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them your name or nothing, and he goes, just give em information, tell em who done it, what went on, and I said, okay, I'll do that tomorrow and that's why I was getting ready to take a shower and I was gonna go use the phone so I could call Secret Witness because I, I, I kind of feel kind of safe that he's gone but I don't because he, he's gotta be close around and I'm very intimidated by that boy.

Q What happened that night?

A Got into the cab

Q Who would do that? Okay, I told you you weren't under arrest, okay.

A But now I'm being

Q At this point, no, don't consider yourself under arrest because I don't what all you're gonna tell me.

A Okay.

Q But what I do wanna do is advise you of your rights, okay. If, if for some reason, if, depending on what you tell me and, if you become under arrest I want you to be aware of these rights.

A Okay.

Q Okay. Okay. Now, what I'm gonna do is show you this is a printed form that R.P.D. uses called The Admonition and Waiver of Rights Form.

A Okay.

Q Can you read all right?

A Yes, I can.

Q Do you need glasses or anything?

A No, I don't.

Q Okay. I want you to read along with me here.

A Okay.

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Q You have the right to remain silent. (Both reading together). I don't mean out loud but go ahead, you read it out loud if you'd like.

A Okay, you have the right to remain silent. ANYthing you say can be used against you in a court of law. You have the right to talk to a lawyer and have him present with you while you are being questioned. If you cannot afford a lawyer one will be appointed to represent you before any questioning, if you wish one.

Q Okay. Let me add a couple of things that aren't on here. Okay? If at any point when we're talking and you di--, you don't wanna answer a specific question, you don't have to answer that question, it doesn't mean once we start talking we keep talking, okay.

A Well, I just wanna cooperate, as soon, as much as I can. I, I am scared shitless right now

Q Okay, well, I, I

A and

Q appreciate your help.

A I just wanna help you guys as much as I can because I cannot

Q Okay. Well, and I'm

A believe what happened.

Q not telling you that you're gonna

A What?

Q be arrested either. Okay? I, I don't know enough about what you're gonna tell me to, to just tell you one way or another at this point. The other thing that's not down there is at any time you feel like stopping, we can stop, okay. Those are two things that aren't down there but I like to add em anyway. Now, down here is two questions that you need to understand before we keep, keep going. Why don't you read the first one.

A Do you understand each of these rights I have explained to you? Yes, I do.

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Q Okay, I want you to write your answer, yes or no right there.
Okay, you wrote yes.

A Yes.

Q You can say that for the tape recorder.

A Yes, yes.

Q Okay, number two, read that one for me if you want.

A Having these rights in mind, do you wish to talk to us now?
Yes.

Q Okay, if you'd write that down.

JD Ed, you realize

A Yes,

JD of course, that Det. Duncan and I are police officers, right?

A Yes, I do.

JD Okay.

Q This here.....sort, it says your signature, you sign that and then I'm gonna print your name and I'm gonna sign it and John'll witness it and are we at the point where we need to turn the tape? Nah, we have a few minutes left. Don't get all excited right now, Ed, okay. There are certain things we have to do by law at, at certain steps of the investigation. And that's Shafer the Second, right.

JD And that's your name, right?

A Yes, it is, sir.

Q You are the second?

A Yes, I am.

Q I'll date it 4-2-91 at 1445 hours.

A I need a cigarette.

Q You need a cigarette?

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A Yes.

Q Well, let's see if we can find you one.

A Uh, can you get one from my roommate Reed? If he's

Q Yeah, Reed's here.

A in the faci--, facility.

JD Okay.

Q Reed's here and we'll just wait

A And a light, too, please. I, I, oh, give me my (too soft to hear)

Q We'll, we'll get you one. Relax. I realize this isn't the easiest thing in the world for you to talk about, Ed, uh,

A You really know what's hard enough for me to talk about it to my roommate.

Q Well, I'd say it's to your credit that you went to somebody.

A And, you know, I, I've had it built up inside for so long. I mean, I

Q Have you ever seen, I don't know what you've seen in your life, okay, there's some things that are, we remember as very traumatic events, I would say this would qualify as an extremely traumatic event to somebody, so I'm sure it's been bothering you quite a bit.

A Yeah. Cause no one deserves, you know, no one deserves, you know.

