BEFORE THE LOS ANGELES POLICE DEPARTMENT

BOARD OF RIGHTS

SONIA AMIN, CHAIRMAN

IN THE MATTER OF:	)
	)
	)
LOS ANGELES POLICE DEPARTMENT	) **B.F. NO. 31674**
BOARD OF RIGHTS HEARING	) **C.F. NO. 21-001144**
	)
IN RE: LUKE WALDEN #34898,	)
	)

TRANSCRIPTION OF PROCEEDINGS

LOS ANGELES, CALIFORNIA

TUESDAY, FEBRUARY 13, 2024

REPORTED BY:

ANNA M. SANCHEZ
CSR NO. 8516

APPEARANCES:

FOR THE DEPARTMENT: SERGEANT DANIEL SLATER
AND
DCA SNEZHANNA DIDICH
DEPARTMENT ADVOCATES
201 N. FIGUEROA STREET
16TH FLOOR
LOS ANGELES, CA 90012

FOR THE ACCUSED: BILL SEKI
ATTORNEY AT LAW
600 WILSHIRE BOULEVARD
SUITE 1250
LOS ANGELES, CA 90017

BOARD MEMBERS: SONIA AMIN
DANIEL ORTEGA
PATRICIA STRONG-FARGAS

ALSO PRESENT:

SGT. GIPSON
SGT. VILLAFANA
JASMINE RICHAU

I N D E X

FOR THE DEPARTMENT:	DIRECT	CROSS	REDIRECT	RECROSS
SGT. JOHN JIZMEJIAN	20	51	71, 77, 80, 81	79
SGT. LUKE WALDEN	84	128	145, 154	169, 152

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15	MINUTE ORDER, DATED SEPTEMBER 29, 2023, 4 PAGES	50	50
16	MANUAL SECTION 210.35, CONDUCT UNBECOMING AN OFFICER	85	85
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18	DOCUMENT TITLED, "ASSAULT WEAPON IDENTIFICATION GUIDE," 6 PAGES	90	90

ACCUSED'S:	DESCRIPTION	MARKED	ENTERED
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LOS ANGELES POLICE DEPARTMENT

B.F. NO. 31674

C.F. NO. 21-001144

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THE MATTER OF LUKE WALDEN, #34898, DETECTIVE I, CAME ON REGULARLY FOR HEARING BEFORE THE BOARD OF RIGHTS ON TUESDAY, FEBRUARY 13, 2024, AT 1200 HOURS, IN BOARDROOM NO. 5, FIGUEROA PLAZA BUILDING; THE BOARD CONSISTING OF:

SONIA AMIN, CHAIRMAN

DANIEL ORTEGA, ASSOCIATE

PATRICIA STRONG-FARGAS, ASSOCIATE

. . . . . .

SERGEANT DANIEL SLATER APPEARED AS THE DEPARTMENT ADVOCATE; BILL SEKI, ATTORNEY AT LAW, APPEARED AS THE DEFENSE REPRESENTATIVE; THE ACCUSED BEING PRESENT.

. . . . . .

ANNA M. SANCHEZ, CSR NO. 8516, HAVING BEEN DULY APPOINTED AND SWORN BY THE CHAIRMAN OF THE BOARD OF RIGHTS IN THE ABOVE-ENTITLED MATTER TO REPORT IN SHORTHAND WRITING THE TESTIMONY AND PROCEEDINGS UPON THE HEARING, WAS DIRECTED BY SAID DEPARTMENT

ADVOCATE TO THEREAFTER REDUCE SAID SHORTHAND NOTES INTO TYPING.

. . . . . .

THE RECORDS INDICATE THAT ALL JURISDICTIONAL REQUIREMENTS HAVE BEEN COMPLIED WITH. WHEREFORE, THE BOARD PROCEEDED IN THE SAID HEARING AS PRESCRIBED IN THE CHARTER OF THE CITY OF LOS ANGELES, SECTION 1070.

. . . . . .

THE ACCUSED WAS CHARGED IN A FORMAL WRITTEN COMPLAINT VERIFIED BY THE CHIEF OF POLICE AS FOLLOWS:

COUNT 1. ON OR ABOUT MARCH 17, 2021, YOU, WHILE OFF DUTY, ATTEMPTED TO OBTAIN A FIREARM SILENCER.

(REPORTER SWORN.)

MS. AMIN: ALL PARTIES ARE HERE. WE HAVE A FULL HOUSE. LET'S GO AHEAD AND INTRODUCE OURSELVES FOR THE RECORD SO WE KNOW WHO ALL IS HERE.

I'M SONIA AMIN, I'M GOING TO BE CHAIR.

TO THE LEFT, I HAVE?

MR. ORTEGA: DAN ORTEGA.

MS. STRONG-FARGAS: PATRICIA STRONG-FARGAS.

MS. AMIN: AND FOR THE DEPARTMENT?

SGT. SLATER: FOR THE DEPARTMENT, I'M SERGEANT DANIEL SLATER.

MS. AMIN: AND YOUR CO-CHAIR?

MS. DIDICH: MY NAME IS SNEZHANNA DIDICH, I'M A DEPUTY CITY ATTORNEY ALSO WITH THE DEPARTMENT.

MS. AMIN: OKAY. NICE TO SEE YOU.

ALL RIGHT. AND BEHIND YOU, SECOND ROW?

SGT. GIPSON: SECOND ROW, SERGEANT GIPSON, ADVOCATE.

SGT. VILLAFANA: SERGEANT VILLAFANA, I'M JUST HERE TO OBSERVE.

MR. SEKI: GOOD MORNING, BILL SEKI. OR GOOD AFTERNOON, MY NAME IS BILL SEKI. AND TO MY LEFT IS DETECTIVE WALDEN.

MS. AMIN: OKAY. GREAT. DOES THE ACCUSED WANT TO HEAR HIS RIGHTS OR DO YOU WAIVE?

MR. SEKI: WE WILL WAIVE READING OF THE RIGHTS.

MS. AMIN: SOUNDS GOOD.

WE HAVE BEFORE US ONE COUNT, WHICH IS, "ON OR ABOUT MARCH 17, 2021, YOU, WHILE OFF DUTY, ATTEMPTED TO OBTAIN A FIREARM SILENCER."

HOW DO YOU PLEA TO THAT?

DET. WALDEN: NOT GUILTY.

MS. AMIN: AND IS THE DEPARTMENT READY TO PROCEED?

SGT. SLATER: THE DEPARTMENT IS READY, MA'AM.

MS. AMIN: WOULD YOU LIKE TO DO AN OPENING STATEMENT?

SGT. SLATER: YES, MA'AM.

MS. AMIN: ALL RIGHT. GO AHEAD.

SGT. SLATER: GOOD MORNING, OR AT THIS POINT, GOOD AFTERNOON. MY NAME IS SERGEANT DANIEL SLATER. I WILL BE REPRESENTING THE DEPARTMENT IN THE MATTER BEFORE THIS BOARD OF RIGHTS.

THE DEPARTMENT ALLEGES ONE COUNT OF MISCONDUCT AGAINST DETECTIVE LUKE WALDEN FOR ACTIONS HE TOOK WHILE OFF DUTY. REGARDING THE COUNT BEFORE THIS BOARD, "ON OR ABOUT MARCH 17TH, 2021, YOU, WHILE OFF DUTY, ATTEMPTED TO OBTAIN A FIREARM SILENCER."

WHAT YOU WILL HEAR THROUGH THIS BOARD IS THAT DETECTIVE WALDEN'S ACTIONS WERE NOT OF MOMENTARY LAPSE IN JUDGMENT, RATHER, DETECTIVE WALDEN'S ACTIONS WERE DELIBERATE AND CALCULATED, BUT MORE THAN THAT, THEY WERE AN ABUSE OF THE POSITION OF TRUST HE IS IN FOR HIS OWN INTENTIONAL PERSONAL GAIN THAT RESULTED IN A VIOLATION OF THE LAW. THE VERY SAME LAWS THAT DETECTIVE WALDEN WAS ENTRUSTED WITH UPHOLDING EVERY DAY THAT HE PUT ON HIS UNIFORM.

YOU WILL HEAR FROM SERGEANT JOHN JIZMEJIAN OF THE LOS ANGELES POLICE DEPARTMENT SPECIAL OPERATION DIVISION AND SERGEANT JIZMEJIAN WILL EXPLAIN THAT

THERE HAD BEEN AN INFLUX OF FIREARM SILENCERS BEING BROUGHT INTO THIS COUNTRY ILLEGALLY, THAT POSSESSION OF A SILENCER IS ILLEGAL AND THAT THERE IS NO EXEMPTION FOR LAW ENFORCEMENT OFF DUTY TO OWN OR POSSESS A LAW ENFORCEMENT -- OR SILENCER IN THE STATE OF CALIFORNIA.

SERGEANT JIZMEJIAN WILL EXPLAIN HOW THESE FIREARM SILENCERS ARE DISGUISED OFTEN AS INNOCUOUS FUEL FILTERS IN AN ATTEMPT TO PASS THROUGH CUSTOMS AND BORDER PROTECTION, AND THAT LAW ENFORCEMENT WAS AWARE OF THIS METHOD OF CIRCUMVENTING THE LAW.

SERGEANT JIZMEJIAN WILL DETAIL WHY AND HOW ONE SUCH ITEM WAS INTERCEPTED BY CUSTOMS AND BORDER PROTECTION ADDRESSED TO DETECTIVE WALDEN, INCLUDING DETECTIVE WALDEN'S HOME ADDRESS AND NAME. SERGEANT JIZMEJIAN WILL ALSO EXPLAIN ON TOP OF THE INCREASED ENFORCEMENT BY CUSTOMS AND BORDER PROTECTION, THAT THE BUREAU OF ALCOHOL, TOBACCO AND FIREARMS RECENTLY RELEASED SEVERAL LAW ENFORCEMENT BULLETINS DETAILING HOW INDIVIDUALS WERE SECRETLY IMPORTING THESE OTHERWISE ILLEGAL FIREARM ACCESSORIES.

THESE ATF BULLETINS WERE AVAILABLE TO THE LAPD, AND WHAT YOU'LL LEARN IS AS A MEMBER OF THE ELITE GUN UNIT, DETECTIVE WALDEN WOULD HAVE HAD ACCESS AND KNOWLEDGE OF THESE THINGS. YOU WILL SEE THAT

MR. WALDEN'S PAYPAL RECORDS WILL MAKE CLEAR THAT HE DID, IN FACT, PURCHASE THE ITEM, EVEN THOUGH IT WAS LABELED AS A FUEL FILTER, THAT WAS INTERCEPTED BY CUSTOMS AND BORDER PATROL.

SERGEANT JIZMEJIAN WILL ALSO TELL YOU, IN THE COURSE OF HIS INVESTIGATION, HE LEARNED MR. WALDEN HAS NUMEROUS FIREARMS REGISTERED TO HIM, MANY OF WHICH WILL BE COMPATIBLE WITH THE INTERCEPTED ITEM WITH A SIMPLE CONVERSION. CONVENIENTLY ENOUGH, DETECTIVE WALDEN'S COMPUTER SEARCH HISTORY SHOWS HIM SEARCHING FOR FIREARMS AND THE ACCESSORIES THAT WOULD MAKE THE CONVERSION TO ACCEPT THE SILENCER ACCEPTABLE.

SERGEANT JIZMEJIAN WILL TELL YOU THAT DETECTIVE WALDEN WAS CONFRONTED WITH ALL THE INFORMATION AGAINST HIM AND HE DENIED ATTEMPTING TO PURCHASE A FIREARM SILENCER, AND INSTEAD, CLAIMED THE ITEM WAS A FUEL FILTER FOR A VEHICLE HE WAS REBUILDING. HOWEVER, YOU WILL HEAR FROM DIRECTOR OF POLICE TRANSPORTATION, GREG FIELD, WHO WILL EXPLAIN THAT HE REVIEWED THE ITEM AND HE DETERMINED THERE WAS NO WAY THE RECOVERED DEVICE COULD BE USED AS A FUEL FILTER AND HE WILL EXPLAIN TO YOU WHY NOT.

YOU WILL THEN HEAR FROM FORENSIC SCIENCE DIVISION, CRIMINALIST III, FADIL BIRAIMAH. CRIMINALIST BIRAIMAH WILL EXPLAIN TO YOU THAT HE

SPECIFICALLY WAS TASKED WITH EXAMINING FIREARMS AND FIREARMS COMPONENTS, INCLUDING SILENCERS AS PART OF HIS DUTIES WITH THE LAPD. HE WILL TELL YOU THAT HE REVIEWED THE ITEMS RECOVERED AND ADDRESSED TO MR. WALDEN AND IT WAS ABUNDANTLY CLEAR THAT DETECTIVE WALDEN HAD PURCHASED A FIREARM SILENCER BASED ON SPECIFIC CONSTRUCTION AND DESIGN ELEMENTS WITHIN THE RECOVERED ITEM.

AFTER THE DEPARTMENT HAS PRESENTED ALL THIS EVIDENCE, I AM CONVINCED THAT YOU WILL SEE THAT DETECTIVE WALDEN ATTEMPTED TO UTILIZE HIS POSITION AND KNOWLEDGE TO CIRCUMVENT THE SAME LAWS HE TOOK AN OATH TO UPHOLD. THOUGH OFF DUTY, THIS ACTION IS A BLEMISH ON THE DEPARTMENT AND NOT JUST DETECTIVE WALDEN. AS POLICE OFFICERS, WE ARE TASKED WITH FOLLOWING THE LAW AND WE ARE HELD TO A HIGHER STANDARD THAT DETECTIVE WALDEN DID NOT MEET. THANK YOU.

MS. AMIN: THANK YOU, SERGEANT.

MR. SEKI?

MR. SEKI: GOOD AFTERNOON BOARD MEMBERS, SIMPLY PUT, DETECTIVE WALDEN IS A VICTIM OF BIAS POLICING. IT'S BIAS POLICING, TYPICALLY WE THINK OF BIAS POLICING WHERE OFFICERS FOCUS ON SOMEBODY BECAUSE OF THEIR RACE, ETHNICITY, RELIGION, GENDER. AND IN THIS PARTICULAR CASE, THE FOCUS WAS PUT ON DETECTIVE

WALDEN BECAUSE OF HIS EMPLOYMENT AS A POLICE OFFICER, AND ALONG WITH IT CAME CERTAIN ASSUMPTIONS BY THE DEPARTMENT WITHOUT FACTS.

IN FACT, WHAT YOU'LL LEARN IS THAT FACTS THAT WERE PRESENTED TO THE DEPARTMENT AS PART OF THEIR INVESTIGATION WERE IGNORED, IGNORED IN ORDER TO CATCH THE BOOGEY MAN, SOMEBODY THEY BELIEVED WAS COMMITTING A CRIME IN THEIR MIDST.

NOW, ONE OF THE THINGS YOU'LL LEARN IS DETECTIVE WALDEN HAS BEEN A MEMBER OF THIS DEPARTMENT FOR OVER 25 YEARS, HE'S HAD A NUMBER OF DIFFERENT POSITIONS, DEALING WITH TASK FORCE, GANG INVESTIGATION, AND ALSO, AS WAS MENTIONED, HE WORKED THE GANG NARCOTIC DIVISION, FOR ONE YEAR HE WORKED IN THE GANG UNIT. THEY END UP FOCUSING ON GUNS THAT ARE SEIZED FROM GANG MEMBERS AND OTHER CRIMINALS IN DETERMINING WHETHER OR NOT THEY ARE COMPLIANT WITH THE LAW, SUCH AS ASSAULT WEAPONS, THINGS LIKE THAT.

NOW, ONE OF THE THINGS THAT YOU'LL LEARN ABOUT DETECTIVE WALDEN IS NOT ONLY IS HE A POLICE OFFICER, BUT HE'S ONE OF THOSE NEIGHBORS, ONE OF THOSE NEIGHBORS WHO YOU MIGHT NOT WANT IN YOUR NEIGHBORHOOD. DURING THE COURSE OF THIS YOU'LL GET SOME PHOTOGRAPHS, WHICH WERE PRESENTED TO THE DEPARTMENT, WHICH THEY SAW, WHERE DETECTIVE WALDEN IS A TINKERER. HE'S AN

AMATEUR CAR BUILDER. HE'S GOT CARS IN HIS FRONT YARD, ON THE SIDE OF HIS HOUSE, IN THE BACK OF HIS HOUSE, ALL IN DIFFERENT STATES OF REPAIR. HE'S THE TYPE OF GUY WHO WILL HAVE A CAR SITTING UP ON BLOCKS, HE'LL BE TINKERING WITH THEM ON WEEKENDS, LEARNING HOW TO CHANGE THEM, FIX THEM, EVEN WORKING ON THEM WITH HIS SON. THAT'S ONE OF THE FACTS THAT YOU'LL LEARN THAT THE DEPARTMENT IGNORED AS PART OF THEIR INVESTIGATION.

NOW, ONE OF THE THINGS HE HAD WAS HE HAD A COUPLE OF CELICAS, TOYOTA CELICAS, IN HIS DRIVEWAY. ONE OF THEM, AN '85 CELICA, HE WAS CHANGING COMPLETELY. IF YOU'RE A CAR BUFF, YOU'LL UNDERSTAND THIS. CELICAS COME WITH A FOUR-CYLINDER ENGINE. HE WAS REMOVING THAT FOUR-CYLINDER ENGINE AND HE WAS GOING TO PUT A V8 IN THERE, A WINDSOR 351, A SUBSTANTIAL BIGGER ENGINE. IN FACT, WITH THAT, HE WAS GOING TO HAVE TO TAKE OUT THE FUEL TANK, PUT A DIFFERENT FUEL TANK IN, AND HE WAS GOING TO HAVE TO CREATE A FUEL SYSTEM IN ORDER THAT GAS COULD BE PUMPED THROUGH THAT WITH ENOUGH GAS TO POWER THE 351 IN HIS CARBURETORS.

AS MOST TINKERERS OR MECHANICS, THEY'RE LOOKING FOR THINGS THAT THEY CAN USE, MAYBE SOMETHING THEY HAVEN'T USED BEFORE. ONE OF THE THINGS HE KNEW HE HAD TO GET IS A FUEL FILTER, SOMETHING THAT WOULD

HELP WITH THE PRESSURE, 'CAUSE THE PRESSURE CHANGES FROM THE FUEL TANK ALL THE WAY TO THE ENGINE. ALWAYS LOOKING FOR DIFFERENT ITEMS. AND AN ITEM THAT HE FOUND ONLINE WAS, YOU'RE GOING TO SEE PHOTOGRAPHS OF IT, AND MAYBE EVEN IN REAL LIFE, WHAT WAS DESCRIBED AS A FUEL FILTER.

YOU GOT TO LEARN THAT THESE FUEL FILTERS, ANOTHER FACT THAT THE DEPARTMENT IGNORED, WERE WIDELY ADVERTISED THROUGHOUT THE INTERNET. IN FACT, YOU'RE GOING TO HEAR FROM A WITNESS, HE'LL TELL YOU THAT THESE WERE EVEN SOLD BY WALMART. SO THESE SO-CALLED ILLEGAL THINGS KNOWN AS FUEL FILTERS WAS SOLD BY ONE OF THE LARGEST COMPANIES ONLINE IN THE UNITED STATES.

HOWEVER, DETECTIVE WALDEN FOUND ONE SIMILAR, HE LIKED IT, HE ENDED UP BUYING IT. YOU'RE GOING TO LEARN THAT THESE FUEL FILTERS ARE DESIGNED IN A MANNER WHICH CAN BE ALTERED FOR THEM TO BE USED AS SILENCERS, IN FACT, YOU'LL HEAR THERE ARE ONLINE VIDEOS, YOU TUBE VIDEOS, THINGS LIKE THAT, TO TELL YOU HOW YOU CAN MODIFY THEM. YOU HAVE TO DRILL THIS, YOU HAVE TO GET A DIFFERENT BARREL FOR THE GUN, IT HAS TO MATCH UP, ALL THESE DIFFERENT THINGS.

WHEN HE ORDERED THAT FUEL FILTER, HE ORDERED IT FOR THIS PROJECT. AND LIKE MANY THINGS THAT ARE ORDERED FROM CHINA ONLINE, HE NEVER RECEIVED IT.

YOU'LL LEARN THAT IN APRIL OF '21, CUSTOMS AND BORDER PATROL AT THE AIRPORT HAD A FOCUS ON ITEMS COMING IN FROM CHINA. I BELIEVE IT WAS APRIL 21ST, A CUSTOMS AGENT NOTICED A LARGE NUMBER OF THESE FUEL FILTERS COMING FROM AN AREA OF CHINA AND THEY BELIEVED THAT THESE WERE SILENCERS. 13 ITEMS HAD BEEN ORDERED BY DIFFERENT PEOPLE.

WHEN THEY RAN PEOPLE, THEY FOUND OUT THAT DETECTIVE WALDEN WAS A POLICE OFFICER AND THEREIN STARTED THE BIAS POLICING. YOU'LL LEARN THAT UNLIKE THE OTHER INDIVIDUALS WHO HAD ORDERED THOSE ITEMS AND RECEIVED JUST A LETTER FROM CUSTOMS SAYING, "HEY, YOU KNOW WHAT, YOU MAY HAVE VIOLATED OUR LAWS OF THE UNITED STATES, YOU MAY HAVE ORDERED SOMETHING WHICH MAY BE ILLEGAL." DETECTIVE WALDEN DIDN'T GET THAT. THE FOCUS WAS ON HIM. AND ONCE THEY RAN HIM, THEY REALIZED HE HAD A LOT OF GUNS. HE HAS GUNS, IT'S A SILENCER, HE MUST BE GUILTY OF IT, ASSUMPTIONS THAT WERE MADE THAT YOU'LL LEARN ABOUT.

BUT ONE OF THE OTHER FACTS THAT THE DEPARTMENT HAS IGNORED THROUGH ALL OF THIS IS THAT WHEN HE DIDN'T GET THAT FUEL FILTER, HE REALIZED, "I NEED TO ORDER IT FROM A MORE REPUTABLE PLACE." SO IN AUGUST, FOUR MONTHS AFTER THAT PARCEL WAS SEIZED, AND HE WAS NEVER INFORMED ABOUT IT BEING SEIZED, FROM

AMAZON, HE ORDERED A FUEL FILTER, ALONG WITH THE BRACKET, EVIDENCE THAT HE INTENDED TO BUY A FUEL FILTER FOR HIS PROJECT, SOMETHING WHICH THE DEPARTMENT HAS IGNORED IN THEIR INVESTIGATION. IT WASN'T UNTIL JANUARY OF '23, WHEN HE WAS INTERVIEWED BY INTERNAL AFFAIRS, THAT IT WAS FOUND OUT THAT THE PARCEL THAT HE HAD ORDERED WAS ACTUALLY SEIZED.

DURING HIS INTERVIEW WITH JOHN JIZMEJIAN, HE WAS FORTHRIGHT, YOU'RE GOING TO HEAR THAT INTERVIEW, AND HE DESCRIBED FOR HIM THIS WAS FOR A PROJECT OF MINE. IN FACT, HE DESCRIBED IN DETAIL THAT HE WAS WORKING ON AN '85 CELICA, CHANGING THE ENGINE OUT FROM A FOUR CYLINDER TO AN EIGHT CYLINDER, AND HE HAD TO CREATE A FUEL SYSTEM FOR IT, SOMETHING TO HELP WITH THE PRESSURE AND EQUALIZER. HE EVEN PROVIDED THEM WITH THE SAME THING THAT I'M SHOWING YOU RIGHT NOW, THIS RECEIPT FROM AMAZON, WHICH SHOWS HIM ORDERING IT AND EVEN SHOWS THE PRODUCT.

BUT YOU'LL LEARN, THAT INSTEAD OF TAKING HIS WORD FOR IT, INSTEAD OF LOOKING AT THE FACTS IN FRONT OF THEM, THE DEPARTMENT CONTINUED WITH THEIR WITCH HUNT TO THE POINT WHERE THEY CHARGED HIM CRIMINALLY WITH ATTEMPTING TO OBTAIN A SILENCER.

NOW, ONE OF THE THINGS I TOLD YOU ABOUT IS THE PRODUCT, AS IT COMES IN, DOESN'T ATTACH TO ANY

GUN, IN FACT, YOU'RE GOING TO LEARN A LITTLE BIT MORE ABOUT GUNS THAN YOU EVER ANTICIPATED YOU'RE GOING TO KNOW. YOU HAVE TO HAVE A BARREL THAT'S THREADED. MOST PISTOL DON'T COME WITH THREADED BARRELS, IN FACT, IT'S ILLEGAL TO HAVE THAT. YOU'RE GOING TO LEARN THAT THE 43 GUNS THAT HE HAD, THEY COULDN'T FIND ONE SINGLE GUN THAT MATCHED THE THREADING ON THIS.

IN FACT, YOU'RE GOING TO FIND THAT HE DIDN'T HAVE ANY THREADED BARRELS IN HIS HOUSE, THAT HE HADN'T ORDERED ANY THREADED BARRELS, THAT THERE WAS NOTHING THAT WOULD HAVE FIT THIS. YOU'RE GOING TO LEARN THAT THE THREADING, IN FACT, IS DIFFERENT, THERE'S METRIC THREADING VERSUS, I GUESS, IT'S U.S. THREADING AND THEN THEY HAVE TO BE COMPATIBLE, THREADING LEFT, THREADING RIGHT, WHATEVER IT IS. YOU'RE GOING TO HEAR THERE WAS AN END CAP ON THIS, THAT THIS END CAP HAS TO BE MILLED. THERE MAY BE A MARK ON THERE, BUT IT HAS TO BE DRILLED IN ORDER FOR THAT TO BE USED AS A SILENCER. YOU'RE GOING TO HEAR HE NEVER GOT THIS ITEM AND INSTEAD HAD TO ORDER THIS SECONDARY FUEL FILTER.

THE DEPARTMENT, IN THEIR INVESTIGATION, IS GOING TO CALL SOMEBODY FROM THE MOTOR POOL AND HE'S GOING TO BASICALLY TELL YOU THAT THIS PARTICULAR ITEM, THE ONE THAT WAS SEIZED, WOULD HAVE WORKED AS A FUEL FILTER FOR A CELICA. BUT WHAT THE DEPARTMENT DIDN'T

ASK HIM TO DO WAS TO DETERMINE WHETHER OR NOT A FUEL FILTER, A HIGH VOLUME FUEL FILTER, COULD BE USED IN A MODIFICATION WHERE A FUEL TANK IS BEING CHANGED TO GO TO A V8, WHERE A FUEL SYSTEM HAS TO BE BUILT TO ALLOW THE FUEL TO GET TO THE CARBURETOR. HE'LL TELL YOU THIS IS NOT ONE OF THOSE FUEL FILTERS THAT WOULD GET FROM AUTO ZONE, SOMEWHERE ELSE, A LITTLE PLASTIC THING, AND BECAUSE OF THAT, THIS WOULD NOT BE USEABLE.

IN THE END, YOU'RE GOING TO LEARN THAT THERE WERE A LOT OF ASSUMPTIONS THAT WERE MADE ABOUT DETECTIVE WALDEN AND HIM ORDERING THAT ITEM. YOU'RE GOING TO LEARN THAT THESE ASSUMPTIONS AND THESE BIASES AND STEREOTYPES WERE BUILT IN. AND YOU'RE GOING TO SEE THAT PURSUANT TO BOARD OF RIGHTS MANUAL 363.70, THAT ANY EVIDENCE HAS TO BE CREDIBLE AND OF SOLID VALUE. AND INFERENCES, BASED ONLY ON POSSIBILITY, SUSPICION, SPECULATION, IMAGINATION, GUESSWORK, ET CETERA, HAVE TO BE REJECTED.

WE'RE CONFIDENT, IN THE END, WHEN YOU SEE ALL THE EVIDENCE, THAT THE DEPARTMENT HAS A MASS, IT'S ALL BASED UPON SUPPOSITION, CONJECTURE AND GUESSWORK, AND ULTIMATELY, THE FACTS THAT WERE IN FRONT OF HIM, THAT HE IS A PROJECT GUY, A TINKERER, THE FACT THAT HE ORDERED A SECOND FUEL FILTER ONLY FOUR MONTHS AFTER HE DIDN'T RECEIVE THE OTHER ONE. THE FACT THAT HE IS

REBUILDING A CELICA, NOT WITH THE SAME ENGINE, BUT WITH A COMPLETELY DIFFERENT SYSTEM, ENGINE, FUEL TANK, ET CETERA, ARE ALL IGNORED.

AND LASTLY, YOU'RE GOING TO LEARN THAT WHILE HE MAY HAVE WORKED THE GUN UNIT, HIS SUPERVISOR WILL COME IN AND TELL YOU THAT AT THE TIME THAT HE WAS THERE, THEY NEVER RECEIVED ANY TRAINING REGARDING THIS PARTICULAR DEVICE BEING ILLEGAL OR BEING A SILENCER.

IN THE END, YOU'LL HAVE NO OTHER CHOICE BUT TO FIND THAT THE DEPARTMENT'S CASE AGAINST DETECTIVE WALDEN IS BIAS POLICING. IGNORE THE EVIDENCE TO FIND THE BOOGEY MAN, GUESSWORK AND SUPPOSITION AND YOU'LL HAVE TO RETURN A FINDING OF NOT GUILTY. THANK YOU.

MS. AMIN: OKAY. SERGEANT SLATER, ARE YOU READY TO CALL YOUR FIRST WITNESS?

SGT. SLATER: WE ARE. THE DEPARTMENT WOULD LIKE TO CALL SERGEANT JOHN JIZMEJIAN.

(PAUSE IN THE PROCEEDINGS.)

MS. AMIN: GOOD AFTERNOON, SERGEANT, HOW ARE YOU?

SGT. JIZMEJIAN: GOOD. HOW ARE YOU?

MS. AMIN: CAN YOU TELL US YOUR FULL NAME.

SGT. JIZMEJIAN: JOHN, J-O-H-N, JIZMEJIAN, J-I-Z-M-E-J-I-A-N.

MS. AMIN: ALL RIGHT. DO YOU SOLEMNLY SWEAR

OR AFFIRM THAT THE EVIDENCE YOU SHALL GIVE IN THE CASE NOW IN THE HEARING BEFORE THIS BOARD OF RIGHTS SHALL BE THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

SGT. JIZMEJIAN: I DO.

MS. AMIN: THANK YOU. PLEASE HAVE A SEAT. YOUR WITNESS, PLEASE.

SERGEANT JOHN JIZMEJIAN,
WAS CALLED AS A WITNESS BY
THE DEPARTMENT, HAVING BEEN
FIRST DULY SWORN, WAS EXAMINED
AND TESTIFIED AS FOLLOWS:

DIRECT-EXAMINATION

BY SGT. SLATER:

Q. SERGEANT JIZMEJIAN, WHAT IS YOUR CURRENT RANK AND ASSIGNMENT?

A. I'M A SERGEANT WITH SPECIAL OPERATIONS DIVISION.

Q. AND WHAT IS SPECIAL OPERATIONS DIVISION?

A. IT'S A DIVISION WITHIN THE POLICE DEPARTMENT THAT HANDLES CRIMINAL ALLEGATIONS AGAINST DEPARTMENT PERSONNEL, IT ALSO DOES WORKERS' COMP FRAUD BY DEPARTMENT PERSONNEL AND SOD, SPECIAL OPERATIONS DIVISION, HAS AN INTERNAL SURVEILLANCE COMPONENT, AS WELL.

Q. THANK YOU. HOW LONG HAVE YOU WORKED THAT ASSIGNMENT, SIR?

A. ABOUT THREE AND A HALF YEARS.

Q. THANK YOU. CAN YOU, JUST FOR THE BOARD'S KNOWLEDGE, GIVE US A BRIEF OVERVIEW OF YOUR DEPARTMENT CAREER, SUPERVISORY CAREER?

A. PRIOR TO INTERNAL AFFAIRS OR PRIOR TO SOD, I WAS ASSIGNED TO INTERNAL AFFAIRS. I WORKED THE CRIMINAL AND ADMINISTRATIVE SECTIONS, PRIOR TO THAT, I WAS A SUPERVISOR AT RAMPART DIVISION, THERE I WORKED PATROL, AS A PATROL SUPERVISOR IN THE VICE UNIT.

Q. OKAY. WERE YOU ASSIGNED TO INVESTIGATE A C.F. NO. 21-001144?

A. YES.

Q. WHO WAS THE ACCUSED OFFICER IN THAT CASE?

A. DETECTIVE LUKE WALDEN.

Q. OKAY. WHAT WERE YOUR RESPONSIBILITIES IN THAT INVESTIGATION?

A. TO DO THE ADMINISTRATIVE INVESTIGATION.

Q. NOW, YOU SAY "THE ADMINISTRATIVE INVESTIGATION," CAN YOU CLARIFY A LITTLE BIT WHAT THAT MEANS?

A. SO THERE'S TWO PARTS, THERE WERE TWO PARTS TO THIS INVESTIGATION, ONE WAS THE CRIMINAL PART AND ONE WAS THE ADMINISTRATIVE PART.

