

SUPPLEMENTAL REPORT

Date Prepared: 01-10-18

1. Original File No. P17196932	2.	3. Off ID 0232	4. Dist. E	5. Crime-Ct.	6. Crime-Ct.	7. Crime-Ct.	8. Date/Time Occurred 10-31-17/1112	9. Day 3			
10. Date/Time Assigned 11-04-17/0800	11. Date/Time Inv. Start 11-04-17/0853		12. Date/Time Inv. Term. 11-04-17/1000		13. Type Clr. OPN	14. Type Cont. RST	15. Additional Adults Arr.	16. Additional Juv. Arr.			
17. Address of Occurrence (Street No. - Name - City) 6201 Shaker Dr. Riverside 92506							18. Type of Place Castle View Elementary				
For ID USE: V = Victim, I = Informant, W = Witness, O = Other											
19. ID: V	20. Last Name - First - Middle (Firm Name if Business) Montgomery, Linda						21. Race - Sex W-F	22. DOB			
23. Residence Address			24. Business or School Address			25. Home Phone		26. Bus. Phone			
Comments:			E-mail Address			Cell Phone		Pager Number			
SUBJECT	35. LAST Name - First - Middle Kennon, Luvelle Monroe			36. Race - Sex B-M	37. Age 27	38. Ht. 6'0	39. Wt. 156	40. Hr BLK	41. Eyes BRN	42. DOB or ID 12-30-89	43. Arrested <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	44. Address - Clothing - Other Marks or Identifying Characteristics										
45. Juv: Other Disp: Juris. <input type="checkbox"/> 2			Juv. Ct. Prob. <input type="checkbox"/> 5		Within Dept. <input type="checkbox"/> 6		Detained <input type="checkbox"/> 1		Not Detained <input type="checkbox"/> 2		

ORIGINALLY REPORTED DOLLAR VALUES ARE CHANGED AS SHOWN BELOW

Cat.	A Currency Notes	B Jewelry Prec. Met.	C Clothing Furs	E Office Equip.	F T.V.-Radio Cameras	G Firearms	H Household Goods	I Consum. Goods	J Livestock	K Misc.
PS	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
57	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
PR	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

60. Originally Reported Offenses (Code - Crime) 207 PC/Kidnapping					61. Original Offenses Changed to (Code - Crime) (1)					58. Stolen Auto Value ASP: \$	
(2)					(2)						59. Recovered Auto Value A2 \$
(3)					(3)						
Reporting Officer Det. A. Tillett		Reviewed By [Signature]			Copies To:			APR Sent:		APB Sent:	
								APR Canx:		APB Canx:	
VCLO ()	DOJ-NCIC Entered:	Cancelled:	ENTERED:	STATS:	ARBK:	ANK:	Page 1				

Narrative of Supplemental Report:

SUMMARY:

This Supplemental Report covers the interview of involved Detective Tanner Paes.

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INVESTIGATING OFFICER
A. Tillett #232

1 **INVESTIGATION:**

2 **Interview of Detective Tanner Paes**

3 On 11-4-17 at approximately 0853 hours, partner Detective Smith and I interviewed involved
4 Detective Paes in the conference room at the Magnolia Police Station. Also present during the
5 interview was Deputy District Attorney Michael Kersse and Detective Paes' attorney Saku Ethir.
6 The interview was recorded on my Department issued digital recorder and later downloaded. The
7 following is a summary of that interview.

8
9 I told Detective Paes that we would like to get a statement from him regarding this incident. I
10 told him he was not under arrest, was free to go, and he did not have to provide a statement. I
11 asked him if he would be willing to provide a statement at that time. His attorney said pursuant to
12 Department policy, he was there to provide a statement because Department policy required him
13 to. I again asked Detective Paes that having in mind what his attorney just said, was he willing to
14 provide a free and voluntary statement at that time. He said, "Yes I am."

15
16 He said his ID number was 1675. He said he was a Police Detective assigned to the North
17 NPC; however he was still handling his normal POP duties as he was before he was promoted.
18 He had been with the Riverside Police Department for a little over six years. He had been a
19 collateral member of the Metro/Swat team for a little over three years. He went over his training as
20 it related to being a member of the Swat team. On the day of the incident his designator was P19.

21
22 Detective Paes said that morning he was helping out the 290 Unit with a sex registrant sweep
23 with his partner Officer Newton. They went to breakfast in the Canyon Crest Town Center. As
24 they were walking back to the police car he heard the call go out at the school. He keyed on the
25 fact that it was at a school and started to pay closer attention. In a relatively short time it went from
26 a disgruntled parent not being able to take his kid, to a teacher had been assaulted and possibly
27 had a broken nose, to he pulled a 70 year old lady into a classroom and was holding her hostage.
28 It escalated over a matter of minutes. He and his partner, both being members of the Swat team,
29 knew they were heading to this call.

30

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1 His partner drove, and he focused on bringing up the map to direct him to the school. He heard
2 over the radio that the SRO and several other units were in route. They made their way up
3 Canyon Crest and eventually pulled up to the school off of Shaker Dr. and into the parking lot.
4 There were not a lot of updates over the radio other then he pulled the teacher into a classroom
5 and was holding her hostage. They got to the school from Canyon Crest within a couple of
6 minutes, and thought they were the third unit on scene. He hopped out of the car, grabbed his
7 rifle, and ran onto the campus.

8
9 Detective Paes said in his mind he was thinking about all the recent terrorist attacks and mass
10 shootings that had occurred around the nation. He thought about the domestic violence incident in
11 San Bernardino where a husband showed up to a school and killed his wife. He was thinking he
12 was at a school and a guy dragged a 70 year old lady into a classroom. He was thinking the worst
13 case scenario, that he was there to kill her, make a point, or commit a terrorist attack, but he didn't
14 know at the time. He said he was trained for this and they go to situations like this to save people,
15 but he was planning for the worst. He said to be honest; he planned on getting there and seeing
16 dead kids. When he heard hostage situation in a classroom, he thought about a classroom full of
17 kids.

18
19 As he ran onto the campus, he ran up a ramp by the Administration building and saw a blood
20 trail. He then saw an older White lady who he thought may have been the victim. She looked
21 distressed and concerned, and he could see the panic on her face. She was just standing there.
22 She wasn't moving or running away. He yelled out to her and asked where the suspect went. She
23 said he dragged her (the victim) into the classroom and pointed to classroom A1. He asked her
24 about kids and she said she didn't think any kids were in the classroom. He asked her about
25 weapons, and she said she didn't see any but that he took two big backpacks into the classroom
26 with him. Detective Paes said at that point he thought this was planned by the suspect. He knew
27 suspects in similar incidents had used backpacks or bags to carry I.E.D.'s, weapons, etc.

28
29 He said even though she thought there were no kids in the classroom, he wanted to see for
30 himself. As he approached classroom A1 he saw another blood trail outside the classroom. He

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1 looked inside the classroom and saw a mountain of chairs and desks shoved against the door so
2 he knew it was barricaded. He thought the suspect barricaded the doors to make it so the police
3 couldn't get in to save anybody. He looked into the room and didn't see the suspect or the victim.
4 He did see some movement and almost instantaneously the room filled with gas. He didn't know
5 what the suspect used but the whole room filled with smoke. It was so thick he couldn't see into
6 the room. It also came through the seals of the windows.

7
8 He put out over the radio that the doors were barricaded and gas was being deployed. He
9 didn't know what type of gas or smoke it was, but it didn't affect him. He didn't see any kids, the
10 victim, or the suspect, but he knew the suspect was in there because he had just deployed smoke.
11 He backed off with the other officers, and they took some hard cover behind a brick wall. That's
12 when everyone else started to arrive (cops, supervision, K-9, snipers). The supervisors took the
13 lead and made sure containment was set up. Detective Paes was assigned to the HRT Team and
14 they assigned roles and responsibilities (lethal, less lethal, hands on, verbal, etc.). They had
15 everything set up in case the suspect came out and surrendered.

16
17 At that point he had not seen or heard from the victim, and they had no communications with
18 the suspect. He saw the blood trail and started thinking that maybe the victim was injured and that
19 time was not on their side. He thought that she was going to die, or that the suspect was killing her
20 or had already hurt her, or that she was passed out inside, but he didn't know and was planning for
21 the worst. He learned that another team was set up in another classroom and they put out over
22 the radio that the door leading into the classroom from the center Pod had also been barricaded,
23 and that the suspect covered the windows.

24
25 Detective Paes was thinking based on all the information he had at that time, that the suspect
26 had planned this out, took a particular teacher into the classroom, brought backpacks, barricaded
27 the door, and that the victim was possibly dying or being killed. The Metro Red team showed up,
28 parked the ARV in front of classroom A1, and took over the primary responsibility of being the HRT
29 Team. He and the other collateral members of the Swat Team were assigned to replace the
30 secondary team inside the adjacent classroom. They initially set up in classroom A4 and set up

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1 their HRT Team. At that point it became a waiting game. He felt like they were in that room for
2 several hours. While they were in that room he didn't hear anything from the victim at all.

3
4 He said every now and then he would hear a phone going off. He also heard a male voice but
5 he couldn't make out what he was saying. He wasn't receiving updates over the radio because he
6 turned it off to be quiet. He was getting information passed along from other officers. He learned
7 that communications had started with the suspect so they continued to wait in the classroom for
8 what seemed like forever. He thought they were losing valuable time and that the victim could
9 have been bleeding out. He didn't know that for sure, but he thought it was weird that she hadn't
10 made a sound, no pleading, no saying let me go. He did not hear anything from her.

11
12 While in the classroom they noticed that between every two classrooms was a folding wall and
13 they realized the suspect could have access to more classrooms. So they cleared all of the
14 surrounding classrooms. They cleared A6 which was the room that shared a wall with A1. He
15 wasn't sure about the time frame but that it felt like forever. He was getting tired. Mentally he was
16 thinking that the victim was dying, so his stress level was really high. He learned that negotiations
17 had ceased, and that a throw phone mission had been approved in an attempt to establish
18 communications. After the throw phone mission was completed, they continued to wait in the
19 classroom. There was no communication with the suspect whatsoever. He then heard the
20 negotiators attempt to communicate with the suspect over the intercom. He never heard a
21 response back from the suspect.

22
23 Detective Paes started to think that maybe the victim was dead or dying and that was why the
24 suspect wasn't talking. He thought why else would she not make a "peep." He didn't hear any
25 movement in the classroom. Sergeant Wilson had a camera that could be shoved under a wall to
26 look inside a room. They made a plan to go into room A6 and use the camera to look into room A1
27 to see if they could see the victim and determine if she was separated from the suspect so they
28 could grab her. Through the camera footage they could see piles of desks, debris, and that the
29 doors were barricaded. They couldn't see the suspect, the victim, or any movement. They were

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1 looking at the monitor for what seemed like hours and never saw any movement. They never
2 heard the suspect or the victim say anything.

