
JEANNETTE MARTOCCHIO

LEGEND:

DET. = JOHN TEFFT, S.D.P.D. DETECTIVE

WITNESS = JEANETTE MARTOCCHIO

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DET: Today's August 5th, 1999. Time is 1125 hours.

WITNESS: Hello.

DET: Hi, is this Jeannette.

WITNESS: Yes.

DET: Hi, my name is John Tefft. I'm a detective with San Diego Police.

WITNESS: Uh huh.

DET: And uh, the reason why I'm calling, I'm trying to find out if you're the same Jeannette and David that I'm, I'm trying to get a hold of that might be friends with ah, Larry Isaac.

WITNESS: Yes.

DET: Hi, do you have a second?

WITNESS: Uh huh.

DET: I don't know if I caught you at a bad time or not.

WITNESS: No, no, you're fine.

DET: Uh, one of the reasons why I was calling is um, yesterday ah, Laura Milligan came to our office down here at the police department.

WITNESS: Uh, huh.

DET: And she talked about how she and several people, it was six of them that she named, and two of them were you guys,

WITNESS: Uh, huh.

DET: Were in a car back on July 24th and may have saw some of the officer involved shooting or some incidents leading up to that down in Mission Beach.

WITNESS: Um, hum.

DET: And we're interested in talking to everyone that may be a potential witness in that

1 case.

2 WITNESS: Okay.

3 DET: And ah, after I talked with her, I, she gave us you know, the names of the passengers

4 and uh, so that's why I'm calling.

5 WITNESS: Okay.

6 DET: If you got a couple of minutes I can, I can take care of this across the phone and then

7 um, I probably need to interview David, this your husband or your brother or...

8 WITNESS: He's my husband.

9 DET: Okay.

10 WITNESS: He won't be home till about 4:30.

11 DET: Okay, I can, I can hook up with him later, maybe today or something. I can talk to

12 him on the phone as well.

13 WITNESS: Okay.

14 DET: If you have, I don't think this will take more than, most of the interviews have been

15 lasting about ten minutes, the people in the car and if you got a few minutes I'd like to

16 talk to you about what you saw that evening.

17 WITNESS: Sure, no problems.

18 DET: Okay, I'll tell you what might be easier if you could just start off about where you

19 were earlier. And, what facilitated you to get to Mission Beach and then what you did

20 after you saw the shooting. If you just kind of maybe just give me a little narrative of

21 how it started.

22 WITNESS: Not a problem.

23 DET: Okay.

24 WITNESS: [Personal data deleted] So, we're all okay. We piled into Laura's cars, it's a gray van.

25 DET: Uh, huh.

26 WITNESS: And, I was sitting on the behind the passenger, by the window.

27 DET: Uh huh.

28 WITNESS: And then, I think L.A. was next to me and then his sister. And then, Laura was

driving and her husband in the middle and then my husband in front of me.

DET: Uh, huh.

WITNESS: And we were heading down I think it's Mission Boulevard.

1 DET: Uh, huh.

2 WITNESS: Laura sees a police helicopter and she's a teacher and my husband's a teacher.

3 DET: Uh. Huh.

4 WITNESS: So they just start talking well you know, if you see a police helicopter you're suppose
5 to bring in the kids. You know and lock the doors. He's like yeah, but I don't think
6 anybody really does it.

7 DET: Uh, huh.

8 WITNESS: You know that kind of conversation. And we were wondering, oh they're looking for
9 someone cause we saw the light.

10 DET: Sure.

11 WITNESS: Well, and then we get in front of the little liquor store and the first thing I see is there
12 is a very large Black man. And, we realized how large he was, because everybody's
13 like going, oh my gosh, he's huge. And, he had two officers scuffling with him. But,
14 actually the Black man was winning.

15 DET: Uh huh.

16 WITNESS: He took one officer, was his back, and he flung that officer.

17 DET: Uh, huh.

18 WITNESS: From what I saw, the other officer was kind of um, not really part of the scuffle to me.
19 I just noticed the one.

20 DET: Uh huh.

21 WITNESS: White officer. And then, next thing I know he had taken something from the officers.
22 We had to stop the car. He had grabbed some stuff from the officers. And, I think it
23 was the club.

