EXPEDIENT, ONE-WEEK TIME PERIOD. IT OFTEN TAKES MANY WEEKS OR  
5 MONTHS FOR US TO GET THEM. SO IT IS AN INVOLVED PROCESS, IF  
6 YOU HAVE EVER LOOKED AT AN AUTOPSY REPORT, IT IS VERY  
7 DETAILED, IT IS ONE DOCTOR TRANSCRIBING ALL HIS NOTES FROM THE  
8 ACTUAL EXAMINATION, AND PLUS THERE'S FORENSIC TOXICOLOGY  
9 REPORTS THAT THEY'RE PROBABLY STILL WAITING ON THE ANALYSIS  
10 FOR. THAT'S INCLUDED IN THE CORONER'S REPORT, AND THE FINAL  
11 AUTOPSY REPORT. IT TAKES A PERIOD OF TIME. I UNDERSTAND. THEY  
12 ARE ALL IMPORTANT.

13

14 **SPEAKER:** (SPEAKER FAR FROM MIC).

15

16 **EXAMINER:** SO, TO SAY SPECIFICALLY WHERE HE WAS LAYING HIS  
17 HEAD, I DON'T HAVE THAT INFORMATION. I KNOW -- I HAVE MY  
18 SUSPICIONS, BUT IT IS NOT CONFIRMED. I KNOW THAT HE FREQUENTED  
19 THE ANTELOPE VALLEY AREA, HE HAD A CRIMINAL CASE PENDING OUT  
20 ANTELOPE VALLEY OUT OF ASSAULT ON DEPUTIES AND BRINGING  
21 NARCOTICS INTO THE JAIL, THAT WAS SCHEDULED FOR PRELIMINARY  
22 HEARING I BELIEVE JUST TWO WEEKS AGO. HE DID HAVE A DOMAIN UP  
23 THERE UP THERE IN THE ANTELOPE VALLEY HE STAYED AT, AND HE  
24 ALSO STAYED IN THIS NEIGHBORHOOD.



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1

2 **SPEAKER:** WHAT'S WHAT WAS THE FELONY FOR?

3

4 **EXAMINER:** HE HAD SEVERAL. AT THIS POINT, I WILL NOT GO THROUGH  
5 HIS RAP SHEET. BUT YES, THEY WERE -- ALL THE ONES WE WERE  
6 CONCERNED WITH WERE IN L.A. COUNTY, AND THEY INCLUDE FIREARMS  
7 VIOLATIONS, NARCOTICS VIOLATIONS.

8

9 **SPEAKER:** HE WASN'T KNOWN -- (SPEAKER FAR FROM MIC).

10

11 **EXAMINER:** NOT THAT I HAVE SPOKEN TO FIRST HAND, SO I CAN'T  
12 ANSWER THAT QUESTION.

13

14 **SPEAKER:** (SPEAKER FAR FROM MIC).

15

16 **EXAMINER:** BECAUSE THE AUTOPSY REPORT IS NOT FINALIZED, I DON'T  
17 HAVE THE EXACT REPORTS. I HAVE NOTES THAT WERE TAKEN BY OUR  
18 INVESTIGATORS THAT ATTENDED THAT AUTOPSY, THEY TOOK NOTES  
19 REGARDING SOME OF THE OBVIOUS WOUNDS AND PASSED THAT ON TO ME.  
20 I SAID SEVERAL IN THE CHEST AREA, THEY COULD NOT GIVE ME A  
21 NUMBER BECAUSE IT -- THEY WEREN'T PLOTTED AND INCLUDED IN THE  
22 REPORT YET. SO WE DON'T HAVE THAT YET. SO WHEN THE AUTOPSY



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1 REPORT IS PUBLISHED, THE EXACT WOUNDS WILL BE DOCUMENTED  
2 WITHIN. YES, MA'AM?

3

4 **SPEAKER:** (SPEAKER FAR FROM MIC).

5

6 **EXAMINER:** I COULD SPECULATE ALL DAY. THE MAN WAS ARMED, HE  
7 WANTED TO GET AWAY FROM DEPUTIES, HE ARMED HIMSELF WITH A HAND  
8 GUN AND THIS RESULTED. I COULD SPECULATE ALL DAY AT THAT  
9 RESULT.

10

11 **SPEAKER:** (SPEAKER FAR FROM MIC).

12

13 **EXAMINER:** YES, MA'AM, THE INTERVIEW WITH THE PRINCIPALS IN  
14 THIS INVESTIGATION, THE SHOOTING DEPUTIES, BOTH SAID HE PUT  
15 HIS HAND ON THE GUN, PICKED IT UP, AND THE SECOND DEPUTY  
16 DIDN'T EVEN RECOGNIZE IT AS A GUN UNTIL IT CAME UP AND HE SAW  
17 THE BARREL POINTING AT HIM.

18

19 **SPEAKER:** (SPEAKER FAR FROM MIC).

20

21 **EXAMINER:** JUST WHAT YOU SEE. THE WALL OBSTRUCTS IT SOMEWHAT,  
22 YOU CAN SEE HIS ACTIONS, YOU CAN'T GET A CLEAR VIEW OF THE



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1 GUN, SUBSEQUENTLY, OBVIOUSLY, THERE WAS A GUN THERE, LAYING ON  
2 THE STREET, WHICH WAS DOCUMENTED AND PHOTOGRAPHED.

3

4 **SPEAKER:** (SPEAKER FAR FROM MIC).

5

6 **EXAMINER:** THERE WAS NO DIALOGUE, COMMANDS WERE GIVEN, AND  
7 THERE IS NO AUDIO ON THAT VIDEO.

8

9 **SPEAKER:** (SPEAKER FAR FROM MIC).

