TAPED TRANSCRIPT OF DEPUTY RICHARD CAIN

INTERVIEW CONDUCTED BY CORPORAL YURI MELICH

CASE NUMBER – 08-74777

DECEMBER 18, 2008

YM – CORPORAL YURI MELICH

JA – SERGEANT JOHN ALLEN

RC – DEPUTY RICHARD CAIN

YM: The date right now is December 18, 2008. The time right now is 0903 hours. I'm Detective Melich with the Orange County Sheriff's Office. Also present is Sergeant John Allen, and uh, Richard Cain, a deputy sheriff. Uh, Rich, do you understand this is being recorded?

RC: Yes.

YM: Any objection to that?

RC: No.

YM: Okay. Okay. Rich, we asked you to come by today. You were actually working, and you have a trainee outside. And we wanted to ask you some questions about a call that occurred on the 13th of August of this year. Uh, it occurred over here on Suburban Drive. And it has a call number of 082261944. Uh, it shows a entry date of, actually initiate at 1514:53 hours. On scene 1537 hours. Uh, closed at 1602. Uh, I'm just showing you, I'm showing you the call log over here on the screen just so we understand….

RC: Right.

YM: …we're talking about the same one. Uh, it's uh, Kethlin Cucher and you responded to, it says here uhm, a half mile on Suburban, past Hope Springs, a

swamp area, 10-56, a blue Cavalier, unknown gray bag at swamp area, uh, name Roy, meter reader, uh, with a 56 on the phone.

RC: Right.

YM: Do you recall that uhm…

RC: Yes.

YM: …call? Kind of walk me through it. Tell me about you know, when you arrived, where he was, where you parked and, and what happened….

RC: Okay.

YM: …after.

RC: We arrived. He was on the left side of the road. (Inaudible)….

YM: You say left. On the south side of the road?

RC: Yeah (affirmative), the south side of the road.

YM: Okay.

RC: Uhm, I don't recall if he was in the grass or on the sidewalk. I believe he was in the grass. Uhm, we pulled up, met with Roy. Uh, then went to where he said he relieved, was relieving himself. Uhm, he said he saw a bag. He thought, thought it contained bones possibly.

YM: How did….

RC: He, he said he, that's just what he thought.

YM: Did he give an indication of where he heard that, or….

RC: Uh….

YM: …where he came to this…

RC: And it, it's, that's what he told me.

YM: Okay.

RC: That's, that's what he said, "I think it has bones in it." So we enter the woods where he said he relieved himself. Saw a bag. But it was not a big bag. Uhm…..

YM: Was it, what kind of bag was it; do you remember?

RC: Just like a trash bag. Like a….

YM: Uhm….

RC: …leaf bag. Uhm….

YM: What color?

RC: Black.

YM: Was it plastic, cloth?

RC: Yeah (affirmative), well it was a plastic bag.

YM: Okay.

RC: Uhm, I went into the woods, kind of stepping on the, where I could step without falling in the water. It was kind of, I believe there was a, another couple bags around it. And I reached down, lifted the bag up. It was pretty heavy. But when I lifted it up it tore, you know the bottom. All leaves fell out, some sticks.

YM: Uh-hum (affirmative).

RC: Uhm, and I took my baton out and kind of poked around. I didn't see anything. And went back out to Suburban.

JA: Where was uh, where was Roy at when you went through this bag?

RC: Like right behind me. Like….

JA: But he stood right there with you while this was going on?

RC: Yeah (affirmative). He was, uh, I don't know, probably here to the TV away.

JA: Okay.

RC: I mean he was k…he was kind of like on the edge of the, the woods.

JA: Right.

1 **RC:** And I was three, four, five feet in maybe.

2 **YM:** Was the bag in water? Was it next to water? Was it on dry land?

3 **RC:** It was on dry land. It was uh, like if this bag was like a little spot of dry land….

4 **YM:** Uh-hum (affirmative).

5 **RC:** …then the water was right, like right there.

6 **YM:** Uh-hum (affirmative).

7 **RC:** And there was uh, just grass, or bushes, like this high.

