

0:00:00.0 Bryan Lentz: Okay. All right. We are recording. This is investigator Bryan Lentz. The date is 12/13/23. The time is 1420 hours. And we're in the... Is this City Hall?

0:00:17.4 Shawn Virani: City Hall conference room.

0:00:18.4 BL: City Hall Conference room of Santa Paula. And I'm speaking with, go ahead and state your name.

0:00:22.8 SV: Shawn Virani.

0:00:23.3 BL: Okay. And is Shawn, is S-H-A-W-N?

0:00:26.1 SV: Yes, it is.

0:00:26.3 BL: Okay. And do you have a ID number?

0:00:28.8 SV: 1134.

0:00:29.6 BL: 1134. Okay. Great. And in the room with me also is?

0:00:34.7 Andrew Pongracz: Andrew Pongracz, private counsel and hearing representative for Officer Virani.

0:00:39.9 BL: Okay, great. This is being recorded by one digital handheld here on the table. Okay. So, here's the summary of why we're here today. So during the course of a kidnapping REDACTED investigation involving REDACTED and a juvenile, it was reported... that was reported on June 19th. It was alleged that you had communications with assigned Deputy District Attorney, Emily Reber. And you told her two falsehoods, that you obtained a surveillance video from the high school. And the second one is, is that the camera that covered that area was of no evidentiary value, either because it was poor quality, or it didn't cover the actual area of the crime.

0:01:19.8 BL: So, there the allegation is you made some false statements to Emily Reber. Okay. Now, for Lybarger, you have the absolute right to remain silent. Anything you say can and will be used as evidence against you in a court of law. Although you have the right to not incriminate yourself during this administrative investigation, your silence may be deemed insubordination and result in administrative action being taken up to and including termination. Any statement you make under the compulsion of the threat of such discipline is for administrative purposes only and cannot be used against you in a later criminal proceeding arising out of this case. So if you could just print and sign and then I'll do the witnessing.

0:02:15.1 BL: Great. Okay. Okay. So deputy, and do you want... If something else arises, do you have a contact phone number just to schedule another...

0:02:37.1 SV: Yeah. My personal will be REDACTED

0:02:42.2 BL: REDACTED

0:02:42.2 SV: Yes, sir.

0:02:44.0 BL: And that's the personal?

0:02:45.0 SV: Yes, it is.

0:02:45.5 BL: Okay. And obviously if something else comes up, I'll obviously go with you as well, and everyone gets on onboarded. Okay. So Deputy DA, Reber stated that she was in contact with you in regards to the surveillance footage in connection with that whole crime.

0:03:02.5 SV: Yes.

0:03:03.7 BL: I guess the crime occurred in front of the school.

0:03:05.7 SV: Yeah. It started there, yes.

0:03:07.9 BL: Started there, yes. Yeah. Do you remember as in relation to the time when the crime occurred, when your communications with Reber started?

0:03:19.6 SV: It started early July, approximately.

0:03:26.3 AP: About the video or at all?

0:03:27.9 BL: Oh, about the video, about obtaining the video from the school.

0:03:33.1 SV: Mid-July, approximately mid-July. End of July.

0:03:36.8 BL: Okay. Was that by telephone or text or email or?

0:03:41.5 SV: Text and... Text, mainly.

0:03:43.0 BL: Text.

0:03:43.1 SV: Yes.

0:03:43.6 BL: Was that text on a work phone or your personal?

0:03:46.3 SV: Work phone, yes, sir.

0:03:47.8 BL: Work phone. Okay. Do you have that work phone?

0:03:49.2 SV: I do.

0:03:49.3 BL: Okay. So could I get the screenshots from your work phone and the... No, put it this way. On your communications with Reber, is all of your communications with Reber of a work related matter?

0:04:07.5 SV: Yes. And some personal just kind of jittering back and forth about work and being tired, overworked, and everything like that, just trying to make everything work, but yes, mainly everything is about this case.

0:04:20.2 BL: Okay. I just wanna make sure that the communication, she was not a... You didn't know her on more of a personal level and some of her...

0:04:30.4 SV: No.

0:04:30.4 BL: Okay. All right good enough.

0:04:31.0 SV: No, sir.

0:04:31.2 BL: So could I get a copy of screenshots of those texts?

0:04:36.7 SV: Sure.

0:04:38.6 BL: With her, and when you do the screenshot and you scroll up, try to make sure that the bottom line of the first... The one page is the top of the second, so we can kind of...

0:04:45.9 SV: Keep them sequential.

0:04:47.1 BL: Yeah. Exactly. So if that can be from, I guess, it would be, well, June 19th is when it started, but you're thinking it was mid-July?

0:05:00.5 SV: I believe so. Approximately.

0:05:04.5 BL: Okay.

0:05:04.5 AP: There's a text thread with her?

0:05:06.3 BL: Yes. Oh...

0:05:08.5 AP: It's a one single... It's an iPhone. I don't know if you're familiar. So it's all one thing. He'll give you the entire... The interaction with her soup to nuts.

0:05:14.3 SV: From start to finish.

0:05:15.8 AP: Start to finish.

0:05:16.2 BL: Yeah. Yeah. Okay. So from June 19th through July. And then July, I have, there was a meeting with you on July 21st?

0:05:26.6 SV: Yes, I believe so.

0:05:27.4 BL: Okay. So during that timeframe. So June 19, which there might not be because she might not have got wind of the... It might be more the couple late days later, but...

0:05:38.4 SV: Sure.

0:05:39.0 BL: Okay. Great. Okay. And my email is on the card.

0:05:44.5 SV: Okay.

0:05:44.5 BL: So you can... Yes.

0:05:45.6 AP: I just wanna be perfectly clear. His first contact communication with the DA was sometime in late June. The video only came up in, I believe, it's July 7th, but you'll get the text to

confirm. But the communication about the crime, the entire incident started a couple days after the crime, like when the investigation began.

0:06:09.0 BL: Right. Yeah. So I guess the... If there was... Yeah, so the whole communications, because I guess there on June, according to your report, June 29th or along those lines, you might... You did a follow up at the school and so there might have been towards the end of June sometime, there could have been some communications with Reber.

0:06:35.0 SV: Yeah, but I have to re-check, but yeah, I can let whatever...

0:06:39.2 BL: Okay. So just that, just so I... 'Cause I have some texts from one side, but I want to make sure that they correspond and nothing is missed.

0:06:50.2 SV: Okay.

0:06:51.1 BL: Yeah. You know.

0:06:53.4 SV: Yes, sir.

0:06:53.4 BL: Okay. So your report, this is the supplemental number 26.

0:06:56.5 SV: Okay.

0:06:56.5 BL: Which it's kind of refreshing on a big case. I've never seen sequential supplements like that. Is that a common thing here or?