10

11 **EXAMINER:** I CANNOT TELL YOU THE EXACT VEHICLE CODE, DRIVING ON  
12 THE WRONG SIDE OF THE ROAD. IT IS THE SAME AS FOR A CAR, I  
13 DON'T KNOW THAT OFF THE TOP OF MY HEAD, AND I DON'T KNOW THEIR  
14 INTENTION. I WAS NOT PART OF THEIR INTERVIEW, WHETHER THEY  
15 INTENDED TO CITE HIM, WARN HIM, OR JUST CONTACT HIM, I DON'T  
16 KNOW. AS YOU SAW IN THE VIDEO, THERE WAS A CAR COMING  
17 WESTBOUND, HE WENT ON THE WRONG SIDE OF THE STREET, AROUND  
18 THAT CAR, AS THE DEPUTIES WERE TRYING TO STOP HIM AND HE  
19 CONTINUED. YES, MA'AM.

20

21 **SPEAKER:** (SPEAKER FAR FROM MIC).

22



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1 **EXAMINER:** SO THEY DROVE AROUND TE UNDERSTOOD AND THERE WERE  
2 INDIVIDUALS, CITIZENS, WHO POINTED HIM OUT AND WHICH WAY HE  
3 WENT AND THEY FOLLOWED THE CITIZENS.

4

5 **SPEAKER:** (SPEAKER FAR FROM MC) .

6

7 **SPEAKER:** AND WE WILL COME BACK. THANK YOU. THANKS FOR YOUR  
8 PATIENCE. (SPANISH TRANSLATION) .

9

10 **SPEAKER:** OKAY. THANK YOU. THE SHERIFF WILL TAKE A FEW  
11 QUESTIONS.

12

13 **SHERIFF VILLANUEVA:** ONE OF THE TWO IS A TRAINEE ON PATROL. THE  
14 TRAINING OFFICER, I DON'T KNOW.

15

16 **SPEAKER:** HOW DETAILED THIS INFORMATION GIVEN BY THE CAPTAIN  
17 CAPTAIN, WHAT IS YOUR MESSAGE NOW TO THE PUBLIC, NOW THAT YOU  
18 HAVE GIVEN THIS INFORMATION, AS YOU PROMISED, TO -- (SPEAKER  
19 FAR FROM MIC) . IT IS OUT THERE NOW. WHAT IS YOUR MESSAGE?

20

21 **SHERIFF VILLANUEVA:** WE HAVE TO COMPARE THIS INFORMATION, THESE  
22 ARE FACTS AS WE KNOW THEM, AND CONTRAST THAT TO THE MESSAGES



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1 BEING COMMUNICATED BY PEOPLE ON TWITTER. 5 MINUTES AFTER THE  
2 SHOOTING, SOMEBODY ANNOUNCED THAT HE WAS SHOT 20 TIMES IN THE  
3 BACK. 5 MINUTES AFTER THE SHOOTING. AND THEN YOU HAD A LOT OF  
4 PEOPLE JUST PILING ON THAT IT WAS AN EXECUTION, ASSASSINATION,  
5 HE WAS MURDERED, HE WAS RUNNIN AWAY AND SHOT. AND THE FACTS DO  
6 NOT SUPPORT ANY OF THAT. IF YOU SAW THE AMOUNT OF TIME IT TOOK  
7 TO FIRE 19 SHOTS, IT -- IN THE SPAN OF TWO OR THREE SECONDS,  
8 THE ENTIRE SHOOTING. WHEN YOU SAY 19, THIS IS NOT SLOW MOTION,  
9 YOU KNOW, HOLLYWOOD MOVIE.

10

11 **SPEAKER:** (SPEAKER FAR FROM MIC).

12

13 **SHERIFF VILLANUEVA:** UH-HUH.

14

15 **SPEAKER:** CAN YOU TALK ABOUT, A LITTLE BIT, YOU OBVIOUSLY ARE  
16 PRESENTING THIS -- YOU ARE ESTABLISHING SOME SORT OF A  
17 NARRATIVE. WHAT ARE YOU TRYING TO TELL PEOPLE ABOUT --  
18 (SPEAKER FAR FROM MIC) -- AND (INDISCERNIBLE).

19

20 **SHERIFF VILLANUEVA:** IT PROVIDES A CONTEXT, DEPUTIES ARE MAKING  
21 CONTACT WITH PEOPLE IN THE COMMUNITY, EVEN A MINOR TRAFFIC  
22 VIOLATION, THAT LED TO SOMEBODY BEING ARMED AND THAT IS PART  
23 OF THE NARRATIVE OF PEOPLE COMMITTING MURDER, ASSAULT WITH A





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1 DEADLY WEAPON AND ARMED TO THE TEETH. IT IS A GRIM REALITY.  
2 THAT IS ALL IT IS. SO THAT'S, AGAIN, IT GOES AGAINST THE  
3 NARRATIVE, SOME ARE TRYING TO SAY THEY ARE SINGLING OUT PEOPLE  
4 FOR SOME TYPE OF HARASSMENT, NO, WE ARE TRYING TO KEEP PEOPLE  
5 ALIVE AND SAFE. THAT'S ALL IT IS.

6

7 **SPEAKER:** AND THEN THE LAST FEW -- (SPEAKER FAR FROM MIC).

8

9 **SPEAKER:** SHE IS TALKING ABOUT, BANG BANG BANG BANG, AND THEN  
10 THERE'S A PAUSE, AND THEN BANG BANG BANG BANG. YEAH, AFTER --  
11 THE SHOTS FIRED.