3
4 While in classroom A4, they determined the sliding wall could be a point of entry so they sent
5 Officer Kerr and Officer Wilder to another classroom to practice opening the door in case they
6 needed to make an entry. They then set their team up in classroom A6 as a secondary HRT
7 Team. They assigned roles and responsibilities. He was assigned #1, Sancho Lopez was
8 assigned the flash bang, Mowrey was #3 behind him, and Kerr and Wilder were going to breach
9 (open) the door and then fall in behind them. Then it turned back into a waiting game. They were
10 in that room for a long time and didn't hear anything. He said he was just a foot away on the other
11 side of the wall and couldn't hear anything from the victim or suspect. He again started thinking
12 the suspect planned this out and that he was dedicated because he wasn't talking, he barricaded
13 himself, and he was not going to give up. Detective Paes mentally prepared himself to make entry
14 but he knew it could still be hours away.

15
16 Detective Paes said he and the other officers were talking about that fact and also about the
17 victim, and they were concerned about what condition she may have been in. At that point he
18 heard the victim cough. He said it wasn't strong and sounded weak as if maybe she was injured or
19 in distress. It wasn't a strong clear your throat kind of cough but more like a little whimper cough.
20 They thought he could be killing her right then but the attempted negotiations continued over the
21 intercom. The negotiators asked the suspect over the intercom to please give up, to come outside,
22 and that they wanted it to end peacefully. Detective Paes felt like they were in that room for hours.
23 At one point they each individually rotated out to change into their heavy vests in case they had to
24 make entry. The decision was then made that he and his team inside classroom A6 would be the
25 primary entry team and that the Red Team would port the front windows and deploy flashbangs as
26 a distraction. Then it was a waiting game.

27
28 He said he wasn't the guy in charge, and couldn't make the call on when to go in, but he was
29 ready to help the victim and wanted to help the victim. After he heard her cough, another hour
30 went by without him hearing anything from the suspect or the victim. He was worried about it

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1 getting dark outside and in the classroom, and that they would have to make entry into a pitch
2 black room. After several more requests over the intercom for the suspect to come out, the
3 decision was made to carry out the hostage rescue plan. They were worried the victim had been in
4 the room too long and they hadn't heard from her. He personally thought she was dead or dying
5 because he saw the blood outside the classroom when he first arrived on scene several hours
6 earlier, and she was 70 years old.

7
8 The plan was he and his team would be the HRT Team. The Red Team would port the front
9 windows and deploy flash bangs as a diversion. Wilder and Kerr were the breachers. Detective
10 Paes' specific job was to go to the right when the door was opened. Mowrey was going to go to
11 the left and the rest of the guys would come up the middle. When they gave the command to
12 breach, Detective Paes was standing in front of the door where it was supposed to open up from.
13 He heard the windows being ported, the flash bangs getting thrown into the classroom, and the
14 breach team attempt to pop open the door but they had a failed breach. The door opened maybe
15 a foot. He was thinking he had to get into the room because now the suspect knew they were
16 coming. He tried to force his way into the classroom through the small gap.

17
18 Detective Paes said he was still focused to the right of the room as he tried to squeeze in but he
19 was stuck. The classroom was dark and he couldn't see anything at first other than piles of desks.
20 Detective Paes used the light on his rifle to see into the room and started from the right. He was
21 getting squashed from the guys behind him. They were hitting the wall trying to get it open. The
22 wall was moving up from the bottom and was swaying and he was just stuck. His arms were
23 caught and were being slammed into from both sides of the doorway. He used his light to scan the
24 room. As he scanned for what seemed like forever, he picked up feet lying down on the floor along
25 the same wall they were next to the entire time.

26
27 He described the suspect as being in a spooning position with the victim. The victim and
28 suspect were both on their right sides facing towards the wall. The suspect's feet were closest to
29 the entry point and his head was furthest away. Detective Paes was still stuck trying to look to the
30 left. He could see both the victim and suspect up to their necks, but he couldn't see their faces.

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1 The immediate thing that stood out in his mind was that she wasn't moving at all. The suspect had
2 a tight grip on her. He could see the suspect's left arm over her neck in the spooning position and
3 she wasn't moving at all. Detective Paes was trying to see everything and he saw an object in the
4 suspect's hand. He couldn't tell what it was but by the way he was holding the object and the
5 victim, it seemed like a knife, but he was more concerned with suspect's arm at her throat. It
6 looked like he was choking her.

7
8 Detective Paes thought seeing a young man holding a 70 year old lady by her neck that the
9 suspect was going to kill her, break her neck, choke her out, or break her wind pipe. He couldn't,
10 even if he wanted to, get in the room and jump on the suspect because he was stuck in the
11 doorway. Instead of the suspect giving up, putting his hands up, rolling away, tucking, or doing
12 anything like that, he decided to wrap her up tighter and pull her towards him. Detective Paes
13 could see the suspect was holding an object and he had his arm wrapped around her neck. The
14 suspect was pulling the victim on top of him and Detective Paes could see the side profile of the
15 suspect. He knew if he didn't get in the room the suspect was going to break her neck. He tried to
16 get a good sight picture because he knew the only way to stop the suspect was to shoot him.

17
18 He tried to get a good sight picture as the wall continued to hit him. The red dot on his sighting
19 system went from the victim, to the suspect, and off to the right. The suspect was not letting the
20 victim go. He didn't know if the suspect was trying to use her dead body as a shield because she
21 was not moving. He didn't hear a sound from the suspect or the victim; not a cry, not a moan, not
22 a "help", nothing. He thought that maybe she bled out, was dying right then, or the suspect was
23 breaking her neck and she was going to be killed right in front of him. Detective Paes yelled stop
24 to the guys behind him because he couldn't get a good sight picture and they were bumping him.
25 He was then able to get a sight picture and aimed for the furthest part on the suspect that was
26 away from the victim, around the upper left shoulder back area. He fired 2-3 rounds as quickly as
27 he could. Again, he didn't hear anything from the suspect or the victim.

28
29 He said the victim was still laying there "lifeless." She wasn't fighting or pulling away. He
30 thought that maybe he missed the suspect because he was not letting go of her and she wasn't

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1 After he fired 2-3 rounds he looked at her and thought she was dead because she wasn't moving.
2 There was no movement from the suspect and he was still holding her and didn't let her go. All of
3 a sudden she made a sound, like an agonizing groan, and started to crawl away from the suspect.
4 Instead of the suspect rolling away from her or letting her go, he kept his arm wrapped around her
5 neck and tried to grab her as she tried to pull away from him. Detective Paes saw an object fall
6 towards the ground. He saw that it was a pair of scissors. Detective Paes wasn't sure if it was the
7 object the suspect had in his hands, but that's what he saw fall to the ground.

8
9 Detective Paes said the victim and suspect were still in the spooning position. She pulled away
10 from him and he still did not let go of her. The suspect reached backwards (Detective Paes was
11 able to see the suspect's lower back hip area) and towards the scissors and back towards her.
12 The suspect was not surrendering. Detective Paes thought the suspect was dedicated, was going
13 to see this through, and was going to kill her. He couldn't let the suspect get the scissors to stab
14 the victim with, so he fired additional 2-3 rounds. He aimed for the suspect's left hip area. Again,
15 he didn't hear the suspect groan or scream but the suspect stopped moving at that point. The
16 victim was able to crawl towards him and at that point she was to his left along the wall. She
17 couldn't get out of the room because Detective Paes was still stuck in the door.

18
19 He yelled out something to the effect of "I have her," or "the victim's here." The other officers
20 were able to pull her out from beneath him while he was still stuck in the wall. He continued to
21 cover on the suspect until the Red Team could make entry. Detective Paes was never able to get
22 into the room. He heard additional flash bangs going off and saw the Red Team make entry. He
23 directed them to the suspect and they took him into custody. He was then pulled from his stuck
24 position. He got out of the room and never saw the victim. She was gone before they pulled him
25 out. They removed him from the scene and transported him to the Magnolia Station. He said
26 overall he knew the suspect was going to kill her. Based on his training and everything he knew
27 up to that point, this was well planned. The suspect planned to barricade the doors, he wasn't
28 going to give up, and he saw that the suspect was going to kill her and that's why Detective Paes
29 did what he did.

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1 During the follow up questions I had Detective Paes explain the acronyms he used during his
2 statement and also had him explain what a breach and failed breach were. I asked if he ever
3 learned the source of the blood he saw when he first arrived on scene. He said no, and that he
4 assumed it was the victim's blood because it was outside her classroom and he heard that he she
5 had been assaulted and dragged into the classroom by the suspect. I asked if he ever received an
6 update on the assault against the other teacher (later identified as Gallardo). He said all he heard
7 was that another teacher was assaulted and possibly had a broken nose. I confirmed with
8 Detective Paes that he said it was dark in the room when they attempted to make entry.

9
10 Detective Paes could not recall the clothing the suspect or the victim was wearing. I asked him
11 to describe the scissors. He described them as school scissors with black grips and a silver scissor
12 part approximately 6"-7". In his opinion, the scissors could be used as a weapon to stab someone.
13 I asked him if he was injured during the incident. He said his arms were bruised a little bit and his
14 back was sore from trying to get through the door. We asked if he was given a description of the
15 suspect. He said the suspect was described as a Black male, 27 years old, 6'03", wearing a
16 camouflage jacket. He said the victim and suspect were just a few feet away from him to his left
17 when he saw them.

18
19 Detective Paes didn't believe he said anything to the suspect or the victim prior to the shooting.
20 We asked him if there was a reason for that. He said it happened so quickly and he thought she
21 was being killed in front of him so he didn't think to shout anything at him; he just took action. We
22 asked him if he could see or tell if his rounds hit the suspect. He didn't know if his rounds hit him
23 until he found out later that the suspect had passed. He said he was never mentally prepared to
24 shoot someone and for it not to faze them. The suspect didn't jerk, he didn't move, he didn't make
25 any sounds, so he thought that maybe he missed. We asked him if he knew what prevented the
26 door from opening. He said he never personally saw what was preventing it from opening, but he
27 saw that the suspect had barricaded himself around that area and that maybe his barricade was
28 what was preventing the wall from opening.