Q. OKAY. AND WHEN YOU SAY YOU WERE ASSIGNED THE ADMINISTRATIVE INVESTIGATION, WHY ARE THEY SEPARATED?

A. THEY'RE SEPARATED TO PROTECT THE CRIMINAL INVESTIGATION, TO PROTECT THE OFFICER'S RIGHTS.

Q. WERE YOU EVENTUALLY BRIEFED INTO THE CRIMINAL INVESTIGATION?

A. I WAS.

Q. AND WHO WERE YOU BRIEFED INTO THAT INVESTIGATION BY?

A. BY THE -- MY COLLEAGUE WHO CONDUCTED THE CRIMINAL INVESTIGATION, DETECTIVE ROSS NEMEROFF.

Q. AND DID YOU REVIEW DETECTIVE NEMEROFF'S INVESTIGATION?

A. I DID.

Q. OKAY. HOW DID YOU BECOME AWARE OF THE ALLEGATION AGAINST MR. WALDEN?

A. I BECAME AWARE OF IT FROM DETECTIVE NEMEROFF.

Q. AND HOW DID HE BECOME AWARE OF IT?

A. CUSTOMS AND BORDER PATROL X-RAYED A BIN OF PARCELS, PACKAGES COMING INTO THE U.S. FROM OVERSEAS, THEY FOUND 13 PACKAGES WITHIN THAT BIN THAT WERE LABELED AS FUEL FILTERS, BUT THEY SUSPECTED THEY WERE FIREARM SILENCERS. ONE OF THE PACKAGES WAS ADDRESSED

TO DETECTIVE LUKE WALDEN, CUSTOMS AND BORDER PATROL THEN NOTIFIED HSI, HOMELAND SECURITY INVESTIGATIONS, AND THEY NOTIFIED THE POLICE DEPARTMENT.

Q. DO YOU KNOW IF THE RECOVERED PACKAGE WAS PHOTOGRAPHED?

A. IT WAS.

SGT. SLATER: ALL RIGHT. AT THIS TIME, I'D LIKE TO MARK AND ENTER DEPARTMENT'S 1, A ONE-PAGE PHOTOGRAPH OF A RECOVERED PARCEL.

MR. SEKI: NO OBJECTION.

MS. AMIN: OKAY. IT WILL BE ADMITTED INTO EVIDENCE.

(DEPARTMENT'S EXHIBIT NO. 1, A PHOTOGRAPH, 1 PAGE, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY SGT. SLATER:

Q. CAN YOU TAKE A MOMENT TO REVIEW THIS PHOTOGRAPH.

A. OKAY. I REVIEWED IT.

Q. IS THIS THE PACKAGE THAT WAS RECOVERED?

A. YES.

Q. WHO WAS THIS PACKAGE ADDRESSED TO?

A. LUKE WALDEN.

Q. AND WHERE WAS THE PACKAGE ADDRESSED TO?

A. HIS HOME ADDRESS.

Q. WAS THERE ANY OTHER WRITING ON THIS PACKAGE THAT YOU REVIEWED?

A. THERE WAS SOME CHINESE WRITING.

Q. DID YOU GET THAT CHINESE TRANSLATED?

A. I DID NOT.

Q. DID SOMEBODY GET THAT CHINESE WRITING TRANSLATED?

A. YES.

Q. WHO WAS THAT?

A. ROSS NEMEROFF.

Q. AND IF YOU RECALL, WHAT WAS THIS TRANSLATED TO?

A. I WOULD HAVE TO REFER BACK TO THE REPORT TO REFRESH MY MEMORY. THE CHINESE WRITING WAS TRANSLATED TO "SPIRAL, 1/2-28, SINGLE CORE AUTOMOBILE FUEL FILTER (SIX INCH, ONE-HALF INCH-28 BLACK SPIRAL "P0171289910.)"

Q. THANK YOU. NOW, YOU MENTIONED THIS WAS SCREENED BECAUSE IT WAS LABELED AS A FUEL FILTER BY CUSTOMS AND BORDER PROTECTION. WHY WERE PACKAGES LABELED AS FUEL FILTERS BEING SCREENED?

MR. SEKI: OBJECTION; CALLS FOR SPECULATION.

MS. AMIN: IF YOU CAN ANSWER IT, GO AHEAD.

SGT. JIZMEJIAN: ACCORDING TO CUSTOMS AND BORDER PATROL, THEY INTERCEPTED THOUSANDS OF PARCELS

FROM CHINA LABELED AS FUEL FILTERS, FILTERS, SOLVENT TRAPS THAT WERE IN ACTUALITY FIREARM SILENCERS.

Q. YOU HOW DID YOU COME TO KNOW THAT INFORMATION?

A. I TALKED TO MY COLLEAGUE, ROSS NEMEROFF, WHO WAS DOING THE CRIMINAL INVESTIGATION, HE BRIEFED ME ON THAT. I READ HIS REPORT, AS WELL. AND I ALSO READ TWO TECHNICAL BULLETINS FROM ATF, ALCOHOL, TOBACCO, FIREARMS, ABOUT SILENCER.

Q. WHEN YOU SAY YOU READ TWO TECHNICAL BULLETINS, ARE YOU --

I'D LIKE TO MARK AND ENTER TWO SEPARATE TECHNICAL BULLETINS, ATF TECHNICAL BULLETIN 1702, AN 8-PAGE DOCUMENT, DATED APRIL 20TH, 2017; AND TECHNICAL BULLETIN 20-01, A 6-PAGE DOCUMENT DATED OCTOBER 30TH, 2019.

MR. SEKI: NO OBJECTION.

MS. AMIN: OKAY. IT WILL BE ADMITTED INTO EVIDENCE AS EXHIBIT 2 AND 3.

SGT. SLATER: BILL, I DIDN'T WRITE ON IT, BUT THE "17" WILL BE "NO. 2."

(DEPARTMENT'S EXHIBIT NO. 2, ATF BULLETIN 1702, 8 PAGES WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

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(DEPARTMENT'S EXHIBIT NO. 3, ATF BULLETIN 20-01, 6 PAGES, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY SGT. SLATER:

Q. HAVE YOU REVIEWED THE TWO TECHNICAL BULLETINS I PROVIDED?

A. YES.

Q. ARE THOSE THE TECHNICAL BULLETINS YOU REFERRED TO WHEN YOU SAID YOU REVIEWED THEM?

A. YES.

Q. OKAY. REFERRING TO THESE DOCUMENTS, YOU SAID YOU REVIEWED THESE AND THEY BRIEFED -- THESE DOCUMENTS PROVIDED YOU SOME ENLIGHTENMENT ON ITEMS BEING SMUGGLED IN AS SILENCERS?

A. YES.

Q. CAN I HAVE YOU REFER TO TECHNICAL BULLETIN 17.02, MARKED AS DEPARTMENT'S 2.

A. OKAY.

Q. DID THIS DOCUMENT DEFINE A FIREARM SILENCER?

A. IT DID.

Q. ARE SILENCERS LEGAL IN THE STATE OF CALIFORNIA?

A. THEY ARE NOT.

Q. ALL RIGHT. ARE LAW ENFORCEMENT OFFICERS LEGALLY ALLOWED TO POSSESS A SILENCER WHILE OFF DUTY?

A. NO.

Q. WHAT WAS THE SILENCER DEFINED AS, ROUGHLY, BY THIS DOCUMENT?

A. IT'S A DEVICE THAT SUPPRESSES OR LESSENS THE SOUND OF A GUN GOING OFF, THE GUN FIRING, OR IT'S LIKE A COMBINATION OF PARTS THAT DO THE SAME THING BUT AE INTENDED TO ACT AS A SILENCER.

Q. AND AFTER HSI, AND JUST TO BE CLEAR, I DON'T KNOW IF YOU CLARIFIED THIS POINT, WHAT IS HSI?

A. HOMELAND SECURITY INVESTIGATION.

Q. WHY WERE THEY THE ONES TO NOTIFY YOUR PARTNER?

A. THEY HANDLED THE CRIMINAL CASE FROM THEIR END.

Q. OKAY. SO AFTER HSI NOTIFIED YOUR PARTNER OF THE RECOVERED ITEMS, WHAT STEPS WAS TAKEN?

A. DETECTIVE NEMEROFF WENT TO HSI OFFICE AND RECOVERED -- TOOK THE ITEM FROM THEM.

SGT. SLATER: ALL RIGHT. AT THIS TIME, I'D LIKE TO MARK AND ENTER A ONE-PAGE DOCUMENT, A PROPERTY REPORT.

MR. SEKI: NO OBJECTION.

MS. AMIN: OKAY. IT WILL BE ADMITTED INTO EVIDENCE.

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(DEPARTMENT'S EXHIBIT NO. 4, PROPERTY REPORT, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY SGT. SLATER:

Q. WHEN DETECTIVE NEMEROFF TOOK THIS ITEM INTO CUSTODY, DID HE COMPLETE A PROPERTY REPORT?

A. YES.

Q. IS THIS THE PROPERTY REPORT THAT HE COMPLETED.

A. IT IS.

Q. ALL RIGHT. WAS THE RECOVERED ITEM ANALYZED?

A. IT WAS.

Q. WHO CONDUCTED THIS ANALYSIS?

A. A TECHNICIAN FROM FORENSIC SCIENCES DIVISION BY THE NAME OF "FADIO BUSILAH."

Q. DO YOU MEAN FADIL BIRAIMAH?

A. YES.

Q. OKAY. AND BEFORE WE GET TO THAT POINT, ACTUALLY, WERE PHOTOGRAPHS TAKEN OF THE ITEM WHEN IT WAS RECOVERED?

A. YES.

SGT. SLATER: I'D LIKE TO MARK DEPARTMENT'S 5, A 21-PAGE DOCUMENT, PHOTOS OF THE RECOVERED ITEM AND PACKAGING THAT IT CAME WITH.

MR. SEKI: NO OBJECTION.

MS. AMIN: OKAY. IT WILL BE ADMITTED INTO EVIDENCE.

(DEPARTMENT'S EXHIBIT NO. 5, PHOTOGRAPHS, 21 PAGES, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY SGT. SLATER:

Q. ARE THESE THE PHOTOGRAPHS THAT WERE TAKEN OF THE RECOVERED ITEM?

A. YES.

Q. NOW, YOU MENTIONED CRIMINALIST FADIL BIRAIMAH TOOK AN EXAMINATION OF THIS ITEM; IS THAT CORRECT?

A. YES.

Q. DID HE COMPLETE A REPORT IN ANY WAY OF DOCUMENTING THAT?

A. YES.

SGT. SLATER: AT THIS TIME I'D LIKE TO ENTER DEPARTMENT'S NO. 6, A 3-PAGE DOCUMENT TITLED, "LABORATORY REPORT SID 21-007329."

MR. SEKI: NO OBJECTION.

MS. AMIN: ALL RIGHT. ENTERED INTO EVIDENCE.

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(DEPARTMENT'S EXHIBIT NO. 6, A DOCUMENT TITLED, "LABORATORY REPORT SID 21-007329," 3 PAGES, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY SGT. SLATER:

Q. AFTER EXAMINING THIS ITEM, DID THE CRIMINALIST COME TO ANY CONCLUSION?

A. HE DID.

Q. AND I APOLOGIZE FOR GETTING AHEAD OF MYSELF THERE.

WHAT WAS HE ASKED TO ANALYZE THIS ITEM FOR?

A. TO SEE IF IT'S A SILENCER FOR A HANDGUN.

Q. OKAY. WAS IT FOR A HANDGUN --

A. FOR A FIREARM, I'M SORRY.

Q. AND WHAT CONCLUSION DID HE REACH?

A. THAT IT WAS A SILENCER FOR A FIREARM.

Q. AND IS THAT THE REPORT IN FRONT OF YOU THAT WE'RE DISCUSSING?

A. YES.

Q. ALL RIGHT. AFTER YOUR PARTNER RECOVERED THE FIREARM, WHAT OTHER INVESTIGATIVE ACTIONS WERE TAKEN, I MEAN, NOT THE FIREARM, THE ITEM FROM HSI?

A. SO DETECTIVE NEMEROFF CONTACTED OUR INFORMATION TECHNOLOGY BUREAU, IT'S LIKE OUR IT

DEPARTMENT, AND HE HAD THEM QUERY DETECTIVE WALDEN'S INTERNET SEARCH HISTORY USING DEPARTMENT COMPUTERS. HE ALSO CONTACTED THE CALIFORNIA DEPARTMENT OF JUSTICE AND OBTAINED A LIST OF FIREARMS THAT HAVE BEEN REGISTERED TO DETECTIVE WALDEN.

Q. THANK YOU. I JUST NEED ONE SECOND TO FIND WHERE IN HERE A DISK WENT.

(PAUSE IN THE PROCEEDINGS.)

BY SGT. SLATER:

Q. YOU SAID YOUR PARTNER CONTACTED ITD TO DO AN AUDIT OF HIS COMPUTER USAGE, WHAT SPECIFICALLY WAS AUDITED?

A. HIS COMPUTER USAGE DURING A TIME FRAME, I THINK IT WAS JANUARY 1 OF 2020 TO APRIL 28TH OF '21.

Q. AND HOW WAS THAT -- WAS A KEYWORD SEARCHED USED AS THAT AUDIT?

A. THERE WAS CERTAIN KEYWORDS, "SILENCER" AND OBJECTS ASSOCIATED WITH SILENCERS, "THREADED BARREL, FUEL FILTER."

SGT. SLATER: OKAY. AT THIS TIME I WOULD LIKE TO MARK AND ENTER DEPARTMENT'S 7, THE KEYWORD "SEARCH RESULTS." THEY ARE ON A DISK, DUE TO THE SIZE. I WILL PULL THEM UP ON THE SCREEN MOMENTARILY, BUT FOR NOW, I'D LIKE TO MARK AND ENTER THEM AS DEPARTMENT'S 7 ON A DISK.

MR. SEKI: NO OBJECTION.

MS. AMIN: OKAY. ENTERED INTO EVIDENCE.

(DEPARTMENT'S EXHIBIT NO. 7, A DISK, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY SGT. SLATER:

Q. AND IF REQUESTED, LATER IN THE DAY OR AT ANOTHER POINT, I CAN PROVIDE THESE ON A USB OR ANOTHER ITEM. BUT WE HAVE LIMITED USB'S, SO FOR NOW, THEY'RE ON A DISK.

MS. AMIN: IS IT POSSIBLE TO CONDENSE THE FILE AND SEND IT BY E-MAIL?

SGT. SLATER: I SHOULD BE ABLE TO. DON'T QUOTE ME ON THAT UNTIL I CONFIRM.

MS. AMIN: OKAY. SO EACH OF US CAN HAVE A COPY.

SGT. SLATER: BUT WE SHOULD BE ABLE TO SEND THAT ELECTRONICALLY, AS WELL.

ONE SECOND, PLEASE.

(PAUSE IN THE PROCEEDINGS.)

MR. ORTEGA: IS THIS GOING TO PROJECT ON THAT MONITOR?

SGT. SLATER: IT WILL, SIR, IN JUST A MOMENT.

Q. DID YOU GET A COPY OF THAT AUDIT AS PART OF

YOUR INVESTIGATION?

A. I DID, YES.

Q. OKAY. WHAT WERE THE RESULTS OF THAT AUDIT?

A. THERE WERE MULTIPLE SEARCHES FOR THREADED BARREL AND FOR FILTER. AND, ALSO, THERE WERE MULTIPLE HITS FOR THREADED BARREL, MULTIPLE SEARCHES FOR THREADED BARREL, FOR FUEL FILTER, AND ALSO THERE WAS ONE WEBLINK TO A PAYPAL -- A LINK TO A PAYPAL WEBSITE.

Q. THANK YOU. JUST ONE MOMENT, AND I'M GOING TO DIRECT YOU TO THE SCREEN IN FRONT OF YOU.

BUT DIRECTING YOU SPECIFICALLY, I'M GOING TO PULL UP THE KEYWORD SEARCH OF "FUEL" FOR MARCH OF 2021, LINE 330.

CAN YOU SEE THAT FROM HERE?

A. YES.

Q. OKAY. AND IF NECESSARY, WE CAN HAVE YOU WALK CLOSER OR HAVE ANYBODY MOVE CLOSER THAT NEEDS TO SEE IT.

IS THIS ONE OF THOSE SEARCHES THAT YOU REFERENCED?

A. YES.

Q. AND CAN YOU READ WHAT LINE 330 -- WHAT THE URL STARTS WITH?

A. "PAYPAL.COM\TS?PGRP."

Q. THAT'S FINE, THAT'S ENOUGH.

AND THEN THE SECTION IN RED AT THE END OF THAT URL BOX?

A. "CHECKOUT BUTTON."

Q. I APOLOGIZE, THE NEXT SECTION IN RED. IF I NEED, I CAN HAVE YOU MOVE CLOSER.

A. SO THE NEXT RED?

Q. YEAH, THE NEXT RED.

A. "CHECKOUT BUTTON."

Q. AFTER "CHECKOUT BUTTON."

A. "NAPA-4003-WIX240031-2-205-8-245-8-24 FUEL FILTER-ALUMINUM SOLVENT TRAP."

Q. THANK YOU.

AND DIRECTING YOU TO THE LINE IMMEDIATELY PRECEDING THAT, WHAT WAS FIRST IMMEDIATELY BEFORE THE PAYPAL URL?

A. "FACEBOOK.COM."

Q. AND THEN THE LINE DIRECTLY UNDER "FACEBOOK.COM"?

A. "FUEL FILTER ALUMINUM SOLVENT."

Q. THANK YOU.

SO YOU MENTIONED THAT PAYPAL WAS DISCOVERED AS ONE OF THE ITEMS ON THESE SEARCH LISTS, WHAT ACTIONS WERE TAKEN AFTER THE PAYPAL DISCOVERY?

A. MY COLLEAGUE, ROSS NEMEROFF, THEN WROTE A SEARCH WARRANT FOR DETECTIVE WALDEN'S PAYPAL ACCOUNT.

Q. AND HOW WERE THE RESULTS OF THAT SEARCH WARRANT DOCUMENTED?

A. HE WROTE A 3.14 REPORT, WHICH IS A FOLLOW-UP REPORT.

SGT. SLATER: OKAY. AT THIS TIME, I'D LIKE TO MARK AND ENTER DEPARTMENT'S 8, THE PAYPAL RECORDS, ON A DISK, WHICH WILL ALSO BE E-MAILED TO THE BOARD MEMBERS LATER TODAY.

AND DEPARTMENT'S 9, A ONE-PAGE DOCUMENT TITLED, "FOLLOW UP INVESTIGATION DR21991310."

MR. SEKI: I HAVE NO OBJECTION TO EITHER.

MS. AMIN: OKAY. SO EXHIBIT 8 AND 9 WILL BE ADMITTED INTO EVIDENCE.

(DEPARTMENT'S EXHIBIT NO. 8, A DISK WITH PAYPAL RECORDS, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

(DEPARTMENT'S EXHIBIT NO. 9, A DOCUMENT TITLED, "FOLLOW UP INVESTIGATION DR21991310," WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY SGT. SLATER:

Q. DID THE RESULTS OF THAT PAYPAL LOG DOCUMENT WHO THE PAYPAL ACCOUNT BELONGED TO?

A. THE SEARCH WARRANT?

Q. YES.

A. YES.

Q. AND WHO WAS DISCOVERED TO BE THE OWNER OF THAT PAYPAL ACCOUNT?

A. DETECTIVE LUKE WALDEN.

Q. OKAY. AND WAS ANYTHING ELSE DISCOVERED AFTER RECEIVING A COPY OF THE PAYPAL RESULTS?

A. NEMEROFF DISCOVERED THAT A PAYPAL RECORD HAD A PURCHASE OF A FUEL FILTER.

Q. STANDBY ONE SECOND.

AND DID YOU REVIEW THOSE PAYPAL TRANSACTIONS, AS WELL?

A. YES.

Q. I'M GOING TO PUT ON THE SCREEN THE PAYPAL TRANSACTIONS, SPECIFICALLY LINE 79. REFERRING TO LINE 79, UNDER THE COLUMN THAT SAYS, "NET," WHAT DO YOU SEE?

A. NEGATIVE SIGN AND THEN $45.96, USD.

Q. OKAY. AND THEN MOVING THROUGH THAT, ON LINE 79, UNDER "SHIPPING ADDRESS," WHAT ADDRESS WAS LISTED THERE, AS WELL AS WHAT INDIVIDUAL?

A. IT HAS DETECTIVE WALDEN'S NAME WITH HIS HOME ADDRESS.

Q. AND UNDER ITEM TITLE, WHAT ITEM IS LISTED IN LINE 79?

A. IT SAYS, "BUY 1 GET 1 FREE," SAYS, "LAST DAY

FOR NAPA-4003-WIX-4003-1-2-28-5/8-24 FUEL FILTER ALUMINUM SOLVENT TRAP."

Q. THANK YOU.

DIRECTING YOU BACK TO THE ATF TECHNICAL BULLETIN 20-01, WHICH WAS DEPARTMENT'S 3, MAY I HAVE YOU REFER TO DEPARTMENT'S 3, PLEASE.

A. OKAY.

Q. IS THE NAPA 4003 FUEL FILTER REFERENCED IN THIS BULLETIN ANYWHERE?

A. IT IS.

Q. DO YOU RECALL WHAT PAGE THAT WAS ON?

A. IT'S THE LAST PAGE.

Q. WHEN YOU SAY "THE LAST PAGE," ARE YOU REFERRING TO PAGE 6?

A. YES.

Q. OKAY. AND WHAT IS THE REFERENCE ON PAGE 6 REFERRING TO?

A. THE SIZE OF THE THREADING, 3/4 OF AN INCH.

Q. OKAY. WHEN YOU SAY "THREAD 3/4 OF AN INCH," HOW DID YOU COME TO KNOW WHAT 3/4 OF AN INCH MEANS?

A. I DID AN INTERNET RESEARCH.

Q. OKAY. ON PAGE 4 OF THIS DOCUMENT, I'M GOING TO DIRECT YOU TO 4, IS THE NAPA 4003 FILTER REFERENCED ON PAGE 4?

A. YES.

Q. AND WHAT DID THIS DOCUMENT HAVE TO SAY ABOUT ITEMS MARKED AS A NAPA 4003 FILTER?

A. SO IT SAYS, ACCORDING TO THE ATF, THE PEOPLE WHO WROTE THIS DOCUMENT, WHEN YOU DO AN INTERNET SEARCH FOR NAPA 4003, THE RESULTS COME UP WITH DIFFERENT WEBSITES SELLING FIREARM SILENCERS UNDER THE GUISE OF FUEL FILTERS, CLAIMING TO BE FUEL FILTERS.

Q. AND ON THE ONES THAT ARE SOLD AS FIREARM FUEL FILTERS, WHAT IS THE THREAD SIZE ON THOSE ITEMS?

A. FIREARMS -- CAN YOU REPEAT THAT QUESTION.

Q. YOU REFERENCED THAT ON PAGE 4, THE ATF IDENTIFIED ITEMS MARKETED AS NAPA THAT ARE ACTUALLY SILENCERS, DID THIS DOCUMENT REFERENCE THE THREAD SIZE OF THE ITEMS THAT ARE SILENCERS?

A. IT DID.

Q. AND WHAT WAS THAT?

A. HALF-INCH BY 28.

Q. ARE THERE OTHER OPTIONS FOR THE SILENCERS THAT THREAD SIZE?

A. YES.

Q. WOULD IT BE SAFE TO SAY, THEN, THAT 1/2 BY 28 IS A COMMON THREAD SIZE FOR FIREARMS?

A. I WOULD BELIEVE SO.

MR. SEKI: OBJECTION; LACKS FOUNDATION. CALLS FOR SPECULATION. HE'S NOT AN EXPERT IN THIS.

SGT. SLATER: LET ME REPHRASE MY QUESTION THEN.

Q. DID THE ATF IN THIS DOCUMENT IDENTIFY 1/2 BY 28 AS A THREAD SIZE USED ON FIREARM SUPPRESSORS?

A. YES.

Q. AND TO BE CLEAR, THAT'S DIFFERENT THAN THE 3/4 THREAD THAT WAS MARKETED AS THE FUEL FILTER SIZE, CORRECT?

A. CORRECT.

Q. THANK YOU.

AND WHAT WAS THE THREAD SIZE WHEN WE TRANSLATED THE CHINESE WRITING ON THE ITEM THAT WAS INTERCEPTED?

A. 1/2 BY 28.

Q. NOW, YOU MENTIONED THAT YOUR PARTNER CONTACTED SOMEBODY ABOUT THE FIREARMS OWNED BY DETECTIVE WALDEN?

A. YES.

Q. WHO DID HE CONTACT?

A. HE CONTACTED THE CALIFORNIA DOJ, DEPARTMENT OF JUSTICE.

Q. AND WHY WOULD HE CONTACT THE DEPARTMENT OF JUSTICE?

A. BECAUSE THEY -- WHEN YOU BUY A GUN IN CALIFORNIA, YOU HAVE TO REGISTER IT, AND THEY HAD THE

DATABASE FOR THE REGISTERED FIREARMS.

Q. SO IF I'M HEARING YOU CORRECTLY, WHAT YOU'RE SAYING IS THAT THE DOJ TRACKS FIREARMS OWNED BY INDIVIDUALS?

A. YES.

Q. AND AFTER HE CONTACTED THEM, WHAT HAPPENED?

A. IT PROVIDED DETECTIVE NEMEROFF A LIST OF THE GUNS OR THE FIREARMS REGISTERED -- THAT WERE REGISTERED TO LUKE WALDEN.

SGT. SLATER: AT THIS TIME, I'D LIKE TO MARK AND ENTER DEPARTMENT'S 10, A 20-PAGE DOCUMENT CONTAINING AN E-MAIL REQUESTING A FIREARMS RUN AND THE RESULTS OF THAT FIREARM RUN.

MR. SEKI: NO OBJECTION.

MS. AMIN: OKAY. ADMITTED INTO EVIDENCE.

(DEPARTMENT'S EXHIBIT NO. 10, AN E-MAIL, 20 PAGES, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY SGT. SLATER:

Q. SO I'D LIKE TO REFER YOU TO DEPARTMENT'S 10, THE DOCUMENT I JUST GAVE YOU, REFERRING TO PAGES 19 AND 20, CAN YOU EXPLAIN WHAT THESE TWO PAGES ARE?

A. THESE TWO PAGES WERE PREPARED BY MY CO-WORKER, ROSS NEMEROFF.

Q. OKAY. CAN YOU BREAK DOWN WHAT EACH OF THESE COLUMNS IS SUPPOSE TO REPRESENT?

A. NEMEROFF LOOKED INTO EACH FIREARM THAT THE DOJ PROVIDED HIM AS BEING REGISTERED TO LUKE WALDEN. HE RAN THE SERIAL NUMBERS FOR THE HISTORY OF THE FIREARMS AND MADE A DETERMINATION IF THEY WERE BOUGHT OR SOLD.

Q. OKAY. SO IF I'M UNDERSTANDING YOU CORRECTLY, THE FIRST COLUMN INDICATES IF AT SOME POINT MR. WALDEN HAD BOUGHT OR SOLD ONE OF THESE GUNS, THE SECOND COLUMN IS THE TYPE OF GUN, AS IN THE MANUFACTURER, THE THIRD IS THE CALIBER, THE FOURTH COLUMN WOULD BE THE PRODUCT TYPE, SO WITHIN A MANUFACTURER, THE TYPE OF GUN IT IS, AND THEN THE DOT COLUMN WOULD BE THE DATE OF TRANSFER, FINALLY THE SERIAL, AND THEN IF IT'S DOCUMENTED WITH THE DOJ, A DOCUMENTED TRANSFER TO ANOTHER INDIVIDUAL, CORRECT?

A. CORRECT.

Q. SO CIRCLING BACK TO DEPARTMENT'S 3 ONE MORE TIME, DID THIS DOCUMENT IDENTIFY THE COMMON THREAD SIZES OF CERTAIN FIREARM BARRELS?

A. IT DID.

Q. WHAT WAS IDENTIFIED AS THE THREAD SIZE FOR NINE-MILLIMETER HANDGUNS?

A. 1/2 BY 28.

Q. AND WHAT WAS IDENTIFIED AS THE THREAD SIZE FOR AR-15 TYPE RIFLES?

A. 1/2 BY 28.

Q. AND WHAT WAS THE THREAD SIZE FOR RUGER 1022 RIFLES?

A. THE SAME, 1/2 BY 28.

Q. DID MR. WALDEN OWN ANY NINE-MILLIMETER HANDGUNS?

A. YES.

Q. DID MR. WALDEN OWN ANY AR-STYLE RIFLES?

A. YES.

Q. DID MR. WALDEN OWN ANY RUGER 1022'S?

A. YES.

Q. NOW, IN THE OPENING, MR. SEKI, THE DEFENSE ATTORNEY, MENTIONED THAT A THREADED BARREL WAS NECESSARY TO AFFIX THINGS TO A PISTOL IN THE STATE OF CALIFORNIA?

MR. SEKI: I'M GOING TO OBJECT AS VAGUE TO "THINGS," I DON'T KNOW WHAT "THINGS" ARE.

BY SGT. SLATER:

Q. TO ATTACH FIREARM BARREL ATTACHMENTS TO FIREARMS IN THE STATE OF CALIFORNIA; IS THAT CORRECT?

MR. SEKI: WELL, I GUESS THAT'S IRRELEVANT. BARREL ATTACHMENTS, I DON'T KNOW WHAT BARREL ATTACHMENTS ARE. IF YOU'RE SPECIFICALLY ASKING ABOUT

SILENCERS, THEN ASK ABOUT SILENCERS, BUT BARREL ATTACHMENTS CAN BE A NUMBER OF THINGS.

MS. AMIN: SUSTAINED.

BY SGT. SLATER:

Q. IN HIS OPENING, MR. SEKI ADDRESSED THAT A THREADED BARREL WOULD BE NECESSARY TO ATTACH A FIREARM SILENCER TO A BARREL; IS THAT CORRECT?

MR. SEKI: OBJECTION; LACKS FOUNDATION. WE DON'T KNOW THAT HE'S AN EXPERT ON THAT OR IF HE HAS KNOWLEDGE OF IT.

MS. AMIN: IF YOU HAVE KNOWLEDGE OR ABILITY TO ANSWER, THAT'S FINE.

SGT. JIZMEJIAN: REPEAT THE QUESTION, PLEASE.

BY SGT. SLATER:

Q. ARE THREADED BARRELS -- I'LL MOVE ON. I'LL ADDRESS THIS THROUGH ANOTHER WITNESS.

ALL RIGHT. I WANT TO DIRECT YOU NOW TO MR. WALDEN'S WORK STATUS, DOES THE DEPARTMENT TRACK WHEN ITS EMPLOYEES ARE WORKING?

A. YES.

Q. HOW DOES THE DEPARTMENT TRACK WHEN EMPLOYEES ARE WORKING?

A. WE HAVE AN INTERNAL DATABASE CALLED DEPLOYMENT PLANNING SYSTEM.

Q. AND WHAT IS -- WHAT DOES DEPLOYMENT PLANNING SYSTEM TRACK ON TOP OF IF AN EMPLOYEE IS WORKING?

A. IT TRACKS THEIR WORK HOURS, AS WELL.

SGT. SLATER: I'D LIKE TO MARK AND ENTER A ONE-PAGE DOCUMENT TITLED, "GND/FBI GANG TASK FORCE DAILY WORKSHEET PORTRAIT" FOR WEDNESDAY, MARCH 17, 2021.

MR. SEKI: NO OBJECTION.

MS. AMIN: OKAY. IT'S ADMITTED INTO EVIDENCE.

(DEPARTMENT'S EXHIBIT NO. 11, DOCUMENT TITLED, "GND/FBI GANG TASK FORCE DAILY WORKSHEET PORTRAIT," WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY SGT. SLATER:

Q. HAVE YOU SEEN THIS DOCUMENT BEFORE, SIR?

A. YES.

Q. IS LUKE WALDEN'S WORK STATUS FOR THAT DAY DOCUMENTED ON THIS SHEET?

A. YES.

Q. WHAT TIME WAS LUKE WALDEN SCHEDULED TO BEGIN HIS SHIFT THAT DAY?

A. 0600.

Q. WHAT TIME DID HE ACTUALLY BEGIN HIS SHIFT?

A. 0900.

Q. SO ACCORDING TO THIS DOCUMENT, WAS LUKE WALDEN ON DUTY AT 0828 A.M. ON MARCH 17, 2021?

A. HE WAS NOT.

Q. AND AS PART OF YOUR INTERVIEW INTO THIS MATTER, I MEAN, INVESTIGATION INTO THIS MATTER, DID YOU CONDUCT AN INTERVIEW WITH DETECTIVE WALDEN?