12

13 **SHERIFF VILLANUEVA:** YOU HAVE TO SIT DOWN WITH THE DEPUTIES  
14 INVOLVED AND GO FRAME BY FRAME TO GET THE SEQUENCE OF EVENTS.  
15 I CAN'T ANSWER THAT. BUT JUST RECOGNIZE, IF YOU START, START  
16 TO THE FINISH, THE TOTAL TIME OF SHOTS FIRED, IS PROBABLY TWO  
17 OR THREE SECONDS, AND REMEMBER, THE BRAIN IS GOING TO REGISTER  
18 INFORMATION, AND THEN MAKE A DECISION AND REACT TO IT. SO IT  
19 IS NOT INSTANTANEOUS YOU CHANGE YOUR MIND AND DO SOMETHING  
20 DIFFERENT, THERE IS THE LAG TIME BETWEEN WHAT YOU SEE, YOU  
21 REGISTER IN YOUR BRAIN, AND THEN YOU SEE SOMETHING ELSE AND  
22 THAT COMES TO AN ACTUAL MOVEMENT IN THE BODY. THEY ARE NOT



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1 ROBOTS, THEY ARE HUMAN BEINGS, THAT GIVES YOU A PRIME EXAMPLE  
2 OF THAT. SOMEONE --

3

4 **SPEAKER:** I JUST WANT TO KNOW -- (SPEAKER FAR FROM MIC). AND  
5 ALSO -- (SPEAKER FAR FROM MIC).

6

7 **SHERIFF VILLANUEVA:** I HEARD COMMENTS TO THAT EFFECT, I HAVEN'T  
8 LISTENED TO THE COMMISSION'S, WHAT THEY'VE SAID. AND  
9 OBVIOUSLY, WE HAVE BEEN VERY, VERY BUSY. WE HAD THE BOBCAT  
10 FIRE EVACUATIONS GOING ON RIGHT NOW, IN PALMDALE, THE AMBUSH  
11 INVESTIGATION, WE ARE OVERSEEING, WE HAVE THE COVID-19 PAN  
12 DEMX DEMIC PANDEMIC, THE OVERSIGHT COMMISSION, THEY ARE A  
13 POLITICAL BODY APPOINTED BY THE BOARD OF SUPERVISORS, THEY ARE  
14 PART OF THE ECHO CHAMBER OF THE BOARD. AND, UNFORTUNATELY, THE  
15 ROUTE THEY TAKE IS NOT ONE THAT IS GOING TO ENGENDER A GOOD  
16 WILL AND, YOU KNOW, BETWEEN MYSELF, OR THE ORGANIZATION  
17 BECAUSE THERE'S A FINE LINE BETWEEN BEING A WATCHDOG AND  
18 ATTACK DOG, A POLITICAL ATTACK DOG, AND THEY CROSSED THE LINE  
19 WITH HUNTSMAN, AND HERE, WE ARE HERE TO STICK TO THE FACTS AND  
20 NOT CREATE POLITICAL SPIN AND THAT'S JUST THE REALITY TODAY.  
21 SO -- SI. [SPEAKING IN LANGUAGE OTHER THAN ENGLISH]. I WILL  
22 GIVE YOU A PRIME EXAMPLE, WHERE WAS THE OUTRAGE OF THE  
23 OVERSIGHT COMMISSION WHEN WE HAD AN ASSISTANT SHERIFF, NUMBER  
24 THREE PERSON IN THE DEPARTMENT DRIVING AROUND IN A STOLEN



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1 VEHICLE, ANY CALLS FOR RESIGNATION FROM THAT COMMISSION, THAT  
2 INSPECTOR GENERAL, THAT THESE WERE THE SAME PEOPLE, THE ONLY  
3 PERSON THAT CHANGED WAS THE SHERIFF. SO IT IS KIND OF, IT IS A  
4 DOUBLE STANDARD. SO I AM GOING TO IGNORE IT, MOVE ON, I WILL  
5 CONTINUE SERVING THE COMMUNITY AND I HAVE TO SET THAT ASIDE.

6

7 **SPEAKER:** WHEN THE SHOOTING HAPPENED THE DEPARTMENT -- (SPEAKER  
8 FAR FROM MIC) -- AND NOW YOU TELL US HE HAD A GUN IN HIS HAND  
9 WHEN THE SHOOTING OCCURRED. WHY THE DISCREPANCY?

10

11 **SHERIFF VILLANUEVA:** IT IS NOT A DISCREPANCY, HE RECOVERED THE  
12 GUN AND POINTED IT AT THE DEPUTIES. WHEN THE SHOOTING OCCURS,  
13 THEY GAVE THE PUBLIC STATEMENT TO THE SUPERVISORS, THIS IS  
14 BASICALLY WHAT HAPPENED AND I SHOT THIS WAY, WE NEED TO  
15 ACCOUNT FOR ALL THE ROUNDS, AND MAKE SURE THAT NO ONE IS  
16 HARMED DOWN RANGE, THAT HAD NOTHING TO DO WITH THE SHOOTING.  
17 THEY HAVE TO ACCOUNT FOR ALL THE ROUNDS FIRED, A PUBLIC SOFTY  
18 STATEMENT, THAT IS THE INFORMATION, THAT ENDS RIGHT THERE AND  
19 THAT IS WHAT ST. FIRST PRESENTED WHEN THEY ARE TRYING TO GIVE  
20 THE PRELIMINARY INFORMATION, IT IS ALWAYS ASUBJECT TO CHANGE  
21 JUST LIKE ANY INVESTIGATION AND NOW WHEN WE SIT DOWN AND  
22 INTERVIEW THE DEPUTIES IN DETAIL WE GET TO PICK APART THE  
23 ENTIRE THING AND WE HAVE A LOT CLEARER PICTURE, SO NOW WE HAVE  
24 FOCUSED IN AND CLARITY, WE CAN SEE, OKAY, THERE WAS A LOT MORE



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1 INVOLVED AND NOW PEOPLE THAT THOUGHT THIS WAS AN EXECUTION OR  
2 MURDER REALIZING, NO, IT WAS TWO DEPUTIES DOING A VERY  
3 DIFFICULT JOB AND THEY ARE VERY FORTUNATE THAT THEY WEREN'T ON  
4 THE RECEIVING END OF THAT WEAPON.

