

COPY SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719

OFFENSE	***************************************		••••••			
Statute Code	Degree		Statute Description			
245(C) PC	FELONY	COMMITTED	ADW NOT F/ARM:P)/FIRE:GBI - KNIFE		
Assignment Date/	Fime: 04/27/2022 13	3:24 Arriva	I Date/Time: 04/27/	2022 13:29 Date/Tir	me Occurrence Started	: Wed 04/27/22 13:2
Date/Time Occurre	nce Ended:	Date/	Fime Reported: Wed	04/27/22 13:23	Domestic Incident: No	
Incident Location:	&	, YUCAIPA, CA,	92399 Rpt. Area: CA	0360004		
Jail Location:						
Evidence Collected						
Brief Description o	of Incident: 04-ASSA	AULT (WPN USED O	R MAJOR INJ) - PAF	T I Disposition: OPE	N INVESTIGATION	••••
Total Property Los	ss: (None)	Seized Drug Value:	(None) To	tal Gun Loss: (None) Total Vehicle	Loss: (None)
VICTIM(S)						
Juarez, Eugene			***************************************	***************************************		
SUSPECT(S)						
Name: BIERMA , C	OLE JAMES		DOB:	Age:	Transient: NO	•
Related Offenses:	245(C) PC				CII:	
Interviewed:	Arrested: No				FBI	
Sex: Male	Race: White	Ethnicity: Non-Hispanic	Height: 600	Weight: 160	Hair: Brown	Eyes: Brown
Phone 1: Phone	vviite	Non-rispanic	600	100	DIOWII	DIOWII
SSN:		License #:		Lic State: CA		
Address:						
CRIMES AGAIN	IST PEOPLE/PR	ROPERTY				***************************************
Offenser 245(C) DC	: ADW NOT F/ARM	:PO/FIRE:GBI - KNII	E		Attemped/Committed:	COMMITTED
, ,	o Or Other Cutting C	er Stahhina Instrumer	nf .			
Type: FELONY		/ Otabbing mattane	AB109: No		Gang Related: No	
Type: FELONY Weapon Used: Knif						
Type: FELONY Weapon Used: Knif Hate Crime: None			7.2.70			
Type: FELONY Weapon Used: Knif Hate Crime: None PROPERTY	/ EVIDENCE					
Type: FELONY Weapon Used: Knif Hate Crime: None PROPERTY		n:				wellade eg

Reporting Officer: Drost, Cory G3820 06/02/2022 **Approving Officer:** Steers, J S4495 on 06/22/2022

Quantity:

Page 1 of 4

a copy of the 'TRUE' original shall be obtained and released by records division.

Value:

Printed By Drost, Cory on 3/22/2023 3:09:06 PM REV. 011921



COPY SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719

DRUG					
item#	Related Offense: Related To: Property Description: Type: Class: Activity: Est. Str. Value: \$0.00			***************************************	B → Ve≱ Tag
GUN					
	Related Offense: Related To: Property Description:				ia Co∞ Iaγ
Item #	Туре:	Class:			
	Barrel Length:	Color:			
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	Related Offense:			***************************************	
	Related To: Make:	Model:	Year:	Style:	
Item#	Plate:	Plate State:	Expires:	,	HULL:
	Color:	Type:	ENG:		VIN:

Reporting Officer: Drost, Cory G3820 06/02/2022 **Approving Officer:** Steers, J S4495 on 06/22/2022 Page 2 of 4



COPY

DR# 142201719

Transient: NO

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

VICTIM(S) CONFIDENTIAL

Name: Juarez, Eugene DOB: Age: Age: Person # 1

Victim Type: POLICE OFFICER

Address:

Related To Offense: 245(C) PC

Relationship to Offender: BIERMA, COLE JAMES, Stranger - Unknown

Domectic Violence: Injuries: Apparent Minor Injury

Injury Severity: Appeared To Be Physically Injured, But

Not Seriously

Sex: Race: Male Hispanic

ce: Ethnicity: spanic Hispanic Height:

Weight:

Hair: Brown Eyes: Brown

Phone 1: Work (909) 918-2305

Phone: (909) 918-2305

License #:

Lic State:

Occupation: Military / Police Service

Employer Name: San Bernardino County Sheriff
Employer Address: 34144 YUCAIPA BLVD, YUCAIPA CA 92399

LEO Vehicle Assignment: ONE MAN VEHICLE - ASSISTED

LEO Activity: INVESTIGATING SUSPICIOUS PERSONS / CIRCUMSTANCES

Reporting Officer: Drost, Cory G3820 06/02/2022 **Approving Officer:** Steers, J S4495 on 06/22/2022

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COPY SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719

NARRATIVE
On Friday, May 27, 2022, at approximately 1323 hours, San Bernardino County Sheriff's Department deputies from the Yucaipa Station responded to a disturbance at in Yucaipa. The reporting party, saw saw later determined to be and Cole Bierma, arguing and pushing in the front yard. Deputies Stephanie Olvera and Eugene Juarez responded to this call for service.
While deputies responded to the residence, a second call for service was received regarding a shirtless White male carrying a knife and walking east on heart this White male was later identified as Cole Bierma. As Juarez responded to the residence, he saw Cole walking north on toward Juarez contacted Cole, who charged Juarez while holding the knife. A lethal force encounter ensued. Cole sustained two gunshot wounds and was transported to the for treatment.
The scene was secured by Yucaipa Station personnel and the San Bernardino County Sheriff's Department, Specialized Investigations Division, Homicide Detail assumed this investigation.

Reporting Officer: Drost, Cory G3820 06/02/2022 Approving Officer: Steers, J S4495 on 06/22/2022 Page 4 of 4

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			(	County of	San Berna Iifornia	ardino				
Vanivinia									REPC	IRTING AREA
				CA	03600					
CODE SECT	ION		}	CRIME		***************************************			CLAS	SIFICATION
PC 245(c)	MANAGEMENT CAN	TO SHARE I	i			Weapon on a Peace			Felor	ıy
VICTIMION	NVOLVED PAR	II S NAME - L	ASI NAME,	, FIRST NAME	:, MIDDLE NA	AME OK FIKM NAME IF	- DOSINESS			
ADDRESS	***************************************		•••••		••••				PHON	E NUMBER
							***************************************			
Additiona	l Names in (	Continuatio	<u>n</u> :		Location	of Occurrence	Yucaipa			City
Codes Are:	V-Victim	W-Witness	S-Suspe	ct RP-Ren	orting Party	DC-Discovered Crime	-	O-Other	***************************************	
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REPORTING (	OFFICER	EMPLOYI	EE#	DATE	R	EVIEWED BY	TYPED BY	ROUTED BY	7	DATE
A. Bilbao		E8471		4/17/24		74		J		
FURTHER ACT	TION:	COPIES T	ro:	☐ SD/P	'D [	Other	REMARKS:			-
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15-15184-401 Re	vised 1/10 (CR2)	☐ Distric	t Attorney	Patro	ol .					
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SHERIFF'S DEPARTMENT  County of San Bernardino									CASE 14220	NUMBER 01719
California									REPO	RTING AREA
CA 03600										
CODE SECTION PC 245(c)	ON	***************************************	- 1	CRIME Assault with	ı a Deadly	Weapon on a Peace	Officer		CLASS <b>Felo</b> n	SIFICATION
VICTIM OR IN	IVOLVED PA	RTY'S NAME - LA	ST NAME,	FIRST NAME,	MIDDLE NA	AME OR FIRM NAME IF	BUSINESS			
ADDRESS	•••••••••••								PHON	E NUMBER
Additional	Names in	Continuation	 1:		Location	of Occurrence	·····		·	City
	·····		<del>~</del>		<u> </u>	<b>-</b>	Yucaipa		***************************************	
Codes Are:	V-Victim	W-Witness	S-Suspec	t RP-Repo	rting Party	DC-Discovered Crime	IP-Involved Party	O-Other	·	
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Occupation/De	scriction:	Race/Sex:	Age:	DOB:	Business	Address:			Busine	ss Phone:
Firefighter		WMA			11416 B	ryant Street, Yucaip	3		909-53	31-3687
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Name, Last, Fi	ist wilddie			Code: W	Residence	Addiess.			Kesigei	nce Phone:
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Firefighter		WMA			34259 W	ildwood Canyon Ro	ad, Yucaipa		951-74	11-4739
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Occupation/Des	scription:	Race/Sex:	Age:	DOB:	Business A	\ddress:			Busines	s Phone;
Firefighter	***************************************	WMA			11416 Br	yant Street, Yucaipa	ı		909-50	1-7887
REPORTING O A. Bilbao	FFICER	EMPLOYE E8471	E#	DATE 4/17/24		EVIEWED BY プレイー	TYPED BY	ROUTED BY	,	DATE
FURTHER ACT	TION:	COPIES T	O:	☐ SD/PI		Other	REMARKS:			
YES [	□NO	☐ Detect	ives	CII						
15-15184-401 Rev	vised 1/10 (CR2	Distric	t Attorney	Patrol						

			9	SHERIFF'S	DEPAR	TMENT				CASE	NUMBER
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; CA 03600											
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CODE SECTI PC 245(c)	ON			CRIME	. a Doadl	y Weapon on a Peac	~ ~ffi~~	***************************************	***************************************	CLAS: Felor	SIFICATION
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Additional	l Names in C	:ontinuatio	n·		Location	of Occurrence		***************************************	·····	***************************************	City
		///////////////////////////////////////				/	Yucaipa				
Codes Are:	V-Victim	W-Witness	S-Suspe	ct RP-Repo	rting Party	DC-Discovered Crime	e IP-Involved	d Party	O-Other		
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Occupation/De	escription:	Race/Sex: WMA	Age:	DOB:		<u>: Address:</u> ark Avenue, Yucapia					ss Phone: 93-7676
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Name: Last, Fi	rst Middle			Code:	Residenc	ce Address:				Reside	nce Phone:
Occupation/De	scription:	Race/Sex:	Age:	DOB:	Business	Address:				Busines	ss Phone:
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REPORTING C	FFICER	EMPLOYI	EE#	DATE		REVIEWED BY	TYPED	BY	ROUTED BY	······································	DATE
A. Bilbao		E8471		4/17/24		2///			<u></u>	······	
FURTHER ACT	TION:	COPIES 1	го:	☐ SD/PI	o   [	Other	REMARI	KS:		***************************************	
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15-15184-401 Re	vised 1/10 (CR2)	Distric	ct Attorney	Patrol							



#### SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION		CRIME		CLASSIFICATION
PC 245(c)		ADW On a Peace	Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAM	IE	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene			

#### **DEPUTY PROCESSING: Deputy Eugene Juarez**

On Friday, May 27, 2022, at approximately 1803 hours, Sheriff's Crime Scene Specialist and I met with Deputy Eugene Juarez at the Yucaipa Sheriff's Station, at 34144 Yucaipa Boulevard, in Yucaipa.

In my presence, photographed Juarez, who wore the same uniform, equipment, and carried the same firearm he had during the lethal force encounter (LFE).

#### **UNIFORM DESCRIPTION:**

Juarez wore a San Bernardino County Sheriff's Department (SBCSD) Class "A" uniform, which consisted of a short-sleeve, tan, button-down shirt, green pants, and black duty boots. Juarez's uniform shirt displayed SBCSD patches on both the right and left shoulders, and a United States flag patch on the right breast. A nameplate with the words "E. Juarez," and "City of Yucaipa" engraved into the nameplate was underneath the flag. A metal SBCSD Deputy Sheriff badge, #2100, was on the left side of Juarez's shirt. Juarez wore a green baseball hat with the word "Sheriff" in gold lettering and black Heatwave sunglasses.

Juarez wore a black basketweave Sam Browne belt, with a black plastic buckle at the center of the belt. Juarez's equipment on the Sam Browne belt, proceeded clockwise from the (front) center of the belt, consisted of the following:

- One-black basketweave oleoresin capsicum (OC) holder, which contained one can of OC spray.
- One-black basketweave belt keeper with a key ring and keys attached.
- One-black basketweave holster with a department-issued Glock 21, .45 caliber, semi-automatic handgun, serial
- One-black basketweave belt keeper with a single key attached.
- One-black basketweave handcuff pouch, which contained one pair of handcuffs.
- > Two-black basketweave belt keepers.
- One-black basketweave handcuff pouch, which contained one pair of handcuffs.
- One-black basketweave belt keeper with an empty baton ring.
- One-black basketweave baton holder, which contained a rapid containment baton (RCB).
- One-black basketweave radio holder, which contained a department-issued hand-held radio.

Reviewed By: Sergeant Nicolas Craig Date: 4/23/27

Author: Detective Amy Bilbao

Author Date: 4/22/2024



# SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

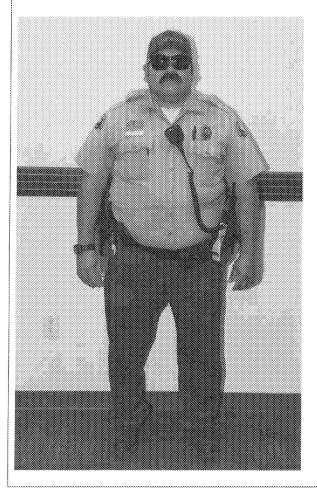
DR# 142201719 H# 2022-059

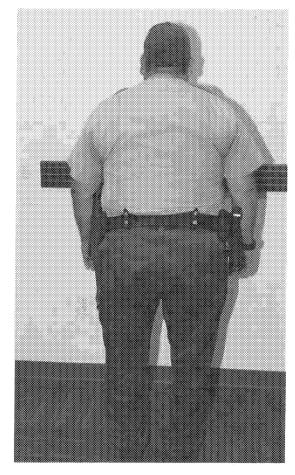
CODE SECTION		CRIME	CLASSIFICATION	
PC 245(c)		ADW On a Peace Officer		
VICTIM'S NAME - LAST NAME	FIRST NAME	E MIDDLE NAME	(FIRM NAME IF BUSINESS)	
Juarez	Eugene			-

#### **UNIFORM DESCRIPTION CONTINUED:**

- > One-black Taser holster with a yellow department-issued X2 Taser.
- One-black basketweave magazine pouch, which contained two Glock 21 ammunition magazines. Each magazine was loaded with 13 cartridges head stamped, "WINCHESTER 45 AUTO."

Juarez carried a black and silver folding knife in his left sap pants' pocket and wore a corded microphone which extended from his hand-held radio. The microphone was clipped to the center of his shirt. Juarez carried his Puma digital recorder in his front left shirt pocket.





Reviewed By: Sergeant Nicolas Craig

Date: 4/t3/ty

Author: Detective Amy Bilbao

Author Date: 4/22/2024

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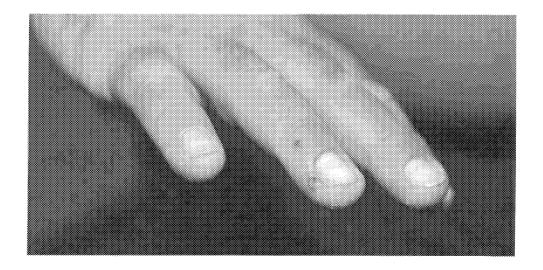
# SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION		CRIME		CLASSIFICATION
PC 245(c)		ADW On a Peace	Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAM	<b>1</b> E	MIDDLE NAME	(FIRM NAME IF BUSINESS)
 Juarez	Eugene			

#### INJURY:

Juarez sustained an approximate 1/8 inch abrasion to the right side of his right finger nail during the LFE.



#### **WEAPON PROCESSING:**

#### **Primary Firearm Collected:**

In my presence, Juarez removed the ammunition magazine from his Glock 21 and placed it on the table. Juarez removed a chambered cartridge and rendered the handgun safe. photographed Juarez's handgun, ammunition magazine, and ammunition. The handgun was a Glock 21, .45 caliber semi-automatic handgun, serial and to the handgun was a Streamlight TLR-1 HL weapon light. There was one cartridge in the chamber of the Glock head stamped, "WINCHESTER 45 AUTO." There were 10 cartridges in the inserted magazine well, head stamped, "WINCHESTER 45 AUTO."

Reviewed By: Sergeant Nicolas Craig

Date: 7/23/24

Author: Detective Amy Bilbao

Author Date: 4/22/2024

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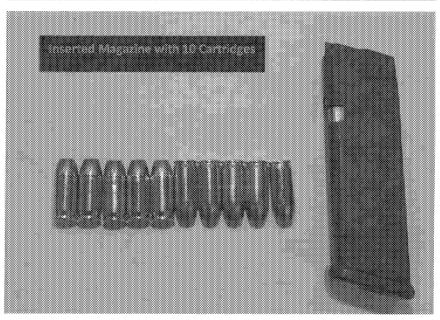
# SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION CRIME CLASSIFICATION
PC 245(c) ADW On a Peace Officer LFE
VICTIM'S NAME – LAST NAME FIRST NAME MIDDLE NAME (FIRM NAME IF BUSINESS)
Juarez Eugene

#### **WEAPON PROCESSING CONTINUED:**





Reviewed By: Sergeant Nicolas Craig

Date: 4/23/24

Author: Detective Amy Bilbao

Author Date: 4/22/2024

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# SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

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Operation of	PC 245(c)		ADW On a Peace Officer	LFE
, i	VICTIM'S NAME - LAST NAME	FIRST NAM	E MIDDLE NAME	(FIRM NAME IF BUSINESS)
outereno.	Juarez	Eugene		

#### **MAGAZINE / AMMUNITION:**

Juarez carried two additional .45 caliber ammunition magazines inside of a black basketweave magazine pouch on the left side of his belt. Each of the ammunition magazines held 13 cartridges. All cartridges removed from the ammunition magazines were head stamped, "WINCHESTER 45 AUTO." did not collect the additional ammunition magazines or cartridges.

Reviewed By: Sergeant Nicolas Craig

Date: 4/03/74

Author: Detective Amy Bilbao

Author Date: 4/22/2024

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# **AUDIO RECORDING** COLLECTION

DR# 142201719 H# 2022-059

#### SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

PC 245(c) VICTIM'S NAME – LAST NAME	FIRST NAME	Peace Officer  MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene	17:1000 000 000 000 000 000 000 000	(Time of the book tell)

#### **AUDIO RECORDING COLLECTION: Deputy Eugene Juarez**

On Friday, May 27, 2022, at approximately 1830 hours, San Bernardino County Sheriff's Department (SBCSD) Deputy Eugene Juarez provided me with a copy of his belt recording related to this lethal force encounter (LFE). The audio recording was later placed into evidence.

Reviewed By: Sergeant Nicolas Craig

Date: Author: Detective Amy Bilbao

Author Date: 4/17/2024



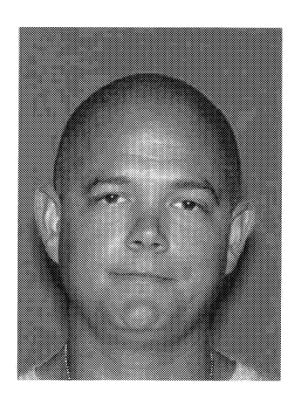
# SUSPECT INFORMATION

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW On a Peace	Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

#### SUSPECT INFORMATION:



Cole James Bierma

DOB:

CDL:

CII:

Reviewed By: Sergeant Nicolas Craig

Date: Author: Detective Amy Bilbao Author Date: 4/17/2024



#### SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW on a	Peace Officer	Knife
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

#### **NOTIFICATION:**

On Friday, May 27, 2022, at approximately 1500 hours, San Bernardino County Sheriff's Department Sergeant Joseph Steers notified me of a lethal force encounter investigation in the in Yucaipa. Steers assigned me as case agent and asked me to respond to the scene to assist with the investigation. At approximately 1600 hours, I arrived at the scene.

Reviewed By: Sergeant Joseph Steers Date: 6/1/27

Author: Detective Cory Drost

Author Date: 05/27/2022



# SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW On a Peace	Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

#### **NOTIFICATION:**

On Friday, May 27, 2022, at approximately 1438 hours, San Bernardino County Sheriff's Department Sergeant Joseph Steers notified me of a lethal force encounter at Yucaipa. Steers asked me to respond to the scene and assist with the investigation. At approximately 1608 hours, I arrived at the scene.

Reviewed By: Sergeant Joseph Steers Date: 5 3 22 Author: Detective Amy Bilbao

Author Date: 05/31/22



#### SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

DDE SECTION	CRIME		CLASSIFICATION
C 245(c)	ADW on a Peace	Officer	Knife
CTIM'S NAME - LAST NAME FIF	RST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Jarez E:	ugene		

#### NOTIFICATION:

On Friday, May 27, 2022, at approximately 1500 hours, San Bernardino County Sheriff's Department Sergeant Joseph Steers notified me of a lethal force encounter investigation in the in Yucaipa. Steers me to respond to the scene to assist with the investigation. I arrived at the scene at approximately 1600 hours.

Reviewed By: Sergeant Joseph Steers of Date: 6/1/22

Author: Detective Brett Chandler

Author Date: 06/01/2022



#### SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION	CRIME	· · · · · · · · · · · · · · · · · · ·	CLASSIFICATION
PC 245(c)	ADW on a Peac	e Officer	Knife
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

#### **NOTIFICATION:**

On Friday, May 27, 2022, at approximately 1510 hours, San Bernardino County Sheriff's Department Sergeant Joseph Steers notified me of a lethal force encounter investigation in the in Yucaipa. Steers asked me to respond to the scene to assist with the area of investigation. At approximately 1605 hours, I arrived at the scene.

Reviewed By: Sergeant Nicolas Craig

Date: 2/フ/23 Author: Detective Mauricio Rivas

Author Date: 08/3/2022



# BRIEFING

#### SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW on a	Peace Officer	Knife
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

BRIEFING:
On Friday, May 27, 2022, at approximately 1655 hours, San Bernardino County Sheriff's Department (SBCSD) Corporal Daniel Shelton led a briefing regarding this investigation. The briefing was conducted north of the intersection of and and in Yucaipa. The following personnel were present for the briefing:
<ul> <li>Deputy Chief Shelly Krusbe, SBCSD, Executive Staff.</li> <li>Captain James Williams, SBCSD, Yucaipa Station.</li> <li>Sergeant Joseph Steers, SBCSD, Homicide Detail.</li> <li>Detective Amy Bilbao, SBCSD, Homicide Detail.</li> <li>Detective Brett Chandler, SBCSD, Homicide Detail.</li> <li>Detective Cory Drost, SBCSD, Homicide Detail.</li> <li>Detective Mauricio Rivas, SBCSD, Homicide Detail.</li> <li>Crime Scene Specialist</li> <li>SBCSD, Scientific Investigations Division.</li> <li>Supervising Investigator Christine Murillo, San Bernardino County District Attorney's Office.</li> <li>District Attorney Investigator Andrew Honeycutt, San Bernardino County District Attorney's Office.</li> <li>District Attorney Investigator Michael Girasek, San Bernardino County District Attorney's Office.</li> <li>Deputy District Attorney</li> <li>San Bernardino County District Attorney's Office.</li> </ul>
The following is a summary of offetton's bhening.
(Shelton noted he did not recall the times of the events he referred to and indicated the relevant times were documented within the call history. The following times were obtained from the call history.)
On multiple previous occasions, SBCSD Yucaipa Station responded to Yucaipa, to investigate domestic disturbances. The deputies who responded typically interacted with and with Cole Bierma.

Reviewed By: Sergeant Nicolas Craig Date: 4/23/27 Author: Detective Cory Drost

Author Date: 2/9/2024



# BRIEFING

#### SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION	CRIME		CLASSIFICATION			
PC 245(c)	ADW on a	Peace Officer	Knife			
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)			
Juarez	Eugene					
BRIEFING (CONTINUE On Thursday, May 26.	·	tion Deputies Willia	m Zeimer and Stephanie Olvera			
responded to the from the residence before Cole previous	residence regar re Zeimer and Olve y attempted to com	ding a battery betwe ra arrived and they s imit suicide by consi	een and Cole. Cole fled spoke with According to uming all his medication at once. to him, which caused conflicts			
"suicide by cop." 2022.			ole told him that he would commit itting suicide by cop on May 26,			
Cole fighting in the dispatch operator that Co	On Friday, May 27, 2022, at approximately 1323 hours, called Sheriff's Dispatch and told the dispatch operator that Cole pushed in their front yard. Deputy Eugene Juarez and Olvera responded to residence.					
Shortly after call for service was entered, a call for service was created regarding a shirtless white male adult walking east on the carried a knife with an approximately three-to-four-inch blade. Deputy Brad Heard responded to this call for service.						
At approximately 1329 hours, Olvera arrived at the residence and spoke with his front yard. While Juarez drove south on south of south of he observed a white male adult who matched the description of the male referred to in Heard's call for service. Juarez stopped his marked patrol vehicle behind the male, later identified as Cole Bierma. Juarez exited his patrol vehicle and Cole immediately ran toward Juarez.						
Juarez drew his department-issued handgun and fired three shots in a southwest direction. One fired bullet struck one of Cole's arms, one fired bullet struck Cole's abdomen, and one fired bullet struck a cinderblock wall south of Cole. The cinderblock wall was north of residence. Olvera heard Juarez' three gunshots and ran toward Juarez. Heard approached Cole, donned gloves, and provided Cole with medical aid.						

Reviewed By: Sergeant Nicolas Craig

Date: 4/23/24 Author: Detective Cory Drost

Author Date: 2/9/2024

Page 2 of 3



### BRIEFING

# SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW on a	a Peace Officer	Knife
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		
	on group, V		
BRIEFING (CONTINUE			
At an unknown time. Ca	al-Fire Paramedic E	Enaines 551 (ME 55)	1) and 553 ( <u>ME 553) arrived at the</u>
scene and medically as			
		I to ME 551 and Ca	
			d to ME 553. At an unknown time
			at the scene and transported
by ambulance to			. at
. Heard follo	wed the AMR amb	ulance to	
At an unknown time, S	Shelton arrived at t	the scene. Shelton	established the crime scene and
directed deputies to es	tablish the crime s	cene perimeter. A v	white vehicle was stopped behind
Juarez' patrol vehicle.	Shelton spoke with	h the white vehicle's	s occupants, and his
	informed Shelton th	hat he witnessed the	e entire incident between Cole and

Shelton contacted the occupants at and spoke with and spoke with told Shelton none of the occupants within her residence were injured. Informed Shelton that she noticed a white T-shirt in her backyard, south of the cinderblock wall. Shelton examined the T-shirt to ensure it did not contain weapons or other paraphernalia which could have been discarded by Cole. Shelton did not find anything within the T-shirt and placed the shirt on top of Juarez' patrol vehicle's hood.

Juarez. Williams needed to take the scene until homicide

detectives arrived, so Shelton obtained Williams' personal information.

At approximately 1645 hours, an unknown member indicated Cole was in critical condition and was being prepared for surgery. At the time of this briefing, Central Station Deputy Luis Mendoza was at the condition to maintain custody of Cole.

Prior to homicide investigators' arrival, there was strong wind and the personnel at the scene were concerned the wind would cause Juarez' fired cartridge casings (FCC) to be disturbed. An unknown deputy placed orange traffic cones over the FCCs to prevent their location from being altered. A gust of wind caused the white T-shirt to be blown off the patrol vehicle's hood, onto the ground near 5th Street's west curb.

This concluded the briefing.

Reviewed By: Sergeant Nicolas Craig Date

Date: 4/23/27

Author: Detective Corv Dros

Author Date: 2/9/2024

Page 3 of 3



### WALKTHROUGH

# SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW on a Peace	Officer	Knife
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

#### WALKTHROUGH:

On Friday, May 27, 2022, at approximately 1655 hours, San Bernardino County Sheriff's Department (SBCSD) Corporal Daniel Shelton led a walkthrough regarding this investigation. The walkthrough was conducted north of the intersection of and and in Yucaipa. The following personnel were present for the briefing:

- · Sergeant Joseph Steers, SBCSD, Homicide Detail.
- Detective Amy Bilbao, SBCSD, Homicide Detail.
- Detective Brett Chandler, SBCSD, Homicide Detail.
- · Detective Cory Drost, SBCSD, Homicide Detail.
- Detective Mauricio Rivas, SBCSD, Homicide Detail.
- Crime Scene Specialist
   SBCSD, Scientific Investigations Division.
- Supervising Investigator Christine Murillo, San Bernardino County District Attorney's Office.
- District Attorney Investigator Andrew Honeycutt, San Bernardino County District Attorney's Office.
- District Attorney Investigator Michael Girasek, San Bernardino County District Attorney's Office.

Deputy District Attorney San Bernardino County District Attorney's Office.

A white Ford Explorer with SBCSD insignias was parked along west curb and faced south. Shelton indicated this was Juarez' patrol vehicle. Three orange traffic cones were south and east of Juarez' patrol vehicle. These traffic cones were placed over Juarez' fired cartridge casings.

Shelton pointed out a white, plaid shirt on the ground west of Juarez' patrol vehicle's passenger side front bumper and indicated it was the shirt he retrieved from the property backyard, at a two wallets, a baseball cap, and a collection of blood were on the ground south of Jaurez' patrol vehicle.

Another orange traffic cone marked a silver folding knife on the ground along west curb, south of Juarez' patrol vehicle. The knife's blade was in the open position. Shelton indicated this was Cole's knife. A bicycle was in the roadway on northeast of Juarez' patrol vehicle. Shelton determined the bicycle was not related to this incident.

This concluded the walkthrough.

Reviewed By: Sergeant Nicolas Craig

Date: 4/13/8/

Author: Detective Cory Drost

Author Date: 2/9/2024



# SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW on a Peace	Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

#### SCENE:

On Friday, May 27, 2022, at approximately 1730 hours, San Bernardino County Sheriff's (SBCSD) Crime Scene Specialist Supervisor (CSSS) and I processed the crime scene of a lethal force encounter (LFE). All evidence found at the scene was collected and documented by The scene was documented using photographs, a Leica Disto Laser measuring device, and a Faro Focus 3D scanner. Evidence located within the crime scene was labeled using identification placards and photographed in place, prior to being measured and taken as evidence. All measurements taken with the Leica Disto Laser were approximate. Refer to the Faro Focus 3D scans for more exact measurements.

The LFE occurred on at at a line in Yucaipa. was a north and south paved public roadway with two lanes in either direction, separated by white delineated lines. had a center turn lane and bike lanes on both sides of the road.



Reviewed By: Sergeant Nicolas Craig

Date: 4/13/14

Author: Detective Mauricio Rivas

Author Date: 08/3/2022



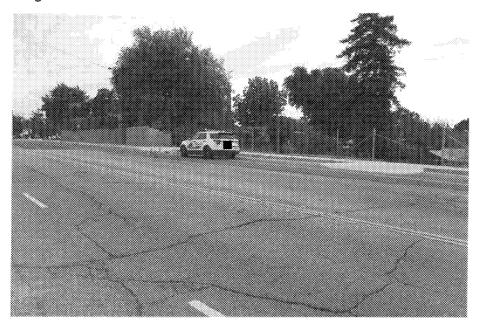
#### SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

,	CODE SECTION	CRI	IME	CLASSIFICATION
***************************************	PC 245(c)	AD	OW on a Peace Officer	LFE
***************************************	VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
-	Juarez	Eugene		

#### **SCENE (CONTINUED):**

A SBCSD marked patrol unit involved in the LFE was parked on the west side of The patrol unit faced south. There were several orange traffic cones positioned south of the patrol unit's front bumper. West of the patrol vehicle was a white and gray striped button up shirt. On , south of the patrol vehicle, was an opened black wallet, a black camouflage print hat, a Golden State Advantage bank card for "Cole Bierma," and a pack of Marlboro NXT cigarettes.



South of the patrol unit on was a black and silver folding pocketknife with the blade in a locked and open position. Southwest of the patrol unit was a tan cinderblock wall where a fired bullet strike was found.

Reviewed By: Sergeant Nicolas Craig

Date: 4/23/4/ Author: Detective Mauricio Rivas

Author Date: 08/3/2022

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#### SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

The state of	CODE SECTION		CRIME		CLASSIFICATION
	PC 245(c)		ADW on a Peace (	Officer	
0000	VICTIM'S NAME - LAST NAME	FIRST NAM	IE I	MIDDLE NAME	(FIRM NAME IF BUSINESS)
المستندة	Juarez	Eugene			

#### SCENE (CONTINUED):

#### PLACARD MEASUREMENT LOG:

The following measurements were taken using the west curb line of the summer, further referred to as Reference Point 1 (RP1), the north curb line prolongation of further referred to as Reference Point 2 (RP2) and the ground, further referred to as Reference Point 3 (RP3).

#### Placard 1:

Placard 1 was identified as the patrol vehicle, number 16141, Deputy Eugene Juarez drove during the LFE. Placard 1 measured 4'10" east of RP1, 16'7" north of RP2, and at RP3,

#### Placard 2:

Placard 2 was identified as fired cartridge casing (FCC) west of the patrol vehicle. The FCC was identified as a .45-caliber FCC head stamped, "WINCHESTER 45 AUTO." Placard 2 measured 14'8" east of RP1, 17'8" north of RP2, and at RP3.

#### Placard 3:

Placard 3 was identified as a FCC near the front left tire of the patrol vehicle. The FCC was identified as a .45-caliber FCC head stamped, "WINCHESTER 45 AUTO." Placard 3 measured 8'5" east of RP1, 17'0" north of RP2, and at RP3.

#### Placard 4:

Placard 4 was identified as a FCC southeast of the patrol unit. The FCC was identified as a .45caliber FCC head stamped, "WINCHESTER 45 AUTO." Placard 4 measured 11'9" east of RP1. 10'10" north of RP2, and at RP3.

Reviewed By: Sergeant Nicolas Craig

Date: Author: Detective Mauricio Rivas

Author Date: 08/3/2022

Page 3 of 8



#### SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION CRIME CLASSIFICATION PC 245(c) **ADW on a Peace Officer** LFE VICTIM'S NAME - LAST NAME FIRST NAME MIDDLE NAME (FIRM NAME IF BUSINESS) Juarez Eugene

#### **SCENE (CONTINUED):**

#### PLACARD MEASUREMENT LOG (CONTINUED):

#### Placard 5:

Placard 5 was identified as a pool of blood south of the patrol vehicle. Placard 5 measured 2'3" east of RP1, 3'1" north of RP2, and at RP3.



Reviewed By: Sergeant Nicolas Craig

Date: Y/z¾/z y
Author: Detective Mauricio Rivas

Author Date: 08/3/2022

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# SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION CRIME CLASSIFICATION

PC 245(c) ADW on a Peace Officer LFE

VICTIM'S NAME – LAST NAME FIRST NAME MIDDLE NAME (FIRM NAME IF BUSINESS)

Juarez Eugene

#### SCENE (CONTINUED):

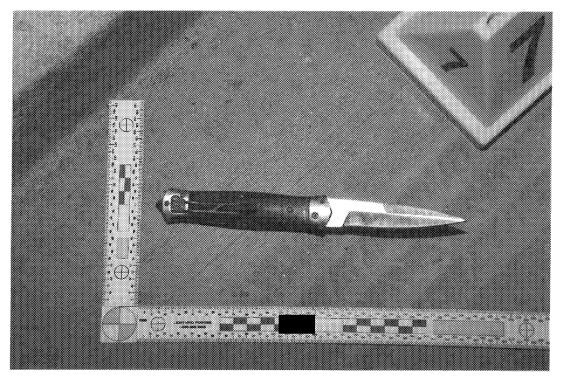
#### PLACARD MEASUREMENT LOG (CONTINUED):

#### Placard 6:

Placard 6 was identified as a wallet, on the west curb line of Placard 6 measured at RP1, 2'10" north of RP2, and 1'0" above RP3.

#### Placard 7:

Placard 7 was identified as the knife the suspect had during the LFE. The blade of the knife was open and in a fixed position. The knife measured approximately 9.5" long. Placard 7 measured 10" east of RP1, 1'6" south of RP2, and at RP3.



Reviewed By: Sergeant Nicolas Craig

Date: 4/28/84

Author: Detective Mauricio Rivas

Author Date: 08/3/2022

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# SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

-	CODE SECTION		CRIME		CLASSIFICATION
**********	PC 245(c)		ADW on a Peace	Officer	
	VICTIM'S NAME - LAST NAME	FIRST NAM	IE .	MIDDLE NAME	(FIRM NAME IF BUSINESS)
A CONTRACTOR OF THE PARTY OF TH	Juarez	Eugene			

#### **SCENE (CONTINUED):**

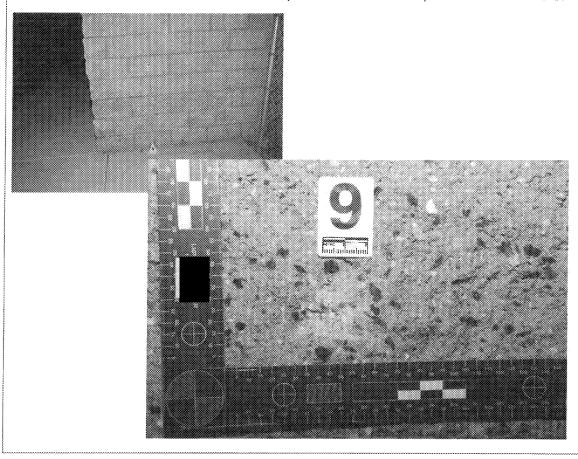
#### PLACARD MEASUREMENT LOG (CONTINUED):

#### Placard 8:

Placard 8 was identified as the suspect's sunglasses he wore during the LFE. Placard 8 measured 1'9" east of RP1, 12'8" south of RP2, and at RP3.

#### Placard 9:

Placard 9 was identified as the fired bullet strike on the cinderblock wall southwest of the patrol unit. Placard 9 measured 8'0" west of RP1, 25'10" south of RP2, and 4'1" above RP3.



Reviewed By: Sergeant Nicolas Craig

4/-≈ 3/≈ y Date:

Author: Detective Mauricio Rivas

Author Date: 08/3/2022

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#### SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

	CODE SECTION		CRIME	CLASSIFICATION
-	PC 245(c)		ADW on a Peace Officer	LFE
***************************************	VICTIM'S NAME - LAST NAME	FIRST NAM	E MIDDLE NAME	(FIRM NAME IF BUSINESS)
	Juarez	Eugene		

#### SCENE (CONTINUED):

#### PLACARD MEASUREMENT LOG (CONTINUED):

#### Placard 10:

Placard 10 was identified as the shirt with suspected blood the suspect wore during the LFE. Placard 10 measured 1'6" west of RP1, 17'1" north of RP2, and 1'0" above RP3.

#### **PLACARD TO PLACARD MEASUREMENTS:**

The following were measurements between the placards in numerical order:

Placard 1 was 11'8" southeast of Placard 2

Placard 2 was 7'9" southeast of Placard 3

Placard 3 was 8'2" southeast of Placard 4

Placard 4 was 12'1" southeast of Placard 5

Placard 5 was 2'3" west of Placard 6

Placard 6 was 7'5" south of Placard 7

Placard 7 was 11'2" south of Placard 8

Placard 8 was 17'7" southwest of Placard 9

Placard 9 was 44'10" northeast of Placard 10

#### **CRIME SCENE CLOSURE:**

At approximately 1930 hours, I removed the crime scene tape on and and opened the area and cleared the scene.

Reviewed By: Sergeant Nicolas Craig

Date: 4/23/27 Author: Detective Mauricio Rivas

Author Date: 08/3/2022

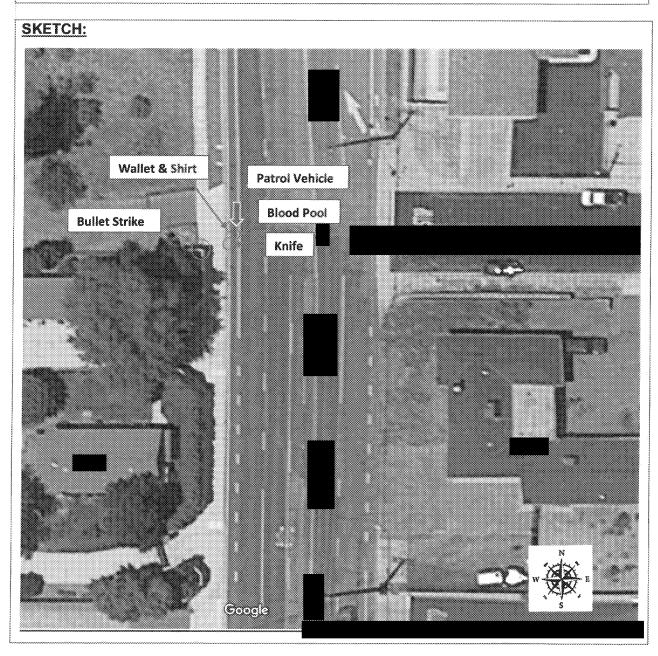
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#### SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION CRIME CLASSIFICATION PC 245(c) ADW on a Peace Officer LFE VICTIM'S NAME - LAST NAME FIRST NAME MIDDLE NAME (FIRM NAME IF BUSINESS) Juarez Eugene



Reviewed By: Sergeant Nicolas Craig

Date: 4/23/24 Author: **Detective Mauricio Rivas** Author Date: **08/3/2022** 

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# SEARCH WARRANT SERVICE

DR# 142201719 H# 2022-59

# SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

CODE SECTION	C	RIME	CLASSIFICATION
PC 245(c)	А	NDW On a Peace Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

SEARCH WARRANT SERVICE: Management Yucaipa
On Friday, May 27, 2022, San Bernardino County Sheriff's Department (SBCSD) Deputy Derek Brandt authored a search warrant for the premises of in Yucaipa. This search warrant was assigned warrant number 000087641 and was signed by the Honorable Judge Bryan Foster.
On Saturday, May 28, 2022, at approximately 0029 hours, Detective Brett Chandler and I conducted the search warrant service for Cole Bierma's bedroom, at in Yucaipa. I took photographs using my department-issued cellphone. The photographs were later placed into evidence.
The single family residence was on the southwest side of the residence. One door led from the residence's hallway and a second door led from the bedroom into the backyard. Bierma's bedroom was arranged with a bed on the northwest wall and a computer desk and computer on the southwest wall. The computer desk had multiple drawers with mental health paperwork and mail addressed to Bierma at Yucaipa. Four cellular phones and two flash drives were in the computer desk's top drawer. The cellular phones were not charged and appeared dusty. Bierma's bedroom was filled with clothing, shoes, medication, and miscellaneous personal property. A nightstand was on the east wall with prescription medication, personal property, and an orange folding knife stacked on top.
COLLECTED PROPERTY:
I collected the following property during the search warrant service:
<ul> <li>One metallic orange "Marbles" folding knife</li> <li>One "SanDisk" USB thumb drive</li> <li>One unknown brand metal USB thumb drive</li> <li>One black unknown make, model, or serial number, cellular phone</li> <li>One black "One Touch" unknown model or serial number, cellular phone</li> <li>One black unknown make, model, or serial number, cellular phone with a cracked screen</li> <li>One black "Blue Cloud Mobile" unknown model or serial number, cellular phone</li> </ul>
These items were later placed into evidence.

Reviewed By: Sergeant Joseph Steers Date: 1/20/23

Z3 Auth

Author: Detective Amy Bilbao

Author Date: 1/25/2023



# SEARCH WARRANT SERVICE

DR# 142201719 H# 2022-59

#### SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

CODE SECTION	CRIME		CLASSIFICATION		
PC 245(c)	ADW On	a Peace Officer	LFE		
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)		
Juarez	Eugene				
			·		
SEARCH WARRANT R	ECEIPT / PREMIS	ES DISPOSITION:			
At the conclusion of the search warrant service, I completed a search warrant receipt and provided					
it to					
The premises of	was relea	•	at the conclusion of the search		
warrant service and all S	BCSD members le	eft the location.			

Reviewed By: Sergeant Joseph Steers for Date: / July

Author: Detective Amy Bilbao

Author Date: 1/25/2023

Page 2 of 2

San Bernardino County Sheriff's Department SEARCH WARRANT RECEIPT		SW I		<u>1806087</u>  1422017		
on $\frac{5}{28/22}$ , an officer of the	Can W	EKNAKADIKA) (			**************************************	**************************************
On $\frac{9/88/22}{}$ , an officer of the warrant at the premises at		Strain management		<u>U</u> Departm		
identified in this receipt.	·j·		***************************************		aud seised b	roperty
The search warrant was issued on $5/27/2$ ,	by the Honora	ые <u> </u>	BAYE	N FDST	E <b>K</b> , Judge	of the
SAN BEINGLOWD Court of the	•••••	Ju	dicial [	District, County	of San Bern	ardino,
State of California, and is filed under court number		(if no numb	oer pro	vided, contact	Clerk of the	Court).
	ITEMS TAI	(EN				
1. CLOUD MOBILE BLACK CE	illium i	2HONE				
2. ALCATEL DIVE TOUCH BLA	ex Cell	WAR PHON	Æ			
3. SAMSING BLACK CELL	ilas PH					
11 A	SLLILAO.	0				
5. DEANGE FOLDING POCKET	- WFC					
6. BURCK SAMPISK FLACH	Marine T					FFTYPOCOCOCOCOCOCOCOCOCOCOCOCOCOCOCOCOCOCOC
T. SILVER FLASH DRIVE						***************************************
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			***************************************			***************************************
						201010101010100000
A copy of said receipt was delivered to					(or posted	at tha
aforementioned residence) prior to said officer leaving	ng the premise	s Iter	ns	thro	344	
3				,		
A. 61660 GRU71 Officer Ema. No.		776691	<u>UU</u> Viiness	<u> </u>	Emp. No.	5
Do addied that a way a control of the control of th			***		,	
Be advised that pursuant to California Penal Code sabove-mentioned Judge who issued the warrant, see	eking return of	the property seiz	y tile a :ed pui	written motion suant to this v	in the court varrant.	of the
For further information, contact the above officer at contact the above officer's supervisor	A. BILL	x60	or, if y	ou have furthe	or questions p	lease
contact the above officer's supervisor	EEQ	at	<u>904.</u>	387-3	<u>589</u> .	
The below-signed acknowledges receipt of a copy of under the aforementioned Search Warrant.	of the inventory	/ made by searc	hing C	officer relating	to property s	eized
A. BIBON	E)(1)	5/28/2	Q			
Name		Date *				
10-19479-401 Rav. 8/97				— Officer Person in charge	of/or to be left at	scene



HOSPITAL RESPONSE

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

CODE SECTION	CRI	ME	CLASSIFICATION
PC 245(c)	AD!	W on a Peace Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		
HOSPITAL RESPONSE	a 8 00		
Department (SBCSD) December 4 to check	etective Amy k on Cole Bi approximate m. Rodrigue: d sedated w	Bilbao and I arrived at the erma's medical condition. B ly 0225 hours, I contacted S z was assigned to maintain	ierma was in the Intensive Care BBCSD Deputy David Rodriguez
was Bierma's assigned no arm and left flank. Bierma As a security m Bierma. Bierma's	urse. Accord na would req neasure, medical re n. Bierma wo	ing to Bierma had gunuire physical therapy before assigned the false national cord number was	ierma's medical condition. Inshot wounds (GSW) on his right the he would be discharged from the "Doe, Bremerton Blake" for I saw Bierma had a sling and thould not see the other GSW or
the clothing as I was told from custody but would lil my contact information.	it was satur ke to be info I placed Bie	ated with blood. I informed I	ary evidence locker at SBCSD

Reviewed By:

Date: Vzz/zy

Author: Detective Brett Chandler

Author Date: 06/23/2022



MEDICAL RECORDS

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

Jerman	CODE SECTION		CRIME	CLASSIFICATION
PC 245(c)		ADW on a Peace Officer	Knife	
*	VICTIM'S NAME - LAST NAME	FIRST NAM	E MIDDLE NAME	(FIRM NAME IF BUSINESS)
· ·	Juarez	Eugene		

Juarez	Eugene
MEDICAL RECORDS:	
INILDIOAL NEOVNUJ.	
copy of Cole Bierma's m located at 0855 hours, the warrant v	44, at approximately 2300 hours, I authored a search warrant to obtain a nedical records from Medical Center Me
	ours, the warrant was electronically served to email address, of the warrant was provided as well as my contact information to be was processed.

Reviewed By: Sergeant Nicolas Cralg

Date: Author: Detective Francisco Demara Author Date: 04/22/2024



MEDICAL RECORDS

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW on a	Peace Officer	Knife
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		
	ter electrical records.	tronically provided he records were dov	from me with five digital files which wnloaded onto the digital case file search warrant receipt.

Reviewed By: Sergeant Nicolas Craig Date: Author: Detective Francisco Demara Author Date: 07/02/2024



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

CODE SECTION	CRIME	***************************************	CLASSIFICATION
PC 245(c)	ADW On a Peac	e Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

WITNESS INTERVIEW: Fire Captain
On Friday, May 27, 2022, at approximately 2046 hours, I interviewed California Department of Forestry and Fire Protection (Cal Fire) Captain inside Fire Station #551, at 11416 Bryant Street, in Yucaipa. Franklin spoke to me voluntarily. I audio recorded the interview with my department-issued audio recorder. I downloaded the audio recording, and it was later placed into evidence. The following is a summary of my interview with
Since worked for Cal Fire as a firefighter, and he was On Friday, May 27, 2022, Franklin was assigned to Medic Engine (ME) #551, with Engineer and Firefighter and Firefighter According to during his shifts, he monitored the San Bernardino County Sheriff's Department (SBCSD) Yucaipa Station radio frequency. At approximately 1330 hours, heard a call for service broadcasted over the SBCSD radio regarding a White male adult with a knife on hear of the suspect of the susp
saw multiple patrol vehicles at the scene, but only recalled seeing Juarez and Deputy Brad Heard. Stepped out of ME#551 and noticed three fired cartridge casings on the ground near Juarez's patrol vehicle, but he did not recall exactly where they were. Bierma was seated on west curb line between Juarez's patrol vehicle and a second patrol vehicle. Heard and Juarez stood next to Bierma. According to Bierma was alert and talking, but he did not recall what Bierma said. Approximately 30 seconds after arrived at the scene, ME#553 with Fire Captain Firefighter arrived at the scene. An unknown unit number American Medical Response (AMR) ambulance arrived at the scene with ME#553.
and contacted Bierma and began his medical assessment. walked Juarez back to his patrol vehicle. pointed out three FCC's and advised Juarez to be careful not to step on any additional evidence. Juarez told "I only fired three." noticed an unknown black object on west curb, near Juarez's patrol vehicle. According to the suspected the black object was a knife.

Reviewed By: Sergeant Joseph Steers & Date: 1/20/23

Author: Detective Amy Bilbao Author Date: 1/24/2023



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW On a	Peace Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

Juarez	Eugene		
WITNESS I	NTERVIEW CONTINUED: Fire C	aptain C	
participate in center of his Bierma's na monitor, placed due to the serather than printed before with	et was on the curb behind Bierman Bierma's medical care or docume abdomen. It was did not notice me, but he heard the AMR paramed on a gurney, and loaded into everity of his injury, it was importated was transported. It was additional medical care on the was medical care on the was mot have further contact with Bier previous calls for service.	nentation. Bierma was stree any other gunshot wour pedic call him Cole. Bierm the back of the ambulance ant to transport Bierma to estimated he was a grode in the back of the any to the hospital, later identification.	uck by gunfire to the nds. did not know ha was attached to a ce. According to a hospital immediately, at the scene less than 10 ambulance to provide
the interview	s unable to provide further inform	ation relevant to the inve	estigation, and I concluded

Reviewed By: Sergeant Joseph Steers A Sate: 1/24/23 Author: Detective Amy Bilbao Author Date: 1/24/2023



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW On	ı a Peace Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

WITNESS INTERVIEW: Firefighter
On Friday, May 27, 2022, at approximately 2255 hours, San Bernardino County Sheriff's Department (SBCSD) Detective Mauricio Rivas and I interviewed California Department of Forestry and Fire Protection (Cal Fire) Captain spoke to us voluntarily. I audio recorded the interview with my department-issued audio recorder. I downloaded the audio recording, and it was later placed into evidence. The following is a summary of my interview with
At the time of this report, worked for Cal Fire for approximately was promoted to was promoted to On Friday, May 27, 2022, Burrascano was assigned to Medic Engine (ME) #553, with Engineer and Firefighter At approximately 1300 hours, and were on a call for service in the area of Fourth Street and Yucaipa Boulevard, in Yucaipa heard a call for service over the Cal Fire communication center regarding a patient with a gunshot wound on and The call for service did not provide any further details regarding the call. ME#553 responded with their overhead emergency lights and siren activated. Approximately two minutes later, ME#553 arrived at the scene. ME#551, with Fire Captain was already at the scene. parked on north of ME#551. An unknown American Medical Response (AMR) ambulance arrived at the scene at the same time as ME#553.
saw two sheriff's patrol vehicles at the scene and recalled seeing Deputy Eugene Juarez and a deputy he knew only as Brad, later identified by investigators as Deputy Brad Heard. Stepped out of ME#553 and noticed three fired cartridge casings on the ground near Juarez's patrol vehicle, but he did not recall exactly where they were. The suspect, later identified by investigators as Cole Bierma, was seated on curb line between Juarez's patrol vehicle and a second patrol vehicle. According to Burrascano, Bierma was alert and sitting up. Bierma did not wear a shirt and his arms were wrapped around his abdomen. According to prepared Bierma for transport. ME#551 and ME#553 attended to Bierma. Saw blood on Bierma's abdomen, but due to the distance, was unable to see Bierma's injuries. ME#651 and Ne#653 attended to a monitor, placed on a gurney, and loaded into the back of the ambulance.

