
NEW, DAVID

N: Detective Norparga

DN: David New, Witness

(unin): Unintelligible

N: ...T-4-1999, at approximately 23-11 hours. I'm Detective Norparga, I-D number 3-7-8-1. I am at a officer-involved shooting. Location is 37-56 Mission Boulevard. I'm talkin' to a witness named David Shane New, N-E-W. And your date of birth sir?

DN: [Personal data deleted].

N: We're conducting this interview at the scene, in my police car. Uh, Mr. New and myself are the only ones present at this time. We went out and looked at the scene and Mr. New showed me where he was standing when he saw everything, so we could conduct this interview with a better understanding. Um, why don't you go ahead and tell me where you were standing um, uh when you first saw the police car and we'll start from the beginning.

DN: Okay. When I, when I first saw the police car I was heading, I guess on, on this side of, on the street.

N: That would be the,

DN: In that direction.

N: the West side of 38-Hundred Mission Boulevard, walking Northbound.

DN: Okay. Uh we seen, seen the squad car. It turned on this side of the road...

N: Towards the ocean?

DN: Toward the ocean.

N: That'd be Westbound.

DN: And basically I think that it did hit the, hit the siren or somethin' as it made the turn, did have the flashing lights on. Uh...

N: You saw flashing, what color lights?

DN: The...I, I'm thinking that there's just the red and blue or somethin' to that nature or the....I just remember seeing cop lights.

N: Okay.

1 DN: Basically we was talking uh...I was talking to the guy that I was with Lenny Stoltz
2 about, you know somebody getting a ticket or something. How that's a bad feeling to
3 see those lights coming on.

4 N: Uh who were you with while you were walking?

5 DN: Uh uh Lenny Stoltz, he's my supervisor at [Personal data deleted].

6 N: Lenny Stokes?

7 DN: Stokes, S-T-O-L-T-Z.

8 N: Stoltz, okay.

9 DN: Uh-huh.

10 N: Okay so you were walking, you saw the cop car turn Westbound

11 DN: Mm-hm.

12 N: just north of the scene.

13 DN: Mm-hm.

14 N: And then what happened?

15 DN: Uh we crossed the road. We, as we crossed the road we seen a helicopter come up,
16 no light, no spotlight on or anything at that point. And we walked into...I walked
17 into a uh shop there that uh actually rents videos or sells videos or somethin'
18 that...and bought some postcards.

19 N: Is it a, is it a market and, and eh a Maltese-type store?

20 DN: I don't, I don't, I don't think so. It just seemed to have a lot of videos. It had some
21 other stuff back in the back but I...we really didn't look in it. We wasn't in there
22 very long at all actually.

23 N: Mm-hm.

24 DN: And um, soon as we bought the cards we walked back out. And Lenny made a
25 statement that he thought...he asked me if I thought that basically the uh helicopter
26 had anything to do with that cop pullin' through there. And about, right after he said
27 that, the spotlight came on and started focusing around different alleys and stuff like
28 that, looking, looking down through there. And...

N: That was a police helicopter?

DN: That was a police helicopter, mm-hm.

N: Okay.

DN: And so then we proceeded on down through there. Um...

1 N: So you proceeded uh walk Southbound?

2 DN: Yeah actually we were walkin' Southbound now.

3 N: 38-Hundred Mission

4 DN: Mm-hm.

5 N: towards 37-Hundred Mission Boulevard?

6 DN: Mm-hm.

7 N: Okay.

8 DN: As we walk down through there, about the time we reached the glass

9 N: That's uh 37-77 Mission Boulevard.

10 DN: Okay, okay. When we reached there that's when we kinda seen, seen the cops and

11 seen you know, basically the, the spotlight had been moving around quite a bit in

12 different directions, and it kinda focused on that one area in front of the liquor store.

13 N: Okay.

14 DN: Uh you know, so I don't know if it's at the back of the liquor you know, the basically

15 right at the first of the liquor store in the center of it or where it was actually. But eh,

16 we noticed that the light had focused in one spot. And for some reason we kept

17 walking. Not, not necessarily toward the light but we kept walking on down 'cause

18 we was gonna get some more postcards.

19 N: Right.

20 DN: We really didn't think much that, that really that much was actually goin' on.

21 N: So you kept walking Southbound?

22 DN: Mm-hm.

23 N: On the East side of the street

24 DN: Mm-hm.

25 N: of Mission Boulevard.

26 DN: Yep. We reached probably where um the...I think there's maybe a uh bus, bus seat

27 or somethin' of that nature.

28 N: Uh-huh. Okay, the bus bench?

DN: Yeah the bus bench and....