5

6 **SPEAKER:** WHO TOLD YOU HE HAD A WEAPON IN THE HAND.

7

8 **SPEAKER:** TWAHUTS THE PRELIMINARY STATEMENT BY THE DEPUTIES AT  
9 THE TIME, I LEARNED THIS AT THE BRIEFING ON WHAT HAPPENED.  
10 THIS IS A VERY RECENT EVENT, I BELIEVE IT IS TWO WEEKS OLD  
11 NOW, WUFLY. THAT'S IT. SO THIS IS A TON OF INFORMATION THAT  
12 YOU WILL NEVER GET IN THE SPAN OF TWO WEEKS. MY BID TO BE  
13 TRANSPARENT IS TO PUSH OUT AS MUCH AS WE CAN, AS EARLY AS WE  
14 CAN. THE ONLY LIMITATIONS ARE INTERVIEWS THE INVOLVED  
15 DEPUTIES, INFORMATION LIKE THAT. THAT IS WHY WE DON'T READ  
16 CORONER'S REPORTS UNTIL WE HAVE DONE THE INTERVIEWS SO WE ARE  
17 NEWT TAINING THE PROCESS. YES, MA'AM.

18

19 **SPEAKER:** (SPEAKER FAR FROM MIC).

20

21 **SHERIFF VILLANUEVA:** NO, STOP AND FRISK IS DEFINITELY A  
22 VIOLATION OF THE FOURTH AMENDMENT, YOU HAVE TO HAVE A  
23 REASONABLE SUSPICION TO DETAIN SOMEONE, NYPD WAS CAUGHT DOING



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1 THAT, THEY HAD NO REASONABLE SUSPICION. ONCE YOU DO A TRAFFIC  
2 VIOLATION, YOU AUTOMATICALLY HAVE LEGAL STANDING, YOU HAVE A  
3 REASONABLE SUSPICION TO DETAIN. AND WHEN THE PERSON, AND WHEN  
4 A PERSON FLEES, A NORMAL PERSON IS GOING TO STOP, TALK TO THE  
5 DEPUTIES, MY BAD, THAT'S IT. THEY MIGHT HAVE A CONVERSATION.  
6 THE DEPUTY MIGHT SAY, YOU KNOW WHAT, I NEED YOU TO BE ON THE  
7 RIGHT SIDE OF TRAFFIC SO PEOPLE CAN EXPECT YOU ALL. AND  
8 OTHERWISE, UNFORTUNATELY, WE HAVE A LOT OF TIMES, PEOPLE ON  
9 BIKE AND PEOPLE COMING OUT OF DRIVEWAYS ARE LOOKING THE WRONG  
10 DIRECTION AND THAT IS HOW YOU END UP WITH THESE CRASHES. THIS  
11 IS PLAIN SAFETY.

12

13 **SPEAKER:** ONE MORE QUESTION.

14

15 **SPEAKER:** (SPEAKER FAR FROM MIC).

16

17 **SHERIFF VILLANUEVA:** I WOULD ASK PEOPLE, HOW ON EARTH WOULD YOU  
18 EXPECT US, ALL OF THE ARRESTS MADE WITH PEOPLE WITH GUNS, THEY  
19 WERE MADE LAWFULLY, BASED ON REASONABLE SUSPICION TO DETAIN  
20 AND MAKE PROBABLE CAUSE TO MAKE THE ARREST. THIS IS A VERY  
21 DANGEROUS COMMUNITY, UNFORTUNATELY, AND MY HEART GOES OUT TO  
22 EVERYONE THAT LIVES THERE AND HAS LIVED THERE A LONG TIME. IT  
23 IS TOUGH, IT IS NOT EASY. SO WE HAVE TO BE AS JUDICIOUS AS



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1 POSSIBLE, AND IF SOMETHING LOOKS LIKE IT IS OUT OF PLACE OR  
2 WRONG, THAT IS WHAT ELEVATES PEOPLE'S, DEPUTIES CURIOSITY.  
3 THEY ARE TRAINED TO BE PROACTIVE IN THE RIGHT WAY, THEY DON'T  
4 RACIAL PROFILE, BUT THEY WILL CRIMINALLY PROFILE, IF IT LOOKS  
5 OUT OF PLACE, SOMETHING IS WRONG, IF A GUY WRAPPING HIS HAND  
6 IN A TOWEL, YEAH, HE IS HIDING A GUN IN IT. SO THAT IS --  
7 THAT'S A DANGEROUS PART OF POLICE WORK, WE'RE THE ONES  
8 STICKING OUR NECK OUT TO FIGURE OUT WHAT IS GOING ON.

9

10 **SPEAKER:** IS THERE A DESCRIPTION ON THE WITNESS YOU WERE  
11 LOOKING FOR, ON THE OTHER INCIDENT? YOU SHOWED A PICTURE, DID  
12 YOU GET ANY DETAIL ON WHO YOU ARE LOOKING FOR ON THE WITNESS.

13

14 **SHERIFF VILLANUEVA:** ALL WE HAVE IS THE VIDEO, WE SAW THE  
15 PERSON THAT RAN RIGHT BY, WE REALLY WANT THAT PERSON TO COME  
16 FORWARD.

