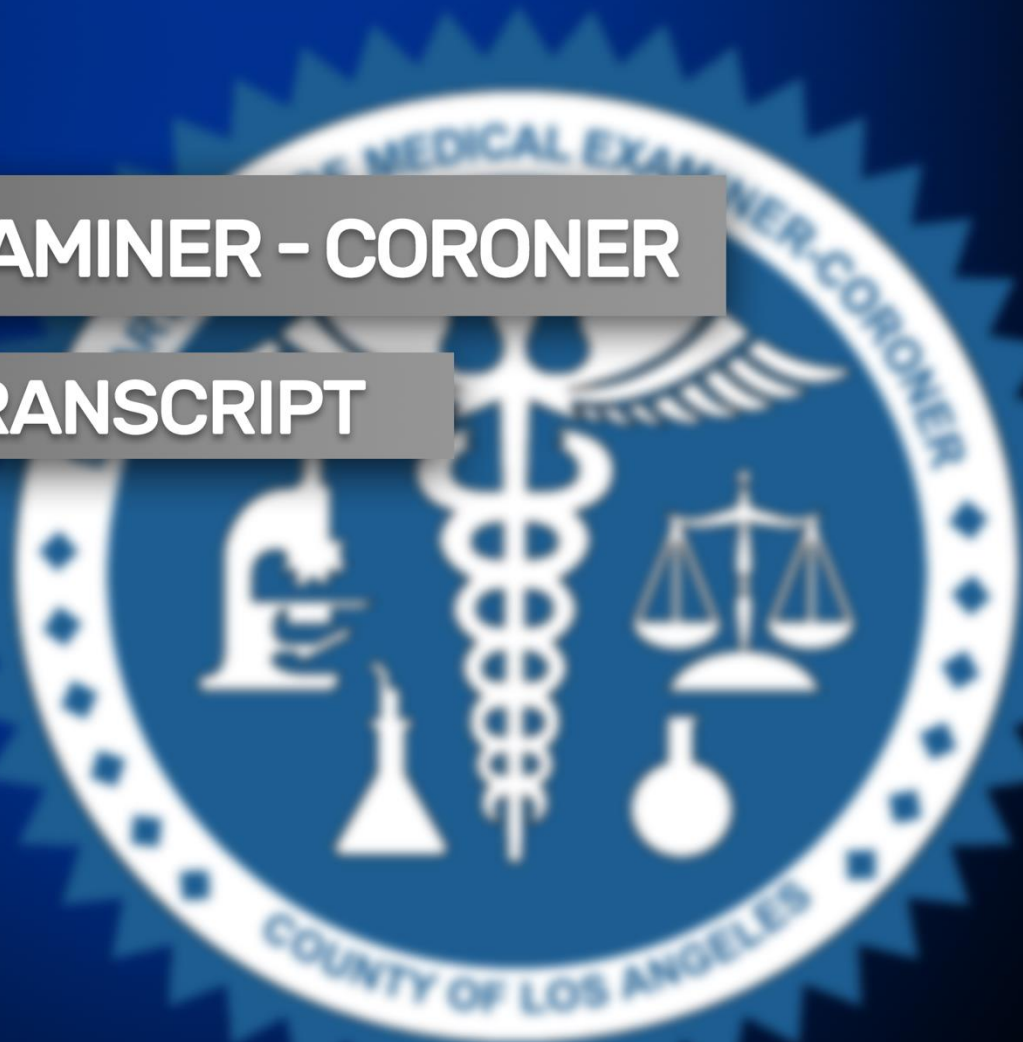


MEDICAL EXAMINER - CORONER

MEETING TRANSCRIPT





December 15, 2021

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

2 **INQUEST IN THE DEATH OF SAMUEL HERRERA**

3 **WEDNESDAY, DECEMBER 15, 2021**

4
5 **HON. CANDACE COOPER:** WE ARE ON THE RECORD AND READY TO RESUME?

6 OKAY, GOOD. ALL RIGHT. THEN LET'S START AGAIN. WE ARE ON THE

7 RECORD IN THE MATTER OF THE DEATH OF SAMUEL HERRERA JR. I AM

8 GOING TO ASK GENERAL TO TURN OFF ALL CELL PHONES AND ANY OTHER

9 RECORDING WISE THAT IS INCLUDES EVERYONE IN THE BOARD ROOM

10 TODAY AS WELL AS THOSE INDIVIDUALS PARTICIPATING REMOTELY BY

11 PROVIDING TESTIMONY. THIS MATTER IS A CORONER'S INQUEST, IT IS

12 AN INQUIRY INTO THE DEATH OF AN INDIVIDUAL. MY NAME IS CANDACE

13 COOPER AND I AM THE HEARING OFFICER FOR THIS MATTER. I HAVE

14 BEEN ASSIGNED BY THE LOS ANGELES COUNTY MEDICAL EXAMINER

15 CORONER'S OFFICE TO CONDUCT THIS INQUEST. BY LAW THE STATE OF

16 CALIFORNIA THE COUNTY CORONER MAY ORDER FORMAL INQUIRY ANY

17 TIME THERE IS A DEATH OF AN INDIVIDUAL IN THE COUNTY. AS A

18 MATTER OF PUBLIC POLICY, AN INQUEST MAY BE HELD WHEN THERE'S A

19 DIRECT CONNECTION BETWEEN A LAW ENFORCEMENT AGENCY IN THIS

20 COUNTY, AND THE DEATH OF A HUMAN BEING. THIS IS NOT AN

21 ADVERSARIAL PROCEEDING. UNDER CALIFORNIA LAW, THE DECISION AT

22 THE END OF AN INQUEST SHOULD BE INADMISSIBLE IN ANY CIVIL OR

23 CRIMINAL PROCEEDING, HOWEVER THIS DOES NOT MEAN THAT THE SWORN

24 STATEMENT IS INADMISSIBLE IN A SUBSEQUENT PROCEEDING. THE

25 FINDING MADE IN AN INQUEST DO NOT INCLUDE OR MAKE ANY



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1 REFERENCE TO CIVIL OR CRIMINAL RESPONSIBILITIES ON THE PART OF
2 THE DECEASED OR ANY OTHER PERSON. THE INVESTIGATION FUNCTIONS
3 USUALLY PERFORMED BY OTHER LAW ENFORCEMENT AGENCIES ARE NOT
4 PART OF THE INQUEST PROCESS. LET ME EMPHASIZE THE LAST FEW
5 COMMENTS AGAIN. AN INQUEST IS AN INQUIRY INTO THE CIRCUMSTANCE
6 CAUSED AND MANNER OF DEATH OF AN INDIVIDUAL. IT IS
7 NOT AN EVALUATION OF WHETHER THERE WAS ANY WRONGDOING ON AND
8 PART OF LAW ENFORCEMENT, OR OF THE DECEASED. THOSE TYPES OF
9 DETERMINATIONS ARE MADE BY OTHER LAW ENFORCEMENT AGENCIES, AND
10 THE LAW EXPRESSLY PROHIBITS ME FROM MAKING SUCH DETERMINATIONS
11 IN MY INQUEST FINDING. THIS HEARING IS OPEN FOR THE PUBLIC FOR
12 VIEWING ON THE LOS ANGELES COUNTY CHANNEL FROM A WEBSITE
13 BROWSER. WITNESSES ARE NOT EXCLUDED FROM LISTENING TO OR WHEN
14 SPACE PERMITTING. HOWEVER DUE TO THE ON GOING COVID-19
15 PANDEMIC AND AN ORDER TO COMPLY WITH PUBLIC HEALTH SAFETY
16 GUIDELINES, I WILL BE LIMITING IN PERSON ATTENDANCE TO
17 ESSENTIAL STAFF, WITNESSES. APPLYING COVID-19 GUIDELINES AS
18 WELL AS MAINTAINING RECOMMENDING SOCIAL DISTANCING.
19 ACCORDINGLY, ALL OTHER INDIVIDUALS ARE WELCOME TO ATTEND THE
20 INQUEST PROCEEDING, BY WATCHING VIA THE LOS ANGELES COUNTY
21 CHANNEL OR THE STREAMING VIDEO. ALL PERSONS ENTERING
22 HEARING ROOM ARE REQUIRED TO WEAR FACE MASKS OVER THE NOSE AND
23 MOUTH. THIS APPLIES TO ALL EXAMINERS THAT APPEAR. I HAVE TAKEN
24 MY MASK DOWN FOR PURPOSES OF THESE REMARKS WHICH ARE RATHER
25 EXTENDED. SO I CAN BE MORE CLEARLY HEARD. BEFORE I MOVE INTO



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1 THE EVIDENCE PHASE I WILL EXPLAIN WHAT WILL HAPPEN AT TODAY'S
2 HEARING. A COURT REPORTER IS TAKING DOWN EVERYTHING WE SAY. SO
3 A PROPER PUBLIC RECORD CAN BE MADE. A TRANSCRIPT SHALL BE
4 FILED WITHIN TEN DAYS FOLLOWING THE INQUEST EITHER WITH THE
5 CORONER'S OFFICE OR WITH THE COUNTY CLERK AS DETERMINED BY THE
6 BOARD OF SUPERVISORS. I WILL CALL THE APPROPRIATE WITNESSES
7 AND WILL DIRECT ALL QUESTIONS OF THE WITNESSES. I HAVE ASKED
8 THE COUNTY COUNSEL TO ASSIST IN THE QUESTIONING OF EACH
9 WITNESS. REVIEWED THE PROPOSED LINE OF QUESTIONING AND HAVE
10 AGREED ON THE APPROPRIATENESS OF THE QUESTIONS TO BE ASKED.
11 DURING THE QUESTIONING OF THE WITNESS, I RETAIN THE AUTHORITY
12 TO ASK FOLLOW UP QUESTIONS, OR DIRECT COUNTY COUNSEL TO FOCUS
13 THEIR LINE OF QUESTIONING TO A SPECIFIC ISSUE. THE FAMILY AND
14 LASD HAVE BEEN GIVEN OPPORTUNITY TO SUBMIT QUESTIONS FOR MY
15 REVIEW. I HAVE REVIEWED THESE AND ASKS THAT I DEEM TO BE
16 MATERIAL AND RELEVANT TO THE PROCEEDING TODAY, AND WILL NOT
17 DUPLICATE QUESTIONS I HAVE ALREADY IDENTIFIED TO BE ASKED.
18 BECAUSE THERE ARE MULTIPLE REASONS WHY SUBMITTED QUESTIONS MAY
19 NOT BE POSED I WILL NOT ADDRESS THE REASONS WHY ELECTED TO
20 EITHER ACCEPT OR REJECT A SPECIFIC QUESTION. I WILL REITERATE,
21 HOWEVER, THAT THE ONLY QUESTIONS I WILL CONSIDER ARE THOSE
22 THAT ARE DIRECTLY RELEVANT TO THE SPECIFIC FINDING THAT I AM
23 REQUIRED TO MAKE IN THIS PROCEEDING. MY DECISION WILL BE BASED
24 ON THE EVIDENCE IN THIS INQUEST. THAT LEVEL INCLUDE THE
25 TESTIMONY PRESENTED, AS WELL AS DOCUMENTARY EVIDENCE RECEIVED



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1 WHICH MIGHT INCLUDE DECLARATIONS REPORTS, PHOTOGRAPHS, AND
2 OTHER RECORDS. THE EVIDENCE RECEIVED WILL BE IDENTIFIED IN THE
3 RECORD OF THE PROCEEDING. I AM THE SOLE DECIDER OF THE
4 RELEVANCE OF THE EVIDENCE OFFERED AND WE UTILIZE STANDARD AND
5 HISTORICAL RULES IN MAKING THAT DETERMINATION. HOWEVER, IT IS
6 MY INTENTION TO RECEIVE ALL REASONABLY AVAILABLE ADMISSIBLE
7 EVIDENCE FROM WITNESSES WHO ARE AT THE SCENE OF THE INCIDENT
8 IMMEDIATELY BEFORE, DURING, OR IMMEDIATELY AFTER THE EVENTS.
9 REVIEW THE EVIDENCE AND MAKE MY DECISION. I AM REQUIRED TO
10 RENDER A DECISION SETTING FORTH ONE, THE NAME OF THE DECEASED.
11 TWO, THE TIME AND PLACE OF DEATH. THREE, THE MEDICAL CAUSE OF
12 DEATH. AND FOUR, WHETHER THE DEATH WAS BY NATURAL CAUSES,
13 SUICIDE, ACCIDENT, OR AT THE HANDS OF ANOTHER PERSON OTHER
14 THAN BY ACCIDENT. IN DETERMINE THING MANNER OF DEATH THERE ARE
15 ONLY FOUR POSSIBLE MODES OF DEATH AS DEFINED AS FOLLOVED. ONE,
16 NATURAL CAUSES. FOR EXAMPLE, HEART ATTACK, STROKE, OR OLD AGE.
17 DEATH BY NATURAL CAUSES IS A DEATH ARISING FROM AN ACTIVE
18 NATURE OF OPPOSED TO ONE THAT IS ARTIFICIALLY INDUCED. TWO,
19 ACCIDENT. MEANING THERE'S NO INTENT SUCH AS AN ACCIDENT OR A
20 CAR CRASH. DEATH BY ACCIDENT CAN REFER TO A VARIETY OF
21 UNFORESEEN OR UNINTENTIONAL EVENTS. SOME OF THOSE MAY BE
22 NATURAL PHENOMENONS SUCH AS DEATH BY FIRE, FLOOD, OR
23 EARTHQUAKE, IN WHICH NO HUMAN AGENCY IS INVOLVED. ANOTHER TYPE
24 OF ACCIDENT IS A KIND THAT RESULTS FROM HUMAN CONDUCT. DEATH
25 BY ACCIDENT WHERE A HUMAN AGENCY DEFINED IS THE UNEXPECTED



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1 RESULT OF HUMAN CONDUCT. THE TERM ACCIDENT AS IT APPLIES TO
2 THESE PROCEEDING IS AN UNFORESEEN EVENT, MISFORTUNE, LOSS, ACT
3 OR OMISSION. SUICIDE IS WHERE ONE TAKES THEIR OWN LIFE, OR
4 PURPOSELY CAUSES ANOTHER TO TAKE ONE'S LIFE. SUICIDE IS
5 DEFINED AS AN INTENTIONAL ACT OF SELF-DESTRUCTION, BY ONE WITH
6 SUFFICIENT TOUCH WITH REALITY TO UNDERSTAND THE NATURE OF HIS
7 OR HER ACTS. THE FACT THAT ANOTHER PERSON INCLUDING A LAW
8 ENFORCEMENT OFFICER ACTED AS AN INSTRUMENTALITY OF THE
9 DECEDENT'S DEATH DOES NOT PRECLUDE A FIND OF SUICIDE. WHEN THE
10 SUBJECT INTENDED TO PRECIPITATE THE USE OF DEADLY FORCE
11 AGAINST HIMSELF OR HERSELF. FINALLY, DEATH AT THE HANDS OF
12 ANOTHER OTHER THAN BY ACCIDENT. SUCH AS PURPOSELY BEING
13 KILLED, SHOT, ETC. DEBT AT THE HANDS OF ANOTHER, EITHER BY
14 ACCIDENT -- OTHER THAN BY ACCIDENT, IS ESSENTIALLY SELF-
15 EXPLANATORY. IT IS EITHER AN INTENTIONAL ACT THAT DIRECTLY
16 CAUSES THE DEATH OF ANOTHER PERSON, OR INTENTIONAL OMISSION TO
17 ACT THAT DIRECTLY CAUSES A DEATH OF ANOTHER PERSON. I WILL
18 DETERMINE THE MANNER OR MODE OF DEATH BY A MORE LIKELY TRUE
19 THAN NOT TRUE STANDARD. THAT MEANS IN EXAMINING ALL THE
20 EVIDENCE, I WILL DECIDE WHICH MODE OR MANNER OF DEATH OF THE
21 FOUR LISTED MODES IS THE MOST LIKELY TO BE TRUE. ASSISTING ME
22 TODAY ARE MEMBERS OF THE LOS ANGELES COUNTY COUNSEL, AND LET
23 ME PRODUCE THEM TO YOU. THEY WILL BE EXAMINING THE WITNESS AT
24 THE INQUEST. FIRST MR. JOSEPH LANGTON. COUNTY COUNSEL.

