

SUPPLEMENTARY REPORT

Criminal Investigations Division

Assignment No: 2015-034981

Reporting Investigator (Name & ID): J. Perez # 622

Offense Code: _____

Offense / Incident Officer Involved Shooting	Section Assigned HOMICIDE	District 10
Place of Occurrence - Address, Block or Intersection 24414 Walnut Pass San Antonio TX 78255	Date & Time of Offense / Incident 08-28-15/ 1128 hours	Date of this Report 09-08-15
Complainant - Last, First M Flores, Gilbert	Address (Include City, State and Zip) 24414 Walnut Pass San Antonio TX 78255	
DL / ID / SSN - Number, state	Date of Birth 05-18-74	Home Phone (Include area) / Work/Other (include area)
Case Status Filed with DAO	Modus Operandi (MO) gunshot wounds	

Additional Details of Offense - Progress of Investigation - Disposition of Evidence, Property, etc.

The following information is paraphrased from the recorded video conversations I obtained and the reports that were forwarded to me. This information is not meant to be all inclusive.

OFFENSES/INCIDENT

1. Officer Involved Shooting
2. Aggravated Assault Against Public Servant X2
3. Aggravated Assault Deadly Weapon

DATE OF OFFENSE:

08-28-15

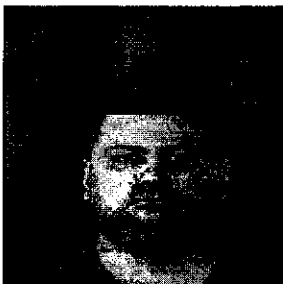
LOCATION-OF OFFENSE:

24414 Walnut Pass
San Antonio TX 78255

DECEDENT:

Flores, Gilbert
W-M-DOB- 05-18-74
24414 Walnut Pass
San Antonio TX 78255
Cause of Death: Gunshot wound

Manner of Death: Homicide-BCMEO Case Number # 15-01874



Submitting Investigator's Signature

BEXAR COUNTY SHERIFF'S OFFICE

200 North Comal
San Antonio, Texas 78207-3505

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DEPUTY # 1:

Vasquez, Gregory # 4014 (Patrol Division)
W-M-DOB- 09-24-67
200 N. Comal
San Antonio TX 78207
210-335-6000

DEPUTY # 2:

Sanchez, Robert # 364 (Patrol Division)
W-M-DOB-06-21-64
200 N Comal
San Antonio TX 78207
210-335-6000

LEAD INVESTIGATOR ASSIGNED:

J. Perez # 622 (Bexar County Sheriff's Office Homicide Division)
200 N. Comal
Bexar County, Texas
210-335-6082
jperez@bexar.org

REPORTING DEPUTY:

M. Pena # 2043(Patrol Division)
200 N. Comal
Bexar County, Texas
210-335-6000

ASSISTING DEPUTIES:

D. Tejerian # 600 (Patrol Captain)
Lt. M. Pesses # 651 (CID LT.)
Lt. A Vonmuldau # 1501 (Patrol LT.)
R. Pedraza # 620 (Patrol SGT.)
R. Pollard # 610 (CID SGT.)
K. Murray # 240 (CID SGT.)
M. Trevino # 1257 (Crime Scene SGT.)
A. Freveletti # 660 (PSI SGT.)
J. Baeza # 1199 (PSI SGT.)
Y. Vann # 520 (PSI SGT.)
J. Mahon # 605 (CID Investigator)
J. Barrera # 653 (CID Investigator)

R. Arevalos # 658 (CID Investigator)
A. Lopez # 1624 (CID Investigator)
C. Lazos # 4088 (CID Investigator)
A. Daggett # 442 (Deputy)
Armendez # 765 (Deputy)
H. Schneider # 366 (Deputy)
R. Morales # 43085 (Deputy)
T. Flores # 857 (Deputy)
R. Jimenez # 238 (FPCO)
R. Martinez # 4089 (FPCO)
K. Shannon # 4118 (Evidence Unit)
J. Henry # 663 (Evidence Unit)
C. Andis # 2163 (Evidence Unit)
R. O'Donnell # 1319 (Evidence Unit)
T. Kobryn # 604 (Computer Forensic Unit)

FEDERAL BUREAU OF INVESTIGATION:

Damos, Peter (Special Agent –TFO FBI Civil Rights/Public Corruption Unit)
281-779-7142
Byers, Keith (FBI- Supervisory Special Agent)
210-225-6741
Torres, Sandra (FBI Special Agent)
210-650-6318
Lee, Michele (FBI Special Agent)
210-225-6741
Copeland, Tuleta (FBI Special Agent)
210-650-6256

ASSISTING AGENCIES:

Leon Springs Volunteer Fire Department
Acadian # 775 and 773
Air Life # 4

MEDICAL EXAMINER'S OFFICE:

M. Sanchez # 119 (Bexar County Medical Examiners Investigator)
7337 Louis Pasteur
San Antonio TX. 78229
210-335-4002

VICTIM # 1- NEXT OF KIN

Amador, Maritza (Decedent's wife)
W-F-DOB-08-10-76
24414 Walnut Pass
San Antonio TX 78255
Cell # 210-262-0726

VICTIM # 2:

Flores, Rosa Maria Amador (Decedent's Child)
W-F-DOB-08-11-15

WITNESSES:

Flores, Rogelio (Decedent's father)
W-M-DOB-03-15-44
24414 Walnut Pass
San Antonio TX 78255
Cell # 210-294-4095

Flores, Carmen (Decedent's mother)
W-F-DOB-06-30-47
24414 Walnut Pass
San Antonio TX 78255
210-592-8059

Flores, Christopher (Decedent's Nephew)
W-M-DOB-06-28-92
24414 Walnut Pass
San Antonio TX 78255
940-594-0499

