CRIME REPORT

COPY

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# 062300178

EVENT SUMMARY

OFFENSE

Statute Code	Degree		Statute Description
2800.2(A) VC	FELONY	COMMITTED	EVADE PO:DISREGARD SAFETY

Assignment Date/Time: 03/12/2023 01:57 **Arrival Date/Time:** 03/12/2023 01:57 **Date/Time Occurrence Started:** Sun 03/12/23 01:57
Date/Time Occurrence Ended: 03/12/2023 03:27 **Date/Time Reported:** Sun 03/12/23 03:27 **Domestic Incident:** No
Incident Location: [redacted] SUGARLOAF, CA, 92386 **Rpt. Area:** CA0360006
Jail Location:
Evidence Collected: Yes
Brief Description of Incident: MOTOR VEHICLE CODES **Disposition:** OPEN INVESTIGATION

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

SUSPECT(S)

Name: SOSTEK , KYLE NICHOLAS **DOB:** [redacted] **Age:** [redacted] **Transient:** NO
Related Offenses: 2800.2(A) VC **CII:** [redacted]
Interviewed: No **Arrested:** No **FBI:** [redacted]

Sex:	Race:	Ethnicity:	Height:	Weight:	Hair:	Eyes:
Male	White	Non-Hispanic	510	300	Brown	Green

SSN: [redacted] **License #:** [redacted] **Lic State:** CA
Address: [redacted]

OTHER PERSONS INVOLVED

Fuller, Samuel	LEO
Everman, John	LEO

CRIMES AGAINST PEOPLE/PROPERTY

Offense: 2800.2(A) VC EVADE PO:DISREGARD SAFETY **Attemped/Committed:** COMMITTED
Type: FELONY
Offense Location Type: Field / Woods
Time of Day: Night
Hate Crime: None **AB109:** No **Gang Related:** No

PROPERTY / EVIDENCE

Item #		
	Related Offense: **Related To:** **Property Description:**	Run Code Ta
	Class: Type:	
	Quantity: **Value:**	

Reporting Officer: Page, Malcolm D9601 03/12/2023
Approving Officer: Woods, J B7624 on 03/14/2023

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

Printed By Page, Malcolm on 3/16/2023 9:15:46 AM
REV. 011921

DRUG		
Item #	**Related Offense:** **Related To:** **Property Description:** **Type:** **Class:** **Activity:** **Est. Str. Value:** $0.00	Bar Code Tag

GUN			
Item #	**Related Offense:** **Related To:** **Property Description:** **Type:**	**Class:**	Bar Code Tag
	Barrel Length:	**Color:**	

VEHICLE				
EVIDENCE Item # 1	**Related Offense:** 2800.2(A) VC **Related To:**Sostek, Kyle			
	Make:	**Model:** Civic (and CRX)	**Year:** 2018 **Style:** Coupe	
	Plate: [redacted]	**Plate State:** CA	**Expires:** April 2023	**HULL:**
	Color: White	**Type:** Automobile	**ENG:**	**VIN:** [redacted]
	Damage: Minor			

PERSON(S) INVOLVED - LEO CONFIDENTIAL

Name Fuller, Samuel **DOB:** #Error **Age** [redacted]
Transient: NO

Sex: Male **Race:** White **Ethnicity:** Non-Hispanic
Occupation: Military / Police Service **Employer Name:** San Bernardino County Sheriff's Department
Phone: (909) 866-0100 **Employer Address:** 477 SUMMIT BLVD, BIG BEAR LAKE CA 92315

Name Everman, John **DOB:** #Error **Age:** [redacted]
Transient: NO

Sex: Male **Race:** White **Ethnicity:** Non-Hispanic
Occupation: Military / Police Service **Employer Name:** San Bernardino County Sheriff's Department
Phone: (909) 866-0100 **Employer Address:** 477 SUMMIT BLVD, BIG BEAR LAKE CA 92315

NARRATIVE
See Homicide Binder for additional information.

CRIME REPORT

COPY

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# 602300025

EVENT SUMMARY

OFFENSE

Statute Code	Degree		Statute Description
LETHAL FORCE ENCOUNTER-FA	6	COMMITTED	LETHAL FORCE ENCOUNTER (LFE)- FATAL

Assignment Date/Time: 03/12/2023 01:57 **Arrival Date/Time:** 03/12/2023 01:57 **Date/Time Occurrence Started:** Sun 03/12/23 01:57

Date/Time Occurrence Ended: 03/12/2023 01:57 **Date/Time Reported:** Sun 03/12/23 01:57 **Domestic Incident:** No

Incident Location: [redacted] **Rpt. Area:** CA0360006

Jail Location:

Evidence Collected: Yes

Brief Description of Incident: LETHAL FORCE ENCOUNTER **Disposition:** OPEN INVESTIGATION

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

VICTIM(S)

Sostek, Kyle Nicholas

SUSPECT(S)

Name: LAW ENFORCEMENT , OFFICER **DOB:** **Age:** [redacted] **Transient:** NO

Related Offenses: LETHAL FORCE ENCOUNTER-FA **CII:**

Interviewed: No **Arrested:** No **FBI:**

Sex:	Race:	Ethnicity:	Height:	Weight:	Hair:	Eyes:
Male	White	Non-Hispanic	0	0		

Occupation: Military / Police Service **Employer Name:** SAN BERNARDINO POLICE DEPARTMENT

Phone: (909) 384-5709 **Employer Address:** 477 SUMMIT BLVD, BIG BEAR LAKE CA 92315

Name: LAW ENFORCEMENT , OFFICER **DOB:** **Age:** [redacted] **Transient:** NO

Related Offenses: LETHAL FORCE ENCOUNTER-FA **CII:**

Interviewed: No **Arrested:** No **FBI:**

Sex:	Race:	Ethnicity:	Height:	Weight:	Hair:	Eyes:
Male	White	Non-Hispanic	0	0		

Occupation: Military / Police Service **Employer Name:** SAN BERNARDINO POLICE DEPARTMENT

Phone: (909) 384-5709 **Employer Address:** 477 SUMMIT BLVD, BIG BEAR LAKE CA 92315

OTHER PERSONS INVOLVED

Fuller, Samuel	LEO
Everman, John	LEO

CRIMES AGAINST PEOPLE/PROPERTY

Offense: LETHAL FORCE ENCOUNTER-FA LETHAL FORCE ENCOUNTER (LFE)- FATAL **Attemped/Committed:** COMMITTED

Type: 6

Weapon Used: Handgun

Hate Crime: None **AB109:** No **Gang Related:** No

Reporting Officer: Page, Malcolm D9601 03/12/2023

Approving Officer: Woods, J B7624 on 03/14/2023

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

Printed By Page, Malcolm on 3/16/2023 9:13:42 AM

REV. 011921

PROPERTY / EVIDENCE

Item #	**Related Offense:** **Related To:** **Property Description:** **Class: Type:** **Quantity:** **Value:**	Bar Code Tag

DRUG

Item #	**Related Offense:** **Related To:** **Property Description:** **Type:** **Class:** **Activity:** **Est. Str. Value:** $0.00	Bar Code Tag

GUN

Item #	**Related Offense:** **Related To:** **Property Description:** **Type:** **Class:** **Barrel Length:** **Color:**	Bar Code Tag

VEHICLE

EVIDENCE Item # 1	**Related Offense:** LETHAL FORCE ENCOUNTER-FA			
	Related To: Sostek, Kyle			
	Make: Honda	**Model:** Civic (and CRX)	**Year:** 2018	**Style:** Coupe
	Plate: [redacted]	**Plate State:** CA	**Expires:** April 2023	**HULL:**
	Color: White	**Type:** Automobile	**ENG:**	**VIN:** [redacted]
	Damage: Minor			

VICTIM(S)	CONFIDENTIAL					
Name: Sostek, Kyle Nicholas	**DOB:** [redacted]	**Age:** [redacted]				**Person #** 1
Victim Type: PERSON / INDIVIDUAL (NOT A LAW ENFORCEMENT OFFICER)						**Transient:** NO
Address: [redacted]						
Related To Offense: LETHAL FORCE ENCOUNTER-FA						
Relationship to Offender: LAW ENFORCEMENT, OFFICER , Stranger - Unknown						
Domectic Violence:	**Injuries:** Other Major Injury					
Injury Severity: Dead						
Sex: Male	**Race:** White	**Ethnicity:** Non-Hispanic	**Height:** 510	**Weight:** 300	**Hair:** Brown	**Eyes:** Green
Phone 1:				**License #:** [redacted]		**Lic State:** CA

PERSON(S) INVOLVED - LEO CONFIDENTIAL

Name Fuller, Samuel **DOB:** #Error **Age:** [redacted]

Transient: NO

Sex:	**Race:**	**Ethnicity:**
Male	White	Non-Hispanic

Occupation: Military / Police Service **Employer Name:** San Bernardino County Sheriff's Department

Phone: (909) 866-0100 **Employer Address:** 477 SUMMIT BLVD, BIG BEAR LAKE CA 92315

Name Everman, John **DOB:** [redacted] **Age:** [redacted]

Transient: NO

Sex:	**Race:**	**Ethnicity:**
Male	White	Non-Hispanic

Occupation: Military / Police Service **Employer Name:** San Bernardino County Sheriff's Department

Phone: (909) 866-0100 **Employer Address:** 477 SUMMIT BLVD, BIG BEAR LAKE CA 92315

NARRATIVE
See Homicide Binder for further.

State of California

Department of Justice

DEATH IN CUSTODY REPORTING FORM

BCIA 713 (rev. 11/05)

DOJ USE ONLY

RECORD KEY

AGENCY TYPE
- ☐ Police
- ☐ Sheriff
- ☐ Probation
- ☐ State
- ☐ Other Local

AGENCY NCIC NUMBER

COUNTY

☑ **ORIGINAL** ☐ **AMENDMENT**

DATE OF DEATH: 3 / 12 / 2023 (MM / DD / YYYY)

SUBJECT NAME: Sostek, Kyle Nicholas (Last / First / Middle)

CII NUMBER: [redacted]

DATE OF BIRTH: [redacted] (MM DD YYYY)

GENDER
- ☑ Male
- ☐ Female

RACE/ETHNICITY *(Check One)*
- ☐ Other Asian
- ☐ Black
- ☐ Chinese
- ☐ Cambodian
- ☐ Filipino
- ☐ Guamanian
- ☐ Hispanic
- ☐ American Indian
- ☐ Japanese
- ☐ Korean
- ☐ Laotian
- ☐ Other
- ☐ Pacific Islander
- ☐ Samoan
- ☐ Hawaiian
- ☐ Vietnamese
- ☑ White
- ☐ Asian Indian

DOJ USE ONLY

CUSTODY OFFENSE: VC 2800.2

CUSTODY STATUS *(Check One)*
- ☑ Process of Arrest
- ☐ In Transit
- ☐ Awaiting Booking
- ☐ Booked - No Charges Filed
- ☐ Booked - Awaiting Trial
- ☐ Sentenced
- ☐ Out to Court
- ☐ Other

CUSTODIAL RESPONSIBILITY AT TIME OF DEATH *(Check One)*
- ☑ Process of Arrest
- ☐ City Jail
- ☐ County Jail
- ☐ Adult Camp or Ranch
- ☐ Local Juvenile Facility/Camp
- ☐ Adult Operations and Adult Programs (formerly CDC)
- ☐ Division of Juvenile Justice (formerly CYA)
- ☐ State Hospital
- ☐ Other

LOCATION WHERE CAUSE OF DEATH OCCURRED *(Check One)*
- ☐ Not Applicable (Natural)
- ☑ Crime/Arrest Scene
- ☐ Facility -- Administrative
- ☐ Facility -- Booking
- ☐ Facility -- Living
- ☐ Facility -- Common
- ☐ Facility -- Holding
- ☐ Facility -- Medical Treatment
- ☐ Other

FACILITY OF DEATH *(Check One)*
- ☑ Crime/Arrest Scene
- ☐ Local Hospital
- ☐ City Jail
- ☐ County Jail
- ☐ Adult Camp or Ranch
- ☐ Local Juvenile Facility/Camp
- ☐ Adult Operations and Adult Programs (formerly CDC)
- ☐ Division of Juvenile Justice (formerly CYA)
- ☐ State Hospital
- ☐ Other

MANNER OF DEATH *(Check One)*
- ☐ Pending Investigation
- ☐ Natural
- ☐ Accidental -- Injury to Self
- ☐ Accidental -- Injury by Other
- ☐ Suicide
- ☐ Homicide Willful (Law Enforcement Staff)
- ☐ Homicide Willful (Other Inmate)
- ☑ Homicide Justified (Law Enforcement Staff)
- ☐ Homicide Justified (Other Inmate)
- ☐ Execution
- ☐ Cannot Be Determined
- ☐ Other

MEANS OF DEATH *(Check One)*
- ☐ Pending Investigation
- ☐ Not Applicable (Natural)
- ☑ Handgun
- ☐ Rifle/Shotgun
- ☐ Club, Blunt Instrument
- ☐ Hands, Feet, Fists
- ☐ Knife, Cutting Instrument
- ☐ Hanging, Strangulation
- ☐ Alcohol/Drug Overdose
- ☐ Execution: Lethal Gas/Injection
- ☐ Cannot Be Determined
- ☐ Other

DATA SUPPLIED BY *(Please print the following information):*

Name: Sergeant Jonathan Woods **Email:** [redacted]

Agency: San Bernardino County Sheriff **Telephone:** (909) 387-3589

Address: 655 E. Third Street, San Bernardino 92415

Send completed form to: Department of Justice
Criminal Justice Statistics Center
P.O. Box 903427
Sacramento, CA 94203-4270
Facsimile: (916) 227-0427 or 227-3561
Telephone: (916) 227-3545

SHERIFF'S DEPARTMENT

County of San Bernardino
California

CA 03600

CASE NUMBER
062300178
H#2023-031

REPORTING AREA
BB101

CONFIDENTIAL

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2(a)	**Vehicle Pursuit**	**LFE**

VICTIM OR INVOLVED PARTY'S NAME - LAST NAME, FIRST NAME, MIDDLE NAME OR FIRM NAME IF BUSINESS
Fuller, Samuel

ADDRESS | PHONE NUMBER ( )

CONFIDENTIAL INFORMATION CONCERNING INVOLVED PARTIES: | Location of Occurrence [redacted] | City

Codes Are: V-Victim | W-Witness | S-Suspect | RP-Reporting Party | DC-Discovered Crime | IP-Involved Party | O-Other

Name: Last, First Middle	Code:	Residence Address:	Residence Phone:
[redacted]	O	[redacted]	[redacted]

Occupation/Description:	Race/Sex:	Age:	DOB:	Business Address:	Business Phone:
None	**W/F**	[redacted]	[redacted]		( )

Name: Last, First Middle	Code:	Residence Address:	Residence Phone:
[redacted]	O	[redacted]	[redacted]

Occupation/Description:	Race/Sex:	Age:	DOB:	Business Address:	Business Phone:
None	**H/F**	[redacted]	[redacted]		( )

Name: Last, First Middle	Code:	Residence Address:	Residence Phone:
[redacted]	O	[redacted]	[redacted]

Occupation/Description:	Race/Sex:	Age:	DOB:	Business Address:	Business Phone:
None	**H/F**	[redacted]	[redacted]		( )

Name: Last, First Middle	Code:	Residence Address:	Residence Phone:
[redacted]	O	[redacted]	[redacted]

Occupation/Description:	Race/Sex:	Age:	DOB:	Business Address:	Business Phone:
Unknown	**W/M**	[redacted]	[redacted]		( )

Name: Last, First Middle	Code:	Residence Address:	Residence Phone:
			( )

Occupation/Description:	Race/Sex:	Age:	DOB:	Business Address:	Business Phone:
					( )

REPORTING OFFICER	EMPLOYEE #	DATE	REVIEWED BY	TYPED BY	ROUTED BY	DATE
Detective Malcolm Page	**D9601**	**09/14/2023**	D9601			

FURTHER ACTION:	COPIES TO:	☐ SD/PD	☐ Other	REMARKS:
☐ YES ☐ NO	☐ Detectives	☐ CII		
15-15184-401 Revised 1/10 (CR2)	☐ District Attorney	☐ Patrol		

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# 062300178
H# 2023-031

CRIME REPORT

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2(a)	**Vehicle Pursuit**	**LFE**

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

NOTIFICATION

On Sunday, March 12, 2023, I was an on-call detective with the San Bernardino County Sheriff's Department, Specialized Investigations Division, Homicide Detail. At approximately 0330 hours, Sergeant Jon Woods notified me of a vehicle pursuit and subsequent lethal force encounter (LFE), which occurred near [redacted] in the community of Sugarloaf. I responded from my residence and arrived on the scene at approximately 0530 hours.

Woods assigned me as the Case Agent.

Reviewed By: **Sergeant Jon Woods** JW Date: 3-17-23 Author: **Detective Malcolm Page** Author Date: **03/12/2023**

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

CRIME REPORT

DR# 062300178
H# 2023-031

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2(a)	**Vehicle Pursuit**	**LFE**

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

NOTIFICATION

On Sunday, March 12, 2023, I was an on-call detective with the San Bernardino County Sheriff's Department, Specialized Investigations Division, Homicide Detail. At approximately 0330 hours, Detective Malcolm Page notified me of a vehicle pursuit and subsequent lethal force encounter (LFE), which occurred near [redacted] in the community of Sugarloaf. I responded from my residence and arrived on the scene at approximately 0530 hours.

Sergeant Jon Woods assigned me to assist in processing the crime scene.

Reviewed By: **Sergeant Jon Woods** JW Date: 3-17-23 Author: **Detective Eric Ogaz** Author Date: **03/14/2023**

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

CRIME REPORT

DR# 062300178
H# 2023-031

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

NOTIFICATION

On Sunday, March 12, 2023, I was an on-call detective with the San Bernardino County Sheriff's Department, Specialized Investigations Division, Homicide Detail. At approximately 0330 hours, Detective Malcolm Page notified me of a vehicle pursuit and subsequent lethal force encounter (LFE), which occurred near [redacted], in the community of Sugarloaf. I responded from my residence and arrived on the scene at approximately 0553 hours.

Woods assigned me to conduct the crime scene investigation.

Reviewed By: **Sergeant Jon Woods** Date: 3-22-23 Author: **Detective Travis Gagne** Author Date: **03/12/2023**

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

CRIME REPORT

DR# 062300178
H# 2023-031

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2(a)	**Vehicle Pursuit**	**LFE**

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

NOTIFICATION

On Sunday, March 12, 2023, I was an on-call detective with the San Bernardino County Sheriff's Department, Specialized Investigations Division, Homicide Detail. At approximately 0330 hours, Detective Malcolm Page notified me of a vehicle pursuit and subsequent lethal force encounter (LFE), which occurred near [redacted], in the community of Sugarloaf. I responded from my residence and arrived on the scene at approximately 0545 hours.

Sergeant Jon Woods assigned me to conduct the officer processing.

Reviewed By: **Sergeant Jon Woods** Date: 3-22-23 Author: **Detective Justin Carty** Author Date: **03/14/2023**

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# 062300178
H# 2023-031

CRIME REPORT

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2(a)	**Vehicle Pursuit**	**LFE**

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

BRIEFING:

On Sunday, March 12, 2023, at approximately 0642 hours, I attended a briefing led by Deputy David Bush, near the intersection of Vista Avenue and Mahogany Lane, in the community of Sugarloaf. The following personnel were present during the briefing:

- Deputy Chief John Walker — Sheriff's Executive Staff
- Captain Joseph Janowicz — Homicide Detail
- Captain Kelly Craig — Big Bear Station
- Lieutenant Timothy Jackson — Homicide Detail
- Sergeant Jon Woods — Homicide Detail
- Sergeant Jeremy Vasquez — Civil Liabilities
- Detective Malcolm Page — Homicide Detail
- Detective Travis Gagne — Homicide Detail
- Detective Justin Carty — Homicide Detail
- Detective Eric Ogaz — Homicide Detail
- Detective Derek Pedersen — Big Bear Station
- Deputy District Attorney [redacted] — District Attorney's Office
- Senior Investigator Michael Girasek — District Attorney's Office
- Senior Investigator Ryan Arthurton — District Attorney's Office
- Crime Scene Investigator [redacted] — Sheriff's Crime Lab
- Crime Scene Investigator [redacted] — Sheriff's Crime Lab

On Saturday, March 11, 2023, Big Bear Sheriff's Station personnel conducted their pre-shift briefing. During the briefing, information regarding a felony arrest warrant for Kyle Sostek was discussed. Sostek's arrest warrant indicated he was an armed and dangerous parolee at large. Sostek drove a white Honda Civic, bearing California License Plate [redacted].

On Sunday, March 12, 2023, at approximately 0157 hours, Deputy Samuel Fuller located Sostek inside the Honda Civic near the intersection of Big Bear Boulevard and Green Way, in Big Bear. Fuller initiated a traffic enforcement stop, Sostek failed to yield, and a vehicle pursuit ensued. The vehicle pursuit continued for approximately seven minutes, and terminated near [redacted], in the community of Sugarloaf.

At the conclusion of the vehicle pursuit, a lethal force encounter occurred, and Sostek was pronounced deceased at the scene.

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# 062300178
H# 2023-031

CRIME REPORT

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

SCENE WALKTHROUGH:

On Sunday, March 12, 2023, at about 0700 hours, investigators conducted a walkthrough of the crime scene. The crime scene was in front of a residence located at [redacted], in the community of Sugar Loaf. The following personnel were present during the scene walk through.

- Captain Joseph Janowicz — Homicide Detail
- Lieutenant Timothy Jackson — Homicide Detail
- Sergeant Jon Woods — Homicide Detail
- Detective Malcolm Page — Homicide Detail
- Detective Travis Gagne — Homicide Detail
- Detective Justin Carty — Homicide Detail
- Detective Eric Ogaz — Homicide Detail
- Deputy District Attorney [redacted] — District Attorney's Office
- Senior Investigator Michael Girasek — District Attorney's Office
- Senior Investigator Ryan Arthurton — District Attorney's Office
- Crime Scene Investigator [redacted] — Sheriff's Crime lab
- Crime Scene Investigator [redacted] — Sheriff's Crime lab

Prior to the walkthrough, Big Bear Sheriff's Station deputies secured the crime scene. Investigators walked south on Vista Avenue and observed the crime scene in the street in front of [redacted] Investigators observed a white Honda Civic with California license plate [redacted] positioned in the street. The vehicle had front end traffic collision damage and there was a marked Sheriff's patrol vehicle positioned behind it. Located on the ground behind the patrol vehicle, was a body, later identified as Kyle Sostek, covered in a white sheet. Investigators observed four fired cartridge casings (FCC's) along the west edge of Vista Avenue, across from the patrol unit.

During the initial walkthrough, there were no weapons potentially used by Sostek found at the crime scene. Pursuant to California Assembly Bill 1506, the California Department of Justice (DOJ) was contacted to assume the investigation.

Investigators were careful not to disturb any evidence prior to photographing and documenting the scene.

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

SCENE:

On Sunday, March 12, 2023, at about 0730 hours, I conducted an initial crime scene investigation, assisted by Crime Scene Specialist [redacted] assisted me by taking overall, midrange, and close-up photographs of the scene and evidence found at the scene.

There were an undetermined number of shoe impressions in the snow, east of Samuel Fuller's patrol vehicle and Kyle Sostek's Honda Civic. As the sun rose and the outside temperature increased, the snow began to melt. As a precaution, Guerrero documented the shoe impressions before the weather conditions caused them to deteriorate. The shoe impressions were documented while I waited for California Department of Justice (CA-DOJ) California Police Shooting Investigation Team (CaPSIT) to respond.

Note: The image below is a Google image of the incident location and depicts an overhead view of the location, which are indicated with a red border. The vehicles depicted in the photograph and within the area of the crime scene were not present during the crime or during scene processing.

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

SCENE CONTINUED:

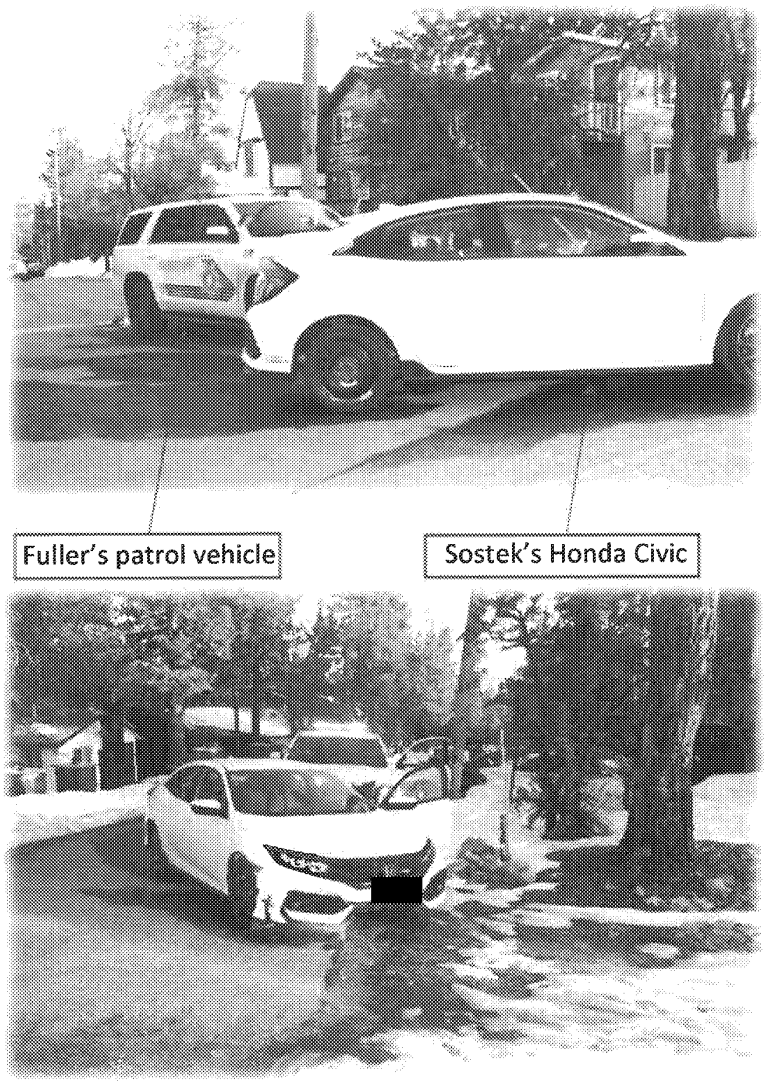
[redacted] was a north and south residential street which ended in a cul-de-sac on the south end of the street. There was a large forest area south of the [redacted] dead end.

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

SCENE CONTINUED:

The photographs below depict the termination point of the vehicle pursuit. Fuller's patrol vehicle was positioned in the street, north of Sostek's Honda Civic, and faced south. Sostek's Honda Civic was positioned in the street, in front of Fuller's patrol vehicle, and faced southeast. The driver side doors of both vehicles were in the open position.

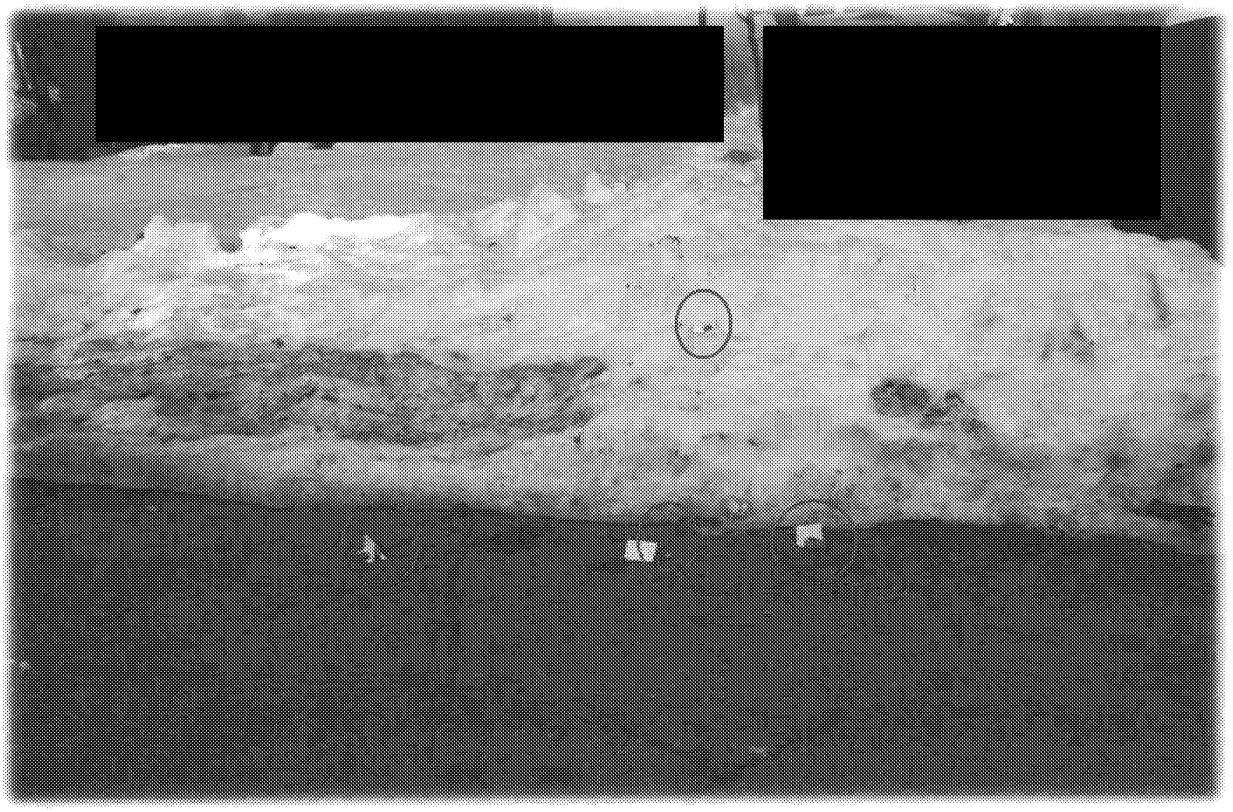


CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

SCENE CONTINUED:

Located along the west edge of [redacted], across the street from Fuller's patrol vehicle, were four fired cartridge casings (FCC's).



CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

SCENE CONTINUED:

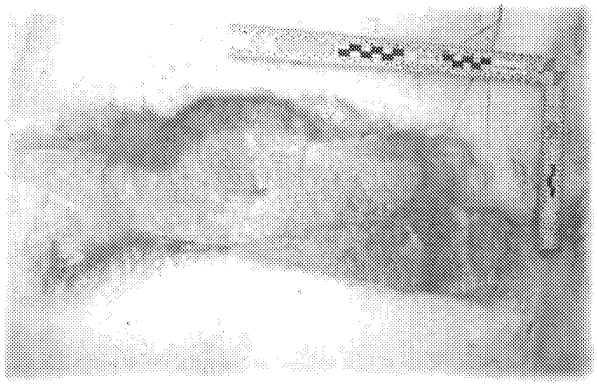
Located east of the patrol vehicle, were several shoe impressions in the snow. Several of the shoe impressions were in between Fuller's patrol vehicle and Sostek's Honda Civic.

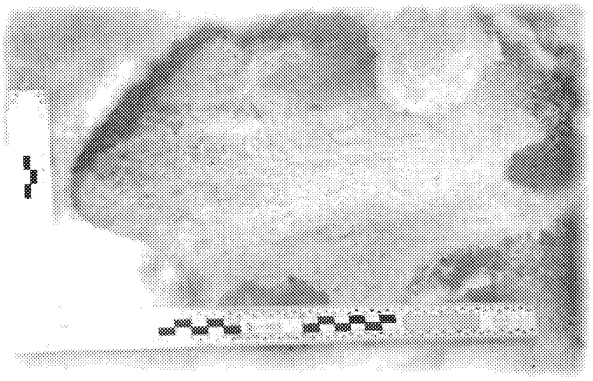
CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

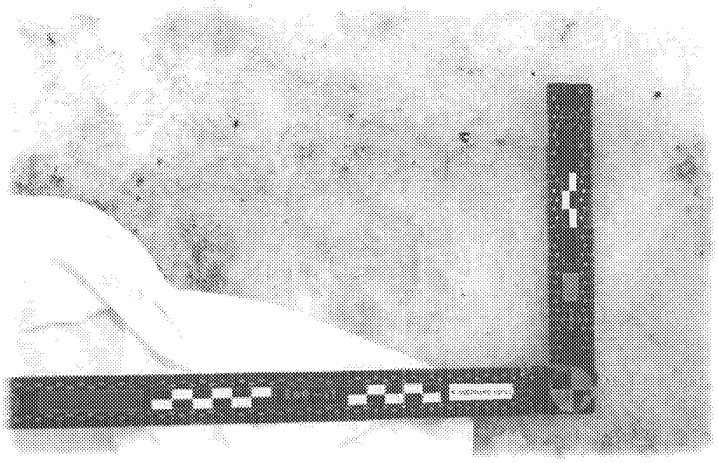
VICTIM'S NAME – LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Fuller	**Samuel**		

SCENE CONTINUED:

[redacted] utilized blue spray paint to highlight the shoe impressions. [redacted] took close-up photographs with a scale to document the shoe impressions.





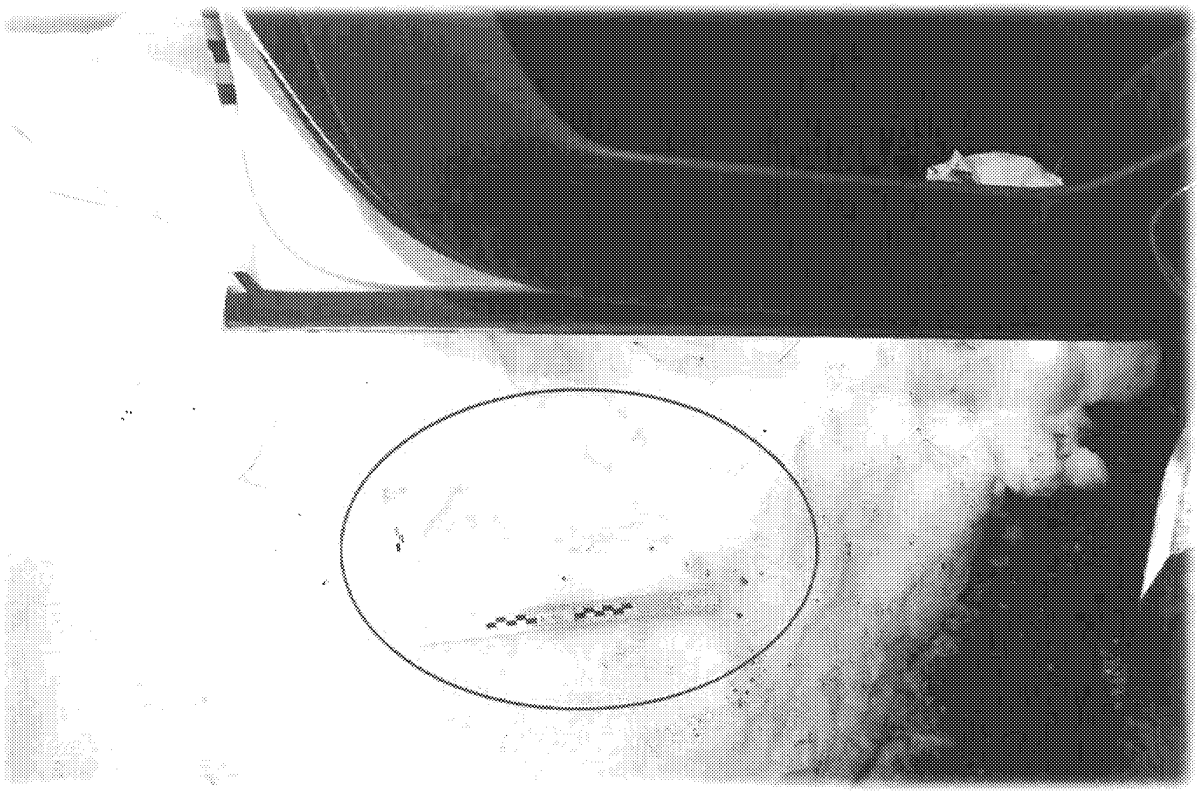


CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

SCENE CONTINUED:

A shoe impression was located in the snow east of Fuller's patrol vehicle, under the open driver's side door.

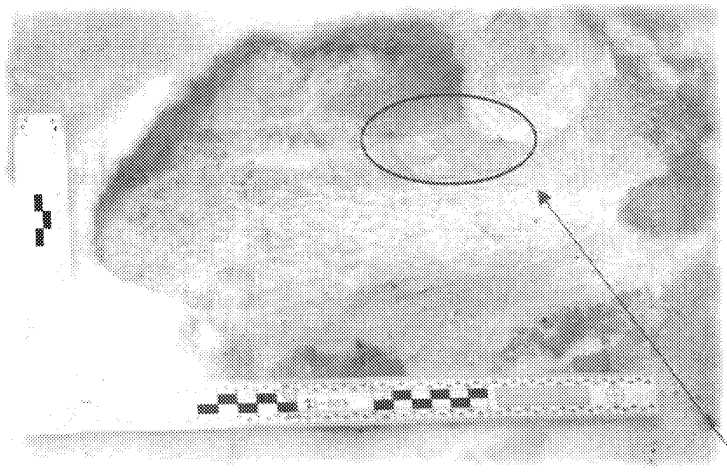


CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

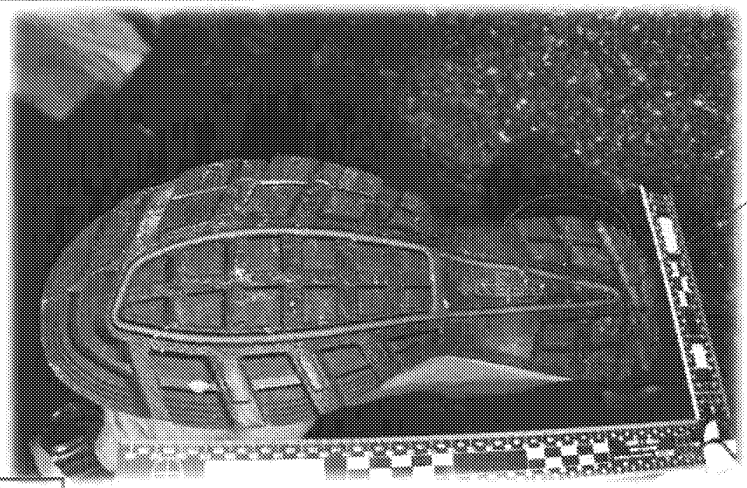
VICTIM'S NAME – LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Fuller	**Samuel**		

SCENE CONTINUED:

The shoe impression in the snow, located under the driver's door of Fuller's patrol vehicle, was later compared to the bottom of the shoes Sostek wore. The bottom of Sostek's shoes and the shoe impression in the snow were consistent. The shoe impression in the snow appeared to travel north, away from Sostek's Honda Civic.



Shoe impression under the driver's door of Fuller's patrol vehicle



Bottom of Sostek's shoes

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

SCENE CONTINUED:

Located in the snow, east of the rear driver's side quarter panel of Fuller's patrol vehicle, were suspected bloodstains.

CRIME REPORT

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

SCENE CONTINUED:

On Sunday, March 12, 2023, at about 1200 hours, personnel and crime scene investigators from the California Department of Justice (DOJ) arrived and assumed the investigation of the crime scene.

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# 062300178
H# 2023-031

CRIME REPORT

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

EQUIPMENT / UNIFORM INVENTORY:

Deputy Samuel Fuller

On Sunday, March 12, 2023, at approximately 0813 hours, Sheriff's Crime Scene Specialists (CSI) [redacted] and [redacted] and I contacted Deputy Samuel Fuller, in a private office at the Big Bear Sheriff's Station, located at 477 Summit Boulevard, in Big Bear Lake.

On Sunday, March 12, 2023, a lethal force encounter (LFE) occurred near [redacted], in the community of Sugarloaf. In my presence, Russ photographed Fuller, who wore the same uniform and equipment at the time of the LFE.

Fuller wore a San Bernardino County Sheriff's Department "Class A" uniform, which consisted of a tan, long sleeve, button-down shirt, green pants, and black boots. Fuller wore a green jacket, which covered his uniform shirt. The green jacket had a cloth United States flag sewn above his right breast pocket, San Bernardino County Sheriff patches on both the right and left shoulders, and a cloth San Bernardino County badge over his left breast pocket. Fuller's uniform shirt displayed San Bernardino County Sheriff's Department patches on both the right and left shoulder, and his San Bernardino County metal badge. Fuller wore black, size 9 Danner Tachyon boots.

Fuller utilized his personally owned Smith & Wesson M&P Core M 2.0 Pro Series, 9 millimeter (MM) caliber handgun at the time of the LFE.

[redacted]

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

EQUIPMENT / UNIFORM INVENTORY CONTINUED: *Deputy Samuel Fuller*

The following is a list of equipment on Fuller's Sam Browne duty belt, starting from the center of his belt and proceeding clockwise:

- Black basketweave double handcuff case, which contained two pairs of metal handcuffs.
- Black basketweave digital audio recorder case, which contained a digital audio recorder.
- Black basketweave belt keeper.
- Black basketweave pistol holster, with a Smith & Wesson M&P, 9MM caliber handgun, secured inside of the holster.
- Black basketweave belt keeper.
- Black basketweave button holster, which contained Fuller's department-issued oleoresin capsicum (OC) spray.
- Two black basketweave button belt keepers.
- Black basketweave radio holder, which contained Fuller's department-issued handheld radio and small black flashlight. Attached to the radio was a corded lapel mic, which went under Fuller's uniform shirt and affixed to the front of his uniform shirt. A clear radio earpiece was affixed inside Fuller's right ear.
- Black basketweave rapid containment baton (RCB) holster, which contained an RCB.
- Black plastic holster, which contained a yellow X2 Taser.
- Black basketweave key holder, which contained a set of keys.
- Black basketweave, open-top, triple magazine holder, which contained three black Smith & Wesson 9MM caliber magazines. A black tourniquet was affixed to the underside of the magazine holder.

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

EQUIPMENT / UNIFORM INVENTORY CONTINUED: *Deputy Samuel Fuller*

In my presence, [redacted] examined Fuller's primary duty handgun, ammunition magazines, and ammunition. Fuller removed his firearm from the holster and placed it on a desk at my direction. Once Fuller's handgun was placed on the desk, [redacted] took multiple photographs of the weapon prior to rendering it safe and empty. Once [redacted] rendered the weapon safe, [redacted] removed the magazine and ejected one live ammunition cartridge from the chamber.

The ejected ammunition cartridge was head stamped "Win 9mm Luger +P."

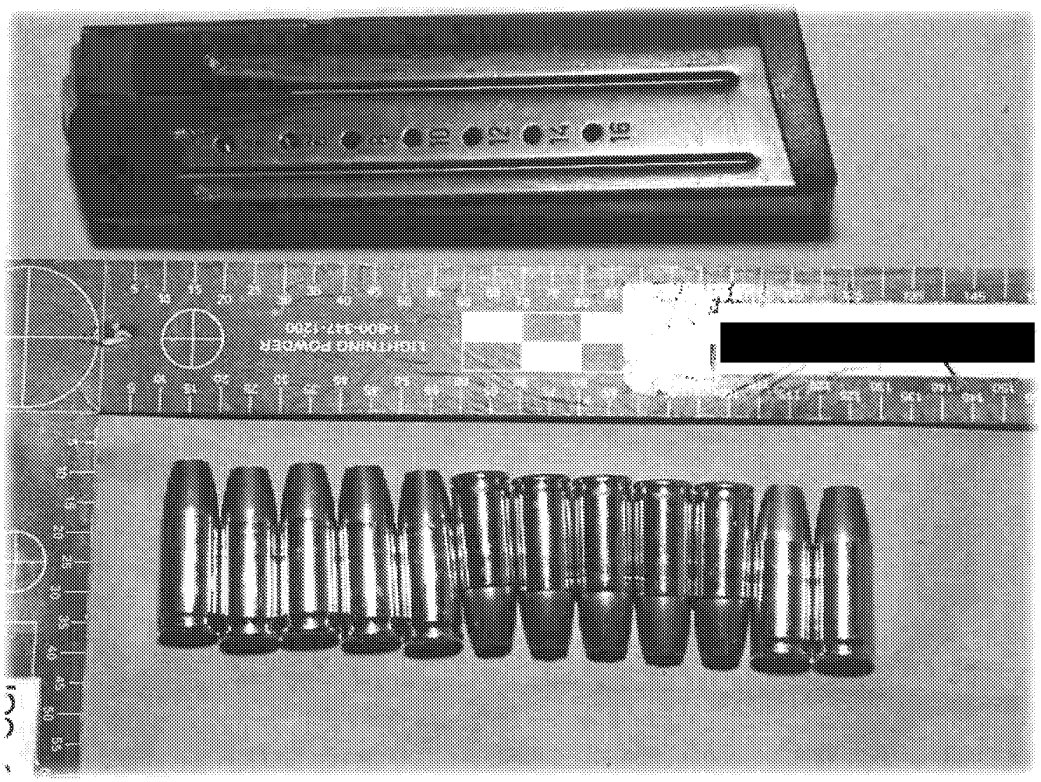
Fuller's firearm was a Smith & Wesson M&P Core M 2.0, Pro Series, 9MM caliber semi-automatic handgun with serial number [redacted]. A Streamlight TLR-1 HL flashlight, serial number [redacted], was mounted under the handgun's frame. A Holosun GRX2 MOS red-dot optic with serial number [redacted] was mounted on the handgun's slide.

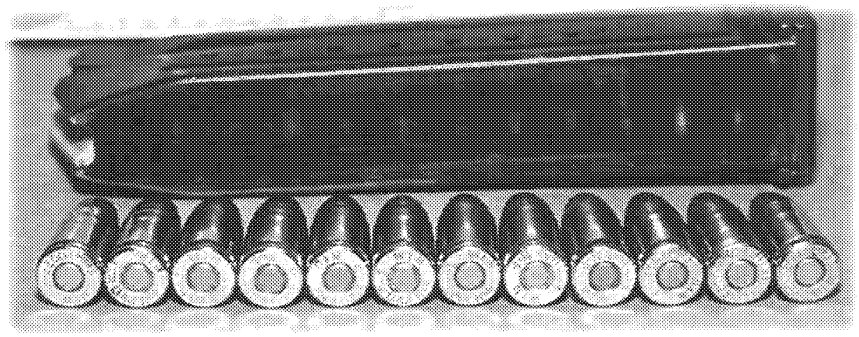
CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

EQUIPMENT / UNIFORM INVENTORY CONTINUED: *Deputy Samuel Fuller*

Russ emptied the ammunition from Fuller's magazine onto a table. The magazine's capacity was 17 cartridges, and 12-live ammunition cartridges were located inside the magazine. All 12-live cartridges were head stamped "Win 9mm Luger +P."



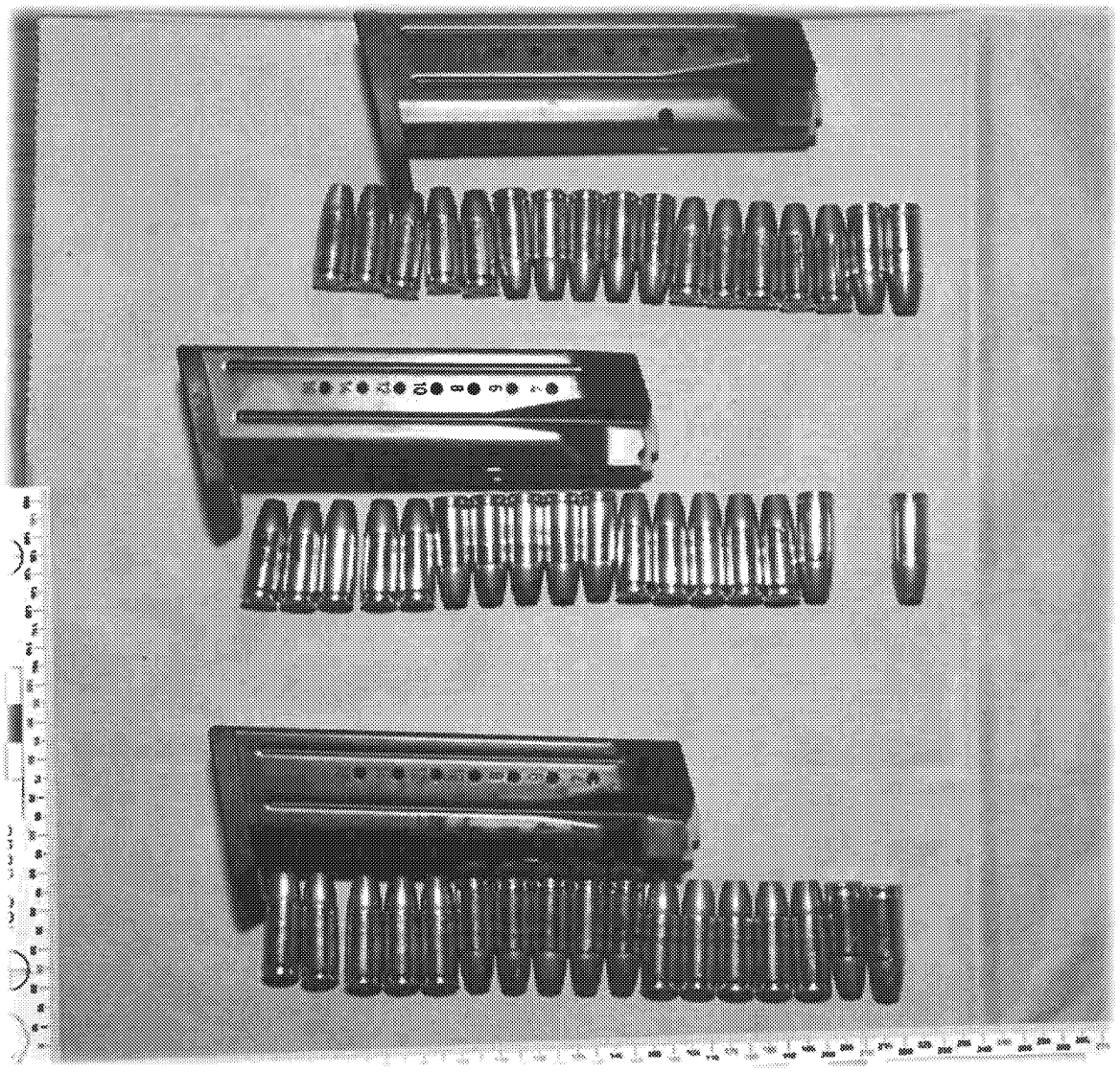


CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

EQUIPMENT / UNIFORM INVENTORY CONTINUED: *Deputy Samuel Fuller*

Fuller removed the three additional ammunition magazines from his Sam Browne duty belt and placed them on a table. Each magazine contained 17-live cartridges head stamped "Win 9mm Luger +P."



Reviewed By: **Sergeant Jon Woods** Date: 6-8-23 Author: **Detective Malcolm Page** Author Date: **06/08/2023**

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# 062300178
H# 2023-031

CRIME REPORT

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2(a)	**Vehicle Pursuit**	**LFE**

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

VICTIM INTERVIEW: *Deputy Samuel Fuller*

On Wednesday May 10, 2023, at approximately 0800 hours, I spoke with Attorney [redacted] from the [redacted] explained he represented Deputy Samuel Fuller and was informed investigators from the California Department of Justice (Cal DOJ) requested a voluntary statement from him. Under [redacted] advice, Fuller respectfully declined to provide a voluntary statement to investigators.

After speaking with [redacted] investigators did not attempt to speak with Fuller.

Reviewed By: **Sergeant Jon Woods** Date:**06/23/2023** Author: **Detective Malcolm Page** Author Date: **06/23/2023**

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# 062300178
H# 2023-031

CRIME REPORT

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

EQUIPMENT / UNIFORM INVENTORY: *John Everman*

On Sunday, March 12, 2023, at approximately 0900 hours, I contacted Sergeant John Everman, in a conference room at the Big Bear Sheriff's Station, located at 477 Summit Boulevard, in Big Bear Lake. Crime Scene Specialist [redacted] was present and assisted me with the documentation of Everman's equipment.

On Sunday, March 12, 2023, a lethal force encounter (LFE) occurred, near [redacted], in the community of Sugarloaf. In my presence, [redacted] photographed Everman, who wore the same uniform and equipment, used during the LFE. Everman did not fire any weapons during the LFE.

Everman wore a San Bernardino County Sheriff's Department green jacket, which consisted of a cloth San Bernardino County Sheriff Department badge, a brown and black cloth nameplate which displayed "J. Everman," a cloth United States flag sewn above the nameplate, and had San Bernardino County Sheriff's Department patches on the left and right shoulders. Under the jacket Everman wore a "Class A" uniform, which consisted of a tan, short sleeve, button-down shirt, green pants, and black boots. Everman had a cloth United States flag sewn above his right breast pocket. Everman had a gold-colored nameplate pinned underneath the flag. The nameplate displayed "J. Everman" in black lettering.

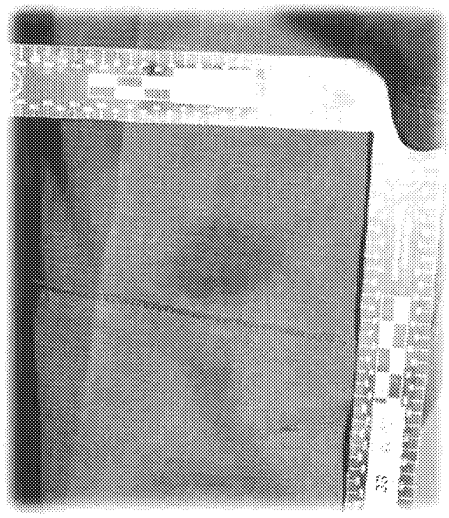
[redacted]

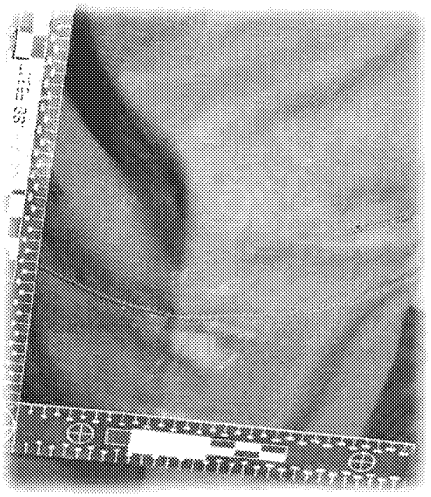
CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

OFFICER/WEAPON PROCESSING CONTINUED: *John Everman*

At approximately 0910 hours, [redacted] collected swabs of the suspected blood from Everman's left pant leg. [redacted] secured the swabs to be processed and analyzed at a later time.





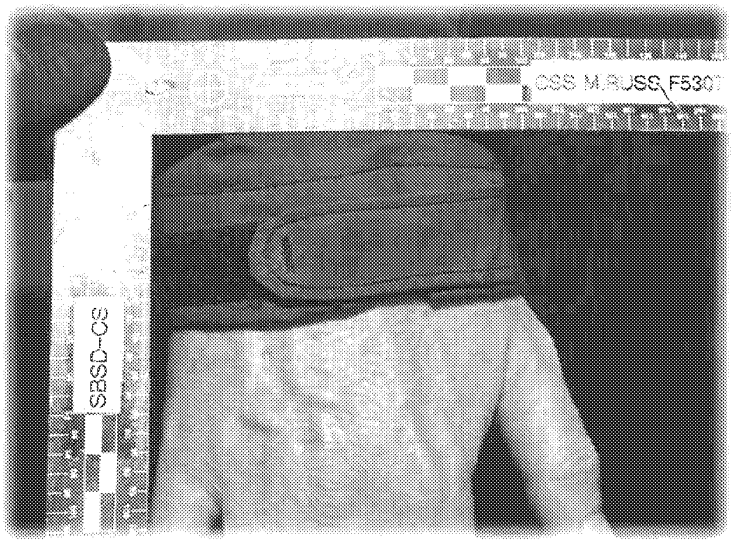
Reviewed By: **Sergeant Jon Woods** Date: 3-22-23 Author: **Detective Justin Carty** Author Date: **03/14/2023**

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

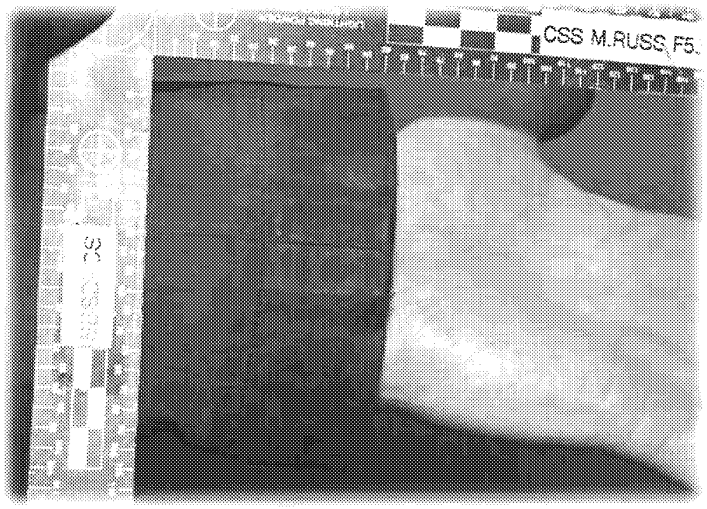
VICTIM'S NAME – LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Fuller	**Samuel**		

OFFICER/WEAPON PROCESSING CONTINUED: *John Everman*

At approximately 0915 hours, [redacted] collected swabs of the suspected blood from Everman's left and right jacket cuff. Russ secured the swabs to be processed and analyzed at a later time.