25



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1 **MR. LANGTON:** GOOD AFTERNOON, YOUNG.

2

3 **HON. CANDACE COOPER:** NEXT SENIOR DEPUTY COUNTY COUNSEL.

4

5 **MS. ZUIDERGWEG:** GOOD AFTERNOON.

6

7 **HON. CANDACE COOPER:** AND MR. MICHAEL MILLER, DEPUTY COUNTY

8 COUNSEL.

9

10 **SPEAKER:** GOOD AFTERNOON.

11

12 **HON. CANDACE COOPER:** THANK YOU FOR YOUR ASSISTANCE. WE WILL

13 NOW MOVE INTO THE PROCEEDING INCLUDING IDENTIFYING DOCUMENTARY

14 EVIDENCE AND TAKING TESTIMONY FROM WITNESSES. AS I PREVIOUSLY

15 MENTIONED, ARRANGEMENTS HAVE BEEN MADE IN ADVANCE OF TODAY'S

16 INQUEST SO THAT WITNESSES CAN APPEAR AND TESTIFY REMOTELY.

17 WHEN TESTIFYING I NEED ALL WITNESSES TO UNMUTE THEIR

18 MICROPHONE. AND MAKE SURE THEIR CAMERAS ARE TURNED ON SO THAT

19 I CAN BOTH SEE AND HEAR THE WITNESS AS THEY PROVIDE TESTIMONY.

20 IN ADDITION, I WANT TO NOTE THAT THE CORONER SUBPOENA MULTIPLE

21 WITNESSES FOR TODAY'S INQUEST. HOWEVER, I MAY ELECT NOT TO

22 CALL EACH AND EVERY ONE OF THE SUBPOENAED WITNESSES, BECAUSE



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1 THEIR TESTIMONY WOULD REPEAT AND BECOME CUMULATIVE OF THE
2 TESTIMONY FROM OTHER WITNESSES. FOR EXAMPLE. SEVERAL
3 REPRESENTATIVES OF THE COMPTON CITY FIRE DEPARTMENT RESPONDED
4 TO THE SCENE. IT IS NOT NECESSARY FOR ME TO HEAR FROM EACH AND
5 EVERY INDIVIDUAL ASSOCIATED WITH THIS MATTER IN ORDER TO MAKE
6 MY FINDINGS HERE TODAY. ALSO, I HAVE TO WAIT AND BALANCE THE
7 BENEFITS OF HEARING TESTIMONY FROM A POTENTIAL WITNESSES TO
8 THE FATAL INCIDENT AGAINST THE FACTS NEEDED TO MAKE MY
9 FINDINGS. SO THOSE ARE MY PRELIMINARY REMARKS. WE CAN NOW MOVE
10 INTO THE EVIDENTIARY PHASE AND MR. LANGTON DO YOU WANT TO CALL
11 THE FIRST OFFICE.

12

13 **MR. LANGTON:** AT THIS TIME WE WILL CALL THE MEDICAL EXAMINER,
14 ODEUKPO.

15

16 **HON. CANDACE COOPER:** CAN YOU HEAR US.

17

18 **WITNESS:** YES, IT IS ALL SET.

19

20 **HON. CANDACE COOPER:** DO YOU WEAR THE TESTIMONY YOU ARE ABOUT
21 TO GIVE IN THE CAUSE NOW PENDING SHALL BE THE TRUTH, THE WHOLE
22 TRUTH, AND NOTHING BUT THE TRUTH?



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1

2 **WITNESS:** I DO.

3

4 **HON. CANDACE COOPER:** WOULD YOU PLEASE STATE AND SPELL YOUR
5 FULL NAME.

6

7 **WITNESS:** ODEY. NAME O-D-E-Y, AST NAME U-K-P-O.

8

9 **HON. CANDACE COOPER:** THANK YOU.

10

11 **WITNESS:** GOOD AFTERNOON, HOW ARE YOU?

12

13 **WITNESS:** GOOD AFTERNOON, I AM DOING WELL, THANK YOU.

14

15 **WITNESS:** DOCTOR, YOU WERE WORKING AS A MEDICAL EXAMINER AT THE
16 LOS ANGELES COUNTY CORONER'S OFFICE ON SEPTEMBER 12, 2020,
17 CORRECT?

18

19 **WITNESS:** YOU ARE THE PHYSICIAN THAT PERFORMED THE AUTOPSY ON
20 MR. SAMUEL HERRERA?

21



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1 **WITNESS:** YES.

2

3 **WITNESS:** I WANTED TO INQUIRE ABOUT YOUR WASH GROUND, EDUCATION
4 AND EXPERIENCE PLEASE. HOW LONG HAVE YOU BEEN EMPLOYED WITH
5 THE LOS ANGELES COUNTY CORONER'S OFFICE.

6

7 **WITNESS:** FOR APPROXIMATELY SEVEN YEARS.

8

9 **WITNESS:** YOU HOLD ANY PROFESSIONAL LICENSES IN THE STATE OF
10 CALIFORNIA?

11

12 **WITNESS:** YES.

13

14 **WITNESS:** WHAT ARE THOSE LICENSES?

15

16 **WITNESS:** I HAVE A MEDICAL LICENSE, TO PRACTICE MEDICINE IN
17 CALIFORNIA. I AM ALSO A BOARD CERTIFIED IN ANATOMICAL CLINICAL
18 AND TRANSIT PATHOLOGY.

19

20 **WITNESS:** SIR, WHERE DID YOU GRADUATE FROM MEDICAL SCHOOL?

21



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1 **WITNESS:** FROM LOYOLA CHICAGO'S STRETCH (SIC.) SCHOOL OF
2 MEDICINE.

3

4 **WITNESS:** YOUR DEGREE IS M.D., CORRECT.

5

6 **WITNESS:** CORRECT.

7

8 **WITNESS:** SIR, DID YOU COMPLETE ANY RESIDENCY PROGRAMS OR POST
9 GRADUATE FELLOWSHIPS?

10

11 **WITNESS:** YES.

12

13 **WITNESS:** AND WHAT ARE THOSE, SIR.

14

15 **WITNESS:** I RECEIVED MY TRAINING IN PATHOLOGY AT THE BARN'S
16 JEWISH HOSPITAL IN ST. LOUIS. I THEN WENT ON TO DO A
17 FELLOWSHIP IN FORENSIC AT THE OFFICE OF THE MEDICAL
18 INVESTIGATOR IN ALBUQUERQUE.

19

20 **WITNESS:** YOU MENTIONED THAT YOU WERE BOARD CERTIFIED, SIR,
21 WHAT DOES BOARD CERTIFIED MEAN FOR THE COURT?



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1

2 **WITNESS:** BOARD CERTIFIED MEANS THAT AN INSTITUTION HAS
3 CERTIFIED THAT BY MY TRAINING AND MY BACKGROUND EXPERIENCE,
4 THAT I CAN PRACTICE INDEPENDENTLY IN MY AREA OF EXPERTISE. DR.
5 UKPO, YOU PREPARED THE REPORT IN THE SAMUEL HERRERA MATTER,
6 CORRECT.

7

8 **WITNESS:** YES.

9

10 **MR. LANGTON:** YOUR HONOR I WILL IDENTIFY WHAT WILL BE MARKED AS
11 CORONER'S EXHIBIT NO. NEXT IN LINE.

12

13 **WITNESS:** DOCTOR, DO YOU HAVE YOUR REPORT BEFORE YOU?

14

15 **WITNESS:** YES.

16

17 **WITNESS:** AND OBVIOUSLY, SIR, DO YOU RECOGNIZE THAT DOCUMENT?

18

19 **WITNESS:** YES.

20

21 **WITNESS:** SIR, WHEN DID YOU PREPARE IT?



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1

2 **WITNESS:** THAT DOCUMENT WAS PREPARED ON SEPTEMBER 20TH, OF
3 2020. I AM SORRY, SEPTEMBER 12TH, OF 2020.

4

5 **WITNESS:** DID YOU DICTATE THE DOCUMENT AS YOU PROCEEDED WITH
6 THE EXAMINATION, DR. UKPO OR DID YOU SIGN IT UPON THE
7 CONCLUSION OF YOUR AUTOPSY?

8

9 **WITNESS:** I SIGNED IT UPON COMPLETION OF THE AUTOPSY. THE
10 REPORT IS CREATED BY ME TYPING IN MY FINDINGS THAT I NOTED
11 DURING THE AUTOPSY.

12

13 **WITNESS:** AND MR. MAXIMOTO, CAN I ASK YOU TO BRING UP BATES NO.
14 43. DR. UKPO, DO YOU RECOGNIZE THE SIGNATURE ON THIS DOCUMENT.

15

16 **WITNESS:** YES.

17

18 **WITNESS:** IS THAT YOUR SIGNATURE?

19

20 **WITNESS:** YES.

21



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1 **WITNESS:** IS AND THE DATE OF NOVEMBER 20TH, 2020 THE DATE THAT
2 YOU EXECUTED THIS DOCUMENT?

3

4 **WITNESS:** FOR THE -- YES, THAT I SIGNED IT ON THAT DATE, YES.

5

6 **MR. LANGTON:** YOUR HONOR I WOULD ASK THE COURT TO RECEIVE THE
7 MEDICAL EXAMINER'S EXHIBIT AT THIS TIME.

8

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

10

11 **WITNESS:** DR. UKPO WOULD YOU PLEASE TELL THE COURT, WHAT IS THE
12 PURPOSE OF AN AUTOPSY?

13

14 **WITNESS:** THE PURPOSE OF AN AUTOPSY IS TO DETERMINE THE CAUSE
15 OF DEATH. AND TO PROVIDE INFORMATION ABOUT THE CIRCUMSTANCES
16 SURROUNDING THE DEATH.

17

18 **WITNESS:** AND SIR, DO YOU DETERMINE WHAT INJURIES WERE FATAL
19 UPON YOUR EXAMINATION OF THE BODY?

20

21 **WITNESS:** YES.



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1

2 **WITNESS:** YOU RECOVER EVIDENCE AS WELL IN THE FORM OF SPENT
3 BULLETS, IS THAT CORRECT?

4

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

6

7 **WITNESS:** DO YOU EVALUATE ENTRANCE AND EXIT WOUNDS, DR. UKPO?

8

9 **WITNESS:** YES.

10

11 **WITNESS:** AND OF COURSE INTERIM INJURIES THAT ARE SUSTAINED AS
12 A RESULT OF THE SHOTS, IS THAT CORRECT?, YES.

13

14 **WITNESS:** SO I NOTE THAT IN THE BODY OF YOUR REPORT, YOU
15 IDENTIFY SEVERAL GUNSHOT WOUNDS HERE, YOU DO NOT DETERMINE THE
16 SEQUENCE OF THOSE SHOTS IS THAT CORRECT?

17

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

19

20 **WITNESS:** ALL RIGHT. AND DOCTOR, UPON REVIEW OF YOUR REPORT, I
21 NOTE THAT YOU HAVE HIGHLIGHTED CERTAIN INJURIES IN BOLD, SIR.



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1 IS THAT SOMETHING THAT YOU DO IN THE REGULAR COURSE OF
2 ASSEMBLING YOUR REPORTS?

3

4 **WITNESS:** YES. IN CASES WHERE INJURY CAUSED DEATH, I TEND TO
5 PUT IN BOLD THE MOST SIGNIFICANT INJURIES.

6

7 **WITNESS:** ALL RIGHT. AND DO THOSE HAVE INSPECT LETHAL FORCE, IS
8 THAT THE OBJECTIVE OF THE BOLD THAT YOU HAVE INCLUDED IN THE
9 BODY OF YOUR REPORT?

10

11 **WITNESS:** YES. TO INDICATE THAT THESE INJURIES AND OF
12 THEMSELVESES ARE LETHAL.

13

14 **WITNESS:** HOW MANY TOTAL GUNSHOTS DID YOU NOTE UPON THE
15 EXAMINATION OF MR. HERRERA'S BODY?

16

17 **WITNESS:** THERE WAS A TOTAL OF TEN ENTRANCE GUNSHOT WOUNDS.

18

19 **WITNESS:** HOW MANY BULLETS DID YOU REMOVE FROM MR. HERRERA'S
20 BODY?

21



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1 **WITNESS:** I HAVE TO REFER TO MY REPORT TO REFRESH MY
2 RECOLLECTION.

3

4 **WITNESS:** SIR, MAY I ASSIST IN THAT REGARD. DR. UKPO, MR.
5 MAXIMOTO, WOULD YOU KINDLY BRING UP BATES NO. 31 PLEASE.
6 DRAWING YOUR ATTENTION TO THE PAGE NO. 7 OF YOUR AUTOPSY
7 REPORT, SPECIFICALLY GUNSHOT WOUND NUMBER FOUR, DOES THAT
8 REFRESH YOUR RECOLLECTION, SIR?