0:07:05.9 AP: Yeah, whatever we kind of do follow up or we add something to the case or we make contact, whatever has to do with the case, we annotate it and document it, for our purposes, investigative purposes and just keep track of our case.

0:07:20.1 BL: Okay. Yeah. Well, like you... 'Cause I saw that on the whole case file there was one through 20 whatever.

0:07:26.1 SV: Right.

0:07:26.4 BL: And other detectives had their supplements in there too.

0:07:30.8 SV: Right.

0:07:31.5 BL: And it's just kind of neat to pick out, this is what I need instead of combing through bunch of stuff.

0:07:36.9 AP: Through the whole page.

0:07:38.7 BL: Yeah. It's kind of refreshing actually. So anyway, it was on June 27th that you went... Oh, it was June 27th that you went to the high school with Detective Ramirez?

0:07:49.0 SV: Yes.

0:07:51.7 BL: Okay. Was that the first attempt to get the video?

0:07:53.7 SV: Yes, it was. In person, yes, it was.

0:07:57.0 BL: Okay.

0:08:00.0 AP: Go ahead. You got it.

0:08:01.2 SV: In person, yes, it was the first attempt to get the video.

0:08:02.4 BL: Okay. In person.

0:08:02.8 SV: When we physically went there.

0:08:04.0 BL: Okay. And did you call beforehand?

0:08:07.5 SV: I had called beforehand.

0:08:08.7 BL: And who'd you talk to?

0:08:10.0 SV: I talked to Marissa Cervantes or Rodriguez, who's the principal of Ventura High School.

0:08:14.9 BL: Okay. So it's the... Oh, the Principal Rodriguez?

0:08:19.7 SV: Yes.

0:08:20.0 BL: Okay. Okay. And what did you talk to her about or how did...

0:08:23.1 SV: I briefly explained to her that we have an investigation that led back to the high school and that I needed to come and take a look at her surveillance cameras.

0:08:30.9 BL: Okay. Okay. Was that all that same day on the 27th?

0:08:36.2 SV: I really don't remember, but, I believe...

0:08:40.4 BL: Okay. All right. You don't remember like, different days?

0:08:43.4 SV: I don't remember what dates specifically.

0:08:45.4 BL: Oh, okay.

0:08:45.6 SV: But I had told her that I needed to come down and take a look at the footage.

0:08:49.0 BL: Okay. And that was Rodriguez?

0:08:54.1 SV: Yes.

0:08:54.1 BL: Okay. And when you went down there, who'd you all talk to or what happened?

0:08:58.3 SV: When I arrived with my partner, Hector Ramirez, we parked out front of the school and I called the Principal and she walked us into her office.

0:09:08.6 BL: Okay. And then what happened?

0:09:10.2 SV: At that point I asked her if she could come through the video footage and bring up the camera angle that would best face the front of the school. And she attempted to bring it up and the footage was black there. She wasn't able to get a signal, if I remember correctly.

0:09:25.1 BL: Okay. Okay. So the whole system was down?

0:09:26.8 SV: The whole system was down.

0:09:27.8 BL: Okay. So you couldn't even pull up prior videos or anything?

0:09:31.0 SV: No.

0:09:31.0 BL: Okay. Okay. And then what happened?

0:09:35.6 SV: At that point we sat and talked for a few minutes. She tried to make some phone calls to see if she can get it up and running. And she wasn't able to at that time. During this whole time I had my body cam on as well while making contact with her, just so it's documented.

0:09:50.4 BL: Oh, okay. So were you in uniform or?

0:09:52.6 SV: I was wearing what I'm wearing now, minus my jacket. So just my detective uniform, my polo, my PDUs.

0:09:58.0 BL: Oh, but you had a camera on.

0:10:00.4 SV: I wore a camera on my belt.

0:10:00.9 BL: Oh.

0:10:01.3 SV: Yeah.

0:10:01.5 BL: Okay. All right. And that was on the 27th?

0:10:12.1 SV: I believe so, yes.

0:10:13.9 BL: Okay. And is all of those videos downloaded to the system?

0:10:17.4 SV: Yes.

0:10:18.3 BL: Just like any other patrol videos and stuff?

0:10:20.6 SV: Yes.

0:10:20.7 BL: Is it the Axion?

0:10:21.2 SV: Axon camera system.

0:10:23.9 BL: Axon.

0:10:24.5 SV: Yes, sir.

0:10:25.3 BL: Okay. And did you... So you weren't able to view any camera angles whatsoever?

0:10:30.9 SV: No.

0:10:31.2 BL: Okay. Did you look at where the cameras were located at the school while you were there?

0:10:36.3 SV: As we approached the school, we were kind of looking around for cameras. I remember myself and Hector looked off to the left and we saw a camera further down on one building. We were standing out front for a few minutes waiting for the Principal to come get us, and we were kind of looking around and seeing where the best camera angles were. We only saw one camera, which was further I guess you can say north of where we were standing.

0:10:56.1 BL: Okay. Is that along Main Street or what's that other street?

0:11:02.8 SV: It's gonna be that side street that runs North-south. Right, right.

0:11:05.9 BL: Catalina?

0:11:06.4 SV: I believe so, sir.

0:11:07.5 BL: Oh, okay.

0:11:08.0 SV: I believe so, 'cause you have Main, which runs east-west, and then you have the North-south, and we parked in the parking stall in the north-south street and walked to the front of the school.

0:11:16.2 BL: Or where the statue is?

0:11:18.0 SV: Yes.

0:11:18.5 BL: Oh, okay. So it's north of that, so that'd be... Okay.

0:11:21.3 SV: Yeah.

0:11:22.0 BL: All right. Okay. And that's the only camera you saw?

0:11:24.9 SV: That's the only one I saw.

0:11:27.2 BL: All right. Okay. And is that on the opposite side of the building from where the bus stop was?

0:11:32.8 SV: I believe so, yes.

0:11:34.1 BL: Okay. And during that time when you were there with Rodriguez, did she say what the retention period of the videos were?

0:11:50.5 SV: I don't believe at that time I asked about the retention period.

0:11:53.1 BL: Okay.

0:11:53.3 SV: We're more focused on just trying to get the camera system up and running. And she said she'd gimme a call as soon as the camera system was up and running.

0:12:00.5 BL: Oh, okay. Did anyone else... Did she... Did you talk to anyone else at the school besides her?

0:12:06.2 SV: No, I talked to her.

0:12:07.5 BL: Okay. All right.

0:12:08.9 SV: I know she made some phone calls to IT while we were there.

0:12:12.1 BL: Oh, okay. When was the next time you attempted to get the video?

0:12:20.8 SV: Probably two weeks later around there. I'm not a 100% sure.

0:12:25.2 BL: Okay. Did you go back out to the school itself or?

0:12:27.7 SV: I did not go back out to the school, no.