(Right Cuff)



(Left Cuff)

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

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

OFFICER/WEAPON PROCESSING CONTINUED: *John Everman*

Everman wore a black, basketweave Sam Browne duty belt, with a plastic buckle at the center of the belt. Everman's equipment on the Sam Browne belt, which proceeded clockwise from the (front) center of the belt was as follows:

- Black basketweave digital audio recorder case, which contained a digital audio recorder.
- Black basketweave button holster, which contained Everman's department-issued oleoresin capsicum (OC) spray.
- Black basketweave button belt keeper.
- Black basketweave pistol holster, with a Glock, Model 21, .45 caliber handgun, secured inside of the holster.
- Black basketweave rapid containment baton (RCB) holster, which contained an RCB.
- Black basketweave key holder with keys attached.
- Black basketweave belt keeper with a silver clasp.
- Black basketweave handcuff pouch with handcuffs.
- Black basketweave handcuff pouch with handcuffs.
- Black basketweave belt keeper with a silver clasp.
- Black basketweave flashlight holder with flashlight.
- Black basketweave radio holder, which contained Everman's department-issued handheld radio. Attached to the radio was a corded lapel mic, which went under Everman's uniform shirt and was affixed to the front of his uniform shirt.
- Black plastic holster, which contained a yellow, X2 Taser.
- Black basketweave belt keeper with a silver clasp.
- Black basketweave, double magazine holder, which contained two black Glock .45 caliber magazines.

Everman's duty handgun, magazines, and ammunition were inspected, and all ammunition was accounted for.

TASER PROTECT LIFE

EVIDENCE SYNC

TASER Information		**Offline Report**	
Serial	[redacted]	**Local Timezone**	Pacific Daylight Time (UTC -07:00)
Model	TASER X2	**Generated On**	12 Mar 2023 09:29:49
Firmware Version	Rev. 04.038		
Application Version	3.21.3		
Health	Good		

Dates from : Sun Mar 12 00:00:00 2023 to : Sun Mar 12 10:00:00 2023

Device (X2)

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Cartridge Info [Bay: length in feet/ status]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
1246	12 Mar 2023 03:15:50	Armed	C1: 25' Standard C2: 25' Standard		17	42
1247	12 Mar 2023 03:16:10	Safe	C1: 25' Standard C2: 25' Standard	20	18	41
1248	12 Mar 2023 09:37:00	Armed	C1: 25' Standard C2: 25' Standard		31	41
1249	12 Mar 2023 09:37:01	Safe	C1: 25' Standard C2: 25' Standard	1	30	41
1250	12 Mar 2023 09:38:22	USB Connected				
1251	12 Mar 2023 09:27:40	Time Sync	12 Mar 2023 09:39:45 to 12 Mar 2023 09:27:40			

CA-DOJ

Case Number: BI-LA2023-00010

Case Name: FULLER, SAMUEL

Witness Interviewee: Sgt. John Everman

Date of Interview: May 26, 2023

SPECIAL AGENT JON GENENS: Today's date is Friday, May 26th, 2023, approximately 11:17 hours. I'm Special Agent Jon Genens with the California Department of Justice. I am digitally recording this interview. The interview is also independently being digitally recorded by Detective Malcolm Page from San Bernadino Sherriff's Department, and attorney [redacted] [redacted].

This interview is being monitored in the separate room by Special Agent [redacted], SBSD Sergeant John Woods, and SBSD District Attorney Investigator Ryan Arthurton.

We are meeting at 800 East Mill Avenue in San Bernadino, California to interview San Bernadino County Sherriff's Department Sergeant John Everman regarding a deputy-involved shooting that occurred on March 12th, 2022 at approximately 0303 hours near [redacted] in Sugarloaf, California. The decedent was Kyle Sostek and the shooting deputy was Deputy Samuel Fuller. The California DOJ Case Number is BI-LA2023-00010 and the SBSD H Number is H2023-031.

This interview will be transcribed, so I'm going to have everybody go around the room,

state and spell your name and give your title. I'll go first.

John, J-O-N. Last name is G-E-N-E-N-S, special agent.

SBSD DETECTIVE MALCOLM PAGE: Detective Malcolm Page, M-A-L-C-O-L-M, P-A-G-E, with San Bernardino County Sherriff's Homicide.

[redacted] attorney with [redacted].

SGT. JOHN EVERMAN: And John Everman, J-O-H-N, last name Everman, E-V-E-R-M-A-N. Sergeant, San Bernadino County Sheriff's, at the Big Bear station.

SPECIAL AGENT JON GENENS: Sergeant Everman, this is a criminal investigation and it will be submitted to the California Attorney General's Office. You do not have to speak with me. No discipline can come to you for not speaking with me.

Prior to this interview, has anyone ordered you to give a statement other than a public safety statement?

SGT. JOHN EVERMAN: No.

SPECIAL AGENT JON GENENS: Has anyone ordered you to speak with me today?

SGT. JOHN EVERMAN: No.

SPECIAL AGENT JON GENENS: And do you wish to give a voluntary statement?

SGT. JOHN EVERMAN: Yes.

SPECIAL AGENT JON GENENS: Okay. Can you please give me your employee or badge number?

SGT. JOHN EVERMAN: C7142.

SPECIAL AGENT JON GENENS: And your date of hire? Approximately.

SGT. JOHN EVERMAN: [redacted] think, [redacted].

SPECIAL AGENT JON GENENS: And your current station?

SGT. JOHN EVERMAN: I'm at the Big Bear sheriff's station.

SPECIAL AGENT JON GENENS: And...

SGT. JOHN EVERMAN: Yeah, got it right. [redacted].

SPECIAL AGENT JON GENENS: Your total years of service with SBSD?

SGT. JOHN EVERMAN: Now you're going to make me do math. Let's see. [redacted] years I guess. [redacted]

SPECIAL AGENT JON GENENS: Okay. And if you could just walk me through your various

assignments with dates from when you were hired up until present.

SGT. JOHN EVERMAN: So I'm a [redacted]. So I initially started in [redacted], I was assigned to [redacted] really for just a month I think it was before I got [redacted]. So [redacted] of the same year, I started at [redacted]. I was there until [redacted] to the [redacted] and assigned to the [redacted] or around there, I was assigned to the [redacted]. And I was there [redacted]. And then I [redacted]. I was there for about [redacted] I [redacted] in [redacted] where I have been ever since.

SPECIAL AGENT JON GENENS: When you were at [redacted], were you a [redacted] or...

SGT. JOHN EVERMAN: Not really my title, but yeah, we [redacted]. We [redacted], we [redacted]. Yeah.

SPECIAL AGENT JON GENENS: And then just to confirm, from [redacted] you worked for [redacted]?

SGT. JOHN EVERMAN: Right.

SPECIAL AGENT JON GENENS: And what was your assignments there?

SGT. JOHN EVERMAN: I was a [redacted] at [redacted].

SPECIAL AGENT JON GENENS: Okay. And then prior to working at [redacted], any previous law enforcement or military experience?

SGT. JOHN EVERMAN: No.

SPECIAL AGENT JON GENENS: On March 12th, 2022, what shift were you working?

SGT. JOHN EVERMAN: I don't remember. This is 2022?

SPECIAL AGENT JON GENENS: Oh, sorry. Yeah. 2023.

SGT. JOHN EVERMAN: I was working the PM shift that day.

SPECIAL AGENT JON GENENS: And what was your call sign?

SGT. JOHN EVERMAN: Six Sam four.

SPECIAL AGENT JON GENENS: And your unit number?

SGT. JOHN EVERMAN: Unit -- what do you mean?

SPECIAL AGENT JON GENENS: Do you have like a roof number for your...

SGT. JOHN EVERMAN: Oh, the patrol vehicle?

SPECIAL AGENT JON GENENS: Yeah.

SGT. JOHN EVERMAN: Yeah. I think it's six Sam one on the top of the -- I'm pretty sure it's six Sam one.

SPECIAL AGENT JON GENENS: And did you have a rider or partner with you that day?

SGT. JOHN EVERMAN: No.

SPECIAL AGENT JON GENENS: And who was your direct supervisor that day?

SGT. JOHN EVERMAN: On duty, I was the direct supervisor, yeah. I guess above me would be Lieutenant Nichols.

SPECIAL AGENT JON GENENS: Okay. And what uniform were you wearing that day?

SGT. JOHN EVERMAN: Class A, full uniform.

SPECIAL AGENT JON GENENS: And can you just describe that for me?

SGT. JOHN EVERMAN: Yeah. A tan shirt,

dark green pants, full Sam Browne, bullet-resistant vest underneath the shirt. I think for this incident I had a jacket on at the time. It was green, olive green also. And then black boots.

SPECIAL AGENT JON GENENS: Okay. And what equipment were you wearing that day?

SGT. JOHN EVERMAN: Well, for the belt I had magazines, I had my digital audio recorder, I had OC spray, my handgun, RCB, taser, handcuffs, HT radio, keys. I had a hard badge on the front of my shirt and patches on both my jacket and my uniform, sheriff's department patches.

SPECIAL AGENT JON GENENS: Okay. And you had mentioned RCB. Can you...

SGT. JOHN EVERMAN: In layman's terms, a baton.

SPECIAL AGENT JON GENENS: Okay. And were you photographed in uniform by investigators or a criminalist after the incident that day?

SGT. JOHN EVERMAN: Yes.

SPECIAL AGENT JON GENENS: And was your appearance, uniform, or equipment altered in any way prior to the photographs being taken?

SGT. JOHN EVERMAN: No.

SPECIAL AGENT JON GENENS: I understand that SBSD does not utilize body-worn video camera or vehicle dash cameras, but does use an audio recorder. Is that accurate?

SGT. JOHN EVERMAN: Yes.

SPECIAL AGENT JON GENENS: How is the audio recorder activated?

SGT. JOHN EVERMAN: Self-activated.

SPECIAL AGENT JON GENENS: And was your digital recorder activated at all either prior or during the incident?

SGT. JOHN EVERMAN: Yes.

SPECIAL AGENT JON GENENS: And were you wearing a personally-owned body camera at all that day?

SGT. JOHN EVERMAN: No.

SPECIAL AGENT JON GENENS: And did you take any digital photos that day?

SGT. JOHN EVERMAN: No.

SPECIAL AGENT JON GENENS: And did you have the opportunity to review audio or any reports regarding the incident prior to today's conversation?

SGT. JOHN EVERMAN: Yes.

SPECIAL AGENT JON GENENS: And what did you review?

SGT. JOHN EVERMAN: My audio.

SPECIAL AGENT JON GENENS: Okay. Anything else?

SGT. JOHN EVERMAN: No. Well, I mean, call history I think is part of the report, yeah.

SPECIAL AGENT JON GENENS: I brought in some -- I brought in some pictures and a call history for you. Okay.

SGT. JOHN EVERMAN: So I guess seeing photographs, call history, and then the briefing packet on Kyle Sostek.

SPECIAL AGENT JON GENENS: Okay. Have you prepared or been ordered to prepare a report regarding this incident?

SGT. JOHN EVERMAN: No.

SPECIAL AGENT JON GENENS: Did you utilize any weapons during this incident?

SGT. JOHN EVERMAN: I displayed a taser, if that's utilizing it.

SPECIAL AGENT JON GENENS: Okay. Okay. I'm going to ask you a narrative. But before we do the narrative, I'm going to let Sergeant Page ask you any preliminary questions before we go to

the narrative.

SBSD DETECTIVE MALCOLM PAGE: Can you describe the patrol vehicle that you drove?

SGT. JOHN EVERMAN: Yeah. It's a -- it was a white painted SUV, Ford Expedition. It's got the Sherriff's logos along the side door panels. It's got standard push bar on the front, full emergency lighting on the top as well as at the front push bar and rear lift glass. Audible siren.

SBSD DETECTIVE MALCOLM PAGE: When you -- in regards to your belt audio recorder, when you described it as being self-activated, is that referred to as -- do you have to manually activate that?

SGT. JOHN EVERMAN: Correct. I have to push the record button.

SBSD DETECTIVE MALCOLM PAGE: Was your -- that recorder activated and capture the entire event?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: Okay. Did it -- when was it activated?

SGT. JOHN EVERMAN: It was activated moments after the shooting, seconds after the

shooting.

SBSD DETECTIVE MALCOLM PAGE: Okay. And when you say you displayed a taser, did you point it -- turn it on but did not deploy it?

SGT. JOHN EVERMAN: Correct.

SBSD DETECTIVE MALCOLM PAGE: That's all I have.

SPECIAL AGENT JON GENENS: Okay. So at this point, if you could provide me a detailed account of the incident, what you saw, what you heard, what you did. Just a chronological order, just like you're telling a story to me.

SGT. JOHN EVERMAN: Okay, sure. Do you want me to go back as far as briefing, or just the incident?

SPECIAL AGENT JON GENENS: Yeah, no, if you could go back as far as briefing.

SGT. JOHN EVERMAN: Okay.

SPECIAL AGENT JON GENENS: And then, yeah, walk me through. I understand there may have been some radio traffic prior to the incident. And, yeah.

SGT. JOHN EVERMAN: So March 11th we started our shift at 7:00 p.m. where we had our first briefing or our briefing that evening. I'm

not able to recall at this point exactly which deputies were in the room, but during the briefing, we discussed -- we have a briefing board. And on that board was this packet that's sitting in front of me here regarding Kyle Sostek. I don't know -- I did not know Kyle Sostek, but based on the information, I read that to the deputies. We talked about -- I passed around his picture, which I have in my hand here. I passed around the vehicle that he was supposedly in. And we even talked specifically about the -- I believe it was a red, teardrop-shaped sticker or some sort of emblem near his gas cap on the left side of the vehicle. A couple of deputies seemed familiar with it.

And during the conversation about Sostek, which wasn't super-long, I noted that the briefing packet said armed and dangerous and had a no-bail warrant. So we just talked about officer safety. If you guys happen to run across the vehicle or Kyle, if you see him, call for a second unit before trying to get involved based on that information. And then carried on with our briefing.

So fast-forwarding now through the

night. We were -- we being a couple deputies and myself were assisting CHP's area in CHP's jurisdiction of Big Bear on a crash. They were stuck in the road because the car was overturned. CHP was extended. So we were helping them out.

While we were on that crash with the road blocked, one of my deputies observed the vehicle, Kyle Sostek's white Honda, at a gas station. He was on a transport at the time, a prisoner transport. So he relayed the information. And it was at that time that Deputy Fuller approached me and asked what we should do because we were stuck on the traffic collision. I told him if he wanted to head that way, it was just, you know, a quarter mile down the road from where we were. And observe -- kind of get an observation of what was going on and see if he could confirm if Kyle was the driver of that vehicle or not. I told him just to be cautious again based on our briefing, not get himself in over his head. Off he went.

The next thing I knew, at this traffic collision roadblock, here comes Deputy Fuller following the car and does a T-stop right in front of our roadblock.

I was immediately concerned because I had civilians in the road. Kind of family or whoever it was with the injured parties. So I grabbed everybody I could and we moved behind a vehicle, try to take cover. I didn't know what was going to happen. I just knew that they were facing our direction.

It wasn't five seconds later after they both stopped that the white Honda took off. He kind of bypassed our roadblock through a parking lot and took a side street. And I lost sight of him and Deputy Fuller.

Knowing the information that I knew about -- with this briefing packet, I decided it was more prudent to leave the scene of the traffic collision and go assist Fuller because I was concerned for his safety if something did happen.

So he -- by the time I was able to get into my vehicle, my patrol vehicle and turn, they had gone down a side street. And I think you had a map here somewhere. If you don't mind if I look at that real quick. It doesn't have streets on it.

They went down a side street. I lost

sight of them. They came back out onto the main road just a block later. So I was able to see them a couple hundred yards away. And that's when I jumped in -- I could see Deputy Fuller's vehicles. Emergency lights were on. I could hear his siren. I did the same, activated my lights, siren. And at that point, he called the FTY, or failure to yield. And that was approximately 0158 hours on March 12th.

At that time of the year in Big Bear, we had still ice. We had water on the road and cinders, and it was pretty messy in front of me, to be honest, with the speed of, you know, 50, 60 miles an hour. There was a lot of debris being kicked up. So that pushed me back at a safe distance. I had to remain between a hundred, 200 yards back. But I maintained visual on them as they -- and then I took over primary communications, so radio traffic, and I began calling out the pursuit.

While I was doing that and based on the speeds and kind of the driving behavior, I was becoming more and more concerned that this may not end well. So I requested our helicopter. I basically tried to get any sort of resources we

could. And I think from my memory, we headed east on Big Bear Boulevard. We headed south up what we call Highway 38, it's Greenspot. And then we turned west down Baldwin, headed towards Sugarloaf. That's a city in Big Bear.

At that point, other than speed and the reckless driving, there had been no stop signs or red lights or anything. When we got to Sugarloaf residential area, there's a lot of stop signs that he blew through. So each one of those I called out as we were continuing to move.

As we headed south up -- forgive me, I'm drawing a blank on the name of the street. I believe it was Vista or Sunset or something like that. As we headed south, I knew just from living in the area that this was a dead end. So I said it on the radio that, hey, this is a dead end, let's see what's going to happen. I'm not sure if he's going to foot bail. You know, I didn't know. Again, concerned. I don't know what's going to happen here. So I'm trying to let my other deputies know where we're at in case something did happen.

So as they approached the dead end of Vista, I was probably -- again, an estimate here,

a hundred yards to 50 yards behind Deputy Fuller's patrol vehicle. I saw the white Honda stop at the top of the street, at the dead end. And Deputy Fuller immediately stopped right behind him.

I closed the distance as quick as I could. There wasn't a whole bunch of dust in this area. And I stopped probably -- my patrol vehicle probably 20, 30 -- let's say 30 to 50 feet behind Deputy Fuller's. Before I could even put my car into park, both Fuller and the Honda's driver's doors opened almost simultaneously and I saw the driver, which turned out to be Kyle -- I if could just say Kyle from now on?

SPECIAL AGENT JON GENENS: Mm hm.

SGT. JOHN EVERMAN: I saw Kyle get out and immediately -- he looked huge. I don't know how big this guy is, like, statistically-wise, but he looked huge. Fuller is big. And he was towering over Fuller. I don't know if it was something to do with, like, the road or something like that, but this guy looked huge. He got out and he took -- immediately took almost a run towards Deputy Fuller at his patrol vehicle. I saw Fuller had his handgun out, and I could hear

Fuller yelling something, but I don't know what he was saying. I couldn't hear what he was saying. My siren was still kind of kicking off. I also could hear Kyle yelling something, but I couldn't tell you what he was yelling.

Based on Kyle's action, my thought initially was Kyle was going to run into the forest, but he ran at Fuller. Again, my level of discomfort went up significantly. Five seconds from the moment those doors opened to Fuller retreating beyond his rear bumper, Kyle had already passed the open driver's door of the patrol car and was within arm's reach of Deputy Fuller.

And at that point, I had seen that Fuller had his handgun out, I don't know, my thought was a less-lethal option if there was anything. I drew my taser. I turned it on, meaning the lasers. By the time I brought it up, I could see only Fuller's back and Sostek -- or Kyle was behind my view. So I couldn't see Kyle anymore, nor could I get a good line of sight. And I was running towards the back of Fuller.

By the time Fuller hit the rear bumper of his patrol car and Kyle was within arm's

reach, I heard -- this is a little foggy, but I think I remember hearing four shots. It was pow, pow, pow, pow. Pretty quick.

At that point and before -- at that point, I was on Fuller, like, meaning at his back. I think I touched his shoulder and kind of moved him to the side. And Kyle was already kind of falling. He was -- he was reaching, like, towards Fuller, but he was falling at the same time.

I grabbed Kyle. At that point I could tell at least in one hand, the one that was reaching, that he didn't have anything in that hand. And so I grabbed that hand and as much of his jacket as I could. And he kind of was starting to fall to the ground. So I guided him to the ground. And that was right behind Deputy Fuller's patrol car.

My concern at that moment was a weapon. I still didn't know if there was a weapon involved, if Kyle drew a gun or had a knife or anything. So I told Fuller, search him. Search. And so Fuller holstered his gun. And I think it was at that point I activated my audio recorder. I just thought in my mind, oh, I forgot to

activate it. So I activated it as soon as I remembered there.

Kyle was face-up on the ground. His head was towards me. His feet were towards kind of the area he had come from. Or was he face down? I don't remember. He ended up face up. We may have rolled him. Fuller did a search and at that point, I think Kyle stopped breathing. He was kind of coughing and choking. I could see some blood coming from his chest. I could see some blood coming from his mouth.

After Fuller did the search, I was more comfortable that there was no weapon, at least that was going to hurt us at the moment. And we began CPR and first aid when he stopped breathing. I didn't feel a pulse. Do you want me to go further through -- yeah? Okay.

So -- and I forgot to say while he was on the ground, he was -- I can't say resisting our efforts to kind of control his arms with me not knowing if he had a weapon, but he was very rigid. It was difficult for me to hold his -- a single arm down. And I don't know if it was just a matter of him struggling to survive or if it was a matter of him struggling to get away from

me. I don't know which it was. I just know that he was very, very rigid, his arms and his entire body.

So moving forward to the first aid. We -- I know I ended up somehow cutting his shirt off. I asked Fuller if he had a knife. I told Fuller to go ahead and grab a trauma kit. I could see there was a bullet -- well, there was a hole in his chest. I don't know. There was also a hole in his -- the side of his, like, ribs area. I don't know -- there was one it appeared on the other side, too. So I didn't know which was an entry, I didn't know what. I just was trying to close him up. So I told him to grab a trauma kit so we could try to get some of this stuff sealed up. And I started chest compressions. We requested medical aid immediately as soon as we knew that we were Code Four, or safe. And I think from there as Fuller was trying to get seals on any open wound we could see, I just -- I was doing chest compressions it felt like forever. Maybe it was, I don't know. It was probably 15 minutes I was doing chest compressions before I got some sort of medical assistance to take over for me.

At that point when medical got there ant another deputy sheriff -- I think it was Deputy Bush that showed up. Me and Fuller, we stepped away from assisting Kyle and cleaned up, kind of cleaned up our -- we were covered in blood. You know, our hands and my knees and my pants were covered. And so we just washed our hands with whatever we had, wipes. And then I started making my notifications.

I did notice there was a witness or somebody, a female at a house. And so I remember directing a deputy to go talk to her. But that's about it for the incident that I remember.

SPECIAL AGENT JON GENENS: Can you go until you left the scene?

SGT. JOHN EVERMAN: Well, a lot of phone calls. I think I tried calling lieutenant. I didn't get an answer. I called the captain, spoke with him. He made me -- gave me some directions. I notified on call homicide, I notified -- jeez, I don't even remember. I know I made a lot of phone calls, notifications. I sat in my car to do that. I asked Deputy Bush to go ahead and tape off the scene behind my patrol vehicle. So I see in one of these pictures

there's a sheriff's tape, and that does seem accurate to my recollection of where -- about where he would have put that. I mean, I can't tell you a hundred percent that it wasn't moved a little bit, but it looks pretty darn close.

And, you know, once all the notifications were made and the scene was secured, Fuller and I, we headed back towards the sheriff's station. I didn't have any personnel at the time to take Fuller, so we initially left together in my vehicle. And then just down the street there was another deputy sheriff sitting there. So I got Fuller into that car and he took him to the station, and then I drove to the station.

SPECIAL AGENT JON GENENS: Okay. So at this point we'll take a time out. I'm going to put my digital recorder on pause.

(Break)

SPECIAL AGENT JON GENENS: All right. It is still Friday, May 26th, 2023. It's approximately 12:02 hours. I'm going to -- this is Special Agent Jon Genens. And everyone is still present from when we began the interview. Sergeant Everman, can you just describe to me the

area that your station handles?

SGT. JOHN EVERMAN: So Big Bear in general is a mountain region. It's, I don't know, 6,500 feet elevation, 6,200 to 7,000 feet elevation. We cover residential area. There's also a forestry area. We call it a resort town now. No longer a retirement community. But it covers anything from Highway 18 at the Arctic Circle. Snow Valley is probably a better reference point, or a little farther up the mountain than that. All the way out 38 up and over down toward Angelus Oaks. And then on the back side down towards Lucerne Valley. It's a pretty big area.

SPECIAL AGENT JON GENENS: What's the Arctic Circle?

SGT. JOHN EVERMAN: Arctic Circle is -- it's just what we call, like, this area beyond the dam. So from Big Bear leaving Highway 18 heading down the mountain, there's an area that kind of loops around a giant canyon, follows the mountain terrain and, I don't know, once you pass through the Arctic Circle, then you're heading down towards Snow Valley.

SPECIAL AGENT JON GENENS: And just in

general, how many people would generally be on a shift?

SGT. JOHN EVERMAN: Minimum staffing for us on PM shift like this one would be three deputies on patrol, one in the jail, and then a supervisor. It could be upwards of ten deputies though depending on what's going on.

SPECIAL AGENT JON GENENS: And what's your access to specialized units like SWAT or a mental health team?

SGT. JOHN EVERMAN: We have the same access throughout the county to all these specialized units. However, it's difficult to get some of those to Big Bear in an expedited manner. There's a lot of things that can come into play with that. Weather, road conditions, availability, things like that.

SPECIAL AGENT JON GENENS: And just in general, like, what's typical for a backup, if you needed a backup? How long does that take to get there?

SGT. JOHN EVERMAN: Beyond my deputy sheriffs on duty?

SPECIAL AGENT JON GENENS: Well, yeah.

SGT. JOHN EVERMAN: Well, we were on

CHP TC, and we were waiting for them for over an hour. So sometimes it can be very extended.

SPECIAL AGENT JON GENENS: Okay. You had mentioned that you had not had contact with Sostek before. Is that accurate?

SGT. JOHN EVERMAN: Right. To my knowledge that's correct.

SPECIAL AGENT JON GENENS: Okay. Had you had any station briefings about Sostek prior to the 12th, March 12th?

SGT. JOHN EVERMAN: I did not, no.

SPECIAL AGENT JON GENENS: During your briefing, do you remember who was present? We're talking March 12th.

SGT. JOHN EVERMAN: I don't remember.

SPECIAL AGENT JON GENENS: Okay. And do you know where the briefing package that you briefed your shift on came from, who prepared it?

SGT. JOHN EVERMAN: I don't.

SPECIAL AGENT JON GENENS: Besides just telling everybody that if they encountered Sostek that they should possibly call for backup, was there anything else discussed, like any other plan of action?

SGT. JOHN EVERMAN: No. Just be

cautious. You know? His history, based on this packet, was he's on parole for criminal threats. It looked like he had some domestic violence history. And based on that call history, there was some physical violence involved with that. So, yeah, it was just be cautious.

SPECIAL AGENT JON GENENS: Where was the roadblock blocked by the TC?

SGT. JOHN EVERMAN: So Big Bear Boulevard, east of Greenway, and west of Mount Doble. Actually at Mount Doble.

SPECIAL AGENT JON GENENS: And I think you mentioned you had your emergency lights and siren on. Is that accurate?

SGT. JOHN EVERMAN: When?

SPECIAL AGENT JON GENENS: During the pursuit.

SGT. JOHN EVERMAN: Yes.

SPECIAL AGENT JON GENENS: Do you remember when you turned them on?

SGT. JOHN EVERMAN: Yes. As soon as I started in the pursuit with Fuller, I activated them.

SPECIAL AGENT JON GENENS: Did you have any radio communication problems at all during

the pursuit?

SGT. JOHN EVERMAN: Not that I was aware of.

SPECIAL AGENT JON GENENS: During the pursuit, did you -- was it feasible or did you even have time to attempt to establish a plan with Deputy Fuller if Sostek stopped?

SBSD DETECTIVE MALCOLM PAGE: You mean like an oral plan together over the radio?

SPECIAL AGENT JON GENENS: Yeah. Is that something that --

SGT. JOHN EVERMAN: Did you say during the pursuit?

SPECIAL AGENT JON GENENS: Yeah.

SGT. JOHN EVERMAN: No. Absolutely not.

SPECIAL AGENT JON GENENS: And that was because you were on the radio or -- did you have time to do it?

SGT. JOHN EVERMAN: No. Our -- no. SBSD ATTORNEY [redacted] Well, maybe you can provide some detail on why is that and based on your training and your deputy's training what is the gameplan based on training there.

SGT. JOHN EVERMAN: You know, based on our pursuit policies, there's a lot of information that has to be relayed over the radio. Most of that information is assuming the deputies are involved in that, and the supervisor is monitoring that. Me being involved in it as a supervisor and relaying that information, my mind is focused on making sure that we're doing the best we can to keep everybody as safe as possible, what we call the balance test.

My focus was getting as much information on the radio for the other deputies in the city as well as the surrounding stations and our dispatch listening. And if you listen to the radio traffic, that pretty much ties up the entire time. This was a pretty quick pursuit speed-wise and time-wise. So in short, no, I didn't have time to create any other plan.

SPECIAL AGENT JON GENENS: When you got to the pursuit termination area, what was the lighting like?

SGT. JOHN EVERMAN: It was in the middle of the night. It was dark. It's a residential area. I don't remember if there were any street or house lights. With the emergency

lighting going on the two patrol vehicles, I can't tell you if there was any other light or how bright the moon was or anything. I just remember it was fairly dark in the area.

SPECIAL AGENT JON GENENS: Did you have any additional concerns with Sostek fleeing and driving I think you said recklessly? Did that cause any additional concerns or considerations for you as opposed to him just giving up or stopping immediately when he was stopped?

SGT. JOHN EVERMAN: I mean, best case scenario, he stops on the initial traffic stop and complies with all the commands. But that didn't happen. So, yeah, every time he made a choice to continue the pursuit every time he chose to make another turn, every time he chose to blow through another stop sign and put the public at risk and my deputies at risk. Yeah, my concern continued to elevate. And it elevated even more when he decided to turn and run towards Deputy Fuller instead of trying to run away. He had many opportunities to stop and comply.

SPECIAL AGENT JON GENENS: At the point of the pursuit termination, you mentioned that Sostek got out of his vehicle. And instead of

going I guess towards the dead end, he went towards Deputy Fuller. You described -- you didn't describe it where his hands were. Did you have a visual of his hands when you got out of the car?

SGT. JOHN EVERMAN: No. I could not see his hands.

SPECIAL AGENT JON GENENS: Approximately -- did you see if Sostek went into the snow at all of what his path of travel was towards Deputy Fuller?

SGT. JOHN EVERMAN: I couldn't see that side of their vehicles. I could only see the top of them over their vehicles, if that makes any sense. So my view was obstructed by the vehicles to the point where I could only -- I could see Fuller clearly, but I couldn't see Kyle as he got out more than just his upper body. You know, the head and chest.

Later I found out, yes, there was snow in that area, which probably increased his size in my perspective, but I didn't know at the time that there was snow over there. I just know he went straight towards Fuller.

SPECIAL AGENT JON GENENS: Did -- you

said Deputy Fuller backed up or retreated. Was he facing Sostek the whole time that he retreated?

SGT. JOHN EVERMAN: Yes.

SPECIAL AGENT JON GENENS: And could you see the distance between Sostek and Fuller as Sostek approached and Fuller was backing up?

SGT. JOHN EVERMAN: Yeah. I could give an estimate of their distance. From the two car doors that they got out of, I would estimate their distance was, you know, this room here is from this end -- the east end to the west end is probably 25 feet I'm guessing. I don't know if I'm accurate or not. But it would be if this is 25 feet, I would say they were probably 20 feet apart initially. Kyle closed that distance towards Fuller within seconds. Three, five seconds max. And he was within arm's reach. So, you know, he closed that distance within that few amount of seconds.

SPECIAL AGENT JON GENENS: Okay. And Deputy Fuller retreated from his open car door how far?

SGT. JOHN EVERMAN: To his -- to just beyond his back bumper was when shots were fired.

So that was probably ten feet, maybe.

SPECIAL AGENT JON GENENS: And then where you were parked, just using it as a gauge, there was the crime scene tape over Vista, across Vista.

SGT. JOHN EVERMAN: Mm hm.

SPECIAL AGENT JON GENENS: Approximately where did you park in relation to that?

SGT. JOHN EVERMAN: To the tape?

SPECIAL AGENT JON GENENS: Yeah.

SGT. JOHN EVERMAN: It's hard to tell in this picture --

SPECIAL AGENT JON GENENS: Okay.

SGT. JOHN EVERMAN: -- because the perspective's, you know, a little off. I can tell you from my recollection though that I was maybe 20 to 25 feet, my front bumper to Deputy Fuller's rear bumper. I was maybe 20 to 25 feet behind him.

SPECIAL AGENT JON GENENS: Were you still in your vehicle when Deputy Fuller and Sostek were out of the car, or -- or did you -- did you exit first and then they came out, or how did that work?

SGT. JOHN EVERMAN: No. They were already getting out of their car. I was putting my car in park.

SPECIAL AGENT JON GENENS: What was behind Sostek?

SGT. JOHN EVERMAN: From my point of view beyond Kyle? Is that what you're asking?

SPECIAL AGENT JON GENENS: Yes.

SGT. JOHN EVERMAN: Or would it be better to ask from where Fuller was to -- I don't know.

SPECIAL AGENT JON GENENS: If Sostek was -- instead of going towards Fuller, going the opposite direction, what would have -- he be running towards?

SGT. JOHN EVERMAN: He would be going into the forest.

SPECIAL AGENT JON GENENS: Did you believe that Sostek was an imminent threat to Deputy Fuller?

SGT. JOHN EVERMAN: Yes.

SPECIAL AGENT JON GENENS: Did you believe Sostek had the present ability, opportunity, and apparent intent to cause great bodily injury or death to Deputy Fuller?

SGT. JOHN EVERMAN: Yes.

SPECIAL AGENT JON GENENS: Okay, I think that's all the questions that I had. I'm going to turn it over to Deputy Page.

ATTORNEY [redacted] Are you okay physically for now?

SGT. JOHN EVERMAN: Yeah.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: Thank you. SBSD DETECTIVE MALCOLM PAGE: Appreciate it very much. We've got some follow-up questions for you. In relation -- in regards to this briefing packet, describe all the information that packet contained.

SGT. JOHN EVERMAN: Looking at it now, we've got a picture of Kyle. It looks like maybe like a social media picture.

SBSD DETECTIVE MALCOLM PAGE: And before we continue, is this the packet in its entirety to your best recollection?

SGT. JOHN EVERMAN: I can't say yes or no on that. I know the specifics that I remember passing around are here, but I can't tell you whether something's missing from this packet or not.

SBSD DETECTIVE MALCOLM PAGE: Okay. Go ahead. Continue.

SGT. JOHN EVERMAN: It was about this many pages though.

SBSD DETECTIVE MALCOLM PAGE: Okay. Go ahead and continue.

SGT. JOHN EVERMAN: So one, two, three, four, five, six, seven, eight. There's ten pages here. We talked -- I talked about the picture. At the top of the picture, there was some handwritten information. And that was what I discussed earlier about the no bail and armed and dangerous and that his vehicle had hit on one of the cameras in our area. Vehicle hits in Montclair Trailer Park. I'm not sure, again, where this information came from, but it was information I relayed. In the picture, he had sunglasses on.

SBSD DETECTIVE MALCOLM PAGE: Is there a picture on that top page that you're looking at?

SGT. JOHN EVERMAN: Yeah.

SBSD DETECTIVE MALCOLM PAGE: Is that Sostek?

SGT. JOHN EVERMAN: It looks like the

guy that was there that night, yes.

SBSD DETECTIVE MALCOLM PAGE: Okay. SGT. JOHN EVERMAN: Again, I don't know him personally.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: I never had contact with him before. And then there were a couple other pictures from our LEARN ALPR system showing his vehicle being a Honda -- it looks like a Honda Civic.

SBSD DETECTIVE MALCOLM PAGE: Was the vehicle plate information also depicted?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: And what was that vehicle plate information?

SGT. JOHN EVERMAN: [redacted] Another page showed the very specific, like, teardrop pattern that I described earlier on the left side rear. And I did notice that on the vehicle that was at the pursuit termination point. Again, more ALPR-type information. And then there was a call history, some driver's license information, the...

SBSD DETECTIVE MALCOLM PAGE: That call history that you referred to, what was that call

history of?

SGT. JOHN EVERMAN: There was a domestic disturbance that occurred February 24th. That night of briefing, I don't remember really getting too deep into this call history. I just -- from my memory, I think I said something about there's a domestic disturbance that was related to it. There's no DR attached to this. So I just kind of breezed through the call history and just noted that there was a domestic disturbance. He was involved in some sort of domestic disturbance. Again, driver's license information for Kyle Sostek. Nothing...

SBSD DETECTIVE MALCOLM PAGE: On the driver's license information, what is the height and weight listed for Sostek?

SGT. JOHN EVERMAN: It's surprising to me. I saw that earlier. It was five-foot-ten and 300 pounds. The 300 pounds, yeah, sounds about right. Five-foot-ten surprised me.

SBSD DETECTIVE MALCOLM PAGE: Okay. SGT. JOHN EVERMAN: When I saw him, he looked like, like six-foot-seven. Maybe it was the snow. I don't know.

The following page was an armed and

dangerous hit, use caution, armed and dangerous, known to abuse drugs. There was a no bail and there was a tag on here for weapons and explosives. I didn't have any other information personally beyond what this said here, this hit. And just some tattoos and that there was full extradition warrant on him.

And then the last page was just his parole record, talking about his primary offense being criminal threats. And I pushed this packet around the table and I watched everybody just take a quick peek at the pictures. Everybody loves pictures. So I noted a little bit of a conversation about the teardrop. I don't recall the specifics of it. It sounded like some of the guys knew what I was talking about. Oh yeah, yeah, it's right on the gas cap. So it sounded like a few of them had known a little bit about that. I don't recall the specifics of any other conversation though. And then we moved on to the next topic of briefing, whatever that would have been.

SBSD DETECTIVE MALCOLM PAGE: Thank you.

SGT. JOHN EVERMAN: Uh-huh.

SBSD DETECTIVE MALCOLM PAGE: That briefing board that contained this packet, was that placed in an area that allowed deputies to access and view and go through at their leisure?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: Okay. Describe this -- when you say CHP, that's California Highway Patrol?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: And describe this traffic collision scene that you were working prior to all of this transpiring.

SGT. JOHN EVERMAN: It was two-vehicle TC. One party crossed the road and front end collision to a family SUV. I think all the passengers of the SUV -- I think it was a Mercedes -- were transported to the hospital, including some infants. And then the driver of the other truck or SUV was still at the scene. I was concerned about DUI, so I didn't want to let that scene go. So we were assisting CHP by just holding it until they could get there.

SBSD DETECTIVE MALCOLM PAGE: And you described this collision blocked the roadway as well.

SGT. JOHN EVERMAN: Yeah.

SBSD DETECTIVE MALCOLM PAGE: How many emergency vehicles, law enforcement, and/or medical emergency vehicles were present while you were waiting for the California Highway Patrol?

SGT. JOHN EVERMAN: I think there was three from my memory. It was myself and two other deputies. And then CHP had requested a couple of tow trucks. And they were staged in a parking lot of CSD right next -- it was the parking lot right next to this traffic collision scene. They were staged in that parking lot waiting for CHP to get there.

SBSD DETECTIVE MALCOLM PAGE: Okay. Were the emergency lights activated on your patrol vehicle and the two additional deputies that were there?

SGT. JOHN EVERMAN: I can only speak for mine. Mine was -- I know for sure. And I know we had cones out on -- because I placed them. We had cones out on both sides of the collision scene.

SBSD DETECTIVE MALCOLM PAGE: You explained that a deputy relayed information in regards to where Sostek's vehicle was at a gas

station.

SGT. JOHN EVERMAN: Mm hm.

SBSD DETECTIVE MALCOLM PAGE: How was that information relayed?

SGT. JOHN EVERMAN: Over the radio, dispatch radio. I know it's kind of confusing to -- the sheriff's radio.

SBSD DETECTIVE MALCOLM PAGE: Is it broadcast over the police radio?

SGT. JOHN EVERMAN: Yeah. Police radio.

SBSD DETECTIVE MALCOLM PAGE: Okay. And do you know who broadcast that information?

SGT. JOHN EVERMAN: Deputy Gober.

SBSD DETECTIVE MALCOLM PAGE: And what specific information did he broadcast?

SGT. JOHN EVERMAN: I couldn't do it verbatim. It was something to the effect of hey, just information. Sostek -- Kyle Sostek's vehicle is parked over at the Circle K.

SBSD DETECTIVE MALCOLM PAGE: And you said it was just a short distance away. How far in your best estimate from the collision scene to this gas station?

SGT. JOHN EVERMAN: I'm looking at a

map here just to -- that didn't help. It took me back to where I'm at. Give me one sec here. Maybe a quarter mile.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: I mean, I can do...

SBSD DETECTIVE MALCOLM PAGE: And from the time that Fuller left the scene of the collision and responded toward that area, approximately how much time elapsed before Sostek and Fuller arrived back at this collision scene?

SGT. JOHN EVERMAN: No more than ten minutes.

SBSD DETECTIVE MALCOLM PAGE: Was any additional information broadcast by Fuller or anyone else prior to that?

SGT. JOHN EVERMAN: No. I was fairly surprised.

SBSD DETECTIVE MALCOLM PAGE: Okay. When -- as they're arriving, is Sostek's vehicle leading and Fuller's vehicle behind?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: You explained that Fuller conducted a traffic stop or a T-stop.

SGT. JOHN EVERMAN: Mm hm.

SBSD DETECTIVE MALCOLM PAGE: Did Fuller activate his emergency lights before or after Sostek's vehicle stopped?

SGT. JOHN EVERMAN: I don't remember.

SBSD DETECTIVE MALCOLM PAGE: How close did Sostek's vehicle stop to this collision scene and to yourself?

SGT. JOHN EVERMAN: So like I said, the cone pattern was out. He stopped right in front of the cone pattern. So from me or the beginning of the collision scene?

SBSD DETECTIVE MALCOLM PAGE: To the cone pattern is fine.

SGT. JOHN EVERMAN: Okay. He was five feet, ten feet maybe.

SBSD DETECTIVE MALCOLM PAGE: Okay. And then from you to him?

SGT. JOHN EVERMAN: I was on the other side of it. So it would probably be about 50 yards.

SBSD DETECTIVE MALCOLM PAGE: Okay. Could you see Sostek and identify him directly from that distance?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: And were

you able to identify if there was more than one person in that vehicle?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: Was it --describe the lighting conditions in that area where that vehicle stopped.

SGT. JOHN EVERMAN: There is overhead lighting in that area, but I couldn't see anything more than the patrol car, overhead lights, and the white Honda.

SBSD DETECTIVE MALCOLM PAGE: Was that traffic stop by Fuller broadcast over the radio as he's initiating it?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: Okay. And what information did he broadcast as he initiated this traffic stop?

SGT. JOHN EVERMAN: I don't remember.

SBSD DETECTIVE MALCOLM PAGE: Okay. How long or how much time elapsed before Sostek drove away? Or how long did he remain stopped completely?

SGT. JOHN EVERMAN: You know, now that I'm remembering a little bit more, I do remember seeing Fuller get out of his car and approach the

Honda. So from that point when Fuller got out of the car to Sostek leaving, I would say it was like ten seconds.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: I don't know if Fuller made it to the window or not. I just remember seeing him get out. Because, remember, I was herding people behind cars and cover.

SBSD DETECTIVE MALCOLM PAGE: And I know you described it briefly, but how did it make you feel as this known, armed and dangerous person is now being stopped in front of this collision scene and you have these people around you?

SGT. JOHN EVERMAN: Like a really crappy supervisor. I felt really crappy. Either I didn't do a good enough job explaining to Fuller to not do something like that, or circumstances were just out of his control. I mean, I don't know. It was really bad though. Because they were pointing directly at all of us. And if something -- if this armed and dangerous person, Kyle Sostek, in my mind were to engage Fuller in some sort of gunfight or something like that, I knew Fuller's weapon was pointed towards

all of us. So, yeah, I was extremely scared of what might happen to me and the people that were around the area.

SBSD DETECTIVE MALCOLM PAGE: Did you believe that a violent confrontation was going to be initiated at that traffic stop scene?

SGT. JOHN EVERMAN: No. I mean, I always hope for the best.

SBSD DETECTIVE MALCOLM PAGE: But as far as while you were ducking for cover, is that why you ducked for cover?

SGT. JOHN EVERMAN: There was potential in my mind, yeah.

SBSD DETECTIVE MALCOLM PAGE: Okay. STEVEN [redacted]. Based on the suspect propensity and history?

SGT. JOHN EVERMAN: Based on what I knew on this packet here, yes. Based on my knowledge, which was, you know, ten pages long here.

SBSD DETECTIVE MALCOLM PAGE: Right. How did Sostek -- did he proceed forward through the cones? Or how did he leave?

SGT. JOHN EVERMAN: So the cone pattern wasn't set up to block the road. It was set up

to guide people to turn through the parking lot and proceed around our traffic collision to the next street. Kyle did exactly that when he left, he just did it extremely dangerously, like way faster than -- you know, a reasonable speed going through that with the tow trucks and everybody being around, maybe three, five miles an hour. He probably blew through there about 15, maybe 20 miles an hour. Turning the corners way faster than the tires could handle. I could hear him screeching. So, you know, he put several people in danger just by that small action of leaving from the traffic stop.

SBSD DETECTIVE MALCOLM PAGE: And then just describe the hour, the roadway conditions, and vehicles and pedestrians that may or may not be in this area. Describe those conditions to me at this initiation point.

SGT. JOHN EVERMAN: I'm just looking really quick here at the date. May -- sorry March 12th was a -- so it was a Saturday night into a Sunday morning during the winter. Honestly, that night it really was not busy in Big Bear. Thus the reason I could have three of us sitting on a traffic collision for CHP.

Otherwise, we'd have, you know, abandoned ship a lot sooner.

The road conditions moving beyond what I just described where there were several people in that immediate area, were fairly clear. I honestly don't even remember seeing another car on the road during the pursuit or pedestrians. But road conditions, we had potholes. You guys have probably heard about the Big Bear potholes. There were potholes, there was ice on the road. And when I say cinders, just more descriptive, it's little rocks, pea gravel type sized rocks that they put down for traction so it will melt into the ice during the warm time of day, and then it freezes and creates kind of a sandpaper, I guess, style thing for the road.

So as far as road conditions goes, there was enough debris -- and I can't tell you if it was ice or the cinders that caused the slipping. But I could see as I was pursuing the secondary, I could see Sostek's vehicle sliding through corners, especially the one heading from the Boulevard up Greenspot towards Highway 38. Went around that corner. I thought he was going to take out his back end during that turn. But

again, you've got to remember there was a lot of dust in the sky, so my observation, I can't be super-detailed of exactly what he was doing. Was he avoiding potholes? I can't tell you. But he was swerving all over the road, trying to do something.

SBSD DETECTIVE MALCOLM PAGE: Okay. You left the traffic collision scene and you joined in the pursuit, as you explained. At what area did you take over broadcast control and now assume this secondary position in this vehicle pursuit? If you remember.

SGT. JOHN EVERMAN: There was a little bit of radio -- Fuller and I were stepping on each other on the radio for just a little bit. But when he went down -- and I've got a map in front of me. So through the parking lot, he goes north on Mount Doble and then east on Country Club Boulevard. And I say he meaning Kyle and Deputy Fuller following.

They popped back out onto the boulevard where I regained observation of them at Paradise and Big Bear Boulevard.

SBSD DETECTIVE MALCOLM PAGE: Okay. Now, in that area, describe the distance between

the roadway edge and any residence, vehicles, or any hazards that are near the road.

SGT. JOHN EVERMAN: Well, that particular area at Big Bear Boulevard and Paradise, the road is fairly wide, Big Bear Boulevard. It's one lane eastbound, kind of two lanes westbound, but one of them is a giant turn lane. Residential houses are all along the road. And driveway setbacks in Big Bear are very random. So you could have a house that's five feet from the road, you could have a house that's 20 feet back from the road. But the entire area that this pursuit took place is all residential. Yes, it is a highway, but along the highway, there's houses.

SBSD DETECTIVE MALCOLM PAGE: Describe in your experience the hazards that are -- that are present during a vehicle pursuit.

SGT. JOHN EVERMAN: Just in general?

SBSD DETECTIVE MALCOLM PAGE: Yes.

SGT. JOHN EVERMAN: Well, there could be pedestrians. In our area, there could be animals. We actually have donkeys. My daughter hit a donkey not too long ago. They just jump out in front of your car and just totaled our

car. So, you know, animals are a hazard in our area. Vehicles. There could be parked vehicles along the side of the road without any lights on them.

You know, I talked about some of the road hazards we have to deal with in Big Bear.

SBSD DETECTIVE MALCOLM PAGE: In regards to those hazards and vehicle pursuits, is there -- you talked about the balance test. Is that part of your evaluation as a supervisor to allow vehicle pursuits to continue --

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: -- and/or to be terminated?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: In regards to the penal code, what crime did you believe was occurring as this vehicle pursuit was underway?

SGT. JOHN EVERMAN: Well, we knew already that he had a no bail warrant with full extradition. So I don't know at -- remember going back, I could not see in his vehicle. I couldn't tell you if there was one, two, three, four, five people in that Honda. I didn't know

who was in that car. I didn't know whether Fuller knew who was in that car. And nor -- shame on me -- did I ask if Fuller knew who was in that car.

But, you know, I'm so sorry, I'm going to have to ask you to ask the question again because I'm going to get sidetracked here.

SBSD DETECTIVE MALCOLM PAGE: In regards to the vehicle code or penal code, what crime do you believe was occurring as you were in this vehicle pursuit?

SGT. JOHN EVERMAN: Right. So beyond the wanted no bail warrant, there was, as I described earlier, reckless driving going on. With the way he was driving and the roads, crossing over double yellows, making those sweeping corners without regard for what was beyond that blind corner, there was a very strong possibility there could be a stalled car or a person walking across the street, or anything like that even though it's 2:00 in the morning. So, yeah, I've got to continue balancing that out. But he was wanted for a no bail warrant. And I was really concerned that if he continued and got away, based on his behavior and this

information I had in front of me, what if the next cop stops him and doesn't know what I know and ends up getting shot? Or what if something worse happens? We at least know who and what we've got going on with this guy. So in my perspective, it was worth continuing this.

I didn't see anything so egregious that I thought it was worth cancelling that pursuit at that point.

SBSD DETECTIVE MALCOLM PAGE: Okay. Was his driving behavior in your opinion misdemeanor conduct or felony conduct?

SGT. JOHN EVERMAN: His driving? We'd have to go misdemeanor conduct, unfortunately.

SBSD DETECTIVE MALCOLM PAGE: Okay. [redacted] What about his evading?

SGT. JOHN EVERMAN: Yeah. I mean, the evading part of it, we have to have several things to create that felony. And I don't honestly believe there was enough of those components to make it a felony.

SBSD DETECTIVE MALCOLM PAGE: Now, during this pursuit, I know you explained that you didn't see anyone out walking or any other

vehicles. Is it possible that people or vehicles were present that you did not see during your driving, operating the radio, and/or being distracted with any other device or operation that's transpiring?

SGT. JOHN EVERMAN: Yes, that's possible.

SBSD DETECTIVE MALCOLM PAGE: Okay. And if there were folks out there walking, other vehicles walking, and this -- his driving behavior, how he's operating that motor vehicle, the speeds and the weather conditions and roadway conditions, all of that being present, would that elevate it to felony conduct?

SGT. JOHN EVERMAN: It would. If I could have told you, you know, someone had to jump out of the road, that would obviously add one of the components there. But I just -- I can't tell you that. It's possible though.

SBSD DETECTIVE MALCOLM PAGE: Okay. Now, once you initiated the broadcast control and now you are secondary in this vehicle pursuit, where was the next turning movement that occurred?

SGT. JOHN EVERMAN: Fuller and I kind

of played tug-of-war with the radio for -- until we hit roughly that turn I was telling you about at Greenspot and Big Bear Boulevard. I made a very clear and firm statement on the radio, Fuller, concentrate on driving. I will take care of the radio traffic. And at that point forward, he was silent. He concentrated, from what I perceived, as -- in driving safely. I wanted him to watch and be careful and use his own balance test up front. Because I was having a hard time seeing where I was. So, yeah, I took over radio right around Big Bear Boulevard and Greenspot.

SBSD DETECTIVE MALCOLM PAGE: And in which direction --

SGT. JOHN EVERMAN: No turning movements.

SBSD DETECTIVE MALCOLM PAGE: No turning movement. Okay. And then what if any turning movement occurred next?

SGT. JOHN EVERMAN: That was the turn south of Greenspot, or Highway 38. And I know you wanted to cover some speeds I'm imagining. So from the point he left Paradise where I picked up the pursuit to Greenspot, we're talking that was probably a little less than a mile. He

reached speeds of 55 miles an hour and actually up to 60 miles an hour it looks like here. And the safe speed on that road is 40 miles an hour I would say for the road conditions. I might even go a little less than that. All the potholes and the ice, I would say 35 was probably a good, reasonable speed.

SBSD DETECTIVE MALCOLM PAGE: Okay. So after he turned south on Greenspot, what if anything occurred next?

SGT. JOHN EVERMAN: He continued up Greenspot. I remember we talked about the slide through that turn. He recovered, continued. I think it looks like according to my call history, that's the point when I wanted to see if 40 King was available. And -- which the helicopter, 40 King, was not available.

SBSD DETECTIVE MALCOLM PAGE: And is that -- and in a vehicle pursuit, are you attempting to obtain additional resources?

SGT. JOHN EVERMAN: Yeah.

SBSD DETECTIVE MALCOLM PAGE: You mentioned that you wanted -- you wanted aviation to respond. Did you request or was there a request for additional deputies from either your

station or any outlying stations?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: Okay. Does your radio share -- shared with another patrol station on the mountain?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: And which station is it shared with?

SGT. JOHN EVERMAN: Twin Peaks and Yucaipa.

SBSD DETECTIVE MALCOLM PAGE: Okay. During this pursuit, were you made aware that anyone else was responding to assist you?

SGT. JOHN EVERMAN: If they were, I didn't know at the time, no.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: I knew CHP was out of pocket because we were waiting for them already.

SBSD DETECTIVE MALCOLM PAGE: Right.

SGT. JOHN EVERMAN: I knew my deputies were tied up. So I kind of knew in my mind we were -- it was just going to be us.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: If I could

elaborate on my intention for 40 King?

SBSD DETECTIVE MALCOLM PAGE: Sure.

SGT. JOHN EVERMAN: If 40 King was available and they could get to us within a few minutes, by the time they got overhead, I would seriously consider backing off of the pursuit to see if he may move his operation down to a little bit of a safer level. But with them -- it's very common for them to be unavailable for a number of reasons. SBSD DETECTIVE MALCOLM PAGE: Absolutely.

SGT. JOHN EVERMAN: So it wasn't surprising to me.

SBSD DETECTIVE MALCOLM PAGE: Right. Was it raining?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: Was it foggy?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: Was it icy?

SGT. JOHN EVERMAN: Yeah. There were parts of the road. I can't say the entire road was covered in ice, but there were parts that had

little bits of ice.

SBSD DETECTIVE MALCOLM PAGE: Was the road flooded?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: Was there any large or any snow that packs on the roadway, edges?

SGT. JOHN EVERMAN: No. The road was pretty clear. The edges did have snow and ice though.

SBSD DETECTIVE MALCOLM PAGE: Okay. So after you were on Greenspot and continuing south, what was the next turning movement that was conducted?

SGT. JOHN EVERMAN: He turned right or west on Baldwin Lane. I was quite a ways behind him at this point. And I don't know why. I still had visual, so I obviously saw them turn right. Maybe intentional, maybe unintentional. I just can't remember why I was so far behind. So I had to play a little bit of catch-up. I don't know how that turn went I guess is the reason I'm saying that.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: I don't know if he

slid around the corner or anything.

SBSD DETECTIVE MALCOLM PAGE: Okay. When you say quite a bit of distance behind, how far do you think?

SGT. JOHN EVERMAN: I could have been upwards of 200 yards at this point, maybe 150.

SBSD DETECTIVE MALCOLM PAGE: Okay. Were you hindered by anything that caused you to kind of fall back?

SGT. JOHN EVERMAN: No. I think Fuller's just a good driver. And I was just a little bit slow was all.

SBSD DETECTIVE MALCOLM PAGE: Okay. SGT. JOHN EVERMAN: I don't think I was hindered. I just probably didn't step on the gas as quick as they did.

SBSD DETECTIVE MALCOLM PAGE: Okay. Once on Baldwin Lane -- and this is -- you described this area as well was a residential area with houses that were on each side of the roadway. Is that correct?

SGT. JOHN EVERMAN: Baldwin actually -- yes, there are some houses on Baldwin, but it really more opens up to a park, school zone-ish area at that point.

SBSD DETECTIVE MALCOLM PAGE: Okay. And obviously no children were present because it's middle --

SGT. JOHN EVERMAN: Yeah, middle of the night, weekend. There was no kids or anybody there.

SBSD DETECTIVE MALCOLM PAGE: Once on Baldwin Lane, what was the speeds that Sostek reached, if you remember?

SGT. JOHN EVERMAN: I don't see anything noted in call history. So what that means to me is we maintained what I had been previously stating, between 50 to 60.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: That area, I don't remember the speed limit. I would guess a safe speed for that area would be, again, 35. About the same. I want to say the speed limit is 40 on that street though.

SBSD DETECTIVE MALCOLM PAGE: Okay. While on Baldwin Lane, did Sostek swerve at all, do you remember?

SGT. JOHN EVERMAN: I don't remember seeing that.

SBSD DETECTIVE MALCOLM PAGE: Did his

lights remain on or were they shut off at any point?

SGT. JOHN EVERMAN: Well, if you go back, I actually recall when they came off -- so traffic collision scene, they made that left. I lost sight of them. When they popped back out onto the boulevard, Sostek's lights were out. He had turned them off. But it was only just a few seconds. I don't know if maybe he turned a turn signal -- no idea why. But I just noticed his lights were off. I thought he was trying to dip out or evade from Fuller without him seeing and take a side street. Lights came back on and he kept them on the remainder of the time.

SBSD DETECTIVE MALCOLM PAGE: And they were off as he entered back on Big Bear Boulevard?

SGT. JOHN EVERMAN: On the boulevard, right.

SBSD DETECTIVE MALCOLM PAGE: So you don't know when they were shut off?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: They could have been off on the side streets.

SBSD DETECTIVE MALCOLM PAGE: Okay. After or during this on Baldwin Lane, what if any next turning movement occurred?

SGT. JOHN EVERMAN: So this is when he started just blowing through the stop signs. So at Baldwin Lane and Maple, there is a four-way stop. And he drove straight through that stop sign. I've got some -- I can't -- I can't remember about what speed it was. He didn't slow down though. I know that much.

SBSD DETECTIVE MALCOLM PAGE: You didn't see any brake lights come on?

SGT. JOHN EVERMAN: I don't remember. Because I'm seeing the tail end of Fuller's car, so it's hard to tell.

SBSD DETECTIVE MALCOLM PAGE: Sure.

SGT. JOHN EVERMAN: So, yeah. Blew through the four-way stop there at Maple and Baldwin and continued westbound on Baldwin. And then he took a left or south up Vista, Vista Lane.