Reviewed By: Sergeant Joseph Steers Date: 1/20/23 Author: Detective Amy Blibao

Author Date: 1/25/2023



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW On	a Peace Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		
WITNESS INTERVIEW	CONTINUED: Fire	e Captain	
According to Bierma to a hospital imrestimated he was at the in the back of the ambu ME#553 followed the arto staff. Bierma was struck by gras struck by gunfire. A recognize Bierma from processing the staff of the staff.	due to the sever mediately, rather the scene less than 10 lance to provide Bid Medical Center mbulance to did not have founding to previous calls for sever mediately.	ity of Bierma's injuries an provide medical ca of minutes before Bierrerma with additional manager, at a to pick up a fact after contact with Bieren and one of his wrist he never learned ervice.	ma was transported. Tode nedical care on the way to the in the second of
the interview	to provide further in	rormation relevant to t	he investigation, and I concluded

Reviewed By: Sergeant Joseph Steers A Date: / 254

) Date: /20/23

Author: Detective Amy Bilbao

Author Date: 1/25/2023



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

CODE SECTION		CRIME	CLASSIFICATION
 PC 245(c)		ADW On a Peace Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAM	E MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

WITNESS INTERVIEW: Firefighter
On Friday, May 27, 2022, at approximately 2156 hours, I interviewed California Department of Forestry and Fire Protection (Cal Fire) Engineer inside Fire Station #551, at 11416 Bryant Street, in Yucaipa. Gaulding spoke to me voluntarily. I audio recorded the interview with my department-issued audio recorder. I downloaded the audio recording, and it was later placed into evidence. The following is a summary of my interview with
Since worked as a firefighter and engineer for Cal Fire. On Friday, May 27, 2022, was assigned to Medic Engine (ME) #551, with Captain and Firefighter According to during his shifts, he monitored the San Bernardino County Sheriff's Department (SBCSD) Yucaipa Station radio frequency. At approximately 1330 hours, heard a call for service broadcasted over the SBCSD radio regarding a White male adult with a knife on Fifth Street, in Yucaipa. Sheriff's Dispatch broadcasted the suspect's description, but did not recall the description. Approximately five minutes later, a deputy, later identified by investigators as Deputy Eugene Juarez, broadcasted he contacted the suspect, later identified by investigators as Cole Bierma. told and that Juarez sounded more agitated than usual during his radio broadcast. Approximately 30 seconds later, Juarez broadcasted two times, "shots fired." ME#551 responded from with their overhead emergency lights and siren activated. Approximately five minutes later, ME#551 arrived at the scene.
saw multiple patrol vehicles at the scene, but only recalled seeing Juarez. stepped out of ME#551 and noticed three fired cartridge casings on the ground near the driver's side door of Juarez's patrol vehicle. advised everyone to be cautious not to step on evidence. Juarez said, "I only shot three." Bierma was seated on west curb line between Juarez's patrol vehicle and a second patrol vehicle. Bierma's arms were wrapped over his abdomen. Bierma was alert, but he only said, "I'm in pain." Approximately 30 seconds after Franklin arrived at the scene, ME#553 with Fire Captain Engineer arrived at the scene. An unknown unit number American Medical Response (AMR) ambulance arrived at the scene with ME#553.
and contacted Bierma and began his medical assessment. Bierma exposed his abdomen and saw a gunshot wound to the center of Bierma's abdomen. Bierma's right hand was struck by gunfire. noticed an approximate four inch fixed blade knife approximately 10 feet north of Bierma. An unknown male deputy stood between Bierma and the knife. Two black wallets were on the curb behind Bierma.

Reviewed By: Sergeant Joseph Steers Date: 1/20/2 3 Author: Detective Amy Bilbao

Author Date: 1/25/2023



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

CODE SECTION	CRI	ME		CLASSIFICATION
PC 245(c)	AD	W On a Peace Office	r	LFE
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE	NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene			
	***************************************		***************************************	
WITNESS INTERVIEW	CONTINUE): Firefighter (
transport Bierma to a ho estimated he was at the in the back of the ambula hospital, later identified that Bierma was transported name was Cole. According service.	spital immed scene less the ance to provi by investigate in in from the sce ng to	lue to the severity of iately, rather than plant 10 minutes before as the large plant had not recognized.	of Bierma's provide me fore Bierma ditional me I no further d one of the gnize Bierr	r contact with Bierma. After e deputies say the suspect's ma from previous calls for
the interview.	provide furth	er information rele	vant to the	investigation, and I concluded

Reviewed By: Sergeant Joseph Steers & Date: //20/25 Author: Detective Amy Bilbao

Author Date: 1/25/2023



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

CODE SECTION	CRIME	***************************************	CLASSIFICATION
PC 245(c)	ADW On a Peace	e Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

WITNESS INTERVIEW: Firefighter Management of the control of the co
On Friday, May 27, 2022, at approximately 2122 hours, I interviewed California Department of Forestry and Fire Protection (Cal Fire) Firefighter inside Fire Station #551, at 11416 Bryant Street, in Yucaipa. spoke to me voluntarily. I audio recorded the interview with my department-issued audio recorder. I downloaded the audio recording, and it was later placed into evidence. The following is a summary of my interview with
Since worked for Cal Fire as a firefighter and paramedic. On Friday, May 27, 2022, was assigned to Medic Engine (ME) #551, with Captain and Engineer . According to during his shifts, he monitored the San Bernardino County Sheriff's Department (SBCSD) Yucaipa Station radio frequency. At approximately 1300 hours, heard a deputy, later identified by investigators as Deputy Eugene Juarez, broadcast he contacted a suspect, later identified by investigators as Cole Bierma, on in Yucaipa. It told me he was familiar with Juarez from previous calls for service. According to Juarez sounded "agitated" during his radio broadcast, which was unusual for Juarez. Approximately 30 seconds later, Juarez broadcasted, "shots fired." ME#551 responded from Redlands Boulevard with their overhead emergency lights and siren activated. Approximately five minutes later, ME#551 arrived at the scene.
saw multiple deputies and patrol vehicles at the scene, but he only recognized Juarez. stepped out of ME#551 and noticed three fired cartridge casings on the ground near Juarez's patrol vehicle, but he did not recall exactly where they were. Bierma was seated on west curb line between Juarez's patrol vehicle and a second patrol vehicle. Bierma's arms were wrapped around his abdomen. Juarez and an unknown male deputy stood next to Bierma. According to Bierma was alert and talking, but he did not recall what Bierma said. Approximately 30 seconds after Warren arrived at the scene, ME#553 with Fire Captain and Firefighter arrived at the scene. An unknown unit number American Medical Response (AMR) ambulance arrived at the scene with ME#553.
asked Bierma where he felt pain. Bierma said, "My arm is broken." Bierma exposed his abdomen and saw a gunshot wound to the left side of Bierma's abdomen. Bierma's back and did not see an exit wound. Bierma's right wrist was struck by gunfire. Bierma grimaced and groaned, but he did not say anything else. In noticed an approximate four inch collapsible black knife approximately 10 feet north of Bierma. An unknown male deputy stood between Bierma and the knife. Two black wallets were on the curb behind Bierma.

Reviewed By: Sergeant Joseph Steers & Date: 12423 Author: Detective Amy Bilbao

Author Date: 1/24/2023



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

CODE SECTION		CRIME	***************************************	CLASSIFICATION
PC 245(c)		ADW On a Peace	Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAM	IE	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene			

WITNESS INTERVIEW CONTINUED: Firefighter
did not know Bierma's name, but he heard the AMR paramedic call him Cole. Bierma was attached to a monitor, placed on a gurney, and loaded into the back of the ambulance. According to due to the severity of Bierma's injury, it was important to immediately transport Bierma to a hospital, rather than provide medical care onscene. The estimated he was at the scene less than 10 minutes before Bierma was transported. The provide in the back of the ambulance to provide with additional medical care on the way to the Medical Center at Medical Center, in had no further contact with Bierma. According to the did not recognize Bierma from previous calls for service.
was unable to provide further information relevant to the investigation, and I concluded the interview.

Reviewed By: Sergeant Joseph Steers Date: / Z/23 Author: Detective Amy Bilbao

Author Date: 1/24/2023



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

**********	CODE SECTION		CRIME	CLASSIFICATION
	PC 245(c)		ADW on a Peace Officer	LFE
*******	VICTIM'S NAME - LAST NAME	FIRST NAN	IE MIDDLE NAME	(FIRM NAME IF BUSINESS)
design contract	Juarez	Eugene		
į				

WITNESS INTERVIEW: CONTROL OF CON
On Wednesday, July 27, 2022, at approximately 1549 hours, I interviewed American Medical Response (AMR) Emergency Medical Technician at AMR Redlands, at 1930 Park Avenue, in Redlands. agreed to voluntarily speak to me regarding this investigation. I used my department-issued digital audio recorder to record this interview. The audio recording was later placed into evidence. The following is a summary of interview.
Hamon was an EMT and employed by AMR for approximately On Friday, May 27, 2022, at approximately 0630 hours, started his 24-hour shift at the AMR Redlands Division. Hamon was partnered with AMR Paramedic , and they were assigned to AMR's Yucaipa Station. And were assigned the callsign RD102, and operated their ambulance. (See And See And Se
At approximately 1330 hours, RD102 was dispatched to a shooting near and and in Yucaipa. RD102 responded "code three" with their emergency lights and sirens activated.
At approximately 1338 hours, RD102, Cal-Fire Paramedic Engine 551 (ME 551) and Paramedic Engine 553 (ME 553) arrived at the scene. did not want to disturb the scene or fired cartridge casings (FCC) and parked their ambulance on the west side of southeast of two San Bernardino County Sheriff's Department (SBCSD) patrol vehicles. noticed Deputy Brad Heard next to a white male adult in a seated position and appeared to inspect the male for injuries. (This white male was determined to be Cole Bierma and will be referred to by name throughout the remainder of this report to maintain clarity.)
and exited their ambulance and approached Heard and Bierma. Heard said Bierma appeared to have a gunshot entrance wound in his abdomen and his right forearm. Additionally, Heard said Bierma was shot by .45 caliber fired bullets. did not notice any FCCs or weapons around Bierma.
Bierma was shirtless, his skin was pale, diaphoretic, and sweaty, and he grimaced and groaned, consistent with being in pain. noticed the wounds Heard identified bled and Bierma appeared ill. An unknown Cal-Fire firefighter asked Bierma who shot him, but Bierma did not answer.

Reviewed By: Sergeant Nicolas Craig

Date: 4/2 1/24

Author: Detective Cory Drost

Author Date: 2/26/2024



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION	CRIME	CLASSIFICATION
PC 245(c)	ADW on a Peace Officer	LFE
VICTIM'S NAME - LAST NAME FIRST NA	ME MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez Eugene		
WITNESS INTERVIEW (CONTIN	<u>VUED):</u>	
personnel decided to prepare Bie Bierma and placed him onto AM placed in the back of their ambu treated Bierma while	needed to be quickly transporterma to be transported to a hospital R's gurney. Within five minutes of lance. And Cal-Fire Firefigure code three to be letter, he knew LLUMC was the	al. The Cal-Fire firefighters lifted of RD102's arrival, Bierma was ghter Paramedic Medical Center
Bierma's vitals were recorded, hand was notified Bierma	communicate as they can e received an intravenous (IV) lir was being transported to their fa to help control his bleeding and pron. Bierma groaned, but	ne in his left arm and IV fluids, acility. believed romote his blood to clot. Bierma
Approximately 15 to 20 minutes trauma members waited members. Within five minutes, I ambulance to return to service with the	d for Bierma's arrival and his ca Bier <u>ma's co</u> ndition began to det	re was transferred to eriorate. prepared his
Within five minutes after Bierma's told Heard that Bierma wasked Bierma what happened, a presence, Bierma never said he was a second to the se	as alive and provided Heard with E and Bierma said he was shot by	Bierma's room number.
During interview, he dre identify RD102, two rectangles we Bierma was when arrived drew an arrow next to each particle.	, and a dotted line to identify	nicles, an "X" to identify where center median.

Reviewed By: Sergeant Nicolas Craig

४/२२/३४ Date:

had no further information, and I concluded his interview.

Author: Detective Cory Drost

Author Date: 2/26/2024

Page 2 of 2

sketch was later placed into evidence and a copy was attached to this report.



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION	N		CRIME		CLASSIFICATION
PC 245(c)			ADW on a Peace	Officer	Knife
VICTIM'S NAM	IE-LAST NAME F	IRST NAM	E	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	E	Eugene			

\$.8.55 mm 26.50 mm 26
WITNESS INTERVIEW: MARKET MARK
On Wednesday, July 27, 2022, at approximately 1622 hours, I interviewed American Medical Response (AMR) Paramedic at AMR Redlands, at 1930 Park Avenue, in Redlands. agreed to voluntarily speak to me regarding this investigation. I used my department-issued digital audio recorder to record this interview. The audio recording was later placed into evidence. The following is a summary of interview.
was a paramedic and employed by AMR for approximately
At approximately 1336 hours, RD102 was dispatched to an assault near the intersection of and and in Yucaipa. responded "code three" with their emergency lights and sirens activated and followed behind Cal-Fire Paramedic Engine 551 (ME 551) or Paramedic Engine 553 (ME 553).
At approximately 1338 hours, RD102 and the Cal-Fire Paramedic Engine arrived at the crime scene. A second Cal-Fire Paramedic Engine arrived from the north at approximately the same time as RD102. A total of six Cal-Fire members arrived at the scene. An unknown San Bernardino County Sheriff's Department (SBCSD) deputy and Cole Bierma were on the west side of Bierma was shirtless and the deputy helped support Bierma.
An unknown Cal-Fire firefighter, possibly Firefighter obtained the gurney from his ambulance. believed Bierma was pale, diaphoretic, and his skin was clammy. Bierma had an entrance gunshot wound (GSW) in his right wrist, an exit GSW in his right forearm, and an entrance GSW slightly above his umbilicus. identified Bierma's injuries as GSWs based on his previous experience with gunshot injuries. The firefighter told they would place Bierma onto the gurney, begin transporting him to Medical Center and the department of the province while enroute.

Reviewed By: Sergeant Nicolas Craig

- 3/2/2 / Date:

Author: Detective Cory Drost

Author Date: 2/9/2024



SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW on a	Peace Officer	Knife
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

WITNESS INTERVIEW CONTINUED:	-
An unknown deputy informed and the firefighter that Bierma was shot twice by .45 caliber fired bullets. Bierma told that he was injured and needed something for his pain. and the firefighter quickly examined Bierma and cared for him at the scene for approximately two minutes before they lifted him onto AMR's gurney and placed him inside the back of AMR's ambulance. The firefighter notified that Bierma was being transported to their facility and provided details about his condition while obtained Bierma's vital signs.	***************************************
drove code three to and and initiated an intravenous (IV) line in Bierma's left wrist, gave him tranexamic acid (TXA) to assist with controlling Bierma's bleeding, and dressed his GSWs. Was not given any pain medications because his blood pressure was too low. At approximately 1359 hours, RD102 arrived at Emergency Department. A trauma team with staff waited in the Emergency Department and assumed Bierma's care. When returned to the ambulance, an unknown deputy arrived and entered the Emergency Department. The deputy said Bierma was involved in an officer involved shooting but did not provide additional details.	00000000000000000000000000000000000000
Bierma never lost consciousness while assisted in his care, and he never disclosed how he was shot. did not recall Bierma say he wanted to die or hoped he would die. documented relevant details in the run sheet, and approximately 1341 hours, RD102 left	
had no further information to provide, and I concluded his interview.	

Reviewed By: Sergeant Nicolas Craig Date: Author: Detective Cory Drost Author Date: 2/9/2024



CODE SECTION

EVIDENCE

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

CRIME

DR# 142201719 H# 2022-059

CLASSIFICATION

PC 245(c)	ADW on a	Peace Officer	LFE	
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINE	SS)
Juarez	Eugene			
EVIDENCE: American M	Medical Response F	Run Sheet 14667688		
On Wednesday, July 2	7, 2022, I interviev	ved American Medical	Response (AMR)	Paramedic
and Em	ergency Medical Te	chnician (EMT)	at AMR R	Redlands, at

1930 Park Avenue, in Redlands. Just prior to interview, an unknown AMR employee

provided me with AMR Run Sheet 14667688, which was later placed into evidence.

Reviewed By: Sergeant Nicolas Craig

Date: 4/2 = /2 / Author: Detective Cory Drost

Author Date: 4/18/2024



DR# 142201719

Supplement # 002

Assignment Date/Time: Arrival Date/Time:			Date/Time Occurrence Started:			
ate/Time Occ	urrence Ended:	Date/Time Reported:	Domes	tic Incident:		
cident Locati	ion:					
cident Addre	ss same as Victim	Address (Confidential)				
ail Location:						
vidence Colle	ected:					
rief Description	on of Incident:					
otal Property	Loss: (None)	Seized Drug Value: (None)	Total Gun Loss: (None)	Total Vehicle Loss: (None)		
THER PER	RSONS INVOLV	ED				
***************************************		WITNESS				
		WITNESS				
		WITNESS				
		WITNESS				
		WITNESS				
RIMES AG	AINST PEOPLE	/PROPERTY				
fense:			Attem	ped/Committed:		
PROPERT	TY / EVIDENCE					
	Related Offenso Related To: Property Descri			Bur Code Jaç		
Item #	Class: Type:			***************************************		
	1					
	Quantity:	Value:				

Related Offense:
Related To:
Property Description:
Type:
Class:
Activity:
Est. Str. Value: \$0.00

Reporting Officer: Brandt, Derek F8535 05/27/2022 **Approving Officer:** Steers, J S4495 on 06/02/2022

DRUG

Page 1 of 5

a copy of the 'TRUE' original shall be obtained and released by records division.

Printed By Drost, Cory on 3/22/2023 3:28:11 PM REV. 011921



DR# 142201719

Supplement # 002

GUN				
	Related Offense: Related To: Property Description:			Sar Coris Tag
Item #	Туре:	Class:		
	Barrel Length:	Color:		
VEHICLE				
	Related Offense: Related To: Make:	Model:	Year:	Style:
Item #	Plate:	Plate State:	Expires:	HULL:
	•		•	
	Color:	Type:	ENG:	VIN:

Reporting Officer: Brandt, Derek F8535 05/27/2022 **Approving Officer:** Steers, J S4495 on 06/02/2022

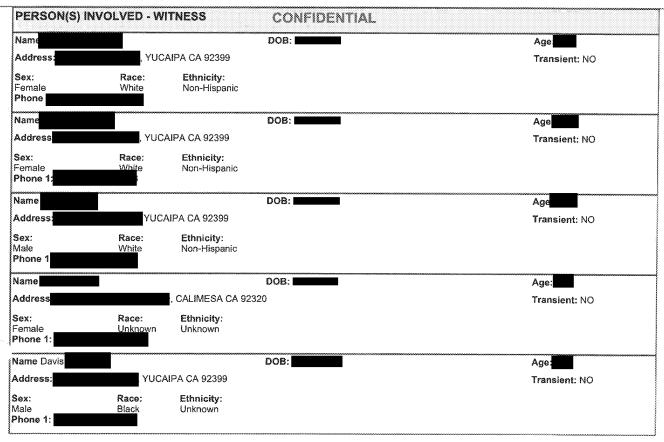


COPY

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719

Supplement # 002



Reporting Officer: Brandt, Derek F8535 05/27/2022 **Approving Officer:** Steers, J S4495 on 06/02/2022

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DR# 142201719

Supplement # 002

CRIME REPORT
NARRATIVE
ASSIGNMENT ARRIVAL:
On Friday May 27, 2022, I was assigned to the Yucaipa Sheriff Station Detective Bureau. At approximately 1500 hours, I arrived at the station to assist in an investigation involving an officer involved lethal force encounter.
SEARCH WARRANT:
I authored a search warrant for Yucaipa, California 92399. The search warrant was issued warrant number 000087641 and signed by Honorable Judge Bryan Foster at approximately 1751 hours.
NEIGHBORHOOD CHECK:
I assisted detectives at the scene with canvasing the area for any witnesses/video surveillance. See the below witness statements for witnesses contacted and video surveillance obtained.
WITNESS CONTACT:
I contacted at her residence and the following is a summary of her statement.
stated the video cameras on the outside of her residence did not work. She was inside her residence when she heard approximately three-gun shots. She went to the back of her residence and looked outside. She saw a guy lying on the ground and deputies were with him. She did not see what transpired but some unknown bystanders were standing by her fence, and they told her the guy had a knife and the police and had shot him.
WITNESS CONTACT:
I contacted at her residence and the following is a summary of her statement.
has several cameras on the outside of her residence. She has two different camera systems but both of them are motion activated. She allowed me to review both of her systems on her phone which were Ring and Arlo cameras. She later emailed me all of her recordings from approximately 1300 to 1400 hours. Her camera systems are motion activated and only record for approximately 10 to 30 second clips once activated. After reviewing her systems, it was apparent her cameras were too far from where the incident occurred to start recording the motion during the incident. Her residence was approximately from where the incident occurred, and her cameras would only activate when there was motion directly in front of her residence.
The cameras were activated right before the incident, prior to any Sheriff's vehicles being in camera view. They started recording again right after the lethal force encounter when several Sheriff vehicles were on scene and the incident already occurred. stated she was inside her residence

Reporting Officer: Brandt, Derek F8535 05/27/2022 **Approving Officer:** Steers, J S4495 on 06/02/2022

when she heard approximately three-gun shots. She didn't think anything of it until she saw a fire

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truck out her back window and when it stopped, she came outside.

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REV. 011921

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DR# 142201719

Supplement # 002

Reporting Officer: Brandt, Derek F8535 05/27/2022 **Approving Officer:** Steers, J S4495 on 06/02/2022 Page 5 of 5

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DR# 142201719

Supplement # 003

Assignment Date/Time:	Arrival Date/Time:	Date/Time Occurrence Started:
Date/Time Occurrence Ended:	Date/Time Reported:	Domestic Incident:
Incident Location:		
Incident Address same as Victim Address (Confid	ential)	
Jail Location:		
Evidence Collected:		
Brief Description of Incident:		

Total Property Loss: (None) Seized Drug Value: (None) Total Gun Loss: (None) Total Vehicle Loss: (None)

OTHER PERSONS INVOLVED	
	REPORTEE
	WITNESS
	REPORTEE
	WITNESS

CRIMES AG	GAINST PEOPLE/PROPE	RTY		
Offense:			Attemped/Co	
PROPER	TY / EVIDENCE			
	Related Offense: Related To: Property Description:			8ar Çode "ag
Item #	Class: Type: Quantity:	Value:		

DRUG		
item #	Related Offense: Related To: Property Description: Type: Class: Activity: Est. Str. Value: \$0.00	Óta Code Tad

Reporting Officer: Olvera, Stephanie G9454 05/27/2022 **Approving Officer:** Steers, J S4495 on 06/02/2022

Page 1 of 6

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COPY SAN BERNARDINO COUNTY

SHERIFF'S DEPARTMENT

DR# 142201719

Supplement # 003

GUN					
	Related Offense: Related To: Property Description:				Sectors 13g
Item #	Туре:	Class:			
	Barrel Length:	Color:			
VEHICLE				-	
94 22	Related Offense: Related To: Make;	Model:	Уеаг :	Style:	
Item #	Plate:	Plate State:	Expires:	-	HULL:
	Color:	Type:	ENG:		VIN:

Reporting Officer: Olvera, Stephanie G9454 05/27/2022 **Approving Officer:** Steers, J S4495 on 06/02/2022

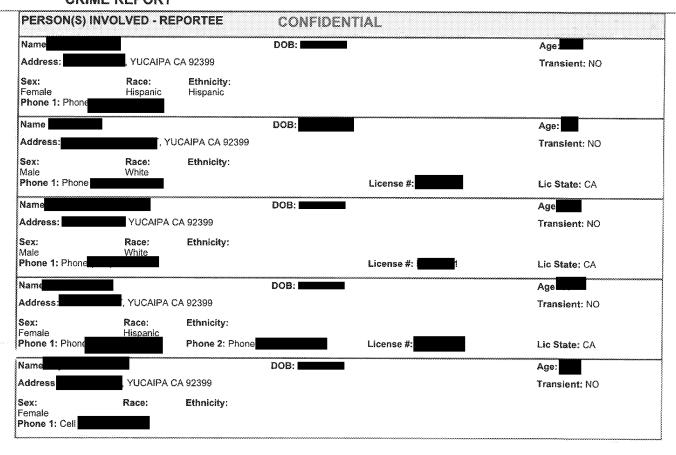


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DR# 142201719

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

Supplement # 003



Reporting Officer: Olvera, Stephanie G9454 05/27/2022 **Approving Officer:** Steers, J S4495 on 06/02/2022

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DR# 142201719

Supplement # 003

NARRATIVE			
SUPPLEMENTAL			
ASSIGNMENT/ARRIVAL:			
On 5-27-22 I was assigned to uniform patrol in the city of Yucaipa. At approximately 1324 hours, I assisted Deputy E. Juarez (14P21) with a PC 242 call. I arrived on scene at approximately 1329 hours.			
INITIAL CONTACTS:			
I contacted the involved party and the reporting party at residence. During my conversation with and and states, I heard 14P21 state on the radio "shots fired." I ran toward my unit and heard gun shots in a distance. As I ran toward my unit, I saw a patrol unit north of my location and ran on foot toward the patrol unit with my duty handgun. I saw an additional patrol unit drive past me, later identified as Deputy B. Heard			
I arrived at the location and I was at a "low ready." I saw the suspect, later identified as Cole Bierma, lying on the floor yelling. Deputy B. Heard and I searched for additional weapons, please refer to Heard's supplement report for further information.			
I ran to my patrol unit to block traffic at and and and			
INVOLVED PARTY CONTACT:			
I re-contacted the involved party at his residence. It is identified himself by providing me with his first name, last name, and date of birth. The following is a summary of my conversation with him:			
kicked Cole out of the residence earlier in the day. Cole returned and started knocking on the front door because he wanted his wallet. Cole entered the residence and told him to leave. Started to push Cole out of the house and Cole said he was going to break the windows to the house. Cole started to push and threw water on the sidewalk and went back into his house.			
was eating lunch and heard the window located in the front of the house break. went outside and noticed the window was shattered. A kitchen knife was stabbed into the dirt near the front window. Cole was standing outside on the sidewalk and threw a glass cup into the street. Cole started walking on			
said he was not surprised Cole was shot by law enforcement because Cole has told he wanted to commit suicide by cop. This concluded statement.			
REPORTING PARTY 1 CONTACT:			
I contacted the reporting party at her residence at her residence identified			

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Reporting Officer: Olvera, Stephanie G9454 05/27/2022

Approving Officer: Steers, J S4495 on 06/02/2022

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Page 4 of 6



DR# 142201719

Supplement # 003

herself by stating her first name, last name, and date of birth. The following is a summary of her statement:
was at her residence and could see her neighbor Cole and in a physical altercation. She saw Cole push so the same and see her neighbor Cole and attempted to calm the altercation by giving verbal commands to stop. Cole looked angry and started walking away. Cole threw an unknown item into the street and then took off his shirt. Cole continued to walk away. This concluded Mendez's statement.
REPORTING PARTY 2 CONTACT:
I contacted the reporting party, at her residence. identified herself by stating her first name, last name, and date of birth. The following is a summary of her statement:
was at her residence when she saw and Cole in an altercation. Cole was pushing and Cole in an foot and went to check on the concluded statement.
WITNESS 1 STATEMENT:
I contacted the witness on scene. Identified himself by his California Drivers License. The following is a summary of his statement.
was driving north on when he saw the suspect (Cole Bierma) standing on the sidewalk with his hands in his pocket. Cole looked aggressive and agitated. Saw a deputy (Juarez) pull up in a patrol unit next to Cole. Williams conducted a U-Turn to assist the deputy. saw Cole with a 2-4 inch knife in his left hand. The deputy (Juarez) said something to Cole and Cole rushed towards the deputy (Juarez). Heard two gun shots and Cole fell to the ground.
This concluded statement.
WITNESS 2 STATEMENT: MINISTER STATEMENT: MINIS
I contacted witness 2 the following is a summary of her statement:
was inside of her residence when she heard approximately four gun shots. She went to the front of her property and located a light colored pattern shirt on her property. anything else relating to the incident. This concluded her statement.
I looked around property and did not locate any ammunition fragments.
ADDITIONAL INFORMATION: YC221460119

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Reporting Officer: Olvera, Stephanie G9454 05/27/2022

Approving Officer: Steers, J S4495 on 06/02/2022

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Page 5 of 6



DR# 142201719

Supplement # 003

The state of the s	On 5-26-22 at approximately 1742 hours, I assisted Deputy W. Ziemer on a 415 verbal call (YC221460119). I arrived on scene at approximately 1746 hours. Ziemer spoke to Cole Bierma and Deputy M. Castaneda made contact with Cole, please refer to Deputy Ziemer's supplement report for further information.
***************************************	Ziemer left to make contact with I stood by and spoke with Cole, the following is a summary of Cole's statement to me:
	Cole said he has been on drugs since he was fifteen years old and has been diagnosed with bipolar, depression, anxiety and possibly schizophrenic. He said he did not want to get mental health assistance because he did not want to hurt himself or others. I offered Cole transportation to the hospital and Cole refused. Cole said he would contact his doctor in order to obtain the medications he needed.
	Ziemer returned and Cole said he would go to his friend's house to go swimming. Deputies saw Cole leave the residence on foot with no incident. Once Cole left the residence, I left the incident location and did not make contact with
	AUDIO:
	I uploaded my audio into Vault referencing the incident on 5-26-22 and 5-27-22.
	PHOTOGRAPHS:
	I took photographs of vandalized property and uploaded them into Vault.
	DISPOSITION:
	Attach to Deputy D. Shelton's original report.

Reporting Officer: Olvera, Stephanie G9454 05/27/2022 **Approving Officer:** Steers, J S4495 on 06/02/2022

Page 6 of 6



DR# 142201719

Supplement # 004

Assignment Date/Time:

Arrival Date/Time:

Date/Time Occurrence Started:

Date/Time Occurrence Ended:

Date/Time Reported:

Domestic Incident:

Incident Location:

Incident Address same as Victim Address (Confidential)

Jail Location:

Evidence Collected:

Total Property Loss:

Brief Description of Incident:

Seized Drug Value: (None)

Total Gun Loss: (None)

Total Vehicle Loss: (None)

CRIMES AGAI	CRIMES AGAINST PEOPLE/PROPERTY				
Offense:			Attemped/Con	Attemped/Committed:	
PROPERTY / EVIDENCE					
SAFEKEEPING Item # 1	Related Offense: Related To: Property Descriptio Class: Type: Misc Color: Chrome/ Stain Quantity: 1	n: BICYCLE FOUND ON Including the second of		Bar ≎ede Yag 2204000553	

DRUG		
	Related Offense: Related To: Property Description:	tier Code (10)
	Type: Class:	saar Wax a xay
ltem #	Activity: Est. Str. Value: \$0.00	***************************************
	car. at. same: \$0.00	

Reporting Officer: Ziemer, William G3845 05/27/2022 **Approving Officer:** Steers, J S4495 on 06/02/2022



COPY SAN BERNARDINO COUNTY

DR# 142201719

SAN BERNARDING COUNTY SHERIFF'S DEPARTMENT Supplement # 004

GUN					
	Related Offense: Related To: Property Description:				Mar Code Tag
Item #	Туре:	Class:		***************************************	
	Barrel Length:	Color:			
VEHICLE					
	Related Offense: Related To: Make:	Model:	Year:	Style:	
Item #	Plate:	Plate State:	Expires:		HULL:
	Color:	Type:	ENG:		VIN:

Reporting Officer: Ziemer, William G3845 05/27/2022 **Approving Officer:** Steers, J S4495 on 06/02/2022



DR# 142201719

Supplement # 004

NARRATIVE							
**** SUPPLEMENTAL REPORT****							
RELATED CALL HISTORY:							
On Thursday, May 26, 2022, around 1742 hours, I responded to the least block of reference a disturbance. I arrived on scene around 1746 hours.							
OTHER PARTY CONTACT: BIERMA, COLE							
On Thursday, May 26, 2022, around 1748 hours, I contacted Cole Bierma at the front door of the residence. The following is a summary of our contact.							
Cole has been withdrawing from his prescribed medication methadone, Xanax, and Ambien. Cole was kicking all three at the same time and was "losing his mind." Cole was recently admitted into behavioral health for help and was there for approximately one week. Cole was able to get his methadone while he was a patient but did not have any medicine once he got out of the hospital and needed to get a refill for his methadone, Xanax, and Ambien. This morning, Cole took 40mg of methadone and approximately one hour ago took two Xanax pills. Cole did not know anyone called law enforcement and advised he would be leave the residence if his father did not feel safe.							
OTHER PARTY CONTACT: BIERMA, STEVE							
On Thursday, May 26, 2022, around 1755 hours, I contacted in the driveway of his residence. The following is a summary of his statements.							
does not want Cole to live at his residence, he has wanted Cole to move out for approximately one month. Cole has become more aggressive. After a call for service with deputies in the past, Cole told him the deputies were not real deputies, they were from the mafia. Cole thinks he is there to save the family. Advised Cole is a gratuitous guest. Because wanted Cole to move out, I provided with the option of me telling Cole to move out and if Cole refused, he could be arrested for trespassing and would need to sign a citizen arrest form. I explained the process for trespassing and did not want to press charges for trespassing. I explained to the different restraining orders which could apply to his situation.							
OTHER PARTY RE-CONTACT: BIERMA, COLE							
I advised Cole that wanted him to leave the residence and Cole wanted to get his prescribed medications from a last also explained to Cole why wanted him to leave because of him becoming aggressive and possibly attack Cole stated he would never hurt he							

Reporting Officer: Ziemer, William G3845 05/27/2022

Page 3 of 5

Approving Officer: Steers, J S4495 on 06/02/2022



DR# 142201719

Supplement # 004

would kill himself before he hurt When I asked about him throwing a pill bottle at Cole advised he did not throw the pill bottle at the cabinet. Cole stated he would move out if wanted him too but Cole wanted his prescribed medication. has control of his medication because Cole has overdosed in the past.	
OTHER PARTY RE-CONTACT:	
I advised Cole was willing to move out but Cole wanted his medicine. was uncomfortable with giving Cole all of the medication because approximately one week ago, Cole took an entire bottle of pills and overdosed. has had a hard time trying to kick Cole out because he does not want Cole to leave. While I spoke with arrived and I explained to her the trespassing and the restraining order. advised she knows the risk if they decide to kick Cole out of the residence because Cole has tried to commit suicide in the past. advised a few days ago, deputies responded to the residence with a shotgun, "less lethal" and Cole told him that he wished he would have charged at the deputy.	
CRIME SCENE LOG:	
On Friday, May 27, 2022, around 1338 hours, I arrived on scene and blocked the north and south bound traffic from and and around 1339 hours, fire and AMR arrived on scene. After fire and AMR cleared the scene, deputies set up crime tape and I created a crime scene log. Det. Shelton was on scene at the start of the log.	
- Approximately 1410 hours, Captain Williams arrived on scene.	
- Approximately 1420 hours, Captain Williams exited the scene.	
- Approximately 1455 hours, Captain Williams and Lieutenant Warrick arrived on scene.	
- Approximately 1510 hours, Lieutenant Warrick and Deputy Juarez exited the scene.	
- Approximately 1520 hours, Captain Williams exited the scene.	
- Approximately 1602 hours, DA investigator Honycutt arrived on scene.	
- Approximately 1608 hours, homicide det. Bilbao arrived on scene.	
- Approximately 1630 hours, DA supervisor C. Morillo arrived on scene. A group of homicide detective's arrived on scene but stayed outside of the crime scene until Det. Shelton did a walk through with them.	
- Approximately 1630 hours, crime scene investigator arrived on scene.	
- Approximately 1645 hours, crime scene investigator arrived on scene.	
- Approximately 1739 hours, Det. Shelton and homicide detective's exited the scene.	
FOUND PROPERTY:	

Reporting Officer: Ziemer, William G3845 05/27/2022 **Approving Officer:** Steers, J S4495 on 06/02/2022

Page 4 of 5

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DR# 142201719

Supplement # 004

A bicycle was located in the middle of	and was taken for safekeeping.
DISPOSITION:	
Attach to Det. Shelton's original report.	

Reporting Officer: Ziemer, William G3845 05/27/2022 **Approving Officer:** Steers, J S4495 on 06/02/2022

Page 5 of 5



DR# 142201719

Supplement # 007

NARRATIVE
Supplemental report to DR 142201719
ASSIGNMENT/ARRIVAL:
On Friday, 5-27-22, I was assigned as a traffic unit in the city of Yucaipa. I was wearing a Class A uniform driving a marked patrol unit. At approximately 1331 hours, I was responding to the intersection of St reference a male walking with a knife (YC221470057).
While enroute to this call, I knew deputies were on scene of a fight call located at reference (YC221470056).
SUSPECT CONTACT:
While driving east on toward the male with a knife call, I heard Deputy E. Juarez state "Shots fired" over the radio. I was approaching at this point. I activated my emergency overhead lights and siren. As I was clearing the intersection for vehicles, I looked to my left and saw Deputy S. Olvera running north on toward.
I immediately drove toward Deputy Olvera and saw Deputy E. Juarez standing at his unit on the west side of the roadway. Deputy Juarez was standing near the driver's side of the unit and it appeared he was using the unit as cover. He was in the "low ready" position with his hand gun. Deputy Olvera was standing at the front of Deputy Juarez's unit in the "low ready" with her hand gun. I saw the suspect, later identified as Cole Bierma, on the ground against the west curb line of was in the fetal position on his left side. I saw one bullet wound to his right forearm and one bullet wound to his abdomen area.
There was a knife on the roadway approximately five feet from Bierma's person.
Deputy Olvera and I approached Bierma and searched his person for any other possible weapons. He was not handcuffed and was alert. He had no shirt on and was complaining about the pavement being hot. I sat him up to get his back off the pavement and waited for paramedics to arrive.
Once paramedics arrived and started initial treatment on Bierma, I saw a card in Bierma's wallet. It was labeled Cole Bierma. I ran a records check on Bierma and located his name, date of birth, and previous address. As Bierma was being loaded into the ambulance by paramedics, Bierma confirmed his identity to me.
TRANSPORT:
Bierma was transported by ambulance to the
On Friday, 5-27-22, at approximately 1349 hours, I responded to the hospital to check the status of Bierma. I was told by emergency room staff that Bierma was in surgery for his injuries.
AUDIO RECORDING:
I did not have audio recording for this call. My recorder was not activated at the time because I was enroute to the knife call.
Reporting Officer: Heard, Bradley R D7727 06/08/2022 Page 1 of 2

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Approving Officer: Steers, J S4495 on 06/08/2022

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DR#142201719

Supplement # 007

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Forward this supplemental to the original report.

Reporting Officer: Heard, Bradley R D7727 06/08/2022 **Approving Officer:** Steers, J S4495 on 06/08/2022

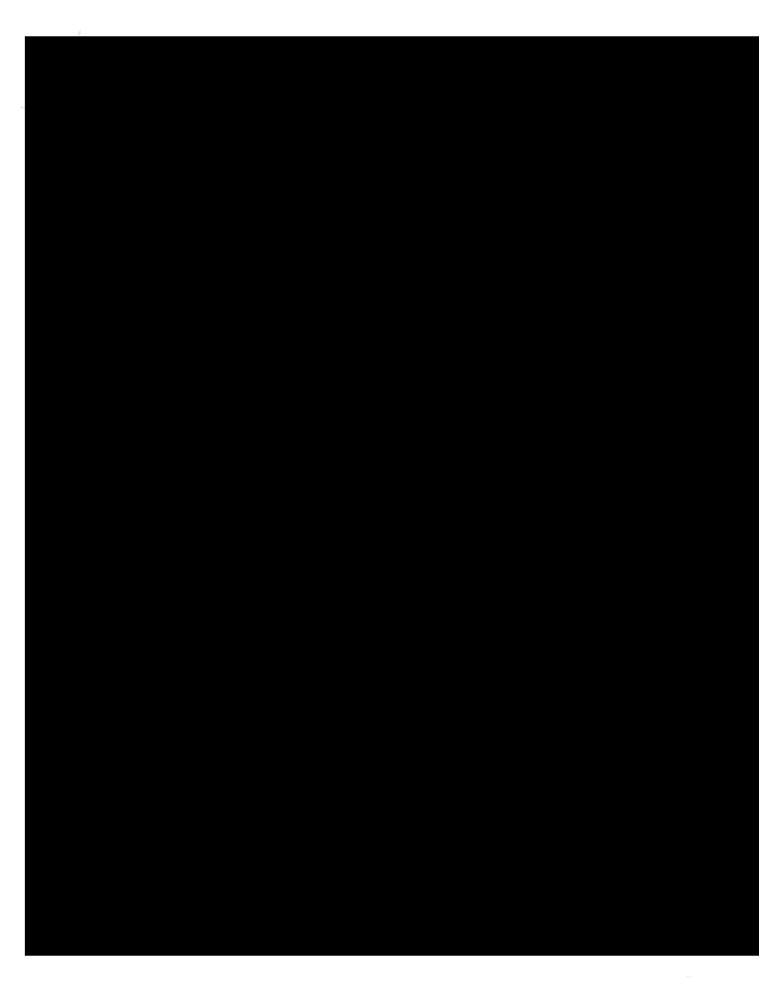
		HERIFF'S DEP	. RTMENT		CASE NUMBER
	-				142201719
	<i>K</i> .	ounty of San 8 Californi			REPORTING AREA
		CA 0360	0		
			w.cc		CLASSIFICATION
CODE SECTION PC 245(C)			Deadly Weapon		Felony
VICTIM'S NAME - LAST NAME,	FIRST NAME, MIDDLE	NAME OR FIRM NAI	VE IF BUSINESS		
ADDRESS					PHONE NUMBER
		ŞŲ	PLEMENTAL REPORT		
<u>ASSIGNMENT/ARRIVA</u>					
On Wednesday, April 2 department issued boo the front and back writ Street in Yucaipa, in at	ly armor plate carr ten in large vellow	ler, and a green Hetters. At appr	hat with Sheriff Writter oximately 1200 hours,	1 in black. My plate c: we conducted surveil	erner has Shenn placards On lance at the
SUSPECT CONTACT:					
At approximately 1276 incident. Deputy Verra placed in the back seat	handcuffed Bierm	a to the rear. Hi	toward his residual section of the control of the c	jence. Bierma was tal ced for proper fit and	ken into Custody without double locked. Bierma was
TRANSPORT/BOOKING					
aransported Bierma to	Central Detention	ı Center in San B	ernardino for booking.		
DISPOSITION:					
Forward supplemental	renort to District /	lttornev.			
3 mis da est me mante to transcensions	a magazara a ara san san sa				
					200 - 200 -
REPORTING OFFICER M. Izquierdo	EMPLOYEE# F2753	05/29/24	2 /800	IANED BA :	801189 84 24
FURTHER ACTION:	COPIES TO:		Otter	REMARKS:	
(as Nao	Oelectivics	C#		*	

Pairoi

District Attorney

15-15184-401 (Fevision USD (CR2)

		***************************************		EPARTMENT - (1. CASE NU		
	COMPLAINT DISPOSITION REPORT - PROPERTY RELEASE										14220171	142201719		
						CRIME DEFINITION							4. CLASSIFICATION	
1						sault With a Deadly Weapon						·····	Felony	
ċ	5. VICTIM OR OTHER IP NAME: LAST, FIRST, MIDDLE State of California						ET ADDF	KESS, CIT	r, zip	TI KESIDE	INCE [] BUSINI	:83	7. PHONE I	NUMBER
	8. SUSPECT #1 NAME: LAST, FIRST, MIDDLE					9. RACE/SEX 10. AGE 11. HEIGHT 12. WEIGHT					13. HAIR	14. EYES	15. DOB	
s	Bierma, Cole					W/M				600	185	BRN	BRN	
U	16. RESIDENCE	ADDRESS: ST	REET, CITY, ZIP					17. CLO	THING & OTH	ER IDENTIFYIN	G MARKS/CHAR	ACTERISTICS	·&	
S														
E	18. SUSPECT #2	NAME: LAST,	FIRST, MIDDLE			19, RACE	YSEX	20. AGE	••••••••••••••••••••••••••••••••••••••	21. HEIGHT	22. WEIGHT	23. HAIR	24. EYES	25. DOB
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Ç	30. ASSAULTS	WEAPON:	C FIREARM	C KNIFE/CUT	TING INS	TRUMENT	<u> </u>	OTHER D	WGEROUS W	EAPON []	HANDS/FEET	C SIMPLEN	O INJURY	1868: John 1981 (2000)
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T S	TYPES	JEWELRY	\$			FIREARM			\$		LIVESTOCK		\$	
	AND VALUE	CLOTHING,	FURS \$			HOUSEH	OLD GO	DDS	\$		OTHER MISC.		\$	
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	36, COMPLAINT IN	IFORMATION	***************************************		37. D	ATE		IB. DEPUT	Y DISTRICT A	TTORNEY	39, CH	ARGES FILED		
	CASE REVIEW	ED AND COMP EJECTED - SE	PLAINT FILED SE REJECTION SLIF	š										
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Α	42. COMMENTS / S													
N	Supplemental	report.												
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O P										en england in west-resonance	recolorectors mecanoleccos			
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15~1361	17-401 Revised 9/94	(CR4)								8 .		1	(%





VICTIM INTERVIEW

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW on a	Peace Officer	Knife
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

VICTIM INTERVIEW: DEPUTY EUGENE JUAREZ

On Tuesday, June 7, 2022, at approximately 1331 hours, San Bernardino County Sheriff's Department (SBCSD) Detectives Brett Chandler and Mauricio Rivas interviewed Deputy Eugene Juarez in the Homicide Division conference room at SBCSD Headquarters, at 655 East Third Street, in San Bernardino. Attorney representative was also present during the interview. The interview was recorded with their digital recorders. Copies of their audio recordings were downloaded onto the digital case file and later placed into evidence. The following is a verbatim transcript of the interview with Juarez.

On Tuesday, April 23, 2024, at approximately 0900 hours, I reviewed the verbatim transcript using Chandler and Rivas' audio recordings for accuracy.

Date:

Reviewed By: Sergeant Nicolas Craig

Author: Detective Francisco Demara Author Date: 04/23/2024

DR# 142201719 H# 2022-059 1 Interview with Deputy Eugene Juarez: 2 3 CHANDLER: All right, this is Detective Chandler, will be conducting an LFE 4 interview for DR number 142201719. It's an LFE that occurred in 5 the city of Yucaipa. Henry number is 2022-059 and we are at the 6 Sheriff's Headquarters in the Homicide conference room. Again, 7 this is Detective Brett Chandler and also in the room is... 8 9 RIVAS: Detective Mauricio Rivas. 10 11 JUAREZ: Deputy Eugene Juarez. 12 Attorney Rep 13 14 CHANDLER: And I'm not sure if I gave the date and time, it's June -- Tuesday, 15 June 7th, at approximately 1331 hours. So, this is a criminal 16 report, and it will be submitted to the district attorney. You do not 17 18 have to speak with me. No discipline can come to you for not speaking with me. Prior to this interview, has anyone ordered 19 20 you to give a statement other than a public safety statement? 21 JUAREZ: No. 22 23 Has anyone ordered you to speak with me? 24 CHANDLER: 25 JUAREZ: No. 26 27 28 1

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1	CHANDLER:	Do you wish to speak with me?
2		
3	JUAREZ:	Yes.
4		
5 6	CHANDLER:	Can you say and spell your name again?
7	JUAREZ:	E-U-G-E-N-E, J-U-A-R-E-Z.
8		
9	CHANDLER:	And your date of birth?
10		
11	JUAREZ:	
12		
13	CHANDLER:	And your employee number?
14		
15	JUAREZ:	"D" as "David", 3384.
16		
17	CHANDLER:	And how many years of service do you have?
18		
19	JUAREZ:	
20	CHANDIED.	
21 22	CHANDLER:	And what is your department and what station are you assigned to?
23		<i>\(\frac{1}{2}\)</i>
23 24	JUAREZ:	San Bernardino County Sheriff's Department. Yucaipa, Yucaipa
25	JUANLE.	Patrol Station.
26		r and olding.
27	CHANDLER:	How tall are you?
28		
		2

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1	JUAREZ:	5'11,
2		
3	CHANDLER:	And your weight?
5	JUAREZ:	About 300.
6		
7	CHANDLER:	Your date of hire?
8		
9	JUAREZ:	That's the start of the academy date?
10		
11	CHANDLER:	[INAUDIBLE]
12 13	JUAREZ:	
14	JOANLE.	
15	CHANDLER:	
16		
17	JUAREZ:	roughly around there beginning of
18		
19	CHANDLER:	
20		
21	JUAREZ:	Yes.
22	CHANDIED.	Alright and again it decen't have to be exact but the date you
23 24	CHANDLER:	Alright and again, it doesn't have to be exact but the date you started patrol?
25		started patron
26	JUAREZ:	
27		
28		
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1	CHANDLER:	Rank?
2		
3	JUAREZ:	Deputy Sheriff.
4		
5	CHANDLER:	You have any previous law enforcement experience?
6		
7	JUAREZ:	
8		
9	CHANDLER:	So, on the day of this incident, which was
10		
11	JUAREZ:	May 27 th .
12		
13	CHANDLER:	Thursday, May
14		
15	JUAREZ:	Friday.
16	OLIANOI ED.	Friday, Man O7th name, Friday, Bay, O7th NAMent abite did
17	CHANDLER:	Friday, May 27 th , sorry. Friday, May 27 th . What shift did you work and what was the times?
18 19		and what was the times?
20	JUAREZ:	I was working day shift, 0700 hours to 1900 hours.
20	JOANEZ.	I was working day shift, 0700 flours to 1900 flours.
22	CHANDLER:	And what was your call sign?
23	V1 17 (1 4 L/ L. L. 1 (.	, the what was your our sign.
24	JUAREZ:	14 Paul 21.
25	the top of the top	
26	CHANDLER:	And do you recall what unit number you were driving?
27		
28		
		4

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1	JUAREZ:	14-1
2		
3	CHANDLER:	Did you have a partner or rider?
4		
5	JUAREZ:	No.
6		
7	CHANDLER:	What uniform were you wearing?
8		
9	JUAREZ:	My department, my department Class A. It has – it's a tan color
10		shirt, San Bernardino County patches on both sleeves. The
11		American flag on the left chest I believe and then my name tag.
12		Sam brown and baseball cap, the sheriff's, sheriff's cap.
13		
14	CHANDLER:	Was your belt recording activated?
15		
16	JUAREZ:	Yes.
17		
18	CHANDLER:	Does your unit have a camera?
19		
20	JUAREZ:	No.
21		
22	CHANDLER:	Were you wearing a body worn camera?
23		
24	JUAREZ:	No.
25		
26	CHANDLER:	So in this incident, there was audio recordings that recorded the
27		incident, in particular a belt recording of yours. File name was
28		
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JUAREZ:

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CHANDLER:

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142201719 and then we, I think we supplied some dispatch recordings to you guys, to you and your attorney. The file numbers were YC221470056, YCR220179EC21 and then YC221970056, YCR2201719 Radio, and YC221470057EC24. As well as several photographs of the incidents MSB70485, MSB 70486, MSB70515, MSB70564 and MSB70717 and suspect photo. Have you had a chance to review those audio and photos supplied to you?

Yes.

