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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

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SHELDON LOCKETT; MICHELLE
DAVIS; AND CLYDE DAVIS,

PLAINTIFFS,

VS.

NO. 18-CV-5838-PJW

COUNTY OF LOS ANGELES, A
PUBLIC ENTITY; LOS ANGELES
COUNTY SHERIFF'S DEPARTMENT,
A LAW ENFORCEMENT AGENCY;
SHERIFF JIM MCDONNELL;
MIZRAIN ORREGO, A DEPUTY LOS
ANGELES COUNTY SHERIFF; AND
DOES 1 THROUGH 100,
INCLUSIVE,

DEFENDANTS.

-----/

REMOTE VIDEOTAPED DEPOSITION OF
MIZRAIN ORREGO

FRIDAY, MAY 8, 2020

JOB NO. 4082830
REPORTED BY:
HOLLY THUMAN, CSR NO. 6834, RMR, CRR
PAGES 1-236

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REMOTE VIDEOTAPED DEPOSITION OF MIZRAIN ORREGO,
TAKEN BY THE PLAINTIFFS, WITH THE WITNESS LOCATED AT
HURRELL CANTRALL LLP, 300 S. GRAND AVENUE, SUITE 1300,
LOS ANGELES, CALIFORNIA 90071, COMMENCING AT
10:23 A.M., ON FRIDAY, MAY 8, 2020, BEFORE ME,
HOLLY THUMAN, CSR 6834, RMR, CRR.

--000--

APPEARANCES

FOR THE PLAINTIFFS:

