# VENTURA COUNTY SHERIFF'S OFFICE

## MEMORANDUM

**DATE:** April 30, 2021

TO: Eric Dowd, Assistant Sheriff

FROM: Rob Davidson, Commander

RE: IA 19-003 – Juarez OIS - Determination

The administrative review of this deputy involved shooting included a response to the scene by Internal Affairs Investigators and the Captain along with a review of reports, body worn camera video, witness video, interview statements, scene diagrams, other documents included in the Los Angeles Sheriff's Homicide Detective case file and the Los Angeles District Attorney's Office report.

After the officer involved shooting, the Los Angeles County Sheriff's Office and the Los Angeles County District Attorney's Office investigated the shooting. The L.A. District Attorney concluded that the shooting of was lawful given the circumstances.

I have reviewed the Los Angeles County Sheriff's Office and District Attorney's reports as well as the attached report authored by Captain Robert Fleming. My analysis and determination in this case is based on this information.

#### Review

In the months that followed the incident, this agency conducted an extensive review of the shooting in response to civil litigation on the part of relatives. This review focused on the factors and circumstances present when the decision was made to use deadly force. Part of the review included the analysis of BWC footage, video recordings made of the incident by citizens, and others present at the scene.

This review confirmed the observations and statements made by Deputy Juarez and Sgt. Hartkop concerning and animated demeanor, claims of possessing a firearm and his ultimate movement away from the vehicle at the end of the confrontation. It was at this point that Deputy Juarez described a "jerking movement" by this point, which in part, prompted him to use deadly force.



at the time of the shooting. Conversely, the video did not definitively disprove that a movement was not made just prior to Deputy Juarez firing. This became an area of increased scrutiny and review. The video in question is taken by a person in a parking lot, below and to the southwest of the suspect's vehicle obscures some of the overall view and ' hoodie further reduces the view. From this position, the vehicle had crashed into the guardrail was between the camera and thus, thus his head, left bicep and shoulder are visible, but the rest of his body is either bladed away from the camera or blocked by the car. In the moments before the shooting, this particular video footage depicts seemingly standing still with his left hand on his nose. When the shot is fired, flinches and drops out of sight. As acknowledged above, the video does not show the right side of body, however, the lack of discernable upper body movement by in that moment, required further inquiry. The decision was made to re-interview Deputy Juarez in an attempt to his perception of actions preceding the shooting. Ultimately the interview was conducted in August of 2020, over 18 months after the incident. Instead, the interview was intended to explore the description of actions in the moments before Juarez pulled the trigger. Deputy Juarez was represented by legal counsel and they were given a transcript of his initial interview to refresh his recollection of the incident. In the second interview, Deputy Juarez described as making an aggressive quick-draw movement, similar to a deputy at the firing range who is trying to get their firearm out of the holster. While this information provided a more in-depth description of movement; it also reintroduced the contradiction between the video, which showed virtually standing still, and Juarez' description of movement. While Deputy Juarez' recollection is exaggerated, it is nonetheless consistent with respect all other components of the incident. A number of law enforcement incidents have initially depicted an event in one manner, only to have other video perspectives dramatically change the reality of what had initially been perceived. After review, we cannot say he did not move,

The available video did not conclusively depict making a jerking movement

or flinch, in a manner that would be perceived as a threat.

### **Analysis of Force**

Federal case law, California law and Ventura County Sheriff Policy permits the use of deadly force in self-defense or in the defense of others if the person claiming the right of self-defense or the defense of others actually and reasonably believed that he or others were in imminent danger of great bodily injury or death.<sup>1</sup> Further, CALCRIM No. 3470 holds that, if the person's beliefs were reasonable, the danger does not need to have actually existed.

Ventura County Sheriff's Policy 300.3 – USE OF FORCE states, "Deputies shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to, or perceived by, the deputy at the time of the event to accomplish a legitimate law enforcement purpose (PC § 835a)."

The policy continues and defines reasonableness, "The reasonableness of force will be judged from the perspective of a reasonable deputy on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that deputies are often forced to make split section decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving."

It is apparent from body language and statements, that Deputy Juarez faced a tense, uncertain situation in which the suspect claimed to be armed with a firearm. The circumstances were evolving unpredictably, and the totality of the known information supports the belief that was armed. Further, Sgt. Hartkop and the CHP officers provide additional perspectives that supports the overall belief that was armed.

To continue the analysis, Sheriff's Policy 300.4 – DEADLY FORCE APPLICATIONS states, "An 'Imminent' threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable deputy in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the deputy or another person. A deputy's subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (PC §835a)."

Based on Deputy Juarez' statement, he could be justified in using deadly force when applying policy 300.4 and the requirement of an 'imminent' threat.

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<sup>&</sup>lt;sup>1</sup> Los Angeles District Attorney OIS Review J.S.I.D. File #19-0016, page 7, para 1

certainly could have posed an immediate threat if he made a furtive movement with what was believed to be a handgun. However, also attached to this factor, is the inability to resolve the disconnect between available video<sup>1</sup>, which depicts standing still, and Deputy Juarez' description of movement.

#### Determination

In reaching a conclusion, there is no reason to question the sincerity of Deputy Juarez' statements. The situation as described by every officer present portrays a dynamic and unpredictable situation. It is appropriate to acknowledge that the standoff with was tense and uncertain.

It is further reasonable to conclude that everyone involved believed was concealing a firearm. It is also important to acknowledge that the moment stepped away from his vehicle, farther than he had at any point in the standoff, the dynamics of the situation changed. Whether intentional or not, movement away from the car increased the threat to the officer's on scene by removing the vehicle as an obstruction to possibly firing a weapon.

The video, demonstrating a lack of discernable movement by discernable movement by discernable, does not definitively establish that did not move. Instead, it leaves this evaluation to make a conclusion based on the totality of the facts known to Juarez and supported by the reasonable deputy standard. In this case, direct visual evidence of no discernable movement cannot be dismissed; nor can it be relied upon as definitive evidence that some level movement, which could reasonably be perceived as a threat, did not occur.

When Deputy Juarez' actions are weighed and balanced against the available statements, evidence and video, the conclusion reached is that any allegation that his use of force was unreasonable *cannot* be sustained.

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<sup>&</sup>lt;sup>1</sup> The video in question was reviewed by an independent forensic expert who determined that the video had been changed from its original format which reduced the level of detail and rendered the video unreliable to make any definitive conclusions. This format change is common when video is uploaded to media platforms such as Youtube, and there is no way to reverse the alterations.

## VENTURA COUNTY SHERIFF'S OFFICE SUPPORT SERVICES DIVISION

## MEMORANDUM

DATE: February 3, 2021

TO: Commander Rob Davidson

FROM: Captain Robert Fleming

SUBJECT: Complaint Review and Determination – Formal IA #19-003

Complainant Department Initiated

Named Deputy Noel Juarez #3336

Hired July, 7, 1996

Currently Assigned, Patrol Services Thousand Oaks

Allegations Officer Involved Shooting (OIS)

Supervisor Sergeant Russ King

BWC Recorded Event

CPRA Disclosure (1421) Yes – Discharge a firearm at a person

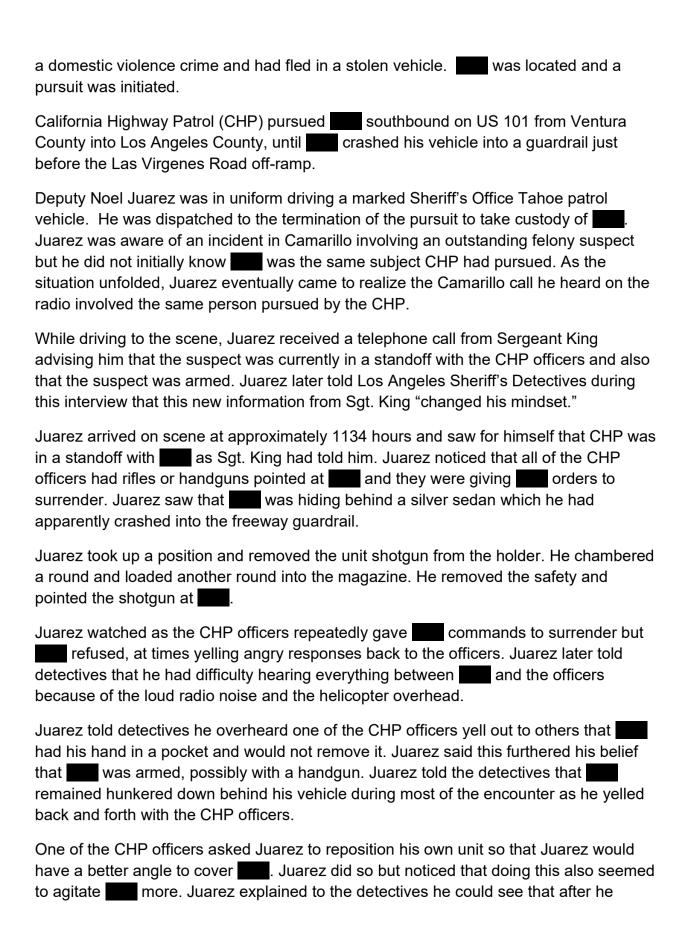
## Complaint Background

The administrative review of this deputy involved shooting included a response to the scene by Internal Affairs Investigators and the Captain along with a review of reports, body worn camera video, interview statements, scene diagrams, other documents included in the Los Angeles Sheriff's Homicide Detective case file and the Los Angeles District Attorney's Office report.

The following is a summary of the findings:

On January 12, 2019, at approximately 1025 hours, the Sheriff's Office received a call from a citizen reporting a possible domestic violence crime at 2 had committed had committed





moved his unit, was yelling angrily and there was a change in his body language and facial expressions.

Juarez told detectives that after about 15-20 minutes, he was becoming fatigued, so he rested his shotgun on the A pillar spotlight and leaned inside his unit. Doing so however, made it harder for him to hear the exchanges between the officers and said he asked dispatch for a supervisor and Sergeant Hartkop responded a short while later. Juarez noticed Sgt. Hartkop was "hyper focused" on the situation from the moment he arrived. Juarez said that around this time, he became concerned that might flee on foot and if he did, would pose a threat to others if he was in fact armed. While he did not express this concern to Hartkop, he did advise Hartkop that they needed a K9 to respond.

Juarez described in his interview that he forgot to turn on his body worn camera when he arrived on scene. As soon as Hartkop first approached him, he asked about the camera and Juarez realized only then that he failed to turn it on. Juarez said he decided to remove his camera and place it on the dash to get a better vantage of the scene rather than leave it on his chest and risk only recording the inner door jamb of his car while he concealed himself behind it. Juarez said after the incident, he retrieved the camera and realized he errored again by not turning it on.

In viewing Sgt. Hartkop's body worn camera, one of the first comments on the recording is Hartkop warning Juarez that is armed and dangerous and if he exposes himself and Juarez sees anything threatening, he should "smoke him." The context of this comment showed Sgt. Hartkop was truly worried about the threat posed and he did not want Juarez taking unnecessary risks. Hartkop informed Juarez several times that was armed and at one point believed he saw a gun.

Juarez described to the detectives in his interview that during the standoff, went in and out of his vehicle and appeared to be doing more than just sitting. Juarez said he could not see inside but he worried that might be loading a weapon or getting a rifle ready to use against them. This general belief is supported by Sgt. Hartkop and the CHP officer's statements during and after the incident.

Juarez explained to detectives that in addition to himself and Sgt. Hartkop, there were only three CHP officers and he believed they needed additional resources such as a K9. About this time, the helicopter was running low on fuel and had to leave. Juarez said Hartkop requested dispatch to broadcast a "10-33" and send additional patrol units code. A short time later, they heard that dispatch had canceled their requests.

Juarez said a CHP officer advised them that they had a less lethal shotgun deployed. Juarez said he overheard Sgt. Hartkop tell the CHP officer that if started shooting,

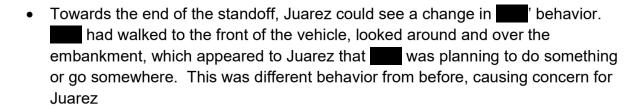
prior to a K9 ever arriving on scene). Juarez said remained animated and uncooperative throughout the incident yelling things like "fuck you" to the officers on scene. At one point while the officers were ordering to put his hands up, Juarez heard respond, "What do you want me to do with my gun?" Juarez could see that "" hand was still in his pocket and this comment by only furthered his belief that did actually have a gun. Additionally, Sgt. Hartkop told Juarez he thought he saw an object in pocket that might be a gun. Juarez noticed that was starting to look around as though he was "looking to go somewhere" or "run". Eventually, moved further back from his car. His hand was still in his pocket and he made a jerking movement as though he was going to pull something out. Juarez said he perceived a threat from at this moment and fired his shotgun. At the end of Juarez' detective interview, he reaffirmed that he deliberately fired his shotgun at because of furtive movement. Juarez added that was behaving differently at the very end as though he was planning and ready to do something. Hartkop stated he had seen make numerous "motions," which he described as flinching as though was trying to provoke us into shooting him. When asked what had done just before being shot, Hartkop explained how he felt was a threat the entire time. However, Hartkop did not see what did just before the shot because he had ducked down below the hood of the patrol car. Juarez stated that he deliberately fired however he did not feel the recoil or hear the report of his shotgun in that moment and he found this puzzling. Juarez explained that he heard what he thought was a less lethal report from one of the CHP officers but it seemed strange to him that he did not hear his own gunfire. Juarez said his shot and the CHP officer's shot were simultaneous. Juarez said he saw stagger and then crumble to the ground lying on his side. Sgt. Hartkop's body worn camera showed that all officers immediately moved in on he went down. As the CHP officers approached the threat is the perceived some sort of threat is the children and the children approached the children and fired on him again. One of the advancing CHP officers was using a less lethal shotgun and fired the less lethal projectile at as they advanced. was secure and no longer a threat, Hartkop asked Juarez on camera if he fired and Juarez said he had. Juarez was unwavering in his response.

he (the CHP officer holding the less lethal shotgun) needed to get down. Around this time, the CHP officer advised they also had a K9 enroute (though the incident ended

After the shooting, Juarez said he started to question himself about whether he actually fired though. Juarez explained that he unloaded his shotgun and removed five shells. Because he loaded five, he started to think that he might not have fired but then he noticed that one of the shells was empty. Once Juarez saw this, he understood then that he simply failed to eject the spent shell after firing and this was why he had five when he should have had four.

In reviewing this case, it is clear to me that Juarez perceived a threat from and fired because of that perception. It is also clear to me that Juarez' perceptions of the threat posed were based on the following:

- Juarez is told by Sgt. King on the drive to the scene that is armed and in a standoff with CHP officers
- Once on scene, Juarez sees that CHP officers are pointing rifles and handguns at rather than less lethal options which come out later
- behavior is animated, his verbal responses show aggression rather than fear and he is making efforts to conceal himself behind his vehicle
- When Juarez simply repositions his vehicle, doing so results in even more noticeably animated
- Juarez heard CHP officers make comments about refusing to remove his hand from his pocket and that he might have a gun
- went in and out of his car and was doing something inside that caused
   Juarez to fear he was loading a gun
- Sgt. Hartkop arrived and reminded Juarez that was armed and said that he should shoot him if he reveals himself and presents a threat
- Several times during the incident, Hartkop tells Juarez that might be armed, even saying at one point that he thought he saw a gun himself
- statement about having a gun was so loud at one point, the crew on the helicopter heard the comment and rebroadcast a warning to deputies on scene.
- openly states that he has a gun on a number of occasions during the standoff.
- stood and moved behind his vehicle in a tactical manner, as if her were using his vehicle as cover during the standoff.

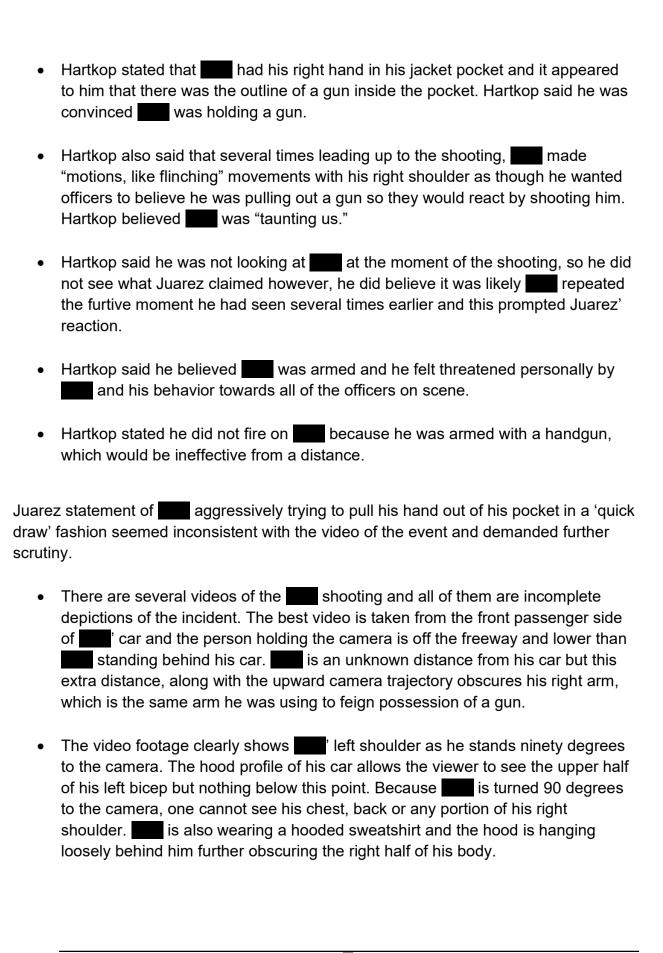


- At the end, the suspect moved back from his vehicle, hand still in his pocket, and made a movement with his hand as though trying to pull something out.
- 'movement away from his vehicle removed the vehicle as an impediment blocking his access to the officers. Had he been armed, this positioning would have allowed him to bring his claimed firearm to bear on the officers very quickly.
- While the final moment was not captured on any recording, Sgt. Hartkop stated in his second interview that he saw make multiple jerky movements with his right hand throughout the standoff as though he was trying to provoke officers into shooting him
- Although the video footage is inconclusive, Juarez stated that attempted to withdraw his hand from his pocket as though pulling out a gun and this threat was the basis for him making the decision to fire
- Law enforcement officers do not need to wait until being fired upon before taking action. All of Juarez' observations of leading up to the shooting caused him to feel that posed a serious threat to himself and other officers on scene.

On August 12, 2020, Captain Michael Beckett and I conducted an interview with Juarez and his attorney, Liberman.

- When asked about the reason for firing his shotgun, Juarez described how
  was acting different, looking around and never showing his hands. He described
  as beginning to "quick draw" as he quickly pulled his right arm back. Juarez
  feared was going to draw a weapon and shoot him or the CHP Officers.
- Juarez elected to fire his shotgun to stop the threat.

On September 14, 2020, Captain Michael Beckett and I conducted an interview with Alan Hartkop.



• When Juarez describes reacting to a furtive movement by did it is very possible that did in fact make some sort of furtive motion which justified a lethal response. While it is unlikely reacted as aggressively as Juarez described, it does not mean that Juarez is being untruthful about what he saw.

This Officer Involved Shooting was also criminally investigated by Los Angeles Sheriff's Office and submitted to Los Angeles District Attorney's Office, who deemed this incident justifiable.

## **Prior Discipline/Performance Issues:**

Deputy Juarez has no recent discipline from administrative investigations.

## **Annual Performance Appraisal Review**

Deputy Juarez has met the Department standards in all areas during his past three performance evaluation.

#### Determination

Refer to Commander Davidson's memorandum for the determination of this incident.

## Ventura County Sheriff's Office Memorandum

To: Internal Affairs Date: September 16, 2020

From: Captain Robert Fleming

Subject: Alan Hartkop OIS

**Re:** 19-003

Date of Interview: September 14, 2020

Time of Interview: 1530 hrs

Case Catalyst Operator:

**Legend:** RF = Robert Fleming

MB = Michael Beckett

AH = Alan Hartkop

RF: Okay. Today's date is September 14th, 2020. It is approximately 1530 hours. This is Case Number 19-003. I am Captain Bob Fleming, with me is Captain Mike Beckett and today we are speaking with witness Captain Alan Hartkop. Purpose of this investigation is an officer involved shooting.

Alan, I am ordering you to answer questions related to this interview with complete and truthful answers as specified in the Policy Manual on Conduct and Ethics. Your failure to respond to questions directly related to this investigation may result in punitive action.

What I need here is your signature, print your name and ID number, please.

AH: Okay.

RF: I wrote the date in.

AH: Okay.

RF: Thanks.

AH: Uh-huh.

RF: All right. So Alan, what we're going to do real quick is this, in a nutshell I'm going to kind of give you a little understanding of -- kind of paint the picture of what happened that day. It's not going to be exact but just to give us an idea of what, where you were at, what was going on. And then we're going to ask you some questions related to that, okay?

AH: Okay.

RF: So on -- on the date in question, which was January 12th, 2019, you were working patrol in the city of Thousand Oaks as a sergeant. And there was an event that had occurred in Camarillo that ultimately was a domestic, subject ended up fleeing, a pursuit started, CHP ended up finding the vehicle, followed the vehicle through our jurisdiction and -- and the vehicle ended up crashing near Las Virgenes in LA County.

And we had -- Deputy Juarez was on scene with several CHP officers and then my understanding is you got a call asking you to respond to assist as the supervisor and you ended up getting down there.

So what I'm going to kind of -- I'll have a couple questions about kind of what you maybe saw on scene and then who all was there and then we'll kind of play it out, what happened after that.

Okay?

AH: Okay.

RF: So after you got the call and -- and you arrived, to your knowledge who was on scene?

AH: When I arrived, I saw, first off the helicopter was flying up above. I could see that clearly as I was driving up. There was fire personnel, they were on scene from LA County

'cause they had the red trucks. So it definitely wasn't ours, was my inter- -- impression at the time, it was LA County.

RF: Uh-huh.

AH: And they were kind of helping out with blocking traffic on the freeway it appeared to me. And, 'cause I had to go by one of them on the left side, on the shoulder to get past. And so when I got past the fire truck, I saw one of our patrol units and it was — turned out to be Deputy Juarez on the left side of the freeway, probably like in the Number 2 lane maybe, towards the left side. And I saw at least two to three CHP units. I'm not sure if it was two or three.

RF: Okay.

AH: I don't think it was more than three. And -- and then -- and I saw -- so there was at least one of our deputies, Deputy Juarez, and then probably at least three CHP officers. It could have been four, I'm not completely sure.

RF: Okay. And were you aware of if there were any supervisors on scene for CHP?

AH: I did not see that, I did not know that.

RF: Okay. And when I say supervisors, I'm talking about a sergeant or above?

AH: Correct.

RF: Okay. Did you have any discussion with any CHP officer or supervisor or anyone regarding the use of less lethal?

I had a -- it was very brief and it was by surprise and -- and I can explain that. Basically after about, you know, it -approximately twenty to thirty minutes into this standoff with the suspect, you know, where he was at his vehicle, which was off towards the right towards the guardrail, unexpectedly behind me, a CHP officer came up and it looked like he was wearing, you know, like the type of uniform that was consistent with their commercial enforcement. It looked like a jumpsuit type, like a blueish color, not the tradition CHP uniform. But he unexpectedly came behind me and it was -- you know, Juarez was to my right, I was to the left using the engine block as like cover. And he be- -- he said something that caught my attention and I looked back and I saw that it was him. don't remember what his name was. I don't recall him being -- I thought he was an officer 'cause I don't recall seeing any -- any stripes indicating he was supervisor.

But he made a comment real quickly as we -you know, I was focusing on the suspect, but he
made a comment hey, I have less lethal. If he

steps out, you know, I'm going to try to give it a shot. 'Cause he's -- 'cause the suspect at that -- this is like twenty to thirty minutes into the standoff.

RF: Uh-huh.

AH: Had basically been going in and out of his car indicating that he had a -- you know, and then he was saying that he had a gun on him. And so at this point, this was well into it and he -- and like I said, so he made that quick statement and I said okay. He's like yeah, if he -- 'cause if he goes -- if he goes out far enough, you know, I'm going to try to take -- I'm going to try to take a shot. And it was real quick. It was just literally a mat- -- matter of seconds.

RF: Okay.

AH: And it wasn't -- it was unexpected. You know, I didn't know he was coming there. Other than that, I didn't have any conversation with any CHP. I tried at one point before that to go off to the other side to try to get a better position from where we were at or I just wanted to explore what my options were 'cause we were limited on what we could deal with at the time. And you know, I was trying to think in my head how we could, you know, just different options we could maybe come up with.

So I tried to go around to the passenger side of our unit. But when I got over there, I realized it wasn't a good position. I saw the CHP officers were next to their car so I quickly went back. But I never engaged in any conversation other than those brief words right then and there.

MB: And where were you when that conversation happened?

AH: I was next to Juarez' patrol car. So I had parked my car back and I actually walked up like a couple hundred yards to --

MB: Well, let me ask you differently. How far away from you -- how far away from Juarez were you when he was talking to you, the CHP guy?

AH: Juarez was probably just right next to -- to my right so maybe I'd say three feet, four feet.

MB: Okay.

RF: And what was Juarez doing at the time?

AH: Focused on the -- I had told him, you know, stick -- keep your eyes focused on the suspect because he says he has a gun, he was holding it underneath his shirt like to make -- to indicate to make us think he had a gun. That was my -- that was my interpretation, that he was purposely holding it in a way to tell us I have a gun because it was almost pointing like expanding

out his shirt like somebody would do if they wanted you to know that they had a gun or a weapon underneath their clothing. He continued to do that. Never once showed any skin or his hands, that right hand at all. The whole time he kept it like that.

So what I had told Juarez was, prior to that is, I said look, you have the long rifle 'cause I had gone up with my handgun and we were limited. Like I said, it was only the two of us.

So I said you just stay, you're in a good position 'cause you had the pillar or the V, he had the door open and then he had the -- so he had a good resting point for the weapon for long-term so he wouldn't get tired out.

And I said you just keep that position and be careful 'cause the guy's saying he has a gun, he's holding it like he, you know, has a gun underneath him.

And he even made a statement prior to that that he couldn't give up because what would he do with his gun? Like we were trying to get him to prone out. And he says well, I can't do that.

And -- and I said why? And he said 'cause I have a gun. What am I going to do with it? I said well, you know, you slowly prone out and he's like, you know, I can't do that 'cause I have a

gun.

RF: Okay.

AH: So he was saying those comments to us. So in my mind, a hundred percent, he had a gun is what I was thinking.

RF: Okay. So did you make Juarez aware of this quick less lethal -- well, I -- I'm referring to it as a plan, but was there a plan?

AH: I wouldn't call it a plan.

RF: Okay. What would you call it?

AH: I would call it a -- a statement.

RF: Okay.

AH: I mean, if there was a plan on the CHP's side, like had they -- had they talked about something, I didn't know about it. He caught me off guard behind there. It startled me actually because I didn't expect anybody to come behind us.

RF: Uh-huh.

AH: You know, we had the traffic stopped so I really didn't -- you know, I never saw him come from the right. All it was, was a quick statement, you know? Now, whether or not they talked about it, you know, that might have been something that occurred on their end. But we had no communication with the CHP.

MB: What did you interpret? From -- from what he said to you, what did you think was going

to happen? What did you get from it?

AH: Well, it wasn't -- I mean, it was very -- you know, he said, it was loosely interpreted. So I, you know, without training with them and without --

MB: Yeah.

AH: You know, he said if the guy -- he says if he steps out far enough, which in my mind, I didn't know what he was referring to 'cause his far enough and my far enough --

MB: Right.

AH: -- could have been two very different things.

MB: Sure.

AH: But I mean, you know, I -- I figured based on what I've been seeing the suspect do, then going in and out of his car, that if the guy got away from his car and out fur- -- further enough, and of course I'm thinking about this, you know, now. At the time I was under a lot of -- you know, I was under a lot of stress and at any second, you know, I thought a bullet could come our way. So there wasn't a really a lot of thought put into it.

But it was a quick statement, if he steps out, you know, I'm going to take a less lethal shot and that was it. So I really didn't -- he

said say specifically like how many feet or, you know, he didn't say what the plan was after that. He didn't say, you know, we have a REACT team, you know, that's going to move. There was nothing. To me that would be a plan. So when you say was there a plan, you know, to me a plan would be --

MB: No, that's fine.

AH: Oh.

MB: I --

AH: That's, you know?

MB: I was simply -- I was simply asking what did -- what did you assume or interpret from what he told you?

AH: Yeah. Yeah, I -- you know, honestly it was very -- I -- I interpreted that he was looking to maybe take a shot but other than that, it wasn't clear what would happen after that or, you know, if it was just going to be a matter of instinct at that point for us to try to maybe wing it and, you know, see what happened.

RF: Okay. And did you share this knowledge with Juarez?

AH: No.

RF: Okay.

AH: Now -- now Juarez was, you know, a couple feet next to me, but again, he was focused on the -- you know, on the -- so I don't even know

if he heard it.

RF: Okay.

AH: Yeah, 'cause he was pretty focused on the car.

RF: Okay.

AH: As he should have been.

RF: Okay. So just prior to being shot, do you recall what he was doing? He, being

MB: or Juarez? Oh, is --

RF:

MB: -- the suspect.

RF: Yes.

AH: You know, I -- I recall that he did go back. I mean, this is if you're talking like, you know, right before, I don't recall specifically. But I do recall that, you know, at that point prior it seemed like he was, you know, it'd been -- it'd been a long time we'd been out there, for him as well. And he had been -- he had gone to the car and had come back out. So that was more like, you know, seconds before.

But the moment right before, I just recall in my mind that, you know, he was -- he was getting more agitated and seemed to be getting a little bit more irritated. You know, he -- just from -- we'd been out there a while or whatever.

It just seemed like this was a -- starting to escalate.

RF: Okay. So when the -- when the shot rang out, did you -- did you know who it was or what the shot was?

MB: Or maybe what -- what did you hear? When this started to go down, what did -- what do you recall hearing?

AH: Well, I -- what I heard was one shot. And that was it. In my -- in my mind, it was one shot. And I didn't know -- you know, at that point I thought it was -- I thought it was a less lethal shot because the officer had just -- behind me, had said that he was looking to take a shot. So in my mind, I thought it was a less lethal shot, but I didn't know. It was just, it was one shot is what I heard.

MB: Did -- did --

RF: Okay.

MB: -- the suspect step out at some point before this shot happened?

AH: Well, he -- I mean, he was outside the car. He was up.

MB: Yeah. What I mean is, did he step away from his car when the -- when the shot rang out?

AH: He had moved. I mean, he was

moving. It was -- it was -- he was kind of constantly, but at that point, yeah, he had moved out away from the car. You know, a -- not like -- I mean, maybe a couple feet, maybe like two or three feet. So he had stepped away.

MB: In which way, direction?

AH: To his right.

MB: To his right. So --

AH: Well, it could have been for- -- I mean, it could -- it was more -- it could have been forward and to his right. Honestly I don't remember. But he had moved.

MB: Okay.

AH: And he had moved away from the car.

MB: Could I ask you to -- to just kind of diagram it out (INAUDIBLE).

RF: Well, if he was -- if he was --

MB: And we'll describe it?

RF: Was he facing you? When you say --

AH: He was facing me.

RF: Right. Okay. So his --

AH: He was facing us.

RF: -- right would have led him away from --

AH: But it could have been -- you know, and -- and so like he could have stepped forward towards us, but off to an angle, you know what I

mean?

RF: Okay.

AH: So it could have been. But it was, in my, from what I recall, is he had -- you know, he had -- he had moved and --

RF: And separated himself from the car?

AH: He didn't move back at all.

RF: Okay.

AH: So, and --

RF: But separated himself from the cover of the vehicle?

AH: Yeah, he had moved away from the vehicle.

RF: Okay.

AH: From what -- from what I recall.

MB: Move a -- yeah, what I'm getting at is, when you say "moved away from the vehicle," there's Juarez' position is -- is more to what would have been the suspect's right, correct?

AH: And maybe it's better if I draw it.

MB: Or, yeah. Okay.

RF: See, the problem is that I can't -- if he draws it, I have nothing to --

MB: Well, we'll describe it.

AH: Yeah.

RF: But go ahead.

AH: I'll try to. So from what I remember,

is so the suspect was kind of like -- the suspect vehicle was over here. Let's just say that.

MB: Okay.

AH: And so it was like this. And the door was -- I don't know if he was -- he was going in and out of the car.

MB: And -- and where's the guardrail and the roadway and all that?

AH: So the quardrail's over here.

MB: Okay.

AH: So this is the guardrail and this is the 101.

MB: Got it.

AH: 101 south going this way.

MB: Gotcha.

AH: Okay? So we -- the CHP guys were like over here. So there was like -- I don't know, and like I said, I don't remember if there was two or there was three, but they were kind of in a weird --

MB: That's fine.

AH: So they were kind of like this and this was CHP.

MB: Yeah.

AH: And there might have been a third one at some point that rolled up.

MB: Yeah, I don't need all that. I'm just

looking for where is he --

AH: Okay.

MB: -- in relation to Juarez.

AH: So then Juarez was like -- Juarez was like kind of -- if I remember right, he was kind of like over here and his door was, you know, open like this.

MB: Okay. And --

AH: So --

MB: And the suspect was where, standing where?

AH: So the suspect was --

MB: (INAUDIBLE).

AH: So he was -- the suspect was moving about in this area, okay? So this is where he was. And when the shot rang out, he was -- he had -- from what I recall, he was like right in there.

RF: Okay.

AH: So --

MB: Okay.

AH: -- right before the shot, you know, he at some point, you know, I'd say like ten seconds before that, he had gone back to his car. You know, he was going in and out of here and we couldn't see when he would go in here, he would -- you know, we were -- we were completely -- I

didn't know what he was grabbing at that point. You know, in my mind, he was -- you know, he was --

MB: Yeah, so --

AH: -- readjusting his weapon or something. 'Cause like I said at the whole time, I thought he had a gun.

MB: So well, don't -- don't go any further at this point. I just want to describe this real quick for the recording.

AH: Okay.

MB: So basically we're looking at a -- a -- a rough diagram of the 101 southbound freeway and on the right side of that roadway is a guardrail. The car is up next to the guardrail but not quite touching the guardrail. And based on your diagram it's pointed a -- the car is pointed away from the guardrail actually towards the three units that are in the roadway; is that -- do I have correctly?

AH: Yes.

MB: And then the suspect -- or well, Juarez' vehicle and his position would be, according to the diagram, nearly in fr- -- facing the vehicle sort of nose-to-nose but -- but apart a considerable distance but sort of nose-to-nose in terms of angle so that Juarez' vantage point

behind his driver door would give him a -- a free and clear view of the suspect, who as you described it at one point was in front of his own door and off to the right of his own vehicle away from his own -- the front of his own vehicle; is that about right?

AH: Yes.

MB: Okay. And then the CHP units would be closer to the guardrail, sort of a fanned-out semicircle with Juarez' car being closest to the fast lane, the Number 1 lane and the CHP units being closer to the guardrail.

But in this diagram it appears that the suspect would be, at the time that he was shot, would be away from his car so that nearly every one of any -- anyone standing by the three vehicles would have had a -- a clear view of him; is that fairly accurate or --

AH: Yeah, I'd say it's fairly accurate. There may have been another car off to the right that maybe didn't, but --

MB: Okay.

AH: But I would say that's fairly accurate, yes.

MB: And -- and I know that your diagram,
I -- you probably draw like I do and you don't
have a lot of faith in your own diagramming skills

so --

AH: Right. It's not very wrong.

MB: But if -- if there's any part of this that's not quite accurate, please say so, so that I don't describe it inaccurately.

AH: No. I think it's accurate as far as the -- where I've told you the suspect is in relationship to the --

MB: Okay.

AH: Juarez' patrol unit and the CHP cars.

MB: So the -- so then at the time you heard the shot rang out, you thought that initially you thought that it was the CHP less lethal round that was fired and -- and -- and don't let me put words in your mouth. But it sounds like that's because the guy had stepped away from his vehicle at that point, which is consistent with what the CHP guy told you about intending to fire the less lethal at him if he stepped away from his vehicle?

AH: That's correct.

MB: Okay, all right.

AH: That's correct.

MB: Okay.

RF: All right. So did you see make any specific motion toward you or anyone else just prior to him being shot at?

AH: He was -- I mean, I -- I'll answer that question, but -- but I'd like to also throw out there, that you know, he was making motions the whole -- you know, basically the whole time.

RF: What do you mean by "motions"?

AH: Like he was kind of like, you know, like flinching almost like kind of like almost trying to provoke us. I would describe it as provoke us into a shooting. And he kept his -- you know, by -- by kind of like motioning like, you know, his -- his shoulder forward and make -- like looking at us, taunting us almost. Taunting us.

RF: Okay. So I'm sitting across from you right now.

AH: Uh-huh.

RF: And -- and what -- when you're doing that, you're taking your right shoulder and you're lifting it kind of toward me like --

AH: Right.

RF: Like he's --

MB: Like a flinch.

AH: Right.

RF: Okay.

AH: And he was doing that. And you know, he was -- and I -- and I almost interpret it like, you know, he's trying to get us to shoot him, you

know? And we were using a lot of restraint because at that point he had his hand concealed the whole time. So you know, we -- we had some distance, we had some -- you know, between us and we were using a lot of restraint.

However, it was, you know, my opinion the whole time the guy was a threat. And I say that because in my opinion and what I was going through in my head, is that he had a gun in his hand, he told us he had a gun in his hand, the call, the information that I had, was is that he was armed with a gun. He had made comments that he was going to shoot it out with the police and that information was relayed to us. And we knew that information.

So I think it's important because when you talk about, you know, when as far as using force or lethal force, it's -- you know, was he a threat of serious bodily injury to, you know, any of us or to somebody else?

And the whole time he was a threat. At any time in that scenario that we were involved in with this guy, he could have fired a round because I did not know that he didn't have his finger on the trigger, underneath his clothing and he was pointing it, like his body bladed in our direction the whole time.

So, and that was, from my recollection, I even had that conversation with Juarez. I don't know how clear and how specific it was, but what I made sure that he understood the circumstances of the call; that we were on the same page and that's why he was given the -- you know, he was taking that position. Because I said it can all -- it's only going to be a second, you know, or a split second. It's -- I mean, literally this guy could shoot at any time.

So I think he was a threat at any time because he could have hit us; with his positioning that he was, he could have fired even though we were using restraint, he could have fired at any time and a bullet could have killed us or -- or hit us and he was a threat. He was a lethal threat, ongoing during that time.

I mean, and that's how I interpreted it.

And -- and I'm trying to be as clear as -- the way
I'm trying to describe it is that he could have
had his finger on the trigger and he was poi- -he was facing us and he could have fired a round.

And you know, would it have been an accurate
round? Maybe not. But it would have been -- it
could have been a lucky shot. It was a threat
still. It was a -- it was definitely a threat to
our life. 'Cause if you fire that one shot and

hit us -- hit us at any time, you know?

MB: So this -- this flinching, when you say that he was making these jerky or flinchy type movements, like he was trying to provoke some sort of reaction from --

AH: Yeah.

MB: -- the officers on scene, was he doing that for -- from the time that you arrived or was that just one brief period of time when you were there that he was doing that or what do you remember seeing?

AH: Well, I -- I remember him -- I remember him seeing that, doing -- seeing him do that multiple times. I mean, it was a long -- you know, it was a long, drawn-out period. So I wouldn't say he was doing it for the entire like consistently --

MB: Uh-huh.

AH: -- but he had done it, you know, several times. I'd say more than -- I'd say more than, you know, three to five times where he would -- you know, where he would do that.

MB: Oh, okay.

AH: And we were trying to engage him and get a -- we were trying to diffuse the situation and get him to surrender.

RF: Yeah.

AH: And to prone him out. We were giving him commands to do that. He very clearly said I can't do that.

MB: Right. So --

AH: Okay.

MB: -- up -- in -- in the times that you saw him do that, how -- how close was that leading up to the actual shooting?

AH: I don't recall. I -- that I don't recall, I mean, exactly. I, you know, I --

MB: So, do --

AH: -- recall this though. I recall at the time of the shooting 'cause after it, thinking to myself that he was aggressive and -- and I remember that, you know, he was more than aggressive. I mean, he was a -- he was a -- he was a deadly threat towards us. He was getting aggravated and he had gone back to the car, he was doing -- you know, he was starting to -- he had gone back to the car, have no idea, we couldn't see what he was doing in the car, readjusting his weapon, whatever. I didn't know. A lot of things were going through my mind.

But -- but when he came out, you know, he had -- he had stepped away and it was, you know, it -- he was aggressive. I mean, when I say -- when I described flinching, it's because he was --

he was moving his body like purposely in my mind to try to show us like he's either coming at us or he was going to come up with a weapon.

MB: Uh-huh.

AH: That's how it -- and I interpreted it, is he wanted us to believe that he was going to either draw out with a weapon or that he was going to, you know, come forward towards us.

MB: So -- so well, how much time passed from the time that you arrived until the shooting? I know you were there a long time after that.

But --

AH: I'd say probably about twenty to twenty-five minutes approximately.

MB: So that -- that behavior you're describing, these -- these jerky aggressive movements, do you think it was in the very beginning when you got there or more towards the end? I know you don't recall specifically, but can you narrow it down at all?

AH: It -- you know, it was -- it was pretty much throughout. I mean, there was -- there was periods of time where when we first -- when I first got there, the helicopter was there and he was kind of focused. It was loud, there was traffic and the helicopter. But then when the helicopter took off, you know, his focus was more

towards us specifically. And when that occurred, you know, once the helicopter was gone -- I'm sorry, you asked how many times --

MB: Yeah. I'm just trying to see if there's a way that we can narrow down these -- these aggressive jerky movements. If it, you know --

AH: Right, yeah.

MB: I guess if -- if -- if somebody was to say that this person wasn't doing anything, that he was very calm and passive, you know, if the -- around the time of the shooting, and I'm try --

AH: I'd say that was a lie.

MB: I'm trying to compare that.

AH: Right.

MB: I -- I'm just pulling things out of the air, but I'm trying to --

AH: Yeah.

MB: -- compare that, what you're describing to -- to what we see throughout the incident.

AH: Yeah. No, I would say he was very aggressive right before the shooting and he was a threat. And -- and I say that because like I said, he never -- he continuously had his -- his hand, you know, hidden under his -- under his coat or sweatshirt or whatever, what he -- whatever it

was he was wearing. And he had it specifically positioned in a way to tell us he had a gun in his hand. So, and he said he had a gun. And so he was a threat, I mean, ongoing. I mean, a deadly threat the whole time. There wasn't a time, like in my mind, that he wasn't a deadly threat. It was restraint the whole time on our part, but literally, it was a matter of -- I mean, he could have shot any time. We couldn't see his hand. You know, and he was saying he had a gun, he was code -- he was a parolee, armed and dangerous. He had the background.

MB: So --

AH: You know, he made the statements that he was going to shoot it out with the cops.

MB: Before we get to the last question, I had one other thing but I didn't know where you are on your list if you wanted to insert some other stuff.

RF: No, you're good.

MB: Are you at the last question or --

RF: Pretty much.

MB: -- not quite?

RF: Yeah. No.

MB: Did -- did you believe that this person had a gun?

AH: Yes.

MB: Did you believe that he intended to threaten people and wanted everyone on scene to believe that he had a gun, that he wanted them to feel threatened by that?

AH: Yes. And I believed he was going to use it.

MB: Okay. Did you feel threatened personally?

AH: Yes.

MB: Okay. And -- and right up until the time of the shooting, did you still feel threatened?

AH: Yes.

MB: Okay.

That's all I had.

RF: Okay.

I know you say you -- you don't recall, so we were able -- watching your -- your body worn camera, that's pretty much the whole scene that we -- he have.

AH: Uh-huh.

RF: And with where you're located, right before the shooting goes down, you to- -- it looks, it appears that you took cover behind the engine block because the view now went from him down to the car.

AH: Uh-huh.

RF: Do you recall any reason why you would go down or did you -- do you see -- did you see anything that would make you change your position?

AH: You know, the only thing is like I said before, right before the shooting, I -- I felt like it was getting -- you know, it was -- it was -- I mean, it was -- it was incr- -- it was elevated, you know, threat towards us. I mean, it was an elevated threat the entire time. But I felt like even above and beyond that, like it was coming to a point where this guy was -- was even increasing at that level.

And so if I was to go down, I would say that the only reason why I would do that is if I saw something that would cause me to think that I need to use the engine block as -- even more as cover. You know, so perhaps, you know, where I felt like yeah, this person is maybe going to take the shot or something at this point or it's increasing. You know, I'm going to get lower where the engine block I know would -- would give me protection.

RF: Okay. So you feel at that time he -- anyone was justified in taking lethal action?

AH: I do. And I -- and I -- and I hope I, you know, explained it. I think I did.

RF: Okay. No, you did. I was just -- I

just wanted to ask that question. After the first shot went out, that you heard a shot, subject goes down, you all kind of converge on him. I know in your body worn camera and also listening to your interview, you were talking about crossfire. Gee, that was your focus, making sure that nobody had crossfire on each other.

And then as you guys were walking up, do you recall what the suspect did then?

AH: I remember he popped back up as I was going up. And then I heard a couple more shots coming off to my left.

RF: Okay.

AH: And it looked like it was a CHP that were -- that had gone, you know, swung wide towards the left, like kind of like where the less lethal person had deployed the less lethal or had the less lethal on him was that. So to the left of the suspect.

RF: Okay. And then after, do you recall asking Juarez if he had used his shotgun or if he shot?

AH: Yes.

RF: And do you recall what he said?

AH: He -- he said yes initially.

RF: Okay. When you say initially, did he seem very confident when he said yes?

AH: Yeah, he seemed confident. In fact, I think I actually called the watch commander up because at that point, you know, I was -- I knew that the suspect was immobilized and we had fire on scene so that was taken care of, ambulance. And he was confident to the point where I actually called the watch commander and told him that we have an officer involved shooting. I need to get, you know, major crimes out here. And I need to get some bodies out here because I had been previously denied backup out there. So I went, I told him we need bodies now. We got an officer involved shooting.

And then, you know, there was a lot of things going on. Him and I were the only two people out there from our agency so I wasn't completely focused on him. I was focused on also traffic and crowd and, you know, people and the suspect and even though, you know, just making sure he was getting help rendered. We were trying to get the fire department out.

Then Juarez made a comment to me, you know, I don't know how many seconds later, but it was a period of time later. And I -- you know, I was like I had to call the watch commander back 'cause he does -- and that's when he made the comment of that, wait a minute, you know, he thought he had

sh- -- he -- he's checked his gun and he's like he doesn't think he shot then. But initially it was clear and I -- and I had told the watch commander that.

MB: Yeah. Yeah, we want to focus on his initial reaction to that.

AH: Clear. It was clear that he did.

RF: Okay.

AH: And I -- and in fact, I called the watch commander up and told him we had an officer involved shooting. I would not have done that unless it was clear.

RF: Okay.

MB: Did, at -- at -- okay. So you got what, thirty years on, something like that?

AH: Twenty-six, yeah.

MB: Okay. And you've been in major crimes, you've -- you've conducted some pretty high profile significant interviews, you know, with a lot at stake.

AH: Yes.

MB: Safe to say that you know how to read people better than the average person?

AH: Yes.

MB: Did you get any vibe off of Juarez in the beginning? Now, I know later he started to unload his gun and -- and he was a little confused

about whether he had actually fired or not when he went to unload his gun. But in the beginning, did he seem confused at all to you about whether or not he had fired?

AH: No.

MB: Did he seem in any way bothered but like -- now I'm going to ask for an opinion on this and I know you can't read his mind, but if somebody was to say oh, he accidentally shot rather than intentionally shot, was there anything about the -- the look on his face or the way he spoke or -- or announced him that, you know, what he'd done that -- that gave you the reason to believe that maybe there was something else going on? You know what I mean? I'm not asking it very well, but --

AH: No, no. I mean, he was confident and, you know, he -- he matter of fact told me that he had shot and I made the call to the watch commander. And it was -- in my mind, it was a clear officer involved shooting that we were dealing with at that point and I was kind of in that mindset that, you know, our agency's involved and -- and that's what I was moving towards.

MB: Okay. Okay.

RF: But it didn't appear to you that he was surprised, like if he was, when the shot went

off, he accidentally fired at the same time? Did he give you any indication of that or was he adamant that --

AH: No. He just clearly -- I -- I just remember him clearly telling me that he -- I asked him. I believe I might have asked him or he told -- it was clear that he shot and I don't remember --

MB: Okay.

AH: -- if I asked him or if he just told me, I shot. 'Cause I wasn't sure at that point. I didn't know, you know? I wasn't sure, you know, who had shot other than the fact I knew I hadn't. So I -- but he was clear that he had shot.

RF: Okay.

MB: Okay.

RF: Do you have any other questions?

MB: No. That's it.

RF: That's it. All right.

Well, that will conclude this interview. It is approximately 1404.

# Ventura County Sheriff's Office Memorandum

To: Internal Affairs Date: August 14, 2020

From: Captain Robert Fleming

Subject: Noel Juarez

**Re:** 19-003

Date of Interview: August 12, 2020

Time of Interview: 1405 hrs

Case Catalyst Operator:

**Legend:** RF = Robert Fleming

MB = Michael Beckett

NJ = Noel Juarez

HL =

Okay. We are on. Today's date RF: 1 is August 12th --2 You're good. HL: 3 RF: -- 2020, approximately 1405 hours. This is Case Number 19-003. I'm 5 Captain Bob Fleming and with me is Captain 6 Mike Beckett and we are here to speak with 7 Deputy Noel Juarez. Summary of the allegations, this is an officer involved 9 shooting. 10 Noel, have you had time to -- to 11 review the report, the -- the transcript that 12 I had sent with your attorney? 13 NJ: I have. 14 RF: Okay, great. And since this 15 investigation could lead to disciplinary 16 measures, you have the right to have a 17 representative of your choice during this 18 interview and I see today that you have 19 20 for the record, can you state 21 your name? 22 HL: I am from 23 24 Good afternoon. Thanks. RF: 25 Noel, you have the right to record 26 this interview or you may request a copy of 27

this recording. I see that your attorney's recording.

I'm going to advise you of your 3 Miranda rights. Your decision as to whether 4 to waive these rights is entirely up to you. 5 If you waive your rights, your statements may 6 be used against you criminally as well as 7 administratively. If you decline to waive 8 your rights under Miranda, I will order you 9 to answer questions under the threat of 10 administrative discipline. Once I order you 11 to answer questions, nothing you say can be 12 used against you in any criminal or civil 13 proceeding except as authorized by law. 14

Do you have any questions about what I have just said?

NJ: No.

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18 RF: Okay. I'm going to advise you of your Miranda rights.

Noel, you have the right to remain silent. Anything you say may be used against you in a court of law. You have the right to talk to your lawyer and have him present before or while being questioned. If you cannot afford to hire a lawyer, one will be rep--- appointed to represent you before any questioning at no cost to you.

Do you understand each of these rights 1 I have explained to you? 2 NJ: Yes. 3 Having these rights in mind, do you want to talk to us now? 5 NJ: No. 6 Okay. Now I'm going to admonish RF: 7 you with the Lybarger. 8 Noel, I'm ordering you to answer 9 questions related this to interview with 10 complete and truthful answers as specified in 11 the Policy Manual on Conduct and Ethics. 12 Although you have the right to remain silent 13 and not incriminate yourself criminally, your 14 silence during this administrative 15 investigation will be deemed insubordination 16 and will result in discipline up to and 17 including termination from employment. Any 18 statements you make under the threat of such 19 discipline or information arising therefrom 20 cannot be used against you in any criminal or 21 civil proceeding except as authorized by law. 22 Do you have any questions about your 23 rights or anything I have said? 24 I do not. NJ: 25 Okay. What I need you to do is RF: 26 sign, date, print your name and your ID 27

number, please. 1 Okay. Today's the 12th, right? NJ: 2 RF: Correct. 3 NJ: And then on the bottom also? RF: Yeah. Just there, thank you. 5 Okay. So what I'm going to do real 6 quick is just give a -- a quick understanding 7 of what -- what I -- kind of to set the stage of why we're here. 9 NJ: Right. 10 RF: Okay. So I'm going to give a 11 synopsis of -- of what led us to where we are 12 and just let me know if I'm accurate or not. 13 Okay? 14 Ultimately on January 12th, 2019, you 15 responded to assist CHP at the 101 freeway on 16 Las Virgenes reference a termination of a 17 pursuit. It is our understanding that you 18 believed that you were responding there to 19 take custody of an individual. 20 NJ: Correct. 21 RF: And upon, while you were 22 arriving, a sergeant contacted you by 23 phone to inform you that this was actually a 24 standoff --25 NJ: Uh-huh. 26 RF: -- with a possibly -- or with a 27

armed subject by the name of and when 1 you arrived on scene CHP was -- was there, 2 had a person at gunpoint. You took up a 3 position of advantage, later had to move your vehicle, but ultimately you opened up your 5 driver's door, you took a position behind the 6 A-pillar. 7 NJ: Uh-huh. 8 And you had your shotgun drawn. RF: 9 Uh-huh. NJ: 10 RF: And you were encountering 11 , who was barricaded behind the 12 vehicle; is that accurate? 13 NJ: Correct. 14 Okay. So with that, it's our RF: 15 understanding that CHP had less lethal, okay, 16 that the officers had less lethal shotgun on 17 scene. 18 Were you aware of any specific plan 19 that they developed on how to deal with this 20 less lethal situation? 21 I do not, no. NJ: 22 RF: Okay. But you were aware of less 23 lethal? 24 NJ: I'm not aware -- I was aware that 25 less lethal was there. I had actually seen 26 one CHP officer with it and I think myself 27

and Alan Hartkop communicated with him and I 1 believe I directed him to the passenger side 2 of my vehicle. 3 RF: Of your vehicle? Right. So I was aware that he NJ: 5 was there. 6 Okay. RF: 7 When -- when you say "communicated," did -- did he tell you 9 anything, the CHP officer? 10 NJ: No. Just that he was on -- just 11 that he was there, that he had a beanbag 12 shotgun, that he was present and that I think 13 I -- either myself or Alan told him, you 14 know, if the guy starts shooting to -- to get 15 down. 16 RF: Okay. 17 NJ: Something along them lines. 18 RF: To your knowledge, did CHP Okav. 19 share this information with Sergeant Hartkop? 20 NJ: I -- I'm not aware of that. I 21 was next to Alan pretty much the whole -- the 22 whole time and I never heard any type of plan 23 or any of that. 24 Okav. All right. RF: 25 Or at least that I remember. NJ:

Okay.

MB:

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RF: Okay. So in reviewing your interview with the Los Angeles County Major Crimes detectives, you told them that you intentionally fired one shotgun round at

NJ: Uh-huh, correct.

RF: Can you tell me what you saw in that moment that caused you to fire a lethal weapon at ?

NJ: Well, when I was looking downrange, I was -- I think I -- as I put in my report, I was really focused on -- on him, you know, with my finger on the trigger, I was focused on him.

And I had seen him acting different than I had prior to 'cause before he was at the back of the car going in, back, going in, and he was just moving. But in this particular towards the end before the shooting, I had noticed that he was starting to look around. Like I was reading his body language and the whole time he had his -- his right hand down either in his jacket or in his waistband and he was never showing it, nor did he ever comply with any orders that we ever gave him.

And so I had relayed to Alan, like

```
that something's going to happen. I could
1
    see his -- the -- his brains working. He's
2
    looking around, he's doing something and
3
    he had walked away furthest from the car that
    I -- that he had walked away from since I'd
5
    been there. He had gotten away from the car
6
    and he had faced and he -- when I -- 'cause
7
    in my report I said he make a jerk -- jerking
    movement but in -- in reality what it was,
9
    was it was a quick draw, is what I perceived
10
    where he was jerking backwards out of his
11
    jacket and --
12
           RF: Okay. So right now you're making
13
    a motion, just so I make sure I understand --
14
                Yeah.
           NJ:
15
           RF: -- this correctly. You're
16
    showing that your hand is kind of in front of
17
    you in -- in a pocket.
18
           NJ:
                Right.
19
                And I see your elbow pulling
           RF:
20
    back --
21
                Pull -- pulling backwards.
           NJ:
22
                -- as if someone's withdrawing --
           RF:
23
                Withdrawing.
           NJ:
24
                -- his hand from --
           RF:
25
                Correct.
           NJ:
26
                -- his -- his jacket?
           RF:
27
```

NJ: Correct. 1 RF: 2 Okay. And -- and in him doing the guick NJ: 3 I pull the trigger. 4 So what did you believe was --5 I -- I believed that he was NJ: 6 drawing a weapon because it just -- it -- it 7 was -- that was the motion and as I was -- as 8 I was communicating with my attorney --9 No, don't --HL: 10 NJ: Oh, okay. 11 It just, it felt like, to me, it felt 12 like at the range like when you go to the 13 range and they say fire and, you know, you --14 you quickly draw your gun and you get out 15 really quick. 16 RF: Uh-huh. 17 That's --NJ: 18 RF: So that's what he was doing in 19 your opinion? 20 NJ: That's what he was -- that's what 21 the motion in the sense where he's making a 22 quick draw like we do. 23 RF: Okay. 24 That's what I felt. And so when NJ: 25 he came out like this, it wasn't -- to me, it 26 wasn't I'm giving up, you know? He never 27

```
mentioned, he never at one point, at ever,
1
    said that he was giving up. I mean, he had
2
    mentioned at one point, you know, what do I
3
    do with my gun if I give up? But he never
    mentioned hey, I'm giving up, I'm putting my
5
    hands up, you know?
6
                Right.
           RF:
7
           NJ: I just, I'm -- I don't -- you
8
    know, I don't -- it's over now or whatever
9
    the case may be.
10
           RF: Okay.
11
           NJ: It was never that.
12
           RF: So the action that you were
13
    seeing, he's drawing quickly, pulling his
14
    hand out of his pocket.
15
           NJ: Correct.
16
           RF: And what, did you -- did you
17
    think something was going to happen?
18
           NJ: I -- I -- well, I perceived a
19
    threat by him pulling out whatever was in his
20
    pocket.
21
           HL: When he completed that, what
22
    would have occurred, in your mind?
23
           NJ: He could have drawn a handgun
24
    and -- and fired at us.
25
           RF: Okay, okay.
26
                And -- and that was your fear?
27
           MB:
```

```
That was my fear.
           NJ:
1
           MB:
2
                Okay.
                Right?
           NJ:
3
           RF:
                Okay.
4
           Mike, do you have any questions?
5
           MB:
                No. No, not that.
6
                Okay.
           RF:
7
           Ultimately I -- I just wanted to get
8
    that understanding of what you were thinking
9
    at the time, what was going on. So that kind
10
    of is my question for you.
11
           Do either of you have anything you'd
12
    like to add to this investigation?
13
           NJ: I'm hoping it's over. As I was
14
    explaining to him, you know, this is a
15
    portion of my life that, you know, it's a
16
    worst case, so --
17
           HL: Other than that, so we don't get
18
    called back in for a third interview, may --
19
    you -- you saw part of -- part of his answer
20
    was a little bit physical. If you maybe want
21
    to get a description of it.
22
           RF: Well, and that's -- that's why I
23
    tried to put a description out there.
                                             Τ
24
    think I was accurate --
25
           HL: Okay.
26
```

RF: -- on how I explained it.

27

HL: Okay. 1 MB: Yeah. What I -- what I noticed 2 in the way you were demonstrating, it was 3 that -- that he was aggressively withdrawing 4 his hand from a pocket, presumably with a 5 firearm of some kind that he intended to use 6 against people on scene in a lethal way. 7 NJ: Uh-huh. 8 MB: And -- and that's what caused you 9 to perceive a -- a --10 NJ: A threat. 11 MB: -- deadly threat, which -- which 12 caused you to make the decision that you did 13 to fire. 14 Okay. All right. RF: 15 And you're nodding your head so MB: 16 the --17 That's a yes? HL: 18 You agree with that, what I just MB: 19 said? 20 No, I do, absolutely. NJ: 21 Okay. Okay. MB: 22 Okay. I will -- I don't believe RF: 23 we're still advising on that. 24 I don't know if we are or not. MB: 25 It's been so long since I've done any of 26 these. 27

```
RF: Yeah. I don't think we are.
1
                  Well, no. 'Cause it's already
            HL:
2
     been --
3
            RF: (INAUDIBLE) get rid of that.
4
            HL:
                 Yeah.
5
            RF: So we're going to end this
6
     interview. It is approximately 1416 hours.
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
```

## ALEX VILLANUEVA, SHERIFF

## COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT

## DETECTIVE DIVISION - HOMICIDE BUREAU

### VOLUME I

		FILE NO.	019-00195-2241-013
CLASSIFICATION:			- 243(C)(2) P.C/OFFICER/ SUSPECT DECEASED)
VICTIM(S):	#1	M/ADULT	(UNINJURED)
	#2	M/ADULT	(UNINJURED)
SUSPECT(S):		MH/45	(DECEASED)
DATE/TIME:	01-12-2019 (SAT		D30 HOURS LAS VIRGENES ROAD, CALABASAS
OFFICER(S) INVOL	VED: DEPUTY NOE	L JUAREZ #33	336
	OFFICER BR	IAN GREEN #1	16383
INVESTIGATORS:	J. VALENCIA/A.	MONTENEGRO	
		COPY	CHIEF - VENTURA SUPPIFF

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01-30-2019	Supplementary Report (Homicide Bureau, Detectives J. Valencia and A. Montenegro) - Active/Response/Video Evidence Received/ Officers and Deputies Photographed/Round Count/Witnesses Interviewed/Officers and Deputies Interviewed/MVARS Video Received/ Autopsy/Firearm Pick Up/Review of Audio/ CC#2019-00338	47
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Supplementary Report (Homicide Bureau, Detectives J. Valencia and A. Montenegro) - Active/Continued Investigation/Evidence/ Review of MVARS/Evidence Released/Witness Interviews/Video Reviewed/Facebook Warrant/ Coroner Evidence/Ventura County Sheriff 911 Call/Ventura County Sheriff Reports/Ventura County Sheriff Radio Traffic/Review of Body Camera Footage/Review of Helicopter Footage/Autopsy Follow Up/Witness Video Review/CC#2019-00338	77
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COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

INCIDENT REPORT A TRADITION OF SERVICE DATE 01-12-19 PAGE 2 OF 4 VEHICLE SIL CHRY 360 VEHICLE FOR VICTIM# IDENTIFYING FEATURES VEHICLE FOR SUSPECT# NA STOLEN DAMAGE EMBEZZLED CHP 180 SUBMITTED? E STORED MIMPOUNDED OUTSTANDING YYES D NO DESCRIPTION OF DAMAGE LICENSE (STATE & NUMBER) VEHICLE YEAR MODEL BODY TYPE COLOR VEHICLE FOR VICTIM# REGISTERED OWNER DENTIFYING FEATURES VEHICLE FOR SUSPECT # STOLEN DAMAGED □ EMBEZZLED STATUS CHP 180 SUBMITTED? GARAGE NAME & PHONE STORED ☐ IMPOUNDED □ DUTSTANDING TYES INO DESCRIPTION OF DAMAGE SCREENING FACTORS

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

919-00195-2241-01

5. UNIQUE VEHICLE IDENTIFIERS

X

6. WRITER/REVIEWER DISCRETION

PROPERTY CODE:

S - STOLEN • R - RECOVERED • L - LOST • F - FOUND • E - EMBEZZLED • D - DAMAGED • K - SAFEKEEPING (Use all applicable Codes; for example, if property is both Stolen and Recovered, Code is S/R)

CODE ITEM # QUAN.

DESCRIPTION (Include kind of article, trade name, identifying numbers, physical description, material, color, condition, age and present market value)

SERIAL # VALUE

4. VEHICLE IN CUSTODY

3. UNIQUE SUSPECT IDENTIFIERS

1. SUSPECT IN CUSTODY

2. SUSPECT NAMED / KNOWN

019-00195-224

122

PAGE 3 OF 4

CLASSIFICATION # / LEVEL / STAT CODE

CLASSIFICATION # / LEVEL / STAT CODE

VEHICLE	LICENSE	LICENSE (STATE & NUMBER)			MAKE	MODEL	BODY TYPE	COLOR
VEHICLE FOR SUSPECT#	REGISTERED OWNER			IDENTIFYING FEATURES				
STATUS STOLEN STORED DESCRIPTION OF DAMAGE	DAMAGED MPOUNDED	☐ EMBEZZLED ☐ OUTSTANDING	CHP 180 SUBMITTED?  ☐ YES ☐ NO	GARAGE N	AME & PHONE			

CODE: V-VICTIM . W-WITNESS . I-INFORMANT . R-REPORTI	NG PARTY • P - PARTY				
V 3 5 OFFICER GREEN #1	16383 MIDDLE NAME	SEX	RACE	DOB AGE	DRIVER'S LICENSE / STATE ID
CALIFORNIA HIGHWAY PATROL	CITY		STATE	ZIP	RESIDENCE PHONE (Area Code)
BUSINESS / SCHOOL (GRADE, ADDRESS (GIO SPRING RD.,	MOORPARK		STATE	Q =	PURILIPE BUONE II
ETHNIC ORIGIN EMAIL ADDRESS	TOOLFACE	SOCIAL	NETWORKINGA	93021	CELL POINE (MISS GOOD)
VICTIM OF OFFENSE(S) (CLASSIFICATION) # VICTIM DESIROUS OF	PROSECUTION?	VICTIM	OF SEX CRIME DE	SIROUS OF CONFIDENTIALIT	Y? ENGLISH SPEAKING? ☐ YES ☐ N
# # # # □ YES □ NO		_ YES	_NO		LANGUAGE
V 45 OFFICER PENEDA # 2	LU296	SEX	RACE	DOB AGE	DRIVER'S LICENSE / STATE ID
CALIFORNIA HIGHWAY PATROL	CITY		STATE	ZIP	RESIDENCE PHONE (Area Code)
BUSINESS SCHOOL (GRADE) ADDRÉSS  610 SPEING RD.	MOORPALK		STATE	93021	BUSINESS PHONE (Area Code)
ETHNIC ORIGIN EMAIL ADDRESS	100-111-1	SOCIAL	NETWORKING AC		
VICTIM OF OFFENSE(S) (CLASSIFICATION) # VICTIM DESIROUS OF	PROSECUTION?	VICTIM	OF SEX CRIME D	ESIROUS OF CONFIDENTIALI	TY7 ENGLISH SPEAKING? S YES E N
F P P P P P P P P P P P P P P P P P P P		□ YES	□NO		LANGUAGE
V 5 5 OFFICER THOGHORTHOW	# 17973	SEX	RACE	DOB AGE	DRIVER'S LICENSE / STATE ID
CALIFORNIA HIGHWAY PATROL	CITY		STATE	ZIP	RESIDENCE PHONE (Area Code)
6010 SPRING RD.	MOORPARK		STATE	a zip	BUSINESS PHONE (Area Code)
ETHNIC ORIGIN EMAIL ADDRESS	MOOKPARK	SOCIAL	NETWORKINGAC	93021	
VICTIM OF OFFENSE(S) (CLASSIFICATION) # VICTIM DESIROUS OF	PROSECUTION?	VICTIM	OF SEX CRIME D	ESIROUS OF CONFIDENTIALIT	Y? ENGLISH SPEAKING? IT YES IT NO
#			ENO	The state of the s	LANGUAGE

CODE # of LAST NAME	FIRST N	AME	MIDDLE NAME		DOB	AGE	DRIVER'S LICENSE   STATE ID
SEX RACE ETHNIC ORIGIN	HAIR	EYES	HEIGHT	WEIG	SHT		CELL PHONE (Area Code)
RESIDENCE ADDRESS			CITY	STATE	ZiP		RESIDENCE PHONE (Area Code)
BUSINESS   SCHOOL (GRADE) ADDRESS			GITY	STATE	ZIF	-	BUSINESS PHONE (Area Code)
AKA	EMAIL ADDRESS		so	CIAL NETWORKING ACC	OUNT		ENGLISH SPEAKING? - YES - NO
MONIKER	CHARGE		80	OOKING NUMBER			LANGUAGE WHERE DETAINED OR CITE NUMBER
CODE # of LAST NAME	FIRST N	AME	MIDDLE NAME		DOB	AGE	DRIVER'S LICENSE / STATE ID
SEX RACE ETHNIC ORIGIN	HAIR	EYES	HEIGHT	WEIG	НТ		CELL PHONE (Area Code)
RESIDENCE ADDRESS			CITY	STATE	ZIF		RESIDENCE PHONE (Area Code)
BUSINESS (SCHOOL (GRADE) ADDRESS			CITY	STATE	ZIP		BUSINESS PHONE (Area Code)
AKA	EMAIL ADDRESS	3	so	CIAL NETWORKING ACCO	DUNT		ENGLISH SPEAKING? _ YES _ NO
MONIKER	CHARGE	(3)	P.O.	OKING NUMBER			LANGUAGE WHERE DETAINED OR CITE NUMBER

We responded to the Eastbound 101 Freeway between Lost Hills Road and Las Virgenes Road (Tag #122).

Upon our arrival, we contacted Sergeant Russell King (Ventura County Sheriff's Department, 800 South Victoria Ave., Ventura, Ca 93009), who told me the following:

Sergeant King said there was a vehicle pursuit involving a silver Chrysler (Utah/ that was reported stolen and was being driven by a domestic violence suspect. The pursuit entered onto the eastbound 101 freeway, which at that point Moorpark California Highway Patrol assisted in the pursuit.

The vehicle later collided into the guardrail along the right shoulder of the eastbound 101 freeway near the Las Virgenes Road off-ramp. Sergeant King provided us with names of the officers/deputies involved in the pursuit (see below listed names):

- Officer Green (#16383, 610 Spring Rd., Moorpark, Ca 93021) (fired AR-15)
- Officer Peneda (#20296, 610 Spring Rd., Moorpark, Ca 93021) (fired Less Lethal)
- Officer Thogmorthon (#17973, 610 Spring Rd., Moorpark, Ca 93021)
- Deputy Noel (#4E12, 800 Victoria Ave., Ventura, Ca 93009)
- Sergeant Hartkop (#4E12, 800 Victoria Ave., Ventura, Ca 93009)

Upon our arrival, we observed a silver Chrysler that had collided into the guardrail along the right shoulder underneath the Las Virgenes Road off-ramp sign. Laying next to the vehicle on the west side, was the body of the suspect covered by a pink sheet and yellow piece of plastic. We observed three California Highway Patrol vehicles, one in the number three lane, one in the number four lane and one in the right shoulder. We observed two Ventura County Sheriff's Department vehicles, one in the number two lane and one in the left shoulder. We observered four expended AR-15 rounds and one less lethal round between the number three and four lanes of the freeway. A second less lethal round was found near the passenger rear tire of the Ventura County Sheriff's Department vehicle in the number two lane.

For any further information regarding the officer involved shooting, see Homicide Bureau supplemental Report under the above report number.

It should be noted there are attached video cameras on the I	North Fast and North West corners of the
the state of the state of the state of	We contacted
	regarding obtaining a copy of their
custody of the flash drive to Detective Duncan (LASD Homicic	ance on a flash drive. We then transferred

The vehicle the suspect was driving was towed to and stored for evidence. See CHP-180 under the above file number for further.

# VENTURA COUNTY SHERIFF'S OFFICE

2019 - 6219

Page 1 of 5

INCIDENT DATE TIME	INCIDENT LOCATION			
01-12-2019 1025 SPECIAL INTERESTRIATE CRIME BIAS	STATES	ARRESTEE	a VENH I	CLASS
DOMESTIC VIOLENCE, NONE (NO BIAS)	ACTIVE	NO ARREST	NO	FELONY

USE OF FORCE INCIDENT? N. IF SO, # OF REPORTS WRITTEN? O IS BODY CAMERA VIDEO AVAILABLE? Y. GANG INVOLVED?

OFFESSE	OFFESSY DESCRIPTION	ENTRY METHOD	WLAPON FORCL TYPE
273	273.5(A)CURR/EX SPS/COH-NO WPN		PERSONAL WEAPONS (HANDS,
			FEET, ETC)

### PUBLIC NARRATIVE

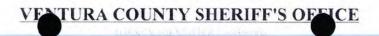
Known suspect and victim are in a dating relationship and were involved in a domestic argument. During the argument, the suspect willfully inflicted physical injuries by punching the victim in the face.

INVOLV	ED PER	SONS		THE PERSON		100	3,145	-			
VICTIM	I <b>-</b> #1			MONIM R.		HIS	PANIC	F	N.E.	DOB.	
5'3			40	BROWN	BLACK			()			
ABBRESS			CAMARI	LLO , CA		11020	PHOSE		MORITE	PROSE	
UNEMPI		1	MP10)18	EMPLOYER UIDRESS					BI 8151	s-PHON!	
S1c1151 OF 0	HEAST.				RELATIONSHIP OF AL	11410 (1111)	NDER				
273	2	273.5(	A)CURR/EX S	SPS/COH-NO WPN	VICTIM WAS BOYFRIEND GIRLFRIEND	,	SUSPECT				
MINOR I	INJURY	7		CONTIDENTIAL							
SUSPEC	T - #1	X	AME - LAST, FIRST,	MIDDLE (ALIAS MONIKER)		HIS	HISPANIC		45	tr.o.B.	
HEIGHT 5'9			FIGHT 45	BROWN	BROWN	DRIVER'S LICENSE STATE					
AMMERICA			, SANT.	A BARBARA , CA , 931	101-	HOME	PHOSE		MOBILI	PHONE	
SHIRT -	BLAC	K DRES	S SHIRT; PA	NTS - GRAY							
INV PAR	RTY - #1		AME LAST HIRST	MIDDLE (ALIAS MONIKER)		RAC) WH	ITE	GENDER M	58	D.O.F.	

# Do Not Duplicate

Ventura County Sheriff's Office - Official Copy

DATE TIME BEFORIED	REPORTING OFFICER AD #-ORGANICI						
01-12-2019 / 1025	SANCHEZ, AMELIA (4823) / Camarillo Patrol Services						
ALD OFFICER DARRAGE							
	CHIPS, RONALD / 3392 - 01/13/2019 / 1206						



REPORT NUMBER 2019 - 6219

Page 2 of 5

INVOLVED PERSO	VS	CONTRACTOR OF STREET		A CONTRACTOR OF THE PARTY			أوجع لنجا	
HEIGHT	WEIGHT	11418	FYT	DRIVER'S LICENSI	DRIVER'S LICENSE STATE			
ADDRESS	. CAMAR	ILLO . CA . 93010-		HOME PHONE		AICIEIL	PROST	
INV PARTY - #2	1100	(ONK) E)		WHITE	M GENOFE	66	Day B	
HEREH)	WEIGHT	31.838	FSU	DRIVER'S LICENSE	DRIVER'S LICENSE STATE			
ADDRESS	. CAMAR	ILLO . CA . 93010-		HOME PROSE		41OE(1.1	PHONE	
WITNESS - #1	NAME - LOST, FIRST	MIDDLE (ALIAS MONIKER)		WHITE	M GENDER	66	DUE	
5'9	мэгдэг 155	BLOND OR STRAWBERRY	BLUE	The second secon	CA			
AUDRESS	CAMAR	ILLO . CA . 93010-		HOME PHONE		MORE I	PHONE	
RETIRED	EARLDAYN	FMPLOYER (DDP) SX		L. C.		E) SINE	SCPHON1	

PROPERTY ADDRESS  CAMARILLO, VENTURA COUNTY

1 111.5	Y	SEIZEI							
DATE RECOVEREDS LOCATION RECO			LOCATION REC	ONERED					
DILYER					RELATED TO				
1	SURVEILLANCE OF INCIDENT			IDENT		0.00	QUANTITY 1	RECOVERED	
T.\(; ∈ <b>2</b>	Y	SEIZEI		PHOTOS AND	BODY WORN CAM	1ERA VIDEO			
DVII. RECOVEREDS LOCATION RECOVERED  01-12-2019									
On ZEB					RELATED TO	RELATED TO			
1	PHOTOGRAPHS					0.00	OLAVIETY 5	RECOVERED	
2	BWC-SANCHEZ					0.00	91 ANTHY 5	RETUVERED	

# OFFICER'S NARRATIVE



### VENTURA COUNTY SHERIFF'S OFFICE

REPORT NUMBER 2019 - 6219

Page 3 of 5

On 1/12/19, I was working uniformed patrol in the city of Camarillo as 8A11. At approximately 1025 hours, Deputy Stolworthy and Sergeant Macias were dispatched to a Domestic Disturbance in Progress at
Deputy Stolworthy arrived and advised the vehicle was fleeing the area. Refer to Deputy Stolworthy and Sergeant Macias' reports for details regarding the pursuit.
I drove to the location and spoke to (V) mount was full of blood. I requested AMR non-code to my location and took digital photographs of her injuries. appeared to have broken teeth and a small cut on the left side of her lip.
told me the following in summary:
said she and (S). I later identified as a proximately one month. I lived in Santa Barbara but she did not know his actual address. Were arguing over the fact that she did not pick him up yesterday in Ventura. I was unaware if the had any weapons.
provided a phone number for a contacted Advanced Real Time Information Center (ARTIC) in an attempt to locate a photograph to identify and his history. It is did not know or have any other identifying information for
I noticed a Ring Door Bell and asked if she could contact her roommate, later identified as called texted me a photograph of and said he would email me videos of the incident. About the same time, ARTIC texted me a California Department of Motor Vehicles Photograph (Cal Photo) of I had confirm and identify the Cal Photo as I confirmed identity with ARTIC.
Deputy Medina contacted (W who told him the following in summary: saw drive into the cul-de-sac and bang on the door of residence. saw and language in the driveway. recognized vehicle and said he has driven the same vehicle for about a month.
Neighbor (P) advised me he had video of the incident. Later, I contacted and had him download his video surveillance to my flash drive which I copied onto the report writing computer and burned three copies onto DVD's. I booked one copy into evidence and provided the other two copies to Major Crimes.
Later, I uploaded the photographs to iShot and downloaded my body worn camera video to Evidence.com as evidence. I was unable to download the Ring videos to a disc for evidence so I forwarded them to Major Crimes Sergeant Chips for his review.
Based upon my investigation, I determined there was probable cause to arrest for Penal Code 273.5-Corporal Injury to Spouse.



2019 - 6219

Page 4 of 5

### DOMESTIC VIOLENCE

### DOMESTIC VIOLENCE INCIDENT (PC13700, 13701, 13730)

	I RESPONDED TO A CALL INVOLVING A DOMESTIC VIOLENCE:
	PARTIES INVOLVED ARE DESCRIBED IN 13700(B) PC AND ARE DATING/ENGAGED FOR 1 MONTH.
	A MISDEMEANOR CRIME, OTHER THAN DOMESTIC RELATED OCCURED AND NO PROSECUTION WAS DESIRED BY ANY INVOLVED PARTY .
X	A FELONY A MISDEMEANOR, DOMESTIC RELATED, ARREST WAS MADE FOR
	THE ARREST WAS IN CONNECTION WITH A DOMESTIC VIOLENCE COURT ORDER.
	THE VICTIM WAS OFFERED AN EMERGENCY PROTECTIVE ORDER (EPO):
	AN EMERGENCY PROTECTIVE ORDER WAS OBTAINED   EPO WAS REFUSED
	WAS THE ARRESTED/SUSPECTED PARTY SERVED WITH THE EPO? YES NO
	DETAILS OF THE INJURIES SUSTAINED BY THE VICTIM: CUT LIP FROM PUNCH IN THE FACE
137	30(C)PC REQUIREMENTS
	ALCOHOL/DRUG USE BY ABUSER?
	NUMBER OF PRIOR RESPONSES TO THE SAME ADDRESS? 0
	PREVIOUS RESPONSES INVOLVED THE SAME AGGRESSOR? YES NO
	THE DEPUTY FOUND IT NECESSARY TO INQUIRE ABOUT THE PRESENCE OF FIREARMS OR DEADLY WEAPONS.
	THE INQUIRY DISCLOSED THE PRESENCE OF FIREARMS OR DEADLY WEAPONS. YES X NO
	THE DISCLOSED FIREARMS WERE CONFISCATED AND BOOKED FOR SAFEKEEPING
X	PER 264.2 PC, VICTIMS OF DOMESTIC VIOLENCE PAMPHLET GIVEN TO THE VICTIM
П	VICTIM REFUSED THE PAMPHLET

GENERAL OFFENSE REPORT

VENTURA COUNTY SHERIFF'S OFFICE

REPORT NUMBER 2019 - 6219

Page 5 of 5

OCCUPATION

COMPLEXION

LOCATION BOOKED

LIGHT

UNEMPLOYED

EMPLOYER

**MEDIUM** 

RI II D

2019 - 6219

BUSINESS PHONE

UNSHAVEN

EACIAL HAIR LENGTH STALL

Page 1 of 2

1,(10/2)-1.	INCIREDORTS								
2019	6219					7			
INVOI	VED PERSON	VS.					2503	- 130MSR	
INV F	ARTY - #1	NAME - LAST, FIRST	(MIDDLE (ALIAS/MONIKER)		HISPANIC	GENDER M	45	D.O.B.	
ныснт <b>5' 9</b>		WEIGHT 147	BLACK	BROWN	DRIVER'S LICENSES	STATE			
ADDRESS		, SAN	ΓA BARBARA , CA . :	93101-	HOME PHONE		MOBILI	E PRONE	

EMPLOYER ADDRESS

HAIR LENGTHSTYLE

COLLAR

TATOUR EVIDENCE HTEMSTATUS DESCRIPTION

1 Y SEIZED BODY WORN VIDEO

DATE RECOVERED TO LOCATION RECOVERED S/B 101 @ LAS VIGENES LOS ANGELES CA

GWARE RELATED TO \_\_\_\_\_\_\_\_

GLASSES

NONE

PROPERTY ADDRESS

HANDED

UNKNOWN

S/B 101 @ LAS VIRGENES. UNKNOWN/OTHER, LOS ANGELES COUNTY

VENTURA COUNTY SHERIFF'S DEPARTMENT

INV PARTY

VALUE

OUANITY

RECOVERED

1 BODY WORN VIDEO

2

### OFFICER'S NARRATIVE

On 1-12-2019, I was working uniformed patrol in the city of Thousand Oaks as 9H11. At approximately 1242 hours, Senior Deputy Tutino #3273 and I were dispatched to the area of S/B 101 @ Las Virgenes; to assist with an officer involved shooting investigation.

When I arrived, I spoke with six private citizens, who either witnessed or heard the shots being fired during the standoff with [I] They are as follows:

was parked at the front of the traffic break in the #3 lane. Told me she witnessed the officer involved shooting and she recorded the incident on her cellular telephone. Further stated the officers involved in the shooting, showed restraint and acted in a professional manner.

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DATE REPORTED	REPORTING OFFICER / LD. #- DRG. ENIT	SUBMIT DATE / TIME	
01-12-2019	LOES, CHRIS (2941) / Special Serv	rices Major Crimes - 01-12-2019 / 2012	
CHIPS, RONALD /	PPROVED DATE TIME  3392 - 01/12/2019 / 2012	(12)	

SUPPLEMENTAL REPORT

### Y TURA COUNTY SHERIFF'S OF ICE

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#4 lane. told me	she witnessed the officer involv		front of the traffic break	k in the
me she heard gunshots, b cellular telephone.	out she was unsure who fired.		in the #4 lane. recorded the incident on l	told her
she heard shots being fire	ed, but she could not see the al	was parked behind tercation between an	in the #4 lane.	old me
she recorded the incident	t on her cellular phone, but she	was parked behind e did not see the suspect.	in the #3 lane.	told me
	nis semi-truck at the time of the		in the #3 lane. and the officers on scen	told e. From
Refer to Senior Deputy T	'utino's supplemental report fo	or further details.		

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INVOLVED PERSO. ROLE	March Street	T MIDBLE (ALIASMOSIKER)		RACT	GENDER	ALE	DANE.
INV PARTY - #1				HISPANIC	M	45	
HI (G)IT	WIEHI	TEATR	FYE	DRIVER STICENSE/S			
5' 9	147	BLACK	BROWN				
, VENTURA, CA	93001-			HOME PRONE		150 (83)3	E PROST
LOCATION BOOKED BOOKED AS EVID	ENCE AT EVSO		PERTY ADDRESS OUSAND OAKS, VE	NTURA COUNTY		le .	

1	Y	SEIZE		HAND WRITTE	N LIST WITH NAM	ES AND PHON	E NUMBERS	
01-12-	2019		101 @ LAS	S VIRGENES ROAD				
OWNER			*		RELATED IN			
1	HAND	WRITT	EN LIST		Maria de la companya	0.00	Qt (NIII)	BEF15TEFF
OFFIC	ER'S NA	RRATI	/E.	11 - 115	A LEWIS AND		10	
I spok	e to the	followi who k notes	ng people: had severa as the situ	al pages of hand wri ation was unfolding	itten no <u>tes in her j</u> g. I told <b>general</b> to	possession.	said she s e notes and som	
	ot cell p	who pr	deo footag	provided cell cell phone number of ge of the incident an if she would be wi	d some still photo	was with	led a cell phone	said number of
the vi				me the phone. I la				

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Ventura County Sheriff's Department, who downloaded the cell phone video as evidence.

DATE REPORTED 01-12-2019	REPORTING OFFICER : LD. # : ORG. UNIT - SUBMIT DATE - TIME TUTINO, ANTHONY (3273) / Special Services Major Crimes - 01-12-2019 / 1913	
	# APPROVED DATE TIME D / 3392 - 01/12/2019 / 1913	

SUPPLEMENTAL REPORT

## VITURA COUNTY SHERIFF'S OFICE

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who provided me with a phone number of
who provided a cell phone number of
who provided a phone number of
who provided a phone number of
were all riding in the same car together.
who provided a phone number of
who provided a phone number of
who provided a phone number of The rest of the citizens I spoke to said they were too far back and did not see anything.
Afterwards, I was asked to transport Sgt Hartkop, who was on scene during the shooting, to the Lost Hills Sheriff's Station and wait for personnel to arrive. I transported Hartkop to the station and stood by with him until relieved.
I was later asked to prepare a supplemental report documenting the names and phone numbers of the people I spoke to.



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INVOLVED PERSO	ONS		***									
SUSPECT - #1		(ER)			ANIC	GENDER M	45	D.(),B.				
11-16:181 5'09	WEIGHT 145		BLACK		BROWN	DRIVIER	STICE SSE/ST	ASE/STATE				
INVEST.	, SANT	A BARE	SARA, CA, 9	3101-		EKANE E	PRONE		9-21-145-3-1	e phosi		
N/A EMPLOYER EMPLOYER N/A N/A			DDRESS		-			BENIN	SS PHONE			
COMPLEXION BUILD SLENDER		ER	STRAIGHT GLASSES		GLASSES	RANDED UNKNOWN		BEARD				
INVOLVED BUSIN	ESS/ORGAN	IZATIO.	N					- 10				
OWNER - #1	INESS NAME				O DEALERS		VICTIMO	VOLUE TOL				
Chrotics				SANTA BARBARA		CA	93105-					
INVOLVED VEHIC	CLE	Mark The				ha he also	N. Carry			act at		
UNIDELE ROLL INVOLVED - #1	MODEL YEAR 2018	CHRYS	SLER	300	300 MODEL		4 DOOI		4 DOOR		S	ELVER/ LUMINUM
THEASE NEMBER	LICENSESTATE UT	ASSOCIATI OWNE	10N ER #1 - BUSINESS/ORGANIZATION			A/S			Y	DMTD.		
DRIVEN BY SUSPECT FROM SCENE				LOC	LOCATED AWAY FROM THE SCENE		E VEHICLE IMPOUNDED			ED		

On 01-12-2019, I was working uniformed patrol in a marked black and white patrol vehicle as 8B11 in the City of Camarillo. At approximately 1028 hours, I was dispatched to disturbance.

Sheriff's dispatch advised a male subject was walking around the listed neighborhood and standing by the listed address trying to get somebody to come outside. Also, the subject appeared upset and yelling at the door. The subject was described as a Hispanic male, 30-40 years old wearing sweatpants and associated with a newer gray Chrysler sedan. Sheriff's dispatch mentioned the license plate to the vehicle was from a different state, the male subject was seated in the driver seat, and the female was leaning in from outside and they were yelling at each other.

While en-route to the address Sheriff's dispatch advised me to respond "code 3" (lights and sirens) because the female party was throwing punches. At about Arneill Road and Dunnigan Street approximately less than 1/4 mile

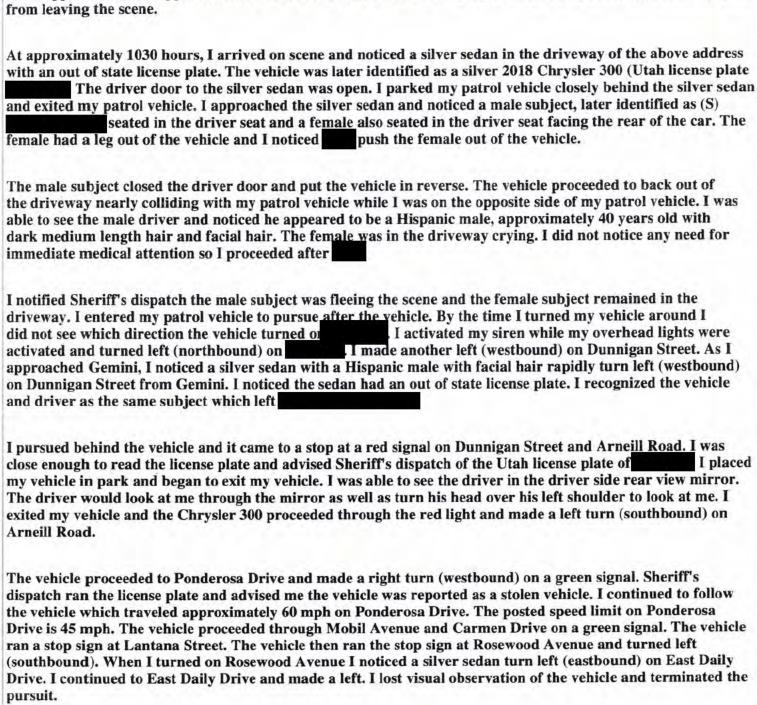
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DATE REPORTED	REPORTING OFFICER / LD. # - ORG. UNIT - SUBMIT DATE : TIME	
01-12-2019	STOLWORTHY, ERIC (5023) / Special Services Major Crimes - 01-13-2019 / 1214	
	APPROVED DATE / TIME 6 / 1214	

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from the residence, I activated my overhead rotating red and blue lights. I did not activate my siren to conduct a silent approach. Silent approaches are used to not alert subjects law enforcement are en-route to prevent subjects from leaving the scene.



Deputy Sanchez responded to the address and contacted the victim. Refer to her report for more information.

Sergeant Macias noticed a silver sedan and confirmed it was the suspect's sedan. Refer to his report for more information.

I proceeded to the Pacific Cost Highway to provide assistance in the vehicle pursuit. I was advised California Highway Patrol was taking over the pursuit and I cleared myself off of the call.

SUPPLEMENTAL REPORT

Y TURA COUNTY SHERIFF'S O ICE
AGENCY IDENTIFIER CAUSGOORI

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INVOLVED PERSO	NS				- T-	- 5	Mario Service	
SUSPECT - #1		DDLF (ALIAS/MONIKER)		RACÉ HISPANIC	GENDER M	45	D,O.B.	
MI IGHT	WEIGHT	Hatk	£7 £	DRIVER STRUKNSE(S	DRISTERN LEE FANGENI ATE			
ODRESS			HOME PHONE ARORILE PROST			PHOSE		

#### OFFICER'S NARRATIVE - OBSERVATIONS AND ACTIONS

I was working uniformed patrol as the field supervisor assigned to the City of Camarillo and surrounding unincorporated areas, when Deputy Stolworthy (5023) was called to a domestic disturbance; I responded as his back-up. The disturbing party (D/P) was described as driving a silver Chrysler with an out of state plate.

Approximately 3 minutes later, I spotted the D/P vehicle passing Fire Station 50 (189 S. Las Posas Road), driving south bound. I attempted to stop the D/P using my lights and siren, I immediately went into pursuit. The D/P continued south on Las Posas at over 60 MPH, it ran two red lights without even slowing down at E 5th St. and Hueneme Rd. The D/P then sped up, I was driving in an excess of 80 MPH while the D/P was pulling away from me. The road conditions were extremely hazardous for these speeds, as they were wet from recent rains, there are slight curves in the roadway with patches of mud in different parts of the roadway spilled by agriculture vehicles working the fields. There were also several vehicles belonging to field workers parked along the Las Posas Rd. shoulder, with field workers accessing the vehicles. Based on the rate of speed the D/P was pulling away from me, I estimated his speed at 95 to 100 plus MPH.

When the D/P reached PCH, he headed south bound for approximately 1/4 mile where there is a left turn pocket for a private ranch. The D/P made a u-turn and headed north on PCH using that turn pocket. While the D/P was north on PCH, he varied his speeds and eventually slowed down to approximately 20 MPH, I saw him punch himself in the face several times as he jerked his head forward to meet his punches; this information was also relayed to dispatch.

During the early stages of the pursuit, I summoned for a unit to respond to the original call and confirm if we had a crime. Deputy Sanchez (4823) responded and advised the D/P struck the victim, causing corporal injury, and there was probable cause to arrest him for felony domestic violence. Deputy Stolworthy provided dispatch with the D/P's name, dispatch advised the D/P was also Code 6FAD (wanted for felony warrant, considered armed and dangerous). I ensured via dispatch that this information was relayed to CHP.

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01-13-2019

REPORTING OFFICER / LO. # ORG. UNIT - SUBMIT DATE / TIME

MACIAS, GUS (2561) / Special Services Major Crimes - 01-13-2019 / 1209

APPROVERED THE SAPPROVED DATE TIME

CHIPS, RONALD / 3392 - 01/13/2019 / 1209



SUPPLEMENTAL REPORT

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At this point, CHP joined and assumed control of the pursuit, all Ventura County Sheriff Units were told to drop out, we cancelled our part of the pursuit at PCH and East Wooley Road.

### MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

CHP 558D (Rev. 9-08) OPI 065 (MAIT use only)

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### SL-001-19

California Highway Patrol Southern Division Critical Incident Investigation Team

### MAIT SUPPLEMENTAL

This investigation was conducted by the California Highway Patrol (CHP) Southern Division Multidisciplinary Accident Investigation Team (MAIT).



#### MAIT PERSONNEL

Officer T. Bomar, ID 17217, Southern Division MAIT Investigator

Officer J. Chen, ID 17574, Southern Division MAIT Investigator

Officer S. Farber, ID 18558, Southern Division MAIT Investigator

Officer H. Castaneda, ID 19117, Southern Division MAIT Investigator

Officer J. Bell, ID 19261, Southern Division MAIT Investigator

Officer J. Crain, ID 20876, Southern Division MAIT Investigator

Officer J. Edmunds, ID 19379, Southern Division MAIT Associate Investigator

Motor Carrier Specialist-I Southern Division MAIT

Caltrans Senior Transportation Engineer P.E., Southern Division MAIT

### SUBPOENAS FOR MAIT PERSONNEL SHOULD BE DIRECTED TO:

California Highway Patrol
Southern Division Investigative Services Unit/MAIT
437 North Vermont Avenue
Los Angeles, California 90004
Attention: Sergeant C. Buono



# STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM CHP 558D (Rev. 9-08) OPI 065 (MAIT use only)

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ANNEX A – INCIDENT SCENE MEASUREMENT DATA		
ANNEX B – PHYSICAL EVIDENCE MEASUREMENT DATA FROM LEICA	SCANSTATION	



#### MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

CHP 558D (Rev. 9-08) OPI 065 (MAIT use only)

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#### **Facts**

### Introduction

### Notification

On January 12, 2019 at approximately 1212 hours, a multi-agency officer-involved shooting occurred involving the CHP West Valley, Moorpark, and Ventura Areas, the Ventura County Sheriff's Department, and

Personnel from CHP Southern and Coastal Division Critical Incident Investigation Teams (CIIT) were called to assist in the investigation of this incident. As a supporting unit, Southern Division MAIT personnel were requested to assist in the investigation at approximately 1409 hours.

The following MAIT personnel responded to the incident scene:

- · T. Bomar
- · J. Chen
- · S. Farber
- · H. Castaneda
- J. Bell
- · J. Crain
- · J. Edmunds
- •

#### Issues

MAIT involvement in this investigation was limited to the following:

- Incident scene description
- Incident scene documentation (measurements and diagram)
- Physical evidence diagram and physical evidence descriptions



#### DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

#### MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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#### Facts (continued)

### **Roadway Description**

The incident occurred on southbound United States Route 101, approximately 0.35 miles north of Las Virgenes Road. The incident was located in the city of Calabasas and county of Los Angeles. The elevation at the incident scene was approximately 770 feet above mean sea level.