Before we get any further, I have a list of those files and you'll --I'll have you enter -- initial those at the end actually. We have an admonishment I'm going to read to you. In this case, there is recorded evidence that you'll have the opportunity to view. Recorded evidence has limitations and may depict the events differently than you recall, and it may not depict all the events that you saw or heard. Recordings have a limited field -- field of view and may not capture events normally seen by the human eye. The framerate of the recording may limit the camera's ability to capture movements normally seen by the human eye. Lighting as seen on the recordings may be different than which is seen by the human eye. Recordings are two dimensional and may not capture depth, distance, or positional orientation as well as the human eye. Audio recordings capture only sound or capture sound only and may represent what you heard differently than how you heard it. Remember, the video evidence is intended to

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1	*	assist your memory and your ability to recall and describe the
2		incident. If listening to audio recording or viewing video
3		recordings provides additional clarity to what you remember, that
4		is fine; If it doesn't, that's fine, too. Keep in mind, the video and
5		audio in this case are only one piece of the evidence to be
6		considered in the reconstruction and the evaluation of the totality
7		of the circumstances. Did you take photographs of the incident?
8		
9	JUAREZ:	I don't think so.
10		
11	CHANDLER:	And this question regards to the, the incident. How much sleep
12		did you get in the prior 24 hours from the incident occurred?
13		
14	JUAREZ:	Approximately seven.
15		
16	CHANDLER:	And then, same question but for 48 hours.
17		
18	JUAREZ:	14.
19		
20	CHANDLER:	So, like seven and seven?
21		
22	JUAREZ:	Yeah.
23		
24	CHANDLER:	Were you under a doctor's care or taking prescribed medications
25		that affected your ability to perform at the time of the shooting?
26		
27	JUAREZ:	No.
28		
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1		
2	CHANDLER:	What weapon did you use?
3		
4	JUAREZ:	Department issued Glock 21.
5		
6	CHANDLER:	And the caliber?
7		
8	JUAREZ:	4 5.
9		
10	CHANDLER:	Alright. How do you typically load your firearm?
11		
12	JUAREZ:	13 rounds plus one.
13 14	CHANDLER:	Is that plus one in the chamber?
15	CHANDLEN.	is that plus one in the chamber?
16	JUAREZ:	Yes.
17		
18	CHANDLER:	How do you remember loading your magazine before the
19		shooting?
20		
21	JUAREZ:	13 rounds in the magazine, inserted the magazine in the
22		handgun, racked one round and then released the magazine and
23		put another round in the magazine, and then re reinstalled the
24		magazine.
25		
26	CHANDLER:	And when was the last time you loaded your firearm?
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28		
		8

ning of May. I don't know r like a training session
r like a training session
r like a training session
r like a training session

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as that the last? That was
ELFE?
out
ned.

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1	JUAREZ:	It's on my right ring finger. When I fell backwards when I
2		don't know if it's when I fell to the ground, trying to catch myself
3		but it was just scraped on the tip of the side of the fingernail.
4		
5	CHANDLER:	So, like a laceration to your, you're pointing to your right ring
6 7		finger?
8	JUAREZ:	Yeah
9		
10	CHANDLER	Okay. Did you require hospitalization or medical treatment for it?
11		
12	JUAREZ:	No.
13		
14	CHANDLER:	Just basic first aid? Washed it and cleaned it?
15		
16	JUAREZ:	Yeah. Washed it and cleaned it and that was it.
17 18	CHANDLER:	Have you been involved in a LFE before?
19	OH MADELLIN.	riavo you book nivolvou ni a Li L. bololo:
20	JUAREZ:	No.
21		
22	CHANDLER:	Okay. So, at this time, what I'd like you to do is just kind of go
23		into like an open narrative, starting from the beginning and going
24		forward to when the incident occurred.
25		
26	JUAREZ:	So, from the beginning from when I was dispatched, or when I
27		get on scene?
28		10

DR# 142201719 H# 2022-059 CHANDLER: From the beginning, so whenever the - the call came out. 1 2 JUAREZ: 3 Okay. 4 5 CHANDLER: And then from there go forward, and from there. 6 7 JUAREZ: So, I get dispatched to a 242 call. I can't remember the numbers 8 exactly on the property but I remember it was between 9 and So, I was going to the call. I was 10 somewhere on the bottom of the least I can't remember exactly what street down there. So, driving east on 11 Shortly, a minute or two later there's a call with a man 12 with a knife. Call in the area of and 13 and last it was dispatched; he was walking eastbound on 14 15 16 So, as I'm driving eastbound on 17 , I come up to kind of seeing if I see the male subject. He was --18 last he was described was, I think dark colored shorts, without a 19 20 t-shirt, and he was wearing a hat, and then with a knife in his 21 hand. So, I turned right, which is south on an arranged, driving down Roughly quarter mile if that, off to my right at 22 the last minute, I see a subject standing on the side of the road 23 24 with dark shorts, without a shirt. As I passed him, I looked and I'm all -- so I backed up to see who -- I'm all, he matches the 25 description of the subject with the man with a knife. 26 27 28

Oh, I'm sorry. So, when they air that out, I replied to dispatch, "Is this our same subject as the 242 with being assaulted?", and I don't think I got an answer on that. So, I back up along the — the curb line there on and as I back up, looking at my mirror, I could see him standing back there. So, I put it in park, hit my belt recorder, get out of the car, and as soon as I get to the driver side, rear quarter panel, when I make contact with him, all I heard was you better get your gun out. And when I looked, he had a knife in his right hand. And I instantly start backing up, pull out my, pull out my handgun and he's coming in — he's walking towards me.

I can't remember exactly what was said, I'm trying to air it because I have the microphone. So, I'm trying to key it up, like

I can't remember exactly what was said, I'm trying to air it because I have the microphone. So, I'm trying to key it up, like look at him and try to call out information. And by then he starts to move quick towards me. He's coming at me with the knife, I'm fearing for my life and everything going on. I'm trying to air out all the information and I'm all, I'm gonna shoot this guy, he's coming, he's too close, he's too close, is what I'm thinking. So, I air out, "shots fired", and I had one hand on my gun and by then I had to drop the mic. So, I put two hands, and I freeze or whatever reason, he goes off to the right of me, and I don't shoot, but I already called out shots fired because he was maybe five feet or less from me with a knife in his hand, whether I panicked or what happened.

He comes to the right of me so, I kind of follow him around. And

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1		by now I'm by the front bumper, as I kept backing up. That's
2		when I tell him, "Drop the knife", and he charges at me again and
3		I forgot how close he was to me, and I fired three shots. And as
4		I'm backing up, that's when I fell backwards. Sorry if I was talking
5		too fast.
6		
7	CHANDLER:	You're good. What happened from there?
8		
9	JUAREZ:	I get up, I get up to look and he's laying on the ground on, I
10		believe it's like this side, like holding himself. So, I get up, get my
11		mic because it was on the ground twisted up, call out shots fired,
12		one down, start med aid by then my partner comes up. He starts
13		to get him, telling him to make sure the knife is out of his hand, to
14		turn over and I saw the knife laying on the ground next to him.
15		So, my partner just stays right there to secure him and then a
16		minute or two later the fire department comes.
17		
18	CHANDLER:	And when you were describing he was laying on his side, you're
19		kind of making it look like he was laying on his left side?
20		
21	JUAREZ:	On his back, yea like on his back left side at an angle.
22		
23	CHANDLER:	Okay. And after that, is there anything that you recall happening?
24		
25	JUAREZ:	I can't, I can't recall.
26		
27	CHANDLER:	All right. So, I'm gonna go back to the beginning and we're going
28		
		13

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1		to kind of go down and dissect it. But before I do that, did you
2		give a public safety statement in this incident?
3		
4	JUAREZ:	To the yeah, to the acting watch commander.
5		
6	CHANDLER:	And who is that?
7		
8	JUAREZ:	Dan, Daniel Shelton.
9		
10	CHANDLER:	Is he a sergeant, corporal?
11		
12	JUAREZ:	He's a corporal.
13	~ 1 1 A B & F ~ 2 pm F ~	
14	CHANDLER:	Okay. Alright, so, I had said we're gonna go to the beginning and
15		we're gonna kind of break it down from, from the beginning,
16		alright? So, you said that you were originally dispatched to a 242
17 18		call at an address on Fifth Street. You couldn't recall the, the numbers.
19		numbers.
20	JUAREZ:	Yes.
21	JOANLE.	165.
22	CHANDLER:	First thing, what's a 242?
23	Not 3 CF UF When him 6 U.	Thotamig, what out 2.2.
24	JUAREZ:	Assault, assault, fight. Yeah.
25		
26	CHANDLER:	And about what time do you recall being dispatched to that call
27		at?
28		
		14

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1	JUAREZ:	Approximately 1:30 ish, I think. Okay at 1323, 1324.
2		
3	CHANDLER:	Okay. And regarding that call, tell me more about the, the call
4		that you were dispatched to.
5		
6	JUAREZ:	So, I was dispatched to the assault call, and I heard, they said
7		the was being assaulted. So, it didn't say who was
8 9		assaulting him or anything like that. And then they gave a
10		description of the subject. The here was the green gray shorts
11		and a gray button up shirt. And then I believe that's all I got from dispatch.
12		
13	CHANDLER:	Mm -hmm.
14		
15	JUAREZ:	And he was last seen walking towards the
16		
17	CHANDLER:	So, it's an assault call on an analyzand and it indicated that a male
18		subject assaulted Exercise .
19		
20	JUAREZ:	Yeah.
21		
22	CHANDLER:	Do you recall them providing any names at that point or
23		
24	JUAREZ:	No, I don't believe. I don't believe I got a name at all.
25		
26	CHANDLER:	And was there anybody else dispatched to that call along with
27		you?
28		45
		15

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qu.	JUAREZ:	Yes.
2		
3	CHANDLER:	And who was that?
4		
5	JUAREZ:	14 Paul 22.
6		
7	CHANDLER:	Who was that?
8		
9	JUAREZ:	Deputy Olvera.
10		
11	CHANDLER:	Okay. And regarding the dispatch, how were you dispatched to
12		the call?
13		
14	JUAREZ:	They aired it to me. 14 Paul 21, sending you a 242
15	OLIANDI ED.	Oleman
16	CHANDLER:	Okay.
17	II IADEZ.	diametria call
18	JUAREZ:	dispatch call.
19 20	CHANDLER:	And when you say aired, does that mean they like over the
21	UNANDLEK.	radio?
22		radio:
23	JUAREZ:	Oh, yeah, across the radio.
24	Be Stade S S S Becombers .	
25	CHANDLER:	Okay. So, it comes out over the radio and then they give you the
26		circs of you know, male subject assaults his father and then you
27		and Deputy Olvera go in route?
28		
		16

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1	JUAREZ:	Yes.
2		
3	CHANDLER:	Alright. So, as you're responding to this call, you indicated you
4		were driving on a and then as you're driving on
5		a second call for service was, was
6		
7	JUAREZ:	Was a male subject
8		
9	CHANDLER:	Broadcasted with a male subject with a knife. That was I think I
10		said broadcasts but is that how you got that call also?
11		
12	JUAREZ:	Yes, yes.
13		
14	CHANDLER:	And was there a deputy that was to your knowledge that was
15		dispatched to that call?
16		
17	JUAREZ:	I believe. Yeah. 14X10 took that call.
18		
19	CHANDLER:	And you know –
20	11.1.4 (0.00)	
21	JUAREZ:	And he was—
22	CHANDED.	Who that was?
23	CHANDER:	vvno tnat was?
24 25	JUAREZ:	Brad Heard, Deputy Brad Heard.
25 26	JUANEZ.	Brad Heard, Deputy Brad Heard.
20 27	CHANDLER:	Okay. So, you're in route to the 242 call, there's a broadcast of a
21 28	OI MINDLIN.	Chay, Co, you to in toute to the LTE out, there a bloadeast of a
		17

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1		man with a knife. And what was the description again of the man
2		that was with the knife?
3		
4	JUAREZ:	Without a shirt, no shirt, either black shorts or dark colored
5		shorts, a hat, and a knife in his hand.
6		
7	CHANDLER:	Okay. Was there any information regarding if it was a - their,
8		their race was it a White person, Hispanic person
9		
10	JUAREZ:	A White male, a White male adult.
11		
12	CHANDLER:	Okay. And you hear this as you're responding, were you thinking
13		you said that you, you broadcast, you asked dispatch. If that
14		was the, the same person as the 242.
15		
16	JUAREZ:	Yes.
17		
18	CHANDLER:	And what did dispatch tell you?
19	11 1 A P P P P	
20	JUAREZ:	They, they did not know.
21	CUANDIED:	Okov
22 23	CHANDLER:	Okay.
23 24	JUAREZ:	Yeah. There wasn't enough information.
2 4 25	JOANLE.	reall. There washt enough information.
26	CHANDLER:	So, it sounds like though from you're responding to a 242 and
27	V 5 87 12 9 har has has 6 1.	there's another broadcast of a subject in the same area with,
28		arrow w with the contract of the second of the second of the second seco
		18

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1		with a knife. Were you believing that the he was the same
2	7777	person?
3		
4	JUAREZ:	It was the same subject, yes.
5		
6	CHANDLER:	Okay. And then you turned onto
7		driving south, and you said you got about a quarter mile down
8		the road and you saw a subject on the curb. Where, where about
9		on the, the curb that the subject that matched the description
10		[inaudible]?
11		
12	JUAREZ:	So, if I remember there was a curb, like a dirt patch, and then the
13		sidewalk and he was standing in the dirt patch right next
14		between the curb and the sidewalk.
15		
16	CHANDLER:	Okay. So, you're driving east on Is this the east, west side?
17		
18	JUAREZ:	It would be the west side.
19		
20	CHANDLER:	Alright, so –
21		
22	JUAREZ:	On my right-hand side. As I'm driving
23		
24	CHANDLER:	As you're driving, the right-hand side?
25		
26	JUAREZ:	Yeah.
27		
28		19

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1	CHANDLER:	So, it's on the west side of and the same and when you first saw
2		him, what did you think when you first saw him?
3		
4	JUAREZ:	As I saw him, I'm like, hey, that guy doesn't have a shirt. He
5		might be, he might be the male subject we're, we're looking for
6		or we need to talk to because he's related to, to one of the calls
7		probably. And the way the trees were, I saw him right as I get to
8		him. So, I was like, directly to my right and that's when I backed
9		up.
10		
11	CHANDLER:	And as you first saw him, could you tell if he was holding a knife?
12		
13	JUAREZ:	No.
14		
15	CHANDLER:	And approximately how fast were you driving when you first saw
16		him?
17		
18	JUAREZ:	35 maybe. 30.
19		
20	CHANDLER:	And so, then you indicated that you stopped the vehicle and you
21		had to backup. When you were driving on and you
22		first saw him, driving approximately 35. About how far do you
23		think you were from the subject?
24		
25	JUAREZ:	10 to 15 feet maybe.
26	C	
27	CHANDLER:	And then you drove past him and then you stopped your vehicle.
28		20

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1		When you drove past him, and you stopped, how far do you think
2		you were from the subject at that point?
3		
4	JUAREZ:	When I stopped?
5		
6	CHANDLER:	Mm-hmm.
7		
8	JUAREZ:	Before I backed up?
9	~	V.
10	CHANDLER:	Yes.
11 12	JUAREZ:	That would be the 10 to 15 feet.
13	JOANLE.	That would be the 10 to 10 feet.
14	CHANDLER:	Okay.
15		
16	JUAREZ:	Sorry. Sorry.
17		
18	CHANDLER:	So - No, you're good. So, you stopped 10 to 15 feet from where
19		he was standing when you first saw him and you recognize that
20		the subject was possibly related to either this assault call, or the
21		call with the guy holding the knife. About how far were you from
22		him at that point?
23		
24	JUAREZ:	So, from the lane to the curb? Was that eight feet, maybe?
25		
26	CHANDLER:	And you're driving 35?
27		
28		21

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1	JUAREZ:	Yeah.
2		
3	CHANDLER:	Okay. So, then you back up approximately, how far did you back
4		up your patrol unit to before you got out of the vehicle?
5		
6	JUAREZ:	Maybe five, six feet? A car length, car length and a half, maybe.
7		
8	CHANDLER:	Five or six feet?
9		
10	JUAREZ:	Yeah.
11		
12	CHANDLER:	So, now that's about anywhere from 5 to 10 feet from where the
13		subject would be on the curb?
14		
15	JUAREZ:	Yeah.
16		
17	CHANDLER:	If my math is correct. And the vehicle that you're driving,
18		describe to me what the, your, this vehicle looks like.
19		
20	JUAREZ:	It's a Ford Explorer, a sport utility vehicle, has Sheriff emblems
21		on the driver side, and the passenger side. A light bar on the
22		roof, four doors, and the back cargo area.
23		Co. its distinguishable on a law enforcement vehicle?
24	CHANDLER:	So, its distinguishable as a law enforcement vehicle?
25 26	JUAREZ:	Yes.
27	JOAREZ.	165.
28		
۵.		22

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1	CHANDLER:	When you saw the subject and you stopped and you backed up,
2	xxxx	did you turn on your overhead lights or anything?
3		
4	JUAREZ:	I think I hit my rear amber just for traffic.
5		
6	CHANDLER:	So, now you've backed the car up, and the subject is on the
7		sidewalk. When you backed up the car, did the subject – could
8		you tell if he had a knife as you were backing up and you said,
9		and you said you look through your rearview mirror.
10		
11	JUAREZ:	Yeah, I looked through the rearview mirror, rear or the right rear,
12		rear passenger
13		
14	CHANDLER:	Passenger.
15 16	II IADE 7.	nacconger mirror. And when I hanked up I sould ivet as a his
16 17	JUAREZ:	passenger mirror. And when I backed up, I could just see his
17		lower body.
19	CHANDLER:	Mm-hmm.
20	OF IMADELIN.	WILL THE BITS
21	JUAREZ:	But I don't, I don't recall seeing a knife.
22		zan azna, rezentzean zeznig erniner
23	CHANDLER:	And you back up and then you get out of your vehicle. Had the
24		subject moved from where you originally had seen him on the
25		curb?
26		
27	JUAREZ:	No.
28		
		23

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1	CHANDLER:	So, I'm going to show you a photo now. It's marked exhibit A. Do
2		you recall who that person is?
3		
4	JUAREZ:	Yes.
5		
6	CHANDLER:	And who's that?
7		
8	JUAREZ:	The – the person I encountered, Cole. Believe his first name's
9		Cole.
10 11	CHANDLER:	Colo Colo Diarros D. I. T. D. M. A
12	CHANDLER.	Cole, Cole Bierma, B-I-E-R-M-A.
13	JUAREZ:	Okay.
14	OUI Vi Vimim.	Ordy.
15	CHANDLER:	And as you exited your vehicle, Cole is on the sidewalk behind
16		the vehicle then still? Or is he in front of you?
17		·
18	JUAREZ:	He's behind me.
19		
20	CHANDLER:	Okay.
21		
22	JUAREZ:	Towards the rear bumper.
23		
24	CHANDLER:	And approximately how far was he from you when you got to that
25		rear bumper?
26		
27	JUAREZ:	Six to eight feet maybe.
28		
		24

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1	CHANDLER:	And when you got to the rear bumper, and you saw him, was he
2		still in the same spot that
3		
4	JUAREZ:	He was coming towards me.
5		
6	CHANDLER:	So, he had began walking towards you
7		
8	JUAREZ:	Yeah.
9		
10	CHANDLER:	or coming towards you.
11		
12	JUAREZ:	Coming towards me, yeah.
13		
14	CHANDLER:	And when he's coming towards you, describe to me what you
15		saw and how he was coming towards you.
16		
17	JUAREZ:	So, as I get out, I see him like I heard what he said. You better
18		pull your gun out. And when I kind of quick scan him, no shirt,
19		dark shorts. I see a knife with the blade out, this way, and he's
20		walking towards me.
21	CUANDI ED:	And just real quick. You're you're indicating that the blade, you
22 23	CHANDLER:	have it kind of like chest height in his chest to waist height, and
23 24		you're indicating it's in his right hand.
2 4 25		you're indicating it's in his right hand.
26	JUAREZ:	Yes.
27	OW/ W banker.	100.
28		
		25

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1	CHANDLER:	Okay.
2		
3	JUAREZ:	Advancing towards me and that's when I start backing up and
4		everything's just going through my head.
5		
6	CHANDLER:	When you first recognized him having the knife, approximately
7		how far was he from you?
8		
9	JUAREZ:	Six to eight feet.
10		
11	CHANDLER:	And describe to me what the knife looked like. You indicated it
12		was open in the blade was out. Tell me what you recall seeing
13		with the
14		
15	JUAREZ:	Dark colored blade. I couldn't even picture how or guess how
16		long it was to me it looked five, six inches long. It looked like a
17		double-edged blade. I I don't know if that's the right term for it.
18		But pointy and sharp. I didn't see the grip because he had it in
19		his hand, and it was pointed at me.
20		
21	CHANDLER:	What was going through your mind?
22	11 1 A prox, prox may	
23	JUAREZ:	This guy's gonna kill me. Kill that this guy's gonna kill me. I
24		need backup. I have my handgun out. Thinking I need to air stuff
25		and I was just Yeah, this guy's gonna kill me if he gets to me.
26	CHANDIED.	I have another whate have the marked as hit is it and a late to
27	CHANDLER:	I have another photo here. It's marked exhibit B, it's of a knife. Is
28		26
		-

	T.	
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1		that knife what, what does that look like to you?
2		
3	JUAREZ:	A knife that could cut someone open and the knife he had. I just
4		remember this dark, this piece here.
5		
6	CHANDLER:	So that's the knife you recall Cole having and then you're seeing
7		the dark piece
8		
9	JUAREZ:	Yeah.
10		
11	CHANDLER:	you're pointing towards
12		
13	JUAREZ:	the blade.
14	CHANDIED.	
15 16	CHANDLER:	the blade, the blade.
17	JUAREZ:	The open blade, yes.
18	JOANLE.	The Open blade, yes.
19	CHANDLER:	So, he's, he's coming towards you. When you first saw him, he's
20		six to eight feet and you started trying to air information. How
21		quickly or how fast or is Cole approaching you?
22		
23	JUAREZ:	Between a fast walk and like a slow jog. That's the only way I
24		could describe it.
25		
26	CHANDLER:	He's not like just shuffling his feet towards you. He's approaching
27		at a faster than a walk?
28		
		27

1 JUAREZ:

Yes, yes.

2

3 CHANDLER:

And you indicated you started backing up to get some distance from him. How far do you think you backed up?

4 5

6 JUAREZ:

Two feet, three feet maybe.

7 8

CHANDLER:

And then what happens next?

9

10

11

12

13

14

15

16

17

18

JUAREZ:

So, I have my, my lapel mic, the microphone on my shirt clipped

on my shirt here. And I call out my callsign 14 Paul 21 and as

soon as I said that he's just, he's closing the distance on me. So,

I have one hand on my duty weapon that's pointed at him, one

hand on the mic and I'm trying to prevent my face from looking

down at the ground on my microphone and stay focused on him.

Just because of distance and he kept approaching me and I --

I'm like, I have to shoot this guy he's too close, so and I need two

hands on my gun.

19

20

21

22

23

24

25

26

27

28

So anticipating, I call out, "shots fired", and dropped the microphone and just put my hands like this and he's going this way to me like to the right of me for like, all I could think myself as I froze at that short distance and just once I got my senses then it to the right of me and I'm kind of staying focused on him and I tell him to drop the knife and he comes at me again that — the fast walk with the knife in his hand and that's when I shot towards him three times.

28

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1	CHANDLER:	You good?
2		
3	JUAREZ:	Yeah.
4		
5	CHANDLER:	You want to take a break let me know we're
6		
7	JUAREZ:	No, I'm good right now.
8		
9	CHANDLER:	Okay.
10		
11		You know what, let's, let's take a quick five.
12		
13	CHANDLER:	Okay. We're going to take a quick break, it's 1404 hours. And we
14		are back on tape at 1415 hours. We're going to start with
15		presenting Exhibit C. Exhibit C is an overhead photo of the crime
16		scene with the San Bernardino County patrol unit in the middle of
17		it. Is this photo to your recollection, represent what you recall as
18		the incident location of this LFE?
19		
20	JUAREZ:	Yes.
21		
22	CHANDLER:	Before we start drawing things out what I would like you to do is -
23		- So, this your car is on
24		
25	JUAREZ:	•
26		
27	CHANDLER:	I'm sorry, and what way is north?
28		29
		2.0

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1	JUAREZ:	Just draw an arrow?
2		
3	CHANDLER:	Yeah, put up in like the corner
4		
5	JUAREZ:	Up here?
6		
7	CHANDLER:	Up here, an arrow and then put
8		
9	JUAREZ:	An "N."
10	CHANDIED.	"h!" undergreet it for mouth. Alriabt on the house with for its the
11 12	CHANDLER:	"N", underneath it for north. Alright, so, we have north facing the, the other way from what way your patrol car is situated, correct?
13		the other way from what way your patrol car is situated, correct?
14	JUAREZ:	Yes.
15		
16	CHANDLER:	Alright. So, going back to where you were talking about, when
17		you first saw the, the suspect, I – what I'd like you to do is draw
18		an "S" for where the suspect was when you first saw him as
19		you're driving south on Okay. And you've made an
20		"S", behind the rear bumper of your patrol unit?
21		
22	JUAREZ:	Yes.
23		
24	CHANDLER:	So, you drive south on And where your car is parked
25		is not where you originally had parked? Correct?
26		
27	JUAREZ:	No.
28		30

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1	CHANDLER:	Put a box where you originally stopped. And then mark that with
2		a "J1" for Juarez starting position. Alright, and then you back
3		your car up to where it's positioned in the vehicle, correct?
4		
5	JUAREZ:	Yes.
6		
7	CHANDLER:	Alright, or in the vehicle in the photo. When you exited your
8		vehicle, where was the suspect?
9	11 1 A T 3 T 7.	Chill in the game and
10 11	JUAREZ:	Still in the same spot.
12	CHANDLER:	So, he hasn't moved yet from after you backed up your car and,
13	OFFARDLEIN.	and exited. Correct?
14		and ontol.
15	JUAREZ:	Correct.
16		
17	CHANDLER:	Okay. And then you indicated that you walked to the rear driver
18		quarter panel, correct?
19		
20	JUAREZ:	Correct.
21		
22	CHANDLER:	Put a "J2" to where you were when you first encountered the
23		subject when you're out of your vehicle. Okay.
24		
25	JUAREZ:	Maybe about right there
26		
27	CHANDLER:	Close enough, right?
28		31
		J.

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1	JUAREZ:	Close. Yeah, yeah.
2		
3	CHANDLER:	Okay, so now you have yourself on the rear driver's side quarter
4		panel. The suspect is behind your vehicle still on the curb, and
5		approximately how far do you believe it could be between the
6		suspect and where you were at the back of the unit?
7		
8	JUAREZ:	Eight to 10 feet maybe.
9		
10	CHANDLER:	Okay. And that's when you recognize the suspect is walking
11		briskly towards you, faster than a walk, a little slower than a jog.
12		He has a knife in his right hand. The blade is pointed towards
13		you and he's telling you to take out your gun.
14	11 1 A C C T .	Yes.
15 16	JUAREZ:	165.
17	CHANDLER:	Then you started to you you take your gun out of your holster.
18	CHANDLEN.	You're trying to put out that you, you're going through
19		you're trying to put out that you, you're going through
20	JUAREZ:	That I'm out with this guy that I'm out with a subject with a knife
21		and just him coming towards me so quick. It's - I couldn't do
22		anything.
23		
24	CHANDLER:	So, you said that you had put out shots fired. You had one hand
25		on your mic, one hand on your gun, you knew that you needed to
26		get your second hand on your gun. So, you transitioned to put
27		two hands on your gun. You're backing away from the subject,
28		
		32

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1		how far you, you said you backed away two, three feet?
2		
3	JUAREZ:	Maybe, yes.
4		
5	CHANDLER:	And the suspect continued on to what would be the, the driver
6		side?
7		
8	JUAREZ:	Yes.
9		
10	CHANDLER:	And how close did he get to you as you were backing up?
11		poor.
12	JUAREZ:	Five feet.
13	CHANDLER:	And varied indicated that you was not out abote fixed before
14 15	CHANDLER.	And you'd indicated that you, you put out shots fired before you had fired your, your firearm and then you, you cause you knew
16		that he was getting too close and you believe that you were
17		gonna have to shoot him. And then you were you gave him
18		you identified yourself and you told him to drop the knife. And
19		then I, I believe you indicated that he, he went a different
20		direction or something like that?
21		-
22	JUAREZ:	Can I, can I won't draw on this but can I, can I kind of like
23		show That, that's easy to explain.
24		
25	CHANDLER:	Yeah, no you can draw so what, what let's do this. From where
26		the "S" is, make a dotted line as to the suspects path as he's
27		approaching you. Okay.
28		
		33

1 JUAREZ:

So, that's the first one.

3 CHANDLER:

Okay, so he, he takes some, some -- he approaches you off the curb line into the middle of the street, and we're still behind the patrol unit.

JUAREZ:

Yes. I keep the patrol unit to my back. Kind of safety, I guess. So, I have — so as I'm backing up this way, along here, he's following me, flanking me, I, I don't know what term to use. He's still, he's still coming at me this way. So, here's the dotted line. So, we get — and I don't know if it's this lane, or how close he is but from me to him, it was five, six feet or closer the whole time.

And as he comes this way towards me, that's when I have the mic in my hand. I'm all, I got to shoot this guy, he's too close, he's too close. I'm panicking, fear. I call out, "shots fired," because I need two hands. At least that way I get it out if something does happen. So as I'm like this, he goes this way to here, and I kind of turn and stay this way about -- I don't know if I'm -- could good at drawing this, about here. So, I'm out here towards the front bumper and that's when I tell him drop the knife, like, "Sheriff's Department". I can't remember the verbiage I was using. Then comes at me -- a jog, between a jog and a run but he took the stance he was going to run full speed at me, right here. And as he gets to here, that's when I fired three shots.

CHANDLER:

Okay.

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1		Can I?
2	***************************************	
3	CHANDLER:	Yeah.
4		
5		So, from you said that, when he first approached you, it was a
6		slow walk between a fast walk and a slow jog?
7		
8	JUAREZ:	Yes.
9		
10		And then after he then just prior, just prior to the shots being
11		fired, can you describe the pace he was at when he when he
12		was coming at you there?
13		
14	JUAREZ:	It was when he took his two steps, three steps. I can't remember
15		exactly. It was between a jog to start running full speed from
16		what I believed his posture was, he was going run full speed at
17		me.
18		
19	CHANDLER:	Alright.
20		
21	JUAREZ:	I'm sorry about the drawing.
22		
23	CHANDLER:	No, you're good. Hold on to that because we're gonna, I'm gonna
24		have you add to your drawing. So, make sure that I have this
25		right and that it's, it's out there. You're you, you had your back on
26		like the driver side of the
27		
28		
		35

01719 059
So, when I first approached him It would be my
ER: You're on the quarter panel.
Yeah, it'd be my left side.
ER: Left shoulder?
Yeah.
rean.
ER: And you see him and then he starts coming at you
in. Tha you doo him and thon no otallo conting at you.
And I'm backpedaling this way.
R: Okay.
Still and then when he gets in front of me. By the time he caught
up to me, I turned to put my back to the car.
R: Okay. So, you're backpedaling against the from the rear of the
patrol unit on the driver side towards the driver's side door
Driver's door, yes.
R: Okay, and he continues to follow you around the vehicle. And
then he, the dotted line here you, you drew, shows that he
walked back towards the curb line in front of the vehicle.
every the more and the more and the control of the second
36
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1	JUAREZ:	Yes.
2		
3	CHANDLER:	And as he's walking around the patrol unit, where's the knife at
4		that time?
5		
6	JUAREZ:	Still pointed towards me in his hand. In his right hand.
7		
8	CHANDLER:	Did he make any motions or gestures to as if he was gonna
9		stab you?
10 11	JUAREZ:	When, he when he advanced towards me right here, he was
12	JOANLE.	coming right at me with the knife pointed out.
13		Johnning right at the with the tame pointed eat.
14	CHANDLER:	Okay. And when you say when he, as you're looking at the
15		photo, is that the second time that he came towards or is that as
16		you're walking around?
17		
18	JUAREZ:	This is as I'm walking around.
19		
20	CHANDLER:	And as you reach the driver's door, he
21		
22	JUAREZ:	He's approaching me with the knife.
23		
24	CHANDLER:	With the knife pointed at you –
25	# 1A O C 7.	Pointed at me
26 27	JUAREZ:	r united at me
28		
		37

	·	
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1	CHANDLER:	and you have it about chest height.
2		
3	JUAREZ:	Yeah.
4		
5	CHANDLER:	Okay. Put a, put a J3, for where you were when he had that knife
6		pointed at you. Okay, and that's right about where the, the
7		driver's door would be.
8		
9	JUAREZ:	Correct.
10	OLIANIDI ED.	And not an CO for whom Colo would have been And
11 12	CHANDLER:	And put an S2 for where Cole would have been. And
13		approximately how far was that?
14	JUAREZ:	Less than five feet.
15	OU/II LEE.	
16	CHANDLER:	And then Cole continued towards the sidewalk?
17		
18	JUAREZ:	Yes. Around, around the front of the vehicle to the curb sidewalk
19		area.
20		
21	CHANDLER:	Okay. Put a J3, or I'm sorry, not a J3. A S3 for where Cole
22		walked to next.
23		
24	JUAREZ:	S3?
25		
26	CHANDLER:	Yeah.
27		
28		
		38

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1	CHANDLER:	Alright. And approximately, scratch that. So, you have the, the
2		S3 and where were you once Cole got to the, the sidewalk?
3		
4	JUAREZ:	Want me to put J3?
5		
6	CHANDLER:	I think we're up to J4 for you.
7		
8	JUAREZ:	J4.
9 10	CHANDLER:	So, you moved a little bit towards the front driver's side bumper?
11	OHANDLEIN.	oo, you moved a little bit towards the hont unvers side bumper:
12	JUAREZ:	Correct.
13		
14	CHANDLER:	Still on the driver's side of the vehicle bumper?
15		
16	JUAREZ:	Yes.
17		
18	CHANDLER:	Alright. And how far was Cole from you when you're at the front
19		of the vehicle to where he is on the sidewalk?
20		
21	JUAREZ:	Six feet maybe?
22	CHANDLED.	And then from when Colo's on the sidewalk than he somes at
23 24	CHANDLER:	And then from when Cole's on the sidewalk, then he comes at you in that jog to run. And that's when you discharge your
25		weapon. Correct?
26		
27	JUAREZ:	Correct.
28		
		39

	7	
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1	CHANDLER:	So, he was proximately six feet and where was the knife as he
2		came at you?
3		
4	JUAREZ:	Still in his right hand, pointed at me.
5	OLIANDI ED.	
6 7	CHANDLER:	Okay. And now he's in a more of a jog to run
8	JUAREZ:	More of a jog to run, yes.
9	3 3 3 3 3 3 3 3 3 3	
10	CHANDLER:	And he's six feet away?
11		
12	JUAREZ:	Yes. I mean, my distance may be off it. I don't know officially how
13		far from there to there is but
14		
15	CHANDLER:	It's, it's what you perceive.
16	II IA DEZ.	Vash
17 18	JUAREZ:	Yeah.
19	CHANDLER:	Okay, and now, you indicated earlier that you, you fell as you
20		were backpedaling
21		
22	JUAREZ:	Yeah.
23		
24	CHANDLER:	- and you received an injury. When did that occur?
25		
26	JUAREZ:	After I fired the third shot.
27		
28		40

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1	CHANDLER:	Alright. So, as Cole was running was coming towards you. You
2		began to backpedal?
ż		
4	JUAREZ:	Yes.
5		
6	CHANDLER:	How far do you, how many steps or how far do you remember
7		backpedaling?
8		
9	JUAREZ:	Two steps maybe. Three?
10		
11	CHANDLER:	And as you're backpedaling, what were, what was going through
12		your mind?
13		
14	JUAREZ:	Don't let this guy get on top of me.
15		
16	CHANDLER:	And to backpedal is that to create distance?
17		
18	JUAREZ:	Yes, yes to create distance to get, to get away.
19		
20		As you, as you were backpedaling to create distance, was he
21		closing that distance?
22)	
23	JUAREZ:	He was still approaching me, yes.
24		
25	CHANDLER:	And he's continuing to, to approach you?
26	11 1 A 77 77 .	Van
27	JUAREZ:	Yes.
28		41
		- · ·

	-	
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1	CHANDLER:	In that jog to run?
2		
3	JUAREZ:	Yes.
4		
5	CHANDLER:	And then you fired three rounds as you were backpedaling?
6		
7	JUAREZ:	Yes.
8		
9	CHANDLER:	I want to talk about your – talk about that. So, what is your
10		shooting platform as you fired your rounds?
11	# IA D.C.7.	Odanadina an kun fant lila dhia
12 13	JUAREZ:	Standing on two feet like this.
13	CHANDLER:	And you have both hands pointed out in front of you
15	OIMINDLEIK.	And you have both hands pointed out in nont or you
16	JUAREZ:	Yes.
17		
18	CHANDLER:	As like a normal standard grip like you're at the range?
19		
20	JUAREZ:	Yes.
21		
22	CHANDLER:	And then are you standing still or are you backpedaling to get
23		distance from Cole?
24		
25	JUAREZ:	Backpedaling to create distance, and he stepped, still kept
26		coming close, because I have the lapel mic hanging on the
27		ground and I'm backpedaling. Backpedaling trying to one step at
28		40
		42

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1		a time. You know, one, one step, two step type thing.
2		
3	CHANDLER:	So, you're slightly moving backwards as you fire
4		
5	JUAREZ:	Yes.
6		
7	CHANDLER:	your rounds.
8	11 1 A M T T	Vaa
9 10	JUAREZ:	Yes.
11	CHANDLER:	And what was your sight picture?
12	Surf 8 30 86 8 hard dam burn 5 6.7	Title Wilde Was your orgine proteino,
13	JUAREZ:	His chest area.
14		
15	CHANDLER:	And were you able to pick up your front sight or what was your
16		was it
17		
18	JUAREZ:	Yes, I picked up my front sight. The two in the front and then the
19		one in the back and then that's all I remember. Seeing his chest
20		area and shooting three times.
21		
22	CHANDLER:	And in regards to the shots that you fired, tell me about the
23		cadence of those rounds.
24 25	JUAREZ:	The cadence?
26	OUM L	riio dadondo:
27	CHANDLER:	Like how quickly did you fire them.
28		• •
		43

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1	JUAREZ:	Boom, boom boom. Like second wise, or
2		
3	CHANDLER:	Yeah.
4		
5	JUAREZ:	It was three, three rapid, three rapid shots.
6		
7	CHANDLER:	One right after another?
8		
9	JUAREZ:	Yes. Yes.
10	CUANDI ED.	Denid europeian?
11 12	CHANDLER:	Rapid succession?
13	JUAREZ:	Yes.
14	W W 16 Now Com.	, 55.
15	CHANDLER:	And if you had to estimate again, how much time do you believe
16		he shot those rounds in?
17		
18	JUAREZ:	Less than a second maybe? A second? Yeah.
19		
20	CHANDLER:	And you have your sight picture is on Cole, describe to me what
21		the backdrop was.
22		
23	JUAREZ:	It was kind of like a wash area with a cinderblock wall that was
24		like a property, a wall for a property, six seven feet tall, I think.
25		
26	CHANDLER:	So, there's a block wall that's sturdy?
27		
28		44

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1	JUAREZ:	Yes, yes.
2		
3	CHANDLER:	And, and then you fire your rounds and where did Cole end up
4		falling? Because I think you indicated he fell onto like his left
5		backside or something like that.
6		
7	JUAREZ:	I would say right here kind of like on the bike lane, I think that is.
8		
9	CHANDLER:	Okay.
10 11	JUAREZ:	Where that fog line is somewhere here.
12	JOANLE.	where that log line is somewhere here.
13	CHANDLER:	What are we up to, S4?
14		• /
15	JUAREZ:	Is that four? Put S4 there?
16		
17	CHANDLER:	Yeah, put S4 for that would be like his ultimate position that he,
18		that he reached. And then you were where were you on this
19		drawing when you fired your rounds?
20		
21	JUAREZ:	Right here in the same spot or close to the same area right here.
22		
23	CHANDLER:	The same spot where we have the J
24	11 1 A C C T .	t dank malk transcript at the tie ancome of the form
25 26	JUAREZ:	I don't really know what that is anymore, four?
20 27	CHANDLER:	I think it's a J.
28	VII/UVLLIV.	ramma co da di
		45

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1	JUAREZ:	Four or five, yeah.
2		
3	CHANDLER:	Okay. And that was approximately how far do you think he was?
4		
5	JUAREZ:	Four feet.
6		
7	CHANDLER:	So, he got about four feet from you before you're able to
8		discharge your weapon and he had the knife at you?
9		
10	JUAREZ:	Yes.
11 12	CHANDIED:	After you discharged your weepen what did you do from there?
13	CHANDLER:	After you discharged your weapon, what did you do from there?
14	JUAREZ:	After the third one, I tripped, I tripped fell, fell on my back, holster
15	Sur Your C - D G - Down Boom 1	up. Well, I kind of I pushed myself up to look to make sure stop
16		the threat. He's on, he's that's what he's laying on his back left
17		side area. So, I get up. As soon as I get up, that's when the next,
18		next patrol unit shows up. I could still hear he's groaning or he's
19		making some kind of noise so, I tell him to turn over and just to
20		make sure his hands are free and the threats, the threats
21		stopped. And then that's when I saw that knife on the side and
22		we got fire department coming to, to come treat him.
23		
24	CHANDLER:	And who is it that requested medical aid?
25		
26	JUAREZ:	Me.
27		
28		
		46

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	1111 2022-039	
1	CHANDLER:	After you discharge your weapon and you requested medical aid
2		how, how much time elapsed before you requested medical aid?
3		
4	JUAREZ:	I want to say less than a minute, maybe? I can't recall.
5		
6	CHANDLER:	So, you got him
7		
8	JUAREZ:	It was quick. Once I realized the threat stopped, he doesn't have
9		a weapon. That's when I requested medical aid.
10		
11	CHANDLER:	Alright. And could you see any injuries on Cole?
12	es e ve koor koor male	
13	JUAREZ:	I just saw blood. Just saw blood around his arm and his
14		abdomen area.
15 16	CHANDLER:	And you kind of pointed to
17	CHANDLER.	And you kind of pointed to
18	JUAREZ:	Like his abdomen and
19	JUANLE.	LIKE INS ADMOTTER AND
20	CHANDLER:	Center abdomen.
21	\$20 2 20 26 % See 6m See 5 % .	Somo: Spacing.ii
22	JUAREZ:	Yeah, so I don't know if it was two shots or just all from the same
23		area from the blood.
24		
25	CHANDLER:	Okay. And the blood that you saw on the abdomen and was it
26		you're, you're pointing to your left arm.
27		
28		
		47
economic and the second		

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1	JUAREZ:	Left arm area, yeah.
2		
3	CHANDLER:	Okay. I want to go back for just a second, just want to show.
4		Does this picture this is Exhibit F. Would in this photo, would it
5		depict where Cole was when you discharged your weapon?
6		
7	JUAREZ:	Could. Could probably, yeah.
8		
9	CHANDLER:	Okay. So we have different angles of it, I'm just trying to get
10		something that's a little bit closer. I have D and E
11		
12	JUAREZ:	This one.
13		
14	CHANDLER:	is there one that better represents it?
15	II I A D C 7.	This are would probably be
16 17	JUAREZ:	This one would probably be
18	CHANDLER:	D? Okay. We'll use exhibit D then. Alright, on here then if you
19	OHANDLLIN.	could draw a J as to where you were, and then just a C I won't
20		use S since we're using it, an S to where Cole was when you
21		discharge your weapon.
22		
23	JUAREZ:	So, I'd say here, just an S you said?
24		
25	CHANDLER:	Yeah.
26		
27	JUAREZ:	And then the J, believe it would be here, right here in the middle
28		
		48

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1		somewhere or I'd be more closer. That's just
2		
3	CHANDLER:	Yeah. So, then a J slightly off the, the front driver's side bumper
4		looks like it's more back closer between the bumper and the
5		driver's side door? Kind of? [inaudible]
6		
7	JUAREZ:	Yeah, like probably the tire would be closer, yeah.
8		
9	CHANDLER:	So, you're about where the front driver's side tire is?
10		
11	JUAREZ:	Yeah.
12 13	CHANDLER:	And then Cole is on the bike lane in the street and that's
14	CHANDLER.	approximately five feet as we've, or you indicated
15		approximately live reet as we ve, or you indicated
16	JUAREZ:	Yeah.
17		
18	CHANDLER:	Do you recall having any prior contacts with Cole?
19		
20	JUAREZ:	No, I believe I haven't had contact with him at all.
21		
22	CHANDLER:	Do you recall any prior contacts that other deputies may have
23		had with Cole?
24		
25	JUAREZ:	When we were going to the call, I believe the deputies were out
26		there the day prior.
27		
28		40
		49
200000000000000000000000000000000000000		

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1	CHANDLER:	Do you have knowledge of, of that call?
2		
3	JUAREZ:	No.
4		
5	CHANDLER:	No?
6		
7	JUAREZ:	No.
8		
9	CHANDLER:	Up until the day of the LFE you had no prior contacts with Cole?
10	S.D. I. A. 1000, pour mag	
11	JUAREZ:	No.
12	CLIANICI ED.	Did vervine annumentacional incompanieta la compa
13 14	CHANDLER:	Did you use any unprofessional inappropriate language?
15	JUAREZ:	I don't believe so.
16	JOANLE.	Tudit believe 30.
17	CHANDLER:	Tell me about the lighting conditions.
18	Care s 19 at a sure and acces s 4.7	
19	JUAREZ:	Daylight, middle of the afternoon. I don't think there was cloud
20		coverage or anything like that. Just clear sunny day.
21		
22	CHANDLER:	Were there any obstructions? Trees, power lines, poles?
23		
24	JUAREZ:	I don't, I don't think so.
25		
26	CHANDLER:	Did you have time to deescalate the situation?
27		
28		
		50

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1	JUAREZ:	No.
2		
3	CHANDLER:	Tell me more about that.
4	***************************************	
5	JUAREZ:	As soon as I get out of my, as soon as I get out of my patrol unit
6		and that I made contact or like I visually see him, he's advancing
7		towards me with a knife saying you better get your gun out and
8		kept advancing me the whole time and I told him to drop the
9		knife and he started to run towards me.
10		
11	CHANDLER:	His actions dictated that response?
12		
13	JUAREZ:	Yes.
14		·
15	CHANDLER:	Did you think to use any other force option?
16		
17	JUAREZ:	No.
18		
19	CHANDLER:	What other force options did you have available to you?
20		
21	JUAREZ:	I had my pepper spray, my taser, and my collapsible baton.
22		
23	CHANDLER:	Would any of those force options have been appropriate?
24		
25	JUAREZ:	No, with the, with the distance he – for the close proximity that
26		he was to me, I don't think they would have been effective or
27		would have been, they wouldn't have stopped the threat.
28		E4
		51

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1 2	CHANDLER:	Do you think you had time to wait for an additional patrol unit or backup?
3		
4	JUAREZ:	No.
5		
6	CHANDLER:	Tell me why.
7		
8	JUAREZ:	Because the time, the he was, he was, he was coming at me
9		with the knife, and he didn't listen to my commands to drop the
10		knife. And there wasn't, there wasn't time, there wasn't enough
11 12		time for another patrol unit to, to come on scene.
13	CHANDLER:	It happened rapidly?
14		
15	JUAREZ:	It was. Yes, yes.
16		
17	CHANDLER:	From the moment you exited your patrol unit to the moment you
18		discharged your weapon, approximately how much time do you
19		believe elapsed?
20		
21	JUAREZ:	30 seconds.
22	CHANDIED.	Describe to me your stress level during the incident
23 24	CHANDLER:	Describe to the your stress level during the incident
2 5	JUAREZ:	Extremely high. Extremely high. The incident fearing for my life.
26		It just escalated my stress at that time, and I don't know what
27		else. I was just, say yeah, I mean it was very high.
28		
		52

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1	CHANDLER:	Describe to me your level of fatigue before.
2	***************************************	
3	JUAREZ:	It was the middle of the day, so I, I wasn't fatigued.
4		
5	CHANDLER:	What about during?
6		
7	JUAREZ:	During? No.
8		
9	CHANDLER:	Any fatigue afterwards?
10	11 1 A PA P 7 .	Deskately like we have as a situation to
11 12	JUAREZ:	Probably like an hour or so after, yeah.
13	CHANDLER:	What do you think you can attribute that to?
14	V8 17 11 8 12 11 11 11 1	what do you think you can attribute that to:
15	JUAREZ:	Just the stress level and the threat to my life. Just everything
16		coming down after that.
17		
18	CHANDLER:	Are you familiar with the area this occurred in?
19		
20	JUAREZ:	Yes.
21		
22	CHANDLER:	Tell me more about the, that.
23		
24	JUAREZ:	It's a residential area, there's the same side I was parked on, the
25		west side there's
26		Across the street, there's some
27		of it there's a, some and all down the street there.
28		53
		JJ

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CHANDLER:	Sounds like an area you drive through frequently?
JUAREZ:	Yes.
CHANDLER:	Approximately how long was it until medical aid arrived?
II I A grow, your ways	
JUAREZ:	A couple minutes maybe.
CHANDI ED:	From your request?
OIMINDELIN.	1 form your request:
JUAREZ:	Yes. Two, three minutes maybe.
CHANDLER:	What would have been your ultimate goal in this situation?
JUAREZ:	No one gets hurt. That's the plan.
CHANDLER:	Contact him and
JUAREZ:	Figure out what's going on.
CHANDLER:	see what's going on with the assault?
RIVAS:	Alright, I just have a few questions for you, and I apologize, I
	might jump back and forth.
HIADE7	No, that's alright.
JUAREZ.	NO, triat's arright.
	54
	H# 2022-059 CHANDLER: JUAREZ: CHANDLER: JUAREZ: CHANDLER: JUAREZ: CHANDLER: JUAREZ: CHANDLER: JUAREZ: JUAREZ: JUAREZ: JUAREZ: JUAREZ: JUAREZ:

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1	RIVAS:	Going back to after you initially saw the suspect, and you drove
2		past him, what did you see? I know you mentioned you were
3		looking at it through the mirror. What did you see him doing at
4		that point?
5		
6	JUAREZ:	I didn't see his feet but I just to me it looked like he was just,
7		just standing there. All I saw I didn't see him move or coming
8		towards me then I just Like I said, I just saw his lower half of
9		his body and I didn't see his upper part. But he didn't, I didn't see
10		him take a step or anything, he just stood there.
11		
12	RIVAS:	Did you see him doing anything? Or did he make any overt
13		action as you drove past him?
14		
15	JUAREZ:	From what I remember? No
16		
17	RIVAS:	What do you recall was behind the suspect when you fired?
18		
19	JUAREZ:	There's a chain link fence like wash area and the block wall.
20		
21	RIVAS:	And after during the incident and at various times what was
22		going through your mind?
23		
24	JUAREZ:	This guy's going to kill me if he guys going to kill me.
25		
26	RIVAS:	And after the incident what, what was going through your mind?
27		
28		
		55

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1	JUAREZ:	After? I'm okay, stop the threat, and where did my rounds go.
3	RIVAS:	And after you fired, you mentioned suspect fell. Where was the
4	1447.0.	knife at, at that point?
5		
6	JUAREZ:	I believe it was next to him on the right, on the ground.
7		
8	CHANDLER:	Before you ask the next question, when it was to the right of him
9		on the ground, approximately how far was that from him?
10		
11	JUAREZ:	From him?
12		
13	CHANDLER:	From and when I say him, I mean Cole.
14		Arma arma'a langth arma'a langth if that Voob
15 16	JUAREZ:	Arms, arm's length. arm's length, if that. Yeah.
17	CHANDLER:	Within?
18	W 1 10 10 10 10 10 10 10 10 10 10 10 10 1	
19	JUAREZ:	Within arm's lengths reach.
20		
21	CHANDLER:	A couple?
22		
23	JUAREZ:	Yeah.
24		
25	RIVAS:	And after you fired, was there another patrol officer there at that
26		point? Or how long did it take after you fired for a secondary
27		officer to respond?
28		56

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1	JUAREZ:	Less than a minute? Yeah, because it was after I once I
2		stood up and gathered everything, my senses and everything,
3	•	that's when the next patrol unit came up. So, a minute, less than
4		a minute to 30 seconds maybe.
5		
6	RIVAS:	And I want to back up a little bit, just to, to the point where you
7		said he kind of you felt like he was going to run full speed at
8		you, just based off how he looked. Can you describe his posture
9		a little bit more?
10		
11	JUAREZ:	Like a running stance type. Like it's hard to explain. How
12		someone would look if they were going to start running.
13		
14	RIVAS:	Okay.
15	£	
16	JUAREZ:	I don't know how to explain, explain that.
17	DIVAC:	That's fine Lundaratend Thank you And what did you think
18 19	RIVAS:	That's fine, I understand. Thank you. And what did you think would happen if, if you didn't fire your weapon?
20		would happen if, if you didn't life your weapons
21	JUAREZ:	He would have gutted me with the knife probably.
22	OUM.	The world have gated the will are time probably.
23	RIVAS:	That's all I have.
24		That o all that o.
25	CHANDLER:	Alright, we'll take a short break and we'll come back. It's 1450
26		hours. Alright, we are back on recording again at 1501 hours.
27		Just a couple of follow up questions. First question is, during,
28		, , , , , , , , , , , , , , , , , , , ,
		57

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1		during the interview here, you indicated that when you fell, you
2		believe that the suspect you didn't want him to get on top of
3		you. What did you think the suspect was going to do if he got on
4		top of you when you fell?
5		
6	JUAREZ:	Stab me with his knife, kill me, use the knife to, to kill me.
7		
8	CHANDLER:	And when you fell, that's when you sustained that injury that we
9		previously talked about.
10		
11	JUAREZ:	Yes.
12		
13	CHANDLER:	The laceration on your, your hand?
14		
15	JUAREZ:	Yes.
16	~	
17	CHANDLER:	During the this incident, was the driver's door open to your
18		patrol unit, or was it closed?
19	· IIIADE7.	Closed.
20 21	JUAREZ:	Ciosea.
22	CHANDLER:	So, and did you close it? When did, did you close the door?
23	Server Server Secretary Secretary Secretary	co, and all you doos it. This is all, all you doos the door.
24	JUAREZ:	As soon as I got out. Closed it.
25	- W. 10 (Walland)	
26	CHANDLER:	When you, you originally went to contact him?
27		<u> </u>
28		
		58

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1	JUAREZ:	Yes.
2		
3	CHANDLER:	You got out, closed the door, went to contact him?
4		
5	JUAREZ:	Yes.
6		
7	CHANDLER:	Okay. We're going to play the audio recording, and it's labeled
8		
9	RIVAS:	It's the first one
10 11	CHANDLER:	I don't know why 14-22-01719.
12	CHANDLER.	1 doi: (know wily 14-22-01719.
13	RECORDING PLAYING	
14		
15	CHANDLER:	Stop it. Right there, the other voice that you heard that's Cole,
16		correct?
17		
18	JUAREZ:	Correct.
19		
20	CHANDLER:	And that's what earlier you were, you had said, he was telling
21		you to, take your gun out, correct?
22		
23	JUAREZ:	Correct.
24		
25	CHANDLER:	And it's those, the, the comments of, "better taker your gun out",
26		that's what you recall hearing?
27		
28		50
		59
:		

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1	JUAREZ:	Yeah.	***************************************
2			0000000000000
3	CHANDLER:	And we stopped at	000000000000000000000000000000000000000
4			-
5	RIVAS:	00:08.	
6	OLIANDI ET		***************************************
7 8	CHANDLER:	00:08 and we'll be resuming again.	***************************************
9	RECORDING PLAYING		****************
10			000000000000000000000000000000000000000
11	CHANDLER:	Stop right there.	***************************************
12			***************************************
13	RIVAS:	00:15.	***************************************
14			***************************************
15	CHANDLER:	At 00:15 you put out shots fired, that's when you were retreating,	*************
16		not retreating but backing up against your patrol unit and Cole	************
17			
18	JUAREZ:	And he's coming face to face with me.	
19			
20	CHANDLER:	And you	
21 22	JUAREZ:	And I had to use two hands.	
23	JUANEZ.	And that to use two hands.	
24	CHANDLER:	Okay.	
25		•	
26	RECORDING PLAYING		
27			-
28			
		60	
			ĺ

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	H# 2022-059	
1	CHANDLER:	And we stopped again at
2		
3	RIVAS:	00:20.
4		
5	CHANDLER:	At 00:20 and that's when Cole had circled around you to the
6		sidewalk and then
7	II I A MOMMA	
8 9	JUAREZ:	Came back out.
10	CHANDLER:	came back at you from that running stance, at that run jog?
11	OHNINGELIA.	carrie back at you from that running stance, at that run joy:
12	JUAREZ:	Yes.
13		
14	RECORDING PLAYING	
15		
16	CHANDLER:	Stop. And we stopped at
17		
18	RIVAS:	00:32.
19		
20	CHANDLER:	00:32 and it sounds like it just
21		
22	JUAREZ:	That's when I got up and got my microphone and then called out
23		shots fired.
24		
25	CHANDLER:	Okay. So, from the beginning of this to the end of this is 32
26		seconds. There's some time at the beginning where you had
27 28		exited your, your car and sounds like from proximately that 10 to
20		61

	DR# 142201719 H# 2022-059	
1		15 second mark till 20 seconds into your audio recording is when
2	***************************************	the majority of the contact where Cole's coming at you. And then
3		you ultimately discharge your weapon, correct?
4		
5	JUAREZ:	Correct.
6		
7	CHANDLER:	So, that's about 10 seconds?
8		
9	JUAREZ:	And look, I didn't hear the first one when it happened, I didn't
10		hear him say that the first time I heard it. After I said, "hey, what's
11		going on?", that's when I heard it. So, him say, "you better get
12		your gun out".
13	OUANDIED.	
14 15	CHANDLER:	So, he said the get you, you better take your gun out twice. You didn't hear the first one.
16		didirt near the mst one.
17	JUAREZ:	No.
18	COM Num.	140.
19	CHANDLER:	And then you recog, you heard it the second time and that's
20		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
21	JUAREZ:	And that's when he's coming at me, yeah.
22		
23	CHANDLER:	And that was all the first time when he comes off you from the
24		curb and he circled around?
25		
26	JUAREZ:	Yes.
27		
28		
		62
1		

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1	CHANDLER:	The last thing I have is you know, there's a lot going on in the,
2		the grand scheme of all this, but your recording was about 20
3		minutes or so. Why were did you keep the recording going for
4		20 minutes?
5		
6	JUAREZ:	I forgot I had it on or the last thing I was thinking about to turn it
7		off or pause it or
8		
9	CHANDLER:	There's a lot of things going on in your head?
10		
11	JUAREZ:	Yeah.
12	on 1 t a 2 3 pm 3 cm 2 m	
13	CHANDLER:	And you'd already indicated early it sounded like it was an
14		extremely stressful situation.
15 16	HIADEZ:	Yes.
17	JUAREZ:	res.
18	CHANDLER:	Mo?
19	OI MINDLEIN.	100:
20	RIVAS:	That's all.
21		
22	JUAREZ:	Well, hopefully nothing was crazy said or anything.
23		
24	CHANDLER:	Anything?
25		
26		I have nothing further.
27		
28		
		63

DR# 142201719 H# 2022-059 CHANDLER: Okay. We're going to be ending this interview and the recording at 15:07 hours.



