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Eddie Cruz Interview Transcript

18:35:08

JSL: Ok. We're in Corpus Christi. It's February 25th, 2005, and we're in the home of Mr. Eddie Cruz. Mr. Cruz, if you would just tell me a little bit about yourself, where you were born and raised, and what your line of work has been.

18:35:27

Eddie Cruz: My name is Edward Herman Cruz. I live at 746 Vatter Street Drive, here in Corpus Christi, Texas, 78413 area code. My home telephone number is (361) 808-9406. I was born February 16th, 1943. I just turned 62 a few days ago. I was educated here in Corpus Christi. I graduated from the local school and I got my social and applied sciences degree here in Corpus Christi at the local junior college. And then I attended . . . Back then it used to be Corpus Christi A. and R. University. I did not get my bachelor's degree, but I did attend the higher university. I retired on December 31st, 2004 as a senior field investigator in the fraud unit with Liberty Mutual Insurance. I worked the Southeast part of the state of Texas, and I was based out of San Antonio, Texas. I lived there while working for Liberty Mutual and I also lived in this area also. I had worked on the plaintiff's side of work, investigations, and I've worked on the insurance side of investigations.

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18:36:47

EC: And I've done criminal work also, for different lawyers here in Corpus Christi. And I believe the case you're going to ask me on is a criminal case. It was worked on approximately 20 some odd years ago.

18:37:03

JSL: Ok. Let me ask you about that case. Do you have a young relative here in Corpus Christi by the name of Jesse Garza?

18:37:14

EC: Yes. Jesse Garza is my nephew. He is my sister's son. She is deceased, she passed away approximately two years ago.

18:37:24

JSL: And back in 1979, did Jesse Garza get into trouble? And what I would like you to do, Mr. Garza, is tell us the whole story of that. How it happened, and what you did about it.

18:37:38

EC: Ok. First of all, I'd like to say that, most of my life, I've been a family man, even though I've been active in other areas. I used to be a newspaper distributor. I used to be an investigator. I used to be a legal assistant. And what not, and what have you. And back in those days, I think I had a couple of things I was doing. I had a newspaper agency, and I was also doing independent investigations and what not. I recall it was

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towards the Thanksgiving/Christmas holidays. In that general area, it's been some years back.

18:38:12

EC: And I think I recall hearing on the news that a young lady had been . . . was found dead in her vehicle, a van or something like that, and the police officers had arrested one individual and were out looking for some more individuals that could have been involved in the murder. And later on that day, that evening I think, I get a call from my sister, Jesse's mother, Rosa, telling me that Jesse was in jail, that he'd been accused of murdering Dahlia Saucedo, the victim. And I said, "Well, what do you want?" She said, "I need you to help me. I need for you to find out what's going on." I was doing work for a local attorney, I think it was Albert Puerta that I was doing some work for. And I asked him for help. And Albert Puerta had Albert Peña, a local criminal lawyer -- in fact, he was the only criminal lawyer -- working in that office. I think there must have been seven or eight lawyers working in that office. So I asked Albert Puerta if he would like to get involved in the case, and somehow I think they were able to get the judge to appoint Albert Peña to represent Jesse, my nephew, on that murder case. And then I believe that Albert asked the judge to appoint me the investigator of the case on his side. Anyway, so apparently everything was ok as far as the request.

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Albert was appointed to be the defense attorney, and I was appointed to help Albert Peña on the case against my nephew.

18:40:07

EC: So we were able to talk to Jesse for some time at the arraignment. Went back to the office, and Albert Peña gave me some instructions on what he needed, how I needed to report to him on a daily basis, how many times, and what not. And I'd like to expand on that, if I may. Back then, I don't think we had a war going on. We didn't have anything going in the community worthy of front-page coverage. So this thing that happened was a perfect thing to put on the front page. So day after day after day the community was demanding that they find the murderers of this young lady, Dahlia Saucedo. So apparently the police department was very active, heavy on trying to get the murder solved. I guess they picked up Jesse, my nephew, and they charged him with murder, and they took him before the grand jury and he was indicted. I think they set a trial date. In the mean time, I don't know if they forgot about the other potential people involved in the case or what not. But there wasn't much coming out of that end of it. They had one guy in jail, they calmed the community down. I don't know if they kept on doing the 24/7 kind of work they were doing before they arrested my nephew.

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EC: Anyway, I got involved in the case. Albert Peña gave me instructions on what he needed me to do. He said, "I need you to get out there. No limit on time." So I pledged to him that I would get out there. I mentioned earlier in my statement that I was a newspaper distributor. It so happens that . . . it was a 24/7 store located on Alameda and Dodd. It's a Maverick Market store. It was a 24/7 store, there weren't too many back then, stores that were open 24/7, but that was one of them. The store manager, or store clerk, or whatever they called them, happened to be Carlos Hernandez. So the fact that sometimes I had to deliver - - I had guys that delivered papers for me, high school kids, and then whenever they didn't show up I had to make the newspaper deliveries that morning. So I knew Carlos Hernandez. I went to talk with him. And then I found out, through my nephew, that he's one of the guys that was involved with him. He, Carlos Hernandez, and another individual. I'm not too sure if that [other] individual [Pedro Olivarez] was all there, mentally-wise. I think they stated that he wasn't capable, or didn't have the mentality of a 20 or 21 year old that he was. Anyway, I told Albert Peña about this Carlos Hernandez and that I'd talked to Jesse that morning at the jail and that Jesse had indicated to me that Carlos is the guy. If I'm not mistaken, it was some time back, but I think he did tell me that Carlos was the one that killed Dahlia

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Sauceda.