Q Well, I'm, I'm with you there. I don't know about Saddam Husain, I might think he deserves it but I think he's brought some of that on himself.

A Yeah.

Q Okay, you gotta lighten up a little bit and relax. As soon as Det. Douglas comes in we're gonna stop this tape and turn

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it over so we get a fresh start.

A Have you talked to this Marritte guy yet?

Q No, not yet. I've talked to Lee. Lee's been here since this morning, uh, and that's why we came out to your house and rounded up everybody else. Okay. As I told you and for the transcriber, uh, Det. Douglas is back, we're gonna go ahead and stop the tape and turn it over and start fresh here. Okay, transcriber, we're back on, uh, 1447. Ed, when I turned that tape over just now, did we talk ab--, about anything while I was turning the tape?

A No, we didn't.

Q Okay. Just before you asked for a cigarette, I read you your Miranda rights, correct?

A Yes, you did.

Q Okay. And the reason I did that is because you were telling us you know about the shooting.

A Yeah.

Q Okay. Then why don't you tell me what happened at, during that.

A Okay, we waved the cab down.

Q We, being you and Mare?

A Yeah. And I said, well, isn't it cheaper to take the bus. He said, no, I got money for a cab, don't worry about it. I said, okay. We got in the ca--, I got in the front seat of the cab and he pulled the back door open and got in the back and closed it. The cab driver then proceeded to ask us where we were going so I told him Stead Blvd. Uh, we're going down into Stead, um, you know, and he goes, all right, well, I need to see the money up front and you know, and I didn't think nothing of it and so Mare, I guess, went down, came up and pulled the gun right on him and says, is this enough money for you and I just froze, I, I couldn't believe what, I didn't wanna move cause I didn't wanna be afraid of getting shot myself. I didn't move, I didn't say a word, I just looked down, I, I didn't do nothing and Mare kept saying, he goes, drive. The cab driver goes, no, I'm not gonna drive, he goes,

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you don't need to do this, he goes, you know, you can go to jail for a long time and Mare goes, fuck you, fuck you, shut up, drive, give me the money and, um, so the cab driver's going, no, you don't wanna do this, you know, you're a nice guy, you don't wanna do this, he goes, just get out of the cab now and I didn't see nothing. And I didn't move, I didn't do nothing, I was shaking, you know, I did, I just didn't do nothing and he, Mare goes, why do you keep studying my face, why do you keep studying my face?

Q The cab driver was looking at him?

A Yes. Through his rear view mirror.

Q Okay.

A He said, why, why are you, why are you studying me, why are you studying me and the cab driver goes, I'm not, I'm not, he goes, he goes, come on, just leave, just leave, please, just leave and that's when I heard the gun go off and

Q How many times?

A It just went off once and I just ran. Got out of the thing and I just ran, I, I couldn't believe what happened, I was just in total fear and horror for myself, for my life because he still had the gun on him and he was following me, you know, right behind me and stuff and

Q Who? Marrette, you mean?

A Yeah, and what he

Q Where did you run?

A Um, ran up a block and then he said, don't walk, don't walk, and he goes, just, just, just, stay straight, you know, just calm down, I said, dude, how can I calm down, you just fucking killed someone, I go, how could you do that, you told me you had enough money to take the cab and then you killed him, over a ride? Why? And

Q Okay, let me, let me slow you down a little bit cause you're getting all emotional. You got out of the cab and ran where? You know Reno enough, tell me the streets. You're in the parking, you're in the driveway of J.J.'s.

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A J.J.'s, got out going

Q Towards where?

A Okay,

Q The mountains, California, Utah, you know, anything that you can think of, what are the landmarks of the streets.

A that's this street right there, isn't it?

Q Right.

A Okay, we went up this street

JD Towards which way, did you go to Virginia Street, towards?

A toward, no, toward, um, toward by St. Mary's, I think, going, going up that

Q Did you past Sie--, Sierra Street, which is the one way, the first one?

A Yes. We went past that one.

Q Did you know there's a pizza parlor up in the next block? Straw Hat or something like?

A Yeah, Straw Hat Pizza.

Q Do you go past there?

A Uh, no, we turned right then.

Q Okay, so that's on West Street, on the same street that that pizza parlor's on the corner of?

A Yeah.

Q Okay, which way did you turn?

A Uh,

Q Towards Stead or downtown?