At the incident scene, United States Route 101 was designated as a north-south freeway; however, it was aligned in a southwest-northeast direction. For purpose of clarity, the roadway will be described as a north-south roadway.

At the incident scene, southbound United States Route 101 consisted of five lanes for traffic that were comprised primarily of asphalt concrete (AC). The lanes were bordered to the east by a solid yellow line and raised reflective pavement markers, an AC median, and a portland cement concrete (PCC) median barrier. The #1 through #4 lanes were delineated by broken white lines and raised reflective pavement markers. The #4 and #5 lanes were delineated by a solid white line and raised reflective pavement markers. The lanes were bordered to the west by a solid white line, an AC shoulder with solid white cross hatch lines, an AC curb, a metal beam guardrail (MBGR) with metal posts, and a descending dirt and vegetation embankment. At the time of the officer-involved shooting the roadway was wet.

The following image illustrates the incident scene:

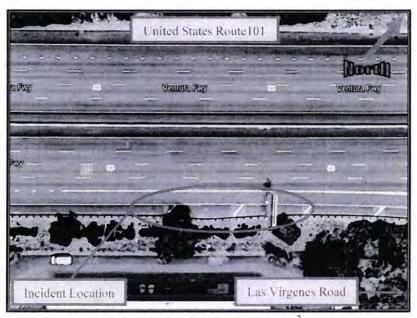


Figure 1: Incident Scene Location<sup>2</sup>

<sup>&</sup>lt;a href="https://www.google.com/maps">https://www.google.com/maps</a>>, accessed January 23, 2019



Google Earth Pro. accessed January 23, 2019

#### MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

CHP 558D (Rev. 9-08) OPI 065 (MAIT use only)

CITI 330D (1164. 3-00) OF 1003 (	WALL USE OLL	y)					
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### <u>Facts - Roadway Description</u> (continued)

### Weather Conditions

Weather information was obtained for the city of Calabasas for January 12, 2019. Weather station KCAAGOUR7 was located within the city of Agoura Hills, approximately 0.75 miles southwest of the incident scene. The weather information was as follows:

AGOURA HILLS	1214 Hours
Temperature	51.5 degrees Fahrenheit
Dew Point	50.4 degrees Fahrenheit
Humidity	96 percent
Pressure	29.98 inches
Wind Direction	Southwest
Wind Speed	1 mile per hour
Precipitation Rate	0 inches
Precipitation Accumulation	1.09 inches

The weather conditions reported were consistent with the observations of on-scene MAIT investigators and video footage.

<sup>3 &</sup>lt;www.wunderground.com>, accessed March 19, 2019.



STATE OF CALIFORNIA

### DEPARTMENT OF CALIFORNIA HIGHWAY PATROL MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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### Facts - Roadway Description (continued)

### **Lighting Conditions**

### Sun and Moon Data

The incident occurred during the hours of daylight. Sun and Moon data for the city of Calabasas was obtained from the United States Naval Observatory, Astronomical Applications Department website.<sup>4</sup> The following information was provided for January 12, 2019, for Thousand Oaks, Ventura County, California (Longitude W118° 52′, Latitude N34° 12′):

Sun	TIME
Begin civil twilight	0634 hours
Sunrise	0702 hours
Sun transit	1204 hours
Sunset	1706 hours
End civil twilight	1733 hours

Moon	Тіме
Moonrise	1102 hours
Moon transit	1706 hours
Moonset	2316 hours

The phase of the Moon on January 12, 2019, was a waxing crescent with 36 percent of the Moon's visible disk illuminated. The closest primary Moon phase, First Quarter, occurred on January 13, 2019, at 2245 hours (local standard time).

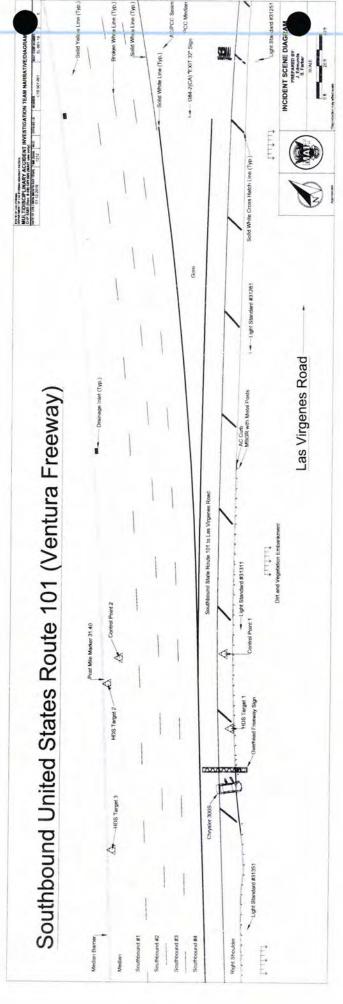
### Lighting

The incident occurred during daylight hours and the scene was illuminated by ambient lighting. During the hours of darkness, the incident scene was illuminated by artificial lighting.

<sup>\* &</sup>lt; https://aa.usno.navy.mil >, accessed March 19, 2019







#### MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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### Facts (continued)

### **Physical Evidence Description**

On January 12, 2019, MAIT investigators measured the incident scene, which encompassed the scene characteristics and the physical evidence. MAIT investigators measured the incident scene with a Trimble Total Station Survey System and a Leica ScanStation.

### Trimble Total Station Survey System (TSSS)

A Trimble, model S6 TSSS, a Trimble, model TSC3 data collector, and a Trimble, model MT1000 Multi-Track active prism were used to document the roadway and physical evidence characteristics at the incident scene. The measurements were taken utilizing the Autolock and Direct Reflex modes of the TSSS.

Investigator Farber set up, oriented the prism, identified measurement locations, and operated the TSSS. Investigator Castaneda recorded the scene notes.

The X-, Y-, and Z-coordinates of each data point measured were recorded to the data collector and exported to a flash drive. The data was subsequently downloaded to a computer utilizing conversion software. The data was opened in AutoCAD software, where scale diagrams of the incident scene were prepared. The X-, Y-, and Z-coordinates were attached to this report in Annex A.

Control Point #1 (data point 1001), where the TSSS was placed to take the scene measurements, was established at the origin of the coordinate system (0, 0, 0). Control Point #1 was approximately 4.4 feet west of the west roadway edge of southbound United States Route 101 to Las Virgenes Road and approximately 1.734 feet north of the north road edge the Las Virgenes Road overcrossing at the west road edge of southbound United State Route 101, as depicted in the Incident Scene Diagram. The location was established by driving a nail and survey shiner into the AC shoulder of southbound United States Route 101 to Las Virgenes Road. The positive Y-axis was established through Control Point #2 (data point 5001).

#### MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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### <u>Facts - Physical Evidence Description</u> (continued)

### Leica ScanStation

A Leica P30 ScanStation was used to document the environment, incident scene characteristics, and physical evidence. Leica ScanStation HDS targets were placed within the incident scene and were measured with both the TSSS (data points 11, 22, and 33) and the ScanStation, which allowed the TSSS data to be merged with the scan data. The final product was a 3-dimensional point cloud of the incident scene that could be viewed and measured using Leica Cyclone software.

DATA POINT	TARGET NUMBER	X-COORDINATE	Y-COORDINATE	Z-COORDINATE
11	1	-46.471	-4.201	5.019
22	2	-19.070	71.899	2.798
33	3	-122.639	68.291	4.222

STATE OF CALIFORNIA

### DEPARTMENT OF CALIFORNIA HIGHWAY PATROL MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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### Facts - Physical Evidence Description (continued)

### Physical Evidence Legend

The following evidence items were identified and/or collected from the incident scene by Los Angeles County Crime Laboratory Forensic Identification Specialists Alexis Alusha and Stephanie Marr and documented by MAIT personnel. The evidence items were marked with letter and numeric identifiers by Los Angeles County Crime Laboratory personnel. The table below identifies the data points associated with each item of evidence in relation to the TSSS coordinate system and a description of the evidence items. Evidence items 1, 2, 3, and 5 were measured with the Leica ScanStation. Data points 900-903 were created from the Leica ScanStation measurements within the Cyclone software and attached to this report in Annex B. The data points were imported into AutoCAD software to complete the scale diagrams. Evidence items 16 through 20 were not measured.

ITEM	DATA POINT(S)	ITEM IDENTIFICATION
A	400 – 403	Ventura County Sheriff Department black and white Tahoe
	400	Left-front tire
	401	Left-rear tire
	402	Right-front tire
	403	Right-rear tire
В	404 – 407	Ventura County Sheriff Department black and white Tahoe
	404	Left-front tire
	405	Left-rear tire
	406	Right-rear tire
	407	Right-front tire
C	408 - 411	California Highway Patrol black and white Charger CA/
	408	Left-front tire
	409	Left-rear tire
	410	Right-rear tire
	411	Right-front tire
D	412 - 415	California Highway Patrol black and white Explorer CA/
	412	Left-front tire
	413	Left-rear tire
	414	Right-rear tire
	415	Right-front tire



### MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

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### <u>Facts - Physical Evidence Description</u> (continued)

Physical Evidence Legend (continued)

ITEM	DATA POINT(S)	ITEM IDENTIFICATION
Е	416 – 420	California Highway Patrol black and white Explorer CA/
	416	Left-front tire
	417	Left-rear tire
	418	Left-rear tire
	419	Right-rear tire
	420	Right-front tire
F	421 - 424	California Highway Patrol black and white Charger CA
	421	Right-front tire
	422	Right-rear tire
	423	Left-rear tire
	424	Left-front tire
1	900	12 Gauge Shotgun "Remington" serial number: (in trunk of Item A)
2	901	(1) fired shot shell "FEDERAL 12 GA" (3) unfired shot shells [(1) "FEDERAL 12 GA" (2) "12 GA MADE IN USA"] (in trunk of Item A)
3	902	Ventura County Sheriff Department body camera, black (in trunk of Item A)
4	425	(1) fired shot shell "12 ★ 12 ★"
5	903	Semi auto rifle "SigSauer Sig M400" serial number: with 16 cartridges "Speer 223 REM 16" [(1) from the chamber (15) from the magazine] (in trunk of Item C)
6	426	Cartridge case, "SPEER 223 REM 16"
7	427	Cartridge case, "SPEER 223 REM 16"
8	428	Cartridge case, "SPEER 223 REM 16"
9	429	Cartridge case, "SPEER 223 REM 16"
10	430	Fired shot shell, "12 ★ 12 ★"
11	431	Paper wad
12	432	Paper wad

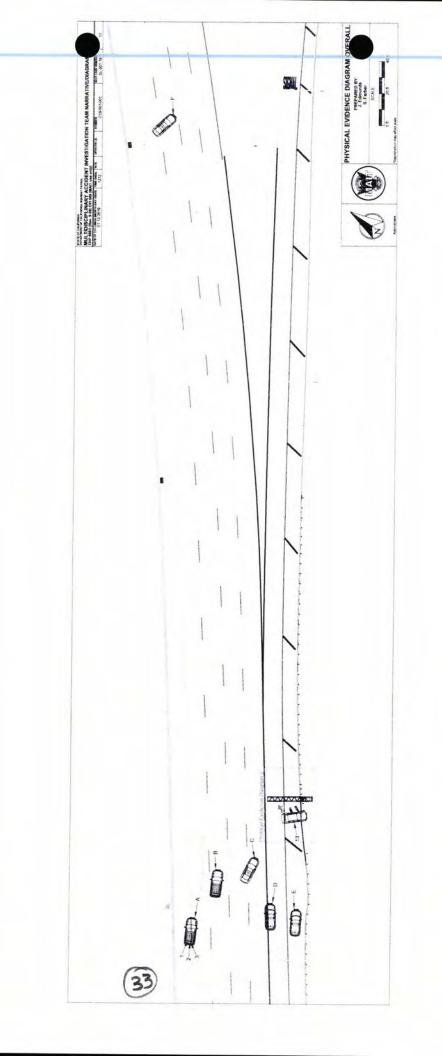
# STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM CHP 558D (Rev. 9-08) OPI 065 (MAIT use only)

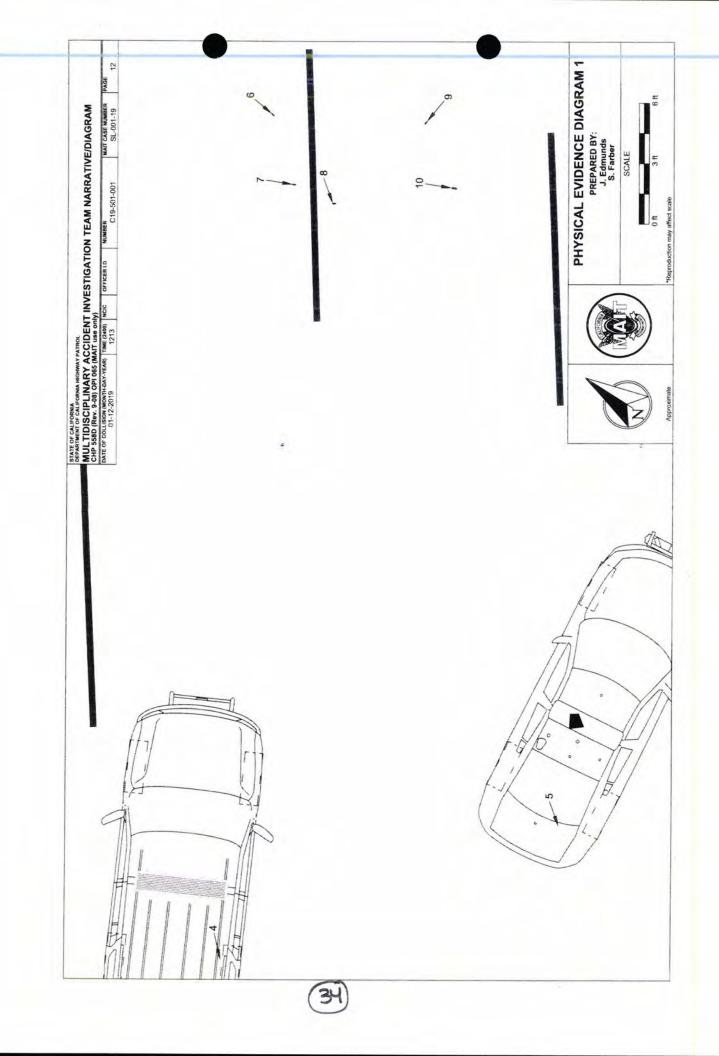
DATE OF COLLISION (MONTH-DAY YEAR)	TIME (2400)	NCIC	OFFICER ID	NUMBER	MAIT CASE NUMBER	PAGE
01-12-2019	1212			C19-501-001	SL-001-19	10

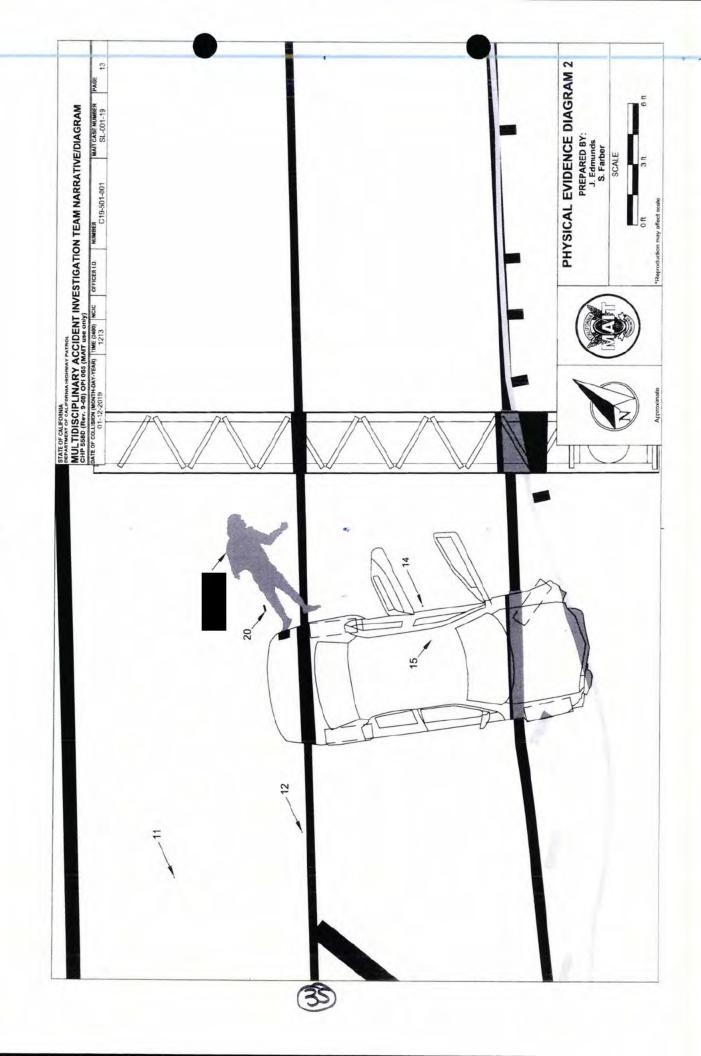
### <u>Facts - Physical Evidence Description</u> (continued)

Physical Evidence Legend (continued)

ITEM	DATA POINT(S)	ITEM IDENTIFICATION
13	433 – 436	Grey 4 door Chrysler 300S Utah
	433	Right-front tire
	434	Right-rear tire
	435	Left-rear tire
	436	Left-front tire
14	437	Plastic wad
15	438	Paper wad (on driver seat of Item 13, offset +0.35 feet in Z-axis)
16	None	Less Lethal Shotgun, "Remington 870 Police Magnum" serial number: with (3) unfired shot shells "12 ★ 12 ★" (in backseat of Item F)
17	None	Black rope tied in noose (on rear passenger floor of Item 13)
18	None	Rusted knife blade, approximately 5" (on front passenger floor of Item 13)
19	None	Black bill fold containing social security card in the name of and other miscellaneous contents (on front passenger floor of Item 13)
20	None	Black plastic center console liner (under body)
N/A	456 – 458	Position of rest of
	456	Head
	457	Left foot
	458	Right foot







### MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

CHP 558D (Rev. 9-08) OPI 065 (MAIT use only)

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DATE OF COLLISION (MONTH DAY YEAR)	TIME (2400)	NCIC	OFFICER ID	NUMBER	MAIT CASE NUMBER	PAGE	
01-12-2019	1212			C19-501-001	SL-001-19	14	

### Facts (continued)

### Physical Evidence and Digital File Logs

A total of 3 items of evidence were collected by MAIT personnel during the course of this investigation. The following table indicates which evidence was taken by the following personnel, with the corresponding date, and a description of the evidence collected.

DATE	DESCRIPTION
01-12-2019	Compact disc (CD) containing digital photographs taken of the incident scene by Investigator Crain
01-12-2019	CD containing digital photographs taken of the incident scene by Engineer
01-12-2019	Digital versatile disc (DVD) containing the raw scan data from the Leica ScanStation of the incident scene by Investigator Bell

A total of 413 digital photographs were taken by MAIT personnel during the course of this investigation. The following table indicates which photographs were taken by the following personnel, with the corresponding date, folder name, file numbers, number of photographs, and the subject matter.

DATE	PHOTOGRAPHER	FILE NAME/FILE NUMBER(S)	NUMBER	SUBJECT
01-12-2019	J. Crain	01122019_JC/ DSC_0001 to DSC_0377	377	Incident scene
01-12-2019	N. Eskander	01122019_NE/ IMG_0001 to IMG_0036	36	Incident scene

At the conclusion of this investigation, all the digital files were saved to recordable media and booked into evidence at the CHP Southern Division Investigative Service Unit office.

Requests for copies of the digital files shall be made directly to:

California Highway Patrol Southern Division Investigative Service Unit 437 North Vermont Avenue Los Angeles, California 90004 (323) 644-9550



MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM
CHP 558D (Rev. 9-08) OPI 065 (MAIT use only)

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DATE OF COLLISION (MONTH-DAY-YEAR)	TIME (2400)	NCIC	OFFICER ID	NUMBER	MAIT CASE NUMBER	PAGE	and the same
01-12-2019	1212			C19-501-001	SL-001-19		

### Annex A

Incident scene measurement data obtained on January 12, 2019.

### Annex A

	Scene Measurm	nent Data	
Point ID	<u>X</u>	<u>Y</u>	Z
1001	0	0	0
5001	0	179.963	-4.565
100	20.952	-3.623	-0.146
101	29.634	4.413	-0.266
102	80.368	-4.451	-0.324
103	90.265	3.837	-0.315
104	141.033	-6.169	-0.961
105	149.177	2.782	-0.894
106	202.759	-7.851	-1.366
107	212.897	1.534	-1.12
108	263.246	-8.745	-1.56
109	271.523	0.203	-1.211
110	323.846	-9.507	-1.788
111	331,611	-1.582	-1.343
112	330.422	-10.728	-1.852
113	332.161	10.468	-0.76
114	333.206	24.086	-0.485
115	326.902	43.439	-1.285
116	343.569	59.125	-1.778
117	329.203	57.08	-1.758
118	295.611	52.448	-1.74
119	299.19	65.057	-2.203
120	333.673	69.737	-2.233
121	346.442	71.692	-2.243
122	328.954	81.19	-2.673
123	315.347	79.319	-2.676
124	315.358	79.321	-2.677
125	280.381	74.796	-2.639
126	323.979	92.744	-3.228
127	322.871	102.184	-3.67
128	220.474	89.776	-3.535
129	218.543	79.96	-3.017
130	218.88	67.717	-2.472
131	184.07	64.084	-2.369
132	170.559	62.891	-2.313
133	190.769	52.49	-1.975
134	203.427	53.726	-1.978
135	238.81	57.6	-2.107
136	234.225	45.02	-1.631
137	199.933	41.261	-1.545
138	186.034	39.85	-1.499
139	256.721	34.585	-1.194



140	254.657	12.765	-0.929	
141	222.757	30.788	-1,161	
142	222.499	13.529	-0.954	
143	221.398	-9.194	-1.491	
144	186.856	-14.812	-1.75	
145	179.775	-8.152	-1.185	
146	180.711	14.276	-0.985	
147	182.025	26.777	-1.113	
148	185.952	39.839	-1.504	
149	152.708	36.868	-1.413	
150	138.825	35.809	-1.331	
151	142.236	48.175	-1.804	
152	156.059	49.399	-1.908	
153	190.779	52.493	-1.967	
154	170.565	62.89	-2.304	
155	136.353	60.106	-2.041	
156	122.854	59.158	-1.93	
157	175.345	75.707	-2.889	
158	174.626	85.277	-3.436	
159	117.675	80.897	-2.805	
160	116.57	71.112	-2.4	
161	118.253	21.585	-0.77	
162	118.389	15.405	-0.618	
163	117.127	-6.387	-0.443	
164	115.52	-6.863	-0.418	
165	80.543	-5.721	-0.311	
166	81.575	15.782	-0.563	
167	81.369	19.339	-0.644	
168	89.909	32.682	-1.044	
169	94.755	44.955	-1.467	
170	88.177	57.313	-1.878	
171	107.42	70.476	-2.379	
172	118.1	80.915	-2.865	
173	127.058	81.511	-2.916	
174	123.875	79.438	-2.887	
175	75.815	78.177	-2.669	
176	68.245	68.142	-2.147	
177	39.329	76.371	-2.352	
178	38.64	66.689	-1.896	
179	40.17	54.944	-1.508	
180	26.444	54.228	-1.415	
181	-7.835	52.716	-1.14	
182	11.437	41.358	-0.997	
183	46.911	42.663	-1.304	
184	60.042	43.257	-1.356	



185	56.561	30.981	-0.941
186	42.785	30.326	-0.832
187	8.597	29.041	-0.601
188	52,005	18.114	-0.598
189	52.21	16.149	-0.579
190	49.262	-5.163	-0.393
191	-44.432	-6.159	0.335
192	-42.303	-4.71	0.29
193	-34.717	3.775	0.216
194	-35.45	15.544	-0.006
195	-17.8	16.069	-0.086
196	14.12	16.308	-0.318
197	14.144	16.875	-0.34
198	76.406	19.178	-0.637
199	76.107	15.925	-0.586
200	-39.871	27.497	-0.283
201	-37.028	39.529	-0.603
202	-55.875	50.714	-0.754
203	-44.514	63.088	-1.129
204	-43.027	73.167	-1.489
205	-16.353	74.104	-1.739
206	-103.088	71.042	-0.793
207	-104.12	60.905	-0.513
208	-104.404	48.971	-0.261
209	-97.744	37.384	-0.147
210	-101.872	25.326	0.151
211	-99.9	13.633	0.303
212	-96.375	1.798	0.437
213	-104.796	-8.941	0.472
214	-106.69	-10.661	0.42
215	-162.564	-11.579	0.806
216	-163.502	-9.483	0.811
217	-155.909	-0.445	0.823
218	-155.998	11.485	0.743
219	-150.751	23.482	0.586
220	-145.904	35.595	0.356
221	-152.66	47.156	0.273
222	-144.948	59.508	-0.023
223	-143.477	69.628	-0.312
224	-259.468	65.783	1.492
225	-260.198	55.275	1.727
226	-262.418	42.854	1.897
227	-249.054	43.426	1.662
228	-211.863	44.913	1.066
229	-194.178	33.796	0.902



230	-229.788	32.269	1.396
231	-242.621	31.816	1.601
232	-246.981	19.968	1.729
233	-232.898	20.473	1.542
234	-199.163	21.756	1.102
235	-199.042	9.933	1.25
236	-258.03	7.675	1.905
237	-256.754	-4.367	1.879
238	-256.491	-14.315	1.74
239	-172.309	-15.505	0.598
240	13.814	-10.318	-0.565
241	-70.806	-12.873	-4.484
242	-70.785	-15.164	17.642
243	-70.961	12.817	17.802
1	-46.474	-4.203	-1.985
2	-19.074	71.9	-4.199
3	-122.654	68.264	-2.782
244	324.776	44.632	-1.342
245	331.673	101.054	-3.663
246	334.728	103.561	-3.774
247	422.747	117.767	-3.661
248	422.119	107.923	-3.127
249	423.232	95.7	-2.576
250	409.524	93.418	-2.623
251	375.722	88.05	-2.691
252	394.543	79.22	-2.2
253	429.205	85.049	-2.123
254	442.183	87.329	-2.073
255	438.663	74.327	-1.585
256	424.835	71.951	-1.637
257	391.397	66.433	-1.712
258	430.941	61.037	-1.132
259	432.943	49.599	-0.847
260	407.686	45.674	-0.786
261	384.426	42.378	-0.858
262	360.106	38.831	-0.941
263	347.303	36.78	-0.937
264	337.323	35.229	-0.954
265	336.014	35.014	-0.941
266	333.062	33.428	-0.982
267	330.307	29.91	-0.839
268	328.643	26.688	-0.703
269	328.076	23.422	-0.673
270	328.112	19.934	-0.716
271	328,471	18.3	-0.648



272       329.651       16.762         273       331.002       15.966         274       333.78       14.975         275       336.944       14.434         276       340.768       14.096         277       345.254       13.884         278       353.245       13.507         279       364.199       13.128         280       378.04       12.551         281       390.107       11.747         282       401.206       11.175         283       412.805       10.012         284       421.667       9.059         285       430.741       7.974         286       439.603       6.858         440.205       6.858	
274       333.78       14.975         275       336.944       14.434         276       340.768       14.096         277       345.254       13.884         278       353.245       13.507         279       364.199       13.128         280       378.04       12.551         281       390.107       11.747         282       401.206       11.175         283       412.805       10.012         284       421.667       9.059         285       430.741       7.974         286       439.603       6.858	-0.65
275       336.944       14.434         276       340.768       14.096         277       345.254       13.884         278       353.245       13.507         279       364.199       13.128         280       378.04       12.551         281       390.107       11.747         282       401.206       11.175         283       412.805       10.012         284       421.667       9.059         285       430.741       7.974         286       439.603       6.858	-0.688
276       340.768       14.096         277       345.254       13.884         278       353.245       13.507         279       364.199       13.128         280       378.04       12.551         281       390.107       11.747         282       401.206       11.175         283       412.805       10.012         284       421.667       9.059         285       430.741       7.974         286       439.603       6.858	-0.646
277       345.254       13.884         278       353.245       13.507         279       364.199       13.128         280       378.04       12.551         281       390.107       11.747         282       401.206       11.175         283       412.805       10.012         284       421.667       9.059         285       430.741       7.974         286       439.603       6.858	-0.622
278       353.245       13.507         279       364.199       13.128         280       378.04       12.551         281       390.107       11.747         282       401.206       11.175         283       412.805       10.012         284       421.667       9.059         285       430.741       7.974         286       439.603       6.858	-0.577
279       364.199       13.128         280       378.04       12.551         281       390.107       11.747         282       401.206       11.175         283       412.805       10.012         284       421.667       9.059         285       430.741       7.974         286       439.603       6.858	-0.581
280     378.04     12.551       281     390.107     11.747       282     401.206     11.175       283     412.805     10.012       284     421.667     9.059       285     430.741     7.974       286     439.603     6.858	-0.446
281     390.107     11.747       282     401.206     11.175       283     412.805     10.012       284     421.667     9.059       285     430.741     7.974       286     439.603     6.858	-0.348
282       401.206       11.175         283       412.805       10.012         284       421.667       9.059         285       430.741       7.974         286       439.603       6.858	-0.322
283       412.805       10.012         284       421.667       9.059         285       430.741       7.974         286       439.603       6.858	-0.322
284       421.667       9.059         285       430.741       7.974         286       439.603       6.858	-0.31
285 430.741 7.974 286 439.603 6.858	-0.233
286 439.603 6.858	-0.187
	-0.1
207	-0.053
287 448.395 5.803	0.03
288 450.82 5.525	0.07
289 449.583 21.815	-0.251
290 446.162 2.581	-0.202
291 448.27 -14.803	-1.699
292 442.656 -18.999	-2.201
293 441.603 -19.836	-2.268
294 426.263 -16.449	-2.094
295 401.397 -13.738	-2.128
296 401.85 -12.835	-2.083
297 407.922 -6.61	-1.505
298 385.182 -12.655	-2.044
299 365.669 -11.721	-1.987
300 366.356 -10.347	-1.941
301 372.124 -3.644	-1.407
302 345.138 -11.072	-1.933
303 323.73 -10.694	-1.809
304 323.836 -9.631	-1.777
305 331.628 -1.631	-1.336
306 332.204 10.312	-0.772
307 362.585 9.381	-0.543
308 368.769 6.462	-0.702
309 376.44 -0.757	-1.162
310 385.43 8.308	-0.541
311 415.671 6.003	-0.434
312 421.821 -4.964	-1.241
313 430.593 0.626	-0.648
314 426.439 4.79	0 272
315 440.498 3.227	-0.373
316 367.582 -17.541	-0.373

317         373.742         51.72         -1.304           318         368.813         99.335         -3.247           319         368.797         108.94         -3.708           400         -149.934         62.504         -0.042           401         -159.648         63.325         0.074           402         -150.62         55.698         0.096           403         -160.275         56.505         0.214           404         -119.537         46.868         -0.094           405         -129.417         47.658         -0.011           406         -129.954         40.855         0.111           407         -120.484         40.109         0.037           408         -110.334         23.757         0.231           409         -119.539         28.419         0.226           410         -122.468         22.754         0.357           411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           413         -150.182         6.822         0.692           415         -140.662         7.085         0.608				
318         368.813         99.335         -3.247           319         368.797         108.94         -3.708           400         -149.934         62.504         -0.042           401         -159.648         63.325         0.074           402         -150.62         55.698         0.096           403         -160.275         56.505         0.214           404         -119.537         46.868         -0.094           405         -129.417         47.658         -0.011           406         -129.954         40.855         0.111           407         -120.484         40.109         0.037           408         -110.334         23.757         0.231           409         -119.539         28.419         0.226           410         -122.468         22.754         0.357           411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608	317	373.742	51.72	-1.304
319         368.797         108.94         -3.708           400         -149.934         62.504         -0.042           401         -159.648         63.325         0.074           402         -150.62         55.698         0.096           403         -160.275         56.505         0.214           404         -119.537         46.868         -0.094           405         -129.417         47.658         -0.011           406         -129.954         40.855         0.111           407         -120.484         40.109         0.037           408         -110.334         23.757         0.231           409         -119.539         28.419         0.226           410         -122.468         22.754         0.357           411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71				
400         -149.934         62.504         -0.042           401         -159.648         63.325         0.074           402         -150.62         55.698         0.096           403         -160.275         56.505         0.214           404         -119.537         46.868         -0.094           405         -129.417         47.658         -0.011           406         -129.954         40.855         0.111           407         -120.484         40.109         0.037           408         -110.334         23.757         0.231           409         -119.539         28.419         0.226           410         -122.468         22.754         0.357           411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787	319			
401         -159.648         63.325         0.074           402         -150.62         55.698         0.096           403         -160.275         56.505         0.214           404         -119.537         46.868         -0.094           405         -129.417         47.658         -0.011           406         -129.954         40.855         0.111           407         -120.484         40.109         0.037           408         -110.334         23.757         0.231           409         -119.539         28.419         0.226           410         -122.468         22.754         0.357           411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787           418         -153.826         -1.948         0.781	400	-149.934		
402         -150.62         55.698         0.096           403         -160.275         56.505         0.214           404         -119.537         46.868         -0.094           405         -129.417         47.658         -0.011           406         -129.954         40.855         0.111           407         -120.484         40.109         0.037           408         -110.334         23.757         0.231           409         -119.539         28.419         0.226           410         -122.468         22.754         0.357           411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787           418         -154.193         -8.617         0.744           420         -144.761         -9.022         0.687	401	-159.648		
403         -160.275         56.505         0.214           404         -119.537         46.868         -0.094           405         -129.417         47.658         -0.011           406         -129.954         40.855         0.111           407         -120.484         40.109         0.037           408         -110.334         23.757         0.231           409         -119.539         28.419         0.226           410         -122.468         22.754         0.357           410         -122.468         22.754         0.357           411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787           418         -153.826         -1.948         0.781           419         -154.193         -8.617         0.744	402	-150.62		
404         -119.537         46.868         -0.094           405         -129.417         47.658         -0.011           406         -129.954         40.855         0.111           407         -120.484         40.109         0.037           408         -110.334         23.757         0.231           409         -119.539         28.419         0.226           410         -122.468         22.754         0.357           411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.781           418         -153.826         -1.948         0.781           419         -154.193         -8.617         0.744           420         -144.761         -9.022         0.687           421         346.547         75.144         -2.359	403	-160.275		
405         -129.417         47.658         -0.011           406         -129.954         40.855         0.111           407         -120.484         40.109         0.037           408         -110.334         23.757         0.231           409         -119.539         28.419         0.226           410         -122.468         22.754         0.357           411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787           418         -153.826         -1.948         0.781           419         -154.193         -8.617         0.744           420         -144.761         -9.022         0.687           421         346.547         75.144         -2.359           422         340.035         82.197         -2.639	404			
406         -129.954         40.855         0.111           407         -120.484         40.109         0.037           408         -110.334         23.757         0.231           409         -119.539         28.419         0.226           410         -122.468         22.754         0.357           411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787           418         -153.826         -1.948         0.781           419         -154.193         -8.617         0.744           420         -144.761         -9.022         0.687           421         346.547         75.144         -2.359           422         340.035         82.197         -2.639           423         344.885         86.454         -2.825	405			
407         -120.484         40.109         0.037           408         -110.334         23.757         0.231           409         -119.539         28.419         0.226           410         -122.468         22.754         0.357           411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787           418         -153.826         -1.948         0.781           419         -154.193         -8.617         0.744           420         -144.761         -9.022         0.687           421         346.547         75.144         -2.359           422         340.035         82.197         -2.639           423         344.885         86.454         -2.825           424         351.775         78.699         -2.462	406			
408         -110.334         23.757         0.231           409         -119.539         28.419         0.226           410         -122.468         22.754         0.357           411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787           418         -153.826         -1.948         0.781           419         -154.193         -8.617         0.744           420         -144.761         -9.022         0.687           421         346.547         75.144         -2.359           422         340.035         82.197         -2.639           423         344.885         86.454         -2.825           424         351.775         78.699         -2.462           425         -129.427         42.012         0.124	407	-120.484		
409         -119.539         28.419         0.226           410         -122.468         22.754         0.357           411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787           418         -153.826         -1.948         0.781           419         -154.193         -8.617         0.744           420         -144.761         -9.022         0.687           421         346.547         75.144         -2.359           422         340.035         82.197         -2.639           423         344.885         86.454         -2.825           424         351.775         78.699         -2.462           425         -129.427         42.012         0.124           426         -87.462         39.691         -0.267	408			
410         -122.468         22.754         0.357           411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787           418         -153.826         -1.948         0.781           419         -154.193         -8.617         0.744           420         -144.761         -9.022         0.687           421         346.547         75.144         -2.359           422         340.035         82.197         -2.639           423         344.885         86.454         -2.825           424         351.775         78.699         -2.462           425         -129.427         42.012         0.124           426         -87.462         39.691         -0.267           427         -90.959         38.614         -0.234	409	-119.539		
411         -113.676         18.421         0.324           412         -140.994         13.719         0.576           -413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787           418         -153.826         -1.948         0.781           419         -154.193         -8.617         0.744           420         -144.761         -9.022         0.687           421         346.547         75.144         -2.359           422         340.035         82.197         -2.639           423         344.885         86.454         -2.825           424         351.775         78.699         -2.462           425         -129.427         42.012         0.124           426         -87.462         39.691         -0.267           427         -90.959         38.614         -0.234           428         -91.9         36.639         -0.199	410	-122.468		
412         -140.994         13.719         0.576           -413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787           418         -153.826         -1.948         0.781           419         -154.193         -8.617         0.744           420         -144.761         -9.022         0.687           421         346.547         75.144         -2.359           422         340.035         82.197         -2.639           423         344.885         86.454         -2.825           424         351.775         78.699         -2.462           425         -129.427         42.012         0.124           426         -87.462         39.691         -0.267           427         -90.959         38.614         -0.234           428         -91.9         36.639         -0.199           429         -87.821         31.997         -0.121	411			
-413         -150.267         13.487         0.655           414         -150.182         6.822         0.692           415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787           418         -153.826         -1.948         0.781           419         -154.193         -8.617         0.744           420         -144.761         -9.022         0.687           421         346.547         75.144         -2.359           422         340.035         82.197         -2.639           423         344.885         86.454         -2.825           424         351.775         78.699         -2.462           425         -129.427         42.012         0.124           426         -87.462         39.691         -0.267           427         -90.959         38.614         -0.234           428         -91.9         36.639         -0.199           429         -87.821         31.997         -0.121           430         -91.105         30.726         -0.072				
414       -150.182       6.822       0.692         415       -140.662       7.085       0.608         416       -144.366       -2.395       0.71         417       -153.838       -1.944       0.787         418       -153.826       -1.948       0.781         419       -154.193       -8.617       0.744         420       -144.761       -9.022       0.687         421       346.547       75.144       -2.359         422       340.035       82.197       -2.639         423       344.885       86.454       -2.825         424       351.775       78.699       -2.462         425       -129.427       42.012       0.124         426       -87.462       39.691       -0.267         427       -90.959       38.614       -0.234         428       -91.9       36.639       -0.199         429       -87.821       31.997       -0.121         430       -91.105       30.726       -0.072         431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026 <td></td> <td>-150.267</td> <td></td> <td></td>		-150.267		
415         -140.662         7.085         0.608           416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787           418         -153.826         -1.948         0.781           419         -154.193         -8.617         0.744           420         -144.761         -9.022         0.687           421         346.547         75.144         -2.359           422         340.035         82.197         -2.639           423         344.885         86.454         -2.825           424         351.775         78.699         -2.462           425         -129.427         42.012         0.124           426         -87.462         39.691         -0.267           427         -90.959         38.614         -0.234           428         -91.9         36.639         -0.199           429         -87.821         31.997         -0.121           430         -91.105         30.726         -0.072           431         -94.017         8.725         0.331           432         -91.748         2.383         0.413           <		-150.182		
416         -144.366         -2.395         0.71           417         -153.838         -1.944         0.787           418         -153.826         -1.948         0.781           419         -154.193         -8.617         0.744           420         -144.761         -9.022         0.687           421         346.547         75.144         -2.359           422         340.035         82.197         -2.639           423         344.885         86.454         -2.825           424         351.775         78.699         -2.462           425         -129.427         42.012         0.124           426         -87.462         39.691         -0.267           427         -90.959         38.614         -0.234           428         -91.9         36.639         -0.199           429         -87.821         31.997         -0.121           430         -91.105         30.726         -0.072           431         -94.017         8.725         0.331           432         -91.748         2.383         0.413           433         -86.026         -9.827         0.536           <				
417       -153.838       -1.944       0.787         418       -153.826       -1.948       0.781         419       -154.193       -8.617       0.744         420       -144.761       -9.022       0.687         421       346.547       75.144       -2.359         422       340.035       82.197       -2.639         423       344.885       86.454       -2.825         424       351.775       78.699       -2.462         425       -129.427       42.012       0.124         426       -87.462       39.691       -0.267         427       -90.959       38.614       -0.234         428       -91.9       36.639       -0.199         429       -87.821       31.997       -0.121         430       -91.105       30.726       -0.072         431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61	416	-144.366		
418       -153.826       -1.948       0.781         419       -154.193       -8.617       0.744         420       -144.761       -9.022       0.687         421       346.547       75.144       -2.359         422       340.035       82.197       -2.639         423       344.885       86.454       -2.825         424       351.775       78.699       -2.462         425       -129.427       42.012       0.124         426       -87.462       39.691       -0.267         427       -90.959       38.614       -0.234         428       -91.9       36.639       -0.199         429       -87.821       31.997       -0.121         430       -91.105       30.726       -0.072         431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463	417			
419       -154.193       -8.617       0.744         420       -144.761       -9.022       0.687         421       346.547       75.144       -2.359         422       340.035       82.197       -2.639         423       344.885       86.454       -2.825         424       351.775       78.699       -2.462         425       -129.427       42.012       0.124         426       -87.462       39.691       -0.267         427       -90.959       38.614       -0.234         428       -91.9       36.639       -0.199         429       -87.821       31.997       -0.121         430       -91.105       30.726       -0.072         431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463       -3.533       0.445         438       -82.116	418			
420       -144.761       -9.022       0.687         421       346.547       75.144       -2.359         422       340.035       82.197       -2.639         423       344.885       86.454       -2.825         424       351.775       78.699       -2.462         425       -129.427       42.012       0.124         426       -87.462       39.691       -0.267         427       -90.959       38.614       -0.234         428       -91.9       36.639       -0.199         429       -87.821       31.997       -0.121         430       -91.105       30.726       -0.072         431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463       -3.533       0.445         438       -82.116       -3.979       2.451         439       -124.831	419	-154.193		
421       346.547       75.144       -2.359         422       340.035       82.197       -2.639         423       344.885       86.454       -2.825         424       351.775       78.699       -2.462         425       -129.427       42.012       0.124         426       -87.462       39.691       -0.267         427       -90.959       38.614       -0.234         428       -91.9       36.639       -0.199         429       -87.821       31.997       -0.121         430       -91.105       30.726       -0.072         431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463       -3.533       0.445         438       -82.116       -3.979       2.451         439       -124.831       -12.732       0.745         440       -118.742	420			
422       340.035       82.197       -2.639         423       344.885       86.454       -2.825         424       351.775       78.699       -2.462         425       -129.427       42.012       0.124         426       -87.462       39.691       -0.267         427       -90.959       38.614       -0.234         428       -91.9       36.639       -0.199         429       -87.821       31.997       -0.121         430       -91.105       30.726       -0.072         431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463       -3.533       0.445         438       -82.116       -3.979       2.451         439       -124.831       -12.732       0.745         440       -118.742       -12.243       0.67	421			
423       344.885       86.454       -2.825         424       351.775       78.699       -2.462         425       -129.427       42.012       0.124         426       -87.462       39.691       -0.267         427       -90.959       38.614       -0.234         428       -91.9       36.639       -0.199         429       -87.821       31.997       -0.121         430       -91.105       30.726       -0.072         431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463       -3.533       0.445         438       -82.116       -3.979       2.451         439       -124.831       -12.732       0.745         440       -118.742       -12.243       0.67	422	340.035		
424       351.775       78.699       -2.462         425       -129.427       42.012       0.124         426       -87.462       39.691       -0.267         427       -90.959       38.614       -0.234         428       -91.9       36.639       -0.199         429       -87.821       31.997       -0.121         430       -91.105       30.726       -0.072         431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463       -3.533       0.445         438       -82.116       -3.979       2.451         439       -124.831       -12.732       0.745         440       -118.742       -12.243       0.67	423	344.885		
425       -129.427       42.012       0.124         426       -87.462       39.691       -0.267         427       -90.959       38.614       -0.234         428       -91.9       36.639       -0.199         429       -87.821       31.997       -0.121         430       -91.105       30.726       -0.072         431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463       -3.533       0.445         438       -82.116       -3.979       2.451         439       -124.831       -12.732       0.745         440       -118.742       -12.243       0.67	424	351.775		
426       -87.462       39.691       -0.267         427       -90.959       38.614       -0.234         428       -91.9       36.639       -0.199         429       -87.821       31.997       -0.121         430       -91.105       30.726       -0.072         431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463       -3.533       0.445         438       -82.116       -3.979       2.451         439       -124.831       -12.732       0.745         440       -118.742       -12.243       0.67	425	-129.427		
427       -90.959       38.614       -0.234         428       -91.9       36.639       -0.199         429       -87.821       31.997       -0.121         430       -91.105       30.726       -0.072         431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463       -3.533       0.445         438       -82.116       -3.979       2.451         439       -124.831       -12.732       0.745         440       -118.742       -12.243       0.67	426	-87.462		
428       -91.9       36.639       -0.199         429       -87.821       31.997       -0.121         430       -91.105       30.726       -0.072         431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463       -3.533       0.445         438       -82.116       -3.979       2.451         439       -124.831       -12.732       0.745         440       -118.742       -12.243       0.67	427	-90.959	38.614	
429     -87.821     31.997     -0.121       430     -91.105     30.726     -0.072       431     -94.017     8.725     0.331       432     -91.748     2.383     0.413       433     -86.026     -9.827     0.536       434     -87.394     0.028     0.403       435     -81.12     0.954     0.413       436     -79.61     -8.362     0.85       437     -80.463     -3.533     0.445       438     -82.116     -3.979     2.451       439     -124.831     -12.732     0.745       440     -118.742     -12.243     0.67	428	-91.9		
430       -91.105       30.726       -0.072         431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463       -3.533       0.445         438       -82.116       -3.979       2.451         439       -124.831       -12.732       0.745         440       -118.742       -12.243       0.67	429	-87.821	31.997	
431       -94.017       8.725       0.331         432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463       -3.533       0.445         438       -82.116       -3.979       2.451         439       -124.831       -12.732       0.745         440       -118.742       -12.243       0.67	430	-91.105		
432       -91.748       2.383       0.413         433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463       -3.533       0.445         438       -82.116       -3.979       2.451         439       -124.831       -12.732       0.745         440       -118.742       -12.243       0.67	431	-94.017		
433       -86.026       -9.827       0.536         434       -87.394       0.028       0.403         435       -81.12       0.954       0.413         436       -79.61       -8.362       0.85         437       -80.463       -3.533       0.445         438       -82.116       -3.979       2.451         439       -124.831       -12.732       0.745         440       -118.742       -12.243       0.67	432	-91.748	2.383	
434     -87.394     0.028     0.403       435     -81.12     0.954     0.413       436     -79.61     -8.362     0.85       437     -80.463     -3.533     0.445       438     -82.116     -3.979     2.451       439     -124.831     -12.732     0.745       440     -118.742     -12.243     0.67	433	-86.026	-9.827	
435     -81.12     0.954     0.413       436     -79.61     -8.362     0.85       437     -80.463     -3.533     0.445       438     -82.116     -3.979     2.451       439     -124.831     -12.732     0.745       440     -118.742     -12.243     0.67	434	-87.394	0.028	
436     -79.61     -8.362     0.85       437     -80.463     -3.533     0.445       438     -82.116     -3.979     2.451       439     -124.831     -12.732     0.745       440     -118.742     -12.243     0.67	435	-81.12		
437     -80.463     -3.533     0.445       438     -82.116     -3.979     2.451       439     -124.831     -12.732     0.745       440     -118.742     -12.243     0.67	436	-79.61	-8.362	
438       -82.116       -3.979       2.451         439       -124.831       -12.732       0.745         440       -118.742       -12.243       0.67	437	-80.463		
439 -124.831 -12.732 0.745 440 -118.742 -12.243 0.67	438	-82.116		
440 -118.742 -12.243 0.67	439			
	440	-118.742		
1,11,51	441	-112.828	-11.781	0.805

442	-105.839	-11.547	0.115
443	-101.154	-11.762	0.02
444	-96.826	-11.93	-0.038
445	-93.079	-12.507	-0.025
446	-89.766	-12.716	-0.127
447	-86.661	-12,428	-0.16
448	-78.946	-10.088	0.133
449	-76.727	-9.228	-0.205
450	-75.14	-8.703	0.161
451	-71.339	-7.966	0.631
452	-69.405	-7.589	0.874
453	-66.072	-7.348	0.708
454	-63.277	-7.177	0.609
455	-56.926	-6.956	0.7
456	-80.925	2.264	0.398
457	-81.273	2.949	0.386
321	-59.479	-6.843	0.392
322	-67.645	-7.273	0.404
323	-75.553	-7.678	0.431
324	-79.603	-7.849	0.427
325	-86.268	-8.083	0.468
326	-91.198	-8.734	0.474
327	-98.55	-9.551	0.501
328	-105.256	-10.433	0.452
329	-111.393	-11.299	0.459
330	-118.886	-12.239	0.54
331	-126.67	-12.625	0.576
332	-133.75	-13.1	0.505
333	-138.787	-12.766	0.608
334	-144.877	-12.03	0.654
335	-149.545	-11.636	0.755
336	-157.451	-11.572	0.758
337	-167.254	-11.617	0.842
338	-175.456	-11.822	0.991
339	-6.867	-6.603	-0.42
340	-13.179	-6.772	-0.325
341	-19.422	-7.012	-0.309
342	-25.606	-7.233	-0.315
11	-46.471	-4.201	5.019
22	-19.07	71.899	2.798
33	-122.639	68.291	4.222
458	-76.19	5.865	0.322
343	-2.929	64.839	-1.501

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

MULTIDISCIPLINARY AU CHP 558D (Rev. 9-08) OPI 065	CCIDENT II		SATION TEAM	NARRATIVE/DIAGR	AM	
DATE OF COLLISION (MONTH-DAY, YEAR) 01-12-2019	1212	NCIC	OFFICER ID	NUMBER C19-501-001	MAIT CASE NUMBER SL-001-19	PAGE

### Annex B

Physical evidence measurement data obtained from Leica ScanStation.

## Annex B

### Physical Evidence Measurment Data

]	Point ID	<u>X</u>	Y	<u>Z</u>
	900	-160.985	61.314	4.529
	901	-162.229	59.82	3.762
	902	-162.242	59.356	3.763
	903	-122.735	25.306	3.374

## COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE: JANUARY 30, 2019

FILE NO.: 019-00195-2241-013

ASSAULT ON A PEACE OFFICER. C:

243(C)(2) P.C.

OFFICER/ DEPUTY INVOLVED

SHOOTING

(SUSPECT DECEASED)

V1: DEPUTY NOEL JUAREZ

VENTURA COUNTY SHERIFF

**DEPARTMENT** EMPLOYEE # 3336

(UNINJURED)

V2: OFFICER BRIAN GREEN

CALIFORNIA HIGHWAY PATROL

EMPLOYEE # 16383

(UNINJURED)

JANUARY 12, 2019 (SATURDAY) AT 1030 D:

HOURS

SOUTHBOUND HIGHWAY 101 @ LAS L:

VIRGENES ROAD, CALABASAS, CA

91302

S:

MH/45, DOB: (DECEASED)

ACTION: ACTIVE / RESPONSE / VIDEO

EVIDENCE RECEIVED / OFFICERS AND DEPUTIES PHOTOGRAPHED / ROUND

COUNT/ WITNESSES

INTERVIEWED / OFFICERS

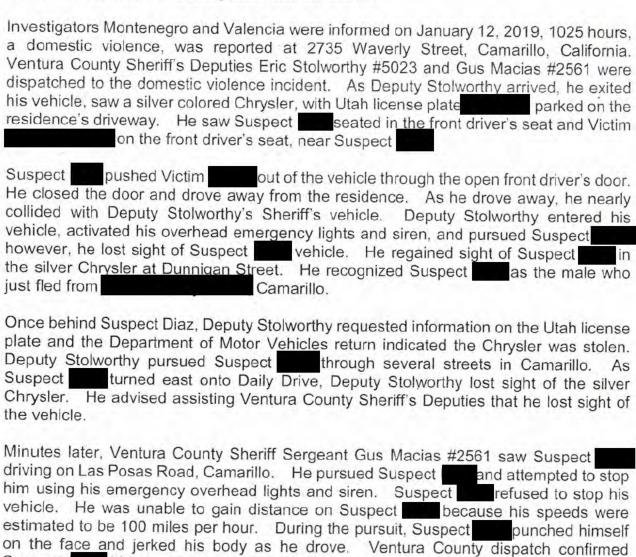
AND DEPUTIES

INTERVIEWED / MVARS

VIDEO RECEIVED/ AUTOPSY/ FIREARM PICK UP /REVIEW OF AUDIO / CC# 2019-00338

### RESPONSE

On January 12, 2019, at 1430 hours, Homicide Investigators Montenegro and Valencia were directed to respond to the command post located at southbound U.S. Highway 101, at the Las Virgenes Road exit, Calabasas, California, 91302, to investigate an assault on a Ventura County Sheriff's Deputy and a California Highway Patrol Officer. The assault on the two peace officers resulted in a deputy and officer involved shooting. The shooting resulted in the death of one male adult. Upon their arrival, Investigators Montenegro and Valencia were briefed of the known circumstances regarding the deputy and officer involved shooting by Ventura County Sheriff's Sergeant Ron Chips and California Highway Patrol Sergeant Matthew Marien.



Suspect identity and advised that he had an outstanding armed and dangerous

warrant from another state and was on parole. Ventura County Sheriff's units advised the California Highway Patrol of the vehicle pursuit and requested their assistance.

At approximately 1044 hours, California Highway Patrol Officer Timothy Putzel # 16712 advised he was the second vehicle in the pursuit, behind a Ventura County Sheriff's vehicle. The vehicle pursuit was southbound on U.S. Highway 101. Moments later, the Ventura County Sheriff's aero unit advised they were overhead and monitored the vehicle pursuit. At approximately 1046 hours, California Highway Patrol advised they were the primary agency behind Suspect Several additional California Highway Patrol units joined the vehicle pursuit.

At approximately 1111 hours, California Highway Patrol dispatch advised Suspect was a wanted felon, had psychological concerns, was a gang member, was known to have weapons and had a no bail warrant. The pursuit continued southbound U.S. Highway 101 toward the Calabasas area. At approximately 1115 hours, the California Highway Patrol dispatch advised their units to cancel the vehicle pursuit. Moments after the cancellation of the pursuit, Suspect ost control of his silver Chrysler and collided into the west guardrail of the southbound U.S. Highway 101.

Upon the collision, Suspect exited his vehicle and barricaded himself behind his vehicle. California Highway Patrol Officers Brian Green #16383, Werner Pineda #20296, Michael Throgmorton #17973 and Brady Fary #16234 advised their dispatch they had Suspect detained at gunpoint. They gave multiple verbal orders to Suspect so they could take him into custody. Suspect refused their orders. During the barricade, Ventura County Sheriff's Deputy Noel Juarez #3336, Sergeant Alan Hartkop #3008, and California Highway Patrol Officer Scott Bemiller #21079 and Sergeant Michael Monteagudo #16249 arrived.

The Barricade continued for a lengthy period of time and orders for compliance were continually given, but Suspect refused. At approximately 1217 hours, Suspect made a furtive movement with an apparent knife in hand and an officer and deputy involved shooting occurred. Suspect was struck with the gunfire and fell to the ground.

Los Angeles County Fire Engine #89 responded to the shooting scene and treated Suspect for his injuries. Los Angeles County Fire Paramedic pronounced Suspect deceased at 1215 hours.

Following the shooting, Ventura County Sheriff's Department Deputy Juarez and Sergeant Hartkop were transported to the Los Angeles County Sheriff's Department's Lost Hills Station. California Highway Patrol Officers Green, Pineda, Throgmorton, Fary, Putzel and Bemiller, along with Sergeant Monteagudo, were transported to the California Highway Patrol Moorpark Station.

### VIDEO FROM VENTURA COUNTY SHERIFF'S SERGEANT

VIDEO TROM VENTORA COUNTY SHERIFF S SERGEANT
On January 12, 2019, at approximately 1430 hours, Investigator Valencia received a telephone call from Sergeant Ron Chips of the Ventura County Sheriff's Department. He advised he had cellular telephone video of the shooting of Suspect At 1451 hours Sergeant Chips forwarded the cellular telephone videos to Investigator Valencia's Los Angeles County cellular telephone. The videos were downloaded from Witness cellular telephone. The videos were downloaded to a disc and will remain a permanent part of the case file.
Video ips-7F80825C-7EC8-406C-95EE-7D8C4178E11B.MP was captured from the inside Witness vehicle. The video showed California Highway Patrol Officers approaching Suspect As the officers approached several gunshot were heard.
Video ips-D5462914-28AF-40FC-93A3-C2220EB4E7CE.MP was capture from the inside of Witness vehicle. The video showed California Highway Patrol Officers and Ventura County Sheriff's Deputies approaching Suspect vehicle. As the officers approached several gunshot were heard.
Video 557A569C-85A5-4F77-834B-A69F9-2C7E7DA.MP4 was capture from the inside of Witness vehicle. The video showed California Highway Patrol Officers and Ventura County Sheriff's Deputies approaching Suspect vehicle. As the officers approached several gunshot were heard.
Video ips-1FEBBEC4-FDA7-4247-88C5-63B00663D766.MP4 was capture from the inside of Witness vehicle. The video showed California Highway Patrol Officers and Ventura County Sheriff's Deputies approaching Suspect vehicle.
Video IMG_0380.3GP was captured from the inside Witness vehicle. The video showed California Highway Patrol Officers approaching Suspect As the officers approached several gunshot were heard.
INTERVIEW OF WITNESS
On January 12, 2019, at 1649 hours, Investigators conducted an interview with WITNESS

# in her vehicle parked on Southbound Highway 101, north of Las Virgenes Road. The interview was recorded in its entirety and the following is only a synopsis of that interview. Exact details and precise verbiage may be obtained

by reviewing the audio recording. Transcripts can be provided if necessary.

Witness told Investigators she was seated on the front passenger seat of her vehicle in the number one lane, of southbound traffic, at the time of the officer and deputy

involved shooting. She initially became aware of the incident when she saw the police chasing a silver vehicle which crashed into the guardrail.

Witness could not see anyone in or around the silver vehicle, but she saw the officers pointing long guns, possibly shotguns, at the silver vehicle and giving commands. She could not hear what was being said by the officers and did not hear anything coming from the silver vehicle. After an undetermined amount of time, Witness heard gunfire and saw a blue flame protrude from one of the long guns. She was unable to provide any further information regarding the incident.

### VENTURA COUNTY SHERIFF'S DEPARTMENT DEPUTIES PHOTOGRAPHED

On January 12, 2019, at 1715 hours, Los Angeles County Sheriff's Department Forensic Identification Specialist (F.I.S.) I responded to the Los Angeles County Sheriff's Department's Lost Hills Station and photographed Ventura County Sheriff's Department Deputy Juarez and Sergeant Hartkop in their respective uniforms.

### CALIFORNIA HIGHWAY PATROL OFFICERS AMMUNITION INVENTORY

On January 12, 2019, at approximately 1929 hours, Homicide Investigators Montenegro and Valencia contacted the involved California Highway Patrol Officers at the Moorpark California Highway Patrol office. They advised Investigators they would not be able to provide a statement until they had the opportunity to review available video of the incident. The video was from the California Highway Patrol's Mobile Vehicle Audio Recording system.

All California Highway Patrol Officers were photographed in their respective uniforms, and an ammunition count was conducted. Some California Highway Patrol Officers were wearing the tan colored class "A' uniform, and others had on the blue inclement weather California Highway Patrol uniform. All officers were wearing their approved gun belt. Officer Brian Green #16838, Officer Timothy Putzel #16712, Brady Fary #16234, Officer Werner Pineda #20296, Officer Scott Bemiller #21079, Officer Michael Throgmorton #17973 and Sergeant Michael Monteagudo #16249 did not discharge their duty pistols during the incident. All of their ammunition was inventoried and accounted for after the inventory. The process was audio recorded and transcribed. Refer to transcription for details which will be submitted with this supplemental report.

### **INTERVIEW OF VENTURA COUNTY DEPUTY NOEL JUAREZ #3336**

On January 12, 2019, at 2152 hours, Investigators conducted an interview with VENTURA COUNTY SHERIFF'S DEPARTMENT DEPUTY NOEL JUAREZ MH/, inside a briefing room within the Lost Hills Sheriff's Station. Present with the Investigators and representing Deputy Juarez was attorney Howard Liberman from the

Law Corporation of Mastagni and Holstedt. The interview was recorded in its entirety and transcribed. Refer to transcription for details which will be submitted with this supplemental report.

### VIDEO FROM WITNESS

On January 14, 2019, at approximately 1830 hours, Investigator Valencia received a telephone call from Witness

She told Investigators she had cellular telephone video of the incident involving Suspect

At 1834 hours, Witness forwarded the cellular telephone videos to Investigator Valencia's Los Angeles County cellular telephone. Three videos were received.

Video IMG\_0577.mov was a video that showed the southbound U.S. Highway 101 and several California Highway Patrol vehicles and a California Highway Patrol Officer. In the audio background was the engine and rotor noise from a helicopter.

Video IMG\_0578.mov was a video that showed the southbound U.S. Highway 101 and one California Highway Patrol vehicle and one Ventura County Sheriff's vehicle. There was a Ventura County Sheriff deputy standing on the east side of his vehicle, and a California Highway Patrol Officer kneeling on the east side of his vehicle. In the background was the engine and rotor noise from a helicopter.

Video IMG\_0579.mov was a video that showed the southbound U.S. Highway 101, several California Highway Patrol vehicle and one Ventura County Sheriff's vehicle. There were deputies and officers standing near the police vehicles. Approximately half way through the video, some yelled, "Less Lethal" and a gunshot was heard. After the gunshot, the officers walked toward Suspect vehicle and there was another volley of gunshots.

The videos were downloaded to a disc and will remain a permanent part of the case file.

### INTERVIEW OF WITNESS

On January 15, 2019, at 1233 hours. Investigators conducted an interview with Witness The interview was conducted at California, 91335. The interview was recorded in its entirety and the following is only a synopsis of the interview. Exact details and precise verbiage may be obtained by reviewing the audio recording. Transcripts can be provided if necessary.

Witness told Investigators that on January 12, 2019, at approximately 1100 hours, she and Witness were in a U-Haul van traveling southbound on Highway 101 in the number one lane when they were passed by a silver vehicle driving on the center median shoulder. She saw the vehicle was being chased by police. Based on



the vehicles direction of travel, she believed the vehicles exited the freeway. She later saw the silver vehicle crashed into the guardrail.

Witness maneuvered their way to the center lane and were stopped directly behind the police vehicles. She exited the van and used her cellular telephone to take video of the incident.

Witness saw the suspect pacing back and forth behind his vehicle and at times would drop to his knees. At times, the suspect looked at the officers, and at other times, he appeared to be looking for something. She saw four or five police vehicles with officers wearing different colored uniforms. She heard the officers telling the suspect to, "Come out." The suspect was not listening and appeared agitated.

Witness saw one officer continued to move between the different police cars. She believed he was trying to get a better view of the suspect; however, she said she could see him perfectly. The next thing she heard gunfire. She said the gunfire did not come from the suspect because she knew he did not have a gun. She did not believe the suspect had a gun, because the officers would have picked it up afterwards.

Witness estimated she heard at least fifteen rounds fired. She said once the gunfire started everyone joined in, but the shooting was over quickly. After the shooting, the fire department arrived with additional police officers.

At the conclusion of the interview, Investigators returned Witness cellular telephone which she used to video record the incident. She gave her cellular telephone to officers the day of the shooting.

### **INTERVIEW OF WITNESS**

On January 15, 2019, at 1245 hours. Investigators conducted an interview with Witness
The interview was conducted at
Reseda, California, 91335. The interview was recorded in its entirety
and the following is only a synopsis of the interview. Exact details and precise verbiage
may be obtained by reviewing the audio recording and transcripts can be provided if
necessary.

Witness and Witness were southbound on Highway U.S. 101, in the number one lane, at about 60 miles per hour, driving a U-Haul rental truck, when a silver vehicle passed him on the highway's emergency shoulder. After the vehicle passed, he saw several California Highway Patrol vehicle pass him with their emergency lights activated. As he approached the Las Virgenes Road off-ramp, he saw the silver vehicle had collided with the west freeway guardrail.



Witness stopped his truck on the freeway behind the California Highway Patrol officers. Suspect exited his vehicle and he appeared agitated and cursed at the officers. Suspect walked back and forth on the south side of his vehicle. California Highway Patrol officers told Suspect to walk away from his vehicle with his hands up. There was other verbal communication, but he was unsure of what was said. At a point, Suspect appeared to walk toward the officers and he heard a single gunshot. Moments later, he heard a volley of additional gunshots. He was unsure who shot or how many shots were fired.

### INTERVIEW OF WITNESS

On January 15, 2019, at 1323 hours, Investigators conducted an interview with Witness The interview was conducted in the 5900 block of Las Virgenes Road, Calabasas, California, 91302. Present during the interview was Witness I The interview was recorded in its entirety and the following is only a synopsis of the interview. Exact details and precise verbiage may be obtained by reviewing the audio recording. Transcripts can be provided if necessary.

Witness was southbound on Highway 101 at the time of the officer involved shooting. She was on her way home from work and seconds away from exiting the Las Virgenes Road off ramp when she saw four police vehicles chasing a silver vehicle. Witness was in the number four lane. The silver vehicle and police vehicles were in the number one lane when she initially became aware of them. The silver vehicle crashed into the guardrail and the police vehicles surrounded the vehicle. The officers exited their respective vehicles and pointed guns at the suspect. Witness was approximately three car lengths behind the silver vehicle. There was one vehicle in front of her, and that vehicle was partially in the number four lane and number three lane.

Witness said she had a clear view of the silver vehicle, and recalled seeing two individuals in and around it. She described a female with dark curly hair and a male with a gray sweatshirt. She could never see more than their heads popping up and down on the opposite side of the silver vehicle. The police officers were all standing behind their doors and giving commands to the suspect; however, due to a U-Haul van playing loud music next to her, and the helicopter overhead, she could not hear what was being said.

Witness said the suspect did not seem to know what he wanted to do. He was constantly moving around and looking in and out of his car. She believed there was a second person in the back seat also moving around.

Eventually, Witness noticed one of the police officers make a hand gesture. Approximately thirty seconds later, she heard gunshots. She heard one shot then approximately four to five seconds later she heard four more shots. In between the first

gunshot and the second group of four gunshots, she saw police officers moving toward the suspect.

Additionally, Witness stated the second group of shots sounded different from the first gunshot, and were higher in pitch. She believed the second volley of gunshots came from a different gun. The first gunshot and the second group of shots came from the police officers. Immediately following the shooting, the police officers yelled for the fire department, who were on the freeway behind her. She saw someone get in the back of an ambulance and another person being treated by someone wearing gloves.

The interview concluded with Witness confirming that she sent three videos she had taken during the incident to Investigator Valencia.

### **AUTOSPY**

On January 16, 2019, at 0945 hours, Investigator Montenegro, attended the autopsy of Suspect at the Los Angeles County Medical Examiner's and Coroner's Office conducted by Doctors and Image: Also present during the autopsy were, Sergeant Jose Ahumada of the California Highway Patrol and District Attorney Investigator Sonia Florez of the Justice System Integrity Division.

At the time of the autopsy, Suspect weighed 133 pounds and was 71 inches in height.

Doctor reported the following injuries to Suspect

- A gunshot entry wound on the top of Suspect right wrist and a corresponding exit wound on the right side of the wrist.
- A gunshot entry wound to the top of his right forearm with a corresponding exit wound to the bottom of the forearm.
- A gunshot entry wound to the right jaw with a corresponding exit wound to the back of the head behind the right ear which was determined to be immediately fatal.
- A gunshot entry wound on the top of the left shoulder with an exit wound on the front of the shoulder.
- A gunshot entry wound on the top of the left hand exiting through the thumb.
- A partially severed finger on the left hand, possibly due to a closed fist at the time of being shot in the left hand.
- A gunshot entry wound to the lower right rib cage with an exit wound to the right mid back, passing through the liver and determined to be fatal but not immediately so.
- A projectile injury at the top center of his back with a piece of shrapnel recovered from his lung.



Multiple lacerations on his back.

Doctor reported that he would need additional time to determine further regarding the injuries, but ruled the death a Homicide as a result of multiple gunshot wounds.

### CALIFORNIA HIGHWAY PATROL MVARS VIDEO RECEIVED

On January 17, 2019, at approximately 1014 hours, Investigators received six compact discs containing video footage, from the MVARS system, of the incident involving Suspect from California Highway Patrol Lieutenant Denis Ford #13802. The surveillance video footage was made a permanent part of the case file.

## INTERVIEW OF CALIFORNIA HIGHWAY PATROL OFFICER TIMOTHY PUTZEL #16712

On January 17, 2019, at 1033 hours, Investigators conducted an interview with CALIFORNIA HIGHWAY PATROL OFFICER TIMOTHY PUTZEL MW/47, inside a briefing room within the Moorpark Sheriff's Station. Present with the Investigators and representing Officer Putzel were Representatives Russell Carver #13549 and Scott Marsden #20169 from the California Highway Patrol. Additionally, Sergeant Brian Axt #16940 and Sergeant John Cleveland #16012 from the Critical Incident Investigation Team were present during the interview. The interview was recorded in its entirety and transcribed. Refer to transcription for details which will be submitted with this supplemental report.

### INTERVIEW OF CALIFORNIA HIGHWAY PATROL OFFICER BRADY FARY #16234

On January 17, 2019, at 1130 hours, Investigators conducted an interview with CALIFORNIA HIGHWAY PATROL OFFICER BRADY FARY MW/4, inside a briefing room within the Moorpark Sheriff's Station. Present with the Investigators and representing Officer Fary were Representatives Russell Carver #13549 and Scott Marsden #20169 from the California Highway Patrol. Additionally, Sergeant Tim Jacobson #17050 and Sergeant Michael Pizzi #18050 from the Critical Incident Investigation Team were present during the interview. The interview was recorded in its entirety and transcribed. Refer to transcription for details which will be submitted with this supplemental report.

## INTERVIEW OF CALIFORNIA HIGHWAY PATROL OFFICER SCOTT BEMILLER #20179

On January 17, 2019, at 1227 hours, Investigators conducted an interview with CALIFORNIA HIGHWAY PATROL OFFICER SCOTT BEMILLER MW/2, inside a briefing room within the Moorpark Sheriff's Station. Present with the Investigators and representing Officer Bemiller was Representative Allyn Ball #16523 from the California Highway Patrol. Additionally, Sergeant Brian Axt #16940 and Sergeant John Cleveland #16012 from the Critical Incident Investigation Team were present during the interview. The interview was recorded in its entirety and transcribed. Refer to transcription for details which will be submitted with this supplemental report.

## INTERVIEW OF CALIFORNIA HIGHWAY PATROL OFFICER MICHAEL THROGMORTON #17973

On January 17, 2019, at 1305 hours, Investigators conducted an interview with CALIFORNIA HIGHWAY PATROL OFFICER MICHAEL THROGMORTON MW/, inside a briefing room within the Moorpark Sheriff's Station. Present with the Investigators and representing Officer Throgmorton were Representatives Russell Carver #13549 and Scott Marsden #20169 from the California Highway Patrol. Additionally, Sergeant Tim Jacobson #17050 and Sergeant Michael Pizzi #18050 from the Critical Incident Investigation Team were present during the interview. The interview was recorded in its entirety and transcribed. Refer to transcription for details which will be submitted with this supplemental report.

## INTERVIEW OF CALIFORNIA HIGHWAY PATROL OFFICER WERNER PINEDA #20296

On January 17, 2019, at 1344 hours, Investigators conducted an interview with CALIFORNIA HIGHWAY PATROL OFFICER WERNER PINEDA MH/, inside a briefing room within the Moorpark Sheriff's Station. Present with the Investigators and representing Officer Pineda were Representatives Scott Marsden #20169 and Allyn Ball #16523 from the California Highway Patrol. Additionally, Lieutenant Denis Ford #13802 and Sergeant Tim Jacobson #17050 from the Critical Incident Investigation Team were present during the interview. The interview was recorded in its entirety and transcribed. Refer to transcription for details which will be submitted with this supplemental report.

## INTERVIEW OF CALIFORNIA HIGHWAY PATROL SERGEANT MICHAEL MONTEAGUDO #16249

On January 17, 2019, at 1431 hours, Investigators conducted an interview with CALIFORNIA HIGHWAY PATROL SERGEANT MICHAEL MONTEAGUDO MH/, inside a briefing room within the Moorpark Sheriff's Station. Present with the

Investigators and representing Sergeant Monteagudo was Representative Allyn Ball #16523 from the California Highway Patrol. Additionally, Lieutenant Denis Ford #13802 and Lieutenant Laura Hill #17176 from the Critical Incident Investigation Team were present during the interview. The interview was recorded in its entirety and transcribed. Refer to transcription for details which will be submitted with this supplemental report.

## INTERIEW OF CALIFORNIA HIGHWAY PATROL OFFICER BRIAN GREEN #16383

On January 17, 2019, at 1512 hours, Investigators conducted an interview with CALIFORNIA HIGHWAY PATROL OFFICER BRIAN GREEN MW/ inside a briefing room within the Moorpark Sheriff's Station. Present with the Investigators and representing Officer Green was Representative Russell Carver #13549 from the California Highway Patrol. The interview was recorded in its entirety and transcribed. Refer to transcription for details which will be submitted with this supplemental report.

## FIREARM PICK UP FROM THE LOS ANGELES COUNTY CRIMINAL LABORATORY

On January 22, 2019, at approximately 1015 hours, Investigators went to the Los Angeles County Sheriff's Criminal Laboratory and contacted Firearms Criminalist #504662. She gave Investigators the three firearms that were removed from the scene where Suspect was shot. The three firearms were tested for functionality. Investigators received One Remington Arms shotgun, serial number # One Remington Arms shotgun, serial # and on Sig Sauer M400 rifle, serial #

### REVIEW OF CALIFORNIA HIGHWAY PATROL DISPATCH AUDIO

On January 22, 2019, Investigators reviewed the dispatch audio recording provided by the California Highway Patrol. The California Highway Patrol dispatcher advised the monitoring California Highway Patrol officers that Ventura County Sheriff's Department was in pursuit of a stolen 2018 gray Chrysler 300, Utah license plate

The dispatcher updated the gray Chrysler's location and that Suspect did not stop for a red light. The vehicle's speed was estimated to be 80 miles per hour.

At approximately 9 minutes into the recording, the dispatcher relayed to the California Highway Patrol officers, the suspect was also wanted for domestic violence. During the pursuit, Suspect slowed to approximately 37 miles per hour and began to strike himself. Ventura County Sheriff Helicopter #3 advised the pursuing police units that they had air support. At Sturgis Avenue and Camino Del Sol, Suspect did not stop a red light. He was estimated to drive through the red light at 50 mile per hour. Shortly after, Suspect entered the southbound U.S. Highway 101. At approximately 24 minutes into the recording, he threw an object out of his vehicle and onto the freeway.



At approximately 25 minutes into the recording, Suspect drove approximately 75-80 miles per hour and drove on the left emergency shoulder and number one lane of traffic. At approximately 35 minutes 30 seconds into the recording, a Ventura County Sheriff's male dispatcher advised the California Highway Patrol dispatcher that Suspect was a wanted Armed and Dangerous suspect. Suspect was also wanted for a Ventura County want, known to use drugs, psychological concerns, street gang member and a violation of parole.

At approximately 43 minutes into the recording, Suspect drove toward Kanan Road, and he drove on the left emergency shoulder at approximately 90 mile per hour. A California Highway Patrol officer advised all pursuing California Highway Patrol officers they should cancel their pursuit because of weather. At approximately 45 minutes 15 seconds into the recording, the same California Highway Patrol officer advised Suspect collided with the guardrail on the southbound U.S. Highway 101 at Las Virgenes Road.

At 45 minutes 45 seconds into the recording, Suspect barricaded himself on the south side of his vehicle. He reached into the vehicle and the officers were unable to see his hands. The California Highway Patrol officers were detaining Suspect at gunpoint. Ventura County Sheriff Helicopter #3 told the California Highway Patrol officers that Suspect was hiding his right hand inside his jacket and they were unable to determine if Suspect was armed. At 50 minutes 20 seconds into the recording, Suspect told the officers if he comes out from behind his vehicle, "He's coming out shooting."

At 56 minutes 50 seconds into the recording, a California Highway Patrol officer requested a K-9 police unit and if a less than lethal alternative was requested. At 1 hour 42 seconds into the recording, the California Highway Patrol dispatcher advised Suspect was seated in his vehicle and uncooperative. At approximately 1 hour 20 minutes into the recording, a California Highway Patrol dispatcher was advised of an officer involved shooting and the suspect was down. California Highway Patrol Officer Fary told the dispatcher the officer involved shooting radio traffic was not dispatched through the working radio frequency.

By: Detective Joseph Valencia # 296961 Detective Amber Montenegro # 440032

Approved: Lieutenant Scott Hoglund #277112 5 Homicide Bureau, Detective Division

#### COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE: JANUARY 28, 2019

FILE NO.: 019-00195-2241-013

C: ASSAULT ON A PEACE OFFICER,

243(C)(2) P.C.

OFFICER / DEPUTY INVOLVED

SHOOTING

(SUSPECT DECEASED)

V-1: DEPUTY NOEL JUAREZ

VENTURA COUNTY SHERIFF

DEPARTMENT

EMPLOYEE # 3336

(UNINJURED)

V-2: OFFICER BRIAN GREEN

CALIFORNIA HIGHWAY PATROL

EMPLOYEE # 16383

(UNINJURED)

D: JANUARY 12, 2019 (SATURDAY) AT 1030

**HOURS** 

L: SOUTHBOUND HIGHWAY 101 @ LAS

VIRGENES ROAD, CALABASAS, CA

91302

S:

(DECEASED)

**ACTION:** ACTIVE / MEASUREMENTS

OF EVIDENCE /

PHOTOGRAPHIC EVIDENCE /

RESPONSE / SCENE /

COLLECTION OF EVIDENCE /

CONTINUED INVESTIGATION

/ CC# 2019-00338

### **MEASUREMENTS OF EVIDENCE**

U.S. Highway 101 is a north/south designated highway. At the location of this scene the southbound portion of this highway is oriented traveling in an actual northeast direction. All measurements were taken using the highways designated direction of travel not actual direction. All measurements were taken from the Portland Cement Concrete (PCC) median wall traveling towards the right shoulder, designated as west, and right or left of Mile Post Marker 31.40 designated as south and north respectively.

### **EVIDENCE**

- EV-1: One "Remington" 12 gauge shotgun, serial number recovered in the rear compartment of a Ventura County Sheriff's Department black and white Chevy Tahoe, California license plate number Prelims item number 5.
- One fired shot shell, head stamped "FEDERAL 12 GA", three unfired shot shells, one headstamped "FEDERAL 12 GA", and two headstamped "12 GA MADE USA," recovered in a paper bag of the rear compartment of a Ventura County Sheriff's Department black and white Chevy Tahoe, California license plate number Prelims item number 8.
- EV-3: One Ventura County Sheriff's Department black plastic body camera, recovered in the rear compartment of a Ventura County Sheriff's Department black and white Chevy Tahoe, California license plate number
- County Sheriff's Department black and white Chevy Tahoe, California license plate number located 114 feet and 1 inch north of mile post marker 31.40 and 28 feet and 1 inch west of the PCC median wall.

  Prelims item number 8.
- One rifle, "Sig Sauer", Sig M400, semi auto rifle, serial number loaded with one cartridge in the chamber and fifteen cartridges in the magazine, all headstamped "SPEAR 223 REM 16", recovered in the trunk of a black and white California Highway Patrol Dodge Charger, California license plate number Prelims item number 6.

- EV-6: One expended cartridge case, 223 caliber, headstamped "SPEAR 223 REM 16", recovered on the highway north of the suspect's vehicle, located 72 feet and 3 inches north of mile post marker 31.40 and 31 feet and 9 inches west of the PCC median wall. Prelims item number 8.
- EV-7: One expended cartridge case, 223 caliber, headstamped "SPEAR 223 REM 16", recovered on the highway north of the suspect's vehicle, located 75 feet and 8 inches north of mile post marker 31.40 and 32 feet and 8 inches west of the PCC median wall. Prelims item number 8.
- EV-8: One expended cartridge case, 223 caliber, headstamped "SPEAR 223 REM 16", recovered on the highway north of the suspect's vehicle, located 76 feet and 8 inches north of mile post marker 31.40 and 34 feet and 8 inches west of the PCC median wall. Prelims item number 8.
- EV-9: One expended cartridge case, 223 caliber, headstamped "SPEAR 223 REM 16", recovered on the highway north of the suspect's vehicle, located 72 feet and 9 inches north of mile post marker 31.40 and 39 feet and 6 inches west of the PCC median wall. Prelims item number 8.
- One fired shot shell, headstamped "12\*12\*", recovered on the highway north of the suspect's vehicle, located 76 feet and 2 inches north of mile post marker 31.40 and 40 feet and 7 inches west of the PCC median wall.

  Prelims item number 8.
- Cone paper wad, recovered on the highway north of the suspect's vehicle, located 79 feet and 9 inches north of mile post marker 31.40 and 62 feet and 6 inches west of the PCC median wall. Prelims item number 8.
- EV-12: One paper wad, recovered on the highway north of the suspect's vehicle, located 77 feet and 9 inches north of mile post marker 31.40 and 69 feet west of the PCC median wall. **Prelims item number 8.**
- Cone "Chrysler 300S", gray four door vehicle, Utah license number recovered on the shoulder of the highway, located 72 feet and 6 inches north of mile post marker 31.40 and 81 feet and 4 inches west of the PCC median wall. This measurement was to the right front wheel. The vehicle was towed to
- Cone plastic wad, recovered on the freeway, outside the "Chrysler 300S" driver side door, located 66 feet and 8 inches north of mile post marker 31.40 and 75 feet and 3 inches west of the PCC median wall. Prelims item number 8.

- EV-15: One paper wad, recovered on the driver seat of the "Chrysler 300S", located 68 feet and 5 inches north of mile post marker 31.40 and 75 feet and 7 inches west of the PCC median wall. Prelims item number 8.
- One "Remington 870 Police Magnum", pump action less lethal shotgun, serial number with one unfired shot shell, headstamped "\*12\*12", and two unfired shot shells in the magazine, headstamped "\*12\*12", recovered in the back seat of California Highway Patrol black and white "Dodge Charger," California license plate number Prelims item number 7.
- EV-17: One black rope tied in a noose, recovered in the "Chrysler 300S", on the right rear passenger floor board. **Prelims item number 2.**
- EV-18: One rusted five inch blade, recovered in the "Chrysler 300S", on the front passenger floor board. **Prelims item number 3.**
- Cone black bill fold, containing a social security card number under the name of and other miscellaneous items.

  Recovered from the front passenger floorboard of the "Chrysler 300" and released in the field to Coroner Investigator Lauren Diaz #642341.
- One plastic center console liner, recovered on the ground alongside the right leg of Suspect located 66 feet north of mile post marker 31.40 and 68 feet west of the PCC median wall. **Prelims item number 4.**

Evidence items 1, 2, 4 through 12, and 14 through 16 were recovered by Firearms Examiner Anny Wu. Evidence items 17, 18 and 20 were recovered by F.I.S. Stefanie Marr. Evidence item number 19 was recovered by Coroner Investigator Lauren Diaz. Evidence item number 3 was released to Ventura County Sheriff's Detective Jarrod Foote.

- Two DVD's containing video from California Highway Patrol vehicle California license number

  These DVD's were given to Investigator Duncan by C.H.P. Investigator Jeffrey Clements who received the DVD's from C.H.P. Officer Tim Putzel. The two DVD's were given to C.H.P. Sergeant Jose Ahumada in order to be duplicated.
- One DVD containing video from California Highway Patrol vehicle with California license plate number The DVD was extracted by C.H.P. Officer Robert Parsons and given to Investigator Duncan. The DVD was given to C.H.P. Sergeant Jose Ahumada in order to be duplicated.

One DVD containing video from California Highway Patrol vehicle with California license plate number

The DVD was extracted by C.H.P. Officer Robert Parsons and given to Investigator Duncan. The DVD was given to C.H.P. Sergeant Jose Ahumada in order to be duplicated.

One DVD containing video from California Highway Patrol vehicle California with license plate number The DVD was pulled by C.H.P. Officer Robert Parsons and given to Investigator Duncan. The DVD was given to C.H.P. Sergeant Jose Ahumada in order to be duplicated.

One thumb drive containing video from the business south of the 101 Highway. The thumb drive was provided to Lost Hills Station Ray Hicks #514223 and given to Investigator Duncan who subsequently provided it to Investigator Valencia.

### PHOTOGRAPHIC EVIDENCE

California license plate number vehicle number the left front wheel was located 133 feet and 9 inches north of mile post marker 31.40 and 6 feet and 9 inches west of the PCC median wall. The right rear wheel was located 144 feet and 4 inches north of mile post marker 31.40 and 12 feet and 5 inches west of the PCC median wall.

California license plate number vehicle number The left front wheel was located 104 feet and 1 inch north of mile post marker 31.40 and 23 feet and 6 inches west of the PCC median wall. The right rear wheel was located 114 feet and 7 inches north of mile post marker 31.40 and 29 feet and 2 inches west of the PCC median wall.

Cone California Highway Patrol black and white Dodge Charger, California license plate number

The left front was located 95 feet and 7 inches north of mile post marker 31.40 and 47 feet west of the PCC median wall. The right rear was located 107 feet and 9 inches north of mile post marker 31.40 and 47 feet and 6 inches west of the PCC median wall.

One California Highway Patrol black and white Ford Explorer, California license plate number The left front was located 126 feet and 7 inches north of mile post marker 31.40 and 56 feet west of the PCC median wall. The right rear was located 136 feet and 1 inch north of mile post marker 31.40 and 62 feet and 5 inches west of the PCC median wall.

Cone California Highway Patrol black and white Ford Explorer, California license plate number

The left front was located 130 feet and 5 inches north of mile post marker 31.40 and 72 feet west of the PCC median wall. The right rear was located 140 feet and 6 inches north of mile post marker 31.40 and 77 feet and 8 inches west of the PCC median wall.

Letter F: One California Highway Patrol black and white Dodge Charger, California license plate number

The left front was located 365 feet and 4 inches north of mile post marker 31.40 and 27feet and 2 inches west of the PCC median wall. The right rear was located 354 feet and 4 inches north of mile post marker 31.40 and 21 feet and 9 inches west of the PCC median wall.

### RESPONSE

On January 12, 2019, at 1322 hours, Investigators John Duncan and Michael Valento were directed to respond from their respective residences to the southbound U.S. Highway 101 at the Las Virgenes Road/Malibu Canyon off ramp, in the city of Calabasas, California, to assist with the investigation of an officer and deputy involved shooting. The incident resulted in the death of a male adult, later identified as Suspect

Upon their arrival, investigators were briefed of the circumstances regarding the officer and deputy involved shooting. Lead Homicide Investigators Sergeant Joseph Valencia #296961 and Investigator Amber Montenegro #440010 assigned Investigators Duncan and Valento the responsibility of processing the crime scene and collecting evidence.

Investigators Duncan and Valento were assisted by Los Angeles County Sheriff's Department Crime Laboratory Forensic Identification Specialist Alexis Alusha #601248, and Stephanie Marr #541391. Forensic Identification Specialist Alusha and Marr photographically documented the scene, items of evidence, aerial photographs, collected the items of evidence, and photographed the involved deputy and officers.

California Highway Patrol Officer Thomas Bomar #17217 and additional C.H.P. members assigned to the M.A.I.T. (Multidisciplinary Accident Investigation Team) team responded to conducted detailed crime scene measurements and complete a crime scene sketch.

The M.A.I.T. team was also responsible for authoring a search warrant to retrieve the information captured by the Event Data Recorder (E.D.R.) contained within the "Chrysler 300S" (suspect vehicle).

Firearms Examiner Criminalist #504662 also responded and documented the ballistic evidence. Forensic Identification Specialists Firearms Criminalist # Officer Bomar from the M.A.I.T. team will document their observations and actions by way of supplemental reports which will be made a permanent part of this case file.

### SCENE

The termination of the pursuit and subsequent deputy/officer involved shooting occurred on the southbound lanes of U.S. Highway 101, just north of the Las Virgenes Road /Malibu Canyon exit. This stretch of highway traversed through the city of Calabasas within Los Angeles County, a sprawling city with a population of approximately 24,202. The Los Angeles County Sheriff's Department is responsible for policing duties for the city of Calabasas.

Although U.S. Highway 101 is designated as a north and south highway, the stretch of roadway through the city of Calabasas is almost entirely east to west. True cardinal directions were used in documenting and describing the scene and items of evidence. However, when describing or referencing the highway and lanes of traffic, the official north/south direction of travel will be referenced.

The scene of the shooting was contained within all southbound lanes of U.S. Highway 101 north and south of the Las Virgenes Road/Malibu Canyon exit. Yellow tape and marked black and white patrol vehicles were used to contain the east and west sides of the crime scene. Due to a passing winter storm the highway was saturated with water and rain occurred off and on upon the initial arrival of L.A.S.D. personnel.

The southbound side of the U.S. Highway 101 consisted of four southbound lanes each divided by white painted lines and "Botts Dots." The Las Virgenes Road/Malibu Canyon exit was located adjacent to the number four lane of the highway and separated from the southbound lanes by a solid white painted line. The southbound lanes of the highway and exit lane were comprised of black asphalt which was in relatively good condition with no visible "pot holes."

Adjacent to the southbound number one lane was a concrete center median that separated the north and southbound lanes of U.S. Highway 101. The center median was wide enough for a standard sized vehicle to park in the event of an emergency. It



was comprised of asphalt and separated from the southbound number one lane by a solid yellow painted line.

The southbound shoulder adjacent to the Las Virgenes Road/Malibu Canyon exit lane was separated by a solid white painted line and comprised of asphalt. The shoulder was wide enough for a standard vehicle to park in the event of an emergency. A metal guardrail separated the shoulder from a dirt slope with a slight downward grade that lead to a dirt access road. An approximate 6' high chain link fence lined the dirt access road and was seemingly utilized to keep individuals from wandering onto the highway.

South of the chain link fence in the area of where the Las Virgenes Road/Malibu Canyon exit sign was affixed, was the rear parking lot of a two-story business. This business was identified as located at Calabasas. The rear parking lot was void of any parked vehicles and encompassed an employee sitting area along the east side. A concrete area used to park and secure bicycles for the employees was situated on the west side of the rear parking lot.

One camera was affixed to the northeast portion of the southwest portion. The security cameras were circular and suspended away for the structure of the building by a metal support bar.

Parked on the highway within the crime scene, in addition to the vehicle Suspect was driving, were six law enforcement vehicles. These law enforcement vehicles were involved in trying to apprehend Suspect and associated with the Ventura County Sheriff's Department and California Highway Patrol.

A marked black and white Ventura County Sheriff's Department Chevy Tahoe patrol vehicle (Letter-A) was parked partially within the center median and southbound number one lane of the highway. The SUV was facing southeast with the rear end partially obstructing the center median and front end within the number one lane.

The engine of the SUV was on, the headlights were off and all four windows were rolled up. The rear amber lights of the light bar affixed to the roof were illuminated and blinking. The SUV was equipped with two California exempt license plates affixed to the front and rear, bearing the plate numbers

The rear of the vehicle was identified by Ventura County Sheriff's Department identification numbers

placed on the hatch. Both the driver and passenger spotlights were off, with the driver side spotlight facing upward and the passenger side facing downward.

The driver compartment of the SUV was equipped with an M.D.C. (Mobile Digital Computer). The weapon rack affixed to the center area of the front compartment

between the driver and passenger seats was void of any weaponry. The SUV did not contain any dash camera video system.

The driver and passenger compartments were separated by a plexiglass and metal grate divider. The backseat consisted of a black plastic bench seat. On the left rear passenger floorboard was a metal ammunition can that was closed and green in color. A black ballistic shield was resting partially on the bench seat and right rear passenger floorboard.

The rear compartment area of the SUV was separated from the backseat by a metal cage that was black in color. A built-in storage unit took up a majority of the space within the rear compartment. Atop the storage unit were two black nylon patrol duty bags. Resting atop the nylon patrol bags on its left-hand side was a "Remington" 870, 12-gauge shotgun (EV-1). The barrel was pointed towards the driver side of the SUV with the slide to the rear. An ammunition sleeve was attached to the barrel of the shotgun and contained five rifle slug shells.

To the right of the shotgun was a brown paper bag containing three shotgun shells and one fired shot shell (EV-2). Also contained inside the bag was a black plastic law enforcement body camera (EV-3).

Situated behind the paper bag was a green ballistic helmet with an attached shield. Atop the far right-hand side of the storage compartment was a clear plastic container that contained sealed plastic water bottles.

East of the of the SUV partially blocking the number one lane was a second Ventura County Sheriff's Department Chevy Tahoe patrol vehicle (**Letter-B**) parked facing eastbound in the number two lane of the highway. The SUV had its overhead lights in full rotation by way of the light bar affixed to the roof. The front headlights were on and in "wig wag" sequence without the siren activated. Underneath the right rear tire of the SUV was a fired shot shell (**EV-4**).

The SUV was equipped with two California exempt license plates affixed to the front and rear bearing the numbers 
The rear of the vehicle was identified by Ventura County Sheriff's Department identification numbers placed on the open hatch. Both the driver and passenger spotlights were off, with the driver side spotlight facing away from the SUV and the passenger side facing downward. The engine was running and all windows were rolled up with the exception of the right rear and driver's windows, which were rolled down.

The driver compartment of the SUV was equipped with a M.D.C. The weapon rack affixed to the center area of the front compartment between the driver and passenger seats was void of any weaponry. A patrol utility bag was strapped to the backrest of the



front passenger seat, which contained miscellaneous law enforcement patrol paraphernalia. A patrol utility bag was on the front passenger floorboard. The SUV did not contain any dash camera video system

The driver and passenger compartments were separated by a plexiglass and metal grate divider. The backseat consisted of a black plastic bench seat and was free of any equipment or items. The backseat was separated from the rear compartment area by a metal grate.

The rear compartment contained a less lethal "Remington" 870 shotgun that was secured in a locked rack. Orange road cones, evidence envelopes, a black milk crate, fire extinguisher, stuffed animals and an empty, clear plastic container were also contained in the rea compartment.

To the south of the previously described Ventura County Sheriff's Department SUV, was a marked black and white California Highway Patrol Dodge Charger. This vehicle was facing a southeasterly direction blocking the southbound number three and four lanes of the highway.

The Charger was equipped with two California exempt license plates affixed to the front and rear bearing the numbers The engine was off, all windows were rolled up and both the driver and passenger spotlights were off and facing downward. The headlights and lightbar affixed to the roof were also off.

The driver's compartment was equipped with a M.D.C. The duel weapon rack affixed to the center area of the front compartment between the driver and passenger seats contained a secured shotgun, but was void of a second weapon. The lock for the second weapon rack was in the open position.

A radar unit designed to determine the speed of vehicles was located on the far left side of the dash. A forward facing dash camera was affixed to the roof liner directly to the right of the rear view mirror. The D.V.R. unit for the dash camera was affixed to the center of the ceiling liner towards the front windshield and extended rearward.

There was no partition separating the front and backseats. Two patrol bags, a baton and hat were located in the backseat area. A black, plastic patrol box was on the left rear floorboard.

The trunk of the Charger contained a spare tire, road cones, jumper cables and a red handheld flashlight. Resting upside down and behind the spare tire was a "Sig Sauer" M400, semi-auto patrol rifle (**EV-5**). The rifle had a sling attached to it and a magazine was inserted into the well.



