

L-01-194-A
 People v. Otis Lee Rogers
 Interview Date: 07/15/01
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People v. Otis Lee Rogers
 Case Number Rif098234
Transcript of Interview with Sandra Rodriguez
 Agency Number ER01196030/RSDE

English: Yes it is a red car, he's hitting a woman a lot.

INTERPRETER: Yes, it's a red car.

DISPATCHER: Did you see any weapons?

INTERPRETER: ¿Usted vio algun arma?

English: Did you see a weapon?

RODRIGUEZ: No, no mas grita el que la va matar que le va disparar.

English: No, no he only yells that he is going to kill her and he is going to shoot her.

INTERPRETER: No, but he keeps saying that he is going to kill her. That he is going to shoot her.

DISPATCHER: Okay, I a-, I already have officers on the way as we're talking, what is the name of the apartment complex?

INTERPRETER: Okay, ya estan los officals en camino, qual es el nombre del complejo de apartamentos

English: Okay, the officials on are the way, what is the name of the apartment complex?

UNKNOWN: _____ (male talking in background)

RODRIGUEZ: Ah, se llama... Como se llaman los apartamentos, Flaco?

English: Uh, they're called... What's the name of the apartments, Skinny?

UNKNOWN: No se.

English: Don't know.

RODRIGUEZ: Garden, Garden State.

INTERPRETER: Garden State.

CONTINUATION SHEET

FILE NUMBER: ER01196030

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EVIDENCE:ITEM QTY DESCRIPTION

01 01 Taurus .357 Magnum revolver, stainless with black grips, serial #74827.

02 07 .357 Magnum ammunition. (3) Norma rounds, (2) Winchester rounds, (1) Speer round, and (1) WW Super round.

The above items of evidence were collected on 071501, about 0355 hours, and placed into evidence at the Jurupa Valley Sheriff's Station on 071501, about 0815 hours, by me.

DETAILS:

On Sunday, 071501, I was working uniformed patrol in a marked Sheriff's unit, in the unincorporated area of Rubidoux, Riverside County.

About 0341 hours, I was dispatched to the Garden Estates Apartments, at 5618 Tilton, Rubidoux, reference an unknown trouble call. The anonymous reporting party told dispatch that a male and female were arguing inside a red sedan in the parking lot of the apartments. The reporting party told dispatch that she heard the male say he was going to kill the female. He then told the female he was going to shoot her. The caller informed dispatch that the red sedan was in the driveway to the apartments.

About 0345 hours, I arrived and saw a red sedan, occupied by a male and female, driving northbound along the driveway of the apartments toward the Tilton St. exit. I conducted an investigative stop.

When I approached the red Ford sedan I saw that the female passenger, (O) Joyce Rodgers, was crying. I asked the driver, (S) Otis Rodgers, to exit the vehicle. Rodgers told me that he and his wife, Joyce, had been arguing about financial problems. He denied threatening or physically abusing his wife. He told me he did not have any weapons on his person or in the vehicle. Otis informed me that he was _____ and that he had spent 14 years in Arizona State Prisons. He was released in 1997 and is not on active parole. A records check of Otis Rodgers showed a recent arrest (2000) in Riverside County. _____ Otis told me that the case was pending and that he is currently out of custody on bail. The records check also indicated that he did not have a current California driver's license (12500(a) VC). I detained Otis in the back seat of my unit while I spoke to Joyce Rodgers.

Joyce told me she and Otis had been arguing, however he was not physical with her and he did not threaten to shoot her. Joyce said she had no knowledge of any weapons in the vehicle. She told me that she and Otis are married and that the vehicle belongs to both of them. She gave me consent to search the vehicle for weapons.

While searching the trunk I found a clear plastic bag containing a stainless, Taurus .357 Magnum revolver with black grips, serial #74827. The bag also contained (7) live ammunition rounds. A records check of the firearm showed no record on file.

I placed Otis under arrest for 12021(a)(1) PC-Felon in possession of a firearm, 12022.1 PC-Felony committed while on bail, and 12500(a) VC-Driving without a license. I transported Otis to the Jurupa Valley Station for further investigation.

ARRESTING DEPUTY GARY BOWEN TESTIMONY AT TRIAL 6-27-03

ALWAYS FROM THE NAMED-VICTIM JOYCE R. 111
UNAVAILABLE FOR IDEM. THE VICTIM STATED THE ASSAULT DIDNT HAPPEN

1 couple times. What does that mean?