0:12:30.0 BL: Okay. And was that after the July 21st meeting?

0:12:37.9 SV: July... The meeting with?

0:12:40.8 BL: With Reber and an investigator, a DA investigator.

0:12:45.5 SV: I believe so.

0:12:46.8 BL: Okay.

0:12:47.6 SV: I believe so. I'm not a 100% sure.

0:12:50.1 BL: Okay. So you didn't go out to the school. So what did you do to try to get the video?

0:12:55.6 SV: That day that we were there on campus, we walked across the street looking for any other camera angles.

0:13:02.6 BL: This is talking about the June 27th.

0:13:04.8 SV: Yes.

0:13:05.3 BL: Okay. All right.

0:13:06.8 SV: And was mainly in phone contact with Marissa Rodriguez at the time, and then I had another case that had come up in that time period as well. So I kind of shifted all my energy to that other case.

0:13:24.6 BL: Okay. So your report said that on June 20th, Principal Rodriguez contacted, just reading it, contacted me and told me the camera system was fixed.

0:13:38.0 AP: June 20th?

0:13:40.5 BL: Yeah. Is that a typo?

0:13:43.0 SV: That might be a typo. Yes.

0:13:44.6 BL: Okay. Do you know what it should be?

0:13:51.3 SV: Not June 20th, I know that. Yeah, not June 20th.

0:13:57.0 BL: Okay. It could have possibly been just two days later on the 29th?

0:14:01.5 SV: It is possible. Yes.

0:14:03.1 BL: Okay. All right. Do you remember... 'Cause on your video... Print them. Report.

0:14:15.9 SV: Yes.

0:14:16.5 BL: On June 21st, I'm sorry, July 21st, you were told that the camera system was back up and...

0:14:25.0 SV: Up and running.

0:14:26.1 BL: Well, up and running was this one, but that it only had a 30 day window.

0:14:31.3 SV: Retention period, yes.

0:14:32.4 BL: Retention. Is that the first time you were told it had a 30 day window?

0:14:35.4 SV: From what I remember, yes. I don't know if I asked about it that day when I was there.

0:14:40.9 BL: On the 27th?

0:14:41.3 SV: On the 27th, talking to the principal.

0:14:44.4 BL: Okay. And this... When you mentioned a time, do you remember that was a phone call or?

0:14:57.6 SV: I believe so. I believe that's why it's approximate around that time, but I'm not 100% sure, but I believe it was... I think I looked at my call log.

0:15:06.4 BL: Oh, on the phone?

0:15:07.6 SV: Yes.

0:15:08.0 BL: So it could have been a call?

0:15:08.9 SV: It could have been a call, yes.

0:15:10.0 BL: Okay. And that's how you got the time for your report?

0:15:11.6 SV: Call or a text, yeah. Call or a text, one of the two. Possibly a text, actually.

0:15:16.5 BL: Okay. And would that text be on your work phone as well?

0:15:21.1 SV: From the Principal?

0:15:22.3 BL: Yeah.

0:15:22.4 SV: No, that would be on my personal.

0:15:24.0 BL: Okay. But this is regarding a work related matter if you got that text.

0:15:29.1 SV: Yes.

0:15:29.6 BL: Okay. Can I do another request for the text of... And this will be more delicate just because your other text, if it's to her, it could be on a personal level, so redactions are expected, but just, hey, the cameras are up and running and a date and time, that's kind of all I need. If that can be done.

0:15:52.9 AP: We can provide that.

0:15:53.8 BL: All right. Okay. And if it's a call log, well, the call that has the date and time.

0:16:00.6 SV: Okay.

0:16:01.1 BL: If it's still there.

0:16:02.1 SV: Yeah, I don't think it is.

0:16:03.3 BL: Okay. So it's a text or call or something.

0:16:05.3 SV: Okay. Sure, not a problem.

0:16:06.6 BL: All right. Okay. So it was... From what Rodriguez had, it was the 29th is when it came up and running and she informed you. And then between then and after your meeting with the DDA and the investigator, which was reported on the 21st, was there any other attempts to go to the school and get the video?

0:16:38.1 SV: No.

0:16:38.3 BL: Okay. Do you know what you were doing or why you didn't go back out there during that timeframe?

0:16:46.3 SV: Yeah, we had a homicide that occurred. And then I had other cases in the queue as well that I'm trying to juggle. So, I'm just trying to keep my head above water and working on other cases, making sure those are going forward and moving. So, it slipped my mind. I mean, that's just what it came down to, just trying to juggle my work schedule and my workload.

0:17:12.8 BL: Okay. So just workload and could it just slip your mind with the other work duties?

0:17:16.9 SV: Yes, sir.

0:17:17.8 BL: Just... Okay.

0:17:18.8 AP: Including work on this case?

0:17:20.0 SV: Including work on this case.

0:17:20.9 AP: Writing warrants, doing myriad other tasks on this case.

0:17:25.5 SV: Yes.

0:17:26.4 BL: Okay. So on the 29th, Reber had a text conversation with you and asked, did VHS, which is Ventura High School, did VHS call regarding the video? You said, yes, they have the cameras up and working, they are making copies and I'm going Wednesday to pick it up.

0:17:49.8 SV: Yes.

0:17:50.3 BL: Okay. This is some screenshots. I was told it was the 29th even though this is not necessarily readable. But does that all look familiar?

0:18:09.8 SV: Yes, it does.

0:18:11.3 BL: Okay. So from the verbiage of the text and you coordinated with someone at the... It seemed like you coordinated with someone who told you the cameras were up and running. Who was that? That was?

0:18:24.8 SV: Marissa Rodriguez.

0:18:27.3 BL: Marissa Rodriguez?

0:18:29.3 SV: Yes.

0:18:29.8 BL: Okay. And did she also... Did you confirm with her, please make me copies and have them available Wednesday?

0:18:38.2 SV: I believe so, yes. I did ask her to just have stuff on standby so I can come by and take a look and take what I need from that footage.

0:18:45.4 BL: Okay. So just to confirm, you coordinated with Rodriguez to have the video pulled up, but did you actually ask her, hey, between this time and this time, make me copies of that video?

0:19:02.7 SV: At a later time, I did have, give her an actual time frame of what I needed or the date and time of the video.

0:19:09.7 BL: Okay. At a later time?

0:19:10.7 SV: Yes.

0:19:10.9 BL: When was that?

0:19:11.7 SV: I'm not sure right now off the top of my head.

0:19:13.7 BL: Okay. So but as at the time of this text on the 29th, did you coordinate with anyone to actually make copies of the video?

0:19:25.1 SV: I believe it was through phone conversation. I asked her to, at least, have the video ready and available.

0:19:30.3 BL: Okay.

0:19:31.5 SV: I'm not sure about making copies. I don't remember.

0:19:33.2 BL: Okay. Well, I'm just... You just referenced, they are making copies.