8 **YM:** Uh-hum (affirmative).

9 **RC:** So I was kind of stepping on those and walking.

10 **YM:** Was it slippery?

11 **RC:** It wasn't really slippery, but I could see there was water and mud and I didn't….

12 **YM:** Did you lose your footing by any chance when you were trying to go down, or do

13 you recall?

14 **RC:** Uh, I don't, I don't recall. I don't think I did. I did when I came out.

15 **YM:** Okay.

16 **RC:** I slipped up the...but that might have been from my feet being wet….

17 **YM:** Right.

18 **RC:** …standing down there.

19 **YM:** (Unintelligible), but the bag wasn't in standing water? It was in a, a, a patch of

20 dry area? Is that the same bag he was pointing out?

21 **RC:** Yeah (affirmative), that's, he, he pointed. You know, and like I say, he's right,

22 right behind me. He said, "Yeah (affirmative), that one right there," and that's,

23 that's the one I grabbed.

24 **YM:** Did he mention any, anything else he noticed? I mean any smells that he noticed

25 or anything else?

RC: He didn't say anything about a smell.

YM: Okay, did you….

RC: I didn't smell anything.

YM: Okay. Uhm, did he say anything, any stories about having been here before or, or, or….

RC: He says he works around here and I guess he goes in there quite often. And he said, I don't know if it was the week before or the day before, he said his friend went in there I guess to do the same thing to relieve himself, and they killed a, like a three foot snake.

YM: Okay.

RC: But his friend worked, I think he, I thought he said his friend worked for uh, Progressive maybe.

YM: Did he say who he worked for?

RC: Huh-huh (negative).

YM: Uh, oh, the call says a meter reader.

RC: Yeah (affirmative).

YM: Do you recall anything about, about him being a County employee, or any uniforms he may have been wearing? Anything like that?

RC: All I remember was the hat, the like blue looking type hat.

YM: I showed you a picture on uh, I showed you a picture on the computer to see if you recognize the person. Did you recognize the person at all?

RC: Uh….

YM: If you don't, you don't. That's fine.

RC: Uh, I, I don't really recall, but uh, uh, that kind of resembles the guy that was there.

1 **YM:** Okay. But you're not sure?

2 **RC:** I'm, I'm not really, I'm not a hundred percent sure, no.

3 **JA:** I'm sorry, but we're taping. I'm going to have to shut this door (inaudible).

4 Alright, sorry Richard.

5 **RC:** Okay.

6 **JA:** (Coughs.) Uhm, you, you understand what we're doing here, right?

7 **RC:** Yes.

8 **JA:** And you understand the significance of it?

9 **RC:** Yes, I do.

10 **JA:** And you understand the importance of telling the, the truth?

11 **RC:** Yes, I do.

12 **JA:** You understand the importance of telling the whole truth, right?

13 **RC:** Yes.

14 **JA:** Alright. And uhm, this guy went with you and would have seen you open the bag

15 and dump the leaves out?

16 **RC:** Yeah (affirmative). Uh, I mean, he didn't walk right to the bag, but yeah

17 (affirmative), he was right behind me.

18 **JA:** He was, when you say right behind you, he was within eye shot? He could see?

19 **RC:** Yeah (affirmative), with, within five feet or so.

20 **JA:** Within five feet or so. Okay. And you looked in the bag and there were no bones

21 in there?

22 **RC:** Well no, I didn't like tear the whole bag apart, but when the stuff fell….

23 **JA:** Right.

24 **RC:** …out of the bottom I took my baton and, and it was leaves and…

25 **JA:** Okay.

RC: ….just some…it looked like cut up sticks, like somebody trimmed their trees and threw it all in there.

JA: Okay. Alright. Uhm, and you said earlier that somebody told you you, that you, you couldn't recall specifically who, but somebody told that you, you, to you that you needed to call that into the tip line?

RC: Yeah (affirmative).

JA: Do you recall, uh, do you, you don't….

RC: I….

JA: …recall who that was?

RC: ..I…I want to say my supervisor, but I'm not, I'm not a hundred percent. I, I'm pretty sure that's who told me to do it.