SBSD DETECTIVE MALCOLM PAGE: And is that the street that this pursuit was terminated?

SGT. JOHN EVERMAN: Yeah, quite a ways up the road. But the reason I believe -- now I'm

speculating here. This is the last street you can turn left on, on Baldwin lane.

SBSD DETECTIVE MALCOLM PAGE: Okay, gotcha.

SGT. JOHN EVERMAN: So if you were to continue on Baldwin Lane, you would hit another area of the forest. So he turned at the last street that was available to turn on.

SBSD DETECTIVE MALCOLM PAGE: Okay. And then describe the area of Vista Road.

SGT. JOHN EVERMAN: Vista is extremely narrow. If I were to put two cars side-by-side on pavement, there would be no more road. Houses in this area are very close in proximity to the roadway. They could be, again, five feet. And more likely the case, five to ten feet from the road. Trash cans. Because of the donkeys, there's trash enclosures. So those are all on the road. There's a lot of parked cars. So this area was extremely tight. And it was in my opinion even more dangerous now.

But, again, no pedestrians in the road. I didn't see any vehicles in the road. My mind, let's keep going. As you continue south, the elevation goes up because you're going up the

mountain. So I had a pretty good perspective at this point of them a hundred yards in front of me because they were going up. So I could see pretty vividly what was going on from there out. I called out each stop sign probably through about four or five stop signs heading up this hill through the residential area. It never changed as far as the density, housing. It's all the same all the way up to the top of Vista where the pursuit terminated.

SBSD DETECTIVE MALCOLM PAGE: Okay. About what speeds is he -- is Sostek traveling on Vista while he's traveling south in front of you?

SGT. JOHN EVERMAN: I've noted at 3:02, 50 miles an hour southbound. I don't think it maintained 50. I think it dropped down a little below that.

SBSD DETECTIVE MALCOLM PAGE: Okay. And I want to note that during this pursuit, was daylight savings time changed at 0200 hours?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: Okay. So the time that you just referenced is reflecting of after the 02, it now went -- the time advanced forward one hour, and now we're into the 3:00,

0300 timeframe?

SGT. JOHN EVERMAN: Exactly.

SBSD DETECTIVE MALCOLM PAGE: Okay. Now, you described that you were concerned that Sostek, after he did stop, that he was going to foot bail. Is that correct?

SGT. JOHN EVERMAN: Yeah.

SBSD DETECTIVE MALCOLM PAGE: Describe what you mean by being concerned.

SGT. JOHN EVERMAN: Well, I mean, I don't know that it was necessarily a concern to foot bail. It's just common practice that they're going to foot bail. If they're going through this much to get away from us and he's headed towards the forest, that's his plan in my opinion. Going into the forest, run and hide and see if he can duck out on us. So that's honestly -- I'm not super-worried about the trees and animals and bushes out there, but there are residential houses along this road. And at the point of the termination of the pursuit, he is right next to houses. So I did have a concern if he got out and started shooting or something happened, that there was a potential risk to the public there. But I was happy that we were

facing towards the forest.

SBSD DETECTIVE MALCOLM PAGE: Sure. And why was that?

SGT. JOHN EVERMAN: Because I don't have to worry about anybody else getting hurt, at least from our side. It's a good backdrop.

SBSD DETECTIVE MALCOLM PAGE: Now, as you arrived, you described that both Fuller's front driver door opened and Sostek's front driver door opened kind of at the same time as you were driving up. At what point did you open your door?

SGT. JOHN EVERMAN: Simultaneously from throwing it in park, throwing the transmission gear in park.

SBSD DETECTIVE MALCOLM PAGE: Okay. And during this whole pursuit, did Fuller's emergency overhead lights remain activated as you were following this pursuit?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: Did your emergency overhead lights remain activated during this pursuit?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: Was your

siren activated?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: Could you hear if Fuller's siren was activated?

SGT. JOHN EVERMAN: When I first activated mine, I could hear his. After that, all I could hear was mine.

SBSD DETECTIVE MALCOLM PAGE: Okay. As you -- at what point did your siren shut off?

SGT. JOHN EVERMAN: When I threw it in park, the siren went off.

SBSD DETECTIVE MALCOLM PAGE: Okay. And at what point did you see Fuller's handgun pointed at Sostek?

SGT. JOHN EVERMAN: As soon as he got out of his car, I saw him draw his firearm.

SBSD DETECTIVE MALCOLM PAGE: And did he point it anywhere?

SGT. JOHN EVERMAN: He pointed it at Sostek.

SBSD DETECTIVE MALCOLM PAGE: Okay. Did you observe any weapon-mounted flashlight being activated or a flashlight of any kind being activated by Fuller?

SGT. JOHN EVERMAN: I don't know.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: I don't want to say no because he may have. But I don't know.

SBSD DETECTIVE MALCOLM PAGE: And you don't remember seeing a light, a flashlight turn on?

SGT. JOHN EVERMAN: I don't know.

SBSD DETECTIVE MALCOLM PAGE: Okay. Did he -- did Sostek -- was he illuminated by anything?

SGT. JOHN EVERMAN: Yeah. All the emergency lights.

SBSD DETECTIVE MALCOLM PAGE: Okay. Could you tell what he was wearing?

SGT. JOHN EVERMAN: At this point? No.

SBSD DETECTIVE MALCOLM PAGE: Yes, at this point.

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: Okay. Was there any obstructions besides Fuller -- as you described, besides Fuller and his open door, was there any other obstructions that were between you and Fuller and Sostek.

SGT. JOHN EVERMAN: Yeah, his -- Fuller's patrol car.

SBSD DETECTIVE MALCOLM PAGE: Okay. What part of the patrol car?

SGT. JOHN EVERMAN: Based on where I parked, I was kind of using fuller's car as a bit of a block. So his -- pretty much his entire car was blocking my view of Sostek.

SBSD DETECTIVE MALCOLM PAGE: Okay. In relation to the center of your patrol car in relation to Fuller's patrol car, where were you -- where was your patrol car positioned? Right, left, center?

SGT. JOHN EVERMAN: It was to the right. I would say the left-front corner of my bumper was probably at the right-rear bumper of his car.

SBSD DETECTIVE MALCOLM PAGE: Okay. And you said you stopped about 50 feet, 40 feet?

SGT. JOHN EVERMAN: Yeah. It was a big back.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: I wasn't right on top of Fuller's car.

SBSD DETECTIVE MALCOLM PAGE: So you did still be able to keep a vantage point from that distance away.

SGT. JOHN EVERMAN: Right. Yeah.

SBSD DETECTIVE MALCOLM PAGE: Okay. As you were -- was your windshield dirty? Could you see any -- was it obstructed at all? Did it obstruct your view at all I mean?

SGT. JOHN EVERMAN: No, I don't think so.

SBSD DETECTIVE MALCOLM PAGE: Okay. And you described that Fuller -- I'm sorry, that Sostek was reaching with his hand outward. Describe in relation to Sostek's body, where was his arm reaching towards? Was it up, down, center? Was it behind? Describe his arm in relation to his body.

SGT. JOHN EVERMAN: I'm not trying to recreate the wheel, but if I could just...

SBSD DETECTIVE MALCOLM PAGE: Sure. Just describe it. And I'll describe it.

SGT. JOHN EVERMAN: Because we had talked about my obstruction of view, I just want to make sure we're clear. So at that point, the car is obstructing my view of Sostek. I could see his head and a little bit of his shoulders. So I just want to make sure I'm clear that I'm not, like, contradicting myself here.

SBSD DETECTIVE MALCOLM PAGE: Sure.

SGT. JOHN EVERMAN: At the point I could see an arm was after Sostek had advanced so far that he was now beyond Fuller's -- probably the rear passenger door at that point.

SBSD DETECTIVE MALCOLM PAGE: Right.

SGT. JOHN EVERMAN: Now, I could see Fuller and parts of Sostek, but Fuller is now blocking my view of Sostek. To the point where I got to them, now that changed. I could see -- the shots were already -- shots had already happened now.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: But the moment I saw his arm out was as I had begun reholstering my taser and stepped to the side of Fuller. Now I'm on Fuller and I could see his arm was out. One of them. I don't know if his left or right.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: But it was almost touching Fuller. Like, that's how close he was.

SBSD DETECTIVE MALCOLM PAGE: Gotcha.

[redacted]: How many seconds had passed since the shooting when you saw his arm extended that close, almost touching Fuller?

SGT. JOHN EVERMAN: Two, one. I ran. I was -- I was there quick.

[redacted]: So from final shot to him extending his hand, almost touching Fuller, you're saying one or two seconds?

SGT. JOHN EVERMAN: Yeah. Two is probably a good estimate.

SBSD DETECTIVE MALCOLM PAGE: Now, you described that Fuller retreated back towards you while you were still -- you're looking at his back as he's now kind of backing up towards you as you were kind of running towards him. Describe how Fuller retreated.

SGT. JOHN EVERMAN: It was really actually pretty smooth. I know he's -- you know, Fuller has got SED training. But --

SBSD DETECTIVE MALCOLM PAGE: Is that Specialized Enforcement Division?

SGT. JOHN EVERMAN: Yeah. So his retreat wasn't, like, super-awkward and weird. It was almost tactical. Very smooth. He was stepping back, big steps. If you know Fuller, he's a tall guy. He's got long legs. He was taking very smooth, large steps back beyond his vehicle. But Sostek was closing the gap really

fast.

SBSD DETECTIVE MALCOLM PAGE: Did Fuller walk, run? Did he stumble or trip at any point?

SGT. JOHN EVERMAN: No, no.

SBSD DETECTIVE MALCOLM PAGE: Okay. Large, smooth steps backwards.

SBSD DETECTIVE MALCOLM PAGE: Did he walk in a straight line? Did he walk side to side as he walked backward?

SGT. JOHN EVERMAN: He walked back and then kind of started to bend behind his -- behind his vehicle. I think -- well, I'm speculating again.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: Yeah, it was just -- he came back from his driver's door and then started to sweep right.

SBSD DETECTIVE MALCOLM PAGE: And is that close towards or going towards now where your parked patrol vehicle is, in that area?

SGT. JOHN EVERMAN: Yeah. He was coming back towards me.

SBSD DETECTIVE MALCOLM PAGE: Now, after the shots were fired and you have grasped

onto Sostek's arm and you explained that you guided him to the ground.

SGT. JOHN EVERMAN: Mm hm.

SBSD DETECTIVE MALCOLM PAGE: Approximate how far was -- did you -- I'm sorry, did Sostek be guided to the ground in relation to the back of Fuller's car? How far away from Fuller's car was Sostek guided down to the floor, or to the ground?

SGT. JOHN EVERMAN: So from the moment I put my hand on him, on Sostek, he was still standing, but he started to kind of stumble a little bit. And I noticed he was coming off of a snow berm on the left side of the road. So the rigid body -- I think I was grabbing to make sure he didn't do anything else. Maybe I grabbed that arm that was out. I don't remember which arm it was. I just -- that was out. I remember grabbing his right arm. But as he was kind of starting to lose his stance, it was less than --less than ten feet.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: I know that later when we were kind of securing the scene and as I was looking around, I noticed some blood drops at

where he initially was shot. And from where he was -- point of rest, it looked like it was only maybe five feet. It wasn't very far.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: I literally just guided him to the ground.

SBSD DETECTIVE MALCOLM PAGE: Okay. The -- I just want to back up just a little bit. When you arrived and your siren is off, the vehicle is in park, what if anything did you hear Fuller say?

SGT. JOHN EVERMAN: I couldn't tell you what he was saying. Inaudible. I just heard yelling.

SBSD DETECTIVE MALCOLM PAGE: Describe that yelling, those voice inflections. Were they loud? Were they loud? Were they -- was he screaming?

SGT. JOHN EVERMAN: No. I mean, he wasn't, like, it definitely wasn't like, ahh, help, or -- it wasn't that. It was -- it sounded like some sort of order to me.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: It sounded in that tone. But I can't tell you what he was saying at

all.

SBSD DETECTIVE MALCOLM PAGE: Was it in a controlled manner?

SGT. JOHN EVERMAN: Yeah.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: Yeah. Very controlled.

SBSD DETECTIVE MALCOLM PAGE: What if anything did you hear Sostek say?

SGT. JOHN EVERMAN: Same. I can't tell you what he was saying, but he was yelling at him. He was mad. It sounded mad. Angry.

SBSD DETECTIVE MALCOLM PAGE: Could you see Sostek's face clearly when he's yelling?

SGT. JOHN EVERMAN: I don't know if I would say clearly. I mean, I wouldn't have been able to read his lips or tell you if he had a black eye. But, yes, I could see his face, the outline of his face. More detailed than that, I'm sorry.

SBSD DETECTIVE MALCOLM PAGE: Okay. Don't be sorry at all. Appreciate it very much. Did you provide or did you give any commands yourself?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: Okay. And why not?

SGT. JOHN EVERMAN: I was too far away at that point. And based on the yelling I heard, in my opinion I would have just been getting in the way of what was already trying to be happening up there. So, yeah, I didn't yell anything.

SBSD DETECTIVE MALCOLM PAGE: Okay. Was Sostek handcuffed?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: Okay. And you mentioned that after he was -- after Sostek was shot and as medical aid is being initiated by you and Fuller, that you wanted to obtain some type of a knife or he gave -- he may have gave -- Fuller may have given you a knife to cut off some clothing. Is that correct?

SGT. JOHN EVERMAN: Yeah.

SBSD DETECTIVE MALCOLM PAGE: Did Fuller give you a knife?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: Describe that knife.

SGT. JOHN EVERMAN: It was a black,

folding knife. I couldn't tell you much more than that. I normally keep my knife on my uniform, but I must have left it in my locker. So, yeah, it was maybe the blade part of it was a couple inches, maybe three.

SBSD DETECTIVE MALCOLM PAGE: Okay. Did you cut any items off of Sostek?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: What items did you cut off?

SGT. JOHN EVERMAN: I cut his t-shirt. I think it was a t-shirt that he had on. I cut his t-shirt starting at the abdomen towards the neck to try to expose the wounds I could see forming blood around.

SBSD DETECTIVE MALCOLM PAGE: Is that the front of the shirt cutting upward?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: Okay. Did you cut him at all?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: Unintentionally?

SGT. JOHN EVERMAN: Not that I am aware of, no.

SBSD DETECTIVE MALCOLM PAGE: Okay. And then after you cut off the shirt, did you cut anything else?

SGT. JOHN EVERMAN: No. Just the shirt.

SBSD DETECTIVE MALCOLM PAGE: Okay. And then what did you do with the knife, if you remember?

SGT. JOHN EVERMAN: I think I just set it on the ground. It's probably just within reach. Yeah.

SBSD DETECTIVE MALCOLM PAGE: Okay. Did you observe any items removed -- be removed from Sostek?

SGT. JOHN EVERMAN: I don't recall anything being removed.

SBSD DETECTIVE MALCOLM PAGE: Okay. At some point was a search conducted, either a search or a safety sweep of Sostek's vehicle conducted?

SGT. JOHN EVERMAN: Yes.

SBSD DETECTIVE MALCOLM PAGE: Describe that to me.

SGT. JOHN EVERMAN: I know for sure this happened after Deputy Bush got there and

fire had already taken over medical aid. I am confused or not a hundred percent sure whether I directed Bush to search the vehicle. I feel fairly confident that I did. But I was also concerned about the scene, contaminating the scene. So I told him, hey, make sure you wear gloves. I'm pretty sure I told him something about wearing gloves.

SBSD DETECTIVE MALCOLM PAGE: And this is Deputy Bush.

SGT. JOHN EVERMAN: Deputy Bush, yeah.

SBSD DETECTIVE MALCOLM PAGE: Okay.

SGT. JOHN EVERMAN: I didn't -- I can't tell you what happened after that. I do remember walking the scene carefully to the vehicle. And I remember looking in the vehicle also. And the reason I remember that is because I saw something underneath the driver's seat that was just weird. It looked strange to me. It almost looked like an explosive. And I didn't know what to make of it, but it was concerning enough for me that I left the vehicle and I notified Bombs and Arson. It was later that I found out that, reading in a little more detail that on his no bail warrant here in the packet, it said something about

explosives. And so that, coupled with what I saw in the car, that's what triggered me notifying Bombs and Arson. I don't know what it turned out to be, to be honest. I never heard anything back. So I'm guessing it was nothing. But, yeah, so as far as searching the vehicle, I think I did look in it, too. But I did not remove anything from it.

SBSD DETECTIVE MALCOLM PAGE: Did you observe anyone else remove anything?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: Did Deputy Bush remove anything?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: Okay. Was there anything added to the vehicle?

SGT. JOHN EVERMAN: Nothing I am aware of, no.

SBSD DETECTIVE MALCOLM PAGE: Was anything moved within the vehicle?

SGT. JOHN EVERMAN: In my...

SBSD DETECTIVE MALCOLM PAGE: That you saw.

SGT. JOHN EVERMAN: Yeah, my limited witness review of it, no. I can only tell you

what I did. I didn't remove or add anything to it.

SBSD DETECTIVE MALCOLM PAGE: Okay. Did you identify any items of potential evidence after the LFE occurred?

SGT. JOHN EVERMAN: Yes. I noticed the shell casings, the FCCs, fire cartridge casings in the roadway. So I directed Deputy Bush to try to make sure we didn't fire -- didn't step on those any more than we had already done, if they had moved them at all. I don't know when they came up. But I just directed him to try to keep that safe from being moved anymore.

I only remember seeing three FCCs, but I remember hearing the four shots. So I don't know if Bush ever ended up finding another one.

SBSD DETECTIVE MALCOLM PAGE: Okay. And you mentioned that you saw some blood near the back of Fuller's vehicle several feet away from Sostek while he lay on the ground. Did you observe any additional blood anywhere else?

SGT. JOHN EVERMAN: Just around him.

SBSD DETECTIVE MALCOLM PAGE: The snow pack to the east of the --

SGT. JOHN EVERMAN: Yeah. That's what

I'm talking about right there.

SBSD DETECTIVE MALCOLM PAGE: I'm just referencing to -- bring your attention to this snowy area to the east of the patrol vehicle and Sostek's vehicle. Did you observe any -- did anyone walk in the snow around this telephone pole that you saw?

SGT. JOHN EVERMAN: I don't know. However, I did instruct both Deputy Bush and Fuller to not walk in that area because I noticed visually that there were shoeprints leading from the Honda to Fuller's car. And I wanted to make sure that was somehow documented accurately. So I don't remember seeing any of us walking that area.

SBSD DETECTIVE MALCOLM PAGE: Okay. Were there any obstructions between Sostek, his path of travel towards Fuller as Sostek exited his car and proceeded towards Fuller, were there any obstructions between those areas?

SGT. JOHN EVERMAN: Just the snow and ice. The shoulder had -- it looks like in this picture between six inches to somewhere in a foot of snow.

SBSD DETECTIVE MALCOLM PAGE: Okay.

Describe your mindset as you see Sostek exit his car and approach Fuller.

SGT. JOHN EVERMAN: Shocked, scared. Really scared for Fuller. I was honestly, I think, in shock that he was going that way instead of into the forest. My mind was he was going into the forest. So when I saw him turn and come barreling at Fuller, I was extremely scared for Fuller.

SBSD DETECTIVE MALCOLM PAGE: If -- go ahead, I'm sorry.

SGT. JOHN EVERMAN: I mean, if I can elaborate more, my thought was if he got ahold of Fuller, with how fast he was closing and how big he was from my perception, there was going to be a problem. Fuller was going to get hurt.

SBSD DETECTIVE MALCOLM PAGE: Okay. Sorry, I lost my train of thought. If Sostek remained in his vehicle at the -- as he stopped at the end of Vista, what would you and Fuller have done?

SGT. JOHN EVERMAN: We would have just followed our standard protocol for a felony traffic stop. I would have walked up, probably taken the passenger's side. Do you want me to be

specific?

SBSD DETECTIVE MALCOLM PAGE: Yes.

SGT. JOHN EVERMAN: Fuller would have remained on the driver's side of his car. I would have moved up to the passenger's side. We would have given him some orders probably to keep his hands out where we could see them. Ordered him out of the vehicle slowly. We would have ordered him to either put his hands up and do the whole spin so we could see if he had any weapons immediately accessible. And ultimately put him in handcuffs and take him into custody peacefully.

SBSD DETECTIVE MALCOLM PAGE: Okay. You described a bit about scene security. Describe the importance of scene security in a lethal force encounter such as this.

SGT. JOHN EVERMAN: Well, I know that after something like this, Homicide is going to be coming up and they're going to be documenting the scene in detail to the point of knives and gauze and shoeprints and FCCs. So every little detail, every vehicle position, the lighting position I think is all pretty relevant in a thorough documentation. So my thought is leave

everything as untainted as possible.

SBSD DETECTIVE MALCOLM PAGE: And what -- besides that crime scene tape that was put across Vista, what if any scene security considerations were conducted during this incident?

SGT. JOHN EVERMAN: Because of it being a dead end, we didn't cordon off, like, the south side of this. Deputy Bush was instructed just to keep kind of a tight eye on the scene to make sure nobody entered that area at all. I know he also spoke with a witness that I mentioned earlier. I call her a witness. I don't know that she witnessed what happened, but she definitely was there when we were giving first aid. So with him going and talking to her, he was instructed just to make sure she remained in her house. Nobody else that I could see was really even coming out of their house. Or maybe they were vacant. We have a lot of part-time residents in Big Bear.

So as far as scene security goes, the tape really was the only thing that was added to the scene in addition to Bush, Deputy Bush.

SBSD DETECTIVE MALCOLM PAGE: Okay. I

just want to go back just to -- briefly. I don't want to repeat if you already explained. What medical aid procedures you provided to Sostek or you saw being conducted before the fire department personnel arrived.

SGT. JOHN EVERMAN: Just for me, all I did was check his pulse at his carotid artery, which there wasn't one. And then cut his shirt, exposing the wounds or the holes. I did chest compressions the entire time. I checked for a pulse one more time. Still had nothing. No breathing. And then Fuller was working on sealing up those holes to see if we could keep the blood in him as long as possible. You know, as much blood in him as possible. I know he had some trouble with the first trauma kit that he pulled out. Either some stuff was no good or wasn't in the bag. I don't know. But he went to -- I believe he went maybe to my car and got another one, or he took if off of his vest.

Anyhow, he produced another trauma kit. And with that, we were able to put at least two chest seals on him I remember. I don't think we were able to do any other -- I don't think he was able to do anything other than that, Fuller.

SBSD DETECTIVE MALCOLM PAGE: Okay. During this life-saving -- these attempts for life-saving measures, were there any -- was there any delay in providing medical aid?

SGT. JOHN EVERMAN: No. It was immediately. Once he stopped -- once I knew that there was no weapon or something that could hurt us, we immediately started trying to save his life. He was still breathing and coughing when we started first aid.

SBSD DETECTIVE MALCOLM PAGE: Okay. You remained at Sostek's side, and Deputy Fuller went to you believe your car and his car and obtained medical equipment. How did he -- did he walk, run, crawl? How did he obtain this equipment?

SGT. JOHN EVERMAN: I don't know. I was focused on Sostek.

SBSD DETECTIVE MALCOLM PAGE: Okay. During this scene preservation, did you observe any items of potential evidence added to the scene besides the crime scene tape?

SGT. JOHN EVERMAN: Well, yeah. I mean, if you call the medical supplies could definitely have been added. I think fire

probably brought some stuff, too, that could have been added to that area next to him.

[redacted]: Don't speculate though.

SGT. JOHN EVERMAN: Sorry.

[redacted] The question is, like, did you see anything added to the scene. And if you can describe that in particularity, fine. But to talk about in theory, the scholarly exercise of, well, maybe this or maybe that, you don't need to do that.

SGT. JOHN EVERMAN: Well, I guess I'm answering it that way because I'm looking at a picture with a bunch of medical supplies and a blanket over this.

[redacted] Sure.

SGT. JOHN EVERMAN: The blanket wasn't on him. All the medical supplies, that was not part of the initial LFE. That was all added post-shooting.

SBSD DETECTIVE MALCOLM PAGE: Okay. Did you observe any items of potential evidence removed from the scene?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: Did you

observe any items of potential evidence moved within the scene?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: After you left and you transported Fuller away from the scene, did you ever return?

SGT. JOHN EVERMAN: No.

SBSD DETECTIVE MALCOLM PAGE: That's all I have.

[redacted]: Just real quick. A couple facts that you noted in your responses. At the time of the shooting, you believed suspect to be within an arm's reach approximately of Deputy Fuller. And you also characterized the suspect as in your perception an imminent threat at that time. Can you provide more details why?

SGT. JOHN EVERMAN: Just, again, back to the information we had at hand based on the briefing packet. His size in my opinion was huge. And the fact that he was choosing all of the things -- all of the choices he made leading to that moment were all extremely reckless. And the most reckless was running straight at Deputy Fuller. And in my opinion, he was going to do anything he could to stop us from taking him into

custody or whatever he -- I don't know what he was thinking. Was he going to go to jail? Was he, you know, a DUI, just a normal traffic stop? I don't know his mindset. But all -- everything he did after he got out of that car, I just don't know how he could have thought anything else was going to happen.

[redacted] Did he have options or various routes to retreat?

SGT. JOHN EVERMAN: Oh yes.

[redacted]: We talked about heading into the forest.

SGT. JOHN EVERMAN: Yeah.

[redacted]: What about other options?

SGT. JOHN EVERMAN: Or remaining in the car. Like -- Mike?

SBSD DETECTIVE MALCOLM PAGE: Malcolm.

SGT. JOHN EVERMAN: Malcolm, sorry. Like Mike -- Malcolm said, remaining -- if he had remained in the car, he would have been taken into custody peacefully. If he had ran into the forest and hid, yeah, we probably would have surrounded him and hopefully taken him into custody. If he would have stopped at the initial

traffic stop. I mean, there are so many other options besides this. He, in my opinion, didn't give Deputy Fuller another option.

[redacted] And a man with [redacted] in law enforcement [redacted] such as yourself, can you speak in terms of your training experience situationally when you're dealing with somebody that has a background like this? And now we've introduced a firearm which Deputy Fuller has, and we're talking close quarters. One foot, two foot from each other. Situationally, what is the concern there?

SGT. JOHN EVERMAN: Well, I know that there's always the question of were there any other options, force options that we could have used. And in this situation, this is a felony T stop. If it would have gone that way, we would have had a firearm drawn and he would have been taken into custody. Based on what Sostek did, how fast he closed the gap to that firearm pointed at him, Fuller did not have any time to even attempt a transition to another weapon system. And I'm not saying that Fuller should have transitioned or should not have. I don't know. I didn't have his perspective. But Kyle

didn't give Fuller any time to do that.

[redacted]: And in police work -- we've often heard this idea recently about the idea of de-escalation.

SGT. JOHN EVERMAN: Mm hm.

[redacted] And one de-escalation technique is time, right? Giving the suspect time. Did you perceive Fuller's retreat as attempting to not only create distance, but perhaps give the suspect time? Hey, let me create that distance and see if he's willing to stop? Or what was your perception of that?

SGT. JOHN EVERMAN: Yes. I think he gave him about four or five extra steps of time. And he didn't take them. Kyle didn't take them.

[redacted]: That's all I had.

SPECIAL AGENT JON GENENS: All right. The time is approximately 13:27 hours, and that concludes our interview.

C E R T I F I C A T I O N

I, [redacted], certify that the foregoing transcript is a true and accurate record of the proceedings.

[redacted]

Veritext Legal Solutions
330 Old Country Road
Suite 300
Mineola, NY 11501

Date: June 15, 2023

On June 15, 2023, I, SA J. Genens received this transcript from Veritext. I subsequently listened to Sgt. John Everman's interview while I reviewed the transcript at the same time. I made corrections to the transcript, completed a list of those corrections, and on June 26, 2023, attached the list to the back of the transcript.

SA J. Genens

June 26, 2023

TRANSCRIPT CORRECTION SHEET – SGT. JOHN EVERMAN

Location		From	To
Note: Anywhere in the transcript that SBSD appears, it was changed from SPSD to SBSD.			
Page 4	line 18	Two per second	October 2nd
Page 19	line 22	not	nor
Page 29	line 21	SPSD Det Malcolm Page	Attorney [redacted]
Page 36	line 5	SPSD Det Malcolm Page	Attorney [redacted]
Page 36	line 8	SPSD Det Malcolm Page	Attorney [redacted]
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SHERIFF'S DEPARTMENT

County of San Bernardino
California

CA 03600

SUSPECT

CASE NUMBER	REPORTING AREA
062300178	H# 2023-031

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	Vehicle Pursuit	LFE

VICTIM OR INVOLVED PARTY'S NAME - LAST NAME, FIRST NAME, MIDDLE NAME OR FIRM NAME IF BUSINESS

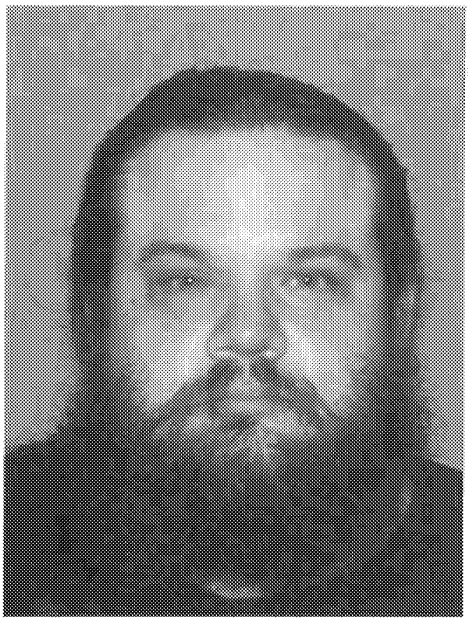
ADDRESS | PHONE NUMBER

CONFIDENTIAL INFORMATION CONCERNING INVOLVED PARTIES: | Location of Occurrence | City

	V-Victim	W-Witness	S-Suspect	RP-Reporting Party	DC-Discovered Crime	IP-Involved Party	O-Other

Name: Last, First Middle	Code:	Residence Address:	Residence Phone:
Sostek, Kyle	S	[redacted]	

Occupation/Description:	Race/Sex:	Age:	DOB:	Business Address:	Business Phone:
	W/M	[redacted]	[redacted]		( )



CDL – D7062153

REPORTING OFFICER	EMPLOYEE #	DATE	REVIEWED BY	TYPED BY	ROUTED BY	DATE
Detective M. Page	**D9601**	**03/16/23**				

FURTHER ACTION:	COPIES TO:	☐ SD/PD	☐ Other	REMARKS:
☒ YES ☐ NO	☐ Detectives	☐ CII		
15-15184-401 Revised 1/10 (CR2)	☐ District Attorney	☐ Patrol		

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# 062300178
H# 2023-031

CRIME REPORT

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2(a)	**Vehicle Pursuit**	**LFE**

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

CORONER RESPONSE/AUTOPSY/PROTOCOL:

Pursuant to California Government Code 12525.3, this lethal force encounter was investigated by the California Department of Justice (CA-DOJ) California Police Shooting Investigation Team (CaPSIT). Refer to CA-DOJ CaPSIT case number BI-LA2023-00010 for additional information.

Reviewed By: **Sergeant Jon Woods** Date: Author: **Detective Malcolm Page** Author Date: **03/12/2023**

NARRATIVE

SUPPLEMENTAL REPORT

ASSIGNMENT / ARRIVAL

On 03/12/23 I was assigned to the San Bernardino County Sheriff's Department Big Bear Station as a detective. At approximately 0403 hours I was dispatched to the 800 blk. of Vista Ave. in the city of Sugarloaf, in reference to a lethal force encounter. I responded and arrived at approximately 0558 hours.

INVESTIGATION

Upon arrival I met with investigators from the Sheriff's Specialized Investigations Division. Based on the investigation I authored a search warrant for the involved vehicle, which was identified by CA license plate number [redacted] The warrant was signed by the Honorable Judge Joel Agron of the San Bernardino Superior Court and issued warrant number 109638. The signed warrant was turned over to Detective Malcolm Page.

DISPOSITION

Attach to the original report.

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

CRIME REPORT

DR# 062300178
H# 2023-031

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2(a)	**Vehicle Pursuit**	**LFE**

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

SUPPLEMENTAL REPORT

ASSIGNMENT/ ARRIVAL:

On Sunday, March 12, 2023, at approximately 1900 hours, I was assigned to patrol in the city of Big Bear Lake. I wore my department-approved Class 'A' uniform and drove a marked Sheriff's patrol vehicle. At approximately 0158 hours, I heard Deputy Fuller broadcast over the radio he was in pursuit of a white sedan [redacted], at the intersection of Big Bear Boulevard and Green Way.

I responded from the intersection of Big Bear Boulevard and Mount Doble Drive to the termination point of the pursuit at [redacted]

At approximately 0303 hours, I heard Sergeant Everman broadcast "shots fired" over the police radio. I arrived at 0310 hours and assisted by securing the scene with crime scene tape and taking photographs.

At approximately 0316 hours, the Big Bear Fire Department paramedics arrived on scene and relieved Everman from providing cardiopulmonary resuscitation (CPR) to a subject, later identified as Kyle Sostek. At approximately 0327 hours, Paramedic [redacted] pronounced Sostek deceased.

While at the scene, I located four fired cartridge casing (FCC's) and marked their position with paper cards. I checked the surrounding residences for potential witnesses. The following is a summary of my recorded contacts in the neighborhood.

RESIDENT INTERVIEW: [redacted]

I spoke with [redacted], who stated he was inside his residence when he heard sirens followed by gunshots. [redacted] did not look outside the residence. The residence had a motion activated Ring doorbell camera that faced east toward Vista Avenue. [redacted] checked the camera and determined the camera did not record any footage.

RESIDENT INTERVIEW: [redacted]

I spoke with [redacted], who stated she woke up to the sound of five to six gunshots. [redacted] did not recall hearing anything else and did not look outside her window. [redacted] did not have any surveillance cameras at her residence.

RESIDENT INTERVIEW: [redacted]

I spoke with [redacted], who stated she was not wearing her hearing aids in bed and did not hear or observe anything.

Reviewed By: **Detective Malcolm Page** Date:**07/06/2023** Author: **Deputy David Bush** Author Date:

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

CRIME REPORT

DR# 062300178
H# 2023-031

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2(a)	**Vehicle Pursuit**	**LFE**

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

RESIDENT INTERVIEW: [redacted]

I spoke with [redacted] who stated she did not see or hear the termination of the pursuit. [redacted] had a camera fixed above her door, which faced west and pointed down toward her deck. [redacted] checked her camera and determined the angle did not cover the street. [redacted] also determined the camera was live view only and did not have the capability to record footage.

RESIDENT INTERVIEW: [redacted]

I spoke with [redacted], who stated he was rented the residence through Air B n B. [redacted] did not see or hear the termination of the pursuit. The residence was equipped with a Ring doorbell camera that faced east toward Vista Avenue. Due to [redacted] renting the residence, he did not have access to the camera.

PROPERTY CHECK: [redacted]

I knocked on the door of [redacted] and did not receive a reply. The residence appeared to be an unoccupied short-term rental. I checked the exterior of the residence and did not observe any surveillance cameras.

RESIDENT INTERVIEW: [redacted]

I spoke with [redacted] who stated he did not see or hear the termination of the pursuit. The residence does not have any surveillance cameras.

PROPERTY CHECK: [redacted]

I knocked on the door of [redacted] and did not receive a reply. The residence appeared to be an unoccupied short-term rental. I checked the exterior of the residence and did not observe any surveillance cameras.

CRIME SCENE LOG:

At 0157 hours, I initiated a crime scene log. I remained on scene and maintained crime scene security. At 1015 hours, I was relieved by Deputy Gosswiller.

EVIDENCE/ AUDIO RECORDINGS:

I uploaded my audio recordings and photographs into the Command Central Vault.

Reviewed By: **Detective Malcolm Page** Date:**07/06/2023** Author: **Deputy David Bush** Author Date:

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

VEHICLE REPORT

EVIDENCE HOLD

CHP 180 (Rev. 4-16) OPI 061

NOTE: CHP 180 IS FURNISHED TO ALL PEACE OFFICERS BY THE CALIFORNIA HIGHWAY PATROL

REPORTING DEPARTMENT	LOCATION CODE	DATE / TIME OF REPORT	NOTICE OF STORED VEHICLE DELIVERED PERSONALLY	FILE NO.
SBCSD - 06	3600	3/12/23 1620	☐	062300178

LOCATION TOWED / STOLEN FROM	ODOMETER READING	VIN CLEAR IN SVS?	DATE / TIME DISPATCH NOTIFIED	LOG NO.
[redacted]	UNKNOWN	☑ YES ☐ NO	03/12/23 2005	
		LIC. CLEAR IN SVS? ☑ YES ☐ NO		

YEAR	MAKE	MODEL	BODY TYPE	COLOR	LICENSE NO.	☐ ONE ☒ TWO	MONTH / YEAR	STATE
2018	HONDA	CIVIC	HATCH	WHT	[redacted]		4/23	CA

VEHICLE IDENTIFICATION NO.	ENGINE NO.	VALUATION BY ☐ OFFICER ☐ OWNER
[redacted]		☐ 0-500 ☐ 501-4000 ☐ 4001+ ☐ $

REGISTERED OWNER ☒ SAME AS R/O — LEGAL OWNER

[redacted]

RANCHO SANTE FE

☒ STORED ☐ IMPOUNDED ☐ RELEASED ☐ RECOVERED - VEHICLE / COMPONENT

TOWING / STORAGE CONCERN *(NAME, ADDRESS, PHONE)*: [redacted]

STORAGE AUTHORITY / REASON: 22655.5

REASON FOR STOP: WANTED PERSONS VEHICLE

AIRBAG? ☒ YES ☐ NO ☐ 1 ☐ 2

DRIVEABLE? ☑ YES ☐ NO ☐ JUNK ☐ UNK

VIN SWITCHED? ☐ YES ☑ NO

CONDITION	YES	NO	ITEMS	YES	NO	ITEMS	YES	NO	ITEMS	YES	NO	TIRES / WHEELS	CONDITION
WRECKED	☑		SEAT (FRONT)	☑		REGISTRATION			CAMPER		☑	LEFT FRONT	OK
BURNED HULK per 431(c) CVC		☑	SEAT (REAR)	☑		ALT. / GENERATOR	☑		VESSEL AS LOAD		☑	RIGHT FRONT	OK
VANDALIZED		☑	RADIO	☑		BATTERY	☑		FIREARMS		☑	LEFT REAR	OK
ENG. / TRANS. STRIP		☑	TAPE DECK		☑	DIFFERENTIAL	☑		OTHER		☑	RIGHT REAR	SPARE ON HUB
MISC. PARTS STRIP		☑	TAPES		☑	TRANSMISSION	☑					SPARE	ON RIGHT REAR
BODY METAL STRIP		☑	OTHER RADIO	☑		AUTOMATIC						HUB CAPS	NO
GICAL STRIP per 431(b) CVC		☑	IGNITION KEY	☑		MANUAL						SPECIAL WHEELS	NO

RELEASE VEHICLE TO: ☐ R/O OR AGENT ☐ AGENCY HOLD ☐ 22850.3 CVC

GAR[redacted]E *(SIGNATURE)* — DATE / TIME 3/12 8:39

NAME OF PERSON / AGENCY AUTHORIZING RELEASE	I.D. NO.	DATE

CERTIFICATION: I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM LEGALLY AUTHORIZED AND ENTITLED TO TAKE POSSESSION OF THE ABOVE DESCRIBED VEHICLE.

SIGNATURE OF PERSON AUTHORIZING RELEASE

SIGNATURE OF PERSON TAKING POSSESSION

☐ STOLEN VEHICLE / COMPONENT ☐ EMBEZZLED VEHICLE ☐ PLATE(S) REPORT

DATE / TIME OF OCCURRENCE	DATE / TIME REPORTED	NAME OF REPORTING PARTY (R/P)	DRIVER LICENSE NO. / STATE
LAST DRIVER OF VEHICLE	**DATE / TIME**	**ADDRESS OF R/P**	**TELEPHONE OF R/P**
			( )

I CERTIFY OR DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.

SIGNATURE OF PERSON MAKING REPORT

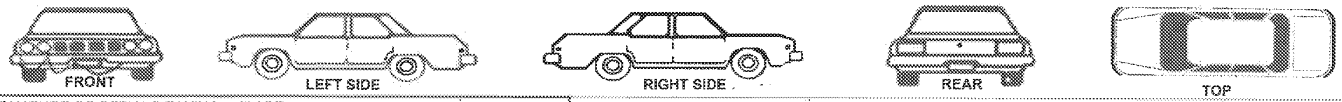
REMARKS

[LIST PROPERTY, TOOLS, VEHICLE DAMAGE, ARRESTS]

DRIVER'S NAME	ARRESTED / SECTION?	REPORTED BY	CARGO / TYPE?	VALUE $
KYLE SOSTEK	☐ YES ☒ NO		☐ YES ☐ NO	☐ BILL OF LADING ATTACHED

INVENTORY

FRONT BUMPER DAMAGE, SCRATCHES ON WINDSHIELD.



SIGNATURE OF OFFICER TAKING REPORT	I.D. NO.	SUPERVISOR	REQUIRED NOTICES SENT TO REGISTERED AND LEGAL OWNERS PER 22852 CVC?	DATE NOTIFIED
D. GOSWILLER	63824		☐ YES ☐ NO	

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# 062300178
H# 2023-031

CRIME REPORT

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2(a)	**Vehicle Pursuit**	**LFE**

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

SEARCH WARRANT: *2018 Honda Civic (Plate #8DHV776)*

On Tuesday, April 18, 2023, I authored a search warrant to obtain all information contained in the event data recorder (EDR) for Kyle Sostek's 2018 Honda Civic, bearing California License Plate number [redacted] and vehicle identification number (VIN) [redacted]

On Tuesday, April 18, 2023, at approximately 1501 hours, Honorable Judge Jerry Johnson authorized the search warrant and issued warrant number 000112287. Johnson also authorized a sealing order for the contents of the search warrant.

Reviewed By: **Sergeant Jon Woods** JW Date: 6-29-23 Author: **Detective Malcolm Page** Author Date: **06/16/2023**

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# 062300178
H# 2023-031

CRIME REPORT

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

VICTIM'S NAME – LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Fuller	**Samuel**		-

NOTIFICATION:

On Monday, April 20, 2023, I was contacted by Detective Malcolm Page with the Specialized Investigations Division, Homicide Detail in regard to a Lethal Force Encounter (LFE), which occurred on Sunday, March 12, 2023, in the City of Big Bear. The LFE involved a 2018 Honda Civic. Page authored a search warrant for the Event Data Recorder (EDR) located inside the 2018 Honda Civic.

On Monday, April 20, 2023, at approximately 1300 hours, I responded to the San Bernardino County Sheriff's Department, Scientific Investigation Division (SID) where the 2018 Honda was currently held for Evidence and met with Page.

EDR IMAGE: 2018 Honda Civic VIN:[redacted]

The Honda was located in a secured gated lot at SID. The Honda had moderate collision damage to the passenger front bumper. The Honda's airbags were not deployed. The engine compartment of the Honda was still intact and did not appear damaged. The Honda's battery was still connected to the vehicle but was dead. With a battery charger attached to the battery the vehicle had power. The ignition key was provided by Detective Page. Therefore, the EDR was able to be imaged directly through the OBD-II port and the airbag control module (ACM) did not have to be removed from the vehicle.

Utilizing the Bosch CDR retrieval tool (Version 23.0.1), I completed an image of the EDR direct to OBD-II port in the manner consistent with my training. I completed the image twice using the CDR900 and the Can Plus. After a completion of the images, I saved a copy of both reports in a PDF format, printed them out, and attached them to this report. A copy of the report was burned onto a CD and booked into evidence at the Rancho Cucamonga Station.

EDR ANALYSIS: 2018 Honda Civic

The vehicle imaged was a 2018 Honda Civic Vehicle Identification Number (VIN)[redacted] The VIN was entered into the CDR program and is reflected in the CDR file information on page one of the reports. The CDR reports showed the same data on both reports. On the chart located on page 1 of 11 on the CDR report, the very last box states Event(s) recovered, None. This indicates that no events were recorded on the ACM at the time of the image.

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# 062300178
H# 2023-031

CRIME REPORT

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2	**Vehicle Pursuit**	**LFE**

VICTIM'S NAME – LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)
Fuller	**Samuel**		**-**

RECOMMENDATION:

Attach to original report.

IMPORTANT NOTICE: Robert Bosch LLC and the manufacturers whose vehicles are accessible using the CDR System urge end users to use the latest production release of the Crash Data Retrieval system software when viewing, printing or exporting any retrieved data from within the CDR program. Using the latest version of the CDR software is the best way to ensure that retrieved data has been translated using the most current information provided by the manufacturers of the vehicles supported by this product.

CDR File Information

User Entered VIN	[redacted]
User	M Harrison
Case Number	062300178
EDR Data Imaging Date	04/20/2023
Crash Date	03/12/2023
Filename	[redacted]ACM.CDRX
Saved on	Thursday, April 20 2023 at 13:17:34
Imaged with CDR version	Crash Data Retrieval Tool 23.0.1
Imaged with Software Licensed to (Company Name)	San Bernardino County Sheriff
Reported with CDR version	Crash Data Retrieval Tool 23.0.1
Reported with Software Licensed to (Company Name)	San Bernardino County Sheriff
EDR Device Type	Airbag Control Module
Event(s) recovered	None

Comments

No comments entered.

Data Limitations

General Information:

These limitations are intended to assist you in reading the event data that has been imaged from the vehicle's SRS control unit. They contain general information and are not specific to this particular event. Event data should be considered in conjunction with other available physical evidence from the vehicle and scene.

Honda and Acura passenger vehicles designated as 2013 or later model year production are designed to be compatible with the Bosch CDR tool. Only some 2012 model year vehicles are compatible with the Bosch CDR tool.

Recorded Crash Events:

Data for front, side, rear and rollover events can be recorded as either non-deployment or deployment events. Both types of events can contain pre-crash and crash data.

- A non-deployment event is recorded if the change in longitudinal or lateral velocity equals or exceeds 8km/h over a 150ms timeframe or another type of non-reversible deployable restraint device other than a front, side, or side curtain airbag (e.g. seatbelt pretensioner) is commanded to deploy. Except as indicated below, non-deployment events are not locked into memory and can be over-written by subsequent non-deployment or deployment events.
- A deployment event is recorded if front airbag(s), side airbag(s), or side curtain airbag(s) are commanded to deploy. Deployment events are locked into memory and cannot be over-written.

The SRS control unit typically records only one event. Two events can be recorded if the T0 (time zero) values for each event occur within 5 seconds of each other. Therefore, a non-deployment event can be recorded and locked if it occurs within 5 seconds of a deployment event.

T0 is established by whichever of the following occurs first: (1) the change in longitudinal velocity at the SRS control unit equals or exceeds 0.8km/h over a 20ms timeframe; or (2) the change in lateral velocity at the SRS control unit equals or exceeds 0.8km/h over a 5ms timeframe; or (3) the occupant restraint control algorithm is activated; or (4) a commanded deployment of any type of non-reversible deployable restraint device (e.g. airbag or seatbelt pretensioner). If the time to deploy equals 0, then the command to deploy occurred at T0 or the device was not commanded to deploy during the event.

TEnd (end of event) is established by whichever of the following occurs first: (1) the change in longitudinal and lateral Delta V equals or falls below 0.8km/h over a 20ms timeframe; or (2) the occupant restraint control algorithm resets; or (3) time from T0 exceeds 300ms.

Data:

- Data recorded by the SRS control unit and imaged by the CDR tool is displayed relative to T0, not the time at which the vehicle made contact with another vehicle or object.
- Pre-crash data is recorded at 2 samples per second within the 5 seconds before T0. The sampling point at 0.0 is taken at T0 and is asynchronous with the other sample points. The time between -0.5 and 0.0 is not recorded and is between 1 and 500ms.
- Delta V data is recorded at 100 samples per second from T0 to 250ms or T0 to TEnd plus 30ms.
- Acceleration data is recorded at 100 samples per second from T0 to 250ms.
- Delta V, longitudinal reflects the change in velocity that the SRS control unit experienced in the longitudinal direction during the recorded portion of the event and is not the speed the vehicle was traveling before the event.
- Depending on the severity of the event and the accelerometer characteristics, saturation of the SRS control unit longitudinal or lateral accelerometers may occur, decreasing the recorded Delta V value.

- Time, accelerometer range exceeded is recorded if saturation of the SRS control unit longitudinal, lateral and/or normal (vertical) accelerometer occurs. The recorded data is the time at which the sensor range is first exceeded.
- The maximum recording capability of Deployment Command Data is 254ms or 255ms depending on vehicle model. A recorded value of 254ms or 255ms may indicate that the recording maximum was exceeded. In this case, the deployment command may have occurred between the recorded time and TEnd.
- Speed, vehicle indicated data is the speed indicated to the driver by the speedometer, not actual vehicle ground speed. Data accuracy can be affected by various factors, including but not limited to the following:
    - Significant changes in tire size from the factory setting
    - Wheel lockup or spin
    - Data latency or filtering and hysteresis within the speedometer module
- Accelerator pedal position, percent full is the ratio of accelerator pedal position compared to the fully depressed position.
- PCM (Powertrain Control Module) derived accelerator pedal position, percent full may differ from the accelerator pedal position, percent full under circumstances such as brake override activation or cruise control system engagement. These circumstances are based on vehicle equipment application and vary by model.
- Steering input angle is recorded in 5 degree increments.
- Side air bag suppression system status, right front passenger is recorded when the vehicle is equipped with the Occupant Position Detection System (OPDS).
- Occupant size classification, right front passenger airbag suppressed data is recorded as yes (suppressed) if the front passenger seat weight sensor system determined the passenger seat was empty or occupied by a child-size occupant.
- EV mode data records the vehicle powertrain status, not a driver selected operation mode. EV mode is recorded as On when the vehicle is moving and the internal combustion engine is not operating. EV mode may be recorded as On or Off when the vehicle is stopped.
- If power to the SRS control unit is lost during an event, all or part of the data may not be recorded.

Roll Rate Data:
- Vehicle roll rate data is recorded separately from the non-deployment and deployment events as described above. Therefore, the T0 for the roll rate data may differ from the T0 for the other data in this report.
- Roll rate recording trigger (T0) is established by whichever of the following occurs first: (1) a rollover algorithm ON judgment (SRS control unit decision to command deployment);, or (2) a change in relative roll angle at the SRS control unit equal to or exceeding 30 degrees (roll angle is not measured, but is calculated from the roll rate data); or (3) the rollover algorithm is activated.
- Once a recording trigger has been met, roll rate data is recorded for one rollover event at 10 samples per second from 1 second before to 2 seconds after T0. If a roll angle trigger is satisfied without a rollover algorithm ON judgment, the recorded roll rate data is unlocked and can be over-written by a subsequent rollover event. Roll rate data triggered by or recorded during a rollover algorithm ON judgment is locked into memory and cannot be over-written.
- If roll rate is detected at the SRS control unit during a non-deployment or deployment event but the recording trigger has not been satisfied, no roll rate data will be recorded. A graph of roll rate data will only be present in this report if roll rate data is recorded.

Data Element Sign Convention:
Except as noted below, all data is displayed in SAE J211 sign convention. The following table provides an explanation of the sign notation for data elements that may be included in this CDR report. All directional references to sign notation are from the perspective of the driver when seated in the vehicle facing the direction of forward vehicle travel.

Data element name	Positive sign indicates
Longitudinal Acceleration	Forward direction acceleration
Delta-V, Longitudinal	Forward direction acceleration
Lateral Acceleration	Left to right direction acceleration
Delta-V, Lateral	Left to right direction acceleration
Normal (Vertical) Acceleration	Downward direction acceleration
Vehicle Roll Rate*	See roll rate graph and data (if recorded)
Steering Input Angle*	Left Turn

*Not SAE J211 sign convention

Data Source:
All recorded data is measured and calculated within the SRS control unit except for the following parameters (if applicable) which are transmitted via the vehicle's communication network to the SRS control unit:
- Speed, vehicle indicated
- Accelerator pedal position, percent full
- Service brake
- ABS activity
- Stability control
- Steering input angle
- Engine RPM
- PCM derived accelerator pedal position, percent full
- EV mode
- Forward Collision Warning
- Collision Mitigation Braking System information
- Lane Keeping Assist System information
- Lane Departure Warning
- Road Departure Mitigation information
- Cruise Control status
- Adaptive Cruise Control status

Depending on vehicle feature content, capability, or conditions described above, the following items may not be recorded. If these items are not recorded, they will not be present in this document.
- EV mode

- Forward Collision Warning
- Collision Mitigation Braking System information
- Lane Keeping Assist System information
- Lane Departure Warning
- Road Departure Mitigation information
- Cruise Control status
- Adaptive Cruise Control status

Hexadecimal Data:
All data that has been specified for imaging is shown in the hexadecimal data section of this report. However, not all of this data is translated by the CDR tool. The SRS control unit may contain additional data that is not retrievable by the CDR tool.

Data Imaging:
If the SRS control unit is imaged outside of the vehicle, ensure that it is not moved, tilted or turned while connected to the CDR tool. Also, after imaging is complete, wait 3 minutes after removing the CDR tool before moving the SRS control unit. Not following this guideline could cause current non-deployment event data to be overwritten and a new event to be recorded. Current fault status could also be altered if the SRS control unit is imaged outside of the vehicle.

04002_HondaSRS_GEN2_r002

System Status at Retrieval

EDR Version	1.3.2.0

Hexadecimal Data

DID #	Data
$8000	21 4D 13 14 01 33 00 11 00 55 00 00 11 33 00 00 20 0F 00 E9 02 06 22 00 00 00 00 00 00 00 00 00 11 11 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 29
$8020	01 03 00 00 00 00 00 00 00 00 00 00 00 00 00 FC
$8021	AA 00 00 00 00 00 00 00 00 00 00 56 1D 72 00 00
$8022	AA 00 C0 78 66 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 11 00 00 00 00 00 00 00 00 00 00 00 00 00 00 A7
$8023	AA 00 C0 78 66 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 11 00 00 00 00 00 00 00 00 00 00 00 00 00 00 A7
$8024	AA 00 FF 00 00 40 43 00 12 00 11 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 B1
$8025	AA 00 FF 00 00 40 43 00 12 00 11 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 B1
$8026	AA 01 FC 10 35 00 00 00 00 00 30 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 E4
$8027	AA 01 FC 10 35 00 00 00 00 00 30 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 E4
$8028	AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 56
$8029	AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 56
$802A	AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00

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$802B           AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 56

$802C           AA 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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$802D           AA 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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$802E           AA 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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$802F           AA 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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$8014           AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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$8018	AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 56
$8019	AA 01 C4 2F E3 10 BF 80 00 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 2F
$801A	AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
$801B	AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
$8001	AA 00 C4 18 00 00 00 00 16 16 00 00 00 16 00 00 00 00 00 07 04 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
$8002	AA 01 E0 FE F8 FF 00 00 00 00 0C 00 00 00 00 00 80 54 00 00 00 00 1E 00 00 00 00 04 05 00 00 00 80 21 C8 02 03 00 0C 74 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
$8004	Not Used
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$801C       AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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$801F       Not Used

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$8041       AA 00 FC CC 00 00 00 00 1A 1B 15 15 16 16 00 00
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$8043       AA 01 02 00 02 00 02 00 02 01 02 01 02 00 00 00
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$8044       AA 00 FF 00 80 80 81 80 80 7F 80 81 00 00 00 00
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$8045.      AA 00 B4 00 82 00 78 5E 00 77 00 00 00 00 00 00
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$8051       11 81 04 00 98 71 01 00 98 72 01 00 B2 11 01 00
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$8052       01 03 01 01 01 05 01 01 01 00 00 00 00 00 00 00

$8053       58 A4 08 00 00 00 00 00 00 00 00 00 00 00 00 00

$8054       AA 00 01 C6 01 BD 00 0D FF FC 00 00 00 00 00 00
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$E600           32 AA

$E604           00 00 00 00

$F100           00 00 00 00

$F110           0E 37 37 39 36 30 54 47 47 41 30 32 30 4D 32 00
                00

$F112           0B 43 31 39 30 30 34 4B 32 53 32 5A 00 00 00 00
                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00

$F181           37 37 39 35 39 2D 54 47 47 2D 41 30 32 30 00 00
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Disclaimer of Liability

The users of the CDR product and reviewers of the CDR reports and exported data shall ensure that data and information supplied is applicable to the vehicle, vehicle's system(s) and the vehicle ECU. Robert Bosch LLC and all its directors, officers, employees and members shall not be liable for damages arising out of or related to incorrect, incomplete or misinterpreted software and/or data. Robert Bosch LLC expressly excludes all liability for incidental, consequential, special or punitive damages arising from or related to the CDR data, CDR software or use thereof.

BOSCH

CRASH DATA RETRIEVAL

IMPORTANT NOTICE: Robert Bosch LLC and the manufacturers whose vehicles are accessible using the CDR System urge end users to use the latest production release of the Crash Data Retrieval system software when viewing, printing or exporting any retrieved data from within the CDR program. Using the latest version of the CDR software is the best way to ensure that retrieved data has been translated using the most current information provided by the manufacturers of the vehicles supported by this product.

CDR File Information

User Entered VIN	[redacted]
User	M Harrison
Case Number	062300178
EDR Data Imaging Date	04/20/2023
Crash Date	03/12/2023
Filename	[redacted]ACM.CDRX
Saved on	Thursday, April 20 2023 at 13:25:43
Imaged with CDR version	Crash Data Retrieval Tool 23.0.1
Imaged with Software Licensed to (Company Name)	San Bernardino County Sheriff
Reported with CDR version	Crash Data Retrieval Tool 23.0.1
Reported with Software Licensed to (Company Name)	San Bernardino County Sheriff
EDR Device Type	Airbag Control Module
Event(s) recovered	None

Comments

No comments entered.

Data Limitations

General Information:

These limitations are intended to assist you in reading the event data that has been imaged from the vehicle's SRS control unit. They contain general information and are not specific to this particular event. Event data should be considered in conjunction with other available physical evidence from the vehicle and scene.

Honda and Acura passenger vehicles designated as 2013 or later model year production are designed to be compatible with the Bosch CDR tool. Only some 2012 model year vehicles are compatible with the Bosch CDR tool.

Recorded Crash Events:

Data for front, side, rear and rollover events can be recorded as either non-deployment or deployment events. Both types of events can contain pre-crash and crash data.

