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8	SUPER	RIOR COURT OF CALIFORNIA
9	CC	OUNTY OF SANTA CLARA
10	PEOPLE OF THE STATE OF) No. BB833050
11	CALIFORNIA,)
12	Plaintiff,	Ó TRANSCRIPT OF BURGER Ó MAV RECORDING
13	V.	
14		
15	JOSEPH ANTHONY CIAMPI,))
16))
17	Defendant.	
18) [′]
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1	
2	C-Ciampi W-Wagner T-Temores B-Burger P-Powers H-Honniker M-Medic ? -Unknown
3	10:09:50
4 5	C: Who gives a fuck all right.
6	W: Sleeping in a car overnight on a public street.
7	C: Really, really, what ordinance is that?
8	W: It's the Palo Alto City Ordinance.
9	C: Name the fucking ordinance.
10	W: If you want, I will, I will do that.
11	T: You on probation or parole.
12	10:10:08
13	C: Fuck you.
14	B: Hey, watch your fucking mouth.
15	C: You know what, leave me
16 17	T: Look at these pop marks.
18	T?: Stop, stop hassling us.
19	T: You a heroin addict or what?
20	C: Bullshit
21	T: No?
22	C: No.
23	C: Why would I be (talking/popping?) me right there dumb fuck.
24	T: Why not.
25	W: Relax.
26	C: You, you don't know jack shit about me dude.
27	C: You don't know jack shit.
28	W: Hey man, were just here to talk to you, o k

W: Hey man, were just here to talk to you, o.k.

1 2	C: Make that fucking assumption, fuck you.
3	W: Were just here to talk to you that's all.
4	C: No your not, you're here to harass me.
5	C: Starting to tow my car.
6	W: Someone called, someone called.
7	C: So what, someone called, someone called about what, about sleeping in my car.
8	W: About a person sleeping in their car on a public street.
9	C: And is that illegal? No it's not.
10	W: Actually there is a muni-code against it
11	C: No there's not.
12	C: How much you wanna bet?
13 14	W: There is a muni-code against it.
15	C: What is it then?
16	B: I think he's 550
17	W: You can't, you can't sleep overnight.
18	B: Stand right over here.
19	C: 550 for what?
20	W: Sir
21	B: Now I'm telling you, I'm telling you stand right here.
22	C: 550 for what?
23	10:10:48
2425	B: Let me see your fucking hands.
26	T: Tase him, tase him.
27	B: Let me see your fucking hands or I'm going to tase you. You.
28	C: O.k. I'm calling

1	
2	B: Get out.
3	C: O.K. I'm calling
4	B: Get out of the fucking car.
5	C: I'm calling my lawyer
6	B: Let me see your fucking hands
7 8	C: Get out of the fucking car.
9	B: Code 22 on the main.
10	B: Get out of the car or I'm going to fucking tase you. Ha alright fine.
11	B: Get out of the fucking car.
12	C: I'm going to call my lawyer.
13	W: Come on. Relax, relax
14	B: Get outa here
15	T: Get out of the car right now.
16	W: Step out.
17	10:11:12
18 19	W: No, no, no, no.
20	W: Turn around.
21	B: Put your hands behind your back.
22	W: Relax.
23	B: Back up, back up
24	P2/T2. Tosor tosor
25	B?/T?: Taser, taser
26	W: Woo.
27	C: Aaahhh!
28	C: Sandy help me! Sandy help me!

1	C: Aaaahhh! Aaaahhh!
2	W: (1973 inaudible)
3	
4	10:11:35
5	C: All right I'll stop.
6	C: I'll stop
7	B: Put your hands behind your back.
8	C: Don't fucking tase me.
9	B: Put your hands behind your back.
10	C: Don't tase me man.
11	?: Put your hands behind your back.
12 13	T: Lay on the ground.
13	T: Stay on the ground.
15	10:11:44
16	C: Sandy, the police have arrested me for nothing.
17	C: They've arrested me for nothing.
18	W: Subject in custody tased twice.
19	C: This is totally bull-shit.
20	W: I'm o.k, you guys o.k.
21	C: I have health problems, if you guys take me to jail I'm not going to be able to fucking
22	breathe, do you understand me.
23	?: Medic, ya ya
24	C: I have health problems, if you stick me in jail I'm not going to be able to breathe. I have health problems, if you stick me in jail I'm not going to be able to breathe, do you
25	understand me. I cannot breathe.
26	W: Hey Man, all we needed was a little cooperation from you today, that's all we were asking.
27	asking.
28	10:12:30