0:19:39.2 SV: Right.

0:19:39.7 BL: And I'm just...

0:19:41.1 SV: I honestly, just a mistake on words at that point to the DA, I'm trying to juggle everything that I'm doing. Making phone calls. There was no ill intention to deceive her or anything like that. I'm just trying to barely keep my head above water on this case with the multitude of other cases.

0:20:00.3 BL: Okay. So, you didn't mean to convey that you were getting or having her make copies? Or you were... What was your intention by this?

0:20:12.4 SV: My intention was just to tell her, yes, I'm gonna go back to the high school. The video system's up and running. I will comb through it and grab what I need from there.

0:20:19.1 BL: Okay. That was what you were trying to convey.

0:20:21.2 SV: Yes.

0:20:22.5 BL: Okay. Did you have an appointment on that Wednesday to pick them up?

0:20:31.0 SV: I believe I did, yes.

0:20:33.0 BL: Okay.

0:20:34.5 SV: I had verbally confirmed with the principal that I'd be by Wednesday.

0:20:38.5 BL: Okay. Did you go back Wednesday?

0:20:40.8 SV: I did not.

0:20:40.9 BL: And why was that?

0:20:41.0 SV: Something else came up at work.

0:20:43.2 BL: Okay. Okay. And was all this communication with Rodriguez about this video and you going on to her on Wednesday, is that all in text form?

0:20:57.9 SV: I believe it is. I can't 100% say. I'd have to obviously give you the screenshots and stuff.

0:21:03.7 BL: Okay.

0:21:03.8 SV: I believe the majority of it is, yes.

0:21:05.4 BL: Okay, okay, so I'll just, it might be piece mail, but any text communication with Rodriguez regarding the video, going to the school, attempting to go to the school, rescheduling or something, I'd like to get a copy of that. And then obviously redact any personal stuff that doesn't relate to what we're talking about.

0:21:25.9 SV: Okay.

0:21:26.7 BL: Okay. Do you know... So on the June 29th was a Thursday of one week, and then Wednesday was July 5th, the following week. Do you remember why wait from Thursday until Wednesday to go by and pick it up? Remember?

0:21:48.0 SV: Like I said, just other cases and just trying to prioritize my time and obviously work other cases.

0:21:54.3 BL: Okay.

0:21:55.6 SV: I believe July 4th we actually had our homicide here in the city. It was on the 4th of July.

0:22:01.4 BL: Oh, it was the 4th of July?

0:22:03.4 SV: I believe so. I'm not 100%, approximately.

0:22:06.1 BL: All right. I spoke to, I thought it was the 8th, but...

0:22:11.6 SV: That could be the 8th.

0:22:12.8 BL: Okay.

0:22:12.9 SV: I'm sorry. My dates are kinda off.

0:22:14.8 BL: Okay, were you off for that July 4th weekend? Could that have been a cause?

0:22:21.2 SV: Yeah, I think I was. Yeah, I think I was. I was off. I usually work Monday through Thursday. I have Friday, Saturday, Sundays off.

0:22:32.2 BL: Oh, okay. 'Cause then Wednesday would have been the July 5th, so July 4th weekend was your normal workday or work week.

0:22:41.2 SV: It was my normal workday, so yeah. So I probably was working, but like I said, something else came up. I really don't remember.

0:22:45.0 BL: Okay, all right. Okay. On July 7th, Reber had... She had a text conversation with you in which she said, "Were you able to get all the video from the high school and the motel?" And then you answered, "Morning, I'm off today." That would be July 7th. But, "Morning, I'm off today, but I have video from the school saved and will be combing through it on Monday. As far as the motel thing, only what we have of Martinez." So, July, that would be this one right here.

0:23:23.0 SV: Okay.

0:23:23.5 BL: So for the record, I'm just showing July 7th of what I just just read.

0:23:28.2 SV: Okay.

0:23:32.7 BL: So at that time, did you possess a copy of the surveillance video from the high school?

0:23:37.7 SV: I did not.

0:23:38.0 BL: Okay, and why did you text, "I have video from the school saved?"

0:23:45.0 SV: It was a bad text. I should not have sent it. I meant the video was at the school. The principal and the school had it and had the copy. I had not obtained it physically at all.

0:23:56.6 AP: You used that word copy. It was used earlier. Can you clarify exactly what you mean?

0:24:03.6 SV: The original surveillance video. A flash drive or what we put our videos on to collect.

0:24:08.3 BL: Okay.

0:24:09.7 SV: Or disk.

0:24:11.1 BL: So to confirm, do you know if they pulled that video and saved it for you and it was there at the school? Or is it just that the video footage data is in the computer waiting to get...

0:24:27.7 SV: To be extracted.

0:24:28.0 BL: So is that what you...

0:24:30.6 SV: Yes sir.

0:24:31.9 BL: Okay. So just confirm, no one pulled that video from the time frame that you wish?

0:24:37.5 SV: No.

0:24:37.4 BL: Okay.

0:24:37.5 AP: That is correct. Nobody pulled it.

0:24:40.2 SV: Yes, that is correct. No one pulled that video from...

0:24:42.3 BL: Okay. All right. What did you mean by, "I have video from the school saved?"

0:24:50.2 SV: Exactly what I said that before is that the video was there. I didn't save it physically but it's at the school. It's on the server. It's up and running. It's good to go.

0:25:00.6 BL: Okay. Okay. So the wording, "I have video from the school saved," implies that you personally saved the video.

0:25:06.6 SV: Right.

0:25:09.7 BL: And when you said, "Will be combing through it Monday," means you affirmatively know that you have access to it.

0:25:14.3 SV: Right.

0:25:19.5 BL: And it's waiting for you to comb through it. I'm just... Were you trying to appease Reber and kind of get her off your back to say, hey, "I got it handled. It's no problem." Or with all intention of going to the school later, but were you trying to just get her off your back and tell her something that she wants to hear or?

0:25:42.2 SV: I was trying to, like I said, keep my head above water with the multitude of cases and my mind was running a million miles. I obviously had this case, I had other cases in the queue that I was trying to work on, and yes, in a sense I was trying to appease her and just, let, just take a break, take a space, like breathe. I was a little overwhelmed, a lot overwhelmed. Still am to this day, with a lot of my cases. So by no means was I trying to deceive or lie to her, but I need some help and I should have thrown up the white flag to my admin and I didn't, and that's on me. And I should have asked for help. That's what it came down to.

0:26:27.2 BL: Okay. So you said you didn't try to deceive?

0:26:33.9 SV: No.

0:26:34.5 BL: Okay, but you did try to appease and basically answer her question, get her off your back or give... You said, give you time to breathe or something.

0:26:47.5 SV: Just line up what I had to do to get that stuff done, to make sure it's all organized and collected so I can start going and knocking out those check marks and getting everything done.

