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OPA-IS FILE NUMBER
IIS 10-0385

Date: 09/13/2010	Time: 1610 hrs.	Place OPA-IS Offices
Statement of: [REDACTED]		
Statement Taken By: Sergeant Randy Woolery		
Transcribed by (Taped/Translated Statements) J. Wicklund (RSW 0012)		

WOOLERY: This is Sergeant Woolery of the Seattle Police Department Investigation Section of the Office of Professional Accountability. Today's date is September 13th, 2010, and the time is now 1610 hrs. I'm speaking with [REDACTED]. His address is [REDACTED] North 24th Avenue, in Yakima. I'm speaking to [REDACTED] concerning OPA-IS case number 10-0385. [REDACTED] would you spell your last name, please.

[REDACTED]

WOOLERY: Thank you. [REDACTED] do I have your permission to tape this statement?

[REDACTED]

Yes.

WOOLERY: [REDACTED] do you declare that the statement you're about to provide is true and correct to the best of your knowledge and belief?

[REDACTED]

Yes.

WOOLERY: Well, thank you for coming in today. At issue is a traffic stop, where you were the passenger in a vehicle, that occurred on or about March 11th, 2010, in the area of Boylston Avenue and East Pine Street. Correct?

[REDACTED]

Yes.

WOOLERY: Okay. That's what I want to be talking about today. Can you tell me what happened that night, and then I'll ask you some follow-up questions.

[REDACTED]

Yes, we were getting pulled over for I don't really know why we got pulled over. But we were getting pulled over and we were finding, the reason we didn't pull over right away is because, you know, the streets were, the parking lots were full and everything, so we were just trying to find a spot to pull over. And the fellow, cop officer just had gotten off, and he had, you know, he was talking to us unprofessionally, he called back-up and in a way, he was kind of harassing us. So, and that's when they just got us off the car and, you know, twisted our arm and started, you know, saying things that were inappropriate [sic] and just, I'm not, I don't really remember if they threw handcuffs on me or not, but they had me sitting in front of one of their cars and talking to me about, you know, using profanity and just, you know, a bunch of nonsense.

WOOLERY: Okay.



Statement of: [REDACTED]
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[REDACTED] And that's really, I don't, that's all I remember.

WOOLERY: Okay. So you were the passenger in the vehicle. Who was driving?

[REDACTED] [REDACTED]

WOOLERY: And how long have you known [REDACTED]?

[REDACTED] For like seven years, six, seven years.

WOOLERY: Okay. [REDACTED] indicated you might've been a little intoxicated.

[REDACTED] A little, yes.

WOOLERY: Okay. Do you think that you were legally drunk, if you'd...

[REDACTED] No, no, I wasn't...

WOOLERY: ...been driving a car?

[REDACTED] ...I wasn't drunk.

WOOLERY: Do you remember the night...

[REDACTED] Yeah, I, I remember...

WOOLERY: ...clearly?

[REDACTED] ...I remember what happened, but, you know, it's been so long that I just kinda forgot.

WOOLERY: Okay. And how old are you?

[REDACTED] Twenty-two.

WOOLERY: Okay. So it's not illegal for you to have alcohol in your system?

[REDACTED] Well, I don't think so.

WOOLERY: No. Okay. So when you finally stopped and pulled over, who did the officers contact first?

[REDACTED] I think they, I think they contacted him first.



Statement of: [REDACTED]
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WOOLERY: Okay.

[REDACTED] (Unintelligible)

WOOLERY: At what, at what point did the officer contact you?

[REDACTED] They, he went around me, no, I think that's when his back-up officer came or something, and, yeah, he asked me for my name or something, and I told him, I'm well, you know, did I do something wrong for you to even run my name in the first place, and he thought I was trying to get smart with him, you know. And I wasn't, I was just asking him, you know?

WOOLERY: Did you, had you had your seatbelt on?

[REDACTED] Yeah, I had my seatbelt on. I asked him, well, what's the probable cause, you know? You know, that's all I asked him, because, you know, aren't they supposed to have some kind of probable cause to even run your name to begin with on a traffic stop?

WOOLERY: Yeah. What did he say when you asked that?

[REDACTED] And, he just thought I was trying to get smart with him and he started talking to me all crazy and stuff, so I just told him, man, just, you know, I don't need to put up with this, and I just rolled up my window.

WOOLERY: Okay. And what, what made you think that he thought that you were trying to be smart? What, what made you think that?

[REDACTED] Like asking him like, basically telling him, you know, if, why is he running my name, you know, why does he need my name.

WOOLERY: Okay. So after you rolled up your window, what happened?

[REDACTED] He got mad. And then that's when they started calling more cops over there, and that's when they started talking to us like that.

WOOLERY: Okay. What, what made you think that he got mad?

[REDACTED] I guess because I was asking him why does he need my name.

WOOLERY: I, I mean what was it that made you draw that conclusion? What was it that he was doing?

[REDACTED] Oh, because, I don't know, I just asked him, because I, it, to me it seemed like we weren't doing anything wrong, you know?



Statement of: [REDACTED]
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WOOLERY: Did he have you get out of the vehicle?