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RIVIE@IMWLAW.COM

1 which prompted you to arrest eventually Sheldon 11:12:24

2 Lockett happened in a Tree Top Piru neighborhood. 11:12:34

3 Correct? 11:12:38

4 Well, you knew that. 11:12:40

5 A. Sorry -- 11:12:41

6 Q. You didn't have to reason that. 11:12:42

7 You knew the shooting that eventually led 11:12:44

8 to the arrest of Sheldon Lockett occurred in a 11:12:47

9 Tree Top Piru neighborhood. Correct? 11:12:49

10 A. Yes. 11:12:52

11 Q. And you knew that the rival gang was the 11:12:53

12 Neighborhood Piru. Correct? 11:12:58

13 A. One of many, yes. 11:13:01

14 Q. Yeah. But the Neighborhood Piru gang is 11:13:02

15 where you took off to investigate. Correct? 11:13:07

16 A. Yes. 11:13:13

17 Q. And so you were -- in your mind, you 11:13:16

18 thought that this was a gang-on-gang drive-by 11:13:19

19 shooting, didn't you? 11:13:23

20 A. I -- I did not know that it was a gang 11:13:28

21 shooting; however, based on the location and -- 11:13:31

22 based on the location and the incident, the 11:13:39

23 description of the incident, I believed that it 11:13:43

24 could be related to gang violence. 11:13:45

25 Q. Yeah. Yeah. And that's why you went over 11:13:48

1 there; that's why you went over. You heard the 11:13:50

2 patch call, dispatch -- the patch call, and you 11:13:55

3 went over to the Neighborhood Piru area. Correct? 11:13:58

4 A. Yes. 11:14:04

5 Q. Okay. All right. We'll get to that 11:14:05

6 later. 11:14:07

7 But let me ask you this: You have a 11:14:07

8 tattoo on your -- strike that. 11:14:12

9 Tell me about every tattoo on your body. 11:14:15

10 MR. HURRELL: My understanding from the 11:14:29

11 court's order is that you're allowed to inquire 11:14:30

12 about one tattoo -- 11:14:33

13 MR. SWEENEY: No. 11:14:34

14 MR. HURRELL: -- that we've sent, not 11:14:35

15 other tattoos. That would violate his right of 11:14:37

16 privacy. 11:14:40

17 MR. SWEENEY: No, no. No, Mr. Hurrell. 11:14:41

18 He said we are allowed to photograph one tattoo. 11:14:42

19 I'm asking about his tattoos on his body. 11:14:46

20 MR. HURRELL: Well, then, I'm just going 11:14:49

21 to take a two-minute break. Okay? 11:14:51

22 MR. SWEENEY: Well, wait, wait. Wait. 11:14:54

23 No. There's a question pending. You can -- I'd 11:14:56

24 like to have my question answered before you take 11:14:59

25 your break. 11:15:02

1 MR. HURRELL: What's the question again? 11:15:05

2 BY MR. SWEENEY: 11:15:08

3 Q. Tell me about all tattoos on your body. 11:15:10

4 That's my question. 11:15:12

5 MR. HURRELL: Well, no. I don't think 11:15:14

6 you're allowed to ask that question. 11:15:15

7 MR. SWEENEY: Why? 11:15:19

8 MR. HURRELL: Well, I think you first have 11:15:20

9 to ask whether he has any other tattoos on his body 11:15:22

10 because the question assumes a fact not 11:15:25

11 established. 11:15:27

12 MR. SWEENEY: Okay. All right. 11:15:29

13 Q. So do you have -- let me rephrase the 11:15:32

14 question. 11:15:38

15 How many tattoos do you have on your body? 11:15:40

16 A. One. 11:15:44

17 MR. SWEENEY: That answers the question. 11:15:46

18 See, Mr. Hurrell? Okay. 11:15:48

19 Q. So we know that tattoo is on your leg. 11:15:57

20 Correct? 11:16:02

21 A. Yes. 11:16:02

22 Q. Is it on your right leg or your left leg? 11:16:02

23 A. My right leg. 11:16:05

24 Q. And that tattoo is the one that your 11:16:08

25 counsel sent over to Mr. Glickman this morning. 11:16:17

1 Correct? 11:16:19

2 A. Yes. 11:16:20

3 Q. It's the same tattoo as your former 11:16:22

4 partner, Samuel Aldama. Correct? 11:16:27

5 A. Yes. 11:16:30

6 Q. And does it have a helmet with the "CPT" 11:16:32

7 inscription on it like Mr. Aldama's? 11:16:45

8 A. Yes. 11:16:49

9 Q. Does it have a skeleton with -- surrounded 11:16:50

10 by flames? 11:16:53

11 A. Yes. 11:16:55

12 Q. Is the skeleton holding a 11:16:57

13 Kalashnikov-style rifle? 11:17:02

14 A. Yes. 11:17:05

15 Q. On the magazine of the rifle, is there a 11:17:07

16 Roman numeral inscription "XXVIII"? 11:17:15

17 A. I believe so, sir. I need to -- I would 11:17:24

18 have to look at it; but yes, I would say yes. 11:17:26

19 Q. Yeah, well, that's 28 in Roman numerals. 11:17:29

20 Correct? 11:17:32

21 A. Correct. 11:17:33

22 Q. And do you know what substation Compton is 11:17:33

23 designated as in the County of Los Angeles, what 11:17:39

24 number? 11:17:43

25 A. 28, sir. 11:17:44

1 Q. Yeah. That's why the 28 is on there. 11:17:45

2 Correct? 11:17:48

3 A. No, sir. 11:17:51

4 Q. No? 11:17:53

5 Why is there "28" on there? 11:17:54

6 THE WITNESS: Can I speak to you? 11:17:59

7 (Witness and counsel confer briefly.) 11:18:00

8 THE WITNESS: Well, I'm sorry. 11:18:06

9 Can you repeat that last question again? 11:18:07

10 BY MR. SWEENEY: 11:18:09

11 Q. Why is that Roman numeral 28 on the 11:18:09

12 magazine of the skeleton's rifle? 11:18:12

13 A. Yes, 'cause that's the number for Compton 11:18:16

14 station. 11:18:18

15 Q. Okay. Now, on the stock of the gun, is 11:18:21

16 there a number? 11:18:31

17 A. No. 11:18:35

18 Q. When did you get that tattoo? 11:18:38

19 A. Approximately, I'll say, a year and a half 11:18:39

20 ago, two years ago. 11:18:45

21 Q. Give me the month and the year. 11:18:48

22 A. It was -- 11:18:51

23 MR. HURRELL: You can certainly give him 11:18:57

24 the year. 11:18:58

25 THE WITNESS: It was 2018, sir. 11:18:59

1 BY MR. SWEENEY: 11:19:01

2 Q. What month? 11:19:03

3 A. I believe it was a summer month, sir. 11:19:08

4 Q. I'm going to give you a chance to answer 11:19:13

5 that question again. 11:19:15

6 Here's the question, another question: 11:19:17

7 Are you sure that you got that tattoo in 11:19:20

8 2018? 11:19:23

9 A. Yes. 11:19:27

10 Q. You're under oath, sir. 11:19:33

11 MR. HURRELL: He realizes that. 11:19:44

12 (Reporter requested clarification.) 11:19:49

13 BY MR. SWEENEY: 11:19:49

14 Q. Are you telling the truth, sir? 11:19:54

15 A. Yes. 11:19:56

16 Q. Before I get into the specifics of the -- 11:20:02

17 well, when you got it, where, and all that, let me 11:20:07

18 ask you: When you got the tattoo, was there a 11:20:13

19 number on the stock of the rifle? 11:20:22

20 A. No. 11:20:29

21 Q. When -- subsequent to you getting that 11:20:35

22 tattoo placed on, did you get a number placed on 11:20:41

23 that stock after you got the tattoo on? 11:20:47

24 A. No. 11:20:52

25 Q. At any time before this deposition -- that 11:21:01

1 the exact timing, sir. 11:46:18

2 Q. Okay. Where did you get your tattoo? 11:46:26

3 A. Vegas, sir. 11:46:37

4 Q. What's that? 11:46:38

5 A. In Vegas. 11:46:39

6 Q. In Las Vegas? 11:46:42

7 A. Yes. 11:46:43

8 Q. Is there a group of deputies -- or strike 11:46:43

9 that. 11:46:58

10 Was there, when you were a deputy there, a 11:47:00

11 group of deputies at the sheriff's station with 11:47:02

12 that tattoo? 11:47:05

13 A. I'm sorry. Can you repeat that question, 11:47:08

14 please, sir? 11:47:10

15 Q. Yes. Was there a group of deputies with 11:47:11

16 the same tattoo at the Compton station the same 11:47:15

17 time you were there? 11:47:19

18 A. It's possible, sir. 11:47:24

19 Q. And so you knew there was a group. 11:47:29

20 Correct? 11:47:31

21 A. Can you explain -- a group of what, sir? 11:47:35

22 Q. A group of deputies with a similar tattoo. 11:47:38

23 A. Well, sir, there's a lot of -- I mean, are 11:47:46

24 you talking about the same tattoo Aldama has, or -- 11:47:51

25 I'm not sure where you're going because in the 11:47:54

1 military, people, you know, normally get tattoos, 11:47:56
2 matching tattoos. 11:48:01
3 I'm not sure. I mean, they could have -- 11:48:02
4 I saw a lot of Marines with the Marine, you know, 11:48:07
5 flag on their body or Marine tattoos. 11:48:09
6 So what kind of tattoo are you referring 11:48:13
7 to, sir? 11:48:15
8 Q. The tattoo that's on your leg; the tattoo 11:48:19
9 that's on Samuel Aldama's leg. 11:48:21
10 I think you know what tattoo I'm referring 11:48:25
11 to. 11:48:27
12 MR. HURRELL: John, you're arguing. 11:48:30
13 (Reporter requested clarification.) 11:48:41
14 BY MR. SWEENEY: 11:48:43
15 Q. So what's the answer? 11:48:44
16 MR. HURRELL: John, there's no -- I don't 11:48:52
17 think there's a question pending right now. 11:48:54
18 BY MR. SWEENEY: 11:48:55
19 Q. There is a question. 11:48:56
20 The question is: Was there a group of 11:48:57
21 deputies when you were there with that same tattoo? 11:48:59
22 A. Yes. 11:49:03
23 Q. Did you answer the question? 11:49:20
24 A. Yes. 11:49:22
25 Q. There is a group. 11:49:23

