



MONTEREY POLICE DEPARTMENT

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**Assault with a Firearm Arrest**

On September 18, 2021, Monterey Police Officers responded to a report of gunshots in the 200 block of Glenwood Circle. As officers arrived on scene they found a group of people fighting in a landscaped area outside of the apartment complex. The investigation revealed Marco Perez Cruz, 22, from Seaside was driving under the influence, struck two parked vehicles and attempted to leave the scene. Witnesses to the collision yelled for Perez Cruz to stop his vehicle. Perez Cruz and his passenger, Joseph Diaz, 23 from Monterey exited their vehicle and confronted the witnesses to the collision.

A fight between Perez Cruz, Diaz, and the witnesses ensued. During the altercation one victim was kicked by Diaz while they were on the ground, another victim was struck with the barrel of a gun in a "pistol whipping" motion. Additional witnesses observed Perez Cruz shoot the firearm at the ground prior to police arriving.

Perez Cruz was arrested for the following charges: California Penal Code (PC) 245(a)(2) – Assault with a firearm, 12022.1(b) PC – Committing a felony while out on bail, 246.3(a) PC – Negligent discharge of a firearm, 25850(c)(1) PC – Possession of a loaded firearm with a prior felony conviction, 25850(c)(3) PC – Possession of a loaded firearm as a registered gang member, Health and Safety Code (H&S) 11350 – Possession of a controlled substance, California Vehicle Code (CVC) 20002(a) – Hit and run collision, 12500(a) CVC – Unlicensed driver, 23152(a) CVC – Driving under the influence of alcohol, and 23152(b) CVC – Driving with a blood alcohol content (BAC) of .08% or greater. He was transported to the Monterey County Jail and booked on the above charges with a bail amount of \$220,000.

Diaz was arrested on the following charges: California Penal Code (PC) 245(a)(4) – Assault with force likely to result in great bodily injury, and 12022.1(b) PC – Committing a felony while out on bail. He was transported to the Monterey County Jail and booked on the above charges with a bail amount of \$70,000.

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