A. I DID.

Q. ONE SECOND, PLEASE.

WAS THAT INTERVIEW RECORDED?

A. IT WAS.

SGT. SLATER: AT THIS TIME, I'D LIKE MARK AND ENTER DEPARTMENT'S 12, A 22-PAGE TRANSCRIPT OF A RECORDED INTERVIEW OF LUKE WALDEN. AND DEPARTMENT'S 13, A DISK OF THAT INTERVIEW.

MR. SEKI: SO THIS IS THE FIRST I'M SEEING OF THE TRANSCRIPT. I HAVEN'T BEEN PROVIDED THIS TRANSCRIPT.

SGT. SLATER: THE DEPARTMENT --

MR. SEKI: YOU KNOW WHAT, LET ME RETRACT. I DID GET IT. I'M SORRY. I HAVE NO OBJECTION TO 12 OR 13.

MS. AMIN: OKAY. THAT WILL BE ADMITTED INTO EVIDENCE.

MR. ORTEGA: DID YOU SAY 12 AND 13?

SGT. SLATER: 13 WILL BE THE DISK, 12 WILL BE THE TRANSCRIPT.

(DEPARTMENT'S EXHIBIT NO. 12, TRANSCRIPT OF LUKE WALDEN INTERVIEW, 22 PAGES, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

(DEPARTMENT'S EXHIBIT NO. 13, DISK OF TRANSCRIPT OF LUKE WALDEN'S INTERVIEW, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY SGT. SLATER:

Q. DURING YOUR INTERVIEW, WAS DETECTIVE WALDEN'S WORK HISTORY EVER DISCUSSED?

A. YES.

Q. WAS WALDEN EVER ASSIGNED TO THE GUN UNIT?

A. YES.

Q. WAS WALDEN EVER ASSIGNED TO A FEDERAL TASK FORCE?

A. YES.

Q. DID DETECTIVE WALDEN TELL YOU HE HAD QUALIFIED AS A COURT EXPERT ON FIREARMS AND TESTIFIED BEFORE ON SUCH MATTERS?

A. YES.

Q. DID YOU DISCUSS THE INTERCEPTED ITEM DURING YOUR INTERVIEW?

A. YES.

Q. WHAT DID DETECTIVE WALDEN TELL YOU THE ITEM WAS FOR?

A. HE SAID HE WAS REBUILDING AN OLDER VEHICLE, AN '85 TOYOTA CELICA, AND HE THOUGHT HE ORDERED A FUEL FILTER FOR THE VEHICLE, BUT HE NEVER RECEIVED THE ITEM.

Q. FOLLOWING YOUR INTERVIEW WITH DETECTIVE WALDEN AND HIS STATEMENT THAT HE PURCHASED THE ITEM AS A FUEL FILTER FOR A VEHICLE HE WAS REBUILDING, DID YOU TAKE ANY INVESTIGATIVE ACTIONS?

A. I WENT AND INTERVIEWED A SUPERVISOR GREG FIELD OR FIELDS, HE'S ASSIGNED TO MOTOR TRANSPORT DIVISION, THAT'S THE DIVISION THAT HAS OUR MECHANICS, OUR AUTOMOTIVE PEOPLE, AND I ASKED HIM -- I SHOWED HIM THE WEBLINKS THAT MY COLLEAGUE, NEMEROFF, DISCOVERED DURING HIS ITD INQUIRY OF DETECTIVE WALDEN'S INTERNET SEARCHES, SPECIFICALLY THE FUEL FILTER SEARCHES, AND I ALSO SHOWED HIM PICTURES OF THE DEVICE THAT WAS RECOVERED, AS WELL.

Q. SO WHEN MR. FIELD --

A. OR ITEM RECOVERED, I'M SORRY.

Q. SO WHEN MR. FIELD REVIEWED THE PHOTO OF THE ITEM RECOVERED, DID HE COME TO A CONCLUSION?

A. YES.

Q. AND WHAT WAS THAT CONCLUSION?

A. HE SAID THAT THE ITEM IS NOT A FUEL FILTER FOR A VEHICLE.

Q. OKAY. WAS THIS CASE -- WHAT WE'VE HEARD, AS MENTIONED IN THE OPENING, THIS WAS PRESENTED FOR CRIMINAL FILING, ARE YOU AWARE OF WHAT OCCURRED WITH THAT CRIMINAL FILING?

A. I AM.

Q. ALL RIGHT. WAS THIS CASE -- WAS A PRELIMINARY HEARING HELD IN THIS MATTER?

A. YES.

Q. AND WHAT IS A PRELIMINARY HEARING?

A. IT'S A HEARING WITH A JUDGE TO DETERMINE IF THERE'S ENOUGH EVIDENCE TO MOVE TO TRIAL.

SGT. SLATER: OKAY. AT THIS TIME I'D LIKE TO MARK AND ENTER A FIVE-PAGE DOCUMENT AS DEPARTMENT'S 14, AND THIS IS THE MINUTES FROM THE PRELIMINARY HEARING.

MR. SEKI: NO OBJECTION.

MS. AMIN: OKAY. IT WILL BE ENTERED INTO EVIDENCE.

(DEPARTMENT'S EXHIBIT NO. 14, PRELIMINARY HEARING MINUTES, 5 PAGES, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY SGT. SLATER:

Q. WAS A PRELIMINARY HEARING HELD ON THIS MATTER ON MARCH 9TH OF 2023?

A. YES.

Q. AND WHAT WAS THE OUTCOME OF THAT PRELIMINARY HEARING?

A. DETECTIVE WALDEN WAS HELD TO ANSWER.

Q. AND THEN AFTER THE PRELIMINARY HEARING AND BEING HELD TO ANSWER, DO YOU KNOW WHAT HAPPENED WITH THE COURT CASE?

A. DETECTIVE WALDEN PLED OUT TO AN OFFENSE.

Q. DO YOU KNOW WHAT OFFENSE HE PLED OUT TO?

A. POSSESSION -- ATTEMPT POSSESSION OR POSSESSION OF ASSAULT WEAPON.

SGT. SLATER: AT THIS TIME I'D LIKE TO MARK AND ENTER A 4-PAGE DOCUMENT, DEPARTMENT'S NO. 15, THE MINUTES FROM THE SEPTEMBER 29, 2023 PROCEEDINGS OR, YEAH.

MR. ORTEGA: I HAVE A QUESTION.

SGT. SLATER: YES.

MR. ORTEGA: IS THE TERM "HELD TO ANSWER," AS THE NON-LAWYER HERE, DOES THAT REQUIRE YOU TO SAY GUILTY OR NOT GUILTY?

MR. SEKI: NO. IT'S BASICALLY A FINDING BY THE COURT THAT ALLOWS THE CASE TO PROCEED FORWARD, SO

IT'S A CHECK ON THE POWERS OF THE GOVERNMENT.

BY SGT. SLATER:

Q. AND JUST TO BE CLEAR, I KNOW YOU SAID IT, BUT IN CASE THERE'S ANY QUESTIONS FOR THE BOARD, ULTIMATELY WHEN YOU SAY "HE PLEAD OUT," WHAT DOES "PLEAD OUT" MEAN?

A. HE -- HE ARRANGED AN AGREEMENT WITH THE PROSECUTORS TO BE FOUND CULPABLE OF AN OFFENSE.

MR. ORTEGA: YEAH, I DO KNOW WHAT PLEAD OUT MEANS.

SGT. SLATER: JUST COVERING THE BASIS FOR IT.

MR. ORTEGA: I APPRECIATE IT.

MS. AMIN: ANY OBJECTION TO 15?

MR. SEKI: OH, I'M SORRY, NO OBJECTION.

MS. AMIN: SO ADMITTED.

(DEPARTMENT'S EXHIBIT NO. 15, MINUTE ORDER, DATED SEPTEMBER 29, 2023, 4 PAGES, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

SGT. SLATER: NO FURTHER AT THIS TIME.

MS. AMIN: WE'LL BE BACK IN 10.

(RECESS TAKEN.)

MS. AMIN: BACK ON THE RECORD.

MR. SEKI, IT'S YOUR CROSS.

MR. SEKI: THANK YOU.

CROSS-EXAMINATION

BY MR. SEKI:

Q. SO SERGEANT JIZMEJIAN, LET ME KIND OF -- I'M NOT GOING TO REPEAT EVERYTHING, BUT KIND OF BACKTRACK FROM THE BEGINNING. WE HAVE DEPARTMENT'S NO. 1, WHICH IS A PHOTOGRAPH OF A PARCEL THAT WAS SEIZED BY CUSTOMS AND BORDER PATROL, CORRECT?

A. YES.

Q. AND IN TERMS OF THIS PARTICULAR PARCEL, DID YOU DO ANY RESEARCH REGARDING THE ORIGINS OF THIS MEANING, WHERE THIS CAME FROM, THE COMPANY IT CAME FROM, ANYTHING LIKE THAT?

A. I, PERSONALLY?

Q. YES.

A. I DID NOT.

Q. DO YOU KNOW IF DETECTIVE NEMEROFF AT ANY POINT DID ANY RESEARCH ON IT?

A. I BELIEVE HE DID AN INTERNET SEARCH OF THE PHONE NUMBER AND MAYBE THE ADDRESS OF THE -- OF THE SENDER. I'D HAVE TO REFER TO MY REPORT TO REFRESH MY MEMORY.

Q. ONE OF THE THINGS THAT YOU SAID, AND MAYBE IT WASN'T CLEAR TO EVERYBODY, BUT CUSTOMS AND BORDER PATROL FOCUSED ON A BIN OF 13 ITEMS FROM THIS

PARTICULAR COMPANY; IS THAT CORRECT?

A. I BELIEVE THERE WAS A BIN WITH MULTIPLE ITEMS, 13 THAT WERE OUT OF THE BIN WERE IDENTIFIED BY CUSTOMS AND BORDER PATROL AS SUSPECTED FIREARM SILENCERS.

Q. DO YOU KNOW WHETHER OR NOT THEY WERE ALL FROM THE SAME COMPANY?

A. I DON'T.

Q. AND DO YOU KNOW WHAT WAS CONTAINED IN THOSE OTHER ITEMS?

A. WHICH OTHER ITEMS?

Q. THE 12 ITEMS THAT WERE SEIZED.

A. ACCORDING TO CUSTOMS AND BORDER PATROL, THEY SUSPECTED ALL 13 TO BE FIREARM SILENCERS.

Q. BUT YOU DON'T KNOW IF, IN FACT, THEY OPENED THEM UP, USED THEM, ANALYZED THEM?

A. I DON'T.

Q. YOU ONLY KNOW ON THIS PARTICULAR CASE, THIS ONE PACKAGE WAS IDENTIFIED AND THEN TURNED OVER TO LAPD; IS THAT CORRECT?

A. YES.

Q. AND IS IT CORRECT TO SAY THAT HOMELAND SECURITY ENDED UP DOING SOME RESEARCH IN DETERMINING THAT DETECTIVE WALDEN WHOSE NAME APPEARS ON HERE, THEY DETERMINED HE WAS A LAW ENFORCEMENT OFFICER?

A. YES.

Q. AND THEN THEY CONTACTED LAPD?

A. YES.

Q. AND THEN LAPD TOOK IT FROM THERE TO CONDUCT THEIR INVESTIGATION, CORRECT?

A. CORRECT.

Q. ONE OF THE THINGS THAT WAS SHOWN TO YOU BY SERGEANT SLATER HAD TO DEAL WITH INTERNET SEARCHES, USING KEYWORDS SUCH AS "FUEL FILTER, THREADED BARREL," ET CETERA?

A. CORRECT.

Q. AND YOU FOUND ONE WHICH HAD A WEBLINK TO A PAYPAL ACCOUNT, CORRECT?

A. DETECTIVE NEMEROFF FOUND THAT WEBLINK.

Q. DID DETECTIVE NEMEROFF GO TO THAT WEBSITE TO SEE WHAT WAS BEING ADVERTISED?

A. I DON'T KNOW.

Q. YOU WERE SHOWN A PAYPAL DATABASE OR RECORDS FOR DETECTIVE WALDEN AND, AGAIN, IT CAME UP WITH A PURCHASE OF A NAPA 4003 WIX, AND THERE'S SOME OTHER STUFF, FUEL FILTER, ALUMINUM SOLVENT TRAP, CORRECT?

A. YES.

Q. WERE YOU EVER ABLE TO FIND THE WEBSITE ASSOCIATED WITH THAT?

A. I DIDN'T LOOK.

Q. DO YOU KNOW IF DETECTIVE NEMEROFF LOOKED?

A. I DON'T KNOW.

Q. ONE OF THE THINGS THAT YOU SAID THAT THERE WAS A SEARCH ASSOCIATED WITH FACEBOOK.COM FOR A FUEL FILTER, CORRECT?

A. YES.

Q. AND APPARENTLY THERE WAS ON MARCH 17TH OF 2021?

A. YES.

Q. WERE YOU ABLE TO FIND THAT FACEBOOK.COM WEBSITE TO SEE WHAT WAS BEING ADVERTISED?

A. I DON'T KNOW. I DIDN'T DO -- I HAD ADMINISTRATIVE INVESTIGATIVE RESPONSIBILITIES TO DO THE ADMINISTRATIVE INVESTIGATION FOR THIS CASE, DETECTIVE NEMEROFF HAD THE CRIMINAL PORTION. I DON'T KNOW IF HE DID WHAT MR. SEKI IS ASKING.

Q. CORRECT ME IF I'M WRONG, JUST SO THE BOARD UNDERSTANDS, YOU HAVE PARALLEL INVESTIGATIONS, ADMINISTRATIVE INVESTIGATION AND CRIMINAL INVESTIGATION, CORRECT?

A. THEY'RE NOT PARALLEL.

Q. WELL, I MEAN, YOU'RE BASICALLY CONDUCTING AN ADMINISTRATIVE INVESTIGATION FOR THE SAME SUBJECT AS THE CRIMINAL INVESTIGATION; IS THAT CORRECT?

A. YES.

Q. OKAY. AND WHILE THEY'RE NOT, AS YOU SAY, PARALLEL, BASICALLY YOU'RE INVESTIGATING THE SAME THINGS, CORRECT?

A. YES.

Q. YOU DON'T HAVE TO RELY SOLELY ON WHAT THE CRIMINAL INVESTIGATOR DOES, YOU CAN CONDUCT YOUR OWN INVESTIGATION, CORRECT?

A. IT'S STANDARD PRACTICE TO DO WHAT I DID.

Q. WELL, I DON'T KNOW WHAT THAT MEANS, "TO DO WHAT I DID," WHAT DOES THAT MEAN?

A. TO CONDUCT ADMINISTRATIVE INVESTIGATION, NOT TO REHASH OR RECONDUCT THE CRIMINAL INVESTIGATION.

Q. SO IF YOU'RE GIVING INFORMATION AS PART OF THE ADMINISTRATIVE INVESTIGATION, YOU CAN FOLLOW UP ON THAT, CAN'T YOU?

A. YES.

Q. NOW, ONE OF THE THINGS YOU LEARNED IN TERMS OF A TIMELINE HERE, WE HAVE MARCH 17TH, WHICH IS APPARENTLY WHEN THIS ITEM WAS ORDERED THROUGH PAYPAL, CORRECT?

A. YES.

Q. AND YOU UNDERSTAND THAT APRIL 22ND, 2021 IS WHEN CUSTOM AND BORDER PATROL ENDED UP SEIZING THAT ITEM, CORRECT?

A. CORRECT.

Q. AND THEN I THINK WE HAVE A PROPERTY RECEIPT DATED MAY 11TH IS WHEN LAPD TOOK CUSTODY OF THE PARCEL THAT'S DEPICTED IN DEPARTMENT'S 1, CORRECT?

A. THAT'S THE DATE THAT THE REPORT WAS WRITTEN.

Q. OKAY. NOW, WHEN YOU INTERVIEWED DETECTIVE WALDEN, HE INDICATED TO YOU THAT HE HADN'T RECEIVED A FUEL FILTER THAT HE HAD ORDERED, CORRECT?

A. YES.

Q. IN FACT, HE SAID THAT HE ORDERED A DIFFERENT ONE, CORRECT --

A. YES.

Q. -- FROM AMAZON, BECAUSE HE KNEW THAT IF IT GOT LOST, HE CAN GET HIS MONEY BACK, CORRECT?

A. I DON'T KNOW IF HE -- IF HE EXPLAINED WHY -- IF HE EXPLAINED IT THAT WAY. I DON'T RECALL IF I ASKED HIM, EITHER, BUT HE SAID HE ORDERED ANOTHER ONE BECAUSE THE OTHER ONE DIDN'T ARRIVE.

Q. AND YOU ASKED HIM TO PROVIDE YOU WITH PHOTOGRAPHS OR PROOF THAT HE HAD ORDERED THAT ITEM, CORRECT?

A. YES.

Q. AND HE DID THAT, DIDN'T HE?

A. YES.

Q. IN FACT, HE PROVIDED YOU WITH PHOTOGRAPHS OR SHOTS THAT INDICATED THAT ON AUGUST 21ST OF 2021, HE

ORDERED A FUEL FILTER FROM AMAZON, CORRECT?

A. YES. HE GAVE ME A PICTURE OF AN ITEM THAT HE -- THAT HE PURCHASED.

MR. SEKI: SO I HAVE A 4-PAGE DOCUMENT HERE I'D LIKE MARKED AS ACCUSED A.

LET ME HAVE A MOMENT, PLEASE.

(PAUSE IN THE PROCEEDINGS.)

MR. SEKI: DO YOU HAVE AN OBJECTION?

SGT. SLATER: DID I NOT SAY THAT? NO OBJECTION. I'M SORRY, THAT'S ON US.

MS. AMIN: NO OBJECTION. IT'S ADMITTED INTO EVIDENCE.

(ACCUSED EXHIBIT A, PHOTOGRAPHS, 4 PAGES, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY MR. SEKI:

Q. SO SERGEANT JIZMEJIAN, I'M HAVING YOU LOOK AT WHAT'S BEEN MARKED AS ACCUSED A, AND JUST REALLY AT THE FIRST PAGE, THERE'S TWO PHOTOGRAPHS THAT ARE DEPICTED THERE.

DO YOU RECALL SEEING SOMETHING -- DID YOU RECEIVE SOMETHING SIMILAR TO THE ITEMS DEPICTED ON PAGE 1 OF ACCUSED A?

A. YEAH, YOU SENT ME AN E-MAIL SIMILAR BUT NOT THIS.

Q. AND WHEN YOU RECEIVED THAT, DID YOU END UP SHOWING THAT PARTICULAR ITEM, THE EVIL ENERGY INLINE 100 MICRON FUEL FILTER, DID YOU END UP SHOWING THAT TO THE FORENSIC EXPERT?

A. SO YOU SENT ME A PICTURE OF AN ITEM, I BELIEVE YOU SAID IT'S SIMILAR TO WHAT WALDEN HAD PURCHASED, I DIDN'T SHOW THAT TO THE FORENSIC EXPERT, NO.

Q. IS THERE A REASON YOU DIDN'T SHOW IT TO HIM?

A. I DIDN'T -- NO THERE ISN'T.

Q. I MEAN, ONE OF THE THINGS HERE, WE WANT TO DETERMINE WHETHER OR NOT DETECTIVE WALDEN IS PURCHASING SILENCERS OR FUEL FILTERS, CORRECT?

A. CORRECT.

Q. OKAY. AND SO WE'VE GOT THIS ITEM THAT WAS LISTED AND IT'S LISTED AS A FUEL FILTER ON AMAZON, RIGHT?

A. RIGHT.

Q. AND YOU'VE GOT THIS FIREARM OR TECHNICAL BULLETIN, WHICH IS MARKED AS DEPARTMENT'S 3, DEALING WITH INLINE FILTER FIREARM SILENCERS, AND YOU HAVE PICTURES OF ITEMS; THE ITEM THAT'S DEPICTED HERE, DOES IT LOOK SIMILAR TO ANY OF THE ITEMS THAT WERE IN THE TECHNICAL BULLETIN THAT YOU RECEIVED?

A. IT LOOKS SIMILAR TO INLINE FILTER.

Q. AND HE TOLD YOU THAT BECAUSE HE, AND WHEN I SAY "HE," DETECTIVE WALDEN, TOLD YOU THAT WHEN HE DIDN'T RECEIVE A FUEL FILTER THAT HE ORDERED, HE ENDED UP ORDERING THIS ONE?

A. HE SAID HE ORDERED ANOTHER ONE. I DON'T KNOW IF IT WAS THIS ONE OR NOT.

Q. BUT YOU GAVE IT -- HE SENT YOU PICTURES, RIGHT?

A. I THINK YOU SENT AN E-MAIL OF A LIKE ITEM THAT --

Q. RIGHT.

A. -- YOU SAID THAT HE PURCHASED.

Q. BUT YOU DIDN'T FOLLOW THROUGH TO DETERMINE WHETHER OR NOT THAT, IN FACT, WAS A FUEL FILTER?

A. WHAT YOU E-MAILED ME?

Q. CORRECT.

A. I DID NOT.

Q. ONE OF THE THINGS THAT YOU SAID YOU DID WAS YOU ENDED UP GOING TO -- YOU ENDED UP GOING TO, IS HE A MECHANIC AT THE MOTOR POOL?

A. HE'S A SUPERVISORY MECHANIC.

Q. AND YOU ASKED -- YOU SHOWED HIM THE PICTURE OF THE ITEM THAT HAD BEEN SEIZED BY THE CUSTOMS AND BORDER PATROL, CORRECT?

A. ALL THE PICTURES, YEAH.

Q. DID YOU ASK HIM IF IT WAS A FUEL FILTER OR DID YOU ASK HIM IF IT WAS A FUEL FILTER THAT WOULD FIT A CELICA?

A. SO HE SAID THAT IT'S NOT A FUEL FILTER, PERIOD, FOR A VEHICLE.

Q. DID HE ACTUALLY SEE THE ITEM?

A. THE PHYSICAL ITEM?

Q. YES.

A. NO, JUST PICTURES.

Q. SO WHAT'S DEPICTED IN ACCUSED A, THAT PARTICULAR FILTER, DID YOU SHOW THAT TO MR. FIELD TO DETERMINE WHETHER OR NOT THAT WAS A FUEL FILTER THAT COULD BE USED WITH AN AUTOMOBILE?

A. SO WHAT I'M LOOKING AT IS NOT WHAT YOU SENT ME.

MR. SEKI: OKAY. SO HERE'S WHAT I'LL DO, THEN, I HAVE ADDENDA 6-A FROM THE ADMINISTRATIVE INVESTIGATION, I DON'T HAVE COPIES OF IT, BUT WE CAN MARK THIS AS ACCUSED B, 2 PAGES, AND WE CAN MAKE COPIES ON A BREAK.

MS. AMIN: ALL RIGHT. NO PROBLEM.

SGT. SLATER: NO OBJECTIONS.

MS. AMIN: OKAY. EXHIBIT B --

BY MR. SEKI:

Q. LET ME GET THIS IN FRONT OF YOU

(INDICATING).

A. OKAY.

MS. AMIN: -- IS ENTERED INTO EVIDENCE.

(ACCUSED EXHIBIT B, ADDENDA 6-A, 2 PHOTOGRAPHS, WERE MARKED FOR IDENTIFICATION.)

BY MR. SEKI:

Q. I WILL PUT THIS IN FRONT OF YOU, B. YOU SEE THOSE TWO PHOTOGRAPHS, CORRECT?

A. YES.

Q. OR COPIES?

A. YES.

Q. THAT'S WHAT WAS SENT TO YOU, CORRECT?

A. YES.

Q. DID YOU SHOW MR. FIELD WHAT'S DEPICTED ON PAGE 1, WHICH IS LISTED ON 6-A, THE FUEL FILTER, DID YOU SHOW THAT TO HIM TO DETERMINE WHETHER OR NOT THAT WAS A FUEL FILTER?

A. I DID NOT.

Q. IS THERE A REASON YOU DIDN'T?

A. IT DIDN'T OCCUR TO ME, AND I BELIEVE IT WAS A FUEL FILTER.

Q. WELL, YOU GOT THIS -- LET ME LOOK AT THIS. YOU INTERVIEWED DETECTIVE WALDEN JANUARY 11TH, 2022, CORRECT?

A. I DON'T RECALL, BUT --

Q. IF YOU LOOK AT THE TRANSCRIPT THAT'S IN FRONT OF YOU, WHICH HAS BEEN MARKED AS DEPARTMENT'S 12.

A. I'LL TAKE YOUR WORD FOR IT.

Q. OKAY. AND THIS WAS -- THE ITEMS YOU HAVE IN FRONT OF YOU, THE TWO PICTURES --

A. YES.

Q. -- WERE SENT TO YOU SHORTLY AFTER, CORRECT?

A. I BELIEVE SO, YES.

Q. WHEN DID YOU MEET WITH GREG FIELD?

A. IT WAS MONTHS LATER. I HAVE TO LOOK AT MY NOTES OR LOOK AT A DOCUMENT, BUT IT WAS A WHILE LATER.

Q. OKAY. IS IT FAIR TO SAY, THEN, YOU BELIEVE THE ITEM IN FRONT OF YOU, WHICH HAS BEEN MARKED AS ACCUSED B, WAS, IN FACT, A FUEL FILTER, YOU HAD NO QUESTIONS ABOUT THAT?

A. WELL, I'M NOT SAYING THAT, BUT I'M SAYING, IT LOOKS LIKE A FUEL FILTER BASED UPON MY VERY LIMITED KNOWLEDGE IN THIS MATTER.

Q. AND IF I GO TO WHAT'S BEEN MARKED AS DEPARTMENT'S 3, AND I GO TO PAGE 3 OF 6, YOU HAVE DEPARTMENT'S 3 IN FRONT OF YOU?

A. I'M SORRY?

Q. THAT'S THE TECHNICAL BULLETIN, THE ONE DATED

OCTOBER 30TH OF 2019.

A. OKAY.

Q. CAN I HAVE YOU TURN TO PAGE 3.

A. OKAY.

Q. YOU SEE THERE'S SOMETHING THAT SAYS, "THREADED ADAPTER" AND "NAPA 4003 IFF"?

A. YES.

Q. AND KIND OF LOOKS SIMILAR TO WHAT'S DEPICTED IN ACCUSED B; ISN'T THAT CORRECT?

A. CORRECT.

Q. HERE, THIS IS LISTED AS AN EXAMPLE OF A FIREARM SILENCER, CORRECT?

A. YES.

Q. AND YET, WHEN YOU WERE GIVEN A PICTURE OF WHAT HE HAD ORDERED, YOU ASSUMED IT WAS A FUEL FILTER; IS THAT CORRECT?

A. YES.

Q. DID YOU EVER FOLLOW UP ON AMAZON TO DETERMINE WHETHER OR NOT THIS ITEM WAS SOLD BY AMAZON?

A. I DID NOT.

Q. DID YOU EVER SEARCH THE WEB TO DETERMINE WHETHER OR NOT THAT ITEM THAT'S IN ACCUSED B COULD BE USED AS A FUEL FILTER OR HOW IT WOULD BE USED AS A FUEL FILTER?

A. NO.

Q. ONE OF THE THINGS THAT HAPPENED DURING THE INTERVIEW OF DETECTIVE WALDEN ON JANUARY 11TH, 2022, AND I'M GOING TO REFER YOU TO PAGE 8 OF THAT -- OF DEPARTMENT'S 12 OF THE TRANSCRIPT. SO DEPARTMENT'S 12, THE TRANSCRIPT, PAGE 8.

A. OKAY.

Q. STARTING WITH LINE 1, YOU HAD A DISCUSSION WITH DETECTIVE WALDEN ABOUT THE FACT THAT HE WAS BUILDING TWO CARS, CORRECT?

A. YES.

Q. THEY WERE BOTH CELICAS, CORRECT?

A. YES.

Q. AND HE WAS ACTUALLY BUILDING ONE WITH HIS SON, CORRECT?

A. I BELIEVE THAT'S WHAT HE TOLD ME.

Q. AND THEN IF WE GO DOWN TO LINE 15.

A. OKAY.

Q. HE DESCRIBES THAT -- STARTS OFF WITH "ANSWER, WE ARE DOING IT AS A FAMILY PROJECT, SOMETHING I LEARNED FROM MY DAD. AND THEN I HAVE AN '85 CELICA," CORRECT?

A. YES.

Q. AND HE DESCRIBED FOR YOU THAT THE WORK HE WAS DOING ON THE '85 CELICA WAS BASICALLY TAKING THE WHOLE CAR APART, RIGHT?

A. YES.

Q. YOU SAID HE'S SWITCHING THE MOTOR TO GET A BIGGER ENGINE, A SUPER ENGINE, BECAUSE THE CELICA HAD A FOUR-CYLINDER ENGINE, CORRECT?

A. YES.

Q. AND THEN HE ALSO INDICATED TO YOU THAT HE WAS TRYING TO UPDATE THE FUEL SYSTEM SO THE CAR CAN TAKE THE FUEL, BECAUSE IF YOU PUT A BIGGER ENGINE, YOU NEED MORE GAS, RIGHT?

A. RIGHT.

Q. DID YOU EVER DISCUSS THAT WITH MR. FIELD --

A. I DIDN'T.

Q. -- ABOUT MODIFYING A VEHICLE, PUTTING A NEW ENGINE IN, MAYBE PUTTING A NEW FUEL TANK IN AND SETTING UP A FUEL SYSTEM FOR THAT CAR?

A. I DID NOT.

Q. ARE YOU A MECHANIC YOURSELF?

A. NO.

Q. SO FAIR TO SAY, THEN, BUILDING A FUEL SYSTEM FOR A MODIFIED ENGINE AND FUEL TANK IS SOMETHING YOU HAVE NO KNOWLEDGE OF?

A. I KNOW MAYBE ZERO, A LITTLE ABOVE ZERO IN REGARDS TO THAT.

Q. IS THERE A REASON YOU DIDN'T ASK MR. FIELD ABOUT THAT, WHETHER OR NOT, IF YOU'RE EXCHANGING AN

ENGINE AND A FUEL TANK THAT YOU HAVE TO -- WHAT WOULD BE NEEDED TO CREATE A FUEL SYSTEM?

A. I DID NOT.

Q. ONE OF THE THINGS THAT DETECTIVE WALDEN DESCRIBES FOR YOU IS THAT YOU HAVE TO DEAL WITH PRESSURE IF YOU'RE PUTTING A NEW ENGINE AND A NEW FUEL TANK, CORRECT?

A. I DON'T RECALL THAT EXACTLY, BUT IF YOU REFER -- IF YOU SHOW ME THE LINES --

Q. SURE.

A. -- IT WILL REFRESH MY MEMORY.

Q. PAGE 9.

A. OKAY.

Q. AND WE'LL START WITH LINE 16.

AND HIS ANSWER WAS, "YEAH, UNIVERSAL FUEL FILTER. SINCE THE ONE NEVER CAME, I PURCHASED ANOTHER ONE FROM AMAZON. I HAVE PHOTOS OF THAT ALL, IF YOU GUYS NEED IT" --

A. OKAY.

Q. -- RIGHT?

AND THEN IF YOU GO DOWN TO LINE 20, IT SAYS, "BUT, BASICALLY, IT'S JUST SO THAT IT COULD RUN THE FUEL OR ENOUGH FUEL BECAUSE PRESSURE CHANGES ON FUEL FILTERS, DEPENDING ON WHAT YOU USE," RIGHT?

A. YES.

Q. AND THEN HE GOES ON, ON LINE 23, "SO IF YOU BUY A CHEAP ONE THAT'S LIKE 50 BUCKS, THE FILAMENT INSIDE, WHATEVER'S IN THERE, IT WON'T ALLOW ENOUGH PRESSURE TO GET" -- "IF YOU PUT A V-8 OR A 6-CYLINDER, A BIGGER ENGINE THAN WHAT'S IN THE CAR," RIGHT?

A. YES.

Q. SO ONE OF THE CONCERNS THAT HE EXPRESSED TO YOU ABOUT BUYING A UNIVERSAL FILTER IS TRYING TO GET ENOUGH FLOW TO HELP EQUALIZE THE PRESSURE, ET CETERA, CORRECT?

A. CORRECT.

Q. BUT YOU DIDN'T ASK MR. FIELD ABOUT THAT?

A. I DID NOT.

Q. IN RESEARCHING FOR THIS CASE OR CONDUCTING YOUR INVESTIGATION, YOU UNDERSTAND THAT ITEMS THAT WERE IDENTIFIED AS NAPA 4003 WIX FUEL FILTERS COULD BE USED AS SILENCERS, CORRECT?