Carrazco, George (Leon Springs Volunteer Fire Department)
W-M-DOB-07-20-86
11215 Clusius Field
San Antonio Helotes TX 78023
Cell # 210-693-7034

Hawkins, Adam (Leon Springs Volunteer Fire Department)
W-M-DOB-08-12-86
24810 Ima Ruth
San Antonio TX 78255
Cell # 210-885-2406

Flemings, Michael
W-M-DOB-02-05-74
8502 Vineyard Mist
San Antonio TX 78255
Cell # 559-5566

Flemings, Anna
W-F-DOB- 04-20-73
8502 Vineyard Mist
San Antonio TX 78255
Cell # 669-3898

Griffis, Ronald
W-M-DOB-04-08-52
24406 Walnut Pass
San Antonio TX 78255
Cell # 858-6943

Oglesby, Joseph
W-M-DOB-07-23-60
24406 Daisy Run
San Antonio TX 78255
Cell # 210-834-8104

Moreno, Leonard
W-M-DOB-05-29-78
42 S. Jefferson
North Platte, Ne. 69101
Cell # 382-6504

Thomas, Michael Lynn
B-M-DOB-09-25-94
505 TJ Wright
St. Angelton TX 77515
979-248-9860

INITIAL CALL:

On August 28, 2015 at 1128 hours the Bexar County Sheriff's Office Public Communications Division (dispatch) received a 911 call from a female who was crying on the phone stating that she was bleeding all over.

The female who was later identified as being Flores, Carmen was calling from 24414 Walnut Pass San Antonio TX 78255 which is in the jurisdiction of Bexar County.

The caller also stated that about twenty (20) minutes prior to the call a male subject inside the residence had beat up his wife and child and is presently holding a knife. The dispatcher had stated they had heard somebody in the background saying that he wanted to commit "suicide by cop". The call was dispatched as a disturbance in progress with a knife advising to the responding Deputies that the male was armed with a knife and possible wanted to commit "suicide by cop".

Deputy G. Vasquez hereinafter known on this report as Deputy # 1 and Deputy R. Sanchez hereinafter known on this report as Deputy # 2 was among the Deputies dispatched to respond to 24414 Walnut Pass for that disturbance.

INITIAL RESPONSE:

On August 28, 2015, I was at our CID Office when I heard the emergency toner being activated on my county issued radio. The toner followed with detailed of the disturbance in progress with a knife at 24414 Walnut Pass with the male possible wanting to commit "suicide by cop". As I started listening to the transmissions it was determined that Deputy # 1 was the first Deputy to arrive at the scene followed by Deputy # 2 arriving a few minutes later. I heard Deputy # 1 communicating with dispatch sounding as if he was short of breath informing dispatch that shots were fired and the male known on this report as Decedent had gone back inside the residence armed with a knife. Deputy # 1 requested for a Negotiator to make the scene. Deputy # 1 expressed that there were people inside the residence with the Decedent. Shortly afterwards Deputy # 1 explained that the Decedent had exited the residence again and was standing by front door holding a knife. Deputy # 2 had already arrived at the scene and was also informing dispatch that the Decedent was outside and was talking to them as he was holding a knife.

Deputy # 2 informed dispatch that the Decedent was still holding a knife as the Decedent started walking toward them. Deputies were indicating the Decedent started telling them that his wife and parents are inside the residence. At a point Deputy # 2 started informing dispatch that the Decedent was coming towards them with the knife in his hand telling them that they had to shoot him.

As I continued monitoring the county radio, a person later determined to be Lt. Vonmuldau came across the county radio telling the responding Deputies "he does not go back into the house". Shortly afterwards Deputy # 2 responded by telling dispatch that he thinks that the Decedent was going back into the house.

A few seconds later Lt. Vonmuldau responded by announcing through the county radio "do what you need to do". Dispatched asked for a status check at which time Deputy # 2 responded by telling dispatch that the Decedent was going around a car and then stating that the Decedent was trying to get into Deputy # 1 patrol unit.

A separate male later determined to be Sgt. R Pedraza comes across the county radio stating "stop him, stop him all means stop him". A few seconds later Deputy # 2 comes across the county radio telling dispatch that they had one down. Once I determined that there was an Officer Involved Shooting I notified dispatch that I was headed to the scene. Investigator J. Barrera, Investigator J. Mahon and I were at our office and headed to the scene.

ARRIVAL AT 24414 WALNUT PASS:

I arrived at the scene at 1229 hours. The crime scene is located in the northwestern portion of Bexar County and is close to the intersections of Walnut Pass and Cross Mountain Trail. The crime scene was cordoned-off with yellow crime scene tape and separated by an inner and outer perimeter.

See photo of Crime Scene



I was able to contact Sgt. R. Pedraza who was at the crime scene prior to my arrival and he explained that he was the duty patrol supervisor. He informed me that Deputy # 1 and Deputy # 2 were each separated and seating in separate patrol units each accompanied by a Deputy. Sgt. R. Pedraza informed me that prior to my arrival the Decedent's wife (Amodor, Maritza) and her infant child (Flores, Rosa Maria) had been transported to the University Hospital via ambulance for the injuries they sustained and the Decedent was transported to a nearby location where he was being prepped by Air life for transport to the hospital.

I am the Lead Investigator assigned to handle the Officer Involved Shooting and upon accessing the crime scene and began to assign responding Investigator with different task. I contacted Investigator A. Lopez and Investigator R. Mendez and informed them to canvas the area for potential witnesses. Additional responding Investigators were also tasked with canvassing the area and finding potential witnesses for the purpose of obtaining statements from them.