0:27:00.1 BL: Okay.

0:27:00.4 AP: But you had in fact spoken to the principal...

0:27:01.5 SV: Yes.

0:27:02.5 AP: Confirmed the system was up.

0:27:04.3 SV: Yes.

0:27:06.1 AP: Confirmed it was available. Made a plan to go get it.

0:27:09.0 SV: Yes. All of those things. That was, while I'm talking to her I'm also talking to the principal on my other phone trying to get everything in line so I can go pick that up. So I'm dual communicating, trying to organize both of these things.

0:27:22.6 AP: But in fairness, that's not the same technically as saved.

0:27:26.3 SV: Correct.

0:27:27.9 AP: That said, you confirmed it's available, made a plan to go get it. Now you have access, all of those things.

0:27:37.1 SV: Yes.

0:27:38.5 AP: And miscommunicated that into saved.

0:27:38.5 SV: Yes.

0:27:41.9 AP: But it's not like it made out of whole cloth that you had taken steps to get this video and hadn't. You just didn't communicate what you did effectively to the person you're reporting to.

0:27:54.5 SV: Yes.

0:27:54.6 AP: Okay. Go ahead.

0:27:54.7 BL: Okay. So in your opinion, was this text here, "I have video from the school saved." Was that a false statement to Reber?

0:28:12.7 SV: It was a misworded statement to DDA Reber. It was not a false statement. I had all intention of getting the video, having it, had access to it. It was just me physically driving down there and getting it. It wasn't to... Just to say it and then never go get it. I had a plan in place to get it. I just got swamped with other things here in the city.

0:28:35.2 BL: Okay. So was it just... You had a... I'm just trying to wrap my head around it and make sure I comprehend everything that you're saying.

0:28:46.3 SV: Sure.

0:28:48.1 BL: So was this text that you sent, something that it is... That you are going to do, but then have every chance, every intention of doing it, such as go getting it saved and stuff, but you kind of put the, I guess, cart before the horse saying, hey, don't worry, it's done, but you're planning to go do it like momentarily?

0:29:10.9 SV: Yes.

0:29:11.5 BL: Okay.

0:29:12.3 SV: Yes, sir.

0:29:14.0 BL: Okay. So who did you talk to at the school that told you that the video was actually there, saved on the servers or computer or whatever?

0:29:29.1 SV: Rodriguez said the video was up and running, which in my mind, I believe it was... It was working. I could go and grab it. I did not know about the 30-day retention period at that time.

0:29:38.5 BL: Oh, okay. Okay. It... On the 29th of... Yeah. You did show, or this came from Rodriguez anyway, you asked her, "Your video retains for some time" question mark. And then she said "yes." So let me just find it here. Okay. So this was on June. This is... She has you as Sean S-E-A-N, but...

0:30:18.2 SV: Yes.

0:30:18.3 BL: Okay. She said, hey, yeah, you... Well, I can't read upside...

0:30:23.6 SV: No, right here, sir?

0:30:25.2 BL: Well, yeah.

0:30:25.9 SV: I'm sorry. "I won't be there until Wednesday." "Okay. You want to give me another contact and I'll reach out next week? No one in office on Monday. Okay. I'll reach out Wednesday. Your video retains for some time?" She said, "Yes."

0:30:37.7 BL: Oh, okay.

0:30:37.8 SV: I said awesome.

0:30:40.1 BL: So you were kind of coordinating with her when she's gonna be available when you can come down.

0:30:41.9 SV: Yes, sir.

0:30:42.4 BL: And then you asked, it retains for some time and she said yes, but did you ever ask how much time?

0:30:50.1 SV: I do not believe I asked specifically how much time.

0:30:52.6 BL: Okay. Okay.

0:30:57.5 AP: That text predates this text?

0:31:01.2 BL: Yes. Yeah. Yeah. So he got confirmation that it was retained. I'm just confirming.

0:31:08.3 AP: Right. Yeah, exactly. Yep.

0:31:09.7 BL: I'm just confirming that. Yeah. And so is that where... That's probably... I'm just confirming that's probably where you got that she confirmed that it was saved on their servers.

0:31:24.6 SV: Yes. Or retained. Yes.

0:31:24.6 BL: Retained for some time. Okay. All right, just if you meant that the school had it saved or whatever, why didn't you just say the school had it saved? Or the school is... It's saved at the school?

0:31:44.6 SV: And to be honest, sir, I was just overwhelmed. Like I said, I've been... I was running around on multitude of cases, texting, just overwhelmed. I mean, there's no other word.

0:31:57.1 AP: You should have said it, I confirmed it was saved instead of I saved it.

0:32:00.8 SV: I saved it, yes.

0:32:06.8 BL: Okay. And you said it was going to be, you're combing through it Monday. Did you go on Monday to get the video? That would be July 10th.

0:32:15.4 SV: No.

0:32:16.8 BL: And why not?

0:32:19.1 SV: We had the homicide on the 8th, so kind of everything shifted to the homicide.

0:32:23.5 BL: Oh, okay.

0:32:23.5 SV: And that was my case as well.

0:32:26.0 BL: Okay. And then on the 10th, you texted with Rodriguez to go back to the school on the 13th.

0:32:39.6 SV: Yes.

0:32:41.3 BL: Just to... Remember that?

0:32:42.8 SV: Yes.

0:32:46.7 BL: Okay. Let me see here. Okay. Did you go back on the Thursday that 13th?

0:32:58.4 SV: I don't believe I did, sir. Still working the homicide at that point.

0:33:05.0 BL: Just busy with other cases?

0:33:06.5 SV: Yeah, just other cases. I mean, you understand with the homicide, it kind of takes the cake on all cases.

0:33:12.9 BL: Sure.

0:33:14.4 SV: So at that point, all detectives were focused on that. I'd worked that 8th almost 14 hours just out here on the crime scene obtaining video footage, again. And did that with no problem and then right into the next day and the next day.

0:33:29.1 BL: Okay. Okay, do you remember talking to Reber on the phone on that Thursday the 13th about setting up a meeting to discuss the case?

0:33:41.7 SV: Yes, I do, vaguely.

0:33:43.1 BL: Okay. And did you... But you rescheduled 'cause you were busy on the homicide and you rescheduled?

0:33:51.4 SV: I believe so, yes.

0:33:52.6 BL: Okay. Do you remember during that call if she mentioned, hey, during this meeting that we're trying to schedule, bring all the evidence to that case, the video, bring the video and bring the evidence.

0:34:08.5 SV: She asked for supplemental reports and I think photographs. I vaguely remember this, but I think I dropped off photographs in her inbox prior to that meeting and outside her door, but I don't remember her saying anything about the specific evidence that... In that case, I thought it was just a meeting to discuss cases.

0:34:29.0 BL: Okay. So just to confirm, you don't remember her requesting, hey, bring the video from the high school?

