Proof.

Proof: A True Crime Podcast
Season 2: Murder at the Warehouse
Episode 3: Secrets Don't Last
Monday, January 29, 2024

Detective: *Hey, Josh.*

Josh Borroughs: *Hey.*

Detective:
You need anything before we get started here? You thirsty? I'll get you, you want a soda?

Josh: *Sure.*

Detective: *What do you want?*

Josh: *Um… I'll take Mountain Dew.*

Susan Simpson [00:18]: It has been three months since Renee Ramos' body was found on the dusty concrete floor of the Home Depot. But there's been little progress on the case since then. Renee's boyfriend Jake Silva remains the lead suspect, but investigators have nothing connecting him to the crime.

Then, on September 7th, Detective Tony Souza and Detective Ken Wells bring 14-year-old Josh Burroughs down to the police station for a casual, friendly interview.

Josh:
Girls say I do look good, except for I got zits. So that's kind of messing me up.

Detective:
Well, I don't think there's any boys that are fourteen years old that don't have a few pimples.

Josh: *I know.*

Detective:
I had a few pimples at that age, too. Have you tried that Sea Breeze stuff? It's a facial wash. That'll clear you up.

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Susan Simpson [01:04]: This is actually Josh Burroughs' second time being interviewed at the station. The first time was 2 and a half months ago, when he was interviewed by Detective Joe Morgan – who at that time was lead investigator.

But Detective Morgan is no longer on the case. His superiors became frustrated with the slow pace of the investigation and replaced him with Detectives Souza and Wells.

And now that they're in charge, Souza and Wells want to try interviewing Josh one more time.

> ***Detective:***
> *Hey, Josh, we got you down here. we wanted to talk to you about Renee Ramos, okay?*
>
> ***Josh Borroughs:*** *Yeah.*
>
> ***Detective:*** *Why don't you just tell us how you knew Renee.*
>
> ***Josh:***
> *Um, I've known her for about a year. She was a pretty nice girl. You know? I'd go over to Fuji's. Jake Silva would always be there. And then, she would make us some biscuits. Kind of, like, you know, with butter on it. She was pretty nice.*
>
> ***Detective:*** *Yeah.*
>
> ***Josh:*** *She was also kind of pretty, too. But then she died. That sucks.*

Josh is several years younger than most of the other teenagers in this case. But both he and Jake Silva know Fuji -- the 17-year-old with a room in his parents' backyard, where Jake and Renee could often be found couch surfing.

The detectives suspect that Josh may know something about what happened to Renee.

> ***Detective:***
> *You know you don't have to worry about getting in trouble for seeing something. You, you understand that? And we just want you to be completely honest. Now, I guess you guys were at Home Depot and…*
>
> ***Josh:*** *No, we were actually at that store.*
>
> ***Detective:*** *Which store are you talking about? The, the new one?*
>
> ***Josh:***
> *The, The Food for Less, that was a night that we threw a party over at Best*

Western. A hotel party. It's called a "telly."

Detective: *Do you remember when that was?*

Josh Burroughs:
I remember it was close to Memorial Day. Or (Unintelligible) on Memorial Day.

Susan Simpson [02:51]: At first, Josh denies knowing anything about Renee's murder. In fact, he tells them, he even has an alibi. On the night Renee died, he was at a telly – a hotel party – at the Best Western, across the street from Home Depot, on Yosemite Ave.

Detective:
Have you ever been to Home Depot?

Josh: *No, I have not, but I seen it.*

Detective:
Okay, this is real important here Josh. And we're asking you a question we know the answer to. Okay? We know you were at Home Depot. We know you've been there. The party moved to another location, didn't it?

Josh: *Uh-uh. It was just at the Best Western. It wasn't nowhere else.*

Detective: *Was Renee at this party?*

Josh: *No.*

Detective: *You're not being honest with us, Josh.*

Josh: *Renee was not at that party.*

Detective:
See, here's the deal, Josh. If you don't tell us the truth, then it means you were involved, okay?

Josh: *Means I was involved?*

Detective:
Well, only people who don't tell us the truth, are people who have something to hide. And people who have something to hide are suspects.

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It only takes Detectives Souza and Wells 33 minutes to convince Josh Burroughs that it's time to come clean. And to tell them anything he knows about the murder of Renee Ramos.

And it turns out? Josh knows everything about it.

> ***Detective:*** *Hey, Josh you were there. Now we know that, Josh.*
>
> ***Josh Burroughs:*** *I was there?*
>
> ***Detective:***
> *Josh, you were there. This isn't up for debate, and you don't have to deny it. We know you were there at the party. And quit playing these games with us because remember what I told you earlier? People who hide things become suspects.*
>
> ***Josh:***
> *Ty and Jake Silva strangled her with her own bra strap, and then screwed her, and then dumped her.*
>
> ***Detective:*** *How do you know that?*
>
> ***Josh:***
> *Because I saw him strangling her and I ran. And I know, for a fact, that they got some.*

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Susan Simpson [04:45]: I'm Susan Simpson.

Jacinda Davis: And I'm Jacinda Davis.

Susan: I'm an attorney and investigator.

Jacinda: And I'm a true crime TV producer.

Susan: And this is Proof Season 2: Murder at the Warehouse. Proof is a Red Marble Media production in association with Glassbox Media.

For the past year, we've been re-investigating what happened after 18-year-old Renee Ramos went missing in the spring of 2000, and we discovered that in this case not everything is what it seems. This podcast tells the story of what our investigation uncovered.

Jacinda: New episodes are released on Mondays. And on Thursdays, you can catch our Sidebar episodes – where we talk about the case, talk to guests, and tell you more about what's going on behind the scenes.

You can find additional materials about this case, including pictures, exhibits, and videos of people we spoke to on our website, at proofcrimepod.com.

This is Episode 3: Secrets Don't Last.