Contained within the parameters of the southbound number two and three lanes, in front of the two Ventura County Sheriff's Department SUV's and C.H.P. vehicle were four expended .223 caliber cartridge cases (EV-6 through EV-9). In the southbound number four lane near the grouping of the .223 cartridges was a fired shot shell (EV-10).

To the right and rear of CHP vehicle was a marked black and white California Highway Patrol Ford Explorer (Letter-D). This SUV was facing east in the exit lane that transitioned to the Las Virgenes Road/Malibu Canyon southbound offramp.

The SUV was equipped with two California exempt license plates affixed to the front and rear bearing the numbers. The engine was on, all windows were rolled up and both the driver and passenger spotlights were off and facing downward. The headlights and lightbar affixed to the roof were also off.

The driver's compartment was equipped with a M.D.C. The duel weapon rack affixed to the center area of the front compartment between the driver and passenger seats contained a secured shotgun and semi-automatic patrol rifle.

A forward facing dash camera was affixed to the roof liner directly to the right of the rear view mirror. The D.V.R. unit for the dash camera was affixed to the center of the ceiling liner towards the front windshield and extended rearward. A radar unit was located on the far left side of the dash

There was no partition separating the front and backseats. A single knit glove and Christmas ornament were resting on the backseat. The backseat and rear compartment area were separated by a metal cage. The rear compartment area was unremarkable and contained miscellaneous patrol items such as road flares, road cones, a patrol utility bag and shovel.

On the southbound shoulder to the south of C.H.P. vehicle was an additional marked black and white California Highway Patrol Ford Explorer (Letter-E). This SUV was facing east and equipped with two California exempt license plates affixed to the front and rear bearing the numbers The engine was on, all windows rolled up, and both the driver and passenger spotlights were off and facing downward. The headlights were illuminated and the lightbar affixed to the roof was not activated.

The driver's compartment was equipped with a M.D.C. The duel weapon rack affixed to the center area of the front compartment between the driver and passenger seats contained a secured shotgun and semi-automatic patrol rifle.

A forward facing dash camera was affixed to the roof liner directly to the right of the rear view mirror. The D.V.R. unit for the dash camera was affixed to the center of the ceiling

liner towards the front windshield and extended rearward. A radar unit was located on the far left side of the dash.

There was no partition separating the front and backseats and no items were located in the backseat. The backseat and rear hatch area were separated by a metal cage. The rear compartment was unremarkable and contained two boxes of road flares, a patrol utility bag, shovel and lug wrench.

Within the confines of the exit lane leading to the Las Virgenes Road/Malibu Canyon off ramp, in front of the two C.H.P. Ford Explorers, were two paper wads (**EV-11** through **EV-12**) from fired shot shells.

Just east of the paper wads was a silver Chrysler 300S (**EV-13**), four-door, bearing the Utah license plate of The front end of the vehicle was embedded into the metal guardrail that lined the south side of the shoulder. The portion of the guardrail struck was crumpled and pushed south from its original position.

The front end of the vehicle struck the guardrail at an approximate ninety-degree angle, resulting in it being perpendicular to the southbound exit lane of the offramp. The front end and hood were crumpled and fluid was visible underneath the chassis. The engine of the Chrysler was not running.

The trunk lid was in the open position and contained miscellaneous items such as a "Vons" grocery store handcart, empty red plastic gas canister, hammer, a single right foot tennis shoe, large blue/gray duffel bag, black floormat and an "Easton" baseball bat.

The front and rear passenger side doors were closed with their respective windows rolled completely down. Both the front and rear driver's side doors were open with their respective windows rolled completely down. On the ground below the driver's door was a plastic wad (EV-14) from a shot shell.

Both the front and passenger seats were black leather and each was slightly reclined to approximately the same degree. Atop the driver seat was a paper wad (EV-15) from a shot shell, however, there were no items located atop the front passenger seat. The ignition to the vehicle was keyless and the rear view mirror was detached from the windshield and resting atop the dash. The floormat on the driver's floorboard was crumpled and not positioned flat. Along with the crumpled floormat was a black belt, eyeglasses container, screwdriver and bar of "Zest" body soap.

On the front passenger floorboard was an empty glass cup, brush, black sunglasses, headphones, ignition key to the vehicle, empty coin holder from the center console, clear bag of food items, wooden stick, approximate 5" rust covered serrated blade without a handle (EV-18) and a black billfold (EV-19). The black billfold contained personal items

associated to Suspect such as his social security card and Santa Barbara City College identification card.

Atop the rear passenger black, leather bench seat, behind the driver's seat, was a blue colored nylon bag that contained miscellaneous clothing items. Beneath the nylon bag was a pair of gray sweatpants. A pair of "Levi" blue jeans and a gray shirt were resting on the right side of the passenger bench seat.

Resting on the left rear floorboard was a gray colored jacket. On the right rear floorboard was a black rope fashioned into a noose (EV-17). On the rounded portion of the vehicle's frame that separated the rear passenger and driver floorboards was a carton of "Kerns" juice.

In the highway to the left rea side of the Chrysler was the body of Suspect. The body was completely covered by a plastic pink colored tarp followed by two yellow plastic tarps. Large rocks were placed at the corners of tarp, presumably to prevent any sudden wind gust from blowing them off the body. The tarps were covered in moisture from the prior rainfall.

At the eastern border of the crime scene, was a marked black and white California Highway Patrol Dodge Charger (Letter-F). The Charger had yellow tape attached to the passenger side mirror and was being utilized to stretch the tape across the southbound lanes. This Charger was facing a southeasterly direction and blocking the southbound number one and two lanes of the highway.

The Charger was equipped with two California exempt license plates affixed to the front and rear bearing the numbers. The vehicle was locked and unattended with all windows rolled up and the engine running. Both the driver and passenger spotlights were off and facing inward. The headlights and lightbar affixed to the roof were illuminated, however, the lightbar was not operating in "Code 3" mode. Investigators obtained the keys to the vehicle in order to document it.

The driver's compartment was equipped with a M.D.C. The duel weapon rack affixed to the center area of the front compartment between the driver and passenger seats contained a secured shotgun and semi-automatic patrol rifle.

A radar unit was located on the far left side of the dash. A forward facing dash camera was affixed to the roof liner directly to the right of the rear view mirror. The D.V.R. unit for the dash camera was affixed to center of the ceiling liner towards the front windshield and extended rearward. A plastic "Pittsburg Steelers" water jug was resting on the front passenger seat.

A metal cage separated the front and backseats. A patrol bag was atop the left rear backseat. On the right rear floorboard was a black backpack that contained a PR-24 baton. A black "Pelican Case" was situated on the center of the backseat and a black nylon rifle case (EV-16) was laying across the backseat. Underneath the rifle case were two unfired less lethal shot shells.

Firearms Examiner opened the rifle case and located a "Remington" 870 less lethal shotgun with the safety in the off position. The right side of the receiver had a blue piece of masking tape affixed to it bearing the number "5" on it.

The shotgun was equipped with an orange stock, orange slide and orange sling. The slide of the shotgun was in the forward position and an ammunition sleeve was attached to the stock. The seven round sleeve contained five less lethal shot shells and two empty slots.

Examiner found the shotgun was loaded with two unfired less lethal shot shells in the magazine and one additional unfired less lethal shot shell in the chamber. Examiner retained possession of the rifle case and shotgun in order to conduct a forensic examination at the Crime Lab.

Upon the arrival of Coroner Investigator Lauren Scott #642341, she removed the tarps covering the body of Suspect Diaz who was lying face up. A gunshot residence kit (G.S.R.), along with a hair and nail kit were completed by Coroner Investigator Scott.

Suspect head was canted to the left and pointed in a northeast direction, with his feet in a southwest direction. Each foot was pointed upward and resting outward at an approximate forty-five degree angle. On the ground adjacent to the right side of Suspect leg was a black, plastic center console liner (EV-20). The size and shape of the liner appeared to coincide perfectly with a missing part from the center console near the gear shift.

The eyes and mouth of Suspect were slightly open, exposing his upper teeth and sclera. His shoulder length black hair was resting on the ground in a large pool of apparent blood and brain matter, caused by an apparent gunshot wound to the head.

The left arm of Suspect was extended outward from his body with his right arm draped along the right side. An apparent bullet impact wound was evident to the right hand that caused significant tissue damage. A white colored rubber ring was attached to the pointer and ring fingers of Suspect

The upper body of Suspect was clothed in a shirt covered by a dirt stained black jacket. The shirt and jacket were cut down the center, presumably by paramedic

intervention, which exposed his chest. An apparent gunshot wound with a large diameter hole was located on the chest, right of center.

Two E.K.G. electrode patches were taped to the left and right side of the lower abdomen, along with two to the left and right shoulder area. A tattoo of "VC" was located on the upper left chest area. A tattoo depicting a face was located on his upper right chest. Undefinable tattoos were visible on the right side of his neck.

The lower body of Suspect was clothed in gray sweatpants which had the left pocket turned slightly outward, and blue laced tennis shoes that were tied. The sweatpants were dirty and bloodstained.

Upon conducting her investigation at the scene, Coroner Investigator Scott took custody of Suspect body which was transported to the Los Angeles County Coroner's Office.

### COLLECTION OF EVIDENCE

On January 12, 2019, at 1642 hours, Investigator Duncan retrieved two DVD's (JCD-1) from California Highway Patrol Investigator Jeffrey Clements #20022. Investigator Clements advised Investigator Duncan he received the two DVD's from California Highway Patrol Officer Tim Putzel #16712.

The two DVD's contained vehicle video footage from California Highway Patrol vehicle with California license plate number (Letter-E). Investigator Clements provided two vehicle keys to Investigator Duncan that belonged to California Highway Patrol vehicle numbers Investigator Duncan returned the key back to the respective vehicles in order to be unlocked and processed.

On January 12, 2019, at 1933 hours, Investigator Duncan witnessed California Highway Patrol Officer Robert Parsons retrieve a DVD from the DVR contained within California Highway Patrol vehicle number Officer Parsons provided the DVD (JCD-2), which contained the vehicle video footage, to Investigator Duncan.

On January 12, 2019, at 1941 hours, Investigator Duncan witnessed Officer Parsons retrieve a DVD from the DVR contained within California Highway Patrol vehicle number Officer Parsons provided the DVD (JCD-3), which contained the vehicle video footage, to Investigator Duncan.

On January 12, 2019, at 1945 hours, Investigator Duncan witnessed Officer Parsons retrieve a DVD from the DVR contained within California Highway Patrol vehicle number Officer Parsons provided the DVD (JCD-4), which contained the vehicle video

footage, to Investigator Duncan.

On January 12, 2019, at 2018 hours, Investigator Duncan provided the Ventura County Sheriff's Department body camera (EV-3) to Ventura County Sheriff's Department Detective Jarrod Foote #4433. Detective Foote transported the body camera to his office in order to download any footage. Upon examining the body camera, Detective Foote advised Investigator Duncan there was no video footage contained. Detective Foote will provide a report documenting his actions and observations.

On January 12, 2019, at 2230 hours, Investigator Duncan was given a thumb drive (JCD-5) by Deputy Ray Hicks #514223, assigned to Lost Hills Station. Deputy Hicks advised Investigator Duncan the thumb drive contained exterior security video footage from

The thumb drive was given to Deputy Hicks by downloaded the security video footage from January 12, 2019, between the hours of 1100 and 1500. He said the date and time on the video recorder was accurate.

On January 12, 2019, at 2225 hours, Investigator Duncan provided evidence items **JCD-1** through **JCD-4** to California Highway Patrol Sergeant Jose Ahumada to make duplication copies. Sergeant Ahumada advised Investigators copies of the DVD's could only be duplicated at a California Highway Patrol office due to a security feature.

On January 12, 2019, at 2345 hours, Investigator Duncan provided evidence item **JCD-5** to Investigator Valencia.

Investigators completed the crime scene investigation on January 12, 2019, at 2318 hours, and authorized the re-opening of the highway.

#### CONTINUED INVESTIGATION

On January 16, 2019, at 0956 hours, C.H.P. Officer Thomas Bomar #17217 called Investigator Duncan and told him they were not going to do a search warrant for the E.D.R. contained within the suspect's vehicle. Officer Bomar told Investigator Duncan his lieutenant did not feel the information contained within the E.D.R. was needed for the investigation.

On January 16, 2019, at 1017 hours, Investigator Duncan sent the release of vehicle hold for the suspect's vehicle to vehicle was then entered into SVS as stored by

Investigator Michael Valento # 292886 Augustigator John Duncan #432006 By:

Approved: Lieutenant Scott Hoglund #277112 Homicide Bureau, Detective Division

### COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

**DATE:** JUNE 5, 2019

FILE NO.: 019-00195-2241-013

ASSAULT ON A PEACE OFFICER. C: 243(C)(2) P.C. OFFICER/ DEPUTY INVOLVED

SHOOTING

(SUSPECT DECEASED)

V1: DEPUTY NOEL JUAREZ VENTURA COUNTY SHERIFF DEPARTMENT EMPLOYEE # 3336

(UNINJURED)

V2: OFFICER BRIAN GREEN CALIFORNIA HIGHWAY PATROL EMPLOYEE # 16383 (UNINJURED)

D: JANUARY 12, 2019, SATURDAY, 1030 HOURS

L: SOUTHBOUND HIGHWAY 101 @ LAS VIRGENES ROAD, CALABASAS, CA 91302

(DECEASED)

S:

ACTION: ACTIVE / CONTINUED

INVESTIGATION / EVIDENCE / REVIEW OF MVARS /

EVIDENCE RELEASED / WITNESS INTERVIEWS / VIDEO REVIEWED /

FACEBOOK WARRANT / CORONER EVIDENCE /

VENTURA COUNTY SHERIFF

911 CALL / VENTURA

COUNTY SHERIFF REPORTS

/ VENTURA COUNTY

SHERIFF RADIO TRAFFIC / REVIEW OF BODY CAMERA

FOOTAGE / REVIEW OF HELICOPTER FOOTAGE / AUTOPSY FOLLOW UP / WITNESS VIDEO REVIEW

CC# 2019-00338

### **EVIDENCE**

EV-21: Clothing, consisting of one (1) pair of shoes, one (1) pair of socks, a t-shirt,

2-

a tank top, underwear, pants, and a jacket, worn by Suspect Recovered from the Los Angeles County Coroner's evidence room.

PRELIMS ITEM NUMBER 11

EV-22: Bloodstain card. Recovered from the Los Angeles County Coroner's

evidence room. PRELIMS ITEM NUMBER 12

EV-23: Possible bullet fragments. Recovered from the Los Angeles County

Coroner's evidence room. PRELIMS ITEM NUMBER 13

EV-24: Decedent hair kit. Recovered from the Los Angeles County Coroner's

evidence room. PRELIMS ITEM NUMBER 14

EV-25: Decedent fingernail kit. Recovered from the Los Angeles County

Coroner's evidence room. PRELIMS ITEM NUMBER 15

### REVIEW OF CALIFORNIA HIGHWAY PARTOL OFFICER GREEN'S MVARS SYSTEM

On January 24, 2019, Investigators reviewed the Mobile Video Audio Recording System from the California Highway Patrol vehicle that was assigned to Officer Brian Green. The video dashboard showed three individual videos and were identified as CHP-770. Videos #1 through #7 had no video evidence of the pursuit or the officer involved shooting.

Video #8 showed Officer Green driving on various highways. At approximately 6 minutes, several California Highway Patrol vehicles were seen driving with their emergency lights and siren activated. At approximately 10 minutes and 30 seconds, Suspect was seen driving on the left emergency shoulder and he was followed by California Highway Patrol officers. At approximately 11 minutes and 24 seconds, the command for all California Highway Patrol officers to cancel their pursuit was heard.

Video #9 showed Suspect silver Chrysler 300 in an east-west direction against the west guardrail of U.S. Highway 101. The vehicle was directly below the Las Virgenes Road, Malibu Canyon exit sign. Suspect was moving back and forth on the driver's side of his vehicle and lifting his head over the rear window. During the barricade, officers gave verbal commands to Suspect to lift his hands and cooperate with their orders.

At approximately 51 minutes and 50 seconds, the verbal notification of the less-thanlethal deployment was made. A gunshot was heard and Suspect fell to the ground. Officers and deputies walked into frame and the yelling of, "Knife, Knife, Knife" was heard,



as Suspect was on the ground. California Highway Patrol Officers and Ventura County Sheriff Deputies walked toward the rear of the silver Chrysler. Suspect appeared to move toward the trunk of his vehicle, and California Highway Patrol Officer Green shot approximately 4 rounds from his rifle. Suspect again fell to the ground. At approximately 52 minutes and 20 seconds, California Highway Patrol Officer Green was heard saying, "Fuck I thought he had a gun." Los Angeles County Fire arrived on scene and rendered aid to Suspect

### **EVIDENCE RELEASED**

On January 24, 2019 at 1014 hours, Investigators released the "Sig Sauer" M400 rifle (EV-5) and the "Remington 870 Police Magnum" less lethal shotgun (EV-16) to California Highway Patrol Officer Victor Lacy.

### INTERVIEW OF WITNESS

On January 24, 2019, at 1225 hours. Investigators conducted an interview with Witness
The interview was conducted at
The interview was recorded in its entirety
and the following is only a synopsis of the interview. Exact details and precise verbiage
may be obtained by reviewing the audio recording and transcripts can be provided if
necessary.

Witness was southbound on U.S. Highway 101, in one of the center lanes of traffic, when she came to a stop. She stopped behind a large moving van. She saw a police vehicle and a police officer with his gun drawn. She saw the silver vehicle but did not see Suspect Officers' gave verbal orders to Suspect but she was not sure of what exactly was being verbalized. She believed the barricade lasted approximately 30 minutes. She heard 4 or 5 gunshots, but she was not sure if Suspect shot, or if the officers shot.

Witness captured a portion of the incident on her cellular telephone. She had two videos and fifteen still photographs that she forwarded to Investigator Montenegro's Los Angeles County cellular telephone. The same two videos were uploaded to her Twitter account at The videos and photos were downloaded to a disc and will remain a permanent part of the case file.

Investigators reviewed the downloaded files received from Witness were identified as: OF59A4OF-F783-4A82-8B42-3414DA7E31A3-1.MP4 and IMG\_3486-2.MOV. The still photographs were identified as: file1-1.jpg, file1-2.jpg, file2-1.jpg, file2-1.jpg, file2-1.jpg, file3-1.jpg, file3-1.jpg, file3-2.jpg, file3-3.jpg, file4-1.jpg, file4-1.jpg, file4-2.jpg, file5-5.jpg, and file-6.jpg.

Both videos showed several vehicles parked on the southbound U.S. Highway 101.



identified as:

There were two large box style trucks south of Witness which obstructed her view of the officers and Suspect The fifteen still photographs showed different angles of the traffic on southbound U.S. Highway 101. INTERVIEW OF WITNESS On January 24, 2019, at 1350 hours. Investigators conducted an interview with Witness The interview was conducted in Witness tining room. The interview was recorded in its entirety and the following is only a synopsis of the interview. Exact details and precise verbiage may be obtained by reviewing the audio recording. Transcripts can be provided if necessary. Witness traveled southbound on US Highway 101, in the number two lane, and recalled the weather was unstable, as evident by the light sprinkle of rain. His first recollection regarding the Officer and Deputy involved shooting was a gray vehicle quickly driving past him followed by three to four police vehicles and a helicopter. Witness recalled southbound traffic slowed and eventually stopped. He was the third or fourth vehicle back from where the police vehicles were stopped. The suspect vehicle crashed into the guardrail on the west side of the freeway, just north of the Las Virgenes Road exit. He could see the suspect standing outside of his vehicle, but could not tell if the suspect was male or female. He described the suspect as having long hair. Officers pointed their guns at the suspect and gave him verbal commands, but he could not hear clearly hear what had been communicated. The suspect sat in his car for approximately twenty minutes and eventually exited. When the suspect exited his vehicle, the witnesses on the freeway began yelling, "We've got to go," and "Shoot his leg." Witness estimated he was approximately 100 feet from the suspect. heard four or five gunshots, but he was unable to determine who shot. Witness Prior to the shooting, he was only able to see the head and the feet of the suspect. Once the shooting occurred the suspect fell and he was no longer able to see the suspect. During the incident, Witness was standing outside next to his vehicle. used the iPhone "AirDrop" technology At the conclusion of the interview, Witness and transferred five videos, and one still photograph, to Investigator Montenegro's Los Angeles County cellular telephone. The videos and photograph were downloaded to a disc and will remain a permanent part of the case file.



IMG\_0928.MOV, IMG\_0929.JPG, IMG\_0929.MOV, IMG\_0930.MP4, IMG\_0931.MOV

Investigators reviewed the downloaded files from Witness

and IMG 0932.MOV.

IMG\_0928.MOV was a 19 second video depicting southbound traffic on Highway 101. Civilian vehicles were stopped behind marked police vehicles. Officers were standing outside of their vehicles with guns drawn and pointed at the suspect vehicle. Video also showed a police helicopter overhead.

*IMG\_0929.JPG* is a photo and IMG\_0929.MOV is a 1 second video depicting the officers standing outside of their vehicles with guns drawn and pointed at the suspect vehicle.

IMG\_0930.MP4 is a 47 second video depicting officers standing behind their marked police vehicles with guns drawn and pointed at the suspect vehicle. Loud speaker announcements can be heard; however, verbiage of the announcements could not be determined.

*IMG\_0931.MOV* is a 72 second video depicting officers standing behind their marked police vehicles with guns drawn and pointed at the suspect vehicle. Witnesses in the background could be heard commenting: "Get the dog." "Just shoot him." "Why can't they just shoot his feet?" and "We want to go." Towards the end of the video, Witness makes a 360° turn filming the witnesses on the highway.

IMG\_0932.MOV is a 21 second video depicting officers standing near the suspect vehicle. Witnesses can be heard remarking: "Thank God." "Let's go." and "They shot him." An officer can be heard calling for "Fire" to respond.

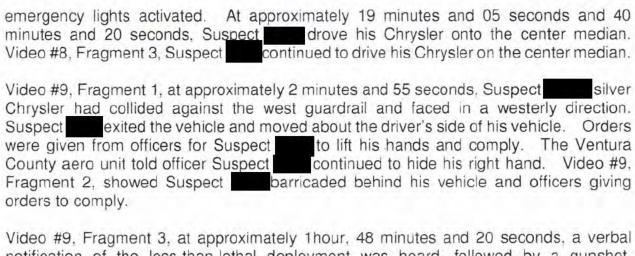
# REVIEW OF CALIFORNIA HIGHWAY PARTOL OFFICER PUTZEL'S MVARS SYSTEM

On January 28, 2019, Investigators reviewed the Mobile Video Audio Recording System from the California Highway Patrol vehicle that was assigned to Officer Timothy Putzel. There were two discs identified as 1 of 2 and 2 of 2 from Officer Putzel's vehicle. The video dashboard, on disc 1, showed nine identified videos, but videos #8 and #9 had Fragment videos identified as fragments. Videos #1 through #7 had no video evidence of the pursuit or the officer involved shooting.

Video #8, Fragment 1, at approximately 11 minutes and 20 seconds, showed a Ventura County Sheriff's vehicle following Suspect in his silver Chrysler 300. California Highway Patrol Officer Putzel passed the Ventura County Sheriff's vehicle and assumed the lead position. The emergency siren is audible during the video. At approximately 1 hour, 04 minutes and 27 seconds, Suspect entered and drove through an intersection against a red light. At approximately 1 hour and 10 minutes and 1 hour, 14 minutes and 50 seconds, Suspect drove through an intersection against a red light.

Video #8, Fragment 2, at approximately 10 minutes and 10 seconds, showed Suspect entering the southbound U.S. Highway 101, and Officer Putzel followed with his





notification of the less-than-lethal deployment was heard, followed by a gunshot. Suspect specified appeared to raise to his feet and California Highway Patrol Officer Green entered the frame holding a rifle, followed by several gunshots. Suspect then fell to the ground. Officers and deputies approached and requested Los Angeles County Fire.

Disc 2 of 2 contained video post shooting and containment of the crime scene.

#### REVIEW OF CALIFORNIA HIGHWAY PARTOL OFFICER FARY'S MVARS SYSTEM

On January 28, 2019, Investigators reviewed the Mobile Video Audio Recording System from the California Highway Patrol vehicle that was assigned to Officer Brady Fary. The video dashboard showed five individual videos and was identified as CHP-765. Videos #1 through #4 had no video evidence of the pursuit or the officer involved shooting.

Video #5, at approximately 50 seconds, Suspect was observed driving the opposite direction on the roadway, followed by several black and white police vehicles. The police vehicles had their emergency lights activated. Officer Fary drove over the dirt center divider and joined the vehicle pursuit. At approximately 8 minutes and 08 seconds, Suspect and the pursuing officers turned onto the southbound U.S. Highway 101.

At approximately 27 minutes and 39 seconds, Officer Fary began to drive west across highway lanes 1 through 4, and in the foreground, Suspect silver Chrysler had collided with the west guardrail. At approximately 1 hour and 23 minutes, a gunshot was heard and Suspect fell to the ground. Suspect appeared to rise to his feet as officers and deputies approached him. Moments later, several additional gunshots were heard. Suspect feel to the ground near the trunk of his Chrysler. Los Angeles County Fire arrived and began to triage Suspect

#### REVIEW OF CALIFORNIA HIGHWAY PARTOL OFFICER PINEDA'S MVARS SYSTEM

On January 28, 2019, Investigators reviewed the Mobile Video Audio Recording System from the California Highway Patrol vehicle that was assigned to Officer Werner Pineda. The video dashboard showed seventeen individual videos and was identified as CHP-580. Videos #1 through #16 had no video evidence of the pursuit or the officer involved shooting.

Video #17 showed several police vehicle on the highway and Los Angeles County Fire. The video is post shooting and did not capture the engagement.

# REVIEW OF CALIFORNIA HIGHWAY PARTOL OFFICER BEMILLER'S MVARS SYSTEM

On January 28, 2019, Investigators reviewed the Mobile Video Audio Recording System from the California Highway Patrol vehicle that was assigned to Officer Scott Bemiller. The video dashboard showed eight identified videos, but videos #7 had several fragmented videos identified as fragments 1 through 4. Videos #1 through #8 had no video evidence of the pursuit or the officer involved shooting, except video #7, Fragment3.

Video #7, Fragment 3, at approximately 8 minutes and 39 seconds, Officer Bemiller arrived at the barricade. He parked his vehicle behind several California Highway Patrol and Ventura County Sheriff's vehicles. The officers and deputies were standing and kneeling behind their police vehicles. The rear half of Suspect silver Chrysler was visible. At approximately 29 minutes and 28 seconds, officers and deputies approached Suspect and his vehicle. Gunshots were heard. After the gunshots, Los Angeles County Fire arrived on scene and treated Suspect The only audible audio was the California Highway Patrol dispatch radio.

## FACEBOOK SEARCH WARRANT

On January 28, 2019, Ventura County Sheriff's Sergeant Ron Chips provided a copy of a search warrant which was authored for Suspect Facebook account. The search warrant was authored by Ventura County Sheriff's Detective Francisco Jauregui #4427, on January 22, 2019. The search warrant was reviewed and approved by the Honorable Judge of the Ventura County Judicial District. A copy of the search warrant was made a permanent part of the case file.

#### CORONER EVIDENCE





#### VENTURA COUNTY SHERIFF 911 CALL

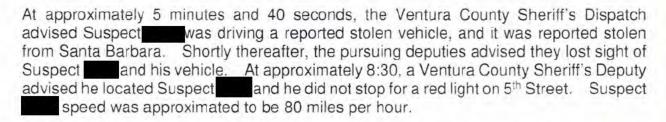
On January 30, 2019, Investigators reviewed the 911 call from the Ventura County Sheriff's Department, Camarillo Station. The 911 call was received on January 12, 2019, at 1025 hours, and was identified as 19-6219. The female caller stated Suspect was driving in circles on Camarillo. Suspect appeared upset and yelled at someone inside the residence. The Caller identified Suspect clothing and his silver Chrysler. The Chrysler had an out of state license plate. A female exited the residence and a verbal argument ensued between the female and Suspect

#### VENTURA COUNTY SHERIFF DEPARTMENT DOMESTIC VIOLENCE REPORT

Ventura County Sheriff's Department, Camarillo Station responded to

Camarillo regarding a domestic disturbance report. Ventura Sheriff's deputies arrived and learned had been assaulted by Suspect The incident was document under Ventura County Sheriff report number 2019-6219. Ventura County Sheriff Sergeant Ron Chips forwarded the incident reports documenting he domestic violence. The reports were made a permanent part of the case file.

#### VENTURA COUNTY SHERIFF RADIO TRAFFIC



At approximately 10 minutes and 30 seconds, the pursuing Ventura County Sheriff's Deputy advised Suspect did not stop for the red light on Hueneme Road. At approximately 15 minutes and 20 seconds, Suspect was observed battering himself as he drove. Ventura County Sheriff's Aero unit advised they were overhead and monitoring the vehicle pursuit. A Ventura County Sheriff's deputy advised a California Highway Patrol unit was now involved in the pursuit. At approximately 21 minutes and 30 seconds it was confirmed Ventura County Sheriff's transferred the primary responsibility of the vehicle pursuit to the California Highway Patrol.

At approximately 23 minutes and 20 seconds, the pursuit entered the southbound U.S. Highway 101. At approximately 25 minutes, Ventura County Sheriff's dispatch returned to normal broadcasting and dispatched routine calls for service.

The second Ventura County Sheriff's Department downloaded radio traffic was identified as 19-6219 East Valley Radio Traffic. At the start of the radio traffic, Ventura County Sheriff's Department Copter #3 advised the vehicle pursuit was southbound U.S. Highway 101. At approximately 4 minutes and 20 seconds, the Ventura County Sheriff's dispatcher advised Suspect was involved in a traffic collision on the southbound U.S. Highway 101 at Las Virgenes Road. Ventura County Sheriff's Copter #3 advised Suspect exited his vehicle and stood outside next to his vehicle. At approximately 9 minutes and 45 seconds, Ventura County Sheriff's Copter #3 advised Suspect was in a "stand-off" with police and he was concealing his right hand. Copter #3 then advised Suspect told California Highway Patrol officers if he comes out, he is going to come out shooting.

At approximately 17minutes and 30 seconds, Ventura County Sheriff's Copter #3 advised they were leaving the collision scene and returning to Ventura County. They advised addition Ventura County Sheriff's units that Suspect continued to conceal his right hand, and he told California Highway Patrol officers we would come out shooting. At approximately 24 minutes and 30 seconds, Ventura County Sheriff's advised, "shots fired."

### VENTURA COUNTY SHERIFF BODY CAMERA FOOTAGE

AXON\_Body\_2\_Video\_2019-01-12\_1039.MP4 was 26 minutes and 19 seconds in length and showed an officer conducting an apparent domestic violence investigation, speaking with at her residence on



appeared to have cuts below her lower lip and stated that her boyfriend, punched her in the mouth. said her boyfriend fled when police arrived. AXON Body 2 Video 2019-01-12 1111 MP4 was 1 minute and 54 seconds in length and was a continuation of the domestic violence investigation. The officer in the video was talking on the phone with the owner of residence and trying to get ring video recordings of the incident. AXON Body 2 Video 2019-01-12 1145 MP4 was 29 minutes and 13 seconds in length and was a video of the officer involved shooting and the minutes leading up to it. The officer who was wearing the body camera was standing to the left of and behind Deputy Juarez for the majority of the video. The camera was pointed at the back of Deputy Juarez and his police vehicle with an occasional view of Suspect vehicle. Throughout the video there are comments about the Suspect actions such as: he is reaching down, he is looking at us, and his hands are in his jacket. Ventura County Sheriff's radio traffic was heard in the background, as well as, radio traffic between personnel in the helicopter and officers on the ground. Helicopter personnel could be heard telling the officer that the suspect was keeping his right hand hidden in his jacket and that the suspect earlier stated that if he came out, he was coming out shooting. Throughout the video officers can be heard giving commands to the suspect: telling him to put up his hands and show them his hands. Some responses Suspect heard, but most were faint and unintelligible. At one point, an officer told the Suspect to put both hands up, and Suspect replied, what am I supposed to do with my gun. The order and response were relayed to the surrounding officers. In a portion of the video, Suspect was seen moving up and down and making rapid, darting movements back and forth from the driver's side of his vehicle. There were tactical discussions heard about whether California Highway Patrol officers could see Suspect from their vantage points. There was discussion about the need for a police canine and the fact that an armored rescue vehicle was in route. At 25 minutes and 58 seconds gunfire was heard, with at least two rounds fired. The video showed officers advancing on Suspect vehicle. One of the officers could be heard yelling, "Knife! Knife! Knife!" At 26 minutes 11 seconds there were four additional rounds fired and the suspect could be seen falling to the ground. Following the shooting, there were inquiries about the location of the knife and medical assistance was provided to Suspect



Deputy Juarez stated that he shot one rifle slug at Suspect

AXON\_Body\_2\_Video\_2019-01-12\_1505.MP4 was 2 minutes 45 seconds in length and was a follow up to the domestic violence investigation with the officer inquiring about weapons and the injury.

AXON\_Body\_2\_Video\_2019-01-12\_1509.MP4 was 1 minute and 33 seconds in length and was a follow up to the domestic violence investigation with the officer talking to a neighbor about what she saw through her security video.

AXON\_Body\_2\_Video\_2019-01-12\_1600.MP4 was 4 minutes and 21 seconds in length and was a follow up to the domestic violence investigation with the officer reviewing security video of the domestic violence incident.

#### VENTURA COUNTY SHERIFF HELICOPTER VIDEO FOOTAGE

The Ventura County Sheriff's Department downloaded helicopter video was identified as RB19-6219 01202019 Vehicle pursuit TC.ts. The video detailed Suspect driving his silver Chrysler 300 and several marked black and white police vehicles following. The police vehicles had their overhead emergency lights activated. At approximately 7 minutes and 20 seconds, Suspect drove through a red light on Rice Avenue, and a second red light at Rice Avenue and Camino Del Sol. Suspect continued on Rice Avenue and turned south onto the southbound U.S. Highway 101.

As Suspect drove south on the U.S. Highway 101 he drove his vehicle onto the center median, several times. The video of the vehicle pursuit continued for several minutes. At approximately 29 minutes, Suspect veered west across the U.S. Highway 101 and collided into the west guardrail. He immediately exited his vehicle and remained on the south side of his vehicle. He had his right hand concealed inside his black jacket. At times, he sat inside his vehicle and appeared to manipulate items inside the vehicle. Prior to the shooting, Ventura County Sheriff's helicopter Copter #3 left the termination point of the pursuit.

#### INTERVIEW OF WITNESS

On February 6, 2019, at 1258 hours, Investigators conducted an interview with Witnes  The interview was conducted at
California, 91316. The interview was recorded in its entire and the following is only a synopsis of the interview. Exact details and precise verbiag may be obtained by reviewing the audio recording and transcripts can be provided necessary.
Witness drove her black Ford Escape onto the southbound U.S. Highway 10 and entered the number three or four lane of traffic. As she drove south on the highway she saw Suspect drive south, past her, in the center median. He was followed to a number of California Highway Patrol police vehicles. Suspect vehicle veere

west across the highway and collided into the west highway guard rail. The California Highway Patrol Officers also maneuvered their vehicles west across the southbound lanes of traffic and stopped a distance north of Suspect Witness was forced to stop her vehicle behind the California Highway Patrol officers.

Witness saw Suspect exit his silver vehicle and move about the south side of his vehicle. She was unable to see Suspect hands during the barricade, but she did hear communication between the California Highway Patrol officers and Suspect She was unable understand what was being communicated. Approximately one hour into the barricade, she heard a single gunshot, followed by approximately three to four more gunshots. After the shots were fired, she instinctively took cover behind her vehicles dashboard.

Witness told Investigators she captured some of the incident using her cellular telephone. At approximately 1317 hours, Witness utilized the iPhone "Airdrop" feature and forwarded three videos and twelve still photographs to Investigator Montenegro's Los Angeles County cellular telephone. The data was downloaded to a disc and was made a permanent part of the case file.

Investigators reviewed the downloaded files from Witness identified as: IMG\_3279.MP4, IMG\_3280.JPG, IMG\_3281.MP4, IMG\_3282.MP4, IMG\_3283.JPG, IMG\_3284.JPG, IMG\_3285.JPG, IMG\_3286.JPG, IMG\_3287.JPG, IMG\_3288.JPG, IMG\_3289.JPG, IMG\_3290.JPG, IMG\_3291.JPG, IMG\_3292.JPG, and IMG\_3293.JPG.

IMG\_3279.MP4 was a video, 22 minutes 17 seconds in length. The video showed the officers standing behind their vehicles with their guns drawn and pointed at Suspect vehicle. Suspect head could be seen at multiple points in the video. At approximately 3 minutes and 33 seconds he appeared to become agitated and moved rapidly near the rear of his vehicle. At times, he held his arm out toward the officers.

The poor quality of the video made it difficult to determine whether or not Suspect had something in his hand. Throughout much of the video, Witness is on the phone with her mother discussing the incident which was occurring directly in front of her vehicle. During the conversation, Witness told her mother that the suspect was playing a "hide and seek game" with the officers and that he was acting like he had a gun.

IMG\_3280.JPG was a photo of the officers standing behind their vehicles with their weapons drawn.

*IMG\_3281.MP4* was a video, 14 minutes and 55 seconds in length. The video detailed the police activity on the freeway prior to the shooting. Officers could be seen behind their vehicles with weapons drawn and walking near their vehicles. At 14 minutes and



24 seconds someone could be heard yelling "less lethal" then two gunshots were heard. At 14 minutes and 39 seconds additional gunshots were heard.

IMG\_3282.MP4 was a video, 7 minutes and 33 seconds minutes in length. The video shows officers walking around on the freeway after the shooting occurred. The top of an ambulance could be seen in front of the police vehicles.

IMG\_3283.JPG, IMG\_3284.JPG, IMG\_3285.JPG, IMG\_3286.JPG, IMG\_3287.JPG, and IMG\_3288.JPG are photos that show the police vehicles on the freeway with some officers standing around.

IMG\_3289.JPG, IMG\_3290.JPG, IMG\_3291.JPG, IMG\_3292.JPG, and IMG\_3293.JPG are photos that show the covered body of Suspect ying on the ground near the rear of his vehicle.

#### INTERVIEW OF WITNESS

On February 6, 2019 at 1444 hours. Investigators conducted an interview with Witness. The interview was conducted inside an interview room within the Lost Hills Sheriff's Station. The interview was recorded in its entirety and the following is only a synopsis of the interview. Exact details and precise verbiage may be obtained by reviewing the audio recording. Transcripts can be provided if necessary.

Witness stated he was traveling southbound on Highway 101 in the number two or three lane when he noticed all of the traffic on the freeway merging to the right, away from the number one lane. He saw a silver Chrysler traveling in the left emergency lane being followed by multiple police vehicles. Witness estimated the Chrysler was traveling at approximately 100 miles per hour. He briefly lost sight of the vehicles as they crested a hill approaching the Las Virgenes Road exit. When he crested the same hill, he saw all of the freeway traffic braking. He saw the Chrysler crashed into the guardrail on the west side of the freeway. The police vehicles stopped behind the Chrysler and the officers got behind their vehicles, with their guns drawn. He could see the feet and the head of the suspect moving around on the driver's side of the Chrysler.

As Witness sat in his vehicle, people exited their vehicles and walked to and stood in front of his vehicle. Because his view was obstructed, he could no longer see what was occurring. He heard the shooting, but could not see it or what prompted it. He heard one shot, a pause, then four or five more shots. Following the shooting he saw the fire department responding.

Witness had cameras mounted on the front and rear of his vehicle. He provided a USB drive containing video from the incident. The USB drive provided by



Witness was not recognized by Los Angeles County Sheriff's computers and could not be viewed. The content was transferred to a second USB drive and the video content was able to be viewed. The second USB drive video will remain a permanent part of the case file.

Investigators reviewed the video which was 1 hour, 4 minutes, and 27 seconds in length and does not contain any audio. It is comprised of video from a camera mounted inside Witness vehicle looking through the windshield, and a camera mounted inside of the vehicle looking through the rear window. The film was edited and spliced together by Witness There was a date and time stamp on the lower left corner of the video. The date was accurate and the time frame was consistent with the incident occurrence; however, it was impossible to determine the date and time accuracy.

The video showed the suspect's vehicle speeding by southbound traffic in the left emergency lane followed by four police vehicles with their red and blue emergency lights illuminated and flashing. As Witness approached Las Virgenes Road traffic began braking and the suspect vehicle was stopped perpendicular to the roadway against the guardrail on the right shoulder. The vehicle was surrounded by police vehicles with the officers standing behind their vehicles with their guns drawn and pointing at the suspect vehicle. A helicopter could be seen circling overhead.

At approximately 11:43:37 hours, people began to walk to and stood in the traffic lanes in front of Witness vehicle. At 11:54:23 hours, the helicopter leaves the scene. At 11:56:09 hours, neither the suspect vehicle nor the police vehicles could be seen, because the view was obstructed by pedestrians standing on the highway in front of Witness vehicle.

At 12:11:10 hours, the pedestrians appeared startled and bent over. At 12:11:24 hours, the startled behavior was repeated. At 12:11:54 hours, the pedestrians moved to the side and appeared to return to their vehicles as fire department vehicles and an ambulance respond.

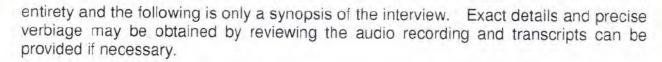
## CONTINUED INVESTIGATION

On February 21, 2019, Investigators contacted Witness to download the cellular telephone recording he possessed of the incident. He told investigators he deleted the video recording, because his cellular telephone needed space to operate properly.

### INTERVIEW OF WITNESS

On February 21, 2019, at 1018 hours. Investigators conducted an interview with Witness

The interview was conducted inside an interview room within the Lost Hills Sheriff's Station. The interview was recorded in its



Witness was a rear seat passenger inside a vehicle which was traveling southbound on U.S. Highway 101, approaching Las Virgenes Road. Suspect drove past her, in the emergency center lane, at a high rate of speed. Suspect was followed by three or four police vehicles. After the vehicles passed, she temporally lost sight of Suspect vehicle and the pursing police vehicles.

As her vehicle approached Las Virgenes Road, southbound traffic slowed and stopped. She saw Suspect vehicle had crashed and police officers were stopped behind Suspect vehicle. The officers gave verbal orders to Suspect to, "Step out with your hands up." At a point during the barricade, a Los Angeles County Fire engine arrived and parked in front of Witness The Fire truck obscured her line of sight to the incident. She heard one gunshot, followed by multiple gunshots.

Witness recorded part of the incident on her cellular telephone. She forwarded her recordings, at 1028 hours, to Investigator Valencia's Los Angeles County cellular telephone. She forwarded four still pictures and one video. The video and pictures were downloaded to a disc and will be made a permanent part of the investigative file.

Investigators reviewed the downloaded files identified as: 2019-01-12-120509.740.JPG, IMG-4401.JPG, IMG-4408.JPG, IMG-4409.JPG and ips-4DDEF7CB-D3DD-44B0-85AF-71140B8C81C8-1.MP4.

2019-01-12-120509.740.JPG, IMG-4401.JPG, IMG-4408.JPG and IMG-4409.JPG were still photographs which showed the shooting scene including Los Angeles County Fire trucks, California Highway Patrol Officers, and stopped southbound traffic.

ips-4DDEF7CB-D3DD-44B0-85AF-71140B8C81C8-1.MP4 was a six second video which showed two California Highway Patrol Officers moving to the rear of a California Highway Patrol vehicle.

## **INTERVIEW OF WITNESS**

On February 21, 2019, at 1215 hours, Investigators conducted an interview with Witness The interview was conducted at Lost Hills Sheriff's Station. The interview was recorded in its entirety and the following is only a synopsis of the interview. Exact details and precise verbiage may be obtained by reviewing the audio recording and transcripts can be provided if necessary.

Witness was inside a vehicle that was traveling southbound on U.S. Highway 101,

approaching Las Virgenes Road. Suspect was followed by three or four police vehicles. As she approached Las Virgenes Road, the southbound traffic stopped. An officer, armed with a rifle, exited a police vehicle. She saw Suspect vehicle had collided into the guard rail. Initially she did not see Suspect but approximately one hour into the barricade, she was only able to see the top of Suspect head. She heard two initial gunshots followed by six additional gunshots.

Witness recorded part of the incident on her cellular telephone. At 1225 hours, she forwarded her recordings to Investigator Montenegro's Los Angeles County cellular telephone. She forwarded one still picture and two videos identified as: *IMG-0652.JPG*, *IMG-0653.MOV* and *IMG-0654.JPG*. The photograph and videos were downloaded to a CD and made a permanent part of the investigative file.

IMG-0652.JPG was a photograph which showed the shooting scene including Los Angeles County Fire trucks, California Highway Patrol Officers, and stopped southbound traffic.

IMG-0653.MOV and IMG-0654.JPG were videos which showed two California Highway Patrol Officers standing to the rear of their respective California Highway Patrol vehicles. The video and pictures were made a permanent part of the investigative file. IMG-0654.MOV was captioned "HAPPY BIRTHDAY SYD."

## INTERVIEW OF WITNESS

On March 4, 2019, at 1941 hours, Investigators conducted an interview with Witness
The interview was conducted in the dining room of his residence. It was recorded in its entirety and the following is only a synopsis of the interview. Exact details and precise verbiage may be obtained by reviewing the audio recording and transcripts can be provided if necessary.

Witness told Investigators he was travelling southbound on U.S. Highway 101 in the number one lane of traffic. He saw a vehicle approaching quickly so he steered his vehicle two lanes to the west. Witness was passed by a gray Chrysler and multiple police vehicles. Once all of the vehicles passed, he moved back into the number one lane. As he approached Las Virgenes Road, he saw the Chrysler was against the guardrail, on the right shoulder, with police vehicles stopped behind it.

Witness eventually exited his vehicle, and he could hear police announcements being made. He could not understand what was being communicated to Suspect He saw Suspect pacing back and forth on the south side of his vehicle. At the time of the gunshots, Witness was looking down at his cellular telephone. He heard between four and seven gunshots. He believed, by the sound of the gunfire, it was more

than one person shooting. When he looked toward Suspect he was lying on the ground. After the shooting, the fire department responded and treated Suspect.

Witness sent two videos and one picture to Investigator Montenegro's Los Angeles County Cellular telephone, via text message. The videos and picture were downloaded to a cd and made a permanent part of the case file.

Investigators reviewed the downloaded data and observed the following:

IMG\_6514.JPG was a picture of police surrounding the suspect vehicle.

*IMG\_6512.MOV* and *IMG\_6513.MOV* were videos which showed police officers standing behind their vehicles with guns drawn.

#### INTERVIEW OF WITNESS

On March 5, 2019, at 1935 hours, Investigator Montenegro conducted an interview with The interview was conducted inside a Starbucks coffee house. It was recorded in its entirety and the following is only a synopsis of the interview. Exact details and precise verbiage may be obtained by reviewing the audio recording and transcripts can be provided if necessary.

Witness was seated in the front passenger seat of a vehicle entering U.S. Highway 101, at Kanan Road. As she entered the highway, she saw a silver Chrysler 300 driving at a high rate of speed. Police vehicles followed the silver Chrysler. Moments later, the driver of her vehicle, applied the brakes because the Chrysler crashed into the guardrail near the Las Virgenes Road exit. As the vehicle came to a stop, she saw the police vehicles had stopped around the suspect vehicle. The officers positioned themselves behind their vehicles with their guns pointed at the suspect vehicle.

Suspect was still seated in his vehicle when they first stopped, but he eventually exited and appeared to be playing "peek-a-boo" with the officers. Suspect seemed uncooperative and he entered and exited his vehicle. She and her friends tired of watching the events and were not paying attention when the shooting occurred. Witness recalled hearing multiple gunshots, but did not know how many because she "blacked out." She explained she was present at the Route 91 festival in Las Vegas when the mass shooting occurred and hearing the sound of gunshots shocked her.

Witness stated she had some photos and videos of the incident on her Snapchat. She sent three videos and eight pictures to Investigator Montenegro via Apple's "Airdrop" technology. The data was downloaded to a cd and made a permanent part of the case file.

Investigators reviewed the data and observed the following:



56901351330 8850DA0E-682A-48BF-966A-D5CBEDE2EAF1.JPG and IMG 1371.jpg showed officers behind their vehicles with weapons drawn. 56901355297\_\_1A1C0A96-4F6E-4066-B7B6-6167CEB10AAE.JPG showed officers behind their vehicles with weapons drawn and pointed at Suspect vehicle. 56901359869 06EF5698-8F0E-470A-9031-4FE0E5D9BF33.JPG showed officers behind their vehicles with weapons drawn and pointed at Suspect vehicle. IMG\_1383.jpg showed an officer standing near Suspect covered body. IMG\_1384.jpg and IMG\_1385.jpg showed officers and standing within taped off crime scene. ips-9B0E10AB-A7D2-4165-9B80-37A56EBE26EB.MP4 was a 7 second video showing officers and firemen standing near the rear of suspect vehicle with the caption. "Quick update: pretty sure he was shot multiple times." ips-309E352B-2E84-4BE2-B92F-0FC2A3EA1BE1.MP4 was a 5 second video showing officers behind their vehicles with weapons drawn with the caption, "Watched a police chase and now it's at a standstill." ips-A10B170A-016A-490D-ACBF-C83F8981101E.MP4 was a 3 second video of the taped off shooting scene with the caption, "Another date: it's now an active crime scene." INTERVIEW OF WITNESS On April 2, 2019, at 1941 hours. Investigators conducted an interview with Witness The interview was conducted at her residence in the The interview was recorded in its entirety and the following is only a synopsis of the interview. Exact details and precise verbiage may be obtained by reviewing the audio recording and transcripts can be provided if necessary. Witness entered the southbound U.S. Highway 101, at Kanan Road, in the number one lane, when a silver colored vehicle passed her at a high rate of speed. The silver vehicle traveled on the left emergency shoulder. As she approached Las Virgenes Road, she saw the silver vehicle collided into the west guardrail of the southbound U.S. Highway 101. There were three police vehicles stopped on the highway behind Suspect silver vehicle. She was unable to see Suspect but the police officers attempted to communicate with Suspect She was unable to understand what was

being communicated. At a point during the barricade, she heard four gunshots.

#### **AUTOPSY FOLLOW-UP**

On April 9, 2019, at 1430 hours, Investigator Montenegro conducted a phone interview with Doctor #647881 in order to ascertain further information regarding the injuries sustained by Suspect Doctor property reported the following:

- Gunshot wound to the head bullet entered at the right side of his chin and exited the right rear of his head, traveling front to back, right to left, and upwards.
- Gunshot wound to the right chest bullet entered the right lower chest and exited the right mid back, traveling front to back, left to right and upward.
- Gunshot wound to the left shoulder bullet entered left posterior shoulder and exited left anterior shoulder, traveling back to front and downward.
- Gunshot wound right forearm bullet entered the right posterior forearm and exited right anterior forearm, traveling back to front, left to right and downward.
- Gunshot wound/projectile injury entered right upper back, traveling back to front, left to right and downward.
- Gunshot wound to the left hand entered left dorsal hand and exited left palm, traveling back to front, right to left and upwards.
- Gunshot wound to the right wrist bullet entered and exited right dorsal wrist traveling back to front, right to left and upper.
- · Gunshot wound to left ring finger bullet entered and exited left ring finger

Additionally, Doctor reported that the toxicology results had returned and indicated that Suspect tested positive for methamphetamine and tetrahydrocannabinol (THC).

## INTERVIEW OF WITNESS

On April 15, 2019, at 1656 hours, Investigators conducted an interview with Witness The telephonic interview was conducted because Witness work schedule did not allow her to meet in person with investigators. The interview was recorded in its entirety and the following is only a synopsis of the interview. Exact details and precise verbiage may be obtained by reviewing the audio recording and transcripts can be provided if necessary.

Witness was traveling southbound, in the number two lane, on the U.S. Highway 101 when she saw several police vehicles, with their emergency lights activated, driving south toward her. A light colored vehicle, driving southbound in the left emergency lane, passed her at a high rate of speed. Shortly thereafter, all of the vehicle on the highway began to slow. Several police vehicle were stopped on the freeway blocking all vehicle traffic. The same vehicle that passed her earlier had collided into the west guardrail, just passed the police vehicles.



The	police	officers	were	outside	their	vehicles	and	attern	pted	to	commur	nicate	with
Susp	ect	Sus	pect	did r	not fol	low the o	fficer'	s orde	rs, ar	nd m	noved at	out o	n the
sout	h side	of his ve	ehicle.	At a p	oint d	uring the	barri	icade,	she	hea	rd three	guns	hots,
follo	wed by	six more	guns	hots.									

#### CALIFORNIA HIGHWAY PATROL M.A.I.T. SUPPLEMENTAL REPORT RECEIVED

On April 23, 2019, Investigators received a copy of the California Highway Patrol Multidisciplinary Accident Investigation Team (M.A.I.T) supplemental report of the incident involving Suspect 
The report was identified by California Highway Patrol report number C19-501-001 and M.A.I.T number SL-501-001. The report details roadway descriptions, incident diagram, and evidence diagrams. The report was made a permanent part of the case file.

## SURVEILLANCE VIDEO

On May 26, 2019. Investigators attempted to review the video surveillance footage from the

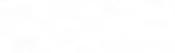
The surveillance video tootage was collected by Homicide Investigator Duncan on January 12, 2019. The surveillance video was downloaded to a thumb drive to memorialize any possible evidence.

On May25, 2019, Investigator Valencia attempted to open the video file. Upon opening the video file a computer message indicated the file was corrupted and inoperable. On June 3, 2019, Investigator Valencia contacted

Security, and inquired about gathering an additional copy of the desired surveillance video footage. Indicated the video was no longer available, because the video system only retained surveillance video for nine days.

By: Detective Joseph Valencia # 296961 Detective Amber Montenegro # 440032

Approved: Lieutenant Scott Hoglund #277112 Homicide Bureau, Detective Division



#### COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

**DATE:** JANUARY 15, 2019

FILE NO.: 019-00195-2241-013

C: ASSAULT ON A PEACE OFFICER,

243(C)(2) P.C.

OFFICER/ DEPUTY INVOLVED

SHOOTING

(SUSPECT DECEASED)

V1: DEPUTY NOEL JUAREZ

VENTURA COUNTY SHERIFF DEPARTMENT

EMPLOYEE # 3336 (UNINJURED)

V2: OFFICER BRIAN GREEN

CALIFORNIA HIGHWAY PATROL

EMPLOYEE # 16383

(UNINJURED)

D: JANUARY 12, 2019 (SATURADY) AT 1030

HOURS

L: SOUTHBOUND HIGHWAY 101 @ LAS

VIRGENES ROAD, CALABASAS, CA

91302

S:

(DECEASED)

ACTION: ACTIVE / CC# 2019-00338 /

INTERVIEW PEGGY VEREGGE/ INTERVIEW EMILY

COHEN/ INTERVIEW BRENDA

COHEN/ INTERVIEW LEANNE RUTHERFORD/ INTERVIEW

SERGEANT ALAN HARTKOP

#### RESPONSE AND ARRIVAL

On January 12, 2019, at approximately 1430 hours, Homicide Investigators Gary Sloan and Brandt House were contacted by Homicide desk personnel. Sloan and House were assigned to assist Homicide Investigators Joe Valencia and Amber Montenegro regarding the officer involved shooting death of a male identified as Sloan and House responded to Lost Hills Sheriff Station and contacted Valencia and Montenegro. Investigators were made aware that following a pursuit on the southbound 101 freeway, CHP and Ventura Sheriff's deputies were involved in an officer involved shooting. Investigators were briefed of the incident by CHP personnel. Investigators were made aware that four civilians who witnessed the shooting as well as one Sergeant from the Ventura Sheriff's Department were waiting at Lost Hills Station pending an interview.

Following this briefing, Investigator Sloan and House were tasked by Valencia and Montenegro with interviewing the civilians as well as the sergeant from Ventura. Investigators walked into the station and introduced themselves to these civilians and thanked them for their patience. Each civilian acknowledged Investigators greetings and all voluntarily stayed at the station to speak to detectives. Investigators spoke to each civilian in an interview room separately. These interviews were digitally recorded, a copy of each will become a permanent part of this file.

#### INTERVIEW

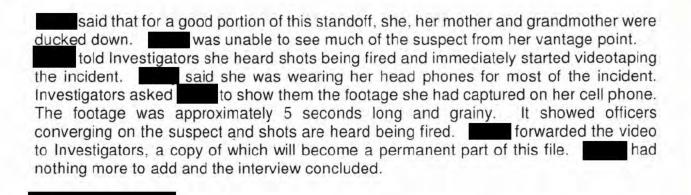
On January 12, 2019, at approximately 1705 hours, Investigators sat down with and spoke with her. The following is a summary of statements made to Investigators. told Investigators that she was driving south on the 101 freeway when she observed the suspect vehicle along with police officers pass her at a high rate of speed from the shoulder of the freeway closest to the center divider. Moments later, said she pulled up to a car crash and noted police officers had also stopped, exited their vehicles and had their guns drawn, focusing in on the silver vehicle which had passed her moments before. said she, along with other vehicles stopped and watched. said she videotaped some of the incident on her cell phone, which she passed along to a Sheriff Deputy she identified as Jeffrey. said she watched as more police officers showed up, exited their cars and position themselves so they were focused on the suspect's vehicle. said she was stopped in the number one lane or, the fast lane. watched as the suspect walked back and forth from the rear of his vehicle to the middle front of his car. The suspect continually "rocked back and forth" and would crouch down to hide himself from law enforcement, then pop his head back up.

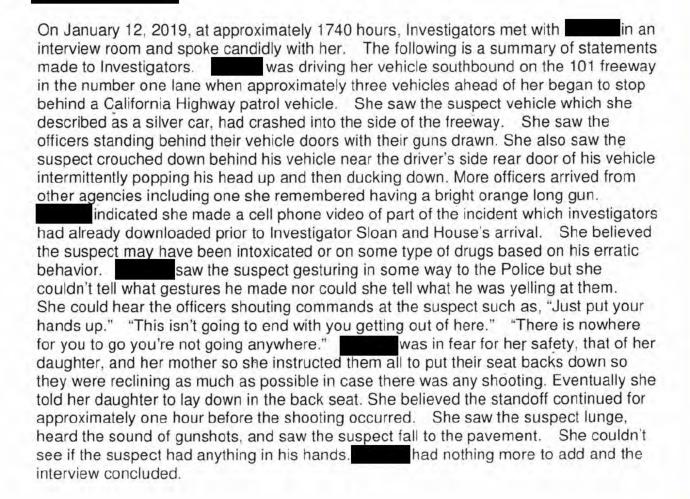
said that because of the suspect's actions, it was apparent that he was under the influence of drugs. said she could hear the police making announcements to the suspect to give up however, the suspect continually would curse at the police and disregard their orders. At one point, said she heard several gun shots, observed the suspect on the ground and immediately ducked down in her car. unaware of what prompted the shooting and could not see from her vantage point. Immediately following the shooting. Is said she watched as police and paramedics tend to the suspect as he lay on the ground. Investigators noted possessed a yellow piece of paper with a sketch of the freeway and inquired. Investigators where she was positioned in her car, where the crash had occurred, as well as where other police vehicles were positioned. Investigator Sloan took a picture of this paper, a copy of which will become a permanent part of this file. Further, Investigators a Sheriff's vehicle inspection sheet she had obtained in the report writing room at Lost Hills Station. On this sheet, had made an X on two separate locations along with an arrow. said this represented where the suspect kept popping up as well as walking back and forth to the back and front of his car. Investigator Sloan took control of the inspection sheet and photographed it, a copy and the original of which will become a permanent part of this file. had nothing more to add and the interview concluded.

#### INTERVIEW

On January 12, 2019, at approximately 1722 hours, Investigators contacted in an interview room and spoke to her candidly. The following is a summary of statements made to Investigators. Said that she was driving in her mother's vehicle with her mom and grandmother, south on the 101 freeway. She watched as the suspect's vehicle drove passed them at a high rate of speed while being followed by police vehicles. Said they continued to drive south in the fast lane and at one point, lost sight of the vehicles. Moment later, they approached the area where the incident occurred and noticed the suspect's vehicle had crashed. She watched from the back seat of her mom's car as police had exited their vehicles, drew their weapons and positioned themselves behind their police cars. Stated that within the onset of this standoff, she watched as other police vehicles showed up.

told Investigators that she observed the suspect out of his vehicle, continually popping his head up and down as he walked back and forth behind his crashed vehicle. stated that due to his erratic behavior it appeared that he was on drugs. At one point, said the suspect looked like he was going to jump over the adjacent fence next to him. could hear the police giving orders to the suspect but could not make out what the suspect was saying. said she had her head phones on for most of the time she was in the car. said the police were yelling at the suspect to put his hands in the air for approximately an hour.





#### INTERVIEW

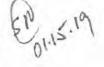
On January 12, 2019, at approximately 1755 hours, Investigators met with
interview room and spoke candidly with her. Also present were Los Angeles County
Deputy District Attorney Daniel Achman and Los Angeles County District Attorney
Investigator Sonia Florez. The following is a summary of statements made to
Investigators. was driving southbound on the 101 freeway in the number one
lane when she saw the suspect vehicle driving southbound past her on the left shoulder.
She then saw California Highway patrol officers following after the suspect also on the
left shoulder. didn't see the suspect vehicle crash but she saw all the vehicles
in front of her come to a stop. Eventually she looked over to the opposite side of the
freeway and saw the suspect behind his crashed vehicle. The officers were standing
behind their vehicles with their guns drawn. The suspect was exchanging words with the
officers but she couldn't hear what they said to each other. The suspect appeared to
her to be extremely agitated and yelled profanity including, "Fuck you" at the officers.
The suspect was crouching behind his vehicle and appeared to intermittently pop his
head up and then crouch back down.
with his hands until at one point he reached up with both hands and pulled off the hood
he had over his head. The standoff continued for approximately thirty minutes.
heard a single gunshot and saw the suspect's legs moving around. She made this
observation underneath the Suspect's vehicle. The suspect began to crawl towards
the rear of his vehicle and she heard approximately four gunshots and the suspect
collapsed on the pavement. took photographs of the incident which she later
sent to Investigator House. had nothing more to add and the interview
concluded.

#### INTERVIEW SERGEANT ALAN HARTKOP

On January 12, 2019, at approximately 2000 hours, Investigators conducted an interview with Ventura Sheriff's Sergeant Alan Hartkop at Lost Hills Sheriff's Station. Prior to this interview, Alan sat down and spoke with his representative Howard Liberman with the firm of Mastagni & Holstedt. At the conclusion of his conversation with Liberman, Alan spoke with Sloan and House candidly and in the presence of Mr. Liberman. The interview was recorded in its entirety and transcribed. For details, refer to the transcription of the recorded interview which will be submitted with this supplemental report.

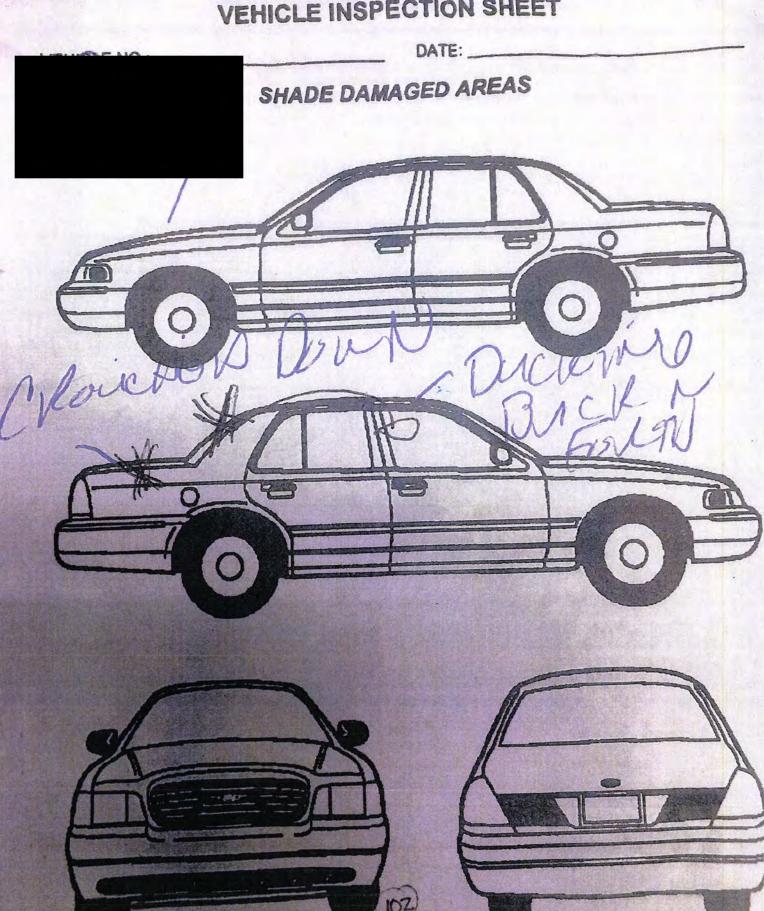
By: INVESTIGATOR GARY SLOAN #413800 INVESTIGATOR BRANDT HOUSE #275842

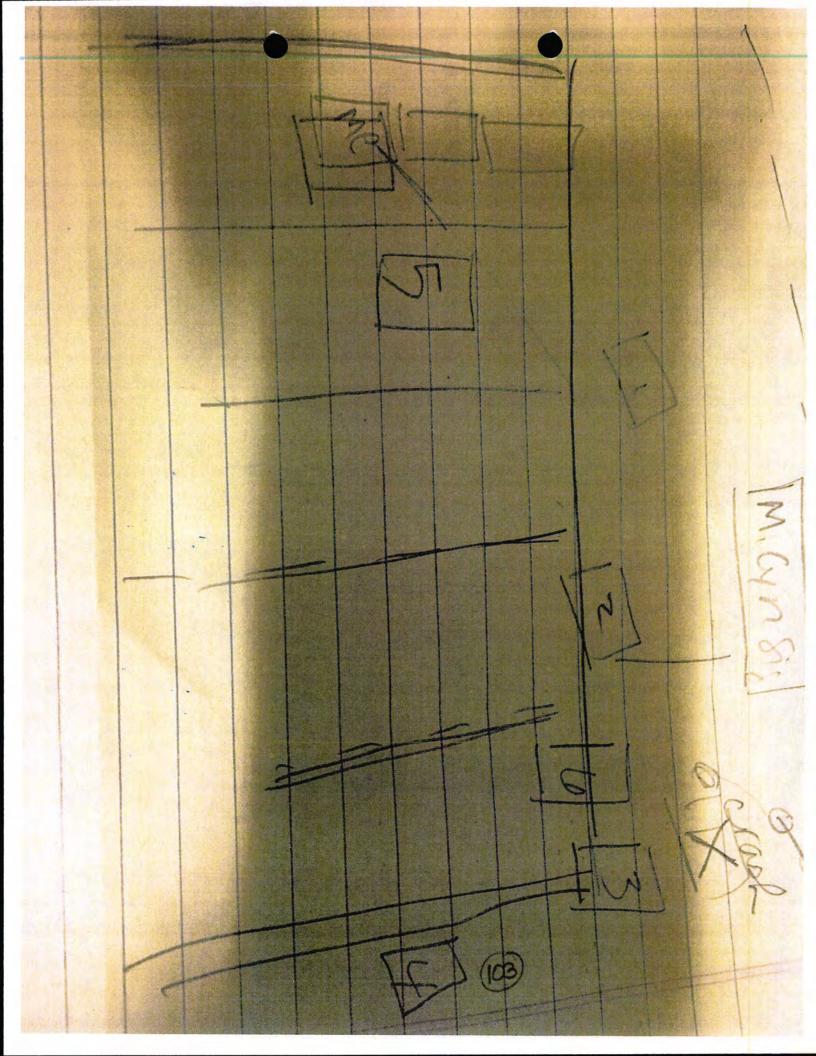
APPROVED: LIEUTENANT SCOTT HOGLUND #277112 HOMICIDE BUREAU, DETECTIVE DIVISION





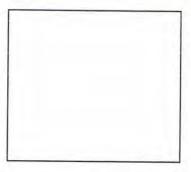
## LOS ANGELES SHERIFF'S DEPARTMENT VEHICLE INSPECTION SHEET





#### STATE OF CALIFORNIA - COUNTY OF VENTURA

## **SEARCH WARRANT AND AFFIDAVIT** (AFFIDAVIT)



Detective Francisco Jauregui swears under oath that the facts expressed in the attached and incorporated Statement of Probable Cause are true and based thereon there is probable cause to believe and does believe the property described below is lawfully seizable pursuant to 18 United States Code sections 2703, subds. (c), (d); 3122; and 3123 and California Penal Code sections 1524, 1524.2, and 1546.1 as indicated below, and is now located at the locations set forth below. Wherefore, affiant requests that this Search Warrant be issued.

The oath of the affiant was administered orally over the telephone.

1544 Signature of Affiant

The issuing magistrate has confirmed the affiant's signature, digital signature, or electronic signature is acknowledged as genuine.

NIGHT SEARCH REQUESTED: YES [

NO X

01-22-2019 09 08 38

## (SEARCH WARRANT)

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, POLICEMAN OR PEACE OFFICER IN THE COUNTY OF VENTURA: Proof by affidavit having been made before me by Detective Francisco Jauregui that there is probable cause to believe the property described herein may be found at the locations set forth herein and it is lawfully seizable pursuant to Penal Code sections 1524, 1524.2, and 1546.1, as indicated below by  $\boxtimes$ (s) in that:

$\square$	it was stolen or embezzled;
	it was used as the means of committing a felony;
	it is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another, to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery;
	it tends to show that a felony has been committed or that a particular person has committed a felony;
	there is a warrant for the person's arrest;
	it tends to show, through information to be received from the use of a tracking device that a felony has been or is being committed, tends to show that a particular person has committed a felony, or will assist in locating an individual who has committed or is committing a felony.



#### YOU ARE THEREFORE COMMANDED TO SEARCH:

#### Location #1

#### Facebook Inc.

1601 Willow Road Menlo Park, CA 94025

Attn: Facebook Security, Law Enforcement Response Team

Fax: 650-644-3229

#### FOR THE FOLLOWING PROPERTY:

1. All digital/electronic files, including all Internet Protocol Addresses, all stored digital/electronic communications to include Facebook messenger conversations, email, auctions information, Facebook Marketplace account(s) / bidding information, digital images to include meta data (GPS, device type, device IMEI) associated to the images at the time of upload to Facebook, digital videos, and buddy lists, associated with the following Facebook Inc. accounts from 09/27/2018 through 01/12/2019 for evidence of possession of a stolen vehicle, criminal threat, domestic violence, resisting an executive officer, absconding from parole, evading in a motor vehicle and unlawful firearm activity for the following TARGET accounts:

	with	the	URL	of
	with	the	URL	of
	with	the	URL	of

- 2. All connection logs and records of user activity for the targeted accounts:
  - a. Connect and disconnect dates and times:
  - b. Method of connection (e.g. telnet, ftp, http...);
  - c. Data transfer volume:
  - d. User name associated with the connections:
  - e. Telephone caller identification records;

	<ul> <li>f. Any other connection information, such as the IP address of the source of the connection;</li> </ul>
3.	Any accounts associated with, linked to, maintained or created "
4.	Connection information for any computer to which '
	are connected, by any means, during the connection period, including the destination IP address, connection time and date, disconnect time and date, method of connection to the destination computer, and all other information related to the connection to or from Facebook between the periods of from 09/27/2018 through 01/12/2019;
5.	Facebook posts, likes, shares by
	between the periods of 09/27/2018 through 01/12/2019;
3.	Any Facebook Messenger messages, conversations, private messages, secret messages, calls, communications, contacts, and historical data linked or associated to
	through 01/12/2019; between the periods of 09/27/2018
7.	Any digital images, to include meta data such as GPS, location, device type, etc. that may have been removed from the image by Facebook at the time of its upload. associated to accounts
	between the periods of 09/27/2018 through 01/12/2019. This includes any images that may have been sent through Facebook Messenger or privately through Facebook communication methods;
3.	Any Facebook financial records collected about
	the account's use of Facebook Services for purchases or financial transactions which Facebook may have collected data about reference the purchase or transaction. This includes payment information, such as credit or debit card number and other card information, and other account and authentication information, as

9. Device information Facebook collected from or about the computers, phones

well as billing, shipping and contact details;

other devices in which

installed Facebook software in order to access Facebook Services between the periods of **09/27/2018** through **01/12/2019**. Device information Facebook collects includes but is not limit to:

- a. Attributes such as the operating system, hardware version, device settings, file and software names and types, battery and signal strength, and device identifiers.
- b. Device locations, including specific geographic locations, such as through GPS, Bluetooth, or WiFi signals.
- c. Connection information such as the name of the TARGET accounts mobile operator or ISP, browser type, language and time zone, mobile phone number and IP address.
- 10. Digital/electronic documents, records, or other Facebook account subscriber information relating to or associated with the Facebook Target accounts

accounts, to include billing records, and records of any contacts between anyone representing Target account and Facebook between the periods of 09/27/2018 through 01/12/2019;

11. Information from third party websites and applications (apps) that Facebook Services associates to the Facebook Target Accounts (

Facebook Target accounts visits or uses third-party websites and apps that use Facebook Services between the periods of 09/27/2018 through 01/12/2019. This includes information about the websites and apps Facebook Target accounts visits, Facebook Target accounts use of Facebook Services on those websites and apps, as well as information the developer or publisher of the app or website provides to Username / ID# or Facebook;

**IT IS FURTHER ORDER** that Facebook.com refrain from directly or indirectly disclosing the existence of this Search Warrant or criminal investigation to the subscriber, or any other person, for a period of 90 days from the date of this order.

IT IS FURTHER ORDERED that there is reason to believe notification pursuant to California Penal Code section 1546.2(b) may have an adverse result upon this

investigation and therefore notification is delayed for a period of 90 days from the date of this order.

IT IS FURTHER ORDERED that pursuant to California Penal Code sections 1524.2(b)(4) and 1546.1(d)(3), if the corporation receiving this search warrant is incorporated in any state other than California, the corporation shall verify the authenticity of records that it produces by providing an affidavit that complies with the requirements set forth in California Evidence Code Section 1561. The affidavit may be provided by the applicant for this search warrant or by the recipient.

IT IS FURTHER ORDERED that any electronic communication or device information obtained through the execution of the warrant which is unrelated to the objective of the warrant shall be sealed and not subject to further review, use, or disclosure and should be returned to the owner of the property without further order of this court. The information sought is for evidence related to violations of Penal Code sections 69-Resisting an Executive Order, 273.5(a)-Domestic Battery, 29800(a)(1)-Possession of a Firearm by a Prohibited Person, Vehicle Code sections 2800.2(a)-Evading in a Motor Vehicle, Vehicle Code section 10851(a)-Unlawful Taking/Possession of a n Vehicle and unlawful firearm activity for the following time period: 09/27/2018 through 01/12/2019.

IT IS FURTHER ORDERED that based upon the showing in the Statement of Probable Cause by the affiant, it reasonably appears necessary to extend the time for filing the Return of Search Warrant to within ten (10) days of the receipt of complete and accurate records requested pursuant to this Search Warrant.

AND TO SEIZE IT IF FOUND courthouse of this court. This S and subscribed before me this	and bring it forthwith before me, or this cearch Warrant, and incorporated Affidavit w	court, at the vas sworn to . The oath
of this Affiant was sworn orally of	over the telephone. Wherefore, I find probab	ole cause for
the issuance of this Search Warr	ant and do issue it.	70 00000 101
Maney L. Clyes	01-22-2019 09:08:38	3
	_, NIGHT SEARCH APPROVED: YES [	NO XX
Judge of the Superior Court, Ventura Judicial District		

## AFFIDAVIT PURSUANT TO PC 1524.2 and 1546.1

١, _			, th	e undersigned, say:						
1.	I am of the	the dul	y authorized cus -named business	todian of the records	and I have auth	ority to certify the records				
2.	With	With respect to the records described in the search warrant issued pursuant to PC 1524.2:								
	(Affia	nt mus	t check either (a)	or (b))						
	(a)		records desc	ansmitted herewith an ribed in the above-m business has such r	entioned search	ct copies of all the origina warrant, in so far as the				
	(b)		No copies are	transmitted herewith cords described in the	n because the ab e above-named	oove-named business has search warrant.				
3.	busin	ess in	referred to ab the ordinary cour which the recor	se of business at or	by the personinear the time(s)	nel of the above-named of the act(s), condition(s)				
4.	The r	ecords	provided herewit	h are identified as fol	ows (Affiant <u>mus</u>	st describe records):				
5.				n were prepared in th	e following manr	ner:				
		III IIIusi		ore of the following)	(=1===================================					
	(a)			or duplication of orig						
	(b)		form.	printing of original re	cords or data ma	intained in electronic				
	(c)		Other:							
Ξxe	ecuted	on		, at		,				
			(Date)	(City)		(State)				

#### STATEMENT OF PROBABLE CAUSE

#### I. Affiant Training and Experience

I, Francisco Jauregui, am a Deputy Sheriff for the Ventura County Sheriff's Office and have been employed as a Deputy Sheriff for the last 13 years. I have been assigned to positions that have required investigative work. These positions include the Sheriff's Gang Unit, Camarillo Special Enforcement Detail and the Todd Road Jail Security and Placement Unit.

I am currently assigned as a Detective with the Major Crimes Bureau. As part of my current and past assignments, I have conducted, or assisted in conducting numerous investigations for violent crimes to include, sexual assaults, robberies, assault with deadly weapons and homicide. I have interviewed numerous suspects who have admitted committing violent assaults, robberies, assault with deadly weapons and other violent crimes. I have questioned these suspects extensively and learned a great deal as to the manner in which they commit their crimes and how they transport, store and dispose of stolen property and evidence. I have assisted in the preparation and/or the execution of numerous search warrants. I have been present at many crime scenes when evidence was present and either assisted or personally collected evidence. Throughout my career, I have learned the importance of collecting items to identify both known and unknown suspects, and provide supporting evidence to witness, victim and suspect statements.

I have assisted in numerous search warrants and probation searches on gang member's residences, vehicles and persons. I have also been assigned to locate numerous fugitives who were wanted by law enforcement for various types of crimes. These have included subjects who have fled from law enforcement contacts, or were wanted for violent felonies, up to and including homicide. I have utilized various investigative techniques to locate these fugitives that have included the use of informants and interviews with relatives and associates, monitoring social websites (such as Facebook and Instagram) of fugitives, and tracking fugitives through the use of their cellular phones and Global Positioning Systems (GPS).

I have attended additional training regarding search warrant writing, informant management, and conducting surveillance. I also have attended a California POST certified symposium on narcotic investigations. I have conducted and assisted in numerous narcotic related investigations which have led to the arrest of numerous subjects and the seizure of various amounts of controlled substances. These investigations have included arrest arising from traffic stops, consensual contacts, search warrants as well as the use of confidential informants to make controlled purchases of narcotics. I have participated in narcotic related surveillances and complex narcotic investigations. I am also fluent in Spanish and I am compensated by the County of Ventura as a Spanish translator.

I have used various investigative techniques and the use of technology to collect evidence. I have used various forms of technology and devices to collect and abstract

information from cellular telephones and computers. I have attended a seminar on "Cellebrite", which is private software used by law enforcement in order to download the contents of mobile hand held devices. This seminar instructed the structure of cell phones, their respective operating system and how the software identifies and retrieves/downloads date from the cell phone. Over my career, I have successfully downloaded and extracted data from various cell phones using the "Cellebrite" and "Lantern" software. From these events, I have witnessed various forms of data being stores on cell phones including text messages, multi-media messages, contact information, note taking, electronic mail, use of applications to store information and digital pictures.

#### II. Background

All parties identified as Deputy, Detective, Senior Deputy, Sergeant, and/or Detective Sergeant are known to me to be sworn peace officers in the State of California employed by the Ventura County Sheriff's Office.

On 01/12/19, from speaking with Deputy Amelia Sanchez I learned the following: On01/12/19, at approximately 1025 hours, Deputy Eric Stolworthy and Sergeant Gus Macias were dispatched to in the City of Camarillo regarding a "Domestic Disturbance in Progress." Deputy Sanchez said that when Deputy Stolworthy arrived, he advised Sheriff's Dispatch that a vehicle was fleeing the area. Deputy Stolworthy pursued the vehicle and into the Oxnard area where law enforcement officers from the California Highway Patrol took over the pursuit.

Deputy Sanchez stated that she responded to	and contacted the
victim, Deputy Sanch	ez noticed
mouth was "full of blood." Deputy Sanchez said that proper	red to have broken
teeth and a small cut on the left side of her lip. At a later time	
determined that did not have any broken teeth, but still had to	he laceration on her
lip. Medical personnel responded to the residence to treat	ut she refused to go
to the hospital for further treatment.	
Deputy Sanchez spoke with In summary, told Sar	chez the following:
said she has been in a dating relationship with a subject	she knew as
who was approximately 40 years old. (At a later time,	was positively
identified as with a date of birth of	
been dating for approximately one month.	in Santa Barbara.
knew lived in Santa Barbara, but she did not know	
provided telephone number,	112 14124 324
Today (01/12/19), came over to residence.	said started
arguing with her because she did not pick him up in Ventura yes	
argument, punched in her face one time.	she did not hit
back. said said fled the area when the patrol unit arrived	Deputy Sanchez

stated that when Deputy Stolworthy arrived, he witness push push out of the vehicle. Deputy Sanchez contacted the Ventura County Sheriff's Department Advance Real Time Information Center (ARTIC) and had them conduct a background check on and the telephone number provided for him. From the records check on the and the telephone number, ARTIC was able to obtain a photo from name of " the California Department of Motor Vehicles Image - Cal-Photo for a date of birth of and California Driver's License # Sanchez showed Cal-Photo to and I confirmed the subject in the photo was ' Deputy Sanchez also discovered that had been driving the Chrysler for about a month. On 01/12/2019, I spoke with Deputy Stolworthy. In summary, he told me the following: On 01/12/2019, at approximately 1028 hours, Stolworthy was dispatched to in the City of Camarillo regarding a domestic incident. Sheriff's Dispatch advised Stolworthy the one of the subjects was a Hispanic male, 30-40 years old, wearing sweatpants and associated with a gray Chrysler sedan. Dispatch told Stolworthy to respond "Code 3" because the female subject was throwing punches. Deputy Stolworthy said he arrived at the residence at approximately 1030 hours and saw a gray Chrysler 300, Utah license plate # parked in the driveway of the residence. Deputy Stolworthy still had his patrol unit's overhead lights (including the forward facing steady red light) on when he arrived and parked close to the Chrysler. Stolworthy approached the Chrysler noticed a male, later identified as subject sitting on the driver's seat of the Chrysler and a female subject (identified as sitting (on the driver's seat) on top of the male. Deputy Stolworthy said had one of her legs out of the Chrysler. As Deputy Stolworthy approached the pushed out of the Chrysler. Deputy Stolworthy said the Chrysler's door and backed up out of the driveway and almost hit his patrol vehicle. Deputy Stolworthy noticed appeared to be a Hispanic male, approximately 40 years old with medium length hair and facial hair. Deputy Stolworthy said the female was in the driveway crying and it did not appear she needed immediate medical attention. Stolworthy went back to his patrol vehicle, but did not see which direction the Chrysler went. Stolworthy activated his unit's overhead lights and siren and attempted to locate the Chrysler. Stolworthy located the Chrysler in the area of Dunnigan and Gemini. Stolworthy pursued the Chrysler and it yielded at a red traffic signal on Dunnigan Street at Arneill Road. Stolworthy confirmed the Chrysler had a Utah license plate, number and provided it to Dispatch. Stolworthy said would look at him through the rear view mirror as well as turn his head over his left shoulder. Deputy Stolworthy exited the patrol unit and approached the Chrysler when the Chrysler drove through the red traffic signal and turned southbound on Arneill Road. Stolworthy pursued the Chrysler onto Ponderosa Drive. During the pursuit, Dispatch advised Stolworthy that the Chrysler was reported as being a stolen vehicle. Stolworthy

said the Chrysler also ran through stop signs at the intersections of Ponderosa Drive at Lantana Street and at the intersections of Ponderosa Drive at Rosewood Avenue. Deputy Stolworthy said he lost sight of the Chrysler turned onto East Daily Drive. Stolworthy terminated the pursuit.

On 01/12/2018, I spoke with Sergeant Gus Macias. From talking to Sergeant Macias and reading his report, I learned the following: Approximately three minutes after Stolworthy lost sight of the Chrysler and terminating the pursuit, Sergeant Macias located the Chrysler passing the Ventura County Fire Department Station 50, located 189 South Las Posas Road. Sergeant Macias said the Chrysler was driving southbound on Las Posas Road. Sergeant Macias activated his patrol unit's overhead lights and siren and pursued the Chrysler. Sergeant Macias said the Chrysler continued going southbound on Las Posas Road and the Chrysler "ran two red lights without slowing down" at the intersection of Las Posas Road at Fifth Street and the intersection of Las Posas Road at Hueneme Road. Sergeant Macias indicated he was traveling over 80 miles per hour and the Chrysler was pulling away from him. Sergeant Macias estimated the Chrysler traveling approximately 95 to 100 miles per hour. Sergeant Macias said patrol units from the California Highway Patrol took over the pursuit and he terminated his pursuit in the area of Pacific Coast Highway and Wooley Road.

#### III. Respond To Pursuit Termination Point

On 01/12/2019, at approximately 1117 hours, Sheriff's Dispatch had Deputy Noel Juarez, who was assigned to work at the Ventura County Sheriff's Office – East Valley Station respond to the area of southbound Highway U.S. 101 and Las Virgenes Road in the city of Calabasas to take custody of from the officers from the California Highway Patrol due to crashing the Chrysler during the pursuit. When Deputy Juarez arrived, he noticed officers from the California Highway Patrol were in a stand-off with Diaz. Sergeant Alan Hartkop also responded to the scene to assist Juarez. During the standoff, was shot by law enforcement personnel and was eventually pronounced dead by medical personnel at the scene.

On 01/12/2019, at approximately 1247 hours, Captain Jeff Miller informed me of an Officer Involved Shooting that had just occurred involving Ventura County Sheriff's Deputy Noel Juarez and officers from the California Highway Patrol that occurred in the area of Highway U.S. 101 at Las Virgenes Road in the city of Calabasas. I responded to the area to assist with the investigation. While on-scene, Captain Miller informed me that detectives from the Los Angeles Sheriff's Department would be taking over the investigation and we would be assisting them. Los Angeles County Sheriff's Department Detective Sergeant Joseph Valencia was one of the investigators.

While at the scene, I was present when Coroner Investigator Lauren Diaz, from the Los Angeles County Medical Examiner's Office conducted an external exam on body. During the exam of body and the Chrysler, no firearms were located. However, I learned that while patrol units from the California Highway Patrol were pursuing

threw objects out of his vehicle. The objects were never recovered and no firearms were ever recovered.

On 01/12/2019, Detective Sergeant Valencia interviewed Deputy Juarez about the

incident leading to being shot. Ventura County Sheriff's Office Detective Sergeant Ron Chips spoke Sergeant Valencia about Deputy Juarez' statement. I spoke with Sergeant Chips about Juarez' statement and I learned the following: Deputy Juarez responded to the area of Highway U.S. 101 and Las Virgenes Road to take custody of once the pursuit had terminated. Deputy Juarez knew had a felony warrant and was considered "Armed and Dangerous." Deputy Juarez also knew that had just being involved in separated high-speed vehicle pursuits and was wanted for domestic battery. When Deputy Juarez arrived, he noticed was not in custody and he was involved in a standoff with officers from the California Highway Patrol. refused to follow commands given by law enforcement officers and refused to surrender. Indicated that he had a firearm and kept moving behind the Chrysler. also made comments something to the effect that he "was going to come out shooting." During the standoff, kept his right hand hidden in his jacket and never showed law enforcement officers what he was holding with his right hand. However, Deputy Juarez believed was holding a firearm with his right hand. During the made furtive movement with his right hand toward the law enforcement officers. Believing had a firearm, Deputy Juarez was afraid that was going to shoot him and other law enforcement officers. Deputy Juarez shot one 12-gauge round from his shotgun around the same time officers from the California Highway Patrol also Law enforcement officer approached and handcuffed him. Medical personnel was called to treat but medical personnel declared body remained at the location.

## IV. History

On 01/12/2019, I contacted ARTIC and requested additional information on the Chrysler 300. According to ARTIC, the Chrysler was owned by LLC and it was reports stolen on 01/04/2019 to the Santa Barbara Police Department. ARTIC also informed me that was on Parole from the California Department of Corrections for violation of Penal Code section 422-Criminal Threats and Penal Code section 273.6(d)-Violation of a Domestic Court Order.

On 01/12/2019, ARTIC provided me with sheet" (California Criminal History Index) which discovered that Diaz' CII number was California Driver's License number was California Penal Code section 69(a)-Resisting and Executive Officer and California Penal Code Section 69(a)-Resisting An Executive Officer and California Penal Code section 422-Criminal Threats and was sentenced to 16 months in county jail. On 11/21/2016, Diaz was convicted of felony violations of California Penal Code section 422-Criminal Threats and was sentenced to 16 months in county jail. On 11/21/2016, Diaz was convicted of felony violations of California Penal Code section 422-

Criminal Threats and California Penal Code section 273.6(d)-Disobeying a Domestic Relations Court Order and he was sentenced to three years in prison.

I spoke with my partner, Detective Jarrod Foote, and learned the following: On 01/14/2019, Detective Foote contacted California Department of Corrections Parole Supervisor Mark Herschberg. Parole Supervisor Hershberg informed Detective Foote that was assigned to live at the Stalwart Sober Living Home in Santa Barbara since 07/12/2018. Hershberg said that last contact with his parole officer was on 09/27/2018 at place of employment. Parole Supervisor Hershberg said that on 10/01/2018, moved out of the sober living home without permission. Parole agents attempted to locate but were unsuccessful. On 10/17/2018, parole agents attempted to contact mother in the city of Santa Paula, but she was uncooperative and said she did not know where was located. A warrant for was issued for absconding from parole.

ARTIC confirmed had an outstanding felony arrest warrant which was issued on 11/07/2018 for violating his parole.

#### V. Social Media

ARTIC informed me that they had located three separate Facebook.Com profiles that were associated to \_\_\_\_\_\_ The Facebook accounts were:

with the URL of http://www.facebook.com/
with the URL of https://www.facebook.com/

Using the website, https://findmyfbid.com, I located the Facebook identification numbers for the Target Facebook accounts. It should be noted that I have previous used www.findmyfbid.com to find the identification numbers for Facebook accounts and have found it to be accurate when searching the Facebook user names. The following are the identification numbers for the **TARGET** accounts:

www.facebook.com/
www.facebook.com/

Using the social media website, <u>WWW.FACEBOOK.COM</u>, I conducted a search on Faceboook.com account for publicly posted profiles for the aforementioned **TARGET** accounts.

noticed the accounts listed as, with the Facebook ID# (https://www.facebook.com/ listed the owner of the account as being a male subject and his birthday as being in The account contained four photos. Two of the photos were scenery pictures and appeared to be of the Ventura area. The third photo was a cartoon picture depicting a skeleton with the Raider's Football Logo. The fourth picture was altered and appeared to of a male subject wearing a hoodie and a baseball style hat that was pulled down the point that I could only see the mouth area and left check. The second account listed as with the Facebook ID# (https://www.facebook.com/ listed the owner of the account as being a male subject and his birthday as being . The account only had one picture and it appeared to of a modified black and white United States of America flag, but it did not have any stars. Instead of the flag having the starts, it had the numbers "805." The third account listed as with the Facebook ID# (https://www.facebook.com/ listed the owner of the account as being a male subject, but it did not provide a birthday. However, the account indicated the subject "Current city" was "Ventura, California." This account also had two videos of a male subject which I believe was This account also had one photo of a who was wearing a gray baseball hat and black t-shirt. In this Photo, with a juvenile boy and girl and all three are sitting on a tree. After examining all three TARGET Facebook accounts, I noticed all three accounts had , and a few others listed under the "Friends" Based on the date of birth, listed as section. used on both Facebook accounts, the photos and video on the Facebook account, all three accounts having some of the same friends, and providing the name of I believe all three TARGET Facebook accounts are were used by

## VI. Request for a Sealing Order

This search warrant is requested as part of an ongoing investigation. It is expected that the investigation will continue with additional intelligence gathering, interviews, and search warrants. This search warrant, if disclosed to the public or the target(s) of this investigation before completion of the investigation, could give the target(s) of this investigation an opportunity to destroy evidence, influence witnesses, notify confederates, or otherwise hamper the investigation. Therefore, it is requested that this search warrant be sealed to prevent becoming a public record within 10 days. Sealing is justified even against discovery by the defendant(s) based on the governmental privilege allowing for the protection of official information pursuant to Evidence Code sections 1040-1042. As a result, your affiant is requesting the entire search warrant

and affidavit be sealed pursuant to Rule 2.550 of the California Rules of Court. For the reasons outlined above, it is further requested that the notification requirements of Penal Code section 1546.2(a) be delayed for a period of 90 days from the date of this order.

#### VII. Opinions and Conclusions

Based on the investigation and my training and experience, I believe committed felony violations of California Penal Code section 69-Resisting an Executive Order, 273.5(a)-Domestic Battery, 29800(a)(1)-Possession of a Firearm by a Prohibited Person, and Vehicle Code sections 2800.2(a)-Evading in a Motor Vehicle and Vehicle Code section 10851(a)-Unlawful Taking/Possession of a Vehicle.

Through training and experience, I believe suspects involved with felonious activity, such as robberies, unlawful firearm activity, street terrorism, conspiracies to commit crime, possession of controlled substances and possession of controlled substance for sales, and other violent criminal activities utilize cellular telephones and Internet based programs such as Twitter, Facebook, Instagram, and Snapchat to communicate with one another. I also know suspects utilize text message capabilities through cellular telephones to communicate with other parties involved, including victims. Additionally, they utilize cellular telephones to take photographs of themselves and other suspects involved in felonious activities. The suspect then will post the pictures and videos into social media sites such as Twitter, Facebook, Instagram, and Snapchat to brag to fellow crime they committed. It is also my opinion that suspects involved with criminal activity. or who have knowledge of criminal activity, brag about those crimes to their associates. I have personally been involved with investigations where suspects involved with felonious crimes, such as robberies, unlawful firearm transfers, shootings and attempted murders have used their cell phones to call, take photographs, and/or text about such crimes. I believe the following Facebook.com, are were used by

I have personally been involved in investigations where suspects who are in possession of stolen vehicles have taken photos of the stolen vehicle with their cellphone then post the photos in their social media accounts. I believe by obtaining Facebook records for the aforementioned listed TARGET accounts, from 09/27/2018 through 01/12/2019, will proving information of how, where and from whom obtained the stolen Chrysler 300 which will help prove knowingly violated Vehicle Code section 10851(a)-Unlawful Taking/Possession of a Vehicle. The Facebook records for the TARGET accounts can help prove that possessed a firearm and the object that he threw out of the Chrysler during the pursuit was a firearm. In addition, the Facebook records will help identify anyone who assisted to abscond from the Parole department

when the warrant was issued along with the location(s) where was staying while he had the active arrest warrant. The Facebook Records could also provide information if went to residence with the intent to batter her and if there were any other underlying motive for the battery. In addition, the Facebook records could assist detective with identifying the reason told the California Highway Patrol Officers and Deputy Juarez that he had a firearm and refused to surrender during the standoff.

Based on my training and experience, I know that people who use social media, such as Facebook, usually communicate with each other. This social communication ranges from meeting new people to be establish a platonic relationship up to meeting new people which will lead to a dating relationship. I have been involved in several investigations, when subjects in a dating relationship use Facebook to communicate and comment on photos they post on their Facebook.com profile. I believe by obtaining records from Facebook.com will assist with proving that a dating relationship which will help prove that a violation of Penal Code section 273.5(a)-Domestic Battery occurred when

From serving other search warrants for records to social media providers, such as Facebook.com, I know it often takes social media providers several weeks to provide the records that are requested by law enforcement. For this reason, I'm asking that the time for filing the Return of Search Warrant be extended past the ten (10) days in order to provide complete receipts and accurate records requested pursuant to this Search Warrant.

It is further requested that Facebook refrain from directly or indirectly disclosing the existence of this Search Warrant or criminal investigation to the subscriber, or any other person, for a period of 90 days from the date of this order. Disclosing the existence of this Search Warrant or criminal investigation to the subscriber would certainly hinder this investigation by alerting those individuals targeted, leading to the possible destruction or tampering of evidence as well as the potential flight from prosecution of those involved.