18:43:37

EC: It went on and on, and we built the case. The attorney, Albert Peña, would instruct me to go penetrate this little gang. Because Carlos Hernandez would, every time we'd go there to deliver papers at three or four in the morning, he'd have a bunch of guys there, hanging around, smoking cigarettes and what not out in front of the store. Of course, they knew me as the newspaper man, and they'd talk with me, I'd be able to rap with them and what not. I got into this group to where they knew me a little bit better. And eventually I was able to go to Carlos Hernandez's apartment on Louisiana and one of those streets off Louisiana, towards Six Points area. I was able to go over there at night, around two in the morning. I'd make a point to be there. They have beer, and they'd pull out a joint or two. They had all kinds of things. And they also had women, girlfriends. Hernandez had girlfriends that would go visit with him. So then I got to be one of the guys in their group. Not a member, but one of the guys that was accepted into being there. And they would introduce me as the newspaper guy. So I report to Peña the next day and tell him what was going on. He said to try to find out specifics. Is there a way that you can get in and find out if Carlos knows about this thing. 'Cause he'd tell me, "Don't ask that question yet."

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Don't ask that question yet. Try to go in there and get some background on each one of them."

18:45:20

EC: Carlos Hernandez had a girlfriend. I think they were boyfriend and girlfriend. Name . . . she's an employee of the Internal Revenue now.

JSL: Can I see if I can refresh your recollection? Gloria-

18:45:41

EC: Gloria Licea. Gloria Licea. And Gloria Licea was very close with Carlos. I knew that they were more than friends, so to speak. And then Gloria Licea got to be a good friend of mine and communicated. And she liked the fact that I was a professional. The guys also recognized that I was a karate instructor. All these things that were very acceptable to the group. Some of the guys didn't really trust me, but I was accepted. I was able to go over the next night and knock on a door: "Come on in, man." That kind of deal. Of course, I was a little younger and had a little more hair. I didn't have the gray that I have now. But anyway, I was accepted pretty much, and during that time I was able to take back all that information to Mr. Peña, Albert Peña.

18:46:30

RP: The running?

EC: Oh, right. Sorry.

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RP: That's ok, you're doing great.

18:46:42

EC: And I was able to take this information back to Mr. Albert Peña, and then Mr. Peña was able to get subpoenas to bring in certain individuals. We'd probably get information from the local police department to help us try to find other people. Not necessarily to say our client is guilty, or something like that, but we think there's somebody else. That's basically the kind of help we were trying to solicit. They [the police] didn't like that. They just didn't like that. We weren't getting any support. We weren't getting anywhere. I remember one of the guys saying, "If you spit out the window, I'm going to throw your butt in jail." "You're stepping on my toes," that kind of deal. Those days, they weren't necessarily 24/7 like I was on the investigations. They'd go in at 8 and get out at 5. If they had time to go do whatever, they'd do it. Once they had Jesse in jail, they figured they didn't require 24/7 the way I was doing.

18:47:46

RP: I'm going to stop for a second.

(camera cuts to new shot, still Cruz)

JSL: Ok, so, why don't you pick up in your story: What kind of information did you get from Gloria Licea? Start from there.

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EC: Ok. I remember that Gloria Licea was young. This was all a group of people that didn't have anybody to report to, so to speak. Like myself, I had a wife and 2 kids at the time, at home, that I had to report to.

18:48:15

EC: So I had that responsibility, and I had a responsibility to my nephew that I'd do the investigation as best I could. These people had no responsibility whatsoever. They'd go in there, we're talking about two or three in the morning, knock on the doors, "Come on in, man. This is the newspaper guy, this is Eddie Cruz," and whatever. "This is . . . so-and-so." They had nicknames and what not. I don't remember the names too well. But I remember Gloria Licea quite well, because she was very close to Carlos. I think they were very close. In fact, I remember one time that he kind of let me know, "Hey man, this is my lady, stay away." I said, "What's going on?" But I also know that Gloria Licea was very close because she'd tell me, "Man, I've never met a guy that knows karate, I've never met a guy that's going to school," and stuff like that. And she kind of liked that, versus what Carlos Hernandez was doing, this store clerk working at night.

18:49:20

EC: Anyway, they had some apartment off of Louisiana Avenue here, that's the name of the street. I'd go over there. No front door,

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no screen door, no nothing. It's just wide open. Smoking away and doing all kinds of crazy things. There were other girls involved, I don't know their names, but there were other women. And I believe six or seven other guys would visit the apartment.