29

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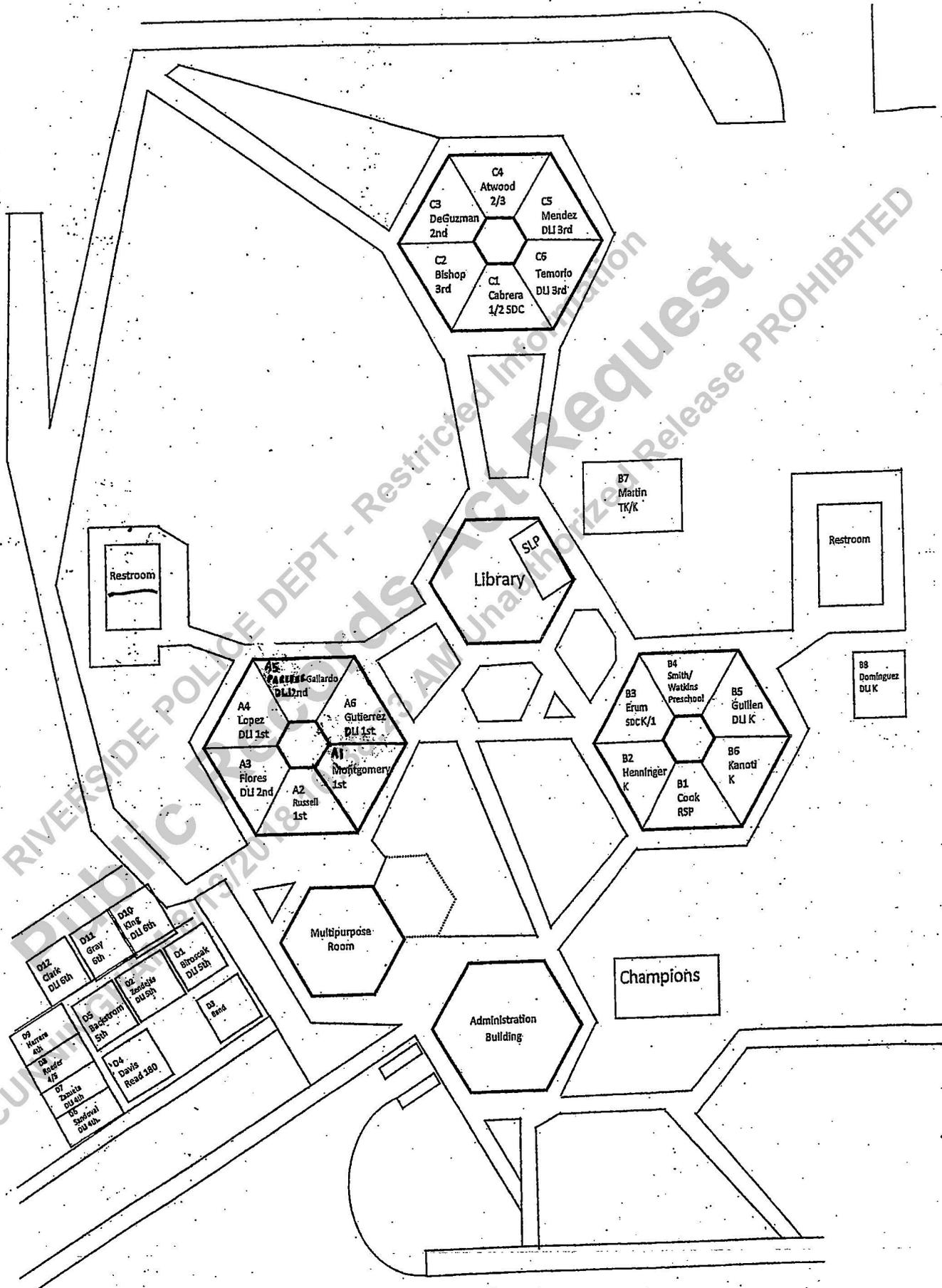
INVESTIGATING OFFICER
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1 Detective Paes said the wall was only opened about 10"-12". The breach team practiced on a
2 similar door and was able to get it open so the fact that the door only opened 10"-12" was
3 unexpected. We had him go over the line-up. He said it was him, Lopez, Mowrey, Wilder, Kerr,
4 Sergeant McCoy, Sergeant Ortiz, O'Farrell, and a tactical medic were behind him. I asked what
5 his shooting position was. He said he was standing and was shooting down and to his left. I also
6 asked him about his magazine discrepancy. One of his extra magazines only had 29 rounds in it
7 instead of 30. He said it was most likely a miss count because they constantly load and unload the
8 magazines during training. This concluded the interview.

9
10 **No further information.**

RIVERSIDE POLICE DEPT - Restricted Information
Public Records Act Request
PCUNNINGHAM 8/13/2018 10:38:21 AM Unauthorized Release Prohibited

Castle View Elementary School



6201 Shaker Drive
 Riverside, CA 92506

INTERVIEW WITH DET. TANNER PAES**Q=Det. (Adrian) Tillett****Q1=Det. (Dave) Smith****Q2=(Michael) Kersse****Q3=Saku Ethir****A=Det. Tanner Paes.**

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14
15 Q: All right. Uh, this is Detective (Adrian) Tillett, we are at the Magnolia Station,
16 in the conference room, um, on, uh, November 4, it's approximately 9:00 in
17 the morning. Um, we're here to, uh, investigation the incident that happened
18 on October 31 of this year, 2017. File number is P17196932. Occurred at the
19 Castle View Elementary School in the City of Riverside. Um, it was a
20 kidnapping, um, unlawful, uh, detention that turned into a h- a barricaded
21 hostage situation that resulted in a OIS. Uh, Detective Tanner Paes is here,
22 he's the involved officer, um, he's with his attorney. Uh, uh, Deputy DA,
23 (Michael) Kersse is here as lo- as - and also my partner, uh, Detective (Dave)
24 Smith. So, I'll have everybody introduce themselves just for, uh, voice
25 recognition.

26
27 Q1: Uh, Detective (Dave) Smith, ID 444.

28
29 Q2: Deputy District Attorney, (Michael) Kersse -- K-E-R-S-S-E.

30
31 Q3: Saku Ethir, Attorney for Tanner Paes, uh, last name is E-T-H-I-R.

32
33 A: And then, Tanner Paes, my last name's P-A-E-S.

34
35 Q: Okay. So, as, uh, part of our investigation is that we like to get a statement
36 from you as far as, you know, what happened that day during that incident.
37 Um, y- you're not under arrest, um, you know, you're free to go, you don't
38 have to provide a statement but we would like you to provide a statement.
39 Um, would you be willing to provide a statement at this time?

40
41 Q3: Well, before, um, Tanner answers and once I say what I have to say you guys
42 may have something additional to say but, um, pursuant to department policy,
43 uh, Officer Paes has some options with respect to, uh, cooperating in a
44 criminal investigation. Uh, one of those options is to provide a statement to
45 homicide investigators. Um, and so, pursuant to policy, um, he's here ready

46 and willing to provide you with a statement because policy required him to.
47
48 Q: Okay, uh, Detective Tanner, uh, Paes, having, uh, what your l- uh, attorney
49 just in mind - what you're attorney just said, are you willing, uh, to provide a -
50 a free and voluntary statement at this time?
51
52 A: Yes, I am.
53
54 Q: Okay. Um, let's get some logistical stuff outta the way, um, what is your ID
55 number?
56
57 A: 1675.
58
59 Q: Um, what is your current rank and assignment?
60
61 A: Uh, I'm a police Detective and I'm assigned to the North NPC but I'm still
62 handling my normal POP duties as if before I was promoted.
63
64 Q: Okay. Uh, how long have you been employed with the City of Riverside
65 Police Department?
66
67 A: Uh, since April 2011, I was hired and sent to the basic Academy.
68
69 Q: Okay. Uh, do you have any, uh, uh, collateral assignments?
70
71 A: Yes.
72
73 Q: Uh, what are those?
74
75 A: I'm on a collateral SWAT team right now.
76
77 Q: Okay. How long have you been on the, uh, SWAT Team?
78
79 A: I've been a member of the SWAT team since, uh, I believe about July or
80 August of 2014, so, a little over three years.
81
82 Q: Okay. Can you kinda just describe a little bit of, um, some of the schools
83 you've gone to as far, um, in relation to, uh, s- SWAT?
84
85 A: Uh, yes, uh, I said I'd been a member for about 3 years. I'm on the blue team
86 with our department which is basically a second team before goin' full time.
87 Um, I went to the basic SWAT school, uh, did very well at SWAT school and
88 then came back and put all my training together and we've been training
89 basically every other Wednesday for the last three years. Uh, going over basic
90 barricades, hostage situations, active shooters. Uh, or basic movements,

91 dynamic, uh, stealth, modified stealth and I've just only increased my
92 capabilities since I've come on.
93
94 Q: Okay. Any other, like, advanced schools or p...
95
96 A: I...
97
98 Q: ...just the (unintelligible) training.
99
100 A: Just the basic in house training.
101
102 Q: Okay. Um, you kinda just touched on it, uh, how often do you guys train, um,
103 being on the collateral team?
104
105 A: It's been every other Wednesday for the last three years. I don't think I've
106 really missed a training day. And then, uh, we do a week long every - every
107 year where we go out as a team and train for a week straight, Monday through
108 Friday.
109
110 Q: When was the last one you guys attended? Did you do one this year?
111
112 A: Uh, yes, in October.
113
114 Q: Okay. Uh, what type of training did you guys cover during that week?
115
116 A: Uh, we try to cover as much as we can in the short seven days but we went
117 over our basic movements - search warrants - d- like I said, all three
118 movements, uh, dynamic, stealth, modified stealth. We went over HRT -
119 hostage rescue, barricades, and then we finished the week off with, uh,
120 scenarios with a one big large barricade scenario.
121
122 Q: Okay. Um, on the day in question, October 31, um, did you have a - a
123 designator?
124
125 A: Uh, yes, I was, uh, assigned as my normal, uh, POP duties, so, I was Paul 19
126 that day.
127
128 Q: Okay. And then, uh, when it transitioned into, uh, a metro SWAT team
129 function - did you go by a Metro number or d- did you have any other
130 designator during that time?
131
132 A: Uh, no.
133
134 Q: Okay. Just, like, last name type of thing if...
135