SUSPECT INTERVIEW

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION	CRIME	CLASSIFICATION		
PC 245(c)	ADW On a Peace Officer	LFE		
VICTIM'S NAME - LAST NAME FIRST NAI	ME MIDDLE NAME	(FIRM NAME IF BUSINESS)		
Juarez Eugene				
SUSPECT INTERVIEW: Cole Bi	erma			
Department (SBCSD) Detective J issued Ford Taurus in front of Applegate used an audio recorde	On Monday, April 22, 2024, at approximately 1413 hours, San Bernardino County Sheriff's Department (SBCSD) Detective Justin Applegate and I interviewed Cole Bierma in my department-issued Ford Taurus in front of in Yucaipa. Bierma spoke to us voluntarily. Applegate used an audio recorder to record the interview. The audio recording was later placed into evidence. The following is a summary of my interview with Bierma.			
Some of the persons mentioned by their first names throughout th		t name and shall be referred to		
I told Cole I wanted to speak with on Friday, May 22, 2022. I told (conversation at any time. Cole to me he would end the interview if	Cole he did not have to speak w ld me he understood and was wi	rith us and was free to end our		
regularly used a variety of street d to drugs led him to feel suicidal. It attempted suicide at least four tim to try to end his life by "suicide by a knife and hoped he would be swere involved in several deputies Cole intended to end his mind at the time and struggled to	rugs and was addicted to heroin. In the years leading up to the LFE Ines, but he was never successfur I cop." According to Cole, he plan I shot in the head. In the weeks le I domestic disputes. I called I life by suicide by cop. According	on Friday, May 27, 2024, Cole I. In May of 2022, Cole decided ned to charge at a deputy with eading up to the LFE, Cole and 9-1-1 and told the responding		
On Friday, May 27, 2022, Cole as in the residence. called 9-1-saw a deputy arrive at the resided did not have a plan to use it on I details about the knife but said it of	-1. Cole left the house and walk nce. According to Cole, he carrie nimself or anyone else. Cole count	ed north on when he ed a knife in his pocket, but he		
Cole removed a full bottle of Xan walked north on and he Juarez, park his patrol vehicle on patrol vehicle. Cole did not rememwas a deputy.	e saw a male deputy, later identife. Cole did not recall if	ied by investigators as Eugene Juarez's vehicle was a marked		

Reviewed By: Sergeant Nicolas Craig

Author: Detective Amy Bilbao

Author Date: 4/22/2024

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SUSPECT INTERVIEW

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

***************************************	CODE SECTION		CRIME		CLASSIFICATION
	PC 245(c)		ADW On a Peace	Officer	LFE
	VICTIM'S NAME - LAST NAME	FIRST NAM	1E	MIDDLE NAME	(FIRM NAME IF BUSINESS)
CONTRACTOR OF	Juarez	Eugene			

SUSPECT INTERVIEW CONTINUED: Cole Bierma According to Cole, he knew Juarez intended to stop him for breaking window, and he thought, "Here's my opportunity." Cole removed the knife from his pocket and pointed the blade at Juarez as Juarez exited his vehicle. Cole claimed he did not recall if he or Juarez spoke to each other. Cole could not recall what his distance from Juarez was when he held the knife. Cole assumed Juarez told him to stop and drop the knife, but he did not recall. Cole did not recall if he ran toward Juarez with the knife, but he knew Juarez shot him three times. According to Cole, his goal was to die, and he was upset Juarez did not shoot him in the head. Cole claimed he never intended to stab Juarez and would have dropped the knife if Juarez did not shoot him. Cole said, "When someone runs at you with a knife, shoot him! I would have shot me." According to Cole, he did not have any issues with law enforcement and was simply looking for a way to end his life. Cole stayed at for approximately one month after the LFE. and allowed Cole to return to their residence and helped to rehabilitate

him. Let told Cole he was shot after he lunged at Juarez with a knife. According to Cole, although he did not recall most of the incident, he had no doubt he lunged at Juarez with the knife. Cole said he was thankful Juarez shot him because the LFE allowed him to change his life for the better. Cole managed his addiction through medication at a treatment center, received support

According to Cole, he was lucky to be alive and was sorry for what he put Juarez through. Cole said, "If this puts me in prison, I still would answer the questions the exact same. I want to do the right thing." Cole had no memory of what Juarez looked like and only remembered he was a male.

Cole was unable to provide further information and I concluded the interview.

from his family, went to therapy, and no longer had suicidal ideations.

Reviewed By: Sergeant Nicolas Craig

Date: 4/23/24

Author: Detective Amy Bilbao

Author Date: 4/22/2024

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WITNESS INTERVIEW

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION	CRIME	***************************************	CLASSIFICATION
PC 245(c)	ADW on a	a Peace Officer	
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		
Department (SBCSD) [2022, at approxin Detectives Cory Droce, s of their audio reco	nately 0017 hours, ost and Mauricio Riv in Yucaipa. The ordings were download	San Bernardino County Sheriff's as interviewed and and interview was recorded with their aded onto the digital case file. The and
On Tuesday, April 22, 2024, at approximately 2100 hours, I reviewed the verbatim transcript using Drost's audio recordings for accuracy.			

Reviewed By:

76

Date:

Author: Sgt. N. Craig

Author Date: 04/23/2024

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	DR# 142201719 H# 2022-059	
1	Interview with	
2	6000	
3	DROST:	Hi. Is here?
4		
5		[inaudible].
6		
7	DROST:	Back here, or next door?
8		
9	DROST:	Okay, sorry about that. Thank you.
10		
11	RIVAS:	Are there any dogs over here?
12		
13		I believe.
14		
15	RIVAS:	Okay.
16		PA/allian danalandan landan la
17 18		[Walking, dogs barking, knocking on door]
19	DROST:	Hello. Are you Are you Record ? Records, are we
20	DRO31.	Hello. Are you Are you are we able to talk to you for a moment? We're with the Sheriff's
21		Department.
22		Department.
23		It's 12:17.
24		
25	DROST:	I know. I apologize for the late time, sir. But we've been working
26		continuously since about earlier this afternoon.
27		
28		
***************************************		1

DR# 142201719 H# 2022-059 1	
2	
}	
Get in here. Hey, get inside here. Come in.	
4	
5 DROST: Thank you. Is it just you that's home?	
6	
7 in bed.	
8	
9 DROST: Oh, really.	
10	
11 Yeah.	
12	
DROST: Were you sleeping out here on the couch?	
14	
Yes.	
16 DDCCT	
17 DROST: I apologize for that.	
18 19 RIVAS: I'm sorry about that sir.	İ
19 RIVAS: I'm sorry about that sir.	
21 DROST: Part of the reason why we're here is we understand that the	here
might have been some ongoing things that occurred before	
incident today. So, we want to see if we can sit down and	
to you about those prior occasions.	- P
25	
26 Have a seat right there.	
27	
28	
2	

	DR# 142201719 H# 2022-059	
1	RIVAS:	Thank you, sir.
2		
3	DROST:	Do you think –
4		
5		Oh Blackie
6		
7	DROST:	I'm sorry, I don't recall name off the top of my head.
8		
9		
10		
11	DROST:	Do you think it's She'd be all right to talking with my other
12		partners. So that way we don't have to come back at another
13		time and disturb you guys at another time.
14		
15		No.
16		
17	DROST	No, as in you don't think that she'd be okay with that or no that
18		wouldn't be a problem.
19		
20		No, she wouldn't be okay with that.
21 22		[dog growing and barking] Hey! Stop. You can sit over here, too.
23	DROST:	One of the things we do have, it's kind of a normal procedure
24	DROOT.	that we normally take care of, is we like to look around make
25		sure like suicide notes aren't left behind or any sorts of
26		circumstances. So, my partner's here, you're able to direct us to
27		Cole's room. They're going to take photos of that room. We have
28		The second secon
		3

	DR# 142201719 H# 2022-059	
1		a Search Warrant here, just as a kind of a standard thing that we
2		do and they're just going to document what his room looks like.
3		So maybe we can start with showing them that and then you and
4		I can talk, and we'll be out of your hair, hopefully no longer than
5		we need to be.
6	000000000000000000000000000000000000000	
7		[dog growling] Hey!
8		
9	DROST:	Very protective dog, huh?
10		
11		He's funny.
12		
13	DROST:	How long have you've had him?
14		
15		A couple of years.
16		
17	DROST:	Yeah. Is he a Rescue?
18		
19	· ·	What was that?
20		
21	DROST:	Is he a Rescue?
22		h i
23 24		No.
2 4 25	DROST:	Thank you.
25 26	DROST.	mank you.
20 27		Come on.
28		we written Willi
		4

	DR# 142201719 H# 2022-059	
1	DROST:	Following Communication Commun
2	***************************************	
3	RIVAS:	Oh, got some M&M'S huh?
4		
5		Stop! [dog barking] Stop. No.
6		
7	DROST:	Thank you sir.
8		
9		Yep.
10		
11	DROST:	I figure now we can speed it up and I'll keep you much longer.
12		
13		That's okay.
14		
15	DROST:	Is your last name pronounced
16		
17 18		
19	DROST:	Okay, like I said from the beginning, we're both with our
20	DROOT.	Homicide Detail. Actually, everybody who's here is with our
21		Homicide Detail. Basically, what happens is we come in and
22		assume an investigation when it is something of this nature. That
23		way there's, it prevents the personnel that work at the station
24		that's involved from being part of it and we're kind of the
25		clearinghouse for the department. Okay? I want to make sure –
26		are you all right with talking to us about the events that occurred
27		today and maybe some of the previous stuff?
28		
		5

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1		Yeah.
2		
3	DROST:	All right. Do you mind if I start by getting your last name for me,
4		sir? Your – the spelling on your last name?
5		
6		as in '
7		
8	DROST:	Thank you. And how do you spell
9 10		
11		
12	DROST:	So, no So.
13		
14		Huh?
15		
16	DROST:	
17		
18		
19		
20	DROST:	Oh, I'm sorry.
21 22		
23		
24	DROST:	Sorry, I misheard you. And your birthday, please?
25		
26	'	
27		
28		
		6

	DR# 142201719	
	H# 2022-059	
1	DROST:	Your phone number?
2		
3		
4		
5	DROST:	All right. Well, if you don't mind, we can start by what happened
6		today and then we'll maybe we talked about some of the past
7		stuff. So, if we can start by kind of what happened, if anything
8		happened, this morning.
9		
10		Well, Cole woke me up at 4:30.
11		
12	DROST:	a.m.?
13		
14		a.m.
15		
16	DROST:	Okay.
17		
18		He was hurting really bad. He's been on methadone and Xanax.
19		And yesterday, he was off it for six days and then yesterday was
20		his first dose of methadone again. And yesterday, he got his refill
21		of Xanax. But overnight, that wore off. So, he was withdrawing
22		and so I was going outside with him to take him to the clinic and
23		there was a white van out on the street.
24		
25	DROST:	Was that today?
26		V
27		Yep.
28		7
		,

	DR# 142201719 H# 2022-059	
1	DROST:	Okay.
2		
3		And that van was a ride for him to take him to the clinic. So, he $-$
4	000000000000000000000000000000000000000	How are you doing buddy?
5		
6	BRETT CHANDLER:	Pretty good. Yourself, Sir?
7	:	
8		Not too bad.
9		
10	DROST	He's going to help them in the other room. He brought them
11		some bags and some supplies.
12		
13		And so, the van took him down to the clinic and he forgot his
14		bottle of Xanax. So, they would not dose him until he came
15		home, got his Xanax, and went back down again. So, he came
16		home with that van, and then I had to take him back again. So, it
17		took until we got there five minutes till 6:00 and it took until
18		7:15 to get him dosed.
19		
20	DROST:	We're still talking about a.m., right?
21		
22		Yeah.
23		
24	DROST:	In morning. Okay.
25		
26		And so, he was a bit agitated. So, we were – him and I were
27		having issues and I told him he needed to move out. He, I told
28		
		8

7 8

6

10

13 14

16 17

15

18

19

20 21

22 23

24

25 26

27 28

9 DROST: 11 12

him, "Pack your stuff, and I'll meet you out on the curb with your meds," and he says, "No." He says, "You give me my meds now and I'll leave." And I said, "No. If I gave you your meds, you won't leave. You'll just take them all." So finally, he agreed, and he says, "I'll meet you out at the curb, and you bring me my meds." So, I did. I gave them to him, and he grabbed them out of my hand, and he took off down the street.

What time was that at, roughly?

Oh, maybe 10:00, roughly. So, he went down the street and an hour or so later he comes back, and I had locked the doors and he knocked on the door and he knocked on it real hard. So, I let him in. He said, "I need a wallet." So, he went back to his room, and I went with him, and he got a couple of wallets out of his drawer and I said, "Cole, you need to leave." And finally, he did. He got up and he went out. And I walked him out to the street. And he walked backwards, and he was all agitated and...

And so, I walked him out to the street, and he had a glass of water and he threw that water in my face. And so when he got out to the street, I turned around, I came back to the house, and I came inside and sat down. Then all of a sudden a crash through the window. He threw something through the window. So, I went outside, and he was going off down the street, and I thought, "Oh jeepers, I should call the sheriff."

Well, a couple minutes later, knock, knock, knock. There's a sheriff at my door. And I thought — I said to — She says, "I need to need to verify an address," and I said, "Oh, wow. I'm glad you're here." She says, "Well, I need to verify an address." I said, "Okay." So, we got to talking and we walked out to the street of this approach, and we're standing there talking and we hear boom, boom, pop. And that's when the officer shot Cole.

So, she heard something on her radio in her ear and she ran down the street and I stayed out at the street talking to the here, and I got to thinking about, "Well, crap.

That's right where Cole was or would have been." And so, the

police officer lady came walking back and I said, "Was it Cole?" She says, "Yep. He's breathing. He's conscious. We shot him in the leg, and he'll make it. They're taking him to the hospital." And so, that was that.

Okay. So, I'm gonna ask you some, kind of, some times off of the things that you said. Just so I'm on the same page, kind of chronologically. After Cole left the house and he came back to get his wallets, do you remember about what time that was? Or how long after he left?

He left the first time about 10:00 a.m. He would have been here about 11:00 a.m.

Okay.

DROST:

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1		To get his wallet.
2		
3	DROST:	Okay. And then how long did he stay here before he left again?
4		
5		Minutes.
6		
7	DROST:	One to two minutes?
8		
9		Probably 10 to 15.
10		
11	DROST:	Okay. And that's when you more or less kind of followed him out
12		to the road, made sure that he left, you followed him out to the
13		road, and he went walking from what it looks like, you said it
14		looked like he went on on
15		
16		Yeah.
17		
18	DROST:	Okay. At that time, what was he wearing?
19		
20		A white t – long-sleeved t-shirt.
21		
22	DROST:	Anything else? Do you remember what he was wearing for like
23		shorts or pants?
24		
25		Dark, short pants.
26	D.D.O.T.	
27	DROST:	Okay, and
28		11

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1		Black.
2		
3	DROST:	Okay. How long after you came back in the house, you said you
4		sat down on the couch, and that's when there was the crash
5		through the window?
6		
7		Maybe another five, 10 minutes.
8 9	DROST:	All right. Did you go outside to see what was thrown? Or do you
10	DROST.	just stay on the couch?
11		jactoray on the occurr.
12		Well, he had threatened early in the day, he says, "You're gonna
13		pay. I'm gonna. I'm gonna break every window in this house."
14		
15	DROST:	When was –
16		
17		So, I knew I knew what?
18		
19	DROST:	When was that said?
20		
21		This morning.
22 23	DROST:	What point in this, kind of, series of events that.
24	DNOOT.	vitat point in tine, kind of, school of events that.
25		Let's say Well, probably around 10:30.
26		
27	DROST:	So, it was before he ended up leaving, after he got his wallets. In
28		
		12

	DR# 142201719 H# 2022-059	
	H# 2022-039	
1		between when he left, came back, while he, before he left again
2		that's when he said it.
3		
4		Yeah.
5		
6	DROST:	Okay. Did he say anything other than I'm gonna break every
7		window in the house?
8		
9		No.
10		
11	DROST:	Was that a result of the argument that you guys were having or
12		that disagreements that you were having?
13		
14	Other person UF:	Yes.
15		
16	DROST:	During that portion or up until the window was broken, at any
17		point between 4:30 and then I guess it'd be about 10:30, was
18		there anything physical between you guys?
19		
20		He pushed me a couple of times and I pushed you back.
21	m m ~ ~ ~ ~	
22	DROST:	Was that pretty close to when he said the comment about
23		breaking all the windows?
24		Marian baharan 0,00 and 44,00
25 26		It was between 9:00 and 11:00.
26 27	DROST:	Okay. So based on that statement, you already knew what he
2 <i>1</i> 28	DIOGE	Onay. So based on that statement, you already knew what he
ں ے		13

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H# 2	022-059

was doing. Did you go out and see if he was outside? Or did you leave it alone?

I can't remember. I went outside, I went outside to check the window.

You're pointing to this one. Is this the one he threw something through?

DROST:

Yeah, right here.

DROST: Okay.

And I went outside to check the window and I noticed a little brown box and a little plastic blue tote were tipped off the railing here on the front porch. And then they were laying on their side and on the dirt. And then I noticed our chef's knife was stuck down in the dirt. And the lady officer that was here, she took pictures of all that. And I thought to myself, Wow, that's crazy. I didn't even know we had it. So, he had stuck it point first into the dirt.

At some point, when I walked him back out to the street, he had a glass with water in it and threw that water in my face. And then he walked down the street, and he threw that glass in the middle of the street and broke it. That's when he walked in and got shot. So, I'm telling you all kinds of stuff here. How's he doing?

DROST:

2 3 4

1

5 6

7

8

9

10 DROST:

12

11

13 14

15 16

17

18 19

20

21 22

23

DROST:

24 25

26 27

28

So, as far as I know, he's still at the hospital. He's out of surgery. From what I understand, he's still sedated and that was the last update that I got. My partners that are in the room, after they're done here, their next stop is the hospital. Once they're there, I can probably give you a phone call if you're going to be up and I can kind of give you an update.

Text would be better.

Okay. I'll do something to reach out to you. I can send you a message if you - if it wakes up, you want to call me? I'll give you a call. Otherwise, you can give me a call tomorrow and I'll fill you in. I'd rather, that's something I'd rather have that conversation in person, you know. I don't know what that information is going to be. I'll say that right now. But still, nonetheless, I don't think a text message is as personal. I'd like to do it in person if I could, but given the circumstances, a phone call is probably the next best thing.

And how many times was he shot?

From what I know now, and it's still preliminary because we haven't been to the hospital yet; it's twice. Okay. And I believe the hand, forearm area was one of them and we have a little bit of conflicting information on whether the other one was the abdomen or somewhere else. So once again, we haven't been there. I can't say for certain. That's just what I've picked up from

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1	***************************************	what some of the people we've interviewed have seen. So
2		
3 4		The police officer lady that was here and she ran down to the
5		scene, she said he got shot in the leg.
6	DROST:	Dight I don't know who rought he what she care I didn't
7	DROST.	Right. I don't know where that might be what she saw. I didn't
8		speak to that deputy, so I don't know. We've, up until you, we've talked to kind of everybody that was in the community. As you
9		can tell, it's a lengthy process. Our interviews take quite a bit of
10		time.
11		urie.
12		Yeah.
13		1 dan.
14	DROST:	So, we haven't been able to get to the deputies yet. We prefer
15		not to do this in the middle of the night, but for you, they'll at least
16		be working. We can, you know, get them done another time or
17		we don't want to keep inconveniencing these people that are out
18		in the community. So, I do apologize for the late hour, and I
19		appreciate you talking to us.
20		
21		What will he be charged with?
22		
23	DROST:	We don't decide any of the charges. We're going to collect
24		basically, the totality of everything. And essentially, our report
25		goes to the district attorney for their determination on if any
26		charges are going to be filed, it's going to be coming from their
27		discretion. Okay? And then, along with that conversation about
28		

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1		the hospital stuff, we can have a conversation about what the
2		next step with Cole is going to be from here. But like I said,
3		honestly, we don't know that until a little bit further down the
4		road.
5		
6		Yeah.
7		
8	DROST:	Okay. Now, back to what you were mentioning about, you got
9		the knock on the door and this time it was a deputy. How long
10	***************************************	after Cole threw that glass through the window, or that item
11		through the window, and went down the street did she show up?
12		8.6:
13 14		Minutes.
1 5	DROST:	Five to 10 minutes, somewhere in there again?
16		The to To himates, somewhere in there again:
17		Yeah.
18		
19	DROST:	All right. Do you remember that deputies name?
20		
21		No.
22		
23	DROST:	Okay. What was the rest of the conversation aside from when
24		she said she had to verify an address?
25		
26		S. Olvera.
27		
28		
***************************************		17

	DR# 142201719 H# 2022-059	
1	DROST:	Okay. Did you guys discuss anything other than this address?
2		
3		I think we talked about Cole.
4	***************************************	
5	DROST:	Do you remember what that conversation was about?
6	***************************************	
7	***************************************	No. Well just mostly about the events of the day.
8		
9	DROST:	That had already, that you're already telling me about?
10		
11		Yeah.
12	DDOCT.	All wholes Annal shows the state of the stat
13 14	DROST:	All right. And then I don't think I've asked you this, and I'm pretty
15		sure I have a good idea but just to be safe, who is Cole to you?
16		Who is Cole to me?
17		
18	DROST:	Yes.
19		
20		
21		
22	DROST:	Okay.
23		
24		Yep.
25		
26	DROST:	Okay. While we're on the topic of Cole, you mentioned that he's
27		taking these medications. Are those prescribed medications?
28		40
		18

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1		Yep.
2		7 op.
3	DROST:	What's he take them for?
4		
5		Well, Cole started taking drugs when he was 15. Marijuana, then
6		he graduated to pills. Then he graduated to heroin and then he
7		got off the heroin and on to methadone, and then back to heroin
8		and then back to methadone, and back and forth all these years.
9		
10	DROST:	How long would you say that he had been using the pills and the
11		heroin before he started the methadone?
12		
13		Oh, I don't know.
14		
15	DROST:	Or about how old he was when you became aware of it at least?
16		
17		He probably… We probably became aware of it when he was
18		
19	DROST:	How old is he now?
20		
21		
22		
23	DROST:	So, give or take 14 years-ish of use between some illicit pills,
24		illegal pills, heroin, and then transitioning between heroin and
25		methadone.
26		Von
27 28		Yep.
20		19

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1	DROST:	Okay. Was he has he been diagnosed with any sort of mental
2		health issues, depression, or anything like that?
3	***************************************	
4		He's taken depression meds.
5		
6	DROST:	Prescribed to him?
7		
8		Huh?
9		
10	DROST:	Prescribed to him.
11		
12		Yeah.
13		
14		And he's been in BHC probably six times.
15	DDACT.	NATIONAL IN TOLLOGO
16 17	DROST:	What is BHC?
18		Behavioral Health Clinic. And they don't do anything. They hold
19		him for 72 hours, release him. This last time I called them up, I
20		said, You don't, Cole won't make it on the street when you let
21		him out. I said, I would appreciate a phone call when you release
22		him. Well, if he agrees to that, then we'll do that, and I gave them
23		my phone number. And Friday night, at 10 minutes after 10:00
24		p.m., he comes walking in the door.
25		
26	DROST:	Last Friday night? A week ago?
27		
28		
		20

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1		Today is
2		
3	DROST:	Today is Saturday now, but yesterday was Friday.
4		
5		Yeah, a week ago.
6		
7	DROST:	Okay.
8		
9		And he come walking in at 10 after 10:00 p.m., and I'm thinking,
10		"Oh, nice phone call." Anyway, I don't have anything good to say
11		about Behavioral Health. They don't do crap. We called every
12		place imaginable to try to get to get him help. Nothing works.
13		Last week, eyem even called the Sheriff's Department and
14		they had, is it Jorge?
15		
16	DROST:	I don't work at the station so I'm not 100% sure. But is it would
17		it be the equivalent of like somebody that would respond here to
18		come talk to Cole?
19		
20		Yeah.
21		
22	DROST:	Okay.
23		
24		And he was so Earlier this week, three policemen showed up; I
25		think called them. Three policemen showed up. One of
26		them standing out by the blacktop in the sidewalk – end of the
27		sidewalk. He's standing there with a shotgun. There's a lady
28		
***************************************		21

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1	***************************************	officer here at the door and another officer over at the porch over
2	***************************************	here. And they knock at the door, and they want to talk to Cole.
3		So, Cole went out and talked to them, and then I went out and
4	***************************************	talked to them. And the lady officer, she says, "Well, we got to,
5	***************************************	she says, Do you feel safe with him here? I said, Sure. Okay.
6		You're sure you feel safe? Yeah. So, I think it was yesterday
7		
8	DROST:	You mean Friday or Thursday, are we talking about? We're a
9		little after midnight, right now.
10		
11		Thursday.
12		
13	DROST:	Okay.
14		
15		I called again, and I told dispatch that I did not feel safe with him
16		here and I expected that somebody would show up and take him
17		away. They did not. They said, there is nothing we can arrest
18		him for. If you want him gone, you're gonna have to get a
19		restraining order.
20		
21	DROST:	Did somebody come out and talk to you, or was this over the
22		phone?
23		
24		This was officers here. And you'd have to get a restraining order.
25		Oh, okay. Well, the other officer asked me if I was safe here and
26		then they sounded like they were going to take him away. They
27		said, Well, there's nothing that we can arrest him for. He hasn't
28		
		22
5		3

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1		done anything illegal and we you know, he's got rights, too. So
2		anyway, I tried to get him taken care of, but that didn't work. And
3		so - I don't know where I was going with all that.
4		
5	DROST:	Was there something that happened that made you not feel safe
6		at that point?
7 8		He was getting more agitated and just simply, he was getting
9		more agitated.
10		more agrated.
11	DROST:	Did he make any threats or anything to you at that point? On
12		Thursday?
13		
14		You know, he has said several times that I would pay, that he
15		would break all the windows out, how he would kick the door
16		down. He kicked. We controlled his meds and that frustrated
17		him, and we kept them locked up in the back bedroom here. He
18		threatened to kick the door down and grab his meds and that
19		was it.
20		
21	DROST:	Do you remember about what time it was that you called the
22		Sheriff's Department on Thursday?
23		800. A I.
24		Probably around noon.
25	DROST:	Man those anothing also that you sure discussed as Thursday
26 27	DROS1;	Was there anything else that you guys discussed on Thursday?
28		
		23

28

1 You mean Cole? 2 3 DROST: You and the deputies that showed up. 4 5 Just I explained to them everything I'm telling you and they said that -- they asked if I had provided him with an eviction notice. I 6 7 said, no. Does he pay any rent? No. And they said, well, the only 8 thing that you can do is get a restraining order and they review 9 the different kinds of restraining orders. And that bored the ever-10 living crap out of me to get a restraining order. And it's like, well, 11 see what happens. But they were nice. They did what they could 12 do. So, I was satisfied. 13 14 DROST: Did anything, after the deputies left on Thursday, did that spur 15 any tension between you and Cole or add to any tension 16 between you and Cole? 17 18 He started saying that I couldn't kick him out. He says, I own this 19 property. Oh. And he says, You have to give me 30 days notice 20 before you can take me out. Oh, really, was my response. So 21 today, that's what I was pushing was for him to get out and that's 22 what he was doing. 23 24 DROST: I don't think I've asked you that when he threw the item through 25 the window, did it actually break the glass or... 26 27 Well, yeah. There's a big old hole in the window.

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1	DROST:	What do you think that big old giant window is gonna cost - that
2		is a giant window - cost to replace that glass?
3		
4		Oh, it's just strips.
5		
6	DROST:	Oh, is it?
7		
8		Like that and the width from this joint in the blind right here to this
9		joint.
10		
11	DROST:	Okay.
12		
13		So, it will probably cost \$150, \$200.
14		
15	DROST:	All right. Okay, and so now, once I know we're gonna jump
16		way ahead now. When you went outside and you saw that
17		kitchen knife outside, do you know where that kitchen knife
18		originally came from?
19		
20		Yeah, the drawer right in here.
21		
22	DROST:	Do you know when Cole got that knife?
23		
24		No. I had no idea that he'd have it. Was very surprised when I
25		saw.
26		
27	DROST:	And when you and Cole were having this spat today –
28		
		25

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1		Yeah.
2		
3	DROST:	When you and Cole were having this spat today, were there any
4		threats to hurt you or hurt or anything other than just
5	***************************************	breaking property?
6		
7	***************************************	Just the fact that, you know.
8	-	
9	DROST:	Saying you'll pay.
10		
11		You're gonna pay.
12		
13	DROST:	Okay, and then once you were outside with the deputy, Olvera,
14		and you heard the gunshots, did you know who that was at that
15		point?
16		
17		No. But I kind of figured out that Cole would have been right in
18		that spot, right when that happened.
19		
20	DROST:	Okay.
21		
22		And I started to assume the worst and then when she came
23		back, I asked her, and she said it was Cole.
24		
25	DROST:	How long after she took off running down there did she come
26		back?
27		
28		
		26

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1		Half hour, 45 minutes.
2		
3	DROST:	All right. How long did Deputy Olvera stay over here with you?
4	***************************************	
5		Half hour.
6		
7	DROST:	Where did she go after that?
8		
9		Well, she put her car as a roadblock here and then she went to
10		the scene.
11		
12	DROST:	What did you do?
13		
14		I stood here in the driveway and talked to
15		
16	DROST:	Did know anything at this point?
17		
18		was at work.
19		
20	DROST:	Okay. When did she come back home?
21		
22		5:30.
23		
24	DROST:	Did you give her a call before she got home and tell her what
25		happened?
26		I texted her.
27		
28		
		27

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1	DROST:	Okay. Did you guys have a conversa – did she give you a phone
2		call or –
3		
4		No.
5		
6	DROST:	Did she respond to you when you texted her?
7		
8		Yeah. She said, okay, and then she said, How did you find out?
9		
10	DROST:	Was that the end of your conversation or did guys go back and
11		forth for a little bit?
12		
13		I told her how I found out and then she said, so sad. I said, Yes.
14	***************************************	Do you tell the Yes, and Thanks.
15 16	DROST:	Did you are decomed that are not all at a constitute of the
17	DROST.	Did you go down to that scene at all at any point? Or did you
18	***************************************	stay up here at the house?
19		Yeah, I walked down to the crime scene tape.
20		reall, I walked down to the chine scene tape.
21	DROST:	Okay.
22		
23		And he was already gone.
24		, ,
25	DROST:	Talking about Cole?
26		
27		Yeah.
28		
		28
8		

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1	DROST:	Do you know about what time, roughly, it was that you went
2		down to the tape?
3		
4	***************************************	Oh, probably 1:00, 1:30.
5	***************************************	
6	DROST:	How long had passed since you heard the gunshots at that
7	***************************************	point?
8	***************************************	
9		About a good hour.
10		
11	DROST:	Did you after the gunshots, did you hear sirens for any other
12		patrol vehicles or Fire Department or
13		
14		Yeah, the Fire Department, the ambulance, more cops.
15		
16	DROST:	Can you tell me about those events?
17		
18	:	Just heard the sirens as they drove up.
19		
20	DROST:	Were you outside during that time?
21		
22		Yep.
23		
24	DROST:	Okay, did you see them go down there and go help Cole or was
25		your view blocked?
26		You know, I didn't see the ambulance pick him up. He was gone
27		right away.
28		
- 3		29

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1	DROST:	Okay.
2		
3		Really quick. And the fire truck got here and usually they stay for
4		quite a while. But they got here, and they left, and I thought, well,
5		he must be gone.
6	***************************************	
7	DROST:	Gone as in taken – transported?
8		
9		Yeah.
10		
11	DROST:	Okay.
12		
13		And so, the officer lady, she said "Yeah, they got him out of here
14		really quick."
15		
16	DROST:	How long after you heard the gunshots do you think the fire. How
17		long would you estimate the Fire Department got here after the
18 19		gunshots?
20		Oh, 10, 15 minutes.
21		On, 10, 13 fimilities.
22	DROST:	To the best of what you recall, how long did you notice that
23		afterwards, that they arrived, that they were gone again?
24		and wards, that they arrived, that they were gone again:
25		Oh, probably another 15 minutes.
26		on, producty director to minutes.
27	DROST:	All right, and kind of go back. At one point we heard that maybe
28		C , C
		30

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1		Cole had talked or made some suicidal statements in the past?
2		Cole had talked of made some suicidal statements in the past?
3		Cole, when, earlier in the week, when the three officers came to
4	-	the door and the guy was standing by the blacktop with the
5		shotgun
6	•	
7	DROST:	Last Friday? The previous Friday?
8		
9		No, that was like Monday or Tuesday or something like that.
10		
11	DROST:	Okay.
12		
13		When him and I came back in the house and sat down, he says,
14		I really screwed up. He said, I looked at that guy with the
15		shotgun and gave him a dirty look. And he says, If I'd have been
16		thinking, I would have charged him, so he'd have shot me. And
17		So what do you got in the bag there, buddy?
18		
19	AMY BILBAO:	Right now, I'm leaving you a basically what we call a Search
20		Warrant Receipt. I can show you real quick. There's a couple of
21		things that we're taking and so I'm going to write this all down for
22		you and give you the copy along with your copy of the search
23		warrant.
24	CHANDIED.	
25	CHANDLER:	Old cellphones, two flash drives.
26 27	BILBAO:	All right, I'm just gonna write this down for you, sir, and then I'm
28	BILBAO.	All right, fire just gornia write this down for you, sir, and then fire
		31

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1		gonna give you your copy. Okay?
2		
3		Okay, thank you.
4		
5	DROST:	Did you guys discuss his statements any further?
6		
7		No because he's talked before about suicide-by-cop.
8 9	DOOCT	
10	DROST:	Can you tell me a little bit more about that?
11		You know, just in the past, he's talked about doing that. And I
12		couldn't tell you when, I couldn't tell you what time, it's just in the
13		past he's talked about that.
14		
15	DROST:	How many times would you say he's brought that type of a
16		conversation up?
17		
18		I would guess three or four.
19		
20	DROST:	Within the last year? Last six months? Two weeks?
21		
22		Last five to 10 years.
23		
24	DROST:	Okay, so it's been pretty spread out.
25		Oh wash
26 27		Oh, yeah.
28		
<i>د</i>		32

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4	DROST:	Okay.
2		
3		Yeah. Yeah.
4		
5	DROST:	Has Cole ever attempted suicide?
6	***************************************	
7		Oh, yeah. Four or five times.
8		
9	DROST:	How has he tried that, during those attempts?
10		
11		Well, last week, Friday Today's Friday. So, a week ago today,
12		he had a new prescription bottle of Xanax. There was 58 pills in
13		that bottle and he'd gone to the clinic, and they'd given him he
14		gave – had his dose Friday morning. So, he took one dose –
15		
16	DROST:	Is this the methadone that he's getting dosed with or Xanax?
17		
18		Methadone.
19		
20	DROST:	Okay.
21		
22		And then they gave him two doses for take-homes, for Saturday
23		and Sunday. So, he came home, and he took those two doses
24		and all 58 of those Xanax which I didn't know.
25		
26	DROST:	What time was this at?
27		
28		00
		33

Probably... I don't know what time he took it because I didn't

know -

Didn't know what happened?

That he took it.

DROST: Okay.

But I'm guessing probably around nine o'clock.

DROST: a.m. or p.m.?

a.m. So I went in the breezeway, in here, and he was laying on the floor on his side, snoring; and I thought, Wow, that's an odd place to go to sleep. So, I called his name 10, 15 times, that didn't do any good. So, I started kicking his knee. He was kind of curled up in the fetal position. And I started kicking his knee probably 50 times. Finally, he woke up. He could not get up. He couldn't stand up. So, I helped him stand up and he walked into his bedroom and sat down. Then all the crap wore off and he made it.

In talking to the executive director and the doctor at the clinic, they said I saved his life. Because methadone slows your heart rate down and they said the Xanax slows it way down. And so, if he'd have been home alone — the longer he was alone, the more chance of his heart stopping. And then no oxygen to his brain,

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1		and on and on. So, he dodged another bullet. Another time he
2		was in rehab in the Colton area, and they went in and he had his
3		belt his pants belt tied around his neck, and he tried to hang
4	***************************************	himself. And that didn't work because belt broke.
5		
6	DROST:	How long ago was this one?
7		
8		About years and years ago.
9		
10 11	DROST:	So last Friday was the most recent –
12		Yeah.
13		i can.
14	DROST:	within the last couple Or how many years would you say that
15		time with the belt was?
16		
17		Oh, that was probably eight to 10 years ago.
18		
19	DROST:	And he mentioned in total, he's tried about four or five times.
20		
21		Yeah.
22		
23	DROST:	How many years would you say that span is?
24 25		15.
26		IV.
27	DROST:	All right. Now, was that the day that the deputies were out here?
28		, , , , , , , , , , , , , , , , , , , ,
		35

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1		The three of them, one with the shotgun? Was that also last
2		Friday or when was that?
3		That was like Monday or Tuesday.
4		
5	DROST:	Of this current week that we're in?
6		
7		Yeah.
8		
9	DROST:	Okay. What made them come out here to begin with? You
10		mentioned that may have called but
11		
12		You know, I don't remember. I don't remember.
13	-	
14	DROST:	Okay.
15		
16	***************************************	I don't know what triggered them to come out. I think
17		called because she had called earlier. So, he tried to commit
18		suicide on Friday, a week ago Friday, and she was taking care of
19		him. Over the weekend, she called the police to see if there was
20		something they could do to help and so they responded.
21		
22	DROST:	And I'm sorry, I know we're jumping around a little bit. Now,
23		going back to that Monday or Tuesday when you guys came and
24		sat back on the couch, and he says he messed up, he should
25		have charged the deputy with the shotgun. Did you talk to him
26		any more about the things he said? Or did he make that
27		statement and it was the end of it?
28		
		36

1 2

No. His poor brain is so scrambled and when he gets without his meds and without his methadone, his brain becomes even more scrambled. Because after those officers were here, he says --

DROST:

On Monday, Tuesday-ish?

7 8

15 DROST:

really? What were they? Mafia. Oh okay. And yesterday -Today, or yesterday he was saying, I'm trying to save
I said, Really? What are you saving from? Gangsters.
There's gangsters out trying to kill us all. And in his mind, that's
100% the truth. To me, it's like a pipe dream but -- So he's a little off the wall in his thought process.

Yeah. He says, You know, they weren't really cops. I said, Oh,

Mm-hmm.

Now, once he gets going with his methadone again and he's getting going with his Xanax daily and everything, he does great. You should see his orchard back here, in the back, on the property. He's grown probably six trees from seeds, and he's planted all those trees in the back. And now there's one, a nectarine tree, it's come up and it's growing really good, and it's got fruit on it. So, he's got some good qualities.

We've got chickens back there and he takes care of those chickens like nobody's business. And he packs up the eggs and he sells them. And so he can't keep a job. So, his job is the trees

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1		and the chickens which he's really good at. So, he's got some
2		good qualities, but he's got some negative behavior as well. And
3		he and I have not seen eye to eye for quite a while.
4		
5		Last Friday, when he tried to commit suicide, started
6		taking care of him. He tried to get and would put pressure on
7		to buy him heroin so that he could OD on. Well, come
8		Monday or Tuesday, she couldn't take it anymore. So, she went
9		to house and spent the night there instead of
10		coming home after work and dealing with him. So, tonight's her
11		first night back and it's been real tough for me. But, anyway, so
12		Cole and I haven't seen eye to eye, but I took care of him all this
13		week. And which didn't turn out very good, but anyway.
14		
15	DROST:	Did Cole make any comments today or at any point before the
16		incident between him and the deputy about committing suicide-
17		by-cop —
18		
19		No.
20		
21	DROST:	or committing suicide in general?
22		
23		No.
24		
25	DROST:	Okay.
26		
27		Nope. But I was surprised to learn that they said that he pulled a
28		
***************************************		38

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1		switch blame on the officer. I would guess that he pulled the
2		switchblade and charged at the officer.
3	***************************************	
4	DROST:	Why would you guess that?
5	***************************************	
6		Because that would go along with the suicide-by-cop.
7		
8	DROST:	Is that something that aside from the shotgun situation, is that
9		something that he had elaborated about before?
10		
11		No. Well, he has talked about doing that, but he did not talk
12		about that today.
13		
14	DROST:	Has, as far as you know, does Cole own a switchblade for some
15		period of time?
16		
17		I don't I didn't know about it. I don't know where he got it.
18		
19	DROST:	Okay. Now, I don't know if I – I might have missed it, but is Cole
20		diagnosed with any sort of mental health issue?
21		Mall broom I double broom to the dealers I all the second of the second
22		Well, I mean, I don't know what the doctors know. But, I would
23 24		have to think that the doctors know that he's got mental health
25		issues.
26	DROST:	You're just not sure if he's diagnosed with them or not?
27		Toute just not sure it he's diagnosed with them of hot?
28		
		39

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1	1 IW 2022-033	But if he's diagnosed, I don't know.
2		
3	DROST:	Okay. Do you know the address of that clinic?
4		
5		In Control
6		
7	DROST:	Whichever one that he goes to, that he would have went to this
8		morning and
9		
10		It's called
11		
12	DROST:	Is it in
13		
14		Yep.
15		
16	DROST:	And that's the right?
17 18		I lb book I apold lagle it on bare
19		Uh-huh. I could look it up here.
20	DROST:	Do you know if there's more than one?
21	DROOT.	Do you know it there's more than one?
22		I'm sure there are.
23		
24	DROST:	Well, in guess I thought
25		,
26		Oh, not in
27		
28		
		40

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1	DROST:	Okay.
2		
3		But there's another one in a –
4		
5	DROST:	
6		
7		different methadone clinic in, I would call it
8		They might call it
9	***************************************	and he's been to all three.
10		
11	DROST:	Okay. Steve, you mentioned that he was at this facility where he
12		attempted to hang himself? Do you remember what that facility
13		was?
14		
15 16		That was, I think, in the state of the state
17	DROST:	Do you remember the name of the facility?
18	DROST.	Do you remember the name of the facility?
19		Well, it doesn't give you the address. I'll give you a
20		address.
21		
22	DROST:	While you're looking for, I can probably find it if it's the only one.
23		But while you're looking for that, what time do you think that van
24		showed up to take him to the clinic this morning or yesterday
25		morning?
26		
27		Oh, probably 4:30.
28		
		41

	The second secon	
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1	DROST:	So right when he woke you up? Right around that same time?
2		
3		Yeah. I mean, when we walked outside, it was sitting there
4		waiting.
5		
6	DROST:	All right.
7		
8		And that was probably 10 to 5:00.
9		
10 11	DROST:	So that's when it took him out of here. He left in a van about 10
12		to 5:00.
13		He did.
14		rio dia.
15	DROST:	Okay. What time did the van bring him back after he forgot his
16		prescription?
17		
18		5:45.
19		
20	DROST:	And that van is associated with
21		
22		No, that van is associated with
23		
24	DROST:	Is the, so I'm assuming?
25		
26		Yeah.
27		
28		42
		↔ ∠

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1	DROST:	Is that just something that's contracted through insurance to take
2	600 8 % W. W. I .	him to the clinic?
3		Yep.
4		
5	DROST:	All right. So, just was the clinic that he was going to,
6		though?
7		
8		Yeah.
9		
10	DROST:	All right.
11	***************************************	
12		
13		
14	DROST:	
15		
16		I-S.
17		
18	RIVAS:	I just have a couple questions, And I apologize, I'm
19		gonna bounce back and forth. You mentioned, actually, I'm
20		gonna ask you this first. When was the last time he was at a
21		facility where he was at the Behavioral Health Clinic?
22		
23		Oh. Well, he A week and a half ago.
24		
25	RIVAS:	And that's the one that you said was in, I believe you said
26		} .
27		
28		40
		43

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1		
2	***************************************	
3	RIVAS:	You mentioned that Cole discussed suicide-by-cop, did he ever
4	***************************************	say how he was gonna do it?
5		
6		No. Like I said, when the guy was sitting out there with a
7		shotgun, he says, I should have charged him.
8		
9	RIVAS:	Okay. And you mentioned he told you that, or you mentioned he
10		left a knife in the front, right?
11		
12		Yeah.
13		
14	RIVAS:	And you said he thought that was weird, how did you know that
15		Cole was the one that left the knife there?
16		
17		Because it was sitting in there, stuck in the ground right after he
18 19		left out.
	RIVAS:	And what do you think Why do you think he did that?
21	NIVAS.	And what do you think why do you think he did that?
22		I have no idea. He was I mean, I'm just guessing, but he was
23		either gonna use it on a cop, or use it on me, or who knows
24		what. I have to go to the restroom.
25		maa , nave te ge te tre recaecin.
26	RIVAS:	Okay.
27		•
28		
		44

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1	DROST:	Probably only got maybe two or three more minutes and we'll be
2		out of your hair. I only have one question after he asks, maybe a
3		handful more. Do you want to go to the bathroom, or you –
4		Yes.
5		
6	DROST:	want us to wrap it up?
7		
8		I'll be right back.
9	50.446	
10	RIVAS:	You saw the break right here.
11	DDOOT.	
12 13	DROST:	Good guard dog.
14		Yeah.
15		r can.
16	RIVAS:	All right. So, you're – we're almost done. Sorry, I just have a
17		couple more questions. When he went to those behavioral health
18		clinics, was it on a 5150 hold or was it voluntary?
19		•
20		I don't know.
21		
22	RIVAS:	Okay.
23		
24		Well, it wouldn't mean voluntary.
25		
26	RIVAS:	Okay. They wouldn't let him out for a minimum of 72 hours, is
27		that correct?
28		
***************************************		45

	DD# 440004740	
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1		Right.
2		
3	RIVAS:	Okay.
4		
5		Wow, that's why the dog's barking.
6		
7	RIVAS:	Okay. Other than the knife in the front, did you see Cole with any
8		other weapons at all?
9		
10		No.
11		
12	DROST:	Do you have access to the Ring? To
13		
14		To the what?
15 16	DROST:	To the Dina compare of very decay and
17	DNO31.	To the Ring camera of your doorbell?
18		No.
19		NO.
20	DROST:	Does have access to that?
21		
22		No. We've looked it up today and we couldn't get any videos off
23		that.
24		
25	RIVAS:	All right. The last thing we have is the warrant for the stuff that
26		we that my partners took and then a copy of the search
27		warrant for you, okay.
28		
***************************************		46

DR# 142201719 H# 2022-059 1 Okay. 2 3 **RIVAS:** That's just -4 5 And what about the receipt? 6 7 DROST: That's -8 9 RIVAS: That's in here as well. 10 11 Of what they took? 12 13 **RIVAS:** Yes, absolutely. So, there's that. 14 15 How do you print that out of your car? 16 17 DROST: We handwrite that. 18 19 **RIVAS:** We handwrite it. Yeah. 20 21 DROST: She just has nice handwriting. 22 23 Yeah. Looked like it was printed. So, do you guys need to talk to 24 25 26 DROST: We do. If she's available, we can get it out of the way now and... 27 28 47

DR# 142201719 H# 2022-059 late night. 1 2 3 RIVAS: Sorry for the hour. 4 It's all right. 5 6 Here you go 7 RIVAS: 8 Thank you. This is 9 10 DROST: Hi, 11 12 13 OTHERS: Hi. 14 I didn't get your first name. 15 16 I'm Cory. 17 DROST: 18 19 Cory? 20 21 DROST: Cory. Nice speaking with you. 22 Nice to meet you. 23 24 25 RIVAS: Mauricio. 26 27 Joe? 28 48

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1	RIVAS:	Mauricio.
2	***************************************	
3		Mauricio.
4	***************************************	
5	RIVAS:	Yeah.
6		
7		Mauricio.
8		
9	RIVAS:	Yes, sir.
10		
11		Hi. I'm sorry. Nice to meet you.
12		
13	RIVAS:	Nice to meet you.
14		
15	DROST:	We explained to the Homicide Detail. In
16		this sort of – An incident that is of this nature, we essentially
17		assume the investigation. I apologize it's this late at night and
18		like we told this is just the time we got here after you
19		saw us down there. As we continued to talk to people up until
20		now that we're here.
21		
22	JUDY:	Okay.
23		
24	DROST:	That's not including the deputies, people that were involved that
25		were actually here on the scene. So, most of the information that
26		we have that I'll be able to relate to you came from other people
27		within your guys community. Okay? So, I don't have all the
28		
		49

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1	***************************************	answers, first and foremost. We're still in the very beginning
2	***************************************	stages of our investigation. Like I said, I'm also still they're
3		gonna go to the hospital now. So, once I have an update, I can
4	***************************************	give you guys phone call okay. If they get it before I leave, then
5		I'll tell it to you now. If not, I'll send you a message who are
6		how you're doing and —
7	BIERMA:	Yeah.
8		
9	DROST:	try to give you a phone call.
10		
11	BIERMA:	Cool.
12		
13	DROST:	But nonetheless, is what we'd like to do is be able to
14		maybe get some of the background information from you like we
15		got from the second sec
16		
17		Okay.
18		
19	DROST:	So, if you don't mind, we can start with take a seat.
20		
21		You can have a seat.
22		_
23	DROST:	We can start with the spelling of your first name. Is it short,
24		
25		
26		
27	DROST:	Short for? Okay. It's not short for grown, or anything?
28		
***************************************		50

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1		No.
2		
3	DROST:	And can you spell your last name for me, please?
4		
5		
6		
7	DROST:	Your birthday, please?
8		
9		
10		
11	DROST:	Your phone number?
12 13		
14		
15	DROST:	All right, and I apologize. Some of the questions I'm gonna ask to
16		you too some of the questions we're going to ask you are
17		going to sound ridiculous, like we should know.
18		
19		Mm-hmm.
20		
21	DROST:	But I have to hear it come from you. So, what is Cole's
22		relationship to you?
23		
24		
25		
26	DROST:	Okay. Is that –
27		
28		
		51

Yes.