N: That is 37-56

DN: Okay.

N: Mission Boulevard.

1 DN: And, and actually then is where I could see the...not, not only the troopers but I could
2 see the uh African-American man is kinda wrestling with, fighting with. I just kind
3 of assumed that maybe it was a drunk that had got out uh hand or somethin' like that,
4 and was tryin' to get him calmed down. And, and then...

5 N: Did you see anybody punching anybody?

6 DN: I did not see any punching at all.

7 N: Okay.

8 DN: Uh eh, it was mostly as of if they was tryin' to just control him or, or tryin' to get, get
9 it, get control over him. But he was a very large man and, and was in...not
10 necessarily I don't know...I didn't see enough like I say, but he seemed like he was
11 getting away from them fairly, fairly easily.

12 N: So the uh, uh...and you describe the man um that you thought was the drunk as a, a
13 African-American man?

14 DN: African-American, fairly large man.

15 N: Okay.

16 DN: That, he was...and he seemed to be as tall as either one of the officers that were there
17 and, and a lot larger.

18 N: Mm-kay.

19 DN: A very big size man. And um, he, he, he basically...they, they did get him kinda
20 pushed against a vehicle that was there.

21 N: Mm-hm.

22 DN: And I kinda seen his back up against it. Before this, I had not seen him with
23 anything. He didn't seem to have any kind of weapon or any kind of, that I could tell
24 from what I've seen, I could not tell that he had any kind of weapon up to that point.

25 N: Okay.

26 DN: Then when he kinda come back up after, after they'd pushed him against that, he had
27 two of the um billyclubs or you know, what, whatever their...numchucks or
28 whatever..

29 N: That was the vehicle parked out in front of 37-56?

30 DN: Mm-hm, mm-hm.

31 N: The little truck?

32 DN: I, I think it was the truck, I really can't remember what the vehicle look like. I just

1 remember his back being against a vehicle.

2 N: Okay.

3 DN: And...

4 N: And is that where the vehicle was parked?

5 DN: Yeah, yeah

6 N: Okay so...

7 DN: that was that...I'm assuming since they didn't move anything, it has to be that

8 vehicle.

9 N: Okay.

10 DN: But, but I really can't in my mind remember seeing the truck necessarily.

11 N: Your, your...

12 DN: I was focusing on that particular, on the fight itself.

13 N: Okay.

14 DN: And, and just remember the fact that he was actually had his back up against that

15 truck, or you know the vehicle that was there. And...

16 N: So the, the suspect um, the, the African-American male

17 DN: Mm-hm.

18 N: had his back against the truck?

19 DN: Yeah.

20 N: And was..

21 DN: Kind of in a leaning position. Not square up against it, but where they had kind of

22 pushed him back against that. He, he had his back up against it. And then, then when

23 he came up from that, both officers seemed to...I don't know if they backed up, they

24 kinda cleared themselves from him

25 N: Mm-hm.

26 DN: a, a little bit, enough that he wasn't within exactly a reach of them, and, and so he,

27 he...basically then the officers had their gun pointed at him. And when I looked at

28 him again, he had these numchucks in his hand, kind of in a position that he was

getting ready to strike.

N: Mm-hm.

DN: We continued, we, we must of continued to walk a little bit because it's almost as if

we got him out of our view,

1 N: Mm-hm.

2 DN: the African-American that, that got shot, out of our view, but we still kinda had the
3 officers in there at least from the waist up.

4 N: Okay.

5 DN: And 'cause I remember still seein' the guns aimed in that direction. And also
6 actually, actually at that point we still seen him because I seen him up to the point that
7 he seemed to kinda lunge a little bit.

8 N: Mm-hm.

9 DN: Then we must uh continued walking. And then, then the shots had rang out.

10 N: Okay.

11 DN: And, and there seemed like there was at least you know, two to three shots per officer
12 at, at him.

13 N: Did, did you hear anything from the officers?

14 DN: I had seen...really it um...I heard noises from the officers after they moved back in
15 that position. I looked at the officers and one of 'em, I don't really know which one
16 of 'em, I, I really can't exactly get a good clear picture of the face. Except that I
17 remember one of 'em like movin' his mouth and hearing noises and kinda shouting
18 comin' from that direction. And, and you know uh I, I even remember that it seemed
19 like that the African-American gen, gen, guy actually said somethin' back as well.

20 N: Mm-hm.

21 DN: Before he made like a threatening move he said somethin' as well. I don't know what
22 it was, I couldn't make out any of the things that the officers nor him were saying.
23 But both...they had a little bit of communication before the shots came out.