1 What is the name of that group? 11:49:26

2 MR. HURRELL: Objection. That assumes 11:49:28

3 facts -- a fact not established. 11:49:39

4 (Reporter requested clarification.) 11:49:42

5 BY MR. SWEENEY: 11:49:42

6 Q. Does that group -- does that group have a 11:49:43

7 name? 11:49:45

8 A. Not to my knowledge. 11:49:47

9 Q. Have you ever heard the term "The 11:49:50

10 Executioners" associated with that group of 11:49:54

11 deputies? 11:49:57

12 A. Yes. 11:49:58

13 Q. Okay. Where did you hear that? 11:50:01

14 A. Aldama's deposition, I believe that you 11:50:07

15 mentioned that name, so that's the first time I 11:50:09

16 ever heard of that name. 11:50:11

17 Q. You heard -- have you heard it anywhere 11:50:13

18 else? 11:50:15

19 A. No. 11:50:15

20 Q. Now, Deputy Aldama said that he was 11:50:20

21 bestowed -- he didn't use those words -- but he 11:50:27

22 was -- earned the right to get this tattoo. 11:50:30

23 And I asked him, what did he have to do? 11:50:35

24 And he said, "work hard, make arrests, 11:50:37

25 things like that." 11:50:40

1 Were you given the honor of having that 11:50:41
2 tattoo by anyone in the Compton station? 11:50:46
3 MR. ALTURA: Objection. 11:50:52
4 MR. HURRELL: Objection. That assumes -- 11:50:53
5 I believe that misstates Aldama's testimony, John. 11:50:55
6 MR. SWEENEY: Okay. That's my 11:50:58
7 recollection. 11:51:00
8 Q. Let me ask another question, then. 11:51:01
9 Did someone come to you and say -- when I 11:51:05
10 say "someone," someone -- a deputy, fellow deputy 11:51:12
11 sheriff -- come to you and say that "We want to 11:51:16
12 allow you to get a tattoo"? 11:51:20
13 Anything to that effect? 11:51:23
14 A. No, sir. 11:51:24
15 Q. How long had you been a deputy at the 11:51:27
16 Compton station in 2018? 11:51:30
17 A. I was not a deputy sheriff at that time 11:51:34
18 anymore. 11:51:36
19 Q. When did you stop -- when were you 11:51:41
20 terminated by the Sheriff's Department? 11:51:45
21 A. I want to say June 2017, sir; however, I 11:51:51
22 don't recall the exact date. 11:51:55
23 Q. So you got this tattoo -- you claimed you 11:51:58
24 got this tattoo after you were terminated? 11:52:02
25 A. Yes, sir. 11:52:05