Wherefore it is respectfully requested that a search warrant for the above cellular telephone information be issued. I swear under penalty of perjury that the foregoing is true and correct to the best of my information and belief.

#### **SEALING ORDER**

The Court has read and considered the search warrant affidavit submitted by **Francisco Jauregui** of the **Ventura County Sheriff's Office**. The Court makes the following factual findings pursuant to California Rules of Court 2.550:

- 1. There exists an overriding interest that overcomes the right of public access to the record; Ongoing Investigation
- 2. The overriding interest supports sealing the record;
- A substantial probability exists that the overriding interest will be prejudiced if the record is not sealed;
- 4. The proposed sealing is narrowly tailored; AND
- 5. No less restrictive means exist to achieve the overriding interest.

It is hereby ordered that the attached search warrant affidavit remain sealed by order of this court until such time as the Court directs otherwise. The said search warrant affidavit may not to be released without further order of this court.

This order has been requested by the search warrant affiant pursuant to Evidence Code section 1040 et seq., as well as California Rules of Court section 2.550.

DATED: 01-22-2019 09:07:15

Nancy Ayers

Judge of the Superior Court County of Ventura

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DEP. CLARKE

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RURAL URBAN STREET	PARKING LOT GARAGE	DRIVEWAY OTH	ER	YES NO
4 WAS NEIGHBORHOOD CHECKED FOR VEHICLE YES WITNESSES CLUES OTHER CRIMES?	5 PAYMENTS CURRENT?	6 DOORS LOCKED?	7 KEYS IN VEHICLE?	B ALL KEYS ACCOUNTED FOR?
NO	YES NO	YES NO	YES NO	YES NO
B WHEN WAS VEHICLE LAST SERVICED?	10 WHERE?			S THE USUAL MECHANIC?
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12 RECENTLY LEFT IN PARKING GARAGE YES OR PARKING VALET SERVICE?	13 IF YES, WHERE?		and the second	LE EQUIPPED WITH ORIGINAL ENGINE
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YES NO YES NO	IT, IF ANSWER TO 14, 15 OF	TE IS NO PROVIDE ADDITIO	JVAL INFORMATION, SERIAL NO	ONIGINAL COLON, ETC.
18 HAS VEHICLE BEEN PREVIOUSLY INVOLVED IN AN	18 IF YES HAS DAMAGE BE	EN FIXED?	20 PARTS DAMAGED	-
ACCIDENT? YES NO	YES NO			
21 FACTORY EQUIPPED RADIO?	22 IF NO, MAKE AND SERIA	. NO	23 DOES VEHICLE HAVE L	OCKING GAS CAP?
YES NO			YES NO	
24 IS VEHICLE FULLY INSURED?	25 NAME ADDRESS OF INS	URANCE COMPANY		***************************************
YES NO				
26 NAME / ADDRESS OF NEAREST RELATIVE NOT LIVING WITH	HRP			
27 IDENTIFYING MARKS BUMPER STICKERS, ADD ON EQUIPM	MENT, ETC			
-11-2	10.00	and any of some and a section of the		
28 SUSPECT NAME	DRIVER LICENSE NO / STAT	E ADDRESS		
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RURAL X URBAN FREEWAY  33 ANY EVIDENCE LOCATED? 34 WITNESSES CLUES AND  XYES NO SEE SH-A	OTHER CRIMES D 49 FOR FURT	HER		MISSING IDENTIFIABLE PARTS BEEN RED IN 5VS? YES XNO
		IT RECOVERY		
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01/12/19 23:53:32



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NO VEHICLE	HIT IN	WPS		
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VALIDATION BY	ID#	DATE
RECENT CONSULTATION BY		DATE

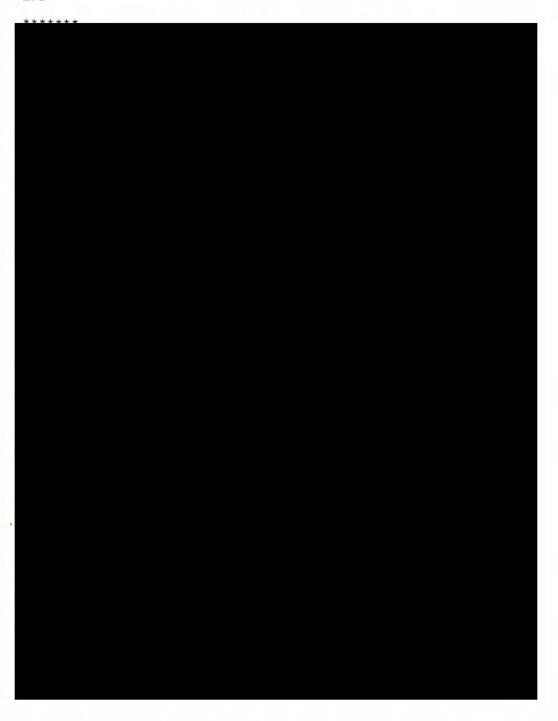
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## CALIFORNIA DEPARTMENT OF MOTOR VEHICLES IMAGE RECORD FOR:



EXPIRES: 09/01/2023

CLASS:

SEX: M

HAIR: BRN

**EYES: BRN** 

HEIGHT: 509

WEIGHT: 145

DATE OF BIRTH:

ADDRESS:

PHOTO DATE: 07/23/2018

PHOTO OFFICE:

APPLICATION DATE:

APPLICATION OFFICE:

07/23/2018

ISSUE DATE: N/A ISSUE OFFICE: N/A

RESTRICTIONS:

PHOTO SEQ#:

7406

**ENDORSEMENTS:** 



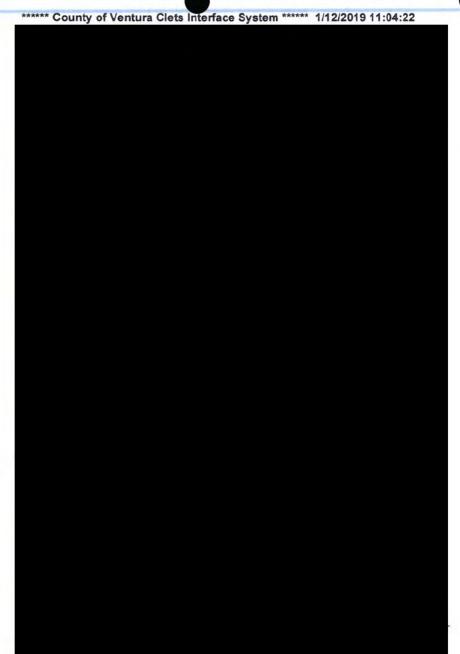


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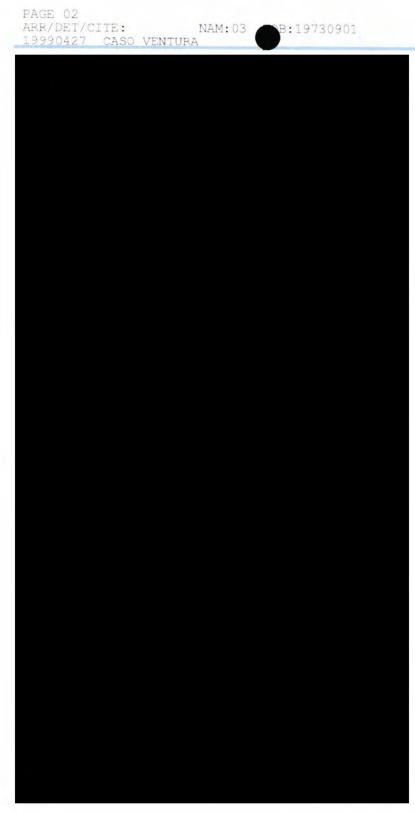


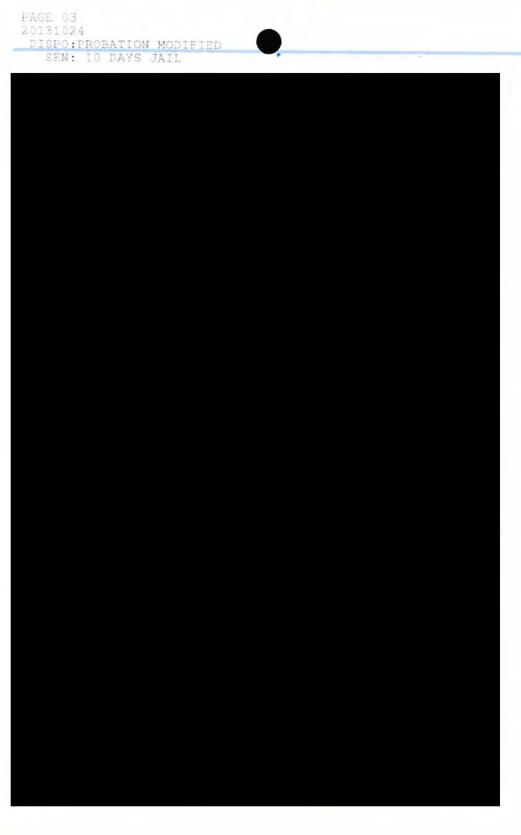
This photograph is a true copy of the photograph that is contained on the Department of Motor Vehicles photo database and delivered over the Department of Justice Cal-Photo communications network.

Date:	/s/



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COM: CONVICTION CERTIFIED BY MICHAEL PLANET, EXECUTIVE
OFFICER-CLERK, CASCVENTURA
COM: DCN-L0119143521497000409

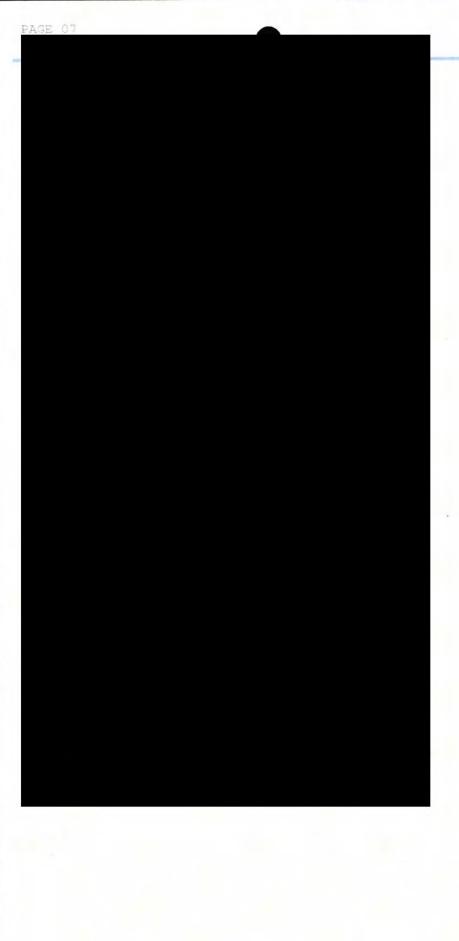


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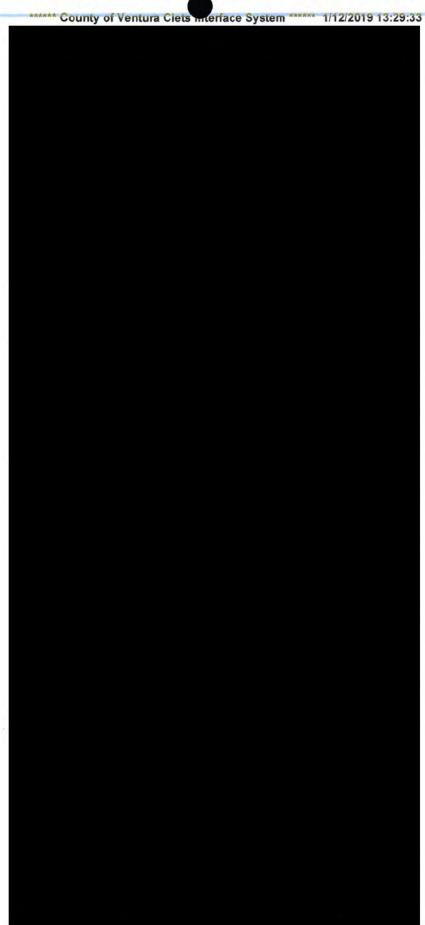
THE ENTRIES PROVIDED BELOW ARE BASED UPON AN ARREST OR COURT
DISPOSITION REPORT. THE SUBJECT OF THE ENTRY HAS BEEN IDENTIFIED \*
WITH THIS RECORD BASED UPON SOFT CRITERIA CONSISTING OF A NAME \*\*
OR NUMBER MATCH. POSITIVE IDENTIFICATION HAS NOT BEEN MADE \*\*
BECAUSE FINGERPRINTS WERE NOT RECEIVED FOR THE ENTRIES. USE OF \*\*
THIS INFORMATION IS THE RECEIVERS RESPONSIBILITY. \*\*

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#### Los Angeles County Sheriff's Department Scientific Services Bureau

#### CRIME SCENE INVESTIGATION REPORT

Firearms Identification Section

1800 Paseo Rancho Castilla

Los Angeles, CA 90032

(323) 260-8560

(323) 276-1960 FAX

File Number:

019-00195-2241-013

Agency:

LASD-Homicide Bureau

Investigator:

Valencia & Montenegro

Charge:

Officer Involved Shooting

Report Date:

January 25, 2019

Victim: -----Subject: ----

On January 12, 2019, a field investigation was conducted on the southbound 101 Freeway in Lost Hills. Detectives Valencia and Montenegro requested assistance with the documentation and collection of firearms-related evidence at the scene of an officer-involved shooting.

#### Observations and Scene Examination

The scene examined consisted of a portion of the southbound lanes of the 101 Freeway that runs in an east-west compass direction. A grey Chrysler 300S, UT license was observed to have collided head-first with the guard rail along the south side of the freeway, just west of the Las Virgenes Road off-ramp; this vehicle was assigned EV-13. One male decedent was observed on the ground northeast of the Chrysler.

Two Ventura County Sheriff and three California Highway Patrol vehicles were observed on the freeway, west of the Chrysler. These vehicles were facing a general east to southeast direction and positioned from north-to-south as follows:

- Ventura County Sheriff CA exempt (vehicle "A") Ventura County Sheriff CA exempt vehicle "B")
- California Highway Patrol, CA exempt

(vehicle "C")

California Highway Patrol, CA exempt

(vehicle "D")

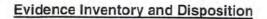
California Highway Patrol, CA exempt

(vehicle "E")

A fourth California Highway Patrol vehicle, CA exempt vehicle "F"), was observed on the freeway northeast of the Chrysler, facing southeast.

Fired ammunition components were observed in and around the Chrysler and on the roadway north of the Chrysler. No bullet-related damage was observed at the scene.





PRELIMS Item Number	CSI Number	Evidence Description
5	EV-1	One Remington model 870, 12 Gauge pump-action shotgun with serial number collected from the trunk of vehicle "A". This shotgun was recovered with the action open, safety on "fire", and the chamber and magazine tube empty. (6) unfired 12 Gauge rifled slug shotshells were in a side mounted shell holder.
6	EV-5	One SigSauer model Sig M400, 5.56 x 45mm caliber semiautomatic rifle with serial number collected from the trunk of vehicle "C". This rifle was recovered with the action closed and safety on "safe". One cartridge was in the chamber, one magazine containing (15) cartridges was seated in the magazine well, and (2) magazines each containing (20) cartridges were in a sleeve around the buttstock; all cartridges were 223 Remington caliber.
7	EV-16	One Remington model 870 Police Magnum, 12 Gauge pump-action shotgun with serial number collected from the rear passenger seat of vehicle "F". This shotgun was recovered with the action closed and safety on "safe". One unfired shotshell was in the chamber, (2) unfired shotshells were in the magazine tube, and (5) unfired shotshells were in a shell holder around the buttstock; all shotshells were unfired 12 Gauge beanbag shotshells.
	EV-2	One fired 12 Gauge rifled slug shotshell and (3) unfired 12 Gauge rifled slug shotshells collected from the trunk of vehicle "A".
	EV-4	One fired 12 Gauge bean bag shotshell recovered from the roadway, next to the right rear tire of vehicle "B".
8	EV-6 to -9	(4) fired 223 Remington caliber cartridge cases recovered from the roadway north of the Chrysler.
Ü	EV-10	One fired 12 Gauge bean bag shotshell recovered from the roadway north of the Chrysler.
	EV-11 & -12	(2) paper wads recovered from the roadway northwest of the Chrysler.
	EV-14	One plastic wad recovered from the roadway east of the Chrysler.
	EV-15	One paper wad recovered from atop the driver seat of the Chrysler.

The above-listed evidence was retained in the Firearms Section.



#### **Background on Scene Examinations Performed**

- Bullet hole/impact determination is performed through the examination of observable physical characteristics, the presence of chemical residues, and/or the presence of a bullet. The same concepts apply for defects caused by shotgun-related projectiles.
- A bullet's trajectory, or flight path, may be determined through an examination of the physical characteristics of a bullet hole or other damage indicative of the passage of a bullet. Bullet trajectory may be further defined when there are two or more points of contact or, alternatively, when a bullet passes through a sufficiently thick object. The same concepts apply for holes or other damage caused by shotgun-related projectiles.

Crime scene notes and supporting documentation exist in the case file at the laboratory and will be retained indefinitely.

Report Issued by:

#504662

Senior Criminalist

Reviewed by: April Whitehead, #484244





#### Los Angeles County Sheriff's Department Scientific Services Bureau

#### LABORATORY EXAMINATION REPORT

Firearms Identification Section

1800 Paseo Rancho Castilla Los Angeles, CA 90032

(323) 260-8560

File Number:

019-00195-2241-013

Agency:

LASD-Homicide Bureau

Investigator:

Valencia & Montenegro

Charge:

Officer-Involved Shooting

Report Date:

January 15, 2019

Additional File Number(s): ----

Victim: ----

Subject: ----

On January 12, 2019, Detectives Valencia and Montenegro requested a function check examination of the submitted duty firearms.

#### **Examination Conclusions**

The Remington shotguns, EV-1 and EV-16, and the SigSauer rifle, EV-5, were examined, test fired, and determined to be functional.

EV-16 was examined by Deputy Ivan Chavez. EV-1 and EV-5 were examined by the undersigned.

	FIREARM DES	SCRIPTION – EV-1			
MAKE, MODEL, TYPE Remington, 870, pump-action shotgun					
SERIAL NUMBER	4-1-44				
CALIBER	12 Gauge	APPROX. BARREL LENGTH (INCHES)	18 ½		
NUMBER OF LANDS AND GROOVES	Smoothbore	CARTRIDGE CAPACITY	4 + 1		
Twist	Smoothbore	FINISH	Black		



	FIREARM DES	SCRIPTION - EV-5			
MAKE, MODEL, TYPE SigSauer, Sig M400, semiautomatic rifle					
SERIAL NUMBER					
CALIBER	5.56 x 45mm	APPROX. BARREL LENGTH (INCHES)	15 1/8		
NUMBER OF LANDS AND GROOVES	6	CARTRIDGE CAPACITY	20 + 1		
Twist	Right	FINISH	Black		

	FIREARM DES	CRIPTION - EV-16					
MAKE, MODEL, TYPE	Remington, 870 Police Magnum, pump-action shotgun (less-letha						
SERIAL NUMBER							
CALIBER	12 Gauge	APPROX. BARREL LENGTH (INCHES)	18				
Number of Lands and Grooves	Smoothbore	CARTRIDGE CAPACITY	4 + 1				
Twist	Smoothbore	FINISH	Black with orange stock and forend				

#### **Evidence Submission and Disposition**

PRELIMS	CSI	Evidence Descri			
Item Number	Number	Received From	Field Investigation	Date Received	January 12, 2019
5	EV-1	One Remingt number shotshells.	on model 870, 12 Gauge received with (6)	e pump-action shotgur unfired 12 Gauge rifle	with serial ed slug
6	EV-5	with serial num Remington ca	r model Sig M400, 5.56 mber receive diber cartridges, and (2) emington caliber cartridges	ed with one magazine, magazines each conta	(16) unfired 223
7	EV-16	One Remingto with serial nur shotshells.	on model 870 Police Ma mber receive	gnum, 12 Gauge pum ed with (8) unfired 12 (	p-action shotgur Gauge beanbag

The above-listed evidence was repackaged and sealed for return to the submitting agency.

Test fires generated from the above-listed firearms were submitted under PRELIMS Item Number 9 and retained pending requests for further analysis.



#### **Laboratory Examinations**

- Firearm Examination / Function Testing

#### **Background on Laboratory Examinations Performed**

- A firearm examination generally consists of an identification of physical characteristics, an inspection for damaged, altered, or missing parts, an evaluation of the safety mechanisms, a determination of trigger pull weight(s), and the test firing of the firearm.

Laboratory notes and supporting documentation exist in the case file at the laboratory and will be retained indefinitely.

Report Issued by:

#504662

Senior Criminalist

Reviewed by: April Whitehead, #484244



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### **AUTOPSY REPORT**

No. 2019-00338

I performed an autopsy on the body of



	T OF MEDICAL EXAMINER-CORONER	
Los Angeles, California	on January 16, 2019 1010 (Date) (Time)	
from the anatomic findings and	pertinent history I ascribe the death to:	
Multiple gunshot wo	unds	
)		
)		
0)	7	
THER CONDITIONS CONTRIBUTING BUT NOT I	ELATED TO THE IMMEDIATE CAUSE OF DEATH:	

Anatomical Summary:

The decedent is a 43 year old male. According to the Coroner Investigator's report, on 1/12/2019 the decedent was the driver in a vehicle pursuit by law informant officers. The decedent crashed his vehicle and exited the car. An officer involved shooting then occurred. Death was pronounced at the scene.

- I. Gunshot wound of head (GSW #1)
  - A. Entrance: right chin
  - B. Exit: right occipito-parietal scalp
  - C. Projectile: Multiple fragments of deformed jacket recovered from brain
  - D. Associated injuries:
    - 1. Subcutaneous and subgaleal hemorrhages
    - 2. Subarachnoid hemorrhage
    - 3. Perforated brain
    - 4. Periorbital ecchymoses
      - 5. Extensive comminuted skull fractures
  - E. Direction: front to back, right to left, upward
  - F. Range of fire: indeterminate
- II. Gunshot wound of right chest (GSW #2)
  - A. Entrance: right lower chest
  - B. Exit: right mid back
  - C. Projectile: No projectile recovered (perforating)
  - D. Associated injuries:
    - 1. Perforating laceration of liver (10.5 cm)
    - 2. Perforated right lower lobe of lung
    - 3. Hemoperitoneum (~50 cc)

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## **AUTOPSY REPORT**

No. 2019-00338

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- 4. Right hemothorax (~30 cc)
- 5. Fractures of the right anterior 6th rib, and right posterior 10th rib
- Perforated right 10-11th posterior intercostal muscles
- E. Direction: front to back, left to right, unward
- F. Range of fire: indeterminate
- III. Gunshot wound of left shoulder (GSW #3)
  - A. Entrance: left posterior shoulder
  - B. Exit: left anterior shoulder.
  - C. Projectile: No projectile recovered (perforating)
  - D. Associated injuries: Perforated skin, fascia, blood vessels, and deltoid muscle
  - E. Direction: back to front downward
  - F. Range of fire: indeterminate
- IV. Gunshot wound of right trrearm (GSW #4)
  - A. Entrance: right posterior forearm
  - B. Exit: right anterior forearm
  - C. Projectile: No projectile recovered (perforating)
  - D. Associated injuries:
    - 1. Comminuted fracture of distal radius
    - Perforated skin, soft tissue, muscle, tendons and blood vessels
  - E. Direction: back to front, left to right, downward
  - F. Range of fire: indeterminate
- V. Gunshot wound (projectile injury) of right upper back (GSW #5)
  - A. Entrance: right upper back
  - B. Exit: no exit wound
  - C. Projectile: deformed jacket fragment recovered from right upper lobe of lung
  - D. Associated injuries:
    - 1. Perforated right upper lobe of lung
    - 2. Perforated 1-2<sup>nd</sup> intercostal muscles
    - 3. Fractures of T1-T2 vertebrae

## **AUTOPSY REPORT**

No. 2019-00338

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- E. Direction: back to front, left to right, downward
- F. Range of fire: indeterminate
- VI. Gunshot wound of left hand (GSW #6)
  - A. Entrance: left dorsal hand
  - B. Exit: left palmar hand (thenar region)
  - C. Projectile: Minute deformed jacket fragment recovered from left palmar hand
  - D. Associated injuries:
    - 1. Comminuted fracture of first metacarpal bone
    - 2. Perforated soft tissue and muscle
  - E. Direction: back to front, right to left, upward
  - F. Range of fire: indeterminate
- VII. Gunshot wound of right wrist (GSW #7)
  - A. Entrance: right dorsal wrist
  - B. Exit: right dorsal wrist
  - C. Projectile: No projectile recovered (perforating)
  - D. Associated injuries: Perforated skin, soft tissue, muscle, tendon, and blood vessels
  - E. Direction: back to front, right to left, upward
  - F. Range of fire indeterminate
- VIII. Gunshot wound of left 4th digit (GSW #8)
  - A. Entrance left 4th digit
    - B. Exit: left 4th digit
    - C. Projectile: No projectile recovered (perforating)
    - D. Associated injuries:
      - 1. Fractures of left 4th middle and distal phalanges
    - E. Direction: cannot be determined
    - F. Range of fire: indeterminate
- IX. Secondary nonspecific projectile injuries
  - A. 12 irregular lacerations with surrounding contusions on the right upper back, ranging from 1/8 to 1/2 inch

## **AUTOPSY REPORT**

No. 2019-00338

Page 4

- X. Blunt trauma, chest
  - A. 4 irregular to circular nonspecific contusions on the upper chest
- XI. Blunt trauma, upper extremities
  - A. 5 nonspecific irregular to circular contusions on the left and right arms
  - B. Displaced traumatic fracture of left humerus diaphysis
- XII. Blunt trauma, lower extremities
  - A. 5 purple-pink irregular circular conspecific contusions on left anterior knee, ranging from 1/2 to 2-1/2 inches
  - B. 4 nonspecific abrasions irregular to linear abrasions on the right upper thigh and lower legs.
- XIII. No evidence of natural disease

#### CIRCUMSTANCES:

Please see Investigator's Report.

#### EXTERNAL EXAMINATION:

The body is identified by toe tags and is that of an unembalmed refrigerated adult male who appears the reported age of 43 years. The body measures 71 inches, weighs 133 pounds, and is normally developed. Hydration and nutritional status are grossly normal. The skin shows no jaundice. Multiple tattoos are present, including "805" and "" on the upper back, " and " and " on the left arm, " and " and " on the right arm, and "VC" on the right upper chest. Multiple scars are present, including an irregular 1 inch scar on the right upper chest, and a 1/4 inch linear scar and 1/2 inch irregular scar on the right dorsal hand. Rigor mortis is abolished. Livor mortis is fixed and posterior.

The head is normal in size and is deformed secondary to multiple skull fractures. The scalp hair is brown and straight ( $\sim$ 3 inches). There is no temporal or vertex balding. A goatee is

## **AUTOPSY REPORT**

No. 2019-00338

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present. The irides are brown and the sclera are white. The conjunctivae are not congested. The oronasal passages are unobstructed. There is no foam in the nares or oral cavity. The upper and lower teeth are natural. The frenulae and oral mucosa are intact.

There is no chest deformity. There is no increased arterior-posterior diameter. The abdomen is flat. The genitalia are those of an adult male and are atraumatic and without lesions.

#### EVIDENCE OF THERAPEUTIC INTERVENTION:

There is no evidence of recent therapeutic intervention. Recent needle punctures are not identified. There has not been post mortem intervention for organ procurement.

#### POST MORTEM CHANGES:

None identified.

#### EVIDENCE OF INJURY:

Please refer to forms #[20-1, 20-2, 20-3, 20-4, 22, 23, 28] for visual approximations of the injuries described below. The order in which the injuries are described is not intended to imply the order in which the injuries occurred or the severity of injuries. All measurements are performed in the standard anatomic position at all times. Coroner diagrams are not intended to be facsimiles nor are they drawn to scale.

### Gunshot wound #1, head

#### Entrance:

On the right chin, 7-1/2 inches below the top of the head, 2-1/4 inches right of the anterior midline, there is an irregular ovoid  $1/2 \times 1/4$  inch entrance gunshot wound with microlacerations of the skin on the edges. A 1/16 inch eccentric pink abrasion rim is present at 4 o'clock. Soot, unburned gunpowder particles, and stippling are not visible on the skin surrounding the wound.

## **AUTOPSY REPORT**

No. 2019-00338

Page 6

#### Exit:

On the right occipito-parietal scalp, 4-1/2 inches below the top of the head and 1-1/4 inches right of posterior midline, there is an exit gunshot wound consisting of a  $5-1/2 \times 1-1/4$  inch irregularly linear laceration with exposed fractured bone and extruded brain.

#### Projectile:

Multiple minute deformed jacket fragments were recovered from the brain.

#### Path:

The hemorrhagic wound track sequentially perforates the skin and soft tissue of the right chin, right mandible, right maxilla and zygomatic bones, right sphenoid and frontal bones, right frontal, temporal, parietal, and occipital lobes, right occipital and parietal bones, and exits the right occipitoparietal scalp.

#### Associated injuries:

- 1. Subcutaneous and subgaleal hemorrhages, patchy diffuse
- 2. Subarachnoid hem ranage, diffuse
- 3. Perforated, fragmented and partially liquefied brain
- 4. Periorbital acchymoses
- 5. Extensive comminuted fractures of the right mandible, bilateral frontal, parietal, temporal, occipital, ethmoidal, sphenoidal, maxilla, and zygomatic bones

#### Direction:

The wound track travels from the decedent's front to back, right to left, and upward.

#### Range of fire:

## **AUTOPSY REPORT**

No. 2019-00338

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#### Gunshot wound #2, right lower chest

#### Entrance:

On the right lower chest, 23 inches below the top of the head, 2-1/2 inches right of the anterior midline, and 4 inches inferior to right nipple at 5 o'clock (anatomic landmark), there is a round 3/4 x 3/4 inch entrance gunshot wound. A 1/8 to 3/4 inch dried brown eccentric circumferential abrasica rim is present (widest from 2 to 6 o'clock). A separate irregular 3/4 x 1/8 dried brown abrasion is present at 4 o'clock 3/4 inch from the edge of the entrance wound. Soot, unburned gunpowder particles, and stippling are not visible on the skin surrounding the wound.

#### Exit:

On the right mid back, 20-1/2 inches below the top of the head and 3 inches right of posterior midline, there is an exit gunshot wound consisting of a  $3/4 \times 1/2$  inch irregular laceration.

#### Projectile:

No projectile recovered (perforating)

#### Path:

The hemorrhagic wound track sequentially perforates the skin and soft tissue of the right lower chest, right anterior 6th rib, diaphragm, liver, diaphragm, right lower lobe of lung, right posterior 10th rib, right posterior 10-11th intercostal muscles, and exits the skin and soft tissue of the right mid back.

#### Associated injuries:

- 1. Perforating laceration of liver (10.5 cm)
- 2. Perforated right lower lobe of lung
- 3. Hemoperitoneum (~50 cc)
- 4. Right hemothorax (~30 cc)
- 5. Fractures of the right anterior 6th rib, and right posterior 10th rib
- 6. Perforated right 10-11th posterior intercostal muscles



## **AUTOPSY REPORT**

No. 2019-00338

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Direction:

The wound track travels from the decedent's front to back, left to right, and upward.

Range of fire:

The range of fire is indeterminate.

Gunshot wound #3, left shoulder

#### Entrance:

On top of the left posterior shoulder, at the left arm midline, there is a round to ovoid  $1/4 \times 1/4$  inch entrance gunshot wound. A 1/16 inch eccentric pink abrasion rim is present at 12 o'clock. Soot, unburned gunpowder particles, and stippling are not visible on the skin surrounding the wound.

#### Exit:

On the left anterior shoulder, 1-1/2 inches below the top of the shoulder and 2-1/4 inches radial to arm midline, there is an exit gunshot wound consisting of a 1-3/4 x 1-3/4 inch irregular round laceration.

Projectile:

No projectile recovered (perforating)

#### Path:

The hemorrhagic wound track perforates the skin, soft tissue and vessels of the left shoulder.

Associated injuries:

Perforated skin, fascia, blood vessels, and deltoid muscle

Direction:

The wound track travels from the decedent's back to front and downward.

Range of fire:

## **AUTOPSY REPORT**

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### Gunshot wound #4, right forearm

#### Entrance:

On the right posterior forearm, 18 inches below the top of the shoulder, at the arm midline, there is a round to ovoid  $1/4 \times 1/4$  inch entrance gunshot wound. A 1/16 inch eccentric pink abrasion rim is present at 12 o'clock. Soot, unburned gunpowder particles, and stippling are not visible on the skin surrounding the wound.

#### Exit:

On the right anterior forearm, 18-1/2 inches below the top of the shoulder and 1-1/4 inches radial ty arm midline, there is an exit gunshot wound consisting of a  $3-1/4 \times 1$  inch irregular laceration.

#### Projectile:

No projectile recovered (perforacing)

#### Path:

The hemorrhagic wound track perforates the skin, soft tissue and vessels of the left posterior forearm, radius, and skin, soft tissue and vessels of the left anterior forearm.

### Associated injuries:

- 1. Comminuted fracture of distal radius
- Perforated skin, soft tissue, muscle, tendons and blood vessels

#### Direction:

The wound track travels from the decedent's back to front, left to right, and downward.

#### Range of fire:

## **AUTOPSY REPORT**

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### Gunshot wound #5 (projectile injury), right upper back

#### Entrance:

On the right upper back, 11-1/2 inches below the top of the head and 2 inches right of the posterior midline, there is an irregular round  $1/2 \times 3/8$  inch entrance gunshot wound. No abrasion rim is identified. Soot, unburned gunpowder particles, and stippling are not visible on the skin surrounding the wound.

#### Exit:

No exit wound identified

#### Projectile:

At 14-1/4 inches below the top of the head and 3 inches right of the anterior midline, a deformed jacket fragment is recovered in the right upper lobe of lung.

#### Path:

The hemorrhagic wound track sequentially perforates the skin and soft tissue of the right upper back, T1 and T2 vertebrae, right 1-2nd intercostal muscles, and right upper lobe of lung.

#### Associated injuries.

- 1. Perforated right upper lobe of lung
- 2. Perforated 1 2nd intercostal muscles
- 3. Fractures of T1 and T2 vertebrae

#### Direction:

The wound track travels from the decedent's back to front, left to right, and downward.

#### Range of fire:

## **AUTOPSY REPORT**

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### Gunshot wound #6, left hand

#### Entrance:

On the left dorsal hand, 1-3/4 inches distal to the wrist and 3/4 inch radial to hand midline, there is a ovoid  $1/2 \times 1/4$  inch entrance gunshot wound. A 1/4 to 1/2 inch eccentric pink abrasion rim is present, widest at 3 o'clock. Soot, unburned gunpowder particles, and stippling are not visible on the skin surrounding the wound.

#### Exit:

On the left palmar hand (thenar region), 3/4 inch distal to wrist and 1-1/4 inches radial to hand midline, there is an exit gunshot wound consisting of a  $2-1/4 \times 1-1/4$  inch irregular laceration partially amputating the first digit.

#### Projectile:

No projectile recovered (perforating)

#### Path:

The hemorrhagic wound track sequentially perforates the skin, soft tissue and vessels of the left dorsal hand, first metacarpal, and skin, soft tissue and vessels of the left palmar hand (thenar region).

### Associated injuries:

- 1. Comminuted fracture of first metacarpal
- 2. Perforated soft tissue, blood vessels, and muscle

#### Direction:

The wound track travels from the decedent's back to front, right to left, and upward.

#### Range of fire:

## **AUTOPSY REPORT**

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### Gunshot wound #7, right wrist

#### Entrance:

On the right dorsal wrist, at the level of the wrist and 1/2 inch ulnar to hand midline, there is an ovoid  $1/2 \times 1/4$  inch entrance gunshot wound. A 1/4 inch eccentric dried brown abrasion rim is present at 5 o'clock. Soot, unburned gunpowder particles, and stippling are not visible on the 3k'n surrounding the wound.

#### Exit:

On the right dorsal wrist, 21 inches below the top of the shoulder and 1-1/2 inches ulnar to hand midline, there is an exit gunshot wound consisting of a  $1/2 \times 1/8$  inch irregular laceration.

#### Projectile:

No projectile recovered (perforating)

#### Path:

The hemorrhagic wound track perforates the skin, soft tissue and vessels of the right dorsal wrist.

#### Associated injuries:

Perforated soft cassue, blood vessels, and muscle

#### Direction:

The wound track travels from the decedent's back to front, right to left, and upward.

#### Range of fire:

The range of fire is indeterminate.

#### Gunshot wound #8, left 4th digit

An entrance and exit cannot be determined. On the dorsal surface of the 4th digit, there is a  $1-3/4 \times 1/2$  inch irregular laceration partially amputating the distal 4th digit. Soot,

## **AUTOPSY REPORT**

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unburned gunpowder particles, and stippling are not visible on the skin surrounding the wound.

#### Projectile:

On the left palmar hand, a minute deformed jacket fragment is recovered from the superficial skin.

#### Path:

The hemorrhagic wound track perforates the skin, soft tissue and vessels of the left 4th digit, and middle and distal phalanges.

#### Associated injuries:

- 1. Fractures of left 4th middle and distal phalanges
- 2. Perforated soft tissue, blood vessels, and muscle

#### Direction:

The wound track cannot be determined.

#### Range of fire:

The range of fire is indecerminate.

#### Other findings:

### Secondary nonspecific projectile injuries

1. 12 nonspecific irregular lacerations with surrounding contusions on the right upper back, ranging from 1/8 to 1/2 inch over an 11-1/2 x 7-1/2 inch area

#### Blunt trauma, chest

- 1.  $2 \times 1$  inch irregular purple pink nonspecific contusion on right upper chest
- 2. 3 purple irregular circular nonspecific contusions on left upper chest ranging from 1/4 to 3/4 inch

#### Blunt trauma, upper extremities

- 1. 3 irregular circular nonspecific pink-purple contusions on the left arm, ranging from 3/4 to 2 inches
- 2. Displaced traumatic fracture of left humerus diaphysis



## **AUTOPSY REPORT**

No. 2019-00338

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3. 2 pink irregular circular nonspecific contusions on the right posterior arm, ranging from 3/4 to 1 inch

#### Blunt trauma, lower extremities

- 1. 5 purple-pink irregular circular nonspecific contusions on left anterior knee, ranging from 1/2 to 2-1/2 inches
- 1/4 inch red irregular nonspecific abrasion on left lower leg
- 1 inch dried brown irregular nonspecific abrasion, and 1/2 inch pink irregular abrasion on right lower leg
- 4. 2 pink-tan linear 1/2 to 1 inch nonspecific abrasions on the right upper thigh

#### CLOTHING

The body was clothed, and the clothing includes blue sneakers, blue socks, gray sweat pants, blue boxer shorts, black jacket, black t-shirt, and a white undershirt. The black jacket had multiple irregular to circular defects in the back, right arm and left shoulder. The black t-shirt and white undershirt had multiple similarly distributed defects in the back. There was red discoloration on the black t-shirt, jacket and white undershirt (appears to be blood). Vertical defects consistent with therapeutic intervention are present on the black t-shirt and white undershirt.

#### SYSTEMIC AND ORGAN REVIEW:

Note: The following observations are limited to findings other than injuries, if described above.

#### INITIAL INCISION:

The body cavities are entered through the standard coronal incision and the standard Y-shaped incision. No foreign material is present in the mouth, upper airway, and trachea.

#### NECK:

The neck organs are removed en bloc with the tongue. There is no edema of the larynx. Both hyoid bone and larynx are intact and without fractures. No hemorrhage is present in the adjacent



## **AUTOPSY REPORT**

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throat organs investing fascia, strap muscles, thyroid, or visceral fascia. There are no prevertebral fascial hemorrhages. The tongue when sectioned shows no trauma.

## CHEST/ABDOMINAL CAVITY (See evidence of injury):

Pleural fibrous adhesions are not identified. The parietal pleurae are intact. Soft tissues of the thoracic and abdominal walls are well-preserved. The organs of the abdominal cavity have a normal arrangement and none are absent. The abdominal cavity is free of adhesions. The peritoneal cavity is without evidence of peritonitis.

#### MUSCULOSKELETAL SYSTEM:

No abnormalities of the uninjured bony framework or muscles are identified.

#### CARDIOVASCULAR SYSTEM:

The thoracic and abdominal acrta have no atherosclerosis and are without ulceration or calcification. The thoracic and abdominal segments have a normal caliber throughout. No aneurysm is present. The major branches of the aorta show no abnormality. Within the pericardial sac there is a minimal amount of serous fluid.

The heart weighs 270 grams and has a normal configuration. It is not globular, and the myocardium is not flabby. The right ventricle, left ventricle and interventricular septum measure 0.3 cm, 1.1 cm, and 1.2 cm in thickness, respectively. The chambers are normally developed and are without mural thrombosis. The valves are thin, smooth, translucent, competent and without vegetations (tricuspid 11.2 cm, mitral 9.3 cm, aortic 6.4 cm, and pulmonary 7.1 cm). The endocardial surface is smooth, glistening, and without discoloration. There is no abnormality of the apices of the papillary musculature. There are no defects of the septum. The great vessels enter and leave in a normal fashion. The ductus arteriosus cannot be probed. The coronary ostia are patent, located at or below the sinotubular junction and are relatively centrally located within

# **AUTOPSY REPORT**

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their respective sinuses. The coronary artery distribution is right dominant. The coronary arteries show no atherosclerosis.

### RESPIRATORY SYSTEM (See evidence of injury):

Scant secretions are found in the upper respiratory and lower bronchial passages. The mucosa is tan, glistening, smooth and intact. The right lung weighs 300 grams and the left lung weighs 410 grams. The pulmonary parenchyma is dark red-purple, and the cut surfaces exude a scant amount of blood and frothy fluid. The visceral pleurae are smooth and intact. The pulmonary vasculature is without thromboempolism. There are no pulmonary infarcts.

#### GASTROINTESTINAL SYSTEM:

The esophagus is intact throughout. Esophageal varices are not present. The stomach contains approximately 50 cc of tan fluid (cannot identify types of food). The mucosa is unremarkable. The small intestine, colon, and appendix are unremarkable. The pancreas shows no necrosis or trauma. There is no evidence of pancreatic fibrosis or pancreatitis.

## HEPATOBILIARY SYSTEM (See evidence of injury):

The liver weighs 1050 grams and has a smooth glistening capsule. The parenchyma is firm, tan-brown, and lobular. There is no evidence of cirrhosis. The gallbladder is present with a thin, pliable wall. It contains a <5 cc of bile and no calculi.

#### URINARY SYSTEM:

The right kidney weighs 110 grams and the left kidney weighs 100 grams. The kidneys are normally situated and the capsules strip easily revealing a surface that is smooth and glistening. The corticomedullary demarcation is preserved. The pyramids are not remarkable. The peripelvic fat is not increased. The ureters are without dilation or obstruction and pursue their normal course. The urinary bladder is unremarkable. It contains approximately 30 cc of yellow urine. The urine is not tested by the dipstick method.



## **AUTOPSY REPORT**

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#### GENITAL SYSTEM:

The prostate is not enlarged and is without nodularity. Both testes are in the scrotum and are unremarkable and without trauma.

#### HEMOLYMPHATIC SYSTEM:

The spleen weighs 60 grams. The capsule is smooth, glistening and intact. The parenchyma is dark red and soft. There is no increased follicular pattern. The bone marrow of the rib is unremarkable.

#### ENDOCRINE SYSTEM:

The thyroid, adrenal, and pituitary glands are unremarkable. The parathyroid glands and thymus are not identified.

#### SPECIAL SENSES:

The eyes are not dissected. The middle and inner ear are not dissected.

HEAD AND CENTRAL NERVOUS SISTEM (See evidence of injury):
The brain weighs 1100 grams. The leptomeninges are thin and transparent. In focal intact portions, a normal convolutionary pattern is observed. Anatomic landmarks are not preserved. Examination of the pons, medulla, cerebellum, and vessels at base of brain could not be performed secondary to severe fragmentation and liquefaction.

#### SPINAL CORD:

The cord is not dissected.

#### EVIDENCE COLLECTION:

Projectile fragments were collected from three sites, including the brain, right lung, and left hand. These fragments were sealed in separate evidence envelopes and submitted to the evidence custodian.

# **AUTOPSY REPORT**

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#### HISTOLOGIC SECTIONS:

Representative sections from various organs are preserved in one storage jar.

#### HISTOLOGIC KEY:

1- heart, left ventricle; 2- Lung, right upper lobe

#### TOXICOLOGY:

Samples of heart blood, chest blood, femoral blood, urine and vitreous are submitted to the laboratory. Ar EDTA tube is collected for blood typing.

#### SPECIAL PROCEDURES:

None.

#### PHOTOGRAPHY:

Photographs have been taken prior to and during the autopsy.

#### RADIOLOGY:

Postmortem fluoroscopy and computed tomography were performed on the head, neck, chest, abdomen, pelvis and extremities. Radiopaque projectile fragments were identified in the head, right chest, and left hand.

#### WITNESSES:

DA Florez and Detective Montenegro (LASD) were present for the autopsy.

#### DIAGRAMS USED:

Diagram forms #20-1, 20-2, 20-3, 20-4, 22, 23, and 28 were used during the performance of the autopsy. Coroner diagrams are not intended to be facsimiles nor are they drawn to scale.

#### SUMMARY & OPINION:

This 43 year old man, wounds.

# **AUTOPSY REPORT**

No. 2019-00338

Page \_\_\_

Autopsy showed a total of 8 gunshot entry wounds of the head, left hand, right hand, right arm, left shoulder, right chest, and right upper back. The gunshot wounds of the head (GSW#1) and right chest (GSW #2) were rapidly fatal, and the gunshot wound of the right upper back (GSW#5) was potentially fatal. The gunshot wounds of the left shoulder (GSW#3), right arm (GSW#4), left hand (GSW#6), and right hand (GSW#7), and left 4th digit (GSW#8) were less potentially fatal.

There were multiple nonspecific contusions and abrasions on the chest, bilateral arms, bilateral lower legs and right hip which are compatible with history of injuries from bean bag use by responding police officers, injuries sistained in the vehicle collision, or other non-specified trauma. The left humerus fracture was most probably related to trauma resulting from the vehicle collision.

Based on the history and circumstances known at the time of this report, as well as autopsy tindings, the manner of death is homicide.

M.D.

Date

Associate Deputy Medical Examiner

Deputy Medical Examiner

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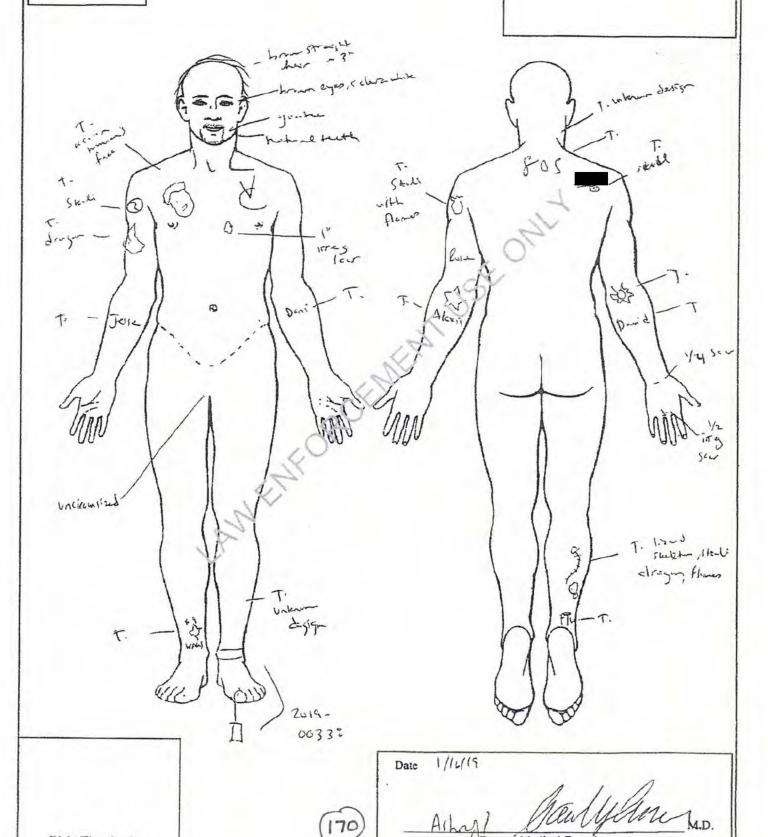
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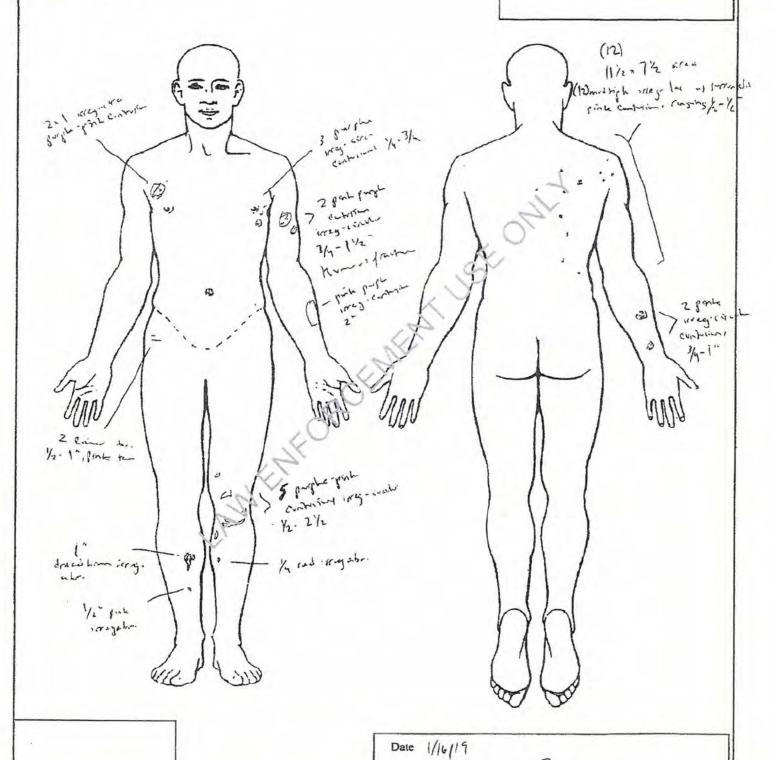


Right Thumbprint

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Deputy Medical Examiner

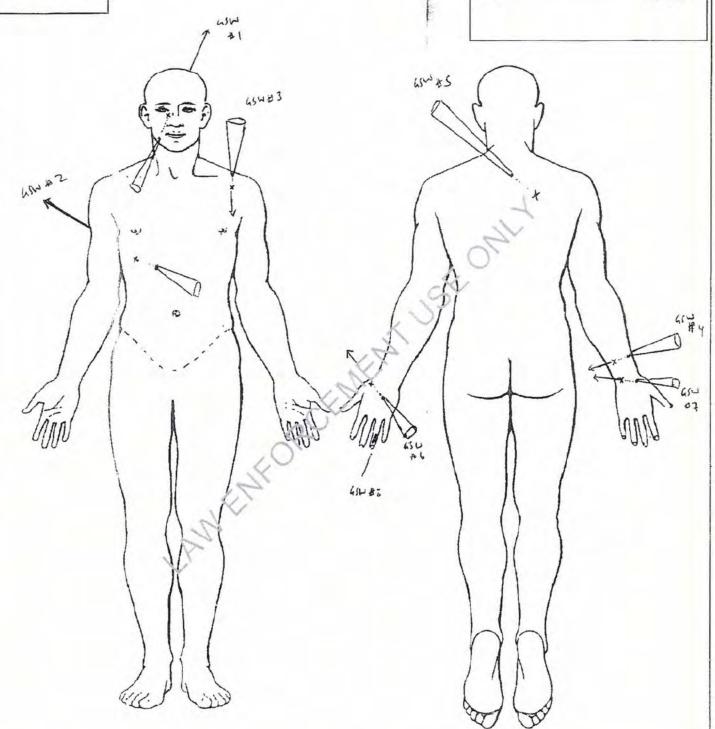
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Deputy Medical Examiner

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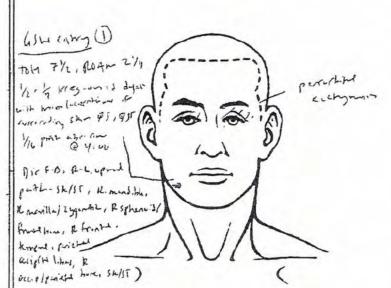
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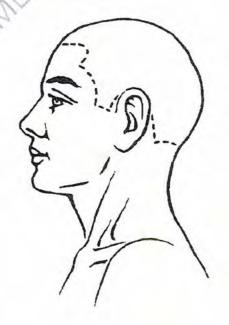
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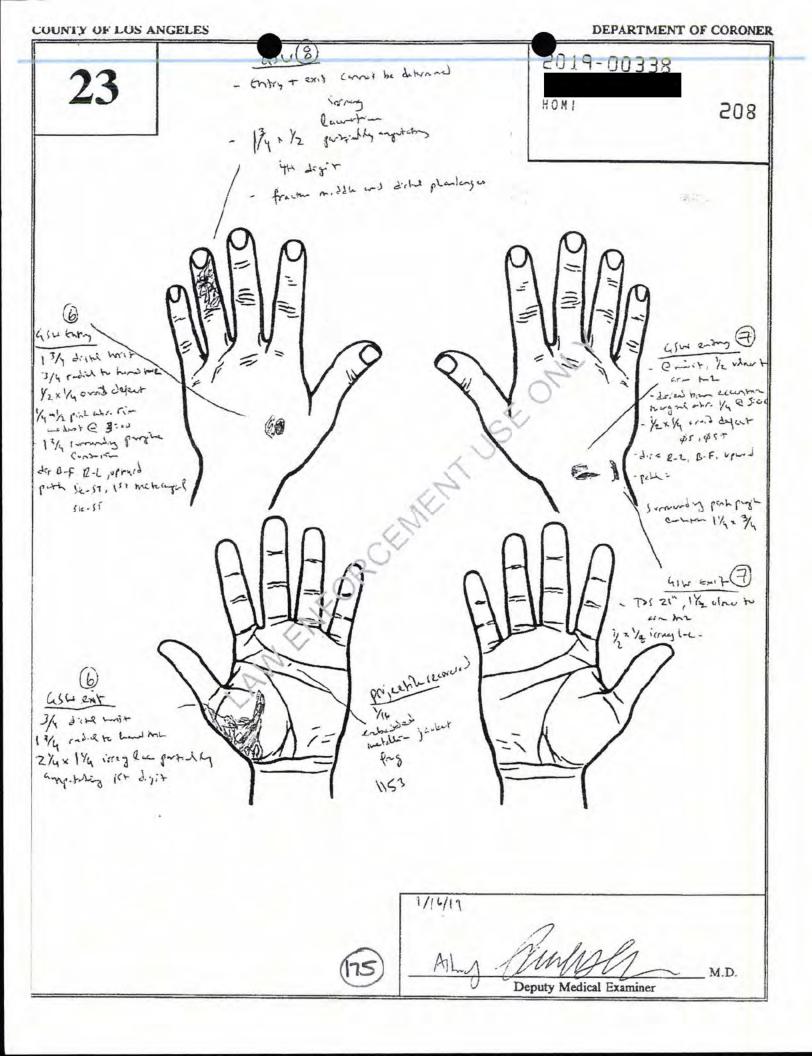
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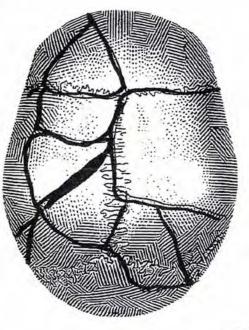
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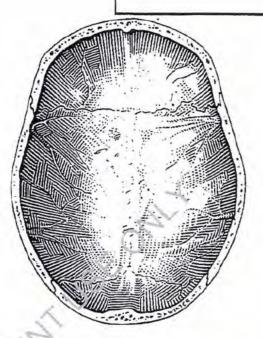


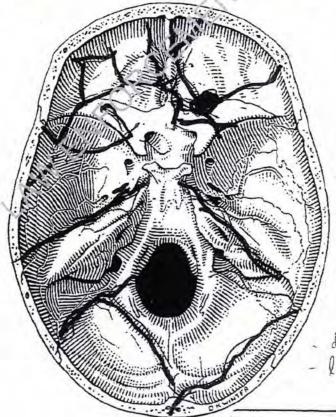
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M.D.

Deputy Medical Examiner





No. 2019-00338 I performed a microscopic examination on 1/22/2019 THE DEPARTMENT OF CORONER Los Angeles, California

#### Microscopic description

Heart, left ventricle: Section of heart shows myocardium composed of myocytes, some with enlarged nuclei with rectangular contours. The surrounding epicardium and endocardium is unremarkable.

Lung, right upper lobe: Section of lung parenchyma shows intra-alveolar hemorrhage. Uninvolved alveolar lumens show scattered alveolar macrophages, lymphocytes and red blood cells. Pulmonary septa and vessels are unremarkable. USEOF

Slide Key: 1. Heart, left ventricle; 2. Lung, right upper lobe.

### Diagnosis:

Heart, left ventricle: Focal myocyte hypertrophy Lung, right upper lobe: Intra-alveolar hemorrhage

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M.D.	Date	
Associate Deputy Medical Examiner		
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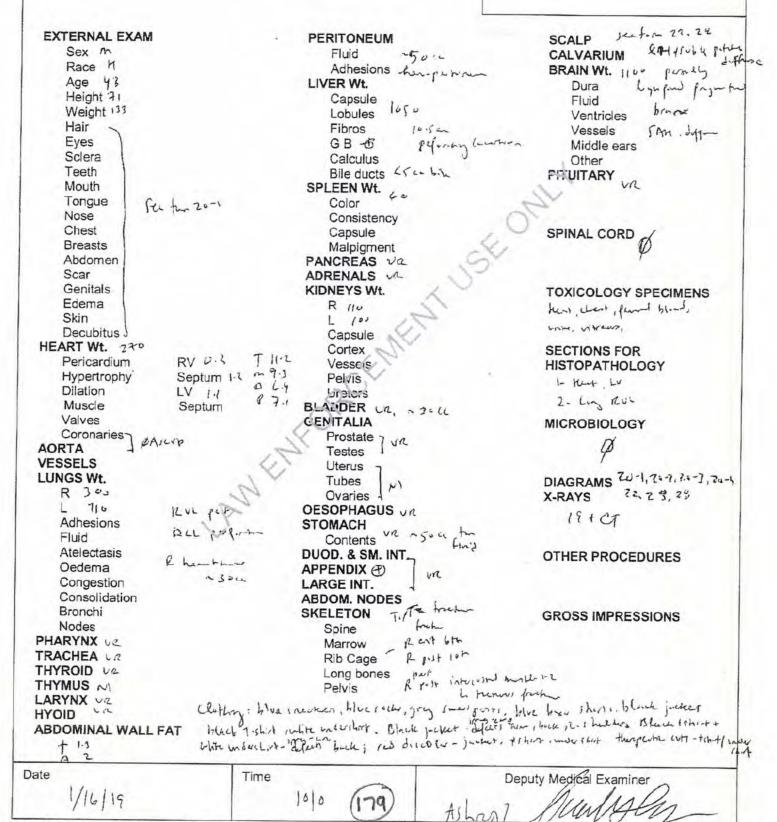
COUNTY OF LOS ANGELES	MEDICAL REPOR	RT ,	DEF MENT OF MEDICAL EXAMINER-CORONER
AUTOPSY	CLASS: A B C Examination Only D	9	
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PREGNANCY IN LAST YEAR	☐ YES ☐ NO FLUNK ☑ NOT APPLICAB	LE	TOX SPECIMEN RECONCILIATION BY:
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DA FIWEZ	Item Description:		☐ Regular (No) ☐ Oversize (No) Histopath Cut: ☑ Autopsy ☐ Lab
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Department of Medical Examiner-Coroner, County of Los Angeles

## FORENSIC SCIENCE LABORATORIES

1104 North Mission Road, Los Angeles, CA 90033

### Laboratory Analysis Summary Report



M.D.

Deputy Medical Examiner 1104 North Mission Road Los Angeles, CA 90033

PendingTox

	and the second	10.00			
SPECIMEN	SERVICE	DRUG	RI	ESULT	ANALYST
Alcohol Qu	antitation/Confirm	ation			
Blood, Hear	t				
	Alcohol-GC/FID-HS	Ethanol		Negative	C. Castellino
Drug Scree	n			Dir	
Blood, Hear	1		7 1	0	
	ELISA-Immunoassay	Barbiturates	8	ND	D. P. Cruz
	ELISA-Immunoassay	Cocaine and Metabolites	2	ND	D. P. Cruz
	ELISA-lminunoassay	Fentanyl		ND	D. P. Cruz
	ELISA-Immunoassay	Marijuana:11-nor-Delta-9-Carbexy-THC		PP	D. P. Cruz
	ELISA-Immunoassay	Methamphetamine & MDMA		PP	D. P. Cruz
	ELISA-Immunoassay	Opiates: Codeine & Morphine		ND	D. P. Cruz
	ELISA-Immunoassay	Opiates: Hydrocodone & Hydromorphone		ND	D. P. Cruz
	ELISA-lmmunoassay	Phencyclicking		ND	D. P. Cruz
Drug Screen	/Confirmation	160			
Blood, Femo		4.			
	Sympath. Amines-GC/MS	Amphetamine	0.11	ug/mL	J. Posada
	Sympath. Amines-CC/MS	Methamphetamine	0.51	ug/mL	J. Posada
	Sympath. Amines-GC/MS	Methylenedioxyamphetamine (MDA)		ND	J. Posada
	Sympath. Amines-GC/MS	Methylenedioxymethamphetamine (MDMA)		ND	J. Posada
Blood, Heart					
	Bases-GC/NPD &/or MS	Basic Drugs		ND	A. Chavez
	Cannabinoids-LC/MS/MS	11-nor-Delta-9-Carboxy-THC, Free		Present	M. Liebl
	Cannabinoids-LC/MS/MS	Delta 9-Tetrahydrocannabinol (THC), Free		ND	M. Liebl
	Sympath. Amines-GC/MS	Amphetamine	0.34	ug/mL	J. Posada
:	Sympath. Amines-GC/MS	Methamphetamine	1.4	ug/mL	J. Posada
5	Sympath. Amines-GC/MS	Methylenedioxyamphetamine (MDA)		ND	J. Posada
5	Sympath. Amines-GC/MS	Methylenedioxymethamphetamine (MDMA)		ND	J. Posada
Urine					

Friday, March 01, 2019

Print Date:

ANAB ISO/IEC 17025:2005 Forensic Science Testing Laboratories Page 1 of 2

Coroner Case Number: 2019-00338 Decedent:

 SPECIMEN
 SERVICE
 DRUG
 RESULT
 ANALYST

 Cannabinoids-LC/MS/MS
 11-nor-Delta-9-Carboxy-THC, Free
 Present
 M. Liebl

 Cannabinoids-LC/MS/MS
 Delta 9-Tetrahydrocannabinol (THC), Free
 ND
 M. Liebl

NOTE: Sympathomimetic Amine-GC/MS analysis in femoral blood used "Femoral Blood-01."

Leger	nd:	ND	Not Detected	SNS	Specimen Not Suitable	
g	Grams	ng/g	Nanograms per Gram	TNP	Test Not Performed	
g%	Gram Percent	ng/mL	Nanograms per Milliliter	ug	Micrograms	
Inc.	Inconclusive	PP	Presumptive Positive	ug/g	Micrograms per Gram	
mg	Milligrams	QNS	Quantity Not Sufficient	ug/mL	Microgram per Milliliter	

The alcohol analysis was performed in accordance to California Code of Regulations "Title 17" compliance by a qualified analyst in the Forensic Toxicology Laboratory, Forensic Laboratories Division, County of Los Angeles Department of Medical Examiner - Coroner.

Enzyme-linked immunosorbant assay (ELISA) provides only a preliminary analytical result that is contingent upon a confirmatory test. A "presumptive positive" (PP) signifies a detection of a drug class and must be confirmed by additional testing for true identification and/or quantitation of specific drug(s) present in the specimen.

In accordance with the Department's Evidence Retention Policy, the blood specimen(s) will be retained for one-year and all other specimens for s. -months from Autopsy.

Final Review By:

Supervising Criminalist I

The above results have been technically and administratively reviewed and are the opinions and conclusions of the analysis - step. The final review has been certified by the noted Toxicologists to ensure that all standard operating procedures were followed as set by the Forensic Toxicology I, the ways, Forensic Sciences Laboratory Division, County of Los Angeles Department of Medical Examines-Corones.

5/7/17

Print Date: Friday, March 01, 2019

ANAB ISO/IEC 17025:2005 Forensic Science Testing Laboratories Page 2 of 2



COUNTY OF LOS ANGELES

CASE REPORT

LAST, FIRST MIDDLE

APPARENT MODE **HOMICIDE** 

SPECIAL CIRCUMSTANCES

Gunshot Wound, Officer Involved

DEPARTMENT OF CORONER

CASE NO

2019-00338

CRYPT

208 #

ZIP

AKA

71 in. WARK DESCRIPTION

133 lbs. BROWN BROWN

SANTA BARBARA FACIAL HAIR BEARD AND TEETH INCOMPLETE

MUSTACHE

CA ID VIEW Yes

STATE

93101 CONDITION

HEAD TRAUMA

MARK TYPE TATTOO TATTOO

TATTOO

MALE

MARK LOCATION NECK CHEST

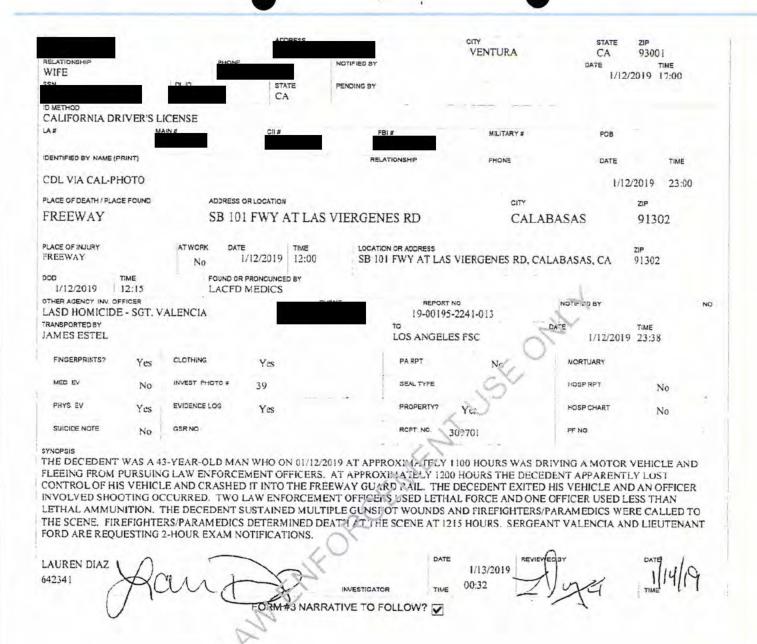
RIGHT ARM

HAND

BILATERAL LOW UNKNOWN DESIGN TATTO0 TATTOO LEFT NECK TATTOO BACK

HISPANIC LATI

LAW ENTORCEMENT USE ONLY





### County of Los Angeles, Department of Coroner Investigator's Narrative



Case Number: 2019-00338 Decedent:

#### Information Sources:

1) Detective Duncan, Los Angeles County Sheriff's Department Homicide, Incident #19-001952241013

#### Investigation:

On 01/12/2019 at 1832 hours Officer Rodriguez from the Los Angeles County Sheriff's Department called K. Slone at the Los Angeles County Department of Medical Examiner-Coroner to report this apparent homicide. It was reported that the decedent was in a vehicle pursuit with law enforcement officers. The decedent crashed his vehicle on the freeway. The decedent exited his vehicle and an Officer involved shooting occurred. Death was determined at the scene.

I was assigned this field call by A. Earl on 01/12/2019 at approximately 2045 hours. I arrived on scene at approximately 2140 hours and cleared from the scene at approximately 1255 hours.

The decedent's fingerprint return and a routine search of Los Angeles County Consolidated Criminal History Report System revealed multiple drug and alcohol related offenses from 2008 to 2014.

Forensic Attendant transported the decedent from the scene to the Forensic Science Center at 01/12/2019 at approximately 2338 hours.

#### Location:

Injury: Freeway, Southbound 101 Freeway at Las Vierger es Rd, Calabasas, CA 91302

Death: Freeway, Southbound 101 Freeway at Las V.e. genes Rd, Calabasas, CA 91302

#### Informant/Witness Statements:

I spoke with Detective Duncan at the scene and he related the following information in summary:

On 01/12/2019 at approximately 1200 hours an Officer involved shooting occurred at the previously mentioned location. The decedent was reportedly being pursued in a vehicle by Ventura County Sheriff Deputies. California Highway Patrol Officers joined the pursuit as well. The pursuit was terminated at the previously mentioned location when the decedent lost control of his vehicle and collided with the west guard rail. The decedent exited his vehicle on the freeway and an Officer involved shooting occurred. One Officer and one Deputy fired lethal ammunition in the incident.

#### Scene Description.

The scene was the southbound lanes of the 101 Freeway. The vehicle driven by the decedent was facing west, collided with the guard rail with obvious front end collision damage. The decedent was lying approximately five feet south of the vehicle. Numerous police vehicles were noted on the freeway facing south. A blade was noted on the front passenger floorboard of the vehicle. A rope fastened into a noose was noted on the right rear passenger floorboard.

#### Evidence:

A GSR kit, fingernail kit, and hair standards were collected at the scene.

#### Body Examination:

The decedent was an adult, Hispanic man who appeared to be the reported 43 years of age with brown hair, brown eyes, brown beard and mustache, and apparent natural teeth. EKG pads were noted to the chest. A hole was noted to the back of the head. A hole was noted to the abdomen. A hole was noted to the left shoulder. A laceration was noted to the right lower arm. Skin avulsion was noted to the left hand. A hole was noted to the back. Several small, scattered





### County of Los Angeles, Department of Coroner Investigator's Narrative



Case Number: 2019-00338

Decedent:

holes were also noted to the back. A tattoo of a hand was noted to the neck. A tattoo of unknown lettering was noted to the left neck. A tattoo of a face and "VC" was noted to the chest. A tattoo of a skull was noted to the right arm. Tattoos of unknown design were noted to the bilateral lower legs. A tattoo of unknown design was noted to the back. No other scars, marks, or apparent signs of trauma were noted. Rigor was noted to be a two. Lividity was consistent with positioning and blanched with moderate pressure.

with positioning and bianched with moderate pressure.	
Identification:	
The decedent was positively identified as California Driver's License via Cal-Photo.	by comparison to h
Next of Kin Notification:	
The decedent's wife, was notified by other family members.	7
Tissue Donation:	7/
Organ/tissue procurement was not discussed with the family.	)
Autopsy Notification:	
Detective Duncan and Lieutenant Ford are requesting exam no receiptions.	
JAUREN DIAZ SUPERVISOR	(
YAUKEN DIAZ. SUPERVISOR*	
01/13/2019	
Date of Report	
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C.T.	
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## **FORM 82**

## **GSR DATA SHEET**

## **CORONER CASE #**

2019-00338

**DECEDENT'S NAME** 

Incoming Mode
✓ HOMICIDE □SUICIDE □ACCIDENT □UNDETERMINED □OIS
INVESTIGATOR; L. DIAZ
COLLECTED AT: FORENSIC SCIENCE CENTER SCENE HOSPITAL
COLLECTOR: L. DIAZ DATE: 01/12/2019 TIME: 2145
WEAPON WAS IN DECEDENT'S: DLEFT HAND DRIGHT HAND DUNKNOWN
NEITHER, THE WEAPON WAS LOCATED:
FIREARM - MAKE/MODEL: AMMUNITION - BRAND/CALIBER:
UNKNOWN
DATE OF SHOOTING: 01/12/2019 AT 1200 HOURS
LOCATION OF DECEDENT: DINDOORS OUTDOORS DAUTOMOBILE
LOCATION SHOOTING OCCURPED: SB 101 FREEWAY AT LAS VIERCENES EXIT
NUMBER OF SHOTS FIRED:UNKNOWN
DECEDENT'S ACTIVITY PRIOR TO SHOOTING: UNKNOWN
DECEDENT'S OCCUPATION: UNKNOWN
DECEDENT'S HANDS WERE TOUCHED PRIOR TO GSR COLLECTION BY: ✓ POLICE
□ FAMILY PARAMEDICS □ HANDCUFFED □ BAGGED
BAGS COLLECTED OTHER:
NOTES/COMMENTS:



EVIDENCE LOG (side 1 of 2) L.A. County Medical Examiner-Coroner

**ALL UPPER SECTIONS MUST BE FILLED IN** 

FINAL MODE:

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BPB/PB Clothing = All of the above items have been sealed into a single BPB/PB except any above listed items that were released prior to the date/time of "received into evidence"

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## ALEX VILLANUEVA, SHERIFF

# COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT

# DETECTIVE DIVISION - HOMICIDE BUREAU

#### VOLUME II

	FILE NO. 019-00195-2241-013
CLASSIFICATION:	ASSAULT ON A PEACE OFFICER - 243(C)(2) P.C/OFFICER/ DEPUTY INVOLVED SHOOTING (SUSPECT DECEASED)
VICTIM(S):	#: M/ADULT (UNINJURED)
	#2 M/ADULT (UNINJURED)
SUSPECT(S):	MH/45 (DECEASED)
DATE/TIME:	01-12-2019 (SATURDAY) AT 1030 HOURS
LOCATION:	SOUTHBOUND HIGHWAY 101 AT LAS VIRGENES ROAD, CALABASAS
OFFICER(S) INVOL	VED: DEPUTY NOEL JUAREZ #3336
	OFFICER BRIAN GREEN #16383
INVESTIGATORS:	J. VALENCIA/A. MONTENEGRO
	COPY CHIEF - VENTURA SHERIFF

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1	JANUARY 12, 2019
2	-00O00-
3	INTERVIEW OF NOEL JUAREZ
4 5 6	Interview conducted by Investigators Amber <b>MONTENEGRO</b> and Joseph <b>VALENCIA</b> , Los Angeles County Sheriff's Department, Homicide Bureau. Case is under File No. 019-00195-2241-013.
7	-00O00-
8	VALENCIA: Roll?
9	LIEBERMAN: All right. Roll.
10	VALENCIA: All right. Today's date is January, January 12th, 2019. At 19,
11	excuse me, 2152 hours. We are in Lost Hills Sheriff's Station in the conference room
12	regarding an interview regarding a deputy involved shooting. In the room is my partner,
13	Amber Montenegro. Employee number is
14	MONTENEGRO: 440032.
15	VALENCIA: Myself, Sergeant Joseph Valencia. 296961. We have Ventura
16	County Deputy Sheriff Noel, Noel, N-O-E-L. Juarez, J-U-A-R-E-Z.
17	JUAREZ: Correct.
18	VALENCIA: Along with Noel, is, he is being represented by his attorney,
19	Howard Lieberman from the Law Group Mastagni and Holsteadt, Halstad.
20	LIEBERMAN: Mastagni Holstedt.
21	VALENCIA: There you go. My corrections. All right. Noel
22	JUAREZ: Yes.
23	VALENCIA: How old are you?
24	JUAREZ: I am

1	VALENCIA: And you work at the Ventura County Sheriff Department. What
2	office?
3	JUAREZ: I work out of the Thousand Oaks Station.
4	VALENCIA: Thousand Oaks Sheriff's Station. And that address is?
5	JUAREZ: 2101
6	VALENCIA: Uh-huh.
7	JUAREZ: East
8	VALENCIA: Uh-huh.
9	JUAREZ: Olsen.
10	VALENCIA: Spell that. O-L-S-E-N?
11	JUAREZ: Yes.
12	VALENCIA: Street? Road? Avenue?
13	JUAREZ: Road. I think.
14	VALENCIA: Road.
15	JUAREZ: Road.
16	VALENCIA: Ventura?
17	JUAREZ: Thousand Oaks.
18	VALENCIA: Oh, Thousand Oaks. I'm sorry.
19	JUAREZ: Yeah. Thousand Oaks.
20	VALENCIA: You have a zip code, please?
21	JUAREZ: I do not. I don't know the zip code.
22	VALENCIA: All right. Work phone number, please.
23	JUAREZ: You know what? I always use the dispatch one so I don't know what
24	our station number is. It's like a 494-8200, I think.

1	VALENCIA: 494-8 is that 805 area code?
2	JUAREZ: 805 area code.
3	VALENCIA: 805
4	JUAREZ: 494
5	VALENCIA: Uh-huh.
6	JUAREZ: 8200. I believe that's
7	VALENCIA: 8200.
8	JUAREZ: I believe. I'm not one hundred percent sure.
9	VALENCIA: Okay. All right then. Okay. Hey, what I'm going to go through right
10	now is some actually do you have a cell phone number? I'm sorry.
11	JUAREZ: I do have a cell phone number.
12	VALENCIA: Can I have it, please?
13	JUAREZ: My personal?
14	VALENCIA: Yes, please.
15	JUAREZ: Area code
16	VALENCIA:
17	JUAREZ:
18	VALENCIA:
19	JUAREZ:
20	VALENCIA:
21	JUAREZ:
22	VALENCIA: All right.
23	LIEBERMAN: I mean, would you mind not putting that in the (laughing)
24	VALENCIA: Nah, it's not.

- 1 **LIEBERMAN:** -- in the, in the report?
- 2 VALENCIA: That's not.
- 3 **MONTENEGRO:** Yeah. It won't be in there.
- 4 VALENCIA: That gets edited out. All right. Hey, Noel. Do you have your
- 5 employee number?
- 6 JUAREZ: So we have a county I.D. number and then we have a department I.D.
- 7 number. So which one would you want or both?
- 8 VALENCIA: Let's do both.
- 9 JUAREZ: Okay. So the county --
- 10 **VALENCIA**: Uh-huh.
- 11 **JUAREZ:** -- my county I.D., employee number --
- 12 VALENCIA: Uh-huh.
- 13 **JUAREZ:** -- is
- 14 VALENCIA:
- 15 **JUAREZ:** -- **JUAREZ**.
- 16 VALENCIA:
- 17 **JUAREZ**: Yeah.
- 18 **VALENCIA:** Uh-huh. And the other number is?
- 19 JUAREZ: And the other number is my department number for the Sheriff's
- 20 Department.
- 21 VALENCIA: Okay.
- 22 **JUAREZ:** That's a county number. That's --
- 23 VALENCIA: Okay.
- 24 **JUAREZ:** -- my county I.D. number.

- **VALENCIA:** Okay.
- 2 JUAREZ: For the county of Ventura. And my department number is 3336.
- **VALENCIA:** 3336.
- **JUAREZ:** Yeah. That's the --
- **VALENCIA:** So two. Okay.
- 6 JUAREZ: Right. So one is for the county. There, my I.D. number for the
- 7 county. And then the I.D. number for the department.
- **VALENCIA:** Okay. All right. Obviously, you went to a Sheriff's academy?
- **JUAREZ:** Correct.
- **VALENCIA:** Okay. What academy did you go to?
- **JUAREZ:** I went to the Ventura County Sheriff's Academy. Class of 96-2.
- **VALENCIA**: Class of 96-2?
- **JUAREZ:** Right. That's the second class of the year of '96.
- **VALENCIA**: 96-2?
- **JUAREZ:** Yeah.
- **VALENCIA:** All right. What year did you graduate?
- JUAREZ: I, well, I graduated in '96. I think my, I graduated in December some
- 18 time. December of '96.
- **VALENCIA:** December of '96?
- JUAREZ: Yeah. Maybe the 15th. I don't know. Somewhere right around there.
- **VALENCIA:** Okay. And from there where were you transferred to?
- JUAREZ: Okay. So once I graduated I, I was assigned to the Honor Farm,
- 23 which was in the city of Ojai.
- **VALENCIA**: That's custody?

1	JUAREZ: Custody. Right.
2	VALENCIA: So custody.
3	JUAREZ: It's a yeah. It's a minimal secur, security facility.
4	VALENCIA: So from 12-96, 1996, did you stay there for how long?
5	JUAREZ: I stayed there for three years. Right approximately three years
6	VALENCIA: Till what month more or less?
7	JUAREZ: Probably September of '99, I believe.
8	VALENCIA: 1999.
9	JUAREZ: Somewhere, somewhere around there. Yeah.
10	VALENCIA: Okay. From there, from '99 where did you go?
11	JUAREZ: I ended up getting transferred to the Camarillo Police Station.
12	VALENCIA: Camarillo. Is it a sheriff's station?
13	JUAREZ: It's right. It's a contract city.
14	VALENCIA: Okay. Sheriff's station. So you went, you went there
15	JUAREZ: Correct.
16	VALENCIA: In 9-99 to
17	JUAREZ: Yeah.
18	VALENCIA: about what?
19	JUAREZ: Approximately, approximately. Till when?
20	VALENCIA: About when did you leave Camarillo?
21	JUAREZ: I left in 2007.
22	VALENCIA: Okay. More or less the month or just 2007?
23	JUAREZ: Um
24	LIEBERMAN: If you, if you can remember.



1	JUAREZ: I can't, I can't remember.
2	VALENCIA: That's fine.
3	JUAREZ: I can't remember.
4	VALENCIA: That's fine.
5	JUAREZ: But it was in 2007.
6	VALENCIA: 2007 when you left.
7	JUAREZ: And, and I left there and went to our Sheriff's Civil Unit and that's ou
8	of the Government Center in Ventura. In the city of Ventura.
9	VALENCIA: And that was 2007 to
10	JUAREZ: 2007 through 2010.
11	VALENCIA: Okay. And where did you go from there?
12	JUAREZ: So after 2010 I ended up going back to the city of Camarillo.
13	VALENCIA: Uh-huh.
14	MONTENEGRO: Do you know what month in 2010?
15	JUAREZ: Oh, God. I don't.
16	MONTENEGRO: No?
17	VALENCIA: Okay.
18	JUAREZ: It doesn't yeah. I can't, I couldn't tell you. So in 2010 some time I
19	went back to the city of Camarillo.
20	VALENCIA: Uh-huh.
21	JUAREZ: I was there for probably maybe a year.
22	VALENCIA: Okay. Say 2011?
23	JUAREZ: Yeah. About 2011.
24	VALENCIA: Okay. Uh-huh.



JUAREZ: And then I took an assignment back in custody. 1 2 VALENCIA: Okay. 3 JUAREZ: So from about 2, for a year and a half. So what -- 2011, 2012. Maybe mid some time, mid 2012 --4 5 VALENCIA: Uh-huh. JUAREZ: -- I transferred to the Thousand Oaks Police Station where I am 6 7 currently --8 VALENCIA: Thousand Oaks. 9 JUAREZ: -- at now. 10 MONTENEGRO: So maybe June-ish 2011? JUAREZ: It was, it was -- yeah. It was maybe May, June, somewhere right 11 12 around there. 13 VALENCIA: Okav. 14 JUAREZ: Yeah. It was like mid, I think mid-2012. VALENCIA: Do you have any prior law enforcement experience? 15 16 JUAREZ: Prior to, to the Sheriff? No. No. 17 VALENCIA: All right. 18 JUAREZ: Zero. 19 VALENCIA: What shift were you working tonight? 20 JUAREZ: Today I was working day shift, which is 7:00 a.m. --21 VALENCIA: Uh-huh. 22 JUAREZ: -- to 7:00 p.m. Well, actually technically 1730. 23 VALENCIA: To 1930? 24 JUAREZ: Yeah. 1930.

1	VALENCIA: Okay
2	JUAREZ: Sorry. 1930.
3	VALENCIA: What, what unit were you?
4	JUAREZ: I was unit 4 Edward 12.
5	VALENCIA: 4 Edward 12.
6	JUAREZ: Yeah.
7	VALENCIA: And that was a one person or two person car?
8	JUAREZ: It's a one man car.
9	VALENCIA: Okay.
10	JUAREZ: It's a county, the only county car.
11	VALENCIA: So no partner. Do you remember what vehicle you had?
12	JUAREZ: Yeah.
13	VALENCIA: What
14	JUAREZ: The number?
15	VALENCIA: Yes, please.
16	JUAREZ: 318017.
17	VALENCIA: Now Ventura, is that the identifier on the back trunk or on the side?
18	JUAREZ: That's on the, it's on the, the identifier on the back of the vehicle,
19	believe.
20	VALENCIA: Okay.
21	JUAREZ: And on the two front fenders.
22	VALENCIA: Okay. All right then. And I can see that you're wearing a, the
23	JUAREZ: A department
24	VALENCIA: green Sheriff

1 JUAREZ: -- department-issued jacket. VALENCIA: -- a Sheriff, Ventura County Sheriff jacket. And you have Ventura 2 County patches on both your right and your left shoulder? 3 4 JUAREZ: Correct. 5 VALENCIA: And also on your left chest you have a Ventura County brass 6 Sheriff badge. 7 JUAREZ: Correct. VALENCIA: With the radio attached to the outside of your jacket. 8 JUAREZ: Correct. 9 10 VALENCIA: I also see underneath that jacket you're wearing a tan Sheriff shirt? 11 JUAREZ: Correct. 12 VALENCIA: With your name plate and a, on your right chest, with a few decorative pins next to your name plate. Center on your chest I see a, a holder. Would 13 14 be a body worn camera --15 JUAREZ: Correct, correct. 16 VALENCIA: -- I believe. But there's no camera attached at this point? 17 JUAREZ: Correct. 18 VALENCIA: Okay. If you would stand up --19 JUAREZ: Yeah. 20 VALENCIA: -- you're also. You're wearing a green Sheriff Class A pants. You 21 have a Sam Browne on --22 JUAREZ: Correct. VALENCIA: On your Sam Browne we'll go from left, from your right and work 23

24

our way around. Or from your left --

1	JUAREZ: From my left.
2	VALENCIA: From your left and work our way around. You have a magazine
3	holster.
4	JUAREZ: Correct.
5	VALENCIA: With two magazines
6	JUAREZ: Correct.
7	VALENCIA: pistol magazines. And you have a taser.
8	JUAREZ: Correct.
9	VALENCIA: Behind a taser you had a collapsible baton.
10	JUAREZ: Correct.
11	VALENCIA: Inside its holder.
12	JUAREZ: Correct.
13	VALENCIA: Behind that you have a Sheriff Department radio inside its holder.
14	Moving to the right side you have a single handcuff case with a pair of handcuffs. And
15	in front of that you have your pistol holster containing your pistol. And in front of that a
16	pepper spray.
17	JUAREZ: Correct.
18	VALENCIA: All right.
19	JUAREZ: And then my keys.
20	VALENCIA: And then your keys.
21	MONTENEGRO: Do you have a long sleeve or a short sleeve shirt on?
22	JUAREZ: I have a short sleeve shirt on underneath.
23	VALENCIA: Also, we discussed the body cam, which you don't have on.
24	JUAREZ: Correct.

VALENCIA: Inside car is there any video equipment within that, that 1 2 car? 3 JUAREZ: Like a dash, like a dash cam? 4 VALENCIA: Yes, sir. 5 **JUAREZ:** There is not. VALENCIA: Okay. 6 7 JUAREZ: Zero. 9:30 8 VALENCIA: All right. Let's go back till today. 9 JUAREZ: Okay. 10 VALENCIA: Obviously you're on patrol. 11 JUAREZ: Correct. 12 VALENCIA: You were working --13 JUAREZ: Correct. VALENCIA: -- for Ventura County Sheriff. We're here to investigate an officer 14 involved shooting. What was your first contact or knowledge of the call which led to 15 this? Can you take us back to that time? Tell us what you were doing and how you 16 17 were involved. JUAREZ: Okay. So at the time where I received the call or anything prior to 18 19 that? 20 VALENCIA: Were you the unit that was assigned the call? 21 JUAREZ: No. So, so -- yes. I was, I originally got called to, to go to the scene, but leading up to that I had, I had known prior to that that two cars, two cars, two patrol 22 23 cars had been sent code --24 VALENCIA: Uh-huh.

JUAREZ: -- to the city of Camarillo to assist with somebody that had ran from 1 2 them. 3 VALENCIA: So something --JUAREZ: Something, something, something had happened --4 5 VALENCIA: Okay. 6 JUAREZ: -- in the city of Camarillo --7 VALENCIA: Okay. JUAREZ: -- where two cars were being dispatched so I knew something was up. 8 9 VALENCIA: Okay. 10 JUAREZ: I, I didn't know what it was. 11 VALENCIA: Uh-huh. JUAREZ: I just, they were sent there code because somebody had taken foot 12 bail and they needed more, more units. 13 14 VALENCIA: Okay. JUAREZ: I didn't know what the circumstances were behind it. 15 16 VALENCIA: Okay. JUAREZ: So at the time when all this is going -- I'm listening to all this 17 information. I was actually at the Oak Park High School. I was parked in the parking 18 19 lot. 20 VALENCIA: Okav. JUAREZ: So I'm just listening to the radio. 21 22 VALENCIA: Okay.

- 1 JUAREZ: There's a, there's, they were playing soccer there. The, the high
- 2 school kids or club kids were playing soccer. So I was parked there kind of facing the
- 3 game and I was listening to the radio --
- 4 VALENCIA: Okay.
- 5 **JUAREZ:** -- traffic as it's going out. They cancelled those -- (phone ringing)
- 6 VALENCIA: Sorry. Go ahead.
- JUAREZ: No problem. They cancelled those two cars and they said go ahead
- 8 and return back to your areas. So I'm thinking okay. Well, maybe they caught the guy
- 9 or whatever.
- 10 VALENCIA: Uh-huh.
- 11 **JUAREZ:** So as --
- 12 VALENCIA: This call is in Ventura? Camarillo?
- 13 **JUAREZ:** In Camarillo.
- 14 **VALENCIA:** Do you remember the address they were going to?
- 15 **JUAREZ:** I do not know.
- 16 **VALENCIA:** Okay.
- 17 **JUAREZ:** I don't. I don't.
- VALENCIA: Do you remember what the call was about?
- 19 **JUAREZ:** I -- you know what. They, they sent the cars code. I was just listening
- to the radio. I didn't really look at the call slip or anything. But they sent the cars code.
- 21 VALENCIA: Okay.
- JUAREZ: Because I think the, the, the person that they were looking for
- 23 took off. Foot bail.
- 24 **VALENCIA:** Okay.

1 JUAREZ: And they needed more cars. Something along those lines. 2 VALENCIA: Okay. JUAREZ: So I kind of knew something was kind of going on, but I didn't because 3 4 it's completely out of my --5 VALENCIA: Absolutely. 6 JUAREZ: -- out of my area. I didn't really put a whole lot of attention to it. 7 VALENCIA: Absolutely. 8 JUAREZ: So as I'm sitting there I then shortly thereafter some time goes by. It 9 wasn't immediate. But then I hear our air unit --10 VALENCIA: Okay. 11 **JUAREZ:** -- talking over our, our frequency. 12 VALENCIA: What call sign does your air unit have? 13 JUAREZ: Copter 3 I think is what it was. 14 VALENCIA: Is that what it is? Copter 3? 15 JUAREZ: |, | --16 VALENCIA: Okay. 17 JUAREZ: -- I think so. 18 VALENCIA: Okay. 19 JUAREZ: I'm not one hundred percent, but I think, but I could hear our air unit 20 talking over our frequency about a pursuit. 21 VALENCIA: Uh-huh. JUAREZ: And I'm thinking -- I didn't put two and two together at that time. 22



23

VALENCIA: Okay.

JUAREZ: At that time I didn't know that whatever happened in Camarillo was

- 2 connected to this pursuit going through.
- 3 VALENCIA: Okay.
- JUAREZ: I, I, I didn't know that at the time so, so I'm like oh, okay. They,
- obviously they didn't need any units because they're, it sounded like CHP. Because I
- 6 could hear CHP --
- 7 VALENCIA: Okay.
- 8 JUAREZ: -- putting out radio traffic. Because then at that point when I heard
- 9 the, I heard our air unit putting out traffic with CHP, you know, that CHP was involved I
- 10 turned my scanner on.
- 11 VALENCIA: Okay.
- JUAREZ: Because it was off. So I turned my scanner on so I can kind of listen
- 13 to the radio traffic.
- 14 VALENCIA: Okay.
- JUAREZ: And I, and I could hear that they had passed Kanan.
- 16 **VALENCIA:** They're coming in --
- 17 **JUAREZ:** I'm sorry. Yeah. So, no. They're, they're on the 101.
- 18 VALENCIA: Okay.
- JUAREZ: And they're going southbound and they pass Lindero and I think they
- 20 passed Kanan.
- 21 **VALENCIA:** Uh-huh.
- JUAREZ: And then I'm thinking okay. So they're, they're headed towards L.A.
- 23 **VALENCIA:** Right.

1	JUAREZ: I think our air unit asked for, to see if LASO or LAPD wanted their air
2	unit to take over because it was now headed, headed that way.
3	VALENCIA: Okay.
4	JUAREZ: So I'm, I'm sitting. I'm thinking all right. Well, it's, it's gone past my
5	area. I'm, I'm
6	VALENCIA: Uh-huh.
7	JUAREZ: good, right?
8	VALENCIA: Uh-huh.
9	JUAREZ: So the next thing I know is they give me a call to say hey
10	VALENCIA: Who, who gives you a call?
11	JUAREZ: Dispatch.
12	VALENCIA: Your dispatch?
13	JUAREZ: Dispatch. Over the radio. You know, sends me to the area of, the
14	area of, the 101 and Las Virgenes.
15	VALENCIA: So they actually send you a call?
16	JUAREZ: Right. They, they dispatched me.
17	VALENCIA: Do you remember we call them tags. Your call number that was
18	associated with that?
19	JUAREZ: I do not know the number.
20	VALENCIA: Okay. But they actually generated a
21	JUAREZ: They do. They do.
22	VALENCIA: a call. Okay.
23	JUAREZ: They do. And it's probably that number that was generated. At the
24	time I didn't know these were connected, but it's

1	VALENCIA: Okay.
2	JUAREZ: it's probably the same number that is generated in Camarillo.
3	VALENCIA: Okay.
4	JUAREZ: So, again, at this point they send me to, they send me to, to the 101 at
5	Las Virgenes
6	VALENCIA: Okay.
7	JUAREZ: Because CHP has somebody either detained or a, the pursuit
8	suspect, I guess. And
9	VALENCIA: Were they specific on the call or
10	JUAREZ: I'm trying to remember and without listening to it again to refresh my
11	memory, but it was something like that that CHP had somebody at, at the end of the
12	pursuit.
13	VALENCIA: So at the termination of the pursuit
14	JUAREZ: At the termination of a pursuit and from, from listening to them my
15	mindset was, and from listening to dispatch and what they gave me my mindset was
16	okay. They got somebody in custody.
17	VALENCIA: Okay.
18	JUAREZ: They want me to go down there. Get a hold of the body. And maybe
19	transport him
20	VALENCIA: Okay.
21	JUAREZ: somewhere.
22	VALENCIA: Okay.
23	JUAREZ: Okay. And so I'm thinking okay. So as I take off, I leave the high

school, which is right off Kanan and I take Kanan all the way down towards the 101. I'm

- 1 now going southbound on Kanan. So I get to Kanan. Before I I'm on Kanan. Before I
- 2 get to the 101 I had dispatch, somebody on the radio asked me to answer my phone or
- 3 something and then I got a message. Somebody had, somebody previous to me that
- 4 had our, my patrol car. We have a cell phone that's assigned to the patrol car --
- 5 **VALENCIA:** Okay.
- 6 **JUAREZ:** -- basically. So it's not assigned to anybody. It's assigned to the car.
- 7 **VALENCIA:** Okay.
- B JUAREZ: So it's always in the car. So whoever had the phone before me had
- 9 turned the volume all the way down. So it was --
- 10 VALENCIA: Okay.
- JUAREZ: -- in, it was in a vibrate mode and because I'm driving and I'm listening
- to the radio I didn't hear the thing vibrate.
- 13 VALENCIA: Okay.
- JUAREZ: Somebody was calling me. So they said hey, answer your phone.
- 15 And so I looked down. I reached down. I grab it and my phone's on. Or it's,
- somebody's calling me so I swipe it and it's one of my sergeants.
- 17 **VALENCIA:** Okay.
- 18 **JUAREZ:** One of my sergeants.
- 19 **VALENCIA:** Do you know what sergeant?
- 20 **JUAREZ:** Yeah. Russ, Russell King.
- 21 **VALENCIA:** Russell King.
- JUAREZ: Right. His call sign is 4 Sam 6, I think.
- 23 VALENCIA: 4 Sam 6.