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Susan Simpson [05:55]: In 2008, the TV show "Real Interrogations" which showcases the interrogation skills of real detectives produced an episode on Renee's murder. In interviews for that show Souza and Wells explained how they were able to solve the case by convincing Josh Burroughs to tell them what he knew.

> ***Detective Souza:***
> *We wanted a witness to come forward that could provide us with information that only someone who was there and someone who watched Renee get killed would know. And we found that individual.*
>
> ***Detective Wells:***
> *After speaking with Josh, we're convinced that Ty Lopes and Jake Silva raped and murdered Renee.*

In this episode, you will hear Josh Burroughs, in his recorded police interviews, telling investigators what happened on the night Renee was killed.

But before we begin, a note for our listeners: the following contains graphic descriptions of rape and murder and may not be suitable for all audiences.

Jacinda Davis [07:03]: Even before they spoke to Josh, the detectives had suspicions about who had been there on the night Renee was killed. And Souza and Wells begin their interview with Josh by asking him about one of the people they think might have been there.

> ***Detective:***
> *You ever, you ever hear, hear the name Rapster? Or Rapper Delight? You ever hear anybody with that nickname?*
>
> ***Josh Burroughs:*** *I think it was Richard. This dude that I know. Richard.*
>
> ***Detective:*** *What do you know about this Richard guy?*

Josh: *Um, I know he had an obsession with Renee.*

Josh tells detectives that Rapper Delight is actually a guy named Richard Ornelas. In fact, it was Richard Ornelas who invited Josh to the Home Depot party in the first place.

Detective: *So tell me, how did, how did you know the party was going on there?*

Josh: *Richard told me.*

Detective: *That there was gonna be a party at Home Depot?*

Josh Burroughs: *Yeah.*

Detective: *Did he say who the party was for?*

Josh: *He did tell me something about Renee being pregnant.*

Jacinda Davis [08:12]: Josh tells the detectives that when Richard invited him to the party, he'd mentioned something about Renee being pregnant.

And when the night of the party rolled around, Josh decided he'd stop by the Home Depot.

Detective: *What was going on over there?*

Josh: *A bunch of, a bunch of fun actually. A bunch of kids having, just drinking.*

Detective:
Okay. So you go out to the party, and who's there now? You say Richard.

Josh:
Richard, Jake Silva, and Ty Sl-, whatever his name is.

And then, um, Robert. Ty's, Ty's uncle, I mean, Ty's nephew, something.

Detective: *Robbie Mendoza?*

Josh: *Yeah.*

Detective:
And the Ty we're talking about is Ty, guy in his thirties, kind of heavyset?

Josh: *Actually, a lot, probably obese.*

Detective: *Yeah. Okay.*

When Josh arrives at the Home Depot, the party is already under way. Richard Ornelas is there, and so is Jake Silva, along with his girlfriend Renee. Jake and Josh's mutual friend Fuji is also there, along with two guys that Josh recognizes as two of Jake's closest friends – Ray Goans and Robbie Mendoza.

Not long after that, Robbie Mendoza's uncle, Ty Lopes, arrives.

Which is great, because Ty is 33. Now they're able to buy alcohol, and the party can really begin.

Detective:
At about nine-fifteen pm, Ty shows up at the party. And then Ty goes to Food for Less and buys or wh-, what'd he buy?

Josh Burroughs: *Beer and hard alcohol. It was one of my favorites, Hot Damn.*

Detective:
Hot Damn. Okay, you had some Hot Damn and you guys started drinking?

Jacinda Davis [10:01]: Josh starts drinking the Hot Damn Cinnamon Schnapps that Ty bought him at the nearby Food 4 Less grocery store. And at first, there's nothing unusual about the party.

Josh talks to a cute girl with brown hair that he's hoping to hook up with. Fuji and Ray start doing skateboarding tricks through the empty warehouse. And everyone is just hanging out and partying.

There are a few others there that Josh recognizes. Like his friend Chris Williams. And a girl he knows named Jamie Nicholls. Jamie is at the party with her short friend, though Josh can't remember the short friend's name. But she is later identified as 15-year-old Tonya Mauldin.

Detective: *Okay, and how many other people were there that you didn't know?*

Josh: *Mmm, there was a, there was prob-, there was about a lot.*

Josh thinks there are between 25 to 45 teenagers there in all, but a lot of them he doesn't know by name. There are some girls from Manteca High there, plus a bunch of guys from a rival skater crew, called EOK, that Josh doesn't get along with.

Josh: *I used to be in a group called BDK and we really didn't like EOK.*

Detective: *Oh, really?*

Josh:
Jake Silva, I guess, was in EOK. But see, in the middle, there was a group called Grim Crew I was also in.

Detective: *Mm-hmm.*

Josh:
So um he was in Grim Crew, too. And I was in Grim Crew. So, we kind of had a mutual agreement.

Detective: *And how about, what was the one you were in?*

Josh Burroughs: *BDK?*

Detective: *What's that stand for?*

Josh: *Um, Big Dick Kings.*

Detective: *Hmm.*

Jacinda Davis [11:35]: Josh tells detectives that at the Home Depot party there were people from 3 different skate crews: EOK, Grim Crew, and BDK – the Big Dick Kings.

This is worth taking note of, because these skater crew dynamics play an important role in the case later on.

Josh is the only member of the BDK crew there at the party. But Josh is also a member of another skater crew called Grim Crew, which Jake Silva is also a member of.

Finally, there's EOK, which stands for 'Era of Konfusion' (confusion spelled w/ a K)– they're a skater crew that Jake often hangs with. And when Josh next notices Renee, it's some EOK guys she's hanging out with.

Using a hand drawn map, Josh shows the detectives where everyone was standing at the time.

Detective:
So, you guys are over here in the road, drinking, and everybody's having fun. So where was Renee at?

Josh: *Um, I saw her around in this area. She was talking to some guys.*

Detective: *And then um, what happened?*

Josh: *I guess they started walking in that direction.*

Detective: *Who's they?*

Josh: *Uh, I really didn't know. And then, Jake Silva followed. And then, Ty Lopes.*

Renee and Jake and Ty go into a back room inside the Home Depot, where they're out of sight for a while.