1 Q. Who went to -- strike that. 12:05:45

2 Did anybody go with you to the tattoo 12:05:48

3 parlor? 12:05:50

4 A. I don't recall, sir. 12:05:52

5 Q. I may have asked this question: How much 12:06:05

6 did it cost you? 12:06:08

7 A. I don't recall, sir. 12:06:09

8 Q. What does the tattoo symbolize to you? 12:06:11

9 A. To me, it's a bond with -- with my 12:06:19

10 partner, sir. [REDACTED] 12:06:22

11 [REDACTED] 12:06:26

12 [REDACTED], and I want -- because I wasn't in the 12:06:28

13 department anymore, I wanted to share someone -- 12:06:31

14 something with him. 12:06:33

15 Q. Okay. 12:06:38

16 MR. GLICKMAN: Mr. Sweeney, I have the 12:06:43

17 picture now if you'd like me to show it. 12:06:45

18 MR. SWEENEY: Yes, please. 12:06:49

19 (Photo shared on screen.) 12:07:00

20 BY MR. SWEENEY: 12:07:02

21 Q. Can you see that, Deputy? 12:07:02

22 A. Yes, sir. 12:07:05

23 Q. Okay. That was the picture released to 12:07:06

24 the media. 12:07:11

25 A. Correct. 12:07:13

1 one second. Excuse me one second. 14:08:18

2 (Dog barking) 14:08:20

3 MR. GLICKMAN: I would just like the 14:08:32

4 record to reflect that my cat has not interrupted 14:08:33

5 the proceedings once. 14:08:35

6 MR. SWEENEY: Sorry about that. Okay. 14:08:36

7 Q. Have you ever been disciplined by the 14:08:38

8 Sheriff's -- where did he go? Oh, there he is. 14:08:40

9 Have you -- Mr. Orrego, have you ever been 14:08:43

10 disciplined by the Sheriff's Department before? 14:08:45

11 A. I believe one time, sir. 14:08:49

12 Q. What was that for? 14:08:51

13 A. I was going to a domestic violence call, 14:08:53

14 and I was not wearing my seatbelt when I was red 14:08:57

15 lights and sirens, sir. 14:09:01

16 Q. Okay. You're sure that's it? 14:09:04

17 A. I believe so, sir, yes. 14:09:07

18 Q. Okay. Directing your attention to 14:09:09

19 January 15, 2016. 14:09:14

20 You had an occasion to hear a dispatch 14:09:20

21 call regarding a 664/187. Is that correct? 14:09:25

22 A. A 245 GSV, I believe, sir. Yeah. Assault 14:09:40

23 with deadly weapon, gunshot victim. 14:09:45

24 Q. Okay. All right. 14:09:48

25 So where were you when you got that call 14:09:51

1 or heard that call? 14:09:53

2 A. I was patrolling Compton, sir. 14:09:54

3 Q. What part of Compton? 14:09:59

4 A. I don't recall, sir. 14:10:02

5 Q. And who was driving? 14:10:05

6 A. I don't recall, sir. 14:10:08

7 Q. Who was your partner? 14:10:12

8 A. Deputy Aldama, sir. 14:10:14

9 Q. And what did you do in reaction to that

10 call? 14:10:19

11 A. We heard enough units were going to assist

12 the handling unit with the victim and locking down

13 the -- the gunshot victim location. 14:10:32

14 So we wanted to -- since they had enough

15 deputies on scene, we thought it was a good,

16 proactive idea to go and look for -- you know, just

17 patrol around the rival -- the active rivals of

18 that gang, that particular gang that's in that area

19 where the shooting occurred. 14:11:00

20 Q. And you and Samuel Aldama talked about

21 that. Correct? 14:11:04

22 A. I don't -- I don't -- I don't recall if we

23 talked about it. 14:11:08

24 Q. Well, you said, "We decided to go to

25 the" -- that was a decision that you and 14:11:16

1 Deputy Aldama made. Correct? 14:11:20

2 A. Yes. However, I don't recall how the 14:11:22

3 decision was made. I mean, yes, we -- ultimately, 14:11:24

4 yes, that's what we did. 14:11:28

5 Q. Yeah. Because you wanted to apprehend any 14:11:30

6 possible suspect. Correct? 14:11:37

7 A. Yes. 14:11:40

8 Q. And so you went to the rival gang 14:11:43

9 territory, as we established earlier, and the 14:11:51

10 shooting was in Tree Top Piru territory. 14:11:55

11 You went to the Neighborhood Piru 14:11:59

12 territory. Correct? 14:12:02

13 A. Correct, sir. 14:12:03

14 Q. And you went over there specifically 14:12:05

15 looking for a possible suspect to that shooting. 14:12:09

16 Correct? 14:12:16

17 A. Yes -- no, not really, sir. 14:12:17

18 Q. Well, what did you go over there for? You 14:12:21

19 already said that you went over there to possibly 14:12:23

20 look for a suspect. 14:12:26

21 A. Well, that was -- yeah, that's -- I mean, 14:12:28

22 that's the reason -- that's what took us to the 14:12:30

23 area. However, if -- 14:12:33

24 Q. Okay. Okay. 14:12:34

25 MR. ALTURA: This is Jack Altura. 14:12:40

1 Was the witness done with his answer? It 14:12:42
2 seemed like he had more to say. 14:12:44
3 MR. SWEENEY: Now, don't try to coach him, 14:12:46
4 Mr. Altura. He put his hands up and said yes. 14:12:47
5 That was it. 14:12:51
6 MR. ALTURA: You interrupted him, 14:12:53
7 Mr. Sweeney, from the way I can see it. 14:12:54
8 MR. SWEENEY: I interrupted him because he 14:12:57
9 put his hand up like this and put it down. Next 14:12:58
10 question. 14:13:01
11 MR. ALTURA: I must have missed that 14:13:02
12 gesture. 14:13:05
13 BY MR. SWEENEY: 14:13:06
14 Q. Well, let me ask: Did you have anything 14:13:06
15 more to say? 14:13:09
16 A. Yes, sir, I did. 14:13:09
17 Q. Well, I'll get to -- in response to the 14:13:10
18 question I asked? 14:13:12
19 A. Yes, sir. 14:13:13
20 We went to the particular area based on 14:13:14
21 looking for a possible suspect. But if a rape 14:13:18
22 victim was going to wave us in the middle of the 14:13:21
23 street, we were not going to neglect helping that 14:13:24
24 rape victim just to go catch a shooting suspect. 14:13:28
25 So even though that took us to that area, 14:13:31

1 we weren't specifically looking for the gun -- for 14:13:34
2 the shooter of -- the GSV. We weren't there -- 14:13:38
3 that's what took us to the area, but that's not 14:13:44
4 exactly what we were doing. 14:13:46
5 Q. Oh, God. 14:13:49
6 What were you exactly doing, then? 14:13:49
7 A. Patrolling the neighborhood. 14:13:53
8 Q. For the suspect. Correct? 14:13:55
9 You can't separate the two, sir. You've 14:14:00
10 already said you heard the radio call, and you 14:14:02
11 decided to go to the rival gang area. 14:14:04
12 MR. ALTURA: This is Jack Altura. 14:14:09
13 I'll object to that testimony by counsel. 14:14:10
14 MR. HURRELL: Yeah. Is there a question, 14:14:13
15 John? 14:14:14
16 MR. SWEENEY: Yeah. 14:14:14
17 BY MR. SWEENEY: 14:14:14
18 Q. The question is: You went to that area to 14:14:15
19 search for a suspect to the shooting. Correct? 14:14:19
20 A. Yes, sir. 14:14:25
21 Q. Okay. All right. And so you had heard 14:14:26
22 that gunshots were involved. Correct? 14:14:30
23 A. Yes, sir. 14:14:36
24 Q. And your -- that heightened your anxiety, 14:14:38
25 didn't it? 14:14:43