18:49:50

EC: And also we used to visit another apartment, on Cambridge Avenue, Cambridge Street, here in Corpus Christi. It was approximately two or three miles away from . . . That's the guy that was called "Sapo." "Sapo," means "fog" in English. That guy, apparently, he had the weed. I guess I'd see them make a transaction, pass a cellophane packet around. These guys would get high and start talking crazy, listening to music. Of course, I had the newspaper agency, I think I was also a part-time student at the university. But I tried to get as much information, background from different guys, different girls, at different nights, very carefully. So finally, Peña says, "Ok, were you able to find out where this so-and-so guy was?" I say, "Yeah, he was at so-and-so place." I'd get the information. He'd make contact with one of the detectives working on the case. I believe one of the detectives working on the case was Paul Rivera. And I think Ray Rivera was another guy working on the case also. I'm not sure whether Eubie Alvarado and Eddie Garza were also involved in the case. I'm not totally sure. He'd try to work with these guys to

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get information, for them to get information, background checks on those individuals that I was carrying their names back and forth.

18:51:28

EC: So he was starting to put the case together. Putting a defense together, because the trial date was getting close. I think I recall that Peña approached me and said, "They've put a deal on the table. We don't know if your nephew wants to take it or not. What do you think?" I said, "Well, I can talk to my sister." My nephew Jesse, I think he . . . I don't know long he'd been married, but he was married when he was messing around with Dahlia Saucedo.

18:52:00

EC: If I may, I'd like to go back on Dahlia Saucedo, how he met her. There was a place on Port Avenue, there used to be a theater. Port Theater. Close to Port Avenue and Grood [?] Street. That theater was closed down, and that theater was turned into a *chicano* night spot.

JSL: Named?

EC: Wow. I don't recall the name.

JSL: Casino Club?

18:52:29

EC: Casino Club. Yes.

JSL: So start all over and tell us about that place but use the

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name.

18:52:43

EC: I remember, back when I first got involved in the case, asking my nephew, "What happened? How did you meet this lady? How did you get involved? Why would you kill this lady?" He says, "Tio, I didn't do it, tio." "Tio" means "uncle." I slapped him. I couldn't understand how my nephew killed a young lady. I said, "They wouldn't put you in jail just for the hell of it. They've got something on you. You need to tell me what the hell you did, your involvement, whatever." He says, "Tio, on weekends I'd get dressed. And I'd get my paycheck. And I'd give money to my wife." She's pregnant at the time. I don't even remember her name. But she was pregnant. So he'd take part of the money home and then the other part he'd go to the Casino. That's the name of the old theater that was turned into a dance hall. Casino, a night spot. So all the *chicanos* would go there and they were dancing. I don't know if it was a live music place or what, but there was plenty of good music because it attracted a heck of a lot of . . . 'Cause I did go see that place on Saturday nights and Friday nights and it was pretty crowded. Crazy, crazy people. So I said, "How did you meet her?" He says, "One time I was dressed in white, totally white, a white outfit." I think he had just gotten out of the pen himself, doing time for whatever he did. He

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was already back up to no good.

18:54:20

EC: So he says, "I met this lady. This lady would buy me drinks, then she'd offer me coke, offer me grass. And I got involved with her. And then I got kept getting involved with her and then I was basically just getting money from her." I told him, "How could you? This lady is not your style. You're good-looking." He really was a good-looking kid. And I said, "This lady . . ." She had two kids, I think one child had been killed by a municipal truck, a city truck, and she was awarded a bunch of money. And that's the money she used to support her boyfriends. She could pick her boyfriends by buying them clothing, buying them liquor, buying them whatever they wanted. And my nephew, that's exactly what my nephew was doing. He was using her. Anyway, on this particular day I believe he left with her. Something happened, they got mad at each other. And she went back to the Casino and dropped him off or left him off somewhere. And he went looking for her and they made up. By the time she had already met Carlos Hernandez and this young fellow with him. And they went for a ride. This is late at night. My understanding is that they had intercourse in the vehicle, in the van that she owned. I think she owned it. And she had the baby in the van, her baby. And something happened as far as the money part. Something happened

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and she wouldn't give it to them. And they decided to go ahead and beat her up. They didn't have intercourse with her. Or they had had intercourse, or something like that, and then they asked her for money and she wouldn't put up the money so they beat her up.

18:56:15

EC: And then somebody decided to beat her up. And they went a little bit too far and she was dead. And they used a broomstick to penetrate her vagina, if I'm not mistaken. And she was dead. So what they did, I think they turned her over and they etched something out on her back with a knife. And they left her there. It was a cold night, I remember. And they found the baby with her mother's blood and what not. So it made big-time media. The media were out trying to find anything they could find. So our city police had a job and a half. The community was demanding that they find the murderer or murderers of Dahlia Saucedo, and they went out and arrested my nephew.

18:57:09

EC: Of course, we got involved in it because my sister called me. And I got Albert Puerta to get Albert Peña, one of the criminal lawyers there, like I said before. And this is where we got involved. It's really ugly. The lady had quite a bit of money, by my understanding.