2 A. Crying, upset, disheveled.

3 Q. Did you ask her if she was upset?

4 A. Yes.

5 Q. Did you personally ask her?

6 A. Yes.

7 Q. What was her response?

8 A. That she was upset. She had been arguing with you.

9 Q. Did you ask her if she had been assaulted by

10 Mr. Rodgers?

11 A. Yes.

12 Q. And what was her response?

13 A. She --

14 THE COURT: Are -- is this hearsay? Is this an
15 agreeable situation?

16 MR. KING: It is, Your Honor. But I am not objecting
17 for a reason.

18 THE COURT: All right.

19 Q. (BY MR. RODGERS) Did you ask her if she had been
20 assaulted by Mr. Rodgers?

21 A. Yes, I did.

22 Q. And her response?

23 A. She said she had not. ✓

24 Q. Did you ask her if she had been threatened with a
25 firearm by Mr. Rodgers?

26 A. Yes.

27 Q. What was her response?

28 A. She said she had not been threatened. ✓

10
T

TWO-YEARS AFTER THE FACT

SAWORA RODRIGUEZ ON DIRECT AT TRIAL 6-27-03

1 A. It is what I could remember right now.

2 Q. And let me just ask you one or two more questions, Miss
3 Rodriguez.

4 A. Okay.

5 Q. In reference to the -- the handgun that you saw this
6 gentleman have, could you tell what kind of gun it was? Are you
7 familiar with firearms?

8 A. No. I don't know what kind of a gun it is. I just
9 know that it was small. It wasn't that big.

10 Q. Okay. How sure of you -- how sure are you that it was
11 actually a handgun?

12 A. I am sure, because I saw that it was -- it was a gun.

13 Q. Okay. No doubt in your mind?

14 A. No.

15 Q. You could see it that clearly?

16 A. Yes.

17 Q. When did you have -- I am sorry, when did you have your
18 best view of that handgun?

19 A. I don't understand the question.

20 Q. When you had your clearest, best view, was it when he
21 was holding it -- if he was holding it down or was it when he
22 was holding it against the woman's head? Or when did you have
23 your best view of that gun?

24 A. When he had it like lifting it up going to her head.

25 Q. Okay. Thank you.

26 MR. KING: I have nothing further of this witness, Your
27 Honor.

28 THE COURT: Mr. Rodgers.

RODRIGUEZ ON CROSS-EXAM 6-26-03

1 Miss Deborah Lucky that you said that you saw the man strike the
2 woman several times?

3 A. You could hear that he was hitting her. But that I
4 saw? It was once.

5 Q. So he could have been hitting her several times?

6 A. I don't know.

7 Q. Do you recall making a statement that, "Each time I
8 looked out the window the man was either punching the woman or
9 holding a gun to her head or threatening to kill her"?

10 A. I don't remember. I don't remember what I told that
11 lady. I don't remember well. But the things that I have always
12 said is that I saw the gun to her head. *245

13 Q. How many -- how many times did you look out the window?

14 A. I don't remember exactly.

15 Q. Did you say that -- did I hear you describe -- can you
16 describe the woman? Is she short? Tall? Stumpy? husky?

17 A. She is not thin.

18 Q. She is not thin?

19 A. No. I don't remember.

20 Q. Is she tall? About your height? My height?

21 A. Shorter than him.

22 Q. She is shorter than I am?

23 A. Uh-huh.

24 Q. Okay. And she is not thin and shorter than I?

25 A. Yes.

26 Q. Okay. Do you recall describing a woman as "puerile"?
27 Do you know what that means, "puerile"? And the woman pure --
28 do you know what that means?

(RT-306, 7-8)
SHE LIED (RT-304, 7-8)

SHE HAD NOT ALWAYS SAID THAT. STARKU LIAR

1 paper.

2 Q. Okay. If I were to give you maybe the log sheet, would
3 that help or something? Are you familiar with the catalog?

4 A. Yes. That's what I read to make myself familiar with
5 the call itself.

6 MR. RODGERS: Your Honor, may I approach the witness
7 and have her take a look at this?

8 THE COURT: Sure. Go right ahead.

9 THE WITNESS: Okay.

10 Q. (BY MR. RODGERS) Okay. So now having familiarized
11 yourself with that catalog, do you now remember some of the
12 events in this situation?

13 A. I vaguely remember the call.

14 Q. Okay. And can you tell us some of the vagueness that
15 you do remember?

16 A. I do remember that the female spoke Spanish, and I
17 didn't have too much information so I sent it to go through a
18 transiator like it does say in the call. She did hear that
19 someone was going -- a male subject say to a female that he was
20 going to kill her. She did not have visual. And then I got the
21 description of the vehicle, whic 0Awhaiso in the call.

22 Q. If you were to hear the actual tape of your voice,
23 would that further bring it to your memory?

24 A. It may, it may.

25 MR. RODGERS: Your Honor, at this time, could I bring
26 defendant's exhibit --

27 THE COURT: We aren't going to play the whole tape.

28 MR. RODGERS: Well, Your Honor, wondering if I could

INTELLIGENTS DICTATES THAT IF THE
MESS-IKAW HAD NO VISUAL/THAT SHE
COULDN'T POSSIBLY HAVE SAW A GUN, SHE'S A RACIST LIAR.

THE ILLEGAL IS A RACIST LIAR, KILLER

② 65

9-1-1 SHERIFF'S DISPATCHER BARBARA LANG 6-27-03

JUDGE HANKS
WANTED TO
OBJECT TO
WITH HOLD THE
TRUTH

"THE MEXIKANS IS A PREVIOUS-LIAR"
she rather like to the dispatcher or she lied to
the jury? A GUTLESS LIAR
9/1 Sheriff's Dispatchers 154 pages long

THE STANKING ALIEN IS A
PREVIOUS-LIAR SHE DIDN'T ALWAYS
SAY SHE SAW A GUN RE: 757-1142

1 foundation as to the translation. Is this agreeable with you,
2 Mr. King?