17

18 **SPEAKER:** DO YOU HAVE A CLEANER SHOT OF THAT, OR IS THAT THE  
19 ONLY SHOT YOU HAVE OF THAT WITNESS.

20

21 **SPEAKER:** THAT'S THE BEST WE HAVE.

22



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1 **SPEAKER:** CAN YOU ZOOM IN.

2

3 **SPEAKER:** YEAH, IT WILL GET FUZZY, UNFORTUNATELY.

4

5 **SPEAKER:** CAN YOU -- ANYTHING.

6

7 **SPEAKER:** NO, THE BEST WE GOT. I WANT TO THANK EVERYONE.

8

9 **SPEAKER:** THANK YOU VERY MUCH.

10

11 **HON. CANDACE COOPER:** THANK YOU. THAT CONCLUDES THE VIDEO, AND  
12 WE WILL NOW TAKE A 15-MINUTE RECESS. RECESS.

13

14 **SPEAKER:** I AM BACK FROM THE BREAK, CAN WE HAVE THE EVIDENCE  
15 PRESENTER'S NAME, MR. MAS, SOMEBODY?

16

17 **SPEAKER:** MAXIMOTO.

18

19 **SPEAKER:** COULD YOU SPELL THAT, PLEASE.

20



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1 **SPEAKER:** M-A-T-S-U-M-O-T-O.

2

3 **SPEAKER:** THANK YOU SO MUCH.

4

5 **HON. CANDACE COOPER:** THAT'S WHAT YOU ARE ASKING ABOUT,  
6 CORRECT?

7

8 **SPEAKER:** CORRECT. THANK YOU. AND I AM BACK, WHENEVER YOU ARE  
9 READY.

10

11 **HON. CANDACE COOPER:** LET ME KNOW WHEN WE'RE BACK ON THE  
12 RECORD. RECORD. RECORD. RECORD.

13

14 **HON. CANDACE COOPER:** WE ARE BACK ON THE RECORD INTO THE  
15 CORONER'S INQUEST INTO THE DEATH OF OF DIJON KIZZEE.

16

17 **SPEAKER:** YOU WERE GOING TO MAKE A DECLARATION --

18

19 **HON. CANDACE COOPER:** WERE WE GOING TO POST THE DECLARATIONS?

20

21 **SPEAKER:** YES, I BELIEVE SO.





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1

2 **HON. CANDACE COOPER:** AS THOSE ARE POSTED, I WILL MAKE THE  
3 FOLLOWING COMMENTS. WE DID ISSUE FOR THE APPEARANCE AND  
4 TESTIMONY OF SHERIFF'S DEPUTIES INVOLVED IN THE AUGUST 31ST  
5 INCIDENT THAT RESULTED IN THE DEATH OF MR. KIZZEE. AND FOR THE  
6 CORONER ALSO ISSUED SUBPOENA FOR THE PARENTS AND TESTIMONY OF  
7 SHERIFF'S HOMICIDE DETECTIVES INVOLVED IN THE INVESTIGATION,  
8 AND THE SHERIFF'S DEPARTMENT ACCEPTED SERVICES OF THE WRITTEN  
9 SUBPOENAS. WE ARE ADVISED YOU SEE THEM POSTED, THE DEPUTIES  
10 INVOLVED IN THE SHOOTING, INCLUDING MICHAEL GARCIA AND DEPUTY  
11 CHRISTIAN MORALES HAVE FILED DECLARATIONS INDICATING THAT IF  
12 THEY WERE CALLED TO TESTIFY TODAY IN PERSON, THAT THEY WOULD  
13 TAKE THE 5TH AMENDMENT AND EXERCISE THEIR RIGHT TO REFUSE TO  
14 ANSWER ANY QUESTIONS. I HAVE RECEIVED THESE DECLARATIONS, THEY  
15 ARE BOTH EXECUTED UNDER PENALTY OF PERJURY, AND FOR THAT  
16 REASON, I WILL ACCEPT THE DECLARATIONS IN LIEU OF THEIR  
17 PRESENCE AND INDICATE THAT THAT WOULD BE THEIR TESTIMONY IF  
18 THEY WERE HERE TODAY IN PERSON.

19

20 **SPEAKER:** THE CORONER WOULD CALL AS THE NEXT WITNESS DETECTIVE  
21 MATT LOCK FROM THE HOMICIDE BUREAU.

22

23 **HON. CANDACE COOPER:** WILL HE BE ON ZOOM?



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1

2 **SPEAKER:** YES, WE ARE ADMITTING HIM INTO THE VIRTUAL TESTIMONY  
3 AT THIS TIME.

4

5 **HON. CANDACE COOPER:** WE WILL RESUME. DETECTIVE MATT LOCK, CAN  
6 YOU HEAR ME?

7

8 **SPEAKER:** YES.

9

10 **HON. CANDACE COOPER:** YOUR VOICE IS COMING THROUGH CLEAR AS  
11 WELL. WOULD YOU PLEASE RAISE YOUR RIGHT HAND TO BE SWORN.  
12 [WITNESS SWORN].

13

14 **SPEAKER:** YES, I DO.

15

16 **HON. CANDACE COOPER:** WE WILL BE EXAMINING.

17

18 **EXAMINER:** GOOD MORNING, DETECTIVE MATT LOCK.

19

20 **WITNESS:** GOOD MORNING, MR. MILLER.

21



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1     **EXAMINER:** WOULD YOU PLEASE STATE YOUR NAME AND SPELL YOUR  
2 FULL NAME FOR THE RECORD.

3

4     **WITNESS:** SCOTT MATLOCK, S-C-O-T-T, M-A-T-L-O-C-K.