A yeah, towards Stead, to my, uh, right.

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Q Okay.

A Going

Q So you went north on West Street?

A yeah, and then, uh, we went by this building and, you know, I just kept saying, why did you do this, why did you do this. He said, come on, just, just

Q Were you walking or running now?

A Kinda of jogging, because there was no one around and I just wanted to get away from him and I just said, well, come on, I, I wanna go, I just wanna get out of here, I can't believe what you've done, I mean, you've killed some poor guy over a goddamn twenty dollar ride or whatever? I mean, come on, what were you thinking?

Q Where do you go?

A Huh?

Q Where did you go then?

A We kept walking and went over some, uh, little walkway overpass that was blocked off by a fence and went up by the University and then, um, he said he was gonna catch the bus and I said, okay, fine, you catch the bus and I just kept walking all the way up there by Lawlor Event Center and I just, just sat there on the bench, just

Q Till when? Then what happened?

A I, uh, must've sat there for about a half an hour until the bus came and then I got on the bus and I seen Mare on the bus and I stayed on the front of the bus

Q He was on the bus with you?

A Yeah. And he was on the back of the bus and I didn't speak to him, I didn't say nothing to him until we got off the bus. I, I said, man, you know, I said, now, you're gonna get me in trouble for your stupidity. I said, man, he goes, he goes, man, don't say nothing, cause you better not say a word to no one about anything. He goes, it'll blow over. I go, yeah, how do you think it's gonna blow over? You know, people are

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smart, you know, you know, there's, you know, don't you watch movies? You know, people get caught. I mean, come on, and he said, well, don't even worry about it, no one saw us, no one said nothing, don't even worry about it.

Q And here you are today with the police.

A Yes, and here I am now with the police and, and, oh, man, I just don't know what to think, I don't know what to do.

Q Well, I'll talk to the District Attorney who's probably still out here, but at this point, why don't you consider yourself under arrest and we'll see if he wants to change that or not, all right.

A Okay.

Q What I need to do with you

JD (talked behind Duncan and can't pick him up)

Q do you understand that? Cause I'm saying this for the tape recorder now. Pull yourself together.

A (Crying) I don't want to go to jail, I didn't do nothing

Q Listen,

A I was scared.

Q doesn't

A I don't wanna go

Q before we get to that point, I gotta, I wanna clarify some things that you kind of skimmed over that I need to get straight, all right.

A (crying)

Q But I'm telling you, it's my job to let you know that, that you should feel like you're under arrest at this point.

JD Do you understand, Ed?

Q Consider yourself under arrest, all right?

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A (crying)

Q I need you to pull yourself together so you can answer yes or no here.

A Yes, I understand that I am

Q Okay.

A under arrest now.

Q All right. Now, before you get too emotional and carried away, let me ask you some specific questions here. Where'd Marritte get the gun?

A He had it bought for him.

Q By who?

A By Reed.

Q When?

A Um, I really, I guess about four days before this stuff happened.

Q Okay. Do you know where they bought it? Was it a pawn shop, or the gun store.

A It was a pawn shop, um,

Q Which one?

A Camino.

Q Cameo?

A Yeah, Cameo.

Q Did you go with em?

A Um, yeah, I was there.

Q Okay, it's not, it's not illegal to go buy a gun. I just need to know, Ed.

A Yeah, I was there.

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Q Now is this Cameo Loan at Second and Center Streets?

A Yes, it is.

Q The big fancy one.

A Yeah.

Q What kind of gun is it?

A Um, I guess a .22, I really don't know what type of caliber a gun is, I'm not really too familiar with guns at all.

Q Describe the gun for me.

A It's silver.

Q What color are the grips?

A Uh, black, it's black thing and it's got a clip to it.

Q So it's a semi-automatic?

A Yeah.

Q Do you know the difference between a semi-automatic and a revolver?

A No, I don't.

Q Okay. I'm gonna show you my gun. (takes the gun out of his holster) Is that the way bullets got in and out, is a magazine like that?

A Yeah.

Q Okay, the difference would be a revolver has the big fat round chamber and you put the bullets in one at time in the chamber, so which, just to make sure,

A Yeah, it, it had a, um,

Q It has a magazine?

A a clip, yeah, a clip

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Q Okay.

A or whatever.