1 A. My awareness, sir. 14:14:46

2 Q. Yes. Because certainly, if a suspect had 14:14:48

3 a gun, you didn't want to get shot. Correct? 14:14:53

4 That's natural. 14:14:57

5 MR. HURRELL: Well, I don't understand the 14:15:00

6 question, John. It's vague and ambiguous. 14:15:01

7 BY MR. SWEENEY: 14:15:03

8 Q. You didn't want to get shot by any 14:15:03

9 possible suspect. Correct? 14:15:06

10 A. I don't think anybody wants to get shot, 14:15:15

11 sir. 14:15:17

12 Q. Of course not. Of course not. 14:15:17

13 And so your awareness was raised, and this 14:15:21

14 was not just a dog bite call. It was much more 14:15:25

15 serious. Correct? 14:15:31

16 A. Yes, sir. 14:15:32

17 Q. And how did you roll over that you -- you 14:15:43

18 rolled over to the Neighborhood Piru territory very 14:15:45

19 quickly, didn't you? 14:15:49

20 A. I don't recall, sir. 14:15:53

21 Q. How far is the -- the two turfs apart? 14:15:58

22 A. Probably less than a mile, sir. 14:16:08

23 Q. And so you -- one second. 14:16:11

24 And so you make your way over to Spruce 14:16:42

25 Street. Is that correct? 14:16:45

1 you mean -- I see a cursor going up the -- up the 14:18:51
2 path up to the house? 14:18:57
3 A. The public -- public sidewalk, sir. 14:18:59
4 Q. Oh, the public sidewalk. Okay. Okay. 14:19:02
5 Is there any way you can tell us where 14:19:06
6 they were standing by looking at this picture? 14:19:09
7 A. They were, I believe, on the -- I believe 14:19:14
8 they were on the south side of the sidewalk, right 14:19:17
9 there. 14:19:21
10 Q. Can you -- 14:19:23
11 MR. SWEENEY: Mr. Glickman, you have the 14:19:25
12 cursor. Can you move it to -- shall we move it up, 14:19:27
13 back down, or -- 14:19:31
14 THE WITNESS: To the right, please. And 14:19:33
15 then down. 14:19:34
16 They were around that area right there, 14:19:35
17 yep. Around there. 14:19:38
18 BY MR. SWEENEY: 14:19:38
19 Q. Okay. So for the record, if we're looking 14:19:39
20 at the photograph straight on, there is a walkway 14:19:42
21 that walks -- that leads up to the front door. 14:19:45
22 They were to the right of that, and they were on 14:19:49
23 the concrete sidewalk or the grass? 14:19:51
24 A. I don't recall -- recall that. 14:19:55
25 Q. Okay. All right. But somewhere around 14:19:58

1 the person. I mean, that's one of the reasons why 14:27:24
2 we went, but we were multitasking. 14:27:26
3 Besides being reactive to calls for 14:27:29
4 service, we were looking for the suspect. We were, 14:27:31
5 you know, patrolling the area. Not necessarily 14:27:34
6 only put the blinders on, and let's go look for the 14:27:37
7 suspect; we have to get the suspect. 14:27:41
8 Is that clear? 14:27:44
9 Q. No, it's not clear, but I'm going to 14:27:46
10 object to that response as being nonresponsive, and 14:27:50
11 I will move the court to strike it. 14:27:54
12 Okay. So -- 14:28:00
13 MR. ALTURA: This is Jack Altura. 14:28:02
14 That actually seemed very responsive to 14:28:03
15 me, and so I would oppose that motion. 14:28:05
16 MR. SWEENEY: I asked him: So you were 14:28:08
17 looking for the -- a male, black, in his 20s, with 14:28:09
18 a blue beanie and a silver or gray Pontiac. 14:28:16
19 And the answer could have been given in 14:28:20
20 yes or no. Okay. 14:28:23
21 Q. So when you pulled up to 1213 Spruce 14:28:29
22 Street, you saw a group of people standing on the 14:28:38
23 lawn or near the sidewalk where you described. 14:28:44
24 How many -- how big was the group? 14:28:50
25 A. I believe it was two males and one female. 14:28:54