3 DROST:

Okay. From what we've gathered, it doesn't sound like you were home when any of this happened.

4 5

6

7

10

11

12

1

2

I left when I called the police a week ago.

DROST:

Okay, can you tell me about that?

8 9

Cole has struggled with drugs for years so he -- every so often. he would try to commit suicide because he is miserable. When he's good, he tries really hard. We plant and do chickens and do all kinds of fun stuff in the backyard and have fun together. But it gets old after a while and the drugs -- he suffers a lot from not feeling good and pain and all that. So, he gets tired of it. And because of Xanax, I believe, that the doctor has him on with the methadone, whenever he -- it messes with his mind.

So, a couple of the times that he wanted to leave this earth, that's what he did; would take a whole bottle of Xanax and then he would... It's the first time he thought, oh my gosh. How did I not die, and he was so bummed. But then he thought, well, this next time, he thought he would just take two -- three methadone doses and the whole bottle of Xanax and that for sure would do it. But he woke up again and he was miserable. But what happens is once he does something like that, then he's not got any meds for a month and his mind goes wacko.

20

21

22

23

24

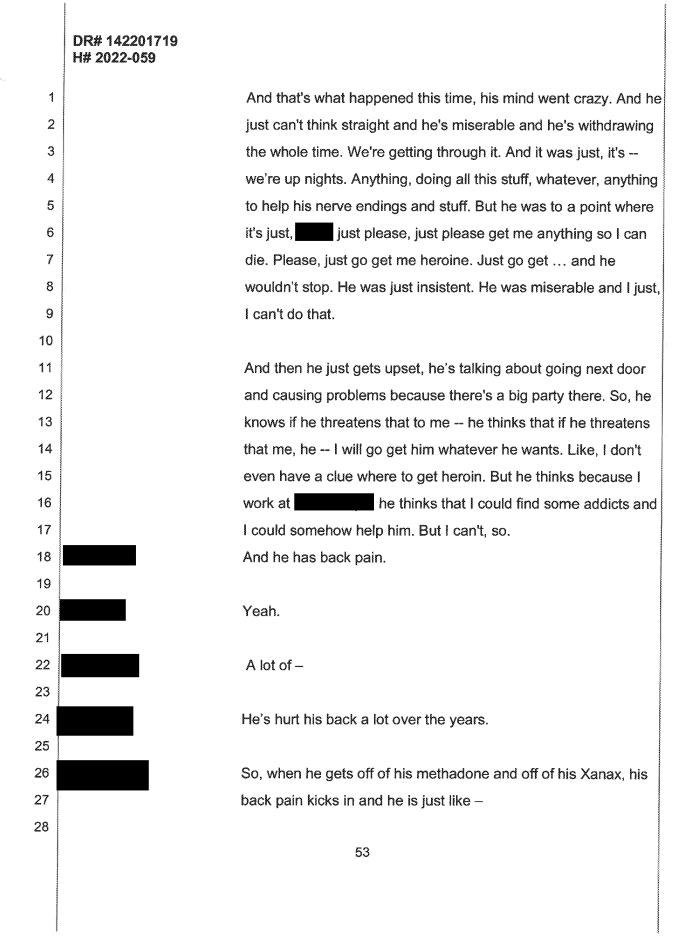
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26

27

28

52



	DR# 142201719	
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1		A mess.
2		
3		It just tears him up.
4		
5		But anyways, when I couldn't get him settled down and he just
6		was insistent that I didn't care about him if I didn't help him. I
7		couldn't handle it anymore. He brought up the machete, which is
8		on record, but that's locked in my bedroom.
9		
10	DROST:	We haven't heard about that.
11		
12		Okay, well, the cops do know because I did call more than once.
13		I talked to George. I talked to the cops. They came out that night
14		to make sure I had that locked up.
15		
16	DROST:	What day was this?
17		
18		Last week.
19		
20		I left the house Monday night, I think. because Monday night, I
21		think I called.
22		
23	DROST:	Of this week –
24		
25		This last –
26	DDOCT.	
27	DROST:	or the week prior?
28		54

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1		This last week.
2		
3	DROST:	Okay.
4		
5		So, I gone I called the cops, then I said Oh, I sat down at the
6		church while they came to talk to him. But then
7	BIERMA:	That's the church right here.
8		
9		Yeah, the But then and and
10		convinced them that everything was okay. I just wanted to make
11		sure, too. I told them when I called. I said, guys, he, anyway he
12		can get out of this world, he wants to get out. But one of the
13		ways that he's talked about is suicide-by-officer.
14		
15	DROST:	Do you recall on Monday when you made that call to the Sheriff's
16		Department? Do you recall the time that was?
17		
18		It was, I was
19		
20	DROST:	Roughly?
21		
22		Off work, so it was evening. Wasn't it? I think –
23		
24		l didn't even know you called.
25		
26	DROST:	To the to the best of
27		
28		
		55

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1		Remembered when you called, they came, and you and Cole
2		told them you were okay.
3		
4		But I didn't -
5		
6	DROST:	Just, just the best of whatever you remember.
7		I think it was Monday night, but I can't swear to that. I
8		
9	DROST:	Sometime after 6:00?
10		All (with this hammer and hammer
11 12		think it's because I came after work. And so yeah, I don't get
13		home till 6:00, 6:30. So, it was after that and Yeah, so I
14	DROST:	If you gave it a ballpark, 6:30 to what would you say?
15		in you gave it a bumpaint, oloo to what would you day!
16	_	Well, 7:30.
17		
18	BIERMA:	7:30.
19		
20		Yeah.
21		
22	DROST:	So, between 6:30, 7:30, he called, and it was just because you
23		had had enough of
24		
25		I was worried that he might Because the voices are kicking in
26		and he's telling me that. So, he's saying, the voices are
27		going, and they just start like That's part of the Xanax thing
28		EG
***************************************		56

DROST:

DROST:

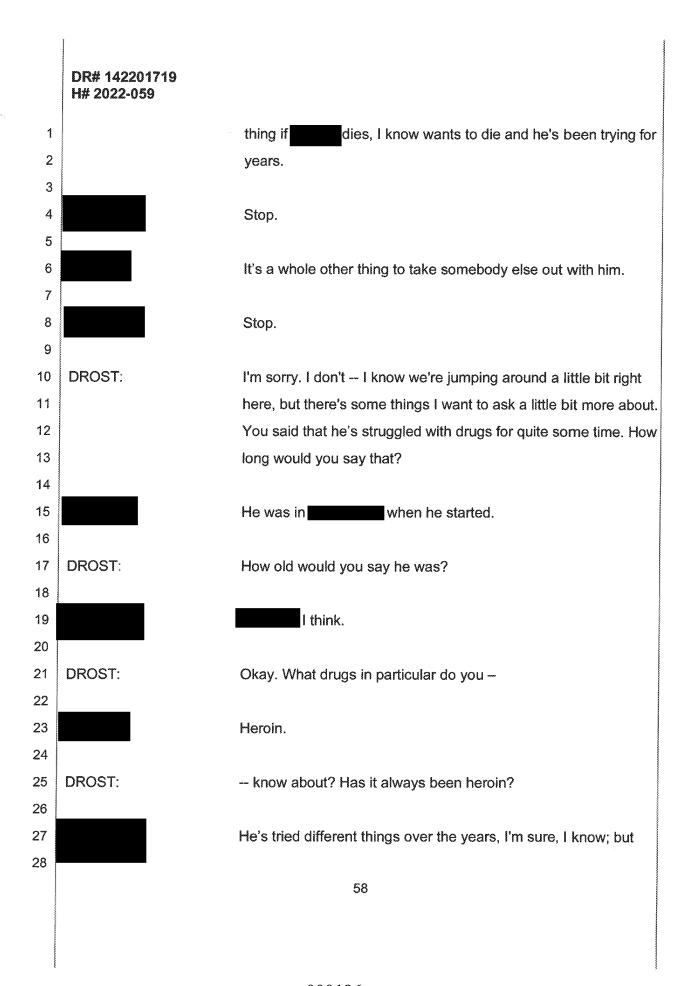
when he's coming off and stuff. He, they were going nuts and I was afraid of what they would say. And if he didn't tell me and then — and he's telling me, to get my attention, that he's going to go mess up their party over there, which didn't sound like a good thing. And then he brings up the machete so I just, I got nervous because I don't want anybody to get hurt.

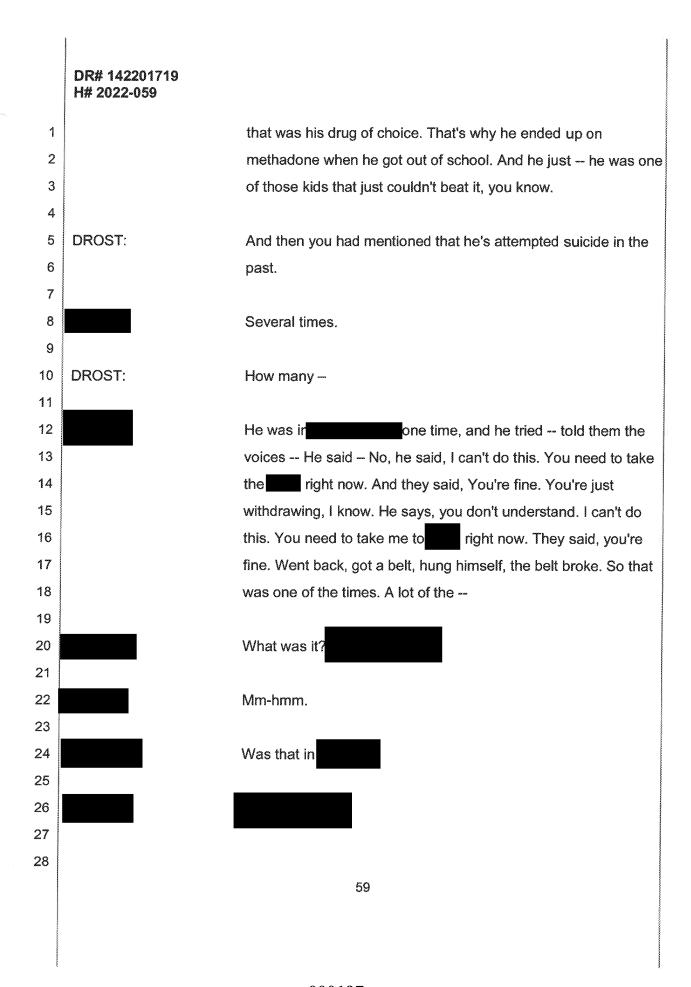
What did you think he's gonna do with the machete?

I don't know. That's -- he brings that up and then he brings the party up, and then he brings up, If you don't do this, I'm gonna go over there. Well, so --

Did you think he was gonna try and hurt somebody with the machete?

Yeah. I was afraid he might because he was -- But I didn't know if he was just using it to manipulate me. But I don't know what the voices are saying either and he's told me, the voices are not saying good things. This is not good. And he says, and I -- and he felt really bad. He tried to -- I don't know what to do. I don't know what to believe. I don't know what's real and what's not real. I just didn't want him to do anything stupid. So, when I called the officers, I said, please, don't get hurt. If you guys come by here. Please understand that he will do whatever to die and it wouldn't go in after you guys. If you came over here, it would be one of those things. So, I said, You know one thing -- It's one





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1	DROST:	How long ago was that?
2		
3		Oh, that was years ago.
4		
5	DROST:	How many years would you estimate?
6		
7		Oh my gosh. Everything's kind of.
8 9	DROST:	Loop imagine. To the heat of what we want and we
10	DROST.	I can imagine. To the best of what you can recall.
11		It's been quite a while – since he's been in rehab, so it's been
12		five, six years.
13		,,
14	DROST:	Perfect.
15		
16		I don't know, and I can't –
17		
18	DROST:	That's fine. Timeframes are –
19		
20		If you're holding me to any of this,
21		
22	DROST:	No, no, no –
23		
24		I'm not going to be able to
25 26	DROST:	Timoframos ara
27	DROST.	Timeframes are,,
28		
		60

	DD# 440004740	
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1		It could be longer.
2		
3	DROST:	between this and this or about this.
4	:	
5		Mm-hmm.
6	***************************************	
7	DROST:	I mean, it's just to help kind of give us an idea.
8		
9	***************************************	It could be longer. It was kind of halfway in between and at that
10		point, they sent him to. He got through the program. The one
11		before that got into and then and he did really good and then
12		he relapsed. Oh, there was another
13		of a sudden and he was on nothing. They even tested him. He
14		got the then all of a sudden, the depression and wanted to
15		commit suicide. So, the guys in the house with him called the
16		ambulance, and they sent him to the So, you guys will be
17		able to see he's been in several times, and if it wasn't
18		, it was Exercise
19		
20	DROST:	How many times in total would you say that he's attempted
21		suicide? That you know of.
22		
23	•	Like
24		
25		Five or six.
26 27		When did he go to Colorado? It started week a let of times.
28		When did he go to Colorado? It started, yeah, a lot of times. I
		61

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1	***************************************	mean, probably more than that, but. And some of it just being he
2	***************************************	was working in Colorado, years back, and he just tried to OD on
3	***************************************	heroin.
4	***************************************	
5	DROST:	So at least as far as you know, five or six?
6	***************************************	
7		At least.
8		
9	DROST:	Over how long the timeframe are you talking? How many years?
10		
11		What? Since when he did okay for quite a while on the
12		methadone. They added Xanax, then he started struggling with
13		big depression. And I think that's probably one of the things that
14		kicked the depression and the bipolar, and all the voices and
15		stuff started happening.
16		
17	DROST:	So how many years would you say that
18		
19		It's been, this last year, it's like he goes two to four months and
20		then he's struggling with it and he tries something, this last year.
21		So, before that, it was maybe every year or something but the
22		last two years, it probably got more severe. But before that, it
23		was just every now and then, you know, nothing
24		
25	DROST:	So, we've talked about he's tried to commit suicide five or six
26		times over the span of a year, two years, 10 years, 20 years?
27		
28		
		62
1		

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· Personal		He's started
2		
3		10 or 15 years.
4		
5		when he went to Colorado. Yeah.
6		
7	DROST:	Like 10 to 15 years. And like I said, is it - Oh, I just want to get
8		what's the best that you can remember. If the best that you can
9		remember is five to 10 years, even if it's different than
10		that's fine. It's just the best that you recall.
11		
12		Yeah, it's just It is the best and the most. The thing is that it's
13		just becoming more and more frequent.
14		
15	DROST:	How long has he been prescribed Xanax that's kind of seem to
16		be this triggering event.
17		That's since When that started, then he started getting it closer
18		and closer and having more trouble with it, and then I don't know
19		when the doctor started prescribing that.
20		
21		He's been on Xanax two or three years.
22		
23		At least.
24		
25	DROST:	Okay, and it sounds like he does have some diagnosed mental
26		health issues.
27		
28		
		63

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1		From the drug abuse, I believe.
3	DROST:	Do you know what he's diagnosed with and how long –
5 6		I think —
7 8	DROST:	ago he was diagnosed?
9 10		You know, honestly, they don't talk to me because he goes to But
11 12	DROST:	He's an adult.
13 14		he has thrown around bipolar thrown around the words
15 16 17	DDOCT:	of it was induced by the drugs and the
17 18 19	DROST:	You're not sure though if those are actual diagnosis? Exactly.
20 21	DROST:	Okay. They're just –
22 23		I don't know if they're just something they said to him –
24 25	DROST:	Okay.
26 27		or if they were actual diagnosis because they never tell me
28		64

	DR# 142201719 H# 2022-059	
1		what's going on.
2		
3	DROST:	Okay. And then have you, to your knowledge, is he prescribed
4		any sort of mental health medications?
5		
6		Remeron
7		
8	DROST:	Do you know what that's for?
9		mgms , t z .
10		That's depression.
11 12	DROST:	Remeron?
13	DROST.	Kemeron:
14		Zoloft is for depression.
15		
16		R-E-M-R-O-N.
17		
18		Yeah. Most of the time, what happens is when he's given that
19		medicine, he because it conflicts with somehow, he feels like it
20		does with the methadone. then he'll back off on that stuff
21		because it –you know. He's been struggling. One of his problems
22		is in the last couple of years, the methadone is, he goes through
23		times of throwing it up because I think his body's kind of rejecting
24		all of this crap. And so, he'll get
25		
26	DROST:	Get sick.
27		
28		er.
		65

He cries. He doesn't want to take Remeron and all that because Zolof which is things that help him not to get depressed.

Okay. All right. So, is there anything else, kind of, about his past that maybe I haven't asked you about before?

I can't think of anything.

Now as far as the event that happened today, I understand that you haven't been here. How did you become aware of what happened?

I was at work, texted me.

Okay, can you tell me about that?

Pretty much, that was all I know. He texted me, he said he was kicking Cole out which the two, which I left. Probably not my brightest moments, but I was to the point where I couldn't handle it anymore, and I was scared. I told the cops, I don't know what he's going to do. So, I had had it because I'm up every night trying to help him get through all of this and he's getting hard—It's harder and harder. So, I just—I needed a break, but I know it was hard on because they clashed a little bit. And so, I think that they just... asked him to leave because he's tired and then Cole... If they get angry with each other, then Cole's stuff gets louder; His voice, this, and everything gets

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1		louder and then he just flips out.
2	DDAGT	
3 4	DROST:	When did you get that, receive that message that was
5		kicking Cole out, roughly?
6		I have it on my phone, but I, it must have been. Did you do one
7		or two, Hon?
8	•	
9	DROST:	Just the best of what you remember,
10		
11		Oh, okay. Just I don't know. 1:00 or 2:00.
12		
13	DROST:	In the afternoon?
14 15		I was working so I –
16		i was working so i
17	DROST:	That's fine. In the afternoon? Okay, and then was there
18		communication back and forth? Or did you just read it and
19		continue to work?
20		
21		I just read it and kept working.
22		
23	DROST:	Okay.
24		4
25 26		I'm so used to this crap
26 27	DROST:	Okay.
28	own a New Year E.	Onay.
		67

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1		It's like, who knows what's next?
2		
3	DROST:	All right. And then did you get any messages after that from
4		
5		
6		Yeah. Then I text – I texted if he asked him if he gave him his
7		meds because I told him, If you're going to kick Cole out, he's not
8		going to leave without his meds. So, give him his meds. I told
9		him that last night.
10		
11	DROST:	Okay.
12		
13		Or whenever I talked to him. So, he said that he did. And then
14 15		the next text I got is that he'd been shot.
16	DROST:	Do you recall about roughly what time that was?
17		Do you recall about roughly what time that was!
18		I think it was around 3:00-ish, but I don't know for sure. Because
19		I was trying hard to get my work done and focus and not cause a
20		scene. Just get it done.
21		
22	DROST:	Did you respond to when he sent you that message?
23		
24		Okay. I think I didn't say much, did I
25		
26	DROST:	After you had learned that Cole had been shot, did you stay at
27		work or did you come back home—
28		
		68

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1		Oh, no. I want to make sure that – huh?
2		
3	DROST:	After you had learned or was told that Cole had been shot, did
4		you stay at work? Or did you come back –
5		
6		I stayed.
7		
8	DROST:	home?
9		
10		I stayed.
11		
12	DROST:	What time did you actually return back home?
13		
14		I didn't. I leave work at 5:00 on Fridays. Then I came right home,
15		I left
16		
17	DROST:	What time would you estimate that you got home then?
18		
19		It was Everything was blocked really big. It was probably 5:30-
20		ish p.m. and then I just came around the side here, parked on
21		the and then I went out a little bit. And I asked the gal if I can
22		come in my driveway and she said okay.
23		
24	DROST:	Okay. So, you're not aware of the events that occurred down the
25		street, just other than being notified through text message by
26		
27		
28		
		69

1 No, but I did tell him. He said there was good chance he was 2 gonna try something. 3 4 DROST: And that was back on last Monday. 5 6 Monday. 7 8 DROST: All right. Do you know if Cole's ever tried suicide-by-cop in the 9 past? 10 JUDY: 11 No. But he's talked about it when he's got -- when the voices 12 come and the different stuff. He said maybe they would just kill 13 me, I should end. And when he came - My husband finally 14 called the police yesterday. I did come home for that, to pick up 15 the other vehicle. And the police was in that driveway and I did 16 mention again that he has talked about it just because he 17 thought it might be an easy way out. But he's always trying to 18 figure out a way to commit suicide. I found him in the tub in 19 December, tried to cut his wrist. 20 It sounds like maybe he's tried more than five or six times then? 21 DROST: 22 23 I think so. I just -- I haven't really paid attention, but it's been --24 but this year, like I, It was -25 26 DROST: Every couple of months. 27 28

DROST:

-- October, December, and now.

Okay. All right.

I just have one question. Did he ever mentioned specifically how he was going to commit suicide-by-cop?

He just said, If I just act like I go on at them, they'll have to pull. He's not a kid that just wants to go out and kill a bunch of people. He just wants to die, and anything that he can think of that would make it easier. And then when he tried to cut his wrists, I said, Baby, I can't. What are you doing? Because I have to live with this when you're gone. He's like — So now, he's trying to think of not messy ways. It's like, oh my gosh!

Anyways, and so that'd just be easy, because then the police could just keep, you know, could just kill him and be done. So, it's not like he sits around and goes. But the problem is the voices. I don't know — He tells me they're horrible and he thinks he's protecting us all the time from mafia and from gangs and all of this whenever the Xanax goes. He thinks that he is literally — I've had him in the backyard searching with flashlight because he's trying to protect us. So, the voices make him crazy.

Have you seen Cole with a switchblade style knife?

Well, I don't, I didn't, he has knives he likes knives so. I couldn't

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1		tell you. I hid everything I could find as soon as I knew he OD'd
2		because I knew it was coming. So, I put them in my bedroom
3		and locked them up. I know he's always liked knives just He
4		just always has. It's not like…
5	***************************************	
6	DROST:	Okay. I don't think I have any other questions, especially
7		since you weren't home
8		
9		Yeah.
10		
11	DROST:	for the most part with this. If for some reason, either
12		or that we come across some sort of question that maybe
13		we could reach out to you guys and get that answer.
14		
15		Sure.
16 17	DROST:	
18	DROST:	And then, like I said, I'm still waiting to see if once they get to the
19		hospital there. But so far,
20		Now we gotta deal with all
21		Now we gotta deal with all
22	DROST:	they haven't.
23		
24		So, do you know what his injuries were?
25		,
26	DROST:	So, from what we've gathered from talking with, like I said, the
27		people around here and the Fire Department and stuff. It sounds
28		
		72

10 DROST:

 DROST:

 like he's got one gunshot wound to, I believe, it's his right wrist area, and we have a little bit of conflicting information on whether the second injury is to his abdomen or somewhere else on his lower extremity. I haven't been to the hospital. My partners are on their way there now, they haven't gotten there quite yet. But up until we get there, we don't know.

Okay, and do you know where they would send him from here?

I don't know completely because that'll be the hospital's call.

From my experience, they'll keep him at until he's,

A, stable enough to be discharged on his own, to care for his own recovering injury. Or if he decides he doesn't want to be in the hospital then...

Will he be charged for anything?

Like I explained to is we're not responsible for basically charging anybody. We collect as much of the information and the facts of the case, the evidence, and we present that to the District Attorney. They review everything in totality, and they will make a determination whether they feel charges should be appro-- basically given on any end. So, it is a lengthy process. This is just the first start. I mean as you know, this happened early in the afternoon and here we are at 2:00 in the morning now the following day, and we're still going at it.

Uh-huh.

So, this is still just the beginning. We're trying to collect video, do everything we can. We do a thorough investigation. We pretty much leave no stone unturned. Every fire department personnel, every paramedic, every neighbor, everybody that's involved, all the deputies; everybody gets spoken to. So, once I, like I said, once I have an update from where he's at in the hospital and his condition of the hospital, I can relay that. And like I reiterated kind of at the start of it is right now we probably don't know everything for any questions that you guys may have. Some things I can tell you and I'll be quite honest, some things I can't. Some things are protected, and I can't divulge that information.

We'd just like to know if he's going to show up on our doorstep.

I don't think so, at least for tonight.

[huffs]

I can't tell you anything past that. I know he was in surgery. I haven't heard anything that surgery went bad or anything of that nature. I just don't know what that recovery is going to be from the surgery and the extent to what the surgery entailed.

How long does it take for the DA to make the decision?

74

23

24

25

26

27

28

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1	DROST:	To be quite honestly, it could be years.
2		
3		Wow.
4	**************************************	
5	BIERMA:	A year?
6		
7		Years.
8		
9	DROST:	It could be. They When we're done with our investigation, it's
10		not like the normal report: if your been arrested, where you
11		there's a couple pages. Our report is going to be a binder.
12		
13		Wow.
14		
15	DROST:	And they listen to every audio recording, every video sample,
16		every video clip, they look at every scene photo. It is a very,
17		
18		Wow.
19		
20	DROST:	very thorough investigation all the way around from our
21		department, the District Attorney's Office; everybody that puts
22		their hand on that investigation. It's very in-depth.
23		
24		Wow.
25		
26	DROST:	I mean, we've been sitting with you since midnight. We've been
27		here for two hours, right? So, you can imagine every one of our
28		
		75

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1		interviews is like this or longer.
2		
3		Wow.
4		
5		Wow. So, what time did you start working this morning?
6	7	
7	DROST:	Well, I started my normal shift at 7:00.
8		
9		This morning?
10	DROST:	
11 12	DROST:	This morning.
13		Oh my gosh.
14		-
15	DROST:	Yesterday morning. And –
16		v v
17		You guys are still –
18		
19	DROST:	we were supposed to get off at 5:00, so. We still got a little bit
20		more to do tonight before we'll head home, and then we'll have
21		to pick up again on Monday with whatever else we weren't able
22		to get to today.
23		
24		Wow.
25		
26	DROST:	So, it's, like I said, it's thorough. But I am the case agent, just so
27		you guys know. So, I will be the one that's going to, for the most
28		76
		70

	DR# 142201719 H# 2022-059	
1		part, compile everything that's going to go together in this
2		investigation.
3		
4		Do you have a card?
5		
6	DROST:	I do and that's what I'm gonna hand you. My desk number's on
7		here. Keep in mind, just like you can tell, as we're not always at
8	***************************************	our desk. So, if for some reason you don't get me, you can either
9		leave me a voicemail but to be quite honest, my email address is
10		there on the bottom. It's the best way to get ahold of me. Send
11	***************************************	me an email, say, hey, I'd like to talk to you, and I'll give you a
12		call my next available time. Or if your question's easy enough to
13		type out, I can respond to you in an email to you, okay. And just
14		once again, if there's things that you come across that you want
15		to ask, feel free to ask, give me a call. I pretty much carry my
16		work I'm pretty much available 24/7. We have to listen for our
17		phones. It just depends whether I'm busy at that moment or not.
18		
19		Is there anywhere for Cole to go?
20		
21	DROST:	What do you mean by that?
22		
23		Besides here.
24		
25		Besides home.
26		
27	DROST:	Well –
28		77
		77
1		

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1		They wouldn't consider sending him to rehab or something in a
2		hospital?
3		
4	DROST:	So, I'm going to be quite honest with you. Majority of this stuff is
5		voluntary.
6	***************************************	
7		Yes, exactly what I've told him.
8		
9	DROST:	There are very, very I want to say stringent criteria for 5150, a
10		crazy hold, if you will. There're certain criteria. Because we're
11		essentially taking and when I say we, law enforcement is
12		essentially taking away his rights without a criminal charge. They
13		do it on the safety of his own safety, the safety of the people
14		around him. So, we try and take a determination on the totality of
15		everything. If that meets the criteria, we present them to a
16		medical facility that has trained experts, who then interview him,
17		and they make the determination on what's gonna happen from
18		there. We're just basically have the authority to temporarily take
19		his rights away and deliver him to that facility.
20		Wow.
21		
22	DROST:	That's how that works. And that 72 hours, keep in mind, it's not
23		mandatory.
24		
25		No, and he gets out every time
26		
27	DROST:	It's up to 72 hours.
28		
		78

	DR# 142201719 H# 2022-059	
1		because he knows what the answers are.
2		
3	DROST:	So, are there resources? Probably. I don't know who
4		is. I don't know if he's
5		
6		But he's one of you.
7		
8	DROST:	Mental Health
9		
10		Yeah, –
11	you, you, ore, one was	
12	DROST:	liaison department.
13		
14		he is, the guy. But I knew probably more than he knows
15		because he helped us out. I know that we can't do anything, I
16 17		just don't know what to do. I don't know how to
18	DROST:	I understand and to be quite honest, I probably don't have any
19	DNOST.	better of an answer to what should.
20		better of an answer to what should.
21		Do you know
22		Do you know
23		I've tried everything, I've called everybody, and it's because they
24		have to make that decision. There's nothing no way to help
25		him.
26		
27		That's the frustrating part.
28		
		79

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1	DROST:	I can't sit here and tell you I know what you mean because I
2		don't. You know, I'm not gonna put that out there to you. But I'm
3		empathetic for your situation and I appreciate, even at this late
4	***************************************	hour, that you guys taken the time to speak with us. And
5	***************************************	hopefully, we're not making too much inconvenience for you.
6		
7		No.
8		
9	DROST:	This is my business card. So, this number that I wrote on the top,
10		that's the report that's associated to this investigation. Is it big
11		enough?
12		
13		
14		
15	DROST:	Correct.
16		
17		
18		
19	DROST:	Do you want me to write a little bigger on the back?
20		
21		•
22		
23		He just needs his glasses. He's blind.
24		
25 26		
27	DROST:	So this this is first and forement this is not going to be done
28	DIOG1.	So, this, this is first and foremost, this is not going to be done
۷.		80

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1		Overnight.
2		
3	DROST:	in a week's kind of a thing. And then once it gets done out of
4	***************************************	our hands, it goes to our supervisor's hands, to his supervisor, to
5		our captain, back to me for any corrections, to our executive
6	***************************************	staff, and then outward. So, it's a very lengthy process. So just
7		so you know that it is it's there may be another follow up time
8		that we're gonna have to sit and talk with you guys.
9		
10		The officer was okay, right? Nothing
11	***************************************	
12	DROST:	From what we know right now is aside from Cole, we also
13		didn't and once again, I don't know the extent of his injuries
14		either.
15		
16		Yeah, they told us he was in surgery, but they couldn't tell us
17		much.
18	DROST:	Yeah, and to be honest to you guys, some of that's at our
19		discretion. We tell them don't release too much information. Just
20		being –
21		
22		Yeah, one officer on the job.
23		
24	DROST:	At least for now, he's in our custody. A deputy is sitting there with
25		him still. Part of that conversation I'll have with you at another
26		point is whether he is going to essentially be released out of our
27		custody and remain at the hospital for treatment, or what we're
28		

	DR# 142201719 H# 2022-059	
1		going to do from there. Okay. So, I'll do my best to keep you in
2		the loop. Do you have any questions for us before we go?
3		
4		Want to tell them about the thing?
5		
6		What about it, Hon? I mean One of the officers called to tell
7		our – tell that this did happen, so he just thought that was
8		kind of crazy but
9		
10		Why are you –
11		
12	DROST:	I'm so sorry.
13		
14		It's not a big deal.
15	goo, g good poo, g, g, g,	
16	BIERMA:	An officer here at the substation called –
17		
18 19		
20		No, he called
21		No, he called
22		Oh, called because a gal in town.
23		at gas sir tossic
24		He, this officer here, called a girl in
25		
26		No, in Yucaipa babe, Yucaipa, she lives in Yucaipa.
27		
28		
		82
1		No.

	DR# 142201719	
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1		told her what was going on with Cole.
2		
3		It's not like it's a big deal.
4		
5		And it's like –
6		
7		He just thought it was weird that the police –
8		
9		She's telling
10		
11 12		are telling calling other people.
13		another person crap that we don't even know.
14		- another person drap that we don't even know.
15		Yeah.
16		
17		And it's like where's the professionalism here? Where's the
18		accountability?
19		
20	DROST:	Is
21		
22		So that.
23		
24	DROST:	have some relation to Cole?
25		
26		
27 28		
۷.		83

	DR# 142201719 H# 2022-059	
1	DROST:	
2		
3		No. She's just –
4		
5		No.
6		
7		she was a to him. They got divorced, but she's
8		remarried. and and are good friends with them. She
9		was – As soon as she heard, she –
10		
11		Called
12		
13		She called to tell him what was going on because she
14		thought she was first to know, and said, We already know.
15		And but he just was like, how does she know these things and
16		we haven't even heard anything?
17	DDACT.	Landa de fauthat Mark Tarianti
18	DROST:	I apologize for that. Yeah. Typically –
19 20		Diduousoo
21		Did you see –
22	DROST:	we don't like things to go out because we would like to be the
23		first ones to express something because usually this is tragic
24		information.
25		
26		Yeah. Yeah, it didn't seem appropriate for that officer to be
27		telling.
28		
		84

	DR# 142201719 H# 2022-059	
1		It's a later —
2	***************************************	
3		someone other
4		
5		It's a
6		
7		person.
8		
9		o I'm sure, that just works and happen to hear at all
10		which it's not a big deal, it's not - I mean, it was all over social
11		media, anyways.
12		
13		And we don't know who the officer was and don't really care to
14		know who the officer was.
15		
16	DROST:	Well, I will tell you this, it will definitely be on social media –
17		
18		Yeah.
19		
20	DROST:	and both angles of it will get played.
21		
22		The whole thing's on social media.
23	·	
24		Yeah. That's what he
25		
26	DROST:	If you guys are on it, I would recommend not sitting there and
27		read it because you're gonna get the nasty comments from both
28		85
***************************************		~~

	DR# 142201719 H# 2022-059	
1		sides.
2		
3		I don't read –
4		
5		We don't – I don't do it some—
6		Decree Annual Control and Albanda Alba
7 8		I'm not on social media at all.
9	DROST:	I'm just saying, it's a lot of people that got nothing better to do
10	Book & a common of X	but bash on everybody.
11		
12		Yeah.
13		
14	DROST:	So, if there's nothing else, we'll get out your guys'
15		
16		Go home and go to bed, man!
17		
18	DROST:	- your hair. Not quite there yet, but that's the goal for tonight.
19 20	RIVAS:	Thank you so much for your time.
20	RIVAS.	rnank you so much for your time.
22		Thank you. Yeah.
23		
24		Thank you. Thank you for your guys –
25		
26		You guys take care.
27		
28		
		86

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- effort. Take care.

DROST:

Thank you, you too. Right ending recording at approximately

2:11.



CODE SECTION

WITNESS INTERVIEW

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

CRIME

DR# 142201719 H# 2022-059

CLASSIFICATION

PC 245(c)		ADW on a Peace Officer	Knife
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		
WITNESS INTEDVIEW			
Department (SBCSD) Department (S	2022, at ap Detectives (Cory Drost and Brett Chandle ■t, in Yucaipa. The interview recordings were <u>downloade</u> d	n Bernardino County Sheriff's rinterviewed at his was recorded with their digital onto the digital case file. The
On Tuesday, April 22, 20 Drost's audio recordings			ved the verbatim transcript using

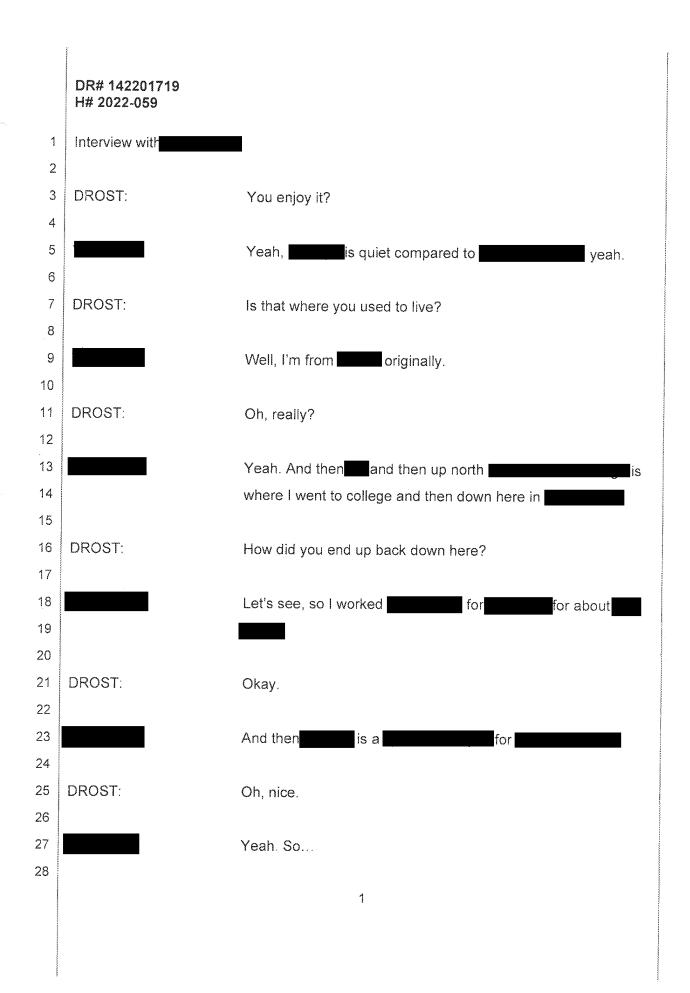
Reviewed By:

Date:

Author: Sgt. N. Craig

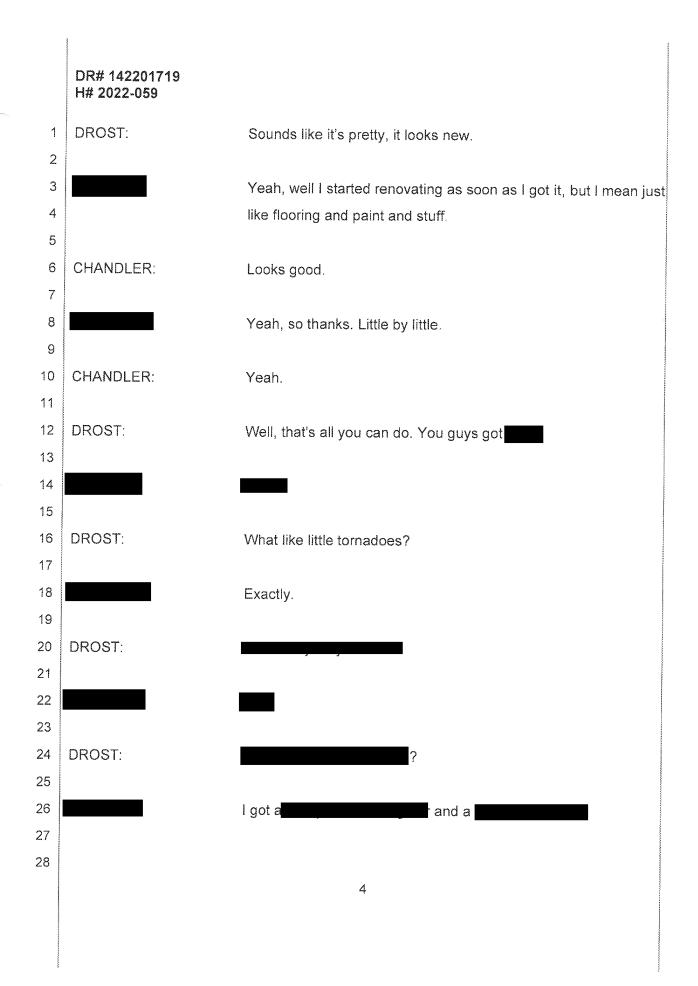
Author Date: 04/23/2024

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	DR# 142201719	
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1	DROST:	Well, like I said we appreciate you taking the time out of your
2		night to talk to us. Want to try and get as many of the things as
3		we can out of way because unfortunately, we go from kind of call
4		to call to call.
5		
6		Right.
7		
8	DROST:	So, we can leave here and get another one and it just makes it
9		that much harder to get back in contact with you.
10 11		Comp
12		Sure.
13	DROST:	So, my name is Cory, this is Brett, this is my partner. We will be
14		basically being assisted by the District Attorney's Office because
15		of the type of call that it was.
16	,	
17		Okay.
18		
19	DROST:	So, what we wanted what we'd like to do is to kind of get what
20		you saw as you were driving in that area.
21		
22		Sure.
23		
24	DROST:	To start with if you don't mind, can I get the spelling on your last
25		name?
26 27		
28		
		2
		-

	DR# 142201719 H# 2022-059	
1	DROST:	And your first name please.
2		
3		
4		
5	DROST:	Your birthday?
6		
7		
8		
9	DROST:	All right, your phone number?
10		
11		
12		
13	DROST:	Alright, the address here is
14 15		Notice to the second
16		Mm-hmm.
17	CHANDLER:	Is this a newer home?
18	Sec. 1 27 34 5 hour from 2 5.	is the a newer home:
19		No, we've only been here
20		
21	CHANDLER:	Okay.
22		
23		But these homes were built I believe in 2000.
24		
25	CHANDLER:	Oh, okay.
26		
27		Yeah, 2000, 2001 this track right here. But—
28		
		3

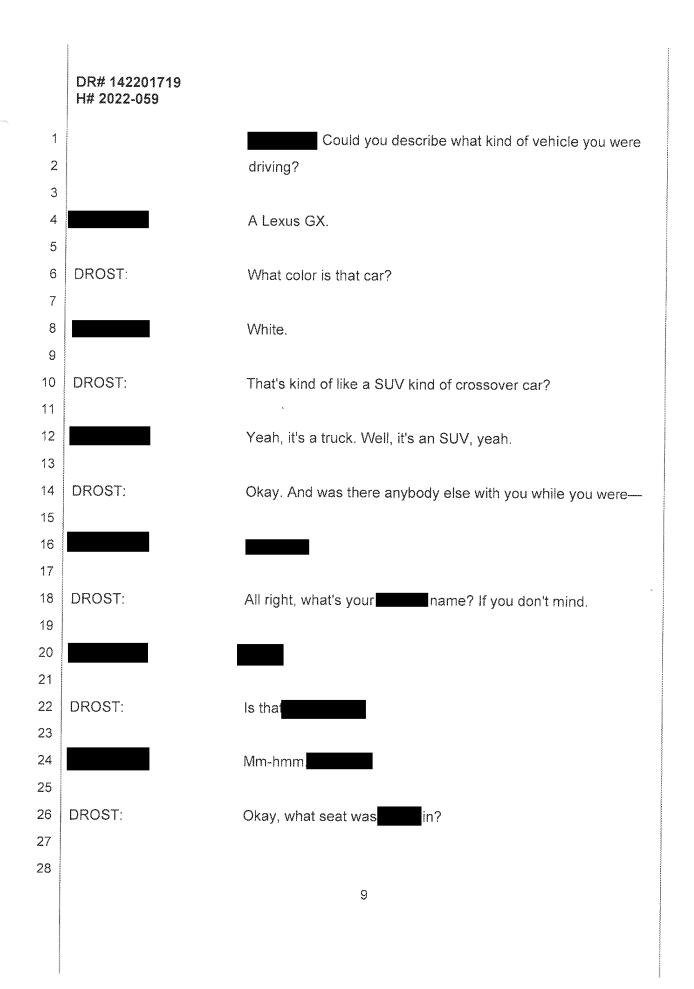


	DR# 142201719 H# 2022-059	
1	DROST:	
2		
3		
4		
5	DROST:	
6		
7		
8		
9	DROST:	Yeah.
10		
11		You know what I mean if one goes high than the other is going
12 13		high.
14	DROST:	Yeah. They get into little screaming matches?
15		rean. They get into little screaming matches?
16		Yeah—
17		
18	DROST:	One will start to scream?
19		
20		Yeah. So, but usually we try to keep them out back.
21		
22	[LAUGHING]	
23		
24	DROST:	There you go.
25		
26		They love being outside anyways, so—
27 28		
20		5

	DR# 142201719 H# 2022-059		
1	DROST:	There you go.	
2			
3		Yeah.	-
4			
5	DROST:	That's cool.	
6			
7		Yeah.	
8			
9	DROST:	All right. Well, so we don't take up too much of your time is if you	**************************************
10 11	***************************************	don't mind, can just give me a rundown on basically what you	
12		saw. Just so we're on the same page. We're talking about the incident that occurred on just what would be what	
13		incident that occurred on just what would be what of	
14			
15		Mm-hmm.	
16			
17	DROST:	If you want to just run us through that. We'll hear what you have	
18		to say, maybe ask some questions to clarify some things.	
19		· · · · · · · · · · · · · · · · · · ·	
20		Okay.	
21			
22	DROST:	And will be out of your guys'	
23			
24		Okay. So, I was heading down towards the boulevard and I	
25		saw a patrol car right past the stop sign, is that And so, they	
26		were responding to a call at the house, so this was separate. But	
27		that's what kind of drew my eyes over there. Oh, they're talking	
28		6	
		6	

	DR# 142201719 H# 2022-059	
1	voroz	to somebody at the house on my left side. So I didn't think much
2		of it. Then there's another patrol car, I think he was just stopping.
3		He was just pulling over and then behind him was young man
4		with his shirt off. And so, I'm like, ooh, that doesn't look good.
5		And so, you know, my eyes just kind of track him a little bit and
6		then I saw him reach in his pocket and pull something out,
7		looked like a weapon. So that I could see he was agitated.
8		
9		So, I flipped a "U" because I knew that this was going to escalate
10		fast. I saw the officer was by himself. And so, I figured at least I
11		could, you know, just stop traffic, you know, the flow of traffic
12		right there, so. Then as the officer got out of his car than the
13		young man, I think he flipped it, it was switch blade. I'm not sure
14		but at that point I saw a blade and he was going towards him.
15		And so, the officer getting out of his car started backpedaling and
16		you know, was yelling commands and then he pulled out his gun,
17		started firing. Okay, so then he fell backwards, both of them fell
18		like the same time. And so yeah
19		
20	DROST:	So, I have a couple things I want to start with is, to start with
21		about what time was it that you were going and I'm assuming
22		kind of what you described you were going
23		
24		Yeah.
25		
26	DROST:	toward ?
27		
28		
		7
ĺ		

	DR# 142201719 H# 2022-059	
1		Mm-hmm.
2		
3	DROST:	Okay.
4		
5		Yeah.
6		
7	DROST:	Do you recall about what time that was?
8		
9		I don't.
10		
11	DROST:	If you had to give it your best guess what would you say?
12 13		Marila a Farra la la
14		Maybe four-ish.
15	DROST:	Four in the afternoon?
16		Four in the alternoon:
17		Yeah.
18		
19	DROST:	Okay. All right.
20		
21		And that's a guess.
22		
23	DROST:	No, problem.
24		
25		All right.
26		
27	DROST:	I, you mentioned that you were driving towards
28		
		8



	DR# 142201719	
	H# 2022-059	
1		He was in the passenger.
2		
3	DROST:	The front one?
4		
5		Mm-hmm. Front passenger, yeah.
6		
7	DROST:	Okay. All right. So, you notice this patrol vehicle that stopped off
8		of, would you say it was leave to be
9		
10 11		It was past yeah.
12	DROST:	Doot
13	DINOGT.	Past 🚾
14		Yeah, it was
15		
16	DROST:	Okay. Do you recall what that street was? Or was it on
17		
18		No, it was on yeah.
19		
20	DROST:	Okay.
21		
22		It was on and there's some, you know, a couple of like
23		alleyways there or little roads going into little duplexes in there.
24		I'm not sure I've never been in there. But I know that area right
25		there because it's a little rougher, you know, then they have the
26		right there. So, you see some homeless you know
27		activity over there, so
28		10
		IV

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1	DROST:	So, for what you're describing, this would have been on the
2		side of
3		
4		Mm-hmm.
5		
6	DROST:	All right. And how did you know that was a patrol car as you saw
7		it?
8		
9		It was marked, it was Yucaipa.
10 11	DROST:	Okov
12	DROST.	Okay.
13		You know SUV.
14		
15	DROST:	So, it's more of the white.
16		
17		Yeah.
18		
19	DROST:	Ford Explorers with the sheriff's logo on the side?
20		
21		Mm-hmm.
22		
23 24	DROST:	Okay, and did you notice the deputy at that point?
25		Ho was in the car when I percent by the was I think he was it.
26		He was in the car when I passed by. He was I think he was just pulling up to the curb.
27		paining up to the outs.
28		
		11
1		

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1	DROST:	This is the one that was just of
2		
3		Oh, so this was the second one. So, the first one that was
4		parked they were at the house interviewing somebody at the
5		house.
6		
7	DROST:	Could you tell if that was male or female deputy? If you even saw
8		them.
9		
10		No, no, no.
11		
12	DROST:	Okay.
13		
14		Something said it was a female deputy. But I didn't, you know,
15		nothing was going on at that point, it was low key. And then
16		when I saw the second patrol car, still nothing. And then when I
17		saw the guy outside with his shirt off, just the look on his face,
18		and his hand was in his pocket, like he was ready to charge the
19		car.
20		
21	DROST:	Tell me a little bit more about that. What do you mean the look
22		on his face?
23		
24		Just looked agitated. You know, he wasn't just hanging out. I
25		mean, he had a mission.
26		
27	DROST:	Is there something about his body posture that makes you—
28		
		12

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1		Yeah stance.
2		
3	DROST:	Can you explain—
4		
5		His hands in his pocket. He was focused on the patrol car.
6		
7	DROST:	Okay.
8		
9		Yeah, it looked like he was already coming out of a driveway or
10		something like that, not sure.
11		<u>-</u>
12	DROST:	Okay.
13		
14		So
15		
16	DROST:	Is that what caught your attention is—
17		and the state of t
18		Mm-hmm.
19		
20	DROST	the patrol car approaching and kind of the response this guy
21		gave?
22		gave
23		Vools him you know I know there were a patrol as within
24		Yeah, him you know, I knew there was a patrol car within, you
		know, 100 or 50 feet of him and he's agitated, you know, the
25 26		officer is by himself. You know
	DDOCT:	Have for any and the second se
27	DROST:	How far away would you say you were at that point, when you
28		40
		13

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1		notice the guy that had ended up having what you believe is a
2		knife and then the officer approaching? How far away would you
3		say?
4		
5		I would say maybe 50 feet from here to the street.
6		
7	DROST:	And that was before you made the U turn?
8		
9	`	Mm-hmm.
10	DDOOT	
11 12	DROST;	All right. When you made that U-turn you so that you blocked
13		traffic if nothing else.
14		Mm-hmm.
15		wm-nm.
16	DROST:	How did you position your vehicle?
17	DICOUT.	riow did you position your verticle?
18		In diagonally in the lane. I took up a lane.
19		in diagonally in the lane. I took up a lane.
20	DROST:	Okay.
21		
22		Maybe 20 feet behind the patrol car.
23		
24	DROST:	Would that be north or south of the patrol car at that point?
25		
26		
27		
28		
		14

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4		
1 2	DROST:	Okay. Did you stay inside of your car? Did you get out of your
3		car?
4		No, I got out.
5		NO, 1 got out.
6	DROST:	Okay. And you when you got out of the car, you mentioned that
7		you heard some commands and some different things. What was
8		it you heard?
9		
10		Yeah, I mean, there was like he was lunging at him by the time I
11		got out. I immediately jumped out.
12		
13	DROST:	Who was jumping at who I'm sorry?
14		
15		The suspect.
16		
17	DROST:	At the deputy?
18		
19		Yeah.
20		
21	DROST:	Okay.
22		
23		As the deputy was getting out of the car. He was coming after
24		him. So, he immediately had to start backpedaling.
25	DDAAT	
26	DROST:	Okay. When you say that the suspect was lunging, was it like a
27 28		run? Was it a jump? Step forward? Or
دن		15
1		

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1		No, he was just, you know, walking towards him.
2		
3	DROST:	On a mission, like you—
4		
5		Yeah.
6 7	DROST:	
8	DROST.	described earlier?
9		Yeah, with a lot the knife is in his hand at this point.
10		roan, war a for the kine is in the hand at this point.
11	DROST:	How did he—
12		
13		The blade was out.
14		
15	DROST:	Okay. Did he have the knife pointed in a certain direction?
16		
17		I mean, he was just, you know, I couldn't tell if he was, you know,
18		jabbing or just walking, but he had it.
19 20	DROST:	Okov
21	DROST.	Okay.
22		And it was, you know, he was going after him. He was going to
23		get stabbed.
24	•	
25	DROST:	What commands or what did you hear from the deputy?
26		
27		I couldn't understand. I knew there were commands, but there
28		
		16

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1		was yelling. You know, it happened within two seconds.
2		
3	DROST:	The whole exchange?
4		
5		Mm-hmm.
6	·	
7	DROST:	From the moment the deputy got out of the car until
8		
9		From the moment I was out of the car.
10		
11	DROST:	Okay.
12		
13		Because, you know, I'm turning around, I see it, I turn around
14 15		and it's going.
16	DROST:	Okay.
17		Okay.
18		Yeah.
19		
20	DROST:	Did you hear the suspect say anything in response to the
21		deputy?
22		
23		No.
24		
25	DROST:	And then you mentioned that there were some gunshots. Do you
26		recall how many that you heard?
27		
28		
***************************************		17

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***		Multiple, at least two.
2		
3	DROST:	All right.
4		X
5 6		Yeah, at least two.
7	DROST:	You mentioned that the, that both of them fell down
8	DROST.	rou mentioned that the, that both of them len down
9		Mm-hmm.
10		***************************************
11	DROST:	at about the same time. Was the deputy still backpedaling as
12		he discharged his firearm?
13		
14		Yeah, mm-hmm.
15		
16	DROST:	Okay. If you could estimate to the best of your ability and your
17		perspective and everything else is, how close would you say that
18		the suspect got to the deputy before he discharged the firearm?
19		
20		From me to you.
21		
22	DROST:	So, within an arm's reach?
23		
24		Almost.
25		
26	DROST:	Okay. What did you think was going to happen?
27		
28		18
***************************************		IU

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4		He was going to get stabbed.
2		
3	DROST:	The deputy was going to get stabbed?
4		
5		Yeah.
6		
7	DROST:	Okay. What makes you think that?
8		
9		I felt like I was going to have to intervene.
10		
11	DROST:	Tell me about that.
12 13		
13 14		I just felt like, you know, somebody's going to get hurt. You
15		know, and when the deputy got out of the car, he didn't have his
16		gun out, but the guy was coming at him already.
17	DROST:	With the knife already?
18		with the kine undady:
19		Mm-hmm.
20		
21	DROST:	Okay.
22		
23		And so, it was like, oh man, but he was fast.
24		
25	DROST:	Could you describe what this guy looks like? And I know we
26		keep referring to him as "the guy," can you give any kind of a
27		description?
28		
		19

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1		I don't know if he had on pants or shorts. I would say shorts, light
2		colored shorts, no shirt. I don't remember tats, that was about it.
3		
4	DROST:	Do you remember what his hair looked like?
5		
6		Mm-mm.
7		
8	DROST:	Okay. If you could best of what you remember his height, his
9		weight?
10		
11		Between 5'10 and six foot. I would say more than 200, he was a
12		husky guy.
13		
14	DROST:	All right, and then as far as the deputy, could you describe how
15		did you know that was a deputy?
16 17		Oh ha waa yay kuay wifamaad
18		Oh, he was you know, uniformed.
19	DROST:	Could you describe what that uniform looks like?
20		Codia you accombe what that annount looks like:
21		No, it was a Yucaipa.
22		•
23	DROST:	Is it?
24		
25		Nothing out of the ordinary.
26		
27	DROST:	Is it like a, what the sheriffs out here wear? The tan shirt? Dark
28		
***************************************		20

Someone and		

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Ą	1177 2022-033	groon nonto?
2		green pants?
3		Yeah.
4		
5	DROST:	Duty belt? It's got insignias on the shoulder. Were you able to
6		see all those?
7		
8		No.
9 10	DROST:	Identifiers?
11	DROST.	
12		No.
13		
14	DROST:	What specifically did you notice that clued you in that was a
15		deputy then?
16		
		I mean, I knew he was a police officer.
	DROST:	Was that
	DROOT.	was trat
21		Cause he.
22		
23	DROST:	Because of his—
24		
25		The uniform, the car.
	DPOST-	Okay Kind of the totality of a conthing?
	DRUST.	Okay. Kind of the totality of everything?
		21
22 23 24	DROST: DROST:	Because of his— The uniform, the car. Okay. Kind of the totality of everything?