24 DET: Uh huh.

25 WITNESS: I'm not sure.

26 DET: Okay.

27 WITNESS: But ah, and then after that. I noticed, we started moving a little bit then I noticed one
28 of the officers, the Black guy had walked off. Then he turned around and one of the
officers pulled out his gun and five shots were fired off (UI), one, two, three, four,
five. And, Laura, that's when Laura, she didn't know who was shooting because she
was in the driver's seat.

1 DET: Uh, huh.

2 WITNESS: I don't know how well she could see. But, she stepped on the gas and we left and we
3 went to the coaster. And, after that we came home and we turned on the news to see
4 you know, if it was on the news. We were like, should we call the police, what should
5 we do. And,

6 DET: Uh huh.

7 WITNESS: And they were like, well, we didn't get the whole thing so I don't know if we should
8 call and then a couple of days later, we find out you know, it turned into this huge
9 case. Where,

10 DET: Uh huh.

11 WITNESS: The NFL player.

12 DET: Uh huh.

13 WITNESS: And, my husband told me he had actually called and left a statement. But, I don't
14 know if you gotten a hold of that or not.

15 DET: No, actually we haven't. I was, and that was one thing I was gonna address with him is
16 I was curious who he spoke to because uh, we don't have any record of that.

17 WITNESS: Uh huh.

18 DET: And so, I'll have to address that with him when I talk with him.

19 WITNESS: Okay, yeah.

20 DET: Okay, and ah, all right. Okay, let me just ah, let me just over this here make sure I
21 have it correct. I just have a couple questions. You were at a barbecue.

22 WITNESS: Uh huh.

23 DET: Um, over at Larry's house.

24 WITNESS: Right.

25 DET: And you guys all got in the car and you were gonna go down to the roller coaster.

26 WITNESS: Uh huh.

27 DET: And you were in the left rear passenger seat. And then,

28 WITNESS: No right rear.

DET: Right rear. Okay, I thought you said you were behind Laura, my mistake, right rear
passenger seat.

WITNESS: Uh huh.

1 DET: And you were southbound on Mission Boulevard. And, you guys initially saw a
2 helicopter with the spotlight on.
3 WITNESS: Uh huh.
4 DET: Okay and so there was some conversation about, about the spotlight, about what to
5 do. Okay, and then, there's a little liquor store and ah, you saw a large, how you
6 describe, is a large Black man.
7 WITNESS: Uh huh.
8 DET: Lets talk just a second about him. We all have an idea what large is, I mean
9 everybody's a little different. What would you, could you give me maybe a physical
10 description of what you, how do you describe him, heavy weight, kind of like that.
11 WITNESS: Um, weight I say he was at least two hundred if not more.
12 DET: Okay.
13 WITNESS: He was, he was a pretty big man but he was solid. He wasn't really like fleshy.
14 DET: Uh huh.
15 WITNESS: And height I'm not sure because he was kind of hunched over but he seemed pretty
16 tall.
17 DET: Okay.
18 WITNESS: 6-1' maybe two.
19 DET: Okay, all right. Do you remember, remember what he was wearing?
20 WITNESS: I think he had on black but I'm not sure.
21 DET: Okay, okay. Now, the police officers, how many of them were there.
22 WITNESS: I just saw two.
23 DET: Okay, okay, and did you recognize them immediately as police officers.
24 WITNESS: Yeah, yes I did they had on the navy shorts.
25 DET: Okay.
26 WITNESS: The whole uniform.
27 DET: Okay, you recognized them because he had on a police uniform.
28 WITNESS: Right.
DET: Okay, alrighty, now you said that the uh, you said that the Black male was winning?
WITNESS: It seemed like he was to me. It seemed like the officer were really having a hard time
getting him under control. Um, when we first came up, it was like one of the officers

1 was trying to handcuff him.

2 DET: Uh, huh.

3 WITNESS: To the pole. Uh, because the Black guy had a hold of this pole and he was kind of

4 hunched over and the officer was on his back. And, then the Black guy just grabbed

5 him and like flung him.