A. SO ACCORDING TO THE ATF BULLETIN, IF YOU GOOGLE NAPA 4003, THE RESULTS SHOW WEBSITES THAT SELL FIREARM SILENCERS UNDER THE GUISE OF FUEL FILTERS.

Q. NOW, THE WAY YOU PHRASE THAT, I WANT TO MAKE SURE, DO THEY SAY, WHEN YOU GOOGLE THEM, THIS IS A SILENCER BUT WE'RE SELLING IT AS A FUEL FILTER OR DO THEY SELL IT AS A FUEL FILTER?

A. THEY SELL IT AS A FUEL FILTER.

Q. DID YOU YOURSELF CHECK ANY WEBSITES?
A. YES.
Q. AND THERE WERE A NUMBER OF WEBSITES, RIGHT?
A. A LOT, YES.
Q. DID YOU DETERMINE THAT THEY WERE EVEN SOLD ON COMMERCIAL INTERNET MARKETING SITES LIKE WALMART, TARGET, ANYTHING LIKE THAT?
A. THAT, I DIDN'T SEE.
Q. HAD YOU LEARNED THAT IN YOUR INVESTIGATION THAT THEY AT ONE TIME BEEN SOLD THROUGH WALMART?
A. I WASN'T AWARE OF THAT, IF THAT'S TRUE.
Q. SO IF THESE ARE TO BE USED AS SILENCERS -- LET ME REPHRASE.

IN YOUR REVIEW OF WEBSITES, DID YOU DETERMINE WHETHER ANY AMERICAN BASED COMPANIES WERE SELLING THESE SILENCERS?
A. I DON'T KNOW. I DID A VERY LIMITED REVIEW.
Q. YOU PRESENTED SOMETHING THAT YOUR PARTNER DID, DEPARTMENT'S 10, SO THIS HAS TO DEAL WITH THE DOJ RUN THAT WAS DONE, DO YOU SEE THAT? DO YOU HAVE IT?
A. YES.
Q. YOU SAID IT TALKED ABOUT REGISTERING OR GUNS THAT WERE REGISTERED TO WALDEN, BUT BASICALLY WHAT THIS IS, PARTY TRANSACTIONS, SALES OF WEAPONS, CORRECT?

A. YEAH, TRANSACTIONS, YES.

Q. AND DO YOU KNOW -- LET ME REPHRASE THIS.

AS PART OF THE CRIMINAL INVESTIGATION, THERE WAS A SEARCH WARRANT FOR HIS HOME, CORRECT?

A. YES. MY COLLEAGUE, ROSS NEMEROFF, AUTHORED A SEARCH WARRANT FOR DETECTIVE WALDEN'S HOME.

Q. AND A NUMBER OF WEAPONS, APPROXIMATELY 43 WEAPONS, WERE SEIZED AS A RESULT OF THAT, CORRECT?

A. I'M NOT AWARE OF ANY WEAPONS, 43 WEAPONS BEING SEIZED.

Q. DO YOU KNOW IF 43 WEAPONS WERE FOUND OR ANY WEAPONS SEIZED?

A. I'M NOT AWARE OF 43 WEAPONS BEING SEIZED. I THINK THEY SEIZED ONE WEAPON.

Q. DO YOU KNOW IF ANY COMPARISON OF THE WEAPONS FOUND WAS DONE TO THIS PARTICULAR LIST TO DETERMINE WHETHER OR NOT THIS LIST WAS ACCURATE?

A. I'M NOT AWARE OF WHAT DETECTIVE NEMEROFF DID AS FAR AS THE WEAPONS PRESENT AT MR. -- DETECTIVE WALDEN'S HOUSE.

Q. AND JUST TO BE CLEAR, YOU'RE NOT A FIREARMS EXPERT, RIGHT?

A. I AM NOT.

Q. YOU'VE NEVER TESTIFIED AS A FIREARMS EXPERT?

A. I HAVE NOT.

Q. WHATEVER LIMITED KNOWLEDGE YOU HAVE IS BASICALLY FROM READING ITEMS IN THIS PARTICULAR CASE; IS THAT CORRECT?

A. IN REGARDS TO SILENCERS, MR. SEKI, OR FIREARMS, IN GENERAL?

Q. WELL, IN TERMS OF -- LET'S START WITH SILENCERS AND THE USE OF SILENCERS.

A. JUST LIMITED TO MY -- WHAT I DID ON THIS CASE.

Q. IT WOULD BE LAWFUL TO POSSESS THE SILENCER IF YOU REGISTERED IT OR IF YOU WERE REGISTERED, CORRECT?

A. I BELIEVE IF YOU'RE REGISTERED OUT OF STATE, NOT IN CALIFORNIA.

Q. ARE YOU SURE?

A. THAT'S MY UNDERSTANDING.

Q. OKAY. FROM THE QUESTIONS I JUST ASKED YOU, IS IT FAIR TO ASSUME, AGAIN, I HATE ASSUMING, BUT IS IT FAIR TO ASSUME THAT YOU DID NOT PARTICIPATE IN THE SEARCH OF DETECTIVE WALDEN'S RESIDENCE?

A. I WAS AT THE SEARCH, HOWEVER, I DIDN'T PARTICIPATE IN LOOKING AT THE FIREARMS PRESENT AT HIS RESIDENCE.

Q. SO DID YOU PARTICIPATE IN SEARCHING?

A. I HELPED OUT SEARCHING, I BELIEVE, THE

GARAGE.

Q. DID YOU -- IS IT FAIR TO SAY, AT HIS RESIDENCE, HE HAD A NUMBER OF CARS THAT WERE IN DIFFERENT STAGES OF MODIFICATION?

A. YES, I DID OBSERVE THAT.

Q. HE HAD CARS THAT WERE UP ON BLOCKS, RIGHT?

A. YES.

Q. HE HAD FRONT ENDS OR THINGS HANGING IN HIS GARAGE?

A. HE HAD A BUNCH OF CARS -- MANY CAR PARTS IN HIS GARAGE.

Q. OKAY. FAIR TO SAY, IT LOOKED LIKE HE WAS SOMEBODY WHO WORKED ON CARS A LOT?

A. YES.

MR. SEKI: I DON'T HAVE ANYTHING ADDITIONAL FOR YOU AT THIS TIME. THANK YOU.

MS. AMIN: SERGEANT?

SGT. SLATER: JUST A COUPLE OF THINGS.

REDIRECT-EXAMINATION

BY SGT. SLATER:

Q. FIRST, I WANT TO DIRECT YOU TO THE TRANSCRIPT WE JUST SPOKE ABOUT. REFERRING TO DEPARTMENT'S NO. 12, AGAIN, PAGE 9, AND I'M GOING WITH STARTING AT LINE 23.

DID YOU DISCUSS -- GIVE ME A MOMENT TO THINK

HOW TO WORD THIS.

DID MR. WALDEN EXPLAIN ANYTHING ABOUT THE PRICE OF FILTERS AND THE BENEFITS OF CERTAIN PRICES OF FILTERS TO YOU DURING YOUR INTERVIEW WITH HIM?

A. HE SAID IF YOU BUY A CHEAP ONE, IT'S LIKE 50 BUCKS, THE FILAMENT INSIDE, WHATEVER IS IN THERE, WON'T ALLOW ENOUGH PRESSURE FOR THE ENGINE TO WORK, BASICALLY. AND THEN THE CHEAP ONE, HE'S TALKING ABOUT A FUEL FILTER.

Q. SO HE SAID "CHEAP ONE," REFERRING TO 50 BUCKS, WAS NOT SUFFICIENT FOR WHAT HE BELIEVED HE WOULD NEED, CORRECT?

A. THAT'S WHAT HE SAID, YEAH.

Q. ALL RIGHT. THEN I'M GOING TO DIRECT YOU BACK TO DEPARTMENT'S 8, BUT IT WILL BE ON THE SCREEN FOR YOU.

HOW MUCH WAS THE ITEM IN LINE 79 PURCHASED FOR?

A. 45.96.

Q. AND, ALSO, DOES THAT DESCRIPTION OF THAT ITEM, DID IT HAVE ANY INDICATION OF HOW MANY ITEMS YOU GOT IF YOU PURCHASED THAT, AGAIN, REFERRING TO LINE 79 UNDER "ITEM TITLE"?

A. IT SAID, "BUY 1 GET 1 FREE, LAST DAY."

Q. SO IT'S INDICATING THAT YOU CAN GET TWO FOR

THE PRICE OF $45, IF I'M CORRECT?

A. THAT'S WHAT IT SAYS.

Q. OKAY. WAS THERE ANY BRACKET INCLUDED WITH THAT PURCHASE?

A. I DON'T RECALL. CAN YOU SCROLL FURTHER TO THAT, PLEASE.

Q. YES. I'LL DO THIS, ACTUALLY, JUST TO MAKE IT A LITTLE CLEARER. IF YOU LOOK AT THE TOP, IT HAS --

A. OKAY.

Q. WAS THERE ANY BRACKET INCLUDED IN THAT?

A. IT DOESN'T SAY A BRACKET IS INCLUDED.

Q. SO I JUST WANT TO BE CLEAR, THE ITEM MARKED AS ACCUSED A LISTS A BRACKET, AS WELL AS A FUEL FILTER?

A. ACCUSED A IS WHAT MR. SEKI GAVE ME.

Q. THE ORIGINAL SET OF PAPERS HE GAVE YOU TODAY, NOT THAT ONE.

MR. SEKI: THE OTHER ONE.

BY SGT. SLATER:

Q. THE STAPLED TWO PAGES.

A. I'M SORRY. YEAH, IT HAD A LIST OF BRACKET FOR 10.99.

Q. OKAY. AND HOW MUCH IS THE FUEL FILTER ON HERE?

A. 25.99.

Q. OKAY. AND THEN ADDITIONALLY YOU MENTIONED THAT THE PHOTOS HE PROVIDED, YOU ASSUMED WAS A FUEL FILTER, WHY DID YOU ASSUME THAT WAS A FUEL FILTER?

A. BECAUSE IT'S COMING FROM AN ATTORNEY OF THE PERSON WHO WE'RE INVESTIGATING.

Q. OKAY.

SGT. SLATER: NOTHING FURTHER FROM THE DEPARTMENT.

MS. AMIN: MR. SEKI?

MR. SEKI: NOTHING BASED ON THAT.

MS. AMIN: ALL RIGHT. LET ME ASK MY ASSOCIATE CHAIRS.

EXAMINATION

BY MR. ORTEGA:

Q. I HAVE ONE QUESTION, AND MAYBE I'M JUST MIXED UP, BUT I BELIEVE THAT THERE WAS AN EXHIBIT FROM THE DEPARTMENT THAT I CAN'T FIND, THAT APPEARED TO LIST, IF I'M UNDERSTANDING THE DOCUMENT CORRECTLY, FIREARMS THAT WERE PURCHASED BY OFFICER WALDEN, IS THAT CORRECT OR AM I IMAGINING IT, BECAUSE I CAN'T FIND THAT?

SGT. SLATER: SO THAT'S GOING TO BE --

MR. SEKI: NO. 10.

SGT. SLATER: -- DEPARTMENT'S 10.

AND JUST FOR THE BOARD'S CLARIFICATION, THE FIRST MAJORITY OF THE PAGES LIST THE TRANSFERS IN THEIR, BASICALLY THE APPEARANCE THAT WE GET THEM, AND THEN THE LAST COUPLE OF PAGES, FROM WHAT SERGEANT JIZMEJIAN EXPLAINED, ARE HIS PARTNER SUMMARIZED THEM INTO A SET OF COLUMNS FOR EASIER VIEWING.

BY MR. ORTEGA:

Q. I'M SORRY, I WAS LOOKING THROUGH THE PAGES. IS THIS -- ARE THESE ITEMS THAT WERE PURCHASED BY OFFICER WALDEN?

SGT. SLATER: THEY WERE -- I'LL HAVE --

SERGEANT JIZMEJIAN, I'LL HAVE YOU ANSWER THAT FIRST SO THEN I'M NOT TESTIFYING.

SGT. JIZMEJIAN: DETECTIVE NEMEROFF MADE THAT LIST AND HE MADE THAT BASED UPON A CHECK THROUGH DEPARTMENT RESOURCES OF THE SERIAL NUMBERS FOR THE FIREARMS.

BY MR. ORTEGA:

Q. AND ARE THESE SERIAL NUMBERS ITEMS THAT WERE PURCHASED BY OFFICER WALDEN?

A. DETECTIVE NEMEROFF LISTED WHICH ONES IN THE FIRST COLUMN, WHICH ONES HE HAD BOUGHT AND WHICH ONES HE HAD SOLD.

Q. YEAH.

A. AND THE DATES OF THEM.

Q. SO THESE ARE TRANSACTIONS BY OFFICER WALDEN?

A. YES.

Q. GOT YOU. I JUST WANTED DO MAKE SURE THAT I WAS UNDERSTANDING THESE DOCUMENTS.

THAT'S ALL THE QUESTIONS I HAVE.

MS. STRONG-FARGAS: I DON'T HAVE ANY QUESTIONS.

EXAMINATION

BY MS. AMIN:

Q. THE FUEL FILTER THAT CAME FROM ASIA, THAT ITEM CANNOT BE USED AS A FUEL FILTER?

A. ACCORDING TO THE DEPARTMENT EMPLOYEE, I INTERVIEWED MR. FIELD, HE SAID IT'S NOT A FUEL FILTER FOR A CAR.

Q. BUT CAN IT BE USED AS A FUEL FILTER, DO YOU KNOW?

A. I DON'T KNOW.

Q. WAS IT BECAUSE OF THE THREADS AT THE END?

A. HE TOLD --

Q. DO YOU KNOW WHY?

A. I DON'T -- I DON'T RECALL IF I ASKED THEM WHY, NO.

Q. BUT IT'S ADVERTISED ON THE WEB AS A FUEL FILTER?

A. YES.

Q. IS IT ADVERTISED ANYWHERE AS A FIREARM SILENCER?

A. NOT THAT I'M AWARE OF.

Q. SO IF I WANTED TO BUY A FIREARM SILENCER, HOW WOULD I KNOW THAT THIS FUEL FILTER CAN BE USED AS A SILENCER, JUST WONDERING?

A. I MEAN, IF YOU DON'T KNOW ANYTHING ABOUT CARS OR SILENCERS, THEN I DON'T THINK YOU'D BE ABLE TO KNOW.

Q. SO YOU DON'T HAVE TO KNOW ABOUT CARS AND SILENCERS TO BE ABLE TO BUY THIS FUEL FILTER TO USE IT AS A SILENCER?

A. THAT'S POSSIBLE, YES.

MS. AMIN: NOTHING FURTHER FROM ME.

DEPARTMENT, ANY QUESTIONS?

SGT. SLATER: YES. I HAVE MAYBE ONE, MAYBE A COUPLE OF QUICK FOLLOW UP.

FURTHER REDIRECT-EXAMINATION

BY SGT. SLATER:

Q. AS PART OF YOUR INVESTIGATION IN THIS MATTER, DID YOU WATCH ANY YOU TUBE VIDEOS RELATED TO THIS PRODUCT?

A. YES.

Q. AND WHAT DID THOSE VIDEOS DEPICT?

A. THEY SHOWED HOW SIMILAR ITEMS WERE ATTACHED

TO A GUN AND SHOT.

Q. AND DID THEY SHOW ANY USE OF THIS ITEM AS A FUEL FILTER ON A CAR?

A. NOT THE VIDEOS I LOOKED AT.

Q. AND JUST TO CLARIFY, YOU SAID THAT THE ATF HAD PUSHED OUT MATERIAL EXPLAINING THESE ITEMS THAT WERE BEING MARKETED AS FUEL FILTERS BUT NOT HAVE FUEL FILTER CAPABILITIES, CORRECT?

A. CORRECT.

Q. DO YOU KNOW WHY THEY WERE BEING MARKETED AS FUEL FILTERS?

A. MY ASSUMPTION OR --

MR. SEKI: I'M GOING TO OBJECT. IT CALLS FOR SPECULATION, JUST BASED ON "MY ASSUMPTION."

MS. AMIN: IF YOU CAN ANSWER, GO AHEAD.

SGT. JIZMEJIAN: WHAT I THINK IS BECAUSE --

MR. SEKI: AGAIN, I THINK THAT'S SPECULATION, HE HAS NO FOUNDATION OR KNOWLEDGE.

MS. AMIN: WELL, HE DID SOME RESEARCH IN HIS INVESTIGATION OF THE CASE, SO IF WHATEVER YOU WERE ABLE TO DISCOVER, IF YOU CAN RESPOND TO THE QUESTION, GO AHEAD.

SGT. JIZMEJIAN: I THINK THAT THEY'RE NOT -- THEY'RE ADVERTISING THEM AS FUEL FILTERS BECAUSE ADVERTISING THEM AS SILENCERS WOULD BE ILLEGAL IN SOME

STATES.

BY SGT. SLATER:

Q. DID DETECTIVE NEMEROFF EVER BRIEF YOU ON THAT FACT?

A. HE BRIEFED ME ON THIS CASE.

Q. AND DID HE SPEAK TO HSI ABOUT THAT FACT?

A. YES, ACCORDING TO HIS REPORT.

SGT. SLATER: NO FURTHER.

MS. AMIN: MR. SEKI?

MR. SEKI: YEAH, REAL QUICKLY.

RECROSS-EXAMINATION

BY MR. SEKI:

Q. YOU SAID YOU LOOKED AT YOU TUBE VIDEOS TO SEE HOW TO MODIFY THE FILTER TO BE USED AS A SILENCER, CORRECT?

A. NO. I LOOKED AT YOU TUBE VIDEOS TO SEE HOW THESE ITEMS OR THESE TYPES OF ITEMS ARE BEING USED AS SILENCERS.

Q. RIGHT. DID YOU EVER SEARCH THROUGH VIDEOS OR ANYWHERE ON THE INTERNET TO SEE HOW YOU WOULD USE IT AS A FUEL FILTER?

A. I DID NOT.

Q. HOW COME?

A. 'CAUSE I DID A SEARCH OF SILENCERS AND I VIEWED THE VIDEOS THAT CAME UP FOR SILENCERS.

Q. OKAY.

MR. SEKI: NOTHING ADDITIONAL.

MS. AMIN: DEPARTMENT, ANYTHING ELSE?

FURTHER REDIRECT-EXAMINATION

BY SGT. SLATER:

Q. I WANT TO BE CLEAR, DID YOU SPECIFICALLY SEARCH SILENCERS OR DID YOU JUST SEARCH NAPA 4003 AND SILENCER VIDEOS CAME UP?

A. BOTH. I KEYED -- PUT IN SILENCER, THE KEYWORD, AND THEN I ALSO DID NAPA 4003.

Q. SO WHEN YOU SEARCHED JUST NAPA 4003, VIDEOS OF IT BEING USED AS A SILENCER?

A. YES.

SGT. SLATER: NO FURTHER. THANK YOU.

MS. AMIN: MR. SEKI?

MR. SEKI: NOTHING.

MS. AMIN: BOARD MEMBERS?

FURTHER EXAMINATION

BY MR. ORTEGA:

Q. I HAVE ONE QUESTION, DOES EVERY POLICE OFFICER HAVE ACCESS TO THIS BULLETIN TO TELL THEM, HEY, THERE ARE FUEL FILTERS THAT ARE BEING SORT OF SOLD AS -- THERE ARE DEVICES THAT CAN BE USED AS SILENCERS THAT ARE BEING SOLD AS FUEL FILTERS; DOES EVERYBODY HAVE THIS OR WOULD YOU HAVE TO KNOW THIS

YOURSELF?

SGT. SLATER: I'M GOING TO HAVE THE IO, SO I'M NOT TESTIFYING.

SGT. JIZMEJIAN: SO THE INFORMATION CONTAINED IN THOSE TECHNICAL BULLETINS, THEY'RE NOT COMMON KNOWLEDGE WITH LAW ENFORCEMENT PERSONNEL, AND I WASN'T AWARE OF ALL THE INTRICACIES REGARDING SILENCERS AND FUEL FILTERS UNTIL READING THOSE AND BEING BRIEFED BY ROSS NEMEROFF.

BY MR. ORTEGA:

Q. THESE TECHNICAL BULLETINS ARE ISSUED BY, I GUESS, ATF, WHO IS THE TARGETED RECIPIENT OF THIS INFORMATION?

A. THAT, I DON'T KNOW IF IT'S AN INTERNAL DOCUMENT OR FOR OTHER POLICE AGENCIES, AS WELL. I DON'T KNOW.

MR. ORTEGA: OKAY. THANK YOU.

MS. AMIN: DEPARTMENT, ANYTHING ELSE?

FURTHER REDIRECT-EXAMINATION

BY SGT. SLATER:

Q. JUST TO REFER YOU TO THE BOTTOM OF ATF TECHNICAL BULLETIN, SO EITHER DEPARTMENT'S 3 OR DEPARTMENT'S 2.

A. OKAY.

Q. WHAT IS "UNCLASSIFIED LAW

ENFORCEMENT/SENSITIVE" MEAN?

A. THAT IT'S FOR DISBURSEMENT TO LAW ENFORCEMENT AGENCIES.

Q. OKAY. SO THESE TYPES OF DOCUMENTS DO GET DISBURSED TO LAW ENFORCEMENT AGENCIES EVEN IF YOU DIDN'T PERSONALLY SEE IT?

MR. SEKI: WELL, I'M GOING TO OBJECT, HE DOESN'T KNOW -- HE DOESN'T WORK FOR ATF, HE DOESN'T KNOW WHAT THEIR DISBURSAL IS. EVERYTHING WOULD BE AN ASSUMPTION OR SPECULATION. AND IT'S LEADING, ALSO.

MS. AMIN: SUSTAINED.

SGT. SLATER: NO FURTHER FROM THE DEPARTMENT.

MS. AMIN: MR. SEKI?

SGT. SLATER: OUR ONLY REQUEST IS THAT WE'D BE ABLE TO RECALL THE WITNESS IF NEEDED.

MS. AMIN: ALL RIGHT. MR. SEKI?

MR. SEKI: NO QUESTIONS.

FURTHER EXAMINATION

BY MS. AMIN:

Q. DID THIS REPORT COME FROM THE ATF WEBSITE, DO YOU KNOW?

A. MY COLLEAGUE, ROSS NEMEROFF, OBTAINED THOSE DOCUMENTS, MA'AM. I DON'T KNOW HOW HE OBTAINED THEM.

Q. WOULD YOU KNOW IF A GUN EXPERT FROM YOUR GUN

DEPARTMENT WOULD HAVE ACCESS TO THE ATF WEBSITE?

A. I WOULD NOT KNOW THAT. I DON'T KNOW THAT.

MS. AMIN: ALL RIGHT. THAT'S FINE. THANK YOU.

ANYBODY ELSE HAVE ANY MORE QUESTIONS?

ALL RIGHT. SO YOU'RE NOT GOING TO BE EXCUSED, BECAUSE WE MAY CALL YOU BACK, SO YOU'RE EXCUSED FOR NOW. THANK YOU VERY MUCH.

SGT. JIZMEJIAN: OKAY. THANK YOU.

MS. AMIN: ALL RIGHT. CAN WE GO AHEAD WITH OUR NEXT WITNESS.

SGT. SLATER: YES. THE DEPARTMENT WOULD LIKE TO CALL DETECTIVE LUKE WALDEN, HOWEVER, CAN WE HAVE LIKE A FIVE-MINUTE BREAK?

MS. AMIN: YES. LET'S COME BACK AT 2:10.

(RECESS TAKEN.)

MS. AMIN: BACK ON THE RECORD.

SGT. SLATER: THE DEPARTMENT CALLS DETECTIVE WALDEN.

MS. AMIN: DETECTIVE, COULD YOU PLEASE STATE YOUR FULL NAME.

DET. WALDEN: LUKE BAXTER WALDEN.

MS. AMIN: DO YOU SOLEMNLY SWEAR OR AFFIRM THAT THE TESTIMONY YOU SHALL GIVE IN THE CASE NOW IN HEARING BEFORE THIS BOARD OF RIGHTS SHALL BE THE

TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH?

DET. WALDEN: YES, MA'AM.

MS. AMIN: THANK YOU. HAVE A SEAT.

DETECTIVE LUKE WALDEN,

WAS CALLED AS A WITNESS BY

THE DEPARTMENT, HAVING BEEN

FIRST DULY SWORN, WAS EXAMINED

AND TESTIFIED AS FOLLOWS:

DIRECT-EXAMINATION

BY SGT. SLATER:

Q. GOOD AFTERNOON, DETECTIVE WALDEN.

A. GOOD AFTERNOON.

Q. HOW LONG HAVE YOU BEEN EMPLOYED BY THE LAPD?

A. 24 YEARS AND 11 MONTHS.

Q. AND WHEN DID YOU PROMOTE TO DETECTIVE?

A. OH, GOOD GRIEF, I DON'T REMEMBER.

Q. WOULD IT BE ACCURATE TO SAY 2012?

A. YEAH.

Q. AND ARE YOU A DEPARTMENT SUPERVISOR OR WERE YOU A DEPARTMENT SUPERVISOR EVER?

A. I WAS, YES.

Q. AND ARE YOU FAMILIAR WITH THE DEPARTMENT MANUAL SECTION 210.35, CONDUCT UNBECOMING AN OFFICER?

A. YES.

SGT. SLATER: I'D LIKE TO MARK AND ENTER

THIS AS DEPARTMENT'S 16, IT'S A ONE-PAGE DOCUMENT.

MR. SEKI: THANK YOU. NO OBJECTION.

MS. AMIN: OKAY. ADMITTED INTO EVIDENCE.

(DEPARTMENT'S EXHIBIT NO. 16, MANUAL SECTION 210.35, CONDUCT UNBECOMING AN OFFICER, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY SGT. SLATER:

Q. DID YOU TAKE AN OATH OF OFFICE WHEN YOU JOINED THE DEPARTMENT?

A. YES, I DID.

Q. AND TO BE CLEAR, WAS THAT OATH TO UPHOLD THE CONSTITUTION OF BOTH THE UNITED STATES AND THE STATE OF CALIFORNIA?

A. YES, SIR, IT WAS.

Q. AND JUST FOR THE RECORD, IT WAS EARLIER MENTIONED THAT SOMETHING WAS SHIPPED TO [redacted] STREET, IS THAT AN ADDRESS OF YOURS?

A. YES.

Q. HOW LONG HAVE YOU LIVED THERE?

A. OVER 20 YEARS.

Q. WHAT WAS YOUR RANK AND ASSIGNMENT IN MARCH OF 2021?

A. I WAS A DETECTIVE/SUPERVISOR RUNNING THE FBI JOINT TASK FORCE WITH THE LA COUNTY SHERIFF'S

DEPARTMENT, LAPD AND THE FBI.

Q. AND PRIOR TO THAT, HAVE YOU EVER WORKED THE GUN UNIT?

A. YES, FOR ABOUT A YEAR.

Q. WHAT IS THE PURPOSE OF THE DEPARTMENT'S GUN UNIT?

A. PURPOSE OF THE GUN UNIT IS, AT THE TIME WHEN I WAS THERE, I DON'T KNOW IF THE MISSION HAS CHANGED, BUT WE TARGETED PROHIBITED POSSESSORS, PEOPLE WHO ARE NOT SUPPOSE TO OWN FIREARMS, EX-CONS, FELONS, [redacted] WE WOULD DO INVESTIGATIONS AND ULTIMATELY WRITE SEARCH WARRANTS AND SERVE THE WARRANTS ON THEIR HOUSE BASED ON THE INFORMATION THAT WE GOT [redacted] THEN WE'D FIND ADDITIONAL FIREARMS AND AMMUNITION AT THE RESIDENCE ABOUT 100 PERCENT OF THE TIME.

Q. WAS ONE OF THE DUTIES IN THE GUN UNIT TO ASSIST WITH ASSAULT WEAPON INVESTIGATIONS?

A. YES.

Q. AND DID YOU, IN YOUR TIME IN THE GUN UNIT, HAVE ANY RATINGS COMPLETED?

A. YES.

Q. WHAT IS A RATING?

A. A RATING IS BASICALLY A PERFORMANCE EVALUATION AND IT'S DONE ANNUALLY, UNLESS YOU TRANSFER, AND IT HAS TO BE DONE "TRANSFERRED."

SGT. SLATER: AT THIS TIME, I'D LIKE TO MARK AND ENTER DEPARTMENT'S NO. 17, A 6-PAGE DOCUMENT, A STANDARD BASE ASSESSMENT FROM OCTOBER 7, 2017 TO OCTOBER 6, 2018 FOR DETECTIVE WALDEN.

MR. SEKI: THANK YOU. DID YOU SEND ME THIS?

SGT. SLATER: I DID.

MR. SEKI: DO YOU REMEMBER WHEN?

SGT. SLATER: IF YOU GIVE ME A MOMENT, I CAN VERIFY WHEN.

MR. SEKI: I GOT IT. I GOT IT.

NO OBJECTION.

MS. AMIN: OKAY. SO ADMITTED.

(DEPARTMENT'S EXHIBIT NO. 17, A STANDARD BASE ASSESSMENT FROM OCTOBER 7, 2017 TO OCTOBER 6 2018 OF DETECTIVE LUKE WALDEN, 6 PAGES, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY SGT. SLATER:

Q. CAN I HAVE YOU REVIEW THE JOB DESCRIPTION ON THIS DOCUMENT, PLEASE.

A. OKAY.

Q. WAS ONE OF YOUR DUTIES IN THE GUN UNIT INVOLVED WITH MODIFIED GUNSMITHING OF FIREARMS?

A. WHERE'S THAT AT? I DON'T SEE IT UNLESS YOU WANT TO --

Q. CAN I DIRECT YOU TO THE SECOND PARAGRAPH, STARTING WITH THE SECOND TO THE LAST LINE, "TEAM LEADER."

A. OH, YES.

Q. AND WAS ONE OF YOUR DUTIES THE ASSEMBLING AND DISASSEMBLING OF FIREARM COMPONENTS?

MR. SEKI: I DON'T THINK HE ANSWERED THE FIRST ONE.

SGT. SLATER: I BELIEVE HE SAID "YES," UNLESS I MISHEARD HIM.

MR. SEKI: I THINK HE SAID "YES," HE SEES IT.

MS. AMIN: HOW ABOUT YOU ASK HIM THE QUESTION AGAIN.

BY SGT. SLATER:

Q. LET ME RE-CLARIFY, THEN.

WAS ONE OF YOUR DUTIES IN THE GUN UNIT INVOLVED WITH MODIFIED GUNSMITHING?

A. YES.

Q. OKAY. AND WAS ONE OF YOUR DUTIES TO BE FAMILIAR WITH THE ASSEMBLY AND DISASSEMBLING OF

FIREARMS, INCLUDING FIREARM COMPONENTS?

A. CLARIFY "COMPONENTS."

Q. YOUR RATING SAYS YOU WERE FAMILIAR WITH FIREARM COMPONENTS, WHAT IS A FIREARM COMPONENT TO YOU?

A. MAGAZINES, BARRELS, SLIDES, INTERNALS FOR THE FIREARM.

Q. WOULD THAT INVOLVE SILENCERS?

A. NO.

Q. NO. OKAY. WERE YOU A GUN EXPERT?

A. YES, FOR SPECIFIC FIREARMS.

Q. WERE YOU FAMILIAR WITH ASSAULT WEAPON LAWS?

A. YES.

Q. OKAY. SO BY BEING FAMILIAR WITH ASSAULT WEAPON LAWS, YOU WOULD BE FAMILIAR WITH THE COMPONENTS OF AN ASSAULT WEAPON, CORRECT?

A. YES.

Q. DOES THE DEPARTMENT HAVE ASSAULT WEAPON IDENTIFICATION GUIDE ON IT'S INTER DEPARTMENT WEBSITE?

A. I DON'T KNOW.

Q. YOU WERE IN THE GUN UNIT, CORRECT?

A. YEAH, BUT I DON'T KNOW IF THEY HAVE ONE, IF IT WAS PUT OUT, WHAT TIME OR WHEN AND WHAT DATE.

SGT. SLATER: AT THIS TIME, I'D LIKE TO MARK AND INTRODUCE DEPARTMENT'S 18, A 6-PAGE DOCUMENT

TITLED, "ASSAULT WEAPON IDENTIFICATION GUIDE." THAT WAS PULLED FROM THE DEPARTMENT'S INTER WEB, UNDER THE GND WEBSITE ON THAT INTER WEB. AND I SHOULD REPHRASE MY STATEMENT, AN EXCERPT FROM THE DEPARTMENT'S ASSAULT WEAPON IDENTIFICATION GUIDE.

MS. AMIN: EXCERPT?

SGT. SLATER: EXCERPT.

MR. SEKI: NO OBJECTION.