- A non-deployment event is recorded if the change in longitudinal or lateral velocity equals or exceeds 8km/h over a 150ms timeframe or another type of non-reversible deployable restraint device other than a front, side, or side curtain airbag (e.g. seatbelt pretensioner) is commanded to deploy. Except as indicated below, non-deployment events are not locked into memory and can be over-written by subsequent non-deployment or deployment events.
- A deployment event is recorded if front airbag(s), side airbag(s), or side curtain airbag(s) are commanded to deploy. Deployment events are locked into memory and cannot be over-written.

The SRS control unit typically records only one event. Two events can be recorded if the T0 (time zero) values for each event occur within 5 seconds of each other. Therefore, a non-deployment event can be recorded and locked if it occurs within 5 seconds of a deployment event.

T0 is established by whichever of the following occurs first: (1) the change in longitudinal velocity at the SRS control unit equals or exceeds 0.8km/h over a 20ms timeframe; or (2) the change in lateral velocity at the SRS control unit equals or exceeds 0.8km/h over a 5ms timeframe; or (3) the occupant restraint control algorithm is activated; or (4) a commanded deployment of any type of non-reversible deployable restraint device (e.g. airbag or seatbelt pretensioner). If the time to deploy equals 0, then the command to deploy occurred at T0 or the device was not commanded to deploy during the event.

TEnd (end of event) is established by whichever of the following occurs first: (1) the change in longitudinal and lateral Delta V equals or falls below 0.8km/h over a 20ms timeframe; or (2) the occupant restraint control algorithm resets; or (3) time from T0 exceeds 300ms.

Data:

- Data recorded by the SRS control unit and imaged by the CDR tool is displayed relative to T0, not the time at which the vehicle made contact with another vehicle or object.
- Pre-crash data is recorded at 2 samples per second within the 5 seconds before T0. The sampling point at 0.0 is taken at T0 and is asynchronous with the other sample points. The time between -0.5 and 0.0 is not recorded and is between 1 and 500ms.
- Delta V data is recorded at 100 samples per second from T0 to 250ms or T0 to TEnd plus 30ms.
- Acceleration data is recorded at 100 samples per second from T0 to 250ms.
- Delta V, longitudinal reflects the change in velocity that the SRS control unit experienced in the longitudinal direction during the recorded portion of the event and is not the speed the vehicle was traveling before the event.
- Depending on the severity of the event and the accelerometer characteristics, saturation of the SRS control unit longitudinal or lateral accelerometers may occur, decreasing the recorded Delta V value.

- Time, accelerometer range exceeded is recorded if saturation of the SRS control unit longitudinal, lateral and/or normal (vertical) accelerometer occurs. The recorded data is the time at which the sensor range is first exceeded.
- The maximum recording capability of Deployment Command Data is 254ms or 255ms depending on vehicle model. A recorded value of 254ms or 255ms may indicate that the recording maximum was exceeded. In this case, the deployment command may have occurred between the recorded time and TEnd.
- Speed, vehicle indicated data is the speed indicated to the driver by the speedometer, not actual vehicle ground speed. Data accuracy can be affected by various factors, including but not limited to the following:
    - Significant changes in tire size from the factory setting
    - Wheel lockup or spin
    - Data latency or filtering and hysteresis within the speedometer module
- Accelerator pedal position, percent full is the ratio of accelerator pedal position compared to the fully depressed position.
- PCM (Powertrain Control Module) derived accelerator pedal position, percent full may differ from the accelerator pedal position, percent full under circumstances such as brake override activation or cruise control system engagement. These circumstances are based on vehicle equipment application and vary by model.
- Steering input angle is recorded in 5 degree increments.
- Side air bag suppression system status, right front passenger is recorded when the vehicle is equipped with the Occupant Position Detection System (OPDS).
- Occupant size classification, right front passenger airbag suppressed data is recorded as yes (suppressed) if the front passenger seat weight sensor system determined the passenger seat was empty or occupied by a child-size occupant.
- EV mode data records the vehicle powertrain status, not a driver selected operation mode. EV mode is recorded as On when the vehicle is moving and the internal combustion engine is not operating. EV mode may be recorded as On or Off when the vehicle is stopped.
- If power to the SRS control unit is lost during an event, all or part of the data may not be recorded.

Roll Rate Data:
- Vehicle roll rate data is recorded separately from the non-deployment and deployment events as described above. Therefore, the T0 for the roll rate data may differ from the T0 for the other data in this report.
- Roll rate recording trigger (T0) is established by whichever of the following occurs first: (1) a rollover algorithm ON judgment (SRS control unit decision to command deployment);; or (2) a change in relative roll angle at the SRS control unit equal to or exceeding 30 degrees (roll angle is not measured, but is calculated from the roll rate data); or (3) the rollover algorithm is activated.
- Once a recording trigger has been met, roll rate data is recorded for one rollover event at 10 samples per second from 1 second before to 2 seconds after T0. If a roll angle trigger is satisfied without a rollover algorithm ON judgment, the recorded roll rate data is unlocked and can be over-written by a subsequent rollover event. Roll rate data triggered by or recorded during a rollover algorithm ON judgment is locked into memory and cannot be over-written.
- If roll rate is detected at the SRS control unit during a non-deployment or deployment event but the recording trigger has not been satisfied, no roll rate data will be recorded. A graph of roll rate data will only be present in this report if roll rate data is recorded.

Data Element Sign Convention:
Except as noted below, all data is displayed in SAE J211 sign convention. The following table provides an explanation of the sign notation for data elements that may be included in this CDR report. All directional references to sign notation are from the perspective of the driver when seated in the vehicle facing the direction of forward vehicle travel.

Data element name	Positive sign indicates
Longitudinal Acceleration	Forward direction acceleration
Delta-V, Longitudinal	Forward direction acceleration
Lateral Acceleration	Left to right direction acceleration
Delta-V, Lateral	Left to right direction acceleration
Normal (Vertical) Acceleration	Downward direction acceleration
Vehicle Roll Rate*	See roll rate graph and data (if recorded)
Steering Input Angle*	Left Turn

*Not SAE J211 sign convention

Data Source:
All recorded data is measured and calculated within the SRS control unit except for the following parameters (if applicable) which are transmitted via the vehicle's communication network to the SRS control unit:
- Speed, vehicle indicated
- Accelerator pedal position, percent full
- Service brake
- ABS activity
- Stability control
- Steering input angle
- Engine RPM
- PCM derived accelerator pedal position, percent full
- EV mode
- Forward Collision Warning
- Collision Mitigation Braking System information
- Lane Keeping Assist System information
- Lane Departure Warning
- Road Departure Mitigation information
- Cruise Control status
- Adaptive Cruise Control status

Depending on vehicle feature content, capability, or conditions described above, the following items may not be recorded. If these items are not recorded, they will not be present in this document.
- EV mode

- Forward Collision Warning
- Collision Mitigation Braking System information
- Lane Keeping Assist System information
- Lane Departure Warning
- Road Departure Mitigation information
- Cruise Control status
- Adaptive Cruise Control status

Hexadecimal Data:
All data that has been specified for imaging is shown in the hexadecimal data section of this report. However, not all of this data is translated by the CDR tool. The SRS control unit may contain additional data that is not retrievable by the CDR tool.

Data Imaging:
If the SRS control unit is imaged outside of the vehicle, ensure that it is not moved, tilted or turned while connected to the CDR tool. Also, after imaging is complete, wait 3 minutes after removing the CDR tool before moving the SRS control unit. Not following this guideline could cause current non-deployment event data to be overwritten and a new event to be recorded. Current fault status could also be altered if the SRS control unit is imaged outside of the vehicle.

04002_HondaSRS_GEN2_r002

System Status at Retrieval

EDR Version	1.3.2.0

Hexadecimal Data

DID #	Data
$8000	21 4D 13 14 01 33 00 11 00 55 00 00 11 33 00 00 20 0F 00 E9 02 06 22 00 00 00 00 00 00 00 00 00 11 11 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 29
$8020	01 03 00 00 00 00 00 00 00 00 00 00 00 00 00 FC
$8021	AA 00 00 00 00 00 00 00 00 00 00 56 1D 72 00 00
$8022	AA 00 C0 78 66 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 11 00 00 00 00 00 00 00 00 00 00 00 00 00 00 A7
$8023	AA 00 C0 78 66 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 11 00 00 00 00 00 00 00 00 00 00 00 00 00 00 A7
$8024	AA 00 FF 00 00 40 43 00 12 00 11 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 B1
$8025	AA 00 FF 00 00 40 43 00 12 00 11 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 B1
$8026	AA 01 FC 10 35 00 00 00 00 00 30 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 E4
$8027	AA 01 FC 10 35 00 00 00 00 00 30 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 E4
$8028	AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 56
$8029	AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 56
$802A	AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00

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                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 56

$802B           AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 56

$802C           AA 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00
                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 55

$802D           AA 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00
                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 55

$802E           AA 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 55

$802F           AA 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00
                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 55

$8030           AA 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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$8031           AA 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00
                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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$8007           AA 00 00 00 00 00 00 00 0E 00 00 00 00 00 00 00
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$803F           AA 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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$8012           AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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                00 00 00 00 00 00 00 00 00 81

$8014           AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
                00 00 00 00 00 00 00 00 00 81

$8016           AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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$8017	AA 01 C4 2F E0 00 00 00 00 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 81
$8018	AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 56
$8019	AA 01 C4 2F E3 10 BF 80 00 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 2F
$801A	AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
$801B	AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
$8001	AA 00 C4 18 00 00 00 00 16 16 00 00 00 16 00 00 00 00 00 07 04 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
$8002	AA 01 E0 FE F8 FF 00 00 00 00 39 00 00 00 00 00 80 54 00 00 00 00 1E 00 00 00 00 04 05 00 00 00 80 22 88 02 03 00 0C 59 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
$8004	Not Used
$8005	AA 00 FE F0 F0 F0 DE 01 DE 01 E0 00 00 00 00 00 10 01 CA FF 00 00 00 00 01 C1 00 08 00 00 00 00 01 C1 00 08 00 00 00 00 07 1E 06 BA 00 00 00 00 FF A4 00 FD 17 02 8C 00 00 00 00 00 00 00 00 BB 01 E9 00 00 F6 00 F2 00 00 00 00 00 00 00 00 2E 01 02 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
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$8009	AA 01 B7 F8 AA AA AA AA 00 00 02 FF FF FF FF 07 00 00 00 00
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$8010	AA 00 F8 F8 F8 F8 E0 E0 E0 E3 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00

$801C	AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 56
$801F	Not Used
$8040	AA 01 00 00 00 00 00 00 00 00 00 0A 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 80 00 00 00 00 00 04 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
$8041	AA 00 FC CC 00 00 00 00 1A 1B 15 15 16 17 00 00 15 14 00 00 16 16 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
$8043	AA 01 02 00 02 00 02 00 02 01 02 00 02 01 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 1E 07 00 BA 06 00 00 00 00 00 00 00 00 00
$8044	AA 00 FF 00 80 80 81 80 80 7F 80 81 00 00 00 00 00 00 00 00
$8045	AA 00 B4 00 81 00 78 5E 00 77 00 00 00 00 00 00 00 00 00 00
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$8050	00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
$8051	11 81 04 00 98 71 01 00 98 72 01 00 B2 11 01 00 11 31 07 00 12 31 08 00 33 31 01 00 B3 21 01 00
$8052	01 03 01 01 01 05 01 01 01 00 00 00 00 00 00 00
$8053	58 A4 08 00 00 00 00 00 00 00 00 00 00 00 00 00
$8054	AA 00 01 C6 01 BD 00 0D FF FC 00 00 00 00 00 00 00 00 FF 00 00 00 00 00 00 00 00 00 00 00 00 00
$8060	AA 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
$8061	AA 00 CF 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00
$8062	AA 01 FF F0 3F 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00

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$8072           AA 00 FF F9 00 00 00 00 00 00 00 00 00 00 00 00
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                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00

$E600           32 AA

$E604           00 00 00 00

$F100           00 00 00 00

$F110           0E 37 37 39 36 30 54 47 47 41 30 32 30 4D 32 00
                00

$F112           0B 43 31 39 30 30 34 4B 32 53 32 5A 00 00 00 00
                00 00 00 00 00 00 00 00 00 00 00 00 00 00 00

$F181           37 37 39 35 39 2D 54 47 47 2D 41 30 32 30 00 00
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Disclaimer of Liability

The users of the CDR product and reviewers of the CDR reports and exported data shall ensure that data and information supplied is applicable to the vehicle, vehicle's system(s) and the vehicle ECU. Robert Bosch LLC and all its directors, officers, employees and members shall not be liable for damages arising out of or related to incorrect, incomplete or misinterpreted software and/or data. Robert Bosch LLC expressly excludes all liability for incidental, consequential, special or punitive damages arising from or related to the CDR data, CDR software or use thereof.

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

VEHICLE REPORT

CHP 180 (Rev. 2-99) OPI 061

NOTE: CHP 180 IS FURNISHED TO ALL PEACE OFFICERS BY THE CALIFORNIA HIGHWAY PATROL

REPORTING DEPARTMENT	LOCATION CODE	DATE / TIME OF REPORT	NOTICE OF STORED VEHICLE DELIVERED PERSONALLY	FILE NO.
12650-60	3600	4/26/23-0900	☐	062300178

ION TOWED / STOLEN FROM	ODOMETER READING	VIN CLEAR IN SVS?	LIC. CLEAR IN SVS?	DATE / TIME DISPATCH NOTIFIED	LOG NO.
[redacted]	55200.33	☒ YES ☐ NO	☒ YES ☐ NO	N/A	

YEAR	MAKE	MODEL	BODY TYPE	COLOR	LICENSE NO.	☐ ONE ☒ TWO	MONTH / YEAR	STATE
2018	HONDA	CIVIC	2-DOOR	WHITE	[redacted]		04/23	CA

[redacted]	ENGINE NO.	VALUATION BY ☒ OFFICER ☐ OWNER ☐ 0-300 ☐ 301-4000 ☒ 4001 + ☐ $

REGISTERED OWNER

[redacted]

LEGAL OWNER

☐ SAME AS R/O

☐ **STORED** ☐ **IMPOUNDED** ☒ **RELEASED** ☐ **RECOVERED - VEHICLE / COMPONENT**

TOWING / STORAGE CONCERN *(NAME, ADDRESS, PHONE)*	STORAGE AUTHORITY / REASON

TOWED TO / STORED AT	AIRBAG?	DRIVEABLE?	VIN SWITCHED?
	☒ YES ☐ NO ☐ 1 ☒ 2	☒ YES ☐ NO ☐ JUNK ☐ UNK	☐ YES ☒ NO

CONDITION	YES	NO	ITEMS	YES	NO	ITEMS	YES	NO	ITEMS	YES	NO	TIRES / WHEELS	CONDITION
WRECKED	X		SEAT (FRONT)	X		REGISTRATION	X		CAMPER		X	LEFT FRONT	
BURNED HULK per 431(c) VC		X	SEAT (REAR)	X		ALT. / GENERATOR	X		VESSEL AS LOAD		X	RIGHT FRONT	
VANDALIZED		X	RADIO	X		BATTERY	X		FIREARMS		X	LEFT REAR	POOR
ENG. / TRANS. STRIP		X	TAPE DECK		X	DIFFERENTIAL	X		OTHER		X	RIGHT REAR	SPARE
MISC. PARTS STRIP		X	TAPES	C	X	TRANSMISSION	X					SPARE	WHEELS
BODY METAL STRIP		X	OTHER RADIO	C	D	AUTOMATIC	X					HUB CAPS	DAMAGED
SURGICAL STRIP per 431(b) VC		X	IGNITION KEY	X		MANUAL		X				SPECIAL WHEELS	

RELEASE VEHICLE TO: ☒ R/O OR AGENT ☐ AGENCY HOLD ☐ 22850.3 VC

GARAGE PRINCIPAL / AGENT STORING VEHICLE *(SIGNATURE)* | DATE / TIME

NAME OF PERSON / AGENCY AUTHORIZING RELEASE	I.D. NO.	DATE
M. PAGE SBCSD	D9601	4/26/23

SIGNATURE OF PERSON AUTHORIZING RELEASE

CERTIFICATION: I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM LEGALLY AUTHORIZED AND ENTITLED TO TAKE POSSESSION OF THE ABOVE DESCRIBED VEHICLE.

[redacted] G POSSESSION [redacted]

☐ **STOLEN VEHICLE / COMPONENT** ☐ **EMBEZZLED VEHICLE** ☐ **PLATE(S) REPORT**

DATE / TIME OF OCCURRENCE	DATE / TIME REPORTED	NAME OF REPORTING PARTY (R/P)	DRIVER LICENSE NO. / STATE
LAST DRIVER OF VEHICLE	DATE / TIME	ADDRESS OF R/P	TELEPHONE OF R/P ( )
I CERTIFY OR DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT.		SIGNATURE OF PERSON MAKING REPORT	

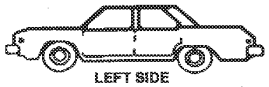
REMARKS

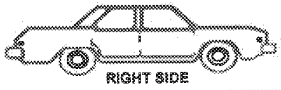
[LIST PROPERTY, TOOLS, VEHICLE DAMAGE, ARRESTS]

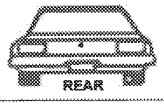
DRIVER'S NAME	ARRESTED / SECTION?	REPORTED BY	CARGO / TYPE?	VALUE $
KYLE SOSTEK	☐ YES ☒ NO		☐ YES ☐ NO	☐ BILL OF LADING ATTACHED

MULTIPLE PERSONAL ITEMS IN PASSENGER COMPARTMENT
SPARE TIRE ON REAR SEAT
KEYS W/ VEHICLE

DAMAGE TO BUMPER







SIGNATURE OF OFFICER TAKING REPORT	I.D. NO.	SUPERVISOR	REQUIRED NOTICES SENT TO REGISTERED AND LEGAL OWNERS PER 22852 VC?	DATE NOTIFIED
M. PAGE	D9601		☐ YES ☐ NO	

c180_299.frp

OSP 99 18768

San Bernardino County Sheriff's Department

SEARCH WARRANT RECEIPT

SW No. 00011287

DR No. 062300178

On 04/18/23, an officer of the San Bernardino County Sheriff's Department, served a search warrant ~~at the premises~~ VEHICLE at 2018 Honda Civic [redacted] and seized property identified in this receipt.

The search warrant was issued on 04/18/23, by the Honorable Judge Jerry Johnson, Judge of the Superior Court of the Valley Judicial District, County of San Bernardino, State of California, and is filed under court number 00011287 (if no number provided, contact Clerk of the Court).

ITEMS TAKEN

* NO ITEMS REMOVED FROM VEHICLE *

1) EDR DATA OBTAINED FROM VEHICLE OBDII PORT, MODULE NOT REMOVED

A copy of said receipt was delivered to POSTED (or posted at the aforementioned residence) prior to said officer leaving the premises ..... Items 1 through 1.

DET. M. PAGE D960 | | |
Officer | Emp. No. | Witness | Emp. No.

Be advised that pursuant to California Penal Code sections 1539 and 1540, you may file a written motion in the court of the above-mentioned Judge who issued the warrant, seeking return of the property seized pursuant to this warrant.

For further information, contact the above officer at 909-890-4904 or, if you have further questions please contact the above officer's supervisor SGT. SON MOON at 909-890-4904.

The below-signed acknowledges receipt of a copy of the inventory made by searching Officer relating to property seized under the aforementioned Search Warrant.

Name | Date

10-19479-401 Rev. 8/97

DISTRIBUTION: Original — Officer
Copy — Person in charge of/or to be left at scene

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# 062300178
H# 2023-031

CRIME REPORT

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2(a)	**Vehicle Pursuit**	**LFE**

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

PATROL VEHICLE GLOBAL POSITIONING SYSTEM (GPS) MAPPING:

On Tuesday, May 23, 2023, California Department of Justice, Special Agent Jon Genens provided me with processed global positioning system (GPS) mapping. The processed GPS data was obtained from Sergeant John Everman and Deputy Samuel Fuller's patrol vehicle's onboard GPS on Sunday, March 12, 2023.

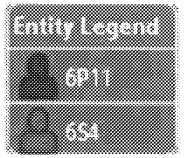
On Wednesday, April 19, 2023, LA Clear, Crime Analysist [redacted] processed the provided GPS data. Once the GPS data was processed, [redacted] produced an 11-page color document to Genens.

Reviewed By: **Sergeant Jon Woods** JW Date: 7-5-23 Author: **Detective Malcolm Page** Author Date: **07/05/2023**

Vista Avenue
GPS Coordinates Maps

Date/time: 3/12/23 at approx. 0303hrs

Location: 891 Vista Ave., Sugarloaf



=Dep. Samuel Fuller

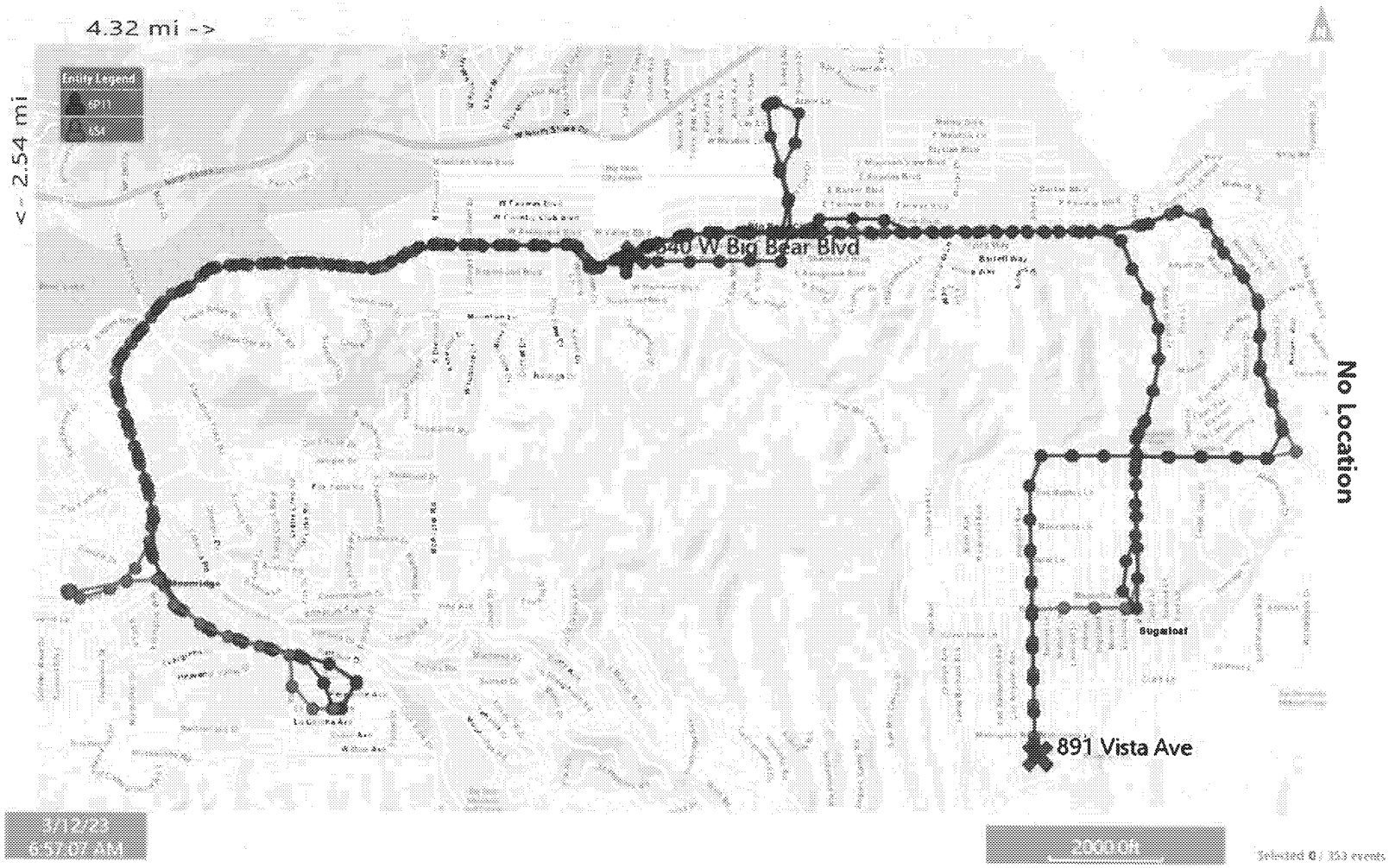
=Sgt. John Everman

PenLink©
Esri® ArcMAP™
Streets ©
GeoTime ®

Generated April 19, 2023

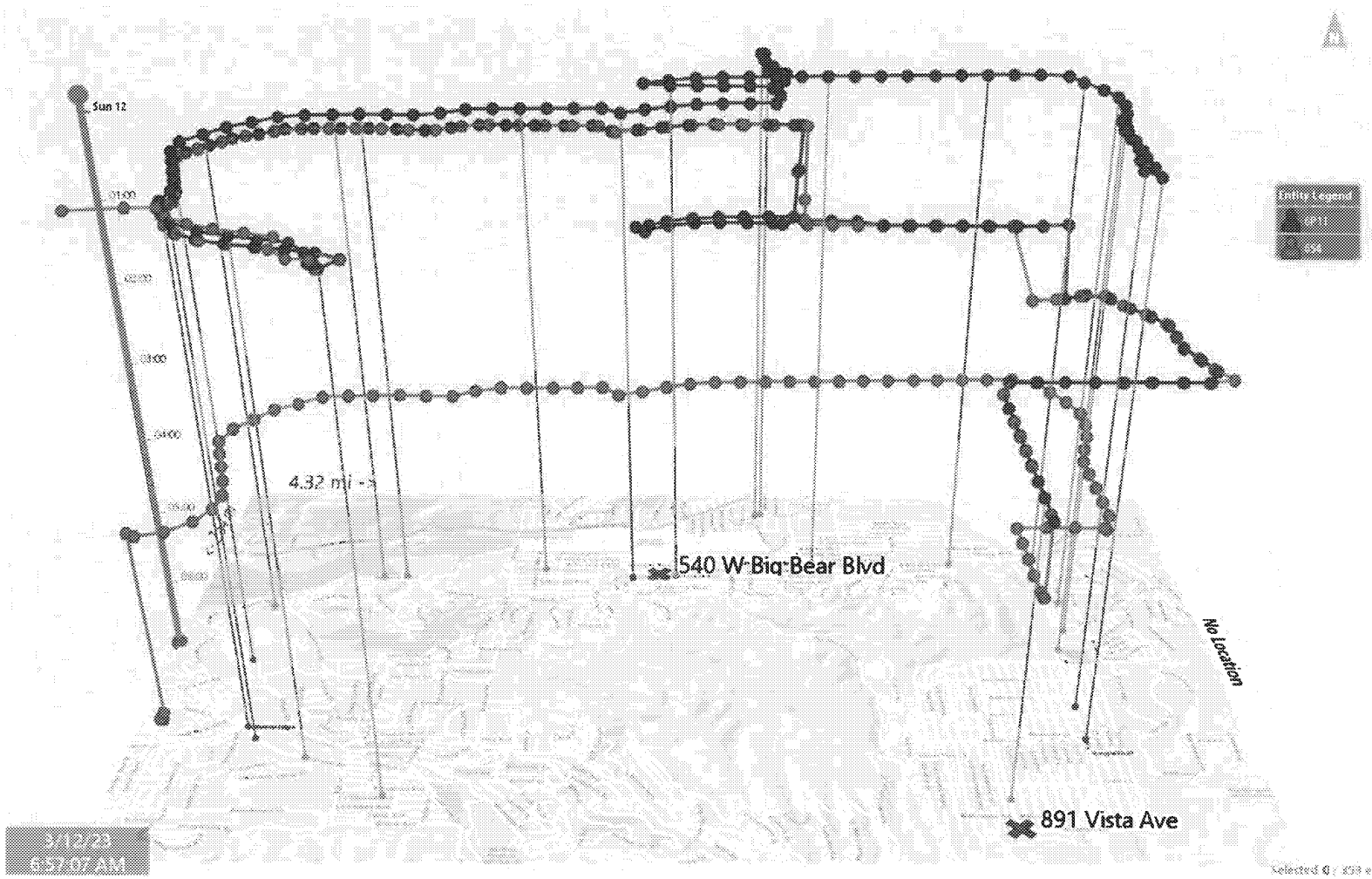
000204

6P11 and 6S4 3/11/23 2350 to 3/12/23 0657 GPS Coordinates. 2D



000205

6P11 and 6S4 3/11/23 2350 to 3/12/23 0657 GPS Coordinates. 3D



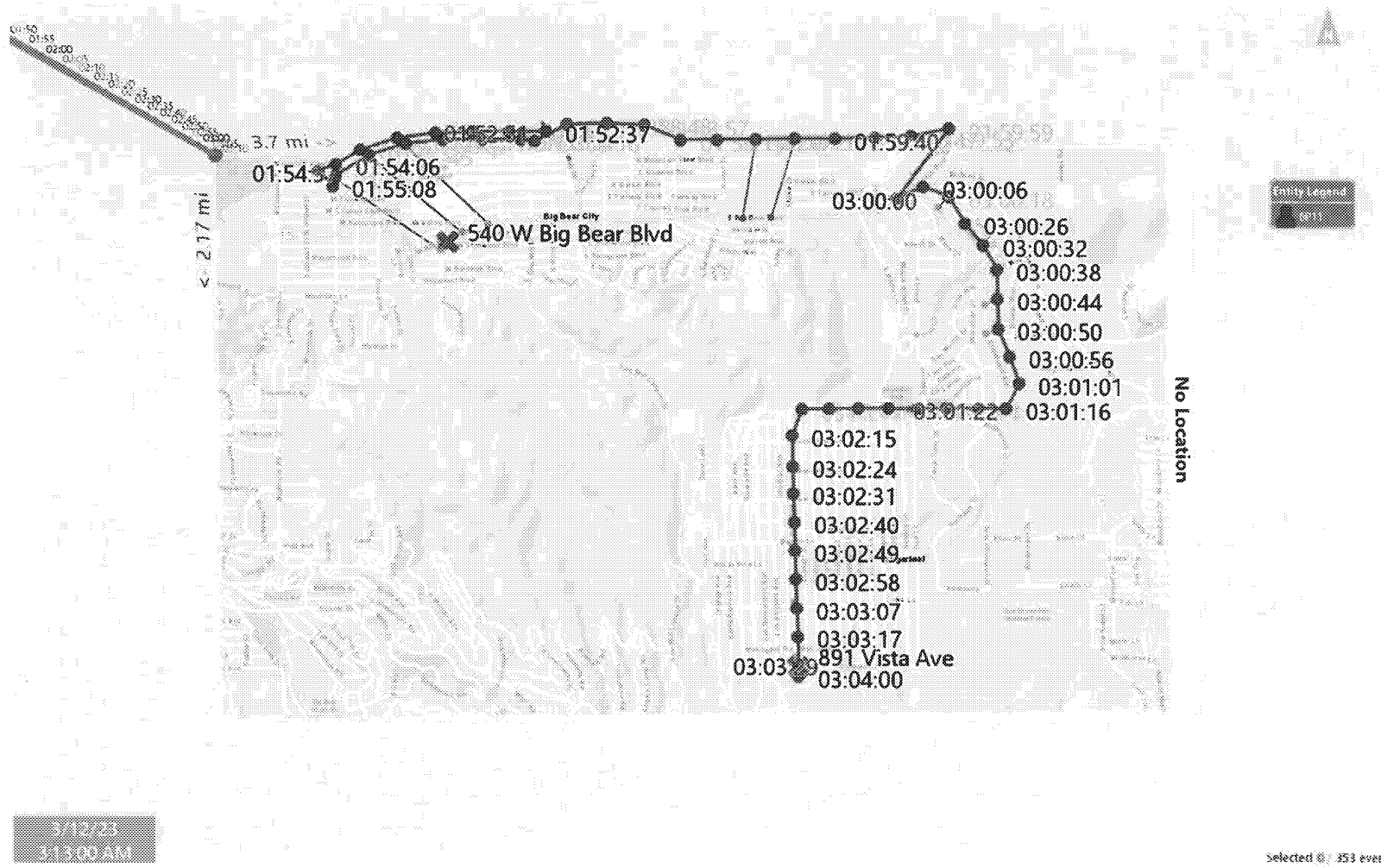
000206

6P11 3/12/23 0147hrs to 0313hrs GPS Coordinates. 2D

000207

6P11 3/12/23 0147hrs to 0313hrs GPS Coordinates. 3D

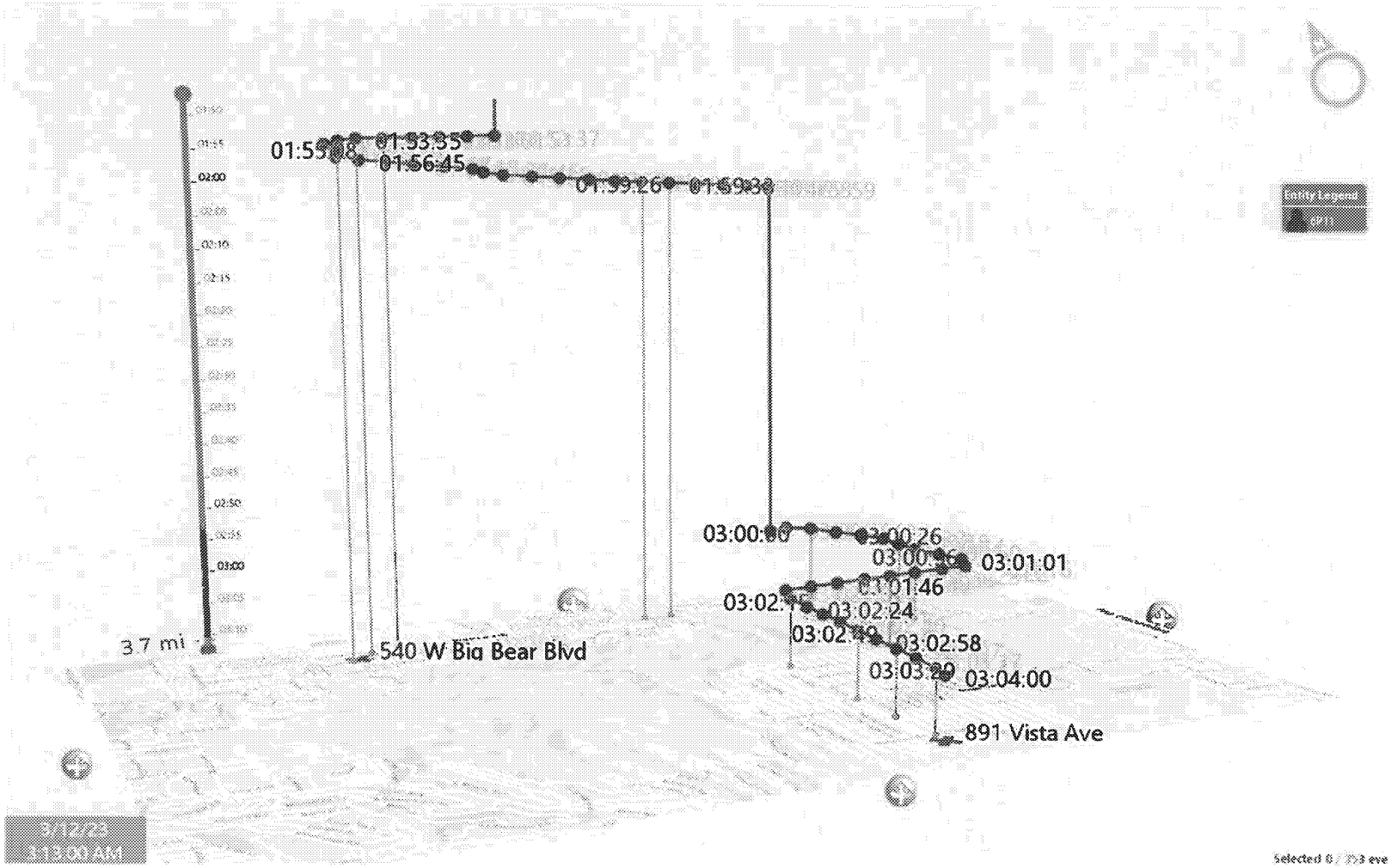
With times labeled.



0002208

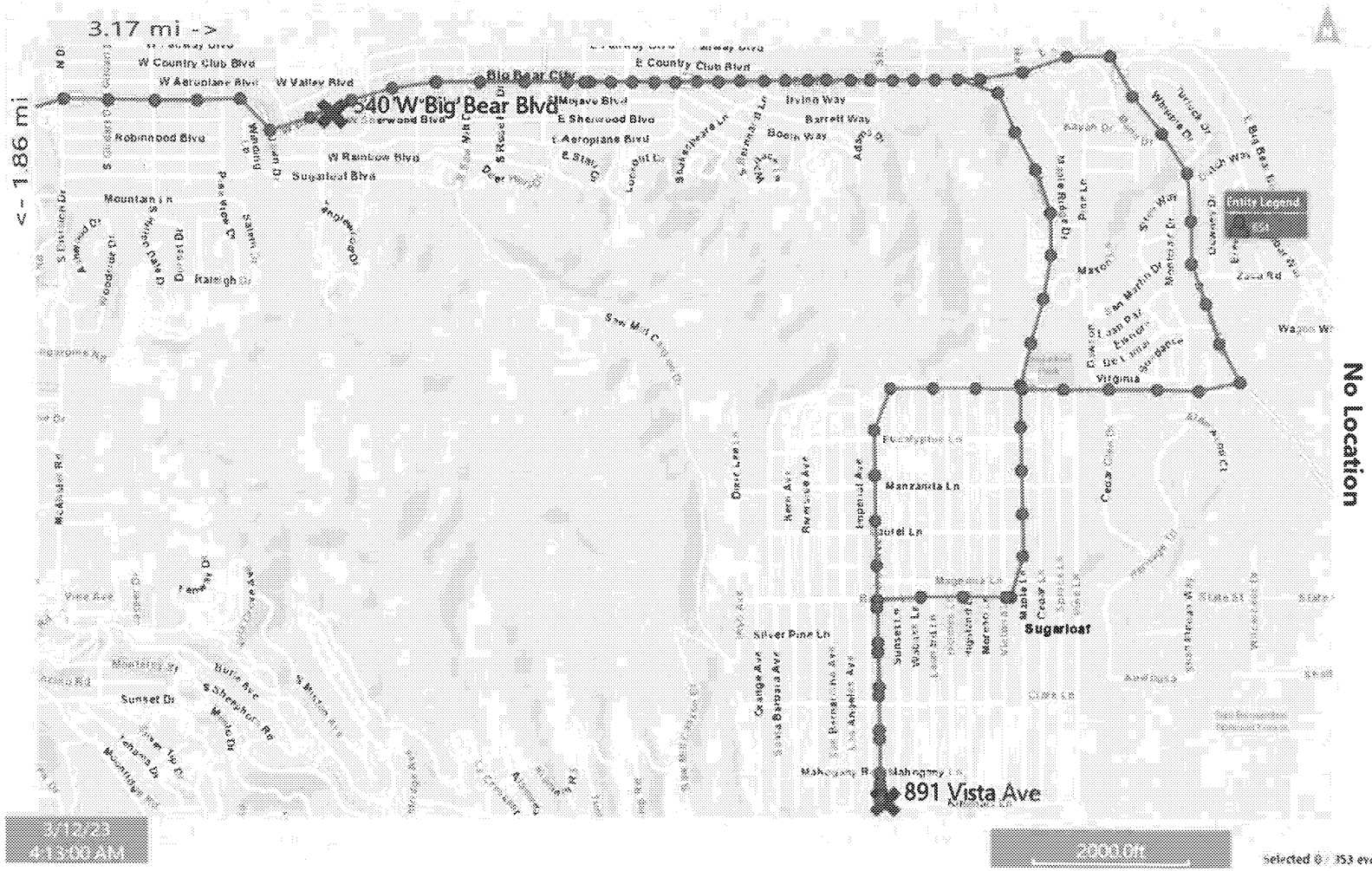
6P11 3/12/23 0147hrs to 0313hrs GPS Coordinates. 3D

With times labeled.



000209

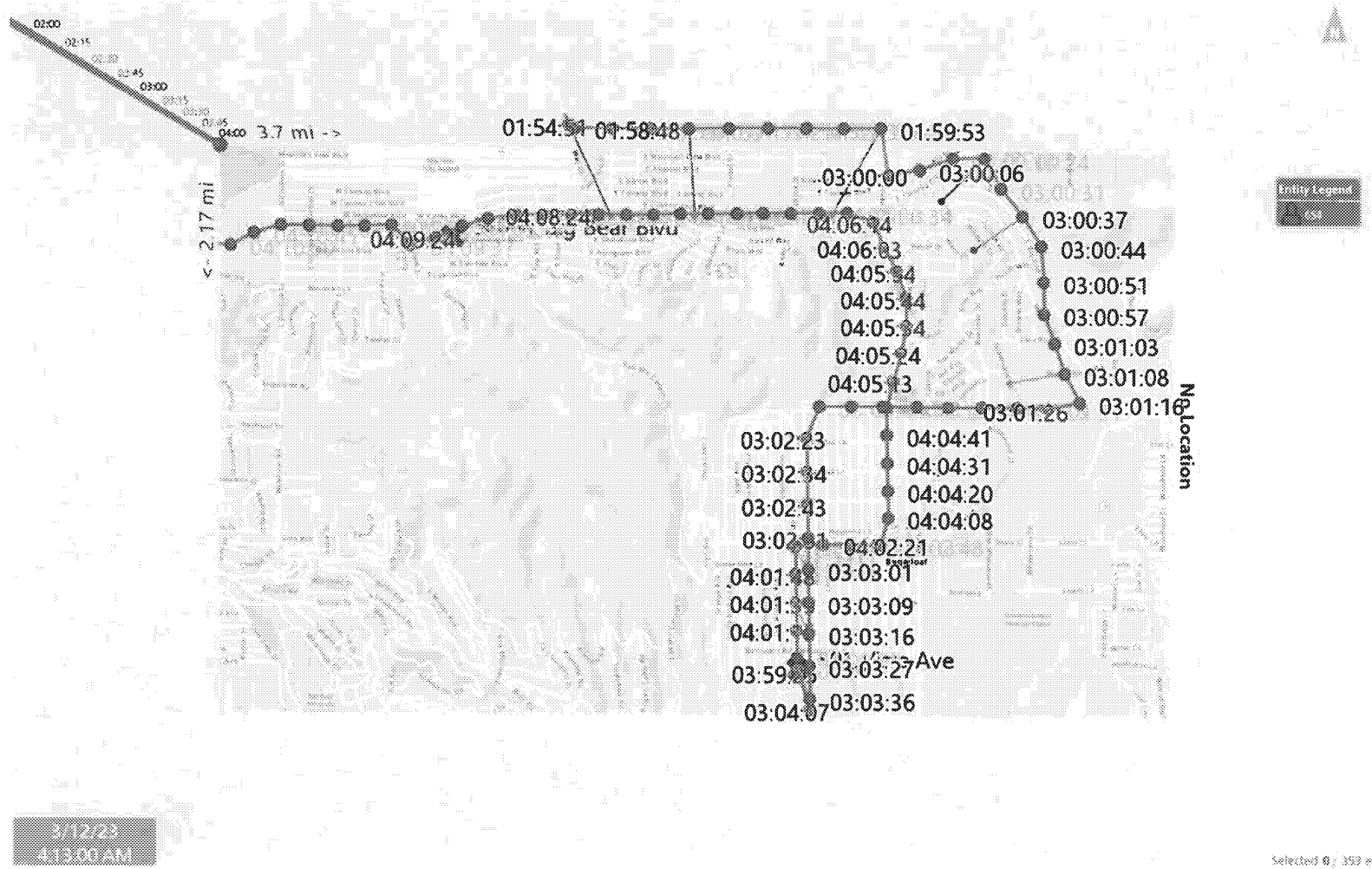
6S4 3/12/23 0147hrs to 0413hrs GPS Coordinates. 2D



000210

6S4 3/12/23 0147hrs to 0413hrs GPS Coordinates. 3D

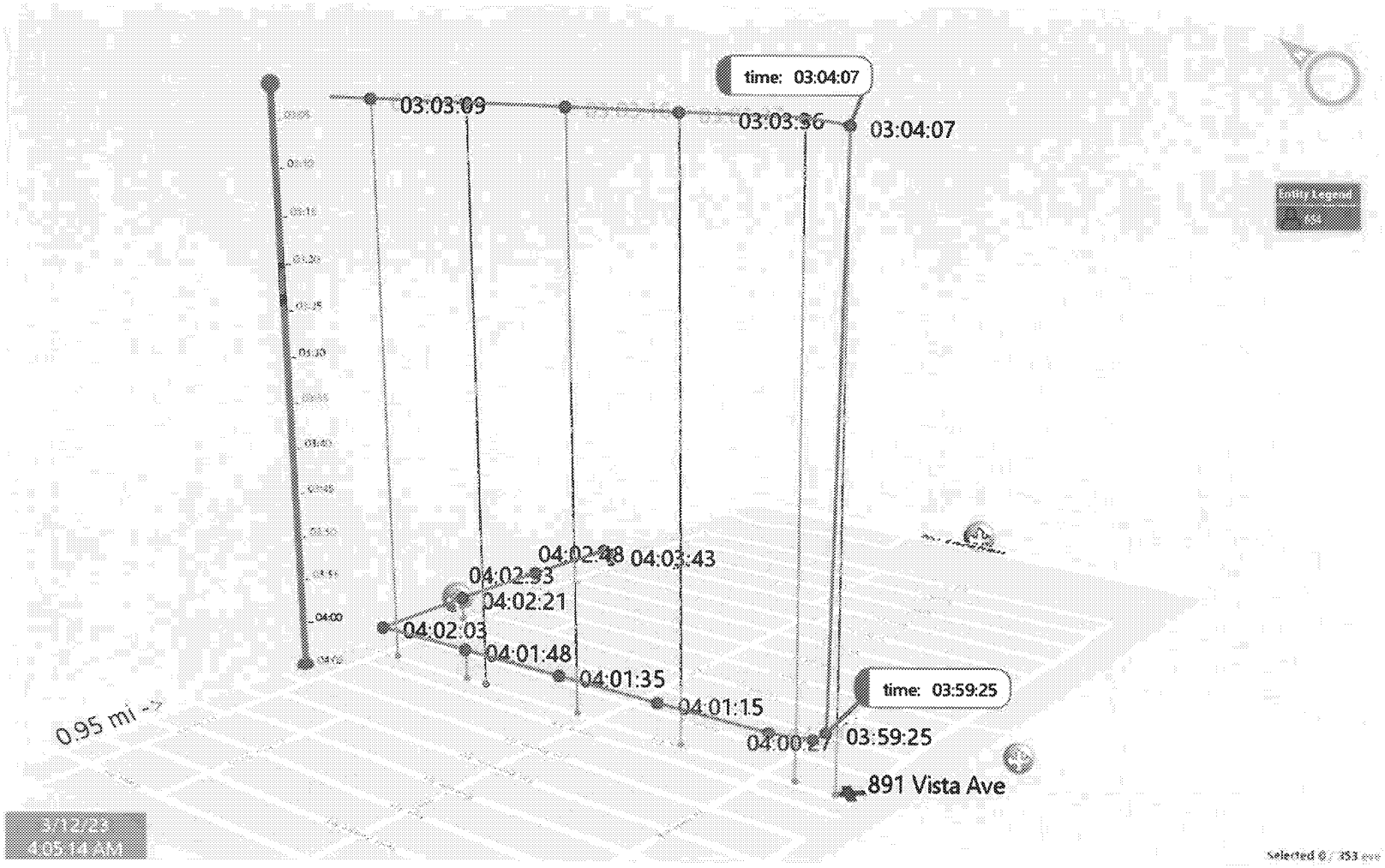
With times labeled.



000211

6S4 3/12/23 0301hrs to 0405hrs GPS Coordinates. 3D

With times labeled. 'Call-out' boxes help show duration of time 6S4 in the area of Vista Ave.



000212

6S4 3/12/23 0301hrs to 0405hrs GPS Coordinates. 2D

With times labeled. 'Call-out' boxes help show duration of time 6S4 in the area of Vista Ave.

000213

[redacted]
Crime Analyst
LA CLEAR
5801 Slauson Ave, Commerce CA 90040
Mailing address: 5700 S. Eastern Avenue, Commerce CA 90040
Phone: [redacted] *Fax: 866-558-4695*
[redacted]

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# 062300178
H# 2023-031

CRIME REPORT

CODE SECTION	CRIME	CLASSIFICATION
VC 2800.2(a)	**Vehicle Pursuit**	**LFE**

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

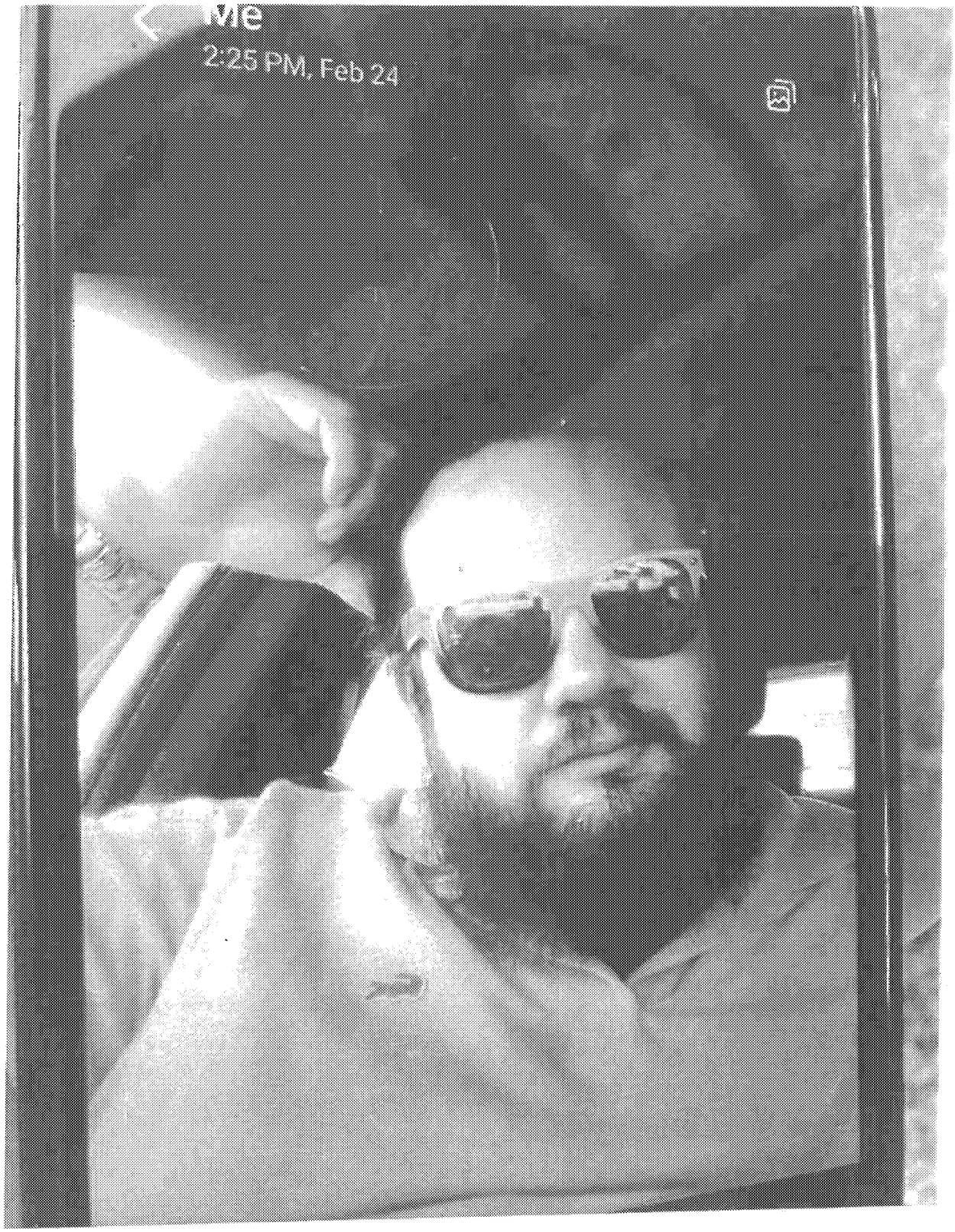
ADDITIONAL INFORMATION:

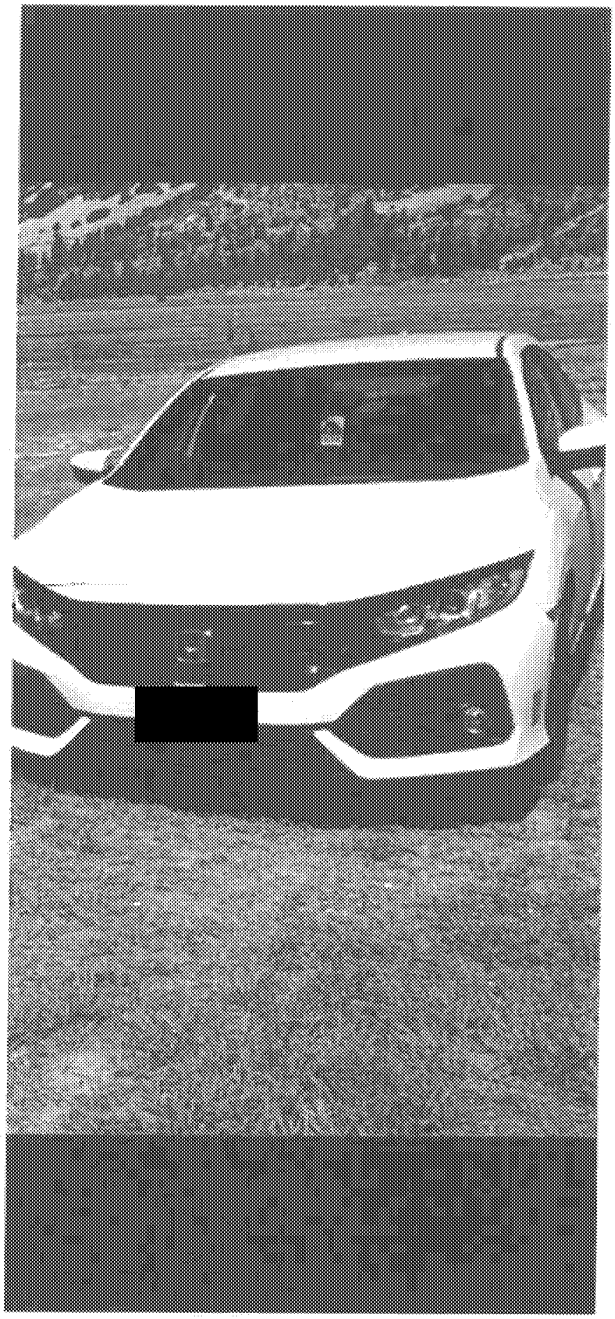
On Sunday, March 12, 2023, at approximately 1000 hours, Sergeant John Everman provided me with a briefing packet, which contained information regarding Kyle Sostek. The briefing packet was located in the briefing room of the Big Bear Sheriff's Station, located at 477 Summit Boulevard, in Big Bear. The briefing packet regarding Sostek contained 10 pages.

Reviewed By: **Sergeant Jerry Moreno** Date: 9/14/2023 Author: **Detective Malcolm Page** Author Date: **09/14/2023**

PAL- SOSTEK, KYLE HAS A NO BAIL STATES ARMED & DANGEROUS

WAS IN SUGARLOAF / VEH HITS IN MONTCLAIR TRAILER PAR.