As I continued my assessment of the crime scene, I walked to a patrol unit where Deputy # 1 was seating at. Investigator J. Mahon was already talking to Deputy # 1 and he was being informed about the processes that would occur being that he was involved in this shooting. Deputy # 1 was seating in the driver's seat of the patrol unit and was accompanied by Deputy A. Daggett.

Deputy # 1 informed us that he had already contact his legal representation and was waiting for his arrival at the crime scene. I did ask Deputy # 1 if he was injured which he stated he was not. Minimal questions were asked at the time due to his legal representative not being present. I also communicated with Deputy # 2 who was seating in the driver's seat of a separate patrol unit. He was accompanied by Deputy T. Flores. I asked Deputy # 2 if he had contacted his legal representation. He explained that he had already contacted his legal representation and was also awaiting his arrival. Minimal questions were asked about the incident due to his legal representation not being present. I noticed that both Deputy # 1 and Deputy # 2 had their service handguns on their holster and informed them that our evidence unit we will be photographing each of them later along with photographing their duty handguns and accounting for the ammunition on their person. I also informed them that they would be issued a replacement handgun once their duty handgun is recovered by our evidence unit. We did not go into detail at the time about what transpired but informed them that we will initiate a walkthrough with each of them separately before they depart to CID.

Deputy # 2 informed me that he had fired his service handgun once toward the Decedent as the Decedent was attempting to enter his residence but failed to strike the Decedent. He explained that he noticed the projectile striking the exterior brick located in the front portion of the residence as the Decedent entered the residence.

I was able to contact Investigator J. Barrera and informed him about the comment that Deputy # 2 had made about firing his duty handgun toward the exterior of the residence. I asked him to check the exterior of the residence for any defects possible caused by the firing of the handgun.

I was able to contact Investigator C. Lazos and asked him if he could canvas the area for possible witnesses or any video surveillance that might have captured the incident.

As he canvassed the area he made contact with the homeowner that resides at 8502 Vineyard Mist. That address is located just in front of the crime scene separated by what appears to be a drainage ditch. Investigator R. Lazos later contacted me informing me that when he contacted the homeowner (Flemings, Michael) he informed him that he had recorded the disturbance on his cell phone between both Deputies and the Decedent to include the shooting. I informed Investigator C. Lazos to stand by with Mr. Flemings and that I was going to contact Sgt. R. Pollard. I immediately notified Sgt. R. Pollard, who is assigned as the Homicide Sergeant and informed him of the video recording. He informed me that he was going to contact Investigator T. Kobryn who is assigned to our Computer Forensic Unit and inform him to respond to Investigator C. Lazos location. I re-contacted Investigator C. Lazos and informed him that Investigator T. Kobryn was en-route to his location to download the video from the cell phone.

As I continued my investigation I re-contacted Investigator A. Lopez. She had informed me that she and Lt. M. Pesses had entered the residence shortly after they arrived checking for potential witnesses. She was able to contact Rogelio Flores, Carmen Flores, Christopher Flores and his infant son who were still inside the residence. Rogelio and Carmen Flores are the Decedent's parent's while Christopher is the Decedent's Nephew. They were escorted outside of the residence and were asked to stand by a shaded tree located directly across the street from their residence.

Shortly afterward an unmarked county unit was brought closer to the scene and the family was sat inside the vehicle. After Investigator A. Lopez determined that the family were witnesses to the incident she asked Rogelio, Carmen and Christopher if they were willing to provide a statement of what had transpired and if so if they were willing to be transported to our CID office located at 200 N. Comal.

They agreed to be transported to our CID office but before leaving Carmen Flores had stated that she needed her insulin box from inside the residence and she also needed to eat before taking her insulin. Investigator A. Lopez was able to retrieve the insulin box from inside the residence and provided the box to Carman Flores.

Christopher had observed his sister standing in the street near by the residence and asked if he could walk to her and ask her if he could leave the child with her. He was allowed to walk to his sister's location where his sister gained custody of his child. He then returned back to the vehicle. Investigator A. Lopez then transported Rogelio, Carmen and Christopher to our CID office to obtain their statement. As they arrived at the CID office Investigator K. Hodgkinson was at our office and had provided food for the three (3) individuals. While at CID, Investigator A. Lopez obtained a statement from Rogelio Flores statement while Investigator K. Hodgkinson obtained Carmen Flores statement and Investigator D. Easter obtained Christopher Flores statement.

I will provide details of their statements later on this report. At the conclusion of obtaining their statements they were transported back to their residence.

As I continued my investigation at the crime scene, I was informed by Sgt. R. Pollard that he had instructed Investigator R. Arevalos to go to the University Hospital and check on the welfare of the Decedent's wife and their child. Sgt. R. Pollard had also informed me that he had contacted Investigator J. Barrera and asked him to contact Leonard Moreno who was standing by the intersection. Mr. Moreno was claiming that he witnessed the shooting. Investigator J. Barrera was able to contact Leonard Moreno and obtained a statement from him at the scene. I will provide a brief synopsis of his statement later in the report.

I contacted Investigator J. Mendez at the scene and had tasked him with canvassing the area earlier for potential witnesses. He later completed that task and I then tasked him with identifying the two (2) firefighters that had responded to the scene prior to the Deputies arrival. We had received information that they had possibly witnessed the confrontation between Deputy # 1, Deputy # 2 and the Decedent prior to the shooting and after the Decedent was shot. Investigator J. Mendez was able to track the firefighters down to the Leon Springs Volunteer Fire Department. Investigator J. Mendez and Sgt. K. Murray proceeded to the Leon Springs Volunteer Fire Department and contacted both firefighters.

After a brief conversation with both firefighters it was determined that they both had important information that will assist my investigation. Both firefighters were taken to our CID office where they provide their statements. I will provide a brief synopsis of their statement later in this report.