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18:57:27

JSL: Did your nephew kill her? I understood from Mr. Peña that that was not what happened and that it was Mr. Hernandez.

18:57:38

EC: Right. Well, during the trial, I believe Mr. Peña told me that they had made an offer to set him up for 5 years and then put on probation for 10. He wanted me to talk to my nephew and talk to my sister, Rosa, about that offer. Even though he was against it, but he had the duty to pass the offer in case they wanted to take it. So I told my sister what was on the table from the district attorney's office, that he'd be sent up and on probation after that. She said no, "because my son didn't do it." We'd already met with Jesse, Mr. Peña and myself, we'd already met with him and he cried like a little baby, saying, "I didn't do it, I didn't do it." It got to a point where . . . It was a little different for me because he was my nephew involved. A lot of times I'd be able to read through the other person, this person did it, this person didn't do it, that kind of feeling. The fact that he was my nephew, I didn't want to believe him, but I did believe him. I really felt that Carlos Hernandez . . . As he told us at the very beginning, that he didn't do it, that Carlos had done it. But apparently the P.D. or somebody didn't believe that.

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18:59:20

EC: Anyway, months later, the trial date was set and we were prepared to go to trial. During the trial, Mr. Peña and I were walking -- I think we had a recess, lunch recess -- Mr. Peña and I were walking towards the cafeteria area of the courthouse on the first floor.

18:59:43

EC: And the court reporter for that court was walking right in front of us, steps away from us, when this young fellow approached us and told Mr. Peña that he knows who killed Dahlia Saucedo. And Mr. Peña said to him, "Hold on just a second." He calls the court reporter in our trial, calls her over, and he tells Peña that Carlos Hernandez had killed Dahlia Saucedo. Immediately, we forgot about going lunch. The court reporter . . . I can't remember the young fellow's name. This is the young fellow [Pedro Olivarez] that they didn't think was all there for whatever reason. I think he stuttered a lot and he had problems remembering a lot things. So we didn't go to lunch. We took him up to the judge's chambers. I think they called the district attorney's office representative to be there. And he made that statement.

19:00:49

EC: Well, they went ahead and tried the case, they continued.

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They tried the case. Some negotiations, some talking went through with the D.A.'s office and the police department, I guess Mr. Peña's new witness, so to speak. And they said, no, continue the trial. So after days, it went to the jury and the jury came back and they found him not guilty.

19:01:22

EC: At the end of the trial, after the jury was dismissed and what not, Mr. Peña suggested to -- I'm not sure if it was judge Utter or judge Blackmun on court -- that Carlos Hernandez be tried, be indicted for the murder of Dahlia Saucedo. And I think the district attorney's office kind of brushed that off. They didn't pursue that. And after that, a year, two years later -- no, it's longer than that, I think it was -- I was called by the local media. I was up in my job in San Antonio or somewhere. I said, "How did you get my number?" They said, "That's not important. We need to ask you about Carlos Hernandez." I said, "What about Carlos Hernandez?" They told me that he had pled guilty.

19:02:29

JSL: I would like you to tell me about Carlos Hernandez. You spent time with him, you socialized with him, you watched him in his environment. Tell me about him. What was he like? How did people react to him? Did he have weapons? Anything you can tell

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me about Carlos Hernandez.

19:02:48

EC: Carlos Hernandez, the way I remember him, he was kind of committed to his job. He had a job that . . . I don't think too many other people would have that job. It was a 24/7 store, apparently he had the 11 o'clock shift to 7 o'clock the next morning.

JSL: Can I stop you there for just a second?

EC: Sure. *(camera cuts to new shot, still Cruz)*

19:03:09

EC: Anyway, so. Carlos was more of a leader. I remember that I'd go to the store at 4, 5 in the morning, delivering newspapers. I had high school kids that worked for me in different parts of the city. I had 2 or 3 pickup trucks that the boys would keep at night and then go pick up the newspapers at the call times at the local publishing company. Go pick up the newspapers, send the delivered papers to the newsstands throughout the city. And I owned that territory. I had a contract to distribute, as a distributor. So when the boys would fail to show up, they'd call me from the circulation mail room saying, "Eddie, so-and-so didn't show up, you have to come down." So I'd rush down there in 10 or 15 minutes and go pick up newspapers and start delivering. So I would go by and visit that store. We had to leave newspapers

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there. Carlos always had guys there, so he's kind of a leader type person. Soft spoken. He was always smoking. He loved to smoke. He wouldn't . . . the guy's not a short guy, he's average height. He wasn't an ugly individual. The guy wasn't an ugly person. Girls liked him, and I understand he had quite a few girlfriends.