6 DET: Okay ah, flung him, did he fly, I mean did he...

7 WITNESS: He just, he didn't actually like fly through the air but you could see he was...

8 DET: Pushed back.

9 WITNESS: Pushed back off his back and he stumbling pretty hard so it was a pretty push.

10 DET: Okay so he was, he was flung out of the, out of the struggle?

11 WITNESS: Right.

12 DET: Okay, and the, what was the second officer doing?

13 WITNESS: The second officer, uh, I really didn't notice him because he was kind of off to the

14 back.

15 DET: Okay.

16 WITNESS: (UI) my peripheral vision I didn't know if he had pushed to the back and was not

17 trying to get into the play.

18 DET: Okay. Now did you see, did you see this Black male with anything in his hands?

19 WITNESS: No.

20 DET: Okay.

21 WITNESS: Not till after he took what ever it was away from the officers.

22 DET: Okay. All right, not let's, let's, so they are in a little struggle. One officer gets flung

23 away. What happened next?

24 WITNESS: When he got flung away, uh, I noticed that he had something in his hands. The Black

25 guy had something in his hands.

26 DET: Okay.

27 WITNESS: And, I assumed it was the billy club because it was long, it was like a stick.

28 DET: Okay.

WITNESS: It was, it, we were on the street, we were maybe twenty feet from them.

DET: Right.

WITNESS: Twenty-five feet from them. Um, at this point another squad car pulled up behind us.

1 But that squad car had just pulled up right before the-

2 DET: Uh huh.

3 WITNESS: The shots were fired. But anyway, it did just look like you know I said, like a billy
4 club. And that's when he started walking away and it looked like he was shouting like
5 obscenities, you know and just had a really aggravated attitude to his stance and his
6 walk and you know, he was swinging the clubs and...

7 DET: He was, and you say clubs, did he have more than one?

8 WITNESS: From what I saw, he had two hands and he was swinging them and it just look like one
9 to me.

10 DET: Okay, okay.

11 WITNESS: The only way (UI).

12 DET: All right. And so, the person turned, so this Black male turned away and he was
13 aggravated...

14 WITNESS: Right.

15 DET: And he was swinging, and he turned his back and he was swing the clubs as he walked
16 away.

17 WITNESS: Right, and then he turned back around and that was when I saw officer reach for his
18 holster. It looked it was from his right hip.

19 DET: Okay. And so you saw one officer pull his gun.

20 WITNESS: Right.

21 DET: Okay, okay, and then what happened after that?

22 WITNESS: And then, five shots were fired and I covered my face.

23 DET: Okay.

24 WITNESS: I really didn't see where he was shooting. And at that point I didn't know if it was the
25 officer who had the gun or ah, the Black man had a weapon other than the club.

26 DET: Okay.

27 WITNESS: Because I just saw him grab the holster and and him fire.

28 DET: So it's unknown who the shooter was?

WITNESS: Right.

DET: Okay. And ah, then you guys speed away.

WITNESS: Right, Laura, she didn't, she didn't know who had the gun.

1 DET: Sure no, no that's fine. And then you guys got down to the roller coaster?
2 WITNESS: Uh huh.
3 DET: Was there any discussion about the roller, I mean was there any discussion about the
4 incident when you got to the roller coaster.
5 WITNESS: We were talking about it a little bit.
6 DET: Uh huh.
7 WITNESS: Not very loudly. I was kind of upset with the rest of the group because they were you
8 know saying, well this, this and this. And um, and I was like you know what,
9 someone's been shot obviously there was that much say between the two. And, I was
10 like, we should go, we should call. And they were like, no, we really didn't see that
11 much and we didn't think that it would be a big.
12 DET: Okay, so you wanted to call the police.
13 WITNESS: Right.
14 DET: And they were kind of like, we didn't see that much it when it's not a big deal.
15 WITNESS: Right, right.
16 DET: And you got upset with them about that?
17 WITNESS: I was a little upset. I was, actually I was a lot upset, I was crying.
18 DET: Okay.
19 WITNESS: You know, I was talking to my husband, I was like, why do we have to be this way.
20 And why did this have to happen. I was like, we should call the police.
21 DET: Uh,
22 WITNESS: We should go back and let them know that we were right there. Because I mean, it
23 was, we were right there in the truck.
24 DET: Uh huh.
25 WITNESS: It was about twenty, twenty-five feet away from it.
26 DET: Okay.
27 WITNESS: (UI) the liquor store and they were like, no we don't really know what happened. We
28 weren't there for the whole thing. I was like, you don't need to be there for the whole
thing.
DET: Well, well that's correct.
WITNESS: Whatever we saw you know they could probably use.