1 C: You know what, you guys screwed up man. 2 ?: Good 3 C: I can't breath inside, do you understand. If you stick me in jail I'm not going to be 4 able to breath 5 W: Is that you or him? 6 B: That's me 7 10:12:41 8 C: Why did you do that to me man.? ?: Good! 10 C: I can't breathe, I can't breathe. 11 W: Can you guys please walk on the other side, please. 12 W: He's not cooperative yet. 13 14 C: (Crying) Damn 15 W: Anyone hurt any other way? 16 B: You can lift the cover right off 17 B: Does he have any probes in him? 18 T: Ya I think he's got one ---19 W: I got some, but none on me. 20 10:13:15 21 C: Sandy help me if you hear this. 22 W: I just want to make sure there is none on him. 23 B: Move on your side 24 C: You don't have to push me so damn hard man. 25 26 W: Relax, relax o.k. 27 W: O.k. No.

W: Where, sir, where are you feeling pain right now? 1 2 C: I don't know. 3 W: You don't know 4 W: Can I ask your name now, I would have liked to known that before 5 10:13:46 6 7 C: You guys didn't have a right to harass me. 8 ?: Alright C: (GARBLED) to 5150 me that's a. 10 B: Your under arrest for battery on a police officer so shut up. 11 10:13: 54 12 C: It's called self defense, self defense, 13 C: You threatened me, you threatened me, you threatened me with a taser. 14 W: Where are the probes at? 15 C: All for nothing all for nothing man. 16 B: Knock it off. 17 18 C: Stop pushing me so damn hard. 19 B: Knock it off. 20 C: Stop pushing me so damn hard. 21 B: I don't see any probes in him. 22 W: O.k. let me my car go get a kit 23 B: He ain't bleeding much 24 W: I know 25 B: Grab that 26 W: I want to clean him up first before we get him in a car. 27 B: Na he's going to..... 28

1	
2	W: Do I have any blood on my face
3	10:14:40
4	C: You're not going to 5150 me now.
5	B: Knock it off.
6	C: You're not going to 5150 me now?
7	C: You're not going to5150 me now?
8	B: Knock it off.
9	W: You have a problem
10 11	B: Ya
12	W: Sir can I need to have you put your two legs out.
13	C: I can't breathe.
14	W: You're breathing o.k.
15	W: If you're talking, you can breath.
16	C: No, you don't understand, I cannot breathe inside.
17	T: Are you cut anywhere dude?
18	B: Ya
19	T: Did you clean that?
20 21	C: You don't have to worry I don't have anything, thousand times.
22	W: Can I get your name sir?
23	C: Joseph Ciampi
24	W: Joseph Ciampi
25	W: Do you have any identification in your van?
26	C: Yes
27	W: Can I ask you where
28	

1	C: I'm not sure where it's at
2	C: It might be in those jeans right there.
3	10:16:00
4	C: I should not have opened the door man. I should not have opened the door.
5	C: Why did you guys harass me like that man?
6	T: Because we got a call dude that's why we're here.
7	C: So what.
8	T: So what?
10	10:16:10
11	W: Sir, are you under the influence of anything today.
12	C: No
13	10:16:26
14	H: Is anyone hurt?
15	T: Yes we got blood all over us, but were not hurt at all.
16	No
17	10:16:21
18	W: Na, a little clock in the face but it's all good.
19 20	B: He got you too?
21	W: Ya.
22	10:16:25
23	C: You guys shot a taser at me, that's why you got hit, its called self-defense.
24	(Wagner calling in Ciampi's identification)
25	B: He's bleeding from the back here. But that's about it.
26	40.4 . 00. (G . D
27	10:17:02 (Sgt. Powers exits her vehicle.)
28	10:17:20