1 Q. What were they doing? 14:29:03

2 A. I believe they were outside, talking, 14:29:05

3 drinking out of a silver can. 14:29:08

4 Q. They were all drinking out of a silver 14:29:12

5 can? 14:29:15

6 A. I don't recall the female was, but 14:29:16

7 definitely the two males were. 14:29:18

8 Q. They were drinking out of a silver can. 14:29:21

9 The same silver can or different silver 14:29:24

10 cans? 14:29:27

11 A. Different, sir. 14:29:27

12 Q. And did you stop your vehicle? 14:29:31

13 A. Yes, sir. 14:29:37

14 Q. You don't recall who was driving. 14:29:38

15 Correct? 14:29:40

16 A. I don't. I don't, sir. 14:29:41

17 Q. Why did you stop your vehicle? 14:29:43

18 A. The beverage appeared to be an alcoholic 14:29:48

19 beverage, so we wanted to just make -- make 14:29:51

20 contact. 14:29:54

21 Q. So you rolled over to this -- this rival 14:29:56

22 gang area to look for the suspect; yet you get out 14:30:02

23 of the car to contact somebody for having 14:30:09

24 alcohol -- possibly having an alcoholic beverage. 14:30:14

25 Is that your testimony? 14:30:19

1 MR. HURRELL: It's argumentative. 14:30:20

2 THE WITNESS: Yes. 14:30:24

3 BY MR. SWEENEY: 14:30:25

4 Q. Is that the only reason why you got out of 14:30:27

5 the car? 14:30:29

6 A. What was the reason? 14:30:32

7 I'm sorry, can you repeat that again? 14:30:33

8 Q. Was that the only reason you got out of 14:30:35

9 the car? 14:30:37

10 A. What -- what was the reason? The -- 14:30:39

11 Q. That you just stated. 14:30:42

12 A. That they were drinking out of a silver 14:30:45

13 can that appeared to be an alcoholic beverage? 14:30:48

14 Q. Yes. That's the only reason you got out 14:30:51

15 of the car? 14:30:53

16 A. At that time, yes. 14:30:53

17 Q. You didn't -- did you -- strike that. 14:30:55

18 You got out of the car. You drew your 14:31:03

19 guns. You drew your gun and pointed your gun at 14:31:08

20 somebody who was drinking alcohol out of a can. 14:31:11

21 MR. HURRELL: That assumes that fact not 14:31:17

22 established, that they drew their gun -- or he drew 14:31:19

23 his gun. He hasn't testified to that so far. 14:31:23

24 MR. ALTURA: And Jack Altura for the 14:31:26

25 County. 14:31:28

1 BY MR. SWEENEY: 14:40:06

2 Q. So what was your intention in getting out 14:40:14

3 of the car when you saw them drinking alcoholic 14:40:19

4 beverages, as you said? 14:40:20

5 A. Well, drinking an alcoholic beverage in a 14:40:25

6 public place is a violation of Compton Municipal 14:40:27

7 Code. So that was my legal standing to -- to stop. 14:40:30

8 It doesn't mean they were going to jail, 14:40:34

9 but that gives me legal standing to make contact 14:40:36

10 with the people. 14:40:39

11 Q. Okay. And, I mean, you can try to talk to 14:40:41

12 anybody. Correct? If I'm walking through the 14:40:48

13 streets of Compton, you can stop me and try to talk 14:40:53

14 to me. Correct? I can walk away, but you can try. 14:40:56

15 Correct? 14:40:58

16 A. Correct, sir. 14:40:59

17 Q. So you were going to question them about 14:41:02

18 drinking alcohol in public. Is that right? 14:41:08

19 A. If I was going to question them? 14:41:14

20 Q. Yeah. That was your purpose, you said, in 14:41:17

21 getting out of the car? 14:41:23

22 A. That was my legal standing to be there. 14:41:24

23 It was more of a consensual encounter at this time. 14:41:29

24 Q. It was your legal standing. But the 14:41:33

25 reason why you were there was to get the -- the 14:41:34

1 answer. 14:55:45

2 MR. SWEENEY: He answered already. 14:55:47

3 THE COURT REPORTER: This is the reporter. 14:55:59

4 No answer reflected in the record to that question. 14:55:59

5 BY MR. SWEENEY: 14:56:01

6 Q. Okay. Please answer. 14:56:02

7 A. "Relaxed" meaning, you know, we didn't 14:56:03

8 have the guns out or -- I mean, you know, it was 14:56:04

9 just -- it was just a contact. 14:56:06

10 Q. Who was it who approached Mr. Lockett? 14:56:16

11 Was it you or Mr. Aldama, Deputy Aldama? 14:56:19

12 A. Deputy Aldama. 14:56:25

13 Q. Do you know if he said anything to 14:56:27

14 Mr. Lockett? 14:56:29

15 A. Yes. I believe he said, "Are you on 14:56:32

16 probation or parole?" 14:56:35

17 Q. Was there any response by Mr. Lockett? 14:56:40

18 A. Yes. I saw Mr. Lockett start to walk at a 14:56:42

19 fast pace eastbound away from Deputy Aldama. 14:56:46

20 Q. Okay. 14:56:51

21 MR. SWEENEY: And can we pull up 14:56:52

22 Exhibit 60 -- one second. 14:56:56

23 MR. GLICKMAN: What are you looking for? 14:57:05

24 MR. SWEENEY: 62. 14:57:07

25 Q. You said "eastbound," "started walking 14:57:15

1 eastbound"? 14:57:17

2 MR. GLICKMAN: I have -- would a map help? 14:57:19

3 MR. SWEENEY: Yeah, the Google map. 14:57:22

4 MR. GLICKMAN: Yeah, so here's -- I have 14:57:24

5 the Google map here. 14:57:25

6 MR. SWEENEY: 62. 14:57:27

7 MR. GLICKMAN: And so we have a -- this 14:57:30

8 hasn't been marked yet, so this will be Exhibit 66. 14:57:31

9 MR. SWEENEY: Okay. 14:57:35

10 (Deposition Exhibit 66 was marked for 14:57:36

11 identification.) 14:57:37

12 MR. SWEENEY: I wanted to show 62, but 14:57:38

13 that's okay. This is better. This is better. 14:57:40

14 Okay. 14:57:42

15 Q. You see this -- it's pinned at -- with a 14:57:44

16 red pin at 1213 West Spruce. 14:57:50

17 Do you see that, Mr. Orrego? 14:57:54

18 A. Yes. 14:57:58

19 Q. Okay. What direction did Mr. Lockett 14:57:59

20 start walking in? 14:58:03

21 A. Eastbound. 14:58:08

22 Q. And what -- 14:58:09

23 MR. SWEENEY: And Mr. Glickman, can you 14:58:15

24 put the cursor going eastbound? 14:58:16

25 Q. Is that the direction, sir? 14:58:20

1 A. Yes, sir. 14:58:21

2 Q. Was he walking at that point, Mr. Lockett? 14:58:22

3 A. There began -- the males began to 14:58:27

4 disassociate themselves from one another, and -- 14:58:29

5 yes. And then he, Mr. Lockett, started basically 14:58:35

6 walking away from the other male and away from 14:58:38

7 Deputy Aldama. 14:58:44

8 Q. Okay. What happened next? 14:58:47

9 A. Mr. Lockett turned around east and then 14:58:55

10 took off running, pulled out a weapon from his 14:58:58

11 waistband. 14:59:03

12 And then after that, he left northbound on 14:59:03

13 Tajauta toward Rosecrans. 14:59:08

14 Q. You said he took off running, and he 14:59:11

15 pulled a gun out of his waistband. Correct? 14:59:13

16 A. Correct, sir. 14:59:17

17 Q. So his back was to you when he pulled out 14:59:17

18 this gun. Correct? 14:59:20

19 A. Yes, sir. 14:59:21

20 Q. Now, did you actually see the gun, sir? 14:59:36

21 A. Yes, sir. 14:59:39

22 Q. As a matter of fact, in the stop and chase 14:59:43

23 of Dante Taylor, which you are familiar with, you 14:59:51

24 said that he had a gun. Same thing. Correct? 14:59:56

25 A. Correct, sir. 15:00:00

1 Q. And that he pulled it out of his 15:00:01
2 waistband. Correct? 15:00:03
3 A. Correct, sir. 15:00:04
4 Q. As a matter of fact, as we learned in your 15:00:06
5 deposition that I took of you in that case out in 15:00:09
6 Long Beach, that you said that when you fired the 15:00:13
7 fatal shot at Dante Taylor, he was pointing a gun 15:00:18
8 right at you, and you were relatively close; you 15:00:23
9 saw this gun, you shot, and he dropped right there. 15:00:26
10 Do you recall that testimony? 15:00:32
11 A. I don't recall me testifying it like that. 15:00:35
12 Q. Oh. We have it, and we have it on video. 15:00:39
13 But anyway, there was no gun found next to 15:00:44
14 the body of Dante Taylor, was there? 15:00:46
15 MR. HURRELL: You're talking about the 15:00:52
16 Taylor case. Correct? 15:00:53
17 MR. SWEENEY: Yes. Yes. 15:00:54
18 THE WITNESS: No, sir. 15:00:59
19 BY MR. SWEENEY: 15:01:02
20 Q. All right. Let's get back to this case. 15:01:02
21 In the Taylor case, you, of course, made a 15:01:06
22 417 broadcast, didn't you? 15:01:11
23 A. Yes, sir. 15:01:15
24 Q. In this case, you made a 417 broadcast, 15:01:17
25 didn't you? 15:01:22