5

6     **EXAMINER:** WHAT IS YOUR CURRENT OCCUPATION.

7

8     **WITNESS:** I AM CURRENTLY ASSIGNED, I AM A DETECTIVE WITH THE  
9 LOS ANGELES COUNTY SERF'S DEPARTMENT, CURRENTLY ASSIGNED TO  
10 THE HOMICIDE BUREAU.

11

12     **EXAMINER:** HOW LONG HAVE YOU HELD THAT POSITION.

13

14     **WITNESS:** I HAVE BEEN IN HOMICIDE BURY FOR 5 AND A HALF YEARS.

15

16     **EXAMINER:** COULD YOU PLEASE TELL US YOUR BACKGROUND, TRAINING,  
17 AND EXPERIENCE AS IT RELATES TO YOUR OCCUPATION, AS A  
18 SHERIFF'S DEPUTY, AS WELL AS A HOMICIDE DETECTIVE.

19

20     **WITNESS:** HOW FAR BACK WOULD YOU LIKE ME TO GO?

21



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1 **WITNESS:** WELL, YOU CAN START FROM WHEN YOU BECAME A SHERIFF'S  
2 DEPUTY.

3

4 **EXAMINER:** I ATTENDED THE SHERIFF'S ACADEMY IN 1991, GRADUATED  
5 IN 1992, UPON COMPLETION OF THE ACADEMY TRAINING, I WAS  
6 ASSIGNED TO CUSTODY DIVISION, WHICH WAS AT THE NORTH COUNTY  
7 CORRECTIONAL FACILITY, I WAS ASSIGNED THERE FOR SIX YEARS. I  
8 WAS SUBSEQUENTLY TRANSFERRED TO PATROL, WHERE I WORKED CENTURY  
9 STATION FOR APPROXIMATELY NINE YEARS. I WAS PROMOTED AT  
10 CENTURY STATION TO A DETECTIVE, REMAINED THERE FOR 8 YEARS AS  
11 A DETECTIVE. THAT WAS FROM 2006 TO 2014. AND IN 2014, I  
12 TRANSFERRED TO THE INTERNAL CRIMINAL INVESTIGATIONS BUREAU  
13 WHERE I WAS A DETECTIVE RESPONSIBLE FOR SURVEILLANCE AND  
14 UNDERCOVER OPERATIONS, I REMAINED THERE UNTIL 2016, WHEN I  
15 TRANSFERRED TO THE HOMICIDE BUREAU.

16

17 **EXAMINER:** THANK YOU. CAN YOU TELL US WHAT ARE YOUR DUTIES AND  
18 RESPONSIBILITIES AS A HOMICIDE DETECTIVE WITH THE DEPARTMENT?

19

20 **WITNESS:** AS A HOMICIDE DETECTIVE, AS THE TITLE STATES, WE  
21 INVESTIGATE HOMICIDES AND WE INVESTIGATE SUSPICIOUS DEATHS AND  
22 ANY OTHER NON-NATURAL DEATH. WE ALSO INVESTIGATE DEPUTY-  
23 INVOLVED SHOOTINGS, WHERE SHOTS HAVE BEEN FIRED AND SOMEONE



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1 HAS BEEN HIT. AND WE ALSO CONDUCT OFFICER-INVOLVED SHOOTINGS  
2 FOR OTHER LAW ENFORCEMENT AGENCIES IN LOS ANGELES COUNTY.

3

4 **EXAMINER:** WHAT DOCUMENTS, IF ANY, DID YOU REVIEW IN  
5 PREPARATION FOR YOUR TESTIMONY TODAY.

6

7 **WITNESS:** MY NOTEBOOK, MY SCENE NOTEBOOK I USED DURING THE  
8 INVESTIGATION AND SUPPLEMENTAL REPORTS THAT I HAVE WRITTEN, OR  
9 OTHER INVESTIGATORS WROTE IN CONJUNCTION WITH THIS CASE.

10

11 **EXAMINER:** AND WERE THOSE DOCUMENTS PROVIDED TO THE CORONER  
12 UNDER SEAL.

13

14 **WITNESS:** YES, THEY WERE.

15

16 **EXAMINER:** WHAT WAS YOUR ASSIGNMENT ON AUGUST 31ST OF 2020

17

18 **WITNESS:** I WAS A HOMICIDE INVESTIGATOR, I WAS CALLED OUT TO A  
19 DEPUTY INVOLVED SHOOTING THAT OCCURRED OUT OF THE JURISDICTION  
20 OF THE SOUTH LOS ANGELES SHERIFF'S STATION.

21



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1 **EXAMINER:** WAS THAT THE SHOOTING OF DIJON KIZZEE.

2

3 **WITNESS:** THAT'S CORRECT.

4

5 **EXAMINER:** HOW WAS THAT ASSIGNMENT MADE.

6

7 **WITNESS:** WE ARE JUST IN A CYCLICAL ROTATION AMONGST A TEAM OF  
8 DETECTIVES THAT I AM ON. THERE IS APPROXIMATELY 12 DETECTIVES  
9 AND WE JUST WORK A ROTATION OF WHO BASICALLY WHO IS UP NEXT.

10

11 **EXAMINER:** WHAT INFORMATION DID YOU RECEIVE WHEN YOU WERE  
12 ASSIGNED TO THIS CASE.