9

10 **WITNESS:** THIS PART OF MY REPORT INDICATED RECOVERY OF ONE
11 BULLET, HOWEVER THERE MAY BE ADDITIONAL ONES IN THE ORE PARTS
12 OF THE REPORT.

13

14 **WITNESS:** YES, SIR.

15

16 **MR. LANGTON:** MR. MAXIMOTO PLEASE BRING UP BATES NUMBER 33
17 PLEASE.

18

19 **WITNESS:** DR. UKPO SPECIFICALLY DRAWING YOUR ATTENTION TO
20 GUNSHOT WOUND NUMBER SEVEN, DOES THAT REFRESH YOUR
21 RECOLLECTION?

22



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1 **WITNESS:** I WOULD NEED TO SEE THE NEXT PAGE.

2

3 **WITNESS:** YES, SIR.

4

5 **MR. LANGTON:** MR. MAXIMOTO BATES NO. 34 PLEASE.

6

7 **WITNESS:** DR. UKPO, SPECIFICALLY AS TO GUNSHOT WOUND NUMBER
8 SEVEN DOES THAT REFRESH YOUR RECOLLECTION.

9

10 **WITNESS:** YES.

11

12 **WITNESS:** BEING ON THE SAME PAGE, NOTED BATES NO. 34, SIR,
13 SPECIFICALLY DRAWING YOUR ATTENTION TO GUNSHOT WOUND NUMBER
14 EIGHT, DOES THAT REFRESH YOUR RECOLLECTION?

15

16 **WITNESS:** THE FOLLOWING PAGE WILL REFRESH MY RECOLLECTION
17 REGARDS BULLETS.

18

19 **MR. LANGTON:** BATES 35 IF YOU PLEASE.

20

21 **WITNESS:** YES, THIS REFRESHES MY RECOLLECTION.



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1

2 **WITNESS:** OKAY. AND THEN LASTLY, DR. UKPO, -- MR. MAXIMOTO,
3 BATES NO. 36 I BELIEVE. SPECIFICALLY DRAWING YOUR ATTENTION TO
4 GUNSHOT WOUND NUMBER TEN, DR. UKPO.

5

6 **WITNESS:** YES, THIS REFRESHING MY RECOLLECTION.

7

8 **WITNESS:** AND DR. UKPO, DOES IT BY YOUR ACCOUNT, AND BY YOUR
9 DOCUMENT AND THE NUMBER OF BULLETS RECOVERED, THE DOCUMENT
10 REFLECTS THAT THERE WERE FIVE BULLETS RECOVERED FROM MR.
11 HERRERA'S BODY, IS THAT A CORRECT STATEMENT?

12

13 **WITNESS:** YES.

14

15 **WITNESS:** AND I NOTE THAT YOU IN THE BODY OF YOUR REPORT HAVE
16 BOLDED TWO SEPARATE GUNSHOT WOUNDS, DR. UKPO. AND THAT IS
17 GUNSHOT WOUND NUMBER ONE, SIR. AND GUNSHOT WOUND NUMBER TEN.
18 ARE -- IS IT CORRECT THAT THOSE GUNSHOT WOUNDS HAVE INSPECT
19 LETHAL CAPACITY?

20

21 **WITNESS:** YES.

22



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1 **WITNESS:** IS IT A CORRECT STATEMENT THAT THE OTHER EIGHT WOUNDS
2 DO NOT POSSESS INSPECT LETHAL CAPACITY?

3

4 **WITNESS:** THOSE OTHER ONES ARE NOT IMMEDIATELY LIFE
5 THREATENING. FOR THE COURT'S PURPOSE, CAN YOU PLEASE TELL US
6 WHAT A HEMOTHORAX IS?

7

8 **WITNESS:** A HEMOTHORAX IS A COLLECTION OF BLOOD IN THE CHEST
9 CAVITY.

10

11 **WITNESS:** AND WHAT IS SIGNIFICANCE OF A HEMOTHORAX TO THE HUMAN
12 BODY?

13

14 **WITNESS:** HEMOTHORAX IS TYPICALLY INDICATIVE OF AN INJURY WHERE
15 THERE'S BLOOD LOSS INTO THE CHEST CAVITY. BLOOD LOSS CAN
16 RESULT IN SUDDEN DEATH.

17

18 **WITNESS:** AND PHYSIOLOGICALLY, DR. UKPO, THE SIGNIFICANCE OF A
19 HEMOTHORAX? FOR LACK OF A BETTER TERM, DOES IT CAUSE THE BODY
20 TO SHUT DOWN BECAUSE OF THE ACCUMULATION OF BLOOD IN THOSE
21 CAVITIES?

22



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1 **WITNESS:** THE ACCUMULATION OF BLOOD REDUCES THE AMOUNT OF
2 OXYGEN THAT CAN BE DELIVERED TO THE BODY, THAT IS LIFE
3 SUSTAINING.

4

5 **WITNESS:** DR. UKPO SPECIFICALLY DRAWING YOUR ATTENTION TO
6 GUNSHOT WOUND NUMBER ONE IN YOUR REPORT, WOULD YOU KINDLY
7 DESCRIBE THAT WOUND PLEASE?

8

9 **WITNESS:** YES. THIS WAS AN ENTRANCE GUNSHOT WOUND OF THE LEFT
10 UPPER CHEST. WITH EXIT WOUNDS ON THE LEFT AXIL LA, WHICH IS
11 LIKE THE ARMPIT REGION. THIS WOUND PERSON RATED PERFORATED OR
12 WENT THROUGH THE LEFT LUNG, AND WAS ASSOCIATED WITH LEFT
13 HEMOTHORAX.

14

15 **WITNESS:** I NOTE YOU IDENTIFY THE ENTRANCE AS GUNSHOT WOUND A,
16 IS THAT CORRECT?

17

18 **WITNESS:** GUNSHOT WOUND A, G AS IS IN GOAT, AND I.

19

20 **WITNESS:** CAN YOU JUST VERY BRIEFLY DESCRIBE TO THE COURT TO
21 CLARIFY THE REASONS AND METHODOLOGY OF DOING SO.

22



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1 **WITNESS:** THE GUNSHOT WOUNDS NUMBERS MEANT TO INDICATE THE
2 ENTRANCE WOUND. AND THEN WITH AN ENTRANCE WOUND, YOU CAN HAVE
3 ENTRANCE AND AN EXIT ASSOCIATED WITH IT. AND SO THE PRODUCED
4 TO ANNOTATE THE ENTRANCE, AND THE EXIT WOUNDS.

5

6 **EXAMINER:** I UNDERSTAND. DOCTOR, YOU NOTICED CIRCUMFERENTIAL
7 MARGINAL ABRASION. CAN YOU PLEASE TELL THE COURT THE
8 SIGNIFICANCE OF THIS MARGINAL ABRASION?

9

10 **WITNESS:** MARGINAL ABRASION IS A CHARACTERISTIC OF AN ENTRANCE
11 GUN SHOT WOUND WHEREBY THE BULLET HAS ENTERED THROUGH THE
12 SKIN, CREATES A CHARACTER ABRASION.

13

14 **EXAMINER:** I NOTE THAT YOU SAY THAT THERE IS NO SOOT, UNBURNED
15 GUN POWDER PARTICLES OR STIPLING. WILL YOU TELL THE COURT WHAT
16 THAT MEANS.

17

18 **WITNESS:** AN ABSENCE OF THIS FEATURES IS CONSISTENT WITH
19 INDETERMINED RANGE GUN SHOT WOUND, IF THEY HAVE SOOT, STIP
20 LING OR UNBURNED GUN POWDER PARTICLES THEY WILL BE CLOSE RANGE
21 OR INTERMEDIATE RANGE GUN SHOT WOUND.

22



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1 **EXAMINER:** THANK YOU. I WANTED TO ALERT THE COURT OF SOME, AN
2 ISSUE I AM NOT SURE IF WE ARE BROADCASTING YOUR HONOR. IT
3 APPEARS THE LINE HAS GONE DARK. WE ARE TRYING TO RESOLVE THE
4 ISSUE AT THIS TIME. YOUR HONOR, I AM ADVISED WE CAN PROCEED.

5

6 **HON. CANDACE COOPER:** OKAY. THANK YOU.

7

8 **EXAMINER:** THANK YOU, DR. RUPO. I NOTE THAT, AS IT RELATES TO
9 THE FIRST GUNSHOT WOUND, NUMBER ONE, YOU IDENTIFIED -- AND
10 PLEASE CORRECT ME IF I'M WRONG -- YOU IDENTIFIED TWO EXIT
11 WOUNDS; IS THAT CORRECT??

12

13 **WITNESS:** YES.

14

15 **EXAMINER:** AND COULD YOU PLEASE EXPLAIN THE TWO EXIT WOUNDS
16 THAT YOU NOTED?

17

18 **WITNESS:** YES. THE EXIT GUN SHOT WOUNDS, THERE WERE TWO IN THIS
19 CASE. AND IT IS LIKELY BECAUSE THE BULLET STRUCK BONE, A RIB,
20 AND ONCE IT DID THAT, IT FRAGMENTED. SO TWO PIECES CAME OUT,
21 AS TWO SEPARATE EXIT WOUNDS.

22



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1 **EXAMINER:** THANK YOU. WHAT IS THE LEFT AXILIA FOR THE COURT'S
2 UNDERSTANDING?

3

4 **WITNESS:** IT IS THE REGION OF THE BODY THAT IS PROXIMAL TO WHAT
5 IS REFERRED TO AS THE ARMPIT.

6

7 **EXAMINER:** IN ADDITION, THE CRAWICKLER JOINT, PLEASE. WOULD YOU
8 PLEASE EXPLAIN THAT.

9

10 **WITNESS:** THAT IS A SHOULDER AND THE JOINT WHERE TWO BONES
11 MEET.

12

13 **EXAMINER:** NOTING THE MARGINAL ABRASION YOU DESCRIBED IN YOUR
14 REPORT, IS THERE ANY SIGNIFICANCE AS IT RELATES TO MARGINAL
15 ABRASION OF THE EXIT WOUNDS?

16

17 **WITNESS:** YET. TYPICALLY, EXIT WOUNDS DO NOT HAVE MARGINAL
18 ABRASIONS.

19

20 **EXAMINER:** AND, IN THIS CASE, YOU FOUND A MARGINAL ABRASION IN
21 THE EXIT WOUND, IS THAT CORRECT?



December 15, 2021

1

2 **WITNESS:** NO THE EXIT WOUNDS ARE UNDER THE HEADING G AND I.

3

4 **EXAMINER:** SO YOU ARE SPECIFICALLY DOCUMENTING AN ENTRANCE
5 WOUND WITH REFERENCE TO A MARGINAL ABRASION; IS THAT CORRECT??

6

7 **WITNESS:** CORRECT.

8

9 **EXAMINER:** DRAWING YOUR ATTENTION, DR. RUPO, TO THE DIAGRAMS
10 INCLUDED IN YOUR REPORT, MR. MAXIMOTO THAT IS BATES NUMBER 45,
11 PLEASE. DR. RUPO, DO YOU RECOGNIZE THIS DIAGRAM THAT IS BEFORE
12 YOU ON THE SCREEN?

13

14 **WITNESS:** YES.

15

16 **EXAMINER:** ARE THOSE YOUR HAND WRITTEN NOTES ON THE DIAGRAM,
17 SIR?

18

19 **WITNESS:** YES.

20



December 15, 2021

1 **EXAMINER:** SIR, CAN YOU READ YOUR HAND WRITTEN ENTRIES AS IT
2 RELATES TO WOUND NUMBER ONE, PLEASE.

3

4 **WITNESS:** YES. ON THE LEFT UPPER CHEST, 15 INCHES FROM THE TOP
5 OF THE HEAD, TWO INCHES RIGHT OF INTERIOR MIDLINE AND 2.25
6 INCHES SUPERIOR AND MEDIAL TO THE LEFT NIPPLE IS A 0.25 INCH
7 ENTRANCE GUNSHOT WOUND WITH A DIRECTION OF FRONT TO BACK,
8 RIGHT TO LEFT, AND DOWNWARD.

9

10 **EXAMINER:** ALL RIGHT. AND THAT, DR. RUPO, ON YOUR DIAGRAM, AND
11 FOR MR. MAXIMOTO'S ASSISTANCE, THAT IS ENTRANCE GSWA ON THE
12 LEFT-HAND SIDE. THAT IS CORRECT. THANK YOU, MR. MAXIMOTO. DR.
13 RUPO; IS THAT CORRECT? DOES THAT REFLECT YOUR HAND WRITTEN
14 NOTES IN HIGHLIGHT THERE?

15

16 **WITNESS:** YES.

17

18 **EXAMINER:** THANK YOU. WOULD YOU PLEASE DESCRIBE THE WOUND
19 COURSE, DR. RUPO, AND THE RESULTANT DAMAGE TO THE INTERNAL
20 TISSUES YOU NOTED.

21



December 15, 2021

1 **WITNESS:** YES. THE ENTRANCE GUN SHOT WOUND WENT TO THE SKIN OF
2 THE LEFT UPPER CHEST, IT WENT THROUGH A RIB, IT WENT THROUGH
3 THE LEFT LUNG, AND THEN EXITED OUT THE AXILA AND THE BACK.

4

5 **EXAMINER:** AND THE ASSOCIATED INJURIES ON BATES NUMBER 29, MR.
6 MAXIMOTO, YOU REFLECTED THAT PERFORATED LEFT LUNG LOBE AND
7 ALSO RESULTED IN A HEMOTHORAX; IS THAT CORRECT?

8

9 **WITNESS:** YES.

10

11 **EXAMINER:** WHAT ARE THE PHYSIOLOGICAL EFFECTS TO THE BODY AFTER
12 SUSTAINING A WOUND SIMILAR TO GUN SHOT WOUND NUMBER ONE AND
13 SPECIFICALLY WHEN A BULLET TAKES A PATH THROUGH RIBS AND THE
14 LEFT LOWER LUNG.

15

16 **WITNESS:** THERE IS A BLOOD LOSS AND BLOOD IS NEEDED TO SUSTAIN
17 LIFE. THE FUNCTION OF THE LUNG IS ALSO COMPROMISED AND
18 THEREFORE OXYGEN DEPRIVATION CAN OCCUR THROUGH THAT MECHANISM.
19 SO COLLECTIVELY, THAT IS HOW THESE WOUNDS ARE, THIS WOUND IS
20 LETHAL.

21



December 15, 2021

1 **EXAMINER:** SO, OKAY. SO THIS HAS INDEPENDENT LETHAL CAPACITY
2 AGAIN; IS THAT CORRECT?

3

4 **WITNESS:** YES.