1	A. Yes, sir.	15:01:22
2	Q. You knew that a 417 broadcast would evoke	15:01:25
3	a rapid and serious response from other fellow	15:01:37
4	deputies, didn't you?	15:01:41
5	A. Yes, sir.	15:01:44
6	MR. ALTURA: This is Jack Altura, and I'll	15:01:46
7	make a belated objection that that's vague and	15:01:48
8	ambiguous.	15:01:51
9	MR. SWEENEY: Okay.	15:01:53
10	MR. ALTURA: The question is vague and	15:01:54
11	ambiguous.	15:01:54
12	BY MR. SWEENEY:	15:01:55
13	Q. What's your answer?	15:01:55
14	MR. HURRELL: He answered yes.	15:02:01
15	BY MR. SWEENEY:	15:02:02
16	Q. I'm sorry. What was the answer?	15:02:02
17	MR. HURRELL: He said yes, John.	15:02:05
18	MR. SWEENEY: Oh, okay. Thank you.	15:02:06
19	THE COURT REPORTER: And this is the	15:02:14
20	reporter. That is in the record.	15:02:15
21	MR. SWEENEY: Okay. Thank you.	15:02:17
22	Q. Can you describe the gun, sir?	15:02:28
23	A. It was a black handgun, sir.	15:02:31
24	Q. Automatic, semiautomatic, or a revolver?	15:02:36
25	A. It looked like a semiautomatic, sir.	15:02:41

1 Q. Did you give chase of Mr. Lockett? 15:02:43

2 A. I followed on foot, yes. 15:02:48

3 Q. Were you running? 15:02:53

4 A. I was jogging in order to keep a 15:02:56

5 containment. 15:02:58

6 Q. You were jogging by yourself. Correct? 15:02:59

7 A. Deputy Aldama, I believe, was paralleling 15:03:04

8 me in the vehicle. 15:03:05

9 Q. He eventually caught up with you. But 15:03:11

10 when you took off running after Mr. Lockett, he 15:03:14

11 wasn't paralleling you, was he? 15:03:17

12 A. He was still -- he was near the area, sir. 15:03:19

13 Very close. 15:03:22

14 Q. Isn't that a violation of sheriff pursuit 15:03:23

15 policy for you to take off before your partner? 15:03:26

16 A. No, sir. 15:03:31

17 Q. Can -- no? 15:03:32

18 MR. ALTURA: This is Jack Altura. 15:03:37

19 I'll object that that calls for expert 15:03:38

20 opinion. 15:03:40

21 MR. SWEENEY: Well, Mr. Orrego is an 15:03:48

22 expert in this area. 15:03:50

23 Q. As a matter of fact, you were disciplined 15:03:53

24 for violating the Sheriff's foot-pursuit policy 15:03:55

25 just six months later when you shot and killed 15:03:58

1 on Rosecrans and Nestor? 15:51:05

2 A. Correct, sir. 15:51:07

3 Q. And he proceeded to -- southbound to 15:51:09

4 Spruce? 15:51:12

5 A. I -- I don't remember how he got to 15:51:14

6 Spruce, and I don't know where the vehicle was, 15:51:18

7 where our patrol vehicle was, but it was in the 15:51:21

8 area between Rosecrans and Spruce on Nestor Street. 15:51:24

9 And that's approximately maybe, I will say, 15:51:29

10 20 yards from street to street. 15:51:30

11 So he was somewhere, keeping a containment 15:51:33

12 spot in those two corners. 15:51:35

13 Q. Okay. And at some point, other deputies 15:51:37

14 arrived. Is that correct? 15:51:47

15 A. That's correct, sir. 15:51:48

16 Q. How long after you two set up your 15:51:49

17 containment did the first set of deputies arrive? 15:51:51

18 A. I don't recall the time, sir. 15:51:59

19 Q. One minute, two minutes, three minutes? 15:52:01

20 A. Less than five minutes, I'll say. 15:52:05

21 Q. Okay. Because you had put your 417 on 15:52:08

22 the -- you had requested the patch. Correct? 15:52:11

23 A. Correct, sir. 15:52:14

24 Q. And that means that all deputies in 15:52:15

25 Compton can hear your call for help. Correct? 15:52:19

1	A. Yes. Yes, sir.	15:52:22
2	Q. Okay. So who was it who found where	15:52:23
3	Lockett was located?	15:52:29
4	A. While holding our containment spots,	15:52:33
5	Deputy Aldama and I heard a metal screen door being	15:52:36
6	attempted to be opened, like forcefully be pulled	15:52:40
7	open.	15:52:45
8	At this time, you know, we -- it sounded	15:52:46
9	like somebody was trying to break into a home.	15:52:49
10	And at this time, Deputy Aldama and I, we	15:52:52
11	kind of looked over the fence that was there, and	15:52:55
12	we saw suspect Lockett violently pulling on this	15:52:58
13	door and trying to get in the house.	15:53:06
14	Q. You looked over the wall. Can you --	15:53:08
15	MR. SWEENEY: Mr. Glickman, can you please	15:53:11
16	pull up the exhibit showing the patio?	15:53:12
17	Q. Now, while he's pulling that up, can you	15:53:40
18	actually look over the courtyard and see him	15:53:43
19	pulling on the door?	15:53:46
20	A. Yes, sir, I believe so.	15:53:49
21	MR. GLICKMAN: For the record, I have	15:53:54
22	what's Bates-stamped 173, and so we'll mark that	15:53:54
23	now as Exhibit 69.	15:53:57
24	(Deposition Exhibit 69 was marked for	15:54:00
25	identification.)	15:54:01