Once the witnesses were taken from the scene to our CID office both Deputy # 1 and Deputy # 2 were separately taken into our Crime Scene Mobile Unit where Crime Scene Deputy C. Andis photographed each Deputy with their full uniform and gear and then their handguns and ammunition were documented and photographed. Before Deputy C. Andis photographed and documented Deputy # 1 and Deputy # 2's ammunition he asked each Deputy how many live rounds they carried on their person. Deputy # 1 responded by telling Deputy C. Andis that he was not aware of the number of live rounds he carried. Deputy C. Andis started photographing Deputy # 1. He then started accounting for the handgun and ammunition that Deputy # 1 had on his person. Deputy C. Andis accounted for one (1) Glock 22 (serial # HXH814) which had one (1) round in the chamber and nine (9) rounds in the magazine attached to the handgun. Deputy # 1 also had two (2) separate magazines each containing thirteen (13) live rounds and a separate live round in his pocket for a total of thirty seven (37) live rounds on his person.

Deputy # 1 had stated that he had picked up the round at the crime scene after the shooting occurred. Deputy C. Andis utilized a GSR kit on Deputy # 1 to collect any trace amount of gunshot residue.

Deputy C. Andis then started to photograph Deputy # 2 and then asked him if he was aware of the number of live rounds he carried on his person. Deputy # 2 informed him that he normally carries forty six (46) live rounds. Deputy C. Andis accounted for one (1) Glock 22 (serial # XHX761) with one (1) round in the chamber and thirteen (13) rounds in the magazine attached to the handgun. Deputy # 2 also had two (2) separate magazines each containing fifteen (15) live rounds for a total of forty four (44) live rounds on his person. Deputy C. Andis utilized a GSR kit on Deputy # 2 to collect any trace amount of gunshot. Their legal representations (CLEAT) had arrived at the scene and were present when each Deputy was being processed. Deputy # 1's (CLEAT) attorney is listed as being Bob Leonard while Deputy # 2's (CLEAT) attorney is listed as being Karl Brehm.

At the conclusion photographing and collecting evidence from Deputy # 1 and Deputy # 2 they were given back their service handguns, ammunition and magazines and were informed that their service handguns along with the ammunition and magazines will be exchanged at our CID office before the end of the day. Deputy # 1 and Deputy # 2 each walked back to the patrol units and stood by until the walkthrough was conducted. Just before the walkthrough was conducted I noticed Acadian Ambulance # 775 arriving at the crime scene. As I contacted them they notified me that the Decedent was inside the ambulance deceased and was pronounced deceased by Dr. Craig Manifold at 1256 hours. The ambulance had transported the Decedent to a nearby location prior to our arrival to prep him for transport to the hospital by AirLife when the Decedent passed away prior to being transported. They explained that per their policy they would bring the deceased back to the crime scene pending Medical Examiner's arrival. I called the Medical Examiner's Office at 1327 hours and was able to contact Investigator M. Sanchez. I provided him with a brief synopsis of what occurred and then provided him the address of the crime scene and informed him that his assistance was requested. He informed me that he was en-route to the crime scene.

WALKTHROUGH WITH DEPUTY # 2:

I re-contacted Deputy # 2 and his CLEAT attorney (Karl Brehm) and informed both of them that I was ready to initiate the walkthrough with Deputy # 2. They both agreed to do the walkthrough which was started at approximately 1400 hours. As the walkthrough started I was accompanied by Sgt. Pollard, Deputy # 2 and his attorney. At the start of the walkthrough Deputy # 2 informed me that he arrived at the scene and noticed that Deputy # 1 was in the middle of the street holding his ballistic shield to his chest area as a large male later (Decedent) was standing in front of Deputy # 1 holding a knife.

Deputy # 2 stated that the Decedent who was not wearing a shirt was swinging the knife in the direction of Deputy # 1 several times toward the shield while Deputy # 1 was blocking the swings with the shield. Deputy # 2 stated that he exited his patrol unit and immediately pulled out his service handgun and started running toward the direction of Deputy # 1.

Deputy # 2 stated that he noticed the Decedent turned towards him as he arrived and then the Decedent moved away from Deputy # 1 and started heading toward the front of the residence while still holding onto the knife. Deputy # 2 stated that he heard Deputy # 1 yell out to stop him, meaning stop the Decedent, and at that time Deputy # 2 stated that he positioned himself behind a vehicle located in front of the residence and then he fired one (1) shot from his service handgun towards the direction of the Decedent. Deputy # 2 stated that he knew he missed the Decedent because he noticed the projectile strike the exterior brick area of the residence. He then noticed the Decedent enter the residence still holding the knife in his hand.

Deputy # 2 then stated that he noticed the Decedent exit the residence holding the same knife described as a silver colored knife with about a six inch blade. Deputy # 2 stated that the Decedent started telling them that he didn't want to go back to jail and for them to shoot him.

We continued the walkthrough and started walking toward Deputy # 1's patrol unit. I noticed a ballistic shield leaning against the back portion of the patrol unit. Deputy # 2 confirmed that the shield belonged to Deputy # 1 and he thinks that it was placed there by Deputy # 1 after the shooting. I looked to the right of the shield towards the driveway and observed a knife under a truck bearing Texas license plate # BX17672. Deputy # 2 informed me that the knife located under the truck was the knife that the Decedent was holding and was kicked by Deputy # 1 as they were securing the Decedent.

See Picture of Knife and Ballistic Shield recovered at the crime scene:



Deputy # 2 stated that they continued talking to the Decedent for several minutes and at a point the Decedent walked toward the street causing both of them to back away from the Decedent. Deputy # 2 then notices the Decedent walking towards the street and he grabs Deputy # 1's county issued Taser that was on the ground. Deputy # 2 stated that the Decedent starts walking to the front of the yard when Deputy # 2 clearly hears the Taser clicking as if the Decedent was pulling the trigger of the Taser.