136 A: Yeah. I - I don't even think I used my name or identified myself.
137
138 Q: Okay. Okay. Um, at this time, I'd just like you to basically just start from the
139 beginning when you first were made aware of the call and just run us down,
140 uh, to the very end. Uh, you know, try to be as detailed as possible. If we have
141 any questions after that we'll come back and we'll, you know, we'll clear
142 things up if we need to or have you provide more details on certain things. So,
143 just go ahead.
144
145 A: Okay. Um, typical morning, uh, we were helping out on a sex registration
146 sweep with our 290 unit. Uh, I was ridin' with my partner on (Ronell)
147 (Newton). I handled a couple of those calls and went and got breakfast at
148 Canyon Crest, uh, Towne Centre. Uh, as we're walkin' out to our police car I
149 heard a call at the school. At this time, I'm still not really listenin' to my radio
150 that well, uh, but I hear a school so I immediately started payin' attention to
151 the radio. And I know in a relatively short time I - I can't say how long - a few
152 seconds - a few minutes, it went from - I - I believe it was a parent disgruntled
153 about not bein' able to take his kid, um, a teacher was assaulted possibly had a
154 broken nose and then it came to, he pulled a 70-year-old lady into a classroom
155 - was holdin' her hostage. Um, that all came out relatively quick, like I said it
156 went from a call, uh, routine call to a hostage situation before I even started
157 talkin' on the radio before I knew what was really goin' on a hostage scenar-
158 situation. Um, being on the SWAT team, my partner's on the SWAT team, we
159 know we're goin' to this call. Um, tried to use whatever skills or whatever
160 resources we can to help resolve the situation. Um, my partner's driving - I'm
161 in the passenger seat. Um, just tryin' to get us there 'cause I know it's a Castle
162 View Elementary. And I know the school - I know the general area but it's
163 tucked in a neighborhood, um, so, I'm focused on tryin to get my map going.
164 But I use our phones to get there because our mapping system's down just to
165 verify it. Um, we hear over the radio, uh, SRO is in route, couple other units
166 are in route. Uh, we're makin' our way up Canyon Crest. Uh, we make a right,
167 I - I honestly don't know the street right in my head to get there but as we're
168 pullin' up we all pull up at the school at the same exact time. I think it's off of
169 Shaker, if this is oriented right - this is Shaker. Um, pull right in to the back
170 parking lot and, uh, still continue updates - there's been no real change, it's -
171 suspect ran to the, er, pulled the teacher in - holdin' her hostage. Um, I
172 couldn't tell you how - how long it took - couple minutes from Canyon Crest
173 to that school. We were there very quickly. Um, I think there's two units in
174 front of us. Uh, I think we were the third car that basically pulled in at the
175 same time but we were in the rear. Um, I hope out, I grab my rifle, um, and
176 then start runnin' towards the campus, basically right up the gate. And at this
177 time I - through training - through everything that was goin' on in our nation, I
178 know we're at a time when we're gettin' attacked - terrorist attacks, uh, Las
179 Vegas shooting, Orlando, San Bernardino school shooti- shooting, domestic
180 violence incident at San Bernardino school where husband kills wife. So,

181 while I'm in route here I'm - obviously all this is goin' through my head. I -
182 I'm thinkin' - he's at a school, he's dragging 70-year-old teach inside of a
183 classroom, I'm thinkin' worst case scenario, I'm thinkin' he's there to
184 obviously kill her or he's there to make a point - he's there to commit a
185 terrorist attack, I don't know at this time. Um, but we train for that, I mean,
186 that's why we do this - we wanna protect people - we're goin' to this to save
187 people. Um, but you plan for the worst - I'm planning for the worst. I'm
188 planning on gettin' there and seeing kids dead to be honest at this point after I
189 hostage situation, pulled in a classroom, I'm thinkin' it's a classroom full of
190 kids, I don't know. Um, as I'm running on the campus I see, first thing I go up
191 on top of this ramp, uh, like I said, again, I hope it's oriented right. Uh, I think
192 there's a little zig zag ramp that comes in right here between the admin
193 building.

194
195 Q1: So, we're lookin' at it - we're lookin' at a, um, a schematic of Castle View
196 Elementary with the class room settings. Right?

197
198 A: Yes.

199
200 Q1: (Unintelligible).

201
202 Q: It's, uh, provided by the school.

203
204 A: Okay. So, it's actually probably right here I think. So, I go in between this
205 building, uh, I see like a blood trail of some kind coming in between the
206 buildings. And I - I see an o- an older white lady standing out in front of this
207 building, probably right in front of A1. At- at this time I - I know it's a 70-
208 year-old teacher that was drug in the classroom. I'm thinkin' maybe she
209 doesn't look 70 but maybe that's possibly the victim and we just maybe have
210 a barricade. Uh, she looks very distressed, concerned, uh, I can see the panic
211 in her face - she's just standing there - she's not moving - she's not running
212 away - she's just standing there. Um, I yell out to her, uh, it - where did he go
213 and I - I can't tell you the specific words but, uh, where is he and then, same
214 thing I can't tell you what - exactly what she told me but she said that he
215 dragged her in the classroom and pointed to A1, the one right next to her. Just
216 - he's in there, um, I'm like, I know I ask about kids and she said she doesn't
217 think there's any in there. Um, and then I ask about weapons and she goes, uh,
218 I didn't see 'em but I have two - he took two big bags with 'em or two
219 backpacks with 'em in the class. Uh, so, again, it - it seems planned out in my
220 head based on training. I - I know that people use backpacks to takin' IEDs,
221 takin' weapons, takin' anything to these schools and I know the worst can
222 happen. Just like Vegas, same thing, the guy used his luggage and stuck a
223 bunch of rifles and weapons up in the hotel room. I - that's just what I'm
224 planning for. I - I planning for the worst. And I know she just told me that
225 there wasn't any kids in there or she believed there wasn't. I still wanted to go

226 see for myself, so, uh, as I approach the classroom, A1, uh, I'm tryin' to stay
227 behind the door or hard cover 'cause there's windows all around but I still
228 wanna see if there's kids in there. I see another blood trail and out - outside
229 the class. It - it just looks like a pile of blood I had - I didn't take a good look
230 at it but I knew it was definitely blood outside the class. Uh, I look inside the
231 window and I - the first thing I see is just a mountain of chairs, desks,
232 everything shoved against the door, um, so, I know it's barricaded. Just like
233 my training and again, we've practiced breaching - knowing doors can be, uh,
234 barricaded - knowing suspects plan this stuff out - they barricade doors to
235 make it so we can't get in and save anybody. Um, and I know right there I'm
236 not gonna be able to get in by myself either way. But I still wanna see if
237 there's any kids in there. Um, I tr- as soon as I peek in I - I don't see the
238 victim - I don't see the suspect but I - I see some kinda movement - I can't
239 explain it. And then, almost instantly the room filled with gas. I - I don't know
240 if he saw me, which I'm assuming he did and threw gas or had gas there or
241 what he used but the whole room filled with smoke and it was thick - I
242 couldn't see in the room at all. Um, it was so bad it was coming out the seals
243 of the windows and you can see it comin' up in a - up the eaves of the school.
244 Um, so, immediately there I remember gettin' on the radio and saying, uh, I
245 saw the doors are barricaded. Gas was deployed, I - I couldn't tell if it was CS
246 or, uh, smoke. Um, I think I may have gave a update saying it didn't affect
247 me. Uh, I felt the smoke hitting my face and I - I can breathe it in but I - I
248 wasn't struggling for air. So, at that point I didn't see kids - I didn't see
249 suspect - I didn't see the victim but I obviously know he's in there 'cause he
250 just deployed gas or smoke. Um, from there I, uh, backtrack, it'd be, I'm right
251 outside of A1, about - basically tryin' to - right behind the door. Um, I see a
252 couple more officers all pullin' up together and we run behind a hard cover
253 right here. I - it's like a brick wall off the - I don't know, I thought it was a
254 cafeteria when I was done but this room says multipurpose room. There's a
255 brick wall, so, we were all s- hunkered there. That's when the world arrived.
256 We had all the cops, supervision, K9s, snipers, um, and super - supervisors
257 start takin' the lead. Started makin' sure containment was set up. Comin' up
258 with my plan with our guys, we got a few collateral guys there. We were
259 gonna be HRT team. Designated our roles - we have lethal, less lethal, hands
260 on, verbal. We had everything set in case he decided to come out and
261 surrender. Um, at this point I - I - I still have not seen the victim - I have not
262 heard from her. Um, I haven't talked to the suspect - I have no
263 communications. I saw the blood trail, I'm already thinkin' she's injured - he
264 physical dragged a 70-year-old lady inside of classroom. Um, so, time isn't on
265 our side in my mind. I - I think she's gonna die. I feel that he's killing her or
266 he already hurt her - maybe she's passed out in the room - I don't know 'cause
267 I wasn't able to see her. I - I just gotta plan for the worst. Um, while we're set
268 up out there, again, supervisors arrive, come with a plan, uh, I became aware
269 that another team was set up - I - I don't know which set of officers were there
270 but another team was set up in this same little p- I'll call this the pod

271 classroom, just for easy description. Um, was set up in one of these back
272 classrooms. They had another team set up back there. I - I don't know which
273 officers it was but those officers put out over the air that this back door
274 leading to this pod was also barricaded and they saw - I don't know if they
275 said they saw 'em or he was but either was they articulated that he was
276 covering the windows with s- with something. Like, he's makin' it so he can
277 conceal himself. And again, our training tells us this guy's going in a
278 classroom, barricades doors, has gas, took backpacks inside, um, covered up
279 the windows, I'm thinkin', again, the worst. He planned this out - it's
280 obviously thought out. He took this specific lady in this classroom - she could
281 be dying, I don't know. Um, again, worst scenario in my head going on - she's
282 dying - she's being killed. Um, we're still waiting out in the brick wall. Kinda,
283 like I said, my anxiety is goin' up for her. I - I feel confident there's no kids in
284 there b- just based on all the other kids were gettin' evacuated, teacher are
285 sayin' that they may be in there just with the teacher. Um, Metro comes out,
286 um, the first thing I see of them is they bring the ARV up and they park it
287 basically right in front of A1, facing at A1, we're behind this brick wall so
288 they're probably 20 feet away from us, both facing the front door. Um, they
289 take over primary responsibility being a hostage rescue team if necessary. Uh,
290 knowing the team I had set up was a bunch of collateral guys, they wanted us
291 to go replace the secondary team that was in A4, A5 set up. Um, as a
292 secondary HRT team in case they get a fail breach we were gonna be the
293 secondary team makin' a breach. Uh, so, we work our way around - we come
294 along the outside of this building m- n- uh, multipurpose room and we get in
295 classroom A4, uh, while sitting in A4, again, we replaced guys that are there -
296 we have our team set up - we designate again, roles and responsibilities, uh,
297 for HRT. Who's our lethal, less lethal, hands on, verbal in case he comes out
298 we come up with our whole stack, uh, and what our responsibilities will be.
299 Uh, from this it becomes a waiting game - I feel like we're in the room for
300 several hours. Uh, while we're in this room, um, I don't hear anything of the
301 victim at all. We're - I mean, we're outside a door - I don't hear a single word
302 from her. Uh, every now and then I hear a suspects phone goin' off or I - I
303 can't - or a phone goin' off. Uh, I don't know whose it is - I don't hear
304 talking. Uh, then off and on I heard a male voice but I couldn't determine
305 what he was saying - if he was agitated. All's I can hear is a muffled voice
306 comin' through and it definitely sounded like a male. Um, I know at some
307 point, again, I don't - we weren't getting updated over the radio - my radio's
308 actually off 'cause we had to be quiet in the room and I was just getting
309 information passed to me. Uh, but the communication somehow started - I - I
310 don't know if they got a hold of 'em on his cell phone - if they got a hold of
311 'em on the intercom - I don't know at this point. I just know communications
312 started, then they kinda left it at that. They didn't say his demeanor - they
313 didn't say how he's acting. Uh, but communications started, so, again, we're
314 waiting forever in this classroom and for me it just minutes we're losing for
315 this victim that could be bleeding out in there. I - I don't know but they - it's