JUAREZ: And he goes hey, that call you're going to, this guy is, is, is, is armed. 1 And that, they're at a standoff with, with CHP. I want you to know that. 2 3 VALENCIA: Okav. JUAREZ: And so which, which changed my mindset. Because I thought the guy 4 5 was in custody --6 VALENCIA: Right. 7 JUAREZ: -- you know, crashed and in custody. Now I'm getting a phone call 8 saying hey, the guy is armed and dangerous --VALENCIA: Okay. 9 JUAREZ: -- and that, that's what you're going to and they're at a standoff. So --10 VALENCIA: So, just, just at this point. And just so I make sure I understand 11 12 you. You're at, you're in, in your policing jurisdiction watching a soccer game. You heard a pursuit or a foot chase going off in Camarillo, which is outside your jurisdiction. 13 14 JUAREZ: Outside my jurisdiction. VALENCIA: You heard them send some units Code 3? 15 16 JUAREZ: From my, from, from my --17 VALENCIA: Your jurisdiction. 18 JUAREZ: -- my station. To --19 **VALENCIA:** To Camarillo. 20 **JUAREZ:** -- the city of Camarillo. 21 VALENCIA: Right. 22 JUAREZ: Code. 23 VALENCIA: Shortly thereafter you hear a pursuit coming. You said



24

southbound?

1	JUAREZ: Southbound 101
2	VALENCIA: Okay. The pursuit goes. You switch over to a
3	JUAREZ: I turn, I turn the scanner on.
4	VALENCIA: So you can listen to CHP?
5	JUAREZ: So I can listen to CHP. Right.
6	VALENCIA: You're Copter 3.
7	JUAREZ: I, I hear, I hear on prior to turning the scanner on
8	VALENCIA: Uh-huh.
9	JUAREZ: I hear on my frequency, I hear the helicopter on our frequency.
10	VALENCIA: Okay.
11	JUAREZ: Not the scanner. I heard it on our frequency. I'm thinking okay. Well,
12	but the helicopter is using our frequency to say hey, they're in a pursuit going
13	southbound
14	VALENCIA: Right.
15	JUAREZ: on the 101. Something's going on. I turn the scanner on to get
16	more information.
17	VALENCIA: So while you're listening to this pursuit go through
18	JUAREZ: Right.
19	VALENCIA: any information as far as what the person is wanted for?
20	JUAREZ: No.
21	VALENCIA: Okay.
22	JUAREZ: No.
23	VALENCIA: So then
24	JUAREZ: I had no idea that it was connected to Camarillo.



1	VALENCIA: Okay.
2	JUAREZ: So
3	VALENCIA: Shortly thereafter you get an actual call from your dispatch saying
4	hey, go meet CHP. 101. Basically Las Virgenes Road.
. 5	JUAREZ: Las Virgenes Road. Right. Pretty, pretty generic.
6	VALENCIA: You start
7	JUAREZ: And I'm thinking to pick up a body.
8	VALENCIA: Right. You thought you were just going to do a prisoner transport.
9	JUAREZ: A transport.
10	VALENCIA: As your en route there you get a phone call
11	JUAREZ: From my sergeant.
12	VALENCIA: from your sergeant and he tells you hey, to let you know what,
13	giving a heads-up?
14	JUAREZ: Right.
15	VALENCIA: Let you know what you're getting yourself into.
16	JUAREZ: Correct.
17	VALENCIA: And the guy you're going to go start, the area you're going to, they
18	have a person basically is barricaded
19	JUAREZ: And he's, he's at a standoff.
20	VALENCIA: and a standoff and he's armed.
21	JUAREZ: He's armed.
22	VALENCIA: Did he specify how he was armed?
23	JUAREZ: No.
24	VALENCIA: Okay.



1 JUAREZ: I -- he's, he's armed. VALENCIA: Okay. Was, and that all was done over your phone call? 2 3 JUAREZ: That was done over a phone call. 4 VALENCIA: Okay. 5 JUAREZ: And --VALENCIA: Do you, do you know the cell phone number to that phone inside 6 7 the car? 8 JUAREZ: The one he's calling me from? VALENCIA: The one that's in your vehicle. 9 10 JUAREZ: The one in my car? I do know the phone number. 11 VALENCIA: What is that? 12 JUAREZ: It's VALENCIA: Uh-huh. 13 14 JUAREZ: --15 VALENCIA: Uh-huh. JUAREZ: ---16 17 VALENCIA: Okay. And that's a Sheriff Department phone?

19 VALENCIA: Okay.

20 **JUAREZ:** To that area. That beat.

21 VALENCIA: So now we're back to that spot. You get that phone call and you

JUAREZ: That, that's the car, the phone that's assigned to that car.

22 said --

18

23 **JUAREZ:** So I get that phone call.

24 VALENCIA: -- your mindset all of a sudden oh, it intensified.



- JUAREZ: It, it -- right. It changed.
- 2 VALENCIA: Okay.
- 3 MONTENEGRO: How does it change? What are you, what are you thinking at
- 4 this time?
- JUAREZ: I'm thinking -- because I, I had the mindset that I was going there to
- 6 transport because I thought okay. Dispatch gave me, they're, they're sending me over
- 7 there. CHP's, you know, on scene.
- 8 **VALENCIA:** Uh-huh.
- 9 JUAREZ: The car crashed and I'm thinking okay. So they've got a guy in
- 10 custody. They want me to transport --
- 11 VALENCIA: Right.
- 12 **JUAREZ:** -- for them. Because -- and then, and again this happens quite often
- because my area is the furthest east prior to hitting L.A. County.
- 14 VALENCIA: Okay.
- JUAREZ: I'm like the last car before L.A. County. So I'm thinking, so they have
- 16 used me before and say hey, can you --
- 17 **VALENCIA:** So it's common for you?
- JUAREZ: And it's very common for me, to send me somewhere to go transport
- 19 or something.
- 20 VALENCIA: Okay.
- 21 **JUAREZ:** So they -- so that's kind of what my mindset was.
- 22 VALENCIA: Uh-huh.
- JUAREZ: Until I got my phone call where then, you know, hey, the guy's, you
- 24 know --



1	VALENCIA: Okay.
2	JUAREZ: armed. He might even have said armed and dangerous because I,
3	it, I don't know if I knew that information then. I mean, it's kind of hard to remember.
4	But he said he was armed.
5	VALENCIA: Okay.
6	JUAREZ: And that there was a standoff. So there, I want you to, a heads-up.
7	VALENCIA: Right.
8	JUAREZ: That's what you're going to and so I immediately, you know, switched
9	from okay. I'm not doing a transport.
10	VALENCIA: Uh-huh.
11	JUAREZ: Obviously there's, there's more to it than
12	VALENCIA: Right.
13	JUAREZ: dispatch told me.
14	VALENCIA: Right. Okay. Go ahead. From that point go ahead.
15	JUAREZ: So I jump on the freeway at Kanan.
16	VALENCIA: Uh-huh.
17	JUAREZ: And I start heading southbound.
18	VALENCIA: Are you hearing any radio traffic at this point of the termination?
19	From what's happening at the termination point?
20	JUAREZ: I can't recall any information that I was hearing.
21	VALENCIA: Okay.
22	JUAREZ: I, I definitely had it on.
23	VALENCIA: Uh-huh.
24	JUAREZ: But specifically to remember, you know, bits and pieces I, I don't



1 recall --2 VALENCIA: Okay. 3 JUAREZ: -- anything being said. 4 VALENCIA: Okay. JUAREZ: So I start southbound. Right around maybe Liberty Canyon. 5 6 VALENCIA: Okay. 7 JUAREZ: Is that -- I think that's one of the streets. Right? Liberty? Liberty 8 Canyon? 9 VALENCIA: Yeah. I remember passing that. Yeah. 10 JUAREZ: Okay. So Liberty Canyon I started hitting traffic. Cars are starting to 11 back up. 12 VALENCIA: Okay. JUAREZ: So I dart over to the center median. 13 14 VALENCIA: Okay. 15 JUAREZ: To the, to the center median and I'm able to, with my lights on --16 VALENCIA: Uh-huh. JUAREZ: -- hit, hitting my siren I am able to bebop all the way up and get up to 17 the area of Las Virgenes. When I get up to Las Virgenes, or towards the area of Las 18 19 Virgenes --20 VALENCIA: Uh-huh. 21 JUAREZ: -- I can see --22 VALENCIA: What are you seeing?

JUAREZ: So, right. And that's what I was going to picture for you. So as I'm

2 getting up to the off ramp for Las Virgenes what I'm seeing is I can see up ahead. And I

- 3 can see there's a gap. Traffic northbound. On the northbound side.
- 4 **VALENCIA:** Uh-huh.
- 5 **JUAREZ:** On the opposite side of the freeway.
- 6 **VALENCIA:** Uh-huh.
- 7 JUAREZ: The northbound traffic is completely stopped. I can see Highway
- 8 Patrol up at the, probably right around maybe the bridge. There's a bridge there, I think.
- 9 And they, they got traffic stopped going northbound. And then I look on my side of the
- 10 freeway. On the southbound side. And I can see cars. Two patrol cars.
- 11 **VALENCIA:** Do you know if they are Ventura or CHP?
- 12 **JUAREZ:** They were CHP.
- 13 VALENCIA: Okay.
- JUAREZ: So they're, they're stopped. I see guys out. There's people --
- 15 **VALENCIA:** Now, now were they out? How are they standing?
- JUAREZ: So, so as I leave, as I get all the way through and I get out of the, out
- of the, from the center median and I start turning in I obviously, I see two patrol cars.
- And there are -- so I would say to my left, closer, it's closer to the center median. That
- 19 car, that patrol car there had two CHP officers at the back trunk. So I'm going
- 20 southbound. I'm in the, in the center median and I see up ahead two, two, two
- 21 CHP cars.
- 22 **VALENCIA:** Uh-huh.
- 23 **JUAREZ:** Okay.
- VALENCIA: And they're in the, you said, the number one lane?



1	JUAREZ: No. I, I don't know what lane they're in.
2	VALENCIA: More or less.
3	JUAREZ: I don't know what lane they're in.
4	VALENCIA: Okay.
5	JUAREZ: I would say maybe number two and three
6	VALENCIA: Okay.
7	JUAREZ: a little further over.
8	VALENCIA: Okay.
9	JUAREZ: The CHP vehicle closest to, closest to the shoulder
10	VALENCIA: Okay.
11	JUAREZ: was a, a, like a Ford Explorer. One officer
12	VALENCIA: Okay.
13	JUAREZ: in the doorjamb.
14	VALENCIA: Okay.
15	JUAREZ: The driver's doorjamb.
16	VALENCIA: Okay.
17	JUAREZ: I don't know if he had a handgun or a rifle. I don't remember.
18	VALENCIA: You know he was taking a tactical position?
19	JUAREZ: Correct.
20	VALENCIA: What did you think when you saw him? It describe, describe the
21	tactical position. He
22	JUAREZ: He was, he, he was in, he was in his his driver's door is open.
23	VALENCIA: In the pocket of the door?



1	JUAREZ: In the pocket of the door. And I, and I don't and he was there, but I
2	don't remember whether he had a handgun or if he had a rifle or a shotgun. I don't
3	remember what he had.
4	VALENCIA: Okay.
5	JUAREZ: But I do remember seeing, seeing him there.
6	VALENCIA: Uh-huh.
7	JUAREZ: He that, that guy was closest to the shoulder.
8	VALENCIA: Okay.
9	JUAREZ: Okay. Probably in the number three or four lane.
10	VALENCIA: Okay.
11	JUAREZ: The car, more in the maybe number two lane, maybe the number two
12	or three lane
13	VALENCIA: Uh-huh.
14	JUAREZ: was kind of cockeyed a little bit.
14 15	JUAREZ: was kind of cockeyed a little bit.  VALENCIA: Okay.
15	VALENCIA: Okay.
15 16	VALENCIA: Okay.  JUAREZ: All right. And there was two CHP officers to the rear trunk lid.
15 16 17	VALENCIA: Okay.  JUAREZ: All right. And there was two CHP officers to the rear trunk lid.  VALENCIA: And what were they doing?
15 16 17 18	VALENCIA: Okay.  JUAREZ: All right. And there was two CHP officers to the rear trunk lid.  VALENCIA: And what were they doing?  JUAREZ: One of them had an AR.
15 16 17 18 19	VALENCIA: Okay.  JUAREZ: All right. And there was two CHP officers to the rear trunk lid.  VALENCIA: And what were they doing?  JUAREZ: One of them had an AR.  VALENCIA: Uh-huh.
15 16 17 18 19 20	VALENCIA: Okay.  JUAREZ: All right. And there was two CHP officers to the rear trunk lid.  VALENCIA: And what were they doing?  JUAREZ: One of them had an AR.  VALENCIA: Uh-huh.  JUAREZ: And the other gentlemen was dressed in all, all tan.
15 16 17 18 19 20 21	VALENCIA: Okay.  JUAREZ: All right. And there was two CHP officers to the rear trunk lid.  VALENCIA: And what were they doing?  JUAREZ: One of them had an AR.  VALENCIA: Uh-huh.  JUAREZ: And the other gentlemen was dressed in all, all tan.  VALENCIA: Okay.



1	VALENCIA: You heard the communication?
2	JUAREZ: I heard communication with him to the suspect. And the other guy, I
3	don't remember if he had a handgun out or, or a, a long rifle out or an AR.
4	VALENCIA: Which, let me ask you this, when you drive up and you see these
5	officers in this stance
6	JUAREZ: Yeah.
7	VALENCIA: what, what are you
8	JUAREZ: I saw so
9	VALENCIA: automatically thinking at this point?
10	JUAREZ: That they're at a standoff because just in front of those two cars
11	VALENCIA: Uh-huh.
12	JUAREZ: I see a, like a silver sedan.
13	VALENCIA: Uh-huh.
14	JUAREZ: And it's completely facing the guardrail.
15	VALENCIA: North, the freeway. The north/south freeway.
16	JUAREZ: For the, the freeway is north/south freeway, right?
17	VALENCIA: Uh-huh.
18	JUAREZ: So I would say the car is into the guardrail facing the ocean.
19	VALENCIA: So facing west?
20	JUAREZ: Okay. So if that's what you want to call west.
21	VALENCIA: Okay.
22	JUAREZ: That's what it's called.
23	VALENCIA: For the purpose and everyone called that west.
24	JUAREZ: Okay. So it's facing towards the ocean



1	VALENCIA: Okay.
2	JUAREZ: basically. Not the mountains.
3	VALENCIA: Okay.
4	JUAREZ: All right? So it's facing towards the ocean.
5	VALENCIA: Was there anything wrong with the car that you noticed?
6	JUAREZ: The car had front end damage and it looked like it had impacted
7	VALENCIA: Okay.
8	JUAREZ: the, the guardrail pretty hard.
9	VALENCIA: Uh-huh.
10	JUAREZ: And, as a matter of fact, where it did it was lit, literally just about
11	underneath the Las Virgenes sign to get off the freeway.
12	VALENCIA: Okay.
13	JUAREZ: Literally right there.
14	VALENCIA: Did you what did you see?
15	JUAREZ: So I see, I see the car there.
16	VALENCIA: Uh-huh.
17	JUAREZ: And I see the, the Highway Patrol officers with their guns drawn at the
18	car and I could see a suspect or what I'm assuming is a suspect at, on the driver's side
19	of the car, but right around either the rear, the rear door
20	VALENCIA: Uh-huh.
21	JUAREZ: The, on the driver's side. The rear door.
22	VALENCIA: Uh-huh.
23	JUAREZ: Or like the quarter panel. And he's right back there.
24	VALENCIA: Well, can you describe him?

JUAREZ: He kind of had, it looked like maybe wavy, kind of curly hair. 1 2 VALENCIA: Uh-huh. 3 JUAREZ: Possibly Hispanic. 4 VALENCIA: Uh-huh. JUAREZ: Maybe, you know, dark complected, you know, white guy. 5 6 VALENCIA: Uh-huh. JUAREZ: And he was kind of, kind of hunched over like he was not trying to, like 7 8 he was trying to hide basically. 9 VALENCIA: When you, when you saw someone, in your professional opinion, you, when you saw someone hunched over behind a car. Coupled with the rifles --10 11 JUAREZ: With the rifles. 12 VALENCIA: -- what are you thinking? 13 JUAREZ: I'm thinking a standoff. So what my sergeant had told me was what 14 was happening. 15 VALENCIA: Uh-huh. 16 JUAREZ: It was a standoff. 17 VALENCIA: Uh-huh. Okay. JUAREZ: So I positioned. So as I, as I came out of the center median and I saw 18 19 that in front of me --20 VALENCIA: Uh-huh. JUAREZ: -- I turned, I pull out of the center median. I turn right and I position 21 my vehicle not -- between two, the two CHP cars --22 23 VALENCIA: Uh-huh. 24 JUAREZ: -- because there was enough room, but a little further back.



1	VALENCIA: Okay.
2	JUAREZ: Okay.
3	VALENCIA: So you're between two CHP cars?
4	JUAREZ: Two, between the two CHP cars, but a little further back.
5	VALENCIA: Okay. A little
6	JUAREZ: Okay.
7	VALENCIA: to the north of them?
8	JUAREZ: Correct. A little to the north of them.
9	VALENCIA: Okay.
10	JUAREZ: Okay. So I had, seeing what was going on. One had an AR. I
11	thought okay. I'm going to get my most accurate weapon. I'm going to get my shotgun.
12	VALENCIA: Okay.
13	JUAREZ: So I didn't even, I, at no point did I ever even pull my handgun out.
14	VALENCIA: Okay.
15	JUAREZ: I hit the, the shotgun button. Click, click. Pull my shotgun out. Rack
16	a round. And I had the, I opened the door and I stand in the pocket of the patrol car
17	facing
18	VALENCIA: Driver's side?
19	JUAREZ: face, driver's side, facing downrange. As I'm standing there I can, I
20	realize, all right. So I racked a our, our shotguns, I think, are Remington 870s.
21	VALENCIA: Okay.
22	JUAREZ: So they got, we, we set them up cruiser carry every, every shift so we
23	got four in the chamber, in the tube, and the, the actual barrel is empty.
24	VALENCIA: Okay.



1 **JUAREZ:** Until we rack a round. 2 VALENCIA: Okay. 3 JUAREZ: Okay. So what I did is I racked a round. 4 VALENCIA: Okay. JUAREZ: To get one in the chamber. I took one out of the sidesaddle and I 5 6 replaced it back into the tube. 7 VALENCIA: So you're in a full complement of the rounds. 8 JUAREZ: So I have four in the tube again with one in the chamber. 9 VALENCIA: Okay. 10 JUAREZ: Okay. And so I take the safety off. 11 VALENCIA: What kind of rounds are you using? Do you know? 12 JUAREZ: We're using slugs and they have a, like a blue casing. 13 VALENCIA: So you're using slugs. All of them are, all --14 JUAREZ: All slugs. 15 VALENCIA: Okay. And you said they are blue casing. Okay. 16 JUAREZ: And the slugs in blue casing. 17 VALENCIA: Okay. JUAREZ: So, so I load up the, the magazine and I've got one in the 18 19 chamber. 20 VALENCIA: Uh-huh. 21 JUAREZ: I pop the, the safety off and now I'm in the door of the pocket and I'm holding my, my shotgun. I'm listening to the CHP officer with the AR giving commands. 22 23 VALENCIA: What are you hearing him telling him?

JUAREZ: I'm hearing him tell the, the gentlemen behind the car come out with 1 your hands up. Just come out. Come out with your hands up. 2 VALENCIA: And what's, what's the suspect doing? 3 4 JUAREZ: He's not complying. VALENCIA: What's, what's his body movements? What's he -- is he saying 5 6 anything back? 7 JUAREZ: He's, he's saying, you know, he's saying basically fuck you. I'm not 8 coming out. 9 VALENCIA: Is he verbally saying that? 10 JUAREZ: I could, I heard that. 11 VALENCIA: Okav. JUAREZ: I don't know if it was that, at that specific time. 12 13 VALENCIA: Right. JUAREZ: But he had said that. At the time when I got there what I had, I had 14 15 set myself up because I was on my way there. All my radio dials had been kind of tuned up a little bit. So I had, you know, my unit radio going. I had the scanner going. I 16 17 had my hand-held radio going, you know. 18 VALENCIA: Uh-huh. 19 JUAREZ: You've got the helicopter up ahead. 20 VALENCIA: Right. JUAREZ: So it was, it, hearing what was being said or at least what he was 21 saying was kind of tough. 22



23

VALENCIA: Okav.

JUAREZ: Okay. So but you could tell he, he was trying to hunker down behind

2 the car. He would pip, pop his head up. They, the, one of the things that was being

3 said is that he has his hand. He's, he's, he's got his hand, his right hand in his jacket.

- 4 He's, you know, he's not showing us his right hand.
- 5 **VALENCIA:** What did you think when you, you heard that?
- 6 JUAREZ: That he had some type of weapon.
- 7 VALENCIA: Was it --
- 8 **JUAREZ:** You know?
- 9 VALENCIA: -- did you base that on any prior information that you might have
- 10 had, too?
- 11 **JUAREZ:** No. Well, that he was armed.
- 12 VALENCIA: Yeah.
- 13 **JUAREZ:** Then my sergeant had told me that he was armed and that he wasn't
- 14 showing a weapon.
- 15 **VALENCIA:** How, how did his body language play in this?
- 16 **JUAREZ:** His, his -- whose body? The suspect's?
- 17 **VALENCIA:** The suspect's. Yeah.
- JUAREZ: The suspect's body language. He was all hunkered down. Kind of,
- 19 kind of crouched down trying to protect his, his body. But the CHP officers and, that
- were on scene, were telling me hey, he's got his hands in his, in, his right hand in his
- 21 jacket. He's not, not showing his hand. He's not showing his hand, you know. Raise
- 22 your hand. Show us your hands, you know. And --
- VALENCIA: Based on all that what did you conclude in your, in your thought
- 24 process?



1	JUAREZ: That he was armed. And that's what I was, that I was assuming he
2	was armed.
3	VALENCIA: Okay. With?
4	JUAREZ: With a, with a, some type of firearm or something.
5	VALENCIA: Okay. Okay.
6	JUAREZ: I mean, that's what I was thinking.
7	VALENCIA: Just, and that's based on your observations?
8	JUAREZ: And my observation.
9	VALENCIA: And the prior information you received?
10	JUAREZ: Right. Up to that point
11	VALENCIA: Right.
12	JUAREZ: that's what my perception was. That's what my thought process
13	was. Up to that particular point.
14	VALENCIA: Okay.
15	JUAREZ: Okay. He wasn't showing his hands and so, so the CHP officer is
16	doing all the talking. He's trying to talk to the guy. He's giving him commands. All of
17	the commands that he's giving him
18	VALENCIA: Uh-huh.
19	JUAREZ: to come out with his hands up. Just come out. There's nowhere for
20	him to go. Just come out.
21	VALENCIA: Uh-huh.
22	JUAREZ: All of them went unheard.
23	VALENCIA: Uh-huh.
24	JUAREZ: The suspect is on the

1	VALENCIA: Well, he you don't know if he heard them. Because
2	JUAREZ: No. Not what I'm saying. He's, he's not complying with the
3	VALENCIA: Absolutely.
4	JUAREZ: with, he's not complying with the orders given by the CHP officer.
5	VALENCIA: Absolutely.
6	JUAREZ: And so
7	VALENCIA: And this whole time he would still hunker down and come up?
8	JUAREZ: He would still kind of hunker down and come up. He's looking around.
9	The, the he was just being non-compliant with
10	VALENCIA: Okay.
11	JUAREZ: what the CHP was asking him to do. So I had him, you know, in, in
12	my sights with my shotgun and while I'm sitting there at some point, not the CHP officer
13	that was giving commands with the, with the AR
14	VALENCIA: Uh-huh.
15	JUAREZ: but the gentlemen next to him
16	VALENCIA: The CHP officer?
17	JUAREZ: With the CHP officer wearing all tan.
18	VALENCIA: Uh-huh.
19	JUAREZ: Turns back, looks at me and says hey, I need you to move your patrol
20	car. Go around and go basically closer to the number one lane and
21	VALENCIA: Okay.
22	JUAREZ: and kind of come out so we can fan out basically three wide, you
23	know?
24	VALENCIA: Okay.



- 1 **JUAREZ:** Get a different angle.
- 2 VALENCIA: So you reposition yourself to --
- 3 JUAREZ: So I said okay. I jump in my patrol car. I put it in reverse. I back it up
- 4 and then I bring it around. So now I'm on the -- what would you call that? The east side
- 5 of the vehicle, between --
- 6 **VALENCIA:** The number one lane?
- 7 **JUAREZ:** -- the number one lane.
- 8 **VALENCIA:** The number one lane.
- 9 **JUAREZ:** Okay. So like closer to the number one lane.
- 10 **VALENCIA:** Uh-huh.
- JUAREZ: And I position my car there. I get back out and I get back into my
- 12 position. I realize by doing that, by moving my car over and repositioning it, it agitated
- 13 him. The suspect.
- 14 **VALENCIA:** Did you have a better tactical advantage at that point?
- 15 **JUAREZ:** I, I, I was able to see more --
- 16 VALENCIA: Okay.
- 17 **JUAREZ:** -- from that angle.
- 18 **VALENCIA:** Okay.
- 19 **JUAREZ:** Okay. I was able to see more from that angle. So, so by me
- 20 moving --
- 21 **VALENCIA:** Uh-huh.
- 22 **JUAREZ:** -- my car I could see it agitated him.
- 23 **MONTENEGRO**: Why?
- VALENCIA: What, what do you base that on?



- JUAREZ: He was, he was being very just verbally expressive. Verbally angry. 1 What was being said I couldn't tell, but I could tell prior to, by his facial expressions and 2 prior, his prior body language before I moved that it -- he was upset before, but by me 3 moving I could see that it, it agitated him by his facial and body, body features. 4 5 VALENCIA: Okay. Okay. JUAREZ: And he, he was yelling stuff at me and so I positioned, I got back into 6 the exact same position in the pocket of the door and at this point from holding the 7 shotgun, my, my hand was getting kind of tired. 8 9 VALENCIA: Okay. How long do you think you were sitting there? I know it's, 10 it's a, it was a drawn out process. 11 JUAREZ: Right. 12 VALENCIA: How long do you think you had been sitting there and going through 13 this up to that point? 14 JUAREZ: I would say, I would say probably maybe fifteen, twenty minutes 15 maybe. 16 VALENCIA: So it's, it's a long time. 17 JUAREZ: It's a long -- at the time as it's going, you know, it doesn't seem like --18 VALENCIA: Right. JUAREZ: -- it's clicking off, but it was probably fifteen, twenty minutes. 19 20 VALENCIA: Okav. 21 JUAREZ: So I repositioned and I got back out into the pocket and then I re-set up on him and at this point I had -- because I was getting fatigued with my --22
  - VALENCIA: Uh-huh.

JUAREZ: -- with my arm and, and whatnot. I set -- on our patrol cars they have 1 a spotlight. From the interior it's got a handle that you can twist --2 3 VALENCIA: Uh-huh. JUAREZ: -- so to turn it and you can kind of position it. So there is a, the 4 spotlight has a rod that goes like through the, the panel of the car to the outside and 5 6 then to the spotlight. 7 VALENCIA: Right. 8 JUAREZ: So what I ended up doing is I positioned the light kind of furthest out 9 of the way and then I set the barrel --10 VALENCIA: Okay. 11 JUAREZ: -- of my shotgun on that, that tube, that rod. 12 VALENCIA: Right. 13 JUAREZ: The spotlight, spotlight rod. To take some pressure off my hand, my 14 arms, because I knew I was going to be there --15 VALENCIA: Right. 16 JUAREZ: -- for awhile --17 VALENCIA: Right. JUAREZ: -- and I was already fatigued. So I'm sitting there and I'm on him and 18 19 I'm on him and --20 VALENCIA: And what's he doing? 21 JUAREZ: And he's still doing the same thing. The CHP officer now it's, it's, it's, you know, they're saying hey, he's got his hand in his pocket. He's got his right hand in 22 his, in his jacket, you know. He's not, you know, he's not complying. They're telling him 23

24

hey, you know, please, you know, just come out, you know, with your hands up. Come

- 1 out with your hands up. It was a little hard to hear because my driver's door is closed.
- 2 Oh, I'm sorry. My passenger door is closed. I'm in the driver's pocket --
- 3 **VALENCIA:** Right.
- 4 **JUAREZ:** -- but my passenger's door is closed and the window is up.
- 5 **VALENCIA:** Okay.
- JUAREZ: So at some point I, I, I realize I need to roll that window down so I can
- 7 at least hear.
- 8 VALENCIA: Okay.
- 9 JUAREZ: Okay. Also, on the radio, I hear dispatch send for Sam 8, which had,
- 10 which is Sergeant Hartkop.
- 11 VALENCIA: Okay.
- 12 **JUAREZ:** They had, you know -- respond out to the scene.
- 13 VALENCIA: Okay.
- 14 JUAREZ: So as I'm sitting there and I'm watching and I'm just sitting there and
- 15 I'm sitting, sitting and probably again maybe another fifteen minutes go by. Or maybe
- 16 even something longer. I'm sitting there and I'm covering --
- 17 **VALENCIA:** This whole fifteen minutes is he doing anything?
- JUAREZ: He's, he going, he's going to the back, to the back of the car. The
- 19 rear quarter panel. He's never, he's always hunkered down. He's never standing up.
- He's never saying, putting his hands up. He's motioning his left hand, but his right hand
- 21 is always in his jacket pocket.
- 22 VALENCIA: And do, to the best of your knowledge, was he being given
- 23 commands the whole time there?

1 He was being, he was being given commands pretty much JUAREZ: 2 consistently --3 VALENCIA: Okay. 4 JUAREZ: -- by the CHP officer. VALENCIA: Okay. 5 JUAREZ: So, so and he's going back from the quarter panel. He would go into 6 7 the car like --VALENCIA: He actually went into the --8 JUAREZ: Into the rear passenger, the driver's side rear passenger seat. 9 VALENCIA: So he actually entered the compartment --10 11 JUAREZ: He would --12 **VALENCIA:** -- of his car? 13 JUAREZ: -- he would enter the, the compartment and I, and I couldn't tell, but it 14 looked like he was sitting down in there. 15 VALENCIA: Okay. 16 JUAREZ: Like he would sit down with his feet outside, but he was sitting on the, 17 on the seat. 18 VALENCIA: Okay. 19 JUAREZ: I could see his head --20 VALENCIA: Uh-huh. 21 JUAREZ: -- through the, through the window, but not completely so --

22

VALENCIA: Okay.

1 JUAREZ: -- you know, my thought process there is, you know, what's he doing in there? Is he reloading? Is he, you know, is he getting another weapon? Is he, is he 2 3 getting a, a rifle? Is he -- what's he doing, you know? 4 VALENCIA: Okay. 5 JUAREZ: So I'm, I'm, I'm sitting on him. I've got him in my, in my sights and I'm sitting there and they're giving him commands. He's not, you know, he's not giving, you 6 7 know, not showing us his hands. I hear 4 Sam 8 at some point go 10-97. 8 VALENCIA: Okay. 9 JUAREZ: So my sergeant is now on scene so at, up until that particular point 10 there was three patrol cars, four officers, involved in what they were --11 VALENCIA: Three CHP officers and yourself? 12 JUAREZ: Three CHP officers and myself. 13 VALENCIA: Okay. 14 JUAREZ: So 4 Sam, 4 Sam 8 arrives on scene. I think, I, I told him something 15 on the radio. I said hey, just come on up. You'll see my, you'll see my car or something 16 like that. Then ---17 **VALENCIA:** This is communicated over the dispatch? JUAREZ: I'm communicating over the, the radio. And so at some point I turn 18 back around and I looked at, at Sergeant Hartkop and he's walking up and I see him --19 20 because now he's obsessing what's going on --21 VALENCIA: Uh-huh. 22 JUAREZ: -- I see him pull his, his handgun out. 23 VALENCIA: Uh-huh.



24

JUAREZ: And he's walking up to me and he comes up right behind me.

1 **VALENCIA:** Okay.

2 JUAREZ: And he sees what's going on and he's -- I can see he's, his, his

3 anxiety le -- not anxiety probably is the wrong word, but his, his awareness is up

because he realizes the severity of what's going on.

5 **VALENCIA:** So you say like hyper-focused?

6 JUAREZ: Right. Absolutely. He's -- from what I was seeing about him coming

out. Bebopping and then going back into the car and moving around. What I was, at

that, up to that point, what I was used to seeing him do was freaking him out (laughing),

9 you know. Not freaking him out, but --

10 **VALENCIA:** It was new.

JUAREZ: -- you can see -- it was new to him. So he's like oh, my God, you

12 know. The guys not showing his hand. And so Allen was looking for when he got

13 there --

4

8

14 **VALENCIA:** Allen being the sergeant?

15 **JUAREZ:** Oh, Allen. I'm sorry. The sergeant.

16 **VALENCIA:** Okay.

17 JUAREZ: Hartkop. Can I refer to him as Allen? It would probably be easier for

18 me.

19 **MONTENEGRO**: Yeah.

20 **VALENCIA:** Go ahead.

JUAREZ: Okay. So Allen, so Allen at some point goes, you know what, let me

see if I can get a better vantage point, you know. Somewhere around your vehicle. So

he takes off and I think he goes around and he goes on to the passenger side of my

24 patrol car --

1 VALENCIA: Okav. 2 JUAREZ: -- and he realizes that's not a better vantage point --3 VALENCIA: Uh-huh. JUAREZ: -- and so he backtracks and he comes back around. Ultimately he 4 5 positions himself -- so if I'm in the door pocket --6 VALENCIA: Uh-huh. 7 JUAREZ: -- my window is all the way rolled down. He is literally on the outside 8 of my door. 9 VALENCIA: Okay. 10 JUAREZ: I mean, he's within --11 **VALENCIA:** He's on your left side? 12 JUAREZ: He's on my left side and he's within four inches of me. 13 VALENCIA: That's fine. Okay. 14 JUAREZ: Okay. So, I mean, he, we're like -- I'm, I'm pressing on one side of the 15 door and he's pressing on the other side of the door. 16 VALENCIA: Okay. 17 JUAREZ: I mean, that's how close we were --18 VALENCIA: Okay. 19 JUAREZ: -- with the, with the window open and we are literally communicating 20 to each other. 21 **VALENCIA:** What are you guys saying? 22 JUAREZ: So basically what, what I was telling him I said, I said Allen, Allen, I 23 said, we need to get a K-9 here. I said he's been walking around and he looks like he



may possibly take off. And if he's armed I'm thinking, I'm -- this is what my proc, my

thought process is. I think, I think he's getting ready to take off, you know. And I didn't

- 2 verbalize this to Allen, but I'm thinking okay. Well, if he takes off, he's, he's armed.
- 3 **VALENCIA:** Right.
- 4 JUAREZ: You know? So I'm thinking he's armed with a firearm and he's going
- 5 to take off. I said hey, we really need to get a, a K-9 here. And some time while me
- 6 and Allen are talking the air unit, our air unit --
- 7 **VALENCIA:** Okay.
- 8 **JUAREZ:** -- Copter 3 --
- 9 **VALENCIA:** Uh-huh.
- JUAREZ: -- is flying around and then says hey, we need to go back for gas.
- 11 **VALENCIA**: Okay.
- JUAREZ: So they go all right. We're leaving and there should be another air
- unit coming here shortly to, to help you out. And so --
- 14 **VALENCIA:** Did you guys ever request for a K-9 unit?
- 15 **JUAREZ:** I did not.
- 16 VALENCIA: Okay.
- 17 **JUAREZ:** A CHP officer while we were there communicating at some, at some
- point later as, as I'm talking to Allen -- and I'll get to that. As I'm talking to Allen I said,
- 19 you know, we need more resources here. We need, obviously, our air, our helicopter
- 20 took off. We need a helicopter, you know. We need a K-9. And I think Allen was
- 21 thinking, you know, we need more patrol cars. More units. And I think a, a, you know,
- 22 maybe SWAT or something.
- VALENCIA: Was he verbalizing this to you?
- JUAREZ: I, I think he was.

1	VALENCIA: Okay.
2	JUAREZ: I think, I think it was
3	LIEBERMAN: If you're not sure.
4	JUAREZ: I'm, I'm not sure. But I think he was. I, he was, he about the
5	SWAT, no. But as far as needing more units, yes.
6	VALENCIA: Okay.
7	JUAREZ: He got on, on the radio. He asked for a 10-33, which is emergency
8	traffic.
9	VALENCIA: Right.
10	JUAREZ: Okay. Because we had a guy at gunpoint
11	VALENCIA: Uh-huh.
12	JUAREZ: and we have other unit, other routine, other patrol deputies making
13	traffic stops and it's putting, you know
14	VALENCIA: Right.
15	JUAREZ: they're, they're using up our airtime so I said we need a 10-33 and
16	that's what Allen had asked for. And he asked for additional units.
17	VALENCIA: Okay.
18	JUAREZ: And so he had them, had them roll code and so dispatch goes, you
19	know, I think he called for 9 Ocean 41, which is
20	VALENCIA: Who is?
21	JUAREZ: which is, I'm not exactly sure who 9 Ocean 41 was working that day.
22	VALENCIA: But what is, what is 9 Ocean 41?
23	JUAREZ: 9 Ocean 41 is a patrol, is a, is a patrol car and it's out of the Newbury
24	Park, it's assigned to the Newbury Park area.

1	VALENCIA: Okay. So you asked for more patrol?
2	JUAREZ: He asked, he asked for more, more units
3	VALENCIA: Okay.
4	JUAREZ: and they sent a patrol car from Newbury Park code
5	VALENCIA: Okay.
6	JUAREZ: to us and that, that patrol car's code sign, call sign, is 9 Ocean 41.
7	VALENCIA: Okay.
8	JUAREZ: Okay. From Newbury Park.
9	VALENCIA: Okay.
10	JUAREZ: And whether he was in Newbury Park or where he was at
11	VALENCIA: That's fine.
12	JUAREZ: I don't know. But that car
13	VALENCIA: Right.
14	JUAREZ: assigned to that, to that area. And so they, they dispatched,
15	Gransen (sp) goes go ahead and respond code. As we're sitting there, you know, still
16	focused on, on the suspect and Allen's to my, to my side dispatch says hey, the, the,
17	your request is basic, basically been denied. The, you're not getting an additional car
18	and at some point I didn't hear that there was no 10-33 in effect either.
19	VALENCIA: So
20	JUAREZ: Right.
21	VALENCIA: they cancelled your emergency traffic?
22	JUAREZ: They cancelled our emergency traffic. So I didn't know that at the
23	time that they cancelled our emergency traffic, but I realized that shortly thereafter

1 because cars were making traffic stops (laughing) again on the frequency that we're

- 2 using. I'm thinking, you know --
- 3 VALENCIA: Okay.
- 4 **JUAREZ:** -- you, you put out emergency traffic --
- 5 **VALENCIA:** Right.
- 6 **JUAREZ:** -- you know, why, why, I don't know, something was going on.
- 7 VALENCIA: Okay.
- 8 JUAREZ: I don't know what was going on and I'm more focused on this guy
- 9 here, but I'm kind of listening to what's going on at the same time. And then at some
- 10 point shortly thereafter, you know, me and Allen are talking to each other. Highway
- 11 Patrol officer, a Hispanic gentlemen --
- 12 **VALENCIA:** Uh-huh.
- JUAREZ: -- comes up from behind and I hear hey, beanbags on scene.
- 14 **VALENCIA:** Okay.
- 15 **JUAREZ:** I see that officer through my patrol car on the passenger side. He's --
- 16 I didn't see the actual beanbag, but I saw the orange strap which I --
- 17 **VALENCIA:** The shotgun beanbag, right?
- 18 **JUAREZ:** The, the shotgun beanbag. Right.
- 19 VALENCIA: But --
- JUAREZ: I didn't see the actual gun itself, but I saw the orange strap, which
- 21 orange indicates beanbag --
- 22 VALENCIA: And, and you've seen that before --
- 23 **JUAREZ:** I've seen ---
- 24 **VALENCIA:** -- and you recognize that as --



1 JUAREZ: Ours are black, but our, our, our shotguns are orange, but our straps 2 are black. When I looked at him and they said beanbag on scene I looked through my 3 patrol car, through the windows, and I could see him with an orange strap. But I didn't 4 actually see the shotgun. I just saw him putting the orange --5 VALENCIA: Okay. 6 **JUAREZ:** -- putting the orange strap --7 **VALENCIA:** And bean, beanbag and orange strap meaning less lethal shot --8 JUAREZ: Less, less, less lethal. Beanbag less lethal shotgun. 9 VALENCIA: Uh-huh. 10 **JUAREZ:** And then somebody from my passenger side, one of the CHP officers. 11 said hey, beanbag on scene, beanbag on scene. 12 VALENCIA: Okay. 13 JUAREZ: So I go okay. Cool. Hey, beanbag on scene. At some point that 14 officer with the beanbag shotgun comes around to the back side of me and Allen. 15 VALENCIA: Okay. 16 JUAREZ: And so he, he's talking to us and Allen, my partner, said, had 17 mentioned to him at one point hey, you know, you've got less lethal if this guy starts 18 shooting or we start shooting you need to hunker down because --19 VALENCIA: Okay. 20 JUAREZ: -- you got, you got less lethal gun. I want you to get down on the 21 ground because I want you to, you know, be safe. 22 **VALENCIA:** You guys are coordinating what's going to happen?

JUAREZ: We were coordinating what's going to happen. And so, so that was

being, that, that had, Allen had relayed that to the beanbag guy. The guy, the officer

23

1 with the beanbag shotgun. And then at some point during that time I verbalized hey, do

- 2 we have, I think a K-9 coming.
- 3 **VALENCIA:** Uh-huh.
- 4 **JUAREZ:** And he said yeah, we have a, we have a K-9 coming.
- 5 **VALENCIA:** Okay.
- 6 JUAREZ: I'm thinking okay, all right. We're getting resources. We're getting
- 7 resources.
- 8 **VALENCIA:** So, so you're thinking.
- 9 JUAREZ: Yeah. We're, we're thinking and we're getting resources. Still, this
- 10 whole time, I got my shotgun --
- 11 **VALENCIA:** Uh-huh.
- 12 **JUAREZ:** -- with, with my sights on the suspect.
- 13 **VALENCIA:** And what's he doing this whole time? The suspect?
- JUAREZ: He's, he's still doing the same thing. He's at, to the quar, to the, to the
- 15 rear quarter panel, you know. He's, he's motioning with his right hand. He's -- the
- 16 CHP Officer is still doing the exact same thing. Barking out orders to him.
- 17 **VALENCIA:** Okay.
- 18 JUAREZ: Say, you know, put your hands up. Come on out, you know. That
- 19 type of stuff. And he's being, still being non-compliant.
- 20 VALENCIA: Okay.
- JUAREZ: And up until that point, at no point did he comply with anything that the
- 22 CHP Officer was --
- 23 **VALENCIA:** Okay.
- 24 **JUAREZ:** -- asking him to do.

1 MONTENEGRO: Could you hear what the suspect was saying back at all? 2 JUAREZ: A lot of times it was tough because you had so many things going on and the distance and so him just talking wasn't crisp, crisp and clear unless he really 3 4 said something that you could understand like fuck you (laughing) or something like 5 that. 6 VALENCIA: That was one of the things you guys could hear? JUAREZ: Right. 7 8 VALENCIA: Okay. 9 **JUAREZ:** Right. You know, stuff like that. 10 VALENCIA: Right. 11 MONTENEGRO: Did he ever verbalize having a gun or a weapon or --12 JUAREZ: He, he did. At some point, at some point he verbalized what do I do with my gun. Because he's, he's got one hand and, and I don't know if maybe he was 13 starting to change or he was starting to have a moment, a moment of clarity, but at 14 some point he did verbalize that. He had verbalized, you know, what do I do with my 15 16 gun. 17 **VALENCIA:** The suspect said that? 18 JUAREZ: The suspect said that. What do I do with my gun. And still the hand 19 was, his right hand was in his jacket pocket. 20 VALENCIA: Uh-huh. Uh-huh. 21 JUAREZ: So that, yes. That, that did occur. 22 VALENCIA: Uh-huh. LIEBERMAN: When you -- okay. You said jacket pocket. Your hand was kind 23 24 of obscured --



**JUAREZ:** Right.

**LIEBERMAN:** -- by your jacket.

**JUAREZ:** Right. Well, his, his right hand is, is obscured by --

**LIEBERMAN:** It's secreted in his clothing?

**JUAREZ:** In his clothing. Where I was unable to see.

6 LIEBERMAN: Do you know it's a jacket or you just think it's, it's loose clothing?

7 You're not sure what it is?

**JUAREZ:** I think, I want to say it was like a jacket.

**LIEBERMAN:** Okay.

**VALENCIA:** He's got some baggy clothes on?

**MONTENEGRO:** But you're reaching across your body?

**JUAREZ:** Right. So he's --

13 LIEBERMAN: So close to --

**MONTENEGRO:** Right.

JUAREZ: Right. So he's, he's got his right hand and it's in his jacket and he's indicating, you know, you know, as my sergeant told me that he, you know, armed suspect to, to, to, you know, to the CHP officers on scene. Hey, we think he's got a gun, you know. He's not showing us his right hand. To the suspect saying what do I do with my gun.

VALENCIA: So all that combined confirm, is that confirming what you're thinking?

JUAREZ: That's confirming what I'm thinking. Right? And that's why he's not showing his, his right hand.

24 VALENCIA: Okay.

- 1 JUAREZ: That's, that's in his, in his jacket pocket that's being hidden. 2 MONTENEGRO: And just so verbalize for --3 LIEBERMAN: And then --4 MONTENEGRO: -- the recording you are reaching, you are taking your right 5 hand --6 JUAREZ: And, in --7 MONTENEGRO: -- and you're reaching across --8 JUAREZ: -- and --9 MONTENEGRO: -- and you're putting it --10 JUAREZ: -- and putting it into, hiding it in my jacket. 11 **MONTENEGRO:** Underneath the --JUAREZ: Like, like around, like --12 13 MONTENEGRO: -- left, underneath the left side of your --14 **JUAREZ:** Left side. 15 **MONTENEGRO:** -- jacket. 16 JUAREZ: Right. 17 MONTENEGRO: And you're reaching across your abdomen area so --18 JUAREZ: Right. 19 **MONTENEGRO:** Like maybe to the waistband. 20 LIEBERMAN: As, as opposed to actually reaching into a pocket --21 JUAREZ: A pocket. LIEBERMAN: -- it's obs, it's obscuring your, the hand under the, inside of the 22 23 jacket.
  - **VALENCIA:** You're reaching across your tor, torso.

1 **JUAREZ:** And torso. The --

2 VALENCIA: Right.

3 JUAREZ: -- front of my -- I'm, I'm reaching across my abdomen and reaching

4 towards my waistline.

5 **VALENCIA:** Okay.

6 **JUAREZ:** But, but concealing my hand.

7 **VALENCIA:** Absolutely. Okay.

8 **JUAREZ:** If that makes sense?

9 **VALENCIA**: Yeah.

10 JUAREZ: Okay. And so and then again all those things combined were, you

11 know, from what my sergeant told me to what the CHP officers are telling me that he's

not showing his hands. He's concealing something. To, to him saying, you know, what

13 do I do with my gun.

12

14 VALENCIA: Okay.

15 **JUAREZ:** You know, if he gave up.

16 **MONTENEGRO:** And --

JUAREZ: Even, even, even at one point while Allen is next to me he goes

18 dude, I think I see a gun. I think I see --

19 **VALENCIA:** So, so your sergeant says --

20 **JUAREZ:** Something. Yeah.

21 VALENCIA: Okay.

JUAREZ: He's telling me. He goes, I think I see something.

23 **VALENCIA**: Okay.

JUAREZ: And he's trying to point it out to me and the way I have, I --



1,	VALENCIA: Does he say gun or he says see something?
2	JUAREZ: I see something.
3	VALENCIA: Okay.
4	JUAREZ: But I think
5	VALENCIA: Okay.
6	JUAREZ: I think, he, he, he refer, he referred to it as being like a weapon or
7	or, or a
8	VALENCIA: Okay.
9	JUAREZ: a gun. I don't remember if he said weapon or gun or something.
10	VALENCIA: Okay.
11	JUAREZ: But he thinks he sees a gun.
12	VALENCIA: Okay. And he's telling you this?
13	JUAREZ: And he's telling me this.
14	VALENCIA: Okay.
15	JUAREZ: Okay? And, and this whole time I've got my shotgun and I'm looking
16	through, you know, the, the sights.
17	VALENCIA: Uh-huh.
18	JUAREZ: So I'm focused on him. At that point when he was telling me that
19	didn't see what he saw
20	VALENCIA: Uh-huh.
21	JUAREZ: but he's telling me. Hey, I think I see, you know
22	VALENCIA: Okay.
23	JUAREZ: it looks like an outline of a gun or something. And so
24	VALENCIA: And the suspect is still concealed behind the



- 1 **JUAREZ:** The suspect, the suspect is still concealed --
- 2 **VALENCIA:** Okay.
- 3 **JUAREZ:** -- behind, behind the, the car. So the, the CHP officer with the
- 4 beanbag is behind us and we're talking to him. And he decides that he is going to go to
- 5 a different location.
- 6 **VALENCIA:** Okay.
- 7 **JUAREZ:** I said, I told him, I said if you go around my car and you can open my
- 8 passenger, my front passenger door you can get in the doorjamb --
- 9 **VALENCIA:** Uh-huh.
- JUAREZ: -- and use the door as, as, as cover and so that's what he did. He had
- 11 backtracked. He went around my patrol car to the passenger side. Opened up my
- 12 passenger, my, my front passenger door and got in the, the, the pocket of the door --
- 13 VALENCIA: Okay.
- 14 **JUAREZ:** -- and, and put his, his beanbag shotgun, you know --
- 15 **VALENCIA:** Okay.
- JUAREZ: -- facing towards the suspect. So I'm in one pocket on the driver's
- 17 side. The beanbag shotgun is now on the, the passenger, passenger side.
- 18 **VALENCIA**: Okay.
- 19 **JUAREZ:** We're talking to him. We're, you know, I'm not talking to him. The
- 20 other, the CHP officer is talking to him. I think at one point --
- 21 **VALENCIA:** "Him" being the suspect?
- JUAREZ: "Him" being the suspect. At one point I think I, I, I yelled out at the
- 23 suspect because he wasn't putting his hands up or he wasn't doing any of that. I
- 24 thought I'd try something, something different. Tell him something different. And I told



1 him just go ahead and get on the ground, you know. Get on the ground, you know.

2 Just --

**VALENCIA:** Okay.

JUAREZ: -- just lay out on the ground. Belly, belly down kind of thing. And obviously he didn't do that either. He, he didn't comply with that. So at some point while we're all watching him he's going from, you know, the back. And he's all hunched over and he's going from the back quarter panel on the driver's side to sit inside and then at some point he went towards the front of the vehicle --

VALENCIA: Okay.

JUAREZ: -- and either he got in the driver's seat and sat down or he went over to the guardrail and sat down. Whatever he did or however he positioned himself I couldn't see him anymore.

**VALENCIA:** Okay.

**JUAREZ:** Okay. So I'm focusing in my, in my, in my sights for my, my shotgun and I think I verbalized Allen, Allen, I can't see him anymore.

VALENCIA: Okay.

JUAREZ: And so at some point the suspect cut, gets back up. Comes back out and at some point during this, this, this point in time I, I almost felt like maybe the suspect was starting to think a little bit more clearly or maybe he was thinking about what his, what he was going to do. And the reason why I say that is because he started looking around. He's looking -- because he's right there on the shoulder. He's looking down the embankment.

VALENCIA: Uh-huh.

JUAREZ: He's looking... if the freeway's south. He's looking down the freeway.



- 1 **VALENCIA:** Okay.
- 2 **JUAREZ:** He's looking around like he's trying to figure out what he's doing and I
- 3 think during that time I also verbalized to Allen. I said, Allen, I think he's looking to go
- 4 somewhere.
- 5 **VALENCIA:** Okay.
- 6 JUAREZ: You know, and my thought process there is okay. And I didn't
- 7 verbalize this, but my thought process is, is he's armed. Right?
- 8 **VALENCIA:** Uh-huh.
- JUAREZ: He said, he told me he had a gun. And he hasn't showed it, shown it
- 10 to me, but he's telling me he's got a gun --
- 11 **VALENCIA:** Uh-huh.
- 12 **JUAREZ:** -- and I'm thinking he's going, he's going to run.
- 13 **VALENCIA:** Uh-huh.
- JUAREZ: That's kind of what I'm thinking. And so as he's, he's walking around.
- And this whole time while he's, he's doing that and he's kind of going along the driver's
- side of the vehicle he's always right up against the vehicle.
- 17 **VALENCIA:** And he's crouched down?
- JUAREZ: He, he's kind of crouched down so you, you, you would probably see
- 19 maybe his head and his shoulders, but that was pretty much the --
- 20 **VALENCIA:** Okay.
- JUAREZ: -- gist of it. You would see a, you would see a, a left hand, but you
- would never see a right hand.
- 23 **VALENCIA:** Okay.
- JUAREZ: Because his right hand was always in his waistband.



- 1 VALENCIA: Okay.
- 2 **JUAREZ:** And so I told Allen, I said, Allen, I think he's going to run.
- 3 **VALENCIA:** Okay.
- 4 **JUAREZ:** You know, and so I, I'm concerned with that. I'm thinking about, you
- 5 know, where's our K-9, you know? At that point, I think Allen was asking me hey,
- 6 where's LASO? They're not even on scene. Where are they at? We --
- 7 **VALENCIA:** Uh-huh.
- B JUAREZ: -- we were asking for additional units and I think at some point our
- 9 dispatch said hey, LASO is there. Are they on scene? And Allen is like they're not
- 10 here. I don't, I don't see any of them.
- 11 **VALENCIA:** Okay.
- 12 **JUAREZ:** You know? And so, so the guy, the suspect, is walking back and forth
- and I'm, like I said, I'm thinking he's getting ready to, to foot bail. Allen's, Allen's to my
- 14 left on the outside of my door.
- 15 **VALENCIA:** Okay.
- 16 **JUAREZ:** I'm in the pocket. The, the passenger front, front door on my
- patrol car is open and I got the CHP officer with the beanbag shotgun.
- 18 VALENCIA: Okay.
- 19 **JUAREZ:** The suspect at some point starts walking away from the vehicle. Kind
- 20 of, like towards the rear, towards the rear, but he starts the pulling away from the
- 21 vehicle like he's -- further, further than I had ever, I had seen him --
- 22 **VALENCIA:** Okay.
- 23 **JUAREZ:** -- come out from the car.
- VALENCIA: He's going further what? South?



- 1 **JUAREZ:** He's going further south.
- 2 VALENCIA: Okay.
- 3 **JUAREZ:** So he's pulling away from the car and I'm realizing okay. He's, he's
- 4 doing something.
- 5 **VALENCIA:** Right.
- 6 **JUAREZ:** He still has his hand in his pocket and he's, he's doing this. And at, at
- 7 some point, you know, with his, with his jerking movement I felt that he, he was
- 8 going to do something. Either pull a gun out --
- 9 **VALENCIA:** Okay.
- 10 **JUAREZ:** -- or something. I, I perceived a threat.
- 11 **VALENCIA:** Okay.
- 12 **JUAREZ:** That was my, my thought process. And I pulled the trigger --
- 13 **VALENCIA:** Okay.
- JUAREZ: -- on my, on my shotgun. I pulled the trigger. And simultaneously as I
- 15 pulled the trigger I thought I would hear my shotgun go off. But I didn't. I didn't hear --
- 16 **VALENCIA:** Uh-huh.
- 17 **JUAREZ:** -- my own shotgun right next to me.
- 18 **VALENCIA:** You didn't feel it?
- JUAREZ: I, I didn't feel it. I didn't hear it. But what I did hear was the beanbag
- 20 shotgun next to me.
- 21 VALENCIA: Okay.
- JUAREZ: I heard that. And I'm thinking why didn't I hear? I, I'm kind of -- in my
- 23 head, I'm thinking, okay. I pulled the trigger. I think I shot, right?
- 24 **VALENCIA:** Uh-huh.



- 1 **JUAREZ:** I go, I think I shot, but I didn't hear --
- 2 VALENCIA: Okay.
- 3 **JUAREZ:** -- a bang --
- 4 **VALENCIA:** Or feel it.
- 5 **JUAREZ:** -- you know. Or feel it. Because my shotgun is, is the barrel is sitting
- on the rod and I'm holding it and I, I, I made a trigger pull, but I don't remember a recoil.
- 7 I don't remember hearing the sound of the shotgun --
- 8 **VALENCIA:** Okay.
- 9 **JUAREZ:** -- but I do remember hearing the beanbag shotgun --
- 10 **VALENCIA:** Okay.
- 11 **JUAREZ:** -- from the CHP officer. And it was simultaneously.
- 12 **VALENCIA:** Okay.
- 13 **JUAREZ:** I mean, it wasn't like bang, bang. It was like, it was like a unison shot.
- 14 **VALENCIA:** Okay.
- JUAREZ: Okay. And so I go, I, I think, I pulled the trigger, but I didn't hear my
- 16 shotgun. I heard the beanbag shotgun.
- 17 **VALENCIA:** Okay. What did you do?
- JUAREZ: Okay. And so I, I'm looking downrange and I see the suspect now
- 19 crouching over. And --
- 20 **VALENCIA:** Which way is he facing?
- JUAREZ: He is facing northbound. So he's like facing towards, towards us or
- 22 towards me.
- 23 VALENCIA: Still, still concealed behind the car?
- JUAREZ: He -- now he is further back.



1	VALENCIA: Okay.
2	JUAREZ: Because after, after I perceive being hit he hunched over and he was
3	obviously in a bunch of pain. And he started, in a hunched over way, started kind of
4	jumping. But in a hunched over way.
5	VALENCIA: So he, he, was he on all fours?
6	JUAREZ: No. He was, he was still standing
7	VALENCIA: Uh-huh.
8	JUAREZ: but he was hunched over, but you could see that he was in pain and
9	he was kind of jumping around and at some point he had fallen to the ground.
10	VALENCIA: Okay.
11	JUAREZ: At that particular point we started I moved out of the pocket. Allen
12	moved away. And we started advancing on the suspect on the ground who is moving.
13	VALENCIA: Okay. At this point is he now face down on the ground?
14	JUAREZ: He is I, I think so. I think he's kind of face down. Maybe on his left
15	side.
16	VALENCIA: Uh-huh.
17	JUAREZ: At some point I didn't, like again. I didn't even hear my own
18	shotgun, but I heard the beanbag shotgun.
19	VALENCIA: Uh-huh.
20	JUAREZ: And I remember advancing and I could hear more of a smaller caliber
21	fire going on, too. Because the guy's moving around on the ground and

(H)

**VALENCIA:** Was it coming from the suspect or coming from the officers?

22

23

24

VALENCIA: Okay.

JUAREZ: -- I heard --

**JUAREZ:** It was, it sounded, I, I, I perceived it as coming from the officers.

- **VALENCIA:** Okay.
- **JUAREZ:** That's what I, I perceived it as. So we all advance and I remember
- 4 Allen, watch for the crossfire. Watch for the crossfire. Watch for the crossfire. And so
- 5 we advanced on, on, on the suspect as he laid on the ground. I remember two CHP
- 6 officers going up to him and rolling him, kind of rolling him over --
- **VALENCIA:** Uh-huh.
- **JUAREZ:** -- maybe to get more of a facial frontal view --
- **VALENCIA:** Uh-huh.
- **JUAREZ:** -- of him. He was bloody.
- **VALENCIA:** Uh-huh.
- JUAREZ: I didn't see any, there was no response from him as far as like hey,
- 13 I'm hit. Or there was --
- **VALENCIA:** Uh-huh.
- **JUAREZ:** -- nothing. He wasn't saying anything.
- **VALENCIA:** Uh-huh.
- **JUAREZ:** As a matter of fact--
- **VALENCIA:** Where did you see the blood at?
- **JUAREZ:** Just torso, I guess.
- **VALENCIA:** Torso?
- **JUAREZ:** Torso. He didn't, never said anything. I didn't, nor did I hear him
- 22 grunt or trying to breath or anything. The CHP, the officers were down at him. I think
- 23 maybe one of them was checking for a firearm or something.
- **VALENCIA:** Uh-huh.



JUAREZ: Somebody yelled out hey, get the, get the Fire here. Get Fire here.

- 2 And I remembered passing Fire that was staging right at the front of the car. All the,
- 3 you know, all the traffic had been stopped, but at the very front of the traffic were --
- 4 **VALENCIA:** So Fire was already on scene?
- 5 **JUAREZ:** -- where Fire was there.
- 6 VALENCIA: Okay.
- 7 **JUAREZ:** They were already on scene. Two fire, two fire trucks.
- 8 **VALENCIA:** Okay.
- 9 **JUAREZ:** When I say fire trucks they were not full engines. They were the
- 10 actual --
- 11 **VALENCIA:** Paramedic units?
- 12 **JUAREZ:** -- paramedic units, I guess. If that's what they are.
- 13 **VALENCIA:** Okay.
- 14 **JUAREZ:** Like pickup trucks.
- 15 **VALENCIA:** Right, right.
- JUAREZ: You know, that type of thing. So I, I whistle at them. I say hey, come,
- 17 come, come.
- 18 **VALENCIA:** Uh-huh.
- 19 **JUAREZ:** So I see them moving over and then finally they get there. They
- 20 check the suspect out. I do remember seeing a CHP officer that was down at the
- 21 suspect with his hands full of blood --
- 22 **VALENCIA:** Uh-huh.
- 23 **JUAREZ:** -- and I remember looking at him thinking dude, you don't have any
- 24 gloves on, you know. What are you doing?



**VALENCIA:** Uh-huh.

**JUAREZ:** You know, touching the body with no gloves on.

**VALENCIA:** Uh-huh.

**JUAREZ:** You know, and I remember seeing that and I could see he was kind

of, he was kind of in a panic, too. Like oh, my God I've got blood all over my hands --

**VALENCIA:** Yeah.

**JUAREZ:** You know?

**VALENCIA:** Yeah.

9 JUAREZ: And so I, I was thinking do I have anything in my car for him. I didn't, I

10 didn't have any wipes or any, anything --

11 VALENCIA: Okay.

**JUAREZ:** -- so I, I don't know where he went or what they did. And then I think I

backed up. Me and Allen backed up. And we walked back towards my car at one point

and he asked me, I think, hey, did you shoot?

**VALENCIA:** Uh-huh.

**JUAREZ:** And I said yes. I shot.

**VALENCIA:** Uh-huh.

**JUAREZ:** I did shoot.

**VALENCIA:** Uh-huh.

**JUAREZ:** You know, I pulled the trigger. And I'm thinking okay, I, yeah I shot. I

21 got a round off.

**VALENCIA:** Right.

JUAREZ: Okay. But, again, in saying that I don't remember hearing my

24 shotgun. I don't remember the recoil.

- 1 **VALENCIA:** Uh-huh.
- 2 **JUAREZ:** But I remember I can hear the beanbag shotgun through my
- 3 passenger side --
- 4 **VALENCIA**: Okay.
- 5 **JUAREZ:** Okay? That's what I had heard. I'm thinking yeah, I did. I, I got a
- 6 round off. I shot. So and he goes all right. He goes I've got to, I've got to make a
- 7 phone call to the watch commander and kind of give him a heads-up. So we walked
- 8 back to my, I think my patrol car --
- 9 **VALENCIA:** And you're holding your shotgun the whole time?
- JUAREZ: I'm hold, I'm holding my shotgun. And what refreshed my memory
- was looking at the video earlier today. Before doing a, a check on my weapon, on my
- 12 shotgun, one of the, one of the Fire guys asked me for the suspect's name and I go I
- 13 think I have the suspect's name. And I go take him over to my computer and I kind of
- 14 show him and I said here, here, here's the guy's name --
- 15 VALENCIA: And --
- 16 **JUAREZ:** -- and so --
- 17 **VALENCIA:** -- and you had the name from what?
- 18 **JUAREZ:** On my computer. On my computer screen --
- 19 **VALENCIA:** Uh-huh.
- 20 **JUAREZ:** -- there was like a log of, of everything. Of all of the radio traffic and
- 21 people assigned --
- 22 **VALENCIA:** Did, is that stuff from your dispatch?
- 23 **JUAREZ:** That's from our dispatch.
- 24 VALENCIA: Okay.



1	JUAREZ: Right. Our, our CAD system, I guess, in our, on our computer. And i
2	had, it said DP's name is last of first of and then it had a date-of-birth
3	VALENCIA: Okay.
4	JUAREZ: and I don't remember what the date-of-birth was. And so that's
5	what I gave the, the Fire guy.
6	VALENCIA: Okay.
7	JUAREZ: So at that point I walked back around to where Allen's at and Allen's
8	on the phone with the watch commander. He goes I have Juarez, you know. And he
9	fired a round. Blah, blah, blah. And I think at that point is where our videotape shut off.
10	VALENCIA: Okay.
11	JUAREZ: So i get back to now I'm back at the driver's seat. I'm not in the car,
12	but I'm standing facing into my car at the driver's seat. I'm facing into my car and I'm
13	unloading. Okay. And I unload from my shotgun four rounds and then I see five
14	rounds. And I'm thinking
15	VALENCIA: Do you load the tube first?
16	JUAREZ: So
17	VALENCIA: How do you
18	JUAREZ: I saw
19	VALENCIA: how do you
20	JUAREZ: I saw, I unlu, unloaded the tube and then I unloaded I'm sorry. I
21	unloaded I took the, the how did I do it? I don't remember in which order I did it.
22	VALENCIA: Okay.
23	JUAREZ: But I unloaded everything and I'm thinking okay. I shot a round. And



from my experience, you know, you've got, you, you eject and --

- 1 **VALENCIA:** Right.
- 2 **JUAREZ:** -- and, and so --
- 3 VALENCIA: Did you recharge after firing?
- 4 **JUAREZ:** So, so I unload. And I have five shotgun shells --
- 5 **VALENCIA**: Uh-huh.
- 6 JUAREZ: -- in my hand. And I'm looking. I'm thinking, I shot one. Why do I
- 7 have five shotgun shells in my hand, but I shot one.
- 8 **VALENCIA**: Uh-huh.
- 9 JUAREZ: And I go Allen. At, at that time I'm like, shit, I made a mistake. I go --
- 10 **VALENCIA:** Uh-huh.
- JUAREZ: -- Allen. I go, dude. I thought I shot. I got five shotgun shells in my
- 12 hand. I go, apparently I didn't shoot.
- 13 **VALENCIA:** Uh-huh,
- JUAREZ: And he goes are you sure? And I go, dude. I, I'm counting five. I've
- got five in my hand. And so he goes all right. He's still on the phone with the watch
- 16 commander and he goes all right. Hey, Juarez just did a, a check on his weapon and
- 17 he did not fire. And as he's talking to the watch commander saying, all right. He didn't
- 18 fire. We, he thought he fired, but he didn't fire. I'm looking at the shotgun shells in my
- 19 hand and then I realize that one of the shotgun shells that I had removed the casing
- was open and it was a spent cartridge. I never -- I shot. But I never recharged.
- 21 **VALENCIA:** Okay.
- JUAREZ: All right. I never ejected the, the cartridge to reload another, another
- 23 one.
- 24 **VALENCIA:** Okay.

1	JUAREZ: I shot once and then I advanced on with a spent cartridge basically is
2	because I never recharged.
3	VALENCIA: So you unload your weapon
4	JUAREZ: I unload my weapon.
5	VALENCIA: you've got five, you've got five rounds.
6	JUAREZ: I've got five shells. Five shotgun shells.
7	VALENCIA: Four being live. One being charged.
8	JUAREZ: One being
9	VALENCIA: Expended casing.
10	JUAREZ: expended casing. But initially when I looked at it
11	VALENCIA: That's fine.
12	JUAREZ: I had five
13	VALENCIA: Okay.
14	JUAREZ: and I thought I've got five casings. I didn't shoot one.
15	VALENCIA: Okay.
16	JUAREZ: And my, my thought process was like, but I, I think I pulled the trigger.
17	I heard, I heard the, the beanbag shotgun go off. I didn't hear my shotgun go off.
18	But I've got five cartridges in my hand. I go, I didn't shoot.
19	VALENCIA: All right.
20	JUAREZ: I thought I did.
21	VALENCIA: You re-assessed though.
22	JUAREZ: I, I
23	LIEBERMAN: Then you re-assessed and realized
24	JUAREZ: and then I re-assessed and I realized that I'm looking

- 1 **VALENCIA:** Right.
- 2 **JUAREZ:** -- at my, at the cartridges in my hand --
- 3 VALENCIA: Okay.
- 4 **JUAREZ:** -- and one of them --
- 5 **MONTENEGRO:** Was empty.
- 6 **JUAREZ:** -- was empty.
- 7 **VALENCIA:** Okay.
- B JUAREZ: And then I realized I didn't charge it. So then I told Allen. I go, dude, I
- 9 apologize, dude. I completely apologize. My mistake. I go --
- 10 **VALENCIA:** Right.
- 11 **JUAREZ:** -- I did shoot.
- 12 VALENCIA: Okay.
- 13 **JUAREZ:** I did shoot.
- 14 **VALENCIA:** So you told him you shot. Okay.
- JUAREZ: That's right. And then I -- correct. So I, I, as I shot. I didn't shoot.
- 16 Yes. I did shoot.
- 17 VALENCIA: Okay.
- JUAREZ: And so I, I kind of felt like a dummy (laughing) because I was like, I
- 19 was like, I felt that way.
- 20 VALENCIA: Well --
- 21 **JUAREZ:** You know, because I --
- 22 VALENCIA: -- once you notify him that you did shoot what did you do with
- 23 those, that casing?
- 24 **JUAREZ:** So, so --

- 1 VALENCIA: What did you do with the casing? 2 JUAREZ: -- so the shotgun, I took the casings. I put them on the five, the four live ones, the four live rounds and the one expended round I put them on the driver's 3 seat. On the, the butt of the driver's seat where you would sit down. 4 5 VALENCIA: Of vehicle 31 --6 JUAREZ: | 7 VALENCIA: -- 17. 8 JUAREZ: -- 17. I put them on the driver's seat where you would sit. 9 VALENCIA: Uh-huh. 10 JUAREZ: And then I took my shotgun unloaded and I put it just against --11 VALENCIA: Okav. 12 JUAREZ: -- against the driver's seat, you know. 13 VALENCIA: Okay. 14 **JUAREZ:** In the floor, the floorboard to the driver's seat. 15 VALENCIA: Okay. 16 JUAREZ: And, and so, so that was that. At some point Allen ended up taking my shotgun. One of the things that I'm remembering now that I had forgotten. If I can 17 18 go back. If that's okay. 19 VALENCIA: After the shotgun, after -- let's stay with that. 20 JUAREZ: Yeah. VALENCIA: After your supervisor got your shotgun, where did he place it? 21
- 22 **JUAREZ:** I don't know. He took it and it was --
- 23 VALENCIA: Secured --
- JUAREZ: -- and he -- right. And he, apparently he secured it.

1	VALENCIA: But you don't know where?
2	JUAREZ: I don't know where.
3	VALENCIA: Okay.
4	JUAREZ: I never, I never saw it after that.
5	VALENCIA: Did those, the casing, the, the four live casings and the expended
6	casing stay on your seat?
7	JUAREZ: No. He took everything.
8	VALENCIA: Okay. So he removed those as well?
9	JUAREZ: He took those as well.
10	VALENCIA: Do you know where he placed those?
11	JUAREZ: I have no idea.
12	VALENCIA: Okay. But he took them from your car?
13	JUAREZ: He, he they were gone from my car.
14	VALENCIA: Okay. That's fine.
15	JUAREZ: He took them. So can I go back and, and talk about
16	MONTENEGRO: Uh-huh.
17	JUAREZ: another part. So at some point, and I'm going back to the point
18	where Allen actually, Sergeant Hartkop, arrived on scene.
19	VALENCIA: Uh-huh.
20	JUAREZ: He had asked me, he goes, are you rolling? Meaning, are you, am I
21	do, do I have my
22	VALENCIA: Okay.
23	JUAREZ: my cam going.
24	VALENCIA: I get it.



JUAREZ: And I go dude, I'm sorry. I forgot. I, I don't have it going. So I

2 remember turning it on and I thought I hit the button. So our, our cam system it's, it's

- 3 got a, an on off switch up on top.
- 4 **VALENCIA:** Uh-huh.
- 5 JUAREZ: It's got a light. So it's, when it's gre -- so when you turn it on that it's
- 6 on it has a green flashing light.
- 7 VALENCIA: Okay.
- 8 **JUAREZ:** When you're recording and you tap on the, the record button. You've
- 9 got to tap on it twice. It turns red. So I turned it on. I tapped it. I didn't, didn't pay
- 10 attention. I just, just muscle memory.
- 11 VALENCIA: Okay.
- 12 JUAREZ: Tapped it. Turned it, because you've got it turn it. I told Allen, hey,
- 13 I'm going to put it up on the dashboard. The dashboard around the instrument cluster
- 14 has like kind of like a dome.
- 15 **VALENCIA:** Uh-huh.
- 16 JUAREZ: I set it up on top facing the scenario and I'm thinking okay. It will
- 17 catch everything.
- 18 **VALENCIA:** Uh-huh.
- 19 **JUAREZ:** Right?
- 20 VALENCIA: Why, why would you take it off your body and put it on --
- 21 **JUAREZ:** To get a better vantage point. To, just to get a vantage point.
- 22 VALENCIA: Okay.

JUAREZ: Because the -- where I was, I was standing with, in a, in a position of

2 cover and with my shotgun out, with the pillar and the light and the door and just

- 3 everything I, I my, my --
- 4 **LIEBERMAN:** Your, your car would have obscured the video?
- 5 **JUAREZ:** It would have obscured the video.
- 6 **VALENCIA:** Okay. Okay.
- JUAREZ: My, my thought process was I'm going to try to put it in a position
- 8 where it would get a better --
- 9 VALENCIA: Okay.
- 10 **JUAREZ:** -- view of what's going on.
- 11 **VALENCIA**: All right.
- JUAREZ: So I took it off. I put it on the, the dome of the instrument cluster on
- 13 the dashboard.
- 14 VALENCIA: Okay.
- 15 **JUAREZ:** Right, right in front of the steering wheel.
- 16 **VALENCIA:** Okay.
- 17 JUAREZ: And I faced it over that way. Fast forward all the way back to the point
- where Allen's collecting my shotgun shells and my shotgun. I told Allen. I said hey,
- 19 Allen, my cam, my body cam is up on the --
- 20 **VALENCIA:** Uh-huh.
- 21 **JUAREZ:** -- up on the, on the dashboard. You, you know, do you need that
- 22 or whatever.
- 23 **VALENCIA:** Uh-huh.

- JUAREZ: And he goes yeah. So he grabs it and, and he looks at it and it's
- 2 flashing green instead of red.
- 3 **VALENCIA:** Really.
- JUAREZ: And he goes did you turn it on and I go I thought I turned it on. I
- 5 tapped it twice and I put it up there and he goes it's flashing green. And he goes do you
- 6 think, could something else could have happened and I go I don't know.
- 7 **VALENCIA:** Okay.
- 8 **JUAREZ:** I said, I said I, I, I put it up there and --
- 9 **VALENCIA:** All right.
- 10 **JUAREZ:** -- I thought it was going.
- 11 VALENCIA: Does that video monitor recorder that you have, are they
- 12 serialized?
- 13 **JUAREZ:** Yeah. It is assigned to us. Correct.
- 14 **VALENCIA:** What -- do you know the serial number?
- 15 **JUAREZ:** I do not know the --
- 16 **VALENCIA:** Okay.
- 17 **JUAREZ:** -- serial number.
- 18 VALENCIA: But you, that is your video camera and that stays --
- 19 JUAREZ: That, that video --
- 20 **VALENCIA:** -- with you all the time?
- 21 **JUAREZ:** -- that video camera is assigned to me. It actually has my name on it.
- 22 I think with --
- 23 **VALENCIA:** Okay.
- 24 **JUAREZ:** -- my I.D. number.

1	VALENCIA. Okay. 30 your name and i. D. number were on it.
2	JUAREZ: Right.
3	VALENCIA: The video.
4	JUAREZ: The shotgun that I used also is assigned to me.
5	VALENCIA: Okay.
6	JUAREZ: With, with an I.D. number.
7	VALENCIA: Okay. And it's your I.D. number or is it
8	JUAREZ: No. With a
9	VALENCIA: a serial number?
10	JUAREZ: with a serial number.
11	VALENCIA: Okay.
12	MONTENEGRO: Do you know the serial number of the shotgun?
13	JUAREZ: I, I, if you give me a piece of paper and a pen I can write it down.
14	Because I write (laughing) it down every day. But if you ask me up here I probably
15	couldn't do that.
16	VALENCIA: During the
17	JUAREZ: Do you want me to write I can write
18	MONTENEGRO: Yeah. If you can write it down.
19	JUAREZ: Okay. So that's CC. Okay. So
20	MONTENEGRO: All right.
21	VALENCIA: And that's your shotgun?
22	JUAREZ: I believe that's yeah. That, that's it.



VALENCIA: And just to go over a part that -- hey, before this interview. Per 1 your policy, you're allowed to watch the video. You watched, you watched some video 2 3 of the incident? 4 JUAREZ: Correct. 5 **VALENCIA:** And that was done with your attorney present? 6 JUAREZ: Correct. VALENCIA: And you did watch the video to refresh your memory? 7 8 JUAREZ: To refresh my memory. 9 LIEBERMAN: And that was the sergeant's video. 10 VALENCIA: It was, it was --11 JUAREZ: It was Sergeant Allen, Allen Hartkop's --12 **LIEBERMAN:** Hartkop's. 13 JUAREZ: -- video. 14 VALENCIA: Okay. 15 **JUAREZ:** From, from his chest. 16 VALENCIA: Okav. 17 JUAREZ: Where he was recording. LIEBERMAN: Which would have been a slightly different perspective, but sort 18 of, but, but similar. The dynamics are basically there except he was off to the east of 19 20 you. JUAREZ: He was east of me on the, on the other side of the door. 21



JUAREZ: I mean, but within inches of me.

22

23

VALENCIA: Okay.

1 VALENCIA: Okay. And yours obviously was in the car, but we don't think it was functioning because it was blinking green? 2 3 **JUAREZ:** It was blinking green. 4 VALENCIA: Okay. JUAREZ: Whether it captured something or there's a malfunction --5 6 LIEBERMAN: Your intent was to activate it. 7 JUAREZ: Correct. 8 **LIEBERMAN:** And there was a lot going on. 9 JUAREZ: Correct. 10 **VALENCIA:** All right. 11 **JUAREZ:** My intent was to activate it. 12 **VALENCIA:** Do you have anything? LIEBERMAN: Okay. At the time you saw the furtive movement with the, with 13 14 the gun. From, within your training and experience, how quickly could he have shot an 15 officer? 16 JUAREZ: Ex, within seconds. Not even a, a fraction of a second --17 VALENCIA: Okay. 18 JUAREZ: -- to point a weapon at me. One of the things that, that I, that I had, I was thinking of and my sergeant had, had told me. He goes, dude, he goes, he --19 because when he saw him in the back of the car he's like dude, what is he doing, you 20 21 know, in the back of the car. You know. He's, he's reaching for things. You know, and I didn't know what he was doing, you know. What -- did he have a rifle? Was he 22 23 actually pointing it at us --



24

VALENCIA: Right.

- 1 **JUAREZ:** -- from that point. I don't know, you know.
- 2 **VALENCIA:** Uh-huh.
- 3 JUAREZ: Because I could see his head, but that's it. There, the way that the
- 4 sun was hitting down and the angle. There was a re, a por, a portion of the window that
- 5 was, that was reflected, you know.
- 6 **VALENCIA:** Right.
- JUAREZ: There was a reflection on the window where I couldn't really see, but I
- 8 could see that his head was there. Was he pointing something at us at that time? I
- 9 don't know.
- 10 **VALENCIA:** Okay.
- 11 **JUAREZ:** You know, I don't know.
- 12 **VALENCIA:** Okay.
- 13 **JUAREZ:** So --
- 14 VALENCIA: But your thought, as you said prior, was that he was armed?
- 15 **JUAREZ:** That he was armed.
- 16 MONTENEGRO: Did, other than your sergeant, did anybody else, any other
- officers as far as you know said, say they heard a weapon or saw a weapon?
- 18 **JUAREZ:** My sergeant told me that he saw a weapon. That he thought he saw
- 19 a weapon. I didn't see that literally while I --
- 20 **LIEBERMAN:** Meaning like the outline of one?
- 21 JUAREZ: Meaning the outline of a weapon. I was looking down the, my barrel
- 22 and I -- whether that was tunnel vision or not I was focused on, on him and, and having,
- you know, a clear, accurate, you know, shot downrange if need be.

MONTENEGRO: During this standoff did you ever receive any information about 1 2 what he was initially wanted for? 3 JUAREZ: |, | --4 MONTENEGRO: What, what the circumstances were leading to the standoff? JUAREZ: -- I, I didn't, no. It was at some point as this was evolving I had, I had 5 realized that this call was associated with the call in Camarillo. At some point during 6 the, you know, this whole thing, the standoff, I had realized that they're, that they're 7 8 interconnected. 9 MONTENEGRO: Okay. 10 JUAREZ: Okay. 11 MONTENEGRO: So and then the only other information you had was that your 12 sergeant had told you, the one that called you, said that he was armed? He was 13 armed? 14 JUAREZ: Correct. 15 MONTENEGRO: Okay. 16 JUAREZ: Correct. 17 MONTENEGRO: And then --JUAREZ: That he's calling me to give me a head-up. Dispatch did not give me 18 that information. Like I said, dispatch led me to -- from what I had heard -- led me to 19 20 believe that I was doing a transport. 21 **MONTENEGRO:** And did the sergeant say how he had that information? 22 JUAREZ: I don't know if he got that information from the watch commander or 23 who. I don't know.



**MONTENEGRO:** Okay.

JUAREZ: I don't remember. He may have, but I don't remember that, that

- 2 information.
- 3 MONTENEGRO: Okay. And there was, when you say he had his hand across,
- 4 under his, under his jacket or his clothing and --
- 5 **JUAREZ:** At, at right around his waistband.
- 6 MONTENEGRO: -- and so what prompted you to shoot was a furtive
- 7 movement?
- 8 **JUAREZ:** Correct.
- 9 MONTENEGRO: Correct? Had he made any furtive movements like that before
- that time or what was different about this time?
- 11 JUAREZ: That did, that, that was, what was different about, at this time is that I
- 12 had already, by his body movements and the way he was looking around, is I was
- 13 thinking he's going to run. He's going to do some, something's going to happen.
- 14 Because I, I --
- 15 **MONTENEGRO:** You could see him planning?
- 16 JUAREZ: I can, I can see that something was going on. His, his, almost his
- 17 thought process had kind of changed at that point because he's looking around. And
- 18 I'm telling Allen, dude. He's going to run. He's going to do something. And what he
- 19 had did was he had walked to the back of the car, but he had walked further away from
- 20 the car than he had ever had.
- 21 **VALENCIA:** He was giving up his concealment.
- 22 JUAREZ: He was giving up his concealment, which had his hand and he's
- 23 making the fur, you know, the movements, which at which point I, I perceived as a
- 24 threat.



1 **VALENCIA:** Right. 2 JUAREZ: And, like I said, when I shot it was, I, I, I, it was almost in unison with 3 the beanbag shotgun. 4 VALENCIA: Let me ask you this --5 JUAREZ: Yes. VALENCIA: -- when you guys approached him. After he was down and you 6 guys were -- was anyone rendering aid? Trying to attempt to render aid? With Fire 7 8 there and did --9 JUAREZ: The -- Fire was there within --10 VALENCIA: So they started rendering aid? JUAREZ: -- thirty seconds right there. 11 12 VALENCIA: Did you, did you see a pistol on scene? 13 JUAREZ: I did not see a pistol and that is the point that I was going to bring up because as, as we were on scene and I walked up on the body or, or the suspect on the 14 ground. His head was opposite of the car. So if his car is, you know, into the guardrail 15 16 his head was opposite of the car. 17 **VALENCIA:** Southbound? 18 JUAREZ: More --19 MONTENEGRO: Like pointing towards your car? JUAREZ: More pointing towards like --20



MONTENEGRO: Okay. This is the guardrail. This is his car.

MONTENEGRO: Let's say --

JUAREZ: -- kind of like a --

21

22

JUAREZ: So -- okay. So if I can, so here's, here's the -- let me -- here's the 1 2 guardrail. Here's his car. Let me see that. His body. Let's say this is his head. The guardrail. Car. His head was kind of like this. This is southbound. 3 4 **VALENCIA:** In a southeast direction? 5 JUAREZ: Yeah. MONTENEGRO: Okay. So his feet were towards --6 7 JUAREZ: Towards -- yeah. Toward the --8 MONTENEGRO: -- bumper of the vehicle. 9 JUAREZ: The right -- the, the left rear corner. MONTENEGRO: Okay. And so his head was out into the traffic lanes? 10 11 JUAREZ: Right. 12 MONTENEGRO: Kind of no --13 JUAREZ: Southeast? 14 MONTENEGRO: -- north of where you were. Your vehicle. 15 JUAREZ: So I'm, I'm --16 VALENCIA: The south. 17 **MONTENEGRO:** The south. I'm sorry. 18 JUAREZ: South. South. 19 **MONTENEGRO:** Yeah. 20 JUAREZ: South. He would be south of my vehicle. 21 **MONTENEGRO:** South of your vehicle.



JUAREZ: So, so as we are making our approach to the suspect --

22

23

24

VALENCIA: Uh-huh.

JUAREZ: -- we're all converging on him --

- 1 **VALENCIA:** Uh-huh.
- 2 JUAREZ: -- Allen is yelling out watch the crossfire, crossfire, and we
- 3 get up. At some point when I got up to him I could see something long and black on the
- 4 ground nearest his, nearest his feet.
- 5 **VALENCIA:** Okay.
- JUAREZ: It was, I, I couldn't tell what it is. I didn't touch it. And I, I saw it, but I
- 7 didn't touch it and it was like kind of long. Probably about this length here.
- 8 **VALENCIA:** What, what is that? Five inches?
- 9 **MONTENEGRO:** Six? Seven?
- 10 VALENCIA: Six?
- 11 JUAREZ: Okay. So about this length here and it was kind of either like a square
- oval or oval and it was about this length, but it was long and slender --
- 13 **VALENCIA:** Uh-huh.
- 14 **JUAREZ:** -- and it was on the ground. It looked like a -- it was black in color.
- 15 But I'm not exactly sure what it was. I didn't -- never saw that while I was fixed on him.
- 16 It wasn't up until the point where I actually advanced on him --
- 17 **VALENCIA:** Uh-huh.
- 18 **JUAREZ:** -- that I actually saw it on the ground near the body.
- 19 **VALENCIA:** Okay.
- JUAREZ: So I didn't see, I didn't see it drop. I didn't see him holding it. I didn't
- 21 see it drop, but until that point where I advanced on the body --
- 22 VALENCIA: Uh-huh.
- 23 **JUAREZ:** -- I actually saw it right near the body.
- 24 **VALENCIA:** Okay.



1	MONTENEGRO: Okay.
2	VALENCIA: And that was on the north side of the body?
3	JUAREZ: Correct.
4	MONTENEGRO: And you don't know what it was? You actually
5	JUAREZ: I have no idea.
6	MONTENEGRO: saw it? You just remember seeing
7	JUAREZ: I have, I have
8	MONTENEGRO: something long and black?
9	JUAREZ: Correct. Long and black.
10	LIEBERMAN: And you don't remember seeing it before?
11	JUAREZ: And I don't remember seeing it before.
12	VALENCIA: Okay.
13	JUAREZ: One of the things that I was able to see
14	VALENCIA: From where, from where it was positioned on the ground if it was
15	there prior to the shooting would you have been able to see that?
16	JUAREZ: I think so. But again, with, with, you know
17	VALENCIA: Okay.
18	JUAREZ: with tunnel vision and all that other stuff going on, you know. So
19	the, the video was, also shows that
20	VALENCIA: Okay.
21	JUAREZ: and I was able to see that in the video.
22	VALENCIA: All right.
23	MONTENEGRO: Anything else?
24	VALENCIA: Sir?



'	LIEBERMAN. I mink we're good.	
2	MONTENEGRO: All right.	
3	VALENCIA: All right. We're going to go off tape here.	It's going to be 2312
4	hours.	
5	LIEBERMAN: All right.	
6		
7		
8		
9		
10		
11		
12	(END OF INTERVIEW)	
13	JL/Cron & Associates Transcription, Inc.	



1	JANUARY 17, 2019; 1033 HOURS
2	-ooOoo-
3	INTERVIEW OF TIMOTHY PUTZEL (CHP OFFICER)
4 5 6 7	Taken January 17, 2019, at 1033 hours, at an unknown location. Interview conducted by Sergeant <b>JOSEPH VALENCIA</b> and Detective <b>AMBER MONTENEGRO</b> , Los Angeles County Sheriff's Department, Homicide Bureau. Case is under File No. 019-00195-2241-013.
8	-ooOoo-
9	MONTENEGRO: We are going to be interviewing Officer Timothy Putzel from
10	the CHP Office. Along with Officer Putzel are his advocates. Sir? Russell?
11	CARVER: Russ Russell Carver.
12	MONTENEGRO: Okay. And then?
13	MARSTON: Scott Marsden.
14	MONTENEGRO: Scott Marsden? And then, we also have the other
15	administrative Internal Affairs.
16	CLEVELAND: Sergeant John Cleveland, ID 16012, assigned to the Critical
17	Incident Investigation Team.
18	AXT: And Sergeant Brian Axt, 16940, also assigned to the CIIT team.
19	MONTENEGRO: Okay. All right. So, Officer Putzel, can you spell your first
20	name for me?
21	PUTZEL: Timothy, T-I-M-O-T-H-Y.
22	MONTENEGRO: And do you have a middle name?
23	PUTZEL: Michael.
24	MONTENEGRO: And spell your last name.
25	PUTZEL: P-U-T-Z-E-L.
26	MONTENEGRO: And what are your employee numbers?

1	PUTZEL: 16712.
2	MONTENEGRO: And how old are you?
3	PUTZEL:
4	MONTENEGRO: And what academy when did you start the academy?
5	PUTZEL: I believe it was March April May of '01.
6	MONTENEGRO: May '01? And do you know your academy class number
7	PUTZEL: CTC2001.
8	MONTENEGRO: 2001? Okay.
9	VALENCIA: That's the CHP academy; right?
10	PUTZEL: Yeah.
11	MONTENEGRO: Okay. After the academy, where were you assigned?
12	PUTZEL: South LA.
13	MONTENEGRO: Okay. And when did you start in South LA?
14	PUTZEL: November of '01.
15	MONTENEGRO: And from and from South LA where did you go?
16	PUTZEL: To the Ventura area office.
17	MONTENEGRO: Ventura? And when did you go to Ventura?
18	PUTZEL: I'm going on 10 years now so probably it was either '10 or '11.
19	MONTENEGRO: Okay. Of what month? If you remember.
20	PUTZEL: I don't recall.
21	MONTENEGRO: So, in 2010 or '11 you went to Ventura?
22	PUTZEL: Correct.
23	MONTENEGRO: And that's where you're currently assigned?
24	PUTZEL: Yes.



1	MONTENEGRO: Okay. On the prior to joining the CHP, did you have any
2	other law enforcement experience?
3	PUTZEL: I was in the Coast Guard for five years.
4	MONTENEGRO: Coast Guard for five years. Okay. And on the night of the
5	incident, what unit were you working? What was your assignment?
6	PUTZEL: 3161; I was Beat 6.
7	MONTENEGRO: And is that a day shift? PM shift?
8	PUTZEL: Day shift. Started at 05.
9	MONTENEGRO: And before you began your shift did you get a good night's
10	sleep?
11	PUTZEL: Yes.
12	MONTENEGRO: And your assignment was a one or two person car?
13	PUTZEL: One.
14	MONTENEGRO: One person? And you say you got a good night's sleep.
15	About how many hours would that be?
16	PUTZEL: I'd say seven.
17	MONTENEGRO: And that's typical?
18	PUTZEL: Yes.
19	MONTENEGRO: We went over your uniform and equipment the night of the
20	incident. Correct?
21	PUTZEL: Correct.
22	MONTENEGRO: Okay. So, we'll skip it. In your radio car, what other
23	equipment did you have? Did you have a riffle? Shotgun? Stunbags?
24	PUTZEL: Rifle and a shotgun.



1	MONTENEGRO: Rifle and a shotgun. And did you deploy any of those?
2	PUTZEL: My AR my rifle.
3	MONTENEGRO: And how is your AR normally fitted before you start your shift?
4	PUTZEL: So, there's a mag in the mag wheel, two extra mags, and nothing in
5	the chamber.
6	MONTENEGRO: Okay. And how is the mag loaded?
7	PUTZEL: 20 rounds.
8	MONTENEGRO: 20 rounds? So, you had three magazines with 20 rounds?
9	PUTZEL: Correct.
10	MONTENEGRO: And did you fire any of your weapons that night?
11	PUTZEL: No, ma'am.
12	MONTENEGRO: Okay. Did you have a body cam or was there a dash cam in
13	your car?
14	PUTZEL: There's a dash cam.
15	MONTENEGRO: Dash cam. And do you remember what vehicle you were in?
16	PUTZEL:
17	MONTENEGRO:
18	PUTZEL: Correct.
19	MONTENEGRO: And prior to this interview today, did you review any video or
20	anything involving the incident?
21	PUTZEL: Yes, I did.
22	MONTENEGRO: And what did you review?
23	PUTZEL: Our MVARS video from our dash cams.
24	MONTENEGRO: Uh-huh.



1	PUTZEL: Three separate ones from three different cars.
2	MONTENEGRO: Okay. So, you reviewed from all the cars that were on-scene
3	that day?
4	PUTZEL: Correct.
5	MONTENEGRO: Okay. All right. So, how did you first get involved in this
6	incident or become aware of this incident?
7	PUTZEL: There was a radio call for VSO the Ventura County sheriffs were
8	trying to overtake a vehicle that had run a red light was the initial on Las Posas and they
9	were requesting that CHP get involved.
10	MONTENEGRO: Okay. And where were you when you heard this?
11	PUTZEL: When I came out, I was on Raytheon and Hyneme, near PCH.
12	MONTENEGRO: Okay. And how fast were you on scene?
13	PUTZEL: So, the initial call came out, I entered onto southbound SR1, heading
14	towards Las Posas because, at that point, they were still approaching SR1 so I wasn't
15	sure, obviously, which direction they were going to head, northbound or southbound.
16	As I was approaching Las Posas, I observed the sheriff's unit also getting on
17	southbound and dispatch relayed to me that they were getting on at southbound SR1,
18	so they were probably about two miles ahead of me when I saw them getting on.
19	MONTENEGRO: Okay. You say you saw the sheriff unit getting on. Were they
20	behind the suspect vehicle, lights and siren?
21	PUTZEL: Yes.
22	MONTENEGRO: And in your call, were you told what the vehicle was? What
23	your response would be?
24	PUTZEL: Yeah. They gave a description of a silver sedan.

1	MONTENEGRO. Okay. And did they say anything about the suspect? What
2	he was wanted for?
3	PUTZEL: At that time, the initial one, was just the red light so I had actually
4	called my OIC and said, "Hey, do you want us getting involved in this for just a red light
5	violation because of the weather conditions and stuff."
6	MONTENEGRO: Okay.
7	PUTZEL: And while I was on the phone with them, that's when they put out it
8	was also a 10851 and, I believe, they put out it was domestic violence, but I didn't see
9	that until I looked back at the log. At the time I only heard that it was a 10851 vehicle.
10	MONTENEGRO: Okay. Anything about the actual suspect involved?
11	PUTZEL: At the time, it was just one male subject, I believe, in a silver sedan.
12	MONTENEGRO: Okay. And did you finally catch up with this individual?
13	PUTZEL: So, as I was passing Las Posas, I actually saw the the suspect
14	vehicle heading northbound on SR1, so I had to go to Callicus Creek and make a U-turn
15	and, at that time, the deputy had already made the U-turn so they were now about a
16	mile ahead of me.
17	MONTENEGRO: Okay.
18	PUTZEL: So, I caught up to them at about Wood, which is about another mile
19	from Las Posas. I was behind the sheriffs and they requested a takeover primary
20	they requested a takeover.
21	MONTENEGRO: Okay. So, were you the first CHP officer on the scene?
22	PUTZEL: Correct.
23	MONTENEGRO: Okay. And so, did you take over that pursuit?
24	PUTZEL: Correct. I took over at Almond, which is the next the next ramp.