0:34:37.9 SV: I don't, sir.

0:34:39.7 BL: Okay. And that was a phone call. From what I'm told it was a phone call, do you remember it being a phone call as opposed to a text or email?

0:34:48.1 SV: I don't remember having a phone call, but I mean, I've talked... I was talking to her for multiple things on that case, so I really don't recall specifics.

0:34:57.6 BL: Okay. Okay. Do you remember talking about the video at all? Like you're planning to go get it or anything like that?

0:35:06.2 SV: I believe in text message and then I believe I called her when... After we met in person with the investigator and I went to Vons to go try to obtain other video footage in regards to this case or Ralphs.

0:35:25.2 BL: Ralphs.

0:35:26.1 SV: Ralphs, thank you, in Ventura.

0:35:29.5 BL: Okay. On the 14th, I guess it would be that next day, Reber had a text message with you and you two were talking about the Ralphs. But then she also asked, "Hey, if I request a copy of the high school video, can the court liaison bring it?"

0:35:51.0 SV: Right.

0:35:51.7 BL: And you said, "no problem." It's probably that would be on the 14th. Yeah, that would be right down here.

0:36:10.4 SV: Yes.

0:36:10.9 BL: Okay. So she asked to get a copy of the... Now who is it? The court liaison? Is that a PD employee that coordinates with the court or who was that?

0:36:21.6 SV: Yeah, that would be a PD employee, but I think in my mind when she said request a school video, can a court liaison, I wasn't paying attention I thought she meant, can someone go to the high school and pick it up so I just said yeah not a problem. I didn't think and put two and two

together at the time that it was our court liaison. We don't really have a... Well, we do. He's a cadet, but usually if it's evidence like this, we would, we would drop it off or we make a copy, burn it, do a report on it, and then send it off.

0:36:51.8 BL: Okay, so when she sent this just to confirm your statement, when she asked if she can... If you request a copy of the high school video, she's going to send this request via the court liaison. And how did you take that?

0:37:10.0 SV: I took it as she was going to have someone go to the high school and pick up the video footage. Don't ask me why, I think I just auto responded with the, yeah, not a problem.

0:37:23.3 BL: Okay, so... Okay, so it was a misinterpretation on your part of what she was asking.

0:37:31.2 SV: Yes.

0:37:31.5 BL: And that's why you said not a problem. Okay. Okay. These are a moot point. These are... Okay. Did you think at all about... Well, that you probably wouldn't. Yeah. Did you think about telling her at this point when she's asking, she can get the copy, but just telling her, "Hey, I don't have it. It's at the high school," or

0:38:21.3 SV: It didn't cross my mind, sir, it didn't cross my mind.

0:38:25.0 BL: Okay. So from the 13th and well, all up until the 21st, you didn't go back to the high school?

0:38:34.3 SV: I did not.

0:38:34.8 BL: Okay. All right. And that was due to all your... The how busy you were with other cases and such?

0:38:40.3 SV: Yes sir, and mainly the homicide case. That kind of took over for about a month.

0:38:45.2 BL: Okay. All right. So on the 21st, you met with Reber and investigator Tenille Chacon?

0:38:54.8 SV: Yes.

0:38:55.7 BL: Okay. And where was that meeting?

0:38:57.4 SV: At the DA's office in their conference room.

0:39:00.8 BL: Okay. And during that meeting, you were telling them about the surveillance video. I think you talked about this. A surveillance video at Ralphs you were gonna go get?

0:39:08.6 SV: Yes.

0:39:10.3 BL: There was a McDonald's in Camarillo also?

0:39:12.1 SV: Yes. And another officer handled that one.

0:39:14.1 BL: Okay. And then also going to the high school?

0:39:16.8 SV: Yes.

0:39:18.0 BL: To get it. And during that meeting, did she... Can you tell me how... What the conversation was and how that went with her and you regarding the high school video?

0:39:31.0 SV: I don't really remember the high school video. I remember talking about the case itself. We were thumbing through pictures, evidence photos. We served a search warrant. Multiple search warrants at this point where the crime occurred, where the [REDACTED] occurred. And then at the residence where it occurred. She was pretty much telling me like, "Hey, I need more photos," I told her we would look through... We'd collected a lot of evidence. I was explaining what evidence we collected.

0:39:56.1 SV: Some of the photos that I took weren't the right angles of what she needed in the... For her evidence, she wanted more photos, unfortunately we didn't take more photos. We took what we took, and it was mainly just, I remember her talking about Ralphs, I need to go to Ralphs and get that footage 'cause apparently she... They're a victim and our suspect of can walk into Ralphs, and that was my next stop after I left the DA's office to go to Ralphs.

0:40:22.3 BL: Oh, okay. Okay. And at that 21st meeting, you didn't know, just confirming that you didn't know that the system at the high school had a 30-day retention period?

0:40:34.8 SV: I don't believe I knew at that time that it had a 30-day retention.

0:40:39.2 BL: Okay. All right. Okay, so then did you go to the high school after the meeting to get the video?

0:40:51.6 SV: I don't recall if I did. I don't think that day I did. No, I went to Ralphs.

0:40:56.2 BL: You went to Ralphs?

0:40:57.3 SV: Yes.

0:40:57.8 BL: Okay.

0:40:58.2 SV: I know, I remember going to Ralphs in Ventura down the street.

0:41:01.2 BL: Okay. So I think earlier you mentioned you made phone calls in an attempt to get the video.

0:41:08.5 SV: Right.

0:41:10.4 BL: Okay. Can you describe those phone calls or texts or...

0:41:13.0 SV: I believe I texted Rodriguez in regards to the video of the angles it captured, and then if the video... The date of the video. And I believe the system was up and working at that time. And that's when she sent me a photo or screenshot of the angle of what I was looking for. Or let me rephrase that. The angle of the camera that was closest to where the victim would've been, at the time of the contact with the suspect.

0:41:40.9 BL: Okay.

0:41:41.8 SV: And then as well as, that's when she... I believe she told me about the retention period of 30 days. That's when I finally asked, hey, she said it didn't save. I gave her the date and time I needed, and she said it didn't save.

0:41:53.4 BL: Okay. Yeah, I think I saw in here a date and time that you... Oh, this is with...

0:42:02.4 SV: Reber.

0:42:04.9 BL: Reber, but...

0:42:05.2 AP: On the Rodriguez texts, at least...

0:42:08.5 BL: Oh that's right.

0:42:10.7 AP: At least that I his, they showed that whole interaction's there with the screenshot, the date and time. And she says it's gone.

0:42:14.3 BL: Right, right. Okay. Yeah. So on... Right. Yeah. So, you gave her the date and time of oath then from 0300 to 6:00 PM on the 18th, that's the date of the alleged.

0:42:28.5 SV: Yes.