316 just weird to me that she hasn't made a sound. No, pleading, no saying, let me
317 go - I - I haven't heard anything. I've been a doorway away. Um, and then
318 while we're in this classroom, like, all of our team does - we're independent
319 thinkers - we're tryin' to think of plans to maybe possible help this lady. Uh,
320 somebody notices that basically the walls in between these rooms - every two
321 room is adjoined by - I don't even know what it's called, bulletin board wall.
322 It's like a folding wall but, unless you looks at it or see hinges, you can't
323 really tell. It just looks like a partition - it looks like a wall. And then, you
324 zoom in you can see hinges, you know it folds. So, the one we were in A4
325 opened up to A3. Uh, we didn't open it - we didn't try anything - we just saw,
326 basically, at that point we're thinking he has access to more rooms than we
327 thought. Not just for a potential breach later but, um, we're thinking we have
328 to clear the rest of the building and make sure he's not gaining access around
329 us or he doesn't come behind us or if she's already dead, he tries to sneak out.
330 I don't know. Um, so, as quietly as possible supervision sets up teams or a
331 couple guys at a time, they clear each room around him. Um, they cl- clear all
332 the way to A6 which is room next to him which is separated by a bulletin
333 board - or that same folding wall. Um, again, I can't be specific on time 'cause
334 I - it just seemed like we were there forever. I, um, I was getting tire, uh,
335 mentally I - I w- I was just thinking she was dying, so, I mean, stress was
336 obviously there. Um, and again, we hear from - from the same room we were
337 in A4, I hear more comma- or more noise in the room. I - I can't tell what it is
338 just his voice, nothing from her. And then I - and then I - I hear negotiations
339 are stopped. They haven't talked to him for a long time. And they decide to do
340 a throw phone mission to try to get 'em to talk on a phone again 'cause we
341 haven't heard anything from him or her. Um, team goes up a throw phone
342 mission, they have s- successful mission. I honestly don't know where they
343 put the phone - I think they put it outside the door hoping he'd grab it. Um,
344 then we waited again - waiting game. We're waitin' longer. Um, no
345 communication with him at all, uh, nothing. Um, then we started gettin' noise
346 over the intercom - we heard it in the room we were in - we heard it in the
347 room next to us and it was ENT guys tryin' to communicate with him but I
348 think they were tryin' to work the intercom tryin' to figure out which room to
349 talk to. So, we heard it in our room - we heard it in the next room and then
350 finally heard it in the correct room. Uh, and I heard all kinds of negotiations,
351 uh, from our guys. Just, and I hear it loudly, clearly just come outside, let us
352 know how she's doing - tell us she's okay. You can see your daughter - we
353 have your family here. Um, if you don't come out your daughter's gonna go
354 home - you're never - you're not gonna be able to see her tonight. Um, she
355 wants to go trick or treating, I mean, negotiations went on forever. I h- I heard
356 our guys keep pleading with him and nothing back. I didn't hear any respond
357 back from him. I - I heard nothing from the female, um, still just thinkin' she's
358 probably dead, I mean, he's not giving updates 'cause she's dead or she's
359 dying - she's bleeding out - she's passed out. Um, 'cause why else wouldn't
360 she make a peep. Um, no movement - I didn't hear movement in the

361 classroom. Uh, but Sergeant (Wilson) had some pack gear with 'em - a
362 camera that you can shove under the wall or above the wall and see inside. So,
363 they came up with a plan to get in that room next to him and try to use that
364 camera to stick under the wall and above the wall to see what we can see in
365 the classroom. Maybe see the victim - see any kind of separation - maybe we
366 can grab the victim and get out - leave him there. Um, so, that plan was
367 started. A team moved around - they got in that room. They started, uh, using
368 that camera to see in the room, tryin' to provide updates. They - through that
369 camera I - I was told I - I don't remember actually lookin' at it but, oh, I did a
370 couple times and you can see just piles of desks, uh, debris and I - I didn't
371 know what it was 'cause that camera's dark in the room. Um, barricaded
372 doors, you can see all the desks in front of the doors but you couldn't see any
373 movement. You didn't see the victim - you didn't see the suspect and they
374 were looking at the monitor for - seemed like hours and never saw the guy
375 move - never heard her talk - never heard him talk. And, uh, finally they sent
376 us to that room for a HRT team. Um, uh, actually, from where we're at in the
377 A4 still, Sergeant (McCoy), uh, is in that room with us and they see that
378 bulletin board w- well, it could be a point of entry for us. They send, I believe
379 it's (Kerr) and (Wilder), to go practice on another room somewhere - I don't
380 know where on campus, making entry on those same doors - the same bulletin
381 board. Uh, in case we had to make that entry. Um, a little while later they
382 came back and said, yes, they did it in the other room - it's possible - it
383 worked - we did it several times - we can make entry through the wall if
384 necessary. So, they set us up in that room, um, as still a secondary team at this
385 point. We were still a secondary HRT team, if necessary we had to go through
386 the wall or through that bulletin board wall, we were gonna be the second
387 team in. Um, we discussed our roles and responsibilities, um, I was gonna be
388 number one, uh, S- (Sancho Lopez) was gonna be our flash bang guy, um,
389 (Mowrey) was gonna be three behind me makin' entry and then (Kerr and
390 Wilder) while they were gonna breach and then come inside after us. Um, and
391 again, it's a waiting game again, we didn't hear anything - we were in that
392 room for a long time. Uh, right next to him, I mean, just the bulletin board
393 separating us from his room - didn't hear anything. Now, I'm a foot away
394 from him with a thin wall and I still don't hear his victim talking - can't hear
395 her breathing - can't hear anything. Um, we're whispering in the class room as
396 quiet as we can and, again, I - in my head I'm thinkin' this guy planned this
397 out - he - he's not talking - he's dedicated - he's barricade himself in here. He
398 - he's not - he's not giving up - th- there's no - he barricade the doors - there's
399 not even a way out at this point. Um, I'm preparing to make entry but I know
400 it could be hours out - I - I don't know. And we're sittin' there discussing how
401 - we're worried about the victim - we've even talked about it, like, hey if she's
402 bleeding out - we don't know at this point. I know Sergeant (McCoy) was
403 tryin' to get command post, whispering on the microphone in the corner tryin'
404 to let them know that's what we're concerned about. And then suddenly I hear
405 a little cough - sounds like a female cough on the other side of this wall. I

406 can't tell where at in the room but it doesn't sound like a strong cough - it
407 sounds weak - it almost sounds like she's injured - ill, maybe a distress call - I
408 don't know but it - it doesn't sound like a loud cough - clear your throat - it
409 just sounds like a little whimper cough. Uh, a few guys heard it - I think
410 (Mowrey) heard it and couple other people and the same thing - we're like, I
411 mean, he could be killing her right now. Um, same thing - I think he relays the
412 information, again, it's a waiting game. Negotiations - we hear the intercom
413 goin off - please give up - please give up. It's - we want this to end peacefully
414 - come outside - we're gonna let you see your kid. Uh, we wanna get you help
415 and, again, it's - I couldn't tell you how many hours in each room but it
416 seemed like we were in that room for a couple hours. Um, preparing for this
417 mission, uh, I still had my soft gear on. Um, just my normal police POP gear.
418 Uh, Sergeant (McCoy) replaced one at a time of us to run out, get our gear and
419 come back. So, we went - ran around the building - went and got our heavy
420 vests on and come back just in case we had to make entry. Uh, once we're all
421 done he actually confirmed that we were now gonna be the HRT team if
422 necessary. Um, and the plan was for the red team who was the original HRT
423 team to come up and port the windows, um, throw flash bangs inside to
424 distract him and then we were gonna make entry. We weren't gonna throw a
425 flash bang like we normally would just 'cause we thought it'd be better to
426 distract in the back of the classroom. Uh, after we get that word, more time
427 goes by, more time for him to give up, more time for me to think he's not
428 giving up - he planned this out - doors barricaded - he blocked window -
429 smoke comin' at me - he has - this point it could be IEDs he set up before we
430 got there - I don't know. Um, and it's just a waiting game, obviously I'm not
431 the guy in charge - I don't make the call of when to go in but I was ready to
432 help her - I wanted to help her. Um, and again, I - I was standing there next to
433 bulletin board - no more noise. Again, after I heard that cough it was - another
434 hour went by with nothing from her - nothing from him. Um, I was worried
435 about the light outside coming, er, the sun goin' down - it started gettin' dark.
436 Um, I expressed that to Sergeant (McCoy) that it's gonna get dark in there,
437 um, it already was dark - you can see underneath the crack there was no lights
438 in the room. Uh, we were possibly being backlit from our lights but, um, my
439 main concern is we're gonna go into a pitch black room. Um, after, a dozen
440 more pleas for him to come out, um, we finally - the sergeant finally approved
441 us or lieutenant - whoever actually makes that call, uh, said we're gonna be
442 the HRT team and, uh, the mission was gonna happen. Uh, they were worried
443 - she's been in the room too long - obviously we haven't heard from her - I
444 personally think she's dead - I know that's what they're thinking - or she's
445 dying - being killed because I saw blood outside that classroom. I saw what I
446 thought was her blood in - outside that classroom hours beforehand - and
447 she's 70-years-old. I - people in my family don't really make it to 70 but I
448 know it's an old - old enough if they're bleeding out they're - they don't have
449 the ability to really even cope with that, I think. Um, so mentally I know she's
450 a mess, uh, if she's alive, um, I'm prepared to help her. Um, so, again, the