13

14 **WITNESS:** THE INFORMATION I RECEIVED IS THERE ARE TWO PATROL  
15 DEPUTIES THAT ATTEMPTED TO MAKE A BICYCLE STOP OF MR. KIZZEEE  
16 BASED ON INFRACTIONS, HE FLED FROM THEM, THEY LOST SIGHT OF  
17 HIM, THEY GOT BACK IN THEIR RADIO CAR AND LOOKED IN THE AREA  
18 FOR MR. KIZZEEE RELOCATING HIM, UPON CONTACTING HIM, ONE OF  
19 THE DEPUTIES WAS INVOLVED IN A PHYSICAL ALTERCATION WITH MR.  
20 KIZZEE AT SOME POINT IN TIME HE DROPPED A FIRE ARM, ATTEMPTED  
21 TO RETRIEVE AND A DEPUTY-INVOLVED SHOOTING OCCURRED.

22



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1 **EXAMINER:** ARE YOU CURRENTLY ASSIGNED TO INVESTIGATE THE DEATH  
2 OF MR. KIZZEE.

3

4 **WITNESS:** YES, I AM.

5

6 **EXAMINER:** ARE YOU WORKING WITH ANYONE ELSE ON THAT  
7 INVESTIGATION.

8

9 **WITNESS:** YES. MY PARTNER AT THE TIME IS CURRENTLY, MY SAME  
10 PARTNER, DETECTIVE MARK VOICEFORD.

11

12 **EXAMINER:** HAS THAT INVESTIGATION CONCLUDED.

13

14 **WITNESS:** NO, IT HAS NOT.

15

16 **EXAMINER:** DETECTIVE MATT LOCKNER, I WOULD LIKE TO DISCUSS YOUR  
17 INVESTIGATION OF THE LOCATION OF MR. KIZZEE'S BODY. AS PART OF  
18 YOUR ASSIGNMENT AS HOMICIDE DETECTIE, DID YOU ATTEMPT TO  
19 IDENTIFY THE LOCATION OF MR. KIZZEE ON MARCH 31ST OF LAST  
20 YEAR.

21



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1 **WITNESS:** YES I DID.

2

3 **EXAMINER:** WHAT WAS THE APPROXIMATE ADDRESS.

4

5 **WITNESS:** 1221 WEST 109TH PLACE IN UNINCORPORATED LOS ANGELES  
6 COUNTY.

7

8 **EXAMINER:** APPROXIMATELY WHAT TIME DID YOU ARRIVE?

9

10 **WITNESS:** APPROXIMATELY 5:00PM.

11

12 **EXAMINER:** WAS ANYONE WITH YOU AT THE TIME?

13

14 **WITNESS:** YES, MY PARTNER, DETECTIVE MARK VOICEFORD.

15

16 **EXAMINER:** IN A NARRATIVE FORM, CAN CAN YOU TELL US WHAT YOUR  
17 OBSERVATIONS WERE WHEN YOU FIRST ARRIVED ON THE SCENE?

18

19 **WITNESS:** WHEN WE FIRST ARRIVED ON THE SCENE, THERE WAS A  
20 LARGE CROWD OUTSIDE THE CONTAINMENT, THE CROWD SCENE  
21 CONTAINMENT. MR. KIZZEE WAS ON THE NORTH SIDE OF THE STREET,





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1 LAYING FACE DOWN, AND I BELIEVE HIS HEAD WAS FACING WEST AND  
2 HIS FEET WERE FACING EAST.

3

4 **EXAMINER:** DID YOU PROVIDE TO MR. KIZZEE'S BODY?

5

6 **WITNESS:** YES.

7

8 **EXAMINER:** AND WAS ANYONE ELSE PRESENT AT HIS BODY WHEN YOU  
9 PROCEEDED.

10

11 **WITNESS:** YES, MY PARTNER, DETECTIVE MARK VOICEFORD AND SOME  
12 OTHER SOUTH LOS ANGELES PATROL DEPUTIES THAT I CAN'T IDENTIFY.

13

14 **WITNESS:** AND, TO YOUR KNOWLEDGE, HAD PARAMEDICS, ONE MOMENT  
15 WHILE -- I THOUGHT YOU WERE FROZEN. TO YOUR KNOWLEDGE HAD THE  
16 PARAMEDICS ARRIVED BEFORE YOU WERE THERE?

17

18 **WITNESS:** TO MY KNOWLEDGE, YES.

19

20 **EXAMINER:** AND WERE THEY STILL ON THE SCENE, WHEN YOU ARRIVED?

21



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1 **WITNESS:** I DON'T BELIEVE SO.

2

3 **EXAMINER:** WHAT DID YOU OBSERVE WHEN YOU ARRIVED AT MR.  
4 KIZZEE'S BODY

5

6 **WITNESS:** LIKE I SAID, HE WAS LAYING ON THE NORTH SIDE OF THE  
7 STREET, LIKE ON A GRASS PARKWAY. AND I COULD OBSERVE SOME  
8 WOUNDS, I COULDN'T TELL EXACTLY WHAT KIND OF WOUNDS THEY WERE  
9 AT THE TIME. HE APPEARED TO BE COVERED IN A LITTLE BIT OF  
10 GRASS, I BELIEVE. THAT'S ALL I REALLY RECALL.

11

12 **EXAMINER:** HAD YOU RECEIVED ANY INFORMATION THAT HIS BODY WAS  
13 MOVED BEFORE YOUR ARRIVAL.

14

15 **WITNESS:** I DID NOT RECEIVE ANY INFORMATION IN REGARDS TO THAT.

16

17 **EXAMINER:** AND YOU INDICATED YOU SAW SOME INJURIES, DID YOU  
18 OBSERVE ANY GUNSHOT WOUNDS ON MR. KIZZEE'S BODY?

19

20 **WITNESS:** AT THAT TIME I KNEW THERE WERE INJURIES, I BELIEVED  
21 THEM TO BE GUN SHOT WOUNDS, BUT LOOKING AT THEM AT THAT TIME,  
22 EI COULD NOT 100 PERCENT SAY THEY WERE GUN SHOT WOUNDS.