They come back twenty minutes later, though. And that's when the party starts to take a dark turn.

Detective:
When the incident occurred between Renee and Jake, were there any other girls still there?

Josh Burroughs: *Yeah, there was a lot of girls there. All Renee's friends.*

Detective:
Okay. What's the first thing that gained your attention over towards Renee and Jake?

Josh: *I was looking for my beer.*

Detective: *Okay.*

Josh:
And then I, and I laid eyes on him. He was strangling her. She was sitting down on her butt, and he was strangling her. Then she got up, starting lingering, and then he starts socking her.

Detective: *How far were you from this when it was happening?*

Josh: *I would say thirty feet.*

Detective: *About thirty feet. Now, could you see in there okay?*

Josh: *Yeah. We all had flashlights.*

Detective: *Oh, you had a flashlight. Did you shine it on him?*

Josh:
No, I was looking all around, because I was looking for my bottle of beer when I pointed over towards them, I saw him doing it. And I was like, what the fuck are you doing?

This is supposed, this isn't supposed to be like this. This is br-, this is supposed to only be a party. We're supposed to drink. And then, he got mad at me because I tried breaking it up. I almost got socked.

And I was like, fuck it. I don't want no part of this.

Detective:
How many people were there at the time she was being strangled, in your best guess?

Josh: *There was a lot.*

Detective: *By a lot, I need kind of a number.*

Josh Burroughs: *Around me?*

Detective: *That would have been able to see this if they were paying attention.*

Josh: *There was a lot of people there. Just around me was twenty.*

Susan Simpson [14:35]: Most of the people at the party do nothing but stand there and watch as Jake punches Renee in the head repeatedly and drags her on the floor of the Home Depot.

Four of the party goers do get involved, though. But not to help Renee – they go to help Jake.

Detective:
Now people gathered around her, right? And that was Ty Lopes, and you said Ray Goans. And those two guys from EOK, Okay.

Josh:
But there was some people that kind of were afraid. And staring at him and gawking at him.

Ty Lopes, Ray Goans, and two guys Josh doesn't know by name, but recognizes as members of the EOK skate crew, form a circle around the battered and semi-conscious Renee.

Detective: *And then, then what happened?*

Josh: *Um, he started stra-, strangling her with a bra strap. I really don't want to -*

Detective: *You did what?*

Josh: *I really don't want to talk about it. But he started strangling her.*

Detective:
Now, ho-, how did he get her bra strap off? Ho-, how did that come about?

Josh: *Because uh… I don't know.*

Detective: *Well, what did her face look like?*

Josh: *Like it just started to turn red and blue, a purplish kind of color.*

Detective: *Okay, and what'd her eyes look like?*

Josh Burroughs: *Popping out.*

Detective: *Well, what happened next?*

Josh: *And then he got some.*

Susan Simpson [15:59]: And then Jake got some, Josh tells the detectives. Meaning: and then Jake raped her.

Detective:
Now you said he gets some. What, what, what, how does he do that?

Josh: *Take his pant, her pants down.*

Detective: *Now he has sex with her. That's what you mean by get some?*

Josh: *(Nods head, yes)*

Detective: *Okay. So, he finishes having sex with her.*

Josh: *Then Ray does. Actually, no, Ty got some and then Ray.*

Detective:
So, Ty steps up and how does he have sex with her? How does Ty have sex with her?

Josh: *Through, through his zipper because he still had his pants on.*

Detective: *Now Ray gets on top of her. And he has sex with her?*

Josh: *And then she started yelling because she woke up.*

Detective: *Well, what does she say?*

Josh: *Like what, what are you doing? Get off me or…*

Detective:
Okay, now, now, was her legs still down on the ground or were they up in the air?

Josh: *Kind of wiggly. Like they're thrashing up in the air.*

Detective: *How long does he have sex with her?*

Josh: *Not that long, because I'd say it was a little bit longer than Jake.*

Detective: *Okay, so he gets done having sex with her, now what?*

Josh:
And then uh Ty started choking her and that's when it was over. And then they buried her.

Detective:
Oh, wait a minute. Ho-, how, okay, so, so, what, what, what makes Ty start choking her?

Josh: *I don't know.*

Susan Simpson [17:23]: Josh describes how it is Ty Lopes that actually kills Renee. After they finish taking turns raping her, Ty uses Renee's bra to strangle her to death.

Detective: *When he first started to strangle her, what, what'd she do?*

Josh: *She tried to get away.*

Detective: *Okay, and what'd he do, was he saying anything?*

Josh: *No. Just sitting there, having a smile on his face.*

Detective: *He was smiling. He was enjoying it.*

Josh: *He had, it looked like he had a smile.*

Once Renee is dead, Ray and Ty drag her body away and start to bury her under some rubble. Jake doesn't join them, though.

Detective: *When they carried Renee off what was Jake doing?*

Josh: *Shaking his head.*

Detective: *What do you mean by shaking his head?*

Josh: *(Holds his nose and shakes his head, no)*

Detective: *Like, like no this didn't happen, or…*

Josh:
Yeah. That's why I know that Jake didn't kill her. That's what I tried telling you guys. Ty was the actual…

Detective: *Ty was the one that…*

Josh Burroughs: *Yeah.*

Detective: *…that ended it.*

***

Jacinda Davis [18:35]: Josh doesn't know for certain why Renee was murdered. Jake and Ray and Ty don't explain their motives to Josh.

But Josh thinks he might know what the reason was.

Detective: *Did you know about her being pregnant?*

Josh: *Mm hmm.*

Detective: *Do you think it had anything to do with that?*

Josh:
What I think is that it was Ty's baby. And Jake didn't like that too much. And that's why he beat her. And that's why Ty ended it.

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Everyone knew Renee was pregnant, Josh says. That wasn't a secret. But what they may have been trying to keep secret was that it was Ty's child she was carrying.