MS. AMIN: OKAY. SO ENTERED.

(DEPARTMENT'S EXHIBIT NO. 18, DOCUMENT TITLED, "ASSAULT WEAPON IDENTIFICATION GUIDE," 6 PAGES, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY SGT. SLATER:

Q. SO ACCORDING TO YOUR RATING, YOU WERE AN EXPERT ON ASSAULT WEAPON LAWS AND YOU MENTIONED THAT IDENTIFYING ASSAULT WEAPONS WAS ONE OF YOUR RESPONSIBILITIES IN THE GUN UNIT, AM I CORRECT?

A. YES.

Q. ALL RIGHT. SO WITH THAT BEING SAID, DID YOU REFER TO THIS ASSAULT WEAPON IDENTIFICATION GUIDE DURING YOUR IDENTIFICATION OF ASSAULT WEAPONS?

A. YES. AND THE PENAL CODE.

Q. AND THE PENAL CODE?

A. YES.

Q. BUT YOU'VE SEEN THIS DOCUMENT, THOUGH?

A. I DON'T KNOW WHEN THEY PRODUCED THIS. I KNOW ONE OF THE GUYS WAS WRITING IT, BUT I DON'T KNOW WHEN IT GOT PRODUCED.

Q. SO ON THE FIRST PAGE, I'D LIKE TO REFER YOU TO THE 3RD EDITION, NOVEMBER 2001.

A. OKAY. I DON'T RECALL EVER HAVING THIS, ME, PERSONALLY.

Q. OKAY. SO HOW DID YOU FAMILIARIZE YOURSELF WITH WHAT AN ASSAULT WEAPON WAS THERE, THEN?

A. WELL, THERE'S A PENAL CODE AND IT SPEAKS ABOUT THE OFFENDING FEATURES, SO BACK IN 1999, SB123, I BELIEVE IT'S 123, THEY OUTLAWED ASSAULT WEAPONS IN THE STATE OF CALIFORNIA AND THEY GO BY CLASSIFICATION BY SPECIFIC NAME, AR-15, THEN THEY WENT TO A SECOND SECTION IN THE PENAL CODE SECTION THAT TALKS ABOUT -- 'CAUSE THE FIREARMS COMPANIES WERE CHANGING NAMES, SO THEY HAD AN AR-15, AND THEN THEY CHANGED IT TO THE COLT SPORTER TO MAKE IT SOFTER FOR PEOPLE TO BUY. AND THEN JUST PLAYED THIS GAME WITH THE FEDERAL GOVERNMENT AND THE STATE OF CALIFORNIA TO CHANGE THE NAMES SO THAT THEY COULD GET BY SELLING THESE FIREARMS LEGALLY.

AND THEN THERE'S ANOTHER SECTION IN THERE WHERE THEY'VE CHANGED IT TO -- MOST OF THE FIREARMS

THAT WE DEAL WITH WERE A AK-47 TYPES OR AK-47 VARIANTS, AR-15 OR AR-15 VARIANTS, AND THAT'S PRETTY MUCH FOR THE ASSAULT WEAPONS, IF THAT MAKES ANY SENSE.

Q. CAN A PISTOL BE AN ASSAULT WEAPON?

A. YES.

Q. YOU SAID "OFFENDING FEATURES," WHAT ARE THE OFFENDING FEATURES ON A PISTOL THAT WOULD BE AN ASSAULT WEAPON?

A. IF I REMEMBER CORRECTLY, YOU CAN HAVE A -- IF IT HAS THE ATTACHMENT WHERE YOU CAN PUT A FORWARD GRIP, YOU CAN PUT -- YOU HAVE TO CHANGE OUT THE BARREL AND PUT A THREADED BARREL. I DON'T KNOW THEM ALL OFF THE TOP OF MY HEAD, I HAVE TO REFER TO THEM.

Q. CAN I REFER YOU TO PAGE 5 OF THIS DOCUMENT, THEN. AND BEFORE WE GO DOWN THAT, JUST FOR CLARIFICATION, WHAT IS A PISTOL VERSUS A RIFLE, WHAT'S THE DIFFERENCE?

A. YOU SAID PAGE WHAT, SORRY, OF THE DOCUMENT?

Q. "5" OF THE DOCUMENT.

A. WHAT IS A PISTOL?

Q. LIKE WHAT'S THE DIFFERENCE BETWEEN A PISTOL AND RIFLE, JUST FOR CLARIFICATION?

A. PISTOL IS BASICALLY A HANDGUN, COULD BE A REVOLVER, COULD BE A SINGLE SHOT, COULD BE A SEMIAUTOMATIC, COULD BE A SEMIAUTOMATIC PISTOL; A

RIFLE IS A LONG GUN AND THERE'S SPECIFICATIONS WITHIN THE PENAL CODE SYSTEM DELINEATING LENGTHS OF BARRELS, WHICH MAKES THEM LEGAL TO BE A CERTAIN TYPE OF RIFLE. IF IT'S SHORTER THAN THAT, IT BECOMES A SHORT BARREL RIFLE, AND THESE ARE ILLEGAL IN THE STATE OF CALIFORNIA, AS WELL, UNLESS YOU HAVE DOCUMENTATION FROM DOJ OR THE FEDERAL GOVERNMENT WHERE YOU GET A LICENSE TO PURCHASE SPECIFIC TYPES OF WEAPONS AND MACHINES GUNS, FULLY AUTOMATIC SHORT BARREL RIFLES, UNLESS YOU'RE ASSIGNED TO A LAW ENFORCEMENT AGENCY THAT ISSUES YOU ONE, BUT THAT IS ASSIGNED TO THE AGENCY AND YOU ARE THE RECIPIENT OF THAT SPECIFIC TYPE OF RIFLE.

Q. AND I THANK YOU FOR THAT EXPLANATION. I APOLOGIZE, I MEANT TO SAY PAGE 6 OF THIS DOCUMENT.

A. OH.

Q. IF YOU CAN TURN TO PAGE 6. I SAID 5, BUT I MEANT 6.

SO REFERRING TO PISTOLS, WHAT ARE THE OFFENDING CHARACTERISTICS FOR AN ASSAULT WEAPON ON A PISTOL?

A. I'D HAVE TO REFER TO MY -- IF IT'S OKAY IF I TAKE SOME TIME TO READ IT?

Q. YOU MAY.

A. 'CAUSE I DON'T REMEMBER OFF THE TOP OF MY

HEAD. THERE'S A LOT OF DIFFERENT THINGS IN HERE, MOST OF IT YOU WOULD HAVE A DETACHABLE MAGAZINE THAT COMES IN AND OUT OF THE MAGAZINE, WELL, IT'S SEMIAUTOMATIC, IT CAN HAVE A THREADED BARREL OR EITHER A FLASH SUPPRESSOR, YOU CAN PUT A FORWARD GRIP, BUT THE GUN HAS TO BE ABLE TO ACCEPT IT AS -- THERE'S A GROOVE ON THE TOP OF THE GUN, YOU'LL HAVE TO BE ABLE TO ATTACH IT. I DON'T KNOW VERY MANY PISTOLS, BUT AN AR-15 --

Q. I'LL JUST DIRECT YOU BACK TO PISTOLS. OKAY, REGARDING PISTOLS, WHAT ARE THE OFFENDING FEATURES REGARDING PISTOLS?

A. WELL, AN AR-15 CAN'T BE CLASSIFIED AS A PISTOL.

Q. OKAY.

THE REPORTER: CAN YOU PLEASE USE YOUR MIC, I'M SORRY.

DET. WALDEN: YES, CERTAINLY.

SO BASIC- -- I'M JUST GOING TO GO OFF OF THIS. "SEMIAUTOMATIC PISTOL WITH CAPACITY TO ACCEPT A DETACHABLE MAGAZINE, A THREADED BARREL, CAPABLE OF ACCEPTING A FLASH SUPPRESSOR FOR SILENCER, A SECOND HANDGRIP, A SHROUD SO THAT YOU BASICALLY DON'T BURN YOUR HAND, ACCEPTING A DETACHABLE MAGAZINE AT THE SAME LOCATION OUTSIDE OF THE PISTOL GRIP OR A SEMIAUTOMATIC PISTOL WITH A FIXED MAGAZINE THAT HAS THE CAPACITY TO

ACCEPT MORE THAN 10 ROUNDS."

BY SGT. SLATER:

Q. SO I JUST WANT TO BE CLEAR ON THIS POINT, A THREADED BARREL IS CAPABLE OF ACCEPTING A SILENCER AS ONE OF THE OFFENDING FEATURES ON A ASSAULT PISTOL?

A. YES.

Q. AND YOU TESTIFIED ON YOUR KNOWLEDGE OF COMPLEX WEAPON LAWS AND ASSAULT LAWS, ACCORDING TO THIS RATING, CORRECT?

MR. SEKI: I'M GOING TO OBJECT. I THINK THAT MISSTATES THE EVIDENCE. HE DIDN'T TESTIFY AS TO HIS KNOWLEDGE OF COMPLEX LAWS DEALING WITH THIS.

MS. AMIN: HE DIDN'T REALLY SAY THAT.

SGT. SLATER: OKAY. LET ME REPHRASE THIS, MY STATEMENT.

Q. ACCORDING TO THIS RATING, YOU DEVELOPED AND WERE FAMILIAR WITH ASSAULT WEAPON LAWS, INCLUDING FIREARM COMPONENTS, CORRECT?

A. YES.

Q. THANK YOU.

WHAT TRAINING HAVE YOU HAD RELATED TO FIREARM SILENCER?

A. ZERO.

Q. DO YOU RECALL, IN YOUR INTERVIEW, SAYING YOU HAD TRAINING ON FIREARM SILENCERS?

A. YES. BUT IT'S NOT TRAINING TO HOW THEY WORK. I WENT TO A TRAINING DAY AND I SHOT FIREARMS THAT HAD SILENCERS.

Q. OKAY. AND ON THIS TRAINING DAY WHERE YOU SHOT FIREARM SILENCERS, WHY WERE YOU SHOOTING FIREARM SILENCERS?

A. THE LAPD PUT OUT A TRAINING DAY WITH DIFFERENT VENDORS FOR OUR SPECIALIZED UNIT, SO WHERE I WORK IS A SPECIALIZED DIVISION, THERE'S FEW OF THEM THROUGH THE DEPARTMENT, A LOT OF UNDERCOVER DETECTIVES LIKE MYSELF OR PLAIN CLOTHES DETECTIVES WERE GETTING THE OPPORTUNITY FROM -- TO GO AND TEST THESE WEAPONS, SYSTEMS TO SEE HOW THEY WOULD OPERATE, TO SEE IF THE DEPARTMENT WOULD BE INTERESTED IN PURCHASING THESE TYPES OF WEAPONS FOR OUR USE IN ARRESTS AND TAKEDOWNS AND CONDUCTING SEARCH WARRANTS, AND THEY WERE LOOKING INTO PURCHASING SUPPRESSED WEAPONS FOR THE HEARING ISSUE THAT A LOT OF US DEAL WITH.

IF YOU'VE EVER SHOT A GUN INSIDE OF A CAR OR IN A ROOM WITHOUT HEARING PROTECTION, IT'S VERY PAINFUL. AND HAVING BEEN IN AN OFFICER-INVOLVED SHOOTING IN A CAR, I'VE LOST PART OF MY HEARING FROM IT. SO IT WOULD BE BENEFICIAL, ESPECIALLY MOST OF THE TAKEDOWNS THAT WE DO AND THE ARRESTS THAT WE DO WORK FROM A CAR, IF YOU GET IN A SHOOTING, YOU DON'T HAVE

TIME TO PUT ON YOUR SAFETY GLASSES AND YOUR EAR PLUGS TO SHOOT, SO NOT IN AN OPEN AREA WHERE THE SOUND CAN GO OUT INTO THE VOID, IT STAYS REVERBERATING INSIDE OF THE CAR, SO THAT WAS KIND OF PUSHING WITH THAT KIND OF TRAINING EXPERIENCE.

Q. THANK YOU FOR THAT EXPLANATION.

HAVE YOU DONE ANY RESEARCH INTO FIREARM SILENCERS FOR ANY OTHER REASONS?

A. YES.

Q. WHAT WAS THAT RESEARCH?

A. WHILE I WAS IN THE F.B.I. TASK FORCE PRIOR TO THIS SITUATION HERE, WE WERE GETTING A LOT OF CLUES THAT SILENCERS WERE BEING SOLD AS FIREARMS, AND AS THE FIREARM'S EXPERT, I STARTED RESEARCH IT, BECAUSE I WANTED TO KNOW WHAT TO LOOK FOR IF WE DID PURCHASE THEM, WE PURCHASED A LOT OF GUNS FROM SUSPECTED DEALERS AND GANG MEMBERS, PART OF INVESTIGATIONS THAT WE WORKED IN CRIMINAL ENTERPRISES, SO IF WE GOT THAT, IT WOULD BE KIND OF TO LOOK AT IT AND GO YAY OR NAY, YOU KNOW, OR THIS IS BOGUS OR THIS ISN'T GOING TO WORK, BUT I STILL HAVE LIMITED KNOWLEDGE ON IT. I DIDN'T REALLY GET IT, IT NEVER CAME TO FRUITION ON ANY OF THE INVESTIGATIONS THAT WE HANDLED.

Q. SO YOU MENTIONED THAT YOU TESTIFIED ON ASSAULT WEAPONS BEFORE AS ONE OF YOUR

RESPONSIBILITIES, HOW MANY TIMES DO YOU THINK YOU'VE TESTIFIED AS AN EXPERT ON ASSAULT WEAPONS?

A. MAYBE FOUR, FIVE TIMES.

Q. DO YOU RECALL IN YOUR INTERVIEW TELLING SERGEANT JIZMEJIAN THAT YOU WERE AN EXPERT ON ASSAULT PISTOLS?

A. YES.

Q. DO YOU RECALL TELLING HIM THAT YOU WERE FAMILIAR WITH -- YOU HAD TO FAMILIARIZE YOURSELF WITH YOUR RESPONSIBILITY AS HOW ASSAULT PISTOLS WERE BUILT?

A. I'D HAVE TO REFER TO THE THING.

Q. CAN I REFER YOU TO PAGE 17 IN YOUR TRANSCRIPT. IT'S GOING TO BE DEPARTMENT'S NO. 10 -- NOT 10, STANDBY -- 12.

A. WHAT PAGE? SORRY.

Q. 12, SIR. I'M SORRY. PAGE 17 OF 12.

A. WHAT LINE, SIR?

Q. I'M GOING TO START YOU AT THE BEGINNING OF THE PAGE.

A. OKAY.

Q. AND IN YOUR RESEARCH FOR FIREARM SILENCERS, DO YOU RECALL LOOKING INTO FUEL FILTER WEBSITES AS PART OF THAT?

A. I DIDN'T PURPOSELY LOOK AT FUEL FILTERS OR SOLVENT TRAPS. I PUT IN SUPPRESSORS OR SILENCERS, AND

I LIKE TO GOOGLE PICTURE SEARCH SO I KNOW WHAT I'M LOOKING AT, AS OPPOSED TO A WRITTEN DEFINITION, AND I JUST BASICALLY WENT DOWN A RABBIT HOLE, PICTURES OF STUFF, DIFFERENT STUFF THAT CAN BE USED, TWO LITER BOTTLES, YOUR WATER BOTTLE, POTATO, A WHOLE BUNCH OF STUFF.

Q. SO IN YOUR GOING DOWN THE RABBIT HOLE, AS YOU DESCRIBED IT, DID YOU LOOK AT ITEMS MARKETED AS FUEL FILTERS THAT WERE USED AS FIREARM SILENCERS?

A. YES.

Q. OKAY. AND DID YOU LOOK AT ITEMS MARKETED AS SOLVENT TRAPS USED AS FIREARMS SILENCERS?

A. AT SOME POINT I THINK THAT POPPED UP.

Q. AND WERE YOU ASKED ABOUT THE SPECIFIC KEYWORD SEARCHES YOU WERE DOING DURING YOUR INTERVIEW WITH SERGEANT JIZMEJIAN?

A. I BELIEVE SO, YES, SIR.

Q. ONE MOMENT, PLEASE.

DO YOU RECALL TELLING SERGEANT JIZMEJIAN THAT THERE WAS A SOURCE THAT WAS GOING TO SELL YOU FIREARMS AND SILENCERS?

A. YES.

Q. WHEN WAS THAT BROUGHT TO YOUR ATTENTION?

A. I DON'T KNOW THE DATE, SIR, I JUST KNOW THAT IT WAS SUPPOSE TO HAPPEN AND THE FBI TAKES THEIR TIME,

SO IT DIDN'T HAPPEN.

Q. SO WHEN WORKING WITH THE FBI, ARE THERE OTHER FEDERAL AGENCIES INVOLVED IN YOUR WORK WITH THE FBI?

A. NO, IT'S AN FBI TASK FORCE.

Q. BUT WHILE ON THE FBI TASK FORCE, DO YOU INTERACT WITH OTHER FEDERAL AGENCIES?

A. DO YOU WANT ME TO BE BLUNT?

Q. YES.

A. THE FBI DOESN'T LIKE TO WORK WITH ANYBODY ELSE. THEY -- IT'S REALLY HARD. I HAD TO WORK -- UP UNTIL THE POINT I LEFT, WE WERE TRYING TO GET HSI ONBOARD, BECAUSE WE DEALT WITH MS13 ENTERPRISE AND 18TH STREET, AND A LOT OF THOSE PEOPLE ARE NOT SUPPOSE TO BE HERE, AND THEY HAVE A RED NOTICE OR AN ARREST WARRANT FROM INTERPOL AND WE, LAPD, PER POLICY, CAN'T ARREST THEM. AND THE FBI WON'T DO IT BECAUSE IT'S NOT IN THEIR JOB DESCRIPTION. SO I KIND OF MADE THAT HAPPEN BECAUSE WE COULD MAKE THE ARREST AND HSI CAN DEAL WITH THAT PROBLEM, ESPECIALLY IF WE CAME IN CONTACT WITH SAID PERSONS. BUT OTHER THAN THAT, NO, WE DIDN'T REALLY DEAL WITH OTHER AGENCIES.

Q. OKAY. THANK YOU.

DURING YOUR INTERVIEW WITH SERGEANT JIZMEJIAN, DO YOU RECALL HIM ASKING YOU SPECIFICALLY

IF SEARCHING FUEL FILTER AND SOLVENT TRAPS IS PART OF YOUR FBI TASK FORCE RESPONSIBILITIES?

A. IF I REMEMBER CORRECTLY, I EXPLAINED THAT IT WAS PART OF THE CASES THAT WE WERE GETTING INFORMATION FROM OUR SOURCES AND OTHER PEOPLE WITHIN THE DEPARTMENT THAT WERE EXPLAINING, HEY, THESE ARE THE THINGS TO LOOK OUT FOR, BUT IT NEVER HAPPENED, SO IT WAS BASICALLY POINTLESS.

Q. SO YOU GOT INFORMATION FROM SOURCES TO LOOK OUT FOR FUEL FILTERS AND FIREARM SILENCERS?

A. NO. I GOT, LOOK OUT FOR SUPPRESSORS. I WAS LOOKING FOR SUPPRESSORS ATTACHED TO FIREARMS, NOT SPECIFICALLY THE FUEL FILTERS OR THE SOLVENT TRAPS. I JUST KNOW THAT ALL THAT POPS UP IN THE INTERNET, IF YOU START LOOKING AT SILENCERS, IT'S JUST HUNDREDS OF PICTURES AND PEOPLE CONVERTING EVERYTHING TO DO SO.

Q. YOU SAY "SUPPRESSOR," IS SUPPRESSOR A COMMON NAME FOR SILENCER?

A. YEAH. FROM WHAT I UNDERSTAND, IN THIS INVESTIGATION, AND ME LOOKING IT UP NOW AFTER THE TIME OF ME KNOWING THAT I WAS PART OF AN INVESTIGATION TO RESEARCH TO UNDERSTAND. I UNDERSTAND THE WORD "SILENCER" IS SOMETHING THAT'S USED IN THE FILM INDUSTRY. A GUN SILENCER DOESN'T SILENCE THE BULLET LIKE IT DOES IN THE MOVIES, IT'S NOT QUIET. IT JUST

REDUCES THE DECIBELS OF THE BULLET COMING OUT OF THE GUN.

AND BASED ON WHAT I KNOW NOW, AFTER ALL OF THIS HAPPENING, YOU HAVE TO HAVE A GUN -- A GUN WITH A THREADED BARREL, YOU HAVE TO HAVE A CERTAIN TYPE OF AMMUNITION, WHICH IS SUBSONIC OR LESS THAN THE SOUND -- LESS THAN THE SPEED OF SOUND FEED PER SECOND, I DON'T KNOW THE NUMBER, I'M NOT GOOD AT MATH, AND IT JUST REDUCES THE SOUND SO THAT IT'S NOT PAINFUL TO YOUR EARS WHEN YOU'RE FIRING THE WEAPON.

Q. SO I JUST WANT TO CLARIFY A POINT OFF WHAT YOU SAID.

SO ARE YOU INDICATING THAT PRIOR TO ALL THIS BEGINNING, YOU DIDN'T KNOW YOU NEEDED A THREADED BARREL FOR A SILENCER?

A. NO, I KNEW I NEEDED A THREADED BARREL.

Q. I WANT TO DIRECT YOU, STARTING ON PAGE 17 OF YOUR TRANSCRIPT, ON LINE 24.

A. OKAY.

Q. SO LATER IN YOUR INTERVIEW, SERGEANT JIZMEJIAN ASKED YOU IF YOU HAD HAD YOUR MEMORY REFRESHED REGARDING FUEL FILTERS OR SOLVENT TRAPS, AND YOU SAID -- DO YOU RECALL TELLING HIM, "I DON'T REMEMBER THE SPECIFIC KEYWORDS YOU GUYS ARE TALKING ABOUT. I CAN TELL YOU THAT SOME OF THAT STUFF WAS

PROVIDED TO ME THROUGH WORD OF MOUTH, THROUGH THE SOURCES, 'HEY, CAN YOU LOOK THIS UP,'" YOU KNOW, "WHAT IS THIS?" AND SO YOU START RESEARCHING IT -- "BUT THOSE PIECES, AND I'M GOING TO JUMP TO LINE 9 HERE, "BUT THOSE PIECES NEVER CAME TO FRUITION WITH THE BAD GUYS."

WHAT DO YOU MEAN "THOSE PIECES NEVER CAME TO FRUITION WITH THE BAD GUYS"?

A. THE FIREARMS WHICH IS SUPPRESSORS OR THE SOUNDS, THEY JUST NEVER MATERIALIZED.

Q. BUT THE POINT I'M GETTING AT, SIR, IS YOU REALIZE THAT THE WORD "SUPPRESSOR" AND "FUEL FILTER" WERE ASSOCIATED AT THAT POINT WHEN YOU WERE LOOKING IT UP, CORRECT?

A. NO, I WAS STILL RESEARCHING IT. I DIDN'T HAVE THE SPECIFIC KNOWLEDGE.

Q. BUT YOU HAD RESEARCHED THAT TOPIC, CORRECT?

A. WELL, I DIDN'T HAVE THE SPECIFIC KNOWLEDGE TO PUT TWO AND TWO TOGETHER, AS FAR AS AT THE TIME OF THE RESEARCH, IT WAS IN ITS INFANCY.

Q. BUT YOU HAD BEEN RESEARCHING IT, "YES" OR "NO"?

A. YEAH. TILL --

Q. OKAY. THANK YOU.

WHEN WAS THIS INVESTIGATION HAPPENING?

A. MARCH OF '21 OR MARCH OF '20 -- I THINK IT WAS '21. I'M NOT 100 PERCENT SURE.

Q. DID YOU HAVE ANY DOCUMENTATION OF THAT INVESTIGATION?

A. NO.

Q. ALL RIGHT. I'M GOING TO GET INTO SOME OF THE SPECIFIC THINGS YOU SEARCHED ON YOUR DEPARTMENT COMPUTER AT THAT TIME. JUST ONE SECOND.

SO REFERRING TO THE KEYWORD SEARCH, SPECIFICALLY THE DECEMBER 2020 TAB, I'M GOING TO PUT IT ON THE SCREEN NOW.

A. OKAY.

Q. LINE 1 OF 6, CAN YOU SEE THAT?

A. YES.

Q. ALL RIGHT. NEXT TO YOUR -- OR IN COLUMN D, CAN YOU TELL ME WHAT THAT SEARCH IS?

A. ARE YOU TALKING ABOUT THE "WW"?

Q. YES.

A. I DON'T KNOW WHAT THIS IS, "SARCOINC.COM, 1911-45-THREADED-BARREL-5-BARREL."

Q. WHAT IS A "1911"?

A. IT'S A PISTOL AND 45-CALIBER.

Q. AND WHAT IS THE "5 BARREL" REFERRING TO?

A. WELL, I DON'T KNOW. IT COULD BE 5 INCHES, BUT I'D HAVE TO LOOK AT THE WEBSITE.

Q. WHY WERE YOU SEARCHING THIS ITEM?

A. BECAUSE THAT WAS THE TYPE OF WEAPONS THAT WE WERE COMING IN CONTACT WITH THAT SUPPOSEDLY HAD SUPPRESSORS WHERE THEY WERE GOING TO SELL US WITH SUPPRESSORS.

Q. SO AS EARLIEST OF DECEMBER OF 2020, YOU WERE COMING INTO SALES OF SUPPRESSORS AS PART OF YOUR JOB DUTIES?

A. I WAS NOT.

Q. WELL, THEN, WHY WERE YOU SEARCHING THIS?

A. BECAUSE THE GUYS WERE DOING THAT AND I WAS HELPING OUT WITH GETTING INTEL AND HELPING THEM WITH THEIR CASES.

Q. SO AS EARLY OF 2020, INVESTIGATIONS THAT YOU WERE HELPING WITH WERE COMING INTO CONTACT WITH FIREARMS WITH SUPPRESSORS?

A. YES.

Q. AND DO YOU PERSONALLY OWN ANY 1911S?

A. YES, I DO.

Q. OKAY. IF YOU WERE LOOKING INTO ILLEGAL FIREARM SALES WITH SUPPRESSORS, WHY WERE YOU LOOKING AT A GUN WEBSITE FOR THAT?

A. A GUN WEBSITE -- WELL, I DON'T KNOW WHAT THE WEBSITE HAS, YOU KNOW, I DON'T -- I MEAN, I CAN'T TELL YOU WHAT --

Q. OKAY. WE'LL MOVE PAST THAT POINT, THEN.

WHILE I JUMP INTO THE NEXT ONE, I'M NEXT REFERRING YOU TO THE TAB OR THE SECTION THAT WAS THE FEBRUARY 2021 BARREL?

A. OKAY.

Q. REFERRING YOU TO LINE 7, UNDER COLUMN D, THAT URL, CAN YOU READ ME WHAT THAT URL SAYS?

A. YOU SAID LINE 7, CORRECT?

Q. YES, SIR. I'LL PUT THE TAB ON IT FOR YOU.

A. "WWP" -- I CAN'T EVEN READ THAT -- "PEALTIER.COM/PRODUCTS/ALUMINUM-BARREL-END-THREAD-PROTECTOR-FOR RUGER-1022-MUZZLE-BRAKE." IT LOOKS LIKE, "1-2-X-28-58." I CAN'T READ THAT. I'M SORRY.

Q. THAT'S FINE.

A. MY EYESIGHT IS CRAP.

Q. WHAT IS THE 12 X 28 REFERRING TO?

A. HALF-INCH BY 28, IT'S A THREAD -- A THREAD PITCH.

Q. OKAY. AND WHAT IS A RUGER 1022?

A. IT'S A RIFLE.

Q. WHAT IS A THREAD PITCH?

A. IT'S JUST THE THREADING. SO THERE'S SAE, WHICH IS STANDARD, I CAN'T REMEMBER THE NAME OF IT, AND THEN THERE'S METRIC, AND THEY'RE A DIFFERENT THREADS, LIKE FOR BOLTS, THERE'S FINE, COURSE, AND

THAT BASICALLY JUST DELINEATES HOW MANY THREADS PER INCH, I BELIEVE.

Q. AND WHAT IS THE IMPORTANCE OF A THREAD PITCH?

A. IT JUST MEANS THAT YOU HAVE TO HAVE THE CERTAIN BOLTS OR I'LL JUST USE A BOLT FOR REFERENCE BECAUSE THAT'S WHAT I KNOW.

IF YOU HAVE A BOLT AND YOU HAVE A NUT AND YOU'RE GOING TO SCREW THEM TOGETHER, THEY BOTH HAVE TO BE THE SAME THREAD, OTHERWISE THEY WON'T GO TOGETHER.

Q. I KNOW YOU'RE REFERRING TO A BOLT, BUT WHAT IS THE RELEVANCE OF A THREAD PITCH ON A GUN?

A. WELL, IF YOU HAVE A THREADED BARREL IN A GUN AND IT HAD A RECEPTACLE LIKE FLASH SUPPRESSOR OR A SILENCER, THAT THREAD, THE FEMALE END OF THE THREAD IN THE SUPPRESSOR WOULD HAVE TO -- WOULD BE LIKE THE NUT, AND THAT WOULD GO ON THE BARREL, WHICH WOULD BE LIKE THE BOLT.

Q. OKAY. SO IN FEBRUARY OF 2021, WHY WERE YOU RESEARCHING RUGER 1022 MUZZLE BRAKE WITH A 12 X 28 THREAD PITCH?

A. I DON'T KNOW.

Q. DO YOU OWN A RUGER 1022?

A. YES, I DO.

Q. A LITTLE FURTHER IN THIS DESCRIPTION, I'VE

PUT IT AT THE TOP SO YOU CAN SEE THE WHOLE THING, THERE'S AN ADAPTER COMBO 223-308, WHAT DOES "223" REFER TO?

A. THAT IS -- WELL, THAT'S A CALIBER FOR A RIFLE AND 308 IS A CALIBER FOR A RIFLE.

Q. AND WHAT IS AN ALLUMINUM BARREL THREAD AND PROTECTOR?

A. WELL, BASED ON WHAT'S UP THERE, IF YOU HAVE A THREADED BARREL AND YOU'RE GOING TO HAVE TO PUT A NUT ON THERE SO THAT YOUR THREAD DON'T GET SMASHED OR BEAT UP OR RUINED WHEN YOU'RE USING THE FIREARM WITHOUT THE MUZZLE BRAKE OR THE SUPPRESSOR THAT WOULD BE ON THE END OF THE GUN.

Q. OKAY. I'M GOING TO REFER YOU NOW TO LINE 17. BEAR WITH US AS I TRY AND MAKE THIS VISIBLE ON THE SCREEN.

A. NO WORRIES.

Q. WHAT DAY DO YOU SEE IN COLUMN B?

A. SORRY, 17? FEBRUARY 3RD.

Q. OKAY. AND THEN I'M GOING TO JUST CIRCLE BACK TO THE COLUMN THAT WE WERE JUST LOOKING AT FOR A SECOND.

WHAT DAY DO YOU SEE IN LINE 7?

A. THE 2ND OF FEBRUARY.

Q. AND SO THE NEXT DAY, ON FEBRUARY 3RD, WHAT

IS IN THE URL SEARCH?

A. THE -- IT LOOKS LIKE THE SAME THING.

Q. WHY DID YOU LOOK AT THIS TWO DAYS IN A ROW?

A. I DON'T KNOW.

Q. OKAY. DO YOU HAVE ANY -- NO, THAT'S ENOUGH. I'LL LEAVE THAT AS IT IS.

I'M GOING TO DIRECT YOU TO LINE 33 NOW, THEN. WHAT DAY DO YOU SEE HERE?

A. FEBRUARY 3RD.

Q. ALL RIGHT. LOOKING AT THE COLUMN I'VE HIGHLIGHTED FOR YOU.

A. OKAY.

Q. THERE WAS A DOCUMENTED SEARCH CONTAINING BOTH THE FOLLOWING: FUEL FILTER SWEEP FOR NAPA 4003 WIX 582412 OR 122812 AIR FILTER THREADED, AND ALSO A SEARCH FOR RUGER 1022 MUZZLE BRAKE ADAPTER COMBO 223-308.

WHAT DOES FUEL FILTER SWEEP FOR NAPA 4003 WIX REFER TO?

A. WELL, BASED ON THE ATF PAPERWORK, I GUESS, I DON'T KNOW.

Q. I'M GOING TO RESTATE -- I'M NOT ASKING BASED OFF THE ATF PAPERWORK, THIS IS FROM FEBRUARY 2021.

IN FEBRUARY OF 2021, WHY WERE YOU --

A. WELL, I DON'T KNOW BY SPECIFIC DATES, BUT I

AM GOING TO BELIEVE THAT IT WAS -- I WAS CLICKING ON PICTURES AND THAT'S ALL THE STUFF THAT CAME UP. IT WASN'T SPECIFIC TO LIKE TARGETING THESE SPECIFIC NAMES.