Deputy # 2 stated that the Decedent continued to yell at them as he was holding the Taser in one hand and the knife in the other hand. Deputy # 2 stated that he continues to tell the Decedent to drop the knife and the Taser but he was not complying. Deputy # 2 then noticed that the male walked back onto the street and threw the Taser across the street into a grassy area.

Deputy # 2 observed the Decedent start walking back towards the front of the yard and possibly into the inside of the residence. He stated that he was communicating with dispatch as the Decedent was walking towards the front door and then the Decedent makes his way towards Deputy # 1's vehicle. Deputy # 1 stated that the Decedent continued telling them that he wanted to get shot and that he was not going to jail.

Deputy # 2 stated that the Decedent made his way to the front passenger door of Deputy # 1's vehicle attempting to open the door of the patrol unit. He also stated that the Decedent started to face them as he continued to hold onto the knife. Deputy # 2 stated that he was afraid that the Decedent was going to get into Deputy # 1's vehicle and possibly get a weapon from inside the vehicle so he fired at the Decedent. Deputy # 2 explained that he also noticed that Deputy # 1 had fired his duty handgun at the Decedent at about the same time. Deputy # 2 stated that he observed the Decedent fall to the ground and then a separate Deputy later identified as Deputy L. Estrada arrived and handcuffed the Decedent.

I concluded the walkthrough and informed Deputy # 2 and his attorney that I will be transporting Deputy # 2 to CID to obtain a formal statement from him. Just before we departed to CID I noticed that the Medical Examiner's Office Investigator M. Sanchez had arrived at the crime scene. They arrived at 1416 hours. I provided Investigator M. Sanchez with a brief synopsis of what transpired and then I informed him that I was going to be leaving the crime scene to obtain a statement from one of the Deputies involved in the shooting and if he needed assistance to contact Sgt. R. Pollard. I was able to contact Sgt. R. Pollard and he informed me that he would stay at the crime scene until the crime scene gets processed. Sgt. R. Pollard informed me that he had contacted Sgt. M Trevino who is assigned as the Evidence Unit Sergeant and informed him that he also needed to scan the crime scene utilizing LEICA.

I also contacted Investigator J. Mahon and informed him that I was going to depart the area with Deputy # 2. Investigator J. Mahon was given the task of conducting a walkthrough with Deputy # 1 and obtaining a statement from him. I was able to contact Sgt. R. Pedraza, who is the duty patrol supervisor and he informed me that he would take custody of Deputy # 1 and Deputy # 2's patrol units and get them transported to the substation.

Investigator J. Barrera and I departed the crime scene and transported Deputy # 2 to CID. We did not discuss any details about the case as we were transporting Deputy # 2 to CID. As I arrived at CID, I noticed that Deputy # 2's attorney (Karl Brehm) was already at our office pending our arrival. I walked both Deputy # 2 and his attorney to our Homicide office.

Once they were in the Homicide office, I walked back out and contacted Investigator J. Barrera and asked him to check if any additional assistance was needed in obtaining statements and if so for him to assist in obtaining the statement. I noticed the Deputy R. Jimenez, who is assigned as our Firearms Proficiency Control Officer, was already at our CID office waiting to provide Deputy # 1 and Deputy # 2 with a re-issued service handgun. Deputy R. Jimenez was walked to our Homicide office where he contacted Deputy # 2 and provided him with a replacement handgun bearing serial # XCE742. Deputy # 2 was also provided a box containing fifty (50) live rounds and three (3) empty magazines. He also later provided Deputy # 1 with a replacement handgun bearing serial # XHX909 a box of fifty (50) live rounds and three (3) empty magazines.

Crime Scene Deputy R. O'Donnell arrived at CID a short time later and gained custody of Deputy # 1 and Deputy # 2's service handgun and the ammunition they previously had. I then started to obtain a formal statement from Deputy # 2 in the presence of his attorney.

STATEMENT OBTAINED FROM DEPUTY # 2:

Just before the statement was started I ask Deputy # 2 if he wanted to type his statement or would he prefer for me to type his statement as he dictates to me in his own words his accounts of what transpired. Deputy # 2 informed me that he preferred for me to type out the statement. At the start of the statement Deputy # 2 stated that he started his shift at about 7:00 a.m. He explained that he was assigned to work in the Delta (20) area which is from Culebra road to Bandera road. Prior to noon time he explained that he was assigned to assist in a traffic accident located in State Hwy 211. As he arrived at the accident he assisted the Primary Deputy G. Vasquez known on this report as Deputy # 1 and then shortly afterwards both Deputy # 1 and he got dispatched to a family disturbance in the Bridgewood subdivision. En-route to the family disturbance he heard the radio toner going off and the dispatcher announced a separate family disturbance indicating a disturbance with a knife and a female was bleeding. He explained that he remember the dispatcher giving the address of Walnut Pass.

Deputy # 2 explained that as he looked at his keycard he noticed the address was 24414 Walnut Pass. Deputy # 2 explained that Deputy # 1 was a far distance ahead of him when they both started heading to the second disturbance on Walnut Pass. Deputy # 2 indicated that he lost sight of Deputy # 1 as they both headed to the disturbance. He explained that he traveled on FM 1560 to Bandera Road and took a left on Bandera road heading north. He made a right on Scenic Loop and took a right on Cross Mountain Trail. As he traveled down Cross Mountain Trail Deputy # 2 explained that he heard through the police radio that Deputy # 1 had put himself out at the location.