5

6 **EXAMINER:** REDRAWING YOUR ATTENTION TO BATES NUMBER 45, MR.
7 MAXIMOTO. YOU INDICATE THE DIRECTION OF THE GUN SHOT WOUND, OR
8 THE BULLET WENT DOWNWARD, IS THAT SUBSTANTIALLY CORRECT.

9

10 **WITNESS:** YES

11

12 **EXAMINER:** SIR, CAN PROVIDE A MORE SPECIFIC DESCRIPTION OF THE
13 TRAJECTORY, IF YOU CAN.

14

15 **WITNESS:** I AM UNABLE TO MAKE ANY OTHER FURTHER COMMENTS OTHER
16 THAN DOWNWARD.

17

18 **EXAMINER:** SO IT IS SIMPLY A DOWNWARD INJURY THROUGH THE BODY;
19 IS THAT CORRECT?

20



December 15, 2021

1 **WITNESS:** CORRECT, WITH THE OTHER TWO COMPONENTS BEING A FRONT
2 TO BACK AND RIGHT TO LEFT.

3

4 **EXAMINER:** OKAY. AND DR. RUPO, ARE YOU PREPARED TO TESTIFY, IF
5 YOU CAN, AS TO ANY POTENTIAL POSITION OF MR. HERERRA'S BODY AT
6 THE TIME HE SUSTAINED GUN SHOT WOUND NUMBER ONE.

7

8 **WITNESS:** THERE ARE SEVERAL POSITIONS THAT CAN BE CONSISTENT
9 WITH THIS GUN SHOT WOUND. I AM UNABLE TO RULE OUT MANY
10 CIRCUMSTANCES, HOWEVER, I CAN DETERMINE IF A SCENARIO IS
11 CONSISTENT WITH THIS WOUND.

12

13 **EXAMINER:** ASSUMING YOUR ANATOMICAL FINDINGS OF THE GUN SHOT
14 WOUND, COULD MR. HERERRA HAVE BEEN BENDING AT THE WAIST WHEN
15 HE SUSTAINED GUN SHOT WOUND, OR ENTRANCE WOUND A?

16

17 **WITNESS:** YES.

18

19 **EXAMINER:** AND NOW DRAWING YOUR ATTENTION TO GUN SHOT WOUND
20 NUMBER 10 AND THESE ARE THE TWO, AND PLEASE CORRECT ME IF I'M
21 WRONG, THESE ARE THE TWO WOUNDS YOU IDENTIFIED WITH
22 INDEPENDENT LETHAL CAPACITY. IS THAT CORRECT.



December 15, 2021

1

2 **WITNESS:** CORRECT.

3

4 **EXAMINER:** AND MR. MATSIMOTO, MAY I ASK YOU TO BRING UP BATES
5 NUMBER 36. DR. RUPO, AS YOUR REPORT REFERENCES GUNSHOT WOUND
6 NUMBER 10, WOULD YOU DESCRIBE THAT WOUND, PLEASE.

7

8 **WITNESS:** YES. THIS IS AN ENTRANCE TO GUN SHOT WOUND OF THE
9 RIGHT UPPER BACK, LABELLED GSWK. THE GUN SHOT WOUND PERFORATED
10 THE SKIN OF THE RIGHT UPPER BACK, AND PERFORATED THE RIGHT
11 LOWER LUNG LOBE AND ALSO PERFORATED THE LIVER. THIS WAS
12 ASSOCIATED WITH RIGHT HEMOTHORAX AND ALSO A RIGHT PNEUMO
13 THORAX.

14

15 **EXAMINER:** AND JUST BRIEFLY, INTERCOSTAL SPACE, WHAT DOES THAT
16 MEAN, PLEASE.

17

18 **WITNESS:** IT IS THE SPACE IN BETWEEN THE RIBS AS COMPRISED OF
19 MOSTLY MUSCLE.

20



December 15, 2021

1 **EXAMINER:** YOU NOTED A MARGINAL ABRASION IN GUNSHOT WOUND
2 NUMBER 10. IS IT A SIMILAR MARGINAL ABRASION TO GUN SHOT WOUND
3 NUMBER ONE, SIR?

4

5 **WITNESS:** YES.

6

7 **EXAMINER:** AND AGAIN YOU DID NOT FIND ANY SOOT OR STIP LING
8 PRESENT; IS THAT CORRECT?

9

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

11

12 **EXAMINER:** MR. MATSUMOTO WOULD YOU PLEASE REPOST BATES NUMBER
13 45. AND DRAWING YOUR ATTENTION TO BATES NUMBER 45, THE DIAGRAM
14 IN YOUR AUTOPSY REPORT, WOULD YOU KINDLY READ YOUR HAND
15 WRITTEN ENTRIES AS IT RELATES TO GUN SHOT WOUND K, PLEASE.

16

17 **WITNESS:** YES. ON THE RIGHT UPPER BACK, 16 INCHES FROM THE TOP
18 OF THE HEAD, THE THREE INCHES RIGHT OF POSTERIOR MIDLINE, AND
19 9 INCHES INFERIOR TO THE CHROMEIO CLAVICLER JOINT IS A 0.25
20 INCH ENTRANCE GUN SHOT WOUND WITH THE DIRECTION OF BACK TO
21 FRONT, RIGHT TO LEFT, AND DOWNWARD.

22



December 15, 2021

1 **EXAMINER:** YOU HAVE IDENTIFIED THIS INJURY AS BACK TO FRONT; IS
2 THAT CORRECT?

3

4 **WITNESS:** CORRECT.

5

6 **EXAMINER:** SIR, WOULD YOU PLEASE DESCRIBE FOR THE COURT THE
7 RESULTING DAMAGE TO INTERNAL TISSUES BASED UPON THIS WOUND?

8

9 **WITNESS:** YES. THE RIGHT LUNG WAS PERFORATED IN ADDITION TO THE
10 RIGHT EARLOBE, AND THIS WAS ASSOCIATED WITH A RIGHT
11 HEMOTHORAX, AND A RIGHT PNEUMO THORAX.

12

13 **EXAMINER:** BRIEFLY DESCRIBE A PNEUMO THORAX FOR THE COURT.

14

15 **WITNESS:** A PNEUMO THORAX IS A COLLAPSE OF THE LUNG.

16

17 **EXAMINER:** YOU HAVE, IN ADDITION TO THE PNEUMO THORAX, YOU HAVE
18 A HEMOTHORAX, YOU HAVE THE COLLAPSED LUNG AS WELL AS THE
19 ACCUMULATION OF BLOOD IN THE CAVITY; IS THAT CORRECT?

20

21 **WITNESS:** CORRECT.



December 15, 2021

1

2 **EXAMINER:** SIR, WOULD YOU DESCRIBE FOR THE COURT THE
3 PHYSIOLOGICAL EFFECTS TO THE BODY AFTER SUSTAINING A WOUND OF
4 THIS NATURE, PLEASE.

5

6 **WITNESS:** YES. THESE WOUNDS RESULTED IN BLOOD LOSS AND BLOOD
7 LOSS RESULTS IN REDUCED OXYGEN DELIVERY TO THE BODY, WHICH IS
8 LIFE SUSTAINING. THE RIGHT PNEUMO THORAX INDICATES THAT THE
9 LUNG IS COLLAPSED AND NOT ABLE TO FUNCTION TO INTAKE OXYGEN AS
10 EFFECTIVELY AS PRIOR TO BEING INJURED. AND SO COLLECTIVELY THE
11 PHYSIOLOGICAL EFFECT IS A LOSS OF ABILITY FOR THE BODY TO
12 DELIVER OXYGEN TO TISSUES, WHICH IS VITAL FOR SURVIVAL.

13

14 **EXAMINER:** AND DO YOU, BASED UPON THE NATURE OF THE INJURY AS
15 YOU HAVE DESCRIBED IN THE DIAGRAM, RUPO, CAN YOU TESTIFY
16 GENERALLY ABOUT THE POSITION OF MR. HERERRA AT THE TIME HE
17 SUSTAINED GUN SHOT WOUND NUMBER 10?

18

19 **WITNESS:** THERE ARE SCENARIOS THAT I CAN SAY ARE PERHAPS
20 CONSISTENT WITH THE POSITION GIVEN, BUT I WOULD SAY THAT IT IS
21 CONSISTENT WITH.

22



December 15, 2021

1 **EXAMINER:** AND IT APPEARS FROM THE DIAGRAM THAT YOU HAVE SET
2 THAT MR. HERERRA WAS SHOT IN THE BACK WITH GUN SHOT WOUND
3 NUMBER 10, IS THAT A FAIR STATEMENT.

4

5 **WITNESS:** YES.

6

7 **EXAMINER:** AND GUN SHOT WOUND K, AS K NOTATES AN ENTRANCE
8 WOUND, THAT POSSESSED INDEPENDENT LETHAL CAPACITY, INDEPENDENT
9 OF ANY OTHER SHOT, CORRECT?

10

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

12

13 **EXAMINER:** DR. RUPO, HOW MANY GUN SHOT WOUNDS DID YOU FIND THAT
14 WERE BACK TO FRONT WHEN EXAMINING MR. SAMUEL HERERRA?

15

16 **WITNESS:** FROM MY RECOLLECTION, I BELIEVE THE MAJORITY WERE
17 BACK TO FRONT. HOWEVER, I HAVE TO REVIEW THE REPORT FOR -- TO
18 REFRESH MY RECOLLECTION.

19

20 **EXAMINER:** AND, FORGIVE ME. YOU SAID THE MAJORITY OF THE SHOTS
21 WERE FROM BACK TO FRONT, BUT YOU DID NOTE, SHOTS THAT WERE
22 FRONT TO BACK; IS THAT CORRECT??



December 15, 2021

1

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

3

4 **EXAMINER:** DID YOU REVIEW MR. HERERRA'S TOXICOLOGY REPORT, DR.
5 RUPO?

6

7 **WITNESS:** YES.

8

9 **EXAMINER:** MR. MATSUMOTO, MAY I PLEASE ASK YOU TO BRING UP
10 BATES 51-52, PLEASE. DR. RUPO, HAVE YOU SEEN THIS DOCUMENT
11 BEFORE?

12

13 **WITNESS:** YES.

14

15 **EXAMINER:** DID YOU REVIEW THIS DOCUMENT IN PREPARATION FOR YOUR
16 TESTIMONY TODAY?

17

18 **WITNESS:** YES.

19

20 **EXAMINER:** WHAT ARE THE RESULTS OF MR. HERERRA'S TOXICOLOGY?

21



December 15, 2021

1 **WITNESS:** IT SHOWS THE PRESENCE OF METHAMPHETAMINE AND
2 AMPHETAMINE.

3

4 **EXAMINER:** AND SIR, ARE YOU ABLE TO TESTIFY AS TO HOW THOSE
5 DRUGS WOULD HAVE AFFECTED MR. HERERRA'S CONDUCT AT THE TIME HE
6 WAS SHOT?

7

8 **WITNESS:** HIS CONDUCT, AS A RESULT OF THIS IN HIS SYSTEM IS NOT
9 IN MY AREAS OF EXPERTISE TO DETERMINE.

10

11 **EXAMINER:** THANK YOU, DR. ROPO. YOUR HONOR, I HAVE NO FURTHER
12 QUESTIONS OF THIS WINDS.

13

14 **HON. CANDACE COOPER:** THANK YOU VERY MUCH.

15

16 **EXAMINER:** MAY HE BE EXCUSED, YOUR HONOR.

17

18 **HON. CANDACE COOPER:** YES. THANK YOU VERY MUCH, DR. RUPO, FOR
19 YOUR TIME. YOU ARE FREE TO GO. ALL RIGHT. CALL YOUR NEXT
20 WITNESS.

21



December 15, 2021

1 **EXAMINER:** THE CORONER CALLS INVESTIGATOR LIEUTENANT BRIAN KIM.

2

3 **HON. CANDACE COOPER:** OKAY. GOOD AFTERNOON, MR. KIM. CAN YOU
4 HEAR ME?

5

6 **WITNESS:** YES, MA'AM. CAN YOU HEAR ME?

7

8 **HON. CANDACE COOPER:** YES, EXCELLENT. BEFORE YOU BEGIN, I'D
9 LIKE TO SWEAR YOU IN. WOULD YOU PLEASE RAISE YOUR RIGHT HAND.
10 [SWORN IN].

11

12 **WITNESS:** YES.

13

14 **EXAMINER:** PLEASE STATE AND SPELL YOUR FULL NAME.

15

16 **WITNESS:** FIRST NAME, BRIAN, B-R-I-A-N, NO MIDDLE NAME, LAST
17 NAME, KIM. K-I-M.

18

19 **EXAMINER:** THANK YOU, YOUR HONOR. GOOD AFTERNOON, LIEUTENANT
20 KIM. HOW ARE YOU?

21



December 15, 2021

1 **WITNESS:** VERY GOOD, SIR.

2

3 **EXAMINER:** SIR, WHAT IS YOUR OCCUPATION?

4

5 **WITNESS:** I AM CURRENTLY A LIEUTENANT FOR THE SUPERVISING ONE,
6 THE LOS ANGELES COUNTY DEPARTMENT OF MEDICAL EXAMINER CORONER.

7

8 **EXAMINER:** HOW LONG HAVE YOU BEEN EMPLOY WOULD THE LOS ANGELES
9 COUNTY MEDICAL EXAMINER.

10

11 **WITNESS:** APPROXIMATELY A LITTLE MORE THAN 9 YEARS, SIR.

12

13 **EXAMINER:** SIR CAN YOU PROVIDE THE COURT WITH A DESCRIPTION OF
14 WHAT YOU DOTHERE?

15

16 **WITNESS:** ESSENTIALLY SUPERVISE, OR SUPERVISE A GROUP OF
17 INVESTIGATORS, PROFESSIONAL STAFF, AND ASSIGN CASE WORK,
18 REVIEW CASE WORK AND RESPOND TO SCENES FOR SUPPORT AS NEEDED.

19

20 **WITNESS:** SIR, HOW MANY INVESTIGATORS DO YOU TYPICALLY OVERSEE?

21



December 15, 2021

1 **WITNESS:** DURING A REGULAR MORNING, I AM ESTIMATING, 10 TO 12

2

3 **EXAMINER:** ALL RIGHT. AND SIR, DID YOU HAVE CAUSE TO

4 INVESTIGATE THE DEATH OF MR. SAMUEL HERERRA?

5

6 **WITNESS:** NOT INVESTIGATE, BUT RESPOND TO THE SCENE, SIR.

7

8 **EXAMINER:** AND SIR, AT THE TIME THAT YOU RESPONDED TO THE

9 SCENE, DO YOU RECALL WHAT YOU OBSERVED WHEN YOU FIRST ARRIVED?

10

11 **WITNESS:** YES, SIR.