That's why Jake killed Renee -- for cheating on him with Ty.

And Ty agreed to help because he didn't want Renee to have his baby.

That's Josh's theory, anyway.

After speaking to Josh, investigators have now solved Renee's murder. But as Detective Wells explained to Real Interrogations, there was one last thing they wanted to do before making any arrests.

> ***Detective:***
> *Understanding how this crime was committed, how Renee was murdered, we we wanted to speak with Jake again.*

Souza and Wells find Jake at the skatepark and tell him they have some photos they want to show him back at the station. Jake agrees to go with them, and is interrogated for the fourth, and final time.

The interrogation lasts for nearly two hours. The following recording has been edited for time.

> ***Detective:*** *Hey Jake, you just want to tell us about being at Home Depot?*
>
> ***Jake Silva:*** *I never went to Home Depot.*
>
> ***Detective:*** *You did.*
>
> ***Jake:*** *No, I didn't. I never set foot out there.*
>
> ***Detective:***
> *Well, let me, let me put it like this, we know for a fact you were there. Now it's your opportunity to tell us what happened.*
>
> ***Jake:*** *I would have told you already.*
>
> ***Detective:*** *The fact is that you were there. That's a fact now. You were there.*
>
> ***Jake:*** *I've never been out there. Can I take a test to prove…*
>
> ***Detective:*** *No.*

Jake: *…to tell you?*

Detective: *No, we don't need a test because we know you were there.*

Jake: *When was I there?*

Detective:
Well, that's why we're asking you, Jake. Because we know when you were there.

Now if you want to talk about this reasonably and give us an explanation for why you were there, that's fine.

Jake: *I would, I would, I swear I would.*

Detective:
You were at the party, okay? That's all there is to it. We already know you were there, okay?

Jake: *I wasn't there.*

Detective:
So you 're telling us that all these people that saw Jake Silva at that party at Home Depot are all lying to us?

Jake:
Maybe I can prove I wasn't there. Maybe I was with my dad that day or something.

Detective:
We're talking about a nighttime party at Home Depot. Jake, you were there.

Jake: *No, I wasn't.*

Jacinda Davis [21:41]: The interrogation continues like this for… quite some time.

The detectives tell Jake: we know you were there. Jake says: But I wasn't there. And the detectives respond: We know that you know that we know you were there, because we know things that you know we could only know if someone had already told us about Renee's murder.

Detective: *You realize who we've spoken to, right?*

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Jake: *Yeah.*

Detective: *You have?*

Jake: *Yeah, you've talked to everybody.*

Detective: *Adn you realize, secrets don't last.*

Jake: *Secrets? What are you talking about?*

Detective: *Secrets don't last.*

Jake: *Oh, this ain't right. Secrets. I didn't, what?*

Detective: *Stories don't last.*

Jake: *What do you mean stories?*

Detective: *Lies don't last. The truth lasts. We know you were there.*

Jake: *I would tell you. I'm not trying to lie, I'm not trying to hide…*

Detective:
Well, let's get past that. Jake, we know you were there, so we want to know what you did while you were there. Okay? And who you talked to.

Jake Silva: *How could I tell you who I talked to if I don't remember being there.*

Detective:
Let's get, let's get past that. Let me explain something to you. Okay? We know you were there. We know what happened. We're talking about the party where the people had flashlights.

Jake: *With the flashlights?*

Detective:
Yeah. Remember all those people skating in there with the flashlights?

Well, we talked to a lot of those people, Jake.

Jake: *I don't remember skating around in there with a flashlight.*

Jacinda Davis [23:11]: Detectives Souza and Wells think Jake is lying about this, though. Because Josh Burroughs has already told them all about how the partygoers used flashlights to skate through the Home Depot warehouse.

And the detectives tell Jake this to prove to him that they already know everything. They already know the truth. So, he might as well tell the truth too.

> ***Detective:***
> *We're giving you things that only people who were there would know. Now do you want to tell us your version of what happened?*
>
> ***Jake:*** *I would tell you.*
>
> ***Detective:***
> *Because everyone else has told us what happened.*
>
> *And as you know, like we explained it before, it paints the picture. And they have painted a picture. You haven't added your brush strokes to that picture.*
>
> ***Jake:*** *God, man.*
>
> ***Detective:*** *Do you understand what we're talking about?*
>
> ***Jake:*** *Not really.*
>
> ***Detective:***
> *We're not trying to confuse you, Jake. That's the last thing we want to do. And you're not confused.*
>
> *You always play like you don't know what we're talking about half the time Jake.*
>
> ***Jake Silva:***
> *It's just half the time you're saying stuff that I don't even understand what the hell you're talking about.*
>
> ***Detective:*** *You 're playing dumb here son and you're not dumb.*
>
> ***Jake:*** *I'm not playing dumb.*
>
> ***Detective:***
> *You know what happened, now just tell us.*

We're telling you that we know for a fact you were there. Now…

Jake: *On what day, what time?*

Detective: *Well that, that's not important Jake.*

Jake: *Yeah, it is. What if I could prove I wasn't there?*

Detective:
That's not the issue here Jake. Now the date really isn't even important. We're asking you to explain being at Home Depot. The date isn't the issue, it's being at Home Depot is the issue.

Jake: *I wasn't, God, I would remember.*

Detective:
How do you think we know what happened and how they had flashlights there.

Jake: *Geez.*

Detective:
How do you think we know that Jake? We weren't there, someone had to tell us.

Jake:
You 're trying to say I remember being there with flashlights and skating and drinking. I don't remember. And I would remember somebody skating around with flashlights.

Detective:
We're not talking about people skating around with flashlights Jake. We're talking about Renee's murder. That's what we're talking about.

Jacinda Davis [25:28]: The detectives were hoping to convince Jake that he will be better off if he just tells them the truth.

But Jake just keeps repeating the same denials over and over again. And finally, he asks if he can leave.