19:04:35

EC: And when they would get together -- when I knew they trusted me already, that I was in the clique so to speak -- I'd just go over there at one, two in the morning, hoping that somebody would be there, that I'd get a new lead or something to take to Mr. Peña the next day. And Carlos was always there. And Carlos was always looked up to by the other individuals. He never demonstrated . . . They'd talk heavy *chicano* talk, *pendejo*, *cuatro*, *cinco*, stuff like that. Spanish sounds a little bit heavier. And these guys would, "Hey man, just kidding," stuff like that. And I can remember that. Like I indicated earlier, one or several times Gloria Licea kind of got too friendly with me. She said, "I like guys that like karate," and, "How do you do it?" and, "You're in newspapers?" and, "How do you go to school?" Just getting real close and asking questions like that. He'd grab her and jerk her over, "What are you doing? That's none of your business, what he does. You stay over here." She and I, after

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the trial, we were still able to make contact.

19:06:02

EC: I don't remember where she used to work. But I remember she continued to make contact. I think she had one kid at the time also. I don't think it was Carlos's.

19:06:15

JSL: Did Carlos . . . did you ever see him with weapons of any sort?

19:06:20

EC: He would always . . . I think I recall that he would snap one of those knives -- I'm not sure if that's the kind that flips open or whatever. But he would always, constantly. (*mimes flipping open a knife*) And he would always have a chain, a *chicano*-type chain, a *pachuco*-type thing. And he always talked with his hands, make all kinds of demanding gestures. The guys, a lot of times, I'd be there, we'd go to talking until four, five in the morning. Then for some reason, he'd give some kind of a signal, and they'd just take off just go.

19:07:07

JSL: How did the other guys react to him. Were they afraid of him?

19:07:12

EC: No, they followed him. Apparently they went looking for him and they would follow him. He'd get off work. And I recall that,

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on his days off, he'd have them all over to his apartment. So he was kind of a team leader sort of person. I don't know if he was the one that had the weed, or the one that had the beer, because there was always beer and music and a little weed and whatever else.

19:07:40

JSL: Do you remember what brand of cigarettes he smoked?

EC: No. It was all . . .

19:07:49

JSL: The knife, was it one of those lock-blade knives?

EC: No. It was just something he would . . . (*mimes flipping open blade*)

JSL: But they'd snap into place.

EC: Yeah, right. It wasn't a button type, it was just the kind that . . .

RP: Did they call them buck knives?

19:08:07

EC: Yeah, more or less. But he would always have that. And he was never scared in that store. I think two or three years before that they had killed a young lady at a Maverick Market at the Six Points area, on Brownley and Staples street in that triangle there. A young lady had been killed at a Maverick Market. She's working late hours, and stuff like this had happened. And yet his

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store . . . other people would have trouble finding employees to work at night, but here, Carlos was never frightened. So Carlos had the *huevos* so to speak, the balls, to have a job like that. Now why he wanted a job like that, I don't know. But I'm sure there was a reason for it. I can remember the guy was a leader.

19:09:02

JSL: What was he like when he drank?

e19:0:05

EC: I used to . . . Let me give you a little background on me before I answer that question. See, I was involved in karate. I was very much into karate. Before that I was in boxing. I was a boxer. I fought in the Golden Gloves here in Corpus. Then I went in the military and came back. Then I got involved karate. So I was very disciplined in my mentality. Any other person, he would have scared. He would have scared another person. I grew up in a big family in the *barrio*, so I know what it's like being involved with mean people. Where I grew up there were mean people. You had to protect yourself at all times. And Carlos is the type of person that . . . you had to respect the guy. The guy, you had to respect him. You couldn't just go up to him and call him whatever you wanted to. If you did, you had to be able to back it up.

19:10:10

EC: And so the fact that I was involved in karate and what not, I

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had a strong mentality. Going out at night, investigating and what not, reporting to Mr. Peña the next day. And then he says, "Go back and see if you can find more information on the people that were there," and I'd take it back to him. He wasn't easy to get along with, but if you were on his side, you were ok.

19:10:35

EC: But he'd say, "numbas a colera" [?] when they'd talk about a person or whatever was going on, he'd bring out the heavy language.

19:10:50

JSL: Did he intimidate people?

19:10:54

EC: I'm not too sure that the people that were there, that he would intimidate them. But there was never a fight among the group, because he controlled. He came across as a nice guy, but deep inside he wanted to be a leader towards people.

19:11:20

JSL: If he asked some guys to go out and beat somebody up, do you think they'd do it?

EC: I think so.

19:11:29

EC: Yeah, I think that Carlos Hernandez was the top individual. He wasn't a short guy. He was a good-looking guy of average height. Yeah, I think that if Carlos Hernandez were to ask one of

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the guys -- "go get this guy, he's a colero [?]" or whatever, or he's putting the make on somebody, one of the girls there that visit with them at night -- I think that the other guys would go out and . . .

19:11:54

EC: 'Cause on several occasions I'd see them at the store, and he'd tell them to go do this. Then I'd go inside and put the newspapers on the newspaper rack. And when I'd come back, those guys would be gone. You could see all the cigarette butts on the ground there, that they'd been smoking. They'd been there for a while, and all of a sudden he tells them to leave. But he never . . . the only one time I was confronted by him was the fact that he thought his girlfriend was coming on to me. And he wanted to let me know that "It's in the [???], this is my woman." I said, "I don't have any problem with that. I'm married."