JA: Okay, and this is after the call?

RC: Yeah (affirmative).

JA: They told you to do this after. I mean did you tell him that there was just sticks and stuff in there?

RC: Yeah (affirmative), I told him it was just, you know, trash, sticks, uh, yard, yard waste, whatever.

JA: Okay. And after you told him it was sticks and yard waste he just said to go ahead and call into the tips line?

RC: Yeah (affirmative), because of the, the area it was in.

JA: Okay.

YM: Do you remember how, what day that was in relation to the call? Was it the same day, the next day, or, or….or was it this week?

RC: Uh, no, it wasn't this week. Uhm…

(background noise from TV)

1 **RC:** I don't know exactly the uhm….

2 **YM:** (Inaudible.)

3 **RC:** Uh….

4 **YM:** In relation to the call was it….

5 **RC:** I think it was the same, the same day, or maybe the next morning.

6 **JA:** So you called it in the tips line fairly quickly. Uh, do, do you know who you spoke
7 to?

8 **RC:** (Sighs.)

9 **JA:** Did you speak to a person? Did you get a recorder? Did you say that…

10 **RC:** I think, I think I left it on a recorder.

11 **JA:** Okay.

12 **RC:** Yeah (affirmative).

13 **JA:** But you didn't contact anybody in C.I.D.? You didn't con…you didn't call and ask
14 for any, any of us?

15 **RC:** No.

16 **JA:** You just called some….

17 **RC:** Uh…

18 **JA:** …recorded line somewhere you think?

19 **RC:** Yeah (affirmative), I, uh, uh, I want to say it was the CrimeLine part, but uh, I'm
20 not….

21 **JA:** So your ser…you think your sergeant told you to call CrimeLine?

22 **RC:** That's, I mean that's what, well some supervisor told me to call CrimeLine and I
23 think that's the only person I talked to was my supervisor at that time.

24 **JA:** Okay. So (coughs), I want to make sure I get this straight. You went to your
25 supervisor and told him that, that you went on this call, you looked in this bag,

and there were sticks and leaves in there. And then your, that supervisor told you to call the CrimeLine and, and leave uhm, them a message about the bag?

RC: Yeah (affirmative), just because of the area we're in.

JA: Okay. And you think that it was your supervisor, who had been sergeant who at the time?

RC: Uh, I'm pretty sure it was Cordrey. Uh….

JA: Okay.

RC: …I think that's how you say it.

JA: Okay, did you, how did you work for Sergeant Cordrey?

RC: He was only, he was very seldomly (sic) here when I started. I guess he was getting ready to retire, or is retired, or.

JA: Okay. Uhm….

RC: And then Sergeant Titley came over.

JA: Okay. Uhm, (coughs), did you ever get any, you, did uh, did you ever hear back from anybody about this tip you called into CrimeLine?

RC: Nothing.

JA: Did they give you a, uh, did they give you a number? Normally when you call into CrimeLine they give you some sort of number. No?

RC: Well….

JA: Okay.

RC: …and if they did I didn't write it down.

JA: I see, okay. Uhm, (coughs), now uh, obviously last week you're aware that we were here.

RC: Right.

JA: And we, that we found uh, that we uh, the body of the child, right?

1 **RC:** Right.

2 **JA:** Okay. At that time did you contact anybody to say hey, I was out there some
3 time ago uh, on a call uh, were a, a guy found a bag?

4 **RC:** No.

5 **JA:** I'm sorry?

6 **RC:** No.

7 **JA:** Uh, you didn't, you didn't, you didn't tell anybody that, did you think that would be
8 important that would, that the information would be important to us or?

9 **RC:** It is important, but I figured everything was kind of looped together with uh, you
10 know, the area….

11 **JA:** hum …

12 **RC:** …and all the calls that were….

13 **JA:** Right. Did you talk to anybody about it? Did you tell anybody, hey, I was out
14 there? You, anybody you work with out here in uh, in uh, Sector Two, did you,
15 did you say to them, hey, I, you know, I went on call out there. Uh, did you talk
16 to, did you talk to anybody about it.