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1		Yeah, there's no question.
2		
3	DROST:	Okay.
4	***************************************	
5		Yeah.
6		
7	DROST:	And then after the deputy discharges his firearm, they both fell,
8		what happened from there?
9		
10		It took him a second to get up. And so, I didn't know if the other
11		guy was down. Honestly, I didn't know if it was lethal or non-
12		lethal that he was discharging. So, I didn't know if the guy was
13		going to get up. So, I was going to go over to him and kick the
14		knife away and, but the deputy got up.
15		
16	DROST:	How long would you say that took?
17		
18		At least a second. I mean, it wasn't down and up. He was
19		down—
20		
21	DROST:	Okay.
22		
23		-and then he got up.
24		
25	DROST:	All right, did anything happen after that point?
26		
27		I believe he went over and looked at him and checked him and
28		22
3		Store Store

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1		the guy was moaning.
2		
3 4	DROST:	This is the suspect?
5		The suspect was moaning. I couldn't understand what he was
6		saying. Some bystanders started shouting and then we waited
7		for a medical. I asked him if he needed medical. And so—
8		
9	DROST:	The deputy or the?
10	***************************************	
11		I asked the deputy if he needed medical attention.
12		
13	DROST:	Okay.
14		
15		And so, he said, no, just stand by though.
16		
17	DROST:	Okay.
18		
19		So, I stood by and waited for fire.
20		
21	DROST:	When you saw the deputy discharge his firearm, how far away
22		would you say that you were at that point?
23		
24		Twenty feet.
25	DD007	
26	DROST:	And that would have been to the north of him?
27		
28		23
***************************************		20

	TOTAL	
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1	777777777777777777777777777777777777777	Yeah.
2	***************************************	
3	DROST:	Okay.
4		
5		Yeah.
6		
7	DROST:	Okay. And did you go and approach where the deputy was at to
8		ask if he needed any medical attention? Or did you—
9		
10		When he fell, I approached him.
11		
12	DROST:	Okay. Did you notice if the deputy was injured?
13		
14		Once he got up, he said he wasn't injured. He wasn't limping or
15	TO 10 10 10 10 10 10 10 10 10 10 10 10 10	anything.
16	DDOCT.	
17 18	DROST:	Didn't see any obvious stab marks or anything?
19		No there were no blood
20		No, there was no blood.
21	DROST:	Okay. And then what about the suspect? Could you tell of any
22		injuries to the suspect?
23		myanio to sho daopoot.
24		Yeah, he had blood. He was, you know, in a guarded position on
25		the ground.
26		
27	DROST:	Do you remember if he was on his back, his side, his stomach?
28		
		24

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1		He was on his side. Yeah.
2		
3	DROST:	All right and where did you see that blood coming from?
4	***************************************	
5		Just on his exposed skin.
6		
7	DROST:	Okay. You motioned off your left
8		
9		[inaudible] Kind of a little bit everywhere.
10		
11	DROST:	Okay.
12		
13		I think he was laying on his right side. I could be wrong.
14		
15	DROST:	Okay.
16		
17		But—
18		
19	DROST:	Do you remember seeing any gunshot wounds or any holes, any
20		obvious holes?
21		
22 23		No, I didn't see you know, but he was covered in blood. So, I
23 24		didn't really expect to see any holes. I just there wasn't a lot of
25		blood for as many shots that went off. So even at that point, I still felt that it may have been not lethal.
26		Tell that it may have been not lettal.
27	DROST:	Okay.
28	over 2 % Nove Nove E ;	Ondy:
		25

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1		So
2		
3	DROST:	All right and then you waited there until what?
4		Oh, until they released me.
5		
6	DROST:	Okay. Do you remember about how long that was?
7		
8		I would say a good half an hour.
9	***************************************	
10	DROST:	Did you give anybody a statement kind of like what you're doing
44		right now?
12		
13		Mm-hmm.
14 15	DROST:	Okar Danas and an
16	DROST:	Okay. Do you remember
17		The officer?
18		THE Officer:
19	DROST:	Yeah.
20		
21		No, she didn't give me a card, it was a female officer.
22		
23	DROST:	Okay.
24		
25		Yeah, Hispanic last name.
26		
27	DROST:	Okay. So, you mentioned that was with you.
28		
		26

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1		Mm-hmm.
2		
3	DROST:	Do you know if he saw any of these same events?
4		
5		He saw a commotion, but he didn't know what was going on. I
6		came back in there car and I kind of explained like, an officer
7		almost got hurt, yeah and so
8		
9	DROST:	What do you mean by he didn't know what was going on?
10		
11		Well, so the car was facing like this, and everything was over
12		here. And he's and he has anyway. So
13		
14	DROST:	Okay.
15		
16		Yeah.
17		
18	DROST:	Okay, not exactly aware—
19		
20		Yeah.
21		
22	DROST:	of what occurred.
23		
24		Right.
25	DDAAT.	
26	DROST:	Just know that you stopped because there was an issue.
27 28		
20		27
***************************************		<i>€ i</i>

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1		Mm-hmm.
2		
3	DROST:	Okay.
4		
5		Yeah.
6		
7	DROST:	All right, you mentioned that this incident occurred, probably
8		within two seconds when you got out of the car and the shots
9		were fired. Did you and you stayed until you were relieved.
10		
11		Mm-hmm.
12		
13	DROST:	Did any medical personnel show up?
14		
15		Mm-hmm.
16		
17	DROST:	When did that happen?
18		
19		They were on the scene fast.
20		
21	DROST:	How long would you say after the gunshots?
22		
23		Well, first the officers that were just south of them came fast. The
24		female came running she was full on sprint. And then Fire
25		showed up, I think he showed up at the same time as AMR.
26	~~~~	
27	DROST:	Do you rememberthe best of what you recall about how long
28		28
		~ ·

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1		after the gunshots?
2		
3	WILLIAMS:	AMR?
4		
5	DROST:	Yeah, for Fire Department, AMR.
6		
7	***************************************	I would say less than five minutes for sure.
8 9	DROST:	All right. Did you notice if in between, the deputies did anything
10	DROST.	with the suspect? Did they render any sort of medical aid?
11		with the despect. Did they render any soft of medical aid:
12		They went and checked him. They checked him and talked to
13		him. I couldn't understand what they said but he was moaning.
14		You know, but I mean, they didn't really move him around until
15		the medical got there.
16		
17	DROST:	Okay. I'm sorry going to probably jump around a little bit.
18		
19		That's fine.
20		
21	DROST:	You, when you mentioned that the deputy retreated as the
22		suspect ran at him with the knife. To the best of your ability, how
23		far would you say he retreated? And how did he retreat?
24		
25		Three steps backwards.
26		
27	DROST:	Just stepping back?
28		20
		29

DROST: Facing towards the suspect? Mm-hmm. DROST: All right. And at that point, that's when he discharged his firearm? Mm-hmm. Drost: Okay. Were there any oncoming vehicles towards the deputy at that point? There was cars that were still kind of going around a little bit and somebody was there recording. And a pedestrian, I mean, the bystanders, there was about 15 of them that were there, a lot of people gathered. DROST: After the shooting or before? Right after the shooting.
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people gathered. DROST: After the shooting or before?
DROST: After the shooting or before?
21
21
22 Right after the shooting
23
24 DROST: Okay.
25
26 Mm-hmm. Maybe before but I wasn't paying attention to that.
27
28
30

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1	DROST:	Okay.
2		
3		I didn't know until they kind of started yelling.
4		90%, b
5	DROST:	Did you just by chance, did you take any recordings or any
6 7		photographs of while you were out there?
8		No.
9	-	
10	DROST:	All right. After you asked the deputy if he needed any medical
11		attention, he told you no. Did you stay over by where he was at?
12		Or did you go back to your car?
13		
14		No, I stood there.
15		
16	DROST:	All right. And where was that at?
17		
18		To his right, north.
19 20	DROST:	I guess like—
21	DROST.	i guess like—
22		North of him.
23		
24	DROST:	By the patrol vehicle or
25		
26		Mm-hmm.
27		
28		
		31

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1	DROST:	All right.
2		
3		We were all, we were within maybe 5,10 feet of the patrol
4		vehicle.
5		
6	DROST:	Right. And that's the one that he originally showed up in not the,
7		not anyone's that responded?
8		
9		Right.
10 11	DROST:	Okay Basidas the female density that same wenter as we
12	DROST.	Okay. Besides the female deputy that came running up, were there any other deputies that showed up?
13		there any other deputies that showed up!
14		Mm-hmm, at least two other ones.
15		
16	DROST:	Was that before the fire department arrived?
17		
18		Mm-hmm.
19		
20	DROST:	What did those deputies do if you remember?
21		
22		They first, they approached the suspect, I think, to make sure
23		that the weapon was secure, and they came and talked to the
24		deputy.
25		
26	DROST:	Okay. During the time that you were there on the scene, did you
27		see the suspect lose consciousness at all from what you could
28		32
		52

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	H# 2022-059	
1		tell?
2		
3	•	Mm-mm.
4		
5 6	DROST:	Okay.
7		No, he was moaning the whole time.
8		140, he was moaning the whole time.
9	DROST:	All right. We got a chance to go out and look at the scene briefly.
10		And notice that there was a bike over on the—
11		
12		Mm-hmm.
13		
14	DROST:	the east side of the road.
15		
16		Yeah, I saw that too.
17	nnoct.	
18 19	DROST:	Do you know if that was related to anything at all?
20		I never saw anybody on a bike.
21		Thovas daw anybody on a bita.
22	DROST:	Okay.
23		
24		And so, I didn't know. Yeah, I just kind of figured maybe it was
25		that guy that, I don't know maybe a robbery or something, but
26		that was just me just assuming.
27		
28		
***************************************		33

	DR# 142201719 H# 2022-059	
1	DROST:	Okay. I do have a picture of somebody I want to see if you
2		recognize them—
3		All right.
4		
5	DROST:	if you're alright with that. Just help me keep my some my
6	***************************************	paperwork in order. I'm just going to put a number one at the top
7		of this paper here. So
8		
9	***************************************	That's a lot of hair he didn't have that much hair.
10		
11	DROST:	Does that look like it's the same person with even regardless of
12		the hair?
13		
14		l couldn't say.
15		
16	DROST:	Okay, no problem. And then I have like a Google overhead map.
17		
18		Mm-hmm.
19		
20	DROST:	Over in that area.
21		
22		Mm-hmm.
23		
24	DROST:	I just kind of helps make sure I'm on page with everything with
25		what you're saying. Would you mind just kind of putting down
26		some symbols on where you saw some things or
27		
28		
		34

	DR# 142201719 H# 2022-059	
1	***************************************	So, I have two here. I think maybe we'll do this little bit of a wider
2		view here. And same thing I'm just going to go ahead and throw
3		a number two at the top, to help me keep my things in order.
4		
5		Okay. You guys need water anything?
6		
7	DROST:	No, I'm all right but I do appreciate it.
8		
9		Mm-hmm.
10	***************************************	
11	DROST:	So, I'll have you take a look at this here. I'll give you this pen. I
12		guess to start with if you don't mind throwing an N with an arrow
13		so we can say which way is north.
14		
15		Okay. So, this doesn't have the then, the then, the
16		right here.
17 18	DROST:	Okov
19	DROST.	Okay.
20		Right?
21		, value:
22	DROST:	Yeah.
23		
24		I know it was towards the
25		Yeah, it's hard to say. Is this the
26		right here or is it a little bit further down?
27		
28		
		35

	DR# 142201719 H# 2022-059	
1	DROST:	It would be a little bit further this way towards the top of the page.
2		
3		You know, ballpark would be like I would say, right around here.
4 5	DROST:	Okay. And that's all I'd be asking for is kind of a ballpark.
6	***************************************	·
7		Yeah.
8	***************************************	
9	DROST:	It's definitely not to scale. Not something like that.
10		
11		Right.
12	DDOCT	
13 14	DROST:	It's just to help kind of showing relationship on where things were.
15		weic.
16		Mm-hmm.
17		
18	DROST:	Is do you think you'd be able to put where you saw that initial
19		patrol vehicle? That was from what you could tell it was talking to
20		a male?
21		
22		Yeah, that was some somewhere in this block right here.
23		
24	DROST:	Okay. Are you able to maybe put a rectangle on where you saw
25		that patrol vehicle parked general area.
26 27		So, about this size of a rectangle?
28		So, about this size of a rectallyle!
		36

	DR# 142201719 H# 2022-059	
1	DROST:	Sure, whatever you think is appropriate. So somewhere in that
2		area is where they were parked?
3		
4		Mm-hmm.
5		
6	DROST:	Okay. And was that patrol vehicle parked facing
7		
8		
9		
10	DROST:	All right, and then that's the deputy you saw interacting with a
11		male subject in the front yard over on this side?
12 13		They was been been standing at the door or because it was
13		They may have been standing at the door or because it was
15		back a little bit. It wasn't right on the road so
16	DROST:	Okay.
17		onay.
18		They may have been standing at their door.
19		
20	DROST:	Okay. And then if you don't mind can we, can you just write PV
21		1, for patrol vehicle one.
22		
23		Right next to this?
24		
25	DROST:	Yes, sir. Thank you. And then now if you don't mind putting
26		where you saw that the suspect at when you first noticed him,
27		kind of the general area for him.
28		
		37

	DR# 142201719 H# 2022-059	
1		I know that there was a gate that he was standing in a little
2		driveway.
3		
4	DROST:	Mm-hmm.
5		
6		And the gate was closed but it went back about 15 feet.
7		
8	DROST:	Okay.
9		
10		And so, I don't think that was a gate to a house, I think was just
11		like a lot or something may have been somewhere around here.
12		
13	DROST:	Okay.
14		
15		Do you want to triangle?
16		
17	DROST:	For this one let's do a circle kind of in that area where he was at.
18		
19		Okay. So, I'm just going to stay right around here.
20		
21	DROST:	Okay.
22		
23		I don't know that this may be where the duplexes are back in
24		there.
25		
26	DROST:	Okay.
27		
28		
		38

	DD# 440004740	
	DR# 142201719 H# 2022-059	
4		I know there's a driveway along there. I've never been in it, but
2		this is probably it from what I've seen on here.
3		
4	DROST:	Okay. And then now for the second patrol vehicle are you able to
5	***************************************	put another triangle?
6		
7		It will be within the circle.
8		
9	DROST:	So, still right in that same area?
10		
11		Mm-hmm.
12		
13	DROST:	Okay. And that patrol vehicle when he was pulling up what
14 15		direction was it driving? Was it headed
16		it was Took
17		It was yeah.
18	DROST:	Okay.
19	b 1	Olay.
20		Mm-hmm.
21		
22	DROST:	All right, at the top of this are you able to put an "N" for north and
23		an arrow showing which way north is, please.
24		
25	CHANDLER:	I just have like, to continue, I can't really see what which way the
26		car would be. What way was your car facing?
27		
28		
		39

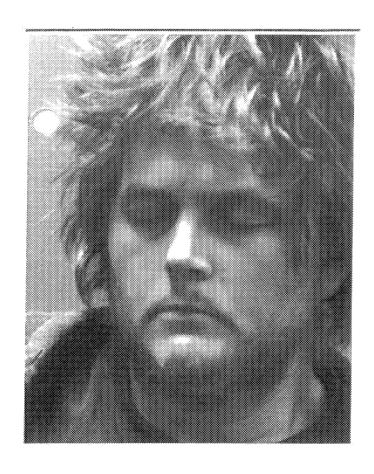
	DR# 142201719	
	H# 2022-059	
1		So I turned around, I was going
2		
3	CHANDLER:	Mm-hmm.
4		
5		Yeah. So I—
6		
7	CHANDLER:	Did you
8		
9		turned around and that was I, yeah. So, I was but
10		blocking the lane, blocking the southbound.
11	01111	
12	CHANDLER:	What way was the front of your car facing, I didn't?
13 14		
15		
16	CHANDLER:	Okay. And then you got out of your so your cars like in
17		between the one and two lane here? Kind of blocking you said.
18		I was trying to yeah, but it was primarily in the
19		
20	CHANDLER:	So, from the moment that you saw the deputy start to stop his
21		car until when you got out of your car and ultimately the deputy
22		fired his weapon. How long do you think that whole time period
23		was?
24		
25		From when I got out and when he fired the weapon?
26		
27	CHANDLER:	From when the deputy started exiting his car—
28		
***************************************		40

	DR# 142201719 H# 2022-059	
1		Oh.
2		
3	CHANDLER:	- to when he
4		
5		Exited his car? Less than 10 seconds.
6		
7	CHANDLER:	Okay. And you said it was two seconds when you started getting
8		out of your car, right?
9	***************************************	
10		Mm-hmm, yeah.
11	***************************************	
12	CHANDLER:	Well, the last thing I kind of had is, what do you think would have
13		happened if the deputy didn't discharge his weapon?
14		
15		Oh, yeah. He would've have got hurt. He would've got stabbed
16		for sure, yeah.
17		
18	CHANDLER:	That's all.
19		
20		Yeah, I'm glad he's okay. I'm retired fire so I work closely with
21		the police and so
22		
23	CHANDLER:	Could've gone bad.
24	· · · · · · · · · · · · · · · · · · ·	
25		I felt you know inclined, so
26		
27	DROST:	If you could, I guess you could describe how that incident
28		41
		↔ §

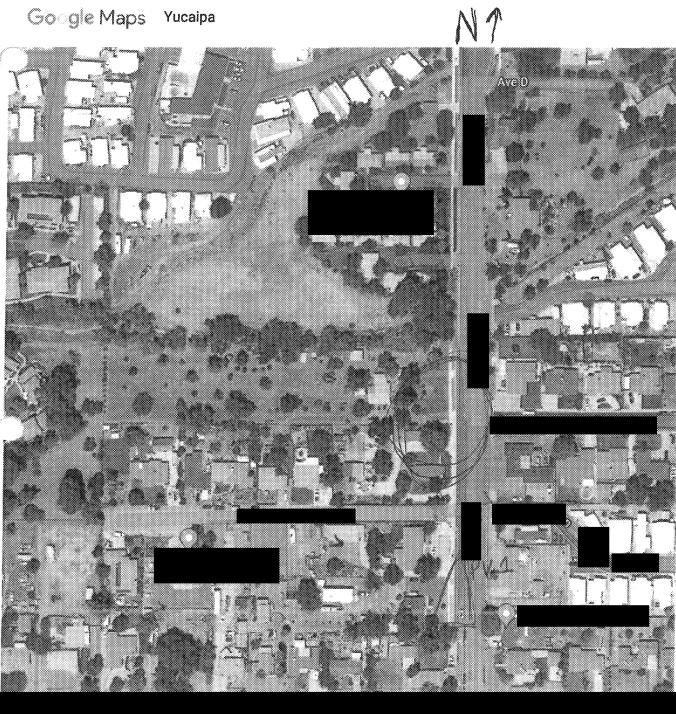
	DR# 142201719 H# 2022-059	
1		transpired in one word, what would you say?
2		
3		The end result I would say a win for the good guys, is how I
4		walked away feeling. Like, the officer could've died, so
5		
6	DROST:	Well, I don't have any questions unless there's something maybe
7		I haven't asked yet that you think we should know.
8		
9		No, I mean, did the kid—I don't know if you're able to say.
10		
11	DROST:	The deputy?
12		N. d
13		No, the suspect. Did he make it or?
14 15	DROST:	As of right now, as for as we know he's still
16	DROST.	As of right now, as far as we know he's still—
17	CHANDLER:	He's still at the hospital.
18	V11/1/16/200 (m.) 1.	Tie 9 din at the neophan
19		Oh, okay.
20		
21	DROST:	So, we appreciate your time and sorry, the late evening
22		
23		No. It's all right I mean; the
24		better because it would have been impossible with
25		
26		
27	DROST:	Maybe we would have been asking them.
28		
		42

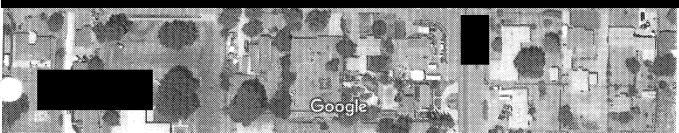
	Commonwealth	
	DR# 142201719 H# 2022-059	
1		Oh, yeah. He would of loved you guys.
2		
3		This is 10 , yeah.
4		
5	CHANDLER:	It's nice.
6		
7		It's a single story. It was opened up and then it's on about half
8		acre so it moves back to a so that was really that
9		was the selling, yeah. Space.
10 11	CHANDIED.	M. have I have able think in almost a term of Od by the think in
12	CHANDLER:	My house I honestly think is single story about 24 but I think
13		maybe because the way this room is like it kind of—
14		Yeah.
15		
16	CHANDLER:	feels more open.
17		
18		Yeah.
19		
20	CHANDLER:	Yeah. It's nice and cool.
21		
22		Yeah.
23		
24	CHANDLER:	Thanks again appreciate it.
25		
26		Of course, thanks for coming out. No problem, man, glad
27		everybody is safe. Yeah.
28		43

DR# 142201719 H# 2022-059 CHANDLER: You have a good night. Okay. I'm sorry. Hopefully you have enjoy, well hopefully you have a three day CHANDLER: weekend. Yeah, I do. Golfing in the morning, so. There you go. DROST: Have a good night. All right, guys you guys be safe. Thank you. (Inaudible noise covering the recording) **UNKNOWN:** Tuesday, is that cool? DROST: Off recording 22:47.



Gogle Maps Yucaipa





Imagery @2022 County of San Bernardino, Maxar Technologies, U.S. Geological Survey, USDA/FPAC/GEO, Map data @2022 100 ft



WITNESS INTERVIEW

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

2000000	CODE SECTION		CRIME	CLASSIFICATION
200000000000000000000000000000000000000	PC 245(c)		ADW on a Peace Officer	Knife
North Control	VICTIM'S NAME - LAST NAME	FIRST NAM	IE MIDDLE NAME	(FIRM NAME IF BUSINESS)
CONTRACTOR OF THE PARTY OF THE	Juarez	Eugene		
Ĭ				

\$ 25 PP 1, 1990 PA 26, 18 1990 PP 26, 5 15 PP 1, 2 1
WITNESS INTERVIEW - INTERVIEW
On Friday, May 27, 2022, at approximately 2112 hours, Detective Cory Drost and I interviewed at the San Bernardino County Sheriff's Department (SBCSD) Yucaipa Station, at 34144 Yucaipa Boulevard, in Yucaipa. I used my department-issued audio recorder to record my interview with I downloaded my recording, and it was later placed into evidence. The following is a summary of interview.
On Friday, May 27, 2022, at approximately 1330 hours, and drove east on Yucaipa Boulevard with and their drove their black Ford Explorer. Tode in the front passenger seat and rode in the rear passenger seats. It turned south onto 5th Street from Yucaipa Boulevard. It drove approximately 30 miles per hour in the number one lane of saw an SBCSD patrol vehicle drove behind continued south on and neared saw a second SBCSD patrol vehicle parked on the curb line of According to the patrol vehicles were clearly identifiable law enforcement vehicles with sheriff's decals and emergency light bars.
saw a White male adult on the curb line of war, wearing pants, shoes, and no shirt as he approached line was. Investigators identified the subject as Cole Bierma. According to good and the sidewalk and looked at a bicycle in the opposite lanes of travel. It drove past Bierma and looked in his rearview mirror. Saw the patrol vehicle behind him stopped near the west curb line near Bierma. Investigators identified the deputy who drove the patrol vehicle as Deputy Eugene Juarez.
According to he saw Juarez exit the patrol vehicle to contact Bierma as looked in his rearview mirror. Juarez was approximately 15 feet away from Bierma when Juarez approached Bierma. Bierma sprinted toward Juarez and ran in a circle around Juarez. According to Bierma came within one foot of Juarez as Bierma circled around Juarez. Continued driving towards the intersection of
stopped at the stop sign and looked in his rearview mirror again. saw Juarez knelt on the ground. assumed Juarez was detaining Bierma because deputies handcuff subjects using that method. could not see Bierma because of an elevation change in the roadway. drove through the intersection and continued south on the second continued south on the patrol vehicle had its emergency lights and sirens on. asked fits if she saw Bierma run around Juarez. According to told him she did not and had no idea what he was talking about.

Reviewed By:

Date: 1912 Author: Detective Brett Chandler Author Date: 06/29/2022

Page 1 of 2



WITNESS INTERVIEW

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW on a	a Peace Officer	Knife
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		
WITNESS INTERVIEW		: continued	
side of the road, to the gunshots and did not kn	moment bel	ieved Juarez detai counter occurred u	e moment saw Bierma on the ned Bierma. did not hear any ntil investigators told him. According
had no further info	rmation, and I cond	cluded the interviev	<i>I</i> .

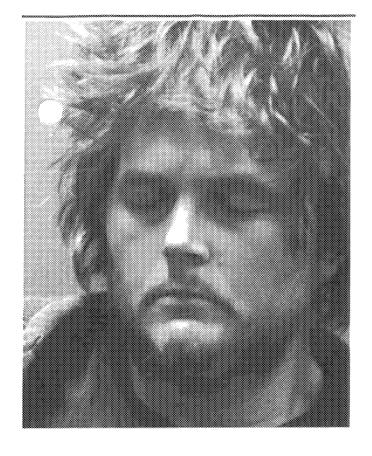
Author: Detective Brett Chandler Author Date: 06/29/2022

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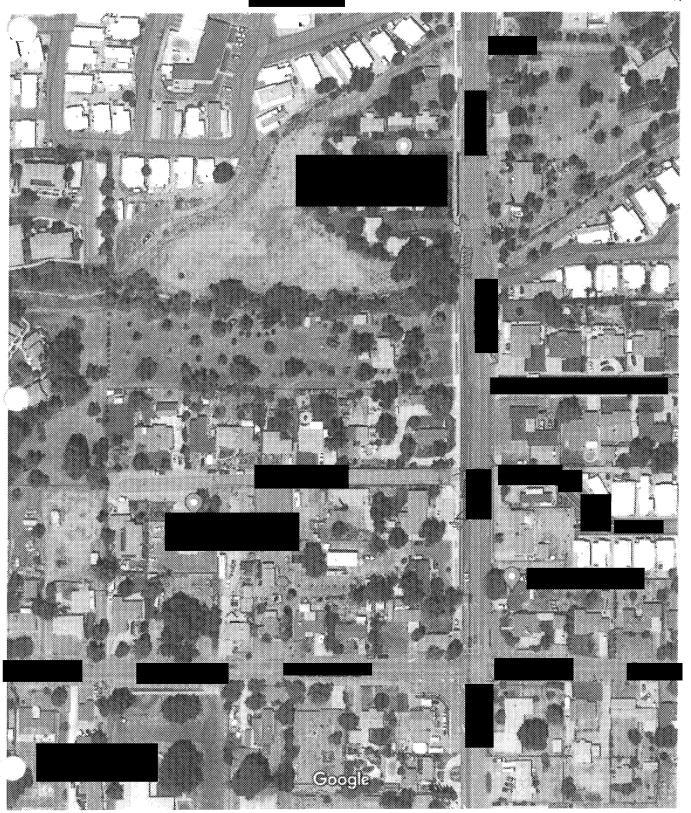


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WITNESS INTERVIEW

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-059

CODE SECTION CRIME CLASSIFICATION
PC 245(c) ADW on a Peace Officer LFE
VICTIM'S NAME - LAST NAME FIRST NAME MIDDLE NAME (FIRM NAME IF BUSINESS)
Juarez Eugene

WITNESS INTERVIEW: CORPORAL DANIEL SHELTON

On Friday, May 27, 2022, at approximately 1931 hours, San Bernardino County Sheriff's Department (SBCSD) Detectives Cory Drost and Brett Chandler interviewed Corporal Daniel Shelton in an office at the Yucaipa Police Department, at 34144 Yucaipa Boulevard, in Yucaipa. The interview was recorded with their digital recorders. Copies of their audio recordings were downloaded into the digital case file and later placed into evidence. The following is a verbatim transcript of the interview with Shelton.

On Tuesday, April 23, 2024, at approximately 0900 hours, I reviewed the verbatim transcript using Drost's audio recording for accuracy.

Reviewed By: Sergeant Nicolas Craig Date:

Author: Detective Justin Applegate

Author Date: 04/23/2024 Page 1 of 1

DR# 142201719 H# 2022-059

	H# 2022-059	
1	Daniel Shelton Interview:	
2		
3	DROST:	So, today is Friday, May 27 th , 2022, at approximately 1931
4	***************************************	hours. This is Detective Cory Drost and Detective Brett
5	90000	Chandler. We're here at the Yucaipa Station in an office with
6		Corporal, is it Danny or Daniel?
7		
8	SHELTON:	Daniel.
9		
10	DROST:	Daniel Shelton and this is regarding the Yucaipa LFE for Henry
11		number 2022-059. Alright, sir, obviously we're here for this LFE
12		that occurred this lethal force encounter that occurred. There's
13		something I want to read to you. It's kind of like an
14		admonishment. Basically, I want to let you know that this is a
15		criminal investigation, or a criminal report and it will be submitted
16		to the district attorney. You do not have to speak with me. No
17		discipline can come from you from not speaking with me or my
18		partner. Prior to this interview, has anyone ordered you to give
19		you to give us a statement other than the public safety
20		statement?
21		
22	SHELTON:	No.
23		
24	DROST:	All right with-with that in mind. Are you willing to speak with my
25		partner and I?
26		
27	SHELTON:	Yes.
28		
		1

	DR# 142201719 H# 2022-059	
1	DROST:	And just abundance of caution. Have you been ordered to speak
2	***************************************	with either of us?
3		
4	SHELTON:	No.
5		
6	DROST:	All right, if you don't mind, can you spell your first and last name
7	***************************************	please?
8		
9	SHELTON:	D-a-n-i-e-l. Shelton, S-h-e-l-t-o-n.
10 11	DROST:	Thank you and your birthday?
12	DROST.	mank you and your billinday?
13	SHELTON:	
14		
15	DROST:	Your employee number?
16		•
17	SHELTON:	A 4-6-6-7.
18		
19	DROST:	All right, and then how many years of service do you have?
20		
21	SHELTON:	
22		
23	DROST:	Who are you employed by?
24		
25	SHELTON:	San Bernardino County Sheriff's Department.
26		
27	DROST:	At what station?
28		
		2

	DR# 142201719 H# 2022-059	
1	SHELTON:	Yucaipa.
2		
3	DROST:	All right and your height and weight, please?
4		
5	SHELTON:	5'6", 205.
6	DDOOT-	B
7 8	DROST:	Do you recall your date of hire?
9	SHELTON:	
10	OTILL TOIN.	
11	DROST:	And do you remember what year you started the date that you
12		started patrol?
13		
14	SHELTON:	
15		
16	CHANDLER:	You can give an estimate.
17		
18	SHELTON:	
19		
20	DROST:	All right. What's your current rank?
21		
22	SHELTON:	Detective.
23		
24	DROST:	And do you have any previous law enforcement experience
25		besides with the Sheriff's Department?
26		
27	SHELTON:	
28		
		3

	DR# 142201719 H# 2022-059	
1	DROST:	What is your current shift?
2		
3	SHELTON:	I work Tuesday through Friday, four 10's, 7 to 5.
4 5	DROST:	Zam ta Enmo
6	DROST.	7am to 5pm?
7	SHELTON:	Uh-huh.
8		
9	DROST:	And as far as today goes, what is your callsign?
10		
11	SHELTON:	Today, I'm 14 Paul 60.
12		
13	DROST:	Do you recall the unit number that you were driving today?
14	witsen a move of	
15 16	SHELTON:	Oh yeah, which one was it, a county unit? 4 Sam 1.
17	DROST:	All right. And did you have a partner or anybody riding with you
18	DROOT.	as a passenger today?
19		ac a passonigo. Isaay.
20	SHELTON:	No.
21		
22	DROST:	Can you describe the uniform that you wore today?
23		
24	SHELTON:	It was our class A patrol uniform. Tan shirt, badge, flag, patches.
25		
26	DROST:	Do what color pants are worn with that?
27		
28		4
		•

	Commence	
	DR# 142201719 H# 2022-059	
1	SHELTON:	Dark green.
2		
3	DROST:	Any sort of tactical belt or duty belt?
4		
5	SHELTON:	Sam Brown, gun, all the
6		
7	DROST:	Can you go into a little bit further detail about what's on your duty
8		belt?
9		
10 11	SHELTON:	Taser, baton, extra ammo, handcuff cases, extra flashlight.
12	DROST:	Are there any sort of insignias on your shirt that represent the
13	DNOO1.	department that you work for?
14		department that you work for :
15	SHELTON:	My name badge says Yucaipa Station. My patches that say San
16		Bernardino County Sheriff's Department.
17		
18	DROST:	Where the San Bernardino County Sheriff's Department
19		patches?
20		
21	SHELTON:	On each shoulder.
22		
23	DROST:	Okay, and then you mentioned a badge, where's that at?
24		
25	SHELTON:	The badge is on my left side.
26	DDAAT.	
27	DROST:	Okay, is it
28		5

	DR# 142201719 H# 2022-059	
1	SHELTON:	On my, over my heart.
2		
3	DROST:	Okay, is there any device or anything that represents your or
4	***************************************	identifies you? Like a name tate or name tape or name plank,
5		plaque?
6		
7	SHELTON:	Just my-my badge, my name badge that says Yucaipa Sheriff or
8		says Yucaipa on it and it's got my name, D. Shelton.
9		
10	DROST:	Where's that at?
11		
12	SHELTON:	It's on the right side of my chest.
13		
14	DROST:	Okay. Do you have a belt recorder that you're issued?
15	~~ {	
16	SHELTON:	I do.
17	DDOCT:	
18 19	DROST:	Do you know if that was activated during this incident?
20	SHELTON:	It was.
21	SHEETON.	it was.
22	DROST:	Was it activated prior to or after?
23		vvao it dotivated prior to or alter:
24	SHELTON:	It was. I was on a I had located a runaway juvenile, and I was
25		recording my conversation with him when this call came out, and
26		I never turned it off until we were done with the scene.
27		
28		
***************************************		6

	DR# 142201719	
	H# 2022-059	
1	DROST:	Okay. Does the-the unit that you're driving today 4 Sam 1 have a
2		camera installed on it?
3	***************************************	
4	SHELTON:	No.
5		
6	DROST:	And do you have a body worn camera that you had activated
7		today?
8	SHELTON:	No.
10	SHELTON.	INO.
11	DROST:	Did you have a chance to listen to your audio recording from this
12		incident?
13		
14	SHELTON:	Yes, I did.
15		
16	DROST:	All right. And did you take any photographs?
17		
18	SHELTON:	Yes.
19		
20	DROST:	How much sleep did you get in the last 24 hours?
21		
22	SHELTON:	Eight hours.
23	DDOCT:	And what about within the last 40 haves
24 25	DROST:	And what about within the last 48 hours?
26 26	SHELTON:	Eight hours every night.
27	Top's thousable 5 Top's Vs.	migric riodio ovory riigita
28		
		7
:		

	DR# 142201719 H# 2022-059	
1	DROST:	So, about 16 total?
2		
3	SHELTON:	Sure.
4		
5	DROST:	And were you under a doctor's care or taking prescribed
6	***************************************	medications that affected your ability to perform at the time of the
7		shooting?
8		
9	SHELTON:	No.
10		
11	DROST:	All right. Just abundance of caution you did not discharge your
12		firearm during this incident?
13	~1 2 m 4 m ~ h 1	
14	SHELTON:	No.
15 16	DROST:	All right. So lot's see here. So so you were involved in this
17	DRUST.	All right. So, let's see here. So, as you were involved in this
18		incident, was there any communication whether it be through the radio or-or verbal communication with any other deputies? So,
19		you became aware of this call at some point?
20		you became aware or this can at some point:
21	SHELTON:	Correct.
22		
23	DROST:	How was that?
24		
25	SHELTON:	I was sitting in my car, talking to the juvenile who was standing
26		outside my passenger window, Deputy Ziemer was standing
27		directly behind him. I was having a conversation with that
28		
		8

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1		juvenile when I heard traffic on the air. Ziemer looked at me and I
2		saw him like, put his hand up to his ear to like, listen better,
3		because we were busy talking, we didn't hear exactly what
4		happened. And then we heard again, Deputy Juarez say shots
5	7777	fired. And so, we immediately, see you later kid, and he was off
6	***************************************	with his mom, she was there. And we immediately code three all
7	***************************************	the way to the scene at and and are the scene at
8	-	
9	DROST:	Okay, do you recall the general area you were when the
10		broadcast for shots fired was heard?
11	•	
12	SHELTON:	I was over off of the second second second over in that area.
13		There's probably a more specific street, but that's the general
14		area. And then Ziemer was in front of me, and I let him roll code
15		and I followed him. I think we went down
16		went And then I got to, yeah that's how we got
17		that direction.
18		
19	DROST:	Do you recall about what time it was that you heard that
20		broadcast?
21		
22	SHELTON:	I can look at my call history. It was around, somewhere around
23		1335 hours.
24		
25	DROST:	And you and Ziemer both responded code three you said?
26		
27	SHELTON:	Yeah, yes.
28		
		9

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1	DROST:	Can you explain what you mean by code three?
2		
3	SHELTON:	Lights and sirens.
4	***************************************	
5	DROST:	All right. And you described the route that you each of you took
6		to get to where Deputy Juarez was. Could you estimate about
7	***************************************	how long it took for you to arrive?
8		
9	SHELTON:	Two, three minutes.
10		
11	DROST:	Was there any sort of radio transmissions or any updates that
12		were being provided?
13		
14	SHELTON:	There was.
15		
16	DROST:	While you were in route?
17		
18	SHELTON:	There was.
19		
20	DROST:	Can you describe that to me?
21		
22	SHELTON:	I could hear Juarez on scene explaining or saying that the shots
23		were fired. Then I heard Deputy Heard go on scene. I heard
24		Juarez say that there was one down. So, I was assuming he
25		meant someone other than him because he was still on the air
26		talking. I heard Deputy Heard advise that fire was there to roll in.
27		Deputy Ziemer, who was in front of me, got on and asked,
28		
		10

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1		Deputy Juarez, "Hey, what do we need to shut down?" Juarez
2		got on there and said, "We need to close down at the
3		and and and and and sold sold sold sold sold sold sold sol
4	***************************************	everything they needed to do. So, I just kind of was staying off
5		the air until I got there find out what-what was going on at the
6		scene.
7		
8	DROST:	Okay. What was your-your thoughts? You mentioned stay off the
9		air. Was there a reason why you're staying off the air?
10		
11	SHELTON:	Well, at one point, Deputy Heard because Ziemer was kind of
12		talking, you know, keying up a little too long maybe. And Deputy
13		Heard was like, hey, clear the air so that he could put out
14		information because he was on scene. And then that's when he
15		said that fire was clear to roll in.
16		
17	DROST:	Okay. So, kind of to summarize that as basically to allow the
18		deputies that were on scene, the radio spill, basically
19		
20	SHELTON:	The opportunity to use their radio.
21		
22	DROST:	to clear broadcast and not be interrupted by somebody else.
23		Was at that point, how did you feel the communication was-was
24		being relayed?
25		
26	SHELTON:	They were doing good.
27		
28		
		11

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1	DROST:	Okay.
2		
3	SHELTON:	Good job.
4		
5	DROST:	Anything that at that point that you felt, that created a
6		communication issue?
7		
8	SHELTON:	No.
9		
10	DROST:	All right. Now once-once you arrived on scene, and deputies
11		were-were setting up for it sounds like Ziemer was setting up
12		road closures. Did you come across Juarez or Heard at any poir
13		once you arrived?
14		
15	SHELTON:	I did. When we first arrived on scene, Ziemer went, we came up
16		we went on , Ziemer went past the
17		shooting scene to block traffic coming southbound. I stopped at
18		and Stopped, blocked traffic, got out at some
19		point and was motioning for people with my arms to just turn
20		around go the other direction. I repositioned my car to block it
21		better. Deputy Olvera came up and asked me what she needed
22		to do, and I said, "Block this other intersection, get some cones
23		put out." And then I left my overhead lights on, and I was
24		blocking the lanes. And then I started hoofing it
25		to the shooting scene.
26		
27		
28		
1		

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1	DROST:	Okay. Real quick while you're on that subject, where did you
2		position your vehicle at in relation to the shooting scene?
3	A	
4	SHELTON:	It was I was blocking the lanes at lanes at just of
5 6		
7	DROST:	Okov. And can you describe what your your vehicle you were
8	DROST.	Okay. And can you describe what your-your vehicle you were driving looks like?
9	***************************************	unving looks like?
10	SHELTON:	Standard patrol unit lights on top, marked patrol on the sides,
11	The state state of the state of	says Sheriff's Department, Yucaipa.
12	***************************************	
13	DROST:	Is that based on my experience, a white Ford Explorer?
14		, , , , , , , , , , , , , , , , , , , ,
15	SHELTON:	White Ford Explorer.
16		
17	DROST:	Okay. Was it the style that's got the light bar in the front or on top
18		of the roof?
19		
20	SHELTON:	On top.
21		
22	DROST:	Okay. The insignia that you're talking about on the side, that's
23		the reflective Sheriff's Badge?
24		
25	SHELTON:	With the swoosh.
26		
27		
28		
		13

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1	DROST:	Okay. All right. Anything else that makes it obvious that's a
2		patrol car? All right. Push bar on the front?
3		
4	SHELTON:	Yes.
5		
6	DROST:	Spotlights on the A pillars?
7	***************************************	
8	SHELTON:	Spotlights on the side, yes.
9		
10	DROST:	Okay. All right. And you make your way over to where Juarez is
11		at, what do you see there?
12 13	CUELTON.	VAI at the state of the same o
13	SHELTON:	Well, while I'm walking, I can see them down at the end. Maybe
15		100 yards away. I can see them and as I'm walking, I happen to look down and find a pill bottle lying in the middle of the street. I
16		just happened to pick it up. Put it in my pocket. Like why is there
17		a pill bottle in the middle of the street?
18		
19	DROST:	Is this the pill bottle you're talking about?
20		,
21	SHELTON:	Yeah, this one here.
22		
23	DROST:	This orange and white CVS bottle?
24		
25	SHELTON:	And then I later looked at it and it belongs to our suspect. It was
26		empty. And so, I grabbed it and kept it.
27		
28		
		14
-		
ţ		

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1	DROST:	Did
2	و به سرس پرسود و بحر	
3	SHELTON:	At the time I had no idea it belonged to our suspect. So, I'm
4		going down the scene. I get down there and I immediately I can
5		see Deputy Heard, he's got his gloves on. He's attending, he's
6		standing over the suspect making sure he's okay. The suspect's
7	***************************************	awake, breathing, moaning. You know, honestly, I didn't pay that
8		much attention to him because I had Heard dealing with that. I
9		immediately walked over to Juarez and asked him if he was
10	7777	okay. He told me, he told me, he says, "I'm shaking." I go, I get it.
11		You know, I'm like, Okay. At some point I asked him, "Hey,
12		where were you, what happened?" And he said," I was standing
13		right here". He says," I put three on target." And he pointed to the
14		southwest, to where the suspect was on the ground still. And I
15		just made sure that he was I asked him if he was okay. I said, did
16		he feel lightheaded? Did he need to sit down, did he need some
17		water, something to drink? And he was good. He was good.
18		
19	DROST:	Where did this conversation occur?
20		
21	SHELTON:	Right at the side, the driver door
22		
23	DROST:	Of your patrol vehicle?
24		
25	SHELTON:	Of his patrol car.
26		
27	DROST:	Okay. Where was his patrol car?
28		
		15

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1	SHELTON:	His patrol car was again about 100 yards away from
2		north of He was, his vehicle was facing south, and he
3		was on the west side of
4	770000	-
5	DROST:	This is probably easier. I have a map right here. This is an
6	***************************************	overhead google image of and it has
7		and and
8		
9	SHELTON:	Mm-hmm.
10		
11	DROST:	So, I think probably be easier just to have you kind of put where
12		you think some of these vehicles were. If you want to start with
13		maybe where Juarez is at. Maybe draw a square. And then you
14		can draw a little line off of it and put Juarez or something to
15		identify it's his vehicle.
16		
17	SHELTON:	Okay. Image like we do
18		
19	CHANDLER:	Yeah, draw right on it.
20		
21	SHELTON:	Okay, cool. He was right here. Juarez was yeah there maybe a
22		little bit further back, but
23		
24	CHANDLER:	Put like an S for suspect.
25		
26		
27		
28		16
Oliverana		16
- 1		

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1	SHELTON:	Suspect was here. Should have drawn this a little bit further back
2	***************************************	right here.
3		
4 5	DROST:	That's okay. It's just a representation.
6 7	SHELTON:	So yeah, right there.
8	DROST:	Okay. So, that's Juarez's car?
9	SHELTON:	Juarez's car.
11 12	DROST:	Okay So off to the side con we not be E for Every and the
13	DROST:	Okay. So off to the side can we put J or E for Eugene, one of the two?
14 15	SHELTON:	lugraz and than Haard's car was right hard facing this way
16	OHLLION.	Juarez and then Heard's car was right here, facing this way.
17 18	DROST:	And this is when you arrived, this is what you see?
19	SHELTON:	When I arrived on scene.
20		
21	DROST:	Okay. Can you put where you parked?
22 23	SHELTON:	I parked
23 24	SHELTON.	I parked
25	DROST:	Roughly where
26		
27	SHELTON:	roughly it's way it's way back up here.
28		17
		\$?