Jake Silva: *I want to go home and talk to my dad.*

Detective: *Okay. You don't want to talk about this anymore?*

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Jake:
I wasn't there. If I was there it wouldn't have happened. Can I go talk to my dad please?

Detective: *No.*

Detective: *Nope.*

Jake: *Why?*

Detective: *You're under arrest.*

Detective: *You're under arrest.*

Jake: *Under arrest?*

Detective: *Yep, for Renee's murder.*

Jake: *What?*

Detective: *You're playing games too far.*

Jake*: No, I'm not. Wait. I would tell you.*

Detective:
Hang on, you're under arrest for murder. Right now, you're under arrest for murder.

Jake: *How?*

Detective: *Now, do you want to tell us your side or not?*

Jake: *I would tell you.*

Detective: *You can tell us what happened.*

Jake Silva:
I told you I don't, I wasn't there, I don't know. I don't, I wasn't there, God. I'm trying to tell you, and you come out like this you're under arrest.

You scared the shit out of me, and you want me to tell you a statement?

Detective: *You were there. You're still under arrest. We're not kidding.*

Jake: *What?*

Detective: *Yes. This is the real thing.*

Detective: *Do you think we're kidding? We're going to book you for murder.*

Jake: *How the fuck did I murder someone, I didn't murder nobody.*

Jacinda Davis [26:54]: The detectives told Jake that witnesses already came forward to tell them all about the party at the Home Depot, but they never told him who. Josh Burroughs' name is never mentioned.

Instead, they suggest to him that it is Ty Lopes who has told them everything.

Detective:
Think about it, okay? We talked to Ty. Ty gave us the story, that's why you need to give us a story.

Jake: *Ty, how you going to go through Ty?*

Detective: *Figure it out. The game's over.*

Detective:
You guys can't keep secrets that long. You can't keep telling stuff and think that things are going to be kept secret. They're not.

Jake:
Whatever man. I didn't do nothing wrong. I'll go to jail for maybe 20 years and the truth will come out someday.

Detective: *No, it won't. We already got the truth.*

Susan Simpson [27:43]: 'I'll go to jail for maybe 20 years and the truth will come out some day,' Jake told the detectives.

It has been 23 years since Jake said this. And he's been in prison ever since then. So far, at least, it is the detectives' prediction of the future that has proven the more accurate.

Because no other truth has come out. It is Josh Burroughs' statements that solved this case, and led to the arrests and convictions of Jake Silva and Ty Lopes. And the case has been closed ever since.

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Jacinda Davis [28:12]: Souza and Wells were bluffing about Ty telling them the story. At the time of Jake's interrogation, they hadn't gone to talk to Ty yet.

But after arresting Jake, the detectives immediately head for Ty's house, and ask him to come in for an interview as well.

The Manteca Police Department has denied our requests for a copy of Ty's interrogation tape. However, they did agree to give it to *Real Interrogations* for their episode. So, the only portions of Ty's interrogation that we have come from what was aired on *Real Interrogations*.

> ***Ty Lopes:***
> *Somebody's giving you guys a line of crap man if they're trying to tell you I was out there at a party. There ain't no way in hell.*
>
> ***Detective:*** *That's what they're telling us.*
>
> ***Lopes:*** *That's a lie.*
>
> ***Detective:*** *It is?*
>
> ***Lopes:*** *Straight up lie.*

Souza and Wells tell Ty that they've actually already arrested someone for Renee's murder.

> ***Lopes:*** *You guys got somebody really?*
>
> ***Detective:*** *Yeah, I'll show you a picture of him right now.*
>
> ***Lopes:*** *You guys really got Jake in jail?*
>
> ***Detective:*** *Yeah.*
>
> ***Lopes:*** *You're kidding me?*
>
> ***Detective:*** *He told all about you too.*
>
> ***Ty Lopes:***
> *I don't know why somebody would do that but it's BLEEP. I'm telling you, you guys are wrong if you think that I was over there at a party when she was killed.*

You guys are dead wrong, I'm telling you. I mean, you are barking up the wrong tree, Jake's full of BLEEP. And that's it.

Detective: *All right, now we've got to charge you, you're under arrest.*

Jacinda Davis [29:54]: Two weeks later, the detectives flew to Indiana to make their third and final arrest. There, they found Ray Goans, who had left Manteca shortly after Renee's body was found.

Ray waived extradition, and flew back to Manteca with Souza and Wells, where he joined Ty and Jake at the San Joaquin County Jail.

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Susan Simpson: After their arrests, Jake Silva, Ty Lopes, and Ray Goans all continued to deny any knowledge of what had happened to Renee. If detectives had been hoping that one of them would flip and try to cut a deal in exchange for testifying against the others, then they were disappointed.

Which meant that, at trial, the prosecution's case would have to rely on the testimony of their star witness: Josh Burroughs.

Detective Souza and Wells had no doubt that Josh had been there. Yes, there were some things Josh said that investigators had questions about. And not all of his statements added up perfectly.

But Josh had known things that only someone who had been there and witnessed the murder could have possibly known.

Things like why there was a party at the Home Depot in the first place.

Josh Burroughs:
I knew she was pregnant. Richard was the first one that told me.

Detective: *Richard told you that night that she was pregnant?*

Josh:
No, he told me before that. And then, uh, he said there was gonna be a party.

Susan Simpson [13:18]: Dr. John Cooper was the medical examiner who autopsied Renee. He testified that she had been 8 to 10 weeks pregnant when she died – corroborating what Josh said about why the party was being held.

And then there's the people that Josh says were at the party that night.

Even before speaking to Josh, detectives had a list of people they believed had been present when Renee was killed. And Josh confirmed that almost all of them had in fact been there at the party.

Jake Silva was one of them, of course, no surprise there. But Josh had also known that Ray Goans and Fuji were involved in Renee's murder.