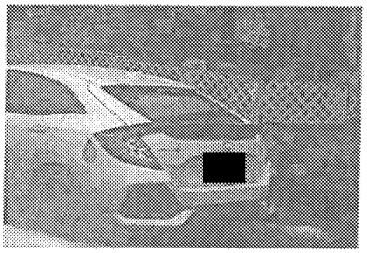




LEARN - Detection Record Detail

[redacted]

Vehicle Images



Tools: Location Vehicles | Convoy Analysis | Associated Vehicles | Locate Analysis | Vehicle Comparison | Vehicle Overview

Preserve | Add Hot Plate | Cancel Report | Close

Detection Data

Vehicle Info

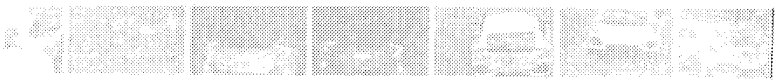
Plate # 1	[redacted]
Plate # 2	
Date	10/26/22
Time	4:23:51 PM PST
Make	N/A
Model	N/A
Year	N/A
Color	N/A

Camera Info

Name	MRLPR3 Right Plate
Type	CLRIS MicroMax Camera
Longitude	0
Latitude	0

Scanned By

Agency	San Bernardino County Sheriff's
User	Shared Radar
System	MRLPR3
Server	Local



[redacted]

Date Range

From:

To:

View Path Map It Associated Analytics Batch Plate Search

Monitor

Mapping

Location

State: Enter for search

AK

AL

AR

AZ

County: Enter for search

All

Metropolitan Area: Enter for search

Custom Map: Not Used

Create Map View Map

Only View Checkpoint data OPR data

More Options

Saved Searches

Records To Show: 50 Records

Res

Page 1 of 1 Go to Page: 1 Records P

	Color Overview	Plate Image	Plate	Date	Time	Assigned By
			[redacted]			
			[redacted]			Samuel Fuller
			[redacted]			
			[redacted]			
			[redacted]			
			[redacted]			
			[redacted]			
			[redacted]			
			[redacted]			
			[redacted]			
			[redacted]			
			[redacted]			

Output Report Customize View Save Search

Select All Deselect

Search New Search Hit (Hot List) Multiple Hits Type Multiple Hits Hit (Authorized List) Other ID
Hit (DigitalCheckRpt) Selected

Detailed History for Police Inc# #BB230550009 As of 2/24/2023 17:26:51

Output for: E4540

Priority:1 Type:415D - DOMESTIC DISTURB
Location:[redacted] btwn [redacted]

Created:	02/24/2023 13:46:40	EC09 [redacted]
Entered:	02/24/2023 13:48:09	EC09 [redacted]
Dispatch:	02/24/2023 13:51:12	EC03 [redacted]
Enroute:	02/24/2023 13:51:12	EC03 [redacted]
Onscene:	02/24/2023 14:31:48	MBBP01 [redacted]
Control:	02/24/2023 14:42:59	MBBP01 [redacted]
Closed:	02/24/2023 15:24:45	MBBP01 [redacted]

IC: PrimeUnit:6P21 Dispo:NAT Type:415D - DOMESTIC DISTURB
Jur:BB Group:BB Squad Area:BB1 RptDist:BB214 ☐ Detail

13:46:40pst	CREATE	Location:[redacted], SUG Type:415D Inf/Name:[redacted] Group:BB RD:BB214 TypeDesc:DOMESTIC DISTURB LocDesc:btwn [redacted] Priority:1 Response:2PAT Jur:BB LocType:S RPCont:Y GeoLong:[redacted] GeoLat:[redacted]
13:48:09	ENTRY	Text:RP STS HER [redacted] DAMAGED PROPERTY AT LOC 5 MIN AGO..HE BROKE BEDROOM DOOR, HE BROKE GLASS AT LOC..THEN HE LEFT IN HIS VEH (WHI HOND CIVIC SPORT)..RP DECLINED MEDS BUT SHE HAS BUMPS/BRUISES FRM ITEMS BEING THROWN
13:48:09	VEH	V#:1 VehCol:WHI Year:2018 Make:HOND Model:HOND-CIV
13:48:09	SUBJ	S#:1 Race:W Sex:M Age:[redacted] DOB:[redacted] Name:SOSTEK,KYLE InvType:INVP Check:Y
13:48:09	-SELECT	
13:48:09	-NPREMS	Text:(none)
13:48:09	RFT	Name:SOSTEK ,KYLE Race:W Sex:M DOB:[redacted] Repeat:Yes
13:48:31	LOGM	Message:022302242148004919 MessageType:Text Received:02/24/2023 13:48:23 Text:SOSTEK CDK
13:49:00	RFT	InvType:SNS Name:SOSTEK,KYLE Sex:M [redacted]
13:49:00	RFT	Text:INQUIRY SNS,SOSTEK,KYLE,,M,[redacted],,,,X,X,X,,X,,,,,,,,
13:49:10	LOGM	Message:022302242149004927 MessageType:HTML Received:02/24/2023 13:49:00 Text:31 SOSTEK
13:49:19	INFO	Phone:909/805-4597 Text:HE BARELY HAS GAS IN THE VEH, SO HE PROB GO FAR..IF HE LEAVES THE MOUNTAIN HE WILL GO TO SAN DIEGO...HE ALSO DESTROYED HIS LAPTOP (BROKEN AT LOC ALSO).HE SMOKES H&S (WEED)
13:49:27	RFT	InvType:SNS Name:SOSTEK,KYLE Sex:M [redacted]
13:49:27	RFT	Text:INQUIRY SNS,SOSTEK,KYLE,,M,[redacted],,,X,X,X,,X,,,,,,,,
13:49:35	NOMORE	
13:49:44	LOGM	Message:022302242149004937 MessageType:Text Received:02/24/2023 13:49:29 Text:ARMED AND DANGEROUS PAL
13:49:56	LOGM	Message:022302242149004938 MessageType:Text Received:02/24/2023 13:49:46 Text:CDL VALID
13:49:57	LOGM	Message:022302242149004939 MessageType:Text Received:02/24/2023 13:49:43 Text:NO BAIL SOSTEK
13:50:06	LOGM	Message:022302242150004940 MessageType:Text Received:02/24/2023 13:49:47 Text:PAROLE- PAL
13:51:12	DISPER	6S5 Operator:E8470 OperNames:ABERNATHY,SCOTT
13:51:12	-PRIU	6S5
13:51:13	*ASSIST	6P21 CalSgn:6S5 Location[redacted], SUG Operator:E4540

		OperNames:BURTON,SCOTT
13:51:16	*ASSIST	16P21 CalSgn:6S5 Location:[redacted], SUG Operator:H7558 OperNames:KOZYR,JULIA
13:53:05	HOLD	
13:55:38	*RFT	6P21 Text:INQUIRY REG,X,,,,,,,SOSTEK,KYLE,,,,,,
13:55:50	*CLOS	6S5 Location[redacted], FAW
14:02:37	*RFT	6S5 Text:INQUIRY CADQ,,,,,,,,,,,,[redacted],,,,,,,,,,
14:02:57	*RFT	6S5 Text:INQUIRY CADQ,,,,,,,,,,,,[redacted],,,,,,,,,
14:19:28	*RFT	6P21 Text:INQUIRY CADQ,,,,,,,,,,,,[redacted],,,,,,,,,
14:22:39	*MISC	6P21 Text:UTL[redacted]
14:22:40	*RFT	6S5 Text:INQUIRY REG,X,,,,,,,[redacted],,,,,SAN DIEGO,
14:22:51	*RFT	6S5 Text:INQUIRY CADQ,,,,,,,,,,,,8DHV776,,,,,,,,,
14:23:02	*MISC	6S5 Text:[redacted] IS CORRECT PLATE
14:26:17	*MISC	6S5 Text:LAST ALPR WAS 02/20
14:30:58	RFT	Text:INQUIRY QL,[redacted],,,,,,,,,,
14:31:14	LOGM	Message:022302242231005162 MessageType:Text Received:02/24/2023 14:31:01 Text:28
14:31:46	RFT	Text:INQUIRY QL,[redacted],,,,,,,,,,
14:31:48	*ONSCN	6P21
14:32:02	LOGM	Message:022302242232005173 MessageType:Text Received:02/24/2023 14:31:51 Text:8DHD776
14:42:59	*OK	6P21
14:43:02	*PRMPT	6S5 Text:Preempted and dispatched to call #BL230550033
14:43:02	-PRIU	6P21
14:43:09	*RFT	6P21 Text:INQUIRY CADQ,,,,,,,,,,,,9BDN917,,,,,,,,,
14:43:56	*RFT	6P21 InvType:SNS Name:[redacted] Sex:F DOB:[redacted]
14:43:56	*RFT	6P21 Text:INQUIRY SNSINV,[redacted],,,F,[redacted],,,,X,X,X,,X,,,,,,,,
14:53:16	*CLEAR	16P21
15:08:01	*MISC	6P21 Text:AREACK
15:24:45	*CLEAR	6P21 Dispo:NAT Text:KYLE BROKE THE INSIDE DOOR, CRACKED THE ENTRY DOOR, MIRROR ON BATHROOM DOOR TO [redacted] RV. [redacted] DID NOT WANT TO PRESS CHARGES FOR THE 594. AREA CHECKED NEG FOR KYLE OR THE HONDA CIVIC. [redacted] WAS PROVIDED MY BUSINESS CARD WITH INC# SO SHE CAN OBTAIN AN RO. [redacted] WILL CALL L.E. IF KYLE RETURNS AND WAS ADVISED HE IS A WANTED PERSON. R0
15:24:45	-PRIU	6P21
15:24:45	-CLEAR	
15:24:45	*CLOSE	

CONTACT INFO:

Inf/Name	Phone	InfAdd	RPCont	Language	HBD/HS	RPArmed
[redacted]			Y			
	[redacted]					

California Department of Justice - CA-DOJ

Case Number: BI-LA2023-00010

Case Name: FULLER, SAMUEL

Interview with Captain [redacted]

Date of interview: March 16, 2023

SPECIAL AGENT JON GENENS: Okay. The digital recorder is on. Today is Thursday, March 16th, 2023, approximately 1311 hours. This is Special Agent Jon Genens, spelled J-O-N; last name, G-E-N-E-N-S, with the California Department of Justice.

I am here with Detective --

DETECTIVE MALCOLM PAGE: Malcolm Page, M-A-L-C-O-L-M, with San Bernardino County Sheriff's Homicide.

SPECIAL AGENT JON GENENS: And we are going to be interviewing --

CAPTAIN [redacted]: Captain [redacted] with Big Bear Fire.

SPECIAL AGENT JON GENENS: Can you spell your name, please?

CAPTAIN MITCH HOLLENBAUGH: [redacted] last name, [redacted].

SPECIAL AGENT JON GENENS: And we are meeting at a Big Bear Fire Department Station Number 283 located 550 Maple Lane, Sugarloaf, California 92386.

The Department of Justice case number is BI-LA2023-00010, and the San Bernardino Sheriff's Department H number is H-2023-031.

This is regarding deputy -- a deputy-involved shooting which occurred on March 12th, 2023 at approximately 0303 hours near [redacted] in Sugarloaf, California.

Sir, can I get your date of birth?

CAPTAIN [redacted]H: [redacted].

SPECIAL AGENT JON GENENS: And do you know your DL number?

CAPTAIN [redacted]: No, but I can look it up for you.

SPECIAL AGENT JON GENENS: Okay. And a good -- what's the direct line to the station here?

CAPTAIN [redacted]: That is 909 -- let me look it up because I don't use it that much.

SPECIAL AGENT JON GENENS: Or have a -- just a way to get in contact with you. How about your cell?

CAPTAIN [redacted]: My cellphone number is [redacted] --

SPECIAL AGENT JON GENENS: Mh hmm.

CAPTAIN [redacted]: [redacted].

SPECIAL AGENT JON GENENS: All right. And do you currently work for the Big Bear Fire

Department?

CAPTAIN [redacted]: Yes.

SPECIAL AGENT JON GENENS: And what's your title?

CAPTAIN [redacted]: Captain/ Paramedic.

SPECIAL AGENT JON GENENS: And how long have you worked for Big Bear Fire Department?

CAPTAIN [redacted]: [redacted]

[redacted].

SPECIAL AGENT JON GENENS: And did you work anywhere before that?

CAPTAIN [redacted]: [redacted]

SPECIAL AGENT JON GENENS: Where at?

CAPTAIN MITCH HOLLENBAUGH: I was [redacted]

[redacted]

SPECIAL AGENT JON GENENS: And explain to me what a paid call is.

CAPTAIN [redacted]: A paid call

[redacted]

[redacted]

SPECIAL AGENT JON GENENS: And how long did you do that for?

CAPTAIN [redacted]: Approximately [redacted].

SPECIAL AGENT JON GENENS: And prior to that, you said [redacted]?

CAPTAIN [redacted]: In combination with that because [redacted]

[redacted]

SPECIAL AGENT JON GENENS: So it sounds like your total firefighter experience is approximately [redacted]?

CAPTAIN [redacted]: Just under [redacted], I think.

SPECIAL AGENT JON GENENS: Okay. Then you said you're a paramedic. Do you know your

paramedic number?

CAPTAIN MITCH HOLLENBAUGH: Yeah. It's [redacted] is my (indiscernible) number. That's the local agency.

SPECIAL AGENT JON GENENS: And how about --

CAPTAIN [redacted]: I do have a state number as well.

SPECIAL AGENT JON GENENS: Okay. How many years have you been a paramedic?

CAPTAIN [redacted]: [redacted].

SPECIAL AGENT JON GENENS: And do you have any other certificates or licenses?

CAPTAIN [redacted]: I have [redacted],

SPECIAL AGENT JON GENENS: I guess ACLS would be part of your paramedic --

CAPTAIN [redacted]: [redacted]

SPECIAL AGENT JON GENENS: Okay.

CAPTAIN [redacted]: And that has to [redacted].

SPECIAL AGENT JON GENENS: In general, what are your duties as a firefighter/paramedic when responding to a medical aid call?

CAPTAIN [redacted]: To assess, give aid, and transport to the appropriate facility.

SPECIAL AGENT JON GENENS: On March 12th, 2023, what shift were you on?

CAPTAIN [redacted]: I was B shift. It was my normal shift.

SPECIAL AGENT JON GENENS: And on March 12th, 2023 regarding the incident we're going to be talking about, where did you respond from?

CAPTAIN [redacted]: From here at the station?

SPECIAL AGENT JON GENENS: And do you know what time you were dispatched, or do you need to refresh your --

CAPTAIN [redacted]: I can look it up on my app that gives us our dispatches.

SPECIAL AGENT JON GENENS: Okay. If not, I think I have a copy of the electronic patient care record.

CAPTAIN [redacted]: Looks like we were called at 0311 a.m., or dispatch might've

got it at 0309 a.m. Then maybe it was maybe 0311 by the time we got it.

SPECIAL AGENT JON GENENS: Okay. And what was the incident type you were dispatched to?

CAPTAIN [redacted]: It says GSW, gunshot wound.

SPECIAL AGENT JON GENENS: And what location?

CAPTAIN [redacted]: Rinehart Lane and Vista Avenue.

SPECIAL AGENT JON GENENS: And what time did you arrive?

CAPTAIN [redacted]: That doesn't show. That would be on the --

SPECIAL AGENT JON GENENS: Patient care record?

CAPTAIN [redacted]: The patient care record.

SPECIAL AGENT JON GENENS: Let me see if I can find that for you.

CAPTAIN [redacted]: Patient care record shows we were on the scene at 0316 a.m.

SPECIAL AGENT JON GENENS: Okay. And

what type of apparatus were you responding in?

CAPTAIN [redacted]: We responded in Medic Engine 283, our Type 1 fire engine.

SPECIAL AGENT JON GENENS: And was anybody with you in the engine when you responded?

CAPTAIN [redacted]: Yes.

SPECIAL AGENT JON GENENS: Who was that?

CAPTAIN [redacted]: Engineer [redacted] was driving, and Firefighter Paramedic [redacted] was in the backseat.

SPECIAL AGENT JON GENENS: And did any other apparatus respond, or was that the only one?

CAPTAIN [redacted]: Yes. An ambulance also responded. This shows Medic Ambulance 282.

SPECIAL AGENT JON GENENS: Is that like an AMR or is that with the --

CAPTAIN [redacted]: That's a Big Bear fire unit.

SPECIAL AGENT JON GENENS: Okay. What time did -- does it say what time they arrived?

CAPTAIN [redacted]: I could maybe look at the report and find it.

SPECIAL AGENT JON GENENS: Okay. Will the report also say how long they were on scene or if -- what they did?

CAPTAIN [redacted]: Patient care report might because they might've been canceled as they were arriving.

SPECIAL AGENT JON GENENS: Okay. Let's see.

CAPTAIN [redacted]: I'm trying to recall.

SPECIAL AGENT JON GENENS: Here's the patient care record. Is there another report that you were referring to?

CAPTAIN [redacted]: Yeah. There's the patient care report, and then there's also the NFIRs which is connected, and that's more of a database so we can see how many calls go -- of a certain kind we go on each year. It's more of a data. If you want me to look that up, I can.

SPECIAL AGENT JON GENENS: Yeah, please. I just want to see if they actually got to the scene or if they were cancelled before

they got there.

CAPTAIN [redacted]: They definitely did get on the scene, but I can't remember if they were cancelled and we didn't have them do anything. This was -- when was it, the 12th?

SPECIAL AGENT JON GENENS: Yes, approximate -- the shooting occurred approximately 0303 hours. Is this the NFIRs you're looking at?

CAPTAIN [redacted]: Yes. Time on scene. (Indiscernible). So it shows them arriving at 0322 a.m.

SPECIAL AGENT JON GENENS: And does it say what time they departed?

CAPTAIN [redacted]: Says they were cleared at 0338.

SPECIAL AGENT JON GENENS: And does it give any other information like that they were cancelled or if they needed anything?

CAPTAIN [redacted]: No.

SPECIAL AGENT JON GENENS: Does it give the names of the --

CAPTAIN [redacted]: Yeah. Here are the names of the people on it.

SPECIAL AGENT JON GENENS: Yes.

CAPTAIN MITCH HOLLENBAUGH: [redacted]

[redacted]

SPECIAL AGENT JON GENENS: Spell the last name please.

CAPTAIN [redacted]: [redacted]

SPECIAL AGENT JON GENENS: Okay.

CAPTAIN [redacted]: And [redacted] last name spelled [redacted], and they were both on duty today.

SPECIAL AGENT JON GENENS: Where's their station at?

CAPTAIN [redacted]: They are out of Station 282, the corner of Big Bear Boulevard and Sawmill. It's -- I believe it's 301 West Big Bear Boulevard.

SPECIAL AGENT JON GENENS: Thank you. Does it say what unit number they are?

CAPTAIN [redacted]: They were Medic Ambulance 282, and that should be the unit they're on today.

SPECIAL AGENT JON GENENS: Okay.

CAPTAIN [redacted]: If you want to interview them today, I can let the VC know.

SPECIAL AGENT JON GENENS: You know

what? Let's -- we'll talk about it after --

CAPTAIN [redacted]: Okay.

SPECIAL AGENT JON GENENS: -- we're done with our interview here.

CAPTAIN [redacted]: Okay.

SPECIAL AGENT JON GENENS: Okay. So at this point, maybe if I could have you just explain to me what you heard, what you saw, what you did for the incident from the time you got the call at the station all the way up through when you cleared. Just kind of the chronological narrative.

CAPTAIN [redacted]: So we got the call. We were here in bed. Responded like any other call. Went up -- went up Vista. It was near the top of the Vista where it dead-ends. There was three cop cars, three police cars, and then the citizen's car in front of it.

And we knew it was a gunshot wound. We grabbed our gear. Walked up past. Found the patient with two police officers performing CPR next to the highest police vehicle, closest to the patient's car. And they were performing CPR on him there.

And we asked what happened, what was

going on. They said, "This is a gunshot wound. It was a police-involved shooting, and we've been doing CPR. We placed a dressing over one of the wounds," so we saw that. Had an occlusive dressing over the chest wound, and from there we took over CPR.

We did CPR for a while, and per our protocols, we weren't getting any response. We made base station contact and discontinued resuscitative efforts.

From there, we -- I believe we filled out a -- we have just a little info sheet that we filled out for the coroner. I believe that was filled out and given to the sheriff. And we cleared the scene.

SPECIAL AGENT JON GENENS: Okay.

CAPTAIN [redacted]: Now that I recall, I believe we did have those guys on the scene, but I don't believe they touched the patient or did any modalities. They came on in the end, and we were making base station contact, and we weren't getting any response from the patient, so we were looking at discontinuing efforts.

SPECIAL AGENT JON GENENS: When you say

"those guys," you're talking about the paramedic?

CAPTAIN [redacted]: The ambulance crew.

SPECIAL AGENT JON GENENS: (Indiscernible).

CAPTAIN [redacted]: Yes. Tyler and Cam.

SPECIAL AGENT JON GENENS: Okay. So I'm going to ask some follow-up questions.

CAPTAIN [redacted]: Okay.

SPECIAL AGENT JON GENENS: So you mentioned that you saw three cars and the patient's car. Did you see anything around the body? Do you remember seeing anything around the body?

CAPTAIN [redacted]: Yes. There -- there was stuff from the officer's first aid kit around the body. The body had his shirt off because they exposed his chest to do CPR. That's all I recall around the body.

We did have to move the body from where they were doing CPR. It was kind of in between that police car and a snow berm, so it was kind of packed in there, so we grabbed the patient and moved him further downhill. Ended up being more

behind the -- that police car, the furthest south police car.

SPECIAL AGENT JON GENENS: So you would've moved the body north?

CAPTAIN [redacted]: North.

SPECIAL AGENT JON GENENS: You mentioned that you had made base station contact. Can you elaborate a little bit more about what that is?

CAPTAIN [redacted]: So if we want to discontinue efforts because we're not getting any response on a CPR, there are -- that's our firefighter. Dependent on the criteria. For this criteria, you have to call base station contact which has a doctor and a radio nurse. They're called an MICN.

You had to call base station contact and get direction from them so they could -- they could come back and say, "We'd like you to either continue to perform these treatments and transport," or they can agree and say, "Yes, we see what -- we understand what you're working with. We understand you're not getting any response, and go ahead and terminate efforts."

SPECIAL AGENT JON GENENS: Do you

remember if you spoke to a nurse or a doctor?

CAPTAIN [redacted]: So that was the firefighter [redacted] who made that contact, and I don't know if she was talking to the nurse or the doctor.

SPECIAL AGENT JON GENENS: Okay. You said that you kind of were briefed, I guess, about what was going on when you arrived. Do you remember who from the sheriff's department briefed you?

CAPTAIN [redacted]: I don't remember which one said it. I only know one of them that was there. I don't know the others by name.

SPECIAL AGENT JON GENENS: Which one do you know?

CAPTAIN [redacted]: Johnny.

SPECIAL AGENT JON GENENS: What's Johnny's last name?

CAPTAIN [redacted]: I'm drawing a blank. Everson.

DETECTIVE MALCOLM PAGE: Everman?

CAPTAIN [redacted]: Everman.

SPECIAL AGENT JON GENENS: Okay. And so he wasn't one of the ones who gave you that

briefing?

CAPTAIN [redacted]: I can't remember if he said it or if the other one said it. Because my firefighter, [redacted], as we were walking up, she's like, "What happened?" And that's when they said this is a -- it's a gunshot wound. It's an officer-involved shooting.

SPECIAL AGENT JON GENENS: Okay.

CAPTAIN [redacted]: And I can't remember which one said it. I was probably looking at the patient and not seeing whose mouth was moving.

SPECIAL AGENT JON GENENS: And what did you observe about the patient as far as injuries or --

CAPTAIN [redacted]: We were thinking that it was an adult male, approximately 50 years old, and we saw the sheriffs -- I can't remember which one -- did point out that they -- there were some bullet -- there were wounds here in the middle of the chest, the side of the chest on the right side, and the abdomen.

Like I said, the shirt was off. We noticed he had a tattoo across his stomach that said "Fuck cops." That was interesting. And I

didn't notice any other tattoos.

As we were treating the patient, we also noticed that there was a possible wound in the neck, and we saw a piece of projectile fragment, it looked like, kind of in the crease of his neck as well.

The patient had on some jeans or something that were kind of pulled down probably from dragging him or -- I think that's all I recall.

SPECIAL AGENT JON GENENS: Which side of the neck did you see the injury?

CAPTAIN [redacted]: It was towards the front but on the right side.

SPECIAL AGENT JON GENENS: And how was the decedent positioned?

CAPTAIN [redacted]: On his back, head facing north. Arms out, legs out.

SPECIAL AGENT JON GENENS: And when you began, did you obtain vital signs or --

CAPTAIN [redacted]: We connected him to our monitor and defibrillator pads.

SPECIAL AGENT JON GENENS: And what did that show?

CAPTAIN [redacted]: It showed he was in asystole from beginning to the end of us being there.

SPECIAL AGENT JON GENENS: Which means his -- no detectable heart rhythm?

CAPTAIN [redacted]: Right.

SPECIAL AGENT JON GENENS: Did you provide any treatment?

CAPTAIN [redacted]: Yes. We did CPR.

SPECIAL AGENT JON GENENS: Approximately how long did you provide CPR?

CAPTAIN [redacted]: 20 minutes or longer.

SPECIAL AGENT JON GENENS: And who were the people who did the CPR?

CAPTAIN [redacted]: Myself, [redacted], and [redacted].

SPECIAL AGENT JON GENENS: Did you trade off giving compressions or --

CAPTAIN [redacted]: I believe they did. I was at the head, and I was giving ventilations with a bag valve mask.

SPECIAL AGENT JON GENENS: And who pronounced (indiscernible)?

CAPTAIN [redacted]: That would be [redacted], I believe, since she made base station contact and was the one doing the report.

SPECIAL AGENT JON GENENS: And what was the date and time the suspect was pronounced dead?

CAPTAIN [redacted]: That time I would have to recall by looking at the patient report.

I'm not sure. It's not showing it in the summary. Probably be easier to get [redacted] to answer that question.

SPECIAL AGENT JON GENENS: Okay. And what time did you clear the scene?

CAPTAIN [redacted]: Let me look on the report and see what it shows. 0338.

JON GENENS: Okay. Was there anything unusual or anything you had concerns about regarding the incident?

CAPTAIN [redacted]: No. I feel we were trying to not get too involved and not affect any kind of evidence or anything. You know, we kind of -- after we did CPR and terminated efforts, we kind of backed off and, you know, got out of the crime -- or the scene so

as not to bother any evidence.

SPECIAL AGENT JON GENENS: Okay.

CAPTAIN [redacted]: You know, I -- I'm reviewing the arrival date and time.

SPECIAL AGENT JON GENENS: Yes.

CAPTAIN [redacted]: And I think I remember that I didn't push the on-scene time when we got on that call. I have a computer in my -- in the engine, and we have -- when we go on route, leaving the station we hit it, the in-route button, and then same thing on scene. And I don't believe I hit it when we got there, so this time of arrival at 0322 might not be correct.

SPECIAL AGENT JON GENENS: Oh, okay. And this is -- you're referring to the NFIRs?

CAPTAIN [redacted]: Yes.

SPECIAL AGENT JON GENENS: What's that an acronym for? Is it an acronym?

CAPTAIN [redacted]: Yeah.

SPECIAL AGENT JON GENENS: If you know.

CAPTAIN [redacted]: I think it's National Fire Incident Reporting.

SPECIAL AGENT JON GENENS: Okay. So you -- it's possible that the arrival time might

be off. Is there some other report that we can look at that might give a more accurate arrival time?

CAPTAIN [redacted]: Let me see here. Wait. What time do you show that I said we arrived? 316.

SPECIAL AGENT JON GENENS: Yes.

CAPTAIN [redacted]: Okay. I opened the wrong window. I was looking at the ambulances of 322, so 316 would be about right.

SPECIAL AGENT JON GENENS: Okay.

CAPTAIN [redacted]: Because we got in route at 312. That would take about that long to get to the scene.

SPECIAL AGENT JON GENENS: So you didn't -- you just looked at the wrong information in NFIR?

CAPTAIN [redacted]: Yes.

SPECIAL AGENT JON GENENS: All right. So I'm going to let my partner here ask any follow-up questions that he has. Those are all the questions I had.

CAPTAIN [redacted]: Okay.

SPECIAL AGENT JON GENENS: Thank you.

DETECTIVE MALCOLM PAGE: Captain

[redacted], when you arrived, did you respond with your -- the fire engine's emergency overhead lights activated?

CAPTAIN [redacted]: Yes.

DETECTIVE MALCOLM PAGE: And your siren as well?

CAPTAIN [redacted]: If needed.

DETECTIVE MALCOLM PAGE: Okay.

CAPTAIN [redacted]: There wasn't a lot of traffic out at that time of day, at 3:00 in the morning.

DETECTIVE MALCOLM PAGE: When you arrived and described those three police vehicles that were there, in relation to the civilian's vehicle, the patient's vehicle, how were those three vehicles positioned? Police vehicles I'm referring to.

CAPTAIN [redacted]: So the top of Vista is a dead end, and it was bermed in all by snow. The patient's vehicle was the furthest south at the top of Vista. There was one police vehicle right behind it in the middle of the road.

The roads that evening was still very narrow from the berms of snow, so you know, the

first vehicle closest to the patient's vehicle -- the first police vehicle closest to the patient's vehicle was right up by it. The second vehicle probably had about a car length in between the southmost and then that middle one, there was probably a car length in between. And maybe a car length in between or two of the very last one.

DETECTIVE MALCOLM PAGE: Would it be fair to say that all three of those police vehicles were right behind each other, or were they staggered in the roadway either way?

CAPTAIN [redacted]: They were all pretty much right in line with each other because of the -- you know, they might've been turned a little one way or the other, but the road was narrow enough that another vehicle couldn't get by. They were pretty much in the middle of the road, middle of the lane.

DETECTIVE MALCOLM PAGE: The distance between the station here that we're speaking with that you responded from and to the scene, how far in distance is that in your estimation?

CAPTAIN [redacted]: Less than two miles.

DETECTIVE MALCOLM PAGE: Okay. Describe the roadway conditions as you responded.

CAPTAIN [redacted]: So we came out of the station and went left up Maple, which was all clear. We had no snow on it. It had been warm weather, and the road was clear. Took a right on Barton, which was also clear, and a left on Vista, which was also clear to the top, just narrow due to berms. Snow berms.

DETECTIVE MALCOLM PAGE: Was there -- was it cold enough that evening for -- to be ice -- ice in the roadway that you observed?

CAPTAIN [redacted]: I don't recall. I believe it was probably below freezing at that time, and anywhere water is coming across the road, it will freeze.

DETECTIVE MALCOLM PAGE: Was it raining that day or that night?

CAPTAIN [redacted]: I don't believe so.

DETECTIVE MALCOLM PAGE: Okay. Is the -- when you arrived -- describe the lighting conditions at the end of Vista where the scene was.

CAPTAIN [redacted]: I believe

it's all dark there with no streetlights, and we were just lit by the lights of the vehicles.

DETECTIVE MALCOLM PAGE: The lights of the vehicles. Are you referring to the emergency overhead lights of the patrol vehicles?

CAPTAIN [redacted]: Not so much the flashing lights. I just -- I don't recall that. I recall just the headlights lighting up the scene.

DETECTIVE MALCOLM PAGE: Okay. Do you remember if any of those police vehicle emergency lights were activated?

CAPTAIN [redacted]: I don't recall. When we were going up Vista, I could see the lights at the end of the road, but I don't recall if they had flashing lights on or not.

DETECTIVE MALCOLM PAGE: Okay.

CAPTAIN [redacted]: But we could see the vehicles lights up there.

DETECTIVE MALCOLM PAGE: Okay. When you arrived, did -- were you advised how long CPR was being performed or had been performed prior to your arrival?

CAPTAIN [redacted]: I don't recall what they said about that, if they said

it.

DETECTIVE MALCOLM PAGE: Okay. The -- I know you briefly talked about the position of the body and described the head being to the north, feet to the south. When you first arrived, was any part of the patient either underneath the patrol vehicle or farther away from the patrol vehicle? Or what's the relation between -- in relation to the vehicle and the patient?

CAPTAIN [redacted]: What I recall is there not being much space in between the berm and the left side of the vehicle, and he was in that space on the pavement.

DETECTIVE MALCOLM PAGE: And when you -- when you say not much space, how much space are you thinking?

CAPTAIN [redacted]: It was maybe three foot wide at the most.

DETECTIVE MALCOLM PAGE: Okay.

CAPTAIN [redacted]: And that's why we opted to move the patient down further to the back of the -- more by the back of the rig, the police rig, instead of next to it.

DETECTIVE MALCOLM PAGE: Okay. Do you

remember if any -- or that closest patrol vehicle that was to the patient's vehicle, did that car have any doors open or --

CAPTAIN [redacted]: I believe the driver's door was open.

DETECTIVE MALCOLM PAGE: Okay. Did you observe anything in regards to the patient's vehicle, regarding the doors being open or --

CAPTAIN [redacted]: I did -- I did look at it, and I believe both the passenger and driver's door were open.

DETECTIVE MALCOLM PAGE: Okay. Did you observe anyone walking around, any deputies or civilians, or anybody walking around?

CAPTAIN [redacted]: Yeah. I didn't see any civilians on the scene at all.

DETECTIVE MALCOLM PAGE: Okay.

CAPTAIN [redacted]: A sheriff was checking out that car.

DETECTIVE MALCOLM PAGE: While you were there, did you see anyone in those neighboring houses come outside or any deputies interact with anyone?

CAPTAIN [redacted]: I saw a deputy go and talk to somebody. I didn't -- I

didn't see whether it was a male or female -- at one of the houses.

DETECTIVE MALCOLM PAGE: Okay.

CAPTAIN [redacted]: But I believe they stayed in the house.

DETECTIVE MALCOLM PAGE: Okay. Did you hear that conversation?

CAPTAIN [redacted]: No.

DETECTIVE MALCOLM PAGE: Okay. Did you or any of your partners apply any additional medical apparatuses to the patient other than what the deputies placed on him?

CAPTAIN [redacted]: We did put an OPA in the patient's airway.

DETECTIVE MALCOLM PAGE: Okay. And what is an OPA?

CAPTAIN [redacted]: It's an oropharyngeal airway which will help pull the tongue forward to help open the airway. It's a plastic thing about four to five inches long. They're different sizes for different people, and it helps pull the tongue from the back of the airway so when we're ventilating, the airway is clear.

DETECTIVE MALCOLM PAGE: Did you or any

of your partners provide any medication of any kind to the patient?

CAPTAIN [redacted]: I believe we did. I believe he was given epi.

DETECTIVE MALCOLM PAGE: Epi as in epinephrine?

CAPTAIN [redacted]: Yes.

DETECTIVE MALCOLM PAGE: Okay. Do you know how many doses?

CAPTAIN [redacted]: Like I said, I was doing the bag valve mask and the airway. I'm not sure. You know, our protocol indicates we should give two.

DETECTIVE MALCOLM PAGE: Okay.

CAPTAIN [redacted]: And I believe we did, but I wasn't on those procedures, so it'd be best to ask the other --

DETECTIVE MALCOLM PAGE: Understood. Any other medications provided that you observed?

CAPTAIN [redacted]: Not that I know.

DETECTIVE MALCOLM PAGE: Did you see any items of any kind moved other than the patient himself?

CAPTAIN [redacted]: Not that I

noticed.

DETECTIVE MALCOLM PAGE: Did you observe any of the vehicles, patrol vehicles, or the patient's vehicle being moved in any way?

CAPTAIN [redacted]: I don't believe so. Not while I was there.

DETECTIVE MALCOLM PAGE: Did you --other than the medical equipment that you and your partners and the deputies were utilizing, was there anything else added to the scene of any kind?

CAPTAIN [redacted]: I believe a blanket was put on the patient after efforts were terminated.

DETECTIVE MALCOLM PAGE: Okay. And do you know who placed that blanket over him?

CAPTAIN [redacted]: I didn't see who placed it, but I believe the ambulance is where the blanket came from.

DETECTIVE MALCOLM PAGE: Okay. And why was that blanket placed?

CAPTAIN [redacted]: Because just to cover the body because they were (indiscernible). We terminated efforts.

DETECTIVE MALCOLM PAGE: Okay. Was anything -- any medical apparatus or anything of personal effects of any kind removed from the patient or from the scene?

CAPTAIN [redacted]: Not that I'm aware of.

DETECTIVE MALCOLM PAGE: Did you or anyone else walk around the suspect vehicle or into the snow directly east of the patrol vehicle?

CAPTAIN [redacted]: I don't know about the other people. I did walk around the front of the police car that was closest, and I did look at the patient's vehicle. That's how I saw it had both doors open, and I stayed on the blacktop.

I walked -- so I was -- I walked around the sheriff's vehicle on the west side of it, and I was on the west side of the patient's vehicle also, the passenger side. And I just walked over there, and I looked at the car, stayed on the pavement, and I walked back down.

DETECTIVE [redacted]: During the lifesaving measures, of the attempts by you and the deputies, did the patient respond positively

in any manner?

CAPTAIN [redacted]: No. There was no response at all.

DETECTIVE MALCOLM PAGE: He never talked? He never said anything?

CAPTAIN [redacted]: No.

DETECTIVE MALCOLM PAGE: Is there anything else that myself or my partner forgot to ask you, even if you think it may be insignificant, that we missed or we didn't ask you about this incident?

CAPTAIN [redacted]: Not that I can think of.

SPECIAL AGENT JON GENENS: Okay. Time is approximately 1352, and that concludes the interview.

C E R T I F I C A T I O N

On April 6, 2023,I,SA J. Genens, received this transcript from Veritext. [redacted], from Veritext, cerified that the transcript was a true and accurate record of the proceedings. On May 22, 2023, I listened to Captain [redacted] interview while I reviewed the transcript at the same time. I made corrections to the transcript for any errors I found. I also completed a list of corrections and attached the list to the back of the transcript.

J. Genens, SA

Date: May 22 2023

TRANSCRIPT CORRECTION SHEET – [redacted]

Location	From	To
Page 3 line 19	yourself	your cell
Page 4 line 5	Captain of Paramedic	Captain/Paramedic
Page 20 line 20	impressions	compressions
Page 20 line 25	(indiscernible)	Sostek
Page 24 line 13	place	police
Page 26 line 12	went through	observed
Page 32 line 5	(indiscernible)	in any way
Page ___, line ____		
Page ___, line ____		
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California Department of Justice CA-DOJ

Case Number: BI-LA2023-00010

Case Name: FULLER, SAMUEL

Interview of [redacted]

March 16, 2023

SPECIAL AGENT JON GENENS: Okay, digital recorder is on. Today is Thursday, March 16th, 2023, at approximately 16:21 hours. I'm special agent Jon Genens. My first name is spelled J-O-N. My last name is spelled G-E-N-E-N-S. I'm with the California Department of Justice. I am with...

DET. MALCOLM PAGE: Detective Malcolm Page, M-A-L-C-O-L-M, with the San Bernardino County Sheriff's Homicide.

SPECIAL AGENT JON GENENS: And we are here to interview...

[redacted]: Name is [redacted] I do go by [redacted] Last name is [redacted].

SPECIAL AGENT JON GENENS: Thank you. And, we are meeting at the Big Bear Fire Department Station Number 282, located at 301 West Big Bear Boulevard. We are here in reference to case number BI-LA2023-00010. And the San Bernardino Sheriff's Department H number is H2023-031. This is regarding a deputy-involved shooting which occurred on March 12th, 2023, at approximately 03:03 hours, near [redacted] in Sugarloaf. [redacted], can I get your

date of birth?

[redacted]: Yes. [redacted].

SPECIAL AGENT JON GENENS: And do you know your driver's license number?

[redacted] Not offhand, no.

SPECIAL AGENT JON GENENS: Do you have it with you?

[redacted]: I have a picture of it --

SPECIAL AGENT JON GENENS: Okay.

[redacted]: -- that I can pull up real quick. Driver's license... Driver's license number is [redacted].

SPECIAL AGENT JON GENENS: Okay. And a good telephone number for you?

[redacted]: [redacted].

SPECIAL AGENT JON GENENS: Okay. You currently work for the Big Bear Fire Department, is that accurate?

[redacted]: Yes.

SPECIAL AGENT JON GENENS: Okay. And what's your title?

[redacted]: EMT, ambulance operator.

SPECIAL AGENT JON GENENS: Are you also

a paramedic?

[redacted] No.

SPECIAL AGENT JON GENENS: Okay. And how long have you worked for the Big Bear Fire Department in your EMT capacity?

[redacted]: [redacted]. [redacted] probably.

SPECIAL AGENT JON GENENS: Okay. And do you have [redacted]?

[redacted] [redacted]

[redacted].

SPECIAL AGENT JON GENENS: Okay. [redacted]--[redacted]?

[redacted]: [redacted]

[redacted].

SPECIAL AGENT JON GENENS: All right. And how about [redacted]?

[redacted]: [redacted]

SPECIAL AGENT JON GENENS: Okay. Do you have like, a [redacted], or a [redacted] light --

[redacted]: Yeah, yeah, yeah.

SPECIAL AGENT JON GENENS: [redacted]?

[redacted]: [redacted]. I do have a [redacted].

SPECIAL AGENT JON GENENS: Okay. Okay, so on March 12th, 2023, what shift were you on?

[redacted]: That was this shift, which is B shift.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: Yes.

SPECIAL AGENT JON GENENS: All right. And so, if you could just walk me through from when your dispatch got the call, up in...

[redacted]: Sure. So I think we got dispatch, it was pretty early in the morning, it was the morning and we were going home. So I can't -- I'm assuming it's got to be the morning of the 12th like you'd mentioned. We -- just to give you some context, we probably had two calls right before this. We were kind of running them consecutively. So when we got dispatch, we were on the lake side, either, near the hospital, we were just clear, but we were not exactly close. So that -- I'm going to say that probably came in three something, some around there, if I'm just shooting from the hip. So we get the call, we accept it, and we go en route. We're going to be

en route for a few minutes, like I said, takes us maybe 10 to 15 minutes to get over there. I remember we'd going into Sugarloaf. And we -- my partner is new, and so I remember we had -- we went to one street, it was, like, not connected, so we had to kind of -- we were going south on Maple, and we kind of ran into a dead end, and we had to come back north to the main road, which runs through the neighborhood, which is called Barton. So we were on Barton, and then from Barton, I remember us taking a left onto Vista. I remember it being at the end of the street. I saw the engine pretty -- Soon as I go there, the street's -- it's a straight shot. So I saw the engine lights over there. I remember the call came out as a GSW; it was -- short for a gunshot wound. And then at some point en route, I remember it got changed to a CPR. That's about all the info I had. I remember the notes, I think, said law enforcement was on scene, and the scene was clear for us to enter.

Back to the call, I remember approaching, I see the engine. I don't see anything ahead of the engine, because the engine is blocking my view. I pull up, I nose up right

next to them. We get out, we started approaching on the left side of the vehicles. And I can see, I remember seeing Captain [redacted], and Firefighter [redacted] performing CPR in progress. I remember Captain [redacted] was on the airway, and Firefighter [redacted] was on compressions. I saw Firefighter [redacted]. She was on the phone which sounded like a base report, which -- something we'd call, certain types of calls, we have to call our main hospital, to kind of get -- I think in this certain situation, we were getting permission to -- or they were getting permission to end it. That's usually how that CPR goes. At the end, we have to call up and basically get clearance to stop it.

So I remember hearing her at the end of her -- at the end of her report. I remember walking up and just saying, you know, what can we do? There's not really much to do with a CPR except, like, doing compressions and airway, and both of those were being taken care of. They said just, nothing right now. We kind of stood by. And then shortly after that, I remember Firefighter [redacted] getting off, and then calling the time of death. I can't remember the exact

time, but I remember calling a time of death.

And, after that, I said, do you guys need a report? They said yes, which was referring to a coroner's report, something that, you know, we have to do any time there's a deceased patient. So I go back to the ambulance; I get a coroner's report. I also get a sheet. After, you know, a patient has been called deceased, the next step would be to sheet them, put a sheet over them. So, I grabbed both of those. I remember walking back up. I handed my report to my partner, [redacted], who you guys just spoke with. And then, I sheeted the patient myself.

And then after that, not a whole lot happened. Just kind of helped them grab their things, make sure there's nothing else that we needed to do. And then we headed back. As far as what the scene looked like, I remember seeing -- you know, walking up on the scene, we have our providers giving performing CPR. I remember on the left side from where I was standing, I remember seeing their -- the paramedics' cardiac monitor, hooked up with defibrillation pads, and that was hooked up to the patient. On the

opposite side, I do remember seeing a lot of what I'm going to assume was the officer's IFAK, or some sort of trauma kit, a lot of, like, trauma materials. I do think I saw a case that, you know, it possibly came out of.

And then, I do remember seeing the patient. He did have a gunshot wound, pre center mass. And on top of that was a chest seal, I assume, that came with deputies, because that chest seal is not a specific one that we personally carry. And do you want me to go -- I sort of remember, like, how the vehicles were situated? Sure. So, you know, as I'm, you know, looking at the scene, I have, you know, the patient in front of me. And then, right of the side of the patient is a deputy's vehicle. Looked like it was sort of kind of pointed slightly to the left. Right in front of that, I do remember seeing what I assume was the patient's vehicle, also kind of angled to the left. It looked like they'd have hit like some sort of snow berm. Both doors were open.

Both driver-side doors were open. And then, I do remember seeing probably -- the deputy was parked where his vehicle was, just in line

with his -- with the driver's seat, was sort of like a pile of snow, and then, like, a telephone pole. I just remember seeing some blood on that, on the snow, and it kind of looked like it was coming from, further up. So I'm assuming it was from the patient, at some point between him exiting the vehicle and getting to where the officer was. He was wounded, and so I'm assuming that blood came from him. He made it just a few steps, and that's where I saw his body moved out.

SPECIAL AGENT JON GENENS: So if I understand you correctly, the car furthest south was the patient's car?

[redacted]: Yes, that was his car. And it was a dead end. He wasn't at the dead end. He probably had like 20 feet, if he was going to, you know, continue to drive straight, and drive into a -- I don't know if it was a barrier, or woods. But maybe like 20 or 30 feet? But at a certain point, it looked like he had tried to go left, or for some reason he went left. And he -- his vehicle had stopped. It looked like it was -- like I said, it's like a snow berm. Maybe there was something underneath it, like a guard rail, like something harder.

But it just looked like he had kind of stopped at that snow berm.

SPECIAL AGENT JON GENENS: And what was the -- what did the patient's car look like?

[redacted]: It was a sedan. I believe it was an older model. Late at night, dark. Maybe like a brown, or a champagne, or something like that. And that's honestly a good deal of speculation. I can't remember exactly.

SPECIAL AGENT JON GENENS: Yeah, I should have said -- mentioned this to you before. If you don't remember something, don't guess.

[redacted]: Okay, my apologies.

SPECIAL AGENT JON GENENS: Just tell me you don't remember.

[redacted]: Yeah, okay. So, I really don't remember. I can't say.

SPECIAL AGENT JON GENENS: Okay. And behind the -- oh, and you -- did you say that one of the door -- one of the doors of the patient vehicle was open?

[redacted] I believe his driver-side door was open.

SPECIAL AGENT JON GENENS: Okay. And behind the patient's car, what did you see?

[redacted]: Directly behind it, it was the sheriff's vehicle. Police, they have SUVs up here. I didn't really walk up, so I don't know if he had -- if they were making contact. Just from where I was, it didn't look like he had, like, hit or, like, they were in contact at all. I don't remember seeing any sort of, like, deformity to the deputy's hood that would, like, indicate some sort of, like, some big collision. But yeah, but pretty close behind was that deputy's vehicle. Same thing, kind of angled slightly to the left. It just kind of, like, he had sort of just followed him. And his driver's door was also open.

SPECIAL AGENT JON GENENS: Okay. And behind the deputy's car, what did you see?

[redacted]: So, behind the deputy's car, that's where the scene was. It was pretty close. I remember, you know, being able to kind of walk around the scene, and not, like, brush up against his vehicle. So it wasn't, like, on top of the scene. But it was pretty much immediately behind. And I can't remember if I saw, like, that hatch opened. Maybe that's where that trauma kit came from, but yeah.

SPECIAL AGENT JON GENENS: Was there anything behind where the patient was being worked on?

[redacted]: When you say behind, what do you mean behind?

SPECIAL AGENT JON GENENS: Further south.

[redacted] Further south? No, no, no. It was just, you know, if, you know, the patient was in front of me, the vehicle was just further past the patient, and then that was it. We were in the middle of the street, so not a whole lot else around.

SPECIAL AGENT JON GENENS: In total, how many sheriff's vehicles did you see?

[redacted] I remember -- I remember seeing two. Looked like one that was kind of, like I said, like -- From what I understand, it started out as a pursuit. So that's what it kind of looked like. So it looked like one -- you had one vehicle that was, like, pretty much immediately behind, you know, that patient's vehicle. And then, a little bit actually behind us, maybe 50 or 60 feet, was another vehicle. And that was parked in front of

the engine, and the engine was in front of us.

SPECIAL AGENT JON GENENS: Got it.

[redacted]: So, I remember seeing those two vehicles.

SPECIAL AGENT JON GENENS: Okay. And then, you said you walked out of your unit on --

[redacted]: We approached on the left side. So on the driver's side of my unit, driver's side of the engine, and then the driver's side of -- basically, all the vehicles were facing the same way.

SPECIAL AGENT JON GENENS: Okay. And did you stay on the pavement, or did you walk on the snow, or --

[redacted] I was walking on the pavement. I had room to walk on the pavement.

SPECIAL AGENT JON GENENS: Okay. And did -- besides maybe walking around the area of the patient, did you walk anywhere else?

[redacted] No. Mm hm.

SPECIAL AGENT JON GENENS: Okay. And then, how long were you at the scene for? Approximately?

[redacted]: Approximately 10 minutes.

SPECIAL AGENT JON GENENS: Did you see anything unusual, or any things you had concerns about, about the scene?

[redacted]: No, nothing looked out of place. It kind of, you know, I kind of -- like I said, I didn't know the whole story, but everything looked like, you know, this happened, and this happened, and this happened. Nothing looked unusual or strange or, like, (indiscernible).

SPECIAL AGENT JON GENENS: Okay. And how many deputies did you see in total at the scene?

[redacted]: Two for sure, possibly three.

SPECIAL AGENT JON GENENS: The two that you saw were --

[redacted]: I saw one I had recognized. I believe he is a sergeant, or someone a little bit higher up. And then that was the vehicle that was directly in front of the engine, that was kind of behind the scene. And then, the other -- I saw another deputy that -- I'd seen him a few times. Not super familiar with him, but he just kind of looked like a

regular kind of patrol officer, I suppose.

SPECIAL AGENT JON GENENS: Okay. All right, that's all the questions I have. And now for my partner.

DET. MALCOLM PAGE: I appreciate it. When you said that you were by the hospital, in your best estimate, and I don't want you to guess, but in your best estimate, how far miles-wise were you when you originally got dispatched?

[redacted]: Let's see. We just ran a call from over there, so I'm trying to say. Approximately six and a half miles.

DET. MALCOLM PAGE: Okay. I know we -- you talked about [redacted], but who is -- who were you partnered with that --

[redacted]: Sure. So, my partner for that shift was paramedic [redacted].

DET. MALCOLM PAGE: Okay. Were you partnered with anybody else? Anyone else in that ambulance with you?

[redacted]: No. No, he was my only partner for that shift.

DET. MALCOLM PAGE: Okay. Describe the weather conditions that morning.

[redacted]: I -- I'm pretty sure it was wet. It was wet. I don't know if it was actively -- I don't think it was actively raining, but I do remember that shift, that's whenever we got a bunch of rain, and we had a bunch of floods. So, it was wet everywhere. We had a little bit of snow, and I think, you know, temperature was probably right around, like 30 degrees, maybe like right at that kind of freezing point. But I remember it was wet everywhere.

DET. MALCOLM PAGE: Were the roadways icy, for you?

[redacted] Yeah. Yeah, I do remember them being icy that whole night, yeah.

DET. MALCOLM PAGE: Now when you arrived, describe the lighting conditions at the scene.

[redacted] Not good. The neighborhood itself is pretty dark, and they don't have a whole lot of streetlights. So, I don't remember being near a streetlight. I'm assuming all the light that we had was coming from, like, headlights, emergency lights. There might have been a streetlight, but in general

it's pretty bad lighting all throughout that whole neighborhood.

DET. MALCOLM PAGE: The -- do you have any recollection of the -- any -- if any emergency lights were on the patrol vehicles at that scene?

[redacted] I have no recollection, no.

DET. MALCOLM PAGE: Okay. Now you talked about that you added, and you covered him with that blanket.

[redacted] Mm.

DET. MALCOLM PAGE: Other than that, was there any other items of any kind added by anyone to the scene?

[redacted]: No.

DET. MALCOLM PAGE: Was there any items of any kind moved by anyone at that scene?

[redacted]: No.

DET. MALCOLM PAGE: Vehicles, do they get moved, or do they stay in place?

[redacted] The -- the sheriff's vehicles did not move. The only vehicles that I saw move were mine and the engines, and that's whenever we were leaving.

DET. MALCOLM PAGE: Okay. Did you see anyone, deputies included, remove anything from the scene?

[redacted]: No.

DET. MALCOLM PAGE: Did you see anyone else, other than law enforcement and your paramedics and medical personnel, did you see anyone else outside? Civilians, in or around, come outside?

[redacted]: No, I didn't see any other civilians, anyone that came out of their house, or passersby. It was just the emergency personnel at the scene.

DET. MALCOLM PAGE: Okay. Now when you -- you described that you sheeted the person after they are pronounced deceased. Is that a standard procedure?

[redacted]: Yeah, it's a pretty standard procedure. You know, I think ultimately it comes down to kind of preserving, you know, whatever dignity there is. You know, you -- the deceased person, so. Any sort of, like, CPR, if we arrive on the scene, and it's already, like, a dead on arrival patient, that's the next two things that happen, is the coroner's report. And

then, as the EMT, it's usually my responsibility to get a sheet, and I will cover the body with a sheet.

DET. MALCOLM PAGE: Did anyone ask you to do that, direct you do that?

[redacted]: No. No, I -- that's pretty standard procedure. And I kind of took it upon myself, I asked -- again, I was going back to the vehicle, and then the coroner's report's back over there, so I said, did anybody need coroner's report? I know they did. And so, yeah, no one instructed me to do it. I did it myself.

DET. MALCOLM PAGE: Okay. Did you observe any injuries or blood on the deputies?

[redacted] I did not, I did not. I didn't see the deputies a whole lot. They were not, like, immediately near the scene. They were kind of stepping away. So, I didn't see the deputies a whole lot to begin with. But no, didn't see any blood on them, didn't even see them near the scene, whenever I was there.

DET. MALCOLM PAGE: Did you see them cleaning themselves, or rendering a self-aid? Or was any medical aid rendered to them?

[redacted]: We checked on them, just to make sure, are you guys good? And they kind of gave us a thumbs up. They didn't say that they needed any sort of medical aid, and that's about as far as we did to, like, check them out and assess them. Didn't see them rendering any sort of self-aid to themselves or each other. No, didn't see them cleaning anything, nothing like that.

DET. MALCOLM PAGE: Did you observe any unprofessional behavior, language, or actions, of any kind, by any of the deputies, or any personnel, that were at that -- at the scene?

[redacted] I did not.

DET. MALCOLM PAGE: Describe the deputies' demeanor when you were there, of what you did see.

[redacted] They were quiet, and -- I'm trying to say if I could put a title on their demeanor. They were out of the way, quiet, and you know, sort of keeping themselves, I guess -- Yeah, just kind of quiet and just, you know, professional, and just, you know, just kind of... Like I said, standing away, letting us do our thing, and not, like, interfering or, you know,

like I said, we just kind of checked on them, and. It seemed like they were kind of -- the guy, the one guy was processing everything, like, you know, I would assume. And so, that's about as much as I saw as far as, like, their demeanor, how they were, you know, carrying themselves.

DET. MALCOLM PAGE: When you say processing, what do you mean by that?

[redacted] It seemed like he was, you know, just -- it's -- I don't know if he -- what made me think that I kind of saw him lost in thought. But he was just kind of, you know, standing off. He was quiet. Wasn't, like, looking at us, or the scene, or just -- it just seemed like he was kind of -- I don't know if he was, you know, just standing by. And not like, I don't want to say, like, deep in thought, because he wasn't like, you know, like staring off in the distance. But just seemed like he was, you know, keeping to himself.

DET. MALCOLM PAGE: Was this a sergeant, or the other?

[redacted] I think this was the other deputy.

DET. MALCOLM PAGE: Okay. Is there

anything that my partner and I did not ask you? Anything that, even if it's small, or something you may think is insignificant, that we may have forgot to ask you? Is there anything that -- anything else regarding this scene that you believe may be important to this investigation?

[redacted] No, I can't think -- I don't think so. I -- like I said, I wasn't there for a whole lot of time. And the two biggest things I did was get that report and put the sheet on him. I think we've covered everything.

DET. MALCOLM PAGE: Okay.

SPECIAL AGENT JON GENENS: All right. The time is approximately 16:45 hours, and that concludes the interview.

C E R T I F I C A T I O N

On April 10, 2023,I, SA J. Genens received this transcript from Veritext. [redacted], from Veritext, certified that the transcript was a true and accurate record of the proceedings. On May 24, 2023, I listened to [redacted] interview while I reviewed the transcript at the same time. I made corrections to the transcript, completed a list of those corrections, and attached the list to the back of the transcript.

SA J. Genens

Date: April 10, 2023

TRANSCRIPT CORRECTION SHEET – [redacted]

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California Department of Justice - CA-DOJ

Case Number: BILA2023-00010

Case Name: FULLER, SAMUEL

Witness Interview: [redacted]

Date of Interview: March 16, 2023

SPECIAL AGENT JON GENENS: All right, digital recorders on. Today is Thursday, March 16, 2023, at approximately 14:46 hours. Special Agent Jon Genens, first name spelled J-O-N; and last name is spelled, G-E-N-E-N-S. I'm with the California Department of Justice. I'm also here with --

DETECTIVE MALCOLM PAGE: Detective Malcolm Page, M-A-L-C-O-L-M, from San Bernardino County Sheriff's Homicide.

SPECIAL AGENT JON GENENS: And we are going to be interviewing --

[redacted]

SPECIAL AGENT JON GENENS: Can you spell your name please?

[redacted] last name [redacted].

SPECIAL AGENT JON GENENS: And we are here meeting at the Big Bear Fire Department Station #283 located at 550 Maple Lane, Sugarloaf, California, 92386. The Department of Justice case number is BI-LA2023-00010. And the San Bernardino Sheriff's Department H is H2023-031. This is in regarding a deputy involved shooting which occurred on March 12, 2023 at

approximately 03:03 hours near 891 Vista Avenue, Sugarloaf, California. Let's put this here between us, thanks. What's your date of birth?

[redacted] [redacted]

SPECIAL AGENT JON GENENS: And do you know your DL number?

[redacted]: Yeah, it's [redacted]

SPECIAL AGENT JON GENENS: All right, and a phone number, a good phone number for you?

[redacted]: [redacted]

SPECIAL AGENT JON GENENS: Thank you. And you currently work for the Big Bear Fire Department, correct?

[redacted]: That's correct.

SPECIAL AGENT JON GENENS: And what is your title?

[redacted]: I'm a firefighter paramedic (indiscernible).

SPECIAL AGENT JON GENENS: And how long have you worked for Big Bear Fighter Department?

[redacted] [redacted] [redacted]

SPECIAL AGENT JON GENENS: And did you have [redacted]

before?

[redacted]: So, I mean,

[redacted]

SPECIAL AGENT JON GENENS: How long [redacted]?

[redacted]: For approximately [redacted].

SPECIAL AGENT JON GENENS: Okay. Prior to working for -- [redacted]

[redacted]: [redacted].

SPECIAL AGENT JON GENENS: And you said you're a paramedic? What's your paramedic number?

[redacted]: You want my state or local?

SPECIAL AGENT JON GENENS: Both. If you have it.

[redacted]: [redacted] the [redacted].

SPECIAL AGENT JON GENENS: In general, as a firefighter paramedic, what are your duties

when responding to a medical aid call?

[redacted]: I -- when we respond to calls I am usually the primary paramedic, just be the firefighter that starts at the whole job. The captain and engineer are usually my backup and getting vitals and that kind of stuff. But I'm usually the one that's in charge of running the call.

SPECIAL AGENT JON GENENS: On March 12, 2023, what shift were you on?

[redacted]: B shift.

SPECIAL AGENT JON GENENS: And on March 12, 2023, where did you respond from?

[redacted] From Station 283.

SPECIAL AGENT JON GENENS: And I'm sure some of this, I'll let you look at the patient care record if you need to.

[redacted]: Okay.

SPECIAL AGENT JON GENENS: Refresh your memory or -- can you tell me what time you were dispatched?

[redacted] Let's see. We were dispatched at 3:09.

SPECIAL AGENT JON GENENS: And what was the incident that you were dispatched to?

[redacted] A gunshot victim.