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1	DROST:	So, it's outside of the view.
2	***************************************	
3	SHELTON:	It's outside of the view, but it was sideways like this facing this
4		way, right at
5		
6	DROST:	And then does this view allow you to put where you said it was
7		Ziemer.
8		
9	SHELTON:	Ziemer was further north.
10		
11	DROST:	So, it's outside of this.
12		
13	SHELTON:	So, it's outside of this area.
14		
15	DROST:	All right. And then you had this conversation with Juarez right
16		next to the driver's door of
17		
18	SHELTON:	His vehicle.
19		
20	DROST:	Was the suspect still in that same location as you had that
21		conversation.
22	ALIE TAL	
23	SHELTON:	Suspect was still on the ground.
24	DDACT.	Vanagarii aad da da Baardada aadaa aadaa da da da da da da da da
25	DROST:	You mentioned that Deputy Heard was medically tending to the
26		suspect. What was it that you saw that he was doing?
27		
28		18

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1	SHELTON:	I mean, he didn't have any like gauze or anything like that. He
2		was just he had his-his gloves. I think he was just kind of making
3		sure he kind of stayed right there. You know, he wasn't gonna
4	***************************************	get up or go after the knife, which was still a couple of feet away.
5	***************************************	
6	DROST:	Do you mind? I know what I know it's
7	***************************************	
8	SHELTON:	It's-it's really tough.
9	***************************************	
10	DROST:	A small area to put a lot of detail in.
11	***************************************	
12	SHELTON:	Yeah, the knife was just, it was in the gutter just a few feet away.
13		
14	DROST:	Few being two feet or what do you think?
15		
16	SHELTON:	Two to three feet away from where the suspect was. But the
17		suspect was busy feeling you know, he was laying on his back.
18 19		He was like trying to sit up kind of like doing a crunch you know
20		and holding his holding his arms in front of him over his torso. And I you know he didn't have a shirt on so you can see the
21		blood on his, on his abdomen. But I never really heard him say
22		anything. He was making some moaning noises gesturing but
23		again, I was not focused on him. I walked up to see what, how
24		Juarez was.
25		
26	DROST:	Aside from the blood on the, on the suspect's abdomen, did you
27		notice any other injuries?
28		
		19
v		

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1	SHELTON:	No.
2		
3	DROST:	Could you tell where the blood was coming from?
4		
5	SHELTON:	No.
6		
7	DROST:	All right. And you mentioned that he wasn't wearing a shirt. Can
8	:	you describe what the suspect looked like?
9		
10	SHELTON:	He's a white male probably mid to late 30's. Probably, I mean,
11		laying on the ground he's probably 5'9 to 6' tall, maybe 200 plus
12		pounds.
13		
14	DROST:	All right. Was he wearing any clothing on his lower portions of his
15		body?
16		
17	SHELTON:	It looked like he had a pair of shorts on. But honestly, I didn't
18		even see what color.
19		
20	DROST:	All right. Any tattoos or anything that stuck out to you?
21		
22	SHELTON:	Nothing.
23		
24	DROST:	Did you come to learn this person's name at any point?
25		
26	SHELTON:	I did.
27		
28		
		20

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1	DROST:	What was that? What was the suspect's name?
2		
3	SHELTON:	Cole Biere, something like that. I don't know how to pronounce
4	***************************************	the last, Burma, Bierma.
5		
6	DROST:	Do you recall?
7 8	SHELTON:	It's a B-i-e-r-m-a.
9	SHELTON:	IIS & D-1-8-1-M-a.
10	DROST:	All right. And how did you learn his name?
11		The right of the r
12	SHELTON:	Through Dispatch, just the records on-on the MDC.
13		
14	DROST:	Okay. So, you didn't overhear any of the deputies on scene or
15		Cole say his name?
16		
17	SHELTON:	No.
18		
19	DROST:	All right. And then you mentioned this knife that was two, three
20		feet away from-from Mr
21 22	SHELTON:	Cole.
23	OFFICE FOR.	Oole.
24	DROST:	from Cole. Was that north of him, south of him, east, west?
25		, , , , , , , , , , , , , , , , , , ,
26	SHELTON:	Yeah, southwest of where he was.
27		
28		
		21

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4	DROST:	Okay. Can you
2		
3	SHELTON:	It was very close.
4		
5	DROST:	can you describe what that knife looked like?
6		
7	SHELTON:	It was a silver-silver knife, probably I don't know five, six inches
8		long blade with a handle it looked like. Honestly, I didn't even
9		take a close look at it even after the fact. But it was like there's
10		no mistaking that it was It wasn't a knife you know? I couldn't tell
11		if it was a folding knife or not, but
12		
13	DROST:	Was the blade exposed?
14		
15	SHELTON:	Oh, yeah, the blade was exposed. It was like a silver color. It
16		wasn't very subdued. If you look at it, it looked like a shiny knife.
17		There was no doubt that it wasn't a knife.
18		
19	DROST:	Okay. So, what did you do at this point?
20		
21	SHELTON:	At that point, I talked to Gene or Juarez, I made sure that he was
22		okay. He pointed when he said I had three downrange and he
23		pointed at the southwest past the suspect. I said okay, cool. I
24		said I'm gonna go check to see where the rounds went, that
25		direction. So, I immediately went to the house. I have the
26		address somewhere. I went to
27		contacted the homeowner there. She was standing in her yard,
28		
		22

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1		peeking over the wall and waved me over. So, I told Gene I'm
2		gonna go talk to this lady over here. Make sure everybody's
3		okay. Went and talked to
4		white female probably in her
5		conversation with her. Was talking to her over the fence. Said
6		"Hey, Is everybody okay?" You know who lives here? That kind
7	***************************************	of thing. So, it was her house. She said "Hey, he threw
8		something over." He had, that Cole had thrown something over
9		the fence. I said okay.
10		
11		So, I asked her to, you know, open the gate. It was an automatic
12		gate. So, she went off towards the house. I gave up on her for a
13		minute. Went back to the scene. The fire engines were rolling 97.
14		I went up and said some of the guys "Hey, be careful." I don't
15		want anybody stepping on the FFCs you know, be mindful of
16		this. I told them and I told the-the AMR guys who were popping
17		out. So
18		
19	DROST:	We'll probably bring up some of those acronyms what's FCC?
20		
21	SHELTON:	Fired field cartridge.
22		
23	DROST:	Okay. And then what is 97 mean?
24		
25	SHELTON:	That they arrived on scene.
26		
27	DROST:	And AMR?
28		
		23

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1	SHELTON:	AMR, American Medical Response, I think.
2		
3	DROST:	Okay. When did the fire department and AMR arrive? Roughly.
4	***************************************	
5	SHELTON:	Roughly, if I mean, if I just had to guess from the time, I was
6	•	there probably five minutes after I was there, not maybe, not
7		even that long.
8		
9	DROST:	Okay. So, within five minutes?
10		
11	SHELTON:	Within five minutes.
12		
13	DROST:	These medical personnel arrive. What happens from that point?
14		
15	SHELTON:	From that point? They came over and they were attending to
16		Cole and AMR was getting their gurney out doing that. I went
17		back and talked to again. At this point, she had her gate
18		open. So, I had gone back. Deputy Olvera was standing by the
19		gate. Some knucklehead was walking through trying to walk
20		through the scene. Some Hispanic dude. I didn't think spoke
21		English. So, I said "Olvera, tell him in Spanish he can't be in
22		here." And so, I went in and talked to
23		
24		Oh, I'm sorry. Before all of that happened. When fire arrived, I
25		asked Juarez, "Hey, do you have a camera?" Because I left all
26		of my stuff back in the car, you know, 100 yards away. He said,
27		"Yeah, sure." We walked around to the passenger side of his car,
28		
		24

20 SHELTON:

DROST:

he pulled out the big 35-millimeter digital camera. And got that turned on. I said, Cool. So, I started walking the scene and just took pictures. I have no idea how many I took 10,15,20. Just walked through the scene. Picture of the cartridges, pictures of the victim, fire personnel attending to, anything I could think that might be useful down the road.

So then once I did that, that's when I went and talked to next door. She said, Yeah, he threw something over a piece of clothing. So, I walked up, I took a picture of it, of the clothing on the ground, snatched it up, just to see if there was anything in it. The little area was like a grassy area, just on the other side of the brick wall fence. Just to see, did he throw a gun? Was there any dope, you know, anything that he didn't want to get caught with thrown over the fence? Why he would throw shirt over, I have no idea.

Is that what the item ended up being?

It was just yeah; it was like a button up shirt. So, I collected that. I just grabbed it. I grabbed it and brought it back. And I put it on the hood of Juarez's vehicle so I could get it at a later time. And then at some point, the wind blew it off, and it was on the side of the car. Other than that, at some point, Ziemer had asked me where he wanted, where we wanted the city to set up the barricades. I had a conversation with him about that. I directed him and then later Olvera to set up crime scene tape. We have a

 certain local news guy, so he thinks who likes to come to the crime scene. So, I want to make sure he didn't get past my crime scene tape. So, I put all that up, had all that put up.

They transported Cole. I directed Deputy Heard to go to take him to follow him to the hospital. Prior to that, Heard, grabbed some cones out of the back of his vehicle because the wind was blowing so bad, we didn't want the FFCs blowing all over the place. And so, and we didn't want people stepping on everything. So, Heard went over and put the cones over top of the FFCs to keep everything in place. I don't know if that's protocol or not, but that's what we came up with at the time. Heard gave me a ride back up to my car. I had, I told Olvera to stay with Juarez at the scene just keep an eye on him make sure he was okay. And he seemed to be doing fine. He was walking around talking, asking questions and he was I didn't have any-any worries about him.

I think I went back up to my car, contacted Lieutenant Warrick give him a heads up on what's going on. He said he had heard that there were shots fired. Made sure to tell him that everybody was okay. The suspect was being transported. And we discussed calling Homicide and Civil Liabilities. I called Dispatch and asked her, "Hey, can you have the on call, call me at my cell number?" I don't know 10 minutes 15 minutes went by and I'm like, no, no phone call. So, I called Dispatch back. Oh, we sent the numbers to your screen. Okay. So that's when I went back to

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1	***************************************	and then she told me it was who was coming out. So, I made a
2		couple of phone calls, notified.
3		
4	DROST:	Did you obtain a public safety statement from Juarez?
5		
6	SHELTON:	Yes.
7		
8	DROST:	What did he tell you during that public safety statement?
9		
10	SHELTON:	He told me he's he pointed he stood at his car, pointed in the
11		southwest direction where the suspect was, said I put three
12		rounds downrange.
13		
14	DROST:	Did he tell you was he asked if there were any outstanding
15		suspects?
16		
17	SHELTON:	He was. At some point as-as I was walking from my car
18		originally, there were citizens that were flagging me down saying,
19		hey, the other guy ran this way. And I was like, so I got on the
20		air, Juarez was you know, 80 yards away from me. "Hey, do we
21		have anybody else outstanding?" And he says, "No, we don't."
22		So, I basically told these citizens, hey whoever it was he-he split.
23		He got scared and he ran. I don't know why, but we don't need
24		him. They describe him as a I want to say they said a white guy
25		with tattoos on his face. Okay, cool. Thank you. Appreciate it.
26		We're good right now. And then I just went out and attended to
27		him.
28		
		27

1 DROST: All right. While you spoke to Just	arez, did you notice if he had any njuries to himself?
5	njuries to himself?
2 injuries or did he disclose any ir	
3	
4 SHELTON: No, nothing visible and he didn't	t say anything.
5	
6 DROST: Okay and then you mentioned to	hat he motioned to the
7 southwest. So, it was that his w	ay of expressing to you that that
8 was the direction he shot?	
9	
10 SHELTON: The direction he shot.	
11	
DROST: Okay. Did youdid he express	what weapon platform he-he
discharged?	
14 No.	
16 No.	
17 DROST: Handgun, rifle, shotgun.	
18	
19 SHELTON: We, I mean, I assumed it was hi	is handoun, because it was the
20 only thing, he didn't have his rifle	
21	
22 DROST: Okay. Was there any other sort	of evidence that kind of
corroborated that?	
24	
25 SHELTON: Well, I mean, you've got the, the	FFCs on the ground, which are
26 45 caliber, so.	
27	
28	
28	

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1	DROST:	Okay. And then you said along with that, as you went and
2	***************************************	checked, the basically the backdrop.
3	***************************************	
4	SHELTON:	I checked the backdrop. Directly behind the suspect is a-a split
5		faced brick wall, basically. And from where I was standing, it
6		looked I could see like a small mark on the wall. So as soon as I
7	***************************************	walked up, I'm thinking okay, something hit that wall. So, to the
8		wall in that area is about eight foot wide. And to the west of that
9		is like a chain link fence. So, so a round, could have gone past
10		that and would have gone towards that lady's house.
11		
12	DROST:	And that was
13		
14	SHELTON:	
15		
16	DROST:	
17		
18	SHELTON:	Yes.
19		
20	DROST:	And during that, that's when she told you that nobody at her
21		residents was injured.
22		North that are a believe at a second and the second at
23	SHELTON:	Yeah, that everybody was okay, she was there by herself.
24	DDOCT:	Okay Voy montioned that Cala was to a sing and the table
25	DROST:	Okay. You mentioned that Cole wasn't saying anything, but he
26		was moaning and groaning. At any point he didn't make any
27		spontaneous statements that you overheard.
28		29

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1	SHELTON:	I didn't hear him say-say anything. No words.
2		
3	DROST:	Did Juarez happen to say any spontaneous statements?
4	***************************************	
5	SHELTON:	After-after I called and talk to the lieutenant, and then I walked
6		back down to check on Juarez I told him, I said, "Hey, I'm not I'm
7		not here to ask you any questions other than, you know, are you
8		okay, how many rounds you shot where you shot it at." And he
9		told me, he says, he says, "It just, it just happened so
10		fast." He says, "He ran at me and it happened so fast." I was like,
11		Okay.
12		
13	DROST:	What was his demeanor like, as he was talking to you?
14		
15	SHELTON:	Somber. I mean, he was, it's kind of like, realization, like, you
16		know, this, this just happened. He was, you could see he
17		physically, you know, you could see his hands shake just a little
18		bit when I'm talking to him. And that was my whole thing. I didn't
19		want him to like, I've not been involved in a shooting myself. So,
20		I don't know if you go into shock. You know, I just want to make
21		sure that he was okay. He was a little a little sweaty, it's hot out
22		there. But I just wanted to make sure he didn't pass out. At some
23		point after all of this. I even said, "Come over here and let's
24		stand in the shade."
25		
26	DROST:	Along with that as after, after some of the initial-initial chaos kind
27		of settled. What-what was done with Juarez at that point?
28		
***************************************		30
- 1		· · · · · · · · · · · · · · · · · · ·

DR# 142201719 H# 2022-059 1 SHELTON: Well, I received a phone call from I mean, on the scene before, I 2 got a call from anybody SEBA called, "Hey, I heard there was an 3 officer involved, LFE." "Who's your officer?" "Can I get his 4 phone number?" "Can I talk to him?" Absolutely. "Gene, what's 5 your phone number?" I told the lady on the phone. She called 6 him and he talked to her for a few minutes standing on the other 7 side of the car. Basically, just hey, we're here for you. We're 8 gonna send somebody that kind of thing. He remained on the 9 scene for a little bit. And then Lieutenant Warrick showed up. 10 Gene grabbed all of his gear out of his car, we left his car at the scene and threw it in Warrick's car, and they came back to the 11 12 station. 13 DROST: 14 Do you recall roughly what time that was? 15 16 SHELTON: No, not really. 17 18 DROST: About this, about how long after, about how long after you went 19 on scene would you say that it happened? 20 21 SHELTON: Probably 20, 25 minutes. 22 23 DROST: Okay. And from that point forward, Juarez stayed here at the 24 Yucaipa station. 25 26 SHELTON: Yeah. 27 28

27

28

1 DROST: All right. It sounds like you started to do some-some like 2 notifications. Was there besides Lieutenant Warrick, were there 3 any other notifications and sounds like you called Homicide and 4 Civil Liabilities. 5 6 SHELTON: Right. I got hold of Sergeant Steers with Homicide. At first, I 7 thought I had the wrong number because he didn't answer. Then 8 I finally got ahold of him, and he explained that you guys were 9 going to be heading there. Okay, cool. Then I called I had the 10 number on the MDC, so I ended up calling Vasquez. I think it's 11 Vasquez with Civil, and he explained what was going on. He said he was about two hours out. Okay, cool. Got it. Other than that, 12 13 when I talked to Warrick, I did call Warrick back, he asked me 14 "Hey, what can I do?" I asked him to do the A plus notification. 15 And he was going to put out a, like a public service 16 announcement, something to say, stay out of the area, there's an 17 incident going on. So, he handled that. And then I basically sat 18 there, got all my information. After, I had told Olvera she had 19 interviewed the witness who was at the scene, or she, he was at 20 the scene originally. 21 22 DROST: Which witness is this? 23 24 SHELTON: God, how do I leave, how do I leave that guy out? When I first 25 walked up to talk to Juarez, I noticed some citizen standing in the 26 middle of the road, and I walked up and I go, "Hey, who are

you?" And he's like, oh, I witnessed this, or I'm the witness I was

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1		directly behind him. I said, Cool. Do me a favor and stand back.
2		So, his car was parked behind Juarez's. Can I put it on here?
3		
4	DROST:	Yes, absolutely.
5		
6	SHELTON:	His car was parked back here, like this kind of kind of blocking
7		the road. I mean, I don't know if he did that on purpose. But I had
8		him walk back over to his door.
9	***************************************	
10	DROST:	Do you recall his name?
11		
12	SHELTON:	
13	DDAGT.	
14 15	DROST:	Do you mind putting that on the on here?
16	SHELTON:	So, at some point, I told Olvera, "Hey, go get his horsepower and
17	V R Rhom for S V S V s	let him know." And I even think I told the guy "Hey, our Homicide
18		guys are gonna want to talk to you." And he agreed to. Not a
19		problem sure I'll talk to them. Okay, cool. He had like his
20		in the car. So, we let him leave the scene.
21		
22	DROST:	All right. Were there any other resources that were brought in?
23		Were the end up responding and doing road
24		closures?
25		
26	SHELTON:	did respond. They came over to and and
27		first, where I was when I was talking to Warrick. And I kind of
28		
		33

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1		directed those guys where to put their barricades and then talked
2		to Ziemer and said hey, guys are they there was
3	***************************************	actually another crew on the north side of the scene, and they
4	***************************************	were putting up barricades over there.
5	•	
6	DROST:	Were any of the deputies that were on scene given any-any
7	***************************************	orders or instructions any tasks that you delegated to them?
8		
9	SHELTON:	Other than setting up the crime scene tape, Heard went to the
10		hospital with the suspect.
11		
12	DROST:	And you said that was within-within about 15 minutes I believe is
13		what you said.
14		
15	SHELTON:	Yeah.
16		
17	DROST:	Of when they arrived.
18		
19	SHELTON:	Yeah. It got set up pretty quick. Everybody we it's a busy
20		thoroughfare and so we were lucky to get the cars stopped as
21		quick as we did.
22		
23	DROST:	Did at some point after this, did you get any sort of an update
24		regarding Cole's status?
25		
26	SHELTON:	I had talked to Heard and he had texted me you know what else
27		do you need blah, blah, blah okay, cool. At some point I talked to
28		
***************************************		34

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1		him and said for him to make sure that they didn't throw away
2		any of the guy's clothing. He did tell me that Cole was in surgery
3	50000000000000000000000000000000000000	and was considered critical in surgery.
4	***************************************	
5	DROST:	Do you recall about what time that communication was?
6	***************************************	
7	SHELTON:	That was probably 35,40 minutes after I was there.
8	***************************************	
9	DROST:	And do you know what hospital he was transported to?
10		
11	SHELTON:	
12	DDOCT.	10/hm Amala fairm to
13 14	DROST:	Who took him to
15	SHELTON:	AMR.
16	Of the I Old.	AIVII V.
17	CHANDLER:	So, I have a couple things and I'm I kind of jumped around a little
18		bit. But first thing on this map, can you just make like a north
19		symbol and point where you think the direction of north is? So,
20		kind of the top of the map there. And then I'm just gonna kind of
21		describe this map since we're, we've been talking about it. But
22		just for so it's on tape here. So, we have north at the top and
23		then Juarez's vehicle would have been facing
24		like curb line, almost of The witness was kind of
25		pointed looks like you have
26		
27	SHELTON:	
28		
		35

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1	CHANDLER:	00.00 A.M. W
2	***************************************	
3	SHELTON:	Yeah.
4	•	
5	CHANDLER:	between the one and two lane of
6		lane side.
7		
8	SHELTON:	Correct.
9		
10	CHANDLER:	The suspect was kind of on the curb line street-ish on the
11		curb line of And then Heard's car was pointed
12		on the west curb lines on the least lanes.
13		And then you'd put your car, but you were off what the picture
14		would have shown.
15		
16	SHELTON:	Correct.
17		
18	CHANDLER:	Okay. Cool. Just so make sure I have an understanding.
19		
20	SHELTON:	The suspect was actually he was in. He was right here in this on
21		the asphalt.
22		
23	CHANDLER:	On like the shoulder.
24		
25	SHELTON:	He was on the asphalt, yeah.
26		
27		
28		
		36

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4	CHANDLER:	Okay. Okay, cool. So going back to the beginning, you said that
2		you're on like a you're talking to a juvenile on an unrelated call.
3		
4	SHELTON:	Correct.
5		
6	CHANDLER:	What type of call was Deputy Juarez on?
7		
8	SHELTON:	Prior to? He was, Deputy Juarez was in route to a battery call.
9	***************************************	
10	CHANDLER:	Okay. Tell me more about that battery call.
11		
12	SHELTON:	He was in route to an address right there on
13	***************************************	very close to where I parked my car. It's a and and and and
14		and who live there and
15		Cole. And I found all this after the fact because I've never been
16		there or had prior contact. And a neighbor on the
17		street. What's her name? So I have it, her name was
18		So, she lived, well, I want to say the
19		street from the 242 call where Cole lives. So, called and
20		said she witnessed a battery between Cole and
21		that there was 242, a battery call. And that's the call that Deputy
22		Olvera and Deputy Juarez were in route to.
23		
24		Four minutes later, after that call the battery came in. There was
25		another call for an area check. Said there was a shirtless male
26		walking, they said walking on eastbound on
27		they must have got their streets mixed up
28		
		37

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1		holding a knife, carrying a knife. That's the call that Deputy
2		Heard was in route to. So, he was in route to a completely
3		separate call this guy with a knife. As Deputy Olvera was coming
4		from the south to the north, she went on scene to the
5		house where the 242 occurred. She had parked her car on the
6		street. She was standing off the curb into, onto the property
7		talking to What was his name?
8		She's talking to
9	***************************************	
10		At that time, that's when Juarez is coming from the north to the
11	***************************************	south. And as he's coming up, he sees the guy with a knife from
12		the area check call. So, he stops his car and gets out. At some
13	777777777777777777777777777777777777777	point he told me he says something to him, the guy ran at him
14		with a knife and that's one of the shots occurred.
15		
16	CHANDLER:	goo goon goon goon goon a good goon a good good good good good good good go
17	-	
18	SHELTON:	When that happened, Olvera who was just, you know, 80 yards
19		100 yards up the street, heard the shots, said she came back up
20		to the street looked down saw Juarez, she starts running north
21		on the street to go help. While she's running Deputy Heard is
22		coming north in his car passes her as she's running and pulls up
23		on the scene and gets out and starts assisting.
24		
25	CHANDLER:	Now you indicate that you learned all this information afterwards.
26		Who was it that told you this information?
27		
28		
		38

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SHELTON:	I talked to Deputy Olvera, I talked to Deputy Heard, I talked to
	Juarez. He explained to me that he was heading to the battery
	call. Like how did how did you end up over here? Well, I was
	heading to this call, but this guy was right there.
CHANDLER:	Okay. And the, these this battery call and the area check to your
***************************************	recollection were those aired over the radio by Dispatch or were
	those do you recall those just like sent to them via like the
***************************************	computer?
SHELTON:	Over the computer. I don't know, honestly, I was busy having a
	conversation with a and I was
	completely focused on that it wasn't until I heard the second time
	that Juarez said shots fired until I actually was paying attention to
	something else.
CHANDI FR	Gotcha. So, you hear the shots fired and you indicated that you
***** 0 6 5 C *** 000** 000 0 0 0 0 0 0 0 0 0 0 0 0	started to head that way. You stayed off the air for a while
	because you could hear your-your deputies
SHELTON:	Handling business.
CHANDLER:	handling different tasks as they're going and you kind of
	indicated that they what they were doing seemed appropriate. At
	what did you ever notify Dispatch that you would like copied
	the call or copied
	39
	H# 2022-059 SHELTON: CHANDLER: CHANDLER: SHELTON:

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1	SHELTON:	l did.
2		
3	CHANDLER:	what was going on?
4		
5	SHELTON:	I did. At some point I'm driving, lights, sirens and I got on the air,
6		and I said 14 Paul 60 I'm in route or I copy or I'm in route. Then I
7		figured out I had the damn PA button hit so I could hear myself
8		as I'm driving, I was going shit so I turned that off. And then I got
9		back on it I said Hey 14 Paul 60 myself and Paul 23 are in route.
10		
11	CHANDLER:	Okay. Approximately from approximately how long from the time
12		that you heard that shots fired to when you're able to notify
13		Dispatch that you copied and were in route?
14		
15	SHELTON:	It was seconds 15,15, 20 seconds. I was like a third of the way
16		there. I was trying I was trying to you know how the radio traffic
17		is you want to make sure you don't step on somebody. So, it
18		seemed like there was a pause on what was going on.
19		
20	CHANDLER:	So, you were waiting. The deputies were saying whatever you're
21		waiting for the opportunity to acknowledge as they were putting
22		out important information.
23		
24	SHELTON:	Correct.
25		
26		
27		
28		
		40

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1	CHANDLER:	You indicated that the suspects kind of like on the curb line there
2		on the shoulder ish and he was like holding his chest. Was he
3		detained or was he handcuffed or?
4		
5	SHELTON:	No, no. When I rolled up, I mean Heard's literally standing right
6		next to him semi bent over got his gloves on in case he needs to
7		put hands on. I didn't have I didn't see him put in any hands on
8		he didn't like try to like roll him over.
9		
10	CHANDLER:	Did the suspect appear to be a threat at that point?
11		
12	SHELTON:	No, no there was there was no more fight in that guy. He was
13		very concerned about what was going on with his wound.
14		
15	CHANDLER:	Okay. And just to make sure we're kind of on the same page
16		here. You'd indicated Juarez during the public safety statement
17		said something to the effect of I put three downrange and was
18		pointing towards the When he said three downrange
19		what did you take that to mean?
20		
21	SHELTON:	I took it like when we're shooting at the range when we're at the
22		range we're qualifying. I shot three rounds in this direction.
23		
24	CHANDLER:	Okay. Just to make sure we're all on the same page.
25		. •
26	SHELTON:	Right.
27		
28		
		41

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1	CHANDLER:	Was the public safety, did you record the public safety
2		statement?
3		
4	SHELTON:	I believe I did, yeah.
5		
6	CHANDLER:	Is that all part of that recording that you provided us?
7	OUT TON	"""
8 9	SHELTON:	The entire recording, yes. It wasn't until after I was done talking
10	<i></i>	to Lieutenant Warrick on the phone that I was like oh shit, I left my, I got my recorder on.
11		my, i got my recorder on.
12	CHANDLER:	Okay. I don't have anything else.
13		
14	DROST:	I don't think I asked you for anybody's names. You've mentioned
15		a lot of last names. But I don't think I got any of their first names.
16		So, do you know Olvera's first name?
17		
18	SHELTON:	Stephanie.
19		
20	DROST:	Do you know how that's spelled?
21		
22	SHELTON:	S-t-e-p-h-i-n-e.
23 24	DROST:	Juarez, what's his first name?
25 25	DROST.	Judiez, what's his hist hame?
26	SHELTON:	It's Eugene. E-u-g-e-n-e.
27	war e e food book & Nout E No s	in a many diller but the graph of the
28		
		42

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1	DROST:	Deputy Heard's?
2	***************************************	
3	SHELTON:	Brad, I believe it's Bradley, but I call him Brad.
4		
5 6	DROST:	Ziemer's?
	ALIE! TAL	
7	SHELTON:	It is, holy crap. I don't know I don't call him anything other than
8 9		that. But I know it hold on. It's just escaping me at this point.
10	DROST:	And what about Lieutenant Warrick?
11		
12	SHELTON:	William is William Ziemer. I've never called him William. Robert
13		Warrick.
14		
15	DROST:	Okay. And then I know you focusing your-your attention a lot of
16		different directions. At any point did you see Cole lose
17		consciousness?
18		
19	SHELTON:	No. And I really wasn't concerned. The amount of blood was not
20		significant. You know it wasn't like it was. It looked like it
21		smeared on his belly more than there wasn't like arterial or
22		anything like that.
23		
24	DROST:	Getting with some of the medical stuff. Is who was it that
25		requested or summoned medical responders?
26		
27		
28		
		43

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1	SHELTON:	I'm not 100% sure who requested it but if I had to guess
2		Dispatch just straight called for it. But Heard, Deputy Heard
3		advised over the air that medical is clear to roll in.
4		
5	DROST:	Okay. Do you feel like the crime scene itself was contained
6	***************************************	sufficiently?
7		
8	SHELTON:	Oh, yeah.
9	***************************************	
10	DROST:	Now was, what was it that you feel made it made it well
11		contained?
12		
13	SHELTON:	It was nice on the you had a chain link fence, you had
14		a brick wall you had, it was a there was an open area behind, so
15		it wasn't there wasn't like it was directly in front of a house.
16		Directly to the to the was another street,
17		that we were able to block off. And that was
18		There were, there wasn't a lot of foot traffic at the time. Just by
19		us getting the vehicles stopped, that's once we had the vehicle
20		traffic passed
21		
22	DROST:	Passing traffic.
23		
24	SHELTON:	passing traffic, we were it was it was much easier.
25		
26	DROST:	And you got to see Mr. Cole. Is that anybody that you have
27		encountered in your
28		
:		44
1		8

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1	SHELTON:	No.
2	***************************************	
3	DROST:	patrol experience?
4	***************************************	
5	SHELTON:	No, I've never heard his name before.
6		
7	DROST:	Anybody that you may not have heard of his name, but would
8	***************************************	seen before?
9		
10	SHELTON:	No.
11		
12	DROST:	Interacted with before?
13		b.i
14 15	SHELTON:	No.
16	DROST:	Okay. So, real quick, what I'd like to do is just take a break real
17		quick.
18		quon.
19	CHANDLER:	I have a couple of small things then we'll take a break.
20		
21	SHELTON:	Go ahead.
22		
23	CHANDLER:	Can you tell me again, where was the injuries that Cole
24		sustained that you recall?
25		
26	SHELTON:	I saw again, I didn't see a bullet hole, but the injuries appear to
27		be to the abdomen, the stomach area, below the ribcage.
28		
		45

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1	CHANDLER:	And you're kind of pointing to like your stomach area.
2		
3	SHELTON:	Right. That's where the blood seemed to be smeared. I could
4		see there were blood there was blood on his arm. I didn't know
5		whether it was from the arm from the from the belly. I had no
6		clue. It wasn't until later I asked Heard because he obviously he
7		was the one attending and he said that Cole had a gunshot
8		wound to his right arm I believe he said forearm and to his
9		abdomen, so.
10		
11	CHANDLER:	Okay. So, you saw the blood on the stomach, and you
12		immediately recognize that as a possible gunshot wound and
13		you saw blood on the right arm didn't learn until Heard told you
14		that yeah, there was the gunshot wound on the forearm also.
15		
16	SHELTON:	Correct.
17		
18	CHANDLER:	So, stomach area, right forearm.
19		
20	SHELTON:	Juarez saying shots fired, yeah. I assumed gunshot wounds.
21		
22	CHANDLER:	One would assume, right. Two things I have and then we take
23		that break. Is there a name that for all those notifications that
24		you-you have to give out as they're like a proper like the name
25		the department calls those?
26		
27	SHELTON:	The A plus.
28		
		46
1		

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1	CHANDLER:	And do you feel that you had adequate resources to manage the
2		situation?
3		
4	SHELTON:	Yes.
5	***************************************	
6	CHANDLER:	Tell me more about that.
7	***************************************	
8	SHELTON:	I had four deputies logged on. I got the captain, lieutenant here.
9	>	You know I've got multiple fire stations in the area to help assist.
10		luckily, it was on a Friday. So, was available
11		quickly to get stuff there. AMR's always quick to respond. If I
12		needed a helicopter, I could have got that quickly also, so.
13	7	
14	CHANDLER:	Cool.
15		
16	DROST:	Actually, I have two more things now that you bring that up.
17		
18	SHELTON:	See
19		
20	DROST:	Sorry.
21		
22	SHELTON:	you guys are killing me.
23		
24	DROST:	Do you know who the fire department personnel were? Or the
25		AMR personnel?
26		
27		
28		
		47
8		{

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1	SHELTON:	I asked Deputy Ziemer to find that out for me. He contacted
2		Dispatch. Dispatch was able to get all of the information and then
3		they sucked it into the call history for us.
4	***************************************	
5	DROST:	So, it's in the call history?
6	***************************************	
7	SHELTON:	With their, with their names and employee numbers.
8		
9	DROST:	Is that just for the fire department?
10		
11	SHELTON:	Just for the fire personnel. There were two different medic
12		engines that showed up.
13		
14	DROST:	Do you recall which medic engines?
15		
16	SHELTON:	Oh, it was like 151 and or no, it was 5-5-1 and 5-5-3.
17		
18	DROST:	And what department is that?
19		
20	SHELTON:	That's CalFire.
21		
22	DROST:	And you said that you don't know what AMR personnel?
23		
24	SHELTON:	No, no, we were. We got somebody else trying to find that out.
25		
26	DROST:	And is there anybody currently with Cole at the hospital at
27		
28		40
		48

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1	SHELTON:	There's a central deputy.
2		
3	DROST:	Do you know that deputy's name?
4		
5	SHELTON:	I don't. It just switched. It was, it was one and now it's another,
6		sorry.
7		
8	DROST:	Okay. Did that central deputy relieve Heard from has somebody
9	***************************************	all been in constant
10	***************************************	
11	SHELTON:	Yes.
12		
13	DROST:	custody or?
14		
15	SHELTON:	Somebody's been with Cole the entire time.
16		
17	DROST:	Okay. Constant supervisor I guess is how to say it. So, let us
18		take a break real quick. We'll go ahead and we'll pause this
19		interview at approximately 2027 hours. We'll be right back.
20		
21	SHELTON:	Okay, cool.
22		
23	DROST:	Okay. So, we're back on recording. Friday, June or May 27 th ,
24		2022, at approximately 2030 hours. This is Drost and Chandler
25		with Corporal Shelton or Detective Shelton. So, just real quick
26		want to summarize everything back, make sure we're on the
27		same page. So today being Friday, May 27th, 2022, at about
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SHELTON:

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DROST:

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1330 hours in that ballpark. You were assisting with a runaway juvenile call for service completely unrelated to what ultimately ended into a lethal force encounter involving Deputy Juarez. While you were speaking to the runaway juvenile and his mother, you heard a broadcast from Deputy Juarez for shots fired. Initially you didn't that broadcast didn't register. But when---

Yeah I was.

---Juarez repeated it for the second time, it was clear that he had hit broadcast shots fired. Deputy Zeeman Ziemer was assisting you with the runaway juvenile call at that time. The both of you departed from the runaway juvenile call for service and responded code three with lights and sirens to Deputy Juarez's location. It took you approximately two to three minutes to arrive and that location ended up being on Let's see. I think you said north of . or . Once when you arrived you observed Deputy Juarez's patrol vehicle along the curb facing south. Deputy Brad Heard's patrol vehicle was facing north and would have been of Deputy Juarez's patrol vehicle.

You later observed a white male adult who ended up being the suspect and you later found to be identified as Cole Bierma laying on the asphalt portion but on the shoulder of would have been south of Deputy Juarez's patrol vehicle. He was shirtless at the time. He was wearing shorts or some sort of

clothing on his lower extremities, but you can't recall what exactly it was. You noticed that he had blood on his lower abdomen. You concluded that that blood came from a gunshot wound. But you didn't see the wound itself. From during your time overall at this scene, you didn't hear Cole say anything other than other essentially other than pain moaning in pain. You as you were responding to the call for service you heard, Heard, Deputy Heard and Juarez broadcasting pertinent information. Because of the broadcasts that were going on, were relevant and crucial. You didn't interrupt and take up the airtime you essentially waited for a lull and advised Dispatch that you copied the call while you responded.

Deputy Ziemer facilitated setting up road closures or initial road closures to prevent oncoming traffic from tampering with the scene. You contacted Deputy Juarez and obtained essentially a public safety statement from him. It was broken into essentially two different contacts. The first contact was asking if there was anybody outstanding due to being flagged down by citizens who said that there was a white male with tattoos on his face who ran away from the scene. Based off Juarez indicating that there were no outstanding suspects you realize that that person who ran was not involved and ignored kind of the the-the potential that that somebody had run away from the scene.

You contacted Deputy Juarez and asked him how many shots were fired and in what direction. Juarez indicated, he motioned

SHELTON:

DROST:

with his hands that he shot three times in a southeast direction.

Based on that conversation you looked at a cinderblock wall that was to the southwest of Juarez and saw that there appeared to be some small-ing or impact marking in that cinderblock wall.

While you inspected that wall, you interacted with the occupants who lived at the residence that corresponded to the south of that wall. At what would have been And

advised you that none of the occupants in that residence were injured. She did tell you that the suspect Cole threw something into the yard and provided you with that item which ended up being a T-shirt. You took the shirt to ensure that he didn't just, that Cole did not discard a firearm paraphernalia or some other---

Contraband.

--- something else that he went on to distance himself from law enforcement. You collected that shirt you placed it on top of Juarez's patrol vehicle but due to the wind it ultimately fell off and onto the-the sidewalk there. Within approximately five minutes. I'm sorry. Let me back up. You also noticed that Deputy Heard had gloves on and was standing in the immediate area of Cole almost hunched over. Couldn't tell if he was physically doing anything to perform any sort of medical aid at that moment, but from what you could tell is that he was he was there to tend to him if he'd needed some-some medical assistance.

SHELTON: Or be detained, yeah.

DROST:

 He Mr. or Mr. Bierma, Cole Bierma was not handcuffed at the time, but he was detained by Heard being in his immediate area. You based off of what you observed, it didn't appear that Cole was presenting any sort of basically an attempt to flee or to fight with deputies any longer and he was more focused on his injuries. Within approximately five minutes CalFire Medic Engines 5-5-1 and 5-5-3 arrived at the scene and essentially took over medical treatment from Deputy Heard. At some point in that relatively close type timeframe, AMR also arrived, I think you said within a minute or two of CalFire.

SHELTON: Yes.

And assisted in treating Cole at the scene. Within 15 to 20 minutes Cole was loaded into the AMR ambulance and was transported to and was followed by Deputy Heard at your direction. Heard remained at until he was relieved by a central deputy and from your understanding that that central deputy which you don't know who it was, was relieved by another central deputy who is currently maintaining custody of Cole at You don't know the extent of Cole's injuries other than seeing the blood that was on his stomach which you-you compared to being a swipe of blood and not a significant amount. You heard or

DROST:

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overheard at some point from the deputies on scene that he may have had an injury to the abdomen, but you didn't see it yourself.

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SHELTON: Right and the forearm.

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DROST:

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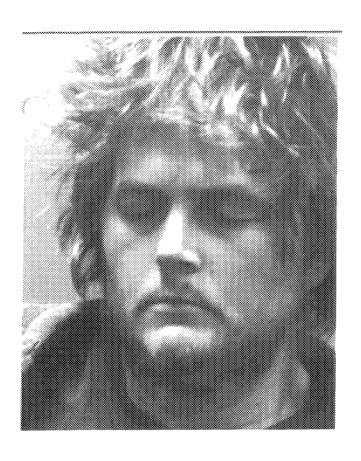
28

And the forearm. From what you observed next to Juarez's patrol vehicle there were three FCCs or fired cartridge casings. Due to the wind that was at the scene at the time Heard placed orange traffic cones over the top of the FCCs to prevent them from being disturbed either by fire department personnel or by-by the wind blowing them away. You obtained Deputy Juarez's camera took photographs of the scene including Cole at the time that the fire department arrived. And essentially worked on making notifications, setting up road closures and securing the scene after you ensured that Juarez was not injured.

The public safety statement was taken care of, and that the-the Cole was being tended to by medical personnel. After the fact you became aware by speaking to all of the deputies who were on scene that there were calls for service at Cole's residence the day prior which also led into a call for service today. During that call for service today, it was for a battery call which was reported by the neighbor last of who indicated that she saw Cole's and Cole in a dispute in the front yard where Cole pushed Deputy Olvera, Stephanie Olvera responded to that call for service and contacted front yard.

	DR# 142201719 H# 2022-059	
1		Shortly after that, within minutes, two or three minutes of that ca
2		for service another unrelated call or another call for service was
3		entered regarding a white male, shirtless white male, who was
4		walking east on was a walking with a knife in his hand.
5	***************************************	
6	SHELTON:	And that was an area check.
7	***************************************	
8	DROST:	Okay. Deputy Heard was responding to that area check. And
9	***************************************	Deputy Juarez was responding to assist deputy Olvera. While
10		Deputy Juarez was responding to the battery call at the
11	***************************************	residence, he observed a suspect that matched the description
12		of Heard's area check, which later ended up being Cole. Juarez
13		pulled behind Bierma, stepped out of his patrol vehicle and said,
14		basically made his presence known. He said something which
15		you don't know what was said to Cole, at which point a shortly
16		afterward a lethal force encounter ensued and that's when
17		Deputy Juarez discharged his firearm.
18		
19		From what you could tell was Juarez discharged his department
20		issued handgun because you did not see a rifle or a shotgun out
21		and the FCCs that were on the ground appear to be 45 caliber
22		handgun ammunition.
23		
24	SHELTON:	Correct.
25		
26	DROST:	Aside from that you remained on-on scene. Coordinated with
27		making the notifications to Homicide and to Civil Liabilities.
28		
		55

	DR# 142201719 H# 2022-059	
1		Deputy Juarez was transported by Lieutenant Michael Warrick to
2		the Yucaipa station after Warrick arrived on scene.
3	:	
4	SHELTON:	Robert Warrick.
5	***************************************	
6	DROST:	I'm sorry Robert Warrick arrived on scene. Is there anything that
7		I left out of that?
8		
9	SHELTON:	No, no. Other than notifying my I notified my command staff,
10		
11	DROST:	Okay. Through the A plus notification Correct?
12		
13	SHELTON:	Well, I physically had called Lieutenant Warrick.
14		
15	DROST:	All right. So, if there's nothing else, we can end this interview at
16		approximately 2040 hours.
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Gogle Maps Yucaipa







Map data @2022 , Map data @2022 20



AUDIO SUMMARY

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

Juarez	Eugene			
VICTIM'S NAME - LAST NAME	FIRST NAN	/E	MIDDLE NAME	(FIRM NAME IF BUSINESS)
PC 245(c)		ADW On a Peace	Officer	LFE
CODE SECTION		CRIME		CLASSIFICATION

AUDIO SUMMARY: Deputy Eugene Juarez

On Monday, October 23, 2023, I reviewed San Bernardino County Sheriff's Department (SBCSD) Deputy Eugene Juarez's belt recording related to the lethal force encounter (LFE) which occurred on Friday, May 27, 2022, in Yucaipa. Juarez was assigned the call sign 14P21. The recording was labeled, "142201719," and was 21 minutes and 17 seconds long. I used PotPlayer to review the audio recording. Referenced times listed below were from the audio recordings time stamps. The following is a summary of Juarez's audio recording.

00:02: A male voice, later identified by investigators as Cole Bierma, said, "Better pull your gun out." A noise consistent with a vehicle door being closed was heard.

00:04: A male voice, later identified by investigators as Juarez, said, "What's goin' on?"

00:05: Bierma repeated, "Better pull your gun out."

00:07: Juarez broadcasted, "14-Paul-21." The sound of scuffling was heard. Bierma said something consistent with, "Coming at you, homeboy."

00:12: Juarez broadcasted, "14-Paul-21, shots fired, shots fired."

00:14: A rustling noise was heard.

00:15: Juarez said, "Put it down, put it down. Sheriff's Department." Bierma yelled. Three gunshots were heard. A crash, consistent with Juarez falling to the ground, was heard.

00:23: Bierma groaned, and sirens were heard. Juarez broadcasted, "Shots fired, shots fired."

00:30: An unknown male voice said, "You okay?" Juarez broadcasted, "14-21, one down, one down."

00:41: Juarez said. "Turn around. man. Turn around. Turn around. Turn around."

00:48: Bierma moaned. Juarez broadcasted, "14-21, I'll be at and and

1:05: Juarez broadcasted, "14-21, if you can start meds also." Juarez told an unknown male deputy, "Meds are enroute."

1:34: Juarez broadcasted, "14-Paul-21, this is gonna be the subject with the knife at and the

Reviewed By: Sergeant Nicolas Craig

Date: "// /೭३

Author: Detective Amy Bilbao

Author Date: 10/23/2023

Page 1 of 2



AUDIO SUMMARY

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719 H# 2022-59

CODE SECTION	CRIME		CLASSIFICATION
PC 245(c)	ADW On a P	eace Officer	LFE
VICTIM'S NAME - LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Juarez	Eugene		

AUDIO SUMMARY CONTINUED: Deputy Eugene Juarez

- 1:47: An unknown male broadcasted, "Hey Juarez, where do you want road closures?" Juarez stated the north and southbound lanes of and and needed road closures.
- **3:58:** A deputy, later identified by investigators as Deputy Brad Heard, broadcasted Bierma was "alert and oriented."
- **4:28:** Juarez broadcasted, "14-21, confirming we got fire enroute?" Sheriff's Dispatch confirmed Fire Department personnel were enroute.
- **5:05:** A male, later identified by investigators as Detective Daniel Shelton, asked Juarez if he was okay. Juarez said he was just shook up. Shelton asked Juarez, "Which way did we shoot? Where we at?" Juarez said, "Right here. I put three, put three on target, so Brad said he's hit twice, I don't know if there's one off this wall."
- **7:30:** Juarez told an unknown person he did not know Bierma's identity. Juarez said, "I didn't get that far."
- **10:18:** Shelton told Juarez he took photographs of the scene and was going to call the station lieutenant and the homicide team. An unknown male asked Juarez if he needed a drink, and Juarez said he was good.
- 12:10: Juarez identified an unknown person he believed may have seen the LFE.
- **14:45:** An unknown female told Juarez she previously responded to a mental health evaluation call for service related to Bierma.

The remainder of the audio recording captured Juarez as he recovered at the scene. Juarez did not have further contact with Bierma.

Reviewed By: Sergeant Nicolas Craig

Date: "/ / / 2 3

Author: Detective Amy Bilbao

Author Date: 10/23/2023

Page 2 of 2

STATE OF CALIFORNIA -COUNTY OF SAN BERNARDINO

SEARCH WARRANT AND AFFIDAVIT (AFFIDAVIT)

F. Demara, Detective, (Affiant) declare that the information below is true and correct under penalty of perjury of the laws of the State of California. I declare the facts expressed by him/her in this Search Warrant and Affidavit, and the attached and incorporated statement of probable cause, are true and that based thereon he/she has probable cause to believe and does believe that the property and/or person described below is lawfully sizable pursuant to Penal Code Section 1524, as indicated below, and is now located at the locations set forth below. Wherefore, affiant requests that this Search Warrant be issued.

F.	Demara	G3226				
***************************************	(Signature of Affiant)	(Employee ID of Affiant)				
		(SEARCH WARRANT)				
SAI (Aff be f	THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY PEACE OFFICER IN THE COUNTY OF SAN BERNARDINO: proof by affidavit having been made before me by F. Demara, Detective, (Affiant) that there is probable cause to believe that the property and/or person described herein may be found at the locations set forth herein and is lawfully sizable pursuant to Penal Code Section 1524 as indicated below by "x" (s) in that:					
	another to whom he or she ma it tends to show that a felony h it tends to show that sexual ex	the intent to use it as means of committing a public offense or is possessed be have delivered it for the purpose of concealing it or preventing its discovery. It is been committed or that a particular person has committed a felony. Operation of a child in violation of P.C. Section 311.3, or depiction of sexual conductives, in violation of Section 311.11, has occurred or is occurring.	•			
	J ARE THEREFORE COMN PREMISES known as	ANDED TO SEARCH:				
АТТ	N: Health Information Mana	ement-Medical Record Department				

SW with A1 & A2

Warrant ID: 000142348

Revised: 12/15/2021

Page 1 of 6

FOR THE FOLLOWING PROPERTY:

All medical information/records for **Cole James Bierma** to include but not limited to any documentation regarding injuries, treatments, laboratory results, discharge summary, and X-rays.

Cole James Bierma

Date of birth:

California Driver License #:

Date of hospital admission:

SW with A2 & A2

Warrant ID: 000142348

Revised: 12/15/2021

Page 2 of 6

AFFIANT'S EXPERTISE:

Your affiant (hereafter referred to as "I" or "me") Detective Francisco Demara Jr, is a duly sworn Detective for the County of San Bernardino, State of California, and has been regularly employed in such capacity since March of 2015. During this time, I completed the San Bernardino County Sheriff's Department Basic Academy in March 2015 and have worked in a patrol and custodial capacity. I am currently assigned as a detective with the San Bernardino County Sheriff Department's Homicide Detail.

Your affiant has attended the San Bernardino County Sheriff's Basic Academy, numerous P.O.S.T. Certified Advanced Officers Classes which include the following: Interview and Interrogation, Gang Enforcement Certification, Custodial Classification, Advanced Gang Awareness, Court Room Procedures, Drug Influence Recognition, White Supremacist Training, and Gang Awareness Seminars.

During this time, I have received training, conducted and/or been involved in numerous investigations including assaults, murders, gangs, thefts, weapons, and narcotics investigations.

Your Affiant has been involved in numerous investigations and/or arrests of persons involved in a wide variety of crimes. It is your affiant's experience, as a direct result of having investigated numerous assaults, narcotic, weapons, and theft violations that suspects keep items of the crimes at their residence, in their vehicles, cell/bunk areas, such as those being committed by the suspect(s). I have also experienced, and learned, that subjects who have conducted similar activities often possessed the fruits of the crime or evidence tending to show the location of the fruits of the crime therefore, it would be reasonable to believe that the property outlined in the "Statement of Probable Cause" would be located at the place to be searched. I believe the recovery of the requested property will corroborate other evidence collected to satisfy the corpus delicti of the alleged crime(s).

SW with A3 Revised: 12/15/2021

STATEMENT OF PROBABLE CAUSE:

On Thursday, May 26, 2022, at approximately 1735 hours, deputies from the San Bernardino County Sheriff Department's (SBCSD) Yucaipa Station were dispatched to a disturbance at residence located at in the City of Yucaipa. The disturbance was between a subject who was identified as Cole Bierma and Cole and Lived together at the above residence. Steve told deputies that Cole suffered from mental illness and became aggressive. Lalso told deputies that Cole attempted suicide in the past by overdosing on his medication. As a result, Lalso administered Cole's daily medication. In addition, Lalso said Cole threatened in the past to commit suicide by cop. Based on what Lord deputies, Cole was determined to be a gratuitous guest and was not a resident of home. Was advised of his options for removal of Cole from his residence and of the restraining order process. Lord did not wish to have Cole out of the residence and spoke to Labour about the situation.
On Friday, May 27, 2022, at approximately 1323 hours, another disturbance between and Cole occurred. Cole pushed and threw water at him prior to leaving the residence on foot. Yucaipa Sheriff Deputies were called and asked to respond to the incident. Prior to the deputies' arrival, an additional call for service was received a short distance away from the residence. The reporting party depicted a male with no shirt who carried a 3-to-4-inch knife. The shirtless male was later identified as Cole Bierma. Deputy Eugene Juarez arrived in the area and located Cole on the West curb of several houses of his residence. Juarez exited his patrol vehicle and Cole immediately charged him with the knife. Juarez fired his duty weapon, striking Cole approximately two times.
Fire and medical response were called to the scene after the lethal force encounter and rendered aid to Cole. Cole was alert and oriented and transported to SBCSD's Homicide Detail was advised and assumed the investigation.
Cole underwent surgery and remained hospitalized over the course of the initial investigation. Cole's medical records related to this incident were not initially obtained to avoid gathering premature and incomplete records. Your affiant requests this warrant be granted to obtain copies of medical records from which documented Cole's injuries and treatments related to the lethal force encounter. The medical records would further assist investigators to properly document his injuries sustained during the incident and introduce such documents into future court proceedings as evidence.
Your affiant requests this affidavit and all other documents relating to this affidavit be sealed for the following reasons: The warrants sought pursuant to this affidavit relate to an ongoing investigation of felony

Your affiant requests this affidavit and all other documents relating to this affidavit be sealed for the following reasons: The warrants sought pursuant to this affidavit relate to an ongoing investigation of felony offenses, and it is expected that additional search warrants will be sought relating to this matter. If the information contained in this affidavit and in related documents is made public, it would compromise the investigation and make it difficult to continue. Your affiant believes that if information contained in this affidavit were made available to any alleged co-conspirators, and/or media outlets, the destruction of potential evidence would occur, thereby hindering this investigation and the future prosecution of offenses hereto alleged.