1	
2	W: During the
3	C: They threatened to tow my van for no reason.
4	C: The shooting me with a taser.
5	10:17:24
6	W: He was all over. Totally flinging, flailing.
7	C: This van has been here not even one full day.
8 9 .0	B: He got here, so I pulled I heard it Was kind of busy. Standing right here. Trembling in his voice like he is going to fight. So I'm thinking he's under the influence. So I'm like, o.k. that's it, stand right over there away from the van. So he pops in the van, I pull my taser and tell him to get out. He's kind of half-ass getting out.
.1	10:18:39
2	B: So I grab him and pull him up against the fence.
.3	P: O.K.
.5	B: Fight's on, I taser him not effective. He might of, he may of gotten a jolt. He was not immobilized, he came over.
.6	B: I don't know if he hit April first or if he came over fought me.
.7	B: Manny got another taser on him in the bushes over here.
.8	P: You and Manny both hit him with a taser?
9	B: I shot him first and it wasn't effective and he came at me.
20 21	P: O.k.
22	B: And then Manny did so there is two taser discharges.
23	P: Did he stop after Manny hit him?
24	B: No fight
25	B: I didn't see him () at all.
26	10:19:29
27	P: Do you need to go to a doctor for that.

B: No 1 2 B: No not yet, not yet 3 T: What 4 B: Fucking --5 (Garbled) 6 M/?: Who Tased him? 7 ? Ha! 8 M: Who Tased him? B: I did 10 B: I got a little effective but he came right at me. 11 M: I don't know, let me ask these guys---12 M: You can take him out? 13 14 W: We can't ---15 M: O.K. 16 10:21:24 17 B: Son of a bitch, motherfucker. 18 He's ya, he does 19 B: Fuck. Ah what the hell. 20 B: Motherfuckin' glasses. 21 T: You can buy new ones 22 T: Alright 23 24 B: You Should have done what I told you to. 25 B: You should have done what I told you to. 26 B: This wouldn't have happened if you listened to me.

27

1 2	M: Now cleared by a doctor, you guys have a policy like with the probes, but then I didn't know.
3	P: E.R. the medic van is going to take him
4	H/? You o.k. killer?
5	B: I'm good to go sarge.
6	10:25:54
7	M: Forearm one of the probes.
8	M: Puncture wounds a little bleeding but we cannot find the other one though.
9	C: You gonna 5150 me now, why don't you 5150 me now
10	M: Just be cool. Just relax.
11	C: Are you happy winking at me, winking at me.
12	B: What's that?
13	M: Hey Joe your wallet and cell phone are in here.
1415	? Um, no I'll have him run out, no that's property. We'll take it, do you guys need it for anything.
16	C: Are you guys going to secure my van.
17 18	W: Yes sir, we will secure your property One way or another form o.k.
19	10:27:32
20	M: His left arm bleeding.
21	M: O.k. and down below that is a little puncture wound.
22	M: So someone hit him in the left arm and where else.?
23	M: Down here.
24	M: O.k.
25	10:27:35
2627	M: So how many of those things do they shoot out, one?
28	B: I got him once.

1	M: And that shoots one little dart?
2	B: 2 darts.
3	M: 2 darts per shot.
4	B: And then someone else got him.
5	M: So four darts total, o.k.
7	M: Do they usually come out?
8	
9	B: A lot of times when we are rolling round, ya.
10	M: Are they hooked?
	B: Kind of like a little barb?
11	10:27:57
12	M: So there were four darts total that were fired.
13	M: We got two of them,
14	M: They're not sure where they are?
15	M: One in the arm that came out.
16 17	M: And Three others we don't know if they
18	?: Disconnect sharply
19	M: So four darts total.
20	M: O.K.
21	?: Watch your hand
22	B: Pull it just like a fishing hook.
23	M: Controlled the bleeding.
24	M: Whole family, with wife and kids, camper.
25	?: Bandage is that
26	-
27	M: So like a hematoma coming in.
28	?: Once get tased hook.