1	MONTENEGRO: Okay. And what happened next?
2	PUTZEL: At that point but prior to me catching up to them, they were about
3	30 miles an hour. When I took over as primary he slowed down to about 30 miles an
4	hour. The subject was straddling the one and two lane. I could see him physically
5	punching himself in the head, hitting his head on the door jamb.
6	MONTENEGRO: Okay. And
7	PUTZEL: At a couple points he also opened the door so I thought he was going
8	to try to take a foot-bail or jump out of the car at that point.
9	MONTENEGRO: And was the car still moving slowly?
10	PUTZEL: Between 25 and 30 miles an hour. I believe our second unit came in
11	behind me, close to Pleasant Valley, which is about another mile and a half from
12	Almond, where we first started. He took over secondary behind me. We're coming
13	around Pleasant Valley. The suspect's still at 30 miles an hour, so I requested if we
14	could PIT. As I came up to attempt to PIT maneuver, he punched it up and jumped up
15	to about 60 miles an hour, at that point, so 10-22'd the PIT maneuver and we're,
16	basically, in pursuit up until
17	MONTENEGRO: (INAUDIBLE.) Okay. So, how long did this pursuit actually
18	occur?
19	PUTZEL: I believe it started I think it was about a half hour total.
20	MONTENEGRO: Okay.
21	PUTZEL: Or close to it.
22	MONTENEGRO: And what was your mindset during this pursuit, I mean, about
23	the suspect, what you were involved in, what were what went through your head?

1 PUTZEL: So, you know, initially, we're thinking it's just a stolen vehicle with one 2 male subject. The wants came out shortly after Moorpark took over, is when they put out he was "armed and dangerous" and, I guess, he had some psychological issues. 3 4 MONTENEGRO: So, you were eventually updated about getting some suspect 5 information? 6 PUTZEL: Yeah. And we were already into LA's area when -- when they put this 7 out so we'd already been pursuant for 20 plus minutes at this time. When they put that 8 information out -- once Moorpark took over and they had put that information out --9 because they put out that he was known to be armed and dangerous, the Moorpark 10 units requested that we stay in the pursuit because normally we -- we have just two 11 units and a supervisor, so we ended up having four units -- four CHP units at this point 12 now. 13 MONTENEGRO: Okav. 14 PUTZEL: Being we're coming into LA's area, the secondary unit, which was 15 Green, had asked for the LA units to take over the pursuit. At this point, the driving 16 became very aggressive with the suspect. He bumped it up to 90 to 100 now. 17 MONTENEGRO: Okay. 18 PUTZEL: We were coming into heavier traffic and it's starting to rain more. As 19 soon as West Valley said they were not getting involved in the pursuit, they 10-22'd at 20 that point, being there was a helo and we were just going with the helo follow. As soon 21 as we 10-22'd, we were working our way over, I was going to exit at Los Virgenes, and 22 then he ended up TC'ing right in front of me. 23 MONTENEGRO: Okay. And what happened after he TC'd?



PUTZEL: Right when he TC'd, I was this vehicle on the shoulder right here.

1 MONTENEGRO: Okay. So, you're looking at the diagram?

2 PUTZEL: Correct.

3 MONTENEGRO: And you're looking at the one, two, three, four -- oh, is this on

4 the shoulder?

5 PUTZEL: Correct.

6 MONTENEGRO: Okay. So, you're looking on the right shoulder?

7 PUTZEL: Correct.

8 MONTENEGRO: Just north of the suspect vehicle that was TC'd into the

9 guardrail? Correct?

10 PUTZEL: Correct.

11 MONTENEGRO: Okay.

12 PUTZEL: So, I see him jump out of the vehicle and start to go down this little

embankment right here, so I put out "Foot bail, foot bail" and, I believe, Throgmorton

saw him also so he exited. I got out, drew my sidearm.

MONTENEGRO: And you say, "Throgmorton exited." What do you mean?

16 PUTZEL: He exited at Los Virgenes because he was going to try to come

17 around.

18 MONTENEGRO: In his vehicle?

19 PUTZEL: In his vehicle.

20 MONTENEGRO: Okay.

21 PUTZEL: In case the suspect went down the hill, into the business area right

22 there.

23 MONTENEGRO: Okay. So, you're putting out "Foot bail." Suspect is starting to

24 go down the embankment and then what happens?

1 PUTZEL: And then he runs back up. So, now he runs back up and takes a 2 position behind his vehicle. At that point, I transitioned to a long gun and I look over and 3 all the other units are setting up and now we're in a felony stop situation. 4 MONTENEGRO: When he bailed, did you notice, did he have anything in his 5 hands? Were you able to see his hands? 6 PUTZEL: I couldn't see. 7 MONTENEGRO: You couldn't see? 8 PUTZEL: No? 9 MONTENEGRO: You couldn't see if he had anything or you couldn't see his 10 hands because he had moved too fast? 11 PUTZEL: Both. 12 MONTENEGRO: Okay. So, he comes up to the vehicle. What side of the 13 vehicle is he on? 14 PUTZEL: So, he's on the driver's side. 15 MONTENEGRO: The driver's side? On the opposite side of the car? 16 PUTZEL: Correct. 17 MONTENEGRO: That you're at? 18 PUTZEL: Correct. 19 MONTENEGRO: Okay. And, at that point, what part of him could you see? 20 PUTZEL: He was -- he would pace back and forth a lot so I would see his upper 21 torso sometimes and then, other times, I couldn't see him, at all. Sometimes he would 22 just look at us through his window and he would lock eyes on each one of us for 10, 15 23 seconds, like he was sizing us all up.



MONTENEGRO: Okay.

1	PUTZEL: He kept looking for outs, we could see him looking to to see if
2	maybe there's a spot he could run to. The helo was putting out that he had his hand in
3	his jacket, you know, (INAUDIBLE).
4	MONTENEGRO: And you reached with your right hand, across your torso,
5	towards your like left waistband and
6	PUTZEL: Correct. So, when I could see him, I could never see his right hand.
7	It was always tucked.
8	MONTENEGRO: Okay.
9	PUTZEL: He would come over here you would see it tucked and he would, you
10	know, they were constantly giving him him commands to to raise his arms and he
11	would only kind of go like this and raise his left hand.
12	MONTENEGRO: Okay.
13	PUTZEL: He would never raise his right hand up. Not once the entire incident.
14	MONTENEGRO: And what did that indicate to you?
15	PUTZEL: To me? It indicated that he was probably holding a weapon.
16	MONTENEGRO: Okay. And you had already been heard on the radio?
17	PUTZEL: Yeah. With the information we had, "known to be armed and
18	dangerous" that was that was my thinking that he had his hand on a weapon.
19	MONTENEGRO: Okay. So, you're here, by your car. Where where are you
20	positioned with your car?
21	PUTZEL: So, initially, I'm positioned on my door.
22	MONTENEGRO: You're driver's side door?
23	PUTZEL: Driver's side door, and I was there for maybe 10 to 15 minutes during
24	this time.



1	VALENCIA: You can mark it, if you want.
2	PUTZEL: I'm here, in this door. It doesn't work (MARKER).
3	MONTENEGRO: (LAUGHS.)
4	PUTZEL: West Valley had stopped traffic going northbound back at Las
5	Virgenes, at the over-crossing. There was a black sedan who was stopped in the
6	center divider, up here, and was there for quite a while. So, during this time, all I could
7	think of is this guy is right in my line of fire. So, I ended up coming around to Officer
8	Brady's car, and taking up a position.
9	MONTENEGRO: And this actual is this an exit lane or is this the shoulder, as
10	well?
11	PUTZEL: This is the exit lane.
12	MONTENEGRO: Okay.
13	PUTZEL: So, he was kind of straddling the exit and the number four.
14	MONTENEGRO: Okay. So, you went around to his driver's door?
15	PUTZEL: Correct.
16	MONTENEGRO: And you're armed with your AR still?
17	PUTZEL: Correct.
18	MONTENEGRO: Okay. And then, so what's going on around you? Are people
19	giving commands? Is he is the suspect saying anything?
20	PUTZEL: So, he is. So, Green's giving most of the commands and Brady's also
21	interjecting, you know, constantly saying, "Show us your hands." I can't hear him as
22	well as him just because I'm blocked from the door, but at one point, he had said, "He's
23	only coming out shooting."



VALENCIA: Who said that?

- 1 PUTZEL: The suspect.
- 2 VALENCIA: You heard him say that?
- 3 PUTZEL: Yeah.
- 4 VALENCIA: Uh-huh.
- 5 PUTZEL: And we tried -- and I remember Green actually going over the air with
- 6 it but dispatch never copying us.
- 7 MONTENEGRO: Okay.
- PUTZEL: The problem was is we had too many -- one, we were out of area in
- 9 LA. I think we had LA units come on so our repeaters work off of our cars so, I think,
- when all these other cars were coming, it was really messing up our radio
- 11 transmissions. Half of our stuff wasn't going over.
- 12 MONTENEGRO: Okay.
- PUTZEL: I remember at one point, Brady -- Brady told him -- he told Brady, "I
- have a gun" and Brady's like, "Well, just leave the gun in your pocket."
- 15 VALENCIA: Brady being who?
- 16 PUTZEL: Officer Brady.
- 17 VALENCIA: Officer Brady? Okay.
- PUTZEL: He's like, "Just leave it in your pocket and put your hands up. We're
- 19 not going to hurt you but you gotta put your hands up." And he just -- that command
- 20 was given multiple multiple times.
- 21 MONTENEGRO: And did you hear him say that he had a gun?
- PUTZEL: I couldn't hear that. I just heard Brady repeat, "If you have a gun,
- 23 then leave it in your pocket."

1	MONTENEGRO: Okay. And then but you heard him say, "He's only coming
2	out shooting"?
3	PUTZEL: Yes.
4	MONTENEGRO: Okay. Okay. And then, what happens?
5	PUTZEL: All the West Valley units got there, a West Valley sergeant, they got
6	there with the less lethal. During this time, we're trying to get other resources. We call
7	we called for a dog. They said there was none available. Called for an armored
8	vehicle. They said no one had any resources. The helo said they were getting ready to
9	leave. They couldn't get another helo overhead. So, when the less lethal gets there,
10	the sergeant comes up to me and I said, "Well, your best position is going to probably
11	be over here by the sergeant's car. You have a better line of sight over here."
12	MONTENEGRO: And that's between the one that's straddling the one and two
13	lane?
14	PUTZEL: Yeah. Correct. Yeah. Here's the sergeant, I mean, the SO vehicle.
15	MONTENEGRO: Okay.
16	PUTZEL: So, I believe, they setup over there. At this time, the sergeant relayed
17	to us, "Hey, we're going to go less lethal. When we get a shot, we're going less lethal."
18	So, we he related to all of us, so we knew.
19	MONTENEGRO: And so, Ventura County Sheriff is on-scene at this time, as
20	well?
21	PUTZEL: Correct. Yeah. There's two of them. But I think they might I
22	believe they were setup over here. I'm not positive.
23	MONTENEGRO: Okay. And were you guys able to communicate with them?
24	With the radios or how did you communicate?



1	PUTZEL: Everything was being relayed through through dispatch
2	(INAUDIBLE) but I know when the sergeant, he went over, he said, "Hey, we're going to
3	let everyone know we're doing less lethal" so he he physically went up to each and
4	every one of us and let us know we're using less lethal.
5	VALENCIA: What sergeant was that?
6	PUTZEL: I forget his name, but West Valley.
7	VALENCIA: Was it a CHP sergeant or
8	PUTZEL: It was CHP West Valley.
9	VALENCIA: CHP sergeant? Okay.
10	MONTENEGRO: Okay. So, air was getting ready to leave, giving commands,
11	he's not coming out. What is the suspect's behavior at this point?
12	PUTZEL: It's very erratic, I mean, he's he's never once obeyed any of our
13	commands that we've given. Pacing back and forth. Kept sitting in the back seat so we
14	couldn't see ever see what he was doing when he was in the car. Just very erratic
15	and looking around and the weirdest thing was how he would lock eyes on all of us. It
16	was just it was kind of creepy because he would just sit there and he'd do this 1000
17	yard stare, like he was sizing you up and then he'd go to the next guy, and then it he
18	was just bouncing and he'd pace and he's always constantly playing with his hair, with
19	his left hand, just but right hand never left his jacket. It was just always here.
20	MONTENEGRO: Okay.
21	PUTZEL: The entire time.
22	MONTENEGRO: And then what happened?
23	PUTZEL: They decided to deploy less lethal. I guess he had stepped out. I I
24	had probably the worst vantage point and the other West Valley officer, that eventually

1 came in, wasn't -- when less lethal got there, I believe, the two West Valley officers got

2 there around the same time -- I don't remember his name -- he took up a position on this

- 3 door.
- 4 MONTENEGRO: Okay.
- 5 PUTZEL: So, me and him probably had the worst views as far as seeing the
- 6 subject because we were blocked by the car.
- 7 MONTENEGRO: Okay. You said "you guess" he stepped out. Did you see him
- 8 step out?
- 9 PUTZEL: I couldn't from my vantage point.
- 10 MONTENEGRO: Okay.
- 11 PUTZEL: Yeah. Because the door -- he had this rear door, you could see was
- 12 open because he kept sitting in it.
- 13 MONTENEGRO: Okay.
- PUTZEL: So, a lot of times, he was right here at that roofline and with that --
- 15 yeah, just I couldn't see much.
- 16 MONTENEGRO: Okay.
- 17 PUTZEL: Until he -- he would always back here. When he was back here, I
- 18 could see half of his body.
- 19 MONTENEGRO: Okay.
- 20 PUTZEL: But then he'd come up here and he wasn't that tall so the car kind of
- 21 covered most of him up. I heard him shout, "Less lethal, less lethal." I heard -- I heard
- 22 the discharge of the round and then I heard, "Go, go, go, go," As we're coming up, I
- 23 hear "Knife, knife, knife" and I remember I'm still coming up and I see these guys
- 24 kind of retreating and I hear -- I believe it's four more "pops."



1	MONTENEGRO: Okay.
2	PUTZEL: Shots. In my head, I thought all the rounds were less lethal because
3	they all sounded exactly the same.
4	MONTENEGRO: And you couldn't see could you see him? The suspect?
5	PUTZEL: So, I didn't see him the first after the less lethal was I didn't and I
6	I hesitated back at the door because I couldn't see him, at all. So, I heard the "Pop.
7	Go, go, go" but I can't see him, at all.
8	MONTENEGRO: Uh-huh.
9	PUTZEL: So, I was kind of caught in no-man's land because I came out here
10	and I'm like, crap, do I go? And I look and everybody else is
11	MONTENEGRO: Advancing?
12	PUTZEL: No. They're starting to retreat, as I'm coming forward. So, I'm like,
13	"Crap." So, I kind of froze. Then I heard, "Knife, knife, knife." Heard a couple more
14	"pops" and then, "Go, go, go." So, that's when I I rushed in and I looked over and we
15	all got long guns and I'm like, "Crap. I gotta go hands someone's gotta go hands-on."
16	The only thing I could think to do was I placed my rifle, straight for his right hand,
17	because he's lying on the ground now. His head is facing this way, and he's on his
18	side.
19	MONTENEGRO: So, his head is facing that's northbound?
20	PUTZEL: He's facing north.
21	MONTENEGRO: Okay.
22	VALENCIA: You can draw, if you want. Correct. Which way is his head facing?
23	PUTZEL: South.



MONTENEGRO: South?

1	PUTZEL: Yeah, south.
2	MONTENEGRO: This is north?
3	PUTZEL: Correct. Yeah. So, his head's up here and he's lying down on his
4	on his left side, I believe, and his right arm is still in his coat, as I'm coming up.
5	MONTENEGRO: Okay.
6	PUTZEL: So, I remember looking up and I see his left hand and I see missing
7	fingers, I believe. I grab his hand, because there that's the first thing I want to get is
8	his hand because it still looks like it's maybe on a weapon. I grabbed his hand and
9	when I pulled it away I just I saw a ton of blood.
10	MONTENEGRO: Okay.
11	PUTZEL: And, at that point, I was like, "Crap. That wasn't less lethal." Because
12	in my head, the whole time, I thought it was the shots I heard? They all sounded
13	exactly like the less lethal. Like the first round I heard.
14	MONTENEGRO: Okay. So, when you're rolling up, you're thinking it was only
15	less lethal that had been deployed?
16	PUTZEL: Yeah. I'm thinking I gotta go hands-on with this guy. Now I'm thinking
17	I gotta I'm gonna be wrestling with him, basically.
18	VALENCIA: Right.
19	PUTZEL: Trying to get him in-custody.
20	VALENCIA: Right.
21	PUTZEL: Yeah.
22	MONTENEGRO: Okay. So, when you pull his hand and you see all the blood,
23	did you see any weapons?



PUTZEL: I didn't. No.

1	MONTENEGRO: Okay. And then, what did you do?
2	PUTZEL: As we rolled him over, he was just (INAUDIBLE).
3	MONTENEGRO: Okay.
4	PUTZEL: And he looked, obviously, deceased at that point.
5	MONTENEGRO: Okay. And did anyone call for paramedics?
6	PUTZEL: We called for paramedics right away. They were there within 15, 20
7	seconds because they were all standing by.
8	MONTENEGRO: Okay.
9	PUTZEL: And they started treating him, medically.
10	MONTENEGRO: Okay.
11	VALENCIA: And when you heard the "pops," how many do you remember
12	hearing?
13	PUTZEL: The initial one? I heard one.
14	VALENCIA: Which you which was less lethal, you believe?
15	PUTZEL: Correct. And then, as I was running up, I heard four more.
16	VALENCIA: Okay. Obviously, a different report.
17	PUTZEL: They all sounded the same.
18	VALENCIA: Okay.
19	PUTZEL: That's that's the craziest thing. When I when I when I think
20	back on it, I'm like every round sounded exactly the same.
21	VALENCIA: Uh-huh.
22	PUTZEL: They didn't there was no differentiation between them.
23	VALENCIA: And when you heard the person yelling, "Knife, knife, knife," in you
24	mind, what were you thinking at that point?



- 1 PUTZEL: That's when, I think, I froze.
- 2 VALENCIA: Uh-huh.
- 3 PUTZEL: Because I don't see them coming up and I kind of see them retreating
- 4 so I kind of just froze where I was and then, after the four shots I heard, "Go, go, go"
- 5 again and then that's when we all -- all converged on him.
- 6 VALENCIA: Because on the "knife" part, you're assuming there's a weapon
- 7 involved now?
- 8 PUTZEL: Correct.
- 9 VALENCIA: In your mind, you're thinking is he armed now?
- 10 PUTZEL: Correct.
- 11 VALENCIA: Did it escalate it for you?
- 12 PUTZEL: Yeah. It definitely has; yeah.
- 13 MONTENEGRO: All right.
- 14 VALENCIA: I'm good.
- MONTENEGRO: Uh-huh. All right. I'm going to have you sign this, right here.
- 16 VALENCIA: Do you have any questions?
- 17 PUTZEL: I don't have any.
- 18 VALENCIA: Okay. Unless anyone has any questions, we're good.
- MONTENEGRO: We're going to step out and let administrative finish theirs.
- 20 (END OF INTERVIEW.)
- 21 PC/Cron & Associates Transcription, Inc.



1	JANUARY 17, 2019			
2	-00O00-			
3	INTERVIEW OF BRADY FARY			
4 5 6	Interview conducted by Investigators Amber <b>MONTENEGRO</b> and Joseph <b>VALENCIA</b> Los Angeles County Sheriff's Department, Homicide Bureau. Case is under File No 019-00195-2241-013.			
7	-00O00-			
8	VALENCIA: All right. Today's date is January 17th, 2019. At			
9	MONTENEGRO: 1130.			
10	VALENCIA: 1130 hours. Inside Ventura County Sheriff's briefing room. Sitting			
11	here with Officer your first name?			
12	FARY: Brady. B-R-A-D-Y.			
13	VALENCIA: Do you have a middle name, buddy?			
14	FARY: Yes. Shealor, S-H-E-A-L-O-R.			
15	VALENCIA: And your last name?			
16	FARY: Fary, F-A-R-Y.			
17	VALENCIA: How old are you?			
18	FARY:			
19	VALENCIA: Your employee number, please?			
20	FARY: 16234.			
21	VALENCIA: And you're assigned to CHP			
22	FARY: Ventura.			
23	VALENCIA: Ventura. All right. Brady, what CHP academy or if you went to			
24	another academy prior to CHP did you go to? Beginning your law enforcement career.			
25	FARY: It would be the CHP academy.			



1	VALENCIA: Okay. You went to CHP academy?
2	FARY: Yes.
3	VALENCIA: What academy number?
4	FARY: CTC 200.
5	VALENCIA: 200. 2000?
6	FARY: Yes.
7	VALENCIA: Okay. What date did you graduate?
8	FARY: November 3 <sup>rd</sup> , 2000.
9	VALENCIA: All right. Upon your graduation you were assigned where?
10	FARY: San Jose area.
11	VALENCIA: San Jose?
12	FARY: Yes.
13	VALENCIA: San Jose CHP. And so you're there from 2000 to?
14	FARY: 2002.
15	VALENCIA: 2? Do you remember what month you left or got there?
16	FARY: August I got to Ventura.
17	VALENCIA: What about San Jose? What month did you get to San Jose?
18	FARY: In November.
19	VALENCIA: In November.
20	FARY: Yes. Graduated and started that same month.
21	VALENCIA: Okay. And you left in August of 2002?
22	FARY: Yes.
23	VALENCIA: Okay. And from there you went to?
24	FARY: Ventura CHP.



1	VALENCIA: Ventura. And you got there in August of 2002. Till present?			
2	FARY: Yes.			
3	MONTENEGRO: I'm sorry. What academy class did you say you were?			
4	FARY: CTC 2 of 2000. We just say 2 of 00.			
5	MONTENEGRO: Oh, okay.			
6	FARY: Just for the last two of the year.			
7	MONTENEGRO: Okay.			
8	VALENCIA: And the day of the incident, on the 12th. Which CHP unit were you			
9	assigned?			
10	FARY: My beat assignment was 31501.			
11	VALENCIA: 31501. Was that a day shift?			
12	FARY: Yes.			
13	VALENCIA: And what are your hours?			
14	FARY: From 5:00 to 2:30.			
15	VALENCIA: 1430?			
16	FARY: Yes.			
17	VALENCIA: And that's a one person car, correct?			
18	FARY: That's correct.			
19	VALENCIA: And what vehicle did you have at that, on that day? Do you			
20	remember?			
21	FARY: The last four was			
22	VALENCIA:			
23	FARY: Yes.			

1	VALENCIA: All right. Outfitted black and white? Like lights and siren CHP			
2	vehicle, correct?			
3	FARY: Yes.			
4	VALENCIA: All right. We asked you, did your vehicle have video attached to it?			
5	FARY: Yes.			
6	VALENCIA: It did? So you do have video. And did you wear a body cam that			
7	day by any chance?			
8	FARY: No.			
9	VALENCIA: Okay. And prior to today you're able to view some video? I gave, I			
10	believe they called MVARS?			
11	FARY: Yes.			
12	VALENCIA: You got the system. So you were able to view the videos before			
13	talking to us, correct?			
14	FARY: Yes.			
15	VALENCIA: Okay. All right. With you is Russell Carver. And he's your rep with			
16	employee number 13549. And			
17	MARSDEN: Scott Marsden. 20169.			
18	VALENCIA: 20169. Can you spell your last name, Scott, please?			
19	MARSDEN: M-A-R-S-D-E-N.			
20	VALENCIA: And			
21	JACOBSON: Sergeant Tim Jacobson. I.D. 17050. Part of the Critical Incident			
22	Investigation.			
23	VALENCIA: J-A-C			

JACOBSON: O-B-S-O-N.

1 **VALENCIA:** And you're from CIIT? 2 JACOBSON: Yup. 3 **VALENCIA:** And your employee numbers, please? 4 **JACOBSON:** 17050. 5 **VALENCIA:** And your partner? 6 **PIZZI:** Sergeant Mike Pizzi. 7 VALENCIA: Mike. Is that Michael or Mike? 8 **PIZZI:** It's Michael. 9 **VALENCIA:** Could you spell your last name, please? 10 **PIZZI:** P-I-7-7-1. 11 **VALENCIA:** And your employee numbers, please. 12 PIZZI: It's 18050. 13 VALENCIA: 18050. All right. 14 **MONTENEGRO:** And you're also the CIIT team, right? 15 PIZZI: Yes, ma'am. 16 **VALENCIA:** Now let's take you back to the 12<sup>th</sup>. Tell me how you got involved in 17 the incident. Where you were. And we'll take it to the end. 18 FARY: I first heard about the incident -- our dispatch put out a call that the 19 Camarillo Police Department or the Sheriff's Department --20 VALENCIA: Uh-huh. 21 FARY: -- was in pursuit of a vehicle. They were heading to our area. It was 22 heading away from my current location at the time. I was sitting at Rose Avenue at 101. 23 VALENCIA: Okay.



**FARY:** And it was heading down Las Posas towards PCH.

- 1 VALENCIA: Okay. FARY: And they broadcast it. I had been assigned as the officer in charge for 2 3 the day. So when there's a broadcast like that it's my responsibility to copy it. That I 4 heard that call. 5 VALENCIA: Okay. Is this being broadcast over CHP, CHP frequency or is 6 this -- are you guys monitoring Ventura S.O.'s? 7 **FARY:** No. This is CHP frequency. 8 VALENCIA: Okay. 9 **FARY:** I didn't have a scanner. I didn't hear it on the scanner prior to this. 10 VALENCIA: Okay. Just direct CHP --11 FARY: Yes. VALENCIA: -- broadcast. Okay. Go ahead. So you, so you acknowledged that 12 13 there, they were now in a pursuit? 14 FARY: I acknowledged the pursuit. I heard the beat unit that was assigned to 15 that area copy it and was trying to get in position. 16 VALENCIA: Okay. 17 FARY: I also started heading that general direction --18 VALENCIA: Uh-huh. 19 FARY: -- southbound on 101 and then I was going to head down Rice, which 20 transitions into PCH. VALENCIA: Okay.
- 21
- 22 FARY: Generally in that direction.
- 23 VALENCIA: Okay. From there are they, are they broadcasting more information 24 about the pursuit and what are you hearing?



1 FARY: Originally there wasn't a whole lot of information. I heard that it was a stolen vehicle. 10851 is what it was broadcast and they were looking as they left the 2 city of Camarillo for the Highway Patrol to take over the pursuit from them. 3 4 VALENCIA: Okay. 5 **FARY:** Heading down Las Posas towards PCH. 6 **VALENCIA:** Okay. From there? 7 FARY: From there I continued down Rice and I heard that Officer Putzel, who 8 was working that beat area down there, had called me because I was the officer in 9 charge and wanted to know about if he wanted me to get involved with it. The pursuit. 10 And right then they broadcast something else and I think that he was right in the mix of 11 the pursuit at that point so we hung up the phone call --12 VALENCIA: Okay. 13 **FARY:** -- right at that moment. 14 VALENCIA: So Putzel calls you for authorization to engage in the pursuit? 15 **FARY:** Exactly. 16 **VALENCIA:** You authorize it? 17 FARY: Yes. 18 **VALENCIA:** And do you remember what was being broadcast? 19 FARY: It was being broadcast as a 10851 with the Camarillo P.D. in pursuit of --20 VALENCIA: Okay. 21 FARY: -- the 10851 suspect. 22 **VALENCIA:** Do you remember speeds or --23 FARY: They weren't providing -- I remember speeds. I just remember locations



and they were heading down Las Posas Road at a pretty good rate. According to their

1 locations there's time lag between their dispatch forwarding it to our dispatch, but they

- 2 were making pretty good time as they were going down Las Posas.
- 3 VALENCIA: Okay. All right. Go ahead.
- 4 FARY: Officer Putzel got into it somewhere around Las Posas at 101. They
- 5 were heading south on PCH and immediately started heading north and he had made
- 6 the turn with the Sheriff's Department and had started to continue north on PCH as I
- 7 was coming south on PCH. Or it wasn't PCH at the time. It was Rice Avenue.
- 8 VALENCIA: Okay.
- 9 FARY: Which is just the transition as PCH heads into the city of Oxnard.
- 10 VALENCIA: Okay. All right. Go ahead.
- 11 FARY: As I came down the speeds he was putting out originally they were, you
- 12 know, low speeds. 35 miles an hour or so.
- 13 VALENCIA: This is Putzel putting it out now? Okay.
- 14 FARY: Putzel is now broadcasting on our frequency so I can hear, you know --
- 15 VALENCIA: Okay.
- 16 FARY: -- up to the minute stuff. And also we, I knew we had other units in the
- area that were working like a, a rockslides or a closure and one of those units was
- 18 getting in position. His call sign was Edward 1, I believe.
- 19 **VALENCIA:** Okay.
- 20 **FARY:** And he was getting in position to get in the pursuit, also.
- 21 VALENCIA: Okay. And --
- FARY: And so I'm heading south. They're heading north. I actually pass by on
- the opposite direction of the freeway. I can see them on the other side of the freeway.
- 24 **VALENCIA**: You're going north? They're going south?

1	FARY: I'm going south.			
2	VALENCIA: Okay.			
3	FARY: They're going north.			
4	VALENCIA: Okay.			
5	FARY: There's no center median in there so I pick a, a spot where I can make a			
6	U-turn in the center median.			
7	VALENCIA: Okay.			
8	FARY: To hop in the pursuit. All of the vehicles that were in it passed by my			
9	location. I'm safely able to make a U-turn and I get in behind it			
10	VALENCIA: Okay.			
11	FARY: just after they pass by my location.			
12	VALENCIA: Okay. What vehicle are you in position at this point? Do you			
13	FARY: At, at this position I was the second vehicle. I worked my way up to the			
14	second vehicle. Just Officer Putzel was in front of me.			
15	VALENCIA: Okay.			
16	FARY: And immediately after that Officer Erikson took over as secondary.			
17	Because of my responsibilities I was in the third position during the pursuit. I was the			
18	acting sergeant and so I wasn't going to be calling the pursuit or leading the pursuit. I			
19	would be kind of following it.			
20	VALENCIA: Okay. So you stepped back into a supervisory role?			
21	FARY: That's correct.			
22	VALENCIA: All right. And what happens with the pursuit?			
23	FARY: We continue up PCH towards Channel Islands Boulevard.			
24	VALENCIA: (sneezes) Excuse me.			



1	FARY: We were traveling at a, a fairly low speed somewhere, you know,		
2	between 20 and 30 miles an hour.		
3	VALENCIA: Uh-huh.		
4	FARY: Officer Putzel asks me if he can have permission to attempt a PIT		
5	maneuver		
6	VALENCIA: Uh-huh.		
7	FARY: on the vehicle. I approved him trying to attempt a PIT maneuver and		
8	as we moved past Pleasant Valley overcrossing he closed the distance between his car		
9	and the suspect vehicle and was going to attempt a PIT maneuver and the vehicle then		
10	began to rapidly accelerate away from him.		
11	VALENCIA: Okay. How fast are the speeds you think he went?		
12	FARY: He was down 20 to 30 and then accelerated up towards 60 or 70.		
13	VALENCIA: Okay. And you guys continue the pursuit?		
14	FARY: We continue the pursuit up PCH technically ends at Channel Islands		
15	Boulevard and it becomes Rice. We continue up through Rice passing Wooley and 5th		
16	Street and then we entered the city limits of Oxnard.		
17	VALENCIA: Okay.		
18	FARY: Uh		
19	VALENCIA: That, the, that 70, 80 are on surface streets? Not the freeway?		
20	FARY: That's correct.		
21	VALENCIA: Okay.		
22	FARY: Yeah. This is a two lane, it's a divided highway at this point. There's like		
23	a dirt gravel median. No positive barrier. It's, it's just a wide center median between		
24	two lanes north and two lanes south.		

1 VALENCIA: What are you thinking when someone is going this fast on a, on a surface street? What's going through your mind at this point? 2 3 FARY: At this point, you know, I'm looking at intersections. You know, now that we're off the freeway we're considering, you know, clearing intersections. Pedestrian, 4 5 you know, walking around on freeways. That's usually something we don't have to 6 worry about. 7 VALENCIA: Right. FARY: Cross traffic. All of those things as we're heading up on Rice. 8 VALENCIA: It becomes a much more serious event to be on a surface street? 9 10 FARY: There's a lot more to take into it. VALENCIA: Absolutely. Okay. And the pursuit --11 12 FARY: Continue up. All the lights for us were green until we got up into the city 13 limits. 14 VALENCIA: Okay. 15 FARY: He ran a light north of 5th Street. The units that were behind him had to 16 slow down to clear the intersection before they went through. 17 VALENCIA: Uh-huh. FARY: So it was kind of like an accordion effect where he would, you know, go 18 through faster than we would. We would extend our distance and then kind of catch 19 20 back up in between the intersections. 21 VALENCIA: Okay. 22 FARY: As we approached 101. 23 VALENCIA: Okav.



FARY: And so there were a couple of lights where that happened on Rice.

1	<b>VALENCIA:</b> Any other information coming about and new about the suspect
2	or
3	FARY: Not at this time. We were at, at this time, when we were heading up
4	Rice I remember looking in my mirror and still seeing some sheriff's units behind us.
5	And it's our policy not to continue a pursuit if there's other agencies involved in it. It just
6	has to be with the Highway Patrol. I advised dispatch to let them know that if they
7	wanted to continue in the pursuit they could do that, but then we were going to drop out.
8	VALENCIA: Uh-huh.
9	FARY: But leave the decision up to them. I looked at my mirror and they, they
10	had already dropped out by the time I advised our dispatch center of that and so it was
11	just our three vehicles.
12	VALENCIA: Okay. And what happens next?
13	FARY: We transition from Rice Avenue onto southbound US 101.
14	VALENCIA: Okay.
15	FARY: The vehicle accelerates to, you know, just slightly over, you know,
16	freeway speeds. Maybe 70 to 75 miles an hour.
17	VALENCIA: Is, is he doing anything? Odd? Particular? At this point?
18	FARY: From my perspective I was lagging back quite a bit
19	VALENCIA: Uh-huh.
20	FARY: because I wasn't the one calling the pursuit. I wasn't the one directly
21	behind him. I don't remember seeing him do anything, you know
22	VALENCIA: Okay.

1	FARY: out of the ordinary. I know that prior to me getting into it I remember
2	Officer Putzel coming over the radio and saying that he was assaulting himself or hitting
3	himself or, you know
4	VALENCIA: Right.
5	FARY: acting odd. I didn't see that. I just heard that that's what he relayed
6	through dispatch.
7	VALENCIA: So he was, he was assaulting himself as he sat in the car?
8	FARY: Exactly.
9	VALENCIA: And you're thinking
10	FARY: As he's driving. Yeah.
11	VALENCIA: Yeah. Kind of odd is that
12	FARY: Extremely odd. Yes.
13	VALENCIA: Kind of heightened the situation now?
14	FARY: Absolutely. You know, it, I mean, he's, he's one, driving, you know,
15	erratic speeds. It's not like
16	VALENCIA: Right.
17	FARY: it's just, you know, he's trying to get away at high speeds from us. It
18	slowed down to a speed that it was kind of weird that it even
19	VALENCIA: Uh-huh.
20	FARY: slowed down to that. And then it escalated from there.
21	VALENCIA: Okay. And what happens next?
22	FARY: We get on southbound US 101. He moves through very light traffic over
23	to the far left lane.

VALENCIA: Okay.

FARY: And we just head down 101. The, the roadway, I remember thinking that it had dried out pretty fast. The roadway surface there --

- 3 **VALENCIA:** Uh-huh.
- FARY: -- was dried out. Because we were just kind of having thunder showers, scattered showers.
- 6 **VALENCIA:** Uh-huh.
- FARY: The roadway was dry. That's, was kind of the things that I'm thinking about, you know, as I'm just kind of monitoring the pursuit, you know. If it gets too wet or any other reason that we would need to 10-22. It's my responsibility to do that.
- 10 VALENCIA: Okay.
- FARY: We're traveling at, you know, 70, 75 miles at approximately hour. Not passing by traffic too fast, but we are moving, you know, generally past the flow of traffic.
- VALENCIA: Okay. And the pursuit to this time has lasted about how long do you know? At -- in time. Not distance. About time.
- 16 FARY: In time I would say, you know, around five minutes or so.
- 17 VALENCIA: Okay. All right. And --
- FARY: We continued -- I know that, you know, that, now we're on my specific beat and it, it ends at Camarillo Springs.
- 20 **VALENCIA:** Uh-huh.
- FARY: And so I was notifying dispatch to let the other agency or the other CHP office know that we were approaching their location.
- 23 **VALENCIA:** Uh-huh.

FARY: Once we get out of our area we're going to try and turn it over to the area
that we're going through --

3 **VALENCIA:** Right.

FARY: -- that have more knowledge of the area since we're not, you know, assigned to work in that area on that --

6 VALENCIA: Okay.

FARY: -- day-to-day basis. So I just called ahead to let the Moorpark CHP office know that we are heading in that direction.

9 **VALENCIA:** Okay. And you continue southbound?

10 **FARY:** We continue southbound. Still the same sort of thing. Just in the one lane. You know, traffic is very light. The, you know, we're not coming up to too much traffic. Everybody is kind of seeing us come and move over to the right --

13 **VALENCIA:** Uh-huh.

14 **FARY:** -- and so he's able to kind of continue with the pace that he was traveling at all the way through the city of Camarillo.

16 VALENCIA: Okay. Next?

**FARY:** We head up the grade. We notify dispatch of our location. That we're leaving our area. I remember hearing that Moorpark units were getting in position somewhere along Lynn Road.

20 **VALENCIA:** Okay.

17

18

19

21 FARY: Which is just in the city of Thousand Oaks --

22 VALENCIA: Okay.

FARY: -- as you come up the Conejo grade.

1	VALENCIA: Okay. And at this time is he driving erratically? In and out? Or is			
2	he just keeping it pretty steady?			
3	FARY: He's, he's just kind of keeping it pretty steady, you know. We're at the			
4	one lane. I think he passed a vehicle in the center divider as we headed up the grade. I			
5	remember having to move to the center divider to pass one slower moving vehicle that			
6	was in the fast lane.			
7	VALENCIA: So he actually moved into the center divider to pass another			
8	vehicle?			
9	FARY: I believe so. I wasn't the, directly behind him, but I, I did have to do that			
10	so I would assume that he had to do the same thing.			
11	VALENCIA: Is that pretty unusual for someone to do that? I mean, when			
12	someone does that?			
13	FARY: In a pursuit?			
14	VALENCIA: Yeah.			
15	MALE VOICE: Yeah.			
16	FARY: It's going to be			
17	MALE VOICE: It heightens the situation even more?			
18	FARY: Absolutely. Yeah.			
19	VALENCIA: Okay. And obviously without asking your lights and sirens are on?			
20	FARY: Yes.			
21	VALENCIA: Are they on?			
22	FARY: Yes.			
23	VALENCIA: Okay.			
24	FARY: And then we continue down the hill into Thousand Oaks.			



- 1 VALENCIA: Okay. 2 FARY: I remember noticing that our speeds were kind of picking up a little bit 3 from that point. 4 VALENCIA: Okay. FARY: Closer to, you know, 80 miles an hour or so. Again, I'm not right behind 5 6 him so my fle, speed is kind of different than their speeds. I would kind of, you know, 7 fall back and then just try to make up some distance --8 VALENCIA: Right. FARY: -- a little bit, but I wasn't the pursuing unit. I was just kind of following in 9 10 the background. 11 VALENCIA: Okay. All right. 12 FARY: Around Lynn Road, Moorpark CHP officer enters the freeway from the 13 Lynn onramp and enters the pursuit. 14 VALENCIA: Okay. 15 FARY: And one of our Edward units that was in the pursuit, that was in the 16 secondary position, he drops out. Again, to, to keep the numbers at three. 17 VALENCIA: Okay. 18 FARY: And he enters the pursuit I, I believe as the primary unit and then Tim 19 Putzel falls back as the secondary unit. 20 VALENCIA: Is any other information being relayed over dispatch about the 21 suspect?
- FARY: At this time I remember hearing specifically that it was a wanted felon 22 23 armed, possibly armed and dangerous, which --
- 24 VALENCIA: Your dispatch puts out that he's armed and dangerous?

FARY: Our dispatch puts that out, which I hadn't heard before that point. 1 2 VALENCIA: Okay. 3 FARY: And at that point, you know, I took definite note of that. VALENCIA: Hearing that new information, coupled with the way he's been 4 5 driving, what's going through your mind now? FARY: I'm thinking, you know, this, you know, it's got a really bad possible 6 7 ending to it, you know. 8 VALENCIA: Yeah. 9 FARY: We've got to be prepared for, you know, anything that can come from 10 this. 11 VALENCIA: Right. Okay. 12 FARY: You know, it goes from just a stolen car to, you know, that much more. Not that a stolen car isn't that much, but it can definitely move up. 13 14 VALENCIA: But in your mind these extra factors are, a lot more aggressive 15 factors I would say. 16 FARY: Yes. 17 VALENCIA: Okay. FARY: As we continue there is a second CHP officer that gets in the pursuit 18 from the Moorpark area and this is right about the same time that the information came 19 20 across as armed and dangerous. 21 VALENCIA: Uh-huh. 22 FARY: He's the OIC for the Moorpark area, which is the acting sergeant for the

23

Moorpark area. And he asked rather than Ventura just drop out of it he wanted the

additional units to stay because of the situation with the, the person being wanted for 1 armed and dangerous --2 3 VALENCIA: Okav. 4 FARY: -- reasons. So myself and Tim drop back as the third and the fourth and then him and the original officer stay up in the front, front of the pursuit. 5 VALENCIA: Okay. And speeds are a little bit more accelerated at this point? 6 7 You said like 80 miles an hour? 8 FARY: They're picking up, you know. Again, now I'm falling back even more --9 VALENCIA: Uh-huh. FARY: -- because I know that the guys are, you know, up in front the speeds --10 I'm, sometimes, you know, getting up pretty fast just because of the accordion effect like 11 12 I was explaining. 13 **VALENCIA:** Right. 14 FARY: You know, I kind of, kind of speed up. And I remember them putting out 15 speeds closer to, you know, 90 miles an hour so --16 VALENCIA: Getting up there now. 17 FARY: Yeah. As they're leaving like the West Lake area. 18 VALENCIA: Okay. And what happens next? 19 FARY: As we head through Officer Green, who is the OIC for Moorpark, he kind 20 of starts doing the same thing I did. Hey, you know, we need to let the other areas know, you know, that we're going to be heading their direction. So he's calling for the 21 22 West Valley CHP, which the next bordering area to, you know, pick up the pursuit as we

VALENCIA: Okay.

are coming down into their area.

23

1 FARY: Continued through at L.A., the beginnings of L.A. County. We had

2 already left Ventura and we were passing, you know, Kanen, I believe is the exit. I'm

3 not too familiar with the area because --

4 **VALENCIA:** Uh-huh.

5 FARY: -- I've never worked down there. Continuing to head south on US 101.

Speeds again picked up, you know, to, you know, 80, 90 miles an hour. And I was

hearing that, you know, he was passing more aggressively in the center median of the

8 freeway.

6

7

9 **VALENCIA:** He's going 90 miles an hour in the center median?

10 **FARY:** That's what they were putting out. Yes.

11 VALENCIA: Okay. That speeds in the center median with all of the information

12 you heard again does it continue to heighten in your mind or --

13 **FARY:** Absolutely. Yeah. Absolutely.

14 **VALENCIA:** Okay.

15 FARY: Dispatch advises us that West Valley, due to the weather, wasn't going

16 to take over the pursuit from us --

17 **VALENCIA:** Uh-huh.

18 FARY: -- and oh -- the whole time we had the helicopter involved in the pursuit,

19 too. He wasn't calling anything out, but every once in awhile he would let us know, you

20 know, that he's still in the pursuit. We were still calling it. And I knew that he was up

there the whole time. At this time, Brian asked that the units drop out of the pursuit due

to the fact that we were leaving, you know, the known area and we had the helicopter

23 overhead ---

21

22

24

1 FARY: -- and the speeds and the weather started getting worse. The roads

2 were becoming more wet and it was actually, you know, raining at that point where it

3 hadn't been earlier in the pursuit.

4 VALENCIA: So the pursuit got to a point where it was so dangerous the

decision was made to cancel the pursuit?

6 **FARY:** That's correct.

7 VALENCIA: Right?

8 FARY: That's correct. And the Moorpark, Brian Green, the OIC from Moorpark

9 had made that call.

5

10 VALENCIA: Okay.

11 FARY: So at that time I shut down all my lights as we passed Lost Hills.

12 **VALENCIA:** Uh-huh.

13 **FARY:** And we were approaching Las Virgenes.

14 VALENCIA: Okay. And what happens next?

15 FARY: I'm going to move over to the right to exit. To kind of head back to my

area. The helicopter is going to take over the pursuit. He copied the request for him to

take over and was going to do so and then I heard on the radio that the vehicle had

18 TC'd just prior to Las Virgenes.

19 VALENCIA: Okay. And what did you do?

FARY: As I moved over to the right I saw the vehicle against the guardrail

21 already --

16

17

1	FARY:	as I'm coming up	Tim is directly in front of me.	Officer Putzel. He
---	-------	------------------	---------------------------------	--------------------

- 2 pulls on to the right shoulder and I pull onto to like between the -- yeah. Onto the off
- 3 ramp lane and into the slow lane of the freeway.
- 4 VALENCIA: I -- yeah. You have a paper with some vehicles laid out and
- 5 directions. Which vehicle were you?
- 6 FARY: I was the vehicle that was partially on the off ramp and partially in the
- 7 slow lane.
- 8 VALENCIA: Can you put your initials right there? Initial it, please. There you
- 9 go.
- 10 **FARY:** On top of the vehicle or --
- 11 **VALENCIA:** Or in front of it.
- 12 **FARY:** Okay.
- 13 VALENCIA: That's fine. So that's your -- that's where you came to a rest at?
- 14 **FARY:** That's correct.
- 15 VALENCIA: Once, once you arrived on scene and the vehicle is crashed what
- 16 do you see?
- 17 FARY: I saw the driver that was on the opposite side of the vehicle up toward
- 18 like the driver's door area.
- 19 **VALENCIA**: Uh-huh.
- 20 FARY: The vehicle that had been involved in the crash was in between the two
- of us so I didn't really have a good vantage point when I first stopped there in my patrol
- 22 car.
- 23 **VALENCIA:** Uh-huh.

FARY: There was a civilian that had had to stop suddenly because of the 1 collision that was directly out of my driver's door and I waved for her to put her car in 2 reverse and to move backwards and she did almost immediately. 3 VALENCIA: Okay. Now you stayed focused on the driver after that? 4 5 FARY: Yes. 6 VALENCIA: And what did you see him doing? 7 FARY: I saw him kind of in and out of my view. Again, the vehicle is between us and he was, you know, I would see his head poke up and then it would disappear back 8 9 down below the roof line of the car. At the angle I couldn't really see, you know, through 10 the windows to the other side --11 VALENCIA: Uh-huh. FARY: -- to really see what he was doing. I could just see him making, you 12 know, quick movements up and down. Just kind of peeking to see where we were --13 14 VALENCIA: Uh-huh. 15 FARY: -- looking left, looking right. 16 VALENCIA: So he was trying to hide himself behind the south side of his car? 17 FARY: Yeah. Absolutely. 18 **VALENCIA:** And he would look up and start to move around? 19 FARY: Yeah. 20 VALENCIA: Okay. 21 FARY: And this, this was just for, you know, a few seconds. I reached back into

my patrol car and I grabbed my long rifle.

VALENCIA: Uh-huh.

22

1	FARY: I racked a round into that and to get a better perspective I moved to the
2	back of Officer Green's car to get a better view because the view that I had from over
3	there wasn't that good. The, the car was, you know, obstructing my view.
4	VALENCIA: And Officer Green's car is?
5	FARY: Is the one that was blocking the slow lane and the one to the right.
6	VALENCIA: Would that be this one here?
7	FARY: Yes. That's correct.
8	VALENCIA: So you moved to this car?
9	FARY: I moved to the passenger rear corner
10	VALENCIA: Okay.
11 "	FARY: of that car.
_ 12	VALENCIA: Okay.
13	FARY: And Brian was off to the driver's side rear corner of that car.
14	VALENCIA: In the door pocket?
15	FARY: We had met back at the, the trunk. So he would
16	VALENCIA: Okay.
17	FARY: move from the door pocket to back to the trunk. Yes.
18	VALENCIA: Okay. What was the suspect doing while you guys were
19	FARY: The suspect is, you know, yelling back at us. The helicopter is overhead.
20	We still have traffic. Not going by our direction, but the other direction. I had
21	remembered seeing him, you know, his facial expressions and him screaming, but I
22	couldn't really hear what he was saying.
23	VALENCIA: Uh-huh.

FARY: Because of the helicopter is right overhead at that point and we still have 1 2 vehicles driving by. 3 **VALENCIA:** Were orders given to him? FARY: Were, we were all, you know, ordering him, you know, put your hands 4 5 up. Let us see your hands, you know. Come out from behind the car. 6 VALENCIA: Uh-huh. 7 FARY: All sorts of orders were being directed at him from myself and from 8 Officer Green. 9 **VALENCIA:** Did he comply at any time? FARY: No. Not at all. Occasionally he would reach his left hand up, put his left 10 hand so we could see like the palm of his hand and I know he would flip us off every 11 12 once in awhile. 13 VALENCIA: Uh-huh. FARY: And he was still, you know, yelling at us. Again, it was pretty loud at that 14 point. I couldn't really hear what he was saying because of all of the noise that was 15 16 happening in the area. VALENCIA: Okay. You said you saw his left hand. Were you able to see his 17 18 right hand? 19 FARY: No. 20 VALENCIA: Okay. FARY: The whole time we used the helicopter who was hovering on the other 21 22 side. We were asking him if he can see. The helicopter advised us that he was moving 23 in and out of the back seat --



24

1	FARY: of the vehicle. Reaching into the vehicle for something and then
2	keeping his right hand hidden and his left hand out. And so the helicopter we were
3	because we specifically couldn't see that right hand and the helicopter couldn't give us
4	any information because he had kept it hidden from the helicopter as well.
5	VALENCIA: Everything that's taking place up to that point and now this, the
6	movements of the suspect entering in and out, moving around, not being able to see his
7	right hand. What's going through your mind at that point?
8	FARY: I, I was thinking, you know, he's going to, I was expecting to see muzzle
9	flash and him shooting right back at us at any moment.
10	VALENCIA: You believed he was arming himself?
11	FARY: Yes. Absolutely. That's, that's, that's what my thought was at this time.
12	That, you know, it was just a matter of time before, you know, I was going to see, you
13	know, muzzle flash coming right back at me.
14	VALENCIA: Uh-huh. So what did you guys do next?
15	FARY: We were trying to get other units available to come out and help us. You
16	know, as we were, you know, talking to him we knew that he wasn't complying with any
17	of our orders at this point, you know.
18	VALENCIA: Uh-huh.
19	FARY: And he's not going to, you know, comply with us. We've got to come up
20	with some sort of game plan
21	VALENCIA: Right.
22	FARY: to do. We're calling for dogs. Armor vehicles, SWAT.

1 FARY: As we're calling for these things a lot of other, you know, sheriff units, I 2 know that a lot of them, you know, they just were saying that they were just not 3 available, you know. They just don't have any of these resources. 4 VALENCIA: Okay. Are you guys continuously, continuously giving him 5 commands? FARY: Continuously giving commands. As the helicopter would be overhead 6 we couldn't really hear him. As it would circle around there would be times that we 7 8 could actually hear what he was saying back to us. 9 **VALENCIA:** What did you hear? 10 FARY: He was, he, I, I can recall on several occasions he said that he's not 11 going to come out without a shootout or it was going to come to, you know, a firefight. 12 **VALENCIA:** That's what he was telling you? 13 **FARY:** That's what he was telling us. 14 VALENCIA: How do you hear -- his facial expressions --15 FARY: He --16 **VALENCIA:** -- when he said that? 17 FARY: -- he would, he would lock eyes. I, I can remember locking eyes with him 18 on several occasions where he would just, you know, look me right in the eyes and he 19 would yell at me, you know. This isn't going to, you know, end without a firefight. And I, 20 I just remember that, you know, the intense eye contact with that. 21 VALENCIA: Okay. When he says that what are you thinking now? 22 FARY: Again, you know, that's even more -- he's, he's not showing me that

hand, you know. He's, he's threatening us at this point and I just, you know, again, I

1 was just waiting for that, you know, movement of that gun coming up and, and taking

- 2 rounds.
- 3 VALENCIA: Okay. All right. How's this -- keep moving.
- 4 FARY: It's, it's pretty drawn out, you know. It's a long time that we're out there,
- 5 you know. We're yelling back and forth, you know. Trying to get him to come out. I, I
- 6 can remember my hands like almost, you know, cramping up. I would stretch them out,
- 7 you know.
- 8 **VALENCIA:** Uh-huh.
- 9 FARY: When I would be in one position for too long. I would lean on the back
- 10 trunk lid of the patrol car.
- 11 **VALENCIA:** Uh-huh.
- 12 FARY: You know, keeping my rifle on the suspect. Kind of tucking my body
- 13 back behind it to stay undercover.
- 14 VALENCIA: Right.
- 15 FARY: And straightening my legs because I was kind of squatting down behind
- 16 there and it, it, it just kind of went on and on. Every once in a while Brian and I would
- 17 take turns kind of relaying information to dispatch, you know. He's not re, replying or
- not responding to any of our orders, you know. He's still going in and out of the vehicle.
- 19 **VALENCIA:** How long do you think he barricaded himself behind that car?
- 20 FARY: It, it was at least, you know, it seemed like an hour at least.
- 21 VALENCIA: Okay. So you guys made a decision?
- FARY: At that time, before that came, we started getting more people there.
- 23 **VALENCIA:** Uh-huh.

1 FARY: There was a black, I, I think it was a Volt, that it stopped. A Chevy Volt

- 2 that had stopped in the center median.
- 3 **VALENCIA:** Uh-huh.
- 4 FARY: And I remember watching him kind of turn his head to the right and
- 5 looking at that car. And I was concerned that he was going to run up the freeway and
- 6 maybe try and take that car --
- 7 VALENCIA: Uh-huh.
- 8 FARY: -- you know, from whoever had stopped there. I advised dispatch that if
- 9 they had any communication with that car to let those people know that they, if they are
- 10 able to drive out of there.
- 11 **VALENCIA:** Okay.
- 12 FARY: I thought that, you know, a couple of times that he was going to, you
- 13 know, try and take, take that car and, you know, maybe continue the pursuit or
- 14 something.
- 15 **VALENCIA:** Okay.
- 16 FARY: In the meantime, other officers arrived. There was the Sheriff's
- 17 Department that was there and then a sergeant from West Valley. At least one officer
- 18 from West Valley that I know --
- 19 **VALENCIA:** Uh-huh.
- 20 FARY: -- got there. The sergeant had come up and was kind of making his way
- 21 around the back of the vehicles kind of talking to everybody to see what, what
- 22 information we had. We were relaying all of the information that we had to him. They
- 23 let us know that they had less than lethal shotgun --
- 24 **VALENCIA:** Uh-huh.

**FARY:** -- with them. And now we have that at our disposal.

**VALENCIA:** Okay. Do you guys deploy it?

FARY: The decision was made. The sergeant let us know that he was going to deploy it.

**VALENCIA:** Okay.

**FARY:** I, I don't know if it was a sergeant or the officer that was going to fire it. I didn't look back to see who was telling me, but they let me know that they were going to deploy the less than lethal shotgun. They were waiting to get a, a good shot.

**VALENCIA:** Uh-huh.

**FARY:** I remember the, at this time, the helicopter had run out of fuel, or not out 11 of fuel --

**VALENCIA:** Uh-huh.

**FARY:** -- but it was getting low that, that they had to leave.

14 VALENCIA: Okay.

FARY: We were asking again for another helicopter from maybe LAPD, LASO, anything else. And they were in the works of getting that --

**VALENCIA:** Right.

**FARY:** -- so that we could have some eyes on the other side of the car. Because we, nobody from our perspective could see what he was doing on that other side of the car. Having the helicopter over there could kind of let us know what he was doing.

22 VALENCIA: Okay.

**FARY:** There was a time, I remember, thinking he was messing with, I thought maybe there was a, a fuel tank on that side. Like to fill up gas.



1 VALENCIA: Uh-huh. FARY: I thought maybe he was trying to get into the fuel tank or something and 2 3 try and do something --4 VALENCIA: Uh-huh. 5 FARY: -- and try and do something with --6 VALENCIA: Uh-huh. FARY: -- the fuel and the car. I asked the helicopter if he could see anything 7 and he said that he wasn't doing anything like that. 8 9 VALENCIA: Okay. 10 FARY: But I can remember that happening also during that hour of time. I don't 11 know when exactly that was. VALENCIA: But he's still walking back and forth? 12 13 FARY: He's still walking back and forth. 14 VALENCIA: Walking --FARY: On occasion he would kind of, you know, lunge like he's going to pop out 15 16 of the vehicle really rapidly and then he would stop and then duck back under. 17 VALENCIA: Okay. FARY: And he would go back into the back seat. It looked like he was drinking 18 19 something at some point. 20 VALENCIA: Okay. 21 FARY: It, to me, it looked like a carton. Like a paper style carton, but I, I, I don't 22 really know.

VALENCIA: Did -- is this odd to you?

FARY: Extremely odd. You know. It, it, it just never, it never stopped 1 2 getting odd. It just got stranger and stranger --3 VALENCIA: Okay. 4 FARY: -- as the day went on. 5 VALENCIA: Okay. So now you have a less lethal deployed and --FARY: We have less lethal deployed. Somebody let me know that they were 6 going to let the less than lethal when they could get a clean shot. They told me that 7 8 they had the clean shot over, to, from my perspective to my left. 9 VALENCIA: Uh-huh. 10 FARY: And that they were going to deploy the less than lethal. 11 VALENCIA: Was it verbalized that --12 **FARY:** Prior to the shot. Yeah. 13 VALENCIA: Okav. 14 FARY: I, I remember hearing the person that was deploying less than lethal yell 15 out less lethal, less lethal. 16 VALENCIA: Okay. 17 FARY: And then I, I heard a shot go out. 18 VALENCIA: Okay. So you assumed the less lethal? 19 FARY: Yes. 20 VALENCIA: Okay. What happened when the shot went out? 21 FARY: The shot went out. I started advancing up the passenger side of the car 22 that I was behind.

23

FARY: I was moving forward. I still, at this point, I couldn't see the suspect at 1 2 all. 3 VALENCIA: Uh-huh. 4 FARY: That car was directly in front of me and the suspect and the suspect, I 5 assumed, was on the ground --6 VALENCIA: Okay. 7 FARY: -- because I couldn't see him. Head. Nothing. I couldn't see him at all. So I moved to the front of the patrol car and then started moving to my left. 8 9 VALENCIA: Okay. 10 FARY: As I was --11 **VALENCIA:** Towards the number one lane? 12 FARY: Yeah. Towards the number one lane. So I could see past the back end 13 of the car. 14 VALENCIA: Uh-huh. 15 FARY: And see where the suspect was. 16 **VALENCIA:** Were orders still being given to him? 17 FARY: That I don't remember. I remember hearing somebody yelling go, go, go 18 like for us to advance. 19 VALENCIA: Okay. 20 FARY: And so I was just kind of moving -- I didn't, I wasn't going straight forward 21 to a threat that I couldn't see at all. 22 VALENCIA: Uh-huh. FARY: I was trying to move around that car to the threat that was down there. 23



VALENCIA: You're pie-ing it so you can get a better vantage point?

1	FARY: Exactly.
2	VALENCIA: Okay.
3	FARY: Exactly. I'm not, I'm not sprinting to my left, but I'm definitely working left
4	as much as I'm moving forward.
5	VALENCIA: Okay. And what happens?
6	FARY: As I'm moving around I still can't see him. I can hear somebody yelling
7	knife, knife. Weapon. I know I heard knife. I think I heard weapon also being yelled
8	out
9	VALENCIA: Uh-huh.
10	FARY: by the officers that are, that have moved around, further around the
11	center of the car.
12	VALENCIA: Uh-huh.
13	FARY: That can see around the car that I still can't see.
14	VALENCIA: You don't know who said it but
15	FARY: I don't know who said it. No.
16	VALENCIA: You just remember him saying knife?
17	FARY: Yes.
18	VALENCIA: Okay.
19	FARY: And okay.
20	VALENCIA: You hear knife.
21	FARY: After I hear knife I hear multiple gunshots.
22	VALENCIA: How many do you think?
23	FARY: I, I would estimate, you know, maybe two to, two, three, maybe four.
24	VALENCIA: Okay. Do you know from where?



1 FARY: From my left. 2 VALENCIA: Okay. Do you know who shot or --3 FARY: I don't. 4 VALENCIA: Okay. So after you guys hear the gunshots what do you do? FARY: After we hear the gunshots I kind of stop for a second when I heard the 5 shots. And then I paused for just an instant. I remember again hearing somebody 6 7 yelling go, go, go. I moved to the perspective that I could see him and the suspect was 8 down on the ground. 9 VALENCIA: Uh-huh. 10 FARY: And he was kind of laying on his left side --11 VALENCIA: Uh-huh. 12 FARY: -- with his right arm still concealed. I still couldn't see, see his right arm 13 as we approached. 14 **VALENCIA:** Okay. So it was still concealed under his body? FARY: Still concealed under his body. I had my rifle out. I still had it up. As we 15 got closer I put the rifle down. I had it slung around me so it just hung off the front of my 16 17 body. And I reached down to grab that right hand and at, about the same time, Officer 18 Putzel and I pulled back on the arm. 19 VALENCIA: Uh-huh. FARY: To handcuff him and as we pull him back we can see that he's been 20

22 VALENCIA: Uh-huh.

21

23

24

shot.

**FARY:** He's got a, a wound to his torso somewhere. As he rolls back over he's not moving at all.

- 1 VALENCIA: Okav. 2 FARY: And then we roll him back over. I just remember noticing that his left hand had a pretty decent wound on it, also. And so at that point I was going to handcuff 3 4 him, but with the wounds and the lack of movement from him --5 VALENCIA: Uh-huh. FARY: -- I didn't move in to any kind of handcuffing. 6 7 VALENCIA: Okay. What did you guys do after? 8 FARY: I looked down at my hands and my hands were covered in blood. We, 9 somebody behind me, called for the Fire or ambulance personnel to come up. I think I 10 even yelled, you know, you know, Fire or --11 VALENCIA: Uh-huh. 12 **FARY:** -- something to that effect. It's my understanding that they were already staged on the 13 VALENCIA: 14 freeway? Fire? 15 FARY: Yes. I believe so. I know - again, backtracking a little bit. I know at one time somebody thought that he looked like he got injured during the accident --16 17 VALENCIA: Uh-huh. 18 FARY: -- and so they called for --19 VALENCIA: Fire. 20 FARY: -- Fire personnel because of those injuries originally. And so I just 21 assumed that they stayed there --22 VALENCIA: Okay.
  - VALENCIA: All right. So after the shooting. After Fire gets there.

**FARY:** -- up to this point.

23



FARY: They bring a truck up. Immediately they move up. I step back. I ask 1 2 one of them if they had something to clean off my hands. 3 VALENCIA: Right. FARY: And they provided me like a, a alcohol, I assume it was alcohol. Some 4 sort of wipe to clean off my hands and they kind of helped me do that. I moved back. I 5 6 remember seeing some shell casings in the road. 7 VALENCIA: Uh-huh. FARY: I told the firefighters there to just be careful where they're stepping. That 8 9 there was --10 VALENCIA: Right. 11 **FARY:** -- shell casings in the road. VALENCIA: Okay. And you didn't fire at, at the scene? 12 13 FARY: No. 14 VALENCIA: Okay. I know prior that night we did a round count. Obviously, I'm, 15 I'm just asking again on this area. And that night that we did you were wearing basically 16 the same uniform you are now. That blue CHP uniform, correct? 17 FARY: Yes. 18 **VALENCIA:** Okay. Anything? Anything else? 19 MALE VOICE: We have a couple additional questions for him after you guys 20 have finished. We can take a break if you like to. 21 VALENCIA: All right. Let me end this. 22 **MONTENEGRO**: 1210.



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24

VALENCIA: All right.

1	

6 (END OF INTERVIEW)

7 JL/Cron & Associates Transcription, Inc.

1	JANUARY 17, 2019; 1227 HOURS
2	-00O0o-
3	INTERVIEW OF SCOTT BEMILLER (CHP OFFICER)
4 5 6	Taken at unknown location. Interview conducted by Sergeant <b>JOSEPH VALENCIA</b> and Detective <b>AMBER MONTENEGRO</b> , Los Angeles County Sheriff's Department, Homicide Bureau. Case is under File No. 019-00195-2241-013.
7	-00O00-
8	MONTENEGRO: Date is January 17, 2019. Time is 1227 hours. It's Detective
9	Amber Montenegro, Los Angeles County Sheriff's Department Homicide Bureau. My
10	partner Sergeant Joseph Valencia. We are interviewing?
11	BEMILLER: Scott Bemiller.
12	MONTENEGRO: Scott Bemiller. He's here with his advocate.
13	BALL: Allyn Ball.
14	MONTENEGRO: And then California Highway Officer Ball is part of the
15	California Highway Patrol and then we have the Critical Incident Investigation Team.
16	AXED: Yes, ma'am. Sergeant Brian Axed, 16940
17	CLEVELAND: Sergeant John Cleveland, 16012.
18	MONTENEGRO: Okay. All right. I'm sorry. What did you say? Scott Miller?
19	BEMILLER: Scott Bemiller.
20	MONTENEGRO: Scott Bemiller.
21	BEMILLER: Scott Bemiller; B-E-M-I-L-L-E-R.
22	MONTENEGRO: And do you have a middle name, Scott?
23	BEMILLER: Walter.
24	MONTENEGRO: And Bemiller is the last name; B-E-M-I-L-E-R you said?
25	BEMILLER: Yes, ma'am.



1 MONTENEGRO: And your employee numbers? 2 BEMILLER: 21079. 3 MONTENEGRO: And how old are you? 4 BEMILLER: I'm MONTENEGRO: And you first came onto the California Highway Patrol in what 5 6 academy class? 7 BEMILLER: Four of 14. So, I graduated in 2015. MONTENEGRO: Do you know what month you graduated? 8 9 BEMILLER: June. 10 MONTENEGRO: So, you're in class 14? 11 BEMILLER: Yeah, four of 14. 12 MONTENEGRO: Four or 14. 13 UNKNOWN MALE: 4-14. 14 BEMILLER: Yes, sir. MONTENEGRO: And I'm sorry. What month did you graduate. 15 16 BEMILLER: In June of 2015. MONTENEGRO: Okay. And after you graduated, where did you -- what was 17 18 your first assignment. 19 BEMILLER: West Valley area office. 20 MONTENEGRO: And is that where you're currently assigned? 21 BEMILLER: Yes, ma'am. 22 MONTENEGRO: That is simple. And on the night of -- or the day of January 12th, what unit were you working? 23 24 BEMILLER: I was Adam 56-100.

1	MONTENEGRO: And is that a dayshift unit?
2	BEMILLER: Yes, it is.
3	MONTENEGRO: What were the hours?
4	BEMILLER: 0530 to 1400.
5	MONTENEGRO: Okay. And prior to coming onto the Highway Patrol, did you
6	have any law enforcement experience?
7	BEMILLER: No, I did not.
8	MONTENEGRO: Okay. And prior to your shift that day, did you get a good
9	night's sleep?
10	BEMILLER: Yes, I did.
11	MONTENEGRO: Approximately how many hours would you estimate?
12	BEMILLER: Approximate six hours.
13	MONTENEGRO: Okay. And is that a typical night's sleep for you?
14	BEMILLER: Yes, it is.
15	MONTENEGRO: Okay. And was your unit a one or two-person car?
16	BEMILLER: One unit.
17	MONTENEGRO: Okay.
18	BEMILLER: One person.
19	MONTENEGRO: And we went over your unit and equipment on your body that
20	day. What equipment what weapons did you have available to you in your vehicle?
21	BEMILLER: We had an AR-15 and a shotgun also available inside the vehicle.
22	MONTENEGRO: Okay. And did you deploy any of those weapons that day?
23	BEMILLER: I brought out the AR-15 onto the scene.
24	MONTENEGRO: Okay. And how do you load your AR-15?



	· ·
1	BEMILLER: When I bring the AR-15 out from the vehicle, I rack a round utilizing
2	the charging handle and make sure there's a use the forward assist and make sure
3	it's on safe.
4	MONTENEGRO: Okay. So, you had you put one in the chamber and that left
5	how many in the magazine?
6	BEMILLER: Nineteen.
7	MONTENEGRO: Okay. And did you have any additional magazines?
8	BEMILLER: Not for the AR-15.
9	MONTENEGRO: Okay. And did you have a bodycam or any recording device
10	on your person?
11	BEMILLER: No, I didn't.
12	MONTENEGRO: What about your vehicle? Did it have a dashcam or any
13	recording device?
14	BEMILLER: Yes, it did.
15	MONTENEGRO: Yes, it did. And was it activated?
16	BEMILLER: Yes, it was.
17	MONTENEGRO: Okay. And prior to our interview today, did you review any
18	video or audio recordings?
19	BEMILLER: Yes, I did.
20	MONTENEGRO: And what did you review?
21	BEMILLER: I reviewed enlarged footage of the incident my Ambar.

23 correct?

22

24 BEMILLER: Yes, it is.

MONTENEGRO: Your Ambars and that's your dashcam for your vehicle;

- MONTENEGRO: Okay. All right. So, let's start from the beginning when you
- 2 first found out about this incident. What drew your attention to it and how you got
- 3 involved.
- 4 BEMILLER: I overheard dispatch stating that there was a pursuit coming in from
- 5 Ventura on the 101 eastbound. It was a stolen vehicle and the suspect was reported
- 6 armed and dangerous.
- 7 MONTENEGRO: And who was in pursuit?
- 8 BEMILLER: We -- the information originally was Ventura. It didn't clarify.
- 9 MONTENEGRO: Ventura -- your Ventura office or your Ventura County Sheriff's
- 10 Department?
- 11 BEMILLER: I only heard Ventura. So, I didn't know if it was Ventura CHP or
- 12 Ventura Sheriff's.
- 13 MONTENEGRO: Okay.
- 14 BEMILLER: So, at that time, I didn't know.
- MONTENEGRO: Okay. So, you heard a pursuit from Ventura. Okay? And
- armed and dangerous and stolen vehicle.
- 17 BEMILLER: Correct.
- 18 MONTENEGRO: Okay. And what did you do?
- 19 BEMILLER: I was on the scene for clearing a traffic hazard. So, I was listening
- to the radio and what was happening. Several officers started to get into position.
- 21 Started getting -- clarifying questions on the pursuit. Believe it was 106 that day with
- 22 Officer Rojas that was getting more clarifying questions because that was his beat -- his
- 23 -- his assigned area.

1	MONTENEGRO: And what kind of clarifying questions were being asked and
2	information were you gaining?
- 3	BEMILLER: I was more information starting coming in saying that the suspect
4	had warrants and was on parole, and then we also get information that there was an air
5	unit overhead. And so, once all that information was put out, Sergeant Monteagudo put
6	over the radio that West Valley units were trying to get into the pursuit and then shortly
7	after we heard that, Ventura cancelled their pursuit and then shortly after that we heard
8	I heard that Officer Rojas that put it out that the suspect vehicle crashed.
9	MONTENEGRO: Okay. And what were you doing all during all this time?
10	Still doing your clearance?
11	BEMILLER: Yes. I was helping traffic control for clearing mud mud debris.
12	Once I heard that the vehicle crashed and then we heard that the suspect was
13	barricaded himself in the vehicle or next to the vehicle, and then they asked for units to
14	help with primary. So, I cleared my scene.
15	MONTENEGRO: And where were you responding from?
16	BEMILLER: I was responding from 170 and Victory offramp.
17	MONTENEGRO: Okay. And so, when you're saying that you heard he TC'd,
18	are you referring to the suspect TC'ing?
19	BEMILLER: Correct.
20	MONTENEGRO: Crashing? Okay. And so, you responded. How long did it
21	take you to respond.
22	BEMILLER: Approximately 20 minutes 15, 20 minutes.
23	MONTENEGRO: Okay. And what is your mindset during all of this. What are
24	you thinking with the information that you have?

Į	bewilder: I'm listening to the radio trying to see if they had any other
2	information. They're putting out that he's still behind his car and not showing his hands
3	The air unit is saying that he keeps going into into his car and they can't see if he has
4	a weapon or not. And so, I'm trying to think of where where to get to first to contact a
5	unit at the scene. They're they were requesting primary. So, I was thinking about
6	where the person could possibly be running to. When I got to the scene, I contacted
7	Officer Rojas. He had a he had a break in place at westbound 101 at Las Virgenes.
8	And so, I asked him if he needed help there. He said he had it at that location, to check
9	up with Sergeant Monteagudo who already went over to the scene. So, I made my way
10	around. I was looking for any other place that he might be able to run off. As I was
11	making my way over, I saw another unit at the at that onramp, Las Virgenes, going to
12	eastbound 101. So, I continued and entered westbound 101 from Lost Hills. I parked
13	my vehicle behind the officers that were dealing with the suspect and on a on a felony
14	stop up in the front
15	MONTENEGRO: Okay. Let me let me stop you. You're saying east and
16	westbound 101? Up until now, it's been north and south. Am I correct?
17	BEMILLER: Sorry, 101 is south designation but it actually runs east and west.
18	So,
9	MONTENEGRO: Okay. So, we're you looking at that? Is that correct?. Okay.
20	So, I'm going to show you a diagram here of the incident scene. Is your car in here?
21	BEMILLER: No.
22	MONTENEGRO: Okay. So, when you when you come up and you're trying to
23	figure out where to go, where do you end up going?

1	BEMILLER: I park behind all the other vehicles. I see that there's a civilian
2	vehicle pretty close behind. So, I park in front of them near the one and two lane
3	MONTENEGRO: Okay.
4	BEMILLER: to kind of shield them.
5	MONTENEGRO: So, you're north of the initial units that responded or that were
6	pursing and in between the civilian traffic and the marked units.
7	BEMILLER: Correct.
8	MONTENEGRO: And you're in a marked unit.
9	BEMILLER: Correct.
10	MONTENEGRO: Correct:? Okay. And you're in the you said one to two lane?
11	BEMILLER: Correct.
12	MONTENEGRO: Okay. So, if you can just kind of put like an "X" on here
13	approximately where you think you might be.
14	BEMILLER: Uh-huh. It'd be
15	MONTENEGRO: Or initials.
16	BEMILLER: Stops me
17	MONTENEGRO: Right here?
18	BEMILLER: back here a little bit more.
19	MONTENEGRO: Okay. Okay. And then what happened next?
20	BEMILLER: I exited my vehicle. I pull out the AR-15, charged a round, slung it,
21	made sure it was on safe. I when I exited the vehicle, I heard the officers to the front
22	telling the subject to show us your hands and giving different commands to the to the
23	subject. I
24	MONTENEGRO: Did you hear the suspect responding at all?

- 1 BEMILLER: I couldn't hear him.
- 2 MONTENEGRO: Okay.
- 3 BEMILLER: So, I went back behind my vehicle and I -- I located Sergeant
- 4 Monteagudo. I asked him where -- where did you want me? And he said, "Go help
- 5 them out with the -- with the suspect." So, I made contact with the officer for this, well,
- 6 according to this diagram -- for this west, but it's further south.
- 7 MONTENEGRO: Okay.
- 8 BEMILLER: And who is standing in the "V" of the driver's side of the second
- 9 vehicle from the right.
- MONTENEGRO: Okay. So, you're saying the "V." You're talking like the door
- 11 pocket --
- 12 BEMILLER: Yes.
- MONTENEGRO: -- of his driver's side door?
- 14 BEMILLER: Yes.
- MONTENEGRO: Okay. Do you remember what officer that was?
- 16 BEMILLER: I don't know his name; no.
- 17 MONTENEGRO: Okay.
- 18 BEMILLER: And I let them know I was there to help and I asked him where --
- where did he need me? He just said, "On the other side." So, I moved to the other side
- and I positioned myself into the "V" of the passenger side.
- 21 MONTENEGRO: Okay. So, the passenger's front door pocket.
- 22 BEMILLER: Yes.
- 23 MONTENEGRO: Okay. And you were there with your AR?
- 24 BEMILLER: Yes, ma'am.



1 MONTENEGRO: Okay. And what could you see and hear there? 2 BEMILLER: I heard the officers to my right giving directions such as show us 3 your hands, come out slowly, we'll end this peacefully, and just continuing along the lines like that. I couldn't hear what the suspect was saying. He was on the other side. 4 5 Other side of the -- of the crashed vehicle. 6 MONTENEGRO: Okay. So, the -- he was on the driver's side of the crashed 7 vehicle? 8 BEMILLER: Yes, he was. 9 MONTENEGRO: Okay. Which is south of where you're at. BEMILLER: Yes. 10 MONTENEGRO: Okay. According to the actual freeway directions. Not the --11 12 or the listed freeway directions. Not the actual --13 BEMILLER: According to this diagram. 14 MONTENEGRO: Okay. 15 BEMILLER: Yes. 16 MONTENEGRO: Okay. BEMILLER: So, he was on the opposite side of the vehicle of me. 17 MONTENEGRO: You couldn't hear him. What was he doing? Could you see? 18 19 BEMILLER: He was pacing back and forth randomly. He was going in and out 20 of the car. He -- he kept looking over and under through the windows and at some 21 point, he would go to the front of the car and sit on the guardrail. He kept looking over. 22 He was like staring at us. I couldn't tell like what he was doing because I could never 23 see his hands. And so, I just prepared --

1	MONTENEGRO: What are you what are you thinking at this time? What are	
2	your concerns?	
3	BEMILLER: My concern was that he had a rifle in the backseat of the car and	
4	he was looking to see how he could just get a pop shot off. Like pull it up and just shoo	
5	and so, it looked like he was staring me down that way.	
6	MONTENEGRO: Okay. And then what happens next?	
7	BEMILLER: They continue to give directions. Telling him to come out. At one	
8	point, Sergeant Monteagudo goes around to each of us and I hear him go around to	
9	several of the officers and them coming to me saying we're we're going to utilize the	
10	less lethal shotgun with the beanbag round if he presents himself. So, if he steps out a	
11	little bit more, they were going to try to utilize the less lethal. I told him I copy and	
12	continued to provide cover and then at one point, I heard less lethal and someone	
13	verbally stating that they're going to use the less lethal gun and then I heard the pop of	
14	the less lethal round.	
15	MONTENEGRO: Okay And then what happens?	
16	BEMILLER: I see the suspect drop behind the car. I see him underneath the	
17	car flailing around, yelling, and then I hear a command to to get him. So, to approach.	
18	MONTENEGRO: You said the suspect was yelling. Was he yelling anything	
19	specific?	
20	BEMILLER: No, just like yelling.	
21	MONTENEGRO: Okay.	
22	BEMILLER: Not not words.	
23	MONTENEGRO: Okay.	

1	BEMILLER: And then so, we're get the command to try to detain him. So, we
2	started approaching and then I hear another officer to the right yelling, "Knife, knife,
3	knife." And then I see the suspect getting up and heading towards the other officers,
4	and then I hear
5	MONTENEGRO: Okay. So, the suspect is where at this point?
6	BEMILLER: He's down
7	MONTENEGRO: Right here.
8	BEMILLER: right here. So, he, after the less lethal round, he dropped. Laid
9	down right here.
10	MONTENEGRO: So, about midway on the south side of the car. The driver's
11	side of the car.
12	BEMILLER: Yes.
13	MONTENEGRO: And he's on the pavement and that's where you saw him
14	flailing around and then he started to get up as you're approaching.
15	BEMILLER: Correct.
16	MONTENEGRO: Okay.
17	BEMILLER: And then we start moving towards the other officers who were
18	approaching from this side.
19	MONTENEGRO: Okay. So, he's moving eastbound towards the rear of his car?
20	BEMILLER: Yes.
21	MONTENEGRO: Okay.
22	BEMILLER: And I hear other officers yelling, knife, knife and then I hear less
23	lethal. So, that indicates to me that another less lethal round is going to be shot. So, I
24	hear the less lethal but then I also hear a couple of other shots.



1	MONTENEGRO: Okay. And did you see with a knife in his hand?
2	BEMILLER: I did not. I couldn't see his hands from where I was.
3	MONTENEGRO: Okay. And where and you are still over here at the second
4	vehicle in the exit lane; correct?
5	BEMILLER: Yes, well, I I was here. I had to move around the door and
6	approach this way. So, he was moving this way as I was approaching.
7	MONTENEGRO: Okay. So, almost to the 90 degree angle to the rear of his
8	car. Okay. Okay. And so, you hear the other shots go off and then what happens?
9	BEMILLER: We the he went down to the ground. We made contact. Made
10	sure that the scene was safe. The officer that was directed to my to my left rolled the
11	suspect over to make sure that his hands were clear. Then we called for the fire
12	department and finished clearing the car the vehicle.
13	MONTENEGRO: Okay. And was the fire department close by? Did it
14	BEMILLER: Yes.
15	MONTENEGRO: take them long to respond?
16	BEMILLER: Yeah, they were standing by at a further north of our position.
17	MONTENEGRO: Okay. And so, they were they were off staging. So, they
18	responded quickly.
19	BEMILLER: Yes.
20	MONTENEGRO: Okay. And then what happened?
21	BEMILLER: I'm not sure.
22	MONTENEGRO: Did you do anything to secure the seen or anything?
23	BEMILLER: We cleared the vehicle and then I stood by to make sure no one
24	was messing with the items located at the at the scene



1	MONTENEGR	O: Okay
2	DEMILLED:	until Luc

2 BEMILLER: -- until I was direct to -- to come back to the Moorpark office.

3 MONTENEGRO: Okay. And then you came back to the Moorpark office and

waited until you were interviewed that night; correct?

5 BEMILLER: Yes.

6 MONTENEGRO: Okay. And did you ever fire your weapon?

7 BEMILLER: I did not.

8 MONTENEGRO: Anything else?

9 VALENCIA: And when you hear the less lethal and you hear the pop, did you

hear one report of the shotgun? Can you think back how many? Did you hear just the

11 one?

10

18

19

4

12 BEMILLER: I just heard the one.

13 VALENCIA: And how many shots you think you heard -- the second volley?

14 BEMILLER: From what I remember, I heard a less lethal and two other shots.

15 VALENCIA: Two other shots?

16 BEMILLER: Yes.

MONTENEGRO: Okay. When you were -- as this is all going on, did you ever

get any updates about the suspect having a weapon or hear anything about him and a

weapon other than armed and dangerous?

20 BEMILLER: No.

21 MONTENEGRO: No.

VALENCIA: And what vehicle did you have that day?

23 BEMILLER: I had (INAUDIBLE).

24 VALENCIA: (INAUDIBLE.)



- 1 BEMILLER: I don't recall the number.
- 2 VALENCIA: All right. And Mr. Ball, what is your first name?
- 3 BALL: Allyn; A-L-L-Y-N.
- 4 VALENCIA: Allyn. A-L-L-Y-N. And your employee numbers? I'm sorry.
- 5 BALL: 16523. I'm the West Valley CHP representative.
- 6 VALENCIA: Okay.
- 7 MONTENEGRO: All right. We are going to go off recording and let the
- 8 administrative part continue and it is 1248 hours.
- 9 (END OF INTERVIEW.)
- 10 KG/Cron & Associates Transcription, Inc.

1	JANUARY 17, 2019; 1305 HOURS
2	-ooOoo-
3	INTERVIEW OF MICHAEL THROGMORTON (CHP OFFICER)
4 5 6	Taken at Ventura County Sheriff's Department. Interview conducted by Sergeant <b>JOSEPH VALENCIA</b> and Detective <b>AMBER MONTENEGRO</b> , Los Angeles County Sheriff's Department, Homicide Bureau. Case is under File No. 019-00195-2241-013.
7	-00O00-
8	VALENCIA: All right. Today's date is January 17, 2019 at 1305 hours inside an
9	interview room at the Ventura County Sheriff's Department. I'm Joseph Valencia with
10	my partner Amber Montenegro. Sir, your name please?
11	THROGMORTON: First is Michael; M-I-C-H-A-E-L. Last is Throgmorton;
12	T-H-R-O-G-M-O-R-T-O-N.
13	VALENCIA: And how old are you, Michael?
14	THROGMORTON:
15	VALENCIA: You're employee number, please?
16	THROGMORTON: 17973.
17	VALENCIA: And you're out of CHP West Valley?
18	THROGMORTON: Moorpark.
19	VALENCIA: Moorpark CHP.
20	THROGMORTON: Yes.
21	VALENCIA: Excuse me. You went to an academy. What academy did you go
22	to?
23	THROGMORTON: The California Highway Patrol Academy up in Sacramento.
24	VALENCIA: Okay. What academy number?
25	THROGMORTON: CTC 205.



1	VALENCIA: 205. What month did you graduate?
2	THROGMORTON: November.
3	VALENCIA: Of?
4	THROGMORTON: 2005.
5	VALENCIA: 2005.
6	THROGMORTON: Yeah.
7	VALENCIA: Upon your completion of the academy, where were you assigned
8	to?
9	THROGMORTON: Central LA.
10	VALENCIA: Central LA. So, in November of 2005 until?
11	THROGMORTON: Oh, I would say midway through 2006. So, maybe about a
12	year and a half-ish. A year and a half-ish.
13	VALENCIA: So, 2006 you left Central LA.
14	THROGMORTON: I I think so.
15	VALENCIA: Okay.
16	THROGMORTON: Yeah.
17	VALENCIA: And from Central LA you were assigned?
18	THROGMORTON: I came here to Moorpark.
19	VALENCIA: Moorpark CHP.
20	THROGMORTON: And then I was here for three years.
21	VALENCIA: So, 2006 to 2009?
22	THROGMORTON: Yes, and I went to West Valley.
23	VALENCIA: Went to West Valley in 2009?
24	THROGMORTON: Yes, and then I was there for about two and a half years.



1	VALENCIA: So, 2011?
2	THROGMORTON: Yeah.
3	VALENCIA: And from there?
4	THROGMORTON: Back to here.
5	VALENCIA: Back to Moorpark.
6	THROGMORTON: Yep.
7	VALENCIA: So, in 2011 to present, you've been at Moorpark.
8	THROGMORTON: Yes.
9	VALENCIA: On the day of the incident, on the 12th, what unit were you?
10	THROGMORTON:
11	VALENCIA:
12	THROGMORTON: Yes.
13	VALENCIA: One man car?
14	THROGMORTON: Yes.
15	VALENCIA: And your hours for that day were?
16	THROGMORTON: 0530 to 1500.
17	VALENCIA: 0530 to 1500. And, obviously, we talked to you the night of the
18	incident and did a round count. You had a tan CHP uniform with your yellow yellow
19	overs. You remember what vehicle you had that day?
20	THROGMORTON: I believe it was
21	VALENCIA:
22	THROGMORTON:
23	VALENCIA:
24	THROGMORTON:

	4
1	VALENCIA:
2	THROGMORTON:
3	VALENCIA:
4	THROGMORTON: Yeah.
5	VALENCIA: All right. And how do you what weapons are on that car less
6	lethal weapons that are available on that car?
7	THROGMORTON: Well less lethal
8	VALENCIA: (INAUDIBLE.)
9	THROGMORTON: Yes, just the AR and then the shotgun.
10	VALENCIA: AR and shotgun.
11	THROGMORTON: Yeah.
12	VALENCIA: All right. All right. Let me see. Your vehicle is it outfitted with any
13	video recording devices?
14	THROGMORTON: Yes, there's Mvars.
15	VALENCIA: There is? Okay.
16	THROGMORTON: Yes.
17	VALENCIA: There's Mvars on that and what about body worn camera? Do you
18	wear one?
19	THROGMORTON: No.
20	VALENCIA: No body.
21	THROGMORTON: No.
22	VALENCIA: And you've had an opportunity prior to this interview to view the

THROGMORTON: The Mvars yes. My specific one for my car no. 

Mvars video?



1	VALENCIA: Okay.
2	THROGMORTON: It didn't really
3	VALENCIA: Okay.
4	THROGMORTON: other than following the pursuit.
5	VALENCIA: But you've been able to view.
6	THROGMORTON: Yes.
7	VALENCIA: Okay.
8	THROGMORTON: Yes.
9	VALENCIA: Also with you here are your reps and if you want, we'll go around
10	the room name and
11	MARSTON: Scott Marston, ID 20169.
12	CARVER: Russell Carver, 13549.
13	PEZZI: Sergeant Michael Pezzi, 18050.
14	JACOBSEN: Sergeant Timothy Jacobsen, 17050.
15	VALENCIA: And you guys are with the CI CIIT.
16	JACOBSEN: Correct.
17	VALENCIA: Okay. Michael, start on the 12th how you got involved in the
18	incident.
19	THROGMORTON: Okay. See, I was assisting at a crash northbound 23 just
20	south of Wilson. I heard radio traffic come out from the Ventura area of a pursuit.
21	VALENCIA: Uh-huh.
22	THROGMORTON: The SO, the Ventura SO was in pursuit in the area out there
23	following at that time was a stolen vehicle. They requested CHP to get into position.



The Ventura units -- the two Ventura guys who were here they got in position and they

1 got into the pursuit. They took over the pursuit. We're monitoring the traffic as they

- 2 started to proceed southbound on the 101.
- 3 VALENCIA: Uh-huh.
- THROGMORTON: At that time, dispatch requested my 10-20, where I was at, and if I could get into position for it. At that time, I left the -- the traffic collision scene there at Olson and proceeded southbound on the 23 and took the northbound 101, exited off Lynn and stationed myself Lynn onto the southbound waiting for the pursuit to come my direction. As the pursuit came towards me, just north of my location, I pulled out, proceeded to accelerte as the vehicle passed and pulled behind him in the primary's position. We proceeded southbound on the 101 in the number one lane and
- VALENCIA: Okay. So, just so I got it right. You're on a crash scene. You heard over your dispatch CHP that Ventura County sheriffs were involved in a pursuit.

  Did they tell you what they were pursing it over? You said a stolen vehicle.

the center divide at sometimes. The speed's fluctuating anywhere between I'd say 80

16 THROGMORTON: Yes.

and excess of 100 miles an hour.

11

- 17 VALENCIA: Did you hear any other updates during or while you were 18 monitoring that traffic?
- 19 THROGMORTON: Updates as far as?
- VALENCIA: What the suspect was wanted for or anything about the suspect?
- 21 THROGMORTON: At that moment, no.
- 22 VALENCIA: Okay.

1	THROGMORTON: I do remember recall at one time when one of the Ventura
2	units as they were behind the the suspect were say that he was driving the car and
3	striking himself.
4	VALENCIA: Okay. So, the Ventura CHP just
5	THROGMORTON: Yes.
6	VALENCIA: relayed that while he's driving he's striking himself.
7	THROGMORTON: Yes.
8	VALENCIA: You found that kind of odd?
9	THROGMORTON: Yes, absolutely. Yeah.
10	VALENCIA: Okay.
11	THROGMORTON: And it wasn't until I got into the pursuit and then Brian got
12	into the pursuit behind me that they came out with the traffic that the suspect was on
13	parole,
14	VALENCIA: Uh-huh.
15	THROGMORTON: no bail warrant
16	VALENCIA: Uh-huh.
17	THROGMORTON: and then possibly armed and dangerous.
18	VALENCIA: When you heard that, what did you think? That he was possibly
19	armed and dangerous.
20	THROGMORTON: Well, I mean I mean, obviously, it heightens the situation
21	even more than is normal I guess you could say.
22	VALENCIA: That coupled with the way he's acting?
23	THROGMORTON: Yes. I mean, obviously, a non-rational person is going to be



punching himself as he's driving down the roadway from (INAUDIBLE).

- 1 VALENCIA: Okay.
- 2 THROGMORTON: You know? So, you take that into consideration and then
- 3 the fact that he's wanted and -- and possibly, you know, armed and dangerous.
- 4 VALENCIA: Uh-huh.
- 5 THROGMORTON: That's also another, you know, thing to take into
- 6 consideration as well. So, at that point, instead of 10-22ing, the other two units from
- 7 Ventura, Brian said to keep them in.
- 8 VALENCIA: Brian being?
- 9 THROGMORTON: Brian Green.
- 10 VALENCIA: Officer Green. Okay.
- 11 THROGMORTON: Yeah. And then we proceeded southbound on the 101.
- 12 VALENCIA: You said that there were moments where he was driving on the
- 13 shoulder of the roadway --
- 14 THROGMORTON: Yeah.
- 15 VALENCIA: -- or the highway?
- 16 THROGMORTON: Yes.
- 17 VALENCIA: In excess of 100 miles an hour or so or close to?
- 18 THROGMORTON: Yes. Yes.
- 19 VALENCIA: When -- when someone's driving on the shoulder and they're
- 20 driving that fast, what are you thinking?
- 21 THROGMORTON: Well, I mean, obviously, they're, you know, it's an attempt to
- 22 evade --
- 23 VALENCIA: Right.

- 1 THROGMORTON: -- because they're driving around traffic to pour into the 2 center divide. 3 VALENCIA: Right. 4 THROGMORTON: But any rational person for one wouldn't be evading. VALENCIA: Right. 5 6 THROGMORTON: For two, I mean, they're not going to be traveling in excess 7 of 100 miles an hour going around traffic in the center divide. 8 VALENCIA: Right. 9 THROGMORTON: So, again, I mean, that's all the stuff that you're thinking in 10 your mind is --11 VALENCIA: This guy seems extreme. 12 THROGMORTON: Yes, Yeah. 13 VALENCIA: Okay. So, go ahead. 14 THROGMORTON: So, do you want me to continue with the pursuit? 15 VALENCIA: Yeah. 16 THROGMORTON: Okay. So, as -- as we're proceeding southbound on the 17 101, we go into West Valley's area which passed the county line -- LA County line. 18 VALENCIA: Uh-huh. 19 THROGMORTON: Pass Lindero then Adobe. As we're going southbound, the 20 rain starts picking up a little bit more.
- 21 VALENCIA: Uh-huh.
- 22 THROGMORTON: Traffic started to get a little bit heavier than it was.
- 23 VALENCIA: Uh-huh.

1 THROGMORTON: So, it's -- it was fairly light before. Now, there's a few more

2 cars out on the road. As we start going, Officer Green -- Brian Green -- he requested

3 West Valley to get into position. They say, "No, we're not going to get the pursuit." We

continue southbound. As we're coming up on Lost Hills, the rain's getting really heavy.

5 VALENCIA: Uh-huh.

6 THROGMORTON: Traffic's getting heavier. At that time, Brian 10-22's the

7 pursuit. The Ventura units, Brian, and myself turn off our lights. Ventura units go over

8 the radio, "10-22." As soon as I get on the radio, I say, "10-22." I could see the

9 individual in front me. As I'm slowing down, we're coming up on Las Virgenes, he

10 glances -- I could see him glance at his mirror to see us --

11 VALENCIA: Uh-huh.

12 THROGMORTON: -- and then in my mind I'm thinking he's trying to get off Las

13 Virgenes --

16

4

14 VALENCIA: Uh-huh.

15 THROGMORTON: -- but he just has to just go from the one lane just jerks to

the right in an effort to get off but because of the roadway he loses it. Goes over just

17 punches it right into the guardrail.