[REDACTED] Yeah, that's, I think they pulled me out.

WOOLERY: Okay. Describe that for me.

[REDACTED] Yeah, I think they were already mad and they, they, you know, I unlocked the door, because the doors were locked, I mean I, I had unlocked the door, and they just opened the door and twisted my arm and threw me out.

WOOLERY: Okay, and, and what did they do when they got you out of the car?

[REDACTED] They were just, I remember the, I'm not really sure what they were telling me, but then later he read me the report and I don't know, they were just telling me that we're not in Yakima, and all kinds of stuff.

WOOLERY: Okay. And you said that they had been using profanity?

[REDACTED] Yeah, they were using profanity.

WOOLERY: What do you remember about that?

[REDACTED] I, I don't know. I guess one of them had used some sexual, you know, profanity telling me to suck his dick, or something.

WOOLERY: Okay. Any other terms...

[REDACTED] Yeah.

WOOLERY: ...or expression?

[REDACTED] Yeah, I don't, yeah, not the, like, I don't know if he said, they were saying more other things, but I just don't remember what.

WOOLERY: Okay. It was a while ago, correct?

[REDACTED] Yeah, it was.

WOOLERY: Okay. And you said that they twisted your arm. Did that cause pain or injury?

[REDACTED] No, not, it didn't, not really at the moment. Yeah, a little bit of pain, but.



Statement of: [REDACTED]
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WOOLERY: Okay. Did you tell that to the officers?

[REDACTED] Yeah, I told them, hey, man, you know why, why, why the, am I under arrest or what, you know, why are you guys just treating me like, you know, some, like a criminal right now or something.

WOOLERY: And what was the officer saying back to you?

[REDACTED] He was just saying, yeah, well, we know you're on DOC this and that and that.

WOOLERY: Are you on active...

[REDACTED] No, no.

WOOLERY: ...DOC supervision?

[REDACTED] At the time I was, but now I'm off.

WOOLERY: Okay. Did they ever contact your DOC officer?

[REDACTED] No.

WOOLERY: Okay. Out of what office were you under active supervision?

[REDACTED] In Yakima. I don't remember what office.

WOOLERY: Okay.

[REDACTED] It's just, I forgot.

WOOLERY: What were you on DOC for?

[REDACTED] For intimidating a witness or something.

WOOLERY: Okay. So at what, or, did they place you into handcuffs?

[REDACTED] I think they did, but they let me go.

WOOLERY: Okay. Did they arrest you for anything?

[REDACTED] No.

WOOLERY: Did they book you into jail?



Statement of: [REDACTED]
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[REDACTED]

No. They just left me right there.

WOOLERY:

Okay.

[REDACTED]

They just, they just took in my friend, I think they just let me go.

WOOLERY:

Was his car illegally parked?

[REDACTED]

Well, legally? Well, I don't remember. We, I think we did find the spot, and that's when he got awful crazy and he was telling us why, if we were trying to pursuit or something, but on the camera you could see that we're trying to find a spot to park, because all the sidewalks were, were full. You know, we weren't just trying to pull over in the middle of the road.

WOOLERY:

Okay. Did they tell you why they were impounding the vehicle?

[REDACTED]

No, they didn't tell me why.

WOOLERY:

Did they ask you if you wanted to drive the vehicle away?

[REDACTED]

No.

WOOLERY:

Would you have been in any condition to have driven the vehicle away?

[REDACTED]

No, I wouldn't, because I was drinking.

WOOLERY:

Okay. Did they ever test you for your sobriety to see how drunk you were?

[REDACTED]

No.

WOOLERY:

They didn't give you like a portable breath test or anything?

[REDACTED]

No.

WOOLERY:

Any field sobriety tests or stuff like that?

[REDACTED]

No, nothing.

WOOLERY:

Okay. So, did they do anything else that you thought was unprofessional?

[REDACTED]

Not really. Just by them talking to us with profanity, and the way they took us out the car without even us even doing a crime...



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WOOLERY: Okay.

[REDACTED] ...committing a crime, just a traffic stop.

WOOLERY: Did they ask you if they could search the vehicle?

[REDACTED] No, they didn't ask me.

WOOLERY: Were you there when they *did* search the vehicle?

[REDACTED] Yeah.

WOOLERY: What do you remember about that?

[REDACTED] I remember they asked Miguel if they can search the vehicle and he said no, you can't, and they did it anyway.

WOOLERY: And did you hear [REDACTED] tell them no?

[REDACTED] Yeah.

WOOLERY: Okay.

[REDACTED] I was on the front of the car when, on the cop car, and the car was in front of me and Miguel was on the side of the hood of the cop car.

WOOLERY: Okay. And do you remember what areas of the vehicle they searched?

[REDACTED] I think they searched the whole thing, the trunk and the inside.

WOOLERY: Okay. What about the hood?

[REDACTED] I don't remember them opening the hood or anything, but I remember they searched the whole inside of the car and the trunk and everything.

WOOLERY: Did they find anything?

[REDACTED] No, they didn't find anything.

WOOLERY: Did they have to use the key to open the trunk?

[REDACTED] No, I think they, they used the button.