19:12:36

JSL: What about when he drank? What was he like?

19:12:40

EC: He was real calm, but he had control. He never spoke out of anything he didn't want me to know or anybody else to know.

JSL: Did he drink a lot?

19:12:52

EC: Well, I think he smoked weed, and weed controlled him more

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than the booze or the beer.

19:13:07

JSL: Do you remember the information that Gloria Licea provided to you?

19:13:15

EC: I remember that, one time, she came to the office, Albert Peña's office, on Ayers Street. And she said, "I need to talk to Eddie." I wasn't there at the time. She wouldn't talk to Mr. Peña, she wanted to talk to me. And I think she had already discovered that he had killed Dahlia Saucedá. Somehow, I don't know how, he got mad at her and threw her out, or something to that respect. But she wanted to talk to me.

19:13:55

EC: So we talked, and I said, "Maybe we ought to bring Mr. Peña in." So Albert was brought in, and we were in the lounge area of the law office. It was a big office, I think there were at least eight lawyers there, so we had a real nice dining area. So Albert Peña came in, rather disturbed or whatever, and we went ahead and talked to her. I think . . . I don't recall exactly how it came out, but I think she knew that Carlos Hernandez was the one responsible for Dahlia Saucedá's death.

19:14:39

JSL: Do you recall suggesting that she go speak to Paul Rivera, to

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tell her story to Paul?

19:14:50

EC: Yeah. I think Mr. Peña suggested that I take her in to talk to Paul. I was kind of against it, the reason being that there was a newspaper article. There were newspaper articles quite frequently because no other news had taken place. I think the reporter wrote an article in the paper that the P.I. outdoes the Corpus Christi police force in investigating the killing. And so these guys were kind of mad at me. So I'm not sure if I went to see Paul with Gloria, or if he came over. And then they got on the case. So, basically, I think they went ahead arrested the other young fellow, the one that's not all there. I can't recall what his name was.

JSL: Pedro Olivarez

19:15:40

EC: Pedro Olivarez, yes. They went and arrested him. I'm not sure if they put him under house arrest or what they did. But they took him into the police department, and that's all he needed. The young fellow started telling them everything. And they still didn't believe him. I think they went and talked to Carlos Hernandez, but they didn't arrest him. They didn't believe they had enough. And the trial date was getting near. And so, I think it wasn't until after that happened, the trial and what not,

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that they finally . . . They picked up Carlos Hernandez and then they turned him loose.

19:16:21

EC: And then years later -- I think it was when Carlos Hernandez's brother was shot, or somebody in Carlos Hernandez's family was shot -- and they left word to tell Carlos that he was next, that he was next in line to be shot, because of what he did to Dahlia Saucedo. And that's when I was contacted by the media if I knew what was going on. And I said, "No. I have no idea what was going on."

RP: I need to change tapes.

19:16:50

(same shot of Eddie Cruz, seated)

JSL: Mr. Cruz, would you describe any incident you were aware of that had to do with retaliation, intimidation, whatever else, with regard to Pedro Olivarez?

19:17:06

EC: Well, I remember one time, during the course of my investigation, that I think I walked into the office of Mr. Peña, or he called to me as I was passing by the office, and one of the detectives was there. And I was told that Pedro had been beaten up. I'm not sure if it was in the Casino Club or that area. And I was also cautioned that, "This is what happens when you go

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around telling people about the investigation." I said, "What are you insinuating? My information is brought here for Mr. Peña, and it stays here. After all, it's my nephew, Jesse, that's in jail. Mr. Peña is trying to defend him, and we're trying to build a case here. So what are you saying?" He said, "Somebody let word out and Pedro got beaten up by Carlos or somebody in the clique, the group." I said, "Believe me, I had nothing to do with it. I never even hear of it." But it did happen. And I remember that . . . the area that the murder actually took place, on Musset street, there's a whole bunch of warehouses and what not. Three blocks from there, my mother-in-law lives there, and she's lived in that neighborhood for -- now, about 60 years.

19:18:34

EC: She lives on Commanche street. So I'm very familiar with the area. And then, I think Carlos's mother lived on Carrizo street, and that's pretty close to the same area, also. And I remember going over to Carlos's mother, looking for him, because these guys had different meeting areas, meeting houses that they would meet at on different nights. But there was always something going on. It would either be at the Casino -- they would frequent the Casino a lot because there was good music and a lot of crazy kids.

19:20:28

JSL: Did Carlos Hernandez hang out at the Casino Club?

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19:20:30

EC: Oh, absolutely, yes. Yes, oh yeah. In fact, I think that night that Jesse, my nephew, and Dahlia Saucedo, they left the club, and supposedly went out and had intercourse, maybe in the van. And then they had to pick up Dahlia's 2-year-old baby, or 18-month-old-baby. And he got mad at her, I think he asked her for money and she wouldn't give him any. So he said, "Leave me somewhere," and she left him, or dropped him off at the corner. And she went back to the club. I think I recall that she left the baby in the van while she was in the club and dancing. And then my nephew came back into the Casino Club. Supposedly, Carlos was already with Dahlia Saucedo.