451 plan is HRT - we're the HRT team - red team is porting the windows -
452 throwing flash bags. (Kyle) and (Kerr) are gonna be breachers - breach that
453 door. I'm gonna be number one in and I was gonna go right specifically. That
454 was my job - I was gonna go right, (Mowrey)'s gonna go left - those guys are
455 gonna cover in the middle. When they gave us command to breach, I was
456 standing in front of the door or the f- fold up door where it was gonna open up
457 from. Uh, I heard the breach, uh, or the windows port - I heard flash bangs get
458 thrown in the classroom, uh, I heard them try to pop the door and we had a
459 failed breach. The door opened up maybe a foot - or the folding board o-
460 opened up a foot and I remember thinkin' - I gotta get in there still - now he
461 knows we're comin' in, uh, it's obvious. Um, I have a small gap - I'm tryin' to
462 force my way in there - tryin' to get in the classroom. Still stickin' to my
463 responsibility looking right, uh, try and turn sideways, I squeeze in - I'm just
464 stuck - I can't go anywhere. Uh, the classroom's dark, I don't see anything at
465 first besides piles of - or desks, debris - it's all barricaded. Um, I'm using my
466 light to see anything. I - I start from my right, and I'm still just gettin'
467 squashed, these guys are hitting this wall, it's moving from the bottom and
468 swaying and I'm just stuck, I - literally stuck in the wall. Um, I remember my
469 arms being caught, like, s- like I was crammed this way and it was - the wall
470 was slammin' on my arms on both sides of the door way. Um, and I used my
471 light to scan the room - as I'm scanning the room I - it feels, like, forever,
472 right, I'm playing it in my head and it seems, obviously I have the time to
473 slow it down but it seemed even long in that situation and as I'm scanning -
474 I'm scanning, uh, I pick up feet and it's, uh, basically, here's the wall we're
475 against - we're right in this corner. And I pick up feet lying down, uh, along
476 the same wall we were next to the entire time. Um, my best explanation for
477 the - what - what they were - what position they were in is basically he was in
478 a spoon position with her, basically, they were both on their right side facing
479 the bulletin board we were right behind the whole time. Um, feet closest to me
480 at the entry point and his head furthest away. Um, when I'm stuck, I'm still
481 kinda swingin', tryin' - tryin' to look left - still tryin' to get in there - I'm still
482 stuck - I can pick up everything up to probably their necks on both of 'em. I
483 can't see his face - I can't see her face. The immediate thing that stands out in
484 my head is she's not moving at all. Um, he has a tight grip on her - I can see
485 his left arm over her neck. Um, like I said, in that spooning position and she's
486 not moving at all. I - I zoned in I'm - I'm tryin' to see everything and I see an
487 object in his hand - I can't tell what it is, uh, the way he's holding the object
488 and the way he's holding her it seems like it's a knife but I was more
489 concerned with his arm at her throat. It looked like he was choking her and,
490 again, a young man holding a 70-year-old lady by her neck and I knew he was
491 gonna kill her. It - he was gonna break her neck or choke her out or break her
492 windpipe- I knew it was coming and I couldn't even get in there to, not that I
493 would've but even if I could've ran in there and jumped on him there's no
494 possible way I could've - I was stuck in this wall. And instead of giving up -
495 instead of puttin' his hands up - instead of rolling away - instead of tucking

496 and curl - anything. He decided to wrap her up tighter and started pulling him
497 towards himself. Uh, so, I still couldn't see his hand clearly - I could see he's
498 holding an object and I can see his arm wrapped around her neck. And sh-
499 he's pulling her on top of him but I - I see a side profile of him. Uh, I know if
500 I don't get in there he's gonna - he's gonna break her neck. That's what's
501 gonna happen. Um, I'm tryin' to get a good sight picture 'cause I - I know the
502 only way to save her is to shoot her. I believe that - I know that.

503

504 Q3: To shoot him.

505

506 A: Or shoot him, sorry, uh, correction. (Unintelligible). Uh, shoot him and, uh,
507 threw me off.

508

509 Q3: That's okay. Sorry.

510

511 A: I'm getting my sight picture and the - the door - the bulletin board is still - is
512 hitting me, so, I'm basically swinging my - my aim point - red dot from the
513 victim to the suspect - to out in right field, like, just off of 'em and it's just
514 swingin'. And instead of, again, he - I'm shining my light at this point at him,
515 um, and he's not letting her go - he's not getting off of him but instead he's
516 pulling him - I don't know if he's using her dead body at this point as a human
517 shield 'cause it honestly looked like she was knocked out. Nothing moving.
518 Um, and it was weird - I didn't hear a sound from him - not a sound from her -
519 not a cry - not a moan - not a help, nothing. So, at this point I think she's
520 already bled out, maybe she's dying right now, maybe he is breaking her neck
521 and she's gonna be killed in front of me. Uh, at that time I - I finally just
522 yelled stop to the guys 'cause I could not even get a sight picture and they
523 were still bumpin' me and it was still goin but I had a good enough sigh
524 picture, I just aimed for the further part away from the victim I could on him.
525 Uh, it was probably his upper left shoulder - back, upper back area right here.
526 Um, I fired about - best memory about two to three rounds, uh, as quick as I
527 could - we train accelerated pairs but with the door bumpin' me and swingin'
528 me off obviously I was a little slower than I - I planned. And, I - I fired - fired
529 the rounds and, again, I didn't hear anything. I - I didn't - and I was wearing
530 my issued earphones which suppresses your m- your fire but if anything it
531 enhances your hearing. You can hear people whispering from across the room.
532 And I didn't hear a peep from her - I didn't hear a peep from him. Not a ow,
533 uh, nothing. So, she's still laying there lifeless. She's, like I said, she's not
534 fighting back - not pulling away and, uh, I kinda thought I missed, um, we
535 train all the time if you want to end the threat you gotta shoot 'em in the head
536 basically and I didn't even see his head so I know I didn't shoot 'em in the
537 head. Um, shot 'em in the body, I know people still fight after that and he
538 didn't even say, ow, so, I'm thinkin' with this bumpin' movement I missed. I -
539 I had to have missed. Um, 'cause he's not letting go of her and she's not
540 moving. Um, after I fire a couple rounds I - I - best estimate would be two,

541 three, three rounds and I'm lookin' at her and I'm thinkin' she's dead - she's
542 still not moving. Uh, no movement from him - just besides he's still holding
543 on to her - he hasn't let go and all of a sudden outta it seemed like a - a
544 miracle 'cause she, like, all of a sudden, not cry, not scream but I can't explain
545 the sound she made. It was, like, I don't know, almost agonizing, like, groan -
546 if that makes sense. She wasn't, like I said, not even crying - not screaming
547 help - she just kinda woke up it seemed like. And started tryin' to crawl away
548 from him and instead of, again, instead of rolling away from her - instead of
549 letting her go - he kept his arm wrapped around her and tried to grab her. And,
550 at this time I can - I can see as she's struggling to kinda pull away from him I
551 see an object fall towards the ground. Um, I zone in on that and I see it's a
552 pair of scissors. Um, I'm not certain if that's what he had in his hand or if
553 that's what - but I know that's what I saw fall. And, uh, once it was on the
554 floor I - I see her still try an pull away he's not letting go of her and instead of
555 rollin' over he reached back towards her and back towards and back t- so, at
556 this point it would be - I don't wanna - they're still in the spooning position,
557 she's trying to pull away - he's reaching down and then starts reaching
558 backwards like this, so, I see his lower back hip area and he's reaching back
559 towards the scissors and back towards her, not surrendering. So, again, in my
560 head he's not - he's dedicated - he's gonna see this through - he's gonna try to
561 kill her right in front of me. Um, obviously I can't let him get these scissors
562 'cause he's gonna stab her, uh, he's not letting her go, so, I file- fire additional
563 two to three rounds. Um, I was aiming for basically what I saw would be his,
564 like, left hip area 'cause he's reaching like this backwards. Uh, again, just
565 right here - and again, no sound. I didn't hear him groan - I didn't hear him
566 scream. It - I wasn't prepared for that - it - I just heard nothing. And again, I
567 didn't shoot 'em in the head. I - I know they can fight after they get shot and
568 nothing. Um, but he did stop moving at that point. Uh, the victim was able to
569 stand up - not all the way but kinda just crawled upwards towards me and at
570 this point she's right to my left inside the wall. Um, she's stuck because I'm
571 stuck in the door - sh- we can't get her out - she can't run out cause the red
572 teams about to make entry in the front 'cause they heard failed breach. Um,
573 and I'm yelling at the team, uh, I don't recall exactly what I said, just, I have
574 her - she's here - or the victim's here the victim's here. And, uh, I don't recall
575 exactly what I said and then, uh, they were able I think to pull her out from
576 underneath me while I'm still stuck in this wall. Um, and at this point I'm still
577 tryin' to hold down on him - just cover him until the red team can make entry
578 'cause I s- never got into the room - I was never able to - never able to s-
579 actually go enter the room. Um, while I'm there I - I feel additional flash
580 bangs going off and I see the red team making entry in the front door of the
581 class room like planned. Um, they're havin' a hard time it seems like it's
582 taking forever. Um, once they actually make entry I'm yelling out to 'em he's
583 in the corner - suspects down - he's on the ground - he's on the ground right
584 back here. And I - I held on him until they were able to come up and take 'em
585 in custody. Um, once they took 'em into custody, I don't - I don't remember if

586 I - they pulled me out - I just remember being stuck and I actually got outta
587 the room and I never the saw the victim - I didn't know how she was - I don't
588 know if I shot her actually. I - I - I have no idea of her condition. Um, she was
589 gone by the time I was out and they basically pulled me away from the scene
590 and, uh, transported me to Mag pretty quick. Just, overall, I know he was
591 gonna kill her. He, based on all my training - everything I know, um, that was
592 well planned - he planned to barricade those doors. He wasn't giving up and I
593 saw him gonna kill her and that's why I did what I did.

594

595 Q: Um, just a couple things I - I wanna clear up. Y- you mention a lot of
596 acronyms, so, just for, like, the lay person I'd like to get that...

597

598 A: Oh, sorry.

599

600 Q: ...cleared up. No, that's fine.

601

602 A: Okay.

603

604 Q: Just - just for, um, uh, IED, can you explain what that is? (Unintelligible).

605

606 A: Uh, like an explosive device - a bomb. Somethin' that you can create and take
607 in and cause mass destruction.

608

609 Q: Okay. Um, HRT team.

610

611 A: Uh, Hostage Rescue Team.

612

613 Q: ARV.

614

615 A: Uh, that's our armored vehicle. It's - it's a bearcat - it's a big green, basically
616 a tank that we drive as SWAT operaser- er, our SWAT team has.

617

618 Q: Okay. And you mentioned it and you described it in detail but just - a breach,
619 what is a breach and then you mentioned failed breach. Can you just describe
620 those two.