SPECIAL AGENT JON GENENS: And to what location were you dispatched?

[redacted] To -- what does it say on here? Missing the address. It says [redacted] in Sugarloaf, California. I believe is on Leonard.

SPECIAL AGENT JON GENENS: Don't guess.

[redacted] Okay. Yeah --

SPECIAL AGENT JON GENENS: If you don't know, that's fine. And the -- do you know what time you arrived?

[redacted]: We arrived at 3:16.

SPECIAL AGENT JON GENENS: Okay. And what apparatus were you responding in?

[redacted] Medic engine 283.

SPECIAL AGENT JON GENENS: Okay. And who was with you?

[redacted]: [redacted] and [redacted]

SPECIAL AGENT JON GENENS: Did any other apparatus respond?

[redacted]: Medic ambulance 282, or medic ambulance 282A responded from Station 282, but they didn't get on scene until

after we had stopped performing CPR.

SPECIAL AGENT JON GENENS: Okay. So, from this point if you could just describe to me what you heard, what you saw, and what you did for this incident from the time that you were dispatched until you cleared the scene.

[redacted] Okay. So, we were dispatched, and we were in bed sleeping. We got out of bed, came downstairs, we -- I went in my bathroom to get dressed. My captain went in his bathroom and the engineer gets dress on the side of the engine.

We responded to the call. When we got on scene I'd say we probably parked, I don't know, 20 feet away from the body. I got out, grabbed our monitor out of our compartment, went to where the patient was. We saw there was two deputies performing CPR when we got on scene. There was a third deputy that was walking around.

I did a quick ask, I'm not sure which deputy like what actually happened. I was told that it was just officer involved shooting and that they started doing CPR around 3:03 in the morning.

So, when we got there to the patient

there was stuff scattered all over the ground like medical stuff. I'm not sure exactly what it was, but there was, you know, four by fours and just all -- just different kinds of like first aid kit that was kind of scattered opened.

The patient's shirt was already cut off. The deputies had applied an air occlusive dressing to a bullet wound that was pretty much dead center in his chest. And we actually laid hands on the patient. We checked for a pulse real quick, made sure the patient didn't have a pulse.

And then, my partner [redacted] started performing CPR immediately. I got the monitor, put our defibrillation patches on the patient so we could check a heart rhythm. As soon as that was done, we stopped CPR, checked the rhythm on the monitor.

The rhythm on the monitor said asystole, so we continued CPR. My captain at the time was getting our airway set up so we could at least have a BLS airway for the patient. He handed me an OPA which I inserted in the patient.

And then, I started bagging the patient while [redacted] continued to perform CPR. And

then, I would say approximately, I don't know, three to five minutes in that time period just assessing the patient, seeing there was blood coming out of his neck from apparent gunshot wound to the neck. The chest wound there was another wound to his left lower abdomen.

And like with each compression there was blood coming out of his chest wound and his neck wound. And me and [redacted] were discussing it at the time saying that, you know, these injuries were not life, I don't know how to put it.

SPECIAL AGENT JON GENENS: Not consistent with life?

[redacted] Exactly, not -- exactly. So, we discussed it and in order to stop CPR we have to make base hospital contact. So, I handed off my baggy breathing for the patient to my captain, [redacted]. I grabbed his radio and I made contact with [redacted] per our protocol that's what we have to do if there's any kind of penetrating trauma.

So, I just gave them, you know, what we saw with the patient, what the vital signs were

of the patient, and they have -- normally, a nurse answers the radio and then they'll have to bring a doctor in and kind of give the rundown to the doctor to.

And after getting the run down of the vitals, they told us to go ahead and stop CPR and they pronounced him. And that was pretty much it. Once they pronounced him, we just stopped CPR. Right at about that time the ambulance pulled up. I asked, I believe, the EMT on duty that day was [redacted], to give me a coroner's form to fill out so I could leave it with the sheriff on scene.

And he also, I believe, brought the sheet or a blanket and just placed it over the patient just because there's bystanders and people in Air BNB's and so on and so forth. And just covered the patient up.

And then, I got some information like his name, date of birth from one of the deputies on scene, filled out my report, gave it to one of the deputies. And then, we pretty much left and I came back here, and I did my patient care report.

SPECIAL AGENT JON GENENS: Okay. When

you arrived to the scene -- actually where were you in the fire engine?

[redacted]: I ride in the driver's side back.

SPECIAL AGENT JON GENENS: Okay. When you arrived at the scene, what did you observe about the scene in general?

[redacted]: You can't really see much coming up on scene. Like we wear our headsets and they're like oh he's in the street, they're doing CPR. So, I couldn't, I mean, there's a box and everything hanging in my way, so I couldn't really see that stuff until I actually got out of the vehicle.

But walking up I did notice he was kind of -- his legs were kind of under the sheriff's vehicle. So, before we started CPR we actually pulled him out to be able to give ourselves more room around the patient, so we could have more mobile people.

But there's the sheriff's vehicle and then his car was in front of the sheriff's vehicle. I'm not sure if it -- it looked like it might have been touching or it was like real close. But the front car was kind of angled and

the sheriff's car was kind of at the back quarter panel, driver's side quarter panel I guess you'd say.

SPECIAL AGENT JON GENENS: So, when you say his car, is that -- you talking about the patient's car?

[redacted]: I'm assuming it was the victim's car.

SPECIAL AGENT JON GENENS: What kind of car was it?

[redacted]: It was a white smaller Honda Accord, Civic kind of car. Possibly a Subaru, it was a smaller compact car.

SPECIAL AGENT JON GENENS: And behind his car was what?

[redacted]: I believe it was a Tahoe, sheriff's Tahoe.

SPECIAL AGENT JON GENENS: Okay. And where was the patient in relation to those two cars?

[redacted]: The patient was in between like a snow berm and the driver's side rear quarter panel of the snow berm and the sheriff's car and his legs were kind of under the sheriff's vehicle like by the rear tire kind of.

SPECIAL AGENT JON GENENS: And the patient was moved in what direction?

[redacted]: We moved him north to -- we just drug him out from under the vehicle just so we'd have more access to him, so we could work (indiscernible) him up.

SPECIAL AGENT JON GENENS: Approximately how far was he moved?

[redacted]: I would say only like three feet.

SPECIAL AGENT JON GENENS: And do you remember who actually helped you move the body?

[redacted]: [redacted], me and [redacted].

SPECIAL AGENT JON GENENS: Both of you?

[redacted] Yeah.

SPECIAL AGENT JON GENENS: And do you remember was one person like at the leg, one -- how did that work?

[redacted]: No, we -- I believe we both grabbed his arms and just drug him down the street backwards (indiscernible) drug him down away from the car.

SPECIAL AGENT JON GENENS: So, in the neighborhood northbound it slopes downwards?

[redacted]: Yes, we drug down north, north of the vehicles.

SPECIAL AGENT JON GENENS: And I think you described injuries that you noted was right neck?

[redacted] Yeah. Initially the first one we saw was dead center in his chest and there was one lower left abdomen. And then, right side of his neck. And then, further actually further on in the call we noticed there was something on his left lateral under his arm kind of area.

SPECIAL AGENT JON GENENS: Okay. Did you turn the patient over at all to examine any possible injuries?

[redacted] We did not. The sheriff said -- told us that two bullets looked like they went through and through. So, they said there was two exit wounds on the back. But we did not roll him at the time, no.

SPECIAL AGENT JON GENENS: Okay. Any other injuries that you noted?

[redacted] Other than that --

SPECIAL AGENT JON GENENS: Abrasions or anything else (indiscernible)?

[redacted]: No.

SPECIAL AGENT JON GENENS: And then, for the CPR, who was giving the compressions and who was doing what?

[redacted]: [redacted] was initially giving the compressions. I put the heart monitor patches on him or you know the defibrillation patches on him. And then, my captain was setting up the airway stuff so we could give him -- so we could breath for him.

And then, I inserted the OPA into his mouth and then as soon as we got all that done we checked the patient's heart rhythm and it was asystole, which is consistent with no heart rate at all.

SPECIAL AGENT JON GENENS: Earlier when you were telling us about what you observed around the body, you said there was a bunch of medical equipment, you said there was a four by four. What's a four by four?

[redacted]: It's just like a gauze pad.

SPECIAL AGENT JON GENENS: And you said that your Captain [redacted] was setting up the airway. What is setting up the airway involve?

[redacted]: So, on this patient we just did BLS airway, which involves inserting an OPA in the patient's mouth which just opens the airway, let's us breath for the patient better. And then, setting up our ventilation bag or AMBU bag, which just assists with ventilations. We connect that to our oxygen, so it provides oxygen with every breath that we breath for the patient.

SPECIAL AGENT JON GENENS: And do you remember who you spoke with at [redacted] was it a doctor or a nurse?

[redacted]: Initially it was a nurse and then a doctor did come on the radio, but I don't know who he is.

SPECIAL AGENT JON GENENS: Was the doctor the one who ultimately, I don't know, gave you the permission to declare the patient deceased?

[redacted]: That's correct.

SPECIAL AGENT JON GENENS: Do you know what time that patient was declared deceased? I'll probably have to put my code in again.

[redacted]: No, I'm not sure what time it was.

SPECIAL AGENT JON GENENS: Is there another -- what, where can I look to find that besides the patient care record?

[redacted] It would be on the coroner report form.

SPECIAL AGENT JON GENENS: Okay. Anywhere else, or that's the only place?

[redacted]: I thought it was on this too, but I don't see it.

SPECIAL AGENT JON GENENS: Okay. Do you remember who actually placed the blanket on the patient?

[redacted] I believe it was [redacted] He's an EMT on the ambulance.

SPECIAL AGENT JON GENENS: What was the first name?

[redacted] [redacted] just [redacted].

SPECIAL AGENT JON GENENS: C-A-M. Do you remember who else was with [redacted].

[redacted] [redacted], I'm not sure how to spell his last name. Let's see [redacted] last name is [redacted]

SPECIAL AGENT JON GENENS: And when you were at the scene did you walk around anywhere besides by the patient?

[redacted] No, just, I mean, initially we walked up, grabbed him, drug him out from under the car, and then I stayed at the patient. And then, I was off to the right of the patient when I was on the phone with [redacted]. And then, from there I came back to the engine.

SPECIAL AGENT JON GENENS: Did you step on the snow at all or were you always on the pavement?

[redacted]: I was always on the pavement.

SPECIAL AGENT JON GENENS: So, behind the first, the deputies car that was right behind the patient's car.

[redacted]: Yes.

SPECIAL AGENT JON GENENS: Did you see anything behind that?

[redacted] Behind the deputy's car?

SPECIAL AGENT JON GENENS: Mm-hmm.

[redacted]: That's where all the it looked like the first aid bag was kind of scattered on the ground.

SPECIAL AGENT JON GENENS: Okay. And then, behind that did you see anything?

[redacted]: No.

SPECIAL AGENT JON GENENS: How many deputy vehicles did you see in total?

[redacted]: I believe two.

SPECIAL AGENT JON GENENS: Okay. And you saw how many deputies?

[redacted]: Three. Two were doing CPR and then one was walking around.

SPECIAL AGENT JON GENENS: Did you see where he was walking at?

[redacted]: It looks like -- initially, it looked like he was coming out of a house and then possibly going to another house.

SPECIAL AGENT JON GENENS: Do you remember what side of the street the house was on that you saw him coming from?

[redacted] I believe it was the right side and then he was going over the northeast side, sorry. The east side and then he was going over to the west side.

SPECIAL AGENT JON GENENS: Was there anything unusual or anything (indiscernible) concerned about regarding this incident?

[redacted]: Well, the most unusual thing I saw was the tattoo that was on

the patient's stomach.

SPECIAL AGENT JON GENENS: Which was?

[redacted]: It said [redacted] which I thought was interesting.

SPECIAL AGENT JON GENENS: Okay. I know my partner's going to have some questions for you too.

[redacted] Okay.

SPECIAL AGENT JON GENENS: So, I'm going to let him fire away.

[redacted] I have the time of death.

SPECIAL AGENT JON GENENS: Oh, great, okay.

[redacted]: Time of death was at 3:27.

SPECIAL AGENT JON GENENS: Okay, and where did you get that from?

[redacted] The coroner report form.

SPECIAL AGENT JON GENENS: Oh.

[redacted]: That's how I filled out my report.

SPECIAL AGENT JON GENENS: Can I see what that looks like? Is that something you can

forward to me?

[redacted]: Mm-hmm.

SPECIAL AGENT JON GENENS: My email.

[redacted] Yeah.

SPECIAL AGENT JON GENENS: Or attach, whichever is easier.

[redacted]: It doesn't matter honestly.

SPECIAL AGENT JON GENENS: Okay, my email.

[redacted]: Okay, let's see. There, now, (indiscernible).

SPECIAL AGENT JON GENENS: It's J-O-N-.G-E-N-E-N-S.

[redacted] G-E-N-E-S.

SPECIAL AGENT JON GENENS: Oh, no. G-E-N --

[redacted] Oh, hang on, (indiscernible). J-O-N.G-E-N --

SPECIAL AGENT JON GENENS: E.

[redacted]: E.

SPECIAL AGENT JON GENENS: N.

[redacted]: N.

SPECIAL AGENT JON GENENS: S.

[redacted]: S.

SPECIAL AGENT JON GENENS: [redacted]

[redacted]: [redacted].

SPECIAL AGENT JON GENENS: [redacted]

[redacted]: [redacted].

SPECIAL AGENT JON GENENS: [redacted].

[redacted]: [redacted].

SPECIAL AGENT JON GENENS: [redacted]

[redacted]: [redacted]

SPECIAL AGENT JON GENENS: I'll forward that to you. Okay, thanks. I know the questions that he's going to be asking now and I didn't want to steal his thunder from him.

DETECTIVE MALCOLM PAGE: The night of or early morning hours of March 12th when this call came out, describe the weather conditions outside.

[redacted] I believe it was clear. It was definitely cold. I believe the roads were clear, I don't remember them being snowy or anything like that. But it was definitely cold and roads were wet, but not -- the weather was a nice day for what we had been having.

DETECTIVE MALCOLM PAGE: Were there ice on the roads?

[redacted] In some spots there was when we were walking around the patient. I don't remember it really being any ice though.

DETECTIVE MALCOLM PAGE: When you arrived to this scene, describe the lighting conditions at this location.

[redacted] The lighting conditions were very poor. I don't think there was any streetlights or anything like that. I believe the only lights that we had were lights from the engine.

DETECTIVE MALCOLM PAGE: Okay. Did you observe any emergency overhead lights activated on the patrol vehicles that you saw?

[redacted] I honestly do not remember.

DETECTIVE MALCOLM PAGE: Okay. When you and Captain [redacted] were performing CPR, how many rounds of CPR did you perform? And by rounds are the 30 compressions and then two breaths.

[redacted] So, initially it was me and [redacted] doing it. I would say before I made contact with [redacted], I would say we did probably four rounds.

DETECTIVE MALCOLM PAGE: Okay.

[redacted]: And then, [redacted] [redacted] and [redacted] continued that while I was on the phone with [redacted].

DETECTIVE MALCOLM PAGE: Until he was pronounced?

[redacted]: Yeah.

DETECTIVE MALCOLM PAGE: You just -- you described that the patient's, when you first got there, the patient's legs were partially underneath the patrol vehicle.

[redacted]: That's correct.

DETECTIVE MALCOLM PAGE: Describe in a little more detail, if you can, what you mean by that and how were they positioned.

[redacted]: So, when we walked up to -- the patrol car was facing the same direction we were. So, the patient's head was laying -- his feet were at the front of the car and his head was at the back of the car. And his legs were, I'd say, partially under the back tire rear quarter panel.

So, and the -- it was just -- it was a tight spot because there was a snowbank to the left of the patient and then the patrol car was

to the right of the patient. So, we just drug him back a couple feet to just have access to his whole body.

DETECTIVE MALCOLM PAGE: What portions of his legs were underneath the patrol vehicle?

[redacted] I would say just pretty much from like his chins down.

DETECTIVE MALCOLM PAGE: Okay. And is that going to be in front of the tire or behind the --

[redacted] Behind. Behind the rear tire.

DETECTIVE MALCOLM PAGE: So, he's at the back of the car.

[redacted]: Yes.

DETECTIVE MALCOLM PAGE: Okay.

[redacted]: Like under the trunk of the car.

DETECTIVE MALCOLM PAGE: Got you. Describe the vehicle doors of the patrol vehicle if you saw and the patient's vehicle.

[redacted]: I don't remember seeing anything on the victim's vehicle. The patrol vehicle, I believe, the front driver's side door was open. And that's all that I

recall.

DETECTIVE MALCOLM PAGE: Did you place any medical apparatuses on the patient's back?

[redacted]: No.

DETECTIVE MALCOLM PAGE: Were there any placed on at your direction?

[redacted]: No.

DETECTIVE MALCOLM PAGE: As the deputy that was walking from one house, the east and then going to the west, did you see anybody that he was talking to or (indiscernible) anyone else outside?

[redacted] I did not see anybody else outside, no.

DETECTIVE MALCOLM PAGE: Did you see him talking with anyone specifically?

[redacted]: No.

DETECTIVE MALCOLM PAGE: Describe the patient, his appearance, what was he wearing?

[redacted]: His head, I don't really remember what he was wearing, his shirt was definitely cut off prior to our arrival. Like I said he had an air occlusive dressing that one of the deputy's had applied prior to our arrival covering the gun shot wound to his chest.

His pants, I believe they were jeans, were kind of around his thighs. So, he was -- he had a shirt on that was, you know, just hanging off of his shoulders. And then, he was pretty much naked from his, you know, his chest all the way down to his knees.

And I don't know if when we drug him we made his pants fall down or what the deal with that is. He to me, when I was talking to the [redacted] base I said he was about 50 years old, just the appearance of him, that's what it looked like he was.

To me, I would describe him as a biker kind of looking guy. He -- kind of scruffy hair, long scruffy beard. But yeah, I don't remember if it was a t-shirt or what, but it was definitely already cut open and just -- his chest was exposed and pretty much everything was exposed down to his about his mid-thigh, his knees.

DETECTIVE MALCOLM PAGE: Were you able to render any kind of opinion as far as his height and weight?

[redacted]: I would say, I believe, I put him on my report that I believe he

was probably about 280 pounds, I think that's what I put. And I would say he's probably about five, ten.

DETECTIVE MALCOLM PAGE: Did you cut any of his clothing off?

[redacted]: No, it was already -- it was already exposed to what we needed to be exposed.

DETECTIVE MALCOLM PAGE: Besides the medical equipment that was at that scene, did -- was there anything else in any way moved in that scene while you were there?

[redacted]: I don't believe so.

DETECTIVE MALCOLM PAGE: The deputy's vehicles, the patient's vehicle?

[redacted]: Not to my knowledge, no.

DETECTIVE MALCOLM PAGE: Any items on the patient himself, was anything taken from him?

[redacted]: Not by us, no.

DETECTIVE MALCOLM PAGE: All right. Did you see any deputies take anything from him?

[redacted]: No. No, as soon as we got on scene the deputies stood back and observed what we were doing.

DETECTIVE MALCOLM PAGE: Okay. Was there anything added to the scene besides the medical equipment that was brought by you and your partners?

[redacted]: No.

DETECTIVE MALCOLM PAGE: Did you see anybody add anything, any deputies or anybody else, add anything of any kind to the scene?

[redacted]: No.

DETECTIVE MALCOLM PAGE: Did you observe any inappropriate conduct, language, or activities by the deputies?

[redacted]: Not at all. I was actually impressed by what was being done and what had been done prior to our arrival. I've never seen a deputy apply a air occlusive dressing to a patient ever. And I mean, they were definitely fully involved in the CPR before we got there. So, I was impressed by what was being done by the deputies.

DETECTIVE MALCOLM PAGE: Other than that occlusive dressing being placed, was there anything else that added to that opinion?

[redacted]: Just how they were actually performing CPR like they were actually

doing a good job in my opinion.

DETECTIVE MALCOLM PAGE: Describe the deputy's demeanor.

[redacted]: So, out of the two deputies that were doing the CPR there was like a shorter guy and then a taller skinnier guy. In my opinion the shorter guy was kind of -- he seemed a little more, I don't know, kind of aware of the situation, kind of a relaxed kind of emotional thing. The other deputy seemed like he was slightly distraught.

Like I mean, I don't know who shot the guy but in my opinion the taller guy was the one that did it because he had like a, I don't know, like a distraught kind of demeaner to him. Whereas the other deputy was, you know, more able to answer our questions and he just had a different demeanor about him. I don't know how to explain it.

DETECTIVE MALCOLM PAGE: What, if any, information did the deputy provide to you regarding what occurred?

[redacted]: All the information that I got was when I walked up I just asked what had happened. They said that it was just a

deputy involved shooting. And initially that's all the information we had.

And then, after when I was filling out the coroner report form I asked how many shots were fired just because there was four holes and we didn't know if it was, you know, through and throughs or what it was. And they said that like four shots were fired is the only information that I was given.

DETECTIVE MALCOLM PAGE: Did you observe any injuries or blood on any of the deputies?

[redacted]: I know they had blood on their hands. They asked us for towelettes so they could clean their hands. But one of the other deputies had some in his car, so they cleaned their hands with those.

I did notice next to the patient on the snow berm there was blood splatter that was on the snow berm, but that's the only other blood that I really noticed. The patient really wasn't bleeding excessively. It was just, I mean, it was just -- when [redacted] asked me we estimated at about 100 cc's of blood loss which is not very much.

DETECTIVE MALCOLM PAGE: Were the deputies wearing gloves?

[redacted]: I do not know.

DETECTIVE MALCOLM PAGE: Okay. Did the patient respond positively to the life saving measures that were rendered?

[redacted]: No, he had no response.

DETECTIVE MALCOLM PAGE: Was he awake and breathing when you arrived?

[redacted]: No, he was pulseless, anaptic. When we arrived we checked the pulse immediately -- as soon as we arrived the deputies stopped doing compressions, we got down and checked the pulse immediately. We didn't feel a pulse, so we initiated compressions (indiscernible).

DETECTIVE MALCOLM PAGE: I know it may be totally covered by your last answer, but did the patient talk at all? Did he say anything?

[redacted]: No.

DETECTIVE MALCOLM PAGE: Is there anything else that myself or my partner did not ask you that, even if it's insignificant or something small, that we did not ask you or

forgot to ask you that you believe may help and assist in this investigation?

[redacted]: Not that I can think of. I think you guys pretty much covered it all.

DETECTIVE MALCOLM PAGE: That's all then, Jon.

SPECIAL AGENT JON GENENS: Okay. So, thank you very much for taking the time out of your day to speak with us. It is approximately 15:26 hours and that concludes the interview.

C E R T I F I C A T I O N

On April 6, 2023,I, SA J. Genens received this transcript from Veritext. [redacted] from Veritext, certified that the transcript was a true and accurate record of the proceedings. On May 23, 2023, I listened to [redacted] interview while I reviewed the transcript at the same time. I made corrections to the transcript, completed a list of those corrections, and attached the list to the back of the transcription.

SA J. Genens

Date: May 23, 2023

TRANSCRIPT CORRECTION SHEET – BRITTANIA HUETHER

Location		From	To
Page 4	line 5	because	with
Page 4	line 5	(indiscernible)	because we combined agencies
Page 6	line 19	[redacted]	[redacted]
Page 6	line 20	[redacted]	[redacted]
Page 8	line 7	(indiscernible)	an air occlusive
Page 8	line 12	[redacted]	[redacted]
Page 8	line 21	PLS	BLS
Page 8	line 24	[redacted]	[redacted]
Page 9	line 9		
Page 9	line 18	baggy	bagging
Page 9	line 19	[redacted]	[redacted]
Page 10	line 3/4	of (indiscernible)	to the doctor
Page 13	line 13	[redacted]	[redacted]
Page 13	line 14		
Page 14	line 2	(indiscernible)	north of the vehicles
Page 15	line 5	[redacted]	[redacted]
Page 15	line 9	set up	stuff
Page 15	line 24	[redacted]	[redacted]
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California Department of Justice - CA-DOJ

Case Number: BILA2023-00010

Case Name: FULLER, SAMUEL

Witness Interview: [redacted]

Date of Interview: March 16, 2023

SPECIAL AGENT JON GENENS: It's okay. The digital recorder's on. Today is Thursday, March 16th, 2023. Approximately 1355 hours. Special Agent Jon Genens with the California Department of Justice. First name is spelled J-O-N; my last name is spelled, G-E-N-E-N-S. Also here is the detective from the San Bernadino Sheriff's Department.

SBSD DETECTIVE MALCOLM PAGE: Detective Malcolm Page, M-A-L-C-O-L-M, from the San Bernadino Sheriff Homicide.

SPECIAL AGENT JON GENENS: And we're going to be speaking with?

[redacted]: [redacted], [redacted];

[redacted]

SPECIAL AGENT JON GENENS: Okay. I'm just going to put this right here. Sir, what's your date of birth?

[redacted]: [redacted]

SPECIAL AGENT JON GENENS: And give me your DL number?

[redacted] [redacted]

SPECIAL AGENT JON GENENS: And the cellular number where you are at?

[redacted] [redacted]

SPECIAL AGENT JON GENENS: Okay. And you currently work for Big Bear Fire Department; is that accurate?

[redacted]: Yes, sir.

SPECIAL AGENT JON GENENS: And what is your title?

[redacted] Engineer paramedic/acting captain.

SPECIAL AGENT JON GENENS: And [redacted]?

[redacted]: Approximately [redacted].

SPECIAL AGENT JON GENENS: And you -- you [redacted]?

[redacted]: I was [redacted] --

SPECIAL AGENT JON GENENS: Oh, I'm sorry. I meant [redacted]

[redacted] --

SPECIAL AGENT JON GENENS: Okay.

[redacted]: -- in this building.

SPECIAL AGENT JON GENENS: And how long -- you said you were a paramedic as well?

[redacted]: Yes.

SPECIAL AGENT JON GENENS: And do you know your paramedic number?

[redacted]: [redacted]. That's our county number. Our state is [redacted]. That's your state and local.

SPECIAL AGENT JON GENENS: And how many years have you been a [redacted]?

[redacted]: [redacted]. Yeah, like [redacted].

SPECIAL AGENT JON GENENS: In general, what are your duties as fire fighter/paramedic/acting captain when you respond to a medical aid call?

[redacted] My roles are typically advanced life support care. Up here, I do a lot of evaluation, medical assessments. In the acting role, I play the captain. So, if I am in that role that day, I'm the leader on the call. I don't necessarily get hands on at that point. I'm more delegation. But the majority of my call stuff is advanced life support. So skills, assessments, that kind of stuff, medication pushes.

SPECIAL AGENT JON GENENS: Okay. On March 12th, 2023 what shift were you working?

[redacted]: I am on B shift. And we were going off that morning.

SPECIAL AGENT JON GENENS: And on March 12th, 2023 regarding the incident we're going to speaking about. Where did you respond from?

[redacted] From Station 283.

SPECIAL AGENT JON GENENS: And do you know approximately when you were dispatched?

[redacted]: I almost want to say it was, like, 0300.

SPECIAL AGENT JON GENENS: Yeah, let me -- I have an electronic patient care record, so you can refer to it.

[redacted]: Yeah. 0327, so that's right around 3 a.m.

SPECIAL AGENT JON GENENS: Okay. And what type of incident type were you dispatched to?

[redacted]: I believe it came in as a GSW.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: Which is, you know, gunshot wounds.

SPECIAL AGENT JON GENENS: Mm hm.

[redacted]: Yeah. Oh, yeah, because I remember looking at it going, oh, it's GSW.

SPECIAL AGENT JON GENENS: Okay. And

what location were you dispatched to?

[redacted]: Rinehart and -- oh, what was the cross on that? Let me see -- I don't remember if it was like Vista or Leonard. Rinehart was the intersection, but that's not the actual street. Shoot. We need the correct one right? Let me see if I can get it real quick. Yeah, Rinehart is the cross, but it's not the actual where the location was.

SPECIAL AGENT JON GENENS: Would it be on NFIRS?

[redacted] I can get of the active 911. Let me just verify real quick. I just don't want to give you the wrong information here.

SPECIAL AGENT JON GENENS: Well, would you know if you heard it, the street?

[redacted]: Yeah.

SPECIAL AGENT JON GENENS: Is it -- was it Vista Avenue?

[redacted] Yeah. I know it's in that three block there, so it was either -- it was either, like, Vista or Sunset.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: So Vista's right.

SPECIAL AGENT JON GENENS: And what time did you arrive?

[redacted]: Maybe 3 --

SPECIAL AGENT JON GENENS: Do you want to refer to the --

[redacted] Yeah. It looks like she put in the actual engine arrival, unit notified -- and it almost looks like 3:27, but I don't think that's correct. I see vital signs taken 3:19. I'm not seeing a correct time of arrival on here.

SPECIAL AGENT JON GENENS: Okay. Will it be in NFIRS? Okay. I think we got it.

[redacted] Yeah. NFIRS would be correct. Let's see, unit dispatched, in route. Is this engine -- okay, this is engine 283. I thought this was an ambulances. So in route 3:12 at scene 3:16.

SPECIAL AGENT JON GENENS: Okay. And what apparatus were you on?

[redacted] Medic engine 283. SPECIAL AGENT JON GENENS: Which was what type of --

[redacted]: That's a type 1 engine.

SPECIAL AGENT JON GENENS: Okay. And

who was with you on the engine?

[redacted]: It was me, [redacted], and [redacted].

SPECIAL AGENT JON GENENS: And did any other apparatus respond?

[redacted]: Yeah, an ambulance was dispatched. And we pretty much cancelled them on scene pretty quick. They did arrive though.

SPECIAL AGENT JON GENENS: Okay.

[redacted] And I can't remember which ambulance. It was medic ambulance 282, I believe.

SPECIAL AGENT JON GENENS: All right.

[redacted] Yeah, it would be 282, because 283 was out in Baldwin.

SPECIAL AGENT JON GENENS: Okay. I'm going to have -- at this point, I'm just going to have you describe to me what you -- what you heard, what you saw, what you did from the time that you got dispatched here up until the time that you concluded the call.

[redacted]: Okay.

SPECIAL AGENT JON GENENS: Just go in chronological order and just tell me the story.

[redacted]: So, I remember getting

the call. I remember I was already kind of awake tossing and turning for some reason. But I came down the stairs. I went straight over to the side of the engine. That's where I keep my clothing, got dressed. Got in the engine. We pulled out of the bay, started headed up towards the call. We went -- we went up Maple, right on Barton, and left on Vista. Starting talking about notes. We always do that, like, on the way, especially a GSW or something significant like that. I start, like, poking round. Like, hey, what does it say? What does it look like?

Got about halfway up, instantly I saw a Sheriff's vehicle. I believe the lights were on, yeah. Both vehicles had their lights on. So then we were like, oh, this -- I didn't know it was an officer involved until pretty much right then and there. I had drove up and right as I got about 20 yards from the rear Sheriff's vehicle, I saw a gentleman, one of the deputies, short, dark hair, Latino, I think, walking from the right house to the left house. And then, I saw two Sheriff deputies, which I know, on the ground working this guy.

So I pulled up. Got out real quick. I

went to the back, I grabbed the AutoPulse, which is a CPR machine. I grabbed, I believe I grabbed the LIFEPAK, which is our defibrillator as well. We kind of all grabbed things to help. We went straight over there. I saw one deputy doing CPR, the other deputy was working through equipment. They placed occlusive dressing over the chest. And I don't recall a dressing over this wound on the left abdomen. But there might have been a pad there.

And so when I said, what's -- what happened? What's going on? They said -- oh, we might be getting a call. But you know what, they're going to be covering anyways. I said, what happened? What's going on here? They said, it was an officer involved shooting. I instantly said how many shots? Just so I -- because we -- we want to identify how many holes we're looking for potentially. The guy -- the gentleman, last name -- dang it. I always forget his name. Shorter white guy, deputy, said that they thought they shot like three or four times. And we saw, pretty much, three or four holes. One of them might have been an exit wound from what we were gathering on our assessment.

Either way, I told the deputies to back off. We'll take it from here. I started CPR over the occlusive dressing. Britt hooked the patient up to the monitor. We did an evaluation, found that he was asystole with PEA rhythm every, like six to seven seconds, which is just -- it's a wide complex. And it's just basically, like, the heart's trying to fire but there's no tissue there to fire which was obvious because there was a hole right by the chest. So, I asked the other deputy, the taller white -- Caucasian gentleman, because I think he was the one that fired, how long that they were working on it. And he said approximately 14 minutes-ish, if I recall right, 15.

We only work a CPR for 20 minutes. So at that point, I told [redacted], let's make base, let's try to call. It's -- to me, it was not viable. I wasn't going to do all this stuff at that point. [redacted] kind of started engaging. She's usually lead medic, but I just got there quicker. So she kind of agreed to that. I cannot remember if she made base or if one of the guys from the ambulance made base, which is [redacted], the base hospital contact.

While a -- the person made base, I started getting epinephrine IO infusion gun because I was going to start an IO if we had to work the patient. Base hospital agreed that, probably within 30 seconds to a minute, that the patient wasn't going to be viable. So they allowed us to call which stopped all ALS efforts at that point. So we just stopped BLS, we never pushed a drug, we never started an IV. We did keep monitoring for a little bit, which we didn't have to but it was almost like one of those things.

We just, you know, I saw the Sheriffs were upset. So I went up to them real quick. And I was like, hey, base is allowing us to call. Time of death is this, which I don't exact -- I think it was 19. It could have been 4:19. I don't know, it was -- it was something around there. But I gave them both knuckles and just said, hey man, you know, it's -- you know, if you guys -- if you need anything let me know. You seem upset and if this -- you know, I was kind of catering to their needs at that point.

I thought they did a good job. It was amazing they did occlusive dressings and all this

other crazy stuff. I didn't even know you guys could do that. So that was pretty shocking to see them working that patient after that just happened. So, I felt proud for them at that point. But outside of that, I don't -- we disconnected our stuff. We leave the pads. I don't -- yeah, we did place pads on the front, maybe a four lead. But we leave that stuff. Anything we connect, we're supposed to for the coroner.

We packed our stuff up. We stayed on scene. We wrote out a coroner's report as best we could. And yeah, I feel that's pretty much all I remember. We got out of there. We released the ambulance. Asked if the Sheriffs needed anything else from us.

SPECIAL AGENT JON GENENS: Okay. I just have some follow-up question for you. And then --

[redacted]: Okay.

SPECIAL AGENT JON GENENS: -- my partner will ask you follow-up questions as well.

[redacted]: Yeah.

SPECIAL AGENT JON GENENS: I'm just curious, how often do you respond to a gunshot

wound up here?

[redacted]: It is more rare than off the mountain, but I mean, it seems like this last year it's been a little different. Me personally, this is my first one this year. I had one last year. But I think there's been four or five in the past couple months with multiple crews from this station. So it's, you know, a little more rare but.

SPECIAL AGENT JON GENENS: And where you driving the --

[redacted]: Mm hm. The apparatus?

SPECIAL AGENT JON GENENS: -- engine? Yeah.

[redacted] Yeah.

SPECIAL AGENT JON GENENS: And you mentioned that there were two deputies that you knew?

[redacted]: Mm hm.

SPECIAL AGENT JON GENENS: Or recognized?

[redacted]: Yeah, recognized.

SPECIAL AGENT JON GENENS: Do you -- do you know their names?

[redacted]: No. I mean, one of them

is a German name and I always say like when I interact with him on other calls, you know, like that's a German name, it's crazy. But -- and then, I used to know the taller gentleman's name by memory and forgot. It's been a while since I've interacted with him for a little bit, so...

SPECIAL AGENT JON GENENS: Okay. Can you describe the deputy who was doing CPR?

[redacted] That was the taller, lean, white Caucasian gentleman. And then the German guy's a little bit shorter, white dude. But they were the ones working on him. CPR was definitely being done by the tall, skinny guy.

SPECIAL AGENT JON GENENS: Okay. And you mentioned that you were briefed by a deputy who you thought was the shooter. Why did you think that person was the shooter?

[redacted]: Because I -- I think, if I remember correctly, we asked. I think I asked the German -- the shorter gentle -- deputy how long it's been. And I think he directed me to the other deputy basically saying he's the one who -- I don't know if he said shooter or what. But -- and then I went to him and said how long ago did this happen? And he said, it's been like

14 minutes or so.

SPECIAL AGENT JON GENENS: Okay. And it was your understanding that he started providing CPR right -- bascially right after --

[redacted]: Yeah.

SPECIAL AGENT JON GENENS: -- the shooting?

[redacted] Yeah. They -- as soon as they felt there was no hazard, which was pretty fast I think, they stared working him up. I mean, and they had everything blown out of their cases, all of the EMS gear they carry was all over and they already had multiple things happening, so...

SPECIAL AGENT JON GENENS: You mentioned that you did not think that any drugs or IV was given to the patient?

[redacted]: We did not for sure. I don't know if you guys do, I don't -- I don't know that part. But on my end, EMS care, we were getting prepped and based called -- called the patient so we didn't have to break it out. And even I recall, like afterwards, putting our stuff back together and thinking, like, man, this is the easiest post restock we've ever had because

we didn't have to restock anything. It was just -- we did do an OPA, actually, I recall restocking that.

So we put an OPA in his mouth. And we did bag him BVM because I don't know if that was happening. But those are the only two procedures, really, that we did. We didn't push any drugs as far as any intravenous or bone access.

SPECIAL AGENT JON GENENS: If you had given any drugs or an IV would that be listed on the patient care report?

[redacted] Oh, yeah. Yeah. Yeah, that would be under procedures for medications and procedures.

SPECIAL AGENT JON GENENS: Okay. And when you arrived on scene, did any particular sounds or conversations catch your ear?

[redacted]: No. You know, like I said, we noticed the Sheriffs were pretty upset. They were distraught. We just rapidly identified times because it dictates where we go. So I wanted to know how long he's been down. You know, how long has this -- did this happen? Because it changes it from us doing a bunch of

stuff right away to us trying to call, which is what we did. But I don't recall that first gentleman, he was silent. I don't even know if I ever heard him say a word. And I think the two deputies only spoke when we asked the questions, which were very pertinent, you know, outside of that, I don't recall any kind of information.

SPECIAL AGENT JON GENENS: Okay. And what did you observe about that patient?

[redacted]: Everything.

SPECIAL AGENT JON GENENS: Like, maybe injury -- any injuries that you observed?

[redacted] Oh. So initially, we -- oh, that was a question I -- now can we -- like, we wanted to know where it happened because he was head towards us when we pulled up. And he was on his back. So we wanted to know -- it's another pertinent thing. Like, was he shot and then ran a little bit? Where's the blood? We did ask all that stuff. How much blood? They said it was right there, pretty much, on the side of the Sheriff's vehicle, the front vehicle. And there was a light pole if I remember -- or a telephone pole. And I remember seeing a splatter of blood on the snow. And it was approximately,

I guess -- I think, at least 50 to 100ccs of blood. And then they moved him on his back right there, if I recall. That was a question we asked, like, how did he get here?

Instantly, they said, he's got a hole. And they were calling it a through and through. Is that the term for -- or in and out, through and through? I forget the term he was saying, but basically, like there might be multiple holes but one's an in and one's an out. So, we can identify that, typically, with more of a different explosive pattern on the back side versus just the small little circular hole. So I was trying to figure out where all these holes were.

I identified one here, sternum one, left abdomen. One right flank, lower. And then we notice a fourth hole during compressions. We started getting a leak out of his neck. So I pulled his jaw up and I noticed crepitus on the jaw at that time, I remember now. It -- you know, the shattering kind of -- just unstableness in the jaw. It's called crepitus. And I saw a hole in his right neck with a bullet fragment. And I grabbed the bullet and pulled it, and just

put it right here just so I could look in the hole and make sure the arterial or venous. And it seemed arterial.

Because as we were compressing, it was kind of doing a little squirt, you know, a little ooze there. So that was the fourth hole that we identified on scene. And I didn't see anything else. And at that point, we were just working the patient. So outside of that, supine, head towards the engine crew coming up Vista. Found multiple four holes, occlusive dressing. I don't recall any other padding. I noticed, like, the tattoo on the belly caught my eye real quick. It said, like, fuck cops or something along those lines.

He had no shirt on. He had -- I don't remember if he had pants, or shorts, or just boxers. But they were kind of pulled down too because he was exposed. I didn't notice any other things on the floor except for just the mess of the EMS equipment from the deputies and our stuff.

SPECIAL AGENT JON GENENS: You mentioned that you moved the bullet and you said to here, but since we're on audio, can you

describe where you moved the bullet to?

[redacted] I just moved it about an inch over, just so I could watch the hole as we're compressing because I wanted to make sure it was arterial that we were seeing to see if it was squirting or oozing. I think that was the secondary thought. The first thought was, is -- is there even a hole or is there just a bullet fragment sitting there that had blood on it. So, I took the bullet, kind of moved it down a little bit. And it stayed right there. And then, I immediately told the deputy, like, hey, there's another fragment and hole right here, FYI.

SPECIAL AGENT JON GENENS: And you had -- and you had gloves on when you moved the bullet?

[redacted]: Oh, absolutely, yeah, gloves and masks.

SPECIAL AGENT JON GENENS: So is it correct that the body was moved in a northerly direction?

[redacted]: Yes. I believe so, yes.

SPECIAL AGENT JON GENENS: Approximately, what was the distance that the body was moved?

[redacted] I would say only a body's length if that. I mean, it was -- his feet were probably only maybe three feet from the snow splatter that I saw and I think that's where it happened from what I gathered on scene that night or that morning. So I'd say, just maybe three or four feet away from that point of origin where I thought it happened.

SPECIAL AGENT JON GENENS: And you had mentioned a deputy's -- you thought it happened near the front of a deputy's vehicle; is that accurate?

[redacted] It sounded like to the left side of that front vehicle. Like, his vehicle was at the very top of the street pretty much. And there's a light -- a power pole. And there was a snow pile right here, and that snow pile had splatter on it. So, we asked, you know, again, in the very beginning, like, where did this happen? Did he run? What, you know, where's the blood at?

And I don't recall the exact word, and I don't even recall which deputy said it because at that point I was down doing this. But it sounded like it happened kind of right in that

vicinity between the front vehicle and that power pole. And then, he might have fallen right there and then they just shifted him in a workable position. And actually, no -- I'm recalling now. We moved -- we actually helped move him a little bit further because we didn't have room on the side because he was right next to the deputy's vehicle. So we probably moved -- he was actually right where it happened. They just maybe flipped him on his back.

So -- and we drug him out probably two to three feet just so we could have another person on this side to start doing some drug stuff if we needed.

SPECIAL AGENT JON GENENS: Was there anything in front of the deputy's vehicle?

[redacted]: There was his vehicle.

SPECIAL AGENT JON GENENS: His meaning the --

[redacted]: The victim. The victim, his vehicle was in the front. And I remember -- it's funny, I didn't even think about this until now, but like, I remember it kind of being like, a little Honda hatchback or something weird like that. It was some, like, newer small sedan. But

I can't be 100 percent on what the heck it was. But I do recall that his vehicle was right up on the front to where you barely even see it. Yeah.

SPECIAL AGENT JON GENENS: What was behind the first deputy's vehicle?

[redacted]: The first deputy's vehicle was the patient.

SPECIAL AGENT JON GENENS: I mean behind --

[redacted]: I mean behind it at that point. Oh, the one that was --

SPECIAL AGENT JON GENENS: So you described the patient's vehicle in the front, a deputy's vehicle directly behind. What was behind the first deputy's vehicle?

[redacted] That deputy's vehicle, there was just him kind of to the side. There was really nothing, I guess, except for some EMS gear from the deputies if I recall. So there was big pile -- he was here between the vehicle and the power pole. But his head was still back behind the bumper. So, we only drug him a couple feet and that's where a mess was. But the deputy -- so when we pulled up, I guess the deputy was more behind his vehicle doing compressions on

this guy. It kind of lined him correctly to that at that point.

But there -- I don't remember anything else. There was another deputy's vehicle --

SPECIAL AGENT JON GENENS: Okay.

[redacted]: -- behind him, but you know, they were spaced out a little bit.

SPECIAL AGENT JON GENENS: How far?

[redacted]: I'd say maybe 15 feet, 20 feet max.

to the front of the bumper

[redacted]: It was close, you know, but enough room for all of us to be right in the middle of it.

SPECIAL AGENT JON GENENS: And was there anything behind the second deputy's vehicle?

[redacted]: No. Not that I recall because I pulled up in the engine pretty close to that.

SPECIAL AGENT JON GENENS: So how many deputy vehicles did you see in total?

[redacted]: I remember two.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: On the street.

SPECIAL AGENT JON GENENS: Approximately where did you park you -- the engine?

[redacted]: I parked it facing uphill, facing south on Vista. And I kept maybe -- I stuck real hard to the right, just so we gave room to the ambulance if needed. I'd say maybe ten feet off the rear. I got pretty close to that rear vehicle. It was the second Sheriff's vehicle.

SPECIAL AGENT JON GENENS: And who pronounced the patient?

[redacted]: [redacted] called base and [redacted] put her paramedic license on that call.

SPECIAL AGENT JON GENENS: Okay.

[redacted] If I recall, yeah.

SPECIAL AGENT JON GENENS: All right. And would she be the person to ask about what time he was pronounced or would you be able to look it by looking at the patient care record.

[redacted]: Yeah, let me see. I might be able to do that. It should be on here. Did you get a copy of the coroner's report?

Because it's definitely on there. There's a line item, we have to put it on there. It's a paper we give the deputies before we leave on any CPR or -- let's see. I believe it was 3:19, if I remember correctly. But let me just see here. Let me see the narrative. They should put that there. Medications, unable, unable. Date, time, no, no, no. See this is missing -- this is missing some of the other items that would have that time of death.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: But I'm pretty sure it was 3 -- or it was 19 after, but I don't want to --

SPECIAL AGENT JON GENENS: Why do you think that? You just kind of remember?

[redacted]: I just recall certain things and I -- I'm the one who heard [redacted] base and I looked down at my phone. And I'm pretty sure it was 19 after.

SPECIAL AGENT JON GENENS: Okay. But Firefighter [redacted] would probably be able to --

[redacted]: Yeah. She might be able to recall that a little better. And if not, she -- we can pull it up --

SPECIAL AGENT JON GENENS: Okay.

[redacted]: -- if we need to.

SPECIAL AGENT JON GENENS: All right. And do you remember where you were in relation to that patient where you walked? Did you walk in the snow? Did you --

[redacted] Yeah. I went straight to his left side. So I was kind of between him and the driveway on the left going up Vista. And that's where I stayed.

SPECIAL AGENT JON GENENS: Okay. Is there anything unusual or anything you got concerns about regarding the incident?

[redacted]: No. I mean, obviously, it's an unusual incident, but I think everything I saw is kind of what would happen, you know, for that incident.

SPECIAL AGENT JON GENENS: Okay. I know my partner's going to have some questions for you, so I'm going to --

[redacted]: Yeah.

SPECIAL AGENT JON GENENS: -- let him ask.

SBSD DETECTIVE MALCOLM PAGE: I appreciate it. At that time, your capacity was

engineer, correct?

[redacted]: Yes, sir.

SBSD DETECTIVE MALCOLM PAGE: And you -- were you the driver of the firetruck?

[redacted]: Mm hm, yes, sir

SBSD DETECTIVE MALCOLM PAGE: When you left the station and responded, did you respond with your emergency overhead lights activated?

[redacted] Yes.

SBSD DETECTIVE MALCOLM PAGE: And from this station to the scene, how far do you think that is, distance-wise, approximately?

[redacted]: I'd say, maybe -- maybe a mile to a mile and a half.

SBSD DETECTIVE MALCOLM PAGE: Okay. Describe the roadway conditions that morning as you were driving the firetruck.

[redacted] It was -- it was icy. It was definitely icy because we were kind of spinning going up a little bit. But there was definitely tight -- tight roadways, just because of the berms. There was snow berms all up in there. Actually, we ended up bending -- going around a turn, bending our little grate that's on the bottom -- just side note. But outside of

that, it was pretty clear. Got straight up there, saw his lights from way down the road. And got a straight shot to it.

SBSD DETECTIVE MALCOLM PAGE: Okay. And then when you're referring to lights, what lights are you -- when you made that turn on Vista and you saw lights --

[redacted] Their code -- their code three lights.

SBSD DETECTIVE MALCOLM PAGE: Their red and blue emergency lights?

[redacted]: Yeah, they had them all on. They were -- all the blues, the reds, everything.

SBSD DETECTIVE MALCOLM PAGE: Okay. You've described the normal procedure of performing CPR on asystole -- asystole patient for approximately 20 minutes is your normal procedure time --

[redacted]: Mm hm.

SBSD DETECTIVE MALCOLM PAGE: -- and that's when you start making phone calls to pronounce; is that correct? [redacted]: Yes.

SBSD DETECTIVE MALCOLM PAGE: Okay. And then based on the information of the time

that the deputies were performing CPR and your arrival, is that -- we'll say equate into why nothing additional was performed?

[redacted]: Absolutely, yes. Yeah, it would be different if we were, like, staging for example. And you guys had us staging and this went down. You guys immediately got rid of the threat. We'd go up in there and our 20 minutes would pretty much start 20 solid minutes. We wouldn't even attempt to make in base for that.

Any victim that's in CPR, let's say the family calls for just a loved one, for example. If they don't call for 20, 30 minutes, when we get on scene, we're going to do BLS compressions -- and this is past practice, trends. We're going to do BLS compressions and start preparing, but at the same time, we're calling base so that we can just be, like, hey, this person's been down too long. What do you think about calling it?

SBSD DETECTIVE MALCOLM PAGE: All right. Is in addition to the time the deputy explained CPR was conducted by him and anyone else, did you obtain additional information from

your equipment in your evaluation of the patient's conditions?

[redacted]: Yeah. We found asystole with a -- it's called a PEA, pulseless electrical activity rhythm. And it was faint, and it was -- like I said, I mean, very sparce. So you'd see a solid line for six to ten seconds and then a little blip. So that -- with the direct shot over the center of the heart, we know as medics what that means is you still have a firing mechanism that's trying to do something, but the muscle tissue's just gone. So it's not able to do that.

We noticed no respirations. We didn't notice a lot of external blood, but we noted an ex-internal loading, which did not seem natural. So that's probably it was encapsulated, which is typical for any kind of penetration wound. So, that's kind of what we notice. Pale, you know, white, obviously cool to the touch. So it was, you know, that was -- that's all we needed.

SBSD DETECTIVE MALCOLM PAGE: Yeah. Do you remember what the temperature was? Was it above freezing, below freezing?

[redacted] It was below and I think

-- I think, man, it must have been, like, 29-ish, 20 -- because it, like I said, I think it rained a little bit. And then, that morning, it lifted so it was frosting on the roads and we were spinning a little bit going up to this call. So I'm pretty sure it was -- it had to have been sub-30.

SBSD DETECTIVE MALCOLM PAGE: All right. Now, when you arrived, you stated that the deputies were working through their equipment. What equipment did you see the deputies utilizing?

[redacted]: They had everything out on that ground. And I remember seeing padding. I remember for sure seeing the occlusive dressing stuff. They had one over the heart. They placed it correctly, then even folded the corner correctly like. Everything else was in such an array of a mess. I couldn't really sit here and identify, but I just remember seeing pretty much everything they probably had all over the ground next to the station. But padding, occlusive dressings -- I don't recall anything else that's standing out.

SBSD DETECTIVE MALCOLM PAGE: Was there

anything -- anything medically-wise that in addition to what you saw that could have been added to assist the patient during those life-saving measures?

[redacted] Like, what they should be doing before we get there?

SBSD DETECTIVE MALCOLM PAGE: Medical equipment that they had available at the time that you saw?

[redacted] I don't recall a BVM.

SBSD DETECTIVE MALCOLM PAGE: What is a BVM?

[redacted] It's the bag valve mask. The -- you know, the squeezer for respirations. I don't know if I recall that. And I'm pretty sure we -- I know we used our OPA, which is the -- it's a curved plastic thing you stick down the patient to keep the tongue from the back, so that when you're breathing it doesn't push the tongue back in the back of the throat. I'm pretty sure we did that, and we did our own. So, I didn't remember them having that or doing respirations, just -- just compressions.

SBSD DETECTIVE MALCOLM PAGE: Okay. You said that the -- that the deputies appeared

upset and/or I think you used the word distraught. Describe what you mean by that.

[redacted] I could tell that they were -- I mean, almost -- I could tell that they were sad. I mean, I could see it in their face that they were not happy with what just happened. They were silent. They were quiet. They were almost, like I noticed more the gentleman who -- the taller deputy, I noticed he was kind of like -- like, he looked sad. He looked -- like he was looking down at the ground. He just looked like he was just almost distant from it once we pulled him off the compressions. Almost like in a state of shock if you will, slightly.

It was enough that where afterwards I went to them, and I like, hugged one of them. I gave both of them knuckles. And I just -- I said, you know, we're going to stay for you guys. Like, is there anything you need? Because I noticed there was -- which obviously, it's a right, you know to, in my opinion -- but I just noticed them kind of quiet, distant, you know, thinking about what just happened. That's kind of the mentality -- the vibe I got if you will from that.

SBSD DETECTIVE MALCOLM PAGE: Did you observe anything unprofessional between the deputies as far as their mannerisms, or language, or their activities while you were at the scene?

[redacted]: No. No. And honestly, when we -- after the call, I believe it might have been Captain [redacted], he may or [redacted] -- I can't remember. One of them may have said, like, you know, what the heck? Like, what was this? What just happened? And they actually said, you know, we -- it's -- we can't disclose any of that information. Like, they actually stayed very professional in that aspect, which I appreciate it because sometimes, you know, we can get information. So I thought it was good of them to not give even us any information because we had no idea what the heck just happened.

So, I think they kept it very professional, very calm. And you know, I think the process went the way it was supposed to go.

SBSD DETECTIVE MALCOLM PAGE: Did you observe any injuries or blood on the deputies?

[redacted]: No. I don't recall that. The only -- well, let me back up. I don't know if it was theirs or his, but they definitely did

have blood because they got wipes from me. See, all of things are coming back. So, they got some wipes -- or they asked us to bring them a tub of wipes. And then, at the front vehicle, the taller deputy pulled out two baby wipes packs and he gave the shorter deputy -- God, I wish I knew their names, one of the packs. And then, I had my little tub thing and they said, yeah, don't worry about it. This'll work. And we had a little discussion of well, these will really disinfect you. So you know what, I almost feel like it was the victim's -- the patient's blood.

SBSD DETECTIVE MALCOLM PAGE: All right. Did you -- was the -- were either of the deputies wearing gloves?

[redacted] Oh, I don't -- I can't say on that. I don't know. I don't recall.

SBSD DETECTIVE MALCOLM PAGE: Do you -- while you were there, did you see any items of any kind moved other than the patient?

[redacted] No because we -- like I said, there was one doing rhythm -- compressions. He had a pile of their EMS gear. There was a -- the patient, we walked up, instantly drug him, like, two to three feet. Placed him where he

was. That is all I recall. I don't think we drug him over the EMS equipment. I don't think there was anything in our path. I think we just moved him a little bit further up. There was no other obstructions or no other objects there.

SBSD DETECTIVE MALCOLM PAGE: All right. Did any of the patrol vehicles get moved or the patient's vehicle get moved?

[redacted]: No. No, those stayed.

SBSD DETECTIVE MALCOLM PAGE: Did you see -- other than the medical equipment that you and the deputies were bringing to the scene, did -- was there any items of any kind added to the scene?

[redacted]: No. No, they -- like I said, that one deputy -- that first guy I encountered, that didn't say anything, he was bouncing back and forth between this house, this house, I think they were getting ready to lay some yellow tape out. But he was isolating that scene, I think, pretty well. He knocked on this door and started to talking to them as we were still kind of down here working with them. But there was nothing else that I recall added, or removed, or anything from that scene.

SBSD DETECTIVE MALCOLM PAGE: You mentioned that the deputy was speaking with someone at a house. Did you see anybody else outside of their house -- houses --

[redacted]: No.

SBSD DETECTIVE MALCOLM PAGE: -- or approaching him? Did you see anybody?

[redacted]: No. And I looked. I was looking because it was like how are there not a bunch of people out here? Because I think there was Airbnbs on this side and on this side. And I feel like there were vehicles all up in those driveways. So I remember thinking, like, how is there not awake right now?

SBSD DETECTIVE MALCOLM PAGE: Mm hm.

[redacted]: So, they -- he just got this house right to the side of the rear Sheriff's vehicle. He finally got somebody to answer that door. And I could kind of hear, like, you know, just words. Not -- I couldn't make sense of it, but.

SBSD DETECTIVE MALCOLM PAGE: All right. Other than -- and then you mentioned equipment that you may have taken off of the patient. Was there anything else, either that

was removed from the patient's person, personal effects, or from the -- his vehicle?

[redacted]: Not that I know of. I didn't see any of that.

SBSD DETECTIVE MALCOLM PAGE: Okay. You didn't see anything added to the scene, anything to him?

[redacted] No.

SBSD DETECTIVE MALCOLM PAGE: To the vehicle?

[redacted]: No.

SBSD DETECTIVE MALCOLM PAGE: Did anyone approach any of the vehicles?

[redacted] No. No, and as soon as we backed out -- like as soon as we got out behind that rear Sheriff's vehicle, the deputies said it, like, all right, the scene's locked down. And they started running tape across, like, really finalized the isolation of that scene, so...

SBSD DETECTIVE MALCOLM PAGE: I just want to be clear. You saw three deputies --

[redacted]: Mm hm.

SBSD DETECTIVE MALCOLM PAGE: -- and two cop cars?

[redacted]: Yeah. That's all I recall is two Sheriff's vehicles in the roadway.

SBSD DETECTIVE MALCOLM PAGE: Was there anything added to the patient after he was pronounced deceased?

[redacted]: No. No.

SBSD DETECTIVE MALCOLM PAGE: Was there a blanket placed over him?

[redacted]: We did not.

SBSD DETECTIVE MALCOLM PAGE: Okay. That's all I got.

SPECIAL AGENT JON GENENS: Is there anything that we haven't asked you about or anything that you'd like to add or clarify?

[redacted]: No. No, I just want to say I -- you know, like, again, that I was proud that they were able to do that because I couldn't do that. I mean, that's a pretty crazy incident. So to be able to go from, you know, stage one to stage two of trying to save a life was pretty amazing to me. And I just want to say that they did a pretty awesome job, so...