1	M: Seizure activity like
2	B: Sometimes.
3	B: Depends on size?
4	M: Like with him any seizure activity.
5	B: And that's abrasions from that from rolling on the ground.
6	10:29:30
7	M: The fall to the ground?
8	B: He fell to the ground after he was tasered.
9	M: O.k. ok.
10	?: Take care.
12	M: Stable condition.
13	M: Athletic guy.
14	B: We got an officer going with you.
15	M: Ya coming in the ambulance.
16	M: Only 2 probes hit him.
17	M: 3 shots two probes.
18	M: Each shot 2 probes
19	M: The second time he hit him again.
20	M: So there are only 2 total.
21	M: No one knows where one fell off.
2223	?: Are you junior medic, senior medic.
24	?: Well it was a decent fight.
25	?: Ya.
26	?: Strong Dude.
27	W: I'm good.
28	

1	B: You o.k. April.
2	B: He was effected by the
3	B: He went back
4	P: Oh ha
5	B: He caught the wires.
6	P: O.k.
7	B: And he got
8	B: And I think Manny drive stunned him.
10	B: And I think tha
11	M: Just for our education, is it your policy, or is it just a subjective thing.
12	M 01 1
13	M: O.k, cool
14	W: We offered it, a, b and c I but he did
15	M: I was telling your partner here I played parks and recs football with that dude.
16	P: Oh ya.
17	M: I was looking at his I.D. and I'm like, 'did you play
18	Parks and recs football for Mountain View a couple of years ago. Ya. I was on your team. I just signed up for a random team so they put me on his team.
19	
20	P: Ya.
21	10:32:57
22	M: He's an unbelievable athlete, it's crazy.
23	P: Ya
24	M: Which I'm sure you guys found out.
25	P: Ya he's a little bit.
26	
27	P: I want a nicture of the probe there blast doors and aphids. Collect some of those

1	1: Can I make contact with the original RP find out exactly
2	P: Ya cool
3	?: Kelly let me take of photo of you real quick. Do an overall on you real quick.
4	P: We're trying to figure out whose taser's was what.
5	B: He was up against the wall.
6	P: Did he come out of the van?
7 8	B: Ya, I pulled him out of the van.
9	P: So you, so you tasered first, right?
10	B: Yes.
11	B: I don't know if there is anything else. Fuck I got blood all over me.
12	?: Lets get that, bring the pant leg. You got a little bump on your knee going.
13	B: No shit.
14	B: You got the vehicle, search it yet.
15	P: So you were
16	B: I was right here, he hopped back in there and I had my taser and I said come out or I'm going to taser you. He came out and He put his cell phone down. And he tried
17	getting it or something, so I said get out of the car now. So I grab him, I get him by the shirt and I pushed him up against the fence and that's when he started, he started going
18 19	So I got my distance, and tried to get him in right in the waist line.
20	10:35:40
21	B: I got him up against the fence and he started going.
22	B: So I got my distance and turned waist line.
23	P: Is this is probably yours.
24	
25	B: It might be, I was more at an angle.
26	B: I think I hit him.
27	B: I think might be Manny's.
28	B: Manny was down rolling with him trying to do drive-stun him.

1	
2	B: That doesn't look, that looks like That one went straight into the fence. My shit would have been more at an angle.
3	P: So you were here
4	B: I was right in this area.
5	B: He was back, he was back against the fence when I tasered him So it could have been.
6	
7	P: And Manny was down here?
8	B: Ya
9	P: Do you have your expended ah.
10	B: I dumped it over here when I was reloading. So this is it.
11	
12	B: This is mine, this should be mine, I reloaded.
13	P: Ya you're 24 so that would be yours.
14	P: So were you here, when you shot him.
15	B: No, I backed off, I guess I backed off to reload.
16	P: Somebody broke your wire. You're wire broke.
17	B: It might have been, you know what, I chased him here, Sarge, and he came back on
18	me right here and he hit me in the head here when I was fighting him and then Manny and April rolled against there, I went over here to reload real quick. Manny drive-
19	stunned him or got short close in range right where they were on the ground so that could have been Manny's. I think I might have gotten a hit but it wasn't effective
20	Because he was kind of
21	P: How many probes did this guy have in him?
22	B: None, I checked
23	P: Just now?
24	B: No, I checked when we were first searching that's the first thing I did was look for the
25	probes and didn't see any.
26	D. Alex did consequent to and minteres in side hours before I stand to sain a it can
27	B: Alex did you want to get pictures inside here before I start tearing it up.
28	?: I'll take one real quick.