He heard the dispatcher close the channel as he still continued traveling down Cross Mountain Trail. Deputy # 2 explained that the radio traffic was silent for about a minute when he came up to Walnut Pass and notice a Fire Truck staged at Cross Mountain Trail and Walnut Pass. Deputy # 2 explained that he took a left onto Walnut Pass passing the Fire Truck and then he observed Deputy #1 in the middle of the street holding his ballistic shield up with his forearm towards his facial area.

He notice a male about the same size as Deputy #1 standing in front of Deputy #1 holding a knife in what he think was his right hand swinging the knife towards Deputy #1 in an over hand thrust. He noticed the male swing the knife several times toward the shield in the direction of Deputy #1 while Deputy #1 was blocking the swings with the shield. Deputy # 2 noticed that the male was not wearing a shirt but was unsure if he had pants or shorts on.

Deputy # 2 stated that at the time he was in fear for Deputy #1's safety. Deputy # 2 stated that he was unable to hear Deputy #1 or the male say anything at the time because he was still in his patrol unit approaching them. Deputy # 2 stated that as he observed the male swinging the knife he immediately stopped his patrol unit and exited the patrol unit. Deputy # 2 stated that he pulled out his service handgun and started running toward their direction.

Deputy # 2 noticed that the male observed him heading in their direction and then noticed the male stop swinging the knife. The male continued holding onto the knife and then the male turned towards the house. At that time Deputy # 2 stated that he heard Deputy #1 telling him "Stop Him", "Get Him". Deputy # 2 stated that he approached the back portion of the light colored vehicle and went around the vehicle. He noticed the male started heading pass the front of the dark colored vehicle heading towards the house.

Deputy # 2 stated that at the time knowing that there were people in the house and due to the keycard and dispatchers indicating that there was an injured person inside the house, he fired one (1) shot from his duty handgun in the direction of the male missing the male and striking the exterior brick of the house. Deputy # 2 noticed the male make his way into the house at which time he notified dispatch that the male was inside the house.

Deputy # 2 stated that he started thinking that the male would hurt somebody inside the house or possible come out with a handgun. Deputy # 2 then heard Deputy #1 telling dispatch that he needed the Negotiators to make the scene. Deputy # 2 stated that he started to take cover behind the light colored vehicle while Deputy # 1 started taking cover behind the dark colored car. Deputy # 2 stated that it was about a minute later that he noticed the male come back outside the house. The male was still not wearing a shirt and was holding the knife in his right hand.

Deputy # 2 stated that the male is facing their direction holding both hands in the air with the knife in his right hand. Deputy # 2 noticed the knife was a silver colored knife with about a six (6) inch blade. Deputy # 2 stated that the male started yelling "Shoot me I'm not going back to prison". Deputy # 2 noticed the male placing his hands down and then up as the male starts approaching his direction and then turned and headed in Deputy # 1's direction.

Deputy # 2 stated that he started backing away from the vehicle not knowing what direction the male was going to. Deputy # 2 also noticed Deputy #1 backing away from the vehicle. Deputy # 2 noticed the male come around the dark colored vehicle waving his hands up in the air yelling "Shoot me". Deputy # 2 stated that he think at this time the male was taunting Deputy #1. Deputy # 2 noticed the male reaching down to the street and the male picks up a Taser that was on the street and then noticed the male started walking back around the dark colored car. Deputy #2 heard the Taser clicking as if the male was pulling the Taser trigger. Deputy # 2 stated that the male continued to yell taunting Deputy #1.

Deputy # 2 noticed that male heading back towards the front of the dark colored vehicle onto the street still holding the knife in his right hand and the Taser in his left hand while he and Deputy #1 started telling the male to drop the knife and the Taser which he did not comply. Deputy # 2 stated that he noticed the male throw the Taser across the street into the grassy area a good distance away.

Deputy # 2 stated that the male then heads back toward the front lawn area of the house standing by the middle of the lawn. Deputy # 2 stated that the male continued yelling and waving the knife with his hands moving up and down, at which time Deputy # 2 stated that he heard through the police radio, who he believe to be a Supervisor stating "Don't let him get back into the house". Deputy # 2 stated that the male started telling both Deputy #1 and him "Shoot me", "Shoot me", "I'm not going back to jail" as the male continued to stand in the front of the lawn. Deputy # 2 stated that he noticed that the male started walking toward Deputy #1's patrol unit at which time Deputy # 2 notified dispatch that the male was approaching the patrol unit.

Deputy # 2 stated that the male continued to wave the knife motioning his hands up and down. Deputy # 2 stated that as the male reaches Deputy #1's vehicle, referring to his patrol unit, the male starts to pull the front passenger door handle in attempts to open the patrol unit's door. Deputy # 2 stated that he started thinking that Deputy #1 might have had an AR Rifle in the patrol unit. Deputy # 2 stated that he again heard coming through the police radio from, who he think was a different Supervisor, stating "Do whatever you have to do".

Deputy # 2 stated that he interpreted the order to be to prevent the male from getting into the patrol unit and getting a weapon.

Deputy # 2 stated that he and Deputy #1 continued telling the male to stop and drop the knife. Deputy # 2 stated that he noticed the male turned and faced both Deputy #1 and himself when Deputy # 2 stated that he yelled at the male "We are giving you a chance to drop the knife". Deputy # 2 stated that the male refused to drop the knife and he was afraid that the male was going to get into the patrol unit and get a weapon.

Deputy # 2 stated that he noticed that Deputy #1 fired his duty handgun towards the male and he also fired his duty handgun just after Deputy #1 fired. Deputy # 2 noticed the male fall to the ground and start bleeding from his upper chest area. Deputy # 2 stated that he noticed that the knife had fallen to the ground and was next to the male's hand. Deputy #2 stated that Deputy # 1 at that time kicked the knife away towards the driveway. Deputy # 2 noticed Deputy L. Estrada arrive at the scene just after the shooting and Deputy L. Estrada placed handcuffs on the male. Deputy # 2 stated that he then walked into the house to check on the people inside the house.