3 MR. KING: That's fine, Your Honor.

4 THE COURT: All right. That's fine.

5 Q. (BY MR. RODGERS) So she told you there was no weapons.
6 seen?

7 A. That's correct. The person I spoke to did not see any
8 weapons.

9 Q. And then that was the -- other than -- what else was
10 there? Was that the end of the conversation?

11 A. I had her stay on the line until the deputies got there
12 so the deputies could ascertain that they were at the right
13 place.

14 MR. RODGERS: Okay. Your Honor, I have no further
15 questions of this witness.

16 THE COURT: All right. Mr. King.

17 MR. KING: Thank you, Your Honor.

18 CROSS-EXAMINATION

19 BY MR. KING:

20 Q. Good afternoon, Miss Lang.

21 A. Hi.

22 Q. How are you today?

23 A. Thank you, fine.

24 Q. How long have you worked for the RSO dispatch?

25 A. About three and a half years..

26 Q. And I think you earlier stated this came to you as an
27 anonymous call?

28 A. Right.

DDA KING DURING CLOSING ARGUMENTS

1 You have heard, first, from Sandra Rodriguez. And
2 basically, what you heard from her was that this argument that
3 had occurred between Mr. Rodgers and his wife lasted for quite
4 some time and that finally because of the nature of what
5 Mr. Rodgers was doing to Mrs. Rodgers, i.e., pointing the gun at
6 her head, she figured she had probably heard and seen enough and
7 now it's time to get the police involved.

8 Now, you saw Miss Rodriguez testify. And a lot of what
9 goes on in a criminal trial is judging people's credibility, and
10 whether -- not just what they say, but how they say it.

11 Well, Miss Rodriguez told you she really didn't want to
12 be here. She never really wanted to come to court. You heard
13 over and over again that she was reluctant to come in, didn't
14 really want to keep going over the story, time and time again.
15 But she did, when asked, tell everyone what happened
16 essentially.

17 And you have to ask yourself, you know, why would she
18 be lying about this? There is absolutely no reason to be lying
19 about this. She didn't want to be here. If she was going to
20 lie, she would have said: This never happened. I don't want to
21 come to court. I don't know what you are talking about. But
22 that's not what happened. She told the truth, was pretty clear
23 that she was telling the truth from the stand.

24 And I am not sure if you caught it, but I did, and I
25 hope -- hope you saw, that when she was testifying and primarily
26 when she was being questioned by Mr. Rodgers, and the question
27 of her -- statement that she previously couldn't identify
28 Mr. Rodgers was true or not, what she did admit to you being

~~PROSECUTOR~~ PROSECUTOR BRIDEN D. KING LIED TO THE JURY
TO COVER UP FOR HIS LYING PERJURIOUS MESSIAH

TO AVOID DEGRADATION

HOW WOULD THAT LIAR KNOW
HE WASN'T THERE

DDA KING DURING CLOSING ARGUMENTS

CLOSING ARGUMENTS

Yes, that was pretty AMAZING Remember the
SOUND OF A VOICE AFTER TWO-YEARS-- IF SHE WISHT
A DAMN STINKING LIE

PROSECUTOR BELOW D. KING
BECAUSE HER MOMMY TOLD HER TO.

1 true -- but as she was testifying throughout his questioning, at
 2 least to me, it appeared from her face, from her eyes, mostly,
 3 that there was some kind of dawning of recognition during this
 4 whole process about who this person was that was outside of her
 5 apartment on July 15th of 2001. And over time, she said,
 6 finally, that, "Yeah, it was you. I remember, it was you."
 7 And you remember one of the reasons why she did
 8 remember that it was Mr. Rodgers, and it came at the end of her
 9 testimony, I think much to Mr. Rodgers' surprise, when he asked
 10 her, "Is there anything that has happened here to help you
 11 remember?" And she said, "Yeah." Basically, she said, "Your
 12 voice." Well, Mr. Rodgers has a relatively distinctive voice.
 13 And remember, she heard him yelling for at least an hour, 45
 14 minutes I think it actually was the least amount of time, but
 15 maybe somewhere in the area of two hours. So, yeah, she
 16 remembers.
 17 She remembers him clearly taking the gun, lift it to
 18 the woman's head and saying, "I am going to kill you, you
 19 fucking prostitute, or whore, bitch." I can't remember the
 20 last -- last line. But it was something to that effect,
 21 pressing the gun to her head and making that statement and
 22 seeing this woman cry. She also said that at some point in time
 23 she saw him hit her, heard him hit her, things of that nature.
 24 Why would she be lying? She wouldn't be. ✓
 25 You heard from Nelida. Nelida her daughter. Why would
 26 Nelida lie? She also heard this argument. She also saw the
 27 gun. She saw it being raised up. Well, maybe not quite as
 28 clearly as Miss Rodriguez, but did see a gun. Why would she

TO AVOID DEPORTATION

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