

The following is an excerpt of testimony by Los Angeles Police Department Detective Martin Pinner during the murder trial of Jose Ledesma in Los Angeles County Superior Court. In this excerpt, taken from the trial's official transcript, Pinner discusses the "ruse" he and his partner, Juan Rodriguez, attempted during an interrogation of Ledesma. Pinner was questioned by Beth Silverman, prosecutor for the Los Angeles County District Attorney's office.

1 BY MS. SILVERMAN:

2 Q DID YOU HAVE A CONVERSATION WITH
3 DEFENDANT LEDESMA?

4 A YES.

5 Q DURING THE BOOKING PROCESS, WERE YOU ABLE
6 TO DETERMINE HIS AGE AND HEIGHT AT THAT TIME?

7 A YES.

8 Q WHAT WAS HIS AGE AS OF DECEMBER 1, 2002?

9 A 19.

10 Q AND HIS HEIGHT?

11 A FIVE FOOT SEVEN.

12 Q WHEN YOU SPOKE WITH DEFENDANT LEDESMA,
13 DID YOU TELL HIM ANYTHING IN PARTICULAR?

14 A YES, I DID.

15 Q WHAT DID YOU TELL HIM?

16 A I TOLD HIM WHY HE WAS UNDER ARREST. I
17 TOLD HIM -- I DESCRIBED TO HIM VERBALLY AND WITH SOME
18 ITEMS WHAT KIND OF A CASE WE HAD AGAINST HIM.

19 Q DID YOU TELL HIM SPECIFICALLY THAT HE HAD
20 BEEN IDENTIFIED BY SOMEONE?

21 A I DID.

22 Q AND WHO WAS THAT PERSON THAT YOU SAID HE
23 HAD BEEN IDENTIFIED BY?

24 A I DIDN'T IDENTIFY THE SECOND PERSON. I
25 DID IDENTIFY ONE PERSON. WE TOLD HIM HE HAD BEEN
26 IDENTIFIED TWICE. AND THE ONE PERSON I DID IDENTIFY,
27 I DID NAME AS IDENTIFYING JOSE LEDESMA, WAS MARTHA.

28 Q MARTHA PUEBLA?

1 A I DIDN'T USE THE NAME PUEBLA, BUT I
2 IDENTIFIED HER AS MARTHA.

3 Q OKAY. AND DID YOU SHOW HIM ANYTHING WITH
4 RESPECT TO THE IDENTIFICATION YOU WERE TELLING HIM WAS
5 MADE BY MARTHA PUEBLA?

6 A I DID.

7 Q WHAT WAS THAT?

8 A IN OUR JOB, AS A LEGAL WAY OF TRYING TO
9 ELICIT A STATEMENT OR AN ADMISSION FROM A PERSON YOU
10 HAVE IN CUSTODY OR UNDER ARREST, WE SOMETIMES USE WHAT
11 I CALL OR IS CALLED A RUSE.

12 AND IN THIS PARTICULAR CASE, MY PARTNER,
13 DETECTIVE RODRIGUEZ, AND I TOOK TWO PHOTOCOPIES OF
14 THAT SIX-PACK THAT WE HAVE SHOWN HERE DEPICTING
15 DEFENDANT LEDESMA IN PHOTOGRAPH NUMBER 3, AND WE MADE
16 A PHOTOCOPY OF THAT, OF THAT SIX-PACK, A COUPLE OF
17 PHOTOCOPIES.

18 AND ON THOSE PHOTOCOPIES MYSELF AND
19 DETECTIVE RODRIGUEZ, MY PARTNER, WROTE DOWN SOME WORDS
20 INDICATING THAT -- CIRCLING THE PHOTOGRAPH OF JOSE
21 LEDESMA, INDICATING THAT HE HAD BEEN -- OUR INTENTION
22 IS TO TELL SOMEONE WITH THESE TWO DOCUMENTS THAT THEY
23 HAVE BEEN IDENTIFIED BY WITNESSES AS COMMITTING A
24 PARTICULAR CRIME.