12

13 **EXAMINER:** PLEASE TELL THE COURT WHAT YOUR OBSERVATIONS WERE.

14

15 **WITNESS:** ON THAT EVENING WHEN I RESPONDED OUT, IT APPEARS TO

16 BE A PRIVATE, OR A RESIDENCE, WITH A LONG DRIVEWAY, FROM WHAT

17 I CAN RECALL, POSSIBLY A DETACHED GARAGE, A HOME. AND ON THE

18 DRIVEWAY, WHERE THE DECEASED INDIVIDUAL WAS, THERE WAS A

19 BARRIER TO COVER, TO RESPECTFULLY COVER THE INDIVIDUAL'S BODY,

20 AROUND THAT, AROUND THE PERIMETER OF THE BARRIER WERE VARIOUS

21 DETECTIVES AND PERSONNEL.



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1

2 **EXAMINER:** WHAT DID YOU BURFB AT THE TIME YOU BURFB AT THE
3 SCENE?

4

5 **WITNESS:** THE FIRST DEGREE

6

7 **EXAMINER:** DID YOU NOTICE ANY MEDICAL PERSONNEL AT THE SCENE.

8

9 **WITNESS:** NO, SIR.

10

11 **EXAMINER:** HAD ANY OF THE STRUCTURE BEEN BURNED AT THE TIME YOU
12 ARRIVED ON THE SCENE?

13

14 **WITNESS:** FROM MY RECOLLECTION, NO. NO, I CAN'T REMEMBER, SIR.

15

16 **EXAMINER:** AND SIR, DO YOU HAVE ANY UNDERSTANDING AS TO WHAT
17 BROUGHT THE SHERIFF'S DEPARTMENT TO MR. HERRERA'S LOCATION AT
18 THE TIME OF HIS DEATH?

19

20 **WITNESS:** FROM WHAT I RECALL, SIR, IT APPEARS TO HAVE BEEN IN
21 RESPONSE TO THE SUSPECT, THE INDIVIDUAL, HAD BARRICADED



December 15, 2021

1 HIMSELF INSIDE OF HIS RESIDENCE. AND SO DEPUTIES HAD RESPONDED
2 TO THE KEEN AND THAT'S WHEN THE SHOOTING OCCURRED BETWEEN BOTH
3 THE DECEASED INDIVIDUAL AND THE RESPONDING PERSONNEL.

4

5 **EXAMINER:** DID YOU OBSERVE MR. HERRERA'S BODY AT THE TIME OF
6 YOUR ARRIVAL?

7

8 **WITNESS:** YES, SIR

9

10 **EXAMINER:** WHAT DID YOU SEE, SIR, ON MR. HERRERA'S BODY?

11

12 **WITNESS:** FROM MY RECOLLECTION, HE WAS LYING PRONE ON THE
13 DRIVEWAY, HANDCUFFED WITH HIS HANDS BEHIND HIS BACK.

14

15 **EXAMINER:** DID YOU SEE, OR DID YOU OBSERVE ANY WOUNDS ON MR.
16 HERRERA'S BODY?

17

18 **WITNESS:** INITIALLY, NO. AS CLOTHING WAS SLOWLY REMOVED, THERE
19 APPEARED TO BE CIRCULAR SHAPED WOUNDS ON HIS BODY

20



December 15, 2021

1 **EXAMINER:** DID YOU OBSERVE ANY LACERATIONS OR BRUISING AT THE
2 TIME YOU OBSERVED MR. HERRERA'S BODY?

3

4 **WITNESS:** NOT MY POSITION FROM THE LIGHTING, SIR. NOT THAT I
5 CAN RECALL.

6

7 **EXAMINER:** DID YOU OBSERVE INDIVIDUALS REMOVE MR. HERRERA'S
8 CLOTHING AT THE TIME YOU ARRIVED?

9

10 **WITNESS:** NOT THAT I CAN REMEMBER, SIR. AT THE BODY EXAMINATION,
11 CERTAINLY CLOTHING WAS REMOVED OR UNCOVERED

12

13 **EXAMINER:** THIS IS AT SCENE; IS THAT CORRECT? SIR.

14

15 **WITNESS:** YES, SIR.

16

17 **EXAMINER:** WAS THAT BY PARAMEDICS, SIR.

18

19 **WITNESS:** NO, SIR.

20



December 15, 2021

1 **EXAMINER:** DO YOU KNOW WHO REMOVED MR. HERRERA'S CLOTHING THAT
2 YOU OBSERVED?

3

4 **WITNESS:** IT WOULD HAVE BEEN INVESTIGATOR TARDY.

5

6 **EXAMINER:** DO YOU KNOW IF ANY WEAPONS WERE FOUND AT THE SCENE,
7 MR. KIM?

8

9 **WITNESS:** NO, SIR.

10

11 **EXAMINER:** HOW MANY, APPROX APPROXIMATELY HOW MANY SHERIFF'S
12 DEPARTMENT PERSONNEL DID YOU OBSERVE WHEN YOU ARRIVED AT THE
13 SCENE?

14

15 **WITNESS:** I DO NOT RECALL THE EXACT NUMBER, BUT MY APPROXIMATE,
16 MY BEST NUMBER IS 4 TO 5 INDIVIDUALS.

17

18 **EXAMINER:** DID YOU OBSERVE ANY OTHER PERSONNEL FROM ANY OTHER
19 AGENCY AT THE SCENE?

20



December 15, 2021

1 **WITNESS:** YES INVESTIGATOR TARDY FROM OUR DEPARTMENT, THE
2 CORONER DEPARTMENT.

3

4 **EXAMINER:** AND DID YOU OBSERVE MS. TARDY SPEAK WITH LOS ANGELES
5 COUNTY DETECTIVES OR DID YOU SPEAK WITH L.A. COUNTY
6 DETECTIVES?

7

8 **WITNESS:** I RECALL HER SPEAKING TO DETECTIVES AND I RECALL
9 MYSELF SPEAKING TO SOME DETECTIVES AS WELL.

10

11 **EXAMINER:** DO YOU RECALL THE SUBSTANCE WITH ANY LOS ANGELES
12 COUNTY DETECTIVE PERSONNEL?

13

14 **WITNESS:** FROM WHAT I CAN REMEMBER, QUESTIONS INCLUDED WHY I
15 WAS OUT THERE AND WHAT INVESTIGATOR TARDY WOULD DO IN TERMS OF
16 COLLECTION OF ANY TYPE OF EVIDENCE.

17

18 **EXAMINER:** TO YOUR KNOWLEDGE, WHAT TYPE OF EVIDENCE COLLECTION
19 DID INVESTIGATOR TARDY PERFORM?

20

21 **WITNESS:** INVESTIGATOR TARDY COLLECTED FINGERNAIL EVIDENCE, HAIR
22 EVIDENCE, AND A GUNSHOT RESIDUE KIT



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1

2 **EXAMINER:** AT THE TIME OF YOUR ARRIVAL, AT MR. HERRERA'S
3 SCENE, DID YOU HAVE, OR DID MS. TARDY HAVE THE OPPORTUNITY TO
4 SPEAK WITH ANY OTHER WITNESSES, OTHER THAN LOS ANGELES
5 SHERIFF'S PERSONNEL?

6

7 **WITNESS:** NO, SIR, NOT THAT I CAN RECALL.

8

9 **EXAMINER:** WHEN YOU WERE ON SCENE, LIEUTENANT KIM, DID YOU NOTE
10 ANYTHING UNUSUAL OR UNREMARKABLE ABOUT THE SCENE OF MR.
11 HERRERA'S DEATH?

12

13 **WITNESS:** NOT THAT I CAN RECALL SIR.

14

15 **EXAMINER:** DID YOU NOTE ANYTHING USUAL OR REMARKABLE ABOUT MR.
16 HERRERA'S BODY WHEN YOU OBSERVED HIS BODY?

17

18 **WITNESS:** ACTUALLY, SIR, FROM WHAT I CAN REMEMBER THERE WAS DARK
19 DISCOLORATION AROUND HIS HANDS AND ARMS

20

21 **EXAMINER:** FORGIVE ME, SIR, I DIDN'T HEAR YOUR RESPONSE.



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1

2 **WITNESS:** DARK DISCOLORATION FROM WHAT I CAN REMEMBER

3

4 **EXAMINER:** OF HIS HANDS?

5

6 **WITNESS:** BOTH HANDS AND ARMS, YES, SIR

7

8 **EXAMINER:** IN YOUR EXPERIENCE DID YOU HAVE AN OPINION AS TO
9 WHAT CAUTZED THE DARK DISCOLORATION OF MR. HERRERA'S HANDS AND
10 ARMS?

11

12 **WITNESS:** NO, SIR.

13

14 **EXAMINER:** DO YOU NOTE WHETHER OR NOT INVESTIGATOR TARDY USED A
15 GSR KIT?

16

17 **WITNESS:** YES, SHE DID.

18

19 **EXAMINER:** AND FOR THE COURT'S KNOWLEDGE, WHAT IS A GSR KIT,
20 PLEASE.

21



December 15, 2021

1 **WITNESS:** A GUN SHOT RESIDUE KIT IS UTILIZED, MOST OF THE TIME
2 TWO VIALS IN THE KIT, THE KIT IS OPENED AT THE INVESTIGATOR AT
3 THE SCENE, ONE IS USED FOR FACE, THE OTHER VIAL CAN BE USED,
4 FOR EXAMPLE, TO DAB BOTH HANDS OR A HAND. AND IN THE END,
5 THESE VIALS WILL BE TESTD FOR THE PRESENCE OF ANY GUN SHOT
6 POWDER RESIDUE.

7

8 **EXAMINER:** DO YOU HAVE ANY KNOWLEDGE WHETHER GUN SHOT RESIDUE
9 WAS LOCATED ON MR. HERRERA'S BODY?

10

11 **WITNESS:** NO, SIR, I DO NOT.

12

13 **EXAMINER:** YOUR HONOR, I HAVE NO FURTHER QUESTIONS OF
14 LIEUTENANT KIM. MAY LIEUTENANT KIM BE EXCUSED, YOUR HONOR?

15

16 **HON. CANDACE COOPER:** LIEUTENANT KIM, THAT CONCLUDES YOUR
17 EXAMINATION FOR TODAY. YOU MAY BE EXCUSED, THANK YOU.

18

19 **WITNESS:** THANK YOU, MA'AM. THANK YOU, SIR.

20

21 **EXAMINER:** THANK YOU, YOUR HONOR. I HAVE ONE MORE MATTER I WISH
22 TO BRING TO THE COURT'S ATTENTION, YOURP. IT IS THE COURT'S



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1 INTENTION TO EXAMEGE DR. JOHN HISERAT AT THIS TIME, AND IT IS
2 SPELLED H-I-S-E-R-O-D-T, M-D. MR. MATSUMOTO, WOULD YOU KINDLY
3 BRING UP BATES NUMBER 111-112, PLEASE. YOUR HONOR, MR. MR.
4 HISERODT WAS SERVED WITH WITH THE CORONER'S SUBPOENA, HE IS
5 NOT HERE TODAY AND I WANTED TO BRING THAT TO THE COURT'S
6 ATTENTION.

7

8 **HON. CANDACE COOPER:** OKAY, THANK YOU. I SEE IT ON THE SCREEN,
9 AGAIN. AND NOW THIS SUBPOENA APPEARS TO BE IN PROPER ORDER AND
10 PROPERLY SERVED ON DR. HISEROT. I WILL SAY INTEREST THE RECORD
11 I HAVE NO EXPLANATION FOR HIS FAILURE TO APPEAR, NO EXCUSS ARE
12 NOT PROVIDED, I HAVE NO REASON OR UNDERSTANDING OF WHY HE IS
13 NOT APPEARING AND NOT AVAILABLE TODAY IN RESPONSE TO WHAT
14 APPEARS TO BE A VALIDLY SERVED SUBPOENA.

15

16 **EXAMINER:** I ASK THE COURT TO RECEIVE THIS INTO EVIDENCE AND
17 THE OTHER SUBPOENA AS IT RELATES TO THE KIZZEE MATTER AS WELL.

18

19 **HON. CANDACE COOPER:** THAT IS RECEIVED.

20

21 **EXAMINER:** I HAVE NOTHING FURTHER.

22



December 15, 2021

1 **HON. CANDACE COOPER:** OKAY, THANK YOU. ARE YOU HANDLING THE
2 NEXT WITNESS?

3

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

5

6 **HON. CANDACE COOPER:** OKAY. A A

7

8 **EXAMINER:** GOOD AFTERNOON, YOUR HONOR. THE CORONER CALLS DAVID
9 SALAZAR.

10

11 **HON. CANDACE COOPER:** OKAY, MR. SALAZAR IS CALLED.

12

13 **EXAMINER:** YOUR HONOR, I AM GOING TO GO AND CHECK ON THE STATUS
14 OF THE WITNESS, IF I MAY HAVE A MOMENT. YOUR HONOR, WE ARE IN
15 THE PROCESS OF GETTING THE WITNESS BACK ON TO ZOOM.

16

17 **HON. CANDACE COOPER:** OKAY. HELLO, MR. SALAZAR, CAN YOU HEAR ME
18 ME?

19

20 **WITNESS:** YES, I CAN.

21



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1 **HON. CANDACE COOPER:** PLEASE TAKE A SEAT SO WE CAN SEE YOUR
2 FACE. I BELIEVE THAT WILL WORK. WOULD YOU PLEASE RAISE YOUR
3 RIGHT HAND TO BE SWORN. MR. SALAZAR, WOULD YOU PLEASE RAISE
4 YOUR RIGHT HAND TO BE SWORN. [WITNESS SWORN IN].

5

6 **WITNESS:** YES.

7

8 **EXAMINER:** PLEASE STATE AND SPELL YOUR FULL NAME FOR US.

9

10 **WITNESS:** DANIEL SALAZAR, D-A-N-I-E-L SALAZAR, S-A-L-A-Z-A-R.

11

12 **EXAMINER:** THANK YOU. WE HAVE SOME QUESTIONS FOR YOU.

13

14 **EXAMINER:** GOOD AFTERNOON, MR. SALAZAR.

15

16 **WITNESS:** GOOD AFTERNOON, MA'AM.

17

18 **EXAMINER:** ARE YOU AN EMPLOYEE OF THE COMPTON FIRE DEPARTMENT?

19

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



December 15, 2021

1

2 **EXAMINER:** AND HOW LONG HAVE YOU BEEN EMPLOYED BY THE COMPTON
3 FIRE DEPARTMENT? P

4

5 **WITNESS:** 16 YEARS.