19:21:29

EC: And this is how they met. Because she didn't actually know Carlos. She knew of him. They're both good-looking guys, and I'm sure they had a lot of girlfriends.

19:21:45

JSL: How frequently . . . Use full names, and say how frequently Carlos Hernandez would be in the Casino Club in those days.

19:21:52

EC: I would say that, on his days off, he'd definitely be there. But I would say he was there every Saturday or every Friday. He'd been there on the busy nights.

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JSL: Say that again, and tell us who the "he" is.

19:22:16

EC: Carlos was a very presentable person. He knew he was good. And Carlos liked the spotlight, so to speak. Just like my nephew. Those guys were good-looking guys, and Jesse liked the spotlight and Carlos liked the spotlight. And they knew they could go into the Casino Club and score any time they wanted to. They both frequented the club. That club wasn't open for too too [sic] long, but it was open long enough for those guys to . . .

19:22:55

JSL: Did you hear anything about a motive that had to do with the fact that Dahlia Saucedo was having a relationship with the husband of Carlos's sister, Paula?

19:24:00

EC: No. I heard about that, but I didn't get into that. Paula was one of the girls involved in the group, also. I heard about it, but we didn't get into that.

19:24:50

JSL: I'm going to put a question just straight to you. So, Mr. Cruz, in your opinion, who killed Dahlia Saucedo?

19:25:00

EC: Carlos Hernandez did. I think it was years later, after my nephew, Jesse, was found not guilty by a jury. It was years later

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that I got a phone call from a local reporter, telling me what had happened. Then I was told, I believe it was Mr. Peña's investigator, I think it was a guy named Pete Rodriguez. They had killed Carlos Hernandez's brother, or one of Carlos Hernandez's relatives, and had left word for them to tell Carlos that he was next, because of what he did to Dahlia Saucedo.

19:25:48

JSL: Two of Carlos Hernandez's brothers died under very violent circumstances. One was named Efrain, Frankie Hernandez, and the other was Javier Hernandez. Do you remember which brother it was?

EC: No, I don't.

JSL: Do you remember the circumstances of the killing? There was one who was set on fire, there was another who was knifed and essentially choked to death.

19:26:14

EC: The one that was knifed. That's the one that, supposedly, they left word saying, "You tell Carlos he's next, for what he did to Dahlia."

19:26:54

JSL: Over the course of your years being out in the community, picking up information, just hearing whatever you did, what else did you hear about Carlos Hernandez? What kind of reputation did he have among law enforcement officers?

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19:27:10

EC: Later we were able to get a background check on him. We weren't getting the support that we wanted because, obviously, we were defending Jesse, my nephew. But later on we were able to get information on Carlos Hernandez. We found that he was really a mean guy. He was not a guy that you'd want to cross in any way. The guy was . . . we call them *carlones* [?]. These guys are violent. The guy can just blow up and he'll come at you. Maybe not himself, but he'll put someone after you. This is my interpretation, the way I saw it.

19:27:58

EC: And even though I was scared to go back, I think that my training in karate and what not pushed me until I was able to go back the next day and face these guys. I was prepared to run if I had to run, let's put it that way.

19:29:10

JSL: You referred to a number of detectives that you were interacting with at the time: Paul Rivera, Eubie Alvarado, Eddie Garza. What did they know or think of Carlos Hernandez? What was his reputation with law enforcement?

19:29:30

EC: Initially, at the very beginning, I think that these guys had a lot of pressure on them, from the community, the chief did.

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This thing was hitting the front page of the newspapers every day. This lady was killed, they did what they did in her van with the 18-month-old or 2-year-old baby. The reports were horrible. The TV cameras were there, the newspaper the following morning. So the police department had a lot of pressure on them to find the killers of Dahlia Saucedo. So when they were able to pick up Jesse, they calmed down the community. It just calmed them down that "We have a killer." And then we continued my investigation, Mr. Peña directed me on what to do and who to go after and what kind of information to get. We were able to bring in Carlos Hernandez and Pedro and the other people at the time of the investigation -- Gloria Licea, Paula, all these other people -- and do checks on them. As I indicated, we weren't getting the support that we needed, but we were able to get some information, a background check on each one of them to develop something.

19:30:54

EC: Through that information we were able to gather, we would go back to the detectives and talk to them, try to get some kind of feedback on these guys. They'd say, "Carlos Hernandez, he's a guy to contend with." Then they'd say, "How did you get that information?" I'd say, "I'm able to get it."

19:31:19

EC: He trusted me more than he did the detectives, obviously.

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Through that we were able to build and build and build. Then through Pedro, at the courthouse, during the trial, he told us, "I know who killed her," just like that. And he said Carlos killed Dahlia Saucedo. And through that I was able to develop the fact, and through my nephew telling me that Carlos Hernandez did kill Dahlia Saucedo.