SPECIAL AGENT JON GENENS: Thank you very much for taking time out of your day to speak with us. Time is approximately 1441 and

that concludes the interview.

C E R T I F I C A T I O N

On April 6, 2023, I, SA J. Genens received this transcript from Veritext. [redacted], from Veritext, certified that the transcript was a true and accurate record of the proceedings. On May 23, 2023, I listened to [redacted] interview while I reviewed the transcript at the same time. I made corrections to the transcript for any errors I found. I also completed a list of corrections and attached the list to the back of the transcript.

SA J. Genens

Date: May 23, 2023

TRANSCRIPT CORRECTION SHEET – [redacted]

Location		From	To
Page 6	line 6	Let me get the correct one, all right	We need the correct one right?
Page 7	line 7	getting	unit
Page 8	line 17	before,	at this point,
Page 9	line 11	open	poking
Page 10	line 21	Black	white
Page 12	line 8	the LS	BLS
Page 13	line 7	on the front	if I remember correctly
Page 14	line 10	where	were
Page 19	line 24	hole at	bullet
Page 24	line 21	down	back
Page 25	line 11	SA Jon Genens	--
Page 25	line 11	Right	--
Page 28	line 18/19	And now	I know
Page 30	line 16	Describe	You've described
Page 32	line 14	did	didn't
Page 32	line 16	loading	bloating
Page 35	line 18	say it	to stay
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California Department of Justice - CA-DOJ

Case Number: BI-LA2023-00010

Case Name: Fuller, Samuel

Date of Interview: March 12, 2023

Person being interviewed: [redacted]

Interview Location: 42151 Big Bear Blvd., Big Bear Lake, CA 92315

SPECIAL AGENT JON GENENS: Today is Sunday, March 12, 2023, approximately 18:10 hours. This is Special Agent Jon Genens with the California Department of Justice, and I'm with --

DETECTIVE TRAVIS GAGNE: Detective Travis Gagne, Sheriff's Homicide.

SPECIAL AGENT SUPERVISOR SAMUEL RICHARDSON: Special Agent Supervisor Samuel Richardson.

SPECIAL AGENT JON GENENS: And we are going to be going to [redacted] located at [redacted], Big Bear Lake, California 92315, to interview [redacted] regarding Kyle. And this is in regards to BI-LA2023-00010. And do you want to put your case number?

DETECTIVE TRAVIS GAGNE: No, I'm good.

SPECIAL AGENT JON GENENS: All right.

MAN: Hi.

SPECIAL AGENT JON GENENS: Hi. We're looking for [redacted].

MAN: [redacted]

SPECIAL AGENT JON GENENS: Yeah.

MAN: Hun, they're looking for you.

SPECIAL AGENT JON GENENS: Can we talk

-- could we talk to her inside?

MAN: Yeah, yeah, yeah.

SPECIAL AGENT JON GENENS: It's a little cold out here.

MAN: Yeah, I know. Come on in.

SPECIAL AGENT JON GENENS: Thanks.

[redacted]: (indiscernible)

MAN: Yeah. They'll talk to you in here, over here, if you want to -- (indiscernible)

SPECIAL AGENT JON GENENS: Yeah. Thank you.

MAN: (indiscernible)

[redacted] Hi.

SPECIAL AGENT JON GENENS: Hi [redacted] You're not in any trouble.

[redacted]: Okay, I'm like --

SPECIAL AGENT JON GENENS: Yeah, you're not in any trouble. My name is Jon. I'm a Special Agent with the California Department of Justice.

[redacted]: Okay.

SPECIAL AGENT JON GENENS: This is my supervisor.

SPECIAL AGENT SUPERVISOR SAM

RICHARDSON: Hi. How are you?

[redacted]: Hi.

SPECIAL AGENT SUPERVISOR SAM RICHARDSON: (indiscernible)

[redacted] Okay.

SPECIAL AGENT JON GENENS: And we wanted to talk to you about Kyle. Can we --

[redacted] What's --

SPECIAL AGENT JON GENENS: Can we sit down and talk?

[redacted] Yeah. Please. Well, there's a reason he hasn't gotten a hold of me, so, what's up?

SPECIAL AGENT JON GENENS: Oh, well, so -- well, we wanted to -- first of all, we just, kind of, need a little background information. We understood that there was, like, maybe a little domestic violence.

MAN: (indiscernible) to drink?

SPECIAL AGENT JON GENENS: Oh no. I'm fine. Thank you very much.

DETECTIVE TRAVIS GAGNE: Yeah, I'm okay. Appreciate you.

SPECIAL AGENT SUPERVISOR SAM RICHARDSON: Thanks though.

MAN: (indiscernible)

[redacted] It was --

SPECIAL AGENT JON GENENS: Yeah, he did. That's tough.

[redacted]: It was not domestic violence.

SPECIAL AGENT JON GENENS: Oh, okay.

[redacted]: He broke some of his own shit.

SPECIAL AGENT JON GENENS: I'm sorry?

[redacted]: He broke some of his own shit.

SPECIAL AGENT JON GENENS: Oh, okay.

[redacted]: He broke a monitor for his computer.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: He basically smashed it. He didn't hit me.

SPECIAL AGENT JON GENENS: Oh, you've never -- never --

[redacted]: He didn't hit me. Oh, hell no. I hit back. I'm a mechanic and I'm a chef. I don't give a fuck, and I will fucking hit you back if you hit me. So, I don't play like that. SPECIAL AGENT JON GENENS: Okay.

[redacted] So, no, there was no domestic violence.

SPECIAL AGENT JON GENENS: Okay.

[redacted] He was stupid and he broke some of his own shit, is what it broke down to. He broke one of my wood pieces that was an art piece that I did. It was a carving. It was -- I don't think he meant to hit it. He was just smashing his shit. He was, kind of just -- he was taking it out on everybody else and well, you know, I mean, it's better than trying to come after me because, like I said, he probably wouldn't end up in a good place that way.

SPECIAL AGENT JON GENENS: Gotcha.

[redacted]

SPECIAL AGENT JON GENENS: All right. So, that was about two weeks ago. Is that when the police were called?

[redacted]: Yeah, something like that.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: A week and a half, two weeks. I don't remember the exact date.

SPECIAL AGENT JON GENENS: Okay, and

there's no weapons involved, you haven't --

[redacted]: No!

SPECIAL AGENT JON GENENS: Do you know -- does -- have you seen him with any weapons?

[redacted]: None.

SPECIAL AGENT JON GENENS: Guns, knives, anything like that?

[redacted]: I have knives. They're not his. I have swords from when [redacted] was alive. It's a collection. I have, like, Excalibur and I have some Civil War swords and some things like that, but those are mine.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: But no, he's not Mr. Knife Boy or anything like that. That's -- unfortunately, I'm that person. Like I said, I'm a chef. You know, it kind of goes hand-in-hand with some of things.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: So, I've got, like, a chef knife, you know, thing, but --

SPECIAL AGENT JON GENENS: Right, right.

[redacted]: -- but that's for my work. That has nothing to do with him.

SPECIAL AGENT JON GENENS: Okay. How long have you -- [redacted] with him?

[redacted] [redacted] over a year now.

SPECIAL AGENT JON GENENS: For over a year?

[redacted] Mm hm.

SPECIAL AGENT JON GENENS: Can you tell me, just like, when you -- where you first met him?

[redacted]: I've known him for a couple of years now --

SPECIAL AGENT JON GENENS: Uh huh.

[redacted]: -- through one of my [redacted].

SPECIAL AGENT JON GENENS: Uh huh.

[redacted] They were friends. I live up here. (indiscernible) So, I went to high school out here [redacted]

SPECIAL AGENT JON GENENS: Oh, I'm sorry to hear that.

[redacted] So, I decided to move back because I had to go -- you know what I mean?

[redacted]

SPECIAL AGENT JON GENENS: And is that when you met him, when you were out here?

[redacted]: Yeah.

SPECIAL AGENT JON GENENS: So, approximately how long ago?

[redacted] It's been at least two years.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: I can't give you the exact date where I --

SPECIAL AGENT JON GENENS: All right, so about --

[redacted]: (indiscernible)

SPECIAL AGENT JON GENENS: You met him about two years ago?

[redacted]: Yeah.

SPECIAL AGENT JON GENENS: And then, was it in Big Bear area that you met him?

[redacted]: No, I met him down in San Diego.

SPECIAL AGENT JON GENENS: Okay, and

then -- and then, what -- has he lived in San Diego the whole time? Has he moved up here or --

[redacted]: Well, I mean, yeah. He came back up here, I mean, on and off. I mean, he'd been down several times.

SPECIAL AGENT JON GENENS: So, is he still -- do you know, is his family still in [redacted] or --

[redacted]: No, his family moved [redacted].

SPECIAL AGENT JON GENENS: [redacted]?

[redacted]: Mm hm.

SPECIAL AGENT JON GENENS: Do you know -- do you know Kyle's telephone number?

[redacted] He just got a new phone.

SPECIAL AGENT JON GENENS: Okay.

[redacted] Not off the top of my head. If I can --

SPECIAL AGENT JON GENENS: Do you have --

[redacted]: If I can go get my phone, I can --

SPECIAL AGENT JON GENENS: Oh, yeah. Please.

[redacted] I don't know if it's the tablet or if it's his phone --

SPECIAL AGENT JON GENENS: Okay.

[redacted]: -- because he had my tablet. So --

SPECIAL AGENT JON GENENS: Okay.

[redacted]: -- I don't know which number is which.

SPECIAL AGENT JON GENENS: All right.

[redacted]: If that makes sense. I mean, it's all new stuff that --

SPECIAL AGENT JON GENENS: Do you have both numbers?

[redacted]: I do.

SPECIAL AGENT JON GENENS: Yeah --

[redacted]: They're all sequentials.

SPECIAL AGENT JON GENENS: Are they on -- are they on something here?

[redacted] They're in my phone.

SPECIAL AGENT JON GENENS: Yeah. Can you grab it?

[redacted]: Yeah, let me go get it real quick.

SPECIAL AGENT JON GENENS: Okay. Thank

you.

[redacted]: I have it in my pocket.

SPECIAL AGENT JON GENENS: Ah.

[redacted]: I usually don't keep it in my pocket, at all. Okay. It's a new phone, a new setting. It'd be [redacted]

SPECIAL AGENT JON GENENS: [redacted]--

[redacted]: [redacted]

SPECIAL AGENT JON GENENS: [redacted] And you said --

[redacted]: And I'm [redacted].

SPECIAL AGENT JON GENENS: And you're [redacted]. And do you -- you said there might be a second telephone number for him or was that -- the second one was --

[redacted]: No, the two are the sequential numbers.

SPECIAL AGENT JON GENENS: Got it. Okay. And then you said, was it just -- what -- was it just his [redacted] Who moved to [redacted]

[redacted]: [redacted].

SPECIAL AGENT JON GENENS: [redacted] Do you know -- do you have their telephone number?

[redacted]: Mm hm. I would have to dig it up. I (indiscernible) written in a notebook at home. I don't have it here.

SPECIAL AGENT JON GENENS: Oh, okay.

[redacted] I don't call her or anything or talk to her.

SPECIAL AGENT JON GENENS: Oh, okay. Do you know their names?

[redacted]: His [redacted] so --

SPECIAL AGENT JON GENENS: Oh. Do you know their names?

[redacted]: His [redacted]

SPECIAL AGENT JON GENENS: [redacted] And what about [redacted]

[redacted]: [redacted], I think.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: I haven't heard -- I mean, I've met him in passing, I haven't --

SPECIAL AGENT JON GENENS: Sure.

[redacted]: -- met him.

SPECIAL AGENT JON GENENS: Does he have [redacted]

[redacted]: Kyle?

SPECIAL AGENT JON GENENS: Uh huh.

[redacted] No.

SPECIAL AGENT JON GENENS: [redacted].

Any[redacted]

[redacted]: [redacted].

SPECIAL AGENT JON GENENS: Do you know their names?

[redacted]: I have no clue. I've never met them.

SPECIAL AGENT JON GENENS: Oh. Do you know where they live?

[redacted]: I have nothing --

SPECIAL AGENT JON GENENS: Okay. Do you know -- has Kyle been in any, sort of, trouble lately --

[redacted]: No.

SPECIAL AGENT JON GENENS: -- that you know of?

[redacted]: None that I know of, at all. I mean, as far as I know, he's been doing the straight and narrow thing and --

SPECIAL AGENT JON GENENS: Don't know if he has any, like, outstanding warrants or anything like that?

[redacted]: They mentioned he

might have a warrant when I talked to the police officer a couple of weeks ago.

SPECIAL AGENT JON GENENS: Okay.

[redacted] Like I said, the only reason I did that was because I wanted to be able to go and if it went to that, I wanted to be able to get an Order of Protection so he would stay away from me, if it went there. And I didn't know if it would, but I still needed to talk to somebody because if there's no incident report or anything, nobody's going to be able to do shit.

SPECIAL AGENT JON GENENS: Right.

[redacted]: So -- and I didn't know which way he was going to head. He left to cool down. I didn't know if he was coming back. I didn't know if he was going (indiscernible). I didn't really know. It was, kind of, up in the air and I just wanted to make sure my ass was covered.

SPECIAL AGENT JON GENENS: Gotcha. So, did you -- you never ended up getting a Restraining Order?

[redacted]: Uh uh.

SPECIAL AGENT JON GENENS: Okay, and do

you know where he took off to?

[redacted] I don't know. That day? No. He didn't come back for a few days.

SPECIAL AGENT JON GENENS: Okay. So, you had --

[redacted] He really was tight lipped. He was very tight lipped about everything.

SPECIAL AGENT JON GENENS: Did he -- was the last time that you saw him the day that the police got called?

[redacted]: No.

SPECIAL AGENT JON GENENS: Oh. When was the last time you saw him?

[redacted] It's been -- it's probably been a week.

SPECIAL AGENT JON GENENS: So, that was after the police were called?

[redacted]: Yes.

SPECIAL AGENT JON GENENS: Okay.

[redacted] We sat down and we had a conversation where, you know, we decided that, you know, we're just going to -- not break up, per se, but (indiscernible).

SPECIAL AGENT JON GENENS: Just take

some time out?

[redacted] Yeah. I mean, I'm not -- I'm not seeing anybody else. I mean, we seem to be on the same page and like, what we need to (indiscernible) issues and, I mean, I hope (indiscernible). [redacted] It's a shit show. It's not cool. Everybody has anger issues. Everybody does. It's how you deal with it. So, we talked about that. I was -- you know, we seemed to be finally on the same page and that's where we left it.

SPECIAL AGENT JON GENENS: And no -- I mean, no -- no, like, physical altercation at that point?

[redacted] No.

SPECIAL AGENT JON GENENS: It was just to talk?

[redacted]: Of course.

SPECIAL AGENT JON GENENS: Okay. All right. And, do you know, does he have any, like, friends in the area that you know of?

[redacted]: Not that I'm aware of, no.

SPECIAL AGENT JON GENENS: No? Do you

know what kind of car he drives?

[redacted] He had a Honda Civic.

SPECIAL AGENT JON GENENS: Honda Civic.

[redacted] This is the stuff the cops (indiscernible)

SPECIAL AGENT JON GENENS: They already had it for the --

[redacted] Yeah. They already have that information.

SPECIAL AGENT JON GENENS: Okay.

[redacted] It's not anything (indiscernible)

SPECIAL AGENT JON GENENS: I haven't -- I haven't seen the --

[redacted]: The Honda Civic, it's plate.

SPECIAL AGENT JON GENENS: Okay. I haven't seen the report. That's why --

[redacted]: Okay. Yeah. That was with the policeman here.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: And they have that information (indiscernible).

SPECIAL AGENT JON GENENS: All right. Travis, did you have anything?

DETECTIVE TRAVIS GAGNE: Was he living with you right now?

[redacted]: (indiscernible)

DETECTIVE TRAVIS GAGNE: Okay, and where are you staying right now?

[redacted]: Well, I have (indiscernible).

DETECTIVE TRAVIS GAGNE: And that's at your [redacted], right?

[redacted]: Yeah.

DETECTIVE TRAVIS GAGNE: How long have you been there?

[redacted]: (indiscernible) two months.

DETECTIVE TRAVIS GAGNE: Two months?

[redacted]: Maybe (indiscernible). It hasn't been that long. I know I've been -- (indiscernible)

DETECTIVE TRAVIS GAGNE: (indiscernible)

[redacted]: So, you know, four, five, six months. Something like that. I mean, it's more than one, so I was working at [redacted] and then I didn't have any place to go. I had a friend who let me stay there for a couple of

weeks. So, unfortunately, we kind of, bounce -- (indiscernible). So, bouncing (indiscernible). When I first (indiscernible) situation, it is what it is.

DETECTIVE TRAVIS GAGNE: And Kyle would have stayed with you there?

[redacted] Yeah. On occasion, yeah. I mean it wasn't permanent by any means because, like I said, we had our little -- we'll call it an incident because that's what it was. It was not domestic abuse. He never hit me. It wasn't -- and[redacted] (indiscernible) [redacted]. And I don't know what else to say about that. I mean, he just -- at that point he was just, kind of -- like I said, it wasn't going to be -- we're taking a break, you're not living here. (indiscernible) take a break from (indiscernible).

DETECTIVE TRAVIS GAGNE: So, where did he live? Did he have, like, a place he laid his head at night or was he, kind of --

[redacted] He was, kind of just, doing (indiscernible) unfortunately. But it was not a great situation. But I'm sorry (indiscernible).

DETECTIVE TRAVIS GAGNE: How long have you known him to drive that car?

[redacted]: I don't know. I know he had a different car before that, but I don't know. Like I said, we weren't dating at that point, so I have no clue. I mean, I really didn't pay attention. I was dating somebody else. He was not even a blip on the radar really. He was just an acquaintance I knew. So --

DETECTIVE TRAVIS GAGNE: What can you tell me about his drug and alcohol use?

[redacted]: None that I'm aware of. I mean, I know he smokes weed. That's --

DETECTIVE TRAVIS GAGNE: That's all you're aware of?

[redacted]: Yeah.

DETECTIVE TRAVIS GAGNE: Are you aware of him having any mental illness?

[redacted]: I mean --

DETECTIVE TRAVIS GAGNE: Had he been taking any medications or (indiscernible)?

[redacted]: Oh no. No, no. I mean, I know that he has -- it's like -- it's not really (indiscernible). We, kind of, talked

about once. It's where -- it's not Aspergers or anything like that, it's just when you have a hard time communicating and trying to get out what you're saying. I do the same thing so I write down, get my thoughts in order. I don't speak real well in public.

DETECTIVE TRAVIS GAGNE: So, you're not aware of any other (indiscernible)?

[redacted]: (indiscernible) I mean, I didn't notice anything weird. I mean, sometimes -- everybody has their moments. Everybody spins a little bit, you know (indiscernible) whatever. At one point, we had a fight. This was (indiscernible). I thought he might have -- might really be a little bi-polar. I was, like, whoa. But other than that, no. I mean, we really didn't fight too much or anything, he just --

DETECTIVE TRAVIS GAGNE: Have you ever known him to be suicidal or anything, to your knowledge?

[redacted]: No.

DETECTIVE TRAVIS GAGNE: Like, has ever (indiscernible) suicidal?

[redacted]: No.

DETECTIVE TRAVIS GAGNE: I'm just

covering the bases.

[redacted]: Is he okay?

DETECTIVE TRAVIS GAGNE: Yeah. I'm just trying to get a feel for him.

[redacted]: I mean (indiscernible), you know. I mean -- sorry, I automatically go to the worst scenario.

DETECTIVE TRAVIS GAGNE: No, I'm trying to get a basis of who he is. Phone contact, when was the last time (indiscernible)?

[redacted] He hasn't called me back --

DETECTIVE TRAVIS GAGNE: Like, has he contacted you since you saw him a week ago?

[redacted]: Yeah, but texting and shit.

DETECTIVE TRAVIS GAGNE: Okay. Can you tell me when the last time that happened?

[redacted]: A few days ago. I've been trying to get a hold of him since -- since -- (indiscernible) I didn't -- I don't have anybody to text. His friends are (indiscernible), so it's like (indiscernible) I don't know where he is, I don't know what he's doing, I don't know anything.

DETECTIVE TRAVIS GAGNE: Like, I was a little confused on -- you said a phone or a tablet. Does he have, like, his own phone?

[redacted] Yeah. I gave you the phone number.

DETECTIVE TRAVIS GAGNE: Yeah, I saw that. And it was one digit off from yours. Did you guys get those numbers together?

[redacted]: Yeah. Mine's in my name.

DETECTIVE TRAVIS GAGNE: Oh, gotcha.

DIANE BILODEAU: Well, it might be in his. I'm not sure. I pay the bill, so it doesn't really matter.

DETECTIVE TRAVIS GAGNE: Well, you guys (indiscernible) that's why (indiscernible).

[redacted] Yeah.

DETECTIVE TRAVIS GAGNE: Okay.

[redacted] Like, I said, we were [redacted]. We weren't talking or anything. We didn't -- (indiscernible) break up, which I didn't (indiscernible). We needed to just stop for a minute.

DETECTIVE TRAVIS GAGNE: And if he were to come up here, as far as you know, he doesn't

have any other friends or family, so it would probably be used to see him.

[redacted] I mean, he mentioned that he had a friend from years and years ago, but I don't -- I never remember meeting him or remember anything. And I don't really know a lot of people up there. I just do not -- I (indiscernible). I mean, (indiscernible). I do, literally, live under a rock. It's pretty sad. But I'm okay with that because (indiscernible). So, that's just me.

DETECTIVE TRAVIS GAGNE: And you said you came here -- to here from (indiscernible). How long have you been in California?

[redacted]: [redacted] we moved back. I got here right before [redacted] and I (indiscernible).

SPECIAL AGENT JON GENENS: So, here's my business card. Can I -- can I see a copy of your driver's license, so I just can document who I talked to?

[redacted] Yeah. Can you guys tell me anything about what's going on?

SPECIAL AGENT JON GENENS: We're not sure. We're investigating, so --

[redacted] So, nobody knows where he is?

SPECIAL AGENT JON GENENS: We're investigating. That's all I can tell you. I will -- I will call you if I am able to get some more information that I can release.

[redacted]: That would be great because now I'm scared to death and, now I'm worried sick.

SPECIAL AGENT JON GENENS: Okay.

[redacted] I'm sorry. What the hell am I supposed to go get?

SPECIAL AGENT JON GENENS: Your driver's license.

[redacted] Driver's license. I'm sorry.

SPECIAL AGENT JON GENENS: Thank you.

DETECTIVE TRAVIS GAGNE: You said the first time you know or heard of him possibly having a warrant was when the police came?

[redacted]: Mm hm.

DETECTIVE TRAVIS GAGNE: So, he never talked about being on the run or anything?

[redacted]: No. I mean, I went down to his house -- [redacted] No.

DETECTIVE TRAVIS GAGNE: That's in San Diego.

[redacted]: Well, it was in [redacted].

DETECTIVE TRAVIS GAGNE: (indiscernible) [redacted]

[redacted] No, [redacted]

DETECTIVE TRAVIS GAGNE: How long ago? Your best guess.

[redacted]: August-ish.

DETECTIVE TRAVIS GAGNE: So, fairly recently?

[redacted] Yeah (indiscernible). He went down to their house in April.

SPECIAL AGENT JON GENENS: Did -- did Kyle stay anywhere besides -- did he go to your [redacted] house?

[redacted] Uh uh.

SPECIAL AGENT JON GENENS: No? Just [redacted]?

[redacted] Well, we went to the ranch, but she never talked to him. [redacted] never talked to him and we stayed (indiscernible) still 11 acres, you know. We just were off to

the side. We just, kind of, kept to our own.

SPECIAL AGENT JON GENENS: Ah, okay.

[redacted] Yeah, that sort of thing.

SPECIAL AGENT JON GENENS: Okay.

[redacted] I mean, I think he met my [redacted].

SPECIAL AGENT JON GENENS: Uh huh.

[redacted] And [redacted] didn't say two words to him.

SPECIAL AGENT JON GENENS: Oh.

[redacted]

SPECIAL AGENT JON GENENS: Okay. Well, thank you very much for taking the time out of your day to speak with us. We really appreciate it. If I can get any other information, I will call you. And likewise, if you have anything else that you can think of, you have my card, please feel free to give me a call.

[redacted] Okay.

SPECIAL AGENT JON GENENS: I mean, at this point, we're investigating and that's all I could tell you.

[redacted] So, I'm going to just

be stressed now and freak out because you're talking about suicide and shit and everything else. I'm not stupid.

DETECTIVE TRAVIS GAGNE: I was getting a background of his mental health and that's part of (indiscernible) drug use, mental health, suicidal, schizophrenia, bi-polar.

[redacted]: You went straight to the suicidal though, and I'm sorry, but you --

DETECTIVE TRAVIS GAGNE: No, I --

[redacted] -- the first thing is usually, there's something more with that and --

DETECTIVE TRAVIS GAGNE: I started with mental illness. That's when you told me he was possibly bi-polar.

[redacted] I said he -- I mean, I think I said -- maybe there's been a moment or two where I thought he may be, he might. I mean, I suffer from depression and (indiscernible).

DETECTIVE TRAVIS GAGNE: But that's what I'm trying to gather, the --

[redacted]: So -- but --

DETECTIVE TRAVIS GAGNE: -- the status of his mental health. That's all.

[redacted] And then it just leads

to (indiscernible) conclusion, so I'm sorry, but I'm not okay right now.

SPECIAL AGENT JON GENENS: I will help -- I'm going to do my best to finish gathering information and I will try and release any information that I can to you. Okay? That's -- I'm sorry that's all I can tell you right now.

SPECIAL AGENT SUPERVISOR SAM RICHARDSON: Thank you for your help.

SPECIAL AGENT JON GENENS: The time is 18:32 hours. That concludes the interview.

C E R T I F I C A T I O N

On April 6, 2023,I, SA J. Genens received this transcript from Veritext. [redacted], from Veritext, certified that the transcript was a true and accurate record of the proceedings. On May 24, 2023, I listened to [redacted] interview while I reviewed the transcript at the same time. I made corrections to the transcript, completed a list of those corrections, and attached the list to the back of the tranascript.

J. Genens, SA

Date: May 24, 2023

TRANSCRIPT CORRECTION SHEET – DIANE BILODEAU

Location		From	To
Page 5	line 17	he began to smash	he basically smashed
Page 5	line 22	(indiscernible)	I'm a mechanic and I'm a chef
Page 6	line 6/7	in our (indiscernible)	an art piece that I did
Page 7	line 9	shorts	swords
Page 14	line 21	(indiscernible)	straight and narrow
Page 15	line 9/10	get in touch with	talk to
Page 16	line 21	(indiscernible)	we sat down and
Page 22	line 4	(indiscernible)	I do the same thing so I write down
Page 22	line 5	your	my
Page 22	line 5	(indiscernible)	I don't speak real well in public
Page 24	line 10	(indiscernible)	in my name
Page 24	line 12	(indiscernible)	it might be in his
Page 27	line 4	(indiscernible)	in Rancho
Page ___, line _____			
Page ___, line _____			
Page ___, line _____			
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CA-DOJ

Case Number: BI-LA2023-00010

Case Name: FULLER, SAMUEL

Interviewee: [redacted]

Date of interview: April 11, 2023

SPECIAL AGENT JON GENENS: Today is Tuesday, April 11, 2023. This is Special Agent Jon Genens, from the California Department of Justice. I am going to be calling [redacted] date of birth [redacted], at area code [redacted], regarding our case #BI-LA2023-00010, reference an OIS that occurred on March 12, 2023 in Sugarloaf, California, decedent Kyle Sostek. And [redacted] is Kyle's [redacted]

[redacted]: Hello.

SPECIAL AGENT JON GENENS: Hi, [redacted]. This is Jon Genens, from the California Department of Justice, calling you back.

[redacted]: Yes. Yes. I have some questions. I've been talking to [redacted] and I don't think she's been given the correct information. And I want to verify because I used to do it for a living and I used to work for the tow companies and I've never heard of an impound not having any charges.

I just -- I have a problem with that because I've never heard of any of the tow companies up here, especially when I worked for one for over a year, not having any charges. So,

I guess I'm concerned about that. I just don't think she's been given the correct information and I want to verify.

SPECIAL AGENT JON GENENS: So the car is -- let me just verify. It's not registered to you, correct?

[redacted]: No, it's registered to [redacted].

SPECIAL AGENT JON GENENS: Okay. Yeah, while -- there's a search warrant for the car, so it's in the Sheriff's Department custody. While it's in their custody, there's no charges to [redacted]. And she's going to be notified when the car is released or is ready to be released and --

[redacted]: How long do you think that might take?

SPECIAL AGENT JON GENENS: You know, I'm not sure. I think it's going to be coming up pretty quickly now. They've had the car for a little while, so...

[redacted]: Well, they've had the car for 30 days and usually that's the state law, it's 30 days and they can lien it and sell it, whoever the tow company is.

SPECIAL AGENT JON GENENS: Yeah, that's

not going to happen because we're going to give her notice and give her an opportunity to pick up the car without any charges.

[redacted]: Okay. Because like I said, I've just -- I've never run across that instance and I worked for these guys for a long time and they're kind of shady. So, I mean, I just want to make sure because, I mean, -- and you drove from [redacted] house to my work. You know how far that is. And I don't have any other means of transportation. So, you know, it's kind of a concern for me, especially when I had a foot infection. You know, I'm having a hard time walking.

SPECIAL AGENT JON GENENS: Are you --

[redacted]: So, I really --

SPECIAL AGENT JON GENENS: -- is [redacted] going to arrange with you to pick up the car?

[redacted]: Yes.

SPECIAL AGENT JON GENENS: Oh, okay. All right. Well, I will -- I'll get in touch with [redacted]. I'll -- you know, she'll need to have some kind of, you know, probably written authorization to allow you to pick up the car. But --

[redacted] Uh huh.

SPECIAL AGENT JON GENENS: -- once -- you know, once she gets that, that won't be a problem.

[redacted]: Okay. Because she's in [redacted]. She's not able to come and just pick the car up, you know? And she told me to take care of it. So she wanted me to call you and find out details and information, if I could.

Is the car stored even in Big Bear or is it down mountain?

SPECIAL AGENT JON GENENS: I'm not actually sure. I know the Sheriff's Department has it, so I can -- I can find out.

[redacted]: Because I have -- like I said, I don't have a means of transportation, so it's going to be something where I have to arrange a ride if it's down the hill. I mean, that's a concern because I don't just -- I can't just pick up a phone and call on somebody and say, hey, go take me. It doesn't work like that.

So, I guess, I just -- I'm trying to make sure that I'm, you know, doing my due diligence and making sure that she's covered too, because, you know, like I said, this has just

been -- I mean, normally, you guys can process the car in two hours, and I can't -- you can't tell me that it hasn't been done already. So, I mean, I just don't understand. I mean, what could possibly be in the vehicle, since I know what's in the vehicle, that would be of any interest to you guys. So I just -- I guess I'm just -- I don't understand why it's taking so long with the vehicle.

SPECIAL AGENT JON GENENS: Yeah, you know what? They -- we told [redacted] that we're going to try and give her at least a week before the car was going to be released, so she'd have time --

[redacted]: Mm hmm.

SPECIAL AGENT JON GENENS: -- to arrange to get it picked up. So --

[redacted] Mm hmm.

SPECIAL AGENT JON GENENS: -- once I call her and figure out some way to get the authorization to allow you to pick it up, I'll make sure that I notify both you and her when the car is ready to get picked up.

[redacted] I mean, I'm sure she can email something pretty quickly, so...

SPECIAL AGENT JON GENENS: Yeah, we'll work it out. It won't -- it shouldn't be a problem.

[redacted]: Because like I said, it's just an issue because I don't have a way to and from work and, well, my things are in the car too, so I mean, I just -- I guess I'm -- you know, I -- would like my stuff back, first off.

But second off, I mean, like I said, I just -- when she said there was no charges, I just -- it raised flags because, like I said, I worked for [redacted] up here for over a year, and there's never been a time when there's been a 30-days hold and there's no storage fees or towing fees or anything. So, that just didn't sit right with me.

SPECIAL AGENT JON GENENS: Yeah, because the Sheriff's Department is doing -- you know, they have it pursuant to the search warrant, they're holding it.

[redacted]: Mm hmm.

SPECIAL AGENT JON GENENS: So that's why there's no charges.

[redacted]: Okay. All right. Great. So it could be a week; it could still be

another month?

SPECIAL AGENT JON GENENS: You know, let me -- I don't want to just give you -- throw out some, you know, numbers that I really don't know. I'd be guessing.

[redacted]: Right.

SPECIAL AGENT JON GENENS: So, let me let me call the detective over there and see.

[redacted] Okay. I'd appreciate that because, like I said, this is just -- I mean, it's already been 30 days and you know, I mean -- I don't see what else you're gonna find in the car because there was really nothing in the car to begin with. So, I mean, I just -- I guess I just don't get it.

So, I mean, I understand you guys have procedures and everything like that. But I mean, it's just -- it's been a minute and I just -- yeah, I mean, it takes (indiscernible) time. Takes you guys a month to check a car out, you know? So, I'm just -- yeah.

SPECIAL AGENT JON GENENS: Yeah, like I said, I don't want to -- I don't want to just throw out a number and guess. So let me --

[redacted]: Mm hmm.

SPECIAL AGENT JON GENENS: -- let me let me call over there and talk to the detective and see what the timeline looks like.

[redacted]: That would be wonderful. It would be very much appreciated, as well.

SPECIAL AGENT JON GENENS: Sure. Did you have any other questions as well?

[redacted] You know, I mean, like [redacted], I want to know when the death certificate's gonna be, you know, released so he can be cremated. We would like to have him processed. I mean, it's just -- the whole situation is disheartening as it is. And [redacted] having a really difficult time with it, and she's asking me to help any way I can. And I'm doing the best I can, but I don't really have a lot to go with here.

SPECIAL AGENT JON GENENS: Right. I'll add that to my list of questions for the detective.

[redacted]: Because we really would like to have him -- I mean, he's been on a slab for a month.

SPECIAL AGENT JON GENENS: Right.

[redacted]: You know? That's just messed up, you know. So I just -- I just don't understand why they can't -- I mean, they already did the autopsy. That's been done. The second one's been done. Can't you just get him processed, please?

SPECIAL AGENT JON GENENS: Yeah, I'll --

[redacted]: I mean, there's not going to be closure in any of this for a minute, but I mean, that would at least help a lot, especially on [redacted] end. She's really not happy.

SPECIAL AGENT JON GENENS: Oh, yeah --

[redacted]: She's just really upset about it, you know? I mean, I can understand. It's her only child.

SPECIAL AGENT JON GENENS: Right.

[redacted]: So, I mean, I couldn't imagine [redacted] laying in a slab like that for that long. It just -- quite honestly, it's making me have a difficult time holding it together, so...

SPECIAL AGENT JON GENENS: Okay. Well, I'll call over there when we're done with our

phone call and I'll look -- I'll ask him about the car and I'll ask about the death certificate. [redacted] I would really appreciate that. Thank you.

SPECIAL AGENT JON GENENS: Sure. Was there anything else that you had a question about?

[redacted] I mean, I know you guys aren't gonna release any -- any other questions I have, I know you're not gonna give me answers to, you know, not really at this point. I guess we'll find out when the -- everything is released. I just -- I mean, I know it's a pending area, it's an ongoing investigation and you can't answer a lot of stuff. So, you know, it's like there's so many questions I have that you're just gonna say, I'm sorry, I can't answer that. So I just don't want to even bother, you know.

SPECIAL AGENT JON GENENS: Okay. No, that's -- you're probably right. You know, I -- unfortunately, I investigate a lot of these types of cases and I always think it's important that the person that this happens to isn't just a name on a page. And I always like to kind of ask a

little bit about who the person was. And seems like, you know, you probably knew him pretty well. Is there any --

[redacted]: Yeah --

SPECIAL AGENT JON GENENS: Is there anything you can tell me about like just how he was as a person?

[redacted] I mean, Kyle is the kind of guy who would never hurt a fly, ever. I mean, he got boisterous and loud, but that's how he coped. He was autistic. He had no other means to communicate because he verbally could not.

SPECIAL AGENT JON GENENS: And when you say he verbally could not, I mean, I imagine he was able to carry on a conversation, I'm guessing.

[redacted]: Well, yes, but there were certain things that just literally he did not get. He would not understand. And no matter how much you tried to explain it to him or how many ways you tried to explain it to him, his autism didn't allow him to process things like that. It just didn't -- it just didn't click. He didn't get it, you know? I mean, you give him

something -- he was really smart, but unfortunately, no matter how smart you are, if you can't get that out, it doesn't really benefit you, if that makes any sense.

And Kyle had a -- he was just not able to communicate proper emotion or feeling. That was part -- that's all a part of his being autistic. It just -- he couldn't process that stuff like that. He didn't know that -- I mean, he didn't -- he would come off sometimes as angry, but he wasn't even angry, you know. Because it wasn't -- he was just trying to get it out.

And he would come off one way, but he didn't -- that wasn't the way it was meant to be -- to come out. And there'd be times when he would try to be mad and it would come out sugary sweet. And that was just -- like I said, that was just all part of his autism and he just couldn't communicate.

He had a verbal -- a nonverbal -- I can't remember what it's called. I think it's a nonverbal learning disorder is what it is, or a learning disability. And he just -- he couldn't -- he understood it in his head. It didn't come

out his mouth that way.

SPECIAL AGENT JON GENENS: Hmm. What types of things would he do for fun, like hobbies and stuff like that?

[redacted] He was a gamer. He was -- he played video games. He went online. He -- I mean, he hung out with people who know about gaming and computers and stuff like that. He just -- he was very online social. He was not good social in person. So he did it online so he couldn't -- you know, it's like it was an additional filter that he didn't have.

SPECIAL AGENT JON GENENS: Hmm. So you think just because he didn't have to interact face-to-face, it was easier for him to connect with people through, I guess, computers?

[redacted] Yeah, very much so.

SPECIAL AGENT JON GENENS: Hmm.

[redacted]: Computers aren't emotional.

SPECIAL AGENT JON GENENS: Hmm. Did he have other friends that he hung out with besides you?

[redacted]: Not since he moved up here. Not really, no.

SPECIAL AGENT JON GENENS: How long is he --

[redacted]: I don't -- I don't hang out with a lot of people either, though. So, you know, I'm very antisocial, we'll say.

SPECIAL AGENT JON GENENS: Hmm.

[redacted] I just stick to myself because Big Bear is a very small community and once you're in -- once you're in the limelight, you don't ever get out of it up here. So essentially, it's just -- I've always just lived under a rock up here. I just don't want anything to ever -- I don't do anything wrong, but I don't want anything to ever come back and look bad on my family or poor on my family, cause [redacted] has a [redacted] up here, you know? So, I stick to myself.

SPECIAL AGENT JON GENENS: Hmm.

[redacted]: And you know, you can't have people talk shit about you or make stuff up about you if you're not ever out and you don't ever, you know? I take care of animals and I work and that's it.

SPECIAL AGENT JON GENENS: Hmm.

[redacted]: And when Kyle was

here, it was -- obviously, I spent a lot of time with him too, but that was pretty much the only person I spent a whole lot of time with.

SPECIAL AGENT JON GENENS: When did Kyle move up there?

[redacted]: In [redacted].

SPECIAL AGENT JON GENENS: [redacted] And then did he -- what was his connection to Big Bear? Did his [redacted] live up there or...?

[redacted]: Me. Me.

SPECIAL AGENT JON GENENS: Oh, you were. Hmm.

[redacted]: We [redacted] when I was down the hill in San Diego. And due to unfortunate circumstances, I had to move back up here.

SPECIAL AGENT JON GENENS: Ah.

[redacted]: And, well, I mean, it is what it is. But it was probably about five, six months and then he moved up here [redacted].

SPECIAL AGENT JON GENENS: Ah. And did he -- did he work? Did he have like a part-time job or full-time job, or...?

[redacted]: He did have a part-time job for a while, but it's really difficult

for him to hold down a job because of his -- like I said, he comes off wrong sometimes, not meaning to.

SPECIAL AGENT JON GENENS: Uh huh.

[redacted] And there's other times when he should have been, you know, stand up. And he was very soft-spoken. And like I said, that was all part of his autism. He just didn't know how to deal with most interactions with people, and it's hard for him to work when you have to have interactions with people in most jobs.

SPECIAL AGENT JON GENENS: Right. Did he get any sort of like a treatment for his autism or...?

[redacted] I don't know what happened. I know he did when he was younger, but I'm not sure.

SPECIAL AGENT JON GENENS: Hmm.

[redacted] I've only known Kyle for a couple years, so...

SPECIAL AGENT JON GENENS: Ah.

[redacted]: I didn't grow up out here. I grew up -- I grew up in [redacted], so --

SPECIAL AGENT JON GENENS: Hmm.

[redacted]: I've only -- I only went to high school out here and then I moved back East and had my family and did all that. And then I moved back out here couple, three years ago.

SPECIAL AGENT JON GENENS: Hmm. Do you know, did he take any sort of like -- I don't know if it's -- autism's a -- I don't really know much about autism, but is it something that you can treat with medication? Or is it...?

[redacted] Oh, no. It has absolutely nothing to do with medication.

SPECIAL AGENT JON GENENS: Hmm.

[redacted] Autism is not treatable. There's nothing you can do for it. It's you have to -- it's like somebody who has -- I don't know if you've ever heard of Asperger's?

SPECIAL AGENT JON GENENS: Yeah, I've heard of it.

[redacted]: Okay. Well, they can't control what they say, and that's a big part of that. And it's -- he didn't have that exactly, but that's -- it's an autism thing. It's a -- it's a neurodivergence. And being that -- that being said, it's -- your signals in your

brain don't sound right. And you can't change that. Your brain works the way it works. And you can't chemically or by medication treat that at all.

SPECIAL AGENT JON GENENS: Hmm. So what would be some of the things that he would do to just cope with his condition?

[redacted]: I mean, most of the time it was -- I knew how to calm any situation that may have arisen. Just because I knew the situation and I know -- I have people in my family who have neurodivergence, which is part of autism. And so, me having previous experience with that in my own family, you know, I could shut it down. Sometimes I couldn't shut it down and, you know, it would be stupid. But otherwise, it was just -- he didn't have problems unless something like triggered it.

SPECIAL AGENT JON GENENS: What would be --

[redacted]: I mean --

SPECIAL AGENT JON GENENS: What would be some things that would trigger a problem?

[redacted]: Unable to -- when he was -- when he couldn't -- couldn't express his

feelings sometimes. When he was, you know, when he was really, really (indiscernible) and he'd get really, really sad. He was -- he was sad that his [redacted] were -- had moved to [redacted]. He missed them a lot. And sometimes that would trigger it.

There's lots of instances but, I mean, fear is a huge one.

SPECIAL AGENT JON GENENS: And you'd mentioned that you knew kind of things that you could do to kind of deal with the situation. What were some of the things that you would do that kind of alleviate the problems?

[redacted] I just knew how to --I could see them coming. So I could shut them down before they even really got to a point to where it was bad. And like I said, he was not --he was not -- he didn't have a violent bone in his body at all. Not one. He would never hurt anybody. He might say some shit, but his mouth ran.

And that's part of not being able to control it with the, you know, with the nonverbal stuff. It just doesn't -- your mind -- what you think in your mind and what comes out your mouth

are two different things usually.

SPECIAL AGENT JON GENENS: Hmm.

[redacted]: And it's really nothing you can stop.

SPECIAL AGENT JON GENENS: So, there's going to be, you know, lots of people reviewing this case. Is there anything that you'd like to let me know that I could add to the full picture so that people reviewing this will, you know, kind of have an understanding of who Kyle was?

[redacted]: I mean, well, the only thing I can say is that Kyle was like -- he had -- put it this way. He's had friends since he was a kid. You know, most people don't -- can't even say that. He just -- he was so caring, it was -- it was almost unheard of, the way he treated people.

You know, unless you brought something to him or, you know what I mean, unless you came at him, you know, aggressively, you would never even know he had a temper. And even so, it's not even that he had a temper. He wouldn't do anything about it. He didn't actually physically ever act on anything. He just said like stuff that he would, you know? But he never would

actually do anything.

Kyle loved animals, and kids loved him. I mean, he was amazing with animals. And I'm sorry, but I trust animals' judgment over people's most of the time. You know, I'm sorry, if a dog won't come up to you, there's a reason, you know. I'm sorry, but I'm gonna trust that dog's judgment over yours. You know? I mean, that's just -- it's the truth, you know?

I mean, he'd just -- Kyle -- like I said, Kyle has never touched or harmed a soul ever, not once. Not once. And all this crap in the newspapers and crap like that has to do with the stupid, you know, you know, having charges and everything else. It all stems from one time. One incident. One. Not two, not three, not four. One. Ten years ago.

SPECIAL AGENT JON GENENS: Hmm.

[redacted]: And that kills me, because you know what, if he wasn't still -- if there wasn't still issues with that one incident, none of this would have ever even come to pass. It wouldn't have never happened.

SPECIAL AGENT JON GENENS: Do you know, did he ever have like serious depression or

express any suicidal thoughts to you?

[redacted]: No.

SPECIAL AGENT JON GENENS: And did he say anything about any -- I guess besides the one incident you were referring to 10 years ago, did he say any other legal problems that he might have had?

[redacted]: Not anything major. I mean, nothing that would be -- not anything that would make him a threat to anybody. And like I said, people who are just generally shitty people and bad people, they don't keep friends for their life -- you know, their whole lives. He's got friends that he's had literally since he was a kid. And they all love the shit out of him too. And they all -- we're all grieving because we don't understand, you know? But it's not like he had a sign on him that said, I have autism. Kyle was a big guy. I get it. He was the most gentle person I've ever met.

SPECIAL AGENT JON GENENS: Okay. Well, thank you for, you know, sharing that with me. I really appreciate it and I think it's important for people who are reviewing the case to see that Kyle's just not a name on a page, but there's

actually a person behind the name.

[redacted]: And you know, like I said, there's just -- I guess none of us understand. We just don't get it. It's just -- it's such -- it's such a waste.

SPECIAL AGENT JON GENENS: Did Kyle say anything about the police? And I was just trying to figure out if there was any -- if you had any idea of why he might have not stopped for the police?

[redacted]: He was scared of them and he did not want to go to jail. He doesn't do well there. He already did that once. Actually, I think he did it twice or two or three times. I can't remember. But it was all stemming from the same thing. One was a parole violation? You know what I mean? It was just stupidity.

SPECIAL AGENT JON GENENS: Hmm.

[redacted] But I know he had a hell of a time in there. So I can understand why he wouldn't want to go back. And he was probably terrified. Like I said, when you're neurodivergent, your brain doesn't send the right signals. You don't process correctly. It's just you can't.

SPECIAL AGENT JON GENENS: Hmm. Did he say that -- tell you that he was scared of the police?

[redacted] No, but he did tell me he didn't ever want to go back to jail ever again. I mean, who would?

SPECIAL AGENT JON GENENS: Right.

[redacted] I mean... And I can see, knowing him, why he wouldn't do well in a place like that, because again, you don't wear a sign that says I'm autistic. How are they going to understand anything?

SPECIAL AGENT JON GENENS: Okay. Is there anything else that you think would be important for me to know about?

[redacted] I don't -- I don't know.

SPECIAL AGENT JON GENENS: Okay. Well, this doesn't have to be our last conversation. I'm definitely going to reach out to the detectives over at San Bernardino and try and get your two questions answered about the death certificate and the car. And I'll be in touch with probably both you and [redacted]

[redacted] Okay.

SPECIAL AGENT JON GENENS: All right. Well, thank --

[redacted]: And I'm supposed to call her when I get off the phone with you. So I'll tell her I talked to you.

SPECIAL AGENT JON GENENS: Okay. Yeah, that's fine. Okay. Well, thank you for taking the time to share that about Kyle with me. And I will look into the questions that you and Gail had.

[redacted]: All right. Thank you.

SPECIAL AGENT JON GENENS: You're welcome.

[redacted]: Okay. Bye-bye.

SPECIAL AGENT JON GENENS: Bye.

And the time is 0941 hours and that concludes the telephone call with [redacted].

C E R T I F I C A T I O N

I, [redacted], certify that the foregoing transcript is a true and accurate record of the proceedings.

[redacted]

Veritext Legal Solutions
330 Old Country Road
Suite 300
Mineola, NY 11501

Date: June 16, 2023

NOTE REGARDING CORRECTIONS TO TRANSCRIPT

On June 16, 2023, I, Special Agent J. Genens, received witness [redacted] telephone interview transcript from Veritext via a secure emailed link. On July 5, 2023, I listened to the audio recording of [redacted] interview while I reviewed the transcript at the same time. I made corrections to the transcript, completed a list of those corrections, and attached the list to the back of the transcript.

J. Genens, SA

July 5, 2023

TRANSCRIPT CORRECTION SHEET – [redacted]
APRIL 11, 2023, PHONE CALL

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CA-DOJ

Case Number: BI-LA2023-00010

Case Name: FULLER, SAMUEL

Interviewee: [redacted]

Date of Interview: March 12, 2023

SPECIAL AGENT JON GENENS: Today is Sunday, March 12th, 2023, approximately 1727 hours. This is Special Agent Jon Genens from the California Department of Justice. I'm with --

DETECTIVE TRAVIS GAGNE: Detective Travis Gagne from the Sheriff's Homicide.

AGENT SAM RICHARDSON: Special Agent Supervisor Samuel Richardson.

SPECIAL AGENT JON GENENS: And we are going to be attempting to interview Kyle Sostek's [redacted], named [redacted] at [redacted]. This is in regards to our case number BI-LA-2023-00010. Do you have a case number you want to --

DETECTIVE TRAVIS GAGNE: Sherriff's Homicide case number is going to be H2023-031, DR602300025 and DR6 -- I'm sorry, 062300178.

SPECIAL AGENT JON GENENS: All right. See any dogs? Do you have a last name for [redacted] Yeah, I didn't, either.

(knocking)

[redacted] Hi. How's it going?

SPECIAL AGENT JON GENENS: Good. I'm --

[redacted] Hold on. Let me

get the dogs back.

SPECIAL AGENT JON GENENS: Sure.

[redacted] I'll keep my hands where I can -- you can see them now.

SPECIAL AGENT JON GENENS: Appreciate --

[redacted]: But I do have a concealed, so --

SPECIAL AGENT JON GENENS: Okay, thanks for -- you have it on you?

[redacted]: It's appendix. I do have my credentials in my back pocket if you'd like.

SPECIAL AGENT JON GENENS: We're looking for [redacted].

[redacted] My [redacted]

SPECIAL AGENT JON GENENS: Uh, what's your [redacted] last name?

[redacted] Pick one. She came -- when she came back out to [redacted], she was -- I'm sorry, force of habit. Can I go put it away?

SPECIAL AGENT JON GENENS: Yeah, you know what? That might --

[redacted]: I'll just set it

right inside the door and --

SPECIAL AGENT JON GENENS: Uh --

[redacted] Or you can set it on the barbecue if you want.

SPECIAL AGENT JON GENENS: You know what, why don't you just -- we'll put it right here for right now.

[redacted] All right. I'll let you take it.

SPECIAL AGENT JON GENENS: Yeah.

[redacted] Can you grab the holster, though? I don't want to -- it's appendix carry, so -- can I -- I'll turn. I'll turn. I'm with you guys, so --

SPECIAL AGENT JON GENENS: Whoa, whoa, whoa.

[redacted] I'm just taking the --

SPECIAL AGENT JON GENENS: All right, I'm going to put it right here, all right?

AGENT SAM RICHARDSON: That's the only one you had, right?

[redacted] Huh?

AGENT SAM RICHARDSON: That's the only one you had --

[redacted]: Had on me, yeah. I'm allowed to carry one.

SPECIAL AGENT JON GENENS: All right, you're cool.

[redacted]: Sorry.

SPECIAL AGENT JON GENENS: So, we're looking for [redacted] Did she used to [redacted] a guy named Kyle?

[redacted]: Yes, that dipshit.

SPECIAL AGENT JON GENENS: Okay, that's who -- that's who we're looking for. So, does your [redacted] live here?

[redacted]: She lives in the RV. She's not here. She's at work.

SPECIAL AGENT JON GENENS: Oh. Is the RV right --

[redacted]: Yeah.

SPECIAL AGENT JON GENENS: Parked right out front here? Where's she work at?

CHRISTOPHER EDWARDS: She works at [redacted]

AGENT SAM RICHARDSON: She's not in trouble.

SPECIAL AGENT JON GENENS: No.

[redacted]: Okay. Yeah, no. I actually made her kick him out once. He's an idiot.

SPECIAL AGENT JON GENENS: Oh, so you're -- you're aware of Kyle.

[redacted]: Kind of. I only met him the one time and he was an absolute jackass, and I just told him he -- I told her, "He needs to go."

SPECIAL AGENT JON GENENS: Did -- do you know his last name?

[redacted]: I do not. I knew nothing about the guy. I knew him once. I know she broke -- before she parked the RV here, she broke up with him. That's why -- part of the reason why she came here, and then I don't know what happened, but he came back and I told her -- he was here for like a week and a half and I was like, "He's got to go. I got [redacted] here. I don't know who this guy is."

SPECIAL AGENT JON GENENS: Okay, so actually -- so, you -- like I said, you're not in any trouble. She's not in any trouble. We're just trying to track down some -- some of Kyle's relatives. Um, so before we do that, can I just

get your contact information?

[redacted]: Yes.

SPECIAL AGENT JON GENENS: Do you have an ID on you?

[redacted]: Yes. I'm reaching for it.

SPECIAL AGENT JON GENENS: Yep.

[redacted]: I'm going to hand you the CCW as well, just so you have it.

SPECIAL AGENT JON GENENS: All right. Thank you. All right.

AGENT SAM RICHARDSON: You're good. You're on your own property. It's whatever.

[redacted]: Dude, well, it's not that. I -- interesting story. I have my contractor's license and the State Board showed up on one of our jobs. Well, they showed up with like, six guys with guns and badges, and I thought, like, I printed -- or like, it showed or something -- man, that was scary. They didn't show up first; the guys with the guns of course showed up first. So it was --

AGENT SAM RICHARDSON: Did you ever find out why?

[redacted]: They were just

doing -- they were just doing job checks, checking on permits and everything on the job we were on. They were doing a sting.

AGENT SAM RICHARDSON: Why the --

[redacted] The State Board was doing a sting.

AGENT SAM RICHARDSON: Oh, okay. So it was their own people who had the guns.

[redacted] Yeah, but I didn't -- I wasn't sure, so it's just like, ever since then it's been like, no -- I'm up front about it, so.

AGENT SAM RICHARDSON: Well, that's probably the safe way to be.

[redacted] I've been -- best way to say it is "backer of the blue" since I was a kid. Both -- I have multiple family members in law enforcement, so -- I unfortunately didn't make the cut for San Bernardino County Sheriff and didn't want to go to LAPD, so.

SPECIAL AGENT JON GENENS: Don't blame you.

[redacted] I just --

AGENT SAM RICHARDSON: Yeah, (indiscernible)

[redacted]: I have friends that are in LAPD and he was like, "Dude, it's -- I wouldn't do it." He goes, "You'll be miserable here," so that's kind of where my journey stopped.

AGENT SAM RICHARDSON: You'd have to leave all this, too.

[redacted]: Yeah, I don't like people all that much as far as like, big groups of them, so.

SPECIAL AGENT JON GENENS: How long you lived up here?

[redacted]: I was actually born in the hospital here, brother.

SPECIAL AGENT JON GENENS: Oh yeah?

[redacted]: Yep, born and raised.

AGENT SAM RICHARDSON: Wow.

[redacted]: So, I've seen lots of deputies go in and out. I worked at [redacted].

SPECIAL AGENT JON GENENS: What's your cell phone?

[redacted]: [redacted].

SPECIAL AGENT JON GENENS: Okay. And

your [redacted]. Her last name?

[redacted]: I believe it's still [redacted] It may not --

SPECIAL AGENT JON GENENS: Spell that, please.

[redacted]: I don't have my phone, dude. That one's -- can I grab my phone real quick?

SPECIAL AGENT JON GENENS: Yeah.

[redacted] I'll leave the door open so you can still see me --

SPECIAL AGENT JON GENENS: All right.

DETECTIVE TRAVIS GAGNE: Did you shut the gate just in case they get out?

[redacted]: They're friendly. They're just stupid.

AGENT SAM RICHARDSON: The dogs?

[redacted]: Yeah, they're friendly. They're border collies. They're not dangerous breeds. Leave them alone. Get back. Sorry.

SPECIAL AGENT JON GENENS: Yeah, no worries.

[redacted]: (indiscernible)

SPECIAL AGENT JON GENENS:

(indiscernible)

AGENT SAM RICHARDSON: (indiscernible)

[redacted]: No worries. I appreciate that. That would be a really bad day driving down the street without it.

SPECIAL AGENT JON GENENS: Right?

[redacted]: Let's see. [redacted] is [redacted]

SPECIAL AGENT JON GENENS: And what's her date of birth?

[redacted]: Hers or mine?

SPECIAL AGENT JON GENENS: Hers.

[redacted] -- I want to say [redacted], and year -- she's [redacted] than I am, so [redacted]?

SPECIAL AGENT JON GENENS: Possibly? All right.

[redacted]: She's actually going to be -- probably be -- I can call her real quick and see when she's going to be home. She should be home pretty much any minute now.

SPECIAL AGENT JON GENENS: Oh, okay. Yeah. What's her telephone number?

[redacted]: Hers?

SPECIAL AGENT JON GENENS: Yeah.

[redacted]: She just got a new one. It's 1 [redacted].

SPECIAL AGENT JON GENENS: Okay.

[redacted]: (indiscernible) let me call her.

SPECIAL AGENT JON GENENS: I like it.

[redacted]: My wife bought it for me a few years ago. Father's Day present. Because she normally gets home about 5:30, 6:00.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: Because the restaurant I believe closes at 5:00. So, if you were -- most likely if you were to leave here to go there, you're going to miss her.

SPECIAL AGENT JON GENENS: Miss her? Okay.

[redacted]: Let me see where she's at, if she answers her phone. If not I'll call [redacted].

SPECIAL AGENT JON GENENS: Is [redacted] your wife?

[redacted] No, [redacted] is the owner of the restaurant she works at. They're close friends.

SPECIAL AGENT JON GENENS: Okay. Well,

actually, before -- I actually just wanted to get some clarification from you. So, you said that he had actually lived here for about a year and a half?