25 AND IN THIS PARTICULAR CASE, ONE OF THE
26 RUSES THAT WAS FILLED OUT BY US WAS REPRESENTED TO HIM
27 AS BEING COMPLETED BY MARTHA PUEBLA.

28 Q AND ACTUALLY, THE NAME, THE SIGNATURE OF

1 MARTHA PUEBLA, DID YOU PUT THAT ON THERE, ON THAT
2 RUSE?

3 A NOT THE SIGNATURE, BUT IT WAS OUR
4 INTENTION TO DISPLAY THAT BECAUSE AT THE TIME WE
5 THOUGHT THEY KNEW EACH OTHER, AND THAT WOULD BE A
6 SIGNIFICANT EVENT.

7 Q DO YOU HAVE THAT RUSE SIX-PACK WITH YOU?

8 A I DO.

9 THE COURT: WHILE HE IS GETTING THAT OUT, LET ME
10 TELL THE JURY THAT STATEMENTS MADE BY DETECTIVE PINNER
11 THAT YOU HAVE NOW HEARD AND ARE ABOUT TO HEAR THAT
12 WERE ALLEGEDLY TOLD TO ONE OR BOTH OF THE DEFENDANTS
13 ARE NOT BEING RECEIVED FOR THE TRUTH OF THE MATTER
14 ASSERTED IN THOSE STATEMENTS.

15 THEY ARE BEING RECEIVED FOR THE SOLE
16 PURPOSE TO SHOW THAT THE PERSON THAT -- THAT A PERSON
17 MAY HAVE HEARD THE STATEMENT AND KNEW WHAT DETECTIVE
18 PINNER HAD SAID. YOU ARE NOT TO CONSIDER THIS
19 EVIDENCE FOR ANY OTHER PURPOSE.

20 MS. SILVERMAN: THANK YOU.

21 YOUR HONOR, I HAVE A COPY OF A SIX-PACK.
22 IT IS DATED DECEMBER 1, 2002. IT SAYS "RUSE" AT THE
23 TOP, IN RED PEN.

24 IF IT COULD BE MARKED AS PEOPLE'S 67 FOR
25 IDENTIFICATION?

26 THE COURT: 67.
27
28

1 (PEOPLE'S EXHIBIT 67, COPY OF A SIX-PACK,
2 MARKED FOR IDENTIFICATION.)
3

4 BY MS. SILVERMAN:

5 Q SHOWING YOU PEOPLE'S 67 FOR
6 IDENTIFICATION AT THIS POINT; DO YOU RECOGNIZE THIS
7 DOCUMENT?

8 A YES. AND I JUST REALIZED AS WE WERE
9 GETTING THESE OUT OF THE BOOK THAT I MISSPOKE EARLIER.

10 Q WITH RESPECT TO WHAT?

11 A THIS WAS A SIX-PACK THAT WE CREATED ON
12 NOVEMBER 27TH. OKAY. SO THAT IS THIS SIX-PACK HERE.
13 AND THESE WERE THE RUSES.

14 NOW, THE REASON WE DIDN'T USE IT, AND
15 IT'S JUST COME BACK TO ME NOW -- THE REASON WE DIDN'T
16 USE THE RUSE THAT WE HAVE BEEN SHOWING IN COURT WITH
17 DEFENDANT LEDESMA, AND IN THAT SIX-PACK IN POSITION 3,
18 BECAUSE THAT WOULDN'T HAVE WORKED BECAUSE THAT
19 SIX-PACK WASN'T CREATED UNTIL THE DAY HE WAS ARRESTED.
20 THEREFORE, HE WOULD CATCH ON TO THE FACT THAT THAT WAS
21 THE PICTURE THAT WE TOOK.