0:42:29.6 BL: And okay. And then there was the screenshot, is this the screenshot that she sent me of the...

0:42:33.0 SV: Yes. Of the camera angle? Yeah.

0:42:35.3 BL: Okay. All right. Good enough. And then from that you texted Reber?

0:42:44.9 SV: Yes.

0:42:45.6 BL: And told her?

0:42:47.0 SV: The video did not retain.

0:42:48.1 BL: Did not retain, okay.

0:42:51.2 SV: But also about the camera angle.

0:42:53.0 SV: And about... Yes. About the angle. That is the only angle that would've captured or that we saw that faced closest to where the victim was, but didn't even show where the victim was seated from the place described.

0:43:04.5 BL: Okay.

0:43:06.7 AP: And that... Did you also confirm it's a static camera? It doesn't zoom, it just... It is what it is. That's what it shows 24/7.

0:43:13.7 SV: From what I remember, yes. That's what it shows 24/7, that I believe is the camera that we saw myself and my partner Hector Ramirez, saw when we walked up on the property from

afar.

0:43:22.6 BL: Okay. And that was on the north corner of that building where the statue is?

0:43:30.3 SV: Further north of that. So if... Here's the front door of the school with the glass doors and we're standing here, it was this building over here, from what I remember.

0:43:39.7 BL: Off to your left as you're facing the building?

0:43:41.9 SV: Front doors of the main entrance, yes.

0:43:43.9 BL: Yeah. And then the bus stop is to your right?

0:43:47.2 SV: Yes. From the down.

0:43:48.0 BL: The opposite. So it's on the opposite side of where...

0:43:48.8 SV: Yes sir.

0:43:49.9 BL: The crime occurred.

0:43:51.7 AP: It's behind the building you can see in the screenshot.

0:43:56.1 SV: Yes. So on the other side of that building is where our victim was. This building is blocking it, essentially.

0:44:03.7 BL: Okay. All right. And just for the record, we're looking at the video or... Screenshot of a text that came from Principal Rodriguez to Virani.

0:44:13.6 SV: Yes.

0:44:13.9 BL: Okay.

0:44:14.6 AP: Screenshot of a text of a screenshot.

0:44:17.0 BL: I know, correct. Yeah, exactly. Right. Yeah. Words that weren't in the English language back then...

0:44:25.2 SV: Right.

0:44:25.8 BL: 30 years ago.

0:44:26.3 AP: Unbelievable.

0:44:28.7 BL: Okay. Okay. So you didn't go... Just to confirm, you did not go to the school. You just texted with Rodriguez about what the video showed or not showed and retained or didn't retain?

0:44:49.0 SV: Yes, sir.

0:44:49.2 BL: Okay. Then after that, do you remember a phone call with Reber about what you found out?

0:45:03.9 SV: Yes. I was in the Ralphs parking lot, I believe, if I remember correctly. And I text her and said the video did not retain, I believe she called me. And she had said, "You told me that you had the video." At that point I told her, no, the school had the video. I had not picked it up yet. And that's kind of the gist of what I recall.

0:45:26.0 BL: So when you... When she said, "Hey, I thought you had the video," do you know what she was talking about?

0:45:33.4 SV: The high school video.

0:45:34.8 BL: Yeah. Well, yeah. No, but when she said, I thought you said you had already got the video, do you know what she was talking about as far as how she got that impression that you already said that you got the video?

0:45:48.9 SV: Yes. Looking back at my texts, I realized that I had said that I had the video. I physically had the video.

0:45:55.5 BL: Okay. When you...

0:45:56.2 AP: Shawn, you didn't say you physically had the video, but it clicked what her... What you had mis-conveyed to her?

0:46:02.2 SV: Of course, it was. Yes.

0:46:03.4 BL: Okay. And at that time when you had this conversation with her on the 21st, you recalled that text at that time, right?

0:46:14.1 SV: Yes.

0:46:14.6 BL: Okay.

0:46:15.2 SV: Yes, I did.

0:46:16.2 BL: Okay. And what else did you tell her or?

0:46:21.9 SV: I believe I told her I was about to walk into Ralphs. I know that, because I'd done that, but...

0:46:25.7 BL: Oh, anything about the text or the fact that you said you had the video saved as according to the text versus you did not get it or any...

0:46:37.2 SV: Yeah. I don't recall what I said verbally over the phone. I know what's on my text for me and her, but other than that, no.

0:46:43.8 BL: Okay. But just at the time you, you did click that, that's what she was referring to?

0:46:47.7 SV: Yes.

0:46:48.2 BL: Okay. Okay. I'm just going over... For the record, I'm just going over my notes just though.

0:47:03.1 SV: No problem, sir.

0:47:06.0 BL: And then during that time, you told her that the area did not capture the area of the crime. The camera angle did not capture the crime?

0:47:14.6 SV: Yes. From looking at that photo that I was sent by Rodriguez, I did not believe that captured the correct area of where the victim was.

0:47:20.3 BL: And that was based solely upon what she told you?

0:47:23.0 SV: Yes. And then also viewing that surveillance camera, remembering where I saw that surveillance camera to actually seeing the angle of it.

0:47:30.2 BL: Right. Okay. And so in your supplemental report, that's what you were referring to when you said, "Additionally, the camera angle she showed me would not have captured the area the victim was at," which is down there.

0:47:44.3 SV: Yes, sir.

0:47:45.7 BL: So that's in your report you were referring to this screenshot that was sent to you?

0:47:49.9 SV: I should have been more thorough, yes, sir.

0:47:51.4 BL: But that's what you're referring?

0:47:52.2 SV: That is what I'm referring to.

0:47:53.0 BL: Okay. All right. So in your report when it says, the camera angle she showed me is not a personal showed because you didn't...

0:48:00.0 SV: No, it was through text.

0:48:01.8 BL: It was just it through the text. Perfect. Okay. Did you ever go from the school if you're at... By the statue, looking at the building, you looked at the one camera off to your left.

0:48:15.1 SV: Right.

0:48:15.8 BL: Did you ever go to the right towards the bus stop and see what cameras are over there?

0:48:22.6 SV: Yeah, we went to two businesses there. One business was I don't... Interior design business, I believe. We walked in there and spoke to someone. The manager, I asked her for footage of her camera 'cause she had one camera that pointed out. And she said she would send me whatever footage she would have from the allotted time period. I believe I received that footage.

0:48:47.7 BL: Okay. So that was across the street?

0:48:50.4 SV: Yes.

0:48:50.7 BL: Oh, okay.

0:48:51.2 SV: We actually went to every business right there.

0:48:53.1 BL: Oh, okay. Got it. Got it. And that was on the 27th?

0:48:56.4 SV: When we originally went to the school and actually went there.

0:49:00.9 BL: Okay, but I'm talking about going down by the bus stop, not across the street. But just in the school area, like on the other side of that building or the parking lot around the corner?