1 DET: Well...

2 WITNESS: ...From what we saw the cops weren't, weren't having an easy time of it.

3 DET: Okay.

4 WITNESS: And then we saw the news. And in hearing the news they were saying well he was
5 you know, a calm kind of guy and I was like, I don't know how he was but that night
6 he was really, really hard to keep under control. To the point to where some people
7 were saying he was on meth, that group because he was taken such a, such hits.

8 DET: Uh huh.

9 WITNESS: And he was so resisting and so (UI) police officers. And a couple of our member were
10 saying he had to be on a drug.

11 DET: Uh huh.

12 WITNESS: He had to be on something to be able to handle two officers like that.

13 DET: Sure. Okay, yeah um, actually you were, you were on your group there, like I told
14 Laura yesterday, is that you know, it's granted that, and she said the same thing. She
15 said, well I don't think we saw anything that consequential we thought it was minor.
16 And, and you know, and I understand that, certainly we're not critical but as I
17 explained to Laura, it's like everybody's like a little piece of the puzzle. And, you
18 know yeah you could get the puzzle together but I mean if there's certain pieces
19 missing it just doesn't look that good.

20 WITNESS: Right.

21 DET: And if you take these little tiny pieces and you put them all together it makes the
22 picture look a lot more attractive or, or you know it makes it look at what it should
23 be. So yeah, everybody's important, we want to interview everyone. We want to
24 make sure uh, you know, regardless of what their side is. We want to find out what
25 their perceptive of what they saw. So ah, yeah that's the reason why, when I found
26 out who you, like I said you guys were all unknown to us. And she said the same
27 thing. She said that David and Larry said they called and talked to somebody and I'm
28 a little concerned about that cause I don't know who they talked to. And certainly,
whoever they talked to is somebody at the police department they should of generated
a report at the minimum or referred them to us because we're the detectives doing the
investigation and we need to interview everybody directly so. [Personal data deleted]

1 DET: And so hopefully he can ah, hook up with me as well. But let me give you, I'd like to
2 give you my name and telephone number as well because if for some reason something
3 comes up that you remember that you didn't share with me, which frequently happens.
4 You know like, oh I forgot to tell this officer that, please give me a call and we'll
5 amend the report to that.

6 WITNESS: Okay.

7 DET: Let me know when you're ready with a piece of paper there.

8 WITNESS: Okay, I'm ready.

9 DET: Okay, my name is John and my last name is Tefft, T.E.F.F.T. And, my direct line is
10 area code 619, I don't know if you're in the 858 district.

11 WITNESS: No, we're 619.

12 DET: Okay, so it's 531-

13 WITNESS: Uh huh.

14 DET: [Personal data deleted], and that's my direct line. Okay. So ah, ah, anyway I think I
15 pretty much got, is there anything else that we didn't cover that you think is important
16 I need to add here.

17 WITNESS: Um, no the only thing I can think of is the squad car that pulled up behind us just to
18 add credibility to, what we said we were directly in front of.

19 DET: No you guys are, you guys are all, everything you tell us is, we don't disbelieve
20 anything you say.

21 WITNESS: Okay.

22 DET: [Personal data deleted].

23 DET: Let me just confirm a couple of things about you uh. [Personal data deleted] Okay,
24 and ah, let's see, your date of birth is [Personal data deleted]?

25 WITNESS: Yeah.

26 DET: Alrighty. And you guys are still living at [Personal data deleted]

27 WITNESS: Uh huh.

28 DET: Are you employed right now Jeannette?

WITNESS: Yes I am, I work for [Personal data deleted].

DET: All right. And what is the phone number at [Personal data deleted] if we're reach you
at work?

1 WITNESS: [Personal data deleted]
2 DET: 3273. All right, well thanks so much for your time there Jeannette and like I said I'll
3 talk with your husband later on and ah, get a hold of Larry then, we'll have all you
4 folks down in the car.
5 WITNESS: 3274, okay, thank you.
6 DET: Thanks for sharing. Bye, bye.
7 WITNESS: Bye, bye.

8 **END OF RECORDING**
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