Q Det. Douglas has a book here that shows a lot of different types of guns. Now, does it look like one of those? I'm not saying exactly.

A It looks, it looks a lot like this one, in a way.

Q Okay. Okay. That's a semi-automatic.

JD And he pointed at a small .25 automatic.

Q Okay. You say you don't calibers?

A No, I don't.

Q You don't know if it's .22, .25, .32, .38, anything?

A I have, I have no idea.

Q Did you ever have any other occasion to see him shoot that gun?

A Um, yeah, we went up, uh, on, um, the mountain, uh, me and Reed and him were there and, and he wanted to see how it worked.

Q When was that?

A Uh, this was the same day that he got the gun, the same day.

Q When, when did he get the gun?

A Uh, somewhere around

Q We know the shooting was on a Wednesday night, the same as the WWF wrestling. How long did he have the gun?

A Almost a week before this, this stuff happened.

Q Okay. So the same day Reed and him and you guys went and bought it you went out shooting it.

A Yeah.

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Q What'd the gun cost?

A Um, I real--, uh, ss---, uh,

Q Dumb question, I know.

A I guess, I don't know, about sixty dollars.

Q About sixty bucks?

A I, I really don't know.

Q Did you buy ammunition?

A Uh, yeah.

Q Where at?

A Uh, the same place, they had ammunition in a, in their case with the guns.

Q Do you remember what type?

A Uh, no, I don't. I have no idea.

Q Do you remember what the box looked like?

A Um, yellow, yellow and white.

Q Yellow and white?

A Yeah.

Q How many bullets were in the box, do you have any idea?

A One said fifty on the side.

Q There's fifty bullets in a box?

A Yeah.

Q And it's yellow and white?

A Yeah.

Q Do you know much about ammunition, do you ever do any hunting?

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- A Uh, no, I've been hunting with my father before but
- Q Do you know some of the names, there's like Remington, there's Winchester
- A Yeah, I, I know some like names like that, yeah.
- Q Can you, can you think back and think what kind of ammunition this was at all?
- A Oh. No, it, it, I have, I really don't know.
- Q Okay.
- A All I know is.....
- Q You remember the box was yellow and white?
- A Yeah.
- Q Is it mostly yellow or mostly white or?
- A It was like half and half.
- Q Half and half.
- A You know, it was striped.
- Q Okay. Do you know how much he paid for the bullets?
- A Somewhere around five dollars.
- Q Five dollars for fifty?
- A Yeah, I mean, I
- Q That was cheap ammunition, I guess, isn't it?
- A Yeah.
- Q Okay. Did you see what the bullets looked like? Well, you guys went out shooting, right?
- A Yes.
- Q Did you get a chance to load the gun yourself?

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A No.

Q Okay.

A No, I never loaded the gun.

Q What did the bullets look like?

A Um, small.

Q Okay. Let's do this, let me show one of mine, okay, this is from a semi-automatic also although I'm sure it's a little bit larger than what you've seen.

A Yeah.

Q Okay. This part on mine

A It had like a gold casing like that.

Q Okay, you know, you know

A And some

Q casing is?

A Yeah.

Q Okay, it had a gold casing and mine is nickel plated or silver.

A Okay. All right.

Q Okay, this part up here, this is a hollow point.

A Okay.

Q Did the bullets have hollow points in em?

A Uh, no. They were rounded.

Q A full round?

A Yeah, a full round.

Q Okay, now

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A That was the s---, like the same color like a copper color.

Q It's a copper colored?

A Yeah.

Q Hard nosed, round point.

A Yes, I, I don't know.

Q Okay. You guys been out shooting the day he bought it?

A Yeah.

Q Up at Peavine. What were you shooting? Bot---, like bottles, cans, rabbits?

A Um,

Q Targets?

A um, shoot at a couple of bottles, uh, a paint cans, uh, wood and stuff like that.

Q How far from your house is that?

A Um, quite a ways.

Q Is it?

A Yeah.

Q So it's up on Peavine mountain somewhere?

A Yeah.

Q Did you know Marritte had the gun with him that night?

A No, I didn't. I didn't know about any of this. I didn't know any of this was gonna happen. I didn't know that he had a gun on him, you know, he said he had money on him.

Q Did you ever see him with money while you guys were at Circus Circus?

A Uh, no. No, I didn't.