6

7 **EXAMINER:** AND WHAT IS YOUR CURRENT POSITION?

8

9 **WITNESS:** FIREFIGHTER/PARAMEDIC.

10

11 **EXAMINER:** AND HOW LONG HAVE YOU HELD THAT POSITION?

12

13 **WITNESS:** 12 YEARS.

14

15 **EXAMINER:** WERE YOU ON DUTY ON SEPTEMBER 10TH, 2020?

16

17 **WITNESS:** YES.

18

19 **EXAMINER:** AND WHAT WAS YOUR JOB ON SEPTEMBER 10TH, 2020?

20



December 15, 2021

1 **WITNESS:** I WAS A COUNTY FIREFIGHTER/PARAMEDIC.

2

3 **EXAMINER:** ON THAT DAY WERE YOU DISPATCHED TO 516 SOUTH
4 BRADFIELD AVENUE IN COMPTON?

5

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

7

8 **EXAMINER:** DO YOU RECALL APPROXIMATELY WHAT TIME YOU WERE
9 DISPATCHED?

10

11 **WITNESS:** RIGHT AROUND 6, A LITTLE BEFORE 6:00 IN THE MORNING.

12

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

15

16 **WITNESS:** I INITIALLY TO STAGE OUT, BEFORE APPROACHING THE
17 SCENE.

18

19 **EXAMINER:** SO AT THE TIME THAT YOU RESPONDED TO THIS LOCATION,
20 WERE YOU AWARE THAT THERE HAD BEEN A DEPUTY-INVOLVED SHOOTING?

21



December 15, 2021

1 **WITNESS:** NOT TOO MANY DETAILS, JUST, I GUESS, A STAGE OUT FOR
2 SOME TYPE OF POLICE ACTIVITY, (NOT TOO MANY DETAILS ON WHAT
3 IT WAS AT THAT TIME.

4

5 **EXAMINER:** AND WHEN YOU USE THE TERM STAGE OUT, WHAT DOES THAT
6 MEAN?

7

8 **WITNESS:** THAT MEANS TO WAIT, ACTUALLY, RESPOND TO THE ADDRESS
9 AND THEN STAGE OUT EITHER TWO OR THREE BLOCKS PRIOR TO
10 ARRIVING AT THE ADDRESS UNTIL WE GET AN ALL CLEAR FROM PD,
11 THROUGH OUR DISPATCH CENTER.

12

13 **EXAMINER:** SO YOU ARE ESSENTIALLY WAITING FOR FURTHER
14 INSTRUCTIONS FROM THE LAW ENFORCEMENT AGENCY?

15

16 **WITNESS:** CORRECT.

17

18 **EXAMINER:** AND APPROXIMATELY HOW LONG WERE YOU STAGED OUT, AS
19 YOU PUT IT?

20



December 15, 2021

1 **WITNESS:** I WON'T BE ABLE TO GIVE YOU, LIKE, AN ACCURATE TIME.
2 BUT IT WAS LONGER THAN OUR NORMAL STAGE TIME. MORE THAN 10
3 MINUTES, IF I RECALL CORRECT.

4

5 **EXAMINER:** WOULD YOU SAY THAT IT WAS LESS THAN 30 MINUTES?

6

7 **WITNESS:** I DON'T RECALL THE EXACT TIME.

8

9 **EXAMINER:** AND NOW, AT SOME POINT, YOU WERE -- YOU SAW MR.
10 HERRERA; RIGHT?

11

12 **WITNESS:** YES.

13

14 **EXAMINER:** WHAT DID YOU OBSERVE WHEN YOU ARRIVED AND SAW MR.
15 HERERRA'S BODY?

16

17 **WITNESS:** WHEN I ARRIVED, IT WAS A FEW MINUTES AFTER THEY
18 REQUESTED PARAMEDICS TO RESPOND TO WHERE HE WAS AT. AND WHEN
19 WE ARRIVED, OR WHEN I WALKED UP TO THE SCENE, HE WAS ACTUALLY
20 HANDCUFFED IN A PRONE POSITION AND HAD SIGNIFICANT BURN
21 INJURIES TO HIS EXTREMITIES AND WHICH MEANS HIS ARMS AND HIS
22 FACE.



December 15, 2021

1

2 **EXAMINER:** SO YOU SAID WHEN FIRST SAW HIM HE WAS HANDCUFFED IN
3 A PRONE POSITION, THIS MEANS HE WAS FACE DOWN, CORRECT?

4

5 **WITNESS:** CORRECT.

6

7 **EXAMINER:** AND AT THAT POINT AFTER YOU SAW MR. HERRERA'S BODY,
8 WHAT DID YOU DO?

9

10 **WITNESS:** I CHECKED FOR ANY CARDIAC ACTIVITY MANUALLY, THROUGH
11 THE CAROTID OR THE NECK. AND ONCE I IDENTIFIED THAT THERE WAS
12 NO ACTUAL PALPABLE HEART BEAT, WE PLACED HIM ON A MONITOR TO
13 SEE IF THERE WAS ANY CARDIAC ACTIVITY AND WHILE THAT WAS GOING
14 ON WE TRIED TO IDENTIFY WHAT WERE THE LAND MARKS, OF WHERE HE
15 SUSTAINED THE INJURIES FROM.

16

17 **EXAMINER:** SO DID YOU OBSERVE ANY GUN SHOT WOUNDS ON HIS BODY?

18

19 **WITNESS:** YES

20

21 **EXAMINER:** DO YOU RECALL APPROXIMATELY HOW MANY?



December 15, 2021

1

2 **WITNESS:** NO. AFTER REVIEWING THE DOCUMENTATION, WE DID ACCOUNT
3 FOR 11 PENETRATING WOUNDS, APPROXIMATELY -- EXCUSE ME,
4 APPROXIMATELY 11 PENETRATING WOUNDS.

5

6 **EXAMINER:** DO YOU RECALL THE GENERAL LOCATION OF THESE WOUNDS?

7

8 **WITNESS:** THEY WERE PRIMARILY THE TORSO AND ON HIS EXTREMITIES
9 OR ARMS.

10

11 **EXAMINER:** AND YOU MENTIONT THAT MR. HERRERA HAD BURN MARKS,
12 DID YOU NOTES ANY MARKS OTHER THAN ON HIS ARMS OR HIS LEGS?

13

14 **WITNESS:** NO. IT WAS ACTUALLY ON HIS ARMS AND ON HIS FACE, NOT
15 LEGS.

16

17 **EXAMINER:** TO YOUR KNOWLEDGE, HAD MR. HERRERA'S BODY BEEN MOVED
18 BEFORE YOU ARRIVED?

19



December 15, 2021

1 **WITNESS:** YES, APARENTLY FROM THE LOCATION WHERE HE WAS
2 INITIALLY ENGAGED WITH THE DEPUTIES, IT WAS RIGHT NEXT TO THE
3 STRUCTURE THAT WAS BURNING. SO HE WAS MOVED.

4

5 **EXAMINER:** AND WHEN YOU REACHED MR. HERRERA, YOU ASSESSED
6 WHETHER HIS INJURIES COULD BE TREATED AND ULTIMATELY
7 DETERMINED THAT HE WAS DECEASED, CORRECT?

8

9 **WITNESS:** CORRECT.

10

11 **EXAMINER:** AND THEN WHAT DID YOU DO ONCE YOU DETERMINED THAT
12 MR. HERRERA WAS DECEASED?

13

14 **WITNESS:** ONCE WE DETERMINED HE WAS DECEASED, JUST TRIED TO
15 IDENTIFY AS MANY PENETRATING INJURIES AS I WAS ABLE TO OBSERVE
16 WITHOUT MOVING THE BODY TOO MUCH. AND ONCE I DID THAT, THEN
17 ACTUALLY, I HAD GIVEN THE PRONOUNCEMENT TIME AND THAT
18 PRONOUNCEMENT TIME WAS ON THE DOCUMENT, AND I DON'T RECALL
19 EXACTLY WHAT IT WAS.

20

21 **EXAMINER:** ONCE YOU PRONOUNCE MR. HERRERA DEAD YOU ULTIMATELY
22 LEFT THE SCENE; CORRECT?



December 15, 2021

1

2 **WITNESS:** WE DID LEAVE THE SCENE HE WAS AT, CORRECT

3

4 **WITNESS:** I AM SORRY, YOU DID OR DID NOT?

5

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

7

8 **EXAMINER:** AND DID YOU SEE A GUN ANYWHERE NEAR MR. HERERRA'S
9 BODY?

10

11 **WITNESS:** NOT FROM HIS LOCATION, NO.

12

13 **EXAMINER:** A GUN ANYWHERE DURING YOUR TIME AT THE SCENE?

14

15 **WITNESS:** WE DID SEE, I GUESS, BURNS OR THE REMAINS OF WHAT
16 APPEAR TO BE GUNS, AND AT ONCE WE WERE EXTINGUISHING THE
17 GARAGE FIRE AND ALSO BECAUSE THERE WAS REPORTS OF OTHER
18 POSSIBLE PEOPLE IN THE HOUSE, AND WE DID MAKE ENTRY TO HIS
19 PRIMARY RESIDENCE AS WELL AND I DID NOTICE THAT THERE WERE
20 OTHER ITEMS THERE AS WELL.

21



December 15, 2021

1 **EXAMINER:** AND THIS IS IN THE COURSE OF YOUR DEPARTMENT'S
2 DETERMINATION OF, ONE, HOW TO PUT OUT THE FIRE, AND TWO, IF
3 THERE WERE ANY OTHER PEOPLE IN DANGER BECAUSE OF THE FIRE; IS
4 THAT CORRECT??

5

6 **WITNESS:** CORRECT.

7

8 **EXAMINER:** DID YOU HAVE ANY CONVERSATIONS WITH ANY EMPLOYEES OF
9 THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT AT THE SCENE OF
10 THE SHOOTING?

11

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

13

14 **EXAMINER:** DID ANYONE MAKE ANY STATEMENTS OF HOW THE SHOOTING
15 HAD OCCURRED?

16

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

18

19 **EXAMINER:** IS THERE ANYTHING ELSE THAT WE HAVE NOT DISCUSSED
20 ALREADY THAT YOU FEEL IS REVELABOUT TO THE CIRCUMSTANCE,
21 CAUSE, AND MANNER OF MR. MR. HERRERA'S DEATH?



December 15, 2021

1

2 **WITNESS:** I THINK IT IS JUST ELABORATING A LITTLE BIT MORE ON
3 THE ACCESS TO THE PROPERTY ONCE WE WERE GIVEN THE CLEAR TO
4 ENTER, IT WAS ACTUALLY MY INITIAL APPROACH WAS ON THE OPPOSING
5 SIDE, OR ON THE REAR OF THE PROPERTY. THE PRIMARY GOAL AT THAT
6 TIME, SINCE THEY WERE UNSURE IF THERE WERE ANY VICTIMS OR NOT,
7 WAS TO MITIGATE THE GARAGE FIRE FROM POTENTIALLY SPREADING TO
8 OTHER RESIDENCES AND STRUCTURES. AND SOMETIME AFTER THAT TIME,
9 AFTER WE ENGAGED, WHICH WAS A SIGNIFICANT AMOUNT OF TIME AFTER
10 WE WERE STAGING, THEY REQUESTED PARAMEDICS -- DROP IN AUDIO --
11 AND MYSELF, AND TRYING TO MAKE OUR WAY ALL AROUND THE BLOCK TO
12 EVENTUALLY REACH THE -- DROP IN AUDIO.

13

14 **EXAMINER:** ARE YOU STILL THERE?

15

16 **WITNESS:** HELLO?

17

18 **EXAMINER:** WE CAN HOOR HEAR YOU NO NOW. WE HEARD THE PORTION OF
19 YOUR STATEMENT, WHEN YOU ENTERED THE PROPERTY, AND THEN I
20 THINK WE LOST YOU AFTER THAT.

21



December 15, 2021

1 **WITNESS:** YEAH. NO PROBLEM. SO ONCE WE ACTUALLY MADE ACCESS
2 INTO THE PROPERTY, WHERE THE GARAGE WAS ACTUALLY LOCATED,
3 THERE WERE CONDITIONS AND A LOT OF OTHER ISSUES THAT ALLOWED
4 US TO GAIN ACCESS, OR FULL ACCESS TO THAT PROPERTY, EVEN AFTER
5 THE SCENE WAS DEEMED SAFE FROM ANY THREATS OUTSIDE OF THE
6 STRUCTURAL FIRE.

7

8 **WITNESS:** OKAY. IS THERE ANYTHING ELSE THAT YOU CAN THINK OF,
9 THAT WE HAVEN'T DISCUSSED THAT YOU FEEL IS RELEVANT TO THE
10 CIRCUMSTANCE, CAUSE, AND MANNER OF DEATH?

11

12 **WITNESS:** NOT IN REGARDS TO THE MANNER AND DEATH, JUST OVERALL,
13 WHERE HIS LOCATION, HE ACTUALLY ENDED UP BREACHING THE GARAGE
14 FROM THE REAR PORTION OF IT, THAT HAD ACCESS TO THE PROPERTY
15 WHERE HE WAS AT. AND OTHER RELEVANT INFORMATION TO HIS MANNER
16 OF DEATH, NO, I DON'T.

17

18 **EXAMINER:** YOUR HONOR, I HAVE NO NO FURTHER QUESTIONS FOR THIS
19 WITNESS.

20

21 **HON. CANDACE COOPER:** MR. SALAZAR, THANK YOU VERY MUCH. THAT
22 CONCLUDES YOUR EXAMINATION FOR TODAY. YOU ARE FREE TO GO.



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1

2 **WITNESS:** YOU ARE VERY WELCOME.

3

4 **HON. CANDACE COOPER:** THANK YOU VERY MUCH.

5

6 **WITNESS:** THANK YOU, MA'AM.

7

8 **HON. CANDACE COOPER:** OKAY. SO NEXT IN ORDER, WE ARE GOING TO
9 DO THE DECLARATIONS OR THE VIDEO NEXT?

10

11 **WITNESS:** DECLARATIONS, YOUR HONOR.