0:49:11.7 SV: No.

0:49:12.0 BL: Did you go down there see...

0:49:12.8 SV: We did not. Both me and my partner did not. We focused on that one camera north of it.

0:49:17.8 BL: Oh, okay.

0:49:18.3 SV: We did not go around the school.

0:49:19.7 BL: Okay. Okay. Did you... Do you know when you were communicating with Rodriguez about if they had on the 21st, what camera angle does this show? Did you remember asking her, what is that camera up on that left side? And specifically ask her about that one camera? Or if you asked, hey, does any camera show the bus stop?

0:49:51.2 SV: I specifically asked about the one camera on the left side. I wasn't focused on the bus stop. 'Cause from my understanding, the victim was on a bench in front of the school. That's where I understand she was approached by our suspect to the bench. But then later on in the case it says she walked to the vehicle which was pulled alongside. So I was trying to at least get a starting angle of where the victim would be. And try to work that way if I could from where that bus, so I can capture everything of her getting up, walking from that bench to the vehicle. And then...

0:50:24.7 BL: Okay. And the bench you're talking about is the bus stop bench?

0:50:27.0 SV: No, I believed it was the bench in front of the school doors, right there.

0:50:31.5 BL: Oh, okay. So there's another... A bench by the front doors of the school closer to the statue?

0:50:39.0 SV: Yes. Yes. And the statue is kind of the reference point that in my head, that I was looking for on the video. Anything around that statue or angles of that statue.

0:50:48.3 BL: Oh, okay. Got it. Okay. Okay. Let me see here, but you asked about the one camera. Do you remember asking Rodriguez? Oh, first of all, did you ever talk to Villa, Bertha Villa?

0:51:08.6 SV: I did not.

0:51:10.9 BL: Do you know who she is?

0:51:12.8 SV: I know she's the assistant principal, but I don't believe I did... I had a communication

with her.

0:51:17.1 BL: Well, I guess it would be Rodriguez. And did you ask her, maybe I mentioned this, but is there any other cameras that focused there? Did you ask her that question or is it what does this one camera show?

0:51:33.4 SV: I believe looking at her screen, I asked her about all the cameras and this is from what I can recall.

0:51:39.2 BL: Okay.

0:51:39.7 SV: But I was focused on that one camera because that camera faced from north to south. So I believe that would be the best angle. So I was trying to focus on that one.

0:51:45.7 BL: Okay. All right. Okay. So I'm about done here. I think we covered from A to Z. Do you think in all of your communications with Reber, if you... Do you believe that you misled Deputy District Attorney Reber in any fashion regarding you obtaining the video?

0:52:12.5 SV: Not maliciously, no. It wasn't my intention to mislead her. No. I was trying to do the right thing at the end of the day and get the footage. I was also swamped. And I just... I was over my head. And I should have asked for help, either the DA's help because they have investigators or my partners. But that, I just tend to take on things by myself and hope that I can do it all. And I had worked with her prior to this on this case as well.

0:52:47.8 BL: Reber?

0:52:48.8 SV: Yeah, Reber. Yeah. On this case, we were writing multiple search warrants for residences all over Oxnard. So I believe I had a good repertoire with her and that... And a good working relationship. I wasn't trying to deceive her or throw the case out. I just got over my head and made a mistake as a new detective. And that's what it comes down to. So I learned from it and won't happen again because, like I said, right after this case, I worked on a homicide, no problems with that case whatsoever and multiple other cases I've had no problems with.

0:53:17.6 BL: Okay. All right. And you just mentioned before that you tried to appease her in a way to give you breathing room so you can get other stuff done to put this subject off a little bit. But is that correct also?

0:53:39.4 SV: To give me some space to work is what I was trying to do. I get it. They have their deadlines they have to meet. I have my deadlines I have to meet after that I also have cases I'm working and vice versa. I get it. But I was trying to just create a little space and give me some time to get all the evidence that I need gathered so I can present it.

0:53:58.2 BL: Okay. Do you think in all your communication with Reber in any fashion that you made any misleading statements in regards to the area that the camera angles covered or didn't cover in relation to the crime area?

0:54:19.6 SV: No, because that's the only angle that I was given by the principal.

0:54:22.6 BL: Okay. Yeah. And so, you were just relaying what the information you were given?

0:54:25.8 SV: Yes.

0:54:26.1 BL: Okay. Okay, that's all I have. Do you have any questions or clarifying questions?

0:54:34.9 AP: Just a couple. Literally just a couple.

0:54:36.9 BL: Yes.

0:54:37.7 AP: When you said... When you sent the text saying that you had the video saved and would be going through it.

0:54:43.4 SV: Yes.

0:54:43.8 AP: By that, when you made that statement, had you already confirmed with Principal Rodriguez that their video retained for some time?

0:54:54.3 SV: Uh, for some time, yes.

0:54:57.6 AP: Okay, but in fairness, you didn't drill down as to what that meant?

0:55:01.2 SV: Correct.

0:55:02.0 AP: But, in your mind, the fact that the video was retained for some time, in your mind, is that the same as saved? I.e. It's not at risk of going away?

0:55:16.4 SV: Yes. Yes.

0:55:19.7 AP: Okay. And you had actually, affirmatively, gone out and confirmed that at least in your own mind, by that time, right?

0:55:25.8 SV: Yes.

0:55:26.0 AP: Okay. And unartfully as you did, when you told the DA that you had the video saved, were you referring to the actual interaction you had with Principal Rodriguez about the fact that the video retains?

0:55:45.8 SV: Yes.

0:55:46.1 AP: I.e. Is saved?

0:55:47.0 SV: Yes.

0:55:52.1 AP: All right. But, in all... But in retrospect, you do see how DA Reber, because of the way you communicated with her, was misled.

0:56:04.8 SV: Yes. I do.

0:56:05.9 AP: Was it your intention to mislead her at all?

0:56:06.8 SV: No.

0:56:10.6 AP: Though, you clearly did have a miscommunication.

0:56:12.0 SV: Yes.

0:56:12.6 AP: A serious one.

0:56:13.3 SV: Yes.

0:56:13.9 AP: About?

0:56:16.4 SV: Evidence.

0:56:17.2 AP: Evidence?

0:56:17.7 SV: Yes.

0:56:25.8 AP: Okay. But, as you sit here today, are you 100% confident that the video has no evidentiary value?

0:56:25.9 SV: Yes. From the angle that I was provided by the principal, yes. I believe it doesn't.

0:56:30.8 AP: All right. All right.

0:56:33.5 BL: Okay. Do you have any closing comments?

0:56:35.2 SV: No, sir.

0:56:36.3 BL: No. Okay. Good enough. That's the end of the interview. It's 1516 hours.

Transcript verified by: Bryan Lentz, Private Investigator
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