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Q Not at all that night, you never, he never pulled out any money whatsoever?

A Um, no, just, uh, change to get on the bus. That was it and, you know, while I was playing a video game, uh, he was playing a video game, so, I, I really don't, I have

Q When that gun went off and you're in the cab?

A Yes, it did.

Q I said, when the gun went off and you're in the cab, does anybody get any blood on em?

A No.

Q You're sure?

A Um, not that I know of.

Q Where was the cabbie shot?

A Um, I guess in the back of the head.

Q What do you mean, guess? I mean, that's, that's a pretty specific, uh, point, I mean, it's either, he's either shot in the stomach or he's shot in the back of the head or he's shot in the nose, I mean, you were there.

A Well, he had the gun, okay, well, he was sitting behind the cab driver.

Q Directly behind him or behind him and to the other side of the seat?

A Behind him, just

Q Directly behind him.

A like directly behind him.

Q Okay.

A Yeah.

Q Which hand was he holding the gun in?

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A I don't know.

Q Well?

A I, all I

Q Is he right handed or left handed?

A He writes left handed but he does a lot of things with his right hand. I, I don't know what you call them.

Q Okay, it's called ambidextrous if you can do both.

A Okay.

Q When you went out shooting with him, what did he shoot with?

A Uh, his right hand.

Q Think back cause you're sitting there, and he pulls this gun and you're not expecting this, which hand does he got the gun in? Can you see the gun?

A Um, all I saw, cause I heard, uh, a noise, like a clicking noise, and I turned around and looked and said, oh, my God, and I just, just kept looking down and that was it.

Q And you guys checked yourselves to see if there was any blood on you?

A Um,

Q Did you think about that?

A uh, no, I didn't.

Q Okay.

A I, I had no idea, I, I panicked, I was just too scared, I couldn't believe what happened right in front of my eyes and now I'm going to jail.

Q Would you forget that for a minute, get past all that. You saying he shot him in the back of the head?

A Yes.

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Q One time?

A Yes.

Q What'd the driver do then?

A I don't know. I have no idea because as soon as I heard that I was gone and he was right behind me.

Q Okay. Think back and tell me exactly what was said between the driver, you, Marritte, whatever, I wanna know the words, what did the driver do? Did the driver, did he, was he writing, was he talking on his radio, was his radio on, what, what's going on in there? Tell me the whole thing about be-
-, you flag him down?

A Yeah, flagged him down.

Q Where is he coming from? Where do you see, first see the cab?

A He was coming down Fifth Street toward, uh, Virginia.

Q Okay.

A Street, and, flagged him down and

JD Where were you when you flagged him down?

A Right there when you pull in from Fifth Street to go into J.J.'s Market.

Q In the driveway.

JD Pretty close to the sidewalk or what?

A Yeah, yeah, we were on the sidewalk.

Q You guys had just come from Circus Circus?

A Yeah, and he said, he said, well, let's take a cab and I said, okay, I said, well, have you got the money for it? He said, yes, I got the money for a cab.

Q And where did this conversation take place?

A Um, this is while we were walking to look for a cab to flag

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down a cab.

Q After you left Circus Circus?

A Yeah.

Q So you come out of Circus Circus and walk over towards J.J.'s and decide you're gonna take a cab?

A Yes.

Q Who flagged him down?

A Um, I'm not to sure, I, I think he did, I, I don't remember.

JD Do you remember which door you came out of Circus Circus, under the big clown or on the other side?

A Yes, it was, it was under the big clown.

Q You were on Fourth and Virginia.

A And, you know, walked across the street and went up and

Q Were there any other cabs around J.J.'s?

A No, there was no cabs at all. Cause usually there is cabs parked right there and stuff and there was nothing there, you know, and

Q What time do you think this is?

A I have no idea, nine, nine-thirty, ten? I have no idea.

Q Okay, if I was to tell you that there was another cab, a Whittlesea cab sitting down by the telephone booth, the telephones and the door to J.J.'s, in that parking lot, do you remember that cab at all?

A Uh, no, I don't.

Q You guys looked around for a cab and couldn't see one?

A Yeah, cause we just, well, we didn't really look too hard because we just came out of Circus Circus, walked on the crosswalk and, you know, and just started going up because usually there's cabs that sit right there in J.J.'s, so we