12

13 **EXAMINER:** WE HAVE ONE STATEMENT. AND BEFORE WE PROCEED, I
14 WOULD NOTE THAT THE L.A. COUNTY SHERIFF'S DEPARTMENT HAS
15 PROVIDED ME WITH SUBPOENAED RECORDS IN THE FORM OF A PASSWORD
16 ENCRYPTED ZIP DRIVE IN ADVANCE OF TODAY'S PROCEEDINGS. I WILL
17 REVIEW THOSE RECORDS IN ORDER TO REACH MY FINAL CONCLUSIONS.
18 HOWEVER, THESE RECORDS, THESE SEPARATE ZIP DRIVES WILL REMAIN
19 EXCLUDED FROM THE PUBLIC RECORD, PURSUANT TO CALIFORNIA
20 GOVERNMENT CODE SECTION 24-298. WHAT ARE WE GOING TO DO NEXT,
21 IS IT GOING TO BE -- DECLARATIONS, OR THE VIDEO? VIDEO? OKAY.
22 IN ADDITION, THE CORONER REVIEWED PUBLICLY AVAILABLE CRITICAL



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1 INCIDENT BRIEFING VIDEO RELEASED BY THE LOS ANGELES COUNTY
2 SHERIFF'S DEPARTMENT REGARDING THE SHOOTING INCIDENT AND
3 INVESTIGATION INTO THE DEATH OF MR. HERRERA. I AM GOING TO
4 PLAY THE VIDEO AT TODAY'S PROCEEDINGS. THE VIDEO PROVIDES SOME
5 DETAILS PERTAIN TO THE CIRCUMSTANCE SURROUNDING MR. HERRERA'S
6 DEATH. BEFORE WE PLAY THE VIDEO I WANT TO INFORM THE AUDIENCE
7 THAT THE VIDEO CONTAINS PHOTOGRAPHS OF THE SCENE AS WELL AS
8 RADIO CALLS MADE DURING THE INCIDENT WHICH MAY BE DISTURBING
9 TO SOME OF THOSE INDIVIDUALS WATCHING. THE DEPARTMENT PROVIDES
10 A VIEWER DISCRETION ADVISEMENT AT THE BEGINNING OF EACH VIDEO
11 AND I WANT TO ADD AN EXTRA WORD OF CAUTION BEFORE IT WAS
12 PLAYED. THE VIDEO IS APPROXIMATELY 8 MINUTES IN LENGTH, WE ARE
13 GOING TO VIEW THAT VIDEO TODAY AS PART OF THIS PROCEEDING.
14 SPEAKING SPANISH THIS BRIEFING IS INTENDED TO PROVIDE YOU
15 INFORMATION FROM A RECENT INCIDENT, INVOLVING A DEPUTY
16 INVOLVED SHOOTING SO YOU MAY HAVE A BETTER UNDERSTANDING OF
17 THE CIRCUMSTANCES WHICH LED TO THE USE OF FORCE. AS PART OF
18 THIS BRIEFING YOU MAY BE SHOWN PHOTOGRAPHS OF THE SCENE AND
19 UNDERSTAND INVOLVED, SURVEILLANCE AND BODYWORN CAMERA VIDEO
20 AND ADDITIONAL INFORMATION FOR THE EVENT. WE HOPE IT PROVIDES
21 YOU A BETTER UNDERSTANDING OF WHAT OCCURRED. THE LOS ANGELES
22 COUNTY SHERIFF'S DEPARTMENT CONDUCTS THOROUGH USE OF FORCE
23 INVESTIGATIONS. EVERY DEPUTY INVOLVED SHOOTING IS A TRAUMATIC
24 EVENT FOR ALL INVOLVED, EACH IS REVIEWED BY IDEPENDENT
25 INVESTIGATIVE AGENCIES TO EPISURE COMPLIANCE WITH THE LAW AND



December 15, 2021

1 SHERIFF'S DEPARTMENT POLICY. EVEN AS THE LOS ANGELES COUNTY
2 SHERIFF'S DEPARTMENT CONDUCTS ITS OWN INVESTIGATION,
3 INVESTIGATORS AND ATTORNEYS WITH THE LOS ANGELES COUNTY
4 DISTRICT ATTORNEY'S OFFICE CONDUCT THEIR ON INDEPENDENT REVIEW
5 WHEN SMUNL IS STRUCK BY GUN FIRE. THEY REQUIRE MULTIPLE
6 WITNESS INTERVIEWS, REVIEW OF VIDEO FOOTAGE AND ANALYSIS OF
7 EVIDENCE. OUR UNDERSTANDING OF THE INCIDENT MAY CHANGE AS
8 ADDITIONAL EVIDENCE IS COLLECTED, ANALYZED, AND REVIEWED. WE
9 DO NOT DRAW CONCLUSIONS ABOUT WHETHER THE INVOLVED DEPARTMENT
10 MEMBERS ACTED CONSISTENT WITH THE LAW, OUR POLICIES AND OUR
11 TRAINING UNTIL ALL THE FACTS ARE KNOWN AND THE ENTIRE
12 INVESTIGATION IS COMPLETE. THE IMAGES AND INFORMATION YOU ARE
13 ABOUT TO SEE MAY BE DISTURBING. WHEN A LAW ENFORCEMENT OFFICER
14 USES FORCE TO AFFECT AN ARREST OF A SUSPECT OR DEFEND AGAINST
15 AN ATTACK IT CAN BE GRAPHIC AND DIFFICULT TO WATCH. VIEWER
16 DISCRETION IS ADVISED. ON SEPTEMBER 10TH, 2020 AT
17 APPROXIMATELY 536 TEEUMP AM OPERATION SAFE STREETS BUREAU
18 DETECTIVES SWERVED A SEARCH WARRANT IN THE CITY OF COMPTON. IT
19 WAS FOR THE ARREST OF SAMUEL HERRERA FOR BEING A FELON IN
20 POSSESSION OF FIREARMS AND METHAMPHETAMINE. DEPUTIES FROM THE
21 NORWALK STATION ENFORCEMENT TEAM WERE ASSIGNED TO ASSIST
22 OPERATION SAFE STREETWISE THE SERVICE OF THE WARRANT. AND
23 DURING THE EXECUTION OF THE SEARCH WARRANT, HERRERA WAS SEEN
24 WALKING ING THE BACKYARD AND ENTERING THE REAR GARAGE, THIS
25 WAS CAPTURED IN SURVEILANT FOOTAGE RETREATING FROM THE



December 15, 2021

1 RESIDENCE. RESIDENCE. ONCE HERRERA WAS INSIDE THE GARAGE
2 DEPUTIES HEARD A GUN SHOT COMING FROM INSIDE THE GARAGE. A
3 DEPUTY POSITIONED TO THE REAR OF THE HOUSE HEARD THE GUN SHOT
4 AND SAW THE BARREL OF THE GUN PROTRUDING FROM A REAR GARAGE
5 DOOR AND A DEPUTY INVOLVED SHOOTING OCCURRED.

6

7 **SPEAKER:** YOU ARE ON THE PATH, GO AHEAD.

8

9 **SPEAKER:** SERVING A SEARCH WARRANT IN THE CITY OF COMPTON, AND

10 --

11

12 **SPEAKER:** COPY, SEARCH WARRANT, BRADFIELD, IT IS GOING TO BE A
13 998 RESPONSE. NORWALK UNIT. THE UNIT IS GOING TO BE BREED
14 FIELD, TO RESPONDING --

15

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

17

18 **SPEAKER:** THERE ARE ROAD CLOSURES, AND (INDISCERNIBLE)
19 PERFORMED.

20

21 **SPEAKER:** DIVISION AID AS A RESPONSE.



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1

2 **SPEAKER:** PLEASE STAND BY. SERVING THE SEARCH WARRANT, WE --
3 (SPEAKER FAR FROM MIC) .

4

5 **SPEAKER:** ALL ACCOUNTED FOR.

6

7 **EXAMINER:** AFTER THE EXCHANGE OF GUN FIRE, SEVERAL INDIVIDUALS
8 EXITED THE GARAGE AREA, HOWEVER, HERRERA REMAINED INSIDE THE
9 GARAGE, THE GARAGE CAUGHT ON FIRE FROM THE INSIDE AND HE BROKE
10 THROUGH THE STUCCO WALL IN AN ATTEMPT TO ESCAPE INTO AN
11 ASCRAISANT YARD. AS HE LEFT AND CONFRONTED DEPUTIES, HE WAS
12 CONTINUOUSLY GIVEN COMMANDS TO SHOW HIS HANDS. DEPUTIES SAW
13 HIM REACH FOR HIS WAIST BAND, WHERE THERE WAS BELIEVED TO BE A
14 FIRE ARM, AND A SECOND DEPUTY INVOLVED SHOOTING OCCURRED, HE
15 REACHED FOR HIS WAIST BAND AND A THIRD SHOOTING OCCURRED. HE
16 WAS SHOT NUMEROUS TIMES, THERE WERE 8 DEPUTIES WHO FIRED THEIR
17 HAND GUNS DURING THE COURSE OF THE THREE SEPARATE DEPUTY
18 INVOLVED SHOOTINGS. DUE TO THE FACT HE WAS ON THE GROUBD NEXT
19 TO THE GARAGE, DEPUTIES FORMULATED A PLAN TO RESCUE HIM FROM
20 THE FIRE AND CARRY HIM AWAY FROM THE RESIDENCE. PARAMEDICS
21 WERE ON THE SCENE AND ADMINISTERED MEDICAL AID, PRONOUNCED
22 DEAD. TWO MAGAZINES BELONGING TO AN ASSAULT WEAPON AND HAND
23 GUN WERE RECOVERED FROM THE GROUND. INSIDE OF THE GARAGE WERE



December 15, 2021

1 HE WAS SEEN EXITING A LOADED AK47 ASSAULT WEAPON AND BUMP
2 STOCK AND GLOCK 21 HAND GUN WITH AN EXTENDED MAGAZINE WERE
3 LOCATED. AS A RESULT, 14 GUNS WERE RECOVERED, METHAMPHETAMINE,
4 COCAINE, AND CURRENCY. ADDITIONALLY, HUNDREDS OF ROUNDS OF
5 AMMUNITION, STOLEN VEHICLES, AND EVIDENCE OF IDENTITY THEFT
6 WAS RECOVERED. THE ARSON INVESTIGATORS CONDUCTED AN
7 INVESTIGATION AND UNABLE TO DETERMINE THE CAUSE OF THE FIRE.
8 HE HAD PREVIOUSLY BEEN CONVICTED FOR SALES AND TRANSPORTATION
9 OF NARCOTICS. AND THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
10 HAS BEGUN A THOROUGH AND IN DEPTH INVESTIGATION, HOMICIDE
11 INVESTIGATORS WILL CONTINUE TO INVESTIGATE THE INCIDENT BY
12 COMPLETING ADDITIONAL INTERVIEWS, EXAMINING ADDITIONAL
13 EVIDENCE, AND TOXICOLOGY RESULTS AND COMPLETING FORENSIC
14 REVIEWS OF THE INVOLVED EVIDENCE. AND WHEN COMPLETED THE FACTS
15 OF THE INVESTIGATION WILL BE PRESENTED TO THE LOS ANGELES
16 COUNTY DISTRICT ATTORNEY'S OFFICE, JUSTICE SYSTEM INTEGRITY
17 DIVISION FOR REVIEW AND DETERMINATION WHETHER THE FORCE USED
18 WAS WITHIN THE LAW. FOLLOWING THE DISTRICT ATTORNEY'S REVIEW,
19 THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT INTERNAL AFFAIRS
20 BUREAU WILL COMPLETE AN ADMINISTRATIVE INVESTIGATION OF THE
21 INCIDENT. THE INTERNAL AFFAIRS BUREAU WILL PRESENT THE CASE TO
22 THE REVIEW COMMITTEE AND DETERMINE IF TACTICS AND USE OF
23 DEADLY FORCE WERE WITHIN POLICY AND MET THE HIGH STANDARDS OF
24 THE SHERIFF'S DEPARTMENT. ON BEHALF OF SHERIFF ALEX
25 VILLANUEVA, THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT IS



December 15, 2021

1 APPRECIATIVE OF YOUR INTEREST, AND UNDERSTANDING IN THIS
2 INCIDENT.

3

4 **HON. CANDACE COOPER:** THAT CONCLUDES THE VIDEO, WITH THE AUDIO
5 INSERTS. WHAT IS NEXT, DECLARATIONS, OR ARE WE GOING TO CALL
6 FOR WITNESSES?

7

8 **EXAMINER:** JUSTICE COOPER, WE CAN MAKE A COMMENT ABOUT THE
9 DEPUTIES INVOLVED IN THE SHOOTING, AND THE DECLARATIONS THAT
10 HAVE BEEN SUBMITTED FOR THE CORONER'S CONSIDERATION.

11

12 **HON. CANDACE COOPER:** DO YOU HAVE THE DECLARATIONS UP? ON THE
13 SCREEN IN FRONT OF ME, AT THIS TIME, ARE TWO DECLARATIONS
14 UNDER PENALTY OF PERJURY, ONE FROM DAISY ROSALAE S AND ONE
15 FROM LYNN VAS QUEZ, THEY ADVISE ME THAT THESE DEPUTIES, IF
16 THEY WERE TO BE CALLED, THEY WERE SUBPOENAED, IF THEY WERE TO
17 BE PRESENT TODAY, THEY, AT THE ADVICE OF THEIR COUNSEL, THEY
18 WOULD EXERCISE THEIR 5TH AMENDMENT RIGHT NOT TO TESTIFY. I
19 HAVE ACCEPTED THESE DECLARATIONS IN LIEU OF THEIR PERSONAL
20 PRESENCE, GIVEN THE FACT THAT THE 5TH AMENDMENT WILL BE
21 CLAIMED. THE DECLARATIONS WILL BE RECEIVED IN LIEU OF THEIR
22 TESTIMONY AND MADE A PART OF THE RECORD.

23



December 15, 2021

1 **EXAMINER:** I BELIEVE ADDITIONAL DECLARATIONS FROM OTHER
2 DEPUTIES INVOLVE IN THE INCIDENT ARE NOW DISPLAYED.

3

4 **HON. CANDACE COOPER:** OKAY.

5

6 **EXAMINER:** THERE ARE 5 MORE DECLARATIONS.

7

8 **HON. CANDACE COOPER:** I HAVE A DECLARATION EXECUTED BY A DAVID
9 PANTORSA, AND THAT HAS BEEN EXECUTED, ADONA MOLINA, THAT
10 DECLARATION HAS NOT BEEN SIGNED.

11

12 **EXAMINER:** THAT DECLARATION HAS BEEN SIGNED, IT APPEARS TO BE
13 PENCIL, VERY LIGHT GRAY. I THINK IT IS NOT TRANSPOSED ON THE
14 SCREEN. WE HAVE AN EXECUTED COPY OF THE SIGNED DECLARATION.