SW with A4 Revised: 12/15/2021

STATUTORY GROUNDS

Based on training, experience and the foregoing information, your Affiant states there is presently reasonable cause to believe that the above listed property constitutes evidence which tends to show that a felony has been (or felonies have been) committed in the County of San Bernardino, State of California, to wit: PC664/187(a), attempted murder and show the suspects responsible.

I believe that there is probable cause for the issuance of a search warrant as set forth in Penal Code section 1524.

F. Demara
Detective
San Bernardino County Sheriff Homicide Detail
G3226
Officer Employee ID

SW with A5 Revised: 12/15/2021

Warrant ID: 000142348

Page 5 of 6

WARRANT NOTES

(No Notes)

County of San Bernardino.

The people of the State of California to any peace officer in the County of San Bernardino:

Proof, by affidavit, having been this day made before me by telephone by the officer whose signature is affixed to the affidavit, that there is probable cause for believing that evidence tending to show that a felony (or felonies) has or have been committed, you are therefore commanded to make search on the person and/or property set forth in the description page and/or affidavit, which is incorporated by reference herein; and, in the case of a thing or things or personal property, if you find the same or any part thereof, to bring the thing or things or personal property forthwith before me at the courthouse of this Court.

Given under my hand, and issued at 08:55 on this 22nd day of April, 2024

Hobbs Sealing Approved: NO

Night Service Approved:

NO

Judge Christopher S Pallone

Warrant ID: 000142348

END OF WARRANT

State of California - County of San Bernardino RETURN TO SEARCH WARRANT

<u>Detective Francisco Demara</u>, being swom, says that he conducted a search pursuant to the Search Warrant described below:

vvailatit desulibed below.	
Issuing Magistrate: Christopher S. Pallone	
Magistrate's Court: Victorville Superior Court	
Date of Issuance: April 22, 2024	Date of Service: April 22, 2024
and searched the following location(s):	
Manner of service: Personal service Mail	⊠Fax
and Seized the Items: ☑ described in the attached and incorporated in described below:	ventory.
	rue and correct under penalty of perjury of the laws of all the property taken by me pursuant to the search
warrant, and the pursuant to Penal Code Section	ns 1528 and 1536 this property will be retained in my
custody, subject to the order of this court or of ar	ny other court in which the offense in respect to which
the seized property is triable.	
	(Name and Employee Number)
Declared to and Subscribed on this 27th day of Ma	y 2024, at 0920 A.M.

Return to Search Warrant Page 1 of 1 12/15/2021

San Bernardino County Sheriff's De	partment	SW No.	· 14 2348
SEARCH WARRANT REC	EIPT	DR No. <u>14</u>	2201719
on 04/22/2024 ,a	n officer of the Soul	ERMANNO SHERIFF'S	Department, served a search
warrant at the premises at			and seized property
identified in this receipt.	•		,
The search warrant was issued on	4/22/24 hv the H	onorable Christopher S.	ALLNE Judge of the
VICTORVILLE Court of			
State of California, and is filed under			
		TAKEN	
1. (5) ELECTRONIC FIL		G COLE THERMA'S	MEDICAL RECORDS
			an anniche sinche ac
A copy of said receipt was delivered to	······		(or posted at the
aforementioned residence) prior to sal	id officer leaving the pr	remises Itoms	through,
F. Demara	63224	NONE AVAILAB	Œ
Officer	Emp. No.	Witness	Emp. No.
3e advised that pursuant to California above-mentioned Judge who issued the			
or further information, contact the abcontact the abcontact the above officer's supervisor			
The below-signed acknowledges receinder the aforementioned Search War	ipt of a copy of the in		
Name		5/-/2024 Date	
:0-19479-401 Rev. 8/97		DISTRIBUTION: Original — (Copy — Per	Officer son in charge of/or to be left at scene

Warrant Return for Warrant ID: 000142348

San Bernardino County Sheriff's	Department		SW No. <u>••• 14 2348</u>			
SEARCH WARRANT RE	CEIPT		DR No. IH	2261719		
on 04/22/2024	, an officer of the San S	Leannanino S	HERIFF'S	Department,	served a search	
warrant at the premises at	***************************************		*		seized property	
identified in this receipt.	,				, , ,	
The search warrant was issued on	04/22/24 by the H	lonorable Curs	порнет 5.	PALLONE	_ , Judge of the	
Victory LLE Coul						
State of California, and is filed und						
	ITEMS	TAKEN				
1. (5) ELECTRONIC F	ILES CONTRIMIN	A COLE	BIERMA'S	MEDICAL	RECORDS	
		,,,,,,,				
A copy of said receipt was delivere	d to			(or posted at the	
aforementioned residence) prior to	·	oremises	Items	through		
F. DEMARA	63226	None	AVAILAT	3 <i>UE</i>		
Officer	Emp. No.		Witness		Emp. No.	
Be advised that pursuant to Califor above-mentioned Judge who issue	d the warrant, seeking re	turn of the prope	rty seized purs	uant to this war	rant.	
For further information, contact the					uestions please	
contact the above officer's supervi	sor <u>Sat. N. Cr</u>	<u> </u>	at 909 -8	90-4704		
The below-signed acknowledges runder the aforementioned Search t		nventory made by	/ searching Off	icer relating to	property seized	
RECEIPT EMAILED		5/7/2024				
Name		Date				
		DISTRIBL	ITION: Original	– Officer		

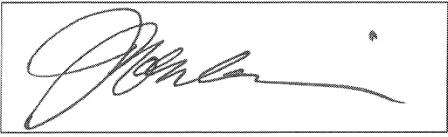
WARRANT NOTES

(No Notes)

warrant return is hereby approved on 05/28/2024 08:25.

Hobbs Sealing Approved: NO

Night Service Approved: NO



Judge John Tomberlin

Warrant Return for Warrant ID: 000142348

END OF RETURN



SUPERIOR COURT OF CALIFORNIA County of San Bernardino

***************************************	********
Warrant	
No.	
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
Report #: 1422017:	19

SEARCH WARRANT

SEARCH WARRANT AND AFFIDAVIT

	AFFIDAVI	Ţ				
I, Deputy Sheriff Derek Brandt swear under oath that the facts expressed by me in the attached and incorporated Statement of Probable Cause are true and that based therein I have probable cause to believe and do believe that the articles, property, and persons described below may be lawfully seized pursuant to Penal Code Section 1524, as indicated below, and is now located at the location(s) set forth below. Wherefore, I request that this Search Warrant be issued.						
		HOBBS SEALING REQUESTED:	☐ YES ⊠NO			
	(Signature of Affiant)	, NIGHT SEARCH REQUESTED:	⊠ YES ∐NO			
SEAR	CH WARRANT					
BERN there	PEOPLE OF THE STATE OF CALIFORNIA TO ANY SHERIFF, PO IARDINO: proof by affidavit, under penalty of perjury, having the is probable cause to believe the property or person description in and it is lawfully sizeable pursuant to Penal Code Section	ing been made before me by Deput cribed herein may be found at the l	y Derek Brandt that location(s) set forth			
	it was stolen or embezzled;					
	it was used as the means of committing a felony;					
	it is possessed by a person with the intent to use it as means of committing a public offense or is possessed by another to whom he or she may have delivered it for the purpose of concealing it or preventing its discovery;					
\boxtimes	it tends to show that a felony has been committed or that a particular person has committed a felony;					
it tends to show that sexual exploitation of a child, in violation of Penal Code Section 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of Section 311.11, has occurred or is occurring;						
	Third party residence. Person(s) sought to be arrested is/or has been visiting or temporarily staying at someone else's house (Steagald 1981 451 U.S. 204; Dyke (1990) 224 Cal. App. 3d 648, 658).					
	a provider of electronic communication service or remote computing service has records of evidence, as specified in Penal Code Section 1524.3, showing that property was stolen or embezzled constituting a misdemeanor, or that property or things are in possession of any person with intent to use them as a means of committing a misdemeanor public offense, or in the possession of another to whom he or she may have delivered them for the purpose of concealing them or preventing their discovery;					

PREMISES TO BE SEARCHED:
The premises at with a
It is requested the following be searched of the previously described premises: All rooms, attics, and other parts therein, any storage room, storage areas, service porches, cabinets, closets and closed containers, file cabinets, toolboxes, luggage pieces, safes, dressers, garage, trash containers, the surrounding grounds, any and all vehicles associated with the residence.
YOU ARE THEREFORE COMMANDED TO SEARCH:
The places to be search shall include any and all rooms, closets, attics, garages, storage areas, patios, vehicles, or any other areas associated with this residence, including any safes, vaults, or any other locked container or detached storage area and any persons present.
AUTHORITY TO RECORD SCENE/EVIDENCE
The granting of this Search Warrant shall specifically authorize the officers or representative to photograph, video tape, sketch/measure and/or take digital images of the location being searched and surrounding areas to preserve the image of the scene, the location of property, and to identify any inhabitants or persons present or arriving at the property during the search. Investigative personnel, sworn or non-sworn are authorized to assist in the search in order identify, document, and collect evidence, provided their participation is supervised by a sworn officer.
ITEMS INDICATIVE OF OWNERSHIP
Personal journals and diaries, telephone records, computer tapes or disks, checkbooks and bank records, travel itineraries, travel brochures, tickets and or departure schedules for airplanes, trains, buses, or ships.
Handwritings, fingerprints, documents, and effects tending to show possession, dominion and control over said premises including: photographic negatives, undeveloped film, homemade video or audio tapes, answering machine tapes or digital devices, video or digital images, computers, and any items or papers bearing a person's name, social security number, driver's license number, or other forms of identification.
BIOLOGICAL
Blood droplets, smears, spray, puddles and stains.
Latent prints.
Hair and fibers
Saliva
Semen and Vaginal Secretions.

Warrant ID: 000087641

Skin, muscle and fat tissues and any connective tissue found in whole or in part.

Bone, ligament and tendon or other skeletal remains found in whole or in part.

Deoxyribonucleic acid (DNA) found on a person or item.

Items soiled with body fluids to include but not limited to: clothing, bedding, toiletry items, towels, wash cloths, paper towels, mattresses, walls and furniture. Items showing evidence of being used to clean, wipe, or contain the body fluids or residue of body fluids.

Tools, instruments, or objects with any of the above listed biological materials on it.

ELECTRONIC STORAGE DEVICE EXPERTISE

Based on my personal experience with electronic storage devices and storage media I have the opinion that electronic storage devices such as: wireless/cellular telephones, cordless telephones, pagers, digital cameras, video recorders, audio recorders, computer hardware, fax machines, personal data assistants, software, documentation, passwords, and data security devices may be important to a criminal investigation in two distinct and important respects: The objects themselves may be instrumentalities, fruits, or evidence of crime, and/or, The objects may have been used to collect and store information about crimes in the form of electronic data

Both state and federal procedures permit the government to search and seize electronic storage devices, software, documentation, passwords and data security devices which are: Instrumentalities, fruits, or evidence of the crime; and/or Storage devices for information about crime.

ELECTRONIC STORAGE DEVICES & HARDWARE

Electronic storage devices consist of all equipment which can collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic, optical, or similar transmission, reception, collection and storage of data.

Electronic storage device includes (but is not limited to) any wireless/cellular telephone, cordless telephone, pager, fax machine, digital camera, audio recorder, video recorder and any data-processing device e.g. central processing units, memory typewriters, self- contained "laptop", "notebook", "mini-notebook", or "personal data assistant" computers.

Internal and external storage devices e.g. fixed disks (hard drives), memory cards, floppy disk, LS-120, zip drive, jazz drive, Orb drive, CD drive, DVD drive, diskettes, tape drives, optical storage devices, transistor-like binary devices, and other memory storage devices including the storage media used in the devices.

Peripheral input/output device e.g. as keyboards, printers, scanners, plotters, video display monitors, optical readers.

Related communication devices e.g. modems, cables and connections, recording equipment, RAM or ROM units, acoustic couplers, automatic dialers, speed dialers, programmable telephone dialing or signaling devices, and electronic tone-generating devices. Any device, mechanism, or parts that can be used to restrict access to electronic storage devices e.g. physical keys and locks bio metric readers, retinal scanners, facial recognition, signature verification, smart card or voice authentication.

Software

Computer/Equipment software (digital information) can be interpreted by electronic storage device equipment, computers and any of its related components to direct the way they work. Software is stored in electronic, magnetic, optical or other digital form. It commonly includes programs to run operating systems, applications

(like word-processing, graphics, or spreadsheet programs), utilities, compilers, interpreters, and communication programs.

Documentation

Electronic storage device documentation consists of written, recorded, printed, or electronically stored material that explains or illustrates how to configure or use electronic storage device hardware, software, or other related items.

Passwords and Data Security Devices

Electronic storage device passwords and other data security devices are designed to restrict access to or hide software, documentation, or data. Data security devices may consist of hardware, software, or other programming code.

A password (a string of alphanumeric characters) usually operates as a sort of digital key to "unlock" particular data security devices.

Data security hardware may include encryption devices, chips, dongles, biometric readers, retina scanners, facial recognition systems, voice authentication systems, handwriting authentication systems and circuit boards.

Data security software or digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt; compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

Authority to Duplicate Electronic Media

It is further requested that a forensic technician, sworn or non-sworn, be granted authorization to examine; make duplicate images/copies of the above-mentioned electronic media and to determine if evidence of the offenses enumerated above are contained therein.

Therefore, authorization is requested to make images/copies of the requested data. Evidence copies of the items relating to these offenses will be created and retained for further proceedings and made available to the authorities.

Only those items recovered under the Search Warrant and relating to the offenses will be retained. The master copy will be retained in evidence storage for later discovery and trial purposes.

Request for Off-Site Search Authorization

For the following reasons, the execution of this warrant may take a great deal of time and require a secure facility, special equipment, and software:

- 1) It is unknown what operating system is running the computer(s) that is subject of this warrant and, therefore, it will take time to determine how the operating system permits access to data.
- 2) The amount of data that may be stored in the hard drives and removable storage devices is enormous, and the number or size of the hard drives and removable storage devices that will have to be searched pursuant to this warrant is not known.
- 3) The data to be seized may be located anywhere on the hard drives and removable storage devices, including hidden files, program files, and "deleted" files that have not been overwritten.

- 4) The data may be encrypted, or inaccessible without a password, and may be protected by self-destruct programming, all of which take time to bypass.
- 5) Because data stored on a computer can be destroyed or altered rather easily, either intentionally or accidentally, the search must be conducted carefully and in a secure environment.
- 6) To prevent alteration of data and insure the integrity of the search, clones (master copies) of all data storage devices will be made. The clones (master copies) will then be searched and this process will take time and special equipment.

Furthermore, a lengthy on-site search may pose a severe hardship on all people who [live] [work] on the premises. It would also require the presence of law enforcement officers to secure the premises while the search is being conducted, thus depleting law enforcement resources in the community.

It is therefore requested that authorization be given to remove all electronic storage devices and storage media that are found on the premises to an off-site location, with the necessary resources and equipment to conduct the search safely and efficiently. It is further requested that authorization be given to search for and seize all peripheral devices that appear to be reasonably necessary to access data stored in the electronic storage devices and storage media.

WEAPONS / FIREARMS

Weapon consisting essentially of a metal or hard tube from which a missile or projectile is shot by the force of exploding gunpowder or other propellant; such as a musket, rifle, machine gun, pistol, revolver, shotgun and objects which launch self-propelled projectiles.

Firearms, bullets, spent/fired shell casings, jacketed metal or lead components of a bullet, impact bullets, items or walls that a bullet may have penetrated after having been fired.

Containers used to store, transport, protect or maintain firearms.

Ammunition and all components of ammunition including the casings, primers, and items used to hold the ammunition to include a magazine, speed loader, moon clips, bandoliers, and boxes or cases.

Projectiles fired from any of the weapons listed above.

Receipts, holsters, gun cleaning kits or photographs depicting suspects in possession of firearms, should those weapons no longer be present on the premises.

WEAPONS / INSTRUMENT

A cutting instrument consisting of a sharp blade fastened to a handle.

An instrument with a sharpened edge or tip.

An instrument with a pointed end capable of stabbing.

Solid or hardened object used to strike the victim to include: baton, mace, mallet, rod, sling, bottle, sap, brick, rock, or can.

CONTROLLED SUBSTANCES

- 1 Methamphetamine, Amphetamine Sulfate, Phencyclidine (PCP), Methaqualone, paraphernalia including lab equipment capable of being used to manufacture the above; together with books and formulas for the manufacturing of those controlled substances, pill labeling machines, plastic bags, scales.
- 2. Also including some or all of the chemicals used to manufacture Methamphetamine (1), Amphetamine Sulfate (2), Phencyclidine (3) and methaqualone (4), their compounds, salts, and mixtures thereof:
- 3. Also recordings and notes of any incoming phone calls that might be related with the sales of a controlled substance or narcotic transactions.
- 4. Also to be searched for are any amounts of United States currency or other assets or items of value which can be shown t be the result of or involved in the trafficking of a controlled substance.
- 5. Chemicals including:

Ether 1-2-3-4 Hydrochloric Acid 1-4-3

Phenylacetone (P2P) 1-2 Methanol 2-1

Hydrogen 1-2 Sodium Acetate 1

Palladium Black 1-2 Potassium Hydroxide 1-2

Potassium Hydroxide 1-2 Lithium Aluminum Hydride 1-2

Sodium Hydroxide 4-3 Potassium Carbonate 4-3

Ammonium Hydroxide 4-3 Methylamine 1

Ephedrine 1 Hydrogen Iodide 1
Zinc or tin foil 1 Hydroxyl Amine 2

Zinc or tin foil 1 Hydroxyl Amine 2
Sulfuric Acid 2 Formamide 2

Piperdine or its salts 4 Cyclohexanone 3
Bromobenzene 3 Petroleum Ether 3

Magnesium Metal Turnings 3 Phenylmagnesium Bromide 3

Isooctane 3 Hydrobromic Acid 3

Sodium Carbonate 3 Anhydrous Hydrogen Chloride 3

Potassium Cyanide 3 1-Piperdine Cyclohexanone Carbonitrile3

Sodium Bisulfite 3 Benzene 3

P-Toluenesulfonic Acid 3 Ammonium Chloride

Toluene 3 Methyl-Benzoxazone 4

Toluidine or its salts 4 Acetylanthranilic Acid and its salts 4

Ethanol 4 Phosphorous Oxychloride 4

Chloroform 4 Red Phosphorous

And order the hazardous chemicals and apparatuses be destroyed after the appropriate samples and photographs have been taken.

FOR THE FOLLOWING:

∑ YES	200001000000000000000000000000000000000
Based upon your Affiant's training, experience and conversations that your Affiant had with other Enforcement Officers and/or reports that your Affiant has read, your Affiant believes there was a paltercation at the residence and the residence may have evidence which motivated the suspects actions. It believed the suspect has unknown mental health issues and may consume illegal substances. In additional digital recording devices at the residence could help with depicting what lead up to the lethal force encounter	rior It is ion,
Your Affiant may need to have a forensic specialists for the location(s) to be searched, to aid in the search trace evidence of blood, hair fibers, bodily fluids, body tissue and fingerprints at the location. Your Affi requests permission to photograph the location and its contents.	
AND TO SEIZE IT IF FOUND and bring it before me, or this court, at the courthouse of this court. This Sea Warrant and incorporated Affidavit was sworn to and subscribed before me this 27th day of May 2022, at a.m./p.m. Wherefore, I find probable cause for the issuance of this Search Warrant and	
issue it. In reference to forensic evidence and other physical evidence, the property or item(s) can be dispositioned accordance with law and the San Bernardino County Sheriff's Department Policy upon adjudication of the complaint and all appeals have been made	'n
, NIGHT SEARCH APPROVED: YES NO (Signature of Magistrate) Judge of the Superior Court, San Bernardino Judicial District	
STATE of CALIFORNIA, COUNTY of San Bernardino,	

ATTACHED and INCORPORATED STATEMENT OF PROBABLE CAUSE

Affiant declares under penalty of perjury that the following facts are true and that there is probable cause to believe, and Affiant does believe, that the warranted search of the above listed residence will contain valuable evidence to this investigation.
On Thursday, May 26, 2022, at approximately 1735 hours, deputies from the Yucaipa Police Station were dispatched to a disturbance call at subject who was identified as Cole Bierma and who live together at the above residence. It told deputies that Cole suffers from mental illness and has started to become more aggressive. It is told deputies that Cole had attempted suicide in the past by overdosing on his medication and now Steve has to administer his daily medication. In addition, said Cole has threatened in the past to commit suicide by cop. Based on what told deputies Cole was determined to be a gratuitous guest and was not a resident of the residence. Was advised of his options for removal of Cole from his residence and also of the restraining order process. As of yesterday, he did not wish to have Cole out of the residence and was going to speak to
Today Friday, May 27, 2022, at approximately 1323 hours another disturbance broke out between and Cole. Cole pushed and threw water at him prior to leaving the residence on foot. Prior to Deputies arrival an additional call for service came in a short distance away from the residence. The reporting party depicted a male with no shirt carrying a 3–4-inch knife. The shirtless male was later identified as Cole Bierma. Deputy Juarez arrived in the area and located Cole on the west curb of several houses of his residence. Juarez exited his patrol vehicle and Cole immediately charged him with the knife. Juarez fired his duty weapon striking Cole approximately two times.
Fire and medical response were called to the scene after the lethal force encounter and rendered aid to Cole. He was alert and oriented and transported to where he is currently in surgery.
Based on the history of mental illness, disturbance calls for service and the possibility of drug and alcohol abuse It is your affiant's belief based on his training and experience that a warranted search of the residence located at a Vucaipa California 92399 will produce evidence which depicts Cole's motive and actions.
This search warrant is to be executed upon approval by magistrate. Homicide is currently on scene and due to the nature of the investigation it will take numerous hours to investigate. Night service is requested to collect possible perishable evidence contained in the crime scene.
YOUR AFFIANT DECLARES UNDER PENALTY OF PERJURY, under the laws of the State of California that this Affidiavit is true and correct. Date: 5/27/22 Derek Brandt, Deputy Sheriff

EXPERTISE OF AFFIANT: Your Affiant, DEREK BRANDT, has been employed with the San Bernardino County Sheriff's Department since January 2014 and is currently assigned to the Yucaipa Station, as a Deputy. B. Affiant has assisted and authored search warrants where documents, narcotics, firearms, and other items relating to criminal activity have been located. He has also assisted with placement and execution of a search warrant with a tracking device. C. Authored numerous Ramey warrants and search warrants. as a Deputy and has conducted numerous investigations D. Affiant has involving various criminal activity. Affiant possess an Advanced P.O.S.T. certificate and regularly attends in-service training, as well as Advanced Officer Training. E. Affiant has worked as a Patrol Deputy with the Sheriff's department from He is currently assigned to the Yucaipa Police Station Multiple Enforcement Team. I conduct various investigations including arrests involving firearms, theft, burglary, and the possession of stolen property and narcotics, as well as fraud, check fraud, non-sufficient funds checks, embezzlement, identity theft and the fraudulent use of credit cards

STATE OF CALIFORNIA, COUNTY of SAN BERNARDINO,

DECLARATION and REQUEST FOR ORDER SEALING SEARCH WARRANT DOCUMENTS

Your Affiant, Police Officer / Investigator Derek Brandt, relates that this Search Warrant sought pursuant to this Search Warrant / Affidavit, Statement of Probable Cause and the Return to Search Warrant and all documents relevant to this Search Warrant relate to an on-going investigation of a Homicide. It is expected that additional Search Warrants will be sought relating to this matter. If information contained in the above listed documents is made public, it would compromise this investigation and make it impossible to continue.

Your Affiant requests that the Search Warrant / Affidavit, Statement of Probable Cause and the Return to Search Warrant and all documents relating to this Search Warrant be ordered to be sealed. And that the Search Warrant / Affidavit, Statement of Probable Cause and the Return to Search Warrant and all documents relating to this Search Warrant remain sealed and in the custody of the clerk of the court until order of this court or other competent court having jurisdiction over this matter.

I declare under penalty of perjury that the related foregoing is true and correct to the best of my knowledge.				
Dated this 27th day of May 2022 at 1740	☐ A.M. P.M.			
(Signature of Affiant)	F8535			
(Signature of Affiant)	(Employee ID of Affiant)			

POINTS & AUTHORITIES

<u>People v Sanchez</u> (1972) 24 Cal. App. 3d 664, 678; <u>People v Greenstreet</u> (1990) 218 Cal. App. 3d 1516; <u>Swanson v Superior Court</u> (1989) 211 Cal. App. 3d 332.

ORDER

Based upon the foregoing Declaration and Request and a reading of the original Affidavit, Search Warrant, Statement of Probable Cause, and the Return to Search Warrant thereof referred to above, it is hereby ordered that the Affidavit, Search Warrant, Statement of Probable Cause and the Return to Search Warrant thereof, be sealed and maintained in a secure location in the custody of the clerk of the court until further order of this court or other competent court having jurisdiction over this matter.

WARRANT NOTES

No Notes)

County of San Bernardino.

The people of the State of California to any peace officer in the County of San Bernardino:

Proof, by affidavit, having been this day made before me by telephone by the officer whose signature is affixed to the affidavit, that there is probable cause for believing that evidence tending to show that a felony (or felonies) has or have been committed, you are therefore commanded to make search on the person and/or property set forth in the description page and/or affidavit, which is incorporated by reference herein; and, in the case of a thing or things or personal property, if you find the same or any part thereof, to bring the thing or things or personal property forthwith before me at the courthouse of this Court.

Given under my hand, and issued at 17:51 on this 27th day of May, 2022

Hobbs Sealing Approved: NO

Night Service Approved: YES

Judge Bryan Foster

Warrant ID: 000087641

LND OF WARRANT

SHERIFF'S DEPARTMENT COUNTY OF SAN BERNARDINO, CALIFORNIA CA03600

CASE NO.

142201719 REPORTING AREA

PAGE NO. 1 OF 2

EV			
	LIMS 22-05015-C-01		
CODE SECTION	RECOVERING DIV/STATION	Inv. Civilan NAME	☐ REPORTED STOLEN
LFE Investigation	SBSD Homicide	Bierma, Cole	☐ RECOVERED PROPERTY
XEVIDENCE	FOUND PROPERTY	SAFEKEEPING	RECOVERED BY SEARCH WARRANT
OWNER OF PROPERTY		ADDRESS	*

Evidence collected from the scene at in Yucaipa on May 27, 2022 CASE AGENT AND EMPLOYEE NO. PROPERTY RECOVERED BY AND EMPLOYEE NO.

Drost G3820 6	OH10					
ITEM NO.	SERIAL NO.	DESCRIPTION	PLACARD	BAR CODE LABEL		
A-1		"WINCHESTER 45 AUTO" fired cartridge case	2	SAN BERNARDING COUNTY SHERIFI		
A-2		"WINCHESTER 45 AUTO" fired cartridge case	3			
A-3		"WINCHESTER 45 AUTO" fired cartridge case	4	2242001087		
A-4		Swabs of water used	5	SAN BERNARDING COUNTY SHERIFF		
A-5		Bloodstain swabs	5			
A-6		Control swabs	5	2242001088		
A-7		Baseball cap black/brown/green/tan cammo design Melin brand, size 56cm 58cm 60cm	5	SAN BERNARDING COUNTY SHERIFF		
A-8		Two brown bi-fold wallets (Guess brand and Vans brand) and contents and two pieces of paper work	6	SAN BERNARDING COUNTY SHERIFF 2242001090		
A-9		Marlboro NXT cigarette box with one cigarette and bloodstains on box	6	SAN BERNARDING COUNTY SHERIFF		
A-10		Knife, switch-blade style with brown handle Unknown brand	7	SAN BERNARDING COUNTY SHERIFF		
A-11		Vans brand black/brown sunglasses	8	SAN BERNARDING COUNTY SHERIFF 2242001093		

REPORTING DEPUTY AND EMPLOYEE NO. DATE REVIEWED BY: PROPERTY OFFICER AND EMPLOYEE NO. DATE: 6/2/22

SHERIFF'S DEPARTMENT COUNTY OF SAN BERNARDINO, CALIFORNIA CA03600

LIMS 22-05015-C-01

CASE NO.	
142201719	

EVIDENCE/PROPERTY CONTINUATION REPORT

H 59-22 PAGE 2 OF 2

	ITEM NO.	SERIAL NO.		DESCRIPTI	ON		PLACARD	BAR CODE LABEL
	A-12		White/black/gray		ve, button-up shi	irt	10	SAN BERNARDING COUNTY SHERIFF 2242001094

							:	
RE	PORTING DEF	UTY AND EMPLOY	YEE NO.	DATE 6/1/22	REVIEWED BY:	PROPERT	IY OFFICER AND	EMPLOYEE NO. DATE: 4/2/22



COPY NBERNARDINO COL

DR# 142201719

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

PROPERT	Y / EVIDENCE	
EVIDENCE Item # 1	Related Offense: 245(C) PC Related To:Bierma, Cole Property Description: Coles' empty Alprazolam pill bottle Class: Type: Misc Color: Orange Quantity: 1 Value: \$0.00	SAN BERNARDINO COUNTY SHERIFF 2260000877
EVIDENCE Item # 2	Related Offense: 245(C) PC Related To: Property Description: Shelton's Interview Sketches Class: Type: Misc Quantity: 1 Value: \$0.00	SAN BERNARDINO COUNTY SHERIFF 2260000878
EVIDENCE Item # 3	Related Offense: 245(C) PC Related To: Property Description: Williams' Interview Sketches Class: Type: Misc Quantity: 1 Value: \$0.00	SAN BERNARDINO COUNTY SHERIFF 2260000879





SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719

PROPERTY RELEASE

PROPERTY RELEASED TO:

Name Juarez, Eugene
Address: 34144 YUCAIPA BLVD, YUCAIPA CA 92399

Sex:
Race: Ethnicity:
Male Hispanic Hispanic

CERTIFICATION:
I, the Undersigned, Do Hereby Certify that I am the Legal Owner and Entitled to take possession of said Property

GUN			
10000000000000000000000000000000000000	Property Description: Glock 21, Gen 4, .45 auto ca	aliber pistol and 13 round Glock magazine	Bar Code Tag
RELEASED Item # 1	Qty: 1 Gun Action: Semi-Automatic Type: Handgu Make: Glock Inc - Au Model: 21 Serial: Barrel Length: Color: Comments: Released To: Juarez, Eugene	Black Value : \$0	2242001064
	Released To: Juarez, Eugene	6.7:200	



COPY

DR# 142201719

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

	Related Offense:	SAN BERNARDINO COUNTY SHERIFF
EVIDENCE Item # 1	Related To: Property Description: Cole Bierma's clothing from LLUMC	SAN BERNAHDING COSIN
	Class: Type: Clothing And Furs Quantity: 1	2260000863
EVIDENCE Item # 2	Related Offense: Related To: Property Description: Blue Cloud Mobile Phone, Unknown Serial Number Class: Type: Office Equipment Make: Cloud Mobile	SAN BERNARDINO COUNTY SHERIF
EVIDENCE Item # 3	Related Offense: Related To: Property Description: Black Samsung Cellphone w/ cracked screen, Unknown Serial Number Class: Type: Office Equipment Make: Samsung Quantity: 1	SAN BERNARDINO COUNTY SHERIFF
EVIDENCE Item # 4	Related Offense: Related To: Property Description: Black Alcatel Onetouch cellphone, Unknown serial number Class: Type: Office Equipment Quantity: 1	SAN BERNARDING COUNTY SHERI
EVIDENCE Item # 5	Related Offense: Related To: Property Description: Black Cloud Mobile cellphone, Unknown serial number Class: Type: Office Equipment Make: Cloud Mobile Quantity: 1	SAN BERNARDING COUNTY SHERIFI 2260000858
EVIDENCE Item # 6	Related Offense: Related To: Property Description: Orange Marbles folding knife Class: Type: Misc Quantity: 1	SAN BERNARDINO COUNTY SHERIF
EVIDENCE Item # 7	Related Offense: Related To: Property Description: Two USB Thumbdrives Class: Type: Misc	SAN BERNARDING COUNTY SHERIFF

Reporting Officer: Chandler, B E7438 on 06/22/2022

Page 1 of 1

SHERIFF'S DEPARTMENT COUNTY OF SAN BERNARDINO, CALIFORNIA CA03600

PAGE	NO.	1	OF	1	
CASE N			***********		

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416111111	; w %			REPORTING AREA		
	ı	EVII	DENCE/PROPERTY REF	ORT		
			H 59-2022	***************************************		LIMS 22-05015-C-01
CODE SECTION			RECOVERING DIV/STATION	Inv. Civilan NAME		☐ REPORTED STOLEN
LFE Investigati	ion		SBSD Homicide	Bierma, Cole		RECOVERED PROPERTY
XEVIDENCE			☐ FOUND PROPERTY	☐ SAFEKEEPING		RECOVERED BY SEARCH WARRANT
OWNER OF PRO				ADDRESS		
Evidence collection CASE AGENT AN			ocessing at SID on June 2, 2022	* DOCOCOTY DECOVER	TO DV AND EREDI	OVERNO
Drost G3820 6		o.		PROPERTY RECOVER	TED BY AND ENIFE	OTEE NO.
ITEM NO.	SERIAL NO.	T	DESCRIPTION	×	PLACARD	BAR CODE LABEL
		T				SAN BERNARDING COUNTY SHERIFF
A-10a		Sw	vabs of water			
A-10b						
A-10D		Sw	abs of water and clean powder			
A-10c	. :	Blo	odstain swab from knife blade			2242001095
••••••		1				
A-10d		Blo	odstain swab from cap end of kni	fe handle		
			· · · · · · · · · · · · · · · · · · ·			2242001095
A-10e		Sw	rabs of knife			######################################
	:					
		ļ			_	
						SAN BERNARDINO COUNTY SHERIFF
С		Tw	o latent print cards			
			•			2242001096
		<u> </u>				2242001030
			***************************************	***************************************		

						750000
						••••••••••
	:					

REPORTING DEPUTY AND EMPLOYEE NO.

DATE
REVIEWED BY:

6/17/22

DATE:

4/1 7/86

SHERIFF'S DEPARTMENT COUNTY OF SAN BERNARDING, CALIFORNIA CA03600

EVIDENCE/PROPERTY REPORT

000000000	CASE NO.
000000000000000000000000000000000000000	DR 142201719
000000000	REPORTING AREA

CODE SECTION LFE RECUPENDE DIVISTATION SUSPECT MAME BIETRA, COLE RECUPENDE STOLEN RECOVERED PROPERTY ADDRESS CASE AGENT AND EMPLOYEE NO. Drost, C. (G3820) / Homicide Det. 60H10 ITEM NO. SERIAL NO. DESCRIPTION Test-fired ammunition from Item A Glock semiautomatic pistol 21 Gen4 model; 45 Auto caliber Serial no. BC 2242001064 RECOVERED BY AND EMPLOYEE NO. PROPERTY BECOVERED BY AND EMPLOYEE NO. PROPERTY			•••	X 3					22-05015	
OWNER OF PROPERTY OWNER OF PROPERTY OWNER OF PROPERTY ADDRESS CASE AGENT AND EMPLOYEE NO. Drost, C. (G3820) / Homicide Det. 60H10 TEM NO. SERIAL NO. DESCRIPTION C Test-fired ammunition from Item A Glock semiautomatic pistol 2. Gen4 model; 45 Auto caliber Serial no. BC 2242001064 BC 2242001064 REPUENDED BY AND EMPLOYEE NO. Test-fired ammunition from Item A Glock semiautomatic pistol 2. Gen4 model; 45 Auto caliber Serial no. BC 2242001064 REPORTING DEPUTY AND EMPLOYEE NO. DATE REPUENDED BY: PROPERTY RECOVERED BY AND EMPLOYEE NO. TEM NO. DESCRIPTION VALUE BAR CODE LABEL SAN BERNARADING COUNTY SHERIFF 2.242000686			RECOVERING DI	//STATION	3				☐ REPORTED STOL	EN
CASE AGENT AND EMPLOYEE NO. Drost, C. (G3820) / Homicide Det. 60H10 TEM NO. SERIAL NO. C Serial no. DESCRIPTION C Serial no. DESCRIPTION TO SERIAL NO. DESCRIPTION SAN BERNARDIMO COUNTY SHERE SAN BERNAR	LFE		\$8\$D 60 H	omicide		3ierma, (Cole	***************************************	<u> </u>	PERTY
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15-16141-401 Rev. 5/93 CR3



COPY SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

DR# 142201719

PROPERT	Y / EVIDENCE	·
EVIDENCE Item # 1	Related Offense: 245(C) PC Related To: Property Description: Landon Kern Interview Sketches Class: Type: Misc Quantity: 1 Value: \$0.00	SAN BERNARDING COUNTY SHERIFF
EVIDENCE Item # 2	Related Offense: 245(C) PC Related To: Property Description: Deputy Eugene Juarez Interview Documents Class: Type: Misc Quantity: 1 Value: \$0.00	SAN BERNARDING COUNTY SHERIFF

Reporting Officer: Drost, Cory G3820 03/22/2023

03-22-2023

Page 1 of 1

SHERIFF'S DEPARTMENT COUNTY OF SAN BERNARDINO, CALIFORNIA

CA03600

EVIDENCE/PROPERTY REPORT

-	CASE NO.
	142201719
	REPORTING AREA

ş			***************************************				
CODE SECTION		RECOVERING DIV/		SUSPECT NAM			REPORTED STOLEN
PC 245(c)		SBCSD Homicid	e 	Bierma, Col	e		RECOVERED PROPERTY
		☐ FOUND PROPI	ERTY	☐ SAFEKEEP	ING		RECOVERED BY SEARCH WARRANT
OWNER OF PROPI	ERTY			ADDRESS			
CASE AGENT AND	EMPLOYEE NO.	•••••••••••	***************************************	PROPERTY RE	COVERED B	Y AND EMPLOYEE NO	·
Demara (60H1	.0) / G3226	•		Drost G38	20		
ITEM NO.	SERIAL NO.		DESCRIPTIO	N		VALUE	BAR CODE LABEL
							SAN BERNARDING COUNTY SHERIFF
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REPORTING DEPUT	Y AND EMPLOYEE N),	DATE	REVIEWED BY:	PROPER	TY OFFICER AND EMP	1 2 1
C. Drost G3820)		4/30/2024	***************************************			4201

15-16141-401 Rev. 5/93 CR3



711 E. Rialto Avenue, San Bernardino, CA 92415 (909) 387-9980



TO: H DETECTIVE (60H10); SBCSD - SCIENTIFIC INVESTIGATIONS DIVISION

DATE: 6/1/2022

SUBJECT: PRIORITY ASSIGNMENTS FOR CRIMINALISTICS EVIDENCE EXAMINATION

Submitted Sheriff/Agency Case Number 14-2201719 (Lethal Force Encounter)

Because we receive more cases than we can work, it is necessary to prioritize criminalistics casework such as DNA, firearms, tool marks, impression comparisons, trace evidence, clandestine laboratory examinations, etc. The goal is to focus our efforts, so we may provide the most effective use of the laboratory's resources for all the law enforcement and justice agencies throughout San Bernardino County. The priority assigned to each case is based upon several factors including the probative potential of the evidence, the availability of laboratory resources, court dates, and other factors specific to your investigation.

PRIORITY DESIGNATION HIGHLIGHTED BELOW

PRIORITY 1: Cases assigned this highest priority have been assigned to an analyst and have a

PRIORITY 2: This priority does not have a due date assigned but will be worked as time becomes available.

If you have any questions regarding this memorandum or priority assignment, please contact

LABORATORY NUMBER: 22-05015-F-01

EXAMINATION ASSIGNED	ASSIGNED TO	DATE ASSIGNED	DATE DUE
Lethal Force Encounter		6/1/2022	6/7/2022

BARCODE	ITEM	PETS CATEGORY	AGENCY DESCRIPTION
2242001064	Α	SEMI-AUTOMATIC PISTOL	GLOCK .45 PISTOL 21 GEN4 AND AMMO MAG FROM DEPUTY E. JUAREZ
2242001065	В	AMMO/CARTRIDGES	CARTRIDGES FROM DEPUTY E. JUAREZ PISTOL, FROM CHAMBER AND AMMO MAG

711 E. Rialto Avenue, San Bernardino, CA 92415

LABORATORY REPORT LIMS 22-05015-F-01

AGENCY CASE NO. 14-2201719

AGENCY SBCSD - SCIENTIFIC INVESTIGATIONS DIVISION

CASE AGENT H DETECTIVE (60H10)

The information above is provided by the agency and is not verified by the laboratory.

REPORT TYPE(S) Lethal Force Encounter (833)
ANALYSIS START DATE June 1, 2022

ANALYST

TITLE Criminalist II
REPORT SIGNED ON June 1, 2022

PAGE NO. 1 - TOTAL PAGES 2

EVIDENCE

The following evidence was received from the San Bernardino County Sheriff's Central Property and Evidence Unit:

BC 2242001064

Item A: Glock semiautomatic pistol, model 21 Gen 4, 45 Auto caliber, serial number

Ammunition magazine

BC 2242001065

Item B-1: One "WINCHESTER 45 AUTO" cartridge **Item B-2:** Ten "WINCHESTER 45 AUTO" cartridges

The following items were generated during the examination:

BC 2242000686

Item C: Test-fired cartridges from Item A

DISPOSITION OF EVIDENCE:

Storage and disposition of evidence is the responsibility of the San Bernardino County Sheriff's Central Property and Evidence Unit. Unless otherwise stated, evidence is released to the control of the San Bernardino County Sheriff's Central Property and Evidence Unit for storage or disposition.

EXAMINATIONS AND RESULTS

Glock Pistol and Ammunition Magazine (Item A)

The Glock pistol was examined, and it test fired without malfunction using the submitted ammunition magazine. No modifications or defects were observed. The minimum force required to pull the trigger and release the firing mechanism measured 6 pounds. The empty ammunition magazine did not completely drop from the magazine well when released.

Cartridges (Items B-1 and B-2)

The cartridges were consistent in appearance and weight with Winchester Ranger ammunition.

CB/cb

PAGE NO. 2 - TOTAL PAGES 2

711 E. Rialto Avenue, San Bernardino, CA 92415

LABORATORY REPORT LIMS 22-05015-C-02

AGENCY CASE NO. 14-2201719

AGENCY SBCSD - SPECIALIZED INVESTIGATIONS DIVISION - HOMICIDE DETAIL

CASE AGENT DROST (G3820/60H10)

The information above is provided by the agency and is not verified by the laboratory.

REPORT TYPE(S) Crime Scene (231)
Evidence Processing (233)

ANALYSIS START DATE May 27, 2022

REPORT DATE June 24, 2022

ANALYST

TITLE Sheriff's Crime Scene Specialist II
REPORT SIGNED ON June 24, 2022

PAGE NO. 1 - TOTAL PAGES 3

OVERVIEW

On May 27, 2022, at 1506 hours, I was assigned to assist San Bernardino County Sheriff's Homicide detectives with a lethal force encounter investigation. I responded to the scene, which was located at the scene at 1722 hours and was briefed by Supervising Sheriff's Crime Scene Specialist (SSCSS). It then reported to the Yucaipa Sheriff's Station at 1745 hours and contacted Detective Bilbao who requested that I process Deputy Eugene Juarez. After processing Deputy Juarez, I returned to the crime scene and assisted SSCSS with with sketching and evidence collection.

PHOTOGRAPHY

The following numbered overall, midrange, and close-up digital photographs were taken of the involved deputy and related items of evidence.

M5V70001	M5V70011	Deputy Eugene Juarez
M5V70012	M5V70015	Juarez's hands
M5V70016	M5V70023	Juarez's boots
M5V70024	M5V70026	Injury
M5V70027	M5V70037	Items B-1 through B-3
M5V70038	M5V70043	Extra ammunition magazine #1 and cartridges
M5V70044	M5V70049	Extra ammunition magazine #2 and cartridges

EVIDENCE

I delivered the following evidence to the San Bernardino County Sheriff's Central Property and Evidence Unit.

Item(s) B-1 through B-3: Evidence collected from Deputy Eugene Juarez at Yucaipa's Sheriff's Station on May 27, 2022.

BC 2242001064

Item B-1: Glock .45 pistol, model 21 Gen 4, serial number and 13

round Glock ammunition magazine

BC 2242001065

Item B-2: One "WINCHESTER 45 AUTO" cartridge from chamber of pistol,

Item B-1

Item B-3: Ten "WINCHESTER 45 AUTO" cartridges from ammunition

magazine, Item B-1

PAGE NO. 2 - TOTAL PAGES 3

DISPOSITION OF EVIDENCE:

Storage and disposition of evidence is the responsibility of the San Bernardino County Sheriff's Central Property and Evidence Unit. Unless otherwise stated, evidence is released to the control of the San Bernardino County Sheriff's Central Property and Evidence Unit for storage or disposition.

Note: The use of the word "blood" to describe stains/fluids is based upon visual examination and/or the results of preliminary screening tests. The actual presence of blood has not been confirmed by laboratory testing.

Note: Any opinions, interpretations, or conclusions in this report are based upon the data in the associated laboratory case record.

Note: To comply with San Bernardino County Sheriff's Central Property and Evidence Unit policies any food/drinking/beverage containers referred to in this report were emptied at or near the time of collection. Unless otherwise specified a sample of the contents was not collected.

711 E. Rialto Avenue, San Bernardino, CA 92415

LABORATORY REPORT LIMS 22-05015-C-01

AGENCY CASE NO. 14-2201719

AGENCY SBCSD - SPECIALIZED INVESTIGATIONS DIVISION - HOMICIDE DETAIL

CASE AGENT DROST (G3820/60H10)

The information above is provided by the agency and is not verified by the laboratory.

REPORT TYPE(S) Crime Scene (231)
Evidence Processing (233)
Latent Print Processing (221)
Photography (229)

ANALYSIS START DATE May 27, 2022
REPORT DATE August 02, 2022

ANALYST

TITLE Sheriff's Supervising Crime Scene Specialist

REPORT SIGNED ON August 02, 2022

PAGE NO. 1 - TOTAL PAGES 5

OVERVIEW

On May 27, 2022, at 1503 hours, I was assigned to assist San Bernardino Sheriff's Homicide detectives with a lethal force encounter investigation. I responded to the scene, which was located at in Yucaipa. I arrived at the scene at 1625 hours and made contact with Detective Rivas who was present during scene processing. Sheriff's Crime Scene Specialist responded to the station and processed the involved deputy and assisted with sketching and evidence collection at the scene.

OBSERVATIONS

PLACARDS

During the course of the investigation several items were identified with numbered evidence placards. The following is a list of items identified with placards. Each numbered item corresponds to the placards as depicted in the photographs. Overall photographs were taken of the scene prior to the assignment of placards.

Placard	1	Marked Yucaipa Police patrol unit 16141 14 with California exempt license parked facing south on the west side of the
Placard	2	"WINCHESTER 45 AUTO" fired cartridge case on the asphalt of the roadway. East of the left front tire of the vehicle at Placard 1.
Placard	3	"WINCHESTER 45 AUTO" fired cartridge case on the asphalt of the roadway. Southwest of Placard 2.
Placard	4	"WINCHESTER 45 AUTO" fired cartridge case on the asphalt of the roadway. Southeast of Placard 3.
Placard	5	Bloodstains and a black/brown/green/tan baseball cap on the asphalt on the west side of the roadway. Additional bloodstains were on the white bike lane line on the west side of the roadway. Southwest of Placard 4.
Placard	6	Two brown bi-fold wallets, paperwork on the west curb and a bloodstained cigarette box containing one cigarette in the gutter along the west side of the roadway. West of Placard 5.
Placard	7	Switch blade style folding knife in the open position in the gutter along the west side of the roadway. Southeast of Placard 6.
Placard	8	Pair of black/brown sunglasses in the gutter along the west side of the roadway. South of Placard 7.

PAGE NO. 2 - TOTAL PAGES 5

Placard	9	Fired bullet strike on the north facing side of the block wall at the northeast corner of The fired bullet strike was located on the block up from the ground and the block west from the east edge. Southwest and above Placard 8.	
Placard	10	White/black/gray plaid shirt in the parkway on the west side of the roadway. West of the front west corner of the vehicle at Placard 1 and northeast of Placard 9.	

PHOTOGRAPHY

The following numbered overall, midrange, and close-up digital photographs were taken of taken of the crime scene at in Yucaipa on February 12, 2022.

Photograph Number		Description
M5V70427	- M5V70473	Scene prior to placard placement
M5V70474	- M5V70554	Scene with Placards 1-10
M5V70555	- M5V70648	Aerial views of scene
M5V70649	- M5V70651	Camera misfires
M5V70652	- M5V70664	Placard 1
M5V70665	- M5V70667	Placards 2-4
M5V70668	- M5V70674	Placard 2
M5V70675	- M5V70679	Placard 3
M5V70680	- M5V70682	Placard 4
M5V70683	- M5V70684	Placards 5-6
M5V70685		Placards 1, 3, and 4
M5V70686	- M5V70700	Bloodstains at Placard 5
M5V70701	- M5V70706	Baseball cap at Placard 5
M5V70707	- M5V70712	Wallets, paperwork, and cigarette box at Placard 6
M5V70713	- M5V70717	Knife at Placard 7
M5V70718	- M5V70720	Sunglasses at Placard 8
M5V70721	- M5V70725	Fired bullet strike at Placard 9
M5V70726	- M5V70730	Shirt at Placard 10
M5V70731	- M5V70733	Perspective view toward Placard 9 from outside left front door of
		vehicle at Placard 1

ADDITIONAL PHOTOGRAPHY

Digital photographs taken during evidence processing at the Scientific Investigations Division on June 2, 2022.

M6370018 - **M6370030** Knife (Item A-10)

EVIDENCE

I delivered the following evidence to the San Bernardino County Sheriff's Central Property and Evidence Unit.

PAGE NO. 3 - TOTAL PAGES 5

Item(s) A-1 through A-12: Evidence collected from the scene at 12436 Fifth Street in Yucaipa on May 27, 2022.

BC 2242001087

Item A-1: "WINCHESTER 45 AUTO" fired cartridge case, Placard 2 "WINCHESTER 45 AUTO" fired cartridge case, Placard 3 Item A-3: "WINCHESTER 45 AUTO" fired cartridge case, Placard 4

BC 2242001088

Item A-4: Swabs of water used

Item A-5: Bloodstain swabs from Placard 5
Item A-6: Control swabs from Placard 5

BC 2242001089

Item A-7: Black/brown/green/tan camouflage design baseball cap, Melin brand, size

56cm 58cm 60 cm, Placard 5

BC 2242001090

Item A-8: Two brown bi-fold wallets (Guess brand and Vans brand), contents, and

two pieces of paperwork, Placard 6

BC 2242001091

Item A-9: Marlboro NXT cigarette box with one cigarette and bloodstains on the

box, Placard 6

BC 2242001092

Item A-10: Switch-blade style folding knife with brown handle, unknown brand,

Placard 7

BC 2242001093

Item A-11: Vans brand black/brown sunglasses, Placard 8

BC 2242001094

Item A-12: White/black/gray plaid short sleeve, button-up shirt, George brand, size S

(34-36), Placard 10

Item(s) A-10a through A-10e and C: Evidence collected during technical processing at the Scientific Investigations Division on June 2, 2022.

PAGE NO. 4 - TOTAL PAGES 5

BC 2242001095

Item A-10a: Swabs of water

Item A-10b: Swabs of water and clean powder Item A-10c: Bloodstain swab from knife blade

Item A-10d: Bloodstain swab from cap end of knife handle

Item A-10e: Swabs of knife

BC 2242001096:

Item C: Two latent print cards

DISPOSITION OF EVIDENCE:

Storage and disposition of evidence is the responsibility of the San Bernardino County Sheriff's Central Property and Evidence Unit. Unless otherwise stated, evidence is released to the control of the San Bernardino County Sheriff's Central Property and Evidence Unit for storage or disposition.

EXAMINATIONS AND RESULTS

LATENT FINGERPRINT PROCESSING

PROCESSING ABBREVIATION KEY

V - Room Light Examination C - Cyanoacrylate Furning

CD - Clean Powder/Disposable Brush SD - Swab for DNA

SB - Swab Bloodstain

ITEM: A-10

PROCESSED: V, SB (blade), SB (cap end of handle), C, CD, SD

RESULTS: Positive. Two latent cards were submitted to the Sheriff's Central

Property and Evidence Unit for CAL-ID review as Item C, under BC 2242001096. Swabs were submitted to the San Bernardino County Sheriff's Central Property and Evidence Unit under BC 2242001095.

Note: The use of the word "blood" to describe stains/fluids is based upon visual examination and/or the results of preliminary screening tests. The actual presence of blood has not been confirmed by laboratory testing.

Any opinions, interpretations, or conclusions in this report are based upon the data in the associated laboratory case record.

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PAGE NO. 5 - TOTAL PAGES 5