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1

2 **EXAMINER:** DID YOU OBSERVE A GUN NEAR MR. KIZZEE'S BODY?

3

4 **WITNESS:** NO, I DID NOT.

5

6 **EXAMINER:** AND DID YOU TAKE ANY PHOTOGRAPHS AT THE SCENE?

7

8 **WITNESS:** NO, I DID NOT.

9

10 **EXAMINER:** DID YOU COLLECT ANY EVIDENCE?

11

12 **WITNESS:** I DID NOT COLLECT ANY EVIDENCE, NO.

13

14 **EXAMINER:** DID YOU SPEAK TO ANYONE AT THE SCENE?

15

16 **WITNESS:** SIR, BASED ON THE FACT THAT THIS INVESTIGATION IS  
17 STILL OPEN AND ONGOING, AND HAS BEEN PRESENTED TO THE DISTRICT  
18 ATTORNEY'S OFFICE FOR LEGAL CONSIDERATION WHICH THEY HAVE NOT  
19 DETERMINED YET, I CANNOT PUBLICLY TESTIFY TO ANY MORE DETAILS  
20 REGARDING THIS CASE BECAUSE I BELIEVE IT WILL COMPROMISE THE  
21 INTEGRITY OF THE INVESTIGATION, AND I BELIEVE IT WILL IMPAIR



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1 OR INTERFERE OR PREJUDICE THE CONSIDERATION GIVEN TO THIS  
2 CASE, BY THE DISTRICT ATTORNEY'S OFFICE. SO, WITH THAT BEING  
3 SAID, AND WITH ALL DUE RESPECT TO JUSTICE COOPER, I AM GOING  
4 TO ASSERT MY PRIVILEGE UNDER EVIDENCE CODE 1040, SUB SECTION  
5 B, SUB SECTION 2, AND I AM NOT GOING TO ANSWER ANY MORE  
6 QUESTIONS REGARDING THIS INVESTIGATION.

7

8 **EXAMINER:** DETECTIVE MATT LOCKER, IS THERE ANYTHING YOU WOULD  
9 LEAK LIKE TO ADD TO YOUR TESTIMONY TODAY THAT IS RELEVANT TO  
10 THE CIRCUMSTANCES, CAUSE, OR MANNER OF MR. KIZZEE'S DEATH?

11

12 **WITNESS:** NO. I BELIEVE A LARGE PORTION OF YOUR QUESTIONING,  
13 THE ANSWERS CAN BE CONTAINED IN THE RECORDS THAT I PROVIDED  
14 JUSTICE COOPER UNDER THE -- PURSUANT TO THE SUBPOENA THAT I  
15 RECEIVED FROM THE CORONER.

16

17 **EXAMINER:** JUSTICE COOPER, BASED ON DETECTIVE MATT LOCK'S

18

19 **EXAMINER:** AND HIS ASSERTION THAT HE WILL REFUSE TO ANSWER  
20 MORE QUESTIONS REGARDING THE SPECIFICS OF THE INVESTIGATION,  
21 HOW DO YOU WISH TO PROCEED?

22



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1     **HON. CANDACE COOPER:** WELL, I AM GOING TO RECOGNIZE THE  
2     ASSERTION OF THE PRIVILEGE BY THIS WITNESS, AND WOULD NOT BAR  
3     ANY FURTHER QUESTIONS BE ASKS OF HIM.

4

5     **EXAMINER:** IF I MAY ASK ONE MORE QUESTION. DETECTIVE MATLOCK,  
6     YOU INDICATED YOU WERE WORKING WITH ANOTHER DETECTIVE ON THIS  
7     CASE ON THIS MURDER INVESTIGATION. AND DOES THAT DETECTIVE  
8     HAVE ACCESS TO ANY INFORMATION ABOUT THE INVESTIGATION THAT  
9     YOU WOULD NOT HAVE ACCESS TO?

10

11    **WITNESS:** NO, HE DOES NOT.

12

13    **EXAMINER:** I DON'T HAVE ANY ADDITIONAL QUESTIONS BASED.

14

15    **HON. CANDACE COOPER:** OKAY. THEN, DETECTIVE MATLOCK, YOU ARE  
16    EXCUSED AND [AWAY FROM MIKEN. HOMICIDE DETECTIVES FROM THE  
17    SHERIFF'S DEPARTMENT.

18

19    **WITNESS:** THANK YOU, JUDGE.

20

21    **EXAMINER:** AT THIS TIME, THE CORONER WOULD NOT HAVE ANY  
22    ADDITIONAL WITNESSES.



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1

2     **HON. CANDACE COOPER:** OKAY. IN THAT CASE THEN, THIS WILL  
3 CONCLUDE THE WITNESS' TESTIMONY FOR TODAY. AT THIS TIME I AM  
4 GOING TO ADJOURN THE PROCEEDING TO REVIEW ALL THE MATERIALS  
5 AND RECORDS I HAVE RECEIVED IN ORDER TO MAKE A DETERMINATION.  
6 WHETHER TO RECALL ANY WITNESSES OR SUBPOENA WITNESSES. I ALSO  
7 NEED TO REVIEW ADDITIONAL WRITTEN MATERIALS THAT ARE UNDER  
8 SUBMISSION. IF I DETERMINE THAT ALL THE INFORMATION RECEIVED  
9 IS COMPREHENSIVE AND COMPLETE, I WILL ISSUE MY WRITTEN FINING  
10 AND PROVIDE THEM TO THE MEDICAL EXAMINER CORONER. HOWEVER, AT  
11 THIS TIME, THE CONCLUDES THE INQUEST FOR TODAY. I THANK WE ARE  
12 ADJOURNED.