15

16 **HON. CANDACE COOPER:** I CAN'T SEE THE SIGNATURE. ALL THE
17 DECLARATIONS THAT ARE ADVISING THE COURT, THE HEARING OFFICER,
18 THEY WOULD TAKE THE 5TH IF PRESENT WILL BE ACCEPTED IN LIEU OF
19 THEIR PERSONAL PRESENCE. THERE'S A FURTHER DECLARATION FROM
20 WONG BENDEZU, A DECLARATION UNDER PENALTY OF PERJURY, THAT
21 DECLARATION IS ALSO ACCEPTED. AND WE HAVE A DECLARATION OF
22 MICHAEL LOPEZ, TO THE SAME EFFECT. AND THAT DECLARATION IS



December 15, 2021

1 ACCEPTED. AND A DECLARATION FROM MICHAEL MCMORROW, THAT
2 DECLARATION IS ALSO ACCEPTED. ALL OF THESE DECLARATIONS,
3 AGAIN, ARE UNDER PENALTY OF PERJURY, AND ADVISING ME, WITH
4 THEIR TESTIMONY, WOULD BE IF THEY HAD APPEARED IN PERSON.

5

6 **EXAMINER:** AT THIS TIME THE CORONER WOULD CALL DETECTIVE WOOD
7 WOOD WOODRUFF FROM THE HOMICIDE DIVISION.

8

9 **HON. CANDACE COOPER:** BAD CONNECTION? CONNECTION? I SEE HIM ON
10 THE SCREEN. DETECTIVE WOODRUFF, CAN YOU HEAR ME?

11

12 **WITNESS:** YES.

13

14 **EXAMINER:** WOULD YOU PLEASE RAISE YOUR RIGHT HAND. [SWORN IN].

15

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

17

18 **EXAMINER:** PLEASE STATE AND SPELL YOUR FULL NAME.

19

20 **WITNESS:** KASEY KASEY W-O-O-D-R-U-F-F. CAN.

21



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1 **EXAMINER:** GOOD AFTERNOON, DETECTIVE WOOD DETECTIVE
2 DETECTIVEWOODRUFF CAN YOU TELL US YOUR OCCUPATION.

3

4 **WITNESS:** A DEPUTY SHERIFF, ASSIGNED TO THE HOMICIDE BUREAU AS A
5 DETECTIVE

6

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

8

9 **WITNESS:** SINCE 2016

10

11 **EXAMINER:** CAN YOU PLEASE TELL US YOUR BACKGROUND, TRAINING
12 SXEERNSH AS IT RELATES TO YOUR OCITATION AS OO SHERIFF'S
13 DEPUTY, AS WELL AS A HOMICIDE DETECTIVE.

14

15 **WITNESS:** IN 1999, I ATTENDED THE L.A. COUNTY SHERIFF'S
16 ACADEMY, ON COMPLETION OF THE ACADEMY, I ASSIGNED TO WORK TO
17 THE TWIN TOWERS CORRECTIONAL FACILITIES. IN 2005, I WAS
18 TRANSFERRED TO LAKEWOD SHERIFF'S STATION, I WORK AS A PATROL
19 DEPUTY. AND IN 2009, I WAS PROMOTED TO DETECTIVE AND ASIGNED
20 TO OPERATIONS SAFE STREETS AS A DETECTIVE. 2016, I WAS
21 PROMOTED TO HOMICIDE DETECTIVE AND ASSIGNED TO THE HOMICIDE
22 BUREAU.



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1

2 **EXAMINER:** WHAT ARE YOUR DUTIES AND RESPONSIBILITIES AN AS
3 HOMICIDE DETECTIVE WITH THE LOS ANGELES COUNTY SHERIFF'S
4 DEPARTMENT.

5

6 **WITNESS:** I INVESTIGATE IN THE ACCIDENTS, SUICIDES, MURDERS,
7 DEPUTY INVOLVED SHOOTINGS, OFFICER INVOLVED SHOOTINGS FOR
8 OUTSIDE AGENCIES AND IN CUSTODY DEATHS.

9

10 **EXAMINER:** THANK YOU. WHAT DOCUMENTS, IF ANY, DID YOU REVIEW IN
11 PREPARATION FOR YOUR TESTIMONY HERE TODAY.

12

13 **WITNESS:** THE REPORTS ASSOCIATED WITH THIS INCIDENT.

14

15 **EXAMINER:** DO YOU KNOW IF THOSE REPORTS YOUR REVIEWED WERE
16 PROVIDED TO THE CORONER UNDER SEAL.

17

18 **WITNESS:** YES, THEY WERE

19

20 **EXAMINER:** AND WHAT WAS YOUR ASSIGNMENT ON SEPTEMBER 10TH OF
21 LAST YEAR?



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1

2 **WITNESS:** I, MY PARTNER, DETECTIVE GARCIA WERE THE ASSIGNED
3 INVESTIGATORS TO THE INCIDENT.

4

5 **EXAMINER:** AND WHEN YOU SAY THE INCIDENT, DID YOU SAY THE
6 INCIDENT.

7

8 **WITNESS:** YES, SIR

9

10 **EXAMINER:** TO INVESTIGATE THE DEATH OF SAMUEL HERRERA, JR.

11

12 **WITNESS:** YES.

13

14 **WITNESS:** AND WHAT CAPACITY WERE YOU ASSIGNED TO THAT INCIDENT?

15

16 **WITNESS:** AS, YOU CAN SAY, THE LEAD INVESTIGATORS.

17

18 **EXAMINER:** THANK YOU. AND HOW WAS THAT -- HOW WAS THAT
19 ASSIGNMENT MADE?

20



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1 **WITNESS:** IT IS MADE BY THE TEAM LIEUTENANT, HAVE A ROTATION,
2 WE HAVE 6 TEAMS IN HOMICIDE, WE ROTATE THROUGH THE TEAMS,
3 DEPENDING ON MURDERS, CALL-OUTS, IT ROTATES, WHEN YOU ARE UP
4 YOU ARE UP, WHEN YOU ARE CERTAIN TIMEFRAME, IT HAPPENS --

5

6 **EXAMINER:** WHAT TIME WAS THAT ASSIGNMENT MADE?

7

8 **WITNESS:** I WANT TO SAY THAT I GOT A PHONE CALL AROUND 0700
9 HOURS, ON SEPTEMBER 10TH.

10

11 **EXAMINER:** WHEN INFORMATION DID YOU RECEIVE WITH YOU RECEIVED
12 THAT PHONE CALL.

13

14 **WITNESS:** THE PHONE CALL COSBRIEF, A SEARCH WARRANT WAS SERVED,
15 IN THE CITY OF COMPTON AND A DEPUTY INVOLVED SHOOTING
16 OCCURRED.

17

18 **EXAMINER:** ARE YOU ASSIGNED TO INVESTIGATE THE DEATH OF MR.
19 HERRERA.

20

21 **WITNESS:** YES



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1

2 **EXAMINER:** YOU MENTIONED YOUR PARTNER. CAN YOU TELL ME THE
3 NAMES OF THE PERSON, OR PERSON YOU ARE WORKING WITH, ON THIS
4 INVESTIGATION.

5

6 **WITNESS:** SAVANO GARCIA.

7

8 **EXAMINER:** HAS THAT INVESTIGATION CONCLUDED?

9

10 **WITNESS:** NOT AT THIS TIME.

11

12 **EXAMINER:** DETECTIVE WOODRUFF, I WOULD LIKE TO DISCUSS YOUR
13 INVESTIGATION AT THE LOCATION OF MR. HERRERA'S BODY. AS A
14 HOMICIDE DETECTIVE DID YOU PROCEED TO THE LOCATION OF MR.
15 HERRERA'S BODY ON SEPTEMBER 10TH OF 2020?

16

17 **WITNESS:** I PROCEEDED TO THE COMMAND POST, WHICH IS
18 APPROXIMATELY 3 QUARTERS A MILE AWAY FROM THE LOCATION.

19

20 **EXAMINER:** OKAY. SO ONCE YOU RECEIVED THE PHONE CALL, YOU WENT
21 TO COMMAND POST?



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1

2 **WITNESS:** CORRECT

3

4 **EXAMINER:** AFTER YOU WENT TO COMMAND POST DID YOU PROCEED TO
5 THE LOCATION OF THE BODY

6

7 **WITNESS:** YES

8

9 **EXAMINER:** OKAY. AND DO YOU REMEMBER THE APPROXIMATE ADDRESS?

10

11 **WITNESS:** 516 SOUTH BRADFIELD AVENUE, IN THE CITY OF COMPTON.

12

13 **EXAMINER:** IS THAT A PRIVATE RESIDENCE.

14

15 **WITNESS:** YES, IT IS.

16

17 **EXAMINER:** AND APPROXIMATELY WHAT TIME DID YOU ARRIVE AT THAT
18 RESIDENCE.

19



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1 **WITNESS:** APPROXIMATELY 9:00, 45 MINUTES AFTER I ARRIVED AT THE
2 COMMAND POST.

3

4 **EXAMINER:** AND, LET ME BACK UP. IF YOU WILL. WHAT IS THE
5 PURPOSE OF GOING TO COMMAND POST, BEFORE GOING OUT TO THE
6 SCENE.

7

8 **WITNESS:** THIS -- WE WERE ADVISED THE SCENE WAS ACTIVE, THERE
9 WAS A FIRE. AND THERE WAS STILL MOVING, CLEARING RESIDENTS, WE
10 WERE BEING BRIEFED AS TO THE CIRCUMSTANCES AT THAT TIME.

11

12 **EXAMINER:** WHEN YOU GO TO COMMAND POST ARE YOU GIVEN ADDITIONAL
13 INFORMATION, OR UPDATES ABOUT WHAT IS OCCURRING AT THE SCENE?

14

15 **WITNESS:** YES

16

17 **EXAMINER:** WHAT IS THAT INFORMATION?

18

19 **WITNESS:** BECAUSE THE INVESTIGATION IS CURRENTLY OPEN AND I
20 RESPECT THE STATE, BUT I CANNOT DISCLOSE ANY INFORMATION
21 REGARDING THE INVESTIGATION DUE TO 1040B2. AS DOING SO MAY
22 COMPROMISE THE INTEGRITY OF THAT INVESTIGATION. WE HAVE



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1 PROVIDED RECORDS REGARD THING INVESTIGATION TO JUSTICE COOPER
2 IN RESPONSE TO HER SUBPOENA.

3

4 **WITNESS:** IF I MAY CLARIFY, SO IT YOUR INTENTION TO CLAIM THE
5 OFFICIAL INFORMATION PRIVILEGE TO ALL QUESTIONS REGARDING THE
6 DETAILS OF YOUR INVESTIGATION INTO THE DEATH OF MR. HERRERA?

7

8 **WITNESS:** YES, DUE TO THE ONGOING INVESTIGATION.

9

10 **WITNESS:** WOULD THAT INCLUDE YOUR OBSERVATIONS AND ACTIONS.

11

12 **WITNESS:** YES, SIR.

13

14 **WITNESS:** AS WELL AS ANY INTERVIEWS YOU CONDUCTED?

15

16 **WITNESS:** YES, SIR.

17

18 **WITNESS:** DO ANY OF THE OTHER HOMICIDE DETECTIVES SPECIFICALLY,
19 DETECTIVE GARCIA, HAVE ACCESS TO ANY INFORMATION ABOUT THIS
20 INVESTIGATION THAT YOU DO NOT HAVE ACCESS TO?

21



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1 **WITNESS:** NO.

2

3 **WITNESS:** DETECTIVE WOODRUFF, ARE THERE ANY ADDITIONAL FACTS,
4 THAT YOU CAN SHARE WITH US ABOUT YOUR INVESTIGATION TO THE
5 SHOOTING DEATH OF MR. HERRERA, THAT YOU DO NOT CONSIDER TO BE
6 PROTECTED PRIVILEGE OFFICIAL INFORMATION AT THIS TIME?

7

8 **WITNESS:** I DO NOT.

9

10 **WITNESS:** I AM SORRY?

11

12 **WITNESS:** I DO NOT.

13

14 **WITNESS:** OKAY. IS THERE ANYTHING ELSE YOU WOULD LIKE TO ADD TO
15 YOUR TESTIMONY THAT IS RELEVANT TO THE CIRCUMSTANCES, CAUSE OR
16 MANNER OF MR. HERRERA'S DEATH.

17

18 **WITNESS:** NO. JUST THAT THE ANSWERS I BELIEVE TO THE QUESTIONS
19 YOU ARE ANSWER ARE CONTAINED IN THE DISCOVERY I OFFICED TO THE
20 JUSTICE.

21



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1 **WITNESS:** BASED ON DETECTIVE WOODRUFF'S INVOCATION OF THE
2 EVIDENCE CODE 1040. PERTAINS TO THE SPECIFIC DETAILS OF THE
3 SHERIFF'S INVESTIGATION TO THE HERRERA SHOOTING HOW WOULD YOU
4 LIKE TO PROCEED.

5

6 **HON. CANDACE COOPER:** I THINK AT THIS TIME I WILL ACKNOWLEDGE
7 THE EXERCISE OF THE THE PRIVILEGE AND WILL EXCUSE DETECTIVE
8 WOODRUFF FROM ANSWERING FURTHER QUESTIONS AND I DON'T SEE THE
9 NECESSITY TO CALL DETECTIVE GARCIA EITHER.

10

11 **WITNESS:** THANK YOU, MA'AM.

12

13 **HON. CANDACE COOPER:** SO DETECTIVE WOODRUFF YOU ARE EXCUSED AT
14 THIS TIME, AND THANK YOU FOR YOUR ASSISTANCE.

15

16 **WITNESS:** THANK YOU. BASED ON YOUR RESPONSE, THE CORONER DOES
17 NOT HAVE ADDITIONAL WITNESSES THEY WISH TO CALL AT THIS TIME.

18

19 **HON. CANDACE COOPER:** AT THIS TIME THAT CONCLUDES THE WITNESS '
20 TESTIMONY FOR TODAY. AT THIS TIME, I WILL ADJOURN THESE
21 PROCEEDING. I STILL HAVE TO REVIEW ADDITIONAL MATERIALS IN
22 ORDER TO MAKE A DETERMINATION AND MY DETERMINATIONS IN THIS



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1 MATTER. IF I DETERMINE THAT ALL THE INFORMATION RECEIVED IS
2 COMPREHENSIVE AND COMPLETE, I WILL ISSUE MY WRITTEN FINDINGS
3 AND PROVIDE THEM TO THE MEDICAL EXAMINER CORONER. BUT AS FOR
4 TODAY, I BELIEVE THAT THAT CONCLUDES THE INQUEST FOR THE DAY.
5 THANK YOU ALL FOR YOUR ATTENDANCE, AND PARTICIPATION. AND THE
6 MATTER IS ADJOURNED.