18 VALENCIA: So, right as you 10-22 -- as you cancel the pursuit, or you got the

19 word to cancel the pursuit --

20 THROGMORTON: Yes.

21 VALENCIA: -- it appears to him like he's trying to turn -- a hard turn to get off

22 Las Virgenes?

23 THROGMORTON: Yes.

24 VALENCIA: And where he loses control of his car.

- 1 THROGMORTON: Yes.
- 2 VALENCIA: And strikes the I guess the west median.
- 3 THROGMORTON: Yeah. Yes.
- 4 VALENCIA: Okay.
- 5 MONTENEGRO: And you say you saw him look in the mirror at you?
- 6 THROGMORTON: Yes. Yeah, it appeared that he glanced up and then after he
- 7 glanced up, it was just right to the right.
- 8 VALENCIA: And you were the first car behind him --
- 9 THROGMORTON: Yes.
- 10 VALENCIA: -- at that point?
- 11 THROGMORTON: Yes.
- 12 VALENCIA: Okay. So, he crashes into the west guardrail. What happens?
- 13 THROGMORTON: So, he crashes. Brian Green puts out that he just TC'd. I
- 14 can't stop quick enough. So, as I'm slowing, I'm passing him and I look over my
- shoulder and it's almost instantaneous it seemed like. As soon as he crashed, I mean,
- 16 he jumped out of that car so fast.
- 17 VALENCIA: Uh-huh.
- 18 THROGMORTON: So, he jumped out and he jumped -- it looked like he was
- 19 jumping over the guardrail.
- 20 VALENCIA: Uh-huh.
- 21 THROGMORTON: So, I thought he was going take foot bail.
- 22 VALENCIA: Uh-huh.
- 23 THROGMORTON: So, I proceed off Las Virgenes. I exit off. I go down to
- 24 Agoura Road. I make that right and then I pull into the shopping center and then I see I

1 can't -- there's no access from where the shopping center is. So, I pull out of there and I

- 2 go around to where the building is where the vehicle had crashed next to --
- 3 VALENCIA: Uh-huh.
- 4 THROGMORTON: -- and as I come up there, I see him back up there again.
- 5 VALENCIA: Okay.
- 6 THROGMORTON: So, I came back around and I positioned down there just in
- 7 case if he was to take foot bail down there I would have access to be able to get there in
- 8 time. You know? Knowing there's -- there's a shopping center there and there's a lot of
- 9 people there and -- but he's possibly armed or dangerous.
- 10 VALENCIA: Uh-huh.
- 11 THROGMORTON: If he's going to go in that direction I want to be able to -- to
- be there in time to intervene in case something else happens.
- 13 VALENCIA: Okay. So, basically, you're -- you're south or west in -- in the
- 14 industrial area --
- 15 THROGMORTON: Yes.
- 16 VALENCIA: -- to -- to the west of him.
- 17 THROGMORTON: Yes.
- 18 VALENCIA: Okay. So, when you position yourself there, what happens?
- 19 THROGMORTON: So, at -- at that point as I'm positioned there from my
- 20 location, I can't see him completely; however, I can see him ducking in and out of
- 21 windows.
- 22 VALENCIA: Of his car?
- 23 THROGMORTON: Yes.
- 24 VALENCIA: Okay.

1	THROGMORTON: So, at that time, he's he's already out of the car and he's
2	on he's on the far side of it. And so, I can see him as he's looking through the
3	windows and he's up and down bobbing up and down. In my mind, it would seem as
4	if somebody was looking for an advantage. You know? Not not somebody who's just
5	going to be randomly standing there, but he looks like he's trying to, you know, peek up
6	and come back down, peek up and come back down, and see where everyone's at
7	without fully exposing himself.
8	VALENCIA: He thought you you said he was on the south side of the car
9	looking north?
10	THROGMORTON: Yeah. So, he's on yes. So, he'd be on the side, yes,
11	looking north.
12	VALENCIA: And you believe based on his movements of ducking up and down
13	looking through the windows that he was trying to obtain a tactical tactical advantage
14	over you guys?
15	THROGMORTON: That's that's what it appeared like from where I was at and
16	on occasions, he would come to the front of the vehicle where I was at and he would
17	look down
18	VALENCIA: Uh-huh.
19	THROGMORTON: and it's like he'll see me down there and then he'd go back
20	to doing what he was doing.
21	VALENCIA: Uh-huh.
22	THROGMORTON: And sometimes he'd come back again and look down.
23	VALENCIA: Uh-huh.



THROGMORTON: I don't know if -- if he was looking to see if I was still there --

- 1 VALENCIA: Uh-huh.
- 2 THROGMORTON: -- or what, but he would -- he would come back occasionally
- 3 and do that.
- 4 VALENCIA: Okay. How long did that -- that type of interaction last?
- 5 THROGMORTON: I mean, that -- that essentially lasted, obviously, the duration
- 6 that -- that we were there.
- 7 VALENCIA: He barricaded himself behind a car?
- 8 THROGMORTON: Yes.
- 9 VALENCIA: During that part where he barricaded, he appeared -- he -- he was
- 10 looking up and down finding different spots behind his car to look at you guys. Was --
- 11 did you hear anyone giving any orders to him?
- 12 THROGMORTON: Yeah. I could the officers up top. It sounded like Brian
- 13 Green --
- 14 VALENCIA: Uh-huh.
- 15 THROGMORTON: -- was giving him orders, "Hey, you know, just come on out."
- 16 VALENCIA: Uh-huh.
- 17 THROGMORTON: "We don't want to hurt you. Just -- just come on out of
- 18 there."
- 19 VALENCIA: Correct.
- 20 THROGMORTON: You know? And -- and on occasions, I could hear
- 21 somewhat of a response from him --
- 22 VALENCIA: Uh-huh.
- 23 THROGMORTON: -- and it was usually, you know, profanity. "Hey, fuck you."
- 24 VALENCIA: What'd he say?

- 1 THROGMORTON: "Fuck you. I'm not coming out."
- 2 VALENCIA: Okay.
- 3 THROGMORTON: At one point I believe it was Green got on the radio and said
- 4 that, "Hey, you know, he said if was coming out. He was coming out shooting."
- 5 VALENCIA: Okay. Did you hear him? Did you hear the suspect say that?
- 6 THROGMORTON: I -- I -- I don't recall.
- 7 VALENCIA: Okay. But just relayed to you over the --
- 8 THROGMORTON: Yes.
- 9 VALENCIA: -- dispatch.
- 10 THROGMORTON: Over -- over the radio. Yes.
- 11 VALENCIA: Okay.
- 12 THROGMORTON: And, I mean, it was pretty much just -- just a back and forth
- 13 ---
- 14 VALENCIA: Okay.
- 15 THROGMORTON: -- for a while. I mean, they were constantly trying to coax
- 16 him out of there. "Hey, come on out. Come on out. We don't want to hurt you. Come
- on out. Come on out. We don't want to hurt you." And then Brian Green got on there
- and he requested a K-9 unit.
- 19 VALENCIA: Uh-huh.
- 20 THROGMORTON: Which they said, "There's none in the in area. No one's
- 21 coming out." Requested SWAT to come out there. They said, "No, they're not coming
- 22 out."
- 23 VALENCIA: Uh-huh.

1	THROGMORTON: We had the helicopter overhead. I believe they were getting
2	low on fuel
3	VALENCIA: Uh-huh.
4	THROGMORTON: and they're getting ready to leave and then so, they were
5	trying to get LAPD out there helicopter. They weren't going to come out and then
6	think at that point, is when they they kind of I can't speak for for them
7	VALENCIA: Right.
8	THROGMORTON: to their actions.
9	VALENCIA: Yeah, just just what you know.
10	THROGMORTON: I think at a certain time you got to do something.
11	VALENCIA: Right.
12	THROGMORTON: You know?
13	VALENCIA: So, what was the next thing you saw?
14	THROGMORTON: At that point, you know, after a significant amount of time,
15	we're trying to coax him out of there, I heard, you know, "Less lethal."
16	VALENCIA: So, someone yelled verbalized less lethal.
17	THROGMORTON: Yes.
18	VALENCIA: Okay.
19	THROGMORTON: Yeah, and then I heard
20	UNKNOWN MALE: Just standard "jag." Prior to that, you heard it on the radio
21	that they were talking about using less lethal before.
22	THROGMORTON: Yes

UNKNOWN MALE: Then you got close to the incident; correct?

- 1 THROGMORTON: Yes. Yeah. That was always that option. Yeah, and so,
- 2 when it did get to that point, I did hear somebody up there verbalize, you know, less
- 3 lethal.
- 4 VALENCIA: Uh-huh.
- 5 THROGMORTON: And then I heard less lethal go off and then I don't recall if it
- 6 was one or two shots of less lethal. I just remember it going off and then it sounded like
- 7 at point people were moving forward.
- 8 VALENCIA: Uh-huh.
- 9 THROGMORTON: And then as you're moving forward, I heard somebody say,
- 10 "He's got a knife. There's a knife. There's a knife." And then after that, it sounded like
- 11 there were shots fired after that.
- 12 VALENCIA: So, you weren't able to see it. This is just everything you can hear.
- 13 THROGMORTON: This is just stuff I could hear.
- 14 VALENCIA: And people are, obviously, not talking like you and I right now.
- 15 THROGMORTON: Yes.
- 16 VALENCIA: It's heightened.
- 17 THROGMORTON: Yes.
- 18 VALENCIA: They're yelling.
- 19 THROGMORTON: Yes.
- 20 VALENCIA: (INAUDIBLE) happen. Okay.
- 21 THROGMORTON: So, from my position, I -- I could kind of see some people
- 22 leaving their positions from their cars --
- VALENCIA: Uh-huh.

1 THROGMORTON: -- but as far as the interaction up top, it was all blocked by 2 the -- the vehicle up there. 3 VALENCIA: Just one thing. You heard less lethal. You said you heard one 4 maybe two but you didn't know how many --5 THROGMORTON: Yes. 6 VALENCIA: -- less lethal shots? 7 THROGMORTON: Yes. 8 VALENCIA: Could have been two? 9 THROGMORTON: I -- I -- I couldn't tell you. 10 VALENCIA: Okay. 11 THROGMORTON: Yeah. 12 VALENCIA: All right. And then moments later you heard another engagement? 13 THROGMORTON: Yes. 14 VALENCIA: Do you know how many rounds? 15 THROGMORTON: Maybe three of four rounds. 16 VALENCIA: Okay. 17 THROGMORTON: Yeah. 18 VALENCIA: After that --19 THROGMORTON: After that --20 VALENCIA: -- what -- what do you do? 21 THROGMORTON: After that I heard I believe it was Brian Green up there was 22 calling for fire.

23

VALENCIA: Okay.

1 THROGMORTON: Because there was two fire -- fire trucks a ways back in 2 traffic. 3 VALENCIA: Uh-huh. 4 THROGMORTON: He was calling for fire to get up there to perform medical aid. 5 VALENCIA: Okay. 6 VALENCIA: And you stay there the whole time after that --7 THROGMORTON: Once -- once the shots were fired and the suspect 8 went down, at that point I left my position --9 VALENCIA: Uh-huh. THROGMORTON: -- and I went back up top and by the time I got there, fire 10 11 was up there --12 VALENCIA: Uh-huh. 13 THROGMORTON: -- and he was already -- he was ready covered up by the 14 time I got up there. 15 VALENCIA: Okay. 16 MONTENEGRO: While you were -- while you were down there and you see him 17 walking back and forth, peeking out, and checking out, you know, the different officers 18 and positions, were you able to see his hands or his body -- what he was doing? 19 THROGMORTON: For most of the time, because he's behind the -- I would say 20 the -- the A pillar of the car. So, the front pillar and back he spent most of his time over 21 there. So, as far as seeing a lot of his body, I didn't really see a whole lot until he would 22 come to the front. Even when he came to the front, his hands were some -- somewhat

low. So, I couldn't really see his hands from my position that much.

- 20 1 MONTENEGRO: So, would it be fair to say from your position, you could see 2 what maybe chest up or --3 THROGMORTON: Yeah. I -- I would say maybe mid-chest, maybe belly button 4 and up from there. 5 MONTENEGRO: And so, you never -- you are never really able to see his 6 hands or --7 THROGMORTON: On occasions he would kind of flail about, you know, as he's 8 talking and I could see the hands. I couldn't -- I couldn't tell you which hand it was. Left 9 or right I don't know. 10 MONTENEGRO: Okay. 11 THROGMORTON: But there was one hand I could see from time to time and
- 13 MONTENEGRO: Okay.

14 THROGMORTON: -- speak.

flailing around as he would --

- 15 MONTENEGRO: And you heard them say that he was going to come out 16 shooting, but you didn't hear him say anything.
- 17 THROGMORTON: As far as that, from my position, no. At that moment, I -- I 18 didn't -- I didn't hear him say that but there were times when I -- I did him respond to the 19 officers up there as far as, you know, not coming out. Fuck you, this and that and all 20 that.
- 21 MONTENEGRO: After that first volley of shots, were you able to see the 22 suspect?
- 23 THROGMORTON: No.
- 24 MONTENEGRO: No.

1	THROGMORTON: No, because he fell. Where he was at he was behind the
2	car and from
3	MONTENEGRO: Uh-huh.
4	THROGMORTON: my my location I couldn't see
5	MONTENEGRO: Okay.
6	THROGMORTON: where he was at.
7	MONTENEGRO: And did you ever see him get back up or start to move after
8	that?
9	THROGMORTON: I did not.
10	MONTENEGRO: From there you couldn't see really see
11	THROGMORTON: No.
12	MONTENEGRO: anything.
13	THROGMORTON: Yep. I couldn't see anything.
14	UNKNOWN MALE: One of the the other things in estimating how far you were
15	below the grade of the freeway. How how low do you think you were?
16	THROGMORTON: I would say that the difference there is probably 10 feet
17	maybe give or take.
18	UNKNOWN MALE: Just to the bot just to the roadway.
19	THROGMORTON: Yeah.
20	UNKNOWN MALE: And then to, you know, the car and
21	THROGMORTON: Yes.
22	UNKNOWN MALE: guardrail everything
23	THROGMORTON: Yeah.
24	UNKNOWN MALE: above that.

- 1 THROGMORTON: Yeah, I would say probably about five, 10 feet or so.
- 2 UNKNOWN MALE: Okay.
- 3 THROGMORTON: Yeah.
- 4 VALENCIA: I'm good.
- 5 UNKNOWN MALE: Okay. Yeah, we're good. We got some additional
- 6 questions, but we'll step out and we'll -- if you need a break.
- 7 VALENCIA: No. He's in a hurry. We're going to go off tape.
- 8 MONTENEGRO: 1324.
- 9 THROGMORTON: I got to go pick up my kid here.
- 10 (END OF INTERVIEW.)
- 11 KG/Cron & Associates Transcription, Inc.

ı	JANUART 17, 2019
2	-ooOoo-
3	INTERVIEW OF WERNER PINEDA
4 5 6	Interview conducted by Investigators Amber <b>MONTENEGRO</b> and Joseph <b>VALENCIA</b> Los Angeles County Sheriff's Department, Homicide Bureau. Case is under File No 019-00195-2241-013.
7	-ooOoo-
8	MONTENEGRO: All right. The date is January 17, 2019. The time is 1344
9	hours. Detective Amber Montenegro. Los Angeles County Sheriff's Departmen
10	Homicide Bureau. Along with my partner, Sergeant Joseph Valencia. We are
11	interviewing
12	PINEDA: Werner Pineda.
13	MONTENEGRO: Werner. And
14	PINEDA: Yes.
15	MONTENEGRO: W-E-R-N-E-R?
16	PINEDA: That's correct, ma'am.
17	MONTENEGRO: Do you have a middle name?
18	PINEDA: Raul, R-A-U-L. Last of
19	MONTENEGRO: Okay.
20	PINEDA: Pineda, P-I-N-E-D-A.
21	MONTENEGRO: Okay. And along with Werner is his advocate, Officer
22	BALL: Allyn Ball. Allyn is spelled A-L-L-Y-N. Serial 16523.
23	MONTENEGRO: Okay. And our second advocate?
24	MARDEN: Scott Marsden, M-A-R-S-D-E-N. I.D. 20169.
25	MONTENEGRO: And with the Critical Incident Investigation Team is



1	FORD: Lieutenant Denis Ford, D-E-N-I-S F-O-R-D. I.D. 13802.
2	MONTENEGRO: And
3	JACOBSON: Sergeant Timothy Jacobson. I.D. 17050.
4	MONTENEGRO: Okay. And, Werner, what is your employee number?
5	<b>PINEDA:</b> My I.D. is 20296.
6	MONTENEGRO: 20296.
7	PINEDA: Yes, ma'am.
8	MONTENEGRO: And how old are you?
9	PINEDA: I am
10	MONTENEGRO: And you were hired with the CHP when?
11	PINEDA: In April of 2010.
12	MONTENEGRO: And you went to what academy class?
13	PINEDA: I went through, I, I graduated with the academy of the class of 410.
14	MONTENEGRO: Okay. So that was your graduation date of April?
15	PINEDA: Graduation date was April of 2011.
16	MONTENEGRO: Oh, April '11.
17	PINEDA: Yes.
18	MONTENEGRO: So it's a yearlong academy?
19	PINEDA: No, ma'am. I was actually injured on my first academy.
20	MONTENEGRO: Okay. So April 2011 graduated?
21	PINEDA: Yes.
22	MONTENEGRO: And from there where were you assigned?
23	PINEDA: To the West Valley CHP area office.
24	MONTENEGRO: Okay. And is that where you're currently assigned?



1	PINEDA: Yes, ma'am.
2	MONTENEGRO: Okay. And prior to joining the CHP did you have any prior law
3	enforcement experience?
4	PINEDA: No.
5	MONTENEGRO: Okay. And on the night of the incident what shift were you
6	working?
7	PINEDA: I was working the A watch. The morning shift.
8	MONTENEGRO: Okay. And do you know what unit you were assigned?
9	PINEDA: Yes. I was assigned
10	MONTENEGRO: And do you remember is it a one or two person
11	assignment?
12	PINEDA: It's a one, one officer unit.
13	MONTENEGRO: Okay. And what were your hours that day?
14	PINEDA: Morning shift starts at 0530 hours to 1400 hours.
15	MONTENEGRO: Okay. And you're part of the West Valley CHP office?
16	PINEDA: Yes, ma'am.
17	MONTENEGRO: Okay. And prior to your shift did you get a decent night sleep?
18	PINEDA: Yes.
19	MONTENEGRO: And how many hours would you say you got?
20	PINEDA: Approximately seven.
21	MONTENEGRO: And is that typical?
22	PINEDA: Yes, ma'am.



1	MONTENEGRO: Okay. And we went over your, previously went over your
2	uniform that you were wearing on that night and your equipment on your body. What
3	about your vehicle? What vehicle were you in?
4	PINEDA: I was in a, a Dodge Charger.
5	MONTENEGRO: Okay.
6	PINEDA: Vehicle actually. That's my assigned vehicle.
7	MONTENEGRO: I'm sorry. Repeat that.
8	PINEDA: Plate number
9	MONTENEGRO: 460. Okay. And within that vehicle what weapons do you
10	have available to you?
11	PINEDA: I have two long guns. One assault rifle. AR-Sig and a 870 shotgun.
12	Remington shotgun.
13	MONTENEGRO: Okay. Any less lethal?
14	PINEDA: And I, I did have less lethal with me.
15	MONTENEGRO: Okay. And what kind of less lethal?
16	PINEDA: It's a, it's an 870 as well
17	MONTENEGRO: Okay.
18	PINEDA: with, you know
19	MONTENEGRO: So a shotgun that you can
20	PINEDA: The shotgun with the
21	MONTENEGRO: put a beanbag on?
22	PINEDA: Yes.
23	MONTENEGRO: Okay.
24	PINEDA: And it's, you know. It's easily identifiable with its orange outer

1	MONTENEGRO: Okay. And your vehicle does it have a dash cam?
2	PINEDA: It has an MVARS unit. Yes.
3	MONTENEGRO: Okay. And what about on your body? Did you have a body
4	cam or an audio recording on your person?
5	PINEDA: I had an audio microphone
6	MONTENEGRO: Okay.
7	PINEDA: for the unit itself. Yes.
8	MONTENEGRO: For the vehicle or for you?
9	PINEDA: For the MVARS unit.
10	MONTENEGRO: Oh, with the MVARS.
11	PINEDA: Yes.
12	MONTENEGRO: Okay. Okay. All right. Take you back to January 12th, the day
13	of this incident. What is the first thing that drew your attention to, to it and how do, how
14	did you get involved?
15	PINEDA: It, it was a radio broadcast of a pursuit coming into the, to our area of
16	operation from the Ventura area.
17	MONTENEGRO: Okay. And what information was put out regarding the pursuit
18	and who they were pursuing?
19	PINEDA: I believe it was broadcasted as a stolen vehicle and I believe they put
20	out just high speed, high speeds using, utilizing the left shoulder of the, of the freeway.
21	MONTENEGRO: Okay. And who was in pursuit?
22	PINEDA: I believe it was Ventura Sheriff's deputies.
23	MONTENEGRO: Okay.
24	PINEDA: That's, that's how I, I took it, that when it first was broadcasted.

1	MONTENEGRO: Okay. You say when it was first broadcast
2	PINEDA: Uh-huh.
3	MONTENEGRO: what about after the initial broadcast? Did that change?
4	PINEDA: I believe they were I found out that it was, that CHP was involved at
5	a later time.
6	MONTENEGRO: Okay. And were they saying anything else about the, the
7	suspect or
8	PINEDA: Yes. Well, it was, they broadcast that the suspect was a parolee who
9	is known to be armed and dangerous and I believe that it, it initiated with, with a
10	domestic violence call. A DV call.
11	MONTENEGRO: Okay. And did you end up getting involved with this incident?
12	PINEDA: Since it's common practice to try to utilize the less lethal shotgun, you
13	know, and at times the, you know, or for incidents like this I, I was, I broadcasted that I
14	was en route to, to the area. That I would be en route with the less lethal.
15	MONTENEGRO: Okay. So were they requesting less lethal or requesting
16	assistance? What
17	PINEDA: Not at the time.
18	MONTENEGRO: what got you involved?
19	PINEDA: They were, they were requesting that we get involved initially. Our
20	area. Just
21	MONTENEGRO: So the West Valley?
22	PINEDA: The West Valley area initially.
23	MONTENEGRO: Okay.



1	PINEDA: So, you know, I, I, I was actually in the, in the Porter Ranch area at the
2	time that the, that the call was, was broadcasted. And prior to, to it getting 10-
3	22'd, you know, I had, I had left the, Porter Ranch Park and where I was, you know,
4	actually writing reports at the time.
5	MONTENEGRO: Okay. And so you responded and
6	PINEDA: Yes.
7	MONTENEGRO: and what happened?
8	PINEDA: At the time of my arrival, I believe, on the, on the eastbound side of the
9	101 there was already a felony stop taking place with, at, at the time I didn't know, you
10	know, there was multiple CHP units and Ventura S.O. as well.
11	MONTENEGRO: Okay.
12	PINEDA: When I got there, there was my sergeant who was, who was there
13	along with another CHP unit who were, who had stopped traffic on the westbound side
14	just east of Las Virgenes, I believe.
15	MONTENEGRO: Okay. So what did you see as far as what was taking place
16	right there?
17	PINEDA: Um, we were
18	MONTENEGRO: And you know what. That's you're saying east and west and
19	I know the actual freeway direction is different than what's
20	PINEDA: It
21	MONTENEGRO: the freeway is labeled as.
22	PINEDA: True compass is east and west there at, at those locations, but yes.
23	It's, it's, it's referred to as north and south.

MONTENEGRO: Okay.

- 1 **PINEDA:** Yes.
- 2 MONTENEGRO: So like according to this diagram north being, with, is the
- 3 actual what?
- 4 **PINEDA:** Oh, okay.
- 5 **MONTENEGRO**: Is east?
- 6 **PINEDA**: So --
- 7 **MONTENEGRO**: West?
- 8 **PINEDA:** Yeah. So this would be north. This, this direction would be north true.
- 9 And -- yeah. So I arrived, I arrived here from, from the south side. If you want to go by
- 10 this diagram.
- 11 **MONTENEGRO:** Okay. So we're going by the di, diagram.
- 12 **PINEDA**: Yeah.
- 13 **MONTENEGRO:** You came southbound --
- 14 **PINEDA:** Correct.
- 15 MONTENEGRO: -- on the 101. And so you were on the opposite side of the
- 16 freeway?
- 17 PINEDA: I came northbound. I'm sorry, ma'am. I, I came -- I was going
- 18 northbound and the pursuit where it was taking place the, the felony stop was taking
- 19 place on the southbound side.
- 20 MONTENEGRO: Okay. So as you were driving northbound you could see the
- 21 traffic stopped on the --
- 22 **PINEDA:** On the southbound side.
- 23 **MONTENEGRO:** -- on the southbound side.
- 24 **PINEDA:** Yes, ma'am.

- 1 MONTENEGRO: Okay. And what did you do?
- 2 PINEDA: I -- so my sergeant and the other CHP officer were out of their
- 3 vehicles, you know. They, they had traffic stopped and my sergeant knew that I had the
- 4 less lethal with me. I, I proceeded to get out of the car and shortly after there was, it
- 5 was broadcasted that units at the felony stop were requesting, I believe, SWAT, K-9,
- 6 and if anybody had a, a less lethal with them.
- 7 **MONTENEGRO:** Okay.
- 8 PINEDA: At that time my sergeant and I left the, left that area and proceeded to
- 9 go around. We went the wrong way on the, on the onramp from Las Virgenes onto
- 10 northbound 101.
- 11 **MONTENEGRO:** Okay.
- 12 PINEDA: And took Agoura Road to Lost Hills and came, came through, came
- from the north end of the, of the termination point.
- 14 **MONTENEGRO:** Okay. So --
- 15 **PINEDA:** So we went around and came back --
- 16 **MONTENEGRO:** Okay.
- 17 **PINEDA:** -- over here.
- 18 MONTENEGRO: Okay. So then you, you ended up coming back north of the
- vehicles that were already doing the traffic stop?
- 20 **PINEDA:** Yes, ma'am.
- 21 MONTENEGRO: Okay. And when you arrived what, where did you position
- 22 yourself and what did you do?

1	PINEDA: It was heavy traffic. At that point, I believe, Fire, there was a couple of
2	Fire vehicles already on scene staged. I was, parked my vehicle, I think in the No. 4
3	lane next to the shoulder behind the, the felony stop itself.
4	MONTENEGRO: Okay. And what did you do?
5	PINEDA: I, I proceeded to, to, to get the less lethal to the personnel. A few CHP
6	officers that were there. I, I announced that I had, that less lethal was 97. I had less
7	lethal with me. And I went, I went around to the sheriff's deputies as well that were it
8	was two of them. There was a sergeant and another deputy.
9	MONTENEGRO: Okay.
10	PINEDA: Positioned here.
11	MONTENEGRO: And you're pointing to the car in the, straddling the 1 and 2
12	lane?
13	PINEDA: The yes, ma'am.
14	MONTENEGRO: Okay.
15	PINEDA: Between the 1 and 2. And I also advised them that, you know, I had, I
16	had less lethal with me.
17	MONTENEGRO: Okay. When you said you initially advised your officers that
18	you had less lethal was that via the radio or each person individually?
19	PINEDA: No. The people that I saw in my immediate area
20	MONTENEGRO: Uh-huh.
21	PINEDA: there was I, I don't recall if there was another officer to my right, but
22	there was at least three officers including the sergeant and the deputy that I, that I let
23	them know, you know, that less lethal was 97.

MONTENEGRO: Okay. And was there a plan developed to use the less lethal?

PINEDA: There was. A few minutes after I positioned -- I first positioned myself
with the, the deputies. I was trying to get a better vantage point. A better, better angle.

3 A better view --

**MONTENEGRO:** Okay.

**PINEDA:** -- of, of the, of the subject who was, you know, just standing and kind of playing, you know, or, you know, just getting in the car, out of the car. Just staying very close to, to the car behind his vehicle. To the left side of his vehicle on the, on the passenger, on the driver's side of it. I finally positioned myself on the right V of the, of the deputy's Tahoe.

**MONTENEGRO**: Okay.

**PINEDA:** And at that point I believe my sergeant came up to me and he, he directed me if, if I had a clear shot of, to take it with the less lethal. Prior to that I know that he had gone around to everybody advising them that there was less lethal 97 and that if the opportunity arose that I would be trying to, I, I would be taking the shot.

MONTENEGRO: Okay. And so what were you, what were you seeing the suspect doing at this point?

**PINEDA:** The suspect the whole time, the whole time that I was there he had his right hand inside of his jacket as if he was holding something and --

**MONTENEGRO**: Okay.

**PINEDA:** -- I could, I remember, I remember he referenced, he made a, one reference that I can remember to "my gun". He said "my gun". And I know other officers were, were there several minutes, a few minutes before I was there a long, you know, it was a long time.

MONTENEGRO: Okay.

1 **PINEDA:** It was, it was a -- before I got there. And they were trying to reason 2 with him. Talk, trying to talk to him. Asking him --3 MONTENEGRO: Okay. I'm sorry. So you're reaching -- when you said in the 4 jacket you put your right hand across your torso into like a, inside chest pocket or your 5 jacket. Is that correct? 6 **PINEDA:** That's correct, ma'am. 7 **MONTENEGRO:** Okay. 8 PINEDA: Yes. 9 **MONTENEGRO:** And then so you heard him say something about his gun? 10 PINEDA: Yes. 11 **MONTENEGRO:** The suspect reference his gun? 12 PINEDA: Yes. 13 MONTENEGRO: And then you heard the officers on the scene advise you that 14 he said something about a gun earlier. Is that what you just said? 15 PINEDA: No. He, I heard the suspect just reference, make reference as to "my 16 gun". 17 **MONTENEGRO:** Okay. 18 PINEDA: Yeah. 19 **MONTENEGRO:** Okay. And so what happened then? 20 PINEDA: After, after a few minutes of him, you know, I mean, we were trying to 21 reason with him. Trying to talk, tell him just put your hands up, come up, come up, 22 come out, you know. We don't want to hurt you. Just, just come out. I saw the 23 opportunity where he, he kind of left his vehicle far enough to where I had a better angle 24

for the shot. I announced my less lethal shot and I took the less lethal shot.

1	MONTENEGRO: Okay. And what happened then?
2	PINEDA: As soon as I took the less lethal shot I saw the, the suspect go down
3	And that's when I broke cover from behind the V of the door and I started making ar
4	approach toward where the suspect was, was down.
5	MONTENEGRO: You're saying "V of the door". You're talking about the
6	passenger, the
7	PINEDA: The right V of the Tahoe for the sheriff's deputies' vehicle.
8	MONTENEGRO: Door pocket?
9	PINEDA: Yes, ma'am.
10	MONTENEGRO: So then you, so you break your cover and you stan
11	approaching?
12	PINEDA: Yes. And the reason I approached is because I had, I had lethal,
13	lethal cover with me as well.
14	MONTENEGRO: Okay.
15	PINEDA: I would never approach without lethal cover.
16	MONTENEGRO: Okay. And what lethal cover did you use?
17	PINEDA: I believe it was, there was, I had the only less lethal in, on scene.
18	MONTENEGRO: Okay.
19	PINEDA: I know there was officers to my right as I approached and there was, I
20	believe it's Officer Green to my left.
21	MONTENEGRO: Okay. So when you're saying you had lethal cover you're
22	talking about other officers with lethal weapons that were
23	PINEDA: Drawn towards the suspect.
24	MONTENEGRO: Okay.



1	PINEDA: Yes.
2	MONTENEGRO: Okay. And so you're approaching and what happens?
3	PINEDA: I noticed the suspect begins to get up. Still the whole time I can never
4	see his right hand. His right hand remained inside of the jacket area around the pocket
5	area.
6	MONTENEGRO: Okay. I
7	PINEDA: As he began to stand up he, he was so, he was flailing. He had an
8	object in his left hand and he was flailing. I heard "knife" and then when I saw the
9	object I called out less lethal again and I took out, I took a second shot.
10	MONTENEGRO: Okay. And then what happened?
11	PINEDA: After I took the second shot I heard, I heard more gunfire.
12	MONTENEGRO: Okay.
13	PINEDA: Yeah.
14	MONTENEGRO: And how many where did you hear the gunfire coming from?
15	PINEDA: I, I believe, I, I just heard the gunfire. It was, it was, it was sort of
16	directed towards, towards the left side of, of me. I remember.
17	MONTENEGRO: Okay.
18	PINEDA: Yeah.
19	MONTENEGRO: So was it the, the suspect shooting? Other officers?
20	PINEDA: It well, it was other officers shooting.
21	MONTENEGRO: Okay.
22	PINEDA: Yes.
23	MONTENEGRO: And how many shots did you hear?
24	PINEDA: I, I don't recall at the time.

1 **MONTENEGRO:** Okay. 2 PINEDA: Yeah. 3 **MONTENEGRO:** And so you hear these shots and then what happens? 4 PINEDA: We, I remember the sergeant saying, you know, to, to try to go hands-5 on, you know. To, you know, go, to try to handcuff the, the suspect. At, at that time, I believe, there was two officers that did go down towards the officer, or down towards 6 7 the suspect. And I don't recall if, I don't think they ever placed handcuffs on him. But, 8 you know, I, I noticed, you know, there was, there was blood coming from the suspect 9 and at that time he wasn't moving. He was immobile and that's when we called for Fire 10 who were staged just north of us. 11 MONTENEGRO: Okay. And did Fire respond immediately? 12 PINEDA: Yes, ma'am. 13 **MONTENEGRO:** Okay. And then what happened? 14 PINEDA: After, after that I, I just remember, you know, obviously, you know, 15 weapon safety for me. I was, I was trying to make a, you know, my, my, my, my less 16 lethal safe. I, I believe I still had a round chambered. I left it chambered, but I just, you know, placed the barrel down. I put the weapon on safe and I believe I just walked 17 18 towards the, the patrol vehicles back towards like the north end --19 **MONTENEGRO:** Okay. 20 **PINEDA:** -- of the, the incident area.

21

22

23

24

MONTENEGRO: Let's go back while we're, before you fire. What was your

mindset? What were you thinking?

PINEDA: Well, I, I never knew what this guy had in his, in his right hand. I never, the whole time that, that I was there on scene I was never able to see his right 1 hand. So I, I didn't know what he was holding. He, he referenced "my gun" so I

- 2 assumed it was a gun.
- 3 **MONTENEGRO**: Okay.
- 4 **PINEDA:** Uh-huh.
- 5 **MONTENEGRO:** So you were concerned he had a gun?
- 6 **PINEDA:** Yes, ma'am.
- 7 **MONTENEGRO:** Okay.
- 8 **PINEDA:** Yes.
- 9 **MONTENEGRO:** Anything else?
- 10 VALENCIA: Hey, do me a favor. Just write like the open door where you fired
- 11 from or where you were at --
- 12 **PINEDA:** Yes.
- 13 **VALENCIA:** -- on here, please.
- 14 PINEDA: So this is the open door. I was standing here. My first shot was from
- 15 here. The suspect was around this area. After my first shot he went down. I broke
- 16 cover.
- 17 **VALENCIA:** Okay. Could you put your initials there?
- 18 **PINEDA:** Yes.
- 19 VALENCIA: Like, like she was saying though about your mindset during this.
- 20 And this, this is coupled because you said that you heard a broadcast that he was
- 21 armed and dangerous --
- 22 **PINEDA:** Yes, sir.
- 23 VALENCIA: -- and that he was wanted for domestic violence and that was a
- 24 stolen car.

1	PINEDA: Yes.
2	VALENCIA: And did you hear the speeds of the pursuit?
3	PINEDA: I believe I heard 90 to 95. 95
4	VALENCIA: Excessive
5	PINEDA: entering
6	VALENCIA: excessive speeds.
7	PINEDA: Excessive speeds. Yes, sir.
8	VALENCIA: That coupled with, you said you audibly heard him say he has, he
9	had a gun or something to that effect?
10	PINEDA: He made a reference to "my gun".
11	VALENCIA: "My gun."
12	PINEDA: Yes.
13	VALENCIA: All that put together led you to believe
14	PINEDA: That he had a gun.
15	VALENCIA: that he had a gun.
16	PINEDA: Yes, sir.
17	VALENCIA: And the way he was holding his hand that he was armed?
18	PINEDA: Correct.
19	VALENCIA: And that he was hiding his gun.
20	MONTENEGRO: Okay.
21	PINEDA: Yes.
22	VALENCIA: Correct. Okay. So that's when you took the open shot. And
23	you're, obviously it's less lethal. He had a gun, but your intent with the less lethal was it
24	to de-escalate it?



1	PINEDA: The intent for a less lethal is to in, incapacitate and, you know, take
2	physical control of the, of the suspect.
3	VALENCIA: Right. Right. Okay. So he went down. You, in your mind, you
4	thought your less lethal that struck, struck him caused him to go down?
5	PINEDA: Yes.
6	VALENCIA: Okay. And that's when you guys made your approach?
7	PINEDA: Yes.
8	VALENCIA: Okay. From, and you said you fired a second round on your
9	approach to the car? Or to the suspect. Excuse me.
10	PINEDA: As we were making the approach to the suspect, yes. Because he
11	began to get up. His, his hand was still, his right hand was still tucked inside of his, of
12	his jacket.
13	VALENCIA: So he held that position?
14	PINEDA: Across the torso. Yes. And I know he had a black object in his left
15	hand.
16	VALENCIA: A blank object?
17	PINEDA: A, a, a black.
18	VALENCIA: A black. Black.
19	PINEDA: Black object in his hand and, you know, that's obviously it caused
20	concern for your
21	VALENCIA: Right, right. And then you heard the other rounds, you said?
22	PINEDA: After, yes. After firing a second less lethal round
23	VALENCIA: Uh-huh.



PINEDA: I heard, I heard fire after.

1 **VALENCIA:** Okay. Like after --2 PINEDA: Yes. 3 VALENCIA: -- you said right before that you heard somebody yell knife, knife? 4 PINEDA: Knife, knife. Yes. 5 VALENCIA: Okay. And then you guys what, did you, did you happen to find a gun by chance at the scene? Did you see one? 6 7 PINEDA: I personally didn't --8 VALENCIA: Okav. PINEDA: -- see the scene. No. And I, I kind of, you know, I, I didn't really make 9 10 an approach on the suspect. 11 **VALENCIA:** What about a knife? Did you see a knife? 12 PINEDA: Yes. 13 VALENCIA: Oh, you saw a knife? 14 PINEDA: No. 15 VALENCIA: No. PINEDA: I did, I did hear Fire said that there was a knife in the vehicle as well. 16 17 VALENCIA: Okay. 18 PINEDA: Yes 19 VALENCIA: Okay. All right. MONTENEGRO: Okay. All right. I'll have you sign your name here and then we 20 21 are going to go off recording. It's about so -- your administrative can finish this. 22 MALE VOICE: We just have a couple of questions, yes. VALENCIA: If you want to take a break. We're more than happy to give you a 23



24

break.

- 5 (END OF INTERVIEW)
- 6 JL/Cron & Associates Transcription, Inc.



1	JANUARY 17, 2019
2	-00O0o-
3	INTERVIEW OF MICHAEL MONTEAGUDO
4 5 6	Interview conducted by Investigators Amber <b>MONTENEGRO</b> and Joseph <b>VALENCIA</b> , Los Angeles County Sheriff's Department, Homicide Bureau. Case is under File No. 019-00195-2241-013.
7	-00O0o-
8	VALENCIA: All right. Today is January 17th, 2019. At 1431 hours. We are in
9	Ventura County Sheriff briefing room conducting an OIS. With us is
10	MONTEAGUDO: Sergeant Mike Monteagudo.
11	VALENCIA: Is Michael or Mike?
12	MONTEAGUDO: Michael.
13	VALENCIA: M-I-C-H-A-E-L?
14	MONTEAGUDO: Yes.
15	VALENCIA: And can you please spell your last name?
16	MONTEAGUDO: M-O-N-T-E-A-G-U-D-O.
17	VALENCIA: How old are you, Michael?
18	MONTEAGUDO: we years old.
19	VALENCIA: And what is your employee number, please?
20	MONTEAGUDO: 16249.
21	VALENCIA: Do you have any prior law enforcement experience prior to CHP?
22	MONTEAGUDO: I was a law enforcement explorer with Border Patrol.
23	VALENCIA: Sworn?
24	MONTEAGUDO: Non-sworn.



1	VALENCIA: Okay. So you went to a CHP academy. What academy class did
2	you enter?
3	MONTEAGUDO: CTC, Cadet Training Class, 2
4	VALENCIA: Uh-huh.
5	MONTEAGUDO: of 2000.
6	VALENCIA: 2 2000?
7	MONTEAGUDO: Yes.
8	VALENCIA: What year, what month and year did you graduate that academy?
9	MONTEAGUDO: November of 2000.
10	VALENCIA: And from class 2000 where were you assigned?
11	MONTEAGUDO: Santa Fe Springs office.
12	VALENCIA: So that was from November 2000 to
13	MONTEAGUDO: Through December of 2001.
14	VALENCIA: And from there you were transferred to?
15	MONTEAGUDO: San Diego. Started in January of 2002.
16	VALENCIA: January of 2002. To
17	MONTEAGUDO: Till December 2008.
18	VALENCIA: It's nice down there. From 2008, December, 2008, where were you
19	assigned?
20	MONTEAGUDO: I went to our Border Division office.
21	VALENCIA: Border Division office. What, what did you call that?
22	MONTEAGUDO: It's just Border Division
23	VALENCIA: Border Division?



1	MONTEAGUDO: Border Division and I was assigned to Investigative Services
2	Unit, which is ISU.
3	VALENCIA: Okay.
4	MONTEAGUDO: January of 2009.
5	VALENCIA: In January of 2 until January of 2009?
6	MONTEAGUDO: I started January of 2009.
7	VALENCIA: Okay.
8	MONTEAGUDO: Border Division ISU.
9	VALENCIA: And you left, left there?
10	MONTEAGUDO: Left there and I was there until October of 2017.
11	VALENCIA: And then from there you went
12	MONTEAGUDO: West Valley.
13	VALENCIA: West Valley.
14	MONTEAGUDO: When I promoted to sergeant in November 2017.
15	VALENCIA: Until present?
16	MONTEAGUDO: Yes.
17	VALENCIA: All right. And on the 12th, which shift were you working?
18	MONTEAGUDO: Our A watch shift, which is for sergeants it's 0500 until 1430.
19	VALENCIA: Do you remember what vehicle he had?
20	MONTEAGUDO:
21	VALENCIA: And that was - obviously, sergeants are a one-man car?
22	MONTEAGUDO: Yes.
23	VALENCIA: And inside that vehicle you're outfitted with what equipment?
24	Particularly like firearm equipment.



- 1 **MONTEAGUDO:** There is an AR rifle. 2 VALENCIA: Uh-huh.
- 3 **MONTEAGUDO:** A 223 and there is a shotgun.
- VALENCIA: That night of the incident we interviewed you and did a, a quick round count. You had on a, an official CHP uniform that day, which you wore. I believe 5
- 6 you wore the blues?
- 7 MONTEAGUDO: Yes. Our blue --
- 8 **VALENCIA:** You had got the blue, blue uniform.
- 9 MONTEAGUDO: -- uniform. Blue utility uniform.
- VALENCIA: All right. Your vehicle, was it outfitted with any video camera 10
- 11 footage?

- 12 MONTEAGUDO: No. There are no Mvars in, in that vehicle.
- 13 VALENCIA: No, no -- and did you have any body camera?
- 14 MONTEAGUDO: No.
- 15 VALENCIA: No body camera. All right. We'll go around the room and --
- 16 because you're here with your counsel, or your rep. My name is Joseph Valencia from
- 17 Homicide with my partner, Amber Montenegro.
- 18 BALL: Officer Allyn Ball, CHAV representative for West Valley. I.D. 16523.
- 19 FORD: Lieutenant Dennis Ford from the CIT team. I.D. 138023.
- 20 VALENCIA: Okay.
- 21 HILL: Lieutenant Laura Hill. I.D. 17176 from the Southern Division CIT team as
- 22 well.

1 VALENCIA: All right. Hey, Michael. We're, we're investigating obviously the,

2 the officer involved shooting that occurred on the 12th. Tell us how you came about,

- 3 how you got involved in the incident.
- 4 MONTEAGUDO: I was in the office. At 1106 hours our dispatch broadcasted a
- 5 pursuit that was occurring in Ventura County that was entering, heading towards L.A.
- 6 County into our area.
- 7 **VALENCIA:** You're in the West L.A. Station office?
- 8 **MONTEAGUDO:** At the -- yes.
- 9 **VALENCIA:** Okay.
- 10 **MONTEAGUDO:** Yes.
- 11 **VALENCIA:** Go ahead.
- MONTEAGUDO: Along with the pursuit dispatch broadcasted Ventura S.O.,
- 13 Sheriff --
- 14 **VALENCIA:** Uh-huh.
- 15 MONTEAGUDO: -- and Ventura CHP were involved. They were behind a
- 16 vehicle that was wanted for being stolen.
- 17 **VALENCIA:** Uh-huh.
- 18 **MONTEAGUDO:** They advised the driver was identified --
- 19 **VALENCIA:** Uh-huh.
- 20 **MONTEAGUDO:** -- by Ventura Sheriff. He was identified as having a felony
- 21 warrant. He was A&D, armed and dangerous. Identified. And they put out the last
- 22 known. I believe it was eastbound at Lindoro Canyon. The vehicle was 70 to 90 in the
- 23 center divider.
- VALENCIA: Okay. So your CHP dispatch is what you're hearing?



1	<b>MONTEAGUDO:</b>	Yes.
	_	

- 2 VALENCIA: So they -- Ventura Sheriff and Ventura CHP are in pursuit of the
- 3 vehicle. He's armed in dangerous. He, he's armed and dangerous. The car he was in
- 4 was a stolen vehicle?
- 5 **MONTEAGUDO:** Yes.
- 6 **VALENCIA:** And it was reaching speeds of --
- 7 **MONTEAGUDO:** 70 to 95.
- 8 **VALENCIA:** 75 to 95 miles an hour.
- 9 **MONTEAGUDO:** In the center divider.
- 10 VALENCIA: In the center divider. Okay. Hearing that, all that information, what
- 11 did your mind start, start to think?
- 12 MONTEAGUDO: Well, I'll back up. They initially were, Ventura Sheriff was
- asking us to take over the pursuit. To become primary.
- 14 VALENCIA: Okay.
- MONTEAGUDO: At that time it was raining. He was identified. We also brought
- in an airship overhead.
- 17 **VALENCIA:** Uh-huh.
- 18 MONTEAGUDO: And I said 10-22, which is disregard. I said do not engage in a
- 19 pursuit. I do not want any, any West Valley units in pursuit. I told dispatch let the
- airship continue it and when he stops then we'll help him.
- 21 VALENCIA: Okay.
- 22 MONTEAGUDO: We're not engaging with a pursuit and then 106, Officer Ross,
- 23 he was the nearest unit. He copied. 10-22. I'm not in it. And --
- 24 VALENCIA: Okay.



1	MONTEAGUDO: that was that for the pursuit.
2	VALENCIA: Okay. So what do you do then after, after you, after you broadcast
3	that you don't want your units involved in the pursuit?
4	MONTEAGUDO: The minute I broadcasted that, within minutes, he, the suspect
5	crashes. And they put out vehicle has now TC'd into the guard rail.
6	VALENCIA: Uh-huh.
7	MONTEAGUDO: And they have a hot stop, a felony stop in the (INAUDIBLE).
8	VALENCIA: Okay.
9	MONTEAGUDO: So then I leave the office and I start heading westbound or
10	northbound 101 to shut down traffic
11	VALENCIA: Uh-huh.
12	MONTEAGUDO: because now in my mind I'm thinking they have a hot stop
13	going on. There's guns facing east
14	VALENCIA: Uh-huh.
15	MONTEAGUDO: I know the guy is armed and dangerous. I don't know how this
16	is going to end. So I started going westbound and actually assisted Rojas and we
17	stopped traffic the westbound 101 just west of the Las Virgenes onramp.
18	VALENCIA: Hey, just, just for simplification for us and to keep everything on the
19	same page. The freeway is, is labeled north and south, correct?
20	MONTEAGUDO: Correct.
21	VALENCIA: I know everyone here keeps saying it's east and west. True to the
22	compass and whatnot, but we're pretty simplistic. We just go by what, what it says. So
23	you were northbound on the 101?
24	MONTEAGUDO: I was northbound. Yes.

	·
1	VALENCIA: Okay. On the 101. And you were going to stop traffic. Northbound
2	traffic?
3	MONTEAGUDO: Yes.
4	VALENCIA: Which, which your intention was. I know West Valley is a, a
5	distance away from where this pursuit terminated. More or less a timeframe? What,
6	what are you looking at as far as travel time that you go, get there?
7	MONTEAGUDO: I was in there within approximately ten minutes.
8	VALENCIA: Just there
9	MONTEAGUDO: I was there pretty quick.
10	VALENCIA: Okay.
11	MONTEAGUDO: Within ten minutes I was there. I was on scene like 1126
12	hours I was on the scene northbound with 106 holding traffic at Las Virgenes.
13	VALENCIA: So when you arrive describe what you see.
14	MONTEAGUDO: So I'm northbound. We have traffic stopped. I see, I'm
15	about
16	VALENCIA: Go ahead and mark this.
17	MONTEAGUDO: Yeah.
18	VALENCIA: If you want to mark this.
19	MONTEAGUDO: I'm about, well, I'm about half a mile to three quarters of a
20	mile.
21	VALENCIA: So, so
22	MONTEAGUDO: From this, from the, from the felony stop.
23	VALENCIA: This is only showing southbound traffic.

MONTEAGUDO: Yes.

1	VALENCIA: Okay.
2	MONTEAGUDO: So I see, I see this much. I see the suspect vehicle against
3	the guardrail. I see the suspect
4	VALENCIA: Uh-huh.
5	MONTEAGUDO: black jacket, long hair. I see him behind the vehicle taking
6	cover and I pretty much have traffic stopped along with Rojas and dispatch is providing
7	me updates.
8	VALENCIA: Uh-huh.
9	MONTEAGUDO: I see the S.O
10	VALENCIA: What are, what are they telling you?
11	MONTEAGUDO: Party's out of the vehicle. Party is not showing his hands
12	VALENCIA: Uh-huh.
13	MONTEAGUDO: they're giving him commands. He's not complying. They
14	haven't seen a gun, but party has his right hand concealed.
15	VALENCIA: You're hearing this are you seeing the same thing?
16	MONTEAGUDO: From a distance. Yeah.
17	VALENCIA: You are?
18	MONTEAGUDO: I'm seeing the party move around.
19	VALENCIA: Uh-huh.
20	MONTEAGUDO: And, and in my mind I can see this guy is taking cover,
21	concealment. This is, this is not good.
22	VALENCIA: Because you thought he was going to try to get a position of



advantage?

1 MONTEAGUDO: Definitely. So once we've got traffic stopped. I was, there was 2 also a vehicle ---3 VALENCIA: You --4 MONTEAGUDO: -- there's also a vehicle that's in the center divider, was a black 5 Chevy Volt I remember. 6 VALENCIA: Uh-huh. 7 MONTEAGUDO: And S.O. was asking us to contact that vehicle. The vehicle 8 must have been about 200 feet from the suspect. 9 VALENCIA: Uh-huh. 10 MONTEAGUDO: And we tell dispatch we're not going to make contact and get 11 in the line of fire with this vehicle. At that time we didn't know if the vehicle was involved 12 or if the party just stopped --13 VALENCIA: Okav. MONTEAGUDO: -- because it was a Code 3. Officer Rojas drove in the 14 shoulder, on the right, far right shoulder, and on the P.A. system pretty much told the, 15 16 the person to leave. It was determined the party was not involved in the collision. He or 17 she just stopped. We never made contact. We just told them to get out of the area. It's 18 not safe. 19 VALENCIA: Okay. 20 MONTEAGUDO: So I'm northbound facing this hot stop. I see a suspect 21 moving around. I see there's a sheriff vehicle and some CHP vehicles. 22 VALENCIA: Try to explain a little more in depth what the suspect is doing and you're pointing to the south side of his vehicle. So he's on the south side. Explain like 23

movements. What you're seeing from your position.

1	MONTEAGUDO: From my position he's making furtive movements. He's going
2	from position, position of high cover, high to low cover. He's using the trunk and that
3	vehicle as cover and concealment.
4	VALENCIA: Right.
5	MONTEAGUDO: It's obvious. I can see that. I can't see his right hand from that
6	distance, but dispatch is telling me that he is not obeying commands and that his right
7	hand is concealed.
8	VALENCIA: Were you able to hear the commands from your distance?
9	MONTEAGUDO: No.
10	VALENCIA: Okay.
11	MONTEAGUDO: I was not, I was not at all. I was not.
12	VALENCIA: Okay. Go ahead.
13	MONTEAGUDO: At one point he even got in the back seat. He entered the
14	back seat of the vehicle and got back out and dispatch even put it out.
15	VALENCIA: What did you think when he jumped in the back seat?
16	MONTEAGUDO: He's either trying to hide. Go for a weapon
17	VALENCIA: Uh-huh.
18	MONTEAGUDO: The information is already out. He's A&D.
19	VALENCIA: Right.
20	MONTEAGUDO: He's armed and dangerous. So I know that's in the back of my
21	mind.
22	VALENCIA: Uh-huh.
23	MONTEAGUDO: So it, it's not safe.
24	VALENCIA: Right.



1	MONTEAGUDO: The movements he's making. What he's doing in the car. But
2	I can't hear the commands from where I'm at.
3	VALENCIA: Right. Well, where, where do you see the CHP officers and
4	Ventura County Sheriff officers? Do you remember were you able to see them from
5	your position?
6	MONTEAGUDO: I, I could only see the vehicles. I, I can't say where the officers
7	exactly were.
8	VALENCIA: Okay.
9	MONTEAGUDO: On the right side or left side. I'm not sure.
10	VALENCIA: Okay.
11	MONTEAGUDO: I just know one was a sheriff vehicle. Not our agency. And
12	the other vehicles were CHP.
13	VALENCIA: Okay. So what happens next?
14	MONTEAGUDO: I hear Ventura S.O., Ventura Sheriff, sorry. They asked for K-
15	9 support.
16	VALENCIA: Uh-huh.
17	MONTEAGUDO: They asked for a SWAT team or SWAT tank vehicle. Dispatch
18.	advised there's no K-9s. They said that they were going to call Lost Hills Sheriff, which
19	is close by, and ascertain on a Sheriff SWAT vehicle. And then they asked if anybody
20	had a less lethal.
21	VALENCIA: Uh-huh.
22	MONTEAGUDO: At that time our 116, Officer Pineda
23	VALENCIA: Uh-huh.



MONTEAGUDO: -- 20296. He answers up and says I have less lethal.

1 VALENCIA: Uh-huh. MONTEAGUDO: I'll be en route to S9's location, which my, my radio call sign is 2 3 S9. 4 VALENCIA: Uh-huh. 5 MONTEAGUDO: So Officer Pineda meets me on the northbound side. 6 **VALENCIA:** Okay. 7 MONTEAGUDO: So now we have myself, Officer Rojas, who is 106, Officer 8 Pineda, who is 116, and we meet and discuss the, the less lethal option. 9 VALENCIA: Okay. All right. So you guys discuss less lethal, deployment of 10 less lethal? 11 MONTEAGUDO: Not, not at that point. 12 VALENCIA: Okay. 13 MONTEAGUDO: Just the fact that he had it --14 VALENCIA: Okay. 15 **MONTEAGUDO:** -- and we were going to go to the scene. 16 VALENCIA: Okay. So after you guys have your discussion, you guys move on 17 from there? MONTEAGUDO: I let dispatch know we have less lethal. Myself and Pineda, 18 19 116, are going to respond to the scene. 20 VALENCIA: Okav. 21 MONTEAGUDO: The method we, the route we took was we didn't want to go 22 forward, of course. We actually went wrong way on Las Virgenes onramp --23 VALENCIA: Uh-huh.



1 MONTEAGUDO: -- took Agoura Road and then entered Lost Hills onramp.

- 2 Rode the shoulder and then we got to the scene --
- 3 VALENCIA: Okay.
- 4 MONTEAGUDO: -- I believe at 1143. About 17, 20 minutes.
- 5 VALENCIA: Uh-huh. Okay. And your vehicle was positioned and it's not
- 6 displayed on this --
- 7 **MONTEAGUDO**: No.
- 8 VALENCIA: -- paper? Okay.
- 9 **MONTEAGUDO:** No. It was far behind those vehicles.
- 10 VALENCIA: Okay. So once you guys arrive on scene with less lethal or Pineda
- with less lethal, what do you guys do?
- 12 MONTEAGUDO: I get on the scene. I notice there's no CHP sergeants on
- 13 scene. I find out later the sheriff sergeant, but initially I notice no sergeants and there's
- 14 two officers. Officer on this car. Officer on this car. They were in blue utilities. There's
- 15 -- Officer Green is here in tans. Two sheriff deputies here.
- 16 **VALENCIA:** Uh-huh.
- 17 MONTEAGUDO: I made contact with, I'm not sure if it's Officer Putzel or Officer
- 18 Fary. I made contact with each officer --
- 19 VALENCIA: Uh-huh.
- 20 MONTEAGUDO: -- and I asked them -- I remember tapping them on the
- 21 shoulder. I said did you see a gun? Did you see a gun?
- 22 **VALENCIA:** Uh-huh.
- 23 MONTEAGUDO: And I remember Officer Putzel telling me I didn't see a gun.
- 24 His right hand is concealed. He's told us he has a gun.

- 1 VALENCIA: Okay.
- 2 **MONTEAGUDO:** I haven't seen it.
- 3 **VALENCIA:** So Putzel tells you? He's told them he is armed?
- 4 **MONTEAGUDO:** Yes. The suspect has told the officers he's, he's armed.
- 5 **VALENCIA:** Okay.
- 6 MONTEAGUDO: I asked each officer if they have seen a weapon. They said
- 7 no. But they reiterated that the suspect made comments that he has a gun. He's
- 8 refusing to obey commands. And he has his right hand concealed.
- 9 VALENCIA: Okay. Based on his statement of saying he has, he's armed and
- 10 the way you saw his hands secreted into his clothing, did you believe --
- 11 MONTEAGUDO: I, I immediately believed he, I perceived he was armed.
- 12 VALENCIA: Okay.
- 13 MONTEAGUDO: I believed he was, from my vantage point, I can see the
- 14 suspect. He's making the same furtive movements. He's using the cover. The vehicle
- 15 as cover and concealment. He's going from high to low. Pacing back and forth. Officer
- 16 Green is giving him commands. Come on, man. Let's just end this. He's not
- 17 responding.
- 18 **VALENCIA:** Uh-huh.
- 19 MONTEAGUDO: He's saying no. I think Officer Green asked him to take a
- 20 knee. Kneel down. Lay down. Prone out. No, no, no. Officer Green tells him to show
- 21 us his right hand. Show us your right hand. And you can see he has a black jacket so
- it's kind of a thin jacket and through his jacket I see he has an object.
- 23 **VALENCIA**: Uh-huh.
- 24 **MONTEAGUDO:** In his, in his pocket.

- 1 VALENCIA: Uh-huh.
  2 MONTEAGUDO: At
- 2 MONTEAGUDO: At this point I, I want to stress I'm going back to what the
- 3 information I have. He's 10-36.
- 4 **VALENCIA:** Which is, your -- 10-36 means for you guys?
- 5 **MONTEAGUDO:** It's a felony.
- 6 **VALENCIA:** It's a felony?
- 7 **MONTEAGUDO:** A felony warrant.
- 8 **VALENCIA:** Uh-huh.
- 9 **MONTEAGUDO:** He's armed and dangerous.
- 10 **VALENCIA:** Uh-huh.
- MONTEAGUDO: Ventura Sheriff has him identified. In my mind, I perceive he
- 12 has a weapon.
- 13 **VALENCIA:** Uh-huh.
- 14 **MONTEAGUDO:** Based on that. Based on the statements from the officers.
- 15 And from what I see.
- 16 VALENCIA: Okay. So after you go through and tap everyone on the shoulder
- 17 asking them what they saw or what they've heard. You can't, taking an account of
- what's happened so far. What do you guys, what do you do?
- 19 **MONTEAGUDO:** I then go over to Officer Pineda.
- 20 **VALENCIA:** Uh-huh.
- 21 **MONTEAGUDO:** Who has the less lethal shotgun.
- 22 VALENCIA: Okay.
- 23 **MONTEAGUDO:** I believe he positioned himself initially on the driver's side V of
- 24 the Ventura Sheriff's Suburban.



- 1 **VALENCIA:** Okay.
- 2 MONTEAGUDO: I ask Pineda. I said hey, if you have a clear shot are you
- 3 confident in taking, using less lethal to take him down. He said yes. And mind you, I
- 4 have worked with Officer Pineda for a year.
- 5 **VALENCIA:** Uh-huh.
- 6 **MONTEAGUDO:** Prior military vet. U.S.M.C. Deployments in Iraq. A.O.S.T.
- 7 officer. Weapons officer. I am highly confident in Pineda taking a less lethal shot.
- 8 **VALENCIA:** He has the background and stuff.
- 9 **MONTEAGUDO:** Yes. Definitely. So I asked him first are you comfortable
- 10 taking that shot less lethal if the situation presents itself and he comes out of cover.
- 11 **VALENCIA:** Uh-huh.
- 12 **MONTEAGUDO:** Mind you, he's still back and forth --
- 13 **VALENCIA:** Uh-huh.
- 14 MONTEAGUDO: -- and I'm not going to shoot less lethal just to shoot and
- provoke him. I want the hit, I want it to hit and mitigate the situation. So I asked him
- 16 first. Are you willing to take less lethal. And you feel confident.
- 17 **VALENCIA**: Yeah.
- 18 MONTEAGUDO: Because I'm not going to tell him to take a shot or have him
- 19 take a shot if he's not confident. He agrees. I then let everybody know individually if the
- 20 chance presents itself we're going to pop less lethal. I tell Warner make sure you
- 21 announce it. I let everybody know we're going to announce it first off.
- 22 **VALENCIA:** You walked to everybody and tell them?



1	MONTEAGUDO: I did I did. I walked to everybody. I walked to Green. I think
2	I went to the end first. Let Putzel know. We're going to pop less lethal. We're going to
3	pop and that's the word I use. Pop. We're going to pop less lethal if we can.
4	VALENCIA: Uh-huh.
5	MONTEAGUDO: I let Officer Fary know. I let Officer, Officer Green know as
6	well.
7	VALENCIA: Okay. So what happens after you do all the notifications?
8	MONTEAGUDO: Once I notified them there was still a little bit of time where
9	we're talking to him. He's still moving around. He's still making furtive movements. At
10	that time I believe I was at the driver's side V of the, the sheriff's Suburban. I believe
11	Pineda was in the middle.
12	MONTENEGRO: And you're talking the one in the, straddling the one and two
13	lane?
14	MONTEAGUDO: Yes, ma'am.
15	MONTENEGRO: Okay.
16	MONTEAGUDO: I'm not sure don't recall. But, if I'm here, if I'm in the middle,
17	but
18	VALENCIA: But (INAUDIBLE)?
19	MONTENEGRO: I, I hear less lethal. Less lethal is announced once. Less
20	lethal.



VALENCIA: Do you know who says it?

VALENCIA: Okay. You know his voice?

MONTEAGUDO: Pineda.

21

22

1	MONTEAGUDO: I can hear it. Yes. Pineda yells less lethal. He deploys one
2	less lethal round at the suspect.
3	VALENCIA: Okay. What happens after the deployment of the less lethal?
4	MONTEAGUDO: The suspect goes down, but as he goes down he leaves his
5	right hand concealed holding an object. He does not relinquish his right hand.
6	VALENCIA: Uh-huh.
7	MONTEAGUDO: He still has not relinquish his right hand. He goes down. He's
8	kind of cradled. Like in a fetal position. But I the vantage point where I'm at I cannot
9	see his hand.
10	VALENCIA: Right.
11	MONTEAGUDO: I can't speak for the other officers on the right side, but I
12	cannot see his hand. He goes down. I tell everyone to move in closer.
13	VALENCIA: Right.
14	MONTEAGUDO: We start to move in closer. He gets up and starts to advance
15	towards us.
16	VALENCIA: So as you guys were advancing on him he raises to his feet?
17	MONTEAGUDO: He raised to his feet. Yes.
18	VALENCIA: And advances towards you?
19	MONTEAGUDO: Toward a group of off, to all of us.
20	VALENCIA: And his hand is still concealed at this time?
21	MONTEAGUDO: Yes.
22	VALENCIA: Okay.
23	MONTEAGUDO: At this time I hear a knife, knife, knife.
24	VALENCIA: Do you know who said it?



1	MONTEAGUDO: I don't recall who said it.
2	VALENCIA: Okay. So someone yells out knife, knife, knife?
3	MONTEAGUDO: Knife, knife, knife. I hear Pineda again, less lethal. He
4	deploys another less lethal round.
5	VALENCIA: Uh-huh.
6	MONTEAGUDO: And then soon after that I hear some rounds. I don't know if
7	it's an AR or a pistol. I hear rounds as well.
8	VALENCIA: Uh-huh.
9	MONTEAGUDO: And I see the suspect go down.
10	VALENCIA: Okay. And after the engagement with the firearm he goes down.
11	Do you guys regress back to your car or do you stay in your position?
12	MONTEAGUDO: We stay in our positions, I believe. Some of us went further up
13	to clear him and make sure
14	VALENCIA: Uh-huh.
15	MONTEAGUDO: there's no weapon. He was safe. I directed some of the
16	officers to clear the car because
17	VALENCIA: Uh-huh.
18	MONTEAGUDO: the car was still not clear.
19	VALENCIA: Uh-huh.
20	MONTEAGUDO: I believe the deputies actually cleared the car.
21	VALENCIA: Okay.
22	MONTEAGUDO: Once we secure the car, the car was secure, the suspect was
23	down. I then went to each officer and just got a quick public safety statement
24	VALENCIA: Uh-huh.

1 **MONTEAGUDO:** -- just to know who fired rounds.

- 2 **VALENCIA:** Right.
- 3 MONTEAGUDO: Did you fire? Did you fire? Officer Green relayed he fired the
- 4 AR.
- 5 **VALENCIA:** Uh-huh.
- 6 MONTEAGUDO: The sheriff sergeant, who I didn't know he was a sergeant until
- 7 later on, was on scene. He said hey, my guy fired. My guy fired a shotgun slug.
- 8 VALENCIA: Okay.
- 9 MONTEAGUDO: I said okay.
- 10 VALENCIA: Uh-huh.
- 11 MONTEAGUDO: And put out the radio traffic shots fired. Officers are Code 4.
- 12 Suspect down. We had Fire -- Fire was on scene. When I first got there Fire was
- 13 already on scene.
- 14 **VALENCIA:** They were staged?
- MONTEAGUDO: They were staged. Just standing, standing by. And there's a
- 16 private ambulance, McCormick --
- 17 **VALENCIA:** Uh-huh.
- MONTEAGUDO: -- that was, I think they were stuck in traffic and they just
- 19 happened to be there. So we wave Fire in right away. Fire starts tending to the
- 20 suspect. Put out the traffic Code 4 and start to stabilize the scene.
- VALENCIA: Okay. But, but prior to the shooting, the engagement, the verbal
- 22 back and forth, to the best of your recollection, how long do you think they were telling
- 23 him hey, come out, come out?
- 24 MONTEAGUDO: So I wasn't on scene initially --



1	VALENCIA: From the time you got there.
2	MONTEAGUDO: From the time I got there probably about fifteen, twenty
3	minutes.
4	VALENCIA: So just the time you got there until the shots fired there was at least
5	fifteen minutes of back and forth, give yourself up, him, whatever, he was saying back.
6	MONTEAGUDO: Yes.
7	VALENCIA: Okay. Anything?
8	MONTENEGRO: Prior to the interview today did you review any audio or video?
9	MONTEAGUDO: No audio. Just oh, video and audio. Mvars.
10	MONTENEGRO: The Mvars. Okay.
11	MONTEAGUDO: And there was a, a clip from Youtube. A portion of it I
12	watched.
13	MONTENEGRO: Okay.
14	MONTEAGUDO: So yes.
15	MONTENEGRO: All right.
16	VALENCIA: I'm good.
17	MONTENEGRO: All right.
18	VALENCIA: I'm good.
19	MONTENEGRO: So we're going to go off
20	VALENCIA: Anything? No? All right. Go off.
21	MONTENEGRO: here 1453 and Admin will take over.
22	
23	
24	(END OF INTERVIEW)



1 JL/Cron & Associates Transcription, Inc.



1	JANUARY 17, 2019; 1512 HOURS
2	-ooOoo-
3	INTERVIEW OF BRIAN GREEN (CHP OFFICER)
4 5 6	Taken at unknown location. Interview conducted by Sergeant <b>JOSEPH VALENCIA</b> and Detective <b>AMBER MONTENEGRO</b> , Los Angeles County Sheriff's Department, Homicide Bureau. Case is under File No. 019-00195-2241-013.
7	-00O0o-
8	MONTENEGRO: Detective Amber Montenegro, Los Angeles County Sheriff's
9	Department, Homicide Bureau, along with my partner, Sergeant Joseph Valencia,
10	Homicide Bureau, with officer?
11	GREEN: Brian Green.
12	MONTENEGRO: Brian Green. Brian, spell your first name?
13	GREEN: B-R-I-A-N.
14	MONTENEGRO: Do you have a middle name?
15	GREEN: Lance, L-A-N-C-E.
16	MONTENEGRO: Green, common spelling?
17	GREEN: Just like the color; yes.
18	MONTENEGRO: Okay. And Brian is here with his advocate.
19	CARVER: Russ Carver.
20	MONTENEGRO: Okay.
21	CARVER: 13549.
22	MONTENEGRO: All right. Brian, what's your employee numbers?
23	GREEN: 16383.
24	MONTENEGRO: And how old are you?
25	GREEN:



1	MONTENEGRO: Okay. And prior to joining the California Highway Patrol, you
2	were did you have any law enforcement or military background experience?
3	GREEN: No.
4	MONTENEGRO: No? Okay. And you joined the California Highway Patrol
5	when?
6	GREEN: I was admitted in the academy August of 2000.
7	MONTENEGRO: Okay. And what was your academy number?
8	GREEN: CTC300.
9	MONTENEGRO: Okay. And when did you graduate?
10	GREEN: February of 2001.
11	MONTENEGRO: And after graduating, where were you assigned?
12	GREEN: The West LA Station, in Culver City.
13	MONTENEGRO: Okay. And how long were you at West LA?
14	GREEN: I transferred out May of 2002.
15	MONTENEGRO: Okay. And where did you go from there?
16	GREEN: To the Ventura CHP Office.
17	MONTENEGRO: Okay. And you were there until when?
18	GREEN: I believe it was September or October of 2004.
19	MONTENEGRO: And from where where did you go then?
20	GREEN: Then I transferred to the Moorpark well, at that time it was just a
21	satellite station.
22	MONTENEGRO: Okay.
23	GREEN: But we became a full office in, I believe, in 2005.
24	MONTENEGRO: Okay. And that's where you're currently assigned?



1	GREEN: Correct.
2	MONTENEGRO: Moorpark Station? Okay. And on January 12th, what unit or
3	what shift were you assigned?
4	GREEN: The A shift.
5	MONTENEGRO: Okay. A shift? And which is what hours?
6	GREEN: 0530 to 1500.
7	MONTENEGRO: And what was your assignment that day?
8	GREEN: I was officer in charge.
9	MONTENEGRO: And your unit number?
10	GREEN:
11	MONTENEGRO: Okay. And do you remember what vehicle you were in?
12	GREEN: Yes.
13	VALENCIA: I'm sorry. One more time?
14	GREEN:
15	VALENCIA:
16	MONTENEGRO: And is that a single or two-person car?
17	GREEN: Single.
18	MONTENEGRO: Single? Okay. And did you get a good night's sleep before
19	your shift?
20	GREEN: Yes.
21	MONTENEGRO: And approximately how many hours would you say?
22	GREEN: I went to bed at about between 8:30 and 9:00 and then woke up at
23	about 4:00 o'clock in the morning.
24	MONTENEGRO: Okay. Is that pretty standard for you?



1	GREEN: Yes. I actually wake up before my alarm goes off at 4:00. Usually 10,
2	15 minutes before, almost always.
3	MONTENEGRO: You're one of those early risers?
4	GREEN: Then I smelled the coffee. My son made coffee so I smelled the
5	coffee downstairs and then I'm done. I have to get up.
6	MONTENEGRO: Okay. So, went over your uniform and your equipment that
7	you had on your person that day. What equipment did you have in your car? As far as
8	like weapons and
9	GREEN: There's a Remington 870, .12 gauge shotgun.
10	MONTENEGRO: Okay?
11	GREEN: And a Sig Sauer AR-15, semi-automatic rifle, chambered in 223.
12	MONTENEGRO: Okay. And is your car equipped with any MVAR? Body or
13	did you have a body cam, at all?
14	GREEN: No body camera.
15	MONTENEGRO: Okay. Your vehicle?
16	GREEN: The vehicle is equipped with a camera a forward facing camera.
17	MONTENEGRO: Okay. And that's the MVAR system?
18	GREEN: Yes.
19	MONTENEGRO: Okay. And prior to our interview today, did you review any
20	video?
21	GREEN: Yes.
22	MONTENEGRO: Okay. And what did you review?
23	GREEN: I reviewed some of Officer Fary's footage. I reviewed some of my
24	footage from my patrol car. And a 20-minute long video from YouTube and then



another video I had -- Russ Carver showed me another one, it was very short, from the -- the vantage point below where Officer Throgmorton was.

MONTENEGRO: Okay. All right. And so, going back to the 12<sup>th</sup>, what was the first thing that brought your attention and -- brought your attention to this incident and how did you get involved?

GREEN: So, I was at a traffic collision on State Route 23, northbound, in the vicinity of Olsen Road. I heard -- the air was on -- I heard the clearance tone on my radio while we were out dealing with the traffic collision there and officer -- I asked Officer Moreno what it was because I had it turned down; I was getting statements. And he said that there was a pursuit and so I just left it on and then -- and monitored it but it was way up by Oxnard.

12 MONTENEGRO: Okay.

GREEN: So, I believe, I don't know Ventura was in it yet, at that time. I guess we were. But it was -- it's kind of far away. They were going to pursue it in Oxnard and that's -- that's all -- nothing changed at that point. After that collision, there was another one at Tierra Tejada Road and I went there with Officer Clarkson, who was going to see if it our responsibility, but it was actually LA -- or Ventura County Sheriff.

18 MONTENEGRO: Okay.

GREEN: At that point, I was still listening to -- they were still on the clearance and I heard them heading down the 101 now and I told -- I told Sam I'm going to go start heading that way. I believe Officer Throgmorton was already -- he was en route to a crash at Ventu Park but then I -- I heard that maybe he was standing by or getting in positon. I think Ventura was asking for us.

MONTENEGRO: Okay. So, Ventura requested you guys' assistance?

1	GREEN: I think I don't know if they asked where we were standing by but
2	once I heard Officer Throgmorton was going to be standing by to get involved, I was
3	only at that scene for a few minutes. But once I heard he was going to get involved I
4	put my Code 3s on, cleared the intersection, and got on the 23 southbound and started
5	heading quickly towards the 101.
6	MONTENEGRO: Okay. And what happened next?
7	GREEN: So, I kept monitoring it as I was coming down the 23, and they were
8	I was probably at Janz Road. I was trying to time it right so that if I the only point I
9	had to turn around was Hillcrest Drive because of the guardrail.
10	MONTENEGRO: Okay.
11	GREEN: So, I really wanted I want to make sure that I that they stayed on
12	the 101 before I took the transition because then I would would be of no use.
13	MONTENEGRO: Okay.
14	GREEN: So, I took I heard them passing Moorpark Road, right when I was
15	taking the transition to the southbound 101 and I slowed down quite a bit, probably 40,
16	50 miles an hour, looking for them. And between like Conejo School Road is like an
17	undercrossing and Hampshire Road, between that area, is when I saw them coming up
18	and I saw the vehicle pass.
19	MONTENEGRO: And what vehicle did you see pass?
20	GREEN: Silver Chrysler 300. I saw all the windows were down, a male, long
21	hair, was driving long black hair was driving. It looked like to be the only occupant.
22	MONTENEGRO: Okay.



1	GREEN: I just waited to fall in, to make sure I didn't cut anybody off. I told my
2	dispatch that I was in with the pursuit, I was secondary, and I'd be calling the locations
3	and the speed and to put out information.
4	MONTENEGRO: Okay. And at that time, how fast was this silver car going?
5	GREEN: We were probably 90 between 90 and 100 and he was in the one
6	lane, and sometimes in the center divider.
7	MONTENEGRO: Okay. And at this time, in the pursuit, had you been given any
8	information about what the pursuit was about? Anything about the suspect?
9	GREEN: So, right right about Westlake Boulevard, I believe, was when I
10	heard it was I called 10-36Frank, which is a felony.
11	MONTENEGRO: Uh-huh.
12	GREEN: The suspect was a parolee, no bail warrant, armed and dangerous.
13	Prior to that, he had that information and I requested one unit drop out per our policy.
14	Once I heard that information, I requested all units stay in, as I'm allowed to do,
15	because of the armed and dangerous.
16	MONTENEGRO: Okay. And when you're saying you requested units to fall off,
17	that would have been the Ventura unit because they were a different station area?
18	GREEN: That would have been just the fourth unit.
19	MONTENEGRO: Okay.
20	GREEN: Usually it's two and a supervisor, or three units.
21	MONTENEGRO: Okay.
22	GREEN: And if you can articulate why you want the fourth one, that would be
23	the perfect way to articulate it was the information I got, was the "armed and
24	dangerous."



1	MONTENEGRO: Okay.
2	GREEN: Possibly armed with a handgun. I would say right around
3	Chesborough, maybe. I can't remember exactly, I had started to ask if West Valley was
4	going to be in position.
5	MONTENEGRO: Okay.
6	GREEN: I did not know if I went too far. They came back and said they weren't
7	going to get involved.
8	MONTENEGRO: Okay. So, is he still driving really fast and in the center
9	medians and
10	GREEN: Yeah. In and out in and out of the center median and to pass traffic.
11	One-lane, center divider. When we got up to right around Lost Lost Hills, I started to
12	get rain on my windshield and we started to come up to a little more traffic.
13	MONTENEGRO: Okay.
14	GREEN: At that point, I 10-22'd or cancelled I told all three agencies to cance
15	pursuit. I request air follow overhead. Shut off my lights. Started at this point we had
16	crested the hill, Lost Hills, and started to come down towards Los Virgenes.
17	MONTENEGRO: Okay.
18	GREEN: Slowed down and started to move over to number two lane, when the
19	Chrysler just took a hard right and went across all lanes to the right.
20	MONTENEGRO: And when he did that, what did you think he was doing?
21	GREEN: I thought he was trying to make the off-ramp.
22	MONTENEGRO: Okay.

1	GREEN: But he crashed right into the guardrail and I had I went I was
2	threshold braking to to stop and I was clearing traffic to my right and then I when I
3	came stopped is where my car was parked until the conclusion.
4	MONTENEGRO: Okay. And where did your car end up coming to rest?
5	GREEN: Probably the three maybe number three lane-ish but at a probably
6	at a 2:00 o'clock, 3:00 o'clock angle.
7	MONTENEGRO: Okay.
8	GREEN: From the 23, facing southbound.
9	MONTENEGRO: Okay. And so, what happened next?
10	GREEN: So, I saw the driver, male, hop out of the car and hop over the
11	guardrail. I put out "foot pursuit." At this point, I've already advised the TC, put out "foot
12	pursuit" and I got out of my car and drew my pistol.
13	VALENCIA: I need a paper. Hey, hold on a minute, Brian. Let me get a piece
14	of paper where it shows vehicle placement and (INAUDIBLE).
15	CARVER: Let me go. All right. Let me see your keycard real quick.
16	VALENCIA: I'll go print one out.
17	CARVER: There's a bunch in the room.
18	VALENCIA: I know. I don't want to go back to that room again.
19	CARVER: Oh, okay.
20	MONTENEGRO: (LAUGHS.)
21	GREEN: (LAUGHS.)
22	VALENCIA: There's a piece of paper and it shows positioning so you get a
23	better understanding.



MONTENEGRO: Right.

2	VALENCIA: It's still running.
3	MONTENEGRO: (INAUDIBLE.)
4	(WAITING FOR A PIECE OF PAPER. RECORDER RUNNNG.)
5	GREEN: If I go too fast just slow me down.
6	VALENCIA: No, it's fine. That's fine.
7	MONTENEGRO: We'll cut you off. No problem.
8	GREEN: All right. Okay.
9	VALENCIA: Just speak up a little bit louder, please.
10	GREEN: Okay.
11	MONTENEGRO: We made diagrams in the other room.
12	VALENCIA: There's a piece of paper that shows the suspect vehicle, CHP
13	vehicles, and the SO vehicle so it, basically, showed where you were when you
14	terminated.
15	GREEN: Okay.
16	VALENCIA: So, there's a visual aid to go with it.
17	(CARVER RETURNS WITH PIECE OF PAPER.)
18	VALENCIA: There we go. Perfect.
19	MONTENEGRO: All right. So, looking at this diagram, with this being north, this
20	is south, where was your vehicle? And I'll have you go ahead and mark it with your
21	initials.
22	GREEN: (MARKS SPOT.)
23	MONTENEGRO: Okay. And so, when you got out, you said you saw the
24	suspect immediately jump out of his vehicle and jump over the quardrail?



1	GREEN: Yes.
2	MONTENEGRO: Okay. And then what happened?
3	GREEN: But then he came back over, onto the shoulder. I'd already gotten out
4	and drawn my pistol and moved to the left rear of my of my vehicle.
5	MONTENEGRO: Okay.
6	GREEN: I was keeping my eyes on him. He was hunkered down on the driver's
7	side of his of his vehicle.
8	VALENCIA: You can put an "S" where he was, if you want.
9	GREEN: He's probably in this area.
10	MONTENEGRO: Okay. So, in-between the front and rear passenger doors or
11	driver's side doors?
12	GREEN: Right.
13	MONTENEGRO: Okay. And so, he's hunkered down there and then what
14	happens?
15	GREEN: Brady Fary is here, at the rear of my patrol vehicle.
16	MONTENEGRO: And you're showing me passenger side in the rear?
17	GREEN: Passenger side, rear bumper; yes, ma'am.
18	MONTENEGRO: Okay.
19	GREEN: At that point, I wanted to get to my rifle.
20	VALENCIA: Uh-huh.
21	GREEN: And I told Fary I was going to get my rifle.
22	VALENCIA: Uh-huh.
23	GREEN: I'm not sure if I verbalized it or if I was talking to myself so I stayed a
24	little up here and hit the release by the floorboard and I got the rifle out of the vehicle



1 and came back to the -- left the -- I think I left the door open and I came back to the left 2 rear of the bumper, looking through the "V" of my door and my "A" pilar, at where the 3 suspect was. 4 MONTENEGRO: Okay. And you're indicating on the passenger side of your 5 vehicle: correct? 6 GREEN: I was on the -- I was near the --7 MONTENEGRO: Rear passenger side? 8 GREEN: -- driver's side. 9 MONTENEGRO: Driver's side? 10 GREEN: Yes. 11 MONTENEGRO: Oh, okay. 12 GREEN: Yeah. And I was looking through the "V" of the -- because I had the 13 armor door -- or ballistic door and I had the engine block here but I stayed back from the 14 cover here with Officer Fary. 15 MONTENEGRO: And what was happening with the suspect at that point? 16 GREEN: He -- he was looking through the -- I could see kind of a shape through 17 the rear window. He was going back and forth to this area, just I could see his feet by 18 the left rear wheel well, underneath there. Sometimes he would pop his head up and 19 there were times -- there was a time when he actually opened the left rear door of his 20 vehicle but that's where he was the whole time and I stayed here and Officer Fary and I

MONTENEGRO: Okay. And what were you thinking at this point?

21

22

were working the radio together.

1	GREEN: I was thinking I have I had they were telling me that I had the
2	suspect's left hand was outside his clothing and they didn't see anything in it but his
3	right hand was in his jacket pocket and they couldn't identify what was in there.
4	MONTENEGRO: Okay.
5	GREEN: He would never remove his hand from his his right hand from his
6	jacket pocket.
7	MONTENEGRO: Okay. And what did that mean to you?
8	GREEN: That he may possibly had a weapon, as we were given that
9	information.
10	MONTENEGRO: Okay. And when you say you were given that information, is
11	that the information that he was possibly armed and dangerous?
12	GREEN: Armed and dangerous with a handgun. Yes.
13	MONTENEGRO: Okay.
14	VALENCIA: Where did you hear the part with the handgun? Where did that
15	GREEN: I think that was I think that was when I was at Westlake Boulevard o
16	I can't remember exactly.
17	VALENCIA: Okay.
18	GREEN: I think it was when I was at Westlake Boulevard.
19	VALENCIA: Okay.
20	GREEN: I just don't remember.
21	VALENCIA: Okay. But you heard, "possibly armed with a handgun"?
22	GREEN: Right.



VALENCIA: Okay.

1	MONTENEGRO: Okay. And are you or is anybody giving any commands?
2	Instructing him to do anything?
3	GREEN: Yes. We're instructing him to put his hands up and we couldn't get
4	that first part even done. Just kept asking him, "Putting his hands up, put your hands
5	up," you know, and then we would go on further, you know, he would put his hand up for
6	a second and lower it, so I thought I would say, "Well, put your hands up leave them
7	there." I asked him, you know,
8	MONTENEGRO: When you said he would put his hand up and lower it, you just
9	held up your left hand and put it down. Did he put up both hands or just the one?
10	GREEN: No. Just that one left hand that that the helicopter had said was
11	outside his jacket the whole time, the only one that we could, he would just barely put it
12	over the maybe the roof of his car for a second and then lower it down.
13	MONTENEGRO: Okay.
14	GREEN: We asked him to obey our commands and he wouldn't get hurt, "Come
.15	out, give up, you won't get hurt." Everything along those lines.
16	MONTENEGRO: Did he ever verbally respond to you?
17	GREEN: He said, "He wasn't going to go back." There was a point where he
18	said, "If he comes out, he's coming out shooting." With the helicopter overhead, he
19	would talk and you couldn't quite we would tell him, "We can't hear you," you know,
20	"We can't hear you." He talked to me about, "Not being able to see his I'm never
21	going to see my kids again." I told him, "There was there was one way you could see
22	your kids again, was to put your hands up and come out and, you know, surrender
23	peacefully," in essence.
24	VALENCIA: Uh-huh.



1	GREEN: There was a point where he said he said, "I'm just going to walk off."
2	I told dispatch that he was contemplating walking off the freeway" and didn't know what
3	assets we had down there. So, I told him that, "We we had officers. There's
4	restaurants and hotels," I said, "we have officers all over that area. You can't go that
5	way. You're surrounded. It's over. Just give up. You won't get hurt. Just obey our
6	commands." This went on for quite a while.
7	MONTENEGRO: How long would you estimate?
8	GREEN: Probably a half hour, 45 minutes, of just going back and forth.
9	Meanwhile Officer Fary and I are we're just trying to see what our options are. We
10	asked for a K9, I asked for SWAT, I asked for an armored vehicle. We weren't making
11	any progress. He was uncooperative. He wasn't obeying our commands.
12	MONTENEGRO: Were you able to get a K9 or SWAT or anything?
13	GREEN: No.
14	MONTENEGRO: Okay.
15	GREEN: Dispatch the one transmission I heard was the request had been
16	submitted and Brady and I kind of chuckled (INAUDIBLE). All those resources and
17	(INAUDIBLE), and then I thought to myself it's a weekend.
18	MONTENEGRO: Right.
19	GREEN: You know? But we had we still had aerial, we still had time on our
20	side.
21	MONTENEGRO: And so, what's happening now? What is the suspect doing?
22	GREEN: So, I hear him we can Brady says he's taking off his shoes, at one
23	point, and I can hear I tell Brady, "I hear him doing something. I hear like cracking

1 sounds." Like he's doing something and then he got by the fuel tank and I -- I didn't see

- 2 the fuel tank on this side of the car -- the passenger side.
- 3 VALENCIA: Uh-huh.
- GREEN: I said, "Is he going to light the car on fire?" I'm thinking what is he 4 5 doing at the -- and we asked the helicopter to check and I couldn't hear the reply but he 6 -- he's looking -- he's in the backseat. At that point, he's drinking from a carton of 7 something. Then he'd back out and there was -- and he'll peer over the trunk. He's just 8 all over the -- he was all -- he was kind of all over the place. In the car, out of the car. 9 looking in the trunk. Sometimes he would stand up between where the doors open and 10 the closed driver's door. There was one -- at probably, maybe halfway of the total time. 11 maybe halfway when a Ventura County sheriff was on scene and I -- I asked him to 12 move his vehicle up so that we had another vehicle on-line and maybe had a better 13 angle to see what was going on with the engine block cover. That deputy moved up 14 and I -- I went over with him and, at one point, I told him what we had. I couldn't get a
- better vantage point. I think that was the point, maybe, when he had opened the door. I
- don't know if we -- he was getting -- he got agitated when the sheriff pulled up and we
- 17 had the other car close, you know, at an angle.
- 18 VALENCIA: Uh-huh.
- MONTENEGRO: What do you mean he got agitated? How -- describe what he was doing.
- GREEN: He -- he was yelling. He was yelling and he was moving around even faster, ducking down, you know, not just staying up --
- 23 MONTENEGRO: And he's still not showing his hands?

1 GREEN: Not showing his hands. We're -- we're telling him, "Just put your hands up. Leave them up." At one point, Officer Fary said, "Just leave your gun in your 2 3 pocket. Just put your hands up." You know? That's where we were at that point. Less 4 than lethal showed up. I don't remember the timeframe. When less than lethal showed 5 up, I had less than lethal go to the best angle we had, which was the sheriff's patrol 6 vehicle, on the far left. 7 MONTENEGRO: And then, you're pointing to the vehicle straddling the one and 8 two lane? 9 GREEN: Yes, ma'am. 10 MONTENEGRO: Okav. 11 GREEN: I came back to my vehicle and, shortly thereafter, a sergeant from 12 West Valley showed up. We discussed our options and one option was to -- to go 13 towards the vehicle and try to effect an arrest and --14 MONTENEGRO: And what were your thoughts on that? 15 GREEN: Well, when he -- when less than lethal showed up, and he announced 16 himself, and he came to that side of the patrol vehicle, agitation came -- he was agitated 17 again and now he was hiding pretty good. I think he understood what that was. At 18 least, to me, it seemed like it. Each time, when we tried to put a resource or something 19 changed on -- on the freeway -- personnel showed up or we moved a car like that, he 20 would become more agitated, yelling -- just angry. Just looking at you with hatred. When we discussed going up and trying to effect an arrest, I just said, "Times on our 22 side." I told the sergeant, I said, "It's your call now with -- I wanted to deploy less than 23 lethal against the back window because we couldn't see -- with the reflection we 24 couldn't see too well, what he was doing. We decided against that because of the



angle. We were more worried about the angle if the shot went off and might be 1 2 ineffective. 3 MONTENEGRO: Okay. 4 GREEN: And further -- and then, further agitating him. 5 VALENCIA: Uh-huh. 6 GREEN: That's where we were at that point. We were saying, "Well, I let -- the 7 sergeant said, you know, it's pretty your call now." I went back to my position behind the left rear bumper and crouched down, looking through my -- my open door in the car, 8 9 as usual. 10 MONTENEGRO: Okay. 11 GREEN: There was a point where the sergeant told less than lethal, "If you 12 have a shot, take it." So, I knew that was -- would be what we were waiting for. 13 MONTENEGRO: And, at this point, were you still thinking he had a weapon? 14 GREEN: Yes. The second helicopter came on scene -- well, the first helicopter 15 put out a lot of -- the same information over and over again. We can see his left hand. 16 There's nothing in it. We can't -- his right hand is still tucked in his jacket pocket. Still 17 think he has a weapon and there's times he's looking straight at me and I'm -- and I'm 18 trying to move. I don't want him looking right at me. 19 MONTENEGRO: Right. 20 GREEN: I want to move and not get stuck in one spot so sometimes I'm looking 21 through the "V" in my door, sometimes I come back with Officer Fary and I'm kind of 22 looking between the lights, over the top of my car, or through my window. 23 VALENCIA: You thought he might be trying to position on you?



1 GREEN: I thought he was trying to get a bead on me because he would stare --2 he would stare right over the trunk of his car at times. Because when he was inside his car, I couldn't tell where he -- where he was staring, because of the glare, but you could 3 4 see his hair. 5 MONTENEGRO: Uh-huh. GREEN: But when he -- there was times when he'd look over the trunk of his 6 car and he'd be staring right at me and I don't want to be in one spot too long. 7 8 VALENCIA: Uh-huh. 9 GREEN: So, I was crouched down and I would stand up, higher crouch behind the car of Officer Fary. At that point, the sergeant was there. We formulated the plan 10 that less than lethal was our best option, if we had to chance. With an armed suspect, 11 12 going up without going up and exposing yourself, I'm not going to leave cover and 13 concealment. 14 MONTENEGRO: Okav. 15 GREEN: And we were just there until we had that opportunity. 16 MONTENEGRO: Okay. And did that opportunity come? 17 GREEN: It did. 18 MONTENEGRO: And what happened? 19 GREEN: I saw him -- he was standing up between -- I think he had closed the door, the rear door, at this point. At some point he closed the door and he stood up and 20 21 got away from the vehicle.



VALENCIA: You're pointing southbound?

GREEN: Right. When he -- when he stood up and moved a little away from his 1 car, I remember -- I don't know if I said it or someone said it, or a sergeant said, "Either 2 3 less than lethal, take a -- here you go or here it comes or take a shot." 4 VALENCIA: Uh-huh. GREEN: And that's when I -- we knew that it was -- it was gonna happen. 5 6 VALENCIA: It was broadcast that less than lethal could be deployed? 7 GREEN: Yeah. I remember -- I remember hearing that and I can't tell you if I might have said it. I don't know. I knew it was -- that that was -- because of his 8 9 exposure, I think he was exposed, too, at that point, --10 VALENCIA: Uh-huh. 11 GREEN: -- that it was going to happen. 12 MONTENEGRO: Okay. 13 GREEN: And we were going to be prepared, once that was deployed, to 14 attempt to go in and handcuff him. 15 VALENCIA: Uh-huh. 16 GREEN: So, that did happen. 17 MONTENEGRO: Okav. GREEN: I heard the "less lethal" and I saw him go down. I came out from my 18 cover behind my car, and I worked my way down the -- the number three lane. I moved 19 down to like I could see him rolling around on the ground. He -- he got up and as he 20 21 was getting up, he was kind of like a tripod, I was -- I saw something in -- something in a 22 -- well, his hands were kind of together. There was something in his hand and I was 23 yelling out -- it looked like a knife and I started yelling, "Knife, knife, knife." Whatever

24

came to my mind first.

- 1 VALENCIA: Uh-huh.
- 2 GREEN: And I was so focused, I mean, I heard, "Go, go, go" from the officers,
- 3 when I moved up.
- 4 MONTENEGRO: Uh-huh.
- GREEN: But then I saw that and I wanted to yell -- I yelled real loud so they
- 6 could hear you know, "Knife, knife, knife, knife" and he -- he had his hands -- I couldn't
- 7 see what he was doing here. The jacket was dark. I knew his hands were here for a
- 8 second and he was kind of -- he was getting up, at that point.
- 9 VALENCIA: His hands -- what you're doing is right by his belly. Inside the
- 10 jacket or?
- 11 GREEN: Couldn't tell.
- 12 VALENCIA: Okay. But they're in his belly?
- 13 GREEN: They were in this area and -- and I was staring so hard, trying to figure
- 14 out what the hell was there.
- 15 VALENCIA: Uh-huh.
- GREEN: And then, I see him extend -- he extends his left hand, and started
- 17 running -- starting coming towards me, square around with me, and all I saw was the
- barrel of a gun and I yelled -- I yelled, "Gun" and then I fired. (BECOMES UPSET.)
- 19 MONTENEGRO: Okay.
- 20 VALENCIA: (INAUDIBLE.)
- 21 CARVER: Relax.
- VALENCIA: It's all right, bro. Relax. It's good. Take your time.
- 23 GREEN: (VERY EMOTIONAL.)
- 24 VALENCIA: Take as much time as you need.



1	GREEN: I thought about my kids. I thought about my wife. I've never felt quite
2	like that before. (VERY EMOTIONAL.) I thought he was going to shoot me and I was
3	right squared on with him.
4	MONTENEGRO: So, you thought he was going to shoot you and then you say
5	you fired? Do you remember how many rounds you fired?
6	GREEN: Four rounds. Yeah, four rounds.
7	MONTENEGRO: Okay. And do you remember with your AR; right?
8	GREEN: Yes.
9	MONTENEGRO: Do you remember how your AR was loaded?
10	GREEN: I had a round in the chamber and they are 20 round magazines.
11	MONTENEGRO: Okay.
12	GREEN: I have one in the gun and then I have two on the pouch.
13	MONTENEGRO: Okay. So, did you have 20 or 21 total on the gun?
14	GREEN: So, 19 it would be 19 in the mag and one in the chamber.
15	MONTENEGRO: Once you charged it?
16	GREEN: Right, right.
17	MONTENEGRO: Okay. And you believe you fired four rounds?
18	GREEN: I think so; yes.
19	MONTENEGRO: Okay. And then what happened after that?
20	GREEN: I didn't know until I looked at the video that I I don't I didn't
21	remember backing up, when I fired. I didn't remember backing up until I saw the video
22	and, after that, everybody else moved in. I next to the body, between him and the
23	car, I saw a long piece of something. I don't know what it was. There was a long piece

1 of something on the ground and it wasn't there before, I don't think. At that point, I let 2 them move in and do it. 3 MONTENEGRO: Okay. And do you recall what happened after that? GREEN: I think they called fire in. 4 5 MONTENEGRO: Okay. GREEN: I put my gun on safe. Initially, put it in the electro-lock. 6 7 MONTENEGRO: Okay. 8 GREEN: And I was instructed to secure it in the trunk so nobody had access to 9 it. 10 MONTENEGRO: Okay. 11 GREEN: Sergeant Orr came on-scene shortly thereafter and we went through 12 Public Safety Statement that's on the card. 13 MONTENEGRO: Okay. 14 GREEN: Essentially, where were you? How many rounds did you fire? Some 15 information about the suspect or any outstanding or are you injured? Stuff like that. 16 MONTENEGRO: Okay. 17 GREEN: List of like 10 questions. 18 MONTENEGRO: Okay. Direction of fire? Stuff like that? 19 GREEN: Right. 20 MONTENEGRO: Okay. 21 GREEN: How many rounds did you fire and direction of fire? Any outstanding 22 suspects? Is he the only suspect? Anybody else? I don't know if they say anybody

else injured or who was involved and, I think, that's it.