1	B: How many probes are you looking for?
2	P: I've got two, I've got two that belong together this and this.
3	B: They should all be in this area.
4	P: But I don't have
5	10:40:10
6	B: Manny might not have reloaded. Did you find two cartridges Sarge?
7	P: No, so far just one.
8	B: I wonder if Manny didn't reload.
9	T: O.K. Alright Ken.
11	B: I've got blood all over me.
12	10:40:29
13	B: Did you find it?
14	T: Um, ya o.k. sir, no were were o.k.
15	T: Ya thank you so much, if I have any questions
16	can I call you again?
17	T: I popped my cartridge and I threw it on the ground.
18	P: Ooohh.
19	T: I drive stunned.
20	10:41:05
21	P: Called in a suspicious guy sleeping in a van. And he, he's one of our local people.
22	
23	10:41:10
24	T: I dropped that one on the floor and went to drive stun him.
25	T: No dude I felt the shock. I got shocked.
26	B: I did too from my wires.
27	T: How could I do this

2 T: No, I drive stunned him on the ground. 3 P: Shaking So Kelly says he could be 550 4 P: And he gets back into the van 5 10:41:30 6 T: He keeps saying 5150. 7 T: He's like I'm not 5150 8 B: I thought he was 550 when we were talking. T: Ya, and he's got pop-marks all over him 10 B: And his eyes. 11 B: He started shaking and trembling. 12 P: The head, the head, 13 B: I got punched in the face. 14 15 T: That's what I was going to tell you, you never know what might happen when you --16 P: And they tried to taser him again. 17 T: You can buy new ones. 18 B: Maybe I can put these together 19 B: Here Manny, she's going to need that from you. 20 T: O.K. 21 P: So exactly. 22 P: So you really need to know exactly what this feels like. 23 P: So that's the scoop. 24 P: So how old is that guy? 25 ? I think he's like 30 something. 26 27 P: White guy, ya exactly.

B: I thought that was your probe, because I thought you drive stunned him here.

1

1 2	P: Yep, I'm a divide up Honniker is going to do the administrative statement and I'm going to do the
3	P: I will do it.
4	10:43:25
5	P: So Manny where were you when you tased him, And do you have your spent cartridge?
6	T: I drive-stunned him.
7 8	P: You drive stunned him with?
9	T: I popped my cartridge and it broke on the ground.
10	P: Sweet o.k.
11	T: I went to drive stun.
12	B: So that was my miss.
13	P: Now I get it.
14 15	B: He, he backed up on it, because I got a little zap too. He was, he backed up on the wires, he was stepping on the wires.
16	P: Manny where did you drive stun him?
17	T: Ahh, in the chest.
18	P: So Alex, know where to take pictures, so lets do like a whole body photograph.
1920	P: You guys can come to the station when you're ready so I can download your Tasers real quick.
21	T: April at the hospital now.
22	B: Where's her bike?
23	? Ya, where's her bike?
24	P: She may have given it to him.
25	B: I told her I was going to
2627	? I'm gonna go to the hospital And um, so you guys eight-tener this.
28	P: Ya, lets eight-tener it, ya fuck him.

1	B: I've got gloves on so I'll start tearing it up.
2	T: Alright, I'll do the 180.
3	B: Motherfucker hit me in the head.
4	P: I'm just happy that somebody
5	B: I think he might have been stepping on the wires
6	B: Because he was definitely
7	P: Oh he definitely did. Because there seemed like for a second he
8	
9	B: Got effect or he paused, I don't know.
10	B: We'll see it on the video.
11	O.K.
12	P: Manny from his
13	Van 243 guys
14	P: I don't want them to dummy it down.
15	B: Cuss and smell
16	
17	10:48:15 AUDIO STOPS
18	VIDEO CONTINUES FOR 15 MINUTES TO:
19	11:02:56
20	
21	