17 **RC:** Yeah (affirmative), the other night I worked off-duty down here with uh, (making
18 snapping sounds).

19 **YM:** At the entrance?

20 **RC:** I didn't work here but I worked the, the house.

21 **YM:** Hope Springs?

22 **RC:** Yeah (affirmative), driving up and down. Uhm, yeah (affirmative), I talked to
23 somebody the, the other night uhm, the two deputies that were here.

24 **JA:** Oh, okay.

25 **YM:** What night was that? Do you remember?

RC: Monday? Was it Monday?

YM: Today's Thursday.

RC: Yeah (affirmative), I worked Monday. We're off Monday, Tuesday.

JA: But you didn't tell anybody associated with the investigation, any of the investigators, hey, look I, I r…I rolled out to a call here uh, some time ago and….

RC: No.

JA: …uhm….

RC: No, but….

JA: ….uh, this guy had called (inaudible). Okay. Alright. Alright, uh, can you think of anything else that you think might be important to us?

RC: Uh, not offhand, no.

JA: Alright. Raise your right hand. Do you swear and affirm this statement you've given is uh, true and correct?

RC: Yes.

YM: Rich, I appreciate you coming down here.

RC: Okay. I mean I, I probably should have said something when all this came down, but I mean, I, I thought it was all kind of joined together, you know.

JA: How, how did, I just, and I'm curious. In your mind how would you think it would be joined together? What process would you think would join it all together?

RC: Just all the calls for service and you know, just, plus when it, like I said, when they called the, the tip thing uh, I thought that went to, to you guys or whoever, whoever's in the investigation part.

YM: And the tip would have specifically said? Uh, but well, well what, what, what do you remember you telling the tip line? (Inaudible)….

RC: Just why I was here. Uh, you know….

1 **YM:** And that was?

2 **RC:** Because a suspicious bag, you know that was in the area.

3 **JA:** Did you identify yourself as a deputy when you called the tip line?

4 **RC:** (Sighs.)

5 **JA:** Did you say this is Deputy Cain. I responded to a call out here?

6 **RC:** Uh…

7 **JA:** I mean that's not information you would have admitted, (inaudible), you would

8 have omitted. I mean that's not information you would have kept out, right?

9 **RC:** Uhm, no, I (inaudible)….

10 **JA:** You would have called the CrimeLine.

11 **RC:** Yeah (affirmative)….

12 **JA:** When you talked with CrimeLine….

13 **RC:** …and then I would have said….

14 **JA:** When you called CrimeLine you would have told them who you were, right?

15 **RC:** Right. Yeah (affirmative), I, I (inaudible).

16 **JA:** Alright, so it should be easy, it should be easy for us to pull, pull the CrimeLine tip

17 if you…

18 **RC:** Right.

19 **JA:** …identified yourself as a deputy. That would….

20 **RC:** And uh, I think I may have sent something via e-mail. I'm not, I mean you can

21 pull up my e-mail and see if….

22 **JA:** Right. Okay.

23 **YM:** Both call and an e-mail, or just an e-mail? I'm just, make sure I don't not at all

24 misunderstand.

25 **RC:** I think I did the call first and then uh….

YM: Followed up with an e-mail?

RC: Uh, yeah (affirmative).

YM: Same CrimeLine person… same CrimeLine, or a different one?

RC: What, what's the, the tips number?

YM: 1-800-423-TIPS?

RC: I think that, that's the one I called.

JA: Okay.

YM: What about the uh, the e-mail? Do you remember?

RC: I don't know if I sent an e-mail. I, I can't recall if I sent the e-mail. I'm trying to think back. I mean there's…I'm not sure. I'm not sure about the e-mail, but….

JA: Okay.

RC: …I remember that, that tips number.

YM: Okay.

JA: Okay.

RC: That's, that's pretty much….

JA: Alright. Thank you.

YM: Well thanks Rich.

RC: Okay.

End of recorded statement.

This transcript has been reviewed for accuracy.

CORPORAL YURI MELICH, OCSO DEPUTY SHERIFF