> ***Detective:*** *Now, now, was Fuji there at the party?*
>
> ***Josh Burroughs:*** *Yeah.*
>
> ***Detective:*** *When did he show up?*
>
> ***Josh:*** *Shortly after we did.*
>
> ***Detective:*** *Now Ray, now how do you know Ray?*
>
> ***Josh:*** *Um, he was at Fuji's a couple times,*
>
> ***Detective:*** *Yeah. So he was there, Ray?*
>
> ***Josh:*** *I'm pretty certain.*

Jacinda Davis [32:14]: Because of their connection to Jake Silva, Fuji and Ray had both been suspects from day one of the investigation.

In fact, Fuji was one of the very first people to be questioned in the case. And when detectives went to speak to him, they'd found what they thought was a head-shaped hole in the drywall of his room.

This led to one of the investigators' first theories about what happened to Renee.

> **Fuji:**
> They were saying that she was killed in my room and then ditched at the Home Depot. That's one that everybody seems to believe in this town that it was in my room when it happened.

Jacinda Davis [32:50]: That's Fuji. He told us about how the investigators had constantly been questioning him and searching his place. They even took out portions of his drywall, to test for the presence of Renee's blood. But those searches turned up nothing of significance.

> **Fuji:**
> They kept bothering me and still trying to get information out of me. I was just giving the same answers to the same questions over and over again. Towards the end of it, I started to refuse to talk to him as I was just getting annoyed with them.
>
> **Jacinda:** Because it was the same questions?
>
> **Fuji:**
> Yeah. See, I've already told you everything I know. So what do you want? You've already gone through my room and my house and what more do you want?

As for Ray Goans, the reason he was a suspect from early on is obvious. Ray had corroborated Jake's story. He claimed to investigators that he and Jake had last seen Renee at Labor Ready on Memorial Day.

But based on what the medical examiner, Dr. Cooper, had concluded about Renee's probable time of death, detectives believed Renee had not been killed until several days after Memorial Day. They believed she must have still been alive – and with Jake and Ray – for most of the following week.

And why, detectives wondered, would Ray have lied about last seeing Renee on that Monday – unless he had been involved in her murder later on?

> **Fuji:**
> Ray was this older hippie guy. He used to buy us beer.
>
> I'm not even sure how him and Jake became friends. I knew him through Jake. I knew he was just out visiting from out of state. What he was doing in Manteca, I don't know.

Ray, who was 21 at the time, had arrived in Manteca only six weeks before Renee's murder. He'd been hoping to stay with his sister, who lived in Manteca, but that hadn't worked out, so he ended up living on the streets with Jake and Renee.

Though, later on, he started crashing in Fuji's room most nights.

> **Susan Simpson:** But you, you liked Ray?

Fuji: Yeah. Ray was cool. He was just fucking constantly sleeping on my couch.

Jacinda Davis [34:58]: And then, about a week after Renee's body was found, Ray left town.

Fuji:
I think the last time I saw him he was getting a Greyhound ticket to go to Florida or something.

Susan Simpson: So you remember him leaving?

Fuji:
Yeah. I bought a bunch of his, he had some skate video cassettes, and I was buying a bunch of them off of him. That's the last time I saw him.

Jacinda: Did he say why he was leaving?

Fuji:
No, he didn't really say. I think he was just, there was nothing out here for him, so he was just leaving.

Susan Simpson: Finally, there's something else Josh said that proved to detectives that he knew what happened to Renee.

Josh told them that, days or weeks before Renee's death, Ty Lopes had sexually assaulted her.

Josh Burroughs:
All right. This is something that, that, that can be kind of useful to you guys.

Detective: *Okay.*

Josh: *Ty used to molest Renee and Jake Silva used to watch.*

What Josh is referencing here is something detectives had already known about. They'd heard about it before. From Jake Silva.

During his first interrogation, Jake had suggested to them that Ty Lopes might be a possible suspect in the case.

Jake Silva:
Ty Lopes would probably be another suspect. I'm not trying to blame him.

Detective: *Why would Ty want to hurt her?*

Jake Silva:
A while back, it was a couple months back, we were staying in his room, me and Renee were. And she woke me up, crying. Like, really crying. Tears were coming out of her, and she was all hysterical.

And she was like, "Ty touched me." And…

Detective: *Touched her where?*

Jake:
In, in her pants. And after that, you know, I, I saw him walking down the street and I pushed him down. And I asked him why he did it.

You know, I shouldn't have done that. I thought I'd be able to take it into my own hands which I shouldn't have done, you know.

Susan Simpson [36:52]: In one of my first conversations with Jake, I asked him about this incident with Ty.

Jake:
What I remember, uh, me and Renee were staying in his room on the floor. We were sleeping. She woke me up grabbing me, hard, like my back and my side, like hard, like scratching me. I didn't know.

I turned around, what the fuck. He was touching her!

He was all drunk, he had his fucking hand down her pants trying to touch her. I just grabbed her up, got all our stuff, and got the hell out of there.

Susan: How'd Renee react to that?

Jake:
She was freaking out, she was crying, freaking out. I didn't know what the fuck to do, I didn't know what to think.

When Jake was interrogated back in 2000, he did tell them about this time that Ty had sexually assaulted Renee. But when Jake ran into Ty again, after that night in his room, Jake hadn't simply pushed Ty to the ground, like he'd told the detectives. Jake told me there'd been a bit more to it than that.

Jake:
I think it was a day, or a couple days later that I did that to him, where I kicked him in the head and pushed him down and kicked him in the head.

I remember, I remember that. I don't remember, like, exact details I guess, but I remember pushing him down.

I don't remember where it happened, but the first chance I got, as soon as I seen him, it was on sight…

Susan Simpson: Did he try and fight back?

Jake Silva:
No, he couldn't. Even if he did, it wouldn't have mattered. You don't, that's creepy shit. Especially to her. Nah, yeah he would've got hurt.

The day that happened – I remember, when I fucking pushed him down and kicked him in the head. She was screaming at me not to. No, Jake, no don't. I didn't care. I would've stomped his head flat. I was so mad. Yeah, you don't do that, you don't do shit like that.