Q. SO WHAT DO YOU MEAN YOU WERE CLICKING ON PICTURES?

A. GOOGLE SEARCH.

Q. SO WHAT WERE YOU SEARCHING FOR?

A. WELL, AT THE TIME, LOOKS LIKE THREADED PROTECTOR FOR RUGER 1022. BUT I DON'T RECALL INDEPENDENTLY. I'M JUST GOING BY WHAT'S UP THERE.

Q. SO YOU DON'T HAVE ANY INDEPENDENT RECOLLECTION OF WHY YOU WERE SEARCHING FOR BOTH THE NAPA 4003 WIX AND A RUGER THREADED PROTECTOR?

A. NO.

Q. BUT WOULD IT BE SAFE TO SAY, AS OF FEBRUARY 2021, YOU HAD SEARCHED NAPA 4003 WIX IN CONJUNCTION WITH A THREADED BARREL?

A. WELL, I DON'T BELIEVE THAT I SEARCHED THAT SPECIFIC THING, BUT BASED ON THIS, YES.

Q. THIS IS A -- WHEN YOU WERE INTERVIEWED BY SERGEANT JIZMEJIAN, DID HE ASK YOU IF THIS WAS YOUR INTERNET HISTORY?

A. I DON'T BELIEVE SO.

Q. ONE MOMENT, PLEASE. CAN I REFER YOU TO

PAGE 18, LINE 18.

A. 18/18?

Q. YES.

A. OKAY.

Q. WAS IT -- DID YOU SAY THAT IT WAS SAFE TO SAY WHATEVER YOU WERE SEARCHING WAS PART OF WHAT YOU ANTICIPATED GETTING AS PART OF YOUR JOB DUTIES?

MR. SEKI: I'M GOING TO OBJECT. I THINK WITHIN THE FIRST QUESTION WAS THAT HE WAS SHOWN THIS DOCUMENT. I DON'T KNOW THAT THIS DOCUMENT WAS EVER SHOWN TO HIM, NOR IS IT REFLECTED IN THIS TRANSCRIPT.

MS. AMIN: CAN YOU RESTATE YOUR QUESTION.

BY SGT. SLATER:

Q. WHEN ASKED BY SERGEANT JIZMEJIAN, YOU SAID THAT YOU TOLD HIM YOU LOOKED UP SOME OF THIS STUFF BECAUSE YOU HAD HEARD ABOUT IT THROUGH SOURCES OR THROUGH WORD OF MOUTH, AND THEN YOU WERE ASKED BY YOUR ATTORNEY, MR. SEKI HERE, ON LINE 14, WHATEVER SEARCHES WERE DONE WAS WORK-RELATED, CORRECT?

A. YES.

Q. SO THE SEARCHES THAT WERE RECOVERED WERE WORK-RELATED IS WHAT YOUR EXPLANATION WAS?

A. YES.

Q. SO AS PART OF YOUR WORK DUTIES, YOU LOOKED UP NAPA 4003 WIX, THEN?

MR. SEKI: WELL, I'M GOING TO OBJECT. I THINK THAT MISSTATES THE EVIDENCE. I THINK THE EVIDENCE IS THAT HE CLICKED ON PICTURES.

MS. AMIN: WELL, YOU CAN ASK, DID YOU LOOK IT UP.

BY SGT. SLATER:

Q. HOW DID YOU GET TO THESE PICTURES?

A. SUPPRESSOR AND YOU CLICK ON PICTURES AND GOOGLE, AND THEN IT GOES INTO ALL THESE DIFFERENT WEBSITES. YOU GO TO ONE PICTURE, THE NEXT PICTURE, IT'S LIKE WATCHING THINGS ON YOU TUBE, YOU JUST GO DOWN THIS, YOU'VE WASTED 45 MINUTES OF YOUR TIME.

Q. OKAY. ON MULTIPLE DAYS, YOU LOOKED INTO, AT LEAST, THE THREADED BARREL, CORRECT?

A. YES.

Q. I'M GOING TO REFER YOU NOW TO LINE 91, AGAIN, IN COLUMN D OR 92.

WHAT WAS SEARCHED ON THAT COLUMN?

A. THAT WAS A PICTURE OF A KIMBER --

THE REPORTER: A WHAT?

DET. WALDEN: A PICTURE OF A KIMBER 1911-45 THREADED BARREL.

BY SGT. SLATER:

Q. WHAT MAKES YOU THINK IT WAS A PICTURE?

A. 'CAUSE I REMEMBER IT POPPED UP ON THE

PICTURES AND I CLICKED ON IT.

Q. IS THERE ANY INDICATION ON THIS URL THAT IT'S A PICTURE?

A. NO. I REMEMBER INDEPENDENTLY DOING IT BECAUSE I THOUGHT, OH, THAT'S NICE.

Q. SO I JUST WANT TO BE CLEAR, YOU REMEMBER AN INDEPENDENT RECOLLECTION OF LOOKING AT A SPECIFIC PICTURE, BUT YOU DON'T REMEMBER WHY YOU WERE LOOKING AT THE NAPA 4003?

A. NO, I WASN'T LOOKING AT THE NAPA 4003 AS SPECIFIC, I WAS LOOKING AT PICTURES AND ALL OF THAT STUFF POPPED UP. I REMEMBER THE KIMBER BECAUSE IT LOOKED NICE.

Q. WHY WERE YOU SEARCHING FOR KIMBER THREADED BARREL?

A. BECAUSE THERE'S SPECIFIC FIREARMS THAT WERE SUPPOSED TO BE SOLD TO US AND THEY WERE 1911 VARIANTS AND THAT'S WHAT POPPED UP WHEN I WAS CLICKING ON PICTURES. IT WASN'T SPECIFIC TO THE KIMBER.

Q. I'M GOING TO REFER YOU TO ANOTHER SET OF SEARCHES NOW. I APOLOGIZE THAT WE'RE DOING SO MANY SEARCHES, BUT THERE WAS A LOT COVERED.

REFERRING YOU TO THE MARCH 2021 KEYWORD SEARCH "FUEL."

A. OKAY.

Q. LINE 306, WHAT DAY IS THIS?
A. THAT'S THE 16TH.
Q. OF?
A. 2021.
Q. AND WHAT PRODUCT IS BEING SEARCHED IN LINE 306?
A. WAIT. OH, SORRY, I WAS LOOKING AT 305. IT SAYS, "ALUMINUM," I CAN'T -- OH, "NAPA4003SOLVENT TRAPS.COM."
Q. I APOLOGIZE. IT'S KIND OF A LONG URL, MOVING FURTHER PAST THAT, AFTER THE NAPA 4003, WHAT NEXT IS -- OH, SORRY.
A. THAT'S ALL RIGHT.
Q. I'M JUST GOING TO HOLD IT HERE.
A. OKAY. "ALUMINUM-10-12-SIX-EXTENSION-SPIRAL," I DON'T KNOW WHAT THAT IS, "12-20-12-28-58-24-M141-M141-CAR-FUEL-FILTER-CAR-SOLVENT-," THAT'S ALL I GOT, "TRAP-FOR-NAPA-4003- WIX-24003."
Q. SO WE'VE COVERED FROM DECEMBER TO MARCH, JUST A PORTION OF THE THINGS YOU SEARCHED AT THIS TIME. BUT DURING THAT ENTIRE FOUR-MONTH PERIOD, YOU WERE SEARCHING NAPA 4003 AND YOU DON'T RECALL WHY?
A. IT WASN'T SPECIFIC TO THAT NUMBER.
Q. OKAY. AND YET THEY KEEP POPPING UP?
A. YEAH, BECAUSE THAT'S WHAT POPS UP ON ALL THE

WEBSITES.

Q. AND WHY WERE THEY POPPING UP ON ALL THE WEBSITES?

A. I DON'T KNOW.

Q. BUT THIS WAS PART OF YOUR INVESTIGATION IN THE SILENCERS OR SUPPRESSORS, AS YOU CALLED THEM, CORRECT?

A. YES.

Q. SO OVER A FOUR-MONTH WINDOW, YOU REPEATEDLY SAW THIS DURING YOUR INVESTIGATION INTO SUPPRESSORS?

A. YES.

Q. ALL RIGHT. DOES THE DEPARTMENT RECEIVE UNCLASSIFIED LAW ENFORCEMENT SENSITIVE DOCUMENTS FROM OTHER AGENCIES?

A. DEPENDS IF YOU WORK WITH THAT AGENCY.

Q. OKAY. BUT DO THEY RECEIVE SUCH DOCUMENTS?

A. YES.

Q. DOES THE GUN UNIT WORK WITH THE ATF?

A. YES.

Q. DID YOU WORK -- I WANT TO BE CLEAR ABOUT THIS, YOU WORKED THE GUN UNIT, CORRECT?

A. YES.

Q. HAVE YOU SEEN THOSE TWO DOCUMENTS BEFORE, THE TECHNICAL BULLETINS?

A. NO, I HAVE NEVER SEEN THEM.

Q. DURING YOUR TIME WITH THE GUN UNIT, DID YOU INTERACT WITH THE ATF, HOWEVER?

A. NO, I DID NOT.

Q. NOT AT ALL?

A. NO.

Q. NOT WHEN YOU TESTIFIED IN FEDERAL CASES?

A. I NEVER TESTIFIED IN FEDERAL CASES.

Q. ONE SECOND. CAN I REFER YOU TO PAGE 5 OF YOUR TRANSCRIPT?

A. PAGE 5?

Q. YES, PLEASE. CAN I HAVE YOU READ LINES 13, PLEASE.

A. "PROSECUTED. I WORKED WITH THE ATF, DEA, FBI, HSI AND CURRENTLY I'M ASSIGNED DETECTIVE SUPERVISOR FOR GND/FBI TASK FORCE."

Q. SO AGAIN, DID YOU WORK WITH THE ATF?

A. I DIDN'T PERSONALLY WORK WITH THE ATF. THERE WERE PEOPLE ASSIGNED IN THE GUN UNIT THAT WERE ATF TFO'S, THEY WORKED WITH THE ATF. I NEVER WAS ALLOWED TO BECAUSE I WASN'T A TFO.

Q. SO WHY DOES YOUR TRANSCRIPT SAY, "I WORKED WITH THE ATF," THEN?

A. BECAUSE THOSE PEOPLE THAT WERE ASSIGNED TO THE GUN UNIT AT LAPD, THEY WERE ATF TFO'S AND I WORKED WITH THEM.

MR. SEKI: CAN YOU EXPLAIN WHAT A TFO IS?

DET. WALDEN: A TFO IS TASK FORCE OFFICER, SO BASICALLY WHEN I WAS A TASK FORCE OFFICER WITH THE FBI, YOU GO THROUGH AN EXTENSIVE BACKGROUND AND YOU DO A POLY, ALL THIS STUFF, AND THEN THEY SWEAR YOU IN, AND NOW YOU'RE ALLOWED TO MAKE ARRESTS FEDERALLY AND ALSO LOCALLY. THEY USED TFO'S IN THE STATE OF CALIFORNIA, BECAUSE CALIFORNIA CONSTITUTION DOESN'T ALLOW AGENTS TO MAKE STATE ARRESTS, SO THEY USE US TO MAKE THE STATE ARRESTS. A LOT OF TIMES WE GO MAKE AN ARREST ON A CASE, WHATEVER WE'RE DOING, AND IF THE AUSA, USA ATTORNEY, DOESN'T WANT TO FILE A CASE AT THE FEDERAL LEVEL, THEY REFER IT TO THE STATE LEVEL AND THEN WE WOULD HAVE TO TESTIFY IN THE CASE.

Q. OKAY. SO THEN WHY DIDN'T YOU SAY, "I WORK WITH TFO'S," WHY DID YOU SAY, "I WORK WITH THE ATF"?

A. 'CAUSE THEY'RE ATF TFO'S AND TECHNICALLY I'M NOT WORKING DIRECTLY WITH THEM.

Q. WE'LL MOVE PAST THAT.

JUST BEFORE THAT POINT, STARTING AT LINE 8, YOU SAID, "I WAS ASSIGNED TO THE GUN UNIT WHERE I GAINED EXPERTISE" --

A. YES.

Q. -- "AND AKAR VARIANTS AND WEAPONS SYSTEMS TO TESTIFY AS A COURT QUALIFIED EXPERT ON VARIOUS CASES,

NOT ONLY THE ONES IN THE GUN UNIT, BUT ALSO TO ASSIST CASES FOR, YOU KNOW, THE ONES THAT GO FEDERALLY PROSECUTED."

A. YES.

Q. SO DID YOU ASSIST AND TESTIFY IN CASES THAT WENT FEDERALLY PROSECUTED?

A. NO, I NEVER TESTIFIED IN A FEDERAL CASE.

Q. THEN WHY DOES THIS SAY, "TESTIFY AS A COURT QUALIFIED EXPERT"?

A. BECAUSE I DID TESTIFY IN COURT --

Q. ON ONES THAT WERE FEDERALLY PROSECUTED?

MR. SEKI: NO, I THINK THAT'S SEMANTICS; THAT'S ARGUMENTATIVE. THAT'S TOTALLY INAPPROPRIATE.

SGT. SLATER: WE'LL MOVE PAST THAT POINT.

MS. AMIN: RIGHT.

BY SGT. SLATER:

Q. SO FROM DECEMBER TO MARCH, YOU REPEATEDLY LOOKED UP PHOTOS THAT INCLUDED NAPA 4003 WIX, CORRECT?

MR. SEKI: ASKED AND ANSWERED.

DET. WALDEN: YES.

BY SGT. SLATER:

Q. AND THEN WE'VE HEARD TESTIMONY THAT YOU ORDERED THROUGH YOUR PAYPAL A NAPA 4003 WIX FUEL FILTER; IS THAT CORRECT?

A. YES.

Q. IS THERE ANY REASON WHY THE FUEL FILTER ORDERED IS THE SAME AS THE ONE YOU WERE LOOKING INTO AS PART OF YOUR JOB DUTIES FOR SUPPRESSORS?

MR. SEKI: I'M GOING TO OBJECT AS TO VAGUE. WHAT "IS THE SAME"?

MS. AMIN: RESTATE IT, PLEASE.

BY SGT. SLATER:

Q. SO IS THERE ANY REASON YOU ORDERED A NAPA 4003 AFTER REPEATEDLY LOOKING INTO NAPA 4003 AS PART OF YOUR DUTIES INTO SUPPRESSORS IN YOUR JOB?

A. WELL, I ORDERED A FUEL FILTER FOR MY CAR, WHATEVER THE CODE DELINEATION FOR THAT PART, I DON'T REMEMBER WHAT IT WAS.

Q. SO, AGAIN, REFERRING TO DEPARTMENT'S 8, THE PAYPAL TRANSACTIONS WHICH ARE NOW ON UP ON THE SCREEN AGAIN, ON LINE 79, IT SPECIFICALLY SAYS, UNDER ITEM TITLE, "BUY ONE, GET ONE FREE, NAPA-4003-WIX-1-2-X-28-X-24-FUEL FILTER SOLVENT TRAP."

OKAY. AND THAT IS THE SAME ITEM YOU WERE LOOKING INTO AS PART OF YOUR INVESTIGATION OF SUPPRESSORS AS YOU STATED, CORRECT?

A. BASED ON THAT, THAT'S THE RECEIPT FOR -- I NEVER SEEN BEFORE. AND I DIDN'T PURPOSELY LOOK FOR NAPA 4003, I LOOKED FOR A FUEL FILTER, AND I PURCHASED A FUEL FILTER FOR MY CAR, SO I DIDN'T GOOGLE OR LOOK

UP OR WRITE, HEY, I WANT TO BUY THAT NAPA 4003, I LOOKED AND BOUGHT A FUEL FILTER FOR MY CAR, IT JUST HAPPENS TO BE IN THE DESCRIPTION OF THE PURCHASE ON PAYPAL.

Q. OKAY. AND WHERE DID YOU BUY THIS FUEL FILTER FROM?

A. I DO NOT RECALL.

Q. ONE SECOND. WHAT KIND OF FUEL FILTER WERE YOU TRYING TO BUY?

A. A HIGH FLOW FUEL FILTER.

Q. SO THE THREAD ON PURCHASE, IF I'M CORRECT, IS 1/2 BY 28, CORRECT?

A. I NEVER GOT IT, SO I DON'T KNOW.

Q. SO YOU DON'T KNOW SPECIFICALLY WHAT YOU BOUGHT, YOU JUST BOUGHT AN ITEM WITHOUT KNOWING WHAT IT WAS?

A. I BOUGHT AN ITEM I NEVER RECEIVED, SO I COULDN'T VERIFY WHAT YOU'RE ASKING.

Q. SO ON THE ITEM YOU WERE TRYING TO BUY, WHAT WOULD THE THREAD BARREL OR THE THREAD TPI HAVE BEEN?

A. WELL, I WAS HOPING THE THREAD WOULD BE HALF-INCH BY 28.

Q. WHY WERE YOU HOPING HALF-INCH BY 28?

A. BECAUSE IT'S A COMMON STANDARD SIZE.

Q. COMMON STANDARD SIZE FOR WHAT?

A. FOR THREADING.

Q. FOR THREADING FOR WHAT?

A. FOR FUEL FILTERS, FOR FUEL CONNECTORS.

Q. OKAY. I'M GOING TO REFER YOU TO DEPARTMENT'S 3, PAGE 6.

A. IS THAT THE ATF?

Q. YES.

A. PAGE 6.

Q. YES. UNDER "COMMON FUEL FILTER THREADS," CAN YOU POINT OUT TO ME WHERE IT SAYS 1/2 BY 28?

A. NO.

Q. OKAY. WHAT NUMBER DO YOU SEE UNDER "COMMON FILTER THREADS FOR NAPA 4003"?

A. IT'S THREE-QUARTERS.

Q. OKAY. SO WHERE DID YOU HEAR THAT 1/2 BY 28 WAS COMMON FOR A FUEL FILTER?

A. BECAUSE THERE'S A REDUCER FOR THE INLET, SO ON A FUEL FILTER, YOU HAVE THE FILTER, AND THEN THERE'S REDUCERS, JUST LIKE THE ONE THAT I PURCHASED AND I TOLD THE DEPARTMENT ABOUT, FOR DIFFERENT SIZE FUEL LINES. YOU BUY THE FUEL FILTER, YOU GET HALF-INCH, BASICALLY THERE'S -- IT'S A -- I FORGOT WHAT IT'S CALLED, IT'S, I CALL IT A NIPPLE, BUT IT'S BASICALLY A BOLT WITH A HOLE THROUGH THE MIDDLE OF IT, ONE SIZE IS THE HALF-INCH BY 28, AND THAT SCREWS INTO

THE SIDE OF THE FUEL FILTER, THEN THE FUEL GOES THROUGH THAT HOLE, AND THERE'S A NIPPLE THAT BASICALLY, IT'S A MALE END THAT COMES OUT, IT'S IN THE PICTURE OF THE THING I BOUGHT.

AND THEN YOU HAVE ANOTHER FEMALE NUT AND BASICALLY YOU SLIDE THAT ONTO THE FUEL LINE, YOU CUT THE FUEL LINE AND YOU USE A FUEL LINE EXPANSION THING THAT BASICALLY ALLOWS THE FUEL LINE TO BE OPENED UP, AND WHEN YOU PULL THE NUT OVER IT AND YOU PUT THE FUEL FILTER ON THERE, YOU CAN TIGHTEN IT AND IT BASICALLY -- IT'S LIKE A GAS LINE ON A HOUSE. THERE'S A NIPPLE, IT HAS A NUT AND IT PRESSURIZES THE SYSTEM SO IT WON'T LEAK OUT, BECAUSE YOU CAN'T JUST PUT TWO NUTS TOGETHER, IT WILL LEAK CONSTANTLY, LIKE ON YOUR DRYER OR ON YOUR GAS LINE FOR YOUR STOVE.

Q. IT'S BEEN MENTIONED THAT YOU'RE, AS IT WAS QUOTED, "A TINKERER," DO YOU OFTEN BUY CAR PARTS ONLINE?

A. YES.

Q. WHERE DO YOU NORMALLY BUY YOUR CAR PARTS ONLINE FROM?

A. EVERYWHERE.

Q. EVERYWHERE?

A. YES.

Q. I'M GOING TO NOW AGAIN DIRECT YOU TO ANOTHER

KEYWORD SEARCH OF MARCH OF 2021, ON LINE 26. WHAT DAY WAS THAT? IT MAY STILL NEED A SECOND TO APPEAR ON THE SCREEN.

A. SORRY. CAN YOU DO THAT?

Q. I'LL --

A. YEAH. IT JUST SAYS -- I'M ASSUMING IT'S MARCH 11TH.

Q. IF I GET CLOSE, THAT'S FINE.

A. NO, CAN YOU JUST SLIDE IT OVER.

Q. YEAH.

A. TO WHERE YOU WANT ME TO -- OH, ARE YOU LOOKING AT -- NO, GO BACK.

Q. SORRY. THAT'S WHY I DIDN'T WANT TO MOVE IT.

A. IT HAS A BUNCH OF NUMBERS.

Q. LOOK AT THE TOP, I CLICKED ON IT, WHAT DATE DO YOU SEE?

A. WHERE ARE YOU AT?

Q. OKAY. MARCH 11TH, 2021. SO ON MARCH 11TH YOU SEARCHED FOR "OPPPLANET-TRYBE-DEFENSE-GRADE-1-2-X-28-GLOCK-34-NITRIDE." WHY DID YOU SEARCH THIS?

A. BECAUSE THOSE ARE COMMON BARRELS FOR THE GHOST GUNS THAT WE RECOVER IN INVESTIGATIONS, SO.

Q. AND IN THIS, WHAT DID THE "1-2-X-28-THREAD" REFER TO?

A. I DON'T -- I'M ASSUMING IT'S A THREADED

BARREL. OH, YEAH, "THREADED PISTOL BARREL, 1-2-X-28 THREADED-GLOCK-34-BARREL" OR "BLACK-NITRIDE."

Q. DO YOU RECALL WHY YOU WERE SEARCHING FOR THIS ITEM?

A. YES.

Q. WHY WAS THAT?

A. THAT IS A COMMON BARREL FOR A GLOCK OR GLOCK CLONE THAT CAN BE PUT INTO A GLOCK OR GLOCK CLONE OR AN EIGHT PERCENTER OR A GHOST GUN, AND YOU CAN PUT IT IN THE GUN AND YOU CAN HAVE A THREADED BARREL, EITHER PUT A FLASH SUPPRESSOR, WHICH IF YOU BUILD A COMPETITION PISTOL, FLASH SUPPRESSOR HELPS REDUCE THE RECOIL OF THE PISTOL SO YOU CAN STAY ON TARGET AND DELIVER MORE ROUNDS DOWN RANGE SO IT REDUCES THE RECOIL OR YOU CAN PUT A SILENCER ON IT.

Q. SO, AGAIN, THE THREAD FOR SILENCERS WOULD BE 1/2 BY 28 THREAD, IS WHAT YOU'RE SAYING?

A. IT DEPENDS ON THE GUN.

Q. FOR THIS NINE-MILLIMETER, THOUGH, IT WOULD BE 1/2 BY 28?

A. I'M ASSUMING.

Q. DO YOU OWN ANY NINE-MILLIMETER GLOCK 34'S?

A. YES, I DO.

Q. YOU MENTIONED THAT YOU NEEDED A FUEL FILTER FOR YOUR CELICA, THAT'S WHY YOU ORDERED THIS ITEM.

HOW DOES THAT FUEL FILTER WORK?

A. WELL, A FUEL FILTER, BASED ON MY KNOWLEDGE OF TAKING THEM APART AND PUTTING THEM BACK TOGETHER, THE FUEL IS TAKEN FROM THE GAS TANK, IT RUNS THROUGH THE FUEL LINE, IT GOES THROUGH A FILTER SYSTEM TO KEEP ALL THE DEBRIS AND SETTLEMENT THAT YOU GET, SO WHEN YOU GO TO THE GAS STATION, YOU BUY GAS, THERE'S SEDIMENT IN THE BOTTOM OF THOSE TANKS, AND HERE IN THE LOVELY STATE OF CALIFORNIA, THEY HAVE CHANGED THE GAS CHEMICAL MAKE UP TO MORE ETHANOL IN IT AND RAISED THE PRICES SO WE CAN BE GREENER OR CLEANER, THAT ETHANOL GOES UP OUR FUEL SYSTEMS, INJECTION SYSTEMS AND ALL THE STUFF WE HAVE TO DEAL WITH WHICH CAUSES MORE MAINTENANCE, IT'S ONLY HERE IN CALIFORNIA, DON'T ASK ME WHY. THE FUEL GOES THROUGH THE FUEL FILTER, YOU NEED PRESSURE AND VOLUME OF AN AMOUNT OF FUEL TO GET TO THE FRONT OF THE CAR. THERE MAY BE A RETURN SYSTEM THAT COMES BACK TO THE FUEL TO THE GAS TANK, DEPENDING ON THE SYSTEM.

WHAT'S A FUEL FILTER? YOU HAVE A FUEL FILTER THAT'S IN THE LINE, YOU'LL HAVE A FUEL FILTER NEXT TO EITHER THE CARBURETOR OR THE INJECTION SYSTEM, BECAUSE THE LAST THING YOU WANT IS DIRT OR SEDIMENT IN YOUR INJECTORS OR IN YOUR CARBURATION WITHIN YOUR NEEDLE SYSTEM FOR THE OLD CARS THAT WILL GUM UP YOUR

CAR AND IT WON'T WORK.

Q. SO ARE YOU INDICATING THAT YOUR -- WELL, LET ME -- BEFORE I GET AHEAD OF THE TOPIC.

SO IF I'M HEARING YOU CORRECTLY, A FUEL FILTER NEEDS TO BE ABLE TO FILTER WITH SOME SORT OF FILTRATION DEVICE, CORRECT?

A. BASED ON MAY KNOWLEDGE, YES.

Q. OKAY. AND WHEN WE LOOKED AT YOUR PAYPAL RECORDS, YOU INDICATED YOU DON'T REMEMBER SPECIFICALLY PAYING FOR THAT ITEM, BUT THOSE ARE YOUR PAYPAL RECORD ITEMS, CORRECT?

A. YES.

Q. SO ARE YOU INDICATING THAT YOUR PAYPAL ITEMS ARE INCORRECT BY SAYING THAT YOU DON'T RECALL ORDERING THAT ITEM WITH THE 1/2 BY 28?

MR. SEKI: OBJECTION; MISSTATES THE EVIDENCE.

MS. AMIN: SUSTAINED.

BY SGT. SLATER:

Q. IF IT WAS RECORDED ON YOUR PAYPAL TRANSACTIONS, IS THAT AN ITEM YOU ORDERED?

A. YES.

Q. AND WHEN YOU SAW YOUR PAYPAL RECORDS, DID YOU ALERT ANYONE THAT YOU DID NOT RECALL ORDERING THAT ITEM?

MR. SEKI: OBJECTION --

BY SGT. SLATER:

Q. THE NAPA 4003 FILTER WE POINTED TO ON LINE 79?

MR. SEKI: OBJECTION; VAGUE AS TO WHEN, WHAT TIME THEY SAW HIS PAYPAL RECORDS.

MS. AMIN: WELL, HE REFERRED TO LINE 79, SO YOU MIGHT HAVE TO SHOW HIM TO REFRESH HIS MEMORY.

BY SGT. SLATER:

Q. THIS PURCHASE YOU SEE AT THE TOP BOX, YOU SAID YOU DIDN'T RECALL THAT?

A. NO. I SAID I BOUGHT A FUEL FILTER. I DON'T REMEMBER IT SAYING ANY OF THAT BECAUSE I DIDN'T LOOK AT MY PAYPAL RECORDS, I BOUGHT A FUEL FILTER. YOU'RE GOING OFF THE RECORDS, I'M GOING OFF OF I PURCHASED A FUEL FILTER ONLINE.

DOES THAT MAKE SENSE?

Q. SOMEWHAT. ONE MOMENT, PLEASE.

SO IN PREPARATION FOR THIS HEARING OR YOUR CRIMINAL CASE, DID YOU REVIEW YOUR PAYPAL RECORDS?

A. NO.

SGT. SLATER: I THINK THE DEPARTMENT HAS NO FURTHER FOR NOW.

MS. AMIN: MR. SEKI?

MR. SEKI: ANNA, YOU NEED A BREAK?

THE REPORTER: CAN WE TAKE A BREAK?

MS. AMIN: OKAY. SURE. 10 MINUTES?

THE REPORTER: YES.

MS. AMIN: WE'RE OFF.

(RECESS TAKEN.)

MS. AMIN: OKAY. MR. SEKI, YOUR WITNESS.

MR. SEKI: THANK YOU.

CROSS-EXAMINATION

BY MR. SEKI:

Q. IF YOU CAN FIND IT IN THERE, ACCUSED A.

A. THIS ONE?

Q. YES. YOU GOT A COUPLE OF THINGS IN FRONT OF YOU. SO THERE IS THE TWO PHOTOS WHICH WE WILL MAKE COPIES OF, WHICH ARE ACCUSED B.

DO YOU RECOGNIZE THOSE?

A. YES.

Q. AND WERE THOSE PROVIDED TO SERGEANT JIZMEJIAN AT HIS REQUEST?

A. YES. --

Q. AND THE REASON FOR PROVIDING THEM WERE WHAT?

A. TO SHOW THAT I HAD PURCHASED ANOTHER FUEL FILTER BECAUSE I DIDN'T GET THE FIRST ONE.

Q. AND ESSENTIALLY, ACCUSED A DEPICTS THOSE TWO ITEMS THAT ARE IN B; IS THAT CORRECT?

A. YES.

Q. OKAY. SO LET'S LOOK AT "A." A IS THE SCREEN SHOT THAT YOU CREATED?

A. ARE YOU TALKING ABOUT THE BIG ONE OR THE LITTLE ONE?

Q. JUST THE FIRST PAGE.

A. YES.

Q. AND WHAT DOES IT REFLECT?

A. IT REFLECTS A SPECIFIC -- IT'S THE ORDER DETAILS OF THE FUEL FILTER AND THE BRACKET.

Q. SO IS IT FAIR TO SAY PAGE 1 AND PAGE 2 SHOW THAT YOU ORDERED IT FROM AMAZON, CORRECT?

A. YES.

Q. DID YOU EVER RECEIVE IT?

A. YES.

Q. I'M GOING TO HAVE YOU TURN TO PAGE 3 AND PAGE 4. TELL US WHAT PAGE 3 AND PAGE 4 ARE?

A. PAGE 3 IS THE BOX THAT THE ITEM COMES IN, FUEL FILTER. AND THEN PAGE 4 IS THE BOX OPENED WITH THE FUEL FILTER IN IT AND SOME DIRECTIONS ON HOW TO INSTALL IT.

Q. OKAY. ONE OF THE THINGS THAT YOU WERE EXPLAINING WHEN ASKED BY SERGEANT SLATER WAS HOW A FUEL FILTER WORKS, YOU TALKED ABOUT THE HALF-INCH BY 28, YOU SAID IT'S A STANDARD SIZE, AND THEN YOU STARTED TALKING ABOUT WHAT YOU DESCRIBED AS NIPPLES,

RIGHT, THE CONNECTORS?

A. YES.

Q. AND IF WE LOOK AT PAGE 1 OF ACCUSED A, WHERE IT SAYS, "EVIL ENERGY INLINE 100," IT APPEARS TO DEPICT THE FUEL FILTER AND THERE SEEMS TO BE 1, 2 3, 4, 6 ITEMS UNDERNEATH THEM, RIGHT? WHAT ARE THE SIX ITEMS?

A. SO THE SIX ITEMS, WHICH IS HERE, THEY'RE CUT OFF HERE, BUT THESE ARE THE NIPPLES THAT GO ON -- I'M SORRY -- SO THESE ARE THE NIPPLES THAT ARE THREADED ONE STANDARD SIZE WITH AN O-RING THAT GOES AND ATTACHES ON EITHER SIDE OF THE FUEL FILTER SO THAT YOU CAN CUT YOUR FUEL LINE OR YOUR NEW FUEL LINE WHEN YOU INSTALL IT, AND THEN YOU HAVE TO HAVE AN ADDITIONAL, I'LL CALL THEM NUTS THAT YOU WOULD PUT ON THE FUEL LINE, YOU WOULD CHANGE THE FUEL LINE TO BE ABLE TO ATTACH IT AND PUT IT IN PLACE, AND THEN THE BRACKET IS TO HOLD IT UP THERE SO IT DOESN'T JUST FLY ALL OVER THE PLACE.