22 MS. TOISTER: OBJECTION. THIS IS, A, NOT
23 RESPONSIVE; AND, B, NOT RELEVANT; AND, C, CALLS FOR
24 SPECULATION.

25 THE COURT: SUSTAINED.

26 BY MS. SILVERMAN:

27 Q OKAY. LET ME ASK YOU A QUESTION.
28 PEOPLE'S 6, THE PHOTOGRAPHIC SIX-PACK THAT WE HAVE

1 SEEN IN COURT, THIS SIX-PACK YOU SAID CONTAINS A
2 PHOTOGRAPH OF DEFENDANT LEDESMA IN POSITION NUMBER 3?

3 A YES.

4 Q OKAY. WHAT DATE WAS THAT PHOTOGRAPH
5 TAKEN OF DEFENDANT LEDESMA THAT IS NOW IN POSITION
6 NUMBER 3?

7 A DECEMBER 1.

8 Q OKAY. AT THE TIME THAT HE WAS TAKEN FROM
9 MEXICO AND BROUGHT TO NORTH HOLLYWOOD STATION AS YOU
10 HAVE INDICATED?

11 A YES.

12 Q OKAY. GIVEN THAT THE PHOTOGRAPH WAS
13 TAKEN AT THE TIME THAT DEFENDANT LEDESMA WAS AT NORTH
14 HOLLYWOOD STATION, DID YOU THEN USE A DIFFERENT
15 PHOTOGRAPH SIX-PACK, WHAT WE SEE HERE AS PEOPLE'S 67,
16 FOR THE RUSE, GIVEN THAT IT HAD A PHOTOGRAPH THAT WAS
17 TAKEN AT SOME POINT OTHER THAN WHEN HE WAS AT THE
18 STATION ON DECEMBER 1?

19 A YES.

20 Q OKAY. NOW, PEOPLE'S 67, WITH THE WORD
21 "RUSE" AT THE TOP, WAS THAT ON THERE AT THE TIME THAT
22 YOU SHOWED THIS DOCUMENT TO DEFENDANT LEDESMA?

23 A NO, IT WAS NOT.

24 Q OKAY. AND WITH RESPECT TO THIS DOCUMENT,
25 WHERE YOU HAVE CIRCLED PICTURE NUMBER 5, WHO IS THAT
26 IN THE PICTURE? WHO DO WE SEE HERE IN PICTURE NUMBER
27 5?

28 A JOSE LEDESMA.

1 Q AND ON THERE, WHO CIRCLED NUMBER 5, WROTE
2 A DATE OF "NOVEMBER 27" AND WROTE THE LETTERS "MP"?

3 A MY PARTNER DID, DETECTIVE RODRIGUEZ.

4 Q AND WITH RESPECT TO THE STATEMENT AT THE
5 BOTTOM OF THIS PAGE, "THIS IS THE GUY THAT SHOT MY
6 FRIEND'S BOYFRIEND," AND THEN A DATE AND THE NAME
7 "MARTHA PUEBLA, ." WHO WROTE THAT?

8 A MY PARTNER, DETECTIVE RODRIGUEZ.

9 Q OKAY. AND IS THIS THE DOCUMENT, PEOPLE'S
10 67, THAT YOU SHOWED TO DEFENDANT LEDESMA ON
11 DECEMBER 1, IN YOUR STATEMENTS TO HIM THAT HE HAD BEEN
12 IDENTIFIED BY SOMEONE -- IN OTHER WORDS, MARTHA
13 PUEBLA?

14 A YES.

15 Q OKAY. NOW, WERE YOU ALSO AT VAN NUYS
16 STATION WHEN BOTH DEFENDANTS WERE TRANSPORTED TO THE
17 VAN NUYS JAIL ON DECEMBER 1, 2002, AT ABOUT 10:20 OR
18 SO THAT NIGHT?

19 A I WAS.

20 Q OKAY. NOW, DID YOU ALSO SPEAK WITH
21 DEFENDANT CATALAN PRIOR TO PUTTING HIM INTO A CELL AT
22 THE VAN NUYS STATION?

23 A I SPOKE TO HIM AFTER HE WAS ALREADY IN A
24 CELL AT VAN NUYS JAIL.

25 Q AND WHAT, IF ANYTHING, DID YOU TELL
26 DEFENDANT CATALAN ON DECEMBER 1, 2002, AT THAT POINT
27 IN TIME?

28 THE COURT: AND THIS IS BEING RECEIVED FOR THE