It just seemed like it was an ulterior motive, that he was willing to let us stay there so he could do that, it was just weird, man.

Susan Simpson [39:03]: For detectives Souza and Wells, this all corroborated what Josh Burroughs had told them.

Josh knew about Renee's pregnancy – which detectives believed to be Jake's motivation for killing Renee. Josh knew about Fuji and Ray being involved in the murder, too, something the detectives had suspected from the very beginning.

And Josh knew about how Ty had, in Josh's words, molested Renee – something the detectives knew for a fact to be true, because Jake had already told them about it.

So, given that Josh had told the truth about all of that, what reason was there to doubt the rest of Josh's story? But even though Josh's story answered the big question in this case – what happened to Renee? It also left a lot of smaller questions unanswered.

Questions like, why did the detectives decide to charge Ray Goans, but not Fuji? And why were they never able to identify the two members of the EOK skate crew who had helped hold Renee down while she was raped and murdered?

And why did they never even question Robbie Mendoza about any of this? Josh told them Robbie was at the party where his best friend and his uncle conspired together to murder Renee. These questions though were all ones that only the detectives would be able to answer.

Jacinda Davis [40:28]: Detectives Souza and Wells did not respond to our requests to speak to them for this show.

But Detective Morgan – who had initially been lead investigator, before being taken off the case – agreed to meet with us. He didn't want our conversation with him to be recorded, but afterward, Susan and I went over everything we'd learned from him.

> **Susan Simpson:**
> One thing about his reports that I did question was like, his interest in Fuji because h-, he seemed pretty keen on Fuji. But the Fuji thing doesn't really make sense to me.
>
> And I asked him, he was like, "Nah, I don't think Fuji was involved. I think he was covering up for his friends."
>
> Oh, he said, "I thought Fuji was being heroic in covering up for his buddies and what he knew."
>
> **Jacinda:**
> Yeah, he was trying to be a hero. I think he was frustrated with Fuji. He thought Fuji could help them and, just feeling incredibly frustrated that he, he wasn't cooperating.

Jacinda Davis: Detective Morgan told us that he'd thought Fuji was lying about what all he knew, to help cover for his friends. But Morgan said he hadn't thought Fuji had any involvement in the murder itself.

Which had surprised us, that he thought that way.

How could Detective Morgan not think Fuji was a suspect? After all, Burroughs says Fuji was right there when Renee was killed.

> **Susan [41:49]:**
> I was like, "Why didn't you suspect Fuji?"
>
> He was like, "Well, there's no evidence against him."
>
> Well, there's the same evidence against Fuji as there is against Ty, which is Josh Burroughs says they were there.

Jacinda: But he didn't know that.

Susan: And he, he kind of looked at me…

Jacinda: No, I think he really didn't know.

Jacinda Davis [42:07]: Before talking to Detective Morgan, we assumed he'd known all about the party at Home Depot, and everything else Josh had said when he was interviewed by Souza and Wells. After all, they'd been part of the same police department, and were working on the same case.

But remember – Morgan had been kicked off the case just before Josh Burroughs was interviewed.

And the version of Josh's story that Detective Morgan had been told about is roughly the same as the version of Josh's story that was told on the episode of *Real Interrogations.* And that episode never mentions a party.

Detective Morgan told us he'd never researched the details of Josh's story for himself. Intentionally so, and for valid reasons – Morgan had been a witness at both trials, so he'd always avoided learning extra information about the case.

Until we showed up, anyway.

Susan Simpson:
He was like, "Don't tell me about this stuff."

And then we're like, "We're gonna tell you anyway." (Laughs)

But we're like, "Look, you can't have a conversation about this without you knowing basic facts about the case."

And, we told him, "Here's what Josh Burroughs says. There was a party with twenty-five to forty-five teenagers at the Home Depot when they organized this rape and murder."

And his reaction was, "That doesn't sound plausible."

Jacinda:
He's like, "What? That's, I've never heard that before. That's, that's the theory?"

He did say they interviewed everyone, like, a lot of people at the Home Depot,

and there was really no evidence of a party.

Then we're like, “That's their theory,” and that's when he's like, “Oh. Well.”

Susan: I'm thinking he said like, “Oh, so that's why you're here.”

Jacinda: [Laughs] Yeah.

Susan: Yeah.

Jacinda: Yeah, he said, “Oh, now it makes sense why you're looking into this.”

Susan Simpson [43:47]: When we first sat down with Detective Morgan, one of the first questions he’d had for us is: “Why is this the case you’re looking at?”

He’d had his own concerns about the investigation, but he didn’t get why we were interested in it. He’d been polite, but firmly dismissive in response to our suggestion that maybe the wrong people had gone to prison.

But when we told Detective Morgan what Josh Burroughs’ story had actually been, Morgan’s response had been a sharp, "Oohhh," followed by him quietly chuckling to himself.

Then he told us: “Okay, now I see why you're looking at this case.”

Susan Simpson:
So, I tried to gauge him, I was like, and there was no physical evidence and he didn't really - I don't know if he knew that there was no physical evidence, or…

Jacinda Davis:
He was being an interrogator, he's not gonna react to anything we say.

Susan: Yeah. He reacted, though, to the Josh Burroughs story. He's…

Jacinda: He reacted to the party, he's like, “What?”

Susan: He's like, “What on Earth?”

Jacinda: “What?”

Susan: He knows there was no party.

Jacinda: There was no party.

Susan: Yeah, he knows that plain as day.

***

Susan Simpson [44:49]: There are few absolutes in this case. There is so much that is unknown. And the evidence that does exist is complicated, contradictory, and frustratingly ambiguous. Most questions about what happened to Renee have no obvious answer, and no conclusions can even be attempted without a close examination of the evidence we do have.

But Josh Burroughs' story about the party at the Home Depot is not one of those complicated questions. The party never happened.