1 MR. SWEENEY: One second. 15:54:03

2 Q. Did you put in your police report that you 15:54:04

3 saw Mr. Lockett pulling on the screen door? 15:54:07

4 A. I don't recall -- I don't recall me doing 15:54:18

5 that, writing that. I don't recall, sir. 15:54:20

6 Q. Okay. But you saw it? 15:54:21

7 A. I heard it. That's -- definitely, I heard 15:54:23

8 it, and -- yes, sir -- 15:54:25

9 Q. You said you saw him. 15:54:27

10 A. Well, based on the radio traffic that was 15:54:29

11 taken at the time of, yes, I said, "We're holding 15:54:33

12 the suspect at gunpoint," and I explained where it 15:54:37

13 was. 15:54:40

14 So for that reason, it leads me to believe 15:54:41

15 that at some point during us listening or hearing 15:54:44

16 the noises to the point that we had a visual on 15:54:47

17 him, I had to have seen him through the fence. 15:54:51

18 Q. Okay. One second. 15:54:54

19 How tall are you? 15:55:00

20 A. Five-eight, sir. 15:55:02

21 Q. How tall is Samuel Aldama? 15:55:04

22 A. I believe about -- approximately -- I'm 15:55:08

23 not sure, sir, but if I had to guess, I'll say 15:55:10

24 five-nine. 15:55:13

25 Q. About your height. Correct? 15:55:15

1 MR. ALTURA: I'll just object -- this is 16:11:04
2 Jack Altura -- that that misstates prior testimony 16:11:05
3 that Mr. Aldama, Deputy Aldama, admitted to 16:11:07
4 slugging Mr. Lockett. 16:11:11
5 I have not been aware of any such 16:11:12
6 testimony on the part of Mr. -- or Deputy Aldama. 16:11:14
7 MR. SWEENEY: Okay. 16:11:17
8 Q. What did Deputy Feria do? 16:11:19
9 What did you see him do? 16:11:21
10 A. Feria, I believe I instructed him to use 16:11:25
11 his OC spray, sir. 16:11:27
12 Q. You instructed him? 16:11:30
13 A. Well, I instructed -- when I made the 16:11:31
14 arrest team, I told him, "Hey, Aldama is going to 16:11:33
15 place handcuffs." Anything happens, because it was 16:11:37
16 a close quarter, I told Deputy Feria to -- he was 16:11:41
17 going to use OC spray if necessary. 16:11:45
18 And the Taser, I instructed Deputy 16:11:48
19 Embleton, because he had a Taser, if necessary. 16:11:50
20 It's not "We're going to jump, and this is 16:11:54
21 what we're going to do." The suspect actions 16:11:57
22 dictate what we do, sir. 16:11:59
23 Q. But it was you who was the officer who was 16:12:01
24 giving the instructions to the other officers. 16:12:05
25 Correct? 16:12:07

1 MR. HURRELL: You misspoke, John. 16:55:13

2 THE WITNESS: You said "throughout the 16:55:15

3 arrest." 16:55:16

4 BY MR. SWEENEY: 16:55:17

5 Q. I'm sorry. Throughout the investigation. 16:55:18

6 A. I believe that that's a question that you 16:55:20

7 need to ask Aldama because I'm not sure -- to me, 16:55:21

8 "throughout the investigation" can be from point -- 16:55:24

9 from the time the suspect gets -- you know, you 16:55:27

10 have contact with the suspect to the time that the 16:55:31

11 detective -- you know, the case gets turned over to 16:55:35

12 detectives, you know. 16:55:38

13 So I -- it could be anywhere from five 16:55:40

14 minutes to a full month of -- 16:55:42

15 Q. Okay. So at the time -- you said the 16:55:44

16 starting point theoretically he could be talking 16:55:47

17 about is from the time of the contact. 16:55:51

18 At the time of the contact, did you feel 16:55:54

19 that he fit the suspect of the shooting's 16:55:58

20 description? 16:56:01

21 A. Yes, sir. 16:56:03

22 Q. Thank you. All right. 16:56:05

23 You had limited information that we just 16:56:14

24 heard an hour or so ago that was broadcast over the 16:56:17

25 dispatch; that is, black, male, blue beanie, silver 16:56:21

1 Pontiac. 16:56:33

2 What in those -- in that description fit 16:56:38

3 the suspect, or fit Mr. Lockett? 16:56:43

4 A. Well, sir, I think that you're forgetting 16:56:49

5 our initial contact was not over anything related 16:56:53

6 to the 245, you know, other than that's the reason 16:56:56

7 why we were in that area, you know. 16:57:01

8 And "throughout the investigation," 16:57:07

9 meaning okay, now we arrested the guy that we saw 16:57:08

10 holding a gun, we have him detained, and then 16:57:12

11 the -- the victim gets brought, and then she 16:57:18

12 positively identifies Mr. Lockett as the suspect of 16:57:21

13 the shooting, that's -- you know, that's the 16:57:26

14 totality of that, of his arrest. That is the 16:57:30

15 reason why we arrested him. 16:57:34

16 Q. Thank you. 16:57:37

17 MR. SWEENEY: If we go on to your actual 16:57:40

18 report -- can we go to page 1 of 2 of Mr. Orrego's 16:57:43

19 report; put it up there? 16:57:48

20 MR. GLICKMAN: I'm looking at it, but you 16:58:00

21 guys don't see it. 16:58:01

22 MR. SWEENEY: What's that? 16:58:03

23 MR. GLICKMAN: I was looking at it, but I 16:58:05

24 didn't have it on screen share. 16:58:07

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I declare under penalty of perjury that the foregoing is true and correct. Subscribed at _____, California, this ____ day of _____ 2020.

MIZRAIN ORREGO

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CERTIFICATE OF REPORTER

I, HOLLY THUMAN, a Certified Shorthand Reporter, hereby certify that the witness in the foregoing deposition was by me duly sworn to tell the truth, the whole truth, and nothing but the truth in the within-entitled cause; that said deposition was taken down in shorthand by me, a disinterested person, at the time and place therein stated; and that the testimony of said witness was thereafter reduced to typewriting, by computer, under my direction and supervision;

That before completion of the deposition review of the transcript was was not requested/offered. If requested, any changes made by the deponent (and provided to the reporter) during the period allowed are appended hereto.

I further certify that I am not of counsel or attorney for either or any of the parties to the said deposition, nor in any way interested in the event of this cause, and that I am not related to any of the parties thereto.

DATED: May 13, 2020



HOLLY THUMAN, CSR