Q. YOU HAD MENTIONED THE TERM "HIGH FLOW FUEL FILTER," IS WHAT'S DEPICTED IN ACCUSED A AND B A HIGH FLOW FUEL FILTER?

A. YES.

Q. CAN YOU EXPLAIN WHY YOU WOULD NEED A HIGH FLOW FUEL FILTER?

A. OKAY. SO BASED ON, I'LL CALL IT, FRANKENSTEIN THE CAR, YOU'RE TAKING A CAR THAT NORMALLY COMES WITH A FOUR-CYLINDER ENGINE WITH MAYBE 180 HORSEPOWER, AND WHAT I'M DOING IS I'M PUTTING A V8, WHICH IS FOUR MORE PISTONS, AND IT WILL HAVE ROUGHLY 400 MORE HORSEPOWER, SO I'M BASICALLY BUILDING A RACE CAR. SO TO SUPPLY THE AMOUNT OF FUEL THAT YOU WOULD TAKE FROM THE GAS TANK TO GO TO THE ENGINE, YOU NEED MORE VOLUME OR MORE FUEL, SO YOU WOULD HAVE TO CHANGE, AT THE VERY LEAST, YOU WOULD HAVE CHANGE THE FUEL FILTER TO ALLOW THE VOLUME OF FUEL TO GO THROUGH THERE, BECAUSE IT GETS PRESSURIZED, YOU'RE GOING TO HAVE, AT THE FUEL, AT THE GAS TANK, YOU'RE GOING TO HAVE A FUEL PUMP AND THAT PUMPS ELECTRONICALLY, YOU'LL HEAR IT TURN ON, DEPENDS ON WHAT KIND OF CAR, IT PUMPS THE FUEL AND PRESSURIZES THE SYSTEM AND YOU NEED THE VOLUME OF FUEL TO GET TO THE ENGINE, OTHERWISE IT WILL START THE ENGINE AND YOU WON'T BE ABLE TO RUN THE CAR.

Q. SO IF I CAN SIMPLIFY IT, THE AMOUNT OF FLOW NEEDED FOR A FOUR-CYLINDER WOULD BE DIFFERENT FOR THE AMOUNT OF FLOW FOR AN EIGHT-CYLINDER, WOULD THAT BE ACCURATE?

A. YES.

Q. YOU SAID YOU'RE FRANKENSTEINING, SO, AS I UNDERSTAND, YOU'RE NOT USING THE CELICA ENGINE,

BECAUSE YOU'RE PUTTING A BIGGER ENGINE IN, CORRECT?

A. YES.

Q. YOU'RE NOT USING THE FUEL TANK OR FUEL CYLINDER THAT COMES WITH THE CELICA, BUT YOU'RE USING A DIFFERENT ONE?

A. YES.

Q. AND YOU DON'T HAVE A STOCK OR A STANDARD MANUFACTURER FUEL SYSTEM, YOU HAVE TO CREATE YOUR OWN?

A. YES.

Q. AND SO BY ORDERING THIS HIGH VOLUME OR HIGH FLOW FUEL SYSTEM, YOU WERE TRYING TO GET MORE GAS TO THE ENGINE, THE CARBURETOR, FUEL INJECTOR, WHATEVER IT MAY BE; IS THAT CORRECT?

A. YES.

Q. AND YOU'RE ALSO GOING TO HAVE ANOTHER FUEL FILTER SOMEWHERE DOWN THE LINE?

A. YES.

Q. AND WHAT'S THE PURPOSE OF THE SECOND FUEL FILTER?

A. SO THE SECOND ONE WILL ALLOW FOR ANY SEDIMENT THAT THE FIRST ONE, HIGH FLOW, DIDN'T CATCH, SO DEPENDS ON THE FILTRATION SYSTEM. SO IT'S BASICALLY YOU'RE PROTECTING YOUR INJECTION SYSTEM, WHICH IS WHAT SPRAYS THE GAS INTO YOUR PISTONS OR YOUR CARBURETOR FROM BEING FOULED UP, 'CAUSE IF THAT

HAPPENS, THEN YOU GOT TO TAKE THE WHOLE FUEL SYSTEM OFF AT THE ENGINE, CLEAN IT, AND THEN PUT IT BACK ON. SO YOU'RE TRYING TO ELIMINATE EXTRA WORK FOR YOURSELF TO GET IT RUNNING AND BE SERVICEABLE.

Q. AT THE TIME YOU ORDERED THIS FUEL FILTER, AUGUST 21ST OF 2021 FROM THE AMAZON, DID YOU KNOW THAT THE FIRST FILTER YOU HAD ORDERED HAD BEEN CONFISCATED OR SEIZED BY CUSTOMS AND BORDER PATROL?

A. NO.

Q. WHAT DID YOU THINK HAPPENED TO IT?

A. WELL, EITHER IT NEVER WAS SENT OR PORCH PIRATES GOT IT OR IT FELL OFF THE TRUCK. I DON'T KNOW.

Q. DID YOU DO ANYTHING TO TRY AND RESEARCH WHAT HAPPENED OR FIGURE OUT WHERE IT WAS?

A. NO. I WAS SO BUSY WITH WORK, IT JUST TOTALLY SLIPPED MY MIND.

Q. SO YOU HAD THIS OTHER ONE, HAVE YOU USED IT YET?

A. NO. I'M BASICALLY DISASSEMBLING THE ENTIRE CAR RIGHT NOW.

Q. WHEN YOU ORDERED THE FIRST FUEL FILTER THAT DIDN'T COME TO YOU, WERE YOU LOOKING FOR A HIGH VOLUME OR HIGH FLOW FUEL FILTER?

A. YES.

Q. AND IS THAT WHAT YOU THOUGHT YOU WERE GOING TO GET?

A. YES.

Q. HOW MANY CARS DO YOU HAVE?

A. EIGHT OR SEVEN.

Q. THAT'S AT YOUR HOUSE?

A. WELL, SEVEN AT THE HOUSE.

MR. SEKI: I HAVE 10 PAGES HERE WHICH PURPORTS TO DEPICT THE WALDEN RESIDENCE AND DIFFERENT ITEMS, CARS, ET CETERA, AROUND THE HOUSE, AND I'D LIKE TO HAVE THIS MARKED NEXT IN LINE AS ACCUSED C, I BELIEVE.

SGT. SLATER: NO OBJECTION.

MS. AMIN: OKAY. SO ENTERED.

(ACCUSED EXHIBIT C, PHOTOGRAPHS, 10 PAGES, WAS MARKED FOR IDENTIFICATION AND ENTERED INTO EVIDENCE.)

BY MR. SEKI:

Q. DETECTIVE WALDEN, I'VE PROVIDED YOU WITH 10 PAGES THAT HAS BEEN MARKED AS ACCUSED C, CAN YOU WALK US THROUGH THE DIFFERENT PAGES THAT ARE THERE.

A. SURE. PAGE 1 IS A FRONT VIEW OF MY HOUSE WITH MY 1967 MUSTANG HATCHBACK; AND THE '85 CELICA, WHICH IS UP ON JACK STANDS BECAUSE I'M DISASSEMBLING IT, ALONG WITH MY SON'S '83 CELICA, WHICH WE'RE

BUILDING TOGETHER, SO WE'RE DOING TWO AT THE SAME TIME, AND MY TRUCK.

Q. LET'S TURN TO PAGE 2.

A. PAGE 2 IS JUST THE TWO CELICAS THAT ARE BEING WORKED ON. SO THE BLUE ONE IS THE '85 AND THE RED ONE THAT HAS MULTIPLE COLORS IS MY SON'S CAR.

Q. AND JUST BEFORE WE GO THERE, THE '85 IS THE ONE WHERE YOU'RE ACTUALLY CHANGING OUT THE ENGINE, THE FUEL TANK, EVERYTHING?

A. YES.

Q. OKAY. AND THAT'S WHAT THE FUEL FILTER WAS GOING TO BE USED FOR?

A. YES.

Q. PAGE 3?

A. THAT'S MY SON, MR. PICKLE'S CAR, BEFORE IT WAS CHANGED.

Q. OKAY. PAGE 4?

A. PAGE 4 IS A 1985 FIERO THAT HAS A FERRARI BODY CONVERSION THAT'S NOT FINISHED.

Q. NEXT PAGE.

A. PAGE 5 IS MY 1970 240Z.

Q. OKAY. PAGE 6?

A. PAGE 6 IS 355 FERRARI CHASSIS.

Q. PAGE 7?

A. PAGE 7 IS THE HONDA 750 CHASSIS ON A CHASSIS

OR FRAME.

Q. THAT'S A MOTORCYCLE?

A. YEAH, THAT'S MY MOTORCYCLE.

Q. NEXT PAGE.

A. NEXT PAGE IS PAGE 8, THAT'S THE INDEPENDENT REAR SUSPENSION FOR MY SUPRA, THAT'S NOT IN ANY OF THE PICTURES.

Q. OKAY. AND THEN, PAGE 9?

A. PAGE 9 IS THE BACK GARAGE WHICH HAS THE F40 BODY AND UNDERNEATH THAT, YOU CAN'T TELL THAT THERE'S A FERRARI CHASSIS UNDER THERE.

Q. AND THEN THE LAST PAGE?

A. LAST PAGE, PAGE 10, IS THE REAR HALF OF THE FERRARI.

Q. SO IT LOOKS LIKE YOU HAVE A LOT OF DIFFERENT PROJECTS GOING ON AT ONE TIME?

A. YES.

Q. NONE TO COMPLETION?

A. WELL, I WAS WORKING A LOT, SO, NO.

Q. OWNING A SILENCER, IS THAT LEGAL IN CALIFORNIA?

A. DEPENDS.

Q. WHAT DO YOU MEAN?

A. WELL, YOU HAVE TO HAVE A LICENSE FROM THE ATF AND YOU HAVE TO REGISTER IT, FROM WHAT I

UNDERSTAND, AND JUST LIKE A MACHINE GUN. SO IF YOU HAVE A GUN THAT'S FULLY AUTOMATIC, YOU HAVE TO HAVE A CERTAIN TYPE OF LICENSE THROUGH THE ATF AND YOU HAVE TO PAY SOME MONEY AND THEY DO A BACKGROUND AND THEY SAY YOU CAN OWN THESE TYPES OF WEAPONS. AND THERE'S ANOTHER ONE CALLED CURIO AND RELIC, THOSE ARE FOR GUNS THAT ARE VERY VINTAGE, YOU KNOW, THAT ARE EXPENSIVE FOR MOST PEOPLE.

THE REPORTER: CAN YOU USE YOUR MIC, I'M SORRY.

DET. WALDEN: YEAH, SURE.

SO CURIO, I DON'T KNOW HOW TO SPELL IT, AND RELIC, THOSE ARE -- THAT'S A LICENSE THAT YOU GET, AND THERE'S JUST DIFFERENT LICENSES AND YOU HAVE TO GO THROUGH BACKGROUND CHECK AND PAY FOR THE REGISTRATION, BUT SOME PEOPLE CAN OWN SUPPRESSORS IN THE STATE OF CALIFORNIA. I DON'T REMEMBER THE CLASS AND THE NUMBER ASSOCIATED WITH THE LICENSE OFF THE TOP OF MY HEAD.

BY MR. SEKI:

Q. I THINK ONE OF THE THINGS THAT WE'VE COME TO LEARN FROM THE QUESTIONING IS THAT IN ORDER TO USE A SUPPRESSOR, YOU HAVE TO -- IT HAS THREADS ON IT, IT HAS THREADS ON THE END OF BARREL; IS THAT CORRECT?

A. YES.

Q. WOULD THAT MEAN THE BARREL ITSELF WILL BE

THREADED?

A. YES.

Q. AND IF YOU LOOK AT WHAT'S BEEN MARKED AS DEPARTMENT'S 18 AND GO TO PAGE 6, UNDER "PISTOLS, 4-A," IT SAYS THAT HAVING A THREADED BARREL -- A PISTOL WITH A THREADED BARREL WOULD BE CONSIDERED AN ASSAULT WEAPON; IS THAT CORRECT?

A. YES.

Q. DO YOU OWN ANY PISTOLS WITH A THREADED BARREL?

A. NO.

Q. HAVE YOU ORDERED ANY THREADED BARRELS?

A. NO.

Q. SO YOU DON'T HAVE ANY PISTOLS THAT WOULD BE IDENTIFIED AS AN ASSAULT WEAPON; IS THAT CORRECT?

A. I BELIEVE I HAVE ONE, BUT IT'S REGISTERED.

Q. OKAY. DOES IT HAVE A THREADED BARREL?

A. NO, IT DOESN'T.

Q. IN ORDER FOR YOU TO ATTACH THIS SILENCER THAT WAS CONFISCATED BY CUSTOMS AND BORDER PATROL, THAT'S THE SUBJECT OF THIS, WHAT WOULD YOU HAVE TO DO TO ATTACH IT TO ANY OF YOUR GUNS?

A. I WOULD HAVE TO BUY A THREADED BARREL, TAKE THE GUN APART, INSTALL THE THREADED BARREL, DEPENDING ON WHAT TYPE OF GUN IT IS, AND MAKE SURE THAT IT'S

OPERABLE AND THE GUN WORKS AND DOESN'T GO TO CATASTROPHIC FAILURE, AND THEN YOU CAN ATTACH THE SILENCER OR SUPPRESSOR.

Q. THREADED BARRELS. ARE THREADED BARRELS STANDARD AT THE 1/2 BY 28, I GUESS, THE THREADED ON THIS SILENCER OR THIS FUEL FILTER?

A. FOR SPECIFIC CALIBERS, BASED ON WHAT I'VE LEARNED SINCE THIS, I WAS AWARE OF THIS INVESTIGATION ON ME.

Q. YOU DIDN'T ANSWER. I MEAN, YOU'RE SAYING THERE ARE GUNS THAT HAVE THAT SPECIFIC THREADING?

A. YES, BUT NOT ALL OF THEM.

Q. OKAY. IT WAS BROUGHT UP DURING SOME OF THESE INTERNET SEARCHES WHERE YOU'RE CLICKING ON THINGS, THERE WAS A KIMBER 1911, WHAT IS A KIMBER 1911?

A. KIMBER IS A MANUFACTURER, SO IT WOULD BE LIKE FORD OR KIA OR TOYOTA. AND 1911 IS JUST THE TYPE OF FIREARM, SO IT'S THE STYLE. AND IT'S A STANDARD WEAPON THAT WAS USED OR COPIED FROM WORLD WAR, I THINK IT WAS, II. IT WAS STANDARD ISSUE IN WORLD WAR II.

Q. DO YOU KNOW IF -- AND YOU OWN KIMBERS?

A. YES.

Q. 1911'S?

A. YES, SIR.

Q. BUT NONE WITH A THREADED BARREL?
A. NO, SIR.
Q. DO YOU KNOW IF THE THREADED BARREL FOR A KIMBER IS STANDARD WITH THAT THREADING THAT WOULD MATCH THE SILENCER?
A. NO, IT'S COMPLETELY DIFFERENT THAN THE 1/2 BY 28.
Q. SO WHAT WOULD YOU HAVE TO DO TO GET IT TO FIT?
A. IT WON'T WORK.
Q. WHAT ABOUT GLOCKS, DO YOU OWN ANY GLOCKS?
A. YES, I DO.
Q. NONE WITH THREADED BARRELS?
A. NO, NO THREADED BARRELS.
Q. BASED UPON YOUR RESEARCH, ARE THERE THREADED BARRELS THAT WOULD FIT THE SILENCER FOR A GLOCK?
A. YES.
Q. SO THOSE YOU WOULD HAVE TO ORDER, RIGHT?
A. YES.
Q. AND IN THE STATE OF CALIFORNIA, OWNING A THREADED BARREL IS ILLEGAL ON A PISTOL, CORRECT?
A. YOU CAN OWN A THREADED BARREL AND YOU CAN OWN THE PISTOL, BUT IF YOU PUT THEM TOGETHER, THAT MAKES THEM ILLEGAL, BUT SIDE BY SIDE, NO.
Q. OTHER STATES DON'T HAVE THE SAME LAWS OR

RULES, CORRECT?

A. CORRECT.

Q. AND, IN FACT, IN OTHER STATES, YOU CAN OWN A SILENCER, RIGHT?

A. YES.

Q. WOULD YOU EVER BUY A SILENCER?

A. NO.

Q. WHY NOT?

A. IT'S ILLEGAL.

Q. ONE OF THE THINGS WE HEARD ABOUT WAS, AS A RESULT OF THIS INVESTIGATION, YOU WERE PROSECUTED CRIMINALLY; IS THAT CORRECT?

A. YES.

Q. WHAT HAPPENED WITH YOUR CRIMINAL MATTER?

A. THE DISTRICT ATTORNEY DECIDED TO CHANGE THE CHARGE AND GIVE ME A MISDEMEANOR.

Q. SO THAT WAS PART OF A PLEA BARGAIN?

A. YES.

Q. AND I BELIEVE IF WE LOOK AT DEPARTMENT'S 15, THE MINUTES FROM THAT, YOU ENDED UP ENTERING A PLEA OF NO CONTEST; IS THAT CORRECT?

A. YES.

Q. AND THE REASON YOU ENTERED A PLEA OF NO CONTEST?

A. WELL, 'CAUSE I'M NOT GUILTY.

Q. SO WHY DID YOU END UP PLEADING IF YOU'RE NOT GUILTY?

A. BECAUSE I CAN'T AFFORD OVER $100,000 IN LEGAL FEES. I HAVE TWO KIDS AND A MORTGAGE, AND SO I JUST CAN'T AFFORD IT, SO I TOOK THE EASY WAY OUT IN HOPES THAT I CAN GO BACK TO WORK AND SUPPORT MY FAMILY.

Q. WHEN YOU WERE INTERVIEWED BY SERGEANT JIZMEJIAN, WERE YOU TRUTHFUL?

A. YES.

Q. AT ANY POINT IN TIME, DID YOU KNOWINGLY ORDER A SILENCER FROM CHINA?

A. NO.

Q. A COUPLE OF THINGS BEFORE WE -- I'M DONE WITH YOU, I JUST WANT YOU TO EXPLAIN, BECAUSE YOU USED A COUPLE OF TERMS, I WANT TO MAKE SURE THE BOARD UNDERSTAND? IN ONE OF YOUR ANSWERS, YOU DESCRIBED A CLONE, I THINK WE KIND OF UNDERSTAND WHAT A CLONE IS BUT CAN YOU EXPLAIN WHAT A CLONE GUN IS?

A. SO THERE ARE SPECIFIC MANUFACTURERS OR TYPES OF WEAPONS, WHEN I TALK ABOUT AK-47'S, AR-15'S, GLOCKS, AND THEN THERE'S 1911'S, THOSE ARE THE FOUR MAIN GUNS THAT ARE CLONED OR MADE INTO AN 80-PERCENTER.

WHAT AN 80-PERCENTER IS, IT'S A FIREARM

PIECE, BUT IT'S NOT YET A FIREARM, IT'S JUST A PIECE THAT THAT 80-PERCENTER OF THE WORK IS DONE TO MAKE IT A GUN, AND YOU, AS THE PURCHASER, YOU BUY IT AND YOU DRILL OUT WHERE THEY GIVE YOU A GUIDE, AND THEN YOU CAN BUILD THE REST OF THE GUN SO IT'S AN OPERABLE FIREARM, WE CALL THOSE CLONES.

80-PERCENTERS OR GHOST GUNS, THOSE GUNS DEPENDING ON THE CONFIGURATION, THEY'RE NOT ILLEGAL TO OWN, UNLESS THEY'RE MADE INTO WHAT WOULD BE UNDER THE ASSAULT WEAPONS, THEY HAVE THE OFFENDING FEATURES. AND BASICALLY THOSE ARE THE FOUR TYPES OF GUNS, AK, AR, 1911 AND CLOCK COPIES, AND THAT'S BASICALLY WHAT A LOT OF PEOPLE DO.

THEY'RE CALLED GHOST GUNS BECAUSE THEY DON'T HAVE SERIALS, SERIAL NUMBERS ATTACHED TO THEM. IF YOU WANT TO BUILD ONE IN THE STATE OF CALIFORNIA, GET ON THE WEBSITE, YOU HAVE TO GET PERMISSION AND THEN YOU OPT FOR A SERIAL NUMBER, THEY GIVE YOU A SERIAL NUMBER AND THEN YOU BUILD THE GUN AND YOU REGISTER IT WITH THE STATE OF CALIFORNIA SO THAT THEY HAVE A RECORD OF THE FIREARM.

Q. AND JUST QUICKLY, IN TERMS OF THE TECHNICAL BULLETINS WHICH HAVE BEEN MARKED AS DEPARTMENT'S 2 AND DEPARTMENT'S 3, PRIOR TO THIS CASE COMING TO EXIST, HAD YOU EVER SEEN EITHER OF THESE?

A. NO, I'VE NEVER SEEN EITHER ONE OF THESE.

Q. AND HAD YOU EVER HAD SPECIFIC TRAINING ON SILENCERS BEING BUILT FROM FUEL FILTERS?

A. NO.

Q. WHEN I LOOK AT WHAT'S BEEN MARKED AS DEPARTMENT'S 3, AND IT TALKS ABOUT INLINE FIREARM SILENCERS, ACTUALLY LET ME GO TO, I'M SORRY, DEPARTMENT'S 2, SOLVENT TRAPS, AND I'LL GO TO PAGE 2.

WHAT'S DEPICTED THERE, LOOKS LIKE AN OIL FILTER, RIGHT?

A. YES.

Q. AND SO AN OIL FILTER CAN BE MODIFIED TO BE USED AS A SILENCER?

A. BASED ON THIS BULLETIN, I'M ASSUMING SO.

Q. OKAY. AND IS IT ILLEGAL TO BUY AN OIL FILTER?

A. NO, SIR.

Q. ARE THERE OTHER ITEMS THAT CAN BE USED AS "SILENCERS" THAT YOU ARE AWARE OF THAT ARE SOLD JUST REGULARLY IN PUBLIC?

A. YES.

Q. LIKE?

A. TWO LITER COKE BOTTLE, POTATO. I KNOW IT SOUNDS DIFFERENT, BUT A POTATO HAS BEEN USED FOR A SILENCER. FLASHLIGHTS CAN BE MODIFIED, LIKE THOSE BIG

STREAM LIGHTS, THEY CAN BE MODIFIED AND TURNED INTO A SILENCER. AT THE TOP OF MY HEAD, I CAN'T REALLY THINK, BUT --

Q. ONE OF THE THINGS THAT YOU DESCRIBED IN TERMS OF A SILENCER, YOU SAID IT WAS MORE LIKE A SOUND SUPPRESSOR, RIGHT, AS OPPOSED TO TRULY BEING SILENT?

A. YES.

Q. AND YOU TALKED ABOUT HAVING TO USE SUBSONIC AMMUNITION IN ORDER FOR IT TO BE EFFECTIVE, CORRECT?

A. YES.

Q. DO YOU OWN ANY SUBSONIC AMMUNITION?

A. NO, SIR.

Q. HAVE YOU EVER OWNED ANY SUBSONIC AMMUNITION?

A. NO, SIR.

Q. WHERE DO YOU GET SUBSONIC AMMUNITION, IF YOU KNOW?

A. I DON'T KNOW.

MR. SEKI: I DON'T HAVE ANYTHING ELSE TO ASK YOU. THANK YOU.

MS. AMIN: SERGEANT?

SGT. SLATER: YES, PLEASE. THANK YOU.

REDIRECT-EXAMINATION

BY SGT. SLATER:

Q. I'D LIKE TO REFER YOU TO DEPARTMENT'S 14, PLEASE. THAT IS THE MINUTES FROM YOUR PRELIM,

SPECIFICALLY PAGE 5.

A. LET ME FIND IT.

Q. I KNOW THERE'S A LOT OF DOCUMENTS THERE.

A. SORRY. LAST STACK.

Q. NO PROBLEM AT ALL.

CAN I HAVE YOU REVIEW PAGE 5, PLEASE. LET ME KNOW WHEN YOU HAD TIME.

A. OKAY.

Q. DURING YOUR PRELIMINARY HEARING, WAS THAT A MOTION TO DISMISS DUE TO INSUFFICIENT EVIDENCE?

A. YES.

Q. WAS THAT MOTION GRANTED?

A. NO.

Q. AFTER THAT MOTION, DID YOU THEN TAKE A PLEA DEAL?

A. NO.

Q. NOT NECESSARILY THAT DAY, BUT AT SOME POINT AFTER THAT MOTION, DID YOU TAKE A PLEA DEAL?

MR. SEKI: AFTER THE MOTION OR AFTER THE PRELIMINARY HEARING?

SGT. SLATER: AFTER THE PRELIMINARY HEARING.

DET. WALDEN: REPEAT THE QUESTION, PLEASE. SORRY.

BY SGT. SLATER:

Q. YOU TESTIFIED THAT IN YOUR PRELIMINARY

HEARING THERE WAS A MOTION TO DISMISS BASED OFF INSUFFICIENCY OF EVIDENCE AND THAT WAS DENIED. AT SOME POINT, AFTER THAT POINT, DID YOU SUBMIT YOUR PLEA?

A. YES.

Q. THANK YOU.

IN YOUR TESTIMONY TODAY, YOU STATED YOU WERE A TINKERER AND YOU ORDERED PARTS FROM NUMEROUS DIFFERENT WEBSITES, YET YOU DIDN'T FOLLOW UP WHEN THE ITEM DIDN'T ARRIVE. CAN YOU EXPLAIN TO ME WHY YOU WOULDN'T FOLLOW UP ON A $50 ITEM THAT DIDN'T ARRIVE?

A. WELL, IT DIDN'T ARRIVE, SO I DIDN'T FOLLOW UP BECAUSE I WAS SO BUSY AT WORK. AT THE TIME, I WAS WORKING A TASK FORCE AND OUR HOURS CHANGED ALL THE TIME, SO MONDAY I WOULD COME IN AT 3:00 A.M. AND WE'D DO SURVEILLANCE ALL DAY, AND I HAD TO DO SUPERVISOR DUTIES; AND THEN TUESDAY WE'D COME IN AT 10:00; AND WEDNESDAY WE'D COME IN AT 3:00 A.M.; AND THURSDAY WE'D COME IN AT NOON AND WORK ALL NIGHT; FRIDAY, SOMETIMES WE GOT CALLED SATURDAY, SO I WAS ALWAYS AT WORK, DEPENDING ON, YOU KNOW, THE HAVES AND NEEDS. I WAS ONE OF THE ONLY FIELD SUPERVISORS. THERE WAS A DIII, BUT I WAS THE ONE ALWAYS AT WORK.

Q. THANK YOU.

SO YOU NEVER FOLLOWED UP WITH THE WEBSITE

FROM THE PRODUCT YOU ORDERED DESPITE RECEIVING IT?

A. NO.

Q. IT WAS -- I JUST WANT TO BE CLEAR ON THIS, IT WAS ALSO YOUR TESTIMONY YOU DON'T REMEMBER WHAT WEBSITE YOU SPECIFICALLY PURCHASED THAT FROM?

A. YEAH, THAT IS CORRECT.

Q. AND YET YOU ORDERED A REPLACEMENT FROM AMAZON?

A. YES.

Q. YOU MENTIONED ON, I BELIEVE, IT'S DEFENSE A OR ACCUSED A, THAT THE FILTER YOU ORDERED CAME WITH VARIOUS, AS YOU CALLED THEM, ATTACHMENTS AT THE END; WHAT SIZE ARE THOSE ATTACHMENTS, THE THREADS ON THOSE?

A. I DON'T KNOW. I HAVEN'T REVIEWED THE THREADING ON THOSE.

Q. OKAY. THEN WHY WOULD YOU ORDER IT IF YOU DON'T KNOW WHAT THE THREAD SIZE WAS?

A. BECAUSE IT COMES WITH THE NIPPLES THAT -- I DON'T NEED TO WORRY ABOUT THE THREADS --

Q. LET ME REPHRASE MY STATEMENT.

WHAT SIZE DID THOSE NIPPLES COME IN?

A. WELL, THEY COME IN VARIOUS SIZES. THE HOLE IN THE MIDDLE OF THE NIPPLE, THAT IS WHAT -- SO THE BIGGER THE HOLE, THE BIGGER THE THREAD, SO I DIDN'T NEED TO BECAUSE IT GAVE ME AN ASSORTMENT TO CHANGE MY

FUEL LINE TO A BIGGER FUEL LINE, SO I DIDN'T REALLY NEED TO WORRY ABOUT THE THREAD SIZE BECAUSE IT COMES WITH THE PARTS THAT I NEEDED. I WOULD HAVE HAD TO BUY THEM FOR THE OTHER FUEL FILTER, BUT THEY DIDN'T HAVE IT.

Q. OKAY. LET ME REPHRASE MY STATEMENT, THEN.

THE NIPPLES, DO YOU KNOW WHAT SIZE THEY CAME IN?

A. NO, I DIDN'T CHECK IT.

Q. OKAY. AND THIS ITEM, YOU ORDERED A BRACKET WITH IT, DID YOU ORDER A BRACKET WITH THE OTHER FUEL FILTER THAT DIDN'T ARRIVE?

A. IT WAS NOT AN OPTION.

Q. OKAY. DO YOU HAVE A SUPPRESSOR LICENSE?

A. NO, I DO NOT.

Q. YOU MENTIONED YOU PLED OUT BECAUSE IT WAS THE CHEAPER OPTION. WHY WOULD YOU TAKE A -- LET ME REPHRASE THAT QUESTION.

DOES THE DEPARTMENT HAVE PROCEDURES IN PLACE IF A CASE IS FOUND NOT TO HAVE ENOUGH EVIDENCE TO DISMISS A CASE?

MR. SEKI: OBJECTION. I DON'T UNDERSTAND THE QUESTION.

SGT. SLATER: I'LL REWORD IT.

Q. AS A DETECTIVE SUPERVISOR, DID YOU HAVE THE

ABILITY TO DISMISS CASES IF THERE WAS NOT SUFFICIENT EVIDENCE?

A. NO.

Q. DO YOU KNOW WHAT A 17(B)4 IS?

A. YEAH. BUT I DON'T DO THAT, THE DA DOES THAT. SO YOU DO ALL THE WORK. I DON'T JUDGE MY WORKERS AND SAY, "YOU DON'T HAVE ENOUGH TO FILE." I LISTEN, I READ THE REPORTS, IF THE PROBABLE CAUSE IS THERE TO MAKE THE ARREST, THEN I DO, THEN THEY TAKE IT TO THE DISTRICT ATTORNEY, JUST LIKE I DID, AND THE DISTRICT ATTORNEY SAYS, "NO, WE WILL FILE THIS." OR "YES, WE WILL FILE THIS" OR "NO, THERE'S NOT ENOUGH." AND THEY'LL DO A KICKBACK AND THEY'LL ASK FOR ADDITIONAL EVIDENCE TO BOLSTER THE CASE OR MAKE THE CASE STRONGER. OR, DEPENDING ON THE COURT, IT COULD BE SENT TO THE CITY ATTORNEY FOR CONSIDERATION AND IT WILL GO FROM WHATEVER FELONY TO A MISDEMEANOR, UNLESS IT WAS A MISDEMEANOR, THEN THE CITY ATTORNEYS HANDLE IT.

Q. SO IF I'M UNDERSTANDING WHAT YOU'RE SAYING, IF THERE WASN'T ENOUGH EVIDENCE, THE DA WOULD HAVE NOTIFIED THE DEPARTMENT, CORRECT?

A. I ASSUME SO. I HOPE SO.

Q. ONE SECOND, PLEASE.

IS ONE OF THE CORE VALUES "INTEGRITY IN ALL

WE SAY AND DO"?

A. YES.

Q. WOULD TAKING A PLEA DEAL --

MR. SEKI: I'M GOING TO OBJECT; ARGUMENTATIVE. I THINK IT GOES TO ATTORNEY-CLIENT PRIVILEGE. I THINK IT GOES INTO A BUNCH OF OTHER --

MS. AMIN: HE DIDN'T FINISH HIS QUESTION. YOU READ HIS MIND?

MR. SEKI: ABSOLUTELY. I THINK IT AN ABSURD QUESTION TO ASK. I THINK IT'S REALLY RIDICULOUS TO ASK SOMETHING LIKE THAT.

MS. AMIN: ALL RIGHT. LET HIM FINISH THE QUESTION, THOUGH, FIRST.

WHAT WAS YOUR QUESTION?

BY SGT. SLATER:

Q. WOULD TAKING A PLEA DEAL WHEN YOU'RE INNOCENT DEMONSTRATE INTEGRITY IN ALL YOU SAY AND DO?

MR. SEKI: OBJECTION; ARGUMENTATIVE. I THINK IT'S INAPPROPRIATE. I THINK IT GETS INTO ISSUES OF ATTORNEY-CLIENT PRIVILEGE. I THINK IT'S GETS INTO A LOT OF OTHER DEALS. I THINK HE'S ALREADY EXPLAINED IT, SO I THINK IT'S INAPPROPRIATE.