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WOOLERY: Did they, did, do you remember if they damaged anything inside the vehicle?

[REDACTED] No, I don't remember.

WOOLERY: Okay. What about seat covers or anything like that? Did you see them take those off?

[REDACTED] No, I don't remember. I just remember them looking under the seats and just, the glove department [sic].

WOOLERY: Okay. And did they find anything inside the vehicle?

[REDACTED] No, they didn't find nothing.

WOOLERY: Was, was any of your property missing after...

[REDACTED] No.

WOOLERY: ...the search?

[REDACTED] No.

WOOLERY: Okay. So at some point, they placed [REDACTED] under arrest, correct?

[REDACTED] Yeah.

WOOLERY: What, what about you? What was your status?

[REDACTED] They just let me go.

WOOLERY: Okay. Did they tell you, did you know where you were at?

[REDACTED] Yeah, they asked me if I knew where I was at, and I told them, yeah, I'm in Seattle.

WOOLERY: Okay. Did they offer any other assistance?

[REDACTED] No, they just, basically they just, they told me to find my own way home.

WOOLERY: Okay, and were you able to get home?

[REDACTED] Yeah, well, a friend came and picked me up.



Statement of: [REDACTED]
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WOOLERY:

Okay. And did you have any of your personal property or did you have money on you or anything in the vehicle?

[REDACTED]

No.

WOOLERY:

Is there anything about this incident I didn't ask you that you think I need to know?

[REDACTED]

No, that's pretty much it.

WOOLERY:

Okay. So if you had to characterize what the complaint about the officers would be, could you kinda sum it up for me, in your own words?

[REDACTED]

It was like, basically, they came at us unprofessional. They weren't, to me, because, you know, I've, I've been through this a lot, and to me, you know, it seems like, you know, they didn't, they didn't come at us the *right* way.

WOOLERY:

Okay. So you've been...

[REDACTED]

You know, like they were supposed to, you know?

WOOLERY:

...you've been, you've been contacted by police before?

[REDACTED]

Yeah.

WOOLERY:

And this, this encounter...

[REDACTED]

And, you know...

WOOLERY:

...was different?

[REDACTED]

Yeah, like, you know, a lot of cops, they just come at, come up to you in a respectful way. If you respect them, you know, they respect you back, but these guys, I don't know, they just, they came at us in a whole different way. I don't know if it's 'cause we're from out of town or, you know, I don't know what the whole idea was.

WOOLERY:

Were they making references to Yakima, or where you were from?

[REDACTED]

Yeah.

WOOLERY:

What do you remember about that?

[REDACTED]

Oh, they were just telling me we're not in Yakima, home boy, and so different other little things, but I just don't remember what the other little things were.



Statement of: [REDACTED]
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WOOLERY: Were they making, are you from Mexico, I'm just gonna assume, like [REDACTED]

[REDACTED] Yeah. I'm not, I'm from here, but...

WOOLERY: Okay. But...

[REDACTED] ...but I'm Mexican...

WOOLERY: ...but you're Hispanic descent.

[REDACTED] Yeah, I'm Hispanic.

WOOLERY: What, what about Miguel? I didn't ask him that? Is he from Mexico, is he...

[REDACTED] No, he's from here.

WOOLERY: Okay. Did they make any reference to immigration or your accents...

[REDACTED] No, I...

WOOLERY: ...or anything like that?

[REDACTED] I don't think so.

WOOLERY: Okay. Anything *else* that you remember them talking about or making comments about?

[REDACTED] Yeah. I just remember them, I think I remember, I don't know if they told [REDACTED] this, but yeah, I think they told him, I think they were saying that the only thing holding them back from skull fucking him was the badge or something.

WOOLERY: Okay. And that comment was made to [REDACTED] or to you?

[REDACTED] Yeah. No, to [REDACTED]

WOOLERY: Okay. What comments were made to you?

[REDACTED] I think that one of the cops told me to suck his penis or something and I, I really don't remember the other ones.

WOOLERY: Okay.

[REDACTED] But he was telling me some different kinds of profanity words.



Statement of: [REDACTED]
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WOOLERY: Okay. Anything else you can think of that I need to know that I haven't asked you?

[REDACTED] No.

WOOLERY: Anything else that you think is important or that will help me when looking into this situation?

[REDACTED] Not that I know.

WOOLERY: Okay.

[REDACTED] Pretty much, I told you everything I know.

WOOLERY: Okay. Well, I appreciate you coming in this afternoon. That concludes the interview. The time is now 1621 hrs.

This is Sgt. Wodery of the Seattle Police Department Investigation Section of the Office of Professional Accountability.

Today's date is 9-13-10 and the time is 1610

I am speaking with Mr./Ms. [REDACTED]

His/Her address is [REDACTED] N 24 AVE YAKIMA

I am speaking to Mr./Ms. [REDACTED] concerning OPA-IS case number 10-0385

Mr./Ms. [REDACTED] would you spell your last name please?

Thank you. Mr./Ms. [REDACTED] do I have your permission to tape this telephone statement?

Mr./Ms. [REDACTED] do you declare that the statement you are about to provide is true and correct to the best of your knowledge and belief?