621

622 A: Uh, yes, a breach is from - we always try to plan for a breach and a breach is
623 basically opening a door and getting a team inside that door. Um, the actually
624 breach itself is the guys opening that door whether it's using a ram, whether
625 it's using a pick, whether it's prying the door, um, whether it's a folding
626 bulletin board - there's operators assigned just to open that door for you. And
627 that's what they were planning to do was just open that door for us. Um, that's
628 their sole - basically their sole job is to get that door open for us. And a failed
629 breach is when that breach doesn't happen. Uh, there's stuff behind the door,
630 we can't get into that door. Um, basically we need another option to get

631 another team in there through another way to make entry into that room.
632
633 Q: And, you mentioned seeing the blood when you initially came on scene...
634
635 A: Yes.
636
637 Q: ...the blood. Um, did you ever find out anything about that blood while you're
638 in - in the room?
639
640 A: No.
641
642 Q: During the waiting period?
643
644 A: No. I - the whole time I - it was right outside the victim's classroom and I
645 thought it was her blood. I - I - I don't know if it was over the air or I don't
646 know if it was, uh, statements being told but they said he physically pulled her
647 into that room and assaulted her while doing so. I don't - I didn't get details of
648 what that meant but obviously if you're assaulted and dragged into a room
649 outside your classroom - there's blood there - I'm thinkin' it's the victim's.
650
651 Q: Okay. Um, you mentioned on the way there that you heard that a- another
652 teach may have been assaulted? Um...
653
654 A: Yes.
655
656 Q: ...did you ever f- during that time you were there - did you ever get any update
657 information on the finishing of that teacher or how that went down or
658 anything like that?
659
660 A: Uh, I don't recall exactly, uh, and I don't know - I can't recall exactly how I
661 received the information out there. Uh, I just know, uh, another teacher on
662 campus was assaulted and possibly had a broken nose from the suspect that
663 was barricaded in the room.
664
665 Q: Um, you mentioned it but I was gonna ask you about the lighting - you said it
666 was dark in the room when you - when you were making entry?
667
668 A: Yeah - there was minimal light comin' through the windows but the way it
669 was facing, the whole room was dark and behind the desks in the barricade
670 that they were behind it was dark all along the floor.
671
672 Q: Can you recall, um, any clothing that the - the victim and suspect was
673 wearing?
674
675 A: No.

676
677 Q: No? These scissors - can you describe them?
678
679 A: Uh, school scissors, uh, I believe they had a black grips and a silver snips or
680 scissor part...
681
682 Q: Were they...
683
684 A: ...blades.
685
686 Q: What - what - how would you, I mean, describe the length or the...
687
688 A: Uh, seven inches, six inches, uh, pair of scissors.
689
690 Q3: Best estimate.
691
692 A: Best estimate.
693
694 Q: In - in y- in your opinion...
695
696 A: I just felt...
697
698 Q: ...would these - those scissors be able to be used as a weapon?
699
700 A: Oh, h- yes. Uh, yes.
701
702 Q: It wasn't, like a...
703
704 A: No. Scissors...
705
706 Q: ...the little safety scissors.
707
708 A: ...uh, no, I know scissors.
709
710 Q: Okay.
711
712 A: It's - I can see the blade on them - you can easily stab somebody and kill
713 them, especially if you have it up to their neck or you stab somebody in the
714 neck.
715
716 Q: During the, um, the entry in the failed breach, uh, were you injured at all?
717
718 A: Uh, just my arms were kinda bruised up and sore for a couple days but, I
719 mean, even now, I'm fine. And, uh, sorry, my backs already feelin' better but
720 my back was - that night especially, it was lockin' up. I think it was just from

721 the guys pushin' me back and forth and, uh, yeah, my lower back was hurtin'
722 but no specific injury.

723

724 Q1: Um, was the, uh, on your way there or at some point while you were at the
725 school d- d- were you given a suspect description?

726

727 A: Uh, yes, uh, I don't remember, uh, I remember at one point he had a
728 camouflage jacket, um, it was a black male, uh, about 27 years old and was
729 about 6'3". Uh, again, I don't know if that was relayed to me through the
730 radio or relayed to me through another operator but I did hear - I'm pretty
731 certain - pretty certain that, uh, I heard it over the radio that the went in with
732 camo and that, again, was making me think this guy was planned out - well,
733 trained with backpacks and barricade the doors - covered the windows - that
734 he was here - he had a plan and he was gonna kill somebody - kill her.

735

736 Q1: How were you - so, with that in mind, how are you able to differentiate
737 between him and the victim, uh, when you spotted them on the floor in the
738 classroom? By the clothing or was it - could you see her build or - how were
739 you able to differentiate?

740

741 A: Uh, when I went in I said I saw him and spooning her just by their body size. I
742 - I just can't recall what they were wearing - I know that came into play. Um,
743 I was able to tell that she was female, he was male. Uh, but I couldn't tell you
744 exactly, uh, the specific indicator - it happened so quick when I picked them
745 up. I just knew that was a male and she was a female.

746

747 Q1: Was there a size discrepancy or...

748

749 A: Uh, definite, I mean, yes, the - the female was a lot smaller than the male.
750 Yes. I'm - I'm - I'm just tryin' to pick it up as it happened and all the
751 indicators at once - it was immediate. As soon as I went in and I spotted them
752 and lit them up - even without seeing their faces I know who was a female and
753 who was a male.

754

755 Q1: And then you talked about, um, being in a stack and everybody's
756 responsibilities and you said you were in the front - what was your
757 responsibility then?

758

759 A: I was the point guy - at which point - are you talking about when we were...

760

761 Q1: When you entered. So, if you're the first guy through...

762

763 A: Yes.

764

765 Q1: ...what was your responsibilities supposed to be?

766
767 A: My responsibility when I first went in that room - the were gonna breach the
768 door and I was gonna clear right and try to look for the suspect and victim to
769 the right side of the classroom. So, the opposite of where they were.
770
771 Q1: Okay. Um, and then you talk about - you guys turned your radios off to be
772 silent and it sounds like, um, the victim and the suspect were in close
773 proximity probably to the wall you guys were hiding behind. At what point
774 did you turn - did your radios go off so you weren't receiving the information
775 over the radios - it was more - it was a verbal.
776
777 A: I turned off my radio when were in the other building and then when we made
778 entry into the next building next to him my radio was off 'cause I didn't want
779 him to hear anything but when they swapped us off I went and got my heavy
780 gear on with my radios and my radio was on.
781
782 Q1: Okay.
783
784 A: So, before we made entry - before we, uh, went through with the plan, I had
785 access through a radio and I was listening to the radio.
786
787 Q1: How long was your radio off if - if you can estimate? I mean, it's - I can
788 understand where you were or when you turned it off and why but how long
789 do you think, uh, that was - was it an hour - was it 30 minutes - was it 15
790 minutes - two hours - do you have any idea?
791
792 Q3: Don't guess but can give an estimate.
793
794 A: Yeah. No, I - it'd be a complete g- I mean, complete guess, probably two to
795 three hours. But guys had their radios on right next to us.
796
797 Q1: Okay.
798
799 Q3: And you were receiving verbal...
800
801 A: And I was receiving verbal notifications. Yes.
802
803 Q1: And my point is - you weren't - you didn't have the benefit over - of getting
804 the information over the radio. Whatever got passed to you was...
805
806 A: Yes.
807
808 Q1: ...got passed to you.
809
810 A: Yes.

811
812 Q1: Um, so when you - as you're stuck in the door and you're - said you're
813 looking to your right - is that correct? And you...
814
815 A: Yes.
816
817 Q1: ...when you spotted them - how far, distance wise, were they from you - if you
818 could estimate.
819
820 A: When I first got stuck in the door, I'm lookin' right and I clear - clear to my
821 left - left - left and the was, uh, I don't - don't wanna guess either but about - I
822 saw feet probably five feet away from me - four feet away from me. And to
823 their head, uh, 6 feet on top of that. So, I - I - a few feet away, uh, is my b-
824 best guess. It wasn't very far.
825
826 Q1: Okay. So, five - five to six feet is where they started and then body length
827 after that?
828
829 A: Y- probably, yeah. Uh, it - it's a g- I mean, an estimate at this point. I...
830
831 Q1: You don't have to be exact.
832
833 A: Yeah, I'm not...
834
835 Q1: ...I'm just...
836
837 A: Yeah, a few feet.
838
839 Q1: ...so we get an idea.
840
841 A: It'd be a few feet. Yes.
842
843 Q1: Okay. And were you or was anybody else, um, yelling commands to the
844 victim or the suspect at this point or during...
845
846 A: No.
847
848 Q1: ...the time before the shots occurred?
849
850 A: Uh, I don't know - I - I don't believe I said anything and until after I've
851 already fired. And then I was just lettin' the team know behind me - more
852 importantly where the victim was and I was hopin' they can somehow grab
853 her. Maybe pull her under the - the bulletin board wall. I was tryin' to notify
854 the team rather. Where they, uh, where the victim was and how she was but
855 then (unintelligible) commands.

- 856
857 Q1: Um, is there any tactical reasons that you wouldn't have yelled for him to get
858 away from her or to run or anything?
859
- 860 A: For me it was just happened so quick and I thought she was being killed in
861 front of me. I saw his arm around her neck and at that moment I wasn't gonna
862 wait any long than I had to. I'd already made the decision - he was killing her
863 and I was not gonna let her die. And, when I decided to shoot it still took me a
864 second to get on target, like I said, the whole wall was moving but he - his
865 circumstances didn't change. He didn't change his attitude - he didn't, like I
866 said, walk away - he didn't try to get away. He continually grabbed her and
867 my light was on him - he knew the police were there - he had hours to
868 surrender. I knew he was dedicated and he was gonna kill her - I - I couldn't
869 wait. So, I - I didn't even think to shout anything to him - I just took action.
870
- 871 Q1: Could you tell if - I know we - you talked about it and but, uh, could you tell
872 or see your rounds hitting him in anyway or were you ever sure that your
873 rounds were striking him?
874
- 875 A: Until later when I found out he passed - I did not know if I hit him. Um, like I
876 said, I - I've never prepared for actually shooting, even mentally - even
877 thinking about shooting someone and not even phasing them. Like I said, he
878 didn't jerk - he didn't move - the o- nothing - there was no sound. And, so, a-
879 after each round I - I thought I missed - I thought I was just being thrown off
880 target and I was missing 'cause he never even let go of her. So, no, I - I had
881 not actually think I hit him at that point.
882
- 883 Q1: There's audio, um, from the th- uh, camera - I think we talked about that, uh,
884 you can hear a lot of sounds, uh, sounds - loud sounds, like, gun shots and -
885 but I understand you said flash bangs were being thrown and they - the make a
886 loud report. I've heard 'em before. Um, and is there a way - so, what I hear is,
887 you know, s- s- four or five loud sounds and then there's a pause and then
888 there's one more. Can you tell me if that last one was a - a, uh, gun shot or if
889 that was a, uh, from the, uh flash bang. Do you know? You had a opportunity
890 to listen to it.
891
- 892 A: Based on what I - what I just listened to it w- the very last one was a flash
893 bang. Um, the re- while I was in the room still I heard the flash bang going off
894 after I shot and it was when the red team makes entry 'cause every HRT we
895 throw a flash bang and we make entry. So, I felt it - I felt it hit me. I felt the
896 loud noise - I felt it - I know they throw a flash bang.
897
- 898 Q1: Okay. And then during that - all that commotion - I don't know if you heard,
899 um, people are asking who shot - who shot, um, and then you hear people
900 saying, "(Henry)." And one of the - (Henry) (Park) is a SWAT team member