MS. AMIN: THAT'S OUR JUSTICE SYSTEM IN ITSELF, SO WE'LL SUSTAIN THAT.

YOU CAN ASK A DIFFERENT QUESTION.

SGT. SLATER: ONE MOMENT.

Q. IT'S BEEN ASKED, BUT I WANT TO BE CLEAR ON THIS POINT, DO YOU BELIEVE YOU ORDERED A SILENCER?

A. NO, I BELIEVE I ORDERED A FUEL FILTER.

Q. AND THROUGHOUT THIS INVESTIGATION, DO YOU BELIEVE YOU DEMONSTRATED THE INTEGRITY EXPECTED OF A POLICE OFFICER?

A. YES.

SGT. SLATER: NO FURTHER AT THIS TIME.

MS. AMIN: MR. SEKI?

RECROSS-EXAMINATION

BY MR. SEKI:

Q. DID YOU TESTIFY AT YOUR PRELIMINARY HEARING?

A. NO.

Q. DID YOU PRESENT A DEFENSE AT YOUR PRELIMINARY HEARING?

A. I DID NOT.

Q. YOU HAVE THE RIGHT NOT TO PRESENT ANYTHING, CORRECT?

A. YES, SIR.

Q. AND THIS IS REALLY, ASIDE FROM YOU BEING INTERVIEWED IN YOUR INTERNAL AFFAIRS INTERVIEW WITH SERGEANT JIZMEJIAN, THIS IS YOUR FIRST OPPORTUNITY TO REALLY TELL WHAT HAPPENED, RIGHT?

A. YES.

Q. AND IS IT YOUR UNDERSTANDING THAT THE ADMINISTRATIVE INTERVIEW WHICH YOU DID WITH SERGEANT JIZMEJIAN WAS NOT PART OF THE CRIMINAL MATTER?

A. YES.

Q. IN FACT, YOU UNDERSTAND THE LAW AS THEY CANNOT BE CONNECTED, CORRECT?

A. YES.

Q. THE FACT THAT YOU TURNED OVER EXCULPATORY EVIDENCE, POTENTIAL EXCULPATORY EVIDENCE TO JIZMEJIAN, IT WAS YOUR UNDERSTANDING HE COULD NOT PROVIDE THAT TO THE CRIMINAL MATTER BECAUSE IT WAS ADMINISTRATIVELY DONE?

A. YES.

Q. SO THE DA OR THE PROSECUTOR HAD NO IDEA THAT YOU ORDERED A SECOND FUEL FILTER; IS THAT CORRECT?

A. YES, SIR.

Q. WHY DID YOU USE AMAZON FOR THE SECOND FILTER?

A. WELL, I ALREADY LOST 50 BUCKS SO I FIGURED IF I DIDN'T GET IT, THEY WOULD REPLACE IT.

MR. SEKI: THANK YOU. NOTHING FURTHER.

MS. AMIN: DEPARTMENT?

SGT. SLATER: JUST ONE QUICK FURTHER.

///

FURTHER REDIRECT-EXAMINATION

BY SGT. SLATER:

Q. SO IF I'M UNDERSTANDING YOUR TESTIMONY, YOU'RE SAYING YOU LOST 50 BUCKS BUT YOU NEVER BOTHERED TO CHECK THE WEBSITE THAT YOU GOT IT FROM OR CHECK STATUS OF THE ITEM?

A. HAVING PURCHASED THINGS IN THE PAST, SOMETIMES THEY TAKE THREE, FOUR, FIVE MONTHS, IT DEPENDS. SOMETIMES THEY DON'T SHOW UP. BUT I WAS SO BUSY, I'M A SINGLE PARENT, I'M DOING AN ADDITION TO MY HOUSE, I'M BUILDING CARS, IT ESCAPED MY MIND. IT'S NOT THE MOST IMPORTANT -- CLEARLY IT IS NOW, BUT AT THE TIME, IT WAS NOT THE MOST IMPORTANT ISSUE IN MY LIFE. I HAVE CHILD CUSTODY STUFF I HAVE TO DEAL WITH, NOW I'M DEALING WITH CRIMINAL STUFF, NOW I MAY LOSE MY JOB, AND I TOLD THE TRUTH.

Q. ONE LAST THING.

SO AS WE DISCUSSED AND AS YOUR TESTIMONY HAS POINTED OUT TODAY, DESPITE BEING AN ASSAULT WEAPON -- OR ASSAULT WEAPON EXPERT AND CONTINUOUSLY SEARCHING ITEMS AS PART OF YOUR DUTIES AS PART OF A TASK FORCE AND ASSAULT WEAPONS EXPERT, ARE YOU CLAIMING YOU DON'T KNOW ANYTHING ABOUT THIS NAPA 4003 USED AS A SILENCER?

A. WELL, NOW I KNOW.

Q. AND AT THE TIME YOU WERE SEARCHING NAPA 4003

ON YOUR WORK COMPUTER, DID YOU NOT KNOW THAT?

A. NO. I SEARCHED SUPPRESSORS, I DIDN'T SEARCH NAPA 4003. YOU KEEP HONING IN ON A SPECIFIC NUMBER, THAT'S NOT WHAT I LOOKED FOR. I LOOKED FOR SPECIFIC THINGS AND I LOOKED AT PICTURES ON THE INTERNET TO BETTER FAMILIARIZE MYSELF WITH WHAT SILENCERS WERE, BECAUSE I DIDN'T WANT TO GO TO A HOUSE AND BE THE WEAPONS EXPERT AND BE THERE LIKE, WHAT ARE THESE TUBES FOR? SO I STARTED LOOKING INTO IT. BUT IT NEVER HAPPENED, SO I STOPPED. IT NEVER CAME TO FRUITION, NONE OF THE CASES CAME TO FRUITION.

I WORKED UNDERCOVER NARCOTICS, I DID THAT FOR LIKE 15 YEARS, PEOPLE WHO SAY, HEY, THERE'S DOPE AT THIS HOUSE, OH, NO, THE DOPE IS GONE, IT'S THAT FAST. SAME WITH FIREARM STYLES IN THE STREET, HEY, I HAVE A GUN. IF YOU'RE NOT THERE WITHIN THE FIRST HOUR, THE GUN IS GONE.

WE TRY TO BUY GUNS THAT WERE USED IN MURDERS, WE'VE DONE IT SOMETIMES SUCCESSFULLY, SOMETIMES IT DIDN'T WORK OUT BECAUSE THE BAD GUY, WHOEVER HAS THAT GUN, HE DOESN'T WANT TO -- OR HE DOESN'T WANT THESE ITEMS BECAUSE THEY'RE ILLEGAL AND HE WANTS HIS MONEY.

WE'RE TALKING BOTTOM OF THE BARREL, THESE ARE NOT FIREARM SUPPLIERS, LIKE ARMS SUPPLIERS THAT

YOU WOULD HAVE TO DEAL WITH. THESE ARE GUYS, HEY, I GOT A GUN, YOU WANT TO BUY IT. AND THE INFORMANT WOULD BE, YEAH, BUT IF WE DON'T GO NOW WITH THE INFORMATION, WE'LL LOSE IT. SAME WITH DOPE, SAME WITH ANY OTHER CONTRABAND THAT WE'RE DEALING WITH.

Q. OKAY. BUT THE QUESTION WAS, WERE YOU LOOKING AT NAPA 4003 OR ANYTHING THAT COULD BE A FUEL FILTER USED AS A SILENCER DURING THAT TIME?

A. NOT FUEL FILTER USED AS A SILENCER. I WAS LOOKING UP SILENCERS OR SUPPRESSORS, AND I LOOKED AT PICTURES, DIDN'T LOOK UP SPECIFIC, HEY, THIS THING.

SGT. SLATER: THANK YOU. NO FURTHER.

MS. AMIN: MR. SEKI?

MR. SEKI: NOTHING.

MS. AMIN: ALL RIGHT. I'M GOING TO INVITE MY ASSOCIATE MEMBERS HERE, DO YOU HAVE ANY QUESTIONS?

MS. STRONG-FARGAS: NOT AT THIS TIME.

MR. ORTEGA: I HAVE A COUPLE.

EXAMINATION

BY MR. ORTEGA:

Q. CAN YOU TELL ME WHAT DAY YOU BECAME AWARE THAT YOU WERE BEING INVESTIGATED FOR ATTEMPTING TO BUY A SILENCER?

A. I DON'T -- IF I CAN LOOK AT MY PHONE, I HAVE IT SAVED IN MY RECORDS.

Q. SURE.

A. BUT I KNOW IT WAS AFTER -- I GOT AN E-MAIL FROM JIZMEJIAN, IS THAT CORRECT HOW YOU SAY HIS NAME, AND I SAVED IT. WHOOPS, BACK, IF I CAN FIND IT. I BELIEVE IT WAS IN SEPTEMBER, BUT I'LL HAVE TO FIND IT. OH, GOOD GRIEF. THERE'S A BUNCH OF CAR PICTURES. OH, HERE IT IS. SEPTEMBER 14TH IS WHEN I GOT AN E-MAIL FROM JOHN JIZMEJIAN SAYING I WAS AN ACCUSED IN A COMPLAINT.

MS. AMIN: OF '21?

DET. WALDEN: YES, MA'AM. SO ALMOST A MONTH OR TWO-THIRDS OF A MONTH AFTER I HAD BOUGHT THE REPLACEMENT FILTER.

BY MR. ORTEGA:

Q. AND I HAVE ANOTHER QUESTION, THIS EVIL ENERGY INLINE 100 MICRON FUEL FILTER, HAVE YOU INSTALLED IT IN THE SUPRA?

A. NO, BECAUSE I'M DOING THE WHOLE FUEL SYSTEM, SO I'M TAKING OUT THE ENGINE, TRANSMISSION, THE FUEL SYSTEM, AND I WAS GOING TO DO A, BASICALLY TAKE THE FUEL FILTER, PUT IT IN AND SEE IF IT WOULD ALLOW THE FLOW, BUT I NEVER GOT TO THAT POINT BECAUSE ALL THIS STUFF HAPPENED AND I WAS WORKING AND DEALING WITH CHILD STUFF.

Q. OKAY. AND YOU MENTIONED EARLIER THAT THE

SUPRAS, YOU NEVER FINISHED WORKING ON THEM?

A. RIGHT NOW I'M WORKING ON THE CELICA, SO I'VE BASICALLY TAKEN THE COMPLETE SUSPENSION OFF AND I'M REBUILDING THE REAR END, SO IT WILL -- SO EVERYTHING HAS TO CHANGE, YOU PUT A BIGGER MOTOR, YOU NEED A FUEL SYSTEM, FUEL FILTERS, FUEL CELLS.

I'M IN THE PROCESS OF REBUILDING THE REAR END AND I'M USING AN 8.8 MUSTANG REAR END AND THE ORIGINAL REAR END HAD DRUM BRAKES, THIS ONE IS GOING TO HAVE DISK BRAKES SO IT CAN TAKE MORE TORQUE, AND THEN THE FRONT SUSPENSION IS BEING REBUILT, SO IT'S ALL IN PIECES. BUT ONCE YOU START TAKING ONE PART OFF, THEN YOU START -- THEN YOU GO, OH, I HAVE TO CLEAN IT, NOW I HAVE TO PAINT IT, BECAUSE IF YOU WANT TO PUT IT BACK TOGETHER, YOU WANT IT TO BE NICE.

Q. OKAY. I HAVE ANOTHER QUESTION FOR YOU, WHY WOULD YOU ORDER THE FIRST ONE FROM CHINA THREE YEARS AGO AND THEN ANOTHER ONE A FEW MONTHS AFTER THAT AND NOT INSTALL THEM?

A. WELL, ORIGINALLY I WAS GOING TO INSTALL THEM, BUT THEN WE WERE GETTING CALLED OUT ON THE WEEKENDS AND WORKING EXTRA OVERTIME.

Q. SO IT WAS WORK, BASICALLY?

A. I JUST NEVER HAD THE TIME.

MR. ORTEGA: I KNOW HOW THAT IS. OKAY.

THAT'S ALL THE QUESTIONS I HAVE.

EXAMINATION

BY MS. AMIN:

Q. WHEN WERE YOU OFF THE JOB FROM THE DEPARTMENT?

A. ASSIGNED HOME?

Q. YES, ASSIGNED HOME.

MR. SEKI: DO YOU HAVE THE COMPLAINT SHEET?

MS. STRONG-FARGAS: YEAH, IT'S HERE.

DET. WALDEN: I WANT TO SAY --

BY MS. AMIN:

Q. WHEN YOU WERE SERVED?

MR. SEKI: APRIL 21ST OF '23.

BY MS. AMIN:

Q. AND WHEN YOU ORDERED THE ITEM FROM AMAZON, YOU ORDERED A BRACKET FOR THE FILTER?

A. YES, MA'AM.

Q. BUT THE FIRST ORDER, THAT COMPANY DIDN'T HAVE A BRACKET, DID YOU ORDER A BRACKET FROM SOMEBODY ELSE?

A. NO, I JUST FIGURED I WAS GOING TO HARDLINE IT IN AND THEN BUILD MY OWN BRACKET. I'M A CERTIFIED WELDER, I WAS A CERTIFIED WELDER. I WENT THROUGH CERTIFICATION WHEN I WAS 18. I WENT THROUGH ELECTRICAL DISTRIBUTION ENGINEERING THROUGH DWP. SO

PRIOR TO BEING A COP AT 18 YEARS OLD, I DID ALL THAT STUFF. I CAN FABRICATE ANY CAR STUFF, THAT'S BASICALLY WHY I DO THE FABRICATION, BUT YOU CAN'T REALLY FABRICATE FUEL PARTS, YOU CAN FABRICATE FUEL LINES BECAUSE THEY'RE METAL.

MR. ORTEGA: CAN YOU FABRICATE A SILENCER?

DET. WALDEN: POSSIBLY, YES, IF I KNEW WHAT I WAS DOING.

MR. ORTEGA: WOULD YOU KNOW HOW TO DO IT?

DET. WALDEN: I'D HAVE TO RESEARCH IT.

BY MS. AMIN:

Q. CAN YOU MAKE A BARREL FOR THE SILENCER?

A. NO.

Q. OR THE THREADING?

A. NO, I WOULDN'T EVEN ATTEMPT THAT.

Q. ON YOUR EXHIBIT C, ACCUSED C, WHEN WERE THE PICTURES TAKEN, WHAT DATE, WHAT YEAR?

A. THIS YEAR, EXCEPT FOR TWO, THREE, THOSE ARE OLDER PICTURES FROM -- THESE ARE THE ONES THAT I SENT TO JIZMEJIAN.

Q. AT THE TIME OF YOUR INTERVIEW?

A. YES, MA'AM.

MS. AMIN: GO AHEAD.

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EXAMINATION

BY MS. STRONG-FARGAS:

Q. YOU WERE TALKING ABOUT, YOU KNOW, YOUR POSITION IN THE GUN UNIT DEPARTMENT?

A. YES, MA'AM.

Q. AND YOU WERE SAYING THAT A LOT OF THE INDIVIDUALS THAT YOU HAVE ARRESTED OR BEEN INVOLVED IN WHEN THEY DO SOMETHING WRONG WAS HARD CORE, MAYBE YOU DIDN'T SAY IT THAT WAY, BUT THEY'RE NOT THE GREATEST PEOPLE ON EARTH.

DID YOU EVER -- MAYBE YOU DIDN'T SAY IT THAT WAY, OKAY, MAYBE I'M ADDING THAT PART, BUT YOU CAN CORRECT ME AFTER THAT. BUT DID YOU EVER COME ALONG AND FIND SILENCERS WHEN YOU WERE DEALING WITH THOSE INDIVIDUALS THAT YOU CALL THEM SOMETHING, BUT DID YOU EVER --

A. NO, I NEVER CAME ACROSS ANY SILENCERS OR SUPPRESSORS OR ANYTHING WITH THAT WHEN DEALING WITH THE PEOPLE I DEALT WITH. AND THE MAJORITY OF THE PEOPLE WOULD BE, WE CALL THEM TOP 10-PERCENTERS, THEY REPEAT CRIMES, THERE'S VERY FEW OF THEM. BUT THERE ARE PEOPLE WHO COMMITTED A BURGLARY WHEN THEY WERE 18, YOU KNOW, 30 YEARS AGO, AND THEN THEY WERE UNAWARE OF THEIR RIGHTS AS FAR AS OWNING FIREARMS AND BULLETS AND STUFF LIKE THAT, AND THEY WERE LIKE, HEY, MAN, THAT

WAS A LONG TIME AGO, WE HAD TO EDUCATE THEM. WE DIDN'T ALWAYS ARREST EVERYBODY. WE WOULD SEIZE THE FIREARMS AND GIVE THEM A RECEIPT AND WE WOULD TALK WITH THE DISTRICT ATTORNEY'S OFFICE AND SEE IF THEY WERE GOING TO WANT TO PROSECUTE OR NOT. THEY WERE THE FINAL SAY, BUT SOMETIMES WE HAD THE LEEWAY OF SAYING, HEY, THIS GUY HAS A BURGLARY, IT WAS LIKE WHEN HE WAS, YOU KNOW, 18 AND HE WAS STUPID AND, YOU KNOW, OR WHATEVER, OR AS A JUVENILE, WHATEVER. I DON'T REALLY SEE WHY RUIN HIS LIFE EVEN FURTHER. SO SOME MERCY WAS AT LEAST TRIED WHEN WE DID OUR CASES IN THE GUN UNIT.

Q. HAVE YOU EVER BEEN AROUND GHOST GUNS?

A. YES, MA'AM.

Q. YEAH, A LOT OF GHOST GUNS?

A. YEAH, THERE'S A TON OF THEM OUT THERE. WE WERE PURCHASING THEM FROM -- BEFORE I LEFT, THAT'S -- I THINK WE BOUGHT 150 GUNS. AND WHEN WE TALKED TO -- HE WAS TALKING ABOUT PISTOLS, AN AR-15 CAN BE IN PISTOL CONFIGURATION, SO THEY CONSIDERED IT A PISTOL, BASED ON THE DESCRIPTIONS AND STUFF LIKE THAT, SO IT'S THE LENGTH OF THE BARREL, BUT IT'S REALLY AN ASSAULT RIFLE, BUT IF YOU TAKE THE -- IT'S VERY SPECIFIC, IF YOU TAKE THE STOCK OFF, IT'S NOW A PISTOL, YOU KNOW, IT'S SEMANTICS WITH THE LAW.

Q. SO YOU'RE SAYING YOU'RE VERY KNOWLEDGEABLE

ABOUT GHOST GUNS AND HOW --

A. YEAH, THE GUN PART, YES, MA'AM.

Q. SILENCERS?

A. NO, NOT SILENCERS.

Q. NOT KNOWLEDGEABLE ABOUT THAT AT ALL?

A. WELL, NOW, AFTER ALL THIS, I HAD TO RESEARCH --

Q. OH.

A. YEAH, IT WAS IN ITS INFANCY.

Q. SO WHEN YOU WERE GOING ONLINE --

A. YES, MA'AM.

Q. -- AND THE PICTURES KEPT POPPING UP?

A. IT'S A BLACK TUBE WITH A HOLE IN IT, THAT'S WHAT YOU KEEP GETTING. SOME OF THEM -- A GENERAL SILENCER FROM A SILENCER MANUFACTURER IS ANYWHERE FROM 500 TO $1000, RIGHT, AND THAT'S BECAUSE THEY TAKE THE TIME TO ENGINEER THE PART THAT IT WORKS PROPERLY AND IT DOESN'T GO TO CATASTROPHIC FAILURE WHEN YOU PUT IT ON THE FRONT OF THE GUN. AND THEN THERE'S SPECIFIC SIZES TO SPECIFIC GUNS, LIKE THE HALF-INCH BY 28, WHICH EVERYBODY KEYED IN ON FOR THE THREAD, THAT WILL NOT WORK ON 1911, A 1911 BARREL IS A COMPLETELY DIFFERENT THREAD.

Q. SO WHEN THOSE PICTURES POPPED UP AND YOU KEPT -- IN THOSE THREE TO FOUR MONTHS, YOU KEPT

LOOKING AT THEM, OR AT LEAST WHEN THEY CAME UP YOU LOOKED AT IT, WAS IT BECAUSE -- WAS IT A KNOWLEDGE BASE THAT YOU WERE SEEKING THOSE PICTURES?

A. IT WAS PARTIAL KNOWLEDGE SO THAT I COULD KNOW WHAT TO LOOK FOR WHEN WE WENT TO A HOUSE. OR IF WE PURCHASED IT FROM, YOU KNOW, THE GUY THAT'S SENDING US THE MESSAGE, HEY, I HAVE THESE SILENCERS OR THESE GUNS WITH SILENCERS ON THEM. SO I KNEW WE WEREN'T LOOKING AT SOME GUY WHO TAPED SOMETHING ON THE END OF THE GUNS. 'CAUSE WE HAVE PURCHASED GUNS IN THE PAST AND THEY WERE INOPERABLE OR THEY GAVE US A GUN BUT NO MAGAZINE. OR, I REMEMBER WE BOUGHT SOME LIKE WORLD WAR II RELIC FROM LIKE GERMANY, BOLT-ACTION THING.

Q. SO BEING THAT YOU WERE -- THE PICTURES POPPED UP, YOU KEPT LOOKING FOR A FEW MONTHS TO BE KNOWLEDGEABLE IN CASES FOR YOUR WORK, DID YOU THINK ABOUT THAT SILENCERS WERE ILLEGAL WHEN YOU WERE LOOKING AT THOSE PICTURES?

A. YES, MA'AM.

Q. YOU DID?

A. YEAH.

MS. STRONG-FARGAS: OKAY.

FURTHER EXAMINATION

BY MS. AMIN:

Q. ALL RIGHT. YOU TOLD US EARLIER YOU ATTENDED

A TRAINING DAY WHERE YOU TESTED FIREARM SILENCERS?

A. YES.

Q. OKAY. WHEN WAS THAT?

A. I DON'T KNOW. I'D HAVE TO -- I REALLY DON'T KNOW THE DATE.

Q. WAS IT 10 YEARS AGO OR WAS IT --

A. NO. IT WAS WITHIN -- WITHIN THE -- LET'S SEE, I WENT TO --

Q. WAS IT DURING THE TIME OF YOUR TASK FORCE?

A. YEAH, TASK FORCE.

MR. ORTEGA: THIS WAS WORK-RELATED, THOUGH?

DET. WALDEN: YES, SIR.

THE TASK FORCE, SO BETWEEN 2020 OR I DON'T KNOW WHEN I GOT THERE, 2020 TO BEFORE I LEFT, SO IT'S EITHER 2019 OR 2020, AND THEN -- BUT IT WAS EARLY ON WHEN I FIRST GOT THERE.

BY MS. AMIN:

Q. OKAY. WELL, YOUR FIRST SEARCH YOU WERE LOOKING AT DECEMBER 2021/2020, THERE WERE BARRELS THAT YOU WERE SEARCHING, SO YOU ATTENDED THE TRAINING SEMINAR SHORTLY BEFORE THAT?

A. IT WAS A WHILE BEFORE, BUT WE JUST TESTED THEM, THEY DIDN'T TAKE THEM APART AND EXPLAIN.

Q. OKAY.

A. WE JUST SHOT THEM TO SEE WHAT THEY WERE

LIKE.

Q. AND YOU WERE INTERESTED IN THAT BECAUSE YOU SUFFERED FROM HEARING LOSS BECAUSE OF THE GUNS THAT YOU HAD, YOU SHOT?

A. NO. THAT'S WHAT THEY WERE TRYING TO EXPLAIN WHEN -- WHY THE DEPARTMENT WANTED TO POSSIBLY INTRICATE SUPPRESSORS INTO THE WORK FORCE BECAUSE A MAJORITY OF US WORK FROM OUR CARS. I SPENT LIKE 16, 17 YEARS WITH SURVEILLANCE, MOSTLY NARCOTICS, AND YOU'RE AT A VERY HIGH LIKELIHOOD THAT YOU MAY ENCOUNTER SOMEONE ELSE IN A NEIGHBORHOOD THAT YOU'RE NOT LOOKING AT AND GET INTO AN OFFICER-INVOLVED SHOOTING, BECAUSE WE DON'T LOOK LIKE THE COPS, WE LOOK LIKE, YOU KNOW, I LOOKED HOMELESS FOR A DECADE, AND SO YOU GET CHALLENGED A LOT, DEPENDING ON THE NEIGHBORHOOD, BECAUSE THEY DON'T KNOW YOU, YOU'RE NOT SUPPOSED TO BE THERE, DEPENDING ON WHERE WE'RE AT, SO SOME SHOOTINGS HAVE HAPPENED THAT WAY, AND A MAJORITY OF THE SHOOTINGS THAT WE'RE INVOLVED IN ARE FROM OUR CAR. SO BECAUSE YOU'RE SITTING THERE AND YOU'RE DOING SURVEILLANCE AND YOU'RE DOWN THE STREET, YOU TRY TO EXIT, BUT THE CAR GIVES YOU SOME FORM OF COVER, SO YOU USE YOUR DOORS AND ALL THAT, AND WHEN YOU'RE UNDERCOVER, LIKE I HAVE BEEN FOR YEARS, YOU'RE NEVER WEARING A VEST, BECAUSE YOU'RE IN AN UNDERCOVER

CAPACITY, BECAUSE A VEST WOULD DEFEAT THE PURPOSE, PEOPLE WOULD BE LIKE, HEY, THAT GUY IS A COP, SO YOU TRY NOT TO DRAW ATTENTION TO YOURSELF.

Q. DID I MISHEAR YOU WHEN YOU SAID --

THE REPORTER: CAN YOU USE YOUR MIC, I'M SORRY.

BY MS. AMIN:

Q. DID I MISHEAR YOU, I THOUGHT YOU SAID THAT YOU HAD SUFFERED HEARING LOSS FROM SHOOTING YOUR GUN?

A. YES. I WAS INVOLVED IN AN OFFICER-INVOLVED SHOOTING OF AN ACTIVE SHOOTER ON MAY 1ST, 2013 AT 9:25 IN THE MORNING AT 5TH AND WALL. THERE WAS A MAN SHOOTING IN A LIQUOR STORE OF PEOPLE, AND I ENGAGED IN THE MAN SHOOTING AT PEOPLE IN THE LIQUOR STORE.

Q. WAS THAT BOTH EARS OR JUST ONE?

A. EXCUSE ME?

Q. WAS THAT BOTH EARS?

A. MOSTLY RIGHT SIDE. YOU'LL CATCH ME GO (INDICATING).

MR. ORTEGA: THIS HAPPENED FROM ONE SHOOTING INCIDENT?

DET. WALDEN: YEAH. BECAUSE ALL OF THE -- THE REVERBERATION, 'CAUSE, OKAY, SO THEY TOLD ME AFTER, YOU SHOULD PROBABLY ROLL DOWN YOUR WINDOWS BECAUSE THE CONCUSSION OF THE BLAST OF THE" -- "THE

EXPLOSION FROM THE GUN NEEDS A PLACE TO ESCAPE, IT'S NOT GOING TO GO OUT THAT WINDOW, IT'S GOING TO GO INTO THE CAB OF THE CAR.

SO, YEAH, I AM -- I HAVE HEARING DAMAGE AND IT'S SOME CERTAIN TONES THAT ARE HARD FOR ME TO HEAR, AND THEN IT SOUNDS LIKE IF YOU TOOK A STYROFOAM CUP AND YOU PUT IT ON THE SIDE OF YOUR HEAD AND YOU'RE LISTENING TO A CONVERSATION. THAT'S 99 PERCENT OF THE TIME. AND I GET TINNITUS VERY BAD, SO IT RINGS VERY BAD IN MY EARS AND IT'S PIERCING.

BY MS. AMIN:

Q. DID CPD OR HOMELAND SECURITY EVER CONTACT YOU ABOUT CONFISCATING YOUR CAR OR YOUR SHIPMENT?

A. NO, MA'AM.

Q. DID YOU HAVE TRACKING ON THE PACKAGE THAT YOU GOT NOTIFICATION THAT IT WAS DELIVERED OR EN ROUTE TO YOUR DELIVERY?

A. I DON'T REMEMBER IF I EVEN CHECKED THE TRACKING. USUALLY MOST THINGS GIVE YOU A TRACKING NUMBER OR THERE'S GOING TO BE A DATE IT'S GOING TO SHOW UP. I JUST DON'T RECALL EVER CHECKING, BECAUSE WE WERE JUST WORKING SO MUCH, SO IT WAS A MOOT POINT.

MS. AMIN: DO YOU HAVE ANY OTHER QUESTIONS?

MS. STRONG-FARGAS: NO.

MR. ORTEGA: NO.

MS. AMIN: OKAY. MR. SEKI?

MR. SEKI: I JUST WANT TO CLARIFY SOMETHING.

FURTHER RECROSS-EXAMINATION

BY MR. SEKI:

Q. DETECTIVE WALDEN, YOU SAID THAT SEPTEMBER 14TH, 2021 IS WHEN YOU RECEIVED AN E-MAIL FROM SERGEANT JIZMEJIAN NOTIFYING YOU THAT YOU WERE AN ACCUSED IN A COMPLAINT, CORRECT?

A. YES, SIR.

Q. BUT IT DIDN'T TELL YOU WHAT YOU WERE ACCUSED OF?

A. THAT'S CORRECT.

Q. AND IT WASN'T UNTIL MUCH LATER WHEN YOU WERE CLOSER TO YOUR INTERVIEW WHEN YOU FOUND OUT WHAT IT WAS?

A. YES, SIR.

Q. AND YOU WERE INTERVIEWED IN JANUARY '22?

A. YES, SIR.

Q. AND SHORTLY BEFORE THEN IS WHEN YOU WERE INFORMED WHAT THE ALLEGATION WAS?

A. YES, SIR.

MR. SEKI: THANK YOU.

MS. AMIN: DEPARTMENT?

SGT. SLATER: NOTHING FURTHER FROM THE DEPARTMENT AT THIS TIME.

MS. AMIN: DID YOU KNOW BEFORE ALL OF THIS STARTED THAT CBP X-RAYS PACKAGES?

DET. WALDEN: NO, I NEVER WORKED WITH THEM, SO I DON'T HAVE A CLUE.

MS. AMIN: NOTHING ELSE FROM ME.

ALL RIGHT. ANYONE? NO? OKAY. LOOKS LIKE YOU'RE DONE. THANK YOU VERY MUCH, YOU'RE EXCUSED.

SO LOOKING AT THE HOUR NOW, SINCE IT'S ALMOST 4:30.

DEPARTMENT?

SGT. SLATER: I TOOK THE LIBERTY OF RELEASING MY PENDING WITNESS, SO WE CAN WRAP UP WHENEVER YOU GUYS ARE READY FOR THE DAY AND START AGAIN TOMORROW.

MS. AMIN: IF THERE'S NO BUSINESS, THEN WE'LL CONCLUDE FOR TODAY.

WHAT TIME SHOULD WE MEET TOMORROW?

SGT. SLATER: THE DEPARTMENT IS AVAILABLE WHENEVER THE BOARD IS.

MR. SEKI: 9:00 A.M.?

MS. AMIN: 9:00 A.M.

MS. STRONG-FARGAS: YES.

MS. AMIN: 9:00 A.M. TOMORROW MORNING.

WE'RE OFF THE RECORD.

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(THE BOARD OF RIGHTS IN THE ABOVE-ENTITLED MATTER ADJOURNED 1640 HOURS, AND WAS SCHEDULED TO RECONVENE ON FEBRUARY 14, 2024, AT 0900 HOURS.)

--OOO--

REPORTER'S CERTIFICATE

I, ANNA SANCHEZ, CSR NO. 8516, DO HEREBY CERTIFY: THAT THE FOREGOING PAGES COMPRISE A FULL TRANSCRIPT OF THE BOARD OF RIGHTS TAKEN BEFORE ME ON TUESDAY, FEBRUARY 13, 2024, IN THE MATTER OF LUKE WALDEN, SERIAL #34898, B.F. #31674, AT THE TIME AND PLACE THEREIN SET FORTH; AND WAS TAKEN DOWN BY ME IN SHORTHAND, AND THEREAFTER TRANSCRIBED INTO TYPEWRITING BY ME TO THE BEST OF MY ABILITY;

I FURTHER CERTIFY THAT I AM NEITHER COUNSEL FOR, NOR RELATED TO ANY PARTY TO SAID ACTION, NOR IN ANYWISE INTERESTED IN THE OUTCOME HEREUNTO.

IN WITNESS THEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME THIS 29TH DAY OF MAY, 2025.

ANNA M. SANCHEZ, CSR NO. 8516
CERTIFIED SHORTHAND REPORTER
FOR THE STATE OF CALIFORNIA