19:31:50

JSL: Let me ask a question that we asked Mr. Peña today. At the end of the trial, the jury has acquitted, and the defense that was put on by you and Mr. Peña at trial was, "Carlos Hernandez did this." His semen was found in the vagina of the victim. His undershorts were found -- he admitted that those were his undershorts in her van. His fingerprints were found on a beer can in that van. He was having a relationship with Dahlia Saucedo at the time. The van was found in abandoned and in close proximity to his mother's house. Why, when you presented that information to the police, did they not drop the case against your nephew and bring a case against Carlos Hernandez at that time?

19:32:57

EC: I think that they were reluctant to go back on the reports that the district attorney's office was presenting to the media. Like I indicated earlier, this thing was constant, this murder was on every day for a week or ten days, just constant.

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19:33:30

EC: I think that the reporting that was being done to the district attorney's office in regards to Jesse, they'd got him in custody. They were reluctant to look back or take back any understatements or overstatements or what not. I think that's the reason. Mr. Peña told me, "If you're approached by the media, just say nothing. Refer everything to me." I didn't have a lot of things Mr. Peña had access to, things from the police department, because he wanted me to go out and get raw material that nobody else had.

JSL: Your nephew was acquitted. He was charged with murder, but he was acquitted. How did it affect his life, that he was blamed for this murder?

19:35:15

EC: It affected him quite bad. I remember I hugged Mr. Peña. And I kind of broke down myself. Obviously, my sister came over and hugged me and kissed me. Jesse was released. He's all pale and what not. His pregnant wife was there. All these things were happening. And the media was there and what not. We were able to pull over to the side. I think that they arrested him again for a traffic fine that he owed or something. So I remember that my sister asked me for money, to ask if I could give her 50 dollars to keep him from going from a county jail to a city jail. I think

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I gave her money. He cried and said, "I told you, *tio*, I told you I didn't do it. I really didn't do it."

19:36:46

JSL: One other question: What do you think would have happened to Jesse Garza if the team of Albert Peña and Eddie Cruz had not been working for him, and the crucial investigation had been the one by the Corpus Christi police department?

19:37:05

EC: I think he definitely would have wound up in the penitentiary for 15, 20 years. There's no doubt in my mind. I think the court-appointed attorney would have possibly advised him to take the 10 years or 20 years or whatever, and he would have served time for that.

19:37:40

EC: I think that Albert Peña, the attorney on the case, obviously, he guided me through my investigations. He really did. I can recall, if I may, I'd like to. I recall one time I came to the office and he said, "Read this article in the paper that was written." I don't remember the specifics on that article. But I read the article, and he said, "Read it again." I said, "There's nothing there, Albert, what is it you want me to look for." He says, "Read the article again!" He was stubborn, you know. So I read the article. "God dang it," he says, "Can't you see what the

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hell it is?" So finally he told me. He says, "The media's the one that's nailing your nephew. They're the ones that are coming up with things that were not said by Paul Rivera, things that were not said by . . ." He says, "The media's the ones that are interpreting whatever they want to interpret, and they're the ones that are really burying your nephew."

19:38:35

EC: So I think that if Mr. Peña had not been the attorney on the case, and, obviously, if I hadn't been the investigator on the case -- but I went through his guidance -- I think that Jesse, obviously, there's no doubt in my mind, he would have at least served 10, 15 years and been placed on probation, and possibly even been killed because of what he was accused of doing and the kind of family that Dahlia Saucedo had. She had some pretty heavy folks on her side of the family. And the way they did Carlos Hernandez's brother, they would have done Jesse as well. They possibly would have killed him.

JSL: Mr. Cruz, in the course of your investigations, did you come across the name Carlos DeLuna?

19:40:01

EC: Yes, I did. Carlos DeLuna was one of the young men that would frequent Carlos Hernandez's apartment on Louisiana. I think I also recall that my nephew told me that he knew Carlos DeLuna

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also, my nephew did. So Carlos Hernandez knew Jesse Garza and also knew Carlos [DeLuna]. I don't know the extent of their friendship, but they did know each other. I know for a fact that Carlos Hernandez knew Carlos DeLuna because I saw him at Carlos Hernandez's house, I saw Carlos DeLuna at his house, at least once or twice.

JSL: There are too many Carlos's, so say that again using both the first and last name.

19:42:19

EC: *Carlos Hernandez lived in an apartment on Louisiana. God dang it, I'm trying to think: it's not Louisiana, it's around Louisiana Parkway area. I can't think of the street's name. Ohio. Louisiana and Ohio, that's the general area where Carlos has his apartment. Carlos Hernandez had the apartment there, and that place always had seven, eight, nine people at 1:30, 2:30, 3:30 in the morning. And this is the time with Mr. Peña, I would tell him I was going to be going there at night, because guys would come over to drink and have beer. I'd hear about it through my connection with Carlos Hernandez at the store. During that time, Carlos DeLuna would come by to visit and do whatever he was doing. He was one of the participants trying to get into the clique, so to speak. He'd drink beer. You'd almost have to.*