901 or a Metro team member. Do you recall any of that? Um, going down and
902 why they would've said his name for any reason? Um, do you have any
903 knowledge - direct knowledge, you, about what was happening or why they
904 were saying (Henry)?
905
906 A: No. I just know they were making entry and the (Henry)'s - (Henry) and
907 (Silvio) are point guys for the most part on the red team. They would be the
908 first guys comin' through. So, I have no idea why they would've say he shot.
909
910 Q1: When they came in - when the other team got in could you see them entering?
911 Or were you aware - physically that they were coming in from their position.
912
913 A: Yes. I - I - I heard the flash bangs going off - I can hear the breach but at this
914 point after the victim's gone, I'm still holding on the suspect - I still can't
915 make entry - I can't arrest 'em - I - I can't even get in the room - I'm stuck.
916 And I'm just holding down on him and I remember telling them as they came
917 in I had lethal, meaning I was still holding on him. And was telling them
918 where the suspect was. So, and I was also worried about a possible, uh, officer
919 on officer shooting in case they saw me in the back, uh, so, I was yelling out
920 to them, "I have the suspect down." Uh, I don't remember my exact words but
921 I was just letting him know the suspects down in the back, uh, corner of the
922 room where I was at. And I was trying to identify for them to come up and
923 arrest him. And, uh, once I - I did physically see, uh, see the team coming in
924 the room and then once they basically broke the corner where they can see
925 him is when they - I - I honestly don't know if I squeezed out or they
926 physically pulled me outta the room but they pulled me outta that wall and
927 they took me out.
928
929 Q1: Did - do you ever see or hear any of that t- that secondary - the team that
930 actually go into the room - did you ever see or hear of any gunfire from them?
931
932 A: None. No.
933
934 Q1: Okay. And then, do you know why the wall was stuck where it was - where
935 you go stuck. Do you have any idea what was obstructing it? Did you ever
936 find out personally?
937
938 A: I never went in the room to see. I just know there was a bunch of desks and
939 tables thrown all over the room and it looked like there was a desk basically,
940 er, just from memory, uh, what I'm - I'm goin' off of where they were - there
941 was property around them, kinda, like, he barricaded himself. So, I'm
942 assuming when the door folded it hit something - that's just me assuming.
943 Again, I don't - I don't know what it actually got stuck on.
944
945 Q1: And, so, how far of an opening were you trying to get through?

946
947 A: Ten inches to a foot. And I had all my heavy gear on.
948
949 Q1: Okay.
950
951 A: If I didn't - best guestimate or estimate.
952
953 Q1: And I'm assuming, I guess I wouldn't wanna make assumptions but that in
954 their practices before that that wall popped open farther than that? So, that was
955 - was that anticipated that space...
956
957 A: Yes.
958
959 Q1: ...or was it...
960
961 A: When they - when they came back and relayed the information they physically
962 said, the breach worked and it - they would be able to get the door open which
963 we know if you can't get the door open it's a failed breach and they would say
964 we have failed breach. So, they told us t- they can do it - they can get the door
965 open.
966
967 Q1: So, it was unexpected? The space that - that you were trying to get through
968 was unexpected?
969
970 A: Yes.
971
972 Q: As far as the plan and the sta- I think you gave a couple, um, operators that
973 were with you - (Mowrey) was supposed to go in and, I guess go left and
974 separate...
975
976 A: Yes.
977
978 Q: ...and then the team would flow in. Um, who else was in that stack with you
979 that was supposed to go into the room? If you can remember.
980
981 A: Yeah. I was number one - (Mowrey) was directly behind me - he was gonna
982 be number two but his number three in out HRT stack basically. Uh, (Sancho)
983 was to our inside left - or (Lopez). And then (Kyle), uh, (Wilder) and (Kerr)
984 were gonna breach. So, they were to my far left. Um, then we had Sergeant
985 (McCoy), (Ortiz), um, (O'Farrell) and a AMR guy behind me. Um...
986
987 Q: AMR is who?
988
989 A: Uh, our tactical medic.
990

991 Q: So, he's a...

992

993 A: He's a medic guy.

994

995 Q1: Do you remember his name - which on it was?

996

997 A: Uh, I'm drawin' a blank I - I can't even picture the face right now. Um, well,

998 me, yeah, so, the plan was - I was gonna go right - (Mowrey)'s gonna go left

999 (Sancho)'s goin up the middle an basically everybody else is gonna flood the

1000 room. So, I - I there's not exactly stack behind the initial four guys that were

1001 gonna make the entry.

1002

1003 Q1: So, I mean, you explained why you d- what you did with - what you did when

1004 you w- in the - stuck in the door. Um, just kinda talk about that as a SWAT

1005 operator. What - what you were thinking when you got stuck at that breach

1006 and breaching point and the plan couldn't go into effect.

1007

1008 A: When I got stuck I - there's no opportunity to turn back time and try to redo it.

1009 I - I was thinkin' I s- have to give 'em, er, do my best to still get in that room.

1010 So, I was physical ramming the door with my body, er, the gap - trying to

1011 squeeze in between and make it happen 'cause you can't fail. Um, if you can't

1012 get in that room nobody else can get in that room and that hostage is gonna

1013 die. Um, so, while I was stuck and then when I finally saw here - I saw him

1014 killing her in front of me. And I couldn't even get in there to take a good

1015 platform shot - to do anything that I practiced 'cause I've never practiced

1016 being stuck in door jamb before or in a - in a c- basically, a bulletin board

1017 trying to take a uneven shot. Um, but that - that was my mindset - I - I knew I

1018 had to get in that room, so, I was thinking tactically I have to go from this

1019 room to that room and I have to get in this gap - there's no other - no other

1020 route for me to take. Um, yeah.

1021

1022 Q: Your shooting platform - do you recall where you - you were at in relation to

1023 the - the suspect as far as above, below, kneeling, standing.

1024

1025 A: I was, like I said, they were laying down - I was standing up pointing down to

1026 my left. Um, I don't know how my feet were situated. I - I assume when I was

1027 first going right, so, I was goin' this way and I scanned. So, my left - maybe it

1028 was forward. And, like I said, I was crooked and just aiming to my left.

1029

1030 Q: So you were...

1031

1032 A: Left and downwards.

1033

1034 Q: S- standing left and down.

1035

1036 A: Yes.

1037

1038 Q1: Do you know what kind of equipment your team was - was equipped with as
1039 far as, um, um, like less lethal or anything like that. W- w- do you know what
1040 kinda equipment your - your particular team had?

1041

1042 A: Um, we had rifles, handguns - we had our breaching equipment there and we
1043 had a 40 mm, uh, in the- in the stack

1044

1045 Q1: What is the 40 mm?

1046

1047 A: Uh, a 40 mm is a - a less lethal - basically rubber bullet.

1048

1049 Q1: Okay. Um, and I don't know - do you guys commonly carry Taser or anything
1050 like that?

1051

1052 A: Uh, some do. Uh, I don't - I don't carry it - I have tons of stuff on my gear.

1053

1054 Q1: I - I don't know. So...

1055

1056 A: Yeah. No.

1057

1058 Q: As far as your gear, um, what you were wearing. You said you went and
1059 changed out into your - your SWAT uniform. Um, and that would - what you
1060 were wearing during the shooting is that the same uniform you were wearing
1061 when you were charted and photos were takin' of you?

1062

1063 A: Yes.

1064

1065 Q: Okay. Um, as far as y- your rifle, uh, how often do you qualify with that?

1066

1067 A: Uh, quarterly - every three months but we shoot it every month.

1068

1069 Q: Okay. Um, how do you configure your - your weapon, um, and the magazines
1070 that you carry with it as far as, um, ammo capacity - things of that nature.

1071

1072 A: Uh, they're 30 round mags, uh, we just swapped ammo and it's, uh, Hornady
1073 E or some kinda rounds that are supposedly more accurate or better. I'm not a
1074 ammo guy but I get what they or I had what they gave me. I know w- we
1075 don't shoot it at that range, specifically just for on duty. Um, so, I carry three
1076 mags - they give us 90 rounds - all with that same ammo. So, I normally keep
1077 1 30 round mag loaded up and that round in the chamber makes 29 in the mag,
1078 one in the chamber.

1079

1080 Q: Okay. So, you had th- that configuration in your - in your - in your rifle and

1081 then in your spare you had a 30 and a 29. Can you just explain why there was
1082 a 29 in one of the magazines.

1083
1084 A: Uh, being on the SWAT team and being exposed to so much shooting. We
1085 load and unload our mags, like I said, e- every month we go out and shoot, uh,
1086 multiple times a month we go out and shoot. Um, so, we keep our mags in our
1087 bag, I mean, it could fell off of my bag - it could've, uh, maybe not have
1088 loaded one up all the way last time we trained. Um, but those were all, like I
1089 said, just basically guesses as to why I'm missing a round.

1090
1091 Q: Okay.

1092
1093 Q1: Um, sounds like you went over everything pretty well and, uh, I think we're
1094 outta questions. But is there any - anything that you wanna say or that you
1095 remember that we haven't brought up that you think's important? Or do you
1096 think we've covered it pretty well?

1097
1098 Q3: I think he's covered it.

1099
1100 A: Yeah. I - I think I've covered everything.

1101
1102 Q: Okay. Uh, this will conclude the, uh, interview - stopping the recording.

1103
1104
1105 The transcript has been reviewed with the audio recording submitted and it is an accurate
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1107 Signed

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1092

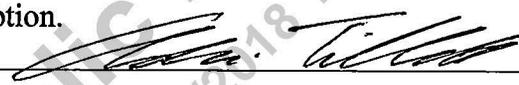
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