As he was checking one of the back rooms he noticed an older male standing next to an older Hispanic female and a younger female who were seating on separate chairs next to the bed. Deputy # 2 noticed and young female was holding an infant child. That female was bleeding from the top of her head. Deputy # 2 asked them if they were ok and they stated they were ok. Deputy # 2 stated that he started getting medical assistance for young female. Deputy # 2 stated that there was no other person injured inside the house. Deputy # 2 stated that he walked back outside and secured the crime scene until his Supervision (R. Pedraza) arrived and he was told to wait in his patrol unit until CID arrived.

At the conclusion of the statement I informed Deputy # 2 that Lt. M Pesses was expecting him and his attorney at his office to provide him with instruction on the Administrative procedures. As I concluded with Deputy # 2, I noticed that Investigator J. Mahon was at a separate office at CID obtaining a statement from Deputy # 1. Investigator J. Mahon was also concluding the obtaining of the statement from Deputy # 1. At his conclusion, Investigator J. Mahon provided me with the original statement that was obtained from Deputy # 1.

Additional Investigators were still at CID obtaining statements from witnesses that were at the scene. As they concluded the statements I was provide the completed statements.

STATEMENT OBTAINED FROM DEPUTY # 1:

Investigator J. Mahon obtained a statement from Deputy # 1 in the presence of his attorney (Bob Leonard). At the conclusion of his statement Deputy # 1 was walked to Lt. M. Pesses office where he was given Administrative instruction. He was then transported to the South Substation by Investigator T. Perez. I will provide a copy of Deputy # 1's statement with this case file.

Listed below will be a brief summarization of the witness statements I received.

STATEMENT OBTAINED FROM AMADOR, MARITZA:

Investigator R. Arevalos was contacted by Sgt. R. Pollard and informed him to go to the University Hospital to check on the statues of the Decedent's wife and her infant child. As he arrived at the hospital he was able to contact Amador, Maritza, who confirmed she is the wife of the Decedent. The female identified herself as having a DOB of 08-10-76 and that stated that she lives at 24414 Walnut Pass. Maritza explained that she was assaulted earlier in the morning by her husband Flores, Gilbert, known on this report as Decedent. She explained that it was because of the husbands financial problems and that her husband was telling her that he was a failure.

Maritza explained that the Decedent was upset for the past two (2) days because he had found out that he was not included in his fathers Will and he stressed that he was not going to get anything. According to Maritza the Decedent works from home as a "data clerk" for a company called "Green Tree" which is the same company that his father works for.

She explained that around 10:00 a.m. to 10:30 a.m. the Decedent started mentioning that he had no money and expressed that he was not a good man and a failure. He expressed that he was going to kill himself.

Maritza noticed that the Decedent had a knife that was hanging from a necklace. According to Maritza the Decedent never wears the necklace but he had put it around his neck. Maritza described the knife as being about two (2) index fingers long. Maritza explained that the Decedent started cutting his left arm with the knife but the cuts appeared to be superficial and he was not bleeding that much. Maritza explained that the Decedent pushed her face against a headboard as she was holding onto their eighteen day (18) old infant child. Maritza explained that the Decedent wanted to see her cell phone and she didn't want to provide him with it because she he had erased the memory on the cell phone before. Maritza explained that the Decedent started hitting her in the face with a closed fist as she was holding and trying to protect her infant child. The Decedent then grabbed a walking stick and hit her over the head with the stick.

Maritza estimates that the Decedent hit her in the face about three (3) to four (4) times and hit her over her head with the walking stick about three (3) to four (4) times. Investigator R. Arevalos was able to observe swelling with redness and bruising to the right side of her face. Maritza also explained that after she was assaulted the Decedent was able to grab the infant child from her arms and was hanging the baby from his mouth and as he was biting the baby's clothing.

While at the hospital Investigator R. Arevalos had received confirmation that the Decedent was deceased as a result to being shot. Investigator R. Arevalos was able to notify Maritza that the Decedent was deceased and provided her with his contact information. Investigator R. Arevalos was able to video and audio tape her statement while at the hospital.

Investigator R. Arevalos headed back to our CID office and contacted me and informed me about the statement he obtained from Maritza. He provided me with a copy of the audio/video recording he obtained from Maritza and then asked if I needed further assistance. I instructed Investigator R. Arevalos to collecting and reviewing all the witness statements that were completed by the duty Investigators. After he reviewed the statements he provided me with the original statements which I reviewed later in the night. After reviewing the statements I placed the statements in my case file. Below will be the statement obtained.

STATEMENT OBTAINED FROM CARRAZCO GEORGE:

Investigator J. Barrera obtained a statement from Mr. Carrazco. The statement was obtained at our CID office. Mr. Carrazco is a Firefighter/Paramedic for Leon Springs volunteer Fire Department and was dispatched to the 24414 Walnut Pass for a female victim bleeding from the head on the day of the shooting. He explained that they were headed to the scene when their dispatcher informed them that a male subject was at location threatening to kill himself. He explained that they arrived close to the location but waited for the Sheriff's Office to arrive and clear the scene before they made entry into the scene. Mr. Carrazco stated that he was partnered up with Adam Hawkins. Mr. Carrazco provided details of what he observed which when he arrived which will be annotated on his statement to include the time the shooting occurred. I will provide a copy of Mr. Carrazco's statement with this case file.