[redacted] No, no, no, no. He was only --

SPECIAL AGENT JON GENENS: Or a week and a half.

[redacted] Yeah, he was only here for about a week, week and a half.

SPECIAL AGENT JON GENENS: Mm-hm.

[redacted]: He got stuck here during the snowstorm. He was only supposed to be here a couple of days.

SPECIAL AGENT JON GENENS: When was that?

[redacted]: Snowstorm we just had, so it was two weeks ago?

SPECIAL AGENT JON GENENS: Oh.

[redacted]: Yeah, the one we just had. The big one. He --

SPECIAL AGENT JON GENENS: All right. So, approximately two weeks ago he was staying at your house for about a week and a half.

[redacted]: Yeah, he was here

for about two, three days and then they were supposed to leave and then the storm hit, and then -- we just were able to get the RV cleared out so she could be able to move in.

SPECIAL AGENT JON GENENS: Gotcha. And so, had you known about this guy from your sister prior to him coming up here?

[redacted]: I knew that they didn't get along. I knew that they fought a lot, but I -- like I said, I -- sorry, I met him twice. I met him once before, right around Christmas.

SPECIAL AGENT JON GENENS: Mm-hm.

[redacted] He was living with her in the RV. I dropped off a Christmas gift to her and I saw him for 30, 40 seconds. But after that, I met him one time here and he pissed me off so bad I just was like, "He's got to go."

SPECIAL AGENT JON GENENS: What did -- what happened? What did he do to piss you off?

[redacted]: We were trying to get -- basically what happened is she was trying to move the RV out of here the first day of the storm and got stuck right here in this. So, I

was trying to get her pulled back and get her back out of the street, and from the car he was just being a jackass.

SPECIAL AGENT JON GENENS: Oh.

[redacted]: I mean, excuse the language, but there's no other way of saying it. Screaming, yelling, whining. Like, just being a complete asshole while I'm out hooking up the truck, pulling her this way, pulling her that way and I was just like, "Dude, you got to go." And then a couple days later, she ended up coming -- you guys actually were -- or San Bernardino was here doing something.

SPECIAL AGENT JON GENENS: Oh, that's --

[redacted]: The day she called.

SPECIAL AGENT JON GENENS: Oh, she called?

[redacted]: Yeah, she called.

SPECIAL AGENT JON GENENS: Did --

[redacted]: Sorry, I'm --

SPECIAL AGENT JON GENENS: You want to grab a jacket?

[redacted] Yeah. Sorry --

get back. They are not here for you.

SPECIAL AGENT JON GENENS: Do you know -- did you see -- did he hit her at all or anything like that?

[redacted]: I didn't see anything but you could hear them fighting and he was constantly screaming. You'd really never hear her, but you could hear him just -- best way I could say it is just banshee-ing.

SPECIAL AGENT JON GENENS: Mm-hm.

[redacted] I mean, that sounds really bad but he just -- the way he screamed was like a little girl. Really high-pitched and like, just screaming from the RV.

SPECIAL AGENT JON GENENS: Hm.

[redacted]: And that's --

SPECIAL AGENT JON GENENS: And did she say anything else? Did she say if he had weapons or anything like that?

[redacted]: She didn't say anything like that. I don't think she wanted to tell me, because -- well, obvious reasons. Knowing I have them, so --

SPECIAL AGENT JON GENENS: Right.

[redacted]: She said that

they did get into a fistfight at one point, but she didn't tell me how bad it was or anything else like that, and then I didn't see her for two days after it, so.

SPECIAL AGENT JON GENENS: Do you know -- did he have any [redacted] in the area?

[redacted] Not here. As far as I know, it was all [redacted].

SPECIAL AGENT JON GENENS: [redacted]?

[redacted]: Yeah, because I know she had talked about him before --

SPECIAL AGENT JON GENENS: Mm-hm.

[redacted]: -- when she was still living at [redacted] in Bear City. Um, that she went down and visited him and stuff like that. Something like he's a trust fund baby and his parents are rich or something, but that could all be -- see, the thing with [redacted] is she's coming down off of a -- the reason we brought her out here -- and don't tell her I told you this, because she'll lose it on me.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: She got really caught up into speed and stuff when she was out in [redacted]. That's why we brought her out here.

SPECIAL AGENT JON GENENS: Ah.

[redacted]: And then immediately when she got here, fell right into it and disappeared into [redacted] for months.

SPECIAL AGENT JON GENENS: Uh-huh.

[redacted] Had her car stolen, all this stuff. From the car stolen -- like, ended up bad. So, finally, she moved back up here. Got her clean again. She's been clean ever since, but he floated back in and --

SPECIAL AGENT JON GENENS: Got it. Okay.

AGENT SAM RICHARDSON: Is that her RV or your RV or --

[redacted] That's hers, not mine.

AGENT SAM RICHARDSON: Okay, so she's been driving around, so when you say she's been here a week or --

[redacted]: Oh, no. She's been here for over a month and a half.

AGENT SAM RICHARDSON: Okay.

[redacted]: She's been here for a while.

AGENT SAM RICHARDSON: So, that goes

with her and she just has it parked here.

[redacted]: Yes, that is her home. She doesn't stay in the house.

AGENT SAM RICHARDSON: Okay.

[redacted] So, we've been trying to get it out of here because we don't own this property.

SPECIAL AGENT JON GENENS: Ah.

[redacted]: So.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: But every time we go to go, a storm hits, so.

SPECIAL AGENT JON GENENS: What kind of car does -- does your [redacted] drive?

[redacted] She does not.

SPECIAL AGENT JON GENENS: Oh, how does she get back and forth to work?

[redacted]: Different people give her rides. I gave her a ride this morning. Her friend [redacted] gives her a ride. I've never met [redacted]

SPECIAL AGENT JON GENENS: Oh, okay.

[redacted]: Different people. Sometimes I see the owners of the restaurant drop her off.

SPECIAL AGENT JON GENENS: And what was the name of the restaurant again?

[redacted]: [redacted] It's right on the corner of [redacted] and (indiscernible) Boulevard.

SPECIAL AGENT JON GENENS: All right, and you said you could call [redacted] to see --

[redacted]: Yeah, I can call her right now.

SPECIAL AGENT JON GENENS: Okay, yeah. That'd be great, thank you. Unless -- do you have any other questions?

DETECTIVE TRAVIS GAGNE: Just to clarify, you said she was from [redacted]?

[redacted]: [redacted].

DETECTIVE TRAVIS GAGNE: Oh, [redacted]?

[redacted] [redacted].

DETECTIVE TRAVIS GAGNE: Okay, and what was the timeframe for her coming back to [redacted]?

[redacted]: [redacted] was born already, so it's been a [redacted]. Two, three years.

DETECTIVE TRAVIS GAGNE: Who's [redacted]

[redacted]: [redacted]. Sorry.

DETECTIVE TRAVIS GAGNE: Oh.

[redacted] Easiest way for me to remember things is [redacted]. I have a [redacted] and an almost [redacted], so.

DETECTIVE TRAVIS GAGNE: And when she came back, where did she go?

[redacted]: She moved straight into [redacted] house.

DETECTIVE TRAVIS GAGNE: Okay, and you said that's in Big Bear City?

[redacted] Yes, that's on [redacted]

DETECTIVE TRAVIS GAGNE: Okay.

[redacted] It's [redacted]. He still lives there.

DETECTIVE TRAVIS GAGNE: And then at some point she ended up in [redacted]?

[redacted] She bailed out. She got my -- [redacted] kind of an asshole.

DETECTIVE TRAVIS GAGNE: Okay.

[redacted] And her and him fought really bad. He ended up -- he was living with her in [redacted] for a little bit when he was going through train operations school and ever

since then they just hate each other and they don't say anything civil to each other at all.

DETECTIVE TRAVIS GAGNE: Okay.

[redacted]: Well, he moved back in with [redacted] She -- "I'm not taking this anymore," and bailed.

DETECTIVE TRAVIS GAGNE: Okay. How long ago was that?

[redacted]: Oh, about -- I think it's been over a year. I didn't really keep track of --

DETECTIVE TRAVIS GAGNE: And as far as you know, she was in [redacted] --

[redacted]: Mm-hm.

DETECTIVE TRAVIS GAGNE: -- until she came back here?

[redacted]: There's actually a report from [redacted] of her vehicle being stolen. The day that that report went through is when she moved back. So, I don't know if you guys have access to that. I know it's inter-jurisdiction, but that'll give you a lot more clear dates --

DETECTIVE TRAVIS GAGNE: Okay.

[redacted]: -- of when,

because me and [redacted] had to go down -- I had to take that down the hill and tow her Hummer back up the first time, and then she went back down again to see this Kyle guy and that's when it got stolen.

DETECTIVE TRAVIS GAGNE: Okay, and when she came back, she came here?

[redacted] No, she went to [redacted] house.

DETECTIVE TRAVIS GAGNE: Okay.

[redacted] This is the first time she's been here in the last month.

DETECTIVE TRAVIS GAGNE: And how long has she been here?

[redacted] About a month, month and a half.

DETECTIVE TRAVIS GAGNE: Month and a half? Okay. Are you aware of Kyle's drug use or alcohol use or anything?

[redacted] I know nothing about this guy. That's why -- because when she told me he came back, I took -- she had a copy of the key to my house and everything so she could get in, use the shower if she needed or whatever.

DETECTIVE TRAVIS GAGNE: Mm-hm.

[redacted] And I took it all away because I didn't trust him, and I have, you know, a safe with guns in the house so I'm not going to just let someone I'm not --

DETECTIVE TRAVIS GAGNE: Right.

[redacted] You know what I mean? So, when she came, I took away the key to the garage, the house, everything, just because I didn't know him.

DETECTIVE TRAVIS GAGNE: When's the last time you saw him?

[redacted]: The -- if I can get the date of the storm. One second. I'm trying to just -- once I can figure out the date of the storm, I can give you guys some more accurate dates here. About the 1st? So -- yeah, the storm was the end of the month, so it was the end of February, so like the 28th to the -- like 27th to the 1st. It was one of those days. Whatever day that police report was.

DETECTIVE TRAVIS GAGNE: And that's when they were here? Kyle --

[redacted]: Yes. Well, Kyle had left the day that it happened. [redacted] was the one that actually told her to call the

Sheriff's Department.

DETECTIVE TRAVIS GAGNE: Okay, and did he return after that?

[redacted] Not that we knew of.

DETECTIVE TRAVIS GAGNE: Did Kyle drive a vehicle?

[redacted] Yeah, it was a little white Honda.

DETECTIVE TRAVIS GAGNE: Okay.

[redacted] White with black trim, and it had a bunch of weird stickers on it, like a Kermit the Frog sticker and --

DETECTIVE TRAVIS GAGNE: Okay.

[redacted]: Stuff like that. That's [redacted] from upstairs going, "Are we okay?" I have cameras, so she's --

DETECTIVE TRAVIS GAGNE: And were they [redacted]?

[redacted] As far as I know, they were, and then --

DETECTIVE TRAVIS GAGNE: Any idea [redacted]? Do you know when she met him?

[redacted]: When she was down in [redacted]. I don't know. That one -- I don't

know really the specifics on the guy. I know he came up here when she was at [redacted] with her RV parked there. They were there for about a month, month and a half, two months. She kicked him out. Told us she was afraid for her safety. That's why when she said, "Hey, he's coming back," I was like, "Nope." Like, "No, if he's coming out, you need to go and -- so I need my keys back."

DETECTIVE TRAVIS GAGNE: Okay. And then she called deputies after he'd already took off?

[redacted]: Yeah, the day that it all conspired, she called deputies.

DETECTIVE TRAVIS GAGNE: And he was gone already.

[redacted] Yeah, he was gone already, as far -- yeah. That's -- I don't know if he's come back. I don't know any --

SPECIAL AGENT JON GENENS: Do you know if he went over to [redacted]? Kyle?

[redacted]: I don't think he'd be that stupid, but I don't know. I don't think he'd go there looking for her.

SPECIAL AGENT JON GENENS: Okay.

[redacted] Because [redacted] and her are iffy at best, so -- I'm actually looking up something to answer your question a little bit more. Sorry. Give me a second. I'm looking for a text message she sent me the day that it happened, because she was texting [redacted] and -- okay, here we go. It happened February 24th.

SPECIAL AGENT JON GENENS: Was the last time that he was here?

[redacted]: Yes, that's when she said -- she texted me saying, "Kyle is gone. Waiting for the police. I will be leaving as soon as I can." She -- and all I got after that is "They're looking for him." I asked for the -- actually, I have the report number if you guys want it.

SPECIAL AGENT JON GENENS: Sure.

[redacted] Because I had her give it to me because --

SPECIAL AGENT JON GENENS: Oh, this is your guy's.

[redacted]: Yeah, same thing with you guys. I'm going to ask for something, so when I send it to -- because anytime my name

comes up in a report, I have 72 hours to report to the CCW people.

SPECIAL AGENT JON GENENS: All right, so BB230550009.

[redacted]: So -- but that's the day that it happened.

SPECIAL AGENT JON GENENS: Okay.

[redacted]: But the only -- like I said, the only reason I have that is because I have to report to the CCW guys within 72 hours of my name coming on any report.

SPECIAL AGENT JON GENENS: Oh.

[redacted]: When they take it, so.

DETECTIVE TRAVIS GAGNE: And you don't have Kyle's phone number by chance, do you?

[redacted] I know nothing about -- like I said, he never called me from it. She never called me from it, as far as I know.

DETECTIVE TRAVIS GAGNE: Okay.

[redacted]: All -- up until yesterday, the only way we -- I could communicate with her was Facebook Messenger. She got a phone -- the number I gave you, she got it yesterday.

SPECIAL AGENT JON GENENS: Oh,

yesterday. All right. You said that you could call [redacted] or somebody, let us know if she's on her way back?

[redacted]: Let me see. This might be either one of them; it doesn't matter. [redacted] or [redacted]. Surprised [redacted] haven't come downstairs. "Whatcha doing?"

[redacted]: Hello?

[redacted] Hi, [redacted] How are you?

[redacted] I'm good, how are you?

[redacted]: Good. Hey, are you guys still open?

[redacted] No, we close at 5:00.

[redacted]: Okay, and do you know if [redacted] is on her way or if she's gotten a ride home yet?

[redacted]: I can -- she's still here, so let me have you talk to her.

[redacted]: Well, how long are you guys going to be there? Do you know? Another hour or so, or --

[redacted] An hour.

[redacted] They said about an hour, so.

SPECIAL AGENT JON GENENS: Okay.

[redacted] (indiscernible)

SPECIAL AGENT JON GENENS: How far away is it?

[redacted] It's ten, fifteen minutes from here.

SPECIAL AGENT JON GENENS: Yeah, we'll just swing by there.

[redacted] Okay. Um -- okay. Thank you, [redacted].

[redacted]: Now, do I need to tell her anything?

SPECIAL AGENT JON GENENS: No, we'll just --

[redacted]: No, there's some gentlemen coming to talk to her. She's fine.

[redacted] Okay.

[redacted]: Nothing bad. All right.

[redacted]: All right.

[redacted] All right, bye. Sorry, guys. Just I don't want --

SPECIAL AGENT JON GENENS: No, thank you.

[redacted]: I worked -- I had

to work stupid hard to get that thing, so (indiscernible) San Bernardino --

AGENT SAM RICHARDSON: Just have them call us if there's a question about anything.

[redacted] No, I'll just send them these and go, "Hey, there's an ongoing investigation," with the email I sent prior --

SPECIAL AGENT JON GENENS: Yeah, doesn't have any -- you're not in any trouble whatsoever, so --

[redacted]: Yeah, just I know that even if I'm not in any trouble -- because like, I had an officer -- a deputy pull me over in that and I was carrying, and he reported it, not as like I did anything wrong, but just as a --

SPECIAL AGENT JON GENENS: Right.

[redacted]: He didn't pull me over, sorry. I was in a -- a car crash happened and I was one of the witnesses. Well, he wrote my name in the report and I didn't --

SPECIAL AGENT JON GENENS: Oh.

[redacted]: -- let them know that there was a report of my name. I got an email within like, three days, saying "How come

you didn't email us?" I was like, "I wasn't in trouble. I didn't -- it wasn't involving me, so I wasn't -- I didn't know I had to." So they're like, "No, anything, for the future." I'm like, "You got it."

SPECIAL AGENT JON GENENS: Right. Well, [redacted], thank you very much for --

[redacted]: No problem.

SPECIAL AGENT JON GENENS: -- taking the time to talk to us. Appreciate you standing out here in the cold.

[redacted]: No, you guys are good.

AGENT SAM RICHARDSON: Thank you, sir. Don't forget --

SPECIAL AGENT JON GENENS: Yeah, don't forget your firearm.

[redacted]: I'm going to wait until you guys are --

AGENT SAM RICHARDSON: Good call.

SPECIAL AGENT JON GENENS: Appreciate that. Thank you.

[redacted] No problem. (indiscernible)

SPECIAL AGENT JON GENENS: Thank you.

[redacted]: Pretty sure you don't want me to have that.

SPECIAL AGENT JON GENENS: Thank you.

[redacted]: (indiscernible)

SPECIAL AGENT JON GENENS: Thank you. You, too.

[redacted]: (indiscernible)

SPECIAL AGENT JON GENENS: Yeah, we will.

[redacted] (indiscernible)

DETECTIVE TRAVIS GAGNE: (indiscernible)

SPECIAL AGENT JON GENENS: Just --

DETECTIVE TRAVIS GAGNE: Now close it?

[redacted] I'll get it.

DETECTIVE TRAVIS GAGNE: There we go. No, we got it. Oh, came back.

[redacted]: Sorry, guys.

DETECTIVE TRAVIS GAGNE: No, not a problem.

SPECIAL AGENT JON GENENS: There, we got it.

[redacted]: (indiscernible)

SPECIAL AGENT JON GENENS: Thanks.

AGENT SAM RICHARDSON: You too.

SPECIAL AGENT JON GENENS: Wait, still -- all right, 1751 hours and that concludes our interview.

C E R T I F I C A T I O N

I, [redacted], certify that the foregoing transcript is a true and accurate record of the proceedings.

[redacted]

Veritext Legal Solutions
330 Old Country Road
Suite 300
Mineola, NY 11501

Date: June 16, 2023

NOTE REGARDING CORRECTIONS TO TRANSCRIPT

On June 16, 2023, I, Special Agent J. Genens, received witness [redacted] interview transcript from Veritext via a secure emailed link. On July 5, 2023, I listened to the audio recording of [redacted] interview while I reviewed the transcript at the same time. I made corrections to the transcript, completed a list of those corrections, and attached the list to the back of the transcript.

J. Genens, SA

July 5, 2023

TRANSCRIPT CORRECTION SHEET – [redacted]

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DEPUTY SAMUEL FULLER BELT WORN AUDIO RECORDING
PUMA5203 (Length of recording: 9 seconds)

(Siren)

:01 Male: Another stop sign at Clark.

:09 (End of recording)

DEPUTY SAMUEL FULLER BELT WORN AUDIO RECORDING
PUMA5204 (Length of recording: 15:52)

(Siren)

:01	Male:	See what happens here.
:04	Dispatch:	10-4.
:06	Dep. Fuller:	(Unintelligible) fucking hands.
:07	Kyle Sostek:	(Unintelligible)
:08	Dep. Fuller:	Back up!
:08	Kyle Sostek:	(Unintelligible) jail.
:09	Dep. Fuller:	Back up!
:10	Male:	(Unintelligible) weapons.
:10	Dep Fuller:	Back up!
:12	(Siren stops)	
:13	Kyle Sostek:	I just (Unintelligible)
:13	Dep Fuller:	Back up, Turn around!
:14	Kyle Sostek:	You, I just (Unintelligible)
:15-:16	(Sound of five gunshots)	
:21	Dep. Fuller:	Let me see your fucking hands.
:54	Sgt. Everman:	Roll him over.
:56	Sgt. Everman:	Got to check (Unintelligible)
1:06	Dep Fuller:	This side's clear.
1:12	Sgt. Everman:	Alright, go get a trauma kit.

1:13	Dep Fuller:	Yup.
1:15	Dep Fuller:	6-Paul-11, subject has multiple gunshot wounds.
1:27	Dispatch:	10-4.
1:30	Sgt. Everman:	Grab a trauma kit out of your car.
1:35	Sgt. Everman:	Should be a chest seal in there and…
1:43	Sgt. Everman:	I'm going to get some gloves on.
1:46	Dep. Fuller:	I think there's some in here.
1:50	Sgt. Everman:	What street is this?
1:52	Sgt. Everman:	What did I say?
1:55	Dep. Fuller:	This is Vista right?
1:57	Dep. Fuller:	Vista, top of Vista.
2:02	Sgt. Everman:	6 Sam 4, what was the last street we were on?
2:04	Dispatch:	You're mapping at Vista and Rienhart.
2:10	Sgt. Everman:	887.
2:13	Dispatch:	Copy 887 Vista.
2:40	Sgt. Everman:	Got a knife?
2:41	Sgt. Everman:	Need a knife
3:12	Dispatch:	10-6 Sam 4, I've got two Twin Peaks units en route to you.
3:16	Sgt. Everman:	What did she say?
3:17	Dep. Fuller:	Two Twin Peaks units en route
3:26	Sgt. Everman:	You got clean hands, no pulse, so there's no breathing, CPR in progress, can you tell em?

3:32	Dep. Fuller:	Yep.
3:34	Dep. Fuller:	6 Paul 11….(Unintelligible)… CPR in progress.
3:38	Dispatch:	10-4.
3:46	Dep. Fuller:	You got a, you got ah chest seal in yours?
3:48	Sgt. Everman:	Let me check.
4:14	Sgt. Everman:	I think we can lift the 33.
4:17	Sgt. Everman:	Are your hands still bloody?
4:20	Dep. Fuller:	Clear to remove the marker.
4:21	Sgt. Everman:	Yeah.
4:23	Dep. Fuller:	6 Paul 11, you can remove the marker, we are good for now.
4:30	Dispatch:	Copy, marker will be removed, but we are going to be limited traffic.
4:33	Dep. Fuller:	Okay, where's the…
4:34	Sgt. Everman:	Right here.
4:40	Dep. Fuller:	Is it sticking at all?
4:41	Sgt. Everman:	Ya, it's sticking.
4:48	Dep. Fuller:	One in the stomach.
5:32	Dep. Fuller:	Want me to take that over?
5:34	Sgt. Everman:	Nope, hey look at me.
6:08	Sgt. Everman:	An ambulance…
6:15	Male:	Were you able to get this tape?
6:27	Sgt. Everman:	Go to the other side.

6:40	Sgt. Everman:	You want to make some room for the, oh your working with him, okay.
6:46	Sgt. Everman:	You need to get the ambulance up here whenever they can make their way up.
6:53	Sgt. Everman:	We need to check for a pulse, see if we got anything, check his brachial, his neck's just too far.
7:04	(Unintelligible)	
7:11	Dep. Fuller:	I'm not feeling anything.
7:20	Dep. Fuller:	No.
7:21	Sgt. Everman:	Okay, I'm just going to keep going until fire gets here.
7:55	Sgt. Everman:	Hey Sharp.
7:56	Dep. Fuller:	It's Bush.
7:57	Sgt. Everman:	Bush.
7:58	Dep. Bush:	Ya.
7:59	Sgt. Everman:	Confirm our street please.
8:01	Dep. Bush:	You got it. Ya, it's here because I put in the directions.
8:05	Sgt. Everman:	Alright, thanks.
8:16	Sgt. Everman:	See if we got an ETA on fire.
8:18	Dep. Bush:	You got it.
8:20	Dispatch:	10-6 Sam, Fire's been updated, have ETA of two.
8:24	Sgt. Everman:	Like she heard me.
8:31	Sgt. Everman:	Check for others…(unintelligible) shot.
8:52	Sgt. Everman:	There's a lady, 887 I think and I see a camera right there. So we

		need to make sure we get that.
9:04	Dep. Bush:	(Unintelligible) and a chest seal.
9:05	Dep. Fuller:	No, we got the chest seal and he's got a stomach wound and one to the side.
9:09	Dep Bush:	You need a 4X4?
9:10	Sgt. Everman:	Just maybe some tape to hold these on.
9:13	Sgt. Everman:	Don't get your hands dirty because we need someone for radio.
9:16	Male:	You got it.
9:17	Sgt. Everman:	Advise CPR still in progress, waiting for fire.
9:22	Sgt. Everman:	His radio's really loud.
9:23	Dispatch:	14 Sam.
9:24	Sgt. Everman:	Turn his radio down in his car Bush.
9:26	Male:	Ya
9:29	Male:	14 Sam 6.
9:31	Dispatch:	Are you able to send some units to help Big Bear? Twin Peaks unable to make it through the Arctic Circle, it's cut off.
9:38	Male:	They didn't know that?
9:42	Male:	Mother fuckers
9:48	Male:	14 Paul 13, will be in route.
9:52	Dispatch:	10-4.
10:07	Dep. Fuller:	Still no pulse or breathing.
10:17	Male:	Radio.
10:20	(Unintelligible)	

10:22	Sgt. Everman:	It didn't go out.
10:30	Sgt. Everman:	Still didn't go out.
10:52	Dep. Fuller:	No, I don't think it's any good.
10:53	Sgt. Everman:	This one's not bleeding out so don't worry about it.
10:56	Dep. Fuller:	One on the side's not, I'm just trying to get it covered.
10:58	Sgt. Everman:	This one was bleeding out, here, right on his chest.
11:02	Sgt. Everman:	Anything in his legs or anything?
11:12	Male:	Ah no.
11:15	Sgt. Everman:	Did you see anybody else?
11:17	Dep Fuller:	There's another one here.
11:18	Dep. Fuller:	Unless that's an exit.
11:30	Sgt. Everman:	Um, any chance your bullet went towards this house here?
11:32	Dep Fuller:	No, they were all in this direction.
11:34	Sgt. Everman:	Okay.
11:35	Dep Bush:	Car's clear.
11:37	Sgt. Everman:	Thank you.
11:38	Sgt. Everman:	Is it in park and not going to roll into us or anything.
11:41	Dep Bush:	Let me find out.
11:50	Sgt. Everman:	Do you have any clue how long I've been doing this?
11:52	Dep. Fuller:	Here comes Fire.
12:12	Sgt. Everman:	He's super pale, I don't think we're getting any blood.

12:16	Dep Bush:	It's in park.
12:38	Male:	Are you good?
12:45	Sgt. Everman:	Do you wanna let dispatch know Fire's 97?
12:49	Sgt. Everman:	Thank you.
12:50	Male:	(Unintelligible)
12:55	Dispatch:	Copy.
12:56	Sgt. Everman:	Hey Bush, give em' a time frame for how long we've been on this, based on your call history. CPR in progress, time.
13:05	Dep Bush:	You got it.
13:16	Paramedic [redacted]	What's going on?
13:21	Dep Fuller:	Multiple gunshots, one to the chest, it looks like one to the stomach, one side, and one on this side, not sure if it's a through and through.
13:30	Sgt. Everman:	He's going to give you a time frame on how long we've been at this.
13:33	Dep. Fuller:	Alright we applied a chest seal.
13:34	Paramedic [redacted]	Let's bring him down a little bit.
13:35	Male:	Ya, let's get him down here.
13:36	Paramedic [redacted]	Here, bump that out of the way for a second, lets scoot him down.
13:45	Male:	Say approximately 10 minutes of CPR.
13:48	Male:	Max.
13:50	Paramedic [redacted]	And so we've got one dead center and one in the abdomen.
13:51	Male:	To the chest (unintelligible) out this side (unintelligible)
13:55	Male:	And a through and through maybe.

13:57	Paramedic [redacted]:	So what happened to him?
14:01	Male:	Anybody know.
14:02	Sgt. Everman:	This is a…
14:03	Dep. Fuller:	OIS. Officer involved shooting.
14:05	Sgt. Everman:	This is a vehicle pursuit that turned into an officer involved shooting here.
14:13	Sgt. Everman:	Want to change out your gloves? I'll hold your flashlight.
14:16	Male:	Blood on it.
14:17	Male:	3:03.
14:31	Male:	(Unintelligible).
14:36	Male:	What is that 3:03 and 3:18?
14:38	Paramedic [redacted]:	That's when it happened, 3:03?
14:40	Male:	Ya.
1442:	Sgt. Everman:	Give me some photos right now like of everything.
15:52	(End of recording)	

NOTE TO TRANSCRIPTION

On July 11, 2023, I, Special Agent J. Genens, typed this transcript while I listened to Deputy FULLER's belt worn audio recording. The transcript was typed to the best of my ability, however, for the most accurate record of what was said, listen to the actual audio recording.

SA J. Genens
July 24, 2023

SGT. JOHN EVERMAN BELT WORN AUDIO RECORDING
S2190567 (Length of recording: 13:59)

:07	6 Sam 4…(Unintelligible)	
:10	Sgt. Everman:	Grab a trauma kit out of your car.
:15	Dep. Fuller:	I see a chest wound.
:24	Sgt. Everman:	I'm going to get some gloves on.
:25	Dep. Fuller:	I think there's some in here.
:30	Sgt. Everman:	What street is this?
:32	Sgt. Everman:	What did I say?
:36	Dep. Fuller:	Vista right?
:38	Dep. Fuller:	Vista, top of Vista.
:40	Sgt. Everman:	6 Sam 4, what was the last street we were on?
:44	Dispatch:	You're (unintelligible) up Vista and Rienhart.
:49	Sgt. Everman:	887.
:53	Dispatch:	Copy 887 Vista.
1:07	Sgt. Everman:	Fuck, can't get these fuckin gloves on.
1:20	Sgt. Everman:	Got a knife?
1:21	Sgt. Everman:	Need a knife
1:52	Dispatch:	10-6 Sam 4, I've got two Twin Peaks units en route to you.
1:56	Sgt. Everman:	What did she say?
1:57	Dep. Fuller:	Two Twin Peaks units en route

2:06	Sgt. Everman:	You got clean hands, no pulse, so there's no breathing, CPR in progress, can you tell em?
2:11	Dep. Fuller:	Yep.
2:14	Dep. Fuller:	6 Paul 11….(Unintelligible)
2:26	Dep. Fuller:	You got a chest seal in yours?
2:27	Sgt. Everman:	You can check.
2:29	Sgt. Everman:	My car's so frick'en blown out.
2:54	Sgt. Everman:	(Unintelligible)…can lift the 33.
2:57	Sgt. Everman:	Are your hands still bloody?
3:04	Dep. Fuller:	6 Paul 11, you can remove the marker, we are good for now.
3:10	Dispatch:	Copy, marker will be removed, but we are going to be limited Traffic.
3:13	Dep. Fuller:	Okay, where's the…
3:14	Sgt. Everman:	Right here.
3:20	Male:	Is it sticking at all?
3:22	Male:	Ya, it's sticking.
3:28	Male:	(Unintelligible) stomach.
4:11	Dep. Fuller:	Want me to take that over?
4:14	Sgt. Everman:	Nope, hey look at me.
4:46	Dep. Bush:	What do you need?
4:48	Male:	An ambulance…
4:55	Male:	Were you able to get this tape?
5:06	Sgt. Everman:	Go to the other side.

5:16	Sgt. Everman:	You want to make some room for the, oh your working with him, Okay.
5:26	Sgt. Everman:	You need to get the ambulance up here whenever they can make their way up.
5:33	Sgt. Everman:	We need to check for a pulse, see if we got anything, check his brachial, his neck's just too far.
5:43	(Unintelligible)	
5:51	Dep. Fuller:	I don't feel anything.
5:52	Sgt. Everman:	Nothing?
6:00	Sgt. Everman:	Nothing?
6:01	Dep. Fuller:	No.
6:02	Sgt. Everman:	Okay, I'm just going to keep going until (unintelligible)
6:35	Sgt. Everman:	Hey Sharp.
6:36	Dep. Fuller:	It's Bush.
6:37	Sgt. Everman:	Bush.
6:38	Dep. Bush:	Ya.
6:39	Sgt. Everman:	Confirm our street please.
6:41	Dep. Bush:	You got it. Ya, it's here because I put in the directions.
6:44	Sgt. Everman:	Alright, thanks.
6:56	Sgt. Everman:	See if we got an ETA on fire.
6:58	Dep. Bush:	You got it.
7:00	Dispatch:	10-6 Sam, Fire's been updated, have ETA of 2.
7:05	Sgt. Everman:	Like she heard me.

7:11	Sgt. Everman:	Check for others…(unintelligible)
7:32	Sgt. Everman:	There's a lady, 887 I think and I see a camera right there. So we need to make sure we get that.
7:43	Male:	(Unintelligible) and a chest seal.
7:45	Dep. Fuller:	No, we got the chest seal and he's got a stomach wound and one to the side.
7:48	Dep Bush:	You need a 4X4?
7:49	Sgt. Everman:	Just maybe some tape to hold these on.
7:53	Sgt. Everman:	Don't get your hands dirty because we need someone for radio.
7:56	Male:	You got it.
7:57	Sgt. Everman:	Advise CPR still in progress, waiting for fire.
8:00	Male:	You got it.
8:02	Sgt. Everman:	His radio's really loud.
8:03	Dispatch:	14 (unintelligible)
8:05	Sgt. Everman:	Turn his radio down in his car Bush.
8:09	Male:	14 Sam 6.
8:11	Dispatch:	Are you able to send some units to help Big Bear? Twin Peaks unable to make it through the Arctic Circle, it's cut off.
8:18	Male:	They didn't know that?
8:22	Male:	Mother fuckers
8:28	Male:	14 Paul 13, will be in route.
8:32	Dispatch:	10-4.
8:47	Dep. Fuller:	Still no pulse or breathing.

8:57	Male:	Radio.
09:01	(Unintelligible)	
09:03	Male:	It didn't go out.
09:10	Male:	Still didn't go out.
09:32	Dep. Fuller:	No, I don't think it's any good.
09:33	Sgt. Everman:	This one's not bleeding out so don't worry about it.
09:36	Dep. Fuller:	One on the side's not, I'm just trying to get it covered.
09:38	Sgt. Everman:	This one was bleeding out, here, right on his chest.
09:42	Sgt. Everman:	Anything in his legs or anything?
09:50	Unknown	(Unintelligible)
09:52	Male:	No.
09:52	Male:	No.
09:55	Sgt. Everman:	Did you see anybody else?
09:58	Dep Fuller:	There's another one here.
09:59	Dep. Fuller:	Unless that's an exit.
10:02	Sgt. Everman:	Probably exit.
10:08	Sgt. Everman:	So, any chance your bullet went towards this house here?
10:13	Dep Fuller:	(Unintelligible)
10:14	Sgt. Everman:	Okay.
10:15	Dep Bush:	Car's clear.
10:17	Sgt. Everman:	Thank you.

10:18	Sgt. Everman:	Is it in park and not going to roll into us or anything.
10:21	Dep Bush:	Let me find out.
10:30	Sgt. Everman:	Do you have any clue how long I've been doing this?
10:33	Dep. Fuller:	Here comes fire.
10:52	Sgt. Everman:	He's super pale, I don't think we're getting any blood.
10:56	Dep Bush:	It's in park.
11:17	Male:	Are you good?
11:25	Sgt. Everman:	Do you wanna let dispatch know fire's 97?
11:29	Sgt. Everman:	Thank you.
11:31	Male:	16-11 fire's 97.
11:36	Dispatch:	Copy.
11:36	Sgt. Everman:	Hey Bush, give em' a time frame for how long we've been on this, based on your call history. CPR in progress, time.
11:45	Dep Bush:	You got it.
11:56	Paramedic [redacted]:	What's going on?
12:01	Dep Fuller:	Multiple gunshots, one to the chest, it looks like one to the stomach, one side, and one on this side, not sure if it's a through and through.
12:06	(phone ringing)	
12:10	Sgt. Everman:	He's going to give you a time frame on how long we've been at this.
12:12	Dep. Fuller:	Alright we applied a chest seal.
12:14	Paramedic [redacted]	(Unintelligible) to bring him down a little bit.
12:15	Male:	Ya, let's get him down here.

12:16	Paramedic [redacted]:	Here, bump that out of the way for a second, lets scoot him down.
12:26	Male:	Say approximately 10 minutes of CPR.
12:27	Paramedic [redacted]:	Okay.
12:28	Male:	Max.
12:29	Paramedic [redacted]:	And so we've got one dead center and one in the abdomen.
12:34	Male:	Looks like one out this side (unintelligible) this way.
12:37	Paramedic [redacted]:	So what happened to him?
12:42	Male:	This is a
12:43	Male:	OIS
12:44	Sgt. Everman:	This is a vehicle pursuit that turned into an officer involved shooting here.
12:53	Sgt. Everman:	Want to change out your gloves? I'll hold your flashlight.
12:57	Male:	Blood on it.
13:14	Male:	Alright.
13:15	Male:	What is that 3:03 and
13:19	Paramedic [redacted]:	That's when it happened, 3:03?
13:20	Male:	Ya.
13:21	Sgt. Everman:	Give me some photos right now like of everything.
13:42	Sgt. Everman:	Alright, I'm going off recording, it's March 12 at well what would have been 3:18 am but is now what 4:18?
13:54	Male:	No, it's 3:18 with the time change.
13:56	Sgt. Everman:	Okay, 3:18 with the time change.

13:59 (End of recording)

NOTE TO TRANSCRIPTION

On July 6, 2023, I, Special Agent J. Genens, typed this transcript while I listened to Sgt. Everman's belt worn audio recording. The transcript was typed to the best of my ability, however, for the most accurate record of what was said, listen to the actual audio recording.

SA J. Genens
July 7, 2023

DEPUTY BUSH BELT WORN AUDIO RECORDING
PUMA0895 (Length of recording: 12:07)

(Siren)

:37	(Unintelligible)	
:44	Dispatch:	Copy (unintelligible)
:59	(Siren stops)	
2:20	Dep Bush:	What do you need?
2:50	Male:	Make some room (Unintelligible) with him (unintelligible) ambulance up here…
4:12	Dep Bush:	Ya.
4:15	Dep Bush:	You got it. Ya, it's here because I put in the directions.
4:30	Sgt. Everman:	(Unintelligible) ETA on fire?
4:32	Dep Bush:	You got it.
4:34	Dispatch:	(Unintelligible) Fire's been updated. ETA of two.
5:17	(Unintelligible)	
5:30	Dep Bush:	You got it.
5:31	Sgt. Everman:	Advise CPR still in progress (unintelligible).
5:34	Dep Bush:	You got it.
5:36	(Unintelligible)	
5:38	Male:	Turn that radio down in the car, please.
5:40	Male:	Ya.
5:43	Male:	14 Sam 6.

5:45	Dispatch:	(Unintelligible) Big Bear Twin Peaks unable to make it through the Arctic Circle cut off.
6:02	Dep. Bush:	16 Paul 11.
6:54	Dispatch:	Go ahead.
6:56	Dep Bush:	Still no pulse, CPR is still in progress.
7:07	Sgt. Everman:	This one's not bleeding out so don't worry about it.
7:10	Male:	There's one on the side (unintelligible)
7:24	(Unintelligible)	
7:50	(Unintelligible)	
8:11	(Unintelligible)	
8:25	Dep Bush:	It's in park.
9:03	Dep Bush:	16-11 fire's 97.
9:09	Dispatch:	Copy.
9:11	Male:	Ya.
9:12	Male:	How long is he been lying there?
9:17	(Unintelligible)	
9:20	Dep Bush:	You got it.
9:54	(Phone rings)	
10:30	Male:	We've got 3:03.
10:49	Male:	So was at 3:03 and it's 3:18.
10:52	Paramedic [redacted]:	(Unintelligible)
10:54	Male:	Ya.

11:16 Sgt. Everman: Alright, I'm going off recording, it's March 12 at what would have been 2:18 am but is now what 4:18?

11:28 Male: No, it's 3:18 with the time change.

11:30 Sgt. Everman: Okay, 3:18 with the time change.

11:50 Sgt. Everman: Why don't you get photos (unintelligible).

12:00 Male: Okay.

12:07 (End of recording)

NOTE TO TRANSCRIPT

On July 6, 2023, I Special Agent J. Genens, typed this transcript while I listened to Deputy Bush's belt worn audio recording. The transcript was typed to the best of my ability, however, for the most accurate record of what was said, listen to the actual audio recording.

SA J. Genens
July 11, 2023

DEPUTY BUSH BELT WORN AUDIO RECORDING
PUMA0896 (Length of recording: 3:14)

:23	Dep Bush:	Hello.
:23	[redacted]	Hi sir.
:24	Dep Bush:	I just wanted to see if you guys are okay.
:25	[redacted]:	We're okay, we're just a little scared, but ya we're okay.
:29	Dep Bush:	Do you have any cameras that face the street?
:31	[redacted]:	I have this one. I can get my phone and it kind of just, it doesn't really give so much of the street, it's more of the porch.
:39	Dep Bush:	Mind if we take a look?
:40	[redacted]	No, no.
1:03	Other:	(Unintelligible)
1:31	Dep Bush:	What was your first name?
1:32	[redacted]	My name's [redacted]
1:36	Dep Bush:	And your last name ma'am?
1:37	[redacted]	[redacted]
1:39	Dep Bush:	Your date of birth?
1:41	[redacted]	Is [redacted]
1:44	Dep Bush:	Good phone number for you?
1:45	[redacted]:	Is [redacted]
1:53	[redacted]	It kind of just…
1:54	Dep Bush:	Is it motion activated or?

1:57	[redacted]	No, it just, I'm sorry it's a new system, sorry, I could call them, is there like a…
2:02	Dep Bush:	May I?
2:03	[redacted]	Ya, go ahead, I'm not really for sure.
2:05	Dep Bush:	So this looks like live.
2:14	Dep Bush:	Do you know if you have recording on there or?
2:17	[redacted]	Um.
2:18	Dep Bush:	Or is it just live?
2:18	[redacted]	I think it's just a live view, but for previous I think I call them and then they can send a time stamp. I apologize I'm not very good with it.
2:31	Dep Bush:	Oh, no worries. I appreciate you answering your door (unintelligible).
2:41	Dep Bush:	It looks like it might just be live.
2:43	[redacted]	Okay.
2:44	Dep Bush:	Um, let me give you a card
2:46	[redacted]	Okay.
2:47	Dep Bush:	And if you could kind of just look into it.
2:48	[redacted]	Ya,
2:49	Dep Bush:	And then…
2:49	[redacted]	And see…
2:50	Dep Bush:	See if it's there and if it's not then at least we know.
2:54	Dep Bush:	This is me.
2:55	[redacted]	Okay.

2:57	Dep Bush:	So once you get it sorted out, just call the station, just let em know, "Hey I'm (unintelligible) where all the police cars were that morning."
3:04	[redacted]	Okay.
3:05	Dep Bush:	(Unintelligible)
3:06	[redacted]	Okay.
3:07	Dep Bush:	Alright, I appreciate it.
3:08	[redacted]	Thanks, no problem.
3:14	(End of recording)	

NOTE TO TRANSCRIPT

On July 6, 2023, I Special Agent J. Genens, typed this transcript while I listened to Deputy Bush's belt worn audio recording. The transcript was typed to the best of my ability, however, for the most accurate record of what was said, listen to the actual audio recording.

SA J. Genens
July 11, 2023

DEPUTY BUSH BELT WORN AUDIO RECORDING
PUMA0898 (Length of recording: 3:20)

:54	Dep Bush:	Sheriff's Department.
:58	Dep Bush:	Hello, it's the Sheriff's Department.
1:16	Dep Bush:	It's the Sheriff's Department.
1:17	[redacted]	Hello.
1:18	Dep Bush:	Sorry to pester you guys so early in the morning.
1:20	Female:	(Unintelligible)
1:21	Dep Bush:	We're investigating an incident that happened on your street and I just wanted to see if you heard or saw anything.
1:25	[redacted]	I didn't hear. I use hearing aids and I didn't have them on.
1:28	[redacted]	(Unintelligible)
1:31	Dep Bush:	Oh okay.
1:32	[redacted]	Speak up louder so I can hear you.
1:33	Dep Bush:	Ya, no worries.
1:34	Dep Bush:	I was just curious if you saw or heard anything on the street.
1:37	[redacted]	I did not because I took off my hearing aids (unintelligible) my sister did.
1:42	[redacted]	Ya.
1:42	Dep Bush:	Oh, okay.
1:42	[redacted]	But she heard the, she heard…
1:44	[redacted]	Six.
1:45	[redacted]	Six shots.

1:47	[redacted]	(unintelligible)
1:49	[redacted]	Five or six.
1:51	Dep Bush:	Okay, anything else?
1:54	[redacted]	No, no because we're locked in.
1:57	Dep Bush:	Okay, are there any cameras on the outside of the house?
2:00	[redacted]	Ours, no, my neighbor.
2:02	Dep Bush:	Ya, I talked to them.
2:03	[redacted]	Neighbor, ya.
2:03	Dep Bush:	Okay.
2:05	[redacted]	Is the young man okay in the corner?
2:06	Dep Bush:	That's what we're still checking on right now so. Do you mind if I just get your name?
2:11	[redacted]	Yes, [redacted]
2:12	Dep Bush:	[redacted]
2:13	[redacted]	[redacted]
2:17	Dep Bush:	[redacted] what's your birthday?
2:18	[redacted]	[redacted]
2:22	Dep Bush:	Can I get your phone number?
2:23	[redacted]	[redacted]
2:28	Dep Bush:	And your [redacted] name?
2:30	[redacted]	[redacted]
2:31	Dep Bush:	[redacted]

2:32 [redacted] Ya.

2:34 Dep Bush: And your last name?

2:35 [redacted]

2:35 Dep Bush: [redacted] as well.

2:37 Dep Bush: Your date of birth?

2:38 [redacted]: Ya[redacted]

2:42 [redacted]

2:43 Dep Bush: [redacted]

2:46 [redacted] of [redacted]

2:47 Dep Bush: [redacted] okay.

2:48 Dep Bush: Different phone number?

2:49 [redacted] Ya.

2:50 [redacted] Same phone.

2:51 Dep Bush: Same phone number, okay.

2:51 [redacted] Yes (unintelligible).

2:53 Dep Bush: Okay, other than the gunshots did you see or hear anything else?

3:00 Dep Bush: (Unintelligible) other than…

3:02 (Spanish being spoken by the sisters)

3:11 Dep Bush: Okay, I appreciate your time ladies.

3:14 (Spanish being spoken by the sisters)

3:16 [redacted]: She's going to close the screen door.

3:17 Dep Bush: Oh, okay, perfect.

3:20 (End of recording)

NOTE TO TRANSCRIPT

On July 6, 2023, I Special Agent J. Genens, typed this transcript while I listened to Deputy Bush's belt worn audio recording. The transcript was typed to the best of my ability, however, for the most accurate record of what was said, listen to the actual audio recording.

SA J. Genens
July 11, 2023

DEPUTY BUSH BELT WORN AUDIO RECORDING
PUMA0900 (Length of recording: 29 seconds)

:01	Dep Bush:	Did you like happen to look out the window at the time and see anything or…
:03	Male:	All we saw was lights, ya there was really (unintelligible) witnessed anything other than the (unintelligible).
:14	Dep Bush:	And then was it just you or…
:15	Male:	My wife also.
:17	Dep Bush:	Okay, did she see or hear anything different?
:18	Male:	No
:19	Dep Bush:	Okay, if by chance you think of anything or find somebody or something, please give me a call.
:26	Male:	Thank you.
:29	(End of recording)	

NOTE TO TRANSCRIPT

On July 6, 2023, I Special Agent J. Genens, typed this transcript while I listened to Deputy Bush's belt worn audio recording. The transcript was typed to the best of my ability, however, for the most accurate record of what was said, listen to the actual audio recording.

SA J. Genens
July 11, 2023

DEPUTY BUSH BELT WORN AUDIO RECORDING
PUMA0902 (Length of recording: 1:08)

:11	Dep Bush:	Good morning.
:13	Female:	Hello.
:14	Dep Bush:	(Unintelligible) Do you have any cameras above your residence?
:21	Dep Bush:	Did you see anything, hear anything?
:23	[redacted]	Nope.
:24	Dep Bush:	Okay, can I just get your name?
:27	[redacted]	[redacted]
:28	Dep Bush:	Spell it with a Y or an I?
:29	[redacted]	I.
:30	[redacted]	[redacted]
:32	Dep Bush	[redacted]
:33	[redacted]	[redacted]...
:37	Dep Bush:	What's a good phone number for you?
:39	[redacted]	[redacted]
:44	Dep Bush:	Mind if I get your date of birth.
:46	[redacted]	[redacted]
:49	Dep Bush:	Anybody else in the house see or hear anything?
:50	[redacted]	No.
:52	Dep Bush:	Um, they're going to be doing some work here for a little bit (unintelligible).

:57	Dep Bush:	You can just kind of…
:59	[redacted]:	(unintelligible) soon.
1:03	Dep Bush:	Appreciate it.
1:08	(End of recording)	

NOTE TO TRANSCRIPT

On July 6, 2023, I Special Agent J. Genens, typed this transcript while I listened to Deputy Bush's belt worn audio recording. The transcript was typed to the best of my ability, however, for the most accurate record of what was said, listen to the actual audio recording.

SA J. Genens
July 11, 2023

Preliminary Copy

SHERIFF'S DEPARTMENT
COUNTY OF SAN BERNARDINO, CALIFORNIA
CA03600

EVIDENCE/PROPERTY REPORT

CASE NO. 062300178 — Page 1 of 1

LIMS: 23-02018-C-01
H# 031-2023

CODE SECTION	RECOVERING DIV/STATION	INVOLVED PARTY CIVILIAN NAME	☐ REPORTED STOLEN ☐ RECOVERED PROPERTY
LETHAL FORCE ENCOUNTER	SBSD – HOMICIDE	SOSTEK, KYLE	
☒ EVIDENCE	☐ FOUND PROPERTY	☐ SAFEKEEPING	☐ RECOVERED BY SEARCH WARRANT

Evidence collected from Kyle Sostek at the scene located at 891 Vista Avenue, Big Bear on 03/12/2023.

CASE AGENT AND EMPLOYEE NO.	PROPERTY RECOVERED BY AND EMPLOYEE NO.
M. PAGE / D9601 / 60H07	[redacted]

ITEM NO.	SERIAL NO.	DESCRIPTION	BAR CODE LABEL
ITEM A		GSR Kit: Kyle Sostek	SAN BERNARDINO COUNTY SHERIFF 2342000759

REPORTING DEPUTY AND [redacted] E NO.	DATE	REVIEWED BY:	PROPERTY OFFICER AND EMPLOYEE NO.	DATE:
[redacted]	03/13/23		[redacted]	3/13/23

15-16141-401 Rev. 5/93 CR3

Preliminary Copy

SHERIFF'S DEPARTMENT
COUNTY OF SAN BERNARDINO, CALIFORNIA
CA03600

EVIDENCE/PROPERTY REPORT

H# 31-2023

CASE NO.	
062300178	
REPORTING AREA	
LIMS: 23-02018-C-02	

CODE SECTION	RECOVERING DIV/STATION	INVOLVED PARTY CIVILIAN NAME	☐ REPORTED STOLEN
LFE	SBSD-HOMICIDE	SOSTEK, Kyle 4/6/1988	☐ RECOVERED PROPERTY
☒ EVIDENCE	☐ FOUND PROPERTY	☐ SAFEKEEPING	☐ RECOVERED BY SEARCH WARRANT

OWNER OF PROPERTY	ADDRESS
Evidence collected from Deputy S. Fuller G8600 at the San Bernardino County Sheriff – Big Bear Station on March 12, 2023.	
CASE AGENT AND EMPLOYEE NO.	PROPERTY RECOVERED BY AND EMPLOYEE NO.
PAGE D9601 60H07	[redacted]

ITEM NO.	SERIAL NO.	DESCRIPTION	VALUE	BAR CODE LABEL
Item B-1:		Smith and Wesson 9mm pistol, model: M&P Pro Series CORE M2.0, serial number: [redacted], with a Holosun red dot sight, model: HE507C-GR X2, serial number: [redacted], Streamlight light, model: TLR-1 HL, serial number [redacted] and a Smith and Wesson ammunition magazine		SAN BERNARDINO COUNTY SHERIFF 2342000756
Item B-2: Item B-3:		"WIN 9MM LUGER+P" cartridge from chamber of pistol, Item B-1 Twelve "WIN 9MM LUGER+P" cartridges from ammunition magazine, Item B-1		SAN BERNARDINO COUNTY SHERIFF 2342000757
Evidence collected from Sergeant J. Everman C7142 at the San Bernardino County Sheriff – Big Bear Station on March 12, 2023.				
Item C-1: Item C-2: Item C-3:		Bloodstain swabs from right jacket cuff Bloodstain swabs from left jacket cuff Bloodstain swabs from left knee area of pants		SAN BERNARDINO COUNTY SHERIFF 2342000758

REPORTING DEPUTY AND EMPLOYEE NO.	DATE	REVIEWED BY:	PROPERTY OFFICER AND EMPLOYEE NO.	DATE:
[redacted]			[redacted]	3/13/23

15-16141-401 Rev. 5/93 CR3

SHERIFF'S DEPARTMENT
COUNTY OF SAN BERNARDINO, CALIFORNIA
CA03600

EVIDENCE/PROPERTY REPORT

AGENCY CASE NO.
06-2300178

LABORATORY #
23-02018

OFFENSE	REQUESTING AGENCY		
LFE/OIS	SBSD-HOMI		☒ NEW EVIDENCE

CASE AGENT AND EMPLOYEE NO.	CREATED BY AND EMPLOYEE NO.
Homicide Det. 60H07	[redacted]

LIMS ITEM		DESCRIPTION		BAR CODE LABEL
C		Test-fired ammunition from Item A / CSI Item B-1 S&W, model M&P9 Pro Series, semiautomatic pistol 9mm Luger caliber; S/N [redacted], BC 2342000756		SAN BERNARDINO COUNTY SHERIFF 2342000509

LAB PERSONEL AND EMPLOYEE NO.	DATE		PROPERTY OFFICER AND EMPLOYEE NO.	DATE
[redacted]	03/14/23	Page 1/1	[redacted]	3/14/23

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT

DR# **062300178**

PROPERTY RELEASE

PROPERTY / EVIDENCE		
RELEASED **Item # 1**	**Property Description:** Test -fired ammunition from Item A/ CSI Item B-1 S&W, model M&P9 Pro Series, semiautomatic pistol 9mm Luger caliber; S/N [redacted] BC 2342000756 **Class:** Firearms / Ammunition **Type:** Misc **Quantity:** 5 **Value:** $0.00 **Released To:** Jon Genens **Date:** 3/23/2023 1311	Tag **2342000509**

#18-0026 CAL DOJ

[redacted]

03-28-2023

Releasing Officer: on 03/22/2023

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT
SCIENTIFIC INVESTIGATIONS DIVISION
711 E. Rialto Avenue, San Bernardino, CA 92415 (909) 387-9980
sidfirearms-team@sbcsd.org

TO: H DETECTIVE (60H07); SBCSD - SPECIALIZED INVESTIGATIONS DIVISION - HOMICIDE DETAIL
DATE: 3/14/2023
SUBJECT: PRIORITY ASSIGNMENTS FOR CRIMINALISTICS EVIDENCE EXAMINATION
Submitted Sheriff/Agency Case Number **06-2300178** (Officer Involved Shooting)

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 due date.

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 [redacted]

LABORATORY NUMBER: 23-02018-F-01

EXAMINATION ASSIGNED	ASSIGNED TO	DATE ASSIGNED	DATE DUE
Function Test	[redacted]	3/14/2023	3/21/2023

BARCODE	ITEM	PETS CATEGORY	AGENCY DESCRIPTION
2342000756	A	SEMI-AUTOMATIC PISTOL	SMITH AND WESSON 9MM PISTOL, MODEL: M&P PRO SERIES CORE M2.0, SERIAL NUMBER: [redacted], WITH A HOLOSUN RED DOT SIGHT, MODEL: HE507C-GR X2, SERIAL NUMBER: [redacted], STREAMLIGHT LIGHT, MODEL: TLR-1 HL, SERIAL NUMBER: [redacted] AND A SMITH AND WESSON AMMUNITION
2342000757	B	AMMO/CARTRIDGES	CARTRIDGES FROM DEPUTY FULLER

RELATED BFS CASE #	State of California, Department of Justice Bureau of Forensic Services **Physical Evidence Submission Form** (Instructions for use of form located on reverse side.)	BFS CASE # BI-23-646

INFORMATION AND REPORT SECURITY	ROUTINE	AGENCY ONLY	AGENT ONLY
	☐	☑	☐

SUBMITTING AGENCY: BI LA	AGENCY CASE NO : (Use Agency Format) BI-LA2023-00010
COUNTY OF PROSECUTION:	RELATED AGENCIES/CASE NUMBER(S) :
OFFENSE(S):	DATE OF INCIDENT: / DATE NEEDED: / REASON:
INVESTIGATING OFFICER:	PHONE: / FAX:
INVESTIGATING OFFICER - EMAIL ADDRESS:	

S, V, OTHER, OFFICER	SUBJECTS Last name	First Name	M I	DATE OF BIRTH	CII # (LATENTS AND DNA)
DEPUTY	Sostek	Kyle			
Officer	Sr Fullee	Samuel			

EVIDENCE SUBMITTED

LINE	AGENCY ASSIGNED ITEM #	DESCRIPTION OF EVIDENCE (ONE ITEM PER LINE WHEN POSSIBLE)	COMMENTS OR REQUESTS FOR SERVICE*
1	DOJ 1	Plastic possibly from vehicle	
2	DOJ 2	Cartridge case win 9mm Lyman	
3	DOJ 3	" "	
4	DOJ 4	" "	
5	DOJ 5	" "	
6	DOJ 6	" "	
7	DOJ 7	Blue Motorola cell phone	
8	DOJ 8	Dark Gray Samsung Verizon tablet	
9	DOJ 9	Projectile from Body	

CHAIN OF CUSTODY FOR ITEMS LISTED ABOVE

Line/Item NUMBER	Received From (SIGN NAME LEGIBLY)	Delivered to (SIGN NAME LEGIBLY)	DATE
1-9	[redacted]	[redacted]	5-12-23

PLEASE SUBMIT A POLICE REPORT OR ATTACH A SEPARATE SHEET WITH A SUMMARY OF THE CASE FOR CRIMINALISTICS CASES

It is assumed that all evidence items submitted for analysis are in the lawful possession of law enforcement, whether by warrant, consent, or other recognized justification, and the requested examination falls within the scope of that legal authority. **BFS Laboratories shall decide the specific method of analysis.*