1	MONTENEGRO: Okay. And then, after when you were out there, were you
2	did you remain on scene? Did you go were you directed to go somewhere else?
3	GREEN: So, Officer Ball showed up and said he was an area rep and he was
4	there for me.
5	MONTENEGRO: Okay.
6	GREEN: I waited with him until Sergeant Orr said, "You know, they finally
7	formulated that they were going to take me back to the Moorpark Office and so I rode
8	back with Sergeant Orr, in his car, and then that's where I met y'all there, that night.
9	VALENCIA: Uh-huh.
10	MONTENEGRO: Okay. Anything else?
11	VALENCIA: Hey, Brian, I know this I want to take you back to I know this is
12	an emotional thing that happened but just to get a little bit more clarification, maybe
13	from you. You heard, "Less than lethal"?
14	GREEN: Yes.
15	VALENCIA: I'm just repeating what you told me. Less than lethal was fired.
16	You heard a single "less than lethal"? It was fired at the suspect. He drops. He drops
17	to his knees. As you're engaging, walking forward, you said you could see him get up.
18	And does he raise two feet?
19	GREEN: (INAUDIBLE.)
20	CARVER: We had talked and you you had seen something when you after
21	the shot rang out that surprised you, with the suspect. What did the suspect do?
22	GREEN: He got knocked off his feet, like I've never seen before, when he got
23	hit.

1	VALENCIA: So, when the less than lethal was deployed, you heard the "pop."							
2	You saw him. Describe what you saw.							
3	GREEN: I saw his feet come up in the air.							
4	VALENCIA: Uh-huh.							
5	GREEN: And then, him just him go down on the ground.							
6	MONTENEGRO: Right.							
7	VALENCIA: So, when he got hit something hit him, his feet actually come up							
8	in the air and you see his feet in the air?							
9	GREEN: Yeah.							
10	VALENCIA: And he goes backwards and lands on his back?							
11	GREEN: Back yeah, backside but he was rolling around.							
12	VALENCIA: Was that shocking to you, when you saw that?							
13	GREEN: I've never seen I didn't know if he just it was his reaction. I've							
14	never I don't know if he just reacted to the less than lethal or what but that was							
15	yeah.							
16	VALENCIA: Okay.							
17	MONTENEGRO: Uh-huh.							
18	VALENCIA: So, at that point, you're engaging with him, walking forward, you're							
19	egressing. How far you say you walked, basically, southbound, in the number three							
20	lane? Kind of trying to almost like what we call "pie" the corner of the car, to get a better							
21	vantage point of the suspect to see him? A tactical advantage?							
22	GREEN: Yes. I was I wanted to stay on line between I knew I had other folks							
23	there.							
24	VALENCIA: Okay.							

1 GREEN: I wanted to stay on-line and then try to get --2 MONTENEGRO: When you say to stay on line, you mean with your officers or 3 the line on the road? 4 GREEN: With my officers. I knew I was probably the first one out. 5 VALENCIA: Uh-huh. 6 GREEN: I didn't -- I knew there were guys to my right, at least. 7 VALENCIA: Right. 8 MONTENEGRO: Uh-huh. 9 GREEN: I just made the assumption to move to my left, so I would make -- I 10 wanted to move down to get an angle and then I had other officers that had to come in. 11 I did not want to have an officer --12 VALENCIA: Crossfire. GREEN: -- in my line -- in the line, between me and the suspect, if I couldn't --13 14 so I could see. 15 VALENCIA: Okay. So, you're walking southbound. Describe to me the best you 16 can how he's getting up from after being thrown to his back? 17 GREEN: He's -- he's like tripod, I mean, like it was quick. It was -- it was --18 yeah. Like tripod and then like a half crouch but --19 VALENCIA: You put your left hand down so he's got to his feet with his left hand 20 holding them? Like that? 21 GREEN: Yeah. I don't know but it was -- yeah. I can't remember but it looked 22 like -- it wasn't knees. It was like -- like he laid down and planted his feet and then

23

put his hand down to get up.

1	VALENCIA: So, basically, his feet were in a position with his hand, he was able					
2	to stand up and he stayed in a crouched position?					
3	GREEN: Right.					
4	VALENCIA: With his hand as you described it, secreted into his belly?					
5	GREEN: Right. And that's I was staring, I had both eyes open, I was staring					
6	so darn hard, trying to see what he what was there.					
7	VALENCIA: And here, when you get to this part, you said, "As he as he					
8	walked towards you,"					
9	CARVER: Not to interrupt, but did he walk at you or did he was he moving as					
10	he had a purpose?					
11	GREEN: He was running. He was fast. He was moving quickly. It wasn't a					
12	walk.					
13	VALENCIA: Did he did he make around the rear driver's quarter panel?					
14	Yeah. The rear driver's quarter panel? Is that where he got to?					
15	GREEN: Pretty close.					
16	VALENCIA: (INAUDIBLE.)					
17	GREEN: Pretty close.					
18	VALENCIA: And that's when you saw, what you believed, to be the barrel of a					
19	pistol in his hand?					
20	GREEN: I saw a barrel of a handgun in his hand, pointed right at me.					
21	MONTENEGRO: So, he had his hand out?					
22	VALENCIA: And your belief on that is based on? Was it what you previously					
23	said was it because of all the prior information that you heard about him and then what					
24	he was saying, as well?					



1	GREEN: Right.
2	VALENCIA: All that coupled together, what you saw, was what he said, it was a
3	pistol?
4	GREEN: Right.
5	VALENCIA: That's when you engaged him?
6	GREEN: Right.
7	VALENCIA: When you saw that pistol, I know you it's emotional you thought
8	he was going to shoot you and got terrified?
9	GREEN: Yeah. I never felt that before.
10	VALENCIA: Right.
11	GREEN: Yeah.
12	VALENCIA: Right.
13	GREEN: I thought he was going to shoot me.
14	VALENCIA: Right.
15	GREEN: I thought about my kids, my wife.
16	VALENCIA: Right.
17	GREEN: I was exposed.
18	VALENCIA: Right.
19	GREEN: In the open.
20	VALENCIA: Right.
21	GREEN: Yeah. I was scared to death. Scared to death.
22	VALENCIA: And after your engagement, he fell to the ground?
23	GREEN: He did and he stopped moving.
24	VALENCIA: Okay.



1	GREEN: And I I let them move in and do, you know, I knew other guys were
2	moving in. My mind was going a mile a minute.
3	VALENCIA: I'm sure.
4	GREEN: I felt like I ran a marathon.
5	MONTENEGRO: All right.
6	GREEN: I had other options there; you know?
7	VALENCIA: Uh-huh.
8	GREEN: I knew that they would do the rest if, you know, I wasn't I was trying
9	to figure out what the hell happened.
10	VALENCIA: So, after you you backed up, you said you regressed and walked
11	back?
12	GREEN: Yeah.
13	VALENCIA: Secured your weapon. Did you ever make your way back forward
14	again or did you stay to the rear?
15	GREEN: No. I don't think I ever
16	VALENCIA: Did you stay to the rear, at that point?
17	GREEN: Yeah.
18	VALENCIA: Okay.
19	GREEN: Yeah. Sarge from West Valley said, "You're okay." One of the officers
20	got blood on his hands. I was concerned.
21	VALENCIA: Uh-huh.
22	GREEN: You know? That was minutes after though. I was concerned for him
23	and I thought he was angry he was upset. I thought it was because I almost shot him.
24	VALENCIA: Uh-huh.



1	GREEN: And I said, "You weren't up there; were you?" Because I didn't I was							
2	so I was so							
3	VALENCIA: When you're focused and, you know, this from all the stuff that we							
4	do when we train about your focus and your vision was real small. Correct?							
5	GREEN: Yeah.							
6	VALENCIA: Like you said, they asked you about left and right. You were you							
7	said you were concentrating on what his hands were doing.							
8	GREEN: Right.							
9	MONTENEGRO: And when you say he was "angry," who were you referring to?							
10	The suspect or the other officer?							
11	GREEN: No. The other officer was upset and I I thought maybe was he close							
12	was he close when I shot? Because that would make me angry.							
13	VALENCIA: Right.							
14	GREEN: Right? And he said, "No. It was just he got blood blood on him							
15	when they went to handcuff him."							
16	MONTENEGRO: Oh, okay.							
17	GREEN: And							
18	VALENCIA: He's upset because he has suspect blood on him?							
19	GREEN: Right. Because, you know, I didn't know if he was right there. I I							
20	didn't see where he was. He wasn't right in front of me but I didn't know how close they							
21	had gotten because I knew							
22	VALENCIA: I hear ya'.							
23	GREEN: everyone's yelling, "Go, go, go."							



VALENCIA: Right.

1 GREEN: And when he started getting -- the suspect started to regain himself, I 2 wasn't going to go any further because I still believed he had -- he still had that ability 3 and he had the access to that firearm. 4 VALENCIA: Right. 5 GREEN: And now I'm out in the open, no cover, no concealment. 6 VALENCIA: Absolutely. 7 GREEN: I felt like I was on an island. 8 VALENCIA: Right. 9 MONTENEGRO: Okay. 10 VALENCIA: Sir, you have anything? 11 CARVER: I don't. 12 VALENCIA: Brian, is there anything that we forgot to ask or we should have 13 asked? 14 GREEN: (LAUGHS.) 15 VALENCIA: Or that we didn't ask? 16 GREEN: No. 17 VALENCIA: You sure? 18 GREEN: I think that's it. 19 MONTENEGRO: All right. 20 VALENCIA: Okay. 21 (END OF INTERVIEW.)

PC/Cron & Associates Transcription, Inc.

1	JANUARY 12, 2019; 2000 HOURS
2	-00000-
4 5	INTERVIEW OF SERGEANT ALAN HARTKOP
6 7 8 9 10	Taken at Lost Hills Sheriff's Station in the presence of Detective Brandt <b>HOUSE</b> and Detective Gary <b>SLOAN</b> , Los Angeles County Sheriff's Department, Homicide Bureau. Case under File #019-00195-2241-013. Transcribed by Elsy Rodas, Written Communications, Inc.
12	-00000-
13	SLOAN: Okay, we all ready?
15	HARTKOP: Yep.
16	HOUSE: Uh-huh (AFFIRMATIVE).
17	SLOAN: Ready? The date is gonna be January 12th, 2019. The time is going to
18	be 2000 hours. This is Detective Sloan, L.A. County Sheriff's Department Homicide
19	Bureau. I'm gonna be accompanied with my partner Detective Brandt House. I'm
20	gonna be conducting an interview with, uh, Sergeant Alan Hartkop with the Ventura
21	Sheriff's Department. Uh, Sergeant Hartkop has, is going to be represented by Howard
22	Liberman with Mastagni and Holstedt. Uhm, first of all good evening.
23	HARTKOP: Good evening.
24	SLOAN: We know it's, we know it's been a very, very long day today and, uhm,
25	we're gonna try and get you out of here as, as quickly as, as quickly as we can, okay.
26	Uhm, just a couple of things here real quick. Uh, number one, Alan, how long or what
27	was your hire date?
28	HARTKOP: It was July 3 <sup>rd</sup> , 1994.
29	SLOAN: You've been on 25 years?
30	HARTKOP: Uh, approximately.

_	oconic. Okay. Is ventura the only place that you have ever worked in a law
2	enforcement capacity?
3	HARTKOP: Yes, Ventura County Sheriff's Office.
4	SLOAN: Any mil-, military experience at all?
5	HARTKOP: No.
6	SLOAN: No military, okay. For the record, uh, Sergeant Hartkop is gonna be
7	outfitted in the standard Ventura County Sheriff's Department uniform, uh, consisting of,
8	uh, green pants, it's gonna be a beige shirt, it's got patches on both sides along with,
9	uh, three stripes, uh, on both the left and right shoulders there. He does have a name
10	plate of A., uh, Hartkop as well as a, uh, Ventura County Sheriff's Department badge.
11	Uh, he's also gonna be outfitted in a standard, uh, Sam Browne outfit with two
12	magazines, uh, a holster with a gun. What kind of gun do you use?
13	HARTKOP: It's a SIG, uh, PG226 40 cal.
14	SLOAN: Forty caliber?
15	HARTKOP: Yes.
1 <sup>°</sup> 6	SLOAN: He's also gonna be outfitted with a, uh, taser as well as radio and
17	keyholder. Uhm, one or two pairs of cuffs?
18	HARTKOP: One pair.
19	SLOAN: One pair of cuffs. And he is also gonna be outfitted at this time with a
20	body cam, uh, attachment. Uh, at the time of this interview the body cam has been
21	taken from Sergeant Hartkop and any footage from that body cam has been
22	downloaded with the Sheriff's Department. Uhm, what is a normal shift for you to work,
23	Alan?
24	HARTKOP: A normal shift is 12 hours and I, my start time is 5:15 a.m. to 5:15



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2	SLOAN: Uhm, how about days, are they rotating?
3	HARTKOP: They rotate every, so we do three-month increments and right now
4	I'm on day shift
5	SLOAN: Okay.
6	HARTKOP: and we just recently added a switch from, from night shift, uh, to
7	day shift. I believe it was last week.
8	SLOAN: Okay. Right now you're on a three-month rotation of working day shift
9	and what days do you work?
10	HARTKOP: So we're on a rotating 12-hour, uhm, schedule and it's, the easiest
11	way to explain it is it's 84 hours in a two-week period, so from a Sunday, which is the
12	start of a period, uhm, 14 days later to Sunday is 84 hours with every other Friday,
13	Saturday and Sunday off and then then two days on in between and two days off in
14	between.
15	SLOAN: All right. On the day that this occurred, which is a Saturday, what was
16	the last shift that you worked?
17	HARTKOP: The last shift I worked was, uh, the previous day on I believe
18	January 11 <sup>th</sup> , 2019. It was a Friday.
19	SLOAN: And that would be from 0515 in the morning to 0515 in the afternoon,
20	correct?
21	HARTKOP: That is correct.
22	SLOAN: On Friday when you got off work you drove home, got plenty of sleep
23	the night before, before, uh, you came in for your next shift?
24	HARTKOP: Yes.



1	SLOAN: Okay. All right, uhm, you are, as of right now you are the rank of a
2	sergeant. It's normal for you to work patrol sergeant duties?
3	HARTKOP: Yes, it is. That's my assignment right now.
4	SLOAN: And how long have you been a sergeant?
5	HARTKOP: I've been a sergeant for ten and a half years.
6	SLOAN: Okay, ten and a half years as a sergeant. All right. Uhm, obviously
7	we're here to, uh, interview you about an incident that occurred today, uhm, on the 101
8	Freeway where a officer and deputy-involved shooting occurred. Uhm, you were
9	obviously working today, correct?
10	HARTKOP: Yes, I was.
11	SLOAN: And, and to the best of your ability that, that you can remember, Alan,
12	when this incident occurred if you could just start from the beginning when it comes to,
13	from what we understand this is going to be a radio call on a, uh, domestic violence
14	type of a call, is that correct?
15	HARTKOP: Yes, that was my understanding when I actually received the first bit
16	of information on it.
17	SLOAN: Did you respond to that residence where the domestic violence
18	occurred?
19	HARTKOP: No, I did not.
20	SLOAN: Okay, at some point in time, uhm, deputies responded to this location
21	that you guys govern out there in regards to a domestic violence and a police pursuit
22	ensued, correct?
23	HARTKOP: That's what I was told, yes.
24	SLOAN: Starting off with Ventura sheriff's deputies, correct?



HARTKOP: That was my understanding.

SLOAN: From what we understand sheriff's deputies, uh, pursued this vehicle and it, the vehicle then entered onto the 101 Freeway south at which time Ventura Sheriff's Department asked for assistance from CHP?

HARTKOP: That is correct.

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SLOAN: Okay, at what time did you become involved with this pursuit and how were you made aware that this pursuit was happening?

HARTKOP: Okay, so I was made aware of it because one of my partners that I work with, another sergeant, had told me. I had been doing some work in the office and, uhm, he was covering me in the field, so when I got back and got a chance to talk to him to find out if anything was going on he informed me of a pursuit that was originated in Camarillo. He gave me brief circumstances, that it started from a, a domestic violence incident and that the person was wanted and also had a parole hold and was considered armed and dangerous with a parole hold is what I remember him telling me in addition to the fresh probable cause charges which was 273.5 Penal Code and, uh, so those were the two, uh, the two fresh charges in addition to the, the fresh charges for being involved in a pursuit. I was told that the CH-, that our units had initially started it in Camarillo which I'm assigned to the East County Station, it's a completely different station, uhm, and it was started off in Camarillo and it was, it had spent some time in Camarillo and then it had gone to the 101 Freeway. Uh, I was told that some of our units from our station actually were, were requested out to Camarillo but they were canceled at some point, and I don't know the circumstances on why they were canceled but I know that they were heading back to our area. At that point I was monitoring it and, uh, was not asked at that point to get involved in, in any way. I went

on the scanner and I started listening to the CHP, uhm, as far as their radio traffic. I could hear them on the scanner, which is standard issued in our, in our police vehicles, and, uhm, in addition to monitoring our primary frequency for us. I could hear updates on where they were at and I could hear that they were on the 101 Freeway and they had actually gone into the East County area which would be separated by the scales and, uh, and just, it's actually, uh, Whitney Drive, between, in between Whitney Drive and Camarillo Springs on the top of the crest where the CHP have their scales. Uhm, I heard that they had come into our area and they were continuing southbound on the 101 Freeway. I listened. Uhm, I heard them passing Lynn Road, which is in Thousand Oaks, which would be our area and I heard them continuing past Hampshire. I heard them continuing past Lindero, past Kanan at which time I knew that they were in, in Los Angeles County. Uhm, also, at one point I heard the speeds being put out and that, that CHP was updating their travel speeds at about 90 miles an hour and that it was raining out and that they were starting to approach traffic. I heard them, being the CHP officers, that were broadcasting on their, on their channel that they were gonna hold back on the pursuit with their vehicles, with their cruisers and that they were gonna allow the, the helicopter that was overhead to call it out because of the speeds and, uhm, and the traffic they were about to approach. And that was just past Kanan Road when I, when I heard that, when they were just passing Kanan Road it appeared based on the radio traffic that they were at. And after that I heard some, I heard radio traffic that the vehicle had crashed and it had crashed near Las Virgenes so the 101 South at Las Virgenes and, uhm, the person, the vehicle was on, was on the side of the road and I didn't hear any radio traffic for a while so I was waiting to see what had, was going on. I knew that our helicopters from the Ventura County Sheriff's Office was the

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helicopter above that was calling it out, and every once in a while they would get, we 1 would get on our, our primary frequency was, which was Channel 3 for the Sheriff's 2 Office and they would update our dispatch with the, with some additional information, 3 so we had the CHP officers that were providing it to their dispatch center, which was the 4 primary frequency and then we had our, uhm, helicopter that was allowing us or to 5 update our dispatch center with what was going on. So I heard our CH-, our, our 6 helicopter, uhm, crew chief put out over our channel that the suspect, the CHP was, the 7 suspect was out of the car and that the CHP was, was out with him. It was confusing to 8 me as far as when I first heard that because I didn't, uh, it, it wasn't clear what they meant by out with him. Uhm, I didn't know if it was a stand, a standoff with him or what 10 was going on, so I just continued to monitor. Uhm, several minutes later our, one of our 11 patrol units was asked to respond to the location. It was our 412 car, which is Deputy 12 Noel Juarez and, uhm, it was per the Watch Commander who was, is Captain Brian 13 Slominski in our office in Ventura and so per the Watch Commander he was asked to 14 respond to the location with termination of the pursuit and they gave the location which 15 was 101 South at Las Virgenes and, uhm, at that point no, no other units were, were 16 dispatched to it. I was not asked to go there and I was monitoring it myself because I 17 was thinking well I got, now I have one of my units going there, uhm, you know, what's 18 going on, and, you know, so I'm listening and within about five minutes I got a phone 19 call from, uh, from the Watch Commander which was Slominski and he asked me to, 20 uh, to head out to the location. At this point I didn't have a lot of information other than 21 what was told to me from my partner, uhm, briefly and, because we were not involved in 22 it at all as far as in Camarillo and, uhm, and I was busy doing some office work so, 23 uhm, I, I didn't hear a lot of the details on that other, on the scanner and what was



going on. So Brian, uh, Captain Slominski told me on the phone that it involved, briefly 1 told me that this guy, uhm, was at a standoff, uhm, with CHP. He gave me the location, 2 3 he asked me to go out there. He also told me that, to hold back because w-, uh, L.A. Sheriff's Office, it was in L.A. County where it was occurring and he told me that L.A. 4 Sheriff's Office was gonna be the primary on it along with the CHP because it happened in L.A., the incident, you know, the crash occurred in L.A. County and he 6 7 said that, you know, our role was primarily there because, to see if we were gonna transport, uhm, the subject if he was eventually taken into custody, if we were gonna 8 transport him back or just try to work out the details of the final outcome of, of the incident as far as with the, with the allied agen-, agencies, because at this point, uhm, 10 potentially everybody had an interest in some criminal offenses that were occurring, the 11 12 CHP being the pursuit, us being the domestic and then if something else happened at the scene being in L.A. County, so he wanted me to go out there but he, but he, uhm, 13 did make it clear to me that, you know, at this point we were probably, we were in a 14 secondary role to, to stand back and, and to, uh, you know, let the agencies, L.A. 15 Sheriff's Office and the CHP handle it, and, uh, I assumed that was because, you know, 16 17 it, logistics and, and, uhm, communication, everything like that being in the, in the county, uh, where it occurred. That's what he wanted so I asked him, I go, "Do you 18 want me to respond Code 3," being emergency lights and siren out there? He told me, 19 20 "No." So I responded out there. I drove out there. Uhm, I think I was in the north part of Thousand Oaks 'cause I was in the area of Avenida de los Arboles and the 23 21 Freeway. I got on the 23 going south, uh, to the 101 south and I could see that there 22 was traffic backing up at probably just around Kanan Road, so I started, uhm, I started, 23 I put on my, I advised our dispatch that I was gonna respond Code 3 because of the 24



traffic being an issue, and I could also continue to hear, uhm, radio traffic that this person was out of the car and I could hear our helicopter saying that he's got his. something about his right hand, he's concealing his right hand, and it appeared to me at that point that, uhm, that this person, you know, was, was uncooperative, potentially had a weapon and I knew from the phone call from the captain that this guy was considered armed and dangerous 'cause he had told me that this person had a parole want and he was considered armed and dangerous. So when I was hearing that, uhm, along with, uh, when, when I was hearing the radio traffic from our helicopter, the fact that he was concealing his hand it, it led me to believe that this person potentially had a weapon on him and, uh, that was in the back of my mind, so I started responding with my lights and siren. Because of the traffic I was going nowhere. It was, it was bumper to bumper at that point in the main lanes on the 101 Freeway south, so I moved over to the shoulder on the left and I slowly drove with my lights and siren on until I got to the point where I could see a fire engine truck, uhm, that was in the shoulder of the road on the, on the left side, so, uhm, right in the center median part but on the southbound side, uhm, against the guardrail. So he could see that I was coming with my lights on so he started moving out of the, out of the way for me and, uh, when he cleared, he had a, he had the, you know, a marked red Los Angeles, uh, either city or county, uh, fire rig. He moved out of the way and when he did that I could see that there was my unit. one, one, and I say my unit, one, a Ventura County Sheriff's Office unit which is a Tahoe and I saw that that was Deputy Juarez on scene and I could see that there was two CHP officers, two cars. Uhm, at that point I realized myself that we're actively engaged in this incident with this guy. I didn't see any Los Angeles County Sheriff's units on scene at that point and I saw one officer with the, with the Ventura County

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Sheriff's being Juarez and three CHP officers. There was two, there was two CHP 1 cruisers and then one of ours and then mine was back within the four that I could see. 2 And then I could see that traffic was being blocked by the CHP. I, I knew for sure in 3 going, in a southbound direction so that we didn't have anybody and, and then also north of our location, so there was nobody in front of us and, uhm, and I could see that 5 their units were doing that. Uhm, I could see that, that, uh, that Jaurez had out his 6 7 shotgun and he was positioned to, on the driver's side of his vehicle, and his vehicle was the furthest vehicle to the left of the suspect's vehicle and I could see that the two 8 cruisers for the CHP, there was one just to his right and then there was a, there was a 9 second one to the right of that, so, and there was two officers in the middle for the CHP and there was one officer to the far right, so I decided to go out with just my handgun at that point, uhm, and I was trying to find a position of cover but to the rear of the Tahoe that Juarez had up there it wasn't a good position because the CHP officers were kind of ahead of him so they, it, it, it appeared to me, and then I could also see the suspect at that point, but it appeared to me that if he started moving or coming out that I could be in a bad position, possibly a crossfire with the CHP officers, so I elected at that point to go to where Juarez was at, which was on the driver's side of his vehicle and with my handgun out took up a position of partial cover, uhm, behind the front left where the engine block is on the front left wheel. At that point and even p-, prior, even prior to that going up I could see, uhm, the suspect vehicle. I could see that it had crashed into, uhm, the guardrail on the south side of the freeway and I could see damage to the vehicle and I could see that it was kind of, the front end was facing the guardrail at about, I'd say approximately a 45 degree angle so it was canted. Uhm, I could see that the suspect was, at first I don't remember, when I first came up I don't remember if he

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was out of his car because, uh, eventually is that, what he kept doing was, is he had the doors open on the driver's side and the p-, in the back, in the passenger side. And this all on the, on the, on the driver's side of the vehicle, so he had the, I guess the front, the driver's side door and then the passenger door open and he was crouching down in the back area of the car and, uh, so I took up a position of cover and the CHP officers were giving directives to this person, uhm, and, and at, and at some point we were all giving directives and the directives were, uhm, to the effect of "Show us your hands," you know, "We need to see your hands." Uhm, we're, we're saying this because, you know, we wanted this, this guy to surrender peacefully and for us to see his hands because he was hiding. When I say hiding, he as crouching down and I couldn't see his entire body. Uh, the way he was behind the car I could only see at, at points I could see his, uh, his head and parts of his upper body but I couldn't see his waistband and I couldn't see his, uh, like parts of his stomach area at all, 'cause it was being covered from his vehicle and he was, he was crouching down into his car and getting into his car at, at, uhm, at points during this, uh, during this time I could, he was doing that. Uhm, it, it, this went on for a period of time, I'd say probably about 15 to 20 minutes where we were giving him commands, uh, to, to show his hands, asked him to show his hands, uhm, telling him to just step out with his hands up, giving him directions so that we could, uh, try to peacefully resolve this, make, making even statements to him "Not to", you know, "Not to do this," you know, "To just, to, to give up and put his hands up," and I could also hear the CHP officers who were closer than us, uhm, in the center saying the same, similar type of, uh, of, of verbiage to him as well. Uh, so at this point it, you know, I got on the radio. I could see that, what was going on, and, uhm, with this guy not complying, uhm, being a threat and the fact that the information we had previously

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of him being armed and dangerous by, being armed and dangerous and being, uh, a wanted parolee, being involved in a domestic, knowing the, the volatility of those types of situations and then his actions on scene, you know, I, I really believed that he had a weapon on him and that he was gonna continue with his actions and at any second was going to, uh, pop up, or, or appear with a weapon, and I thought it was gonna be a split second, you know, action on his part from where he was at, and I kept relaying that to, to one of my deputies on the scene which is Deputy Juarez, you know, "Be careful, be ready. Are you in good position?" Uhm, at that point he had his shotgun, his long gun directed on, uh, the suspect and we were probably I'd say about 60 feet, 50 to 60 feet away and kind of off to the left at an angle. Uhm, I had my handgun out and, uhm, I was also giving radio traffic, so I asked our, our, uh, dispatch center to send us units Code 3 and I explained to 'em that over the radio that we're at a standoff with the suspect, we're the only units on scene along with the CHP. There is no LASO on scene at this point, uhm, and at that point I could hear that some units were being sent to me Code 3 and I thought I was getting some additional units and, uhm, so I could hear that going on but then I was, I was focused on the suspect so I was trying to just multitask and do two different things. I also knew that I had some long rifles that were, were pointed at him and we had been communicating, myself and Juarez, in the sense that I was telling him, hey, this situation to me is, you know, we use the term "Suicide by cop," and I don't know if I said that to him but in my mind that's what I was thinking and but, but what I was telling him is "Just be careful. It's gonna, it could be quick," because, and I was saying that because he was behind the car crouching down and in my mind, uhm, through my training and, you know, what I've seen it's just a split second and that, you know, he really potentially could get one, a round off, uh, at that time, and I wanted

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us to be able to, before he was able to get on any target and, and have an accurate round at us, be able to be in a position to respond. Uhm, so he, he was, you know, he was telling me that he was in a good position and he was comfortable and, uh, it was starting to get fatiguing for me 'cause I had my weapon out for a, for a long period of time, my handgun, and uhm, I really didn't have any place to rest it on. I was trying to rest on the sideview mirror a little bit. Uhm, I tried to switch positions thinking at that point, okay, well maybe I'll readjust myself and go around the car to the passenger side, but when I did that the passenger side, you know, wouldn't have really offered me, it would have been a little bit of c-, it wouldn't have really offered me any cover; it would have just been the door. And then also when I went around back I could see the two CHP officers, uhm, in behind there to the trunk area of their vehicle and it was, in my opinion, a crossfire situation because I was behind them. Our vehicle was behind them, and they were in front of me and just, just canted off to my right, so I quickly turned back and said no, that wasn't, you know, I realized that wasn't a good position. I went back to where I was next to, uh, Juarez. So at one point during this whole, uhm, standoff, for lack of a better term, with this guy of him coming, you know, from the back seat where we couldn't, we c-, I could see him through the rearview, uh, or the rear glass window, but I couldn't see his body at all, only through the, through the glass and then he'd pop back up. And, and, you know, at times he would, he would, uh, step out maybe a foot or so and, uhm, he would, uh, he would h-, he had, I could see at one point where he had his right hand, he was wearing a jacket, and I could see that his right hand was completely, uhm, inside his jacket, like inside, like covered completely. I couldn't see any skin at all, so it was completely inside and I was really trying to focus hard where I was at to look to see if I could see any, uh, blue steel to, you know,

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indicate a weapon or whatever and, uhm, you know, I could see, I could see the hand in there clearly and I thought for, you know, that he did have, I, I thought he had a weapon at that point, the way he was holding it and I could see like a, uhm, in, in the fabric of the, of the clothing that he had on I could see a bulge that appeared to be past where his hand would be so I felt like he was definitely holding something and the, the outline that I could see appeared to be to me to be consistent with what I know to be, you know, a handgun. Also, uhm, we were telling him to, you know, "Put his hands up," and he made the comment at some point, this is probably about five to ten minutes into the whole thing maybe a little longer, but he had made a comment, "How would he, what would he do with his gun if he did that."

SLOAN: Uh, say that one more time.

HARTKOP: He, he said, "What will I do, what am I gonna do with my gun if I do that?" is what he said. To me it clearly, it, it, I, I relayed that to words. I said, "Did you hear that, he's saying he has a gun. He saying he has," I said that, I repeated it to the CHP officers. "Did you guys hear that?" I got an acknowledgement that everybody was, had heard it. They had also indicated they, they had heard it and, uhm, and, and I believe the suspect said it more than one time, but it was clear to me. I clearly heard that and there was no doubt in my mind that he had said that. I repeated it out so that everybody under, you know, understood it and, uhm, so at that point, uhm, again the standoff. He was just, he was, he was, uhm, mumbling about how he, you know, he had, about his personal life and how he was, you know, he wasn't gonna, "He had nothing now," something about his kids. I couldn't really make it out because of the distance and then, uhm, the traffic and, and the helicopter that was overhead but something about how he had nothing and, and what he was saying to me was, was

indicating desperation on his part. That, that's what I was, uh, interpreting it as a

person that was basically saying he had nothing to live for and this was my

interpretation based on his words about, you know, he doesn't have his kids anymore,

uhm, and then the comment about the, about "What am I gonna do with my gun?" So it

was clear to me that he had the gun on him, he was desperate and he was, uhm, and,

and we were in a situation of, of, of possible suicide by cop situation. Uhm, so after,

you know, after us continuing to give him these commands the CHP, another CHP

officer arrived on the scene. I believe it was another CHP officer. I could be wrong. It

could have been one of the three that were there but, uh, but I heard, uh, less lethal on

scene and I saw that it was a CHP officer. Uhm, over my right shoulder I looked and

we talked about, uh, we talked about like where he could be positioned, a little bit about

what the suspect was, was doing and, uh, comments were made about how it was kind

of a difficult shot with a less lethal, uh, bean bag at that point because the suspect was

concealing himself behind the vehicle at the angle of the vehicle, so there really wasn't

a, uh, a good opportunity that I had seen up until that point to deploy the, the less lethal

round effectively, uh, at that point so.

SLOAN: This was a shotgun, less lethal shotgun?

HARTKOP: Yes, it was a shotgun.

SLOAN: Okay.

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HARTKOP: So, uhm, so he stayed there and he agreed he was trying to get into a, a position. He was, he was b-, over my right shoulder he was behind me and I think he might have moved, uh, behind the car a little bit to try to position himself and s-, and like I did previously, maybe see if there was a better spot for him to go, and, uhm, he eventually ended up coming back to where I was at in mine and Juarez's location and,

uhm, and he was, you know, he was, uh, he was behind us and off a little bit to the left so that he had the view as well of what was going on. Communication with him was "If 3 he steps out into that position again," 'cause he continuously would go from the back of the car and then he would step out and he would stimulate or, that he h-, that he, with his right hand that he was holding something in his jacket concealing it, which he had indicated was a gun by, by his statement, and, uhm, so the, the quick talk there on the scene was "If he steps out far enough he's gonna take a shot with the bean bag at that point and to be ready," uhm, to s-, to see whether or not it would be effective or put ourselves in a position to, to defend ourselves if, uh, if he was to, uh, display the weapon he indicated he had. So, uh, at one point, uhm, the suspect did step out and, uh, he stepped out away from the vehicle and a CHP officer indicated less le-. I mean he was gonna deploy the less lethal and I heard the round go off from, from, uh, after he was saying he was gonna deploy the less lethal. The round went off and, uh, when that happened I looked up and I could see the CHP officers that were to my right moving in so they were, they were kind of moving forward from the trunk position forward and I was concerned about a crossfire situation because we were behind them and to the left. Juarez I believe had gone out to the, to the left of where, uhm, the less lethal or the CHP officer with the left lethal had been or was and so I waited for the CHP officers to, to move forward after the, after the shot and then I started, I started moving forward and I could see that it appeared like the guy, the suspect crouched down and then I lost sight for a little bit because the CHP officers had gone in front of me and, uh. then I, I heard additional rounds. I don't know how many, if it was, but I did hear an additional round after, uh, the one which I thought was the less lethal weapon go off and, uh, you know at that point I, I didn't know. I knew that I hadn't fired it but I didn't

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where it had come, where it had been coming from and, uhm, it, my, my viewpoint at 1 that point was kind of, it wasn't real clear because the CHP officers had moved in. 2 They were kind of in front of me and I was trying to get to the right of 'em, or, or get to a 3 position, also focused on the car too, 'cause we didn't know. Uhm, it appeared that 4 nobody else was in it but we didn't know if somebody was crouched down or whatever 5 so I was kind of focusing on, a little bit to the right on the car and, uhm, when I could 6 see the suspect again, and this was after the additional shots had been fired, you know, 7 he, uh, he was down on his, I believe he was on his back and I could see a little bit of 8 blood and some movement and then the movement just stopped, uh, pretty quick and 9 to the point where I, I felt like his, his threat had been, uh, had, you know, was, that he was no longer a threat at that point, you know, and it appeared to me that he had, he 11 was deceased and he had stopped moving and, you know, I've been on plenty of 12 situations with, uh, with deceased people and, uh, and that was, you know, that was my 13 mindset and my thought process at that point. Uhm, I could also see, at that point, I 14 could see something that was dark and that, you know, it was either black or gray or 15 dark gray and it was next to him on the left side and it was on the ground. I think I, uh, I 16 might have said something, I'm not sure, but I, I clearly saw it and, uhm, you know, I 17 don't know what it, I don't know what it was but it was, uh, it was some kind of object 18 that was square and, uh, and it was there. 19

SLOAN: Square like a magazine from a, from a weapon or square like more, uh, cylindrical type of, uh, handgun?

HARTKOP: It looked like it was, uh, it looked like it was like rectangular, like it could be, you know, like a, uhm, like shaped like a magazine.

SLOAN: Okay.

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HARTKOP: Yeah, it looked like it, it could, so it was definitely long and then less wide than, than it was long, so it, it, it looked like it could be shaped like a magazine.

SLOAN: Okay. And that was r-, and that was right next to him, you said?

HARTKOP: It was, it was on, yeah, it was close to him.

SLOAN: On top, on top of the freeway, the asphalt?

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HARTKOP: Yes, on the asphalt, yeah, next to him. So at that point, uhm, I got up there, I called. I didn't realize that we had, Fire had been staging but during that situation, you know, I, I kind of, just by habit, I got on the radio and asked for, uh, you know, Fire and ambulance and that we had, uh, that we had shots fired and that we had a suspect down." Uhm, and somebody hollered out to me that "We did have Fire on scene" at that point so then I quickly canceled 'em. We started, uhm, motioning for the Fire Department to, uh, to move in so that they could provide medical treatment to the, to the suspect and, uh, they came in quickly and, uh, and, and did so and, uh, I think it, you know, it was, uh, determined, you know, that, that he was deceased and, uh, at that point also I saw Juarez and he had, you know, he had a shotgun and it was kind of like high ready or up and I asked him, or he told me, you know, I don't know if he read, you know, when we were looking at each other and, and I said, "Did you shoot it?" and he, and, and he said, "Yeah, that he did," and, and I was concerned with him 'cause he's one of my deputies with our agency, the only other, uhm, officer with us that was there, just the two of us. So, uh, I wanted to let our, uh, watch commander know so Juarez was there. He kind of stepped back. I said, okay, "I'm gonna make a phone call real quick and, uhm, you know, let your watch commander know what's going on, we have an officer-involved shooting," and, uh, so that's what I started to do and then

and also I was like, okay, well the scene is safe now here, I also wanna get Juarez's,

2 uh, weapon secured so I indicated to him, "Let's just throw it, let's put it in my shotgun

rack in my car and, uh, let's secure it that way." So ultimately that was --

SLOAN: Your car did not have a shotgun?

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HARTKOP: No, my car did not, yeah, so, uhm, and then I ended up moving his, I ended up securing his, uh, his weapon to the rear in the trunk and, uh --

SLOAN: So not in the rack. It actually was in your trunk?

HARTKOP: Not, yeah. So I, I eventually moved it to the, yeah, to the back, to the trunk and, uhm, Juarez came up to me at some point and, when I was calling the watch commander. I told the watch commander we had been involved, you know, that Juarez was in an officer-involved shooting, that we do have a deputy that's involved in it from our agency and, uhm, CHP as well, and, uhm, so then after that Juarez came up to me and, uhm, he was unloading the shotgun and he had thought that possibly at that point he just said, well, he goes, "I, I'm accounting for all the rounds so, you know, maybe, you know, I, I, maybe I didn't sh-, you know, maybe I didn't shoot," which was, when he first came up to me and he told me he was like, "Yeah, I shot." When I asked him he was like, "Yeah, I shot," uhm, and it was clear. It was like, "I shot." And then, uh, I think he second guessed himself because he saw that there was a round still in the chamber not ejected out and so he was thinking oh maybe, you know, I don't know, maybe I didn't, but, so then, uh, so then I, you know, I said, "Okay, well, you know, did you or didn't you," and then he, he checked. He goes, "Oh no, no, I did." He saw that the round was, uhm, you know, was, was basically an expended shotgun, which we use slug rounds, uhm, our department, so, uh, it was a slug round.

SLOAN: So he never ejected?

1 HARTKOP: He never ejected.

SLOAN: He just shot and never and, and never --?

3 HARTKOP: Never ejected --

4 SLOAN: Got it.

HARTKOP: -- so that's why he was, uh, it just confused him for a little bit and I think under the stress of the situation --

SLOAN: Certainly.

HARTKOP: Uhm, yeah, he, uh, he thought, uhm, possibly, uh, wait a minute they're all accounted for and that's where he, you know, he, he thought that maybe he hadn't but then he told me, "No, no, I did," and then that was his first, uhm, response to me when, when, when I asked him.

SLOAN: So what hap-, what happened to that round or that, that, uhm, expended?

HARTKOP: So I, I took, uh, the rounds and I put 'em in a, uh, I grabbed a brown bag or a evidence bag from my, from the trunk and I stuck 'em in there and then also I asked him, I go, "Okay, well, let's get your" -- so I put the shotgun back there, I put the rounds back there. I said, "Just give me your body cam too," because we have the body cam. When he was, when he was in his position initially, uhm, he had taken off his body cam. He said, you know, "I'm gonna just put it in the dash of the vehicle." I said, "Okay, that's good," you know because, uh, these things have a tendency to fall off pretty easy; they're on a magnet," so, you know, I thought, okay, that's a good idea 'cause I knew I had mine activated, and, uhm, we pretty much have the same vantage point. I said, "That's good, let's put it in the, in there." So I grabbed it, looked at it and I could see that it was flashing green which to me indicates that it's turned on but it's not



in active recording mode from, from what I know. So I, uh --1 SLOAN: Well excuse me one second, Alan, I apologize. Are you typing, uh, 2 Amber and Joe right now? 3 HOUSE: No. 4 SLOAN: Okay, just to answer their question when it came to that. Uhm, before 5 we go any further what vehicle number do you, do you, were you driving? б HARTKOP: 7 SLOAN: 9 HARTKOP: Yeah, that's the last four of it, so first, uh --10 11 SLOAN: No problem. And your car was obviously left within --12 HARTKOP: Yes. SLOAN: -- the scene, correct? 13 HARTKOP: Yes. 14 SLOAN: Okay. Uhm, you took his shotgun, you secured it, you cleared it of all 15 rounds including the expended shell? 16 17 HARTKOP: He, he actually had cleared it --SLOAN: Okay. 18 HARTKOP: -- and I grabbed the rounds from him. 19 20 SLOAN: Put 'em in a evidence, uh, plastic or a paper? HARTKOP: A paper bag, brown paper bag. 21 SLOAN: Put 'em in a brown paper bag, put that along with the shotgun into your 22 trunk, correct? 23 HARTKOP: I did, yes. 24



SLOAN: Okay. 1 HOUSE: But, but the, the rounds, the, the live rounds but also the expended 2 rounds right? 3 SLOAN: Right. 4 HOUSE: Those were all together? 5 HARTKOP: Yeah, so there was, uh, yeah, exactly and then I also t-, and took 6 the body cam and I turned it off. I looked at it first and saw that it was flashing green 7 which, like I said, indicated to me it was on but not in active recording mode because it'll 8 flash red in active recording mode and then I, so I turned that off which nothing gets lost on these recorders at all if it's, so I just turned it off and I stuffed that in the bag as well. 10 Uhm, I stuck the, the body cam in there. 11 12 SLOAN: If you can just give me one second I want to make sure that while they're processing the scene out there that they know that one of the vehicles has the 13 actual weapon. I believe it was a question of the people who were processing out 14 there. 15 HARTKOP: Okay. 16 SLOAN: So I'm just gonna let them know, yes, he did clear that in vehicle 17 and the shell casings are gonna be there, okay. That way they don't, 18 even, I don't know if they're close to being done out there and then all of a sudden the 19 cars are gone and nobody's taken the shotgun yet, okay. 20 HARTKOP: Right. 21 22 SLOAN: So just two seconds here.

HARTKOP: Sure, it makes perfect sense.

SLOAN: And that was Juarez, correct?

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HARTKOP: Yeah, Juarez. It's J-U-A-R-E-Z.

(Background noise / no conversation from 00:41:57 to 00:42:42).

SLOAN: Okay, perfect. The, uhm, getting back to after you cleared and contacted the watch commander you obviously noticed that after the shooting immediately paramedics and other officers started attending to the suspect?

HARTKOP: Yes.

SLOAN: Okay, uhm, was he pronounced almost immediately by paramedics or was, was he worked on by anybody?

HARTKOP: I don't know. I saw them going up to him and, uhm, I was under the impression that they were working on him. I can't say that I actually s-, that was my impression. My understanding now, the way I sit here, is that they actually worked on him.

SLOAN: Okay.

HARTKOP: And they were there quickly. I remember after, uhm, seeing him on the ground, uhm, within, you know, I'd say within 10 to 15 seconds, I, I best, you know, what I can remember. I asked for it and then somebody blurted out that they were on scene. I looked back and I saw the, the rigs and so we motioned for them to come in and they started moving in and when I was talking to Juarez about whether or not he shot they were moving in and they were getting their equipment and I could see them walking up with bags and I kind of lost track of what they were doing. I looked, the suspect wasn't moving and, uhm, my assumption was they were gonna do everything they could to help him out at that point.

SLOAN: With the exception of the comment that you stated earlier in regards to somebody telling him to put up his hands and he, he answered back with, "Then what



would I do with the gun that's in my hand?" with the exception of that during this
dialogue going back and forth when there's commands, uhm, almost sounds like he
pleads with officers to, for him to give up. Is there anything else that you can remember
that he is saying back to police? Uh, first of all, are you part of these commands as
well?

HARTKOP: Yes.

SLOAN: Okay. During these commands CHP is also part of these commands?

HARTKOP: Yes.

SLOAN: During these commands do you remember anything else that he said? Was there any type of dialogue, was he yelling and screaming at you guys, was he telling you to fuck off, pardon my French, but anything at all like that? Do you, do you ever remember him saying anything like that?

HARTKOP: I do remember at one point him, uh, actually saying the word "fuck." I couldn't, uh, I couldn't make out exactly what he was saying but I do remember him saying that and, uhm, I do remember him talking about his family and not, and basically not having anything else.

SLOAN: I can imagine at some point in time it had to be, at, at times and maybe more so than not, fairly loud because of the helicopter. Did that have a lot to do with being able to hear him?

HARTKOP: Yes, it did.

SLOAN: Uhm, obviously there were times when the helicopter would change positions to where you could actually hear his dialogue and what he was saying to you guys, correct?

HARTKOP: That's correct, yes.



SLOAN: Uhm, also when you were sitting there and you, kind of in the standoff part and assessing what, what you're seeing, you're having a conversation with Juarez?

HARTKOP: Yes, I am.

SLOAN: Uhm, explaining to him that you possibly saw a gun or you believed that you saw a gun?

HARTKOP: Yes.

SLOAN: Almost, almost to the point as you said, uhm, to where the bulge was so profound that it obviously looked like there was a gun that, that he was holding and you verbalized this to Juarez as well?

HARTKOP: I did, and I believe I verbalized it to the CHP that was across from us. I wanted people to know, I wanted everybody to know the best I could with, like with the helicopter and stuff going over but I was trying to make it clear that I could see that, and I was focusing, I was clearly focusing on that because I could see his hand in there and I just, I was really just, you know, concentrating on, on looking and, and I could see just the outline of the fabric, uhm, you know, consistent with something else being underneath it, you know, connected to his hand 'cause it was in front of where his hand would have been. I could see his arm in there and I could see his hand and then in front of that I could see this, this outline in the fabric.

SLOAN: At the time that he was, this, he being the suspect, stepped away from the car CHP actually, did, did they verbal, verbalize that they were going to deploy less than, less lethal right then? Before the CHP officers shot the bean bag gun did he actually say deploying less lethal or did he verbalize this prior to that and then you guys made, uhm, you kind of put together this plan that the second that he is cleared from that car and there's a clear shot he was going to deploy? He didn't actually say it the



second before he deployed the bean bag, did he?

HARTKOP: We for sure talked about, so we for sure talked about, uhm, what would be the best opportunity to deploy it. He was, he, he made it clear he was on scene with the, with the, uh, less lethal. I saw him with it and we talked about him stepping away and that being the best opportunity just because of the position he was in. At the time that it was deployed to the best of my recollection I remember him saying "Less lethal." I remember.

SLOAN: Right before he shot?

HARTKOP: Before, yeah.

SLOAN: Okay.

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HARTKOP: Before, before the, the, the first shot, yes. I can remember that.

SLOAN: When that first shot happened it was within seconds that you then heard another volley of, of shots obviously from guns?

HARTKOP: Yes, it was within seconds?

SLOAN: Okay, do you th-, was, did you ever have a clear enough view at the time that these rounds were being fired to see any type of actions at all that the suspect had, uhm, w-, was doing?

HARTKOP: For a split second after the less lethal I saw him, uhm, crouch down and then within, right after that that was the last I could see because I, my view started getting obstructed from the officers that were on my right that were moving in, 'cause they were closer and, uhm, they had a much shorter distance to move in after that, and so I could start seeing them and, uh, you know, we just went through a horrific incident recently involving, you know, friendly fire with one of our officers who was --

SLOAN: Absolutely.

1	HARTKOP: was killed, so I'm pretty, uhm, you know, I guess ultraly, you
2	know, concerned about that. So I remember thinking to myself, you know, they're
3	moving in and I'm behind them and they're moving right towards, you know, or my
4	direction so I, I saw a lot of officers in better positions than I was in and I said, okay, I'm
5	standing back for a second as they move in and then I went around.
6	SLOAN: It would almost, Alan, be safe to say that the second that the less letha
7	was deployed the officers then positioned themselves in front of you before the next
8	volley of shots were made. Would that, would that be accurate to say?
9	HARTKOP: Yes, that would be accurate. That's, that's what I recall.
10	SLOAN: Okay. All right. Brandt?
11	HOUSE: I don't have anything.
12	SLOAN: Lieutenant?
13	LIEUTENANT: I'm good.
14	SLOAN: You good? All right. While we're on tape, first, Alan, do you have any
15	questions of us at all?
16	HARTKOP: No, sir.
17	SLOAN: Okay. All right, the time is now going to be 2100 hours. We are going
18	to conclude this interview with Sergeant Alan Hartkop with the Ventura County Sheriff's
19	Department.



(END OF INTERVIEW)

## VENTURA COUNTY SHERIFF

OFFICER RADIO LOG FOR SCANLAN, NATE from Position:SCC1

Jan. 16, 2019

Criteria: Range: Jan. 12, 2019 (0500) - Jan. 13, 2019 (0740), Unit: 4E12, Logon/of

Unit	Officer	Date	Time	Status/Activity Call		Ву
4E12-SR	2463	Jan1319	740	IS VEH.		4E12
4E12-P	3336	Jan1319	734	NA SIGNOFF: SIGN OFF VEH:		SCC9
4E12-P	3336	Jan1319	156	NA (81) HOME STATION BOLO NOTIFY:		9996
4E12-P	3336	Jan1319	117	(CALL: VS19-6575 NA (81) HOME STATION Sent to MDT:		SCC6
4E12-P	3336	.Tan1319	117	4E12, Status chan NA (81) HOME STATION STA 10		SCC5 SCC5
4E12-P	3336			IS Sent to MDT: 4E12, Status changed	l to	bees
				IS by SCC1		SCC1
4E12-P		Jan1319				SCC1
4E12-P	3336	Jan1219	2344	NA (81) HOME STATION Sent to MDT: 4E12, Status chan		SCC3
4E12-P	3336	Jan1219	2344	NA (81) HOME STATION		SCC3
4E12-P	3336			ER (19) ENROUTE STATION/OR CITY		
				UALL, ALL CLEARANCE		EVCC1
4E12-P	3336	Jan1219	2311	ER (19) ENROUTE STATION/OR CITY Sen	t to	
				MDT: 4E12,		SCC3
	3336			ER (19) ENROUTE STATION/OR CITY		SCC3
4E12-P	3336	Jan1219	2309	IS Sent to MDT: 4E12, Status changed IS by SCC3	l to	SCC3
4E12-P	3336	Jan1219	2309		6219	
4E12-P	3336			OS BOLO NOTIFY: (CALL: VS19-6465)		
				PERSON (MISSING/		SCC5
4E12-P	3336	Jan1219	2130	OS SCC P-EAST P-WEST, SCC/PATROL . Y	ES	
4 T T T O T	2226	<b>*</b> 1010	0405	WE'RE SWITCH		SCC5
4E12-P	3336	Jan1219	2127	OS BOLO NOTIFY: (CALL: VS19-6471) PERSON (MISSING/		SCC6
4E12-P	3336	Tan1219	2110	OS SCC P-EAST P-WEST, SCC/PATROL - T	'AC2	5000
THE	3330	Culling	2110	IS BACK ON	1102	SCC5
4E12-P	3336	Jan1219	2013	OS -WEST -EAST P-EAST P-WEST, ALL TA	C2	
				IS SWITCHING		SCC5
4E12-P	3336	Jan1219	1949	OS TO, OK GUESS Y'ALL CAN 10-22 REF	THE	
	2225		1010	HYUNDAI, 9H	***	ART3
4E12-P	3336	Jan1219	1948	OS TO, HI EVERYONE. JUST FYI HAD A W HYUNDAI 4D	HITE	ART3
4E12-P	3336	.Tan1219	1300	OS TIMER OFF - 219 VS19-	6219	
4E12-P	3336			OS (RC) ENROUTE STATION/OR	0222	5007
the about when there is no				CITY HAD CONTACT VS19-	6219	SCC6
4E12-P	3336	Jan1219	1134	OS S 101 /LAS VIRGENES (V) VS19-	6219	SCC3
4E12-P	3336	Jan1219	1129	OS Sent to MDT: 4E12, Status		
				changed to OS by SCC6 VS19-		
4E12-P	3336	Jan1219			6219	SCC6
4E12-P	3336	Jan1219	1124	ER SCC6, SOMEONE KEEPS TURNING THE		4E12
4E12-P	3336	Tan1210	1102	RINGER OFF MY PH ER 4E12, ANS UR PH		SCC6
4E12-P	3336	Jan1219			6219	
4E12-P	3336	Jan1219		IS CAPABILITIES: CILL		4E12
	·					

Page 2

## VENTURA COUNTY SHERIFF

OFFICER RADIO LOG FOR

Jan. 16, 2019

SCANLAN, NATE from Position:SCC1

Criteria: Range: Jan. 12, 2019 (0500) - Jan. 13, 2019 (0740), Unit: 4E12, Logon/of

Unit Officer Date Time Status/Activity

Call By

4E12-P 3336 Jan1219 758 IS VEH: PHONE

4E12

END OF RADIO LOG

VENTURA COUNTY SHERIFF Page 1

OFFICER RADIO LOG FOR SCANLAN, NATE from Position:SCC1

Criteria: Range: Jan. 12, 2019 (0500) - Jan. 12, 2019 (2300), Unit: 458, Logon/off

Jan. 16, 2019

	J				
Unit	Officer	Date	Time	Status/Activity Call	Ву
4S8-SG	3008	Jan1219	2156	NA SIGNOFF: SIGN OFF VEH:	SCC1
4S8-SG	3008	Jan1219	2156	IS Sent to MDT: 4S8, Status changed to IS by SCC1	SCC1
458-SG	3008	Jan1219			19 SCC1
458-SG	3008			OS Sent to MDT: 4S8, Status changed to OS by SCC9 VS19-62	
4S8-SG	3008	Jan1219			19 SCC9
458-SG	3008			ER SCC P-EAST P-WEST, SCC/PATROL . YES WE'RE SWITCH	SCC5
4S8-SG	3008	Jan1219	2127	ER BOLO NOTIFY: (CALL: VS19-6471) PERSON (MISSING/	SCC6
458-SG	3008	Jan1219	2113	ER Sent to MDT: 4S8, Status	5000
400 00	3000			changed to ER by SCC9 VS19-62	19 SCC9
4S8-SG	3008	Jan1219	2113	ER 2101 E OLSEN RD (V) VS19-62	19 SCC9
4S8-SG	3008	Jan1219	2110	C4 SCC P-EAST P-WEST, SCC/PATROL - TAC	2
				IS BACK ON	SCC5
458-SG	3008	Jan1219	2013	C4 -WEST -EAST P-EAST P-WEST, ALL TAC2 IS SWITCHING	SCC5
458-SG	3008	Jan1219	1949	C4 TO,OK GUESS Y'ALL CAN 10-22 REF TH HYUNDAI,9H	E ART3
458-SG	3008	Jan1219	1948	C4 TO, HI EVERYONE. JUST FYI HAD A WHI	TE
				HYUNDAI 4D	ART3
458-SG	3008	Jan1219	1213	C4 Sent to MDT: 4S8, Status	10 0000
	2000	T1010	1010	changed to C4 by SCC6 VS19-62 OK VS19-62	
458-SG	3008 3008	Jan1219		OS Sent to MDT: 4S8, Status	19 5006
458-SG	3008	Janizin	1144	changed to OS by SCC6 VS19-62	19 SCC6
458-SG	3008	Jan1219	1144		
458-SG	3008			ER Sent to MDT: 4S8, Status	
100 00	3000		1101	changed to ER by SCC3 VS19-62	19 SCC3
4S8-SG	3008	Jan1219	1134	ER S 101/LAS VIRGENES (V) VS19-62	19 SCC3
4S8-SG	3008			C3 Sent to MDT: 4S8, Status	
				changed to C3 by SCC6 VS19-62	
4S8-SG	3008	Jan1219			
4S8-SG	3008	Jan1219			19 SCC6
4S8-SG	3008	Jan1219	848	IS VEH: PHONE	4S8
					450

END OF RADIO LOG

k2Gl1o5.9Cs0p16.6h8.5v0t k2G8Us0p10.0h10.0v0T Page 1 F0R: 117198 JURISD VENTURA COUNTY SHERIFF
JURISDICTION - VENTURA COUNTY SHERIFF'S

Sat, Jan-12-2019

s7BCALL: VS19-6219 ACTIVE (R) s0B

Desk/

Time 10:25:15		Unit 911	ID	Position:07 WIRELESS Phone: VERIZON
10:25:41	01 12	SCC7	3890	VERIZON WIRELESS Priority: 1 Received by: 9 911 SYSTEM Type: DOMDP Telephone:
10:26:46	01 12	SCC7	3890	Community: CA cad.county: cad.district: 12 cad.zone: 8C01 Contact: G1: ANON G2: Sex: D0B:  MALE WALKING AROUND THE NEIGHBORHOOD AND STANDING BY THE LISTED ADDRESS
				TRYING TO GET SOMEBODY TO COME OUTSIDE/ SUBJ APPEARS UPSET/ SUBJ YELLING AT THE DOOR
10:27:39 10:27:50 10:27:58 10:28:05	01 12 01 12 01 12	SCC7 SCC7 SCC7	3890 3890 3890 3890	HM 30-40S WEARING SWEATPANTS/ASSOC WITH A GRY NEWER SEDAN FEMALE JUST CAME OUT AND HE IS YELLING AT HER VEH IS A CHRYSLER/ Call type:SSUBJ TO:DOMDP
10:28:05 10:28:11			3890 5482	Final Call type:SSUBJ TO:DOMDP s7BER:8B11s0B P 5023
10:28:11	01 12	SCC9	5482	s7BER:3S12s0B SG 2561
10:28:59 10:29:07			5482 3890	3S12 FROM SOUTHCOAST PLATE FROM A DIFFERENT STATE/BOTH ARE YELLING AT EACH OTHER/MALE IS IN THE
				DRIVER SEAT/FEMALE LEANING IN FROM OUTSIDE
10:29:15 10:29:40			3890	(M) CODE 3 FEMALE IS THROWING PUNCHES s7BIS:3S12s0B SG 2561
10:29:40			5482 5482	s7BI3:331250B 3G 2361 s7BER:8C11s0B P 5065
10:29:44	01 12	SCC9	5482	s7BC3:8C11s0B P 5065
10:29:44			5482	s7BC3:8C11s0B P 5065 Sent to MDT: 8C11,Status changed to C3 by SCC9
10:29:46 10:29:46			5482 5482	s7BC3:8B11s0B P 5023 s7BC3:8B11s0B P 5023 Sent to MDT: 8B11,Status changed to C3 by SCC9
10:29:50	01 12	SCC7	3890	(M) MALE GETTING OUT OF THE VEH/PUT HIS HANDS ON HER/NO WPNS SEÉN
10:29:59			3890	BOTH POSS HBD OR UI
10:30:17 10:30:27			3890 5482	Comp.Name:CHANGED TO: ANON s7BOS:8B11s0B P 5023
10:30:27	01 12	SCC9	5482	s7BOS:8B11s0B P 5023 Sent to MDT: 8B11,Status changed to OS by SCC9
10:30:39			3890	MALE WENT BACK INTO THE VEH/FEMALE LEANING ON THE VEH
10:30:48 10:30:50			3890 4330	DP TRYING TO BACK UP  (M) ADDITIONAL RP FROM ADDITIONAL RP FROM ADDITIONAL RP FROM ADDITIONAL RP FROM LOCATION AND MALE SUBJECT IS IN THE VEHICLE ATTEMPTING TO RUN OVER FEMALE
10:31:03	01 12	SCC3	4330	(M) MALE SUBJECT SPEEDING OUT OF THE AREA TOWARDS ARNEILL AND ALMOST HIT
10:31:04	01 12	SCC7	3890	DEPUTY VEHICLE (M) DP LEAVING AND TRYING TO GET AWAY FROM THE DEP
10:31:11	01 12	SCC9	5482	8B11 MALE FLEEING IN VEH //1033
10:31:25			5482	8B11 ON GEMINI TWDS ARNEIL
10:31:45 10:31:58			4330 5482	(M) RP REPORT OF CAN BE CONTACTED IF NEEDED  8B11 LIGHT TRAFFIC
10:31:58	01 12	SCC9	5482	s7B0S:8B11s0B P 5023 QRY VEH: 8B11 UT 2019
10:32:23			5482	8B11 RAN RED LIGHT ARN DUNNISB ARNEIL
10:32:46	01 12	SCC9	5482	s7BER:3S12s0B SG 2561

k2Gl1o5.9Cs0p16.6h8.5v0t k2G8Us0p10.0h10.0v0T Page 2 VENTURA COUNTY SHERIFF Sat, Jan-12-2019

FOR: 117198 JURISDICTION - VENTURA COUNTY SHERIFF'S

s7BCALL: VS19-6219 ACTIVE (R) s0B

Desk/ Time Date Unit ID10:32:46 01 12 SCC9 5482 s7BC3:3S12s0B SG 2561 10:32:46 01 12 SCC9 5482 s7BC3:3S12s0B SG 2561 Sent to MDT: 3S12, Status changed to C3 by SCC9 8B11 LIGHT SPEED 60 WB ON PONDEROSA 10:33:03 01 12 SCC9 5482 10:33:27 01 12 SCC6 4935 s7BER:9H11s0B P 2941 10:33:27 01 12 SCC6 s7BER:9C11s0B P 5141 4935 10:33:27 01 12 SCC6 4935 s7BC3:9H11s0B P 2941 10:33:27 01 12 SCC6 4935 s7BC3:9H11s0B P 2941 Sent to MDT: 9H11, Status changed to C3 by SCC6 10:33:27 01 12 SCC6 4935 s7BC3:9C11s0B P 5141 10:33:27 01 12 SCC6 4935 s7BC3:9C11s0B P 5141 Sent to MDT: 9C11, Status changed to C3 by SCC6 5482 10:33:30 01 12 SCC9 8B11 LIGHT RAIN VEH RAN STOP POND LANTANA HM FULL BEARD APPR 40YO 10:33:37 01 12 SCC9 5482 Subject:8B11 Rsp: N 001LTSRQ.CA0560000 COMMENT: 8B11 4CD0890060D.I\*



\*\*\* VEHICLE DETAILS \*\*\*

VEHICLE ID:

VEHICLE MAKE CODE: CHRY VEHICLE MODEL YEAR: 2018 VEHICLE MODEL TEXT: 300

VEHICLE PRIMARY COLOR: Silver

>>> ORIGINATING TRANSACTION <

MKE/QVEH.IFC/4.LIC/  $Y_FLA$ 

k2Gl1o5.9Cs0p16.6h8.5v0t k2G8Us0p10.0h10.0v0T

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JURISDICTION - VENTURA COUNTY SHERIFF'S Sat, Jan-12-2019

s7BCALL: VS19-6219 ACTIVE (R) s0B

Desk/ Time Date Unit ID

G/Y.LREM/8B11.LIC2, s7BER:8A11s0B P 4823 ASSIST:8C11

10:33:40 01 12 8A11 10:33:51 01 12 SCC9 4823 5482 8B11 SB ON ROSEWOOD

10:33:58 01 12 SCC9 5482 8B11 LEFT ON DAILY

10:34:05 01 12 ART2 4477



k2Gl1o5.9Cs0p16.6h8.5v0t k2G8Us0p10.0h10.0v0T Page 4 F0R: 117198 JURISD

VENTURA COUNTY SHERIFF
JURISDICTION - VENTURA COUNTY SHERIFF'S

Sat, Jan-12-2019

s7BCALL: VS19-6219 ACTIVE (R) s0B

Desk/ Date Unit ID Time 10:34:07 01 12 SCC9 5482 k2Gl1o5.9Cs0p16.6h8.5v0t k2G8Us0p10.0h10.0v0T

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JURISDICTION - VENTURA COUNTY SHERIFF'S Sat, Jan-12-2019

s7BCALL: VS19-6219 ACTIVE (R) s0B

Desk/ Time Date Unit ID

10:34:08 01 12 ART2

10:34:56 01 12 SCC7



G/Y.LIC2/I 10:34:48 01 12 SCC6 4935 s7BER:3S11s0B SG 2392 s7BER:3S11s0B SG 2392 10:34:48 01 12 SCC6 4935 10:34:53 01 12 SCC6 4935 s7BER:3D12s0B P 4597 10:34:53 01 12 SCC6 4935 s7BER:3D12s0B P 4597 10:34:55 01 12 SCC9 5482 8B11 10851 SBPD

3890

CONTROL FOR UNIT CHANGED EAST CONTROL FOR UNIT CHANGED EAST

RP WAS RECONTACTED/THE FEMALE IN THE DRIVEWAY WAS A HF LONG BRO HAIR WEARING A DRK SHIRT AND GRY MINI SKIRT/FEMALE WENT BACK INSIDE THE RES

k2Gl1o5.9Cs0p16.6h8.5v0t k2G8Us0p10.0h10.0v0T VENTURA COUNTY SHERIFF Page 6 FOR: 117198

JURISDICTION - VENTURA COUNTY SHERIFF'S Sat, Jan-12-2019

s7BCALL: VS19-6219 ACTIVE (R) s0B

Desk/

```
Date Unit
Time
10:35:16 01 12 SCC9
                      5482
                             8B11 CANCEL PURS LOST SIGHT
10:35:23 01 12 SCC9
                      5482
                             8C11 ENRT TO RP
10:35:34 01 12 SCC6
                      4935
                             s7BIS:9C11s0B P 5141
10:35:35 01 12 SCC6
                      4935
                             s7BIS:9H11s0B P 2941
10:36:56 01 12 SCC5
                      5317
                             10851 CONFIRMED W SANTA BARBABA PD
10:37:02 01 12 SCC9
                      5482
                             3S12 LIFT 1033
10:37:41 01 12 SCC9
                      5482
                             8C11 LOST SIGHT TRAVVELING TWDS 101/CARMEN
10:38:13 01 12 SCC9
                      5482
                             3S12 POSS VEH S OF FIRE STATION SB LAS POSAS
10:38:18 01 12 SCC9
                      5482
                             s7BC3:8B11s0B P 5023
10:38:19 01 12 SCC9
                      5482
                             s7BC3:8B11s0B P 5023
                                                     Sent to MDT: 8B11, Status changed to C3 by SCC9
                             s7BER:9H11s0B P 2941
10:38:21 01 12 SCC6
                      4935
10:38:23 01 12 SCC6
                      4935
                             s7BC3:9H11s0B P 2941
10:38:23 01 12 SCC6
                      4935
                             s7BC3:9H11s0B P 2941
                                                     Sent to MDT: 9H11, Status changed to C3 by SCC6
10:38:34 01 12 SCC9
                      5482
                             3S12 APPRO 5TH
10:39:01 01 12 SCC9
                      5482
                             3S12 VEH RAN RED ON 5TH //SEE IF CHP HAS UNITS ON PCH
                             (M) 3S12 COP3 WILL BE ENR AND HAS VEHICLE DESCRIPTION
10:39:08 01 12 SCC3
                      4330
10:39:45 01 12 SCC9
                      5482
                             3S12 N OF CUAWL 80 LOSING VISUAL
10:39:57 01 12 SCC9
                      5482
                             3S12 1/4 MI FROM PCH
                             8A11 HAVE AMR RESP NON CODE
10:40:07 01 12 SCC9
                      5482
10:40:17 01 12 SCC9
                             3S12 VEH APPROACH HUENEME
                      5482
10:40:30 01 12 SCC9
                      5482
                             3S12 RAN RED AT HUENEME STILL SB TWDS PCH
10:40:30 01 12 SCC5
                      5317
                             s7B0S:8A11s0B P 4823
10:40:30 01 12 SCC5
                      5317
                             s7B0S:8A11s0B P 4823
                                                     Sent to MDT: 8A11, Status changed to OS by SCC5
                             (M) 8A11 FIRE ADVISED TO RESPOND NON CODE
10:40:34 01 12 SCC3
                      4330
10:40:45 01 12 SCC1
                      4643
                             CHP ADVD
                             3S12 ADV STA 3
10:40:58 01 12 SCC9
                      5482
                             (M) PER SBPD THEIR 10851 SUSP WAS
10:41:38 01 12 ART2
                      4477
                             500 150 BLK/BRN
10:41:58 01 12 SCC9
                      5482
                             3S12 STILL SB LAS POSAS APPRO PCH
10:42:21 01 12 SCC9
                      5482
                             s7BER: COP3s0B AU 3997
10:42:38 01 12 SCC9
                      5482
                             3S12 SB PCH
10:42:50 01 12 SCC9
                      5482
                             3S12 LOSING SIGHT DOING 80 MPH
10:42:53 01 12 SCC5
                      5317
                             STA 3 ADVD
10:43:05 01 12 SCC9
                             3S12 NB PCH APP LAS POSAS
                      5482
10:43:18 01 12 SCC9
                      5482
                             3S12 PCH PAST LAS POSAS
10:43:32 01 12 SCC9
                             3S12 1 MI FROM WOOD ON PCH
                      5482
10:44:12 01 12 SCC9
                      5482
                             3S12 LIGHT TRAFFIC
                             s7BC3:3S12s0B SG 2561 QRY VEH: 3S12
10:44:12 01 12 SCC9
                      5482
                             3S12 PAST WOOD EXIT 1 MI FROM HUENEME RD
10:44:27 01 12 SCC9
                      5482
10:44:35 01 12 SCC9
                      5482
                             3S12 VEH SLOWING TO 50
                             3S12 PCH BEHIND ME SEE IF THEY WANT PRIMARY
10:44:56 01 12 SCC9
                      5482
10:45:05 01 12 SCC9
                             COP3 VEH SLOWING TO 30
                      5482
10:45:26 01 12 SCC9
                      5482
                             3S12 SUBJ APPEARING TO 242 HIMSELF
10:46:09 01 12 SCC9
                      5482
                             s7B0S:8X5s0B X
10:46:38 01 12 SCC9
                             s7B0S:8XSs0B X 3575
                      5482
10:46:57 01 12 SCC9
                      5482
                             3S12 PASSING NAUMAN
10:47:17 01 12 SCC5
                      5317
                             8A11 AMR 97
10:47:20 01 12 SCC9
                      5482
                             COP3 STILL NB ON PCH 10-15 MPH
10:47:24 01 12 SCC9
                      5482
                             s7BIS:8X5s0B X
10:47:55 01 12 SCC9
                      5482
                             COP3 CHP BEHIND VEH
```

k2G8Us0p10.0h10.0v0T VENTURA COUNTY SHERIFF Page 7 FOR: 117198

JURISDICTION - VENTURA COUNTY SHERIFF'S Sat, Jan-12-2019

s7BCALL: VS19-6219 ACTIVE (R) s0B

Desk/

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```
Date Unit
Time
10:48:56 01 12 SCC5
                      5317
                             STA 3 GIVEN UPDATED 10-20
10:49:29 01 12 SCC9
                      5482
                             COP3 NB PCH APP RICE 25 MPH
10:50:11 01 12 SCC7
                      3890
                             PER FIRE ADDRESS IS
                             MUN:CA BEAT:8C01 STN:12
3512 CHB TC ACCOUNTY
10:50:13 01 12 SCC9
                      5482
                             3S12 MAKE SURE CHP IS AWARE PC WANT 273.5 10851
10:50:17 01 12 SCC7
                      3890
                      5482
                             3S12 CHP IS ASKING WE DROP OUT WE WILL TAIL
10:50:47 01 12 SCC9
10:50:53 01 12 SCC3
                      4330
                             (M) 3S12 CHP ASKING OUR UNITS DROP OUT AS THEY HAVE THREE UNITS IN THE
                             PURSUIT
10:51:09 01 12 SCC9
                      5482
                             WILL PIT SOON
10:51:47 01 12 3D13
                             s7BER:3D13s0B P 4964
                      4964
                                                    ASSIST:9H11
                                                    CONTROL FOR UNIT CHANGED 8C01
10:51:47 01 12 3D13
                             s7BER:3D13s0B P 4964
                      4964
10:52:07 01 12 SCC9
                      5482
                             COP3 STILL NB 1 PASSING CHAN ISLANDS 3 CHP UNITS FOLLOWING
10:52:21 01 12 SCC6
                      4935
                             s7BIS:9H11s0B P 2941
10:52:56 01 12 SCC5
                      5317
                             (M) 8A11 SUSP IS !
                                                       ..40.M/UNK DOB
                             s7B0S:8A11s0B P 4823
                                                    QRY PER:
10:52:56 01 12 SCC5
                      5317
                                                              8A11
                             COP3 NB 1 PASS 5TH CHP HAS PURS
10:53:39 01 12 SCC9
                      5482
10:53:54 01 12 SCC9
                             3S12 ALL UNITS OFF PURS
                      5482
10:54:52 01 12 8B11
                      5023
                             s7B0S:8B11s0B P 5023
10:55:16 01 12 3D13
                             s7BIS:3D13s0B P 4964
                      4964
10:55:16 01 12 3D13
                      4964
                             s7BIS:3D13s0B P 4964
                                                     CONTROL FOR UNIT CLEARED
10:55:50 01 12 SCC9
                      5482
                             COP3 VEH SB 101/RICE
10:56:04 01 12 SCC9
                      5482
                             COP3 STAYING W/PURS
10:56:30 01 12 SCC9
                      5482
                             3S12 LIFT 33
10:56:56 01 12 SCC9
                      5482
                             s7BER:3S12s0B SG 2561
                      5482
                             s7BER:3S12s0B SG 2561
10:56:56 01 12 SCC9
                                                     Sent to MDT: 3S12, Status changed to ER by SCC9
10:56:59 01 12 SCC9
                      5482
                             s7BER:8C11s0B P 5065
10:56:59 01 12 SCC9
                      5482
                             s7BER:8C11s0B P 5065
                                                     Sent to MDT: 8C11, Status changed to ER by SCC9
10:57:06 01 12 SCC9
                      5482
                             s7BER:8B11s0B P 5023
10:57:06 01 12 SCC9
                      5482
                             s7BER:8B11s0B P 5023
                                                     Sent to MDT: 8B11, Status changed to ER by SCC9
10:57:25 01 12 SCC9
                             s7BIS:3S11s0B SG 2392
                      5482
                                                     CONTROL FOR UNIT CLEARED
10:57:25 01 12 SCC9
                      5482
                             s7BIS:3S11s0B SG 2392
10:57:27 01 12 3D12
                      4597
                             s7BIS:3D12s0B P 4597
                             s7BIS:3D12s0B P 4597
10:57:27 01 12 3D12
                      4597
                                                     CONTROL FOR UNIT CLEARED
10:57:35 01 12 SCC9
                      5482
                             s7BIS:8XSs0B X 3575
10:59:58 01 12 SCC9
                             COP3 SB 101 APP DAWSON
                      5482
11:02:30 01 12 SCC9
                      5482
                             s7BIS:8B11s0B P 5023
                                                     PREEMPT
11:02:34 01 12 SCC9
                      5482
                             s7BIS:8C11s0B P 5065
                                                     PREEMPT
11:04:40 01 12 SCC9
                      5482
                             COP3 SB 101 APP WENDY SWITCHING TO EAST
11:04:51 01 12 SCC9
                      5482
                             s7B0S:8X6s0B X
                             COP3 SB 101 PAST BORCHARD APPROACHING LYNN
11:07:10 01 12 SCC6
                      4935
                             (M) DP IS
11:08:16 01 12 ART2
                      4477
11:08:26 01 12 ART2
                      4477
                             CHP ADVISED OF INFO
11:08:36 01 12 ART2
                      4477
                             Subject: VS19-6219 Rsp: IR QVC.CA056000
                             COMMENT: VS19-6219
                             4CD06900FKH.IR
                             CA0560000 RE: QVC.CA0560000.NAM/
                             MATCH MADE ON NAM/
```

NAME FIELD SEARCH REVEALS:

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JURISDICTION - VENTURA COUNTY SHERIFF'S

Sat, Jan-12-2019

s7BCALL: VS19-6219 ACTIVE (R) s0B

Desk/

Time Date Unit ID

Bookings Vehicles

Reports

11:11:29 01 12 SCC6 11:12:19 01 12 ART2 COP3 SB 101 PASSING LINDERO CYN, ADV LAPD IF THEY WANT TO GET AN AIRSHIP UP 4935

4477

Subject:VS19-6219 Rsp: IN COMMENT: VS19-6219 4CD06900FKG.IN



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VENTURA COUNTY SHERIFF
JURISDICTION - VENTURA COUNTY SHERIFF'S

Sat, Jan-12-2019

s7BCALL: VS19-6219 ACTIVE (R) s0B

Desk/ Date Unit ID Time



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s7BCALL: VS19-6219 ACTIVE (R) s0B

Desk/ Time Date Unit ID

11:56:21 01 12 SCC6

4935

NONE

END

```
11:12:26 01 12 ART2
                      4477
11:13:00 01 12 SCC9
                      5482
                             s7BER:COP3s0B AU 3997
                                                     TIMER OFF - COP3
11:17:02 01 12 SCC7
                      3890
                             VEH CRASHED /LAPD COPTER NOT NEEDED
11:17:02 01 12 SCC6
                      4935
                             s7BER:4E12s0B P 3336
                             COP3 TC'D SB 101 AT LAS VIRGINES, SUBJ IS OUT OF THE VEH WITH CHP
11:17:47 01 12 SCC6
                      4935
11:23:14 01 12 SCC9
                      5482
                             s7B0S:3S12s0B SG 2561
                             s7B0S:3S12s0B SG 2561
11:23:14 01 12 SCC9
                      5482
                                                      Sent to MDT: 3S12, Status changed to OS by SCC9
                                                      S 101/LAS VIRGENES (V)
11:23:54 01 12 SCC9
                             s7B0S:COP3s0B AU 3997
                      5482
11:25:14 01 12 SCC6
                      4935
                             s7BER:4S8s0B SG 3008
11:25:54 01 12 SCC9
                      5482
                             s7B0S:8A11s0B P 4823
                                                     TIMER OFF - 8A11
11:29:31 01 12 SCC6
                      4935
                             s7B0S:4E12s0B P 3336
                      4935
11:29:31 01 12 SCC6
                             s7B0S:4E12s0B P 3336
                                                     Sent to MDT: 4E12, Status changed to OS by SCC6
11:32:53 01 12 SCC6
                      4935
                             COP3 BOTH NB AND SB 101 ARE SHUT DOWN, SUBJ IS STANDING BY THE
                             DOOR, REFUSING TO SHOW THE RIGHT HAND
                      4935
                             s7BC3:4S8s0B SG 3008
11:33:03 01 12 SCC6
                             s7BC3:4S8s0B SG 3008
11:33:03 01 12 SCC6
                      4935
                                                     Sent to MDT: 4S8, Status changed to C3 by SCC6
                             COP3 TELLING CHP IF HE COMES OUT OF THE VEH HE WILL BE SHOOTING
11:33:19 01 12 SCC6
                      4935
11:34:03 01 12 SCC3
                      4330
                             s7B0S:4E12s0B P 3336
                                                     S 101 /LAS VIRGENES (V)
11:34:05 01 12 SCC9
                      5482
                             s7BIS:8X6s0B X
                                                     S 101/LAS VIRGENES (V)
11:34:18 01 12 SCC3
                             s7BER:4S8s0B SG 3008
                      4330
11:34:18 01 12 SCC3
                      4330
                             s7BER:4S8s0B SG 3008
                                                     Sent to MDT: 4S8, Status changed to ER by SCC3
11:35:35 01 12 3S12
                      2561
                             s7BIS:3S12s0B SG 2561
                             s7B0S:8A11s0B P 4823
11:37:10 01 12 SCC9
11:44:14 01 12 SCC6
                      5482
                                                     3701 LAS POSAS RD (V)
                      4935
                             s7B0S:9J41s0B SR 3273
11:44:19 01 12 SCC6
                             s7BIS:9J41s0B SR 3273
                      4935
11:44:37 01 12 SCC6
                      4935
                             LASO ER CODE
11:44:48 01 12 SCC6
                      4935
                             s7B0S:4S8s0B SG 3008
11:44:48 01 12 SCC6
                      4935
                             s7B0S:4S8s0B SG 3008
                                                     Sent to MDT: 4S8, Status changed to OS by SCC6
11:45:28 01 12 SCC6
                      4935
                             4S8 ONLY 2 CHP UNITS AND US 2 97
                             ALSO RAN SUBJ UNDER AKA FIRST
11:46:32 01 12 ART2
                      4477
                                                                   /SAME INFO /SUBJ ALSO WANTED OUT OF IL
                             FOR DOMD BATTERY, CONFIRMED, NO EXTRADITION /WILL CONFIRM CDCR WARR ONCE
                             SUBJ IC AND METHOD OF ID OBTAINED
                      2579
                             (M) 4E12 CHP REQ A K9 AND SWAT TEAM - SPEAKING TO WC NOW
11:51:34 01 12 SCC2
11:51:48 01 12 8A11
                      4823
                             s7B0S:8A11s0B P 4823
                                                     (HOME STATION) HOME STATION
                      4935
                             s7BIS:COP3s0B AU 3997
11:52:24 01 12 SCC6
                             I A CO SENDING AIRSHIP
11:53:43 01 12 SCC6
                      4935
11:56:06 01 12 ART2
                      4477
```

COP3 SUSP HASNT SHOWN HIS RIGHT HAND SINCE HE TC'D, UNK IF WPN OR INJURED

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VENTURA COUNTY SHERIFF
JURISDICTION - VENTURA COUNTY SHERIFF'S Sat, Jan-12-2019

s7BCALL: VS19-6219 ACTIVE (R) s0B

Desk/ Date Unit ID 4477 Time 11:56:25 01 12 ART2

Subject:VS19-6219 Rsp: IN COMMENT: VS19-6219 4CD06900FKJ.IN



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FOR: 117198 JURISDICTION - VENTURA COUNTY SHERIFF'S Sat, Jan-12-2019

s7BCALL: VS19-6219 ACTIVE (R) s0B

Desk/

k2Gl1o5.9Cs0p16.6h8.5v0t

```
Date Unit
                      ID
Time
12:04:42 01 12 ART2
                      4477
12:05:00 01 12 ART2
                      4477
12:12:09 01 12 SCC6
                      4935
                              4S8 SHOTS FIRED /FIRE OS
12:13:16 01 12 SCC6
                      4935
                              4S8 DESK INITATED 1033
12:13:28 01 12 SCC6
                      4935
                              s7B0K:4S8s0B SG 3008
                              s7BC4:4S8s0B SG 3008
12:13:28 01 12 SCC6
                      4935
                                                      Sent to MDT: 4S8, Status changed to C4 by SCC6
12:14:23 01 12 ART2
                      4477
12:15:01 01 12 SCC6
                      4935
                              s7B0S:4E12s0B P 3336
                                                      HAD CONTACT
12:21:05 01 12 SCC6
                      4935
                              s7BER:4S6s0B SG 3224
                                                      S 101/LAS VIRGENES, -
12:35:42 01 12 SCC6
                              s7B0S:4S6s0B SG 3224
                      4935
                              s7B0S:4S6s0B SG 3224
                                                      Sent to MDT: 4S6, Status changed to OS by SCC6
12:35:43 01 12 SCC6
                      4935
12:37:29 01 12 SCC9
                      5482
                              s7B0S:8A11s0B P 4823
                                                      TIMER OFF - 8A11
12:42:30 01 12 SCC6
                      4935
                              4S6 NEED TWO FOR TRANSPORT
12:42:51 01 12 SCC6
                      4935
                              s7BER:9J41s0B SR 3273
                              s7BER:9H11s0B P 2941
12:42:51 01 12 SCC6
                      4935
12:48:31 01 12 SCC6
                      4935
                              4S6 ADV WC TO 1021 ME
12:48:33 01 12 8A11
                              s7B0S:8A11s0B P 4823
                      4823
12:49:51 01 12 8A11
                      4823
                              s7BIS:8A11s0B P 4823
12:50:57 01 12 SCC2
                      2579
                              s7BER:11I3s0B A 2342
                                                      S 101/LAS VIRGENES, -
12:50:57 01 12 SCC2
                      2579
                              s7BER:11I3s0B A 2342
                                                      CONTROL FOR UNIT CHANGED OFF
12:54:20 01 12 SCC6
                      4935
                              s7B0S:9J41s0B SR 3273
12:54:20 01 12 SCC6
                      4935
                              s7B0S:9J41s0B SR 3273
                                                       Sent to MDT: 9J41, Status changed to OS by SCC6
12:55:19 01 12 SCC6
                      4935
                              s7BER:4Ls0B A 2686
                                                      S 101/LAS VIRGENES, -
12:58:43 01 12 SCC2
                      2579
                              s7BER:CAR4s0B A 2227
                              s7B0S:9J41s0B SR 3273
13:00:17 01 12 SCC7
                      3890
                                                      S 101/LAS VIRGENES (V)
13:00:17 01 12 SCC7
                             s7B0S:9H11s0B P 2941
s7B0S:9H11s0B P 2941
                                                      S 101/LAS VIRGENES (V)
                      3890
13:00:17 01 12 SCC7
                      3890
                                                      Sent to MDT: 9H11, Status changed to OS by SCC7
13:00:23 01 12 SCC7
                      3890
                              s7B0S:9H11s0B P 2941
                                                      TIMER OFF - 219
13:00:23 01 12 SCC7
                      3890
                              s7BER:11I3s0B A 2342
                                                      TIMER OFF - 219
                              s7B0S:4E12s0B P 3336
                                                      TIMER OFF - 219
13:00:23 01 12 SCC7
                      3890
13:00:23 01 12 SCC7
                      3890
                              s7B0S:4S6s0B SG 3224
                                                      TIMER OFF - 219
13:00:23 01 12 SCC7
                              s7B0S:9J41s0B SR 3273
                                                      TIMER OFF - 219
                      3890
13:00:23 01 12 SCC7
                              s7BER:4Ls0B A 2686
                      3890
                                                   TIMER OFF - 219
                             s7BER: CAR4s0B A 2227
13:00:23 01 12 SCC7
                                                      TIMER OFF - 219
                      3890
13:01:11 01 12 SCC7
                              s7BER:9H11s0B P 2941
                      3890
13:01:11 01 12 SCC7
                      3890
                              s7BER:9H11s0B P 2941
                                                      Sent to MDT: 9H11, Status changed to ER by SCC7
                      3890
                              s7B0S:9H11s0B P 2941
13:03:47 01 12 SCC7
13:03:48 01 12 SCC7
                      3890
                              s7B0S:9H11s0B P 2941
                                                      Sent to MDT: 9H11, Status changed to OS by SCC7
13:04:48 01 12 SCC7
                      3890
                              s7BER:11I1s0B A 2551
                                                      CONTROL FOR UNIT CHANGED EAST
13:04:48 01 12 SCC7
                              s7BER:11I1s0B A 2551
                      3890
13:04:59 01 12 SCC7
                      3890
                              11I1 ER TO THE COMMAND POST
13:05:10 01 12 SCC7
                      3890
                              s7BER:11I1s0B A 2551
13:05:21 01 12 SCC7
                      3890
                              s7BER:11I1s0B A 2551
                                                     COMMAND PST (V)
13:09:11 01 12 SCC7
                      3890
                              s7BER:5H6s0B D 2654
                                                     CONTROL FOR UNIT CHANGED EAST
13:09:11 01 12 SCC7
                      3890
                              s7BER:5H6s0B D 2654
                              s7BER:5H6s0B D 2654
                                                     S 101/LAS VIRGENES (V)
13:09:39 01 12 SCC7
                      3890
13:18:22 01 12 SCC7
                      3890
                              s7B0S:4Ls0B A 2686
13:26:14 01 12 SCC5
                      5317
                              s7BER:5H3s0B D 4427
                                                     S 101/LAS VIRGENES, -
13:26:14 01 12 SCC5
                              s7BER:5H3s0B D 4427
                                                     CONTROL FOR UNIT CHANGED OFF
                      5317
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k2Gl1o5.9Cs0p16.6h8.5v0t k2G8Us0p10.0h10.0v0T Page 23 F0R: 117198 JURISD

VENTURA COUNTY SHERIFF
JURISDICTION - VENTURA COUNTY SHERIFF'S Sat, Jan-12-2019

s7BCALL: VS19-6219 ACTIVE (R) s0B

Time		Desk/ Unit	ID	
13:26:34			3890	s7B0S:11I1s0B A 2551
13:26:59 13:27:00			3890 5317	s7B0S:CAR4s0B A 2227 5H3 NOTIFY CHP OF POSS DIS RED CROSSOVER ON TURNPIKE W MALE AND FEM
13.27.00	01 12	. 5005	3317	WALKING ON SB 101 BTWN LYNN AND MOORPARK
13:27:06			5317	5H3 CHP ADVD
13:27:25			3890	s7BER: CAR10s0B A 2721 S 101/LAS VIRGENES, -
13:27:25 13:27:47			3890 3890	s7BER: CAR10s0B A 2721 CONTROL FOR UNIT CHANGED EAST s7BER: 11S1s0B A 2552 S 101/LAS VIRGENES, -
13:27:47			3890	s7BER: 11S1s0B A 2552 CONTROL FOR UNIT CHANGED EAST
13:28:06			3890	s7BER:5H17s0B D 3392 S 101/LAS VIRGENES, -
13:28:06			3890	s7BER: 5H17s0B D 3392 CONTROL FOR UNIT CHANGED EAST
13:28:58 13:28:58			3890 3890	s7BOS:CAR12s0B A 2359 S 101/LAS VIRGENES, - S7BOS:CAR12s0B A 2359 CONTROL FOR UNIT CHANGED EAST
13:20:30			3890	s7B0S:CAR12S0B A 2359 CONTROL FOR UNIT CHANGED EAST s7B0S:9H11s0B P 2941 TIMER OFF - 219
13:39:49			3890	s7BER: CAR10s0B A 2721 TIMER OFF - 219
13:39:49			3890	s7B0S:4Ls0B A 2686 TIMER 0FF - 219
13:39:49			3890	s7B0S:CAR4s0B A 2227 TIMER OFF - 219
13:39:49 13:39:49			3890 3890	s7B0S:11I1s0B A 2551 TIMER OFF - 219 s7BER:5H6s0B D 2654 TIMER OFF - 219
13:39:49			3890	s7BER: 5H3s0B D 4427 TIMER OFF - 219
13:39:49			3890	s7B0S:CAR12s0B A 2359 TIMER OFF - 219
13:39:49			3890	s7BER: 11S1s0B A 2552 TIMER OFF - 219
13:39:49 13:47:01			3890 4477	s7BER:5H17s0B D 3392 TIMER OFF - 219 IS ALSO CSAM
13:47:01			3890	s7B0S:11S1s0B A 2552
13:53:19			3890	s7BER: 1112s0B A 4105 S 101/LAS VIRGENES, -
13:53:19			3890	s7BER:1112s0B A 4105 CONTROL FOR UNIT CHANGED EAST
13:56:34			3890	s7B0S:11I3s0B A 2342
14:03:50 14:16:35			3890 3890	s7B0S:5H17s0B D 3392 s7B0S:11I2s0B A 4105
14:18:57			3890	s7BOS:CAR1s0B A 3318 S 101/LAS VIRGENES, -
14:18:57			3890	s7BOS:CAR1s0B A 3318 CONTROL FOR UNIT CHANGED EAST
14:20:44			3890	s7B0S:5H6s0B D 2654
14:28:46			5317	s7BOS:5H15s0B D 3591 S 101/LAS VIRGENES, -
14:28:46 14:29:57			5317 4935	s7BOS:5H15s0B D 3591 CONTROL FOR UNIT CHANGED OFF 9J41 & 9H11 10*6 LASO STATION
14:34:45			2579	s7B0S: 11S1s0B A 2552 HAD CONTACT
14:41:42	01 12	SCC2	2579	s7B0S:11I3s0B A 2342 HAD CONTACT
14:43:32			3890	s7BOS:5H6s0B D 2654 LASO LOST HILLS (V)
14:49:13 14:49:13			3890 3890	s7B0S:CAR1s0B A 3318 TIMER OFF - 219 s7B0S:11I3s0B A 2342 TIMER OFF - 219
14:49:13			3890	s7B0S:5H15s0B D 3591 TIMER OFF - 219
14:49:13			3890	s7B0S:5H6s0B D 2654 TIMER OFF - 219
14:49:13			3890	s7B0S:11S1s0B A 2552 TIMER OFF - 219
14:49:13			3890	s7BOS:5H17s0B D 3392
14:49:13 14:55:35			3890 2579	s7B0S:11I2s0B A 4105
14:55:45			2579	s7BER: 8A11s0B P 4823 (V)
14:59:02	01 12	SCC7	3890	s7BIS:CAR12s0B A 2359 CONTROL FOR UNIT CLEARED
14:59:02	01 12	SCC7	3890	s7BIS:CAR12s0B A 2359

k2Gl1o5.9Cs0p16.6h8.5v0t k2G8Us0p10.0h10.0v0T Page 24 F0R: 117198 JURISD VENTURA COUNTY SHERIFF
JURISDICTION - VENTURA COUNTY SHERIFF'S

Sat, Jan-12-2019

s7BCALL: VS19-6219 ACTIVE (R) s0B

		Desk/		
Time	Date	Unit	ID	
14:59:10			3890	s7BIS:4Ls0B A 2686
15:04:03			4823	s7B0S:8A11s0B P 4823
15:14:48			5482	s7BER: 8I51s0B P 5172
15:14:48			5482	s7BER: 8I51s0B P 4780
15:14:48	A STATE OF THE STA		5482	s7BER:8151s0B P 5172 CONTROL FOR UNIT CHANGED OFF
15:14:48			5482	s7BER:8151s0B P 4780 CONTROL FOR UNIT CHANGED OFF
15:15:03			5482	s7BER:8I51s0B P 5172 S 101 FW /N LEWIS RD (V)
15:15:03	01 12	SCC9	5482	s7BER:8151s0B P 4780 S 101 FW /N LEWIS RD (V)
15:15:52	01 12	SCC9	5482	(M) 8151 ENRT TO SHUT DWN FREEWAY TO CHECK FOR EVIDENCE FROM THE PURSUIT
				//SHUTTING DWN SB FIRST //8J51 ALSO ENRT WHEN HE CLRS
15:18:05	01 12	SCC7	3890	s7BIS:CAR4s0B A 2227
15:22:48	01 12	8H41	5135	s7BER:8H41s0B P 5135 ASSIST:8I51 /S 101 FW /N LEWIS RD
15:22:48	01 12	8H41	5135	s7BER:8H41s0B P 4575 ASSIST:8I51 /S 101 FW /N LEWIS RD
				s7BEND OF REPORTs0B