24 N: Okay.

25 DN: It happened really fast. After he got back up, after he stood back up and started to do
26 you know, started to make the motion, it happened really fast but they did have some
27 kind of communication. There was enough time for a little bit of communication
28 between there. And then the uh, I did see the officers shoot. I did see...seemed like I
even seen maybe even bullets like eject, you know the uh cartridge or whatever
eject...

N: The cartridge.

DN: Seemed like I seen that ejecting from one of the guns. And then we walked on down

1 just a little bit, then we could see, uh the guy that got shot layin' down. And he was
2 movin' just...he had moved just a little bit. The officers continued to hold aim on
3 him. Then I could see both the officers and him.

4 N: Mm-hm.

5 DN: And uh, and...

6 N: Did you move down towards um, at all or did you...?

7 DN: Yeah we was probably actually at that time standing directly in front of the other
8 liquor store across from that,

9 N: Okay.

10 DN: At that point. We, we continued to move the whole time as if nothin' was happening
11 almost you know. It's, it was as if we just continued to slowly move down through
12 there as all this was goin' on. And, and you know by the time...after they had, had
13 uh shot him and he was layin' there, we was directly across from where it happened
14 at. So we was only block just a moment, you know just a few moments that as we
15 was walkin' down through there the actually bulk of the truck, the front of the truck
16 actually blocked our, blocked our view from what was happening. And, and yeah it
17 was really, really that's about, about all that really I've seen other than you know, the
18 fact...strangely enough we walked on down. I mean we, you know we kinda were
19 shocked by what we seen, and uh, and we really didn't discuss it a whole lot, but we
20 you know just walked, walked on down from there and got, actually bought some
21 more cards and then started to walk back. And that's when we thought we need to
22 really tell somebody that we seen most of this you know.

23 N: Okay. Had you ever seen a shooting before?

24 DN: No, never. That's the first time I've ever seen somethin', anything of that nature,
25 anything that, that (unin)...

26 N: Eh right after the shooting did you hear anybody else yell anything or did you hear
27 anything from people that were standing around?

28 DN: Uh we...no not really. Just her-heard a few things from the people in the group
talkin'...you know sayin' things about why ain't they, you know tryin' to do well
somethin' you know before...the ambulance, actually the ambulance was there really
quickly after it happened.

N: Mm-hm, mm-hm.

1 DN: And you know but there's a few saying, well the cops just kinda let him stay there.
2 But the c-, and the cops did kinda keep guard on him for a few, you know may...I
3 mean until we had cleared there, they had still kept guard but where the cops had
4 already started puttin' on a glove to, to kinda get down and start examine him maybe
5 you know and stuff. I...we really didn't watch all of that, we kinda continued on.
6 N: Right.
7 DN: But I did...we was there long enough that one of 'em had start to put a glove on
8 N: Mm-hm.
9 DN: and was tryin' to get a few people back and stuff like that. They did, you know they
10 did stay there and stand guard over him a little while while he was still...the man
11 even seemed to be movin' a little bit afterwards and may...I don't know if he was still
12 would uh been dangerous or not but I, I bein' in that situation would not of, would not
13 of tried to go down and help him at that point neither.
14 N: Okay.
15 DN: You know but, and so really I didn't see anything that the, that the police did that was
16 anywheres near out of order. I mean, they did...that was definitely a life threatening
17 position that they was in with this guy holdin' these two basically clubs.
18 N: Mm-hm.
19 DN: Um, and you know what they, what they actually did to me was well within the
20 means of what any person should do and I mean they actually seem like they did a,
21 did exactly what they should of done.
22 N: Mm-hm.
23 DN: Under those circumstances I don't see how they had any other choice.
24 N: Mm-kay.
25 DN: For what they...
26 N: Do you remember the distance between the, the uh African-American
27 DN: Mm-hm.
28 N: and the two officers? Would it be the length of the truck or half the truck or can... do
you remember?
DN: Mm-hm, let me think that he, he was....
N: When he had the um, the numchucks?
DN: I remember that, I remember that when I actually seen that he had numchucks, the

1 officers was, was...they was not within what you would say reaching distance. If he
2 extended his arms at that time...

3 N: Mm-hm.

4 DN: If he extended his arms at that time they...he...they probably was not within reaching
5 distance of him.

6 N: Mm-hm.

7 DN: If he'd lunged a little bit forward,

8 N: Mm-hm.

9 DN: and, and with the clubs, he, he coulda got 'em

10 N: Okay.

11 DN: with, from where he was at probably. They did try to move back...

12 N: Mm-hm.

13 DN: you know it seemed like that tried to move back a little bit, enough to get away from
14 him, but um they was still really close to him. I mean they were still, still pretty c-
15 ...it happened so fast.