Now by itself, that does not mean that Jake Silva and Ty Lopes are innocent. It doesn't prove they didn't do this crime. But what it does mean is that in trying to figure out what actually happened to Renee, the story about the party is a distraction – it doesn't get us any closer to an answer.

If a party like the one Josh describes had happened, there would be evidence of it. And there's none. No trash was left behind by any party goers. Surveillance cameras from nearby businesses did not pick up any sign of nearly four dozen teenagers driving or riding or walking into the construction site. And construction workers never heard or saw anything to suggest that kids were partying there.

Male Speaker 1:
We saw no signs of a party, no candles, no empty booze bottle or beer or anything like that. I mean, there was nothing.

We would have noticed if there was a big party there, you know.

Male Speaker 2:
I was staying in a trailer on site there. And we never heard nothing about no party or anything.

That's not a place where a bunch of kids would go out and have a big old party. They would have got busted pretty quick.

Susan Simpson:
So, you're pretty confident that if a party had happened you would have known about it?

Male Speaker 2: Oh, I would have known. I would have known.

Susan Simpson [46:34]: But here's the real reason why we know the party never happened: every single one of the teenagers that Josh says was at this party has denied that anything like that ever happened.

> **Fuji:**
> They pretty much made that known that they thought I was there, but I didn't even know there was a party there.

That's Fuji again. Investigators never charged him in connection with the murder, but they were confident he'd been at the party. Josh Burroughs had given them very specific details about what Fuji had been doing at the moment Renee was strangled.

> **Susan Simpson:**
> He describes you and Ray having like a skate-off during this murder. So like Ty and Jake were over there strangling her…
>
> **Fuji:** In this, at the Home Depot warehouse?
>
> **Susan:** and the two of you are skating off with one another.
>
> **Fuji:** And there's no running power in there. So it's pitch black?
>
> **Susan:** No. You had flashlights.
>
> **Fuji:** Oh yeah. What?
>
> **Susan:** Or candles.
>
> **Fuji:** Was there a seance and OUIJA boards? What is going on?
>
> **Susan:** Have you ever heard anyone say, "I was at that party?"
>
> **Fuji:** No, not even anybody admitting that they were invited.

Susan Simpson [47:39]: The prosecution's rebuttal here is that Fuji and the other party goers are all lying either because they were involved in the murder themselves, or because they're afraid of being called a snitch.

But I would submit to you that it is a fundamental truth of the universe that a group of 25 to 45 teenagers cannot keep a secret this big. Not even for a week, and certainly not for over two decades.

If this party had actually happened, someone else would have come forward.

Even during their first interview with Josh Burroughs, you can hear Detectives Souza and Wells grappling with this inherent problem in Josh's story.

> ***Josh Burroughs:***
> *Yeah, there was a lot of people there. Just around me was twenty.*
>
> ***Detective:***
> *Twenty, watching this happen? Tell me this, why, if so many people saw this happen, why is nobody coming forward to tell us what they saw?*

Susan Simpson [48:37]: For the sake of argument, though. Let's assume that, sometimes, in some cases, 25 to 45 teenagers might succeed in keeping a secret this big, if they have sufficient motivation for doing so.

That's the thing, though. Many of the teenagers that Josh says were at this party have no motivation to keep this a secret. The exact opposite, in fact.

One of the few things that Josh is consistent about is that a group of girls from Manteca High School were at the party – girls who were friends with Renee, and who were devastated by her murder. Who were desperate for this case to be solved. And who now, as grown women, continue to mourn their friend's death.

We showed a copy of Josh Burroughs' statement to Lori and Amber – Renee's close friends from Manteca High.

> **Lori:**
> *(Reading) So, Souza: "Who do you remember being there? How many people do you remember being there when the incident between Renee and Jake occurred? Were there any other girls still there?"*
>
> *Josh: "There was a lot of girls there. A lot of Renee's friends."*
>
> Yeah. Hmm, no, none of us girlfriends, her close friends were there.
>
> **Susan:** Do you think if Renee's friends were there you would know?

Amber: Oh, yeah.

Lori: For sure.

Amber: For sure.

Susan: Do you feel confident Josh is lying about that?

Lori: Yeah, no, we weren't there. None of us girls were there.

Amber: No.

Lori:
Renee had a lot of really good close girlfriends. Like I said, it was like a big group of girls.

Amber: Mmhmm, we all talk and none of us were there.

Lori: No, yeah, we would know.

Susan Simpson [50:14]: For 23 years, Lori and Amber never doubted the story about the party at the Home Depot. As teenagers they'd been told by police that this is what happened – so what reason did they have to doubt it?

But now as adults, looking at the evidence for themselves for the first time, the doubts they had were obvious and immediate. They quickly read and then reread Josh's words, shaking their heads to themselves. And I think Lori even rolled her eyes at one point.

Lori: Who exactly was at this party?

Amber: I know, right? I wasn't invited.

Lori: Was any of Jake's friends at this party?

Susan: Supposedly…

Amber: Does anyone else say that they were at the party?

Susan: We have not found anyone.

Jacinda Davis: We cannot, and neither could the cops, frankly.

Lori: So, there was no party.

Jacinda:
There was n-, no one has come forward to say that they were at the party.

Lori:
So, there's no party, and Josh, made all, made this up and the cops wanted to go with this because it was the easy way to come up with a conviction.

Susan: I mean, that's one interpretation.

Lori: That's gonna be my interpretation.

***

Jacinda Davis [51:21]: Next week, on Proof:

Susan Simpson:
There is a moment in the trial when the judge addresses your dad and says, “Mr. Lopes, you’re your own worst enemy. Shut your mouth.”

Mandi: Yeah, I remember that.

Jerrod:
Ty was such a pain in the ass to the powers that be in that town for so long. He just antagonized the police, he was a troublemaker.

Investigator:
OK now this is very serious. Do you have any idea who killed Renee Ramos?

Josh Burroughs: No I don’t. But I doubt that Jake did it.

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That's all for this week... thanks so much for listening.