16 N: Right.

17 DN: I mean, from the time they pushed him down there, from the time he was on the back
18 of that truck to the time that they uh, you know that he started to make the little lunge
19 for or started to move, move a little bit toward them, it, it happened really fast uh you
20 know. So they really didn't have time to back up two or three steps

21 N: Right.

22 DN: away from him. They had enough time to...I don't...I mean, they drew, they had
23 their guns out really fast

24 N: Yeah.

25 DN: because they...it was almost as if they didn't have time enough to get their guns out.
26 They had to move obviously really fast to even be able to do that.

27 N: Mm-kay.

28 DN: From the time that I seen.

29 N: Is uh, were there people walking around during this?

30 DN: I...

31 N: Pedestrians the....

32 DN: Th-, there was, there was a few people it seems like that was walking around. I

1 remember as went down through there, I remember seeing some, some lady in a car.
2 I, I really can't remember what, what color the car was or anything. She was right in
3 front of where uh like our...the uh, uh where is...handicap, where the little handicap
4 dip is in front of the liquor store across from where it happened at.
5 N: Right.
6 DN: She was sitting right there in that alley. And uh, and, and she looked like she was
7 cryin'. So she may have seen, she may have seen a lot of it.
8 N: What kinda car did she have?
9 DN: Um, I really can't remember the car. It's an older car. Uh...
10 N: And what, what'd she look like?
11 DN: (sighs) I can't remember. I really can't remember.
12 N: Okay.
13 DN: I just remember seein' her cryin'.
14 N: Well did you...
15 DN: It's like she was in shock or somethin'.
16 N: I'll give you one of my business cards
17 DN: Okay.
18 N: and then if you remember anything
19 DN: Okay.
20 N: you can call me.
21 DN: Okay.
22 N: 'Cause you might remember stuff later on
23 DN: Yeah.
24 N: and then you can call me and,
25 DN: Yeah.
26 N: and we can get it on record.
27 DN: It seems like the more, the more time you think about it there is little things that kinda
28 start to stand out more.
N: Mm-hm.
DN: And so, but uh I, I really can't remember the car that she was in, somethin' like that,
but uh, but I do remember you know seein' that she was cryin'. And obviously she
probably was, you know shocked from, from what she had seen.

1 N: I imagine. Sure, yeah.

2 DN: And you know I remember, I remember uh we did, we did walk on down a little bit,

3 but I do remember the cops standin' there. I remember them looking over him with

4 the guns pointed you know down toward him until I think they, they waited until they

5 knew there was no harm that he was gonna do anything more. And then I remember

6 uh...I just remember thinkin' about how you know, how that was pretty shocking for

7 me to be in that situation.

8 N: Mm-hm.

9 DN: And I was sittin' there thinkin' about how shocking it had to be for those two men to

10 be in that situation.

11 N: Right.

12 DN: And that's what I was really...that's why it was, you know it was more probably

13 more easy for me to witness somethin' like that knowing that I wasn't the one who

14 had to pull those triggers.

15 N: Mm-hm.

16 DN: And you know knowin' what those guys had to be goin' through you know.

17 N: Right, right.

18 DN: Just amazing. It's unreal.

19 N: It's a long investigation.

20 DN: I really couldn't imagine an individual...in the situation he was in, being willing to

21 try...uh you know...but my first thought was this guy has to be on drugs or just has to

22 be crazy to, to, to be standing there with two cops who are obviously giving him a

23 chance

24 N: Mm-hm.

25 DN: to kinda say hey that's enough you know.

26 N: Right.

27 DN: I mean he had an opportunity...there was a second there where he coulda said, or he

28 coulda just you know drop what, whatever those was, babs, basically drop the, the

numchucks I mean and, and, and, and back off.

N: Mm-hm.

DN: I mean he had an opportunity to do that. He (unin)...

N: And he had 'em in both hands?

1 DN: Yeah in both hands.

2 N: Okay.

3 DN: And that's why...I really rem black, I really remember 'em. It looked like he was
4 holdin' numchucks. I couldn't swear they was numchucks, but I remember them
5 bein' black and, and it looked like a position you see people holdin' those in.

6 N: Mm-hm.

7 DN: Eh is wide.

8 N: And he was definitely holding something in both hands?

9 DN: (sighs) Yeah I mean uh yeah. I remember both hands bein'...

10 N: Okay.

11 DN: That, or at least or different, this one may uh been hard to see the one that was in his
12 right hand.

13 N: Mm-hm.

14 DN: But I remember both hands bein' up there in that position as if you had both of 'em in
15 there. I definitely remember seein' one of 'em in this one. The other one...I'm pretty
16 sure I seen both of 'em.

17 N: Okay.

18 DN: I'm pretty sure I seen two, two of 'em in there. And uh, you know if he didn't he was
19 holdin' both hands in a position that he had 'em in there.

20 N: Right.

21 DN: So, so it looked like he had two, had a basically a set of numchucks. And what was
22 just surprising is that you know where he got 'em from, is, is what's surprising.
23 'Cause he didn't seem to have 'em at first.

24 N: Right.

25 DN: When they was fightin' around. But I didn't really...like I say, we was walkin'
26 through there and I didn't really see some of the confrontation that took place before
27 we got to that position, so....

28 N: Were the officers um...did it look like they were tryin' to grab the suspect?

DN: Yeah to me. They did...I really didn't see any like fist throwing or anything of that
nature.

N: Right.

DN: It really looked like they was tryin' to, to make, you know just hold on, like hold on

1 to him

2 N: Yeah.

3 DN: is what it kinda look like. What little I seen

4 N: Mm-hm.

5 DN: and that....of that particular part of it they was just tryin' to...and that's why they

6 kinda, I think they was kinda doin' that and try to get him up against the truck.

7 N: Right.

8 DN: Or somethin' uh that nature. And then, this guy seemed maybe just to be uh...you

9 know with him tryin' to do it that way, he had the, he had the power enough to kinda

10 not let that happen.

11 N: Right.

12 DN: And, and that's when he, he obviously you know stood back up and got positioned to

13 do some real damage, it looked like to me. And it was just, it was really shocking.

14 N: Okay. Um do you remember anything else specific?

15 DN: No. No that's about it. We, we turned, we basically went down...'cause I know I

16 mean, for some reason we went on down instead of just stayin', standing around there

17 and lookin' at scene. We went on down and did purchase some more uh p-, postcards

18 to send back. And then we came back and we just heard people talkin' about...really

19 there wasn't anybody talkin' about what happened, they was askin' a lot, asking

20 everybody what happened. And I just remember some lady kinda complainin' that

21 the cops that you know, let this man sit there and you know, hadn't, hadn't got the

22 ambulance out there, hadn't performed C-P-R on him right when he was shot and all

23 those kind of you know

24 N: Mm-hm.

25 DN: silly, silly things. I mean, you know really. I just, I was almost shocked at that as

26 well.

27 N: Mm-hm.

28 DN: You know, one of the things I remember thinkin' is that after it kinda happened, even

though I didn't wanna see somebody get shot, and I'm sure nobody wanted to see that

happen, I, I remember thinkin' that I was very happy that it was the cops that were

doing the shooting instead of this guy shooting

N: Mm-hm.

1 DN: all over the place.

2 N: Yeah.

3 DN: I mean you know. I never...I didn't see him have a gun or anything, but at the same

4 time, I really think that those cops acted in the only way they could act.

5 N: Mm-hm.

6 DN: It seemed like that, that they was either, they was either was gonna have to do what

7 they did, or they was gonna have to take the possibility that he wasn't gonna kill them

8 with those, with those clubs.

9 N: Mm-hm.

10 DN: And you know, so he definitely was goin' to do somethin'.

11 N: Yeah.

12 DN: And beyond, beyond....

13 N: That was your perception as he was...?

14 DN: Oh yeah. There's no doubt. He was gettin' ready to let them, let those cops have it

15 with, with those. He was definitely gonna hit them with that. And not just to...and it

16 just was so puzzling as to what kind of, what kind of guy would think that would, you

17 know... two cops, he definitely was trying...with guns pulled and pointing at him,

18 was gonna re... you know, be you know, let him hit them with that.

19 N: Yeah.

20 DN: He put those cops in a position where they had no other choice

21 N: Right.

22 DN: but to do what they did.

23 N: Okay.

24 DN: And then I guess that's...it's sad.

25 N: Okay. All right. Um, I'll give you my card.

26 DN: Okay.

27 N: And, if you think of anything or you remember anything....

28 DN: Okay.

N: When are you going home?

DN: Uh we'll be here all week. We'll be here till next Saturday.

N: Okay, okay.

DN: We're leavin' on next Saturday.

1 N: Well I'll
2 DN: Okay.
3 N: I'll be at work um through tomorrow
4 DN: Okay.
5 N: and I'll be back to work on Monday.
6 DN: Okay.
7 N: My regular job.
8 DN: Mm-kay.
9 N: So I'll go ahead and end this interview
10 DN: Uh-huh.
11 N: at 23-32 hours.
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28
END OF INTERVIEW