STATEMENT OBTAINED FROM HAWKINS, ADAM:

Investigator R. Mendez obtained a statement from Mr. Hawkins at our CID office. At the start of the statement Mr. Hawkins stated that he works as a Volunteer Firefighter/Paramedic for Leon Springs Fire Department and was partnered with Mr. Carrazco on the day of the shooting. He too annotated details of what he observed when he arrived to include the time the shooting occurred.

I will provide a copy of his statement with this case file for review.

STATEMENT OBTAINED FROM FLEMINGS, MICHAEL:

Investigator C. Lazos obtained a statement from Mr. Flemings at his residence located at 8502 Vineyard Mist which is located just in front of the crime scene. Investigator R. Lazos contacted Mr. Flemings who stated that he was in his office located upstairs when he heard a bunch of voices as if people were arguing. He explained that he looked outside his window and noticed fire trucks and EMS units parked on Cross Mountain Trail. He explained that he started focusing on the noise and noticed the noise was coming from a Sheriff's Deputy and a man without a shirt. He noticed the Sheriff Deputy was holding a shield and the male without a shirt was moving forward towards the Deputy. Mr. Flemings noticed that the male was holding two (2) metal chairs as if he was using the chairs as a shield similar to the Deputy.

Mr. Flemings noticed that the Deputy and the male where moving back and force and they seemed to be communicating with each other but he was unsure what they were talking about. Mr. Flemings explained that it looked like the male was trying to provoke the Deputy by moving towards the Deputy. Mr. Fleming's indicated that he noticed the male holding a knife several times during their confrontation. Mr. Flemings noticed a second Deputy arrive at the scene and he stood alongside the first arriving Deputy. Mr. Flemings indicated that one of the Deputies had drawn his Taser and at some point had fired the Taser missing the male and then noticed the Taser on the floor. Mr. Flemings noticed that the male started making his way back to the house when the Deputies started to maneuver themselves toward the male. He noticed that the male was standing by the front porch area of the residence and continued to yell "C'mon shoot me, go ahead do it now, shoot me now, I want my dad to see me die" as he was holding what he thought was a knife.

Mr. Fleming continued hearing the interaction between the Deputies and the male when he heard a gunshot. That's when Mr. Flemings decided to record what was occurring with his (Iphone6 plus). Mr. Flemings was able save the recording and later provided a copy of the recording to the Sheriff's Office. Investigator R. Lazos had indicated on his report that Deputy T. Kobryn had arrived at Mr. Flemings address and was able to download the video recording using Cellebrite's Physical Analyzer software.

That video and audio recording was later reviewed by the Sheriff's Administration to included Sheriff Pamerleau. I was later provided a copy of the video for my case file.

STATEMENT OBTAINED FROM GRIFFIS, RONALD:

Investigator J. Mendez was able to obtain a written statement from Mr. Griffis at the scene. Mr. Griffis lives at 24406 Walnut Pass. Mr. Griffis indicated that he was at his residence around noon time when he heard what sounded like a gunshot. As he walked into his garage he observed two (2) Sheriff's Deputies in front of a home two (2) doors down from his residence. He explained that he was told to go back into his residence which he did. A short time later he heard what sounded like three (3) more shots in quick successions. He then witnessed the arrival of an ambulance. No further details were provided by Mr. Griffis.

STATEMENT OBTAINED FROM OGLESBY, JOSEPH:

Investigator R. Mendez also obtained a written statement from Mr. Oglesby. Mr. Oglesby was at Mr. Griffis residence working on a motorcycle when he heard a single gunshot later followed by three (3) other gunshots. Mr. Oglesby informed that he and Mr. Griffis were told to go back into the residence which they did. No further details were provided by Mr. Oglesby.

STATEMENT OBTAINED FROM FLORES, ROGELIO:

Investigator A. Lopez obtained a statement from Rogelio at our CID office. Rogelio is the father of the Decedent. At the start of the statement Rogelio explained that he was awoken in the morning by his wife (Carmen) and he began looking at television. He explained that his wife made him a bowl of cereal and then he went to the bathroom to get his dog then he took his dog outside and gave the dog food and water. Rogelio explained that he came back inside and walked to his bedroom and started eating his bowl of cereal.

He explained that he was in his room with his wife when he noticed his son identified on this report as Decedent walk into his room. He noticed that the Decedent had a hunting knife inside a leather holder hanging around his neck on a lanyard. He started communicating with the Decedent about a computer then shortly afterwards the Decedent walks out of the bedroom. He estimates a few minutes later his wife walks out of their bedroom while he stays there. Rogelio states that his wife later comes into their bedroom and tells him that the Decedent had hit his wife (Maritza) and their baby (Rosa). Rogelio started hearing a female's voice yelling and when they checked on Maritza they noticed that she was bleeding. Rogelio goes further into detail on his statement which I will provide with this case file for review by the District Attorney's Office.

STATEMENT OBTAINED FROM FLORES, CARMAN:

Investigator K. Hodgkinson obtained the statement from Carmen. Carmen is the mother to the Decedent. At the start of the statement Carmen provided minor details of what had transpired but later in her statement she starts describing in detail what was occurring that lead to the confrontation with the Decedent and the Deputies.

I will provide a copy of her statement with this case file for review by the District Attorney's Office.

STATEMENT OBTAINED FROM FLORES, CHRISTOPHER:

Investigator D. Easter obtained that statement from Christopher. Christopher indicated that the Decedent is his Uncle. Christopher also goes into detail as to what transpired prior to his uncle being shot. I will provide a copy of his statement with this case file for review by the District Attorney's Office.

STATEMENT OBTAINED FROM MORENO, LEONARD:

Investigator J. Barrera obtained a statement from Leonard at the crime scene. Leonard is a construction worker that was driving by when the incident was occurring. Leonard gives a brief statement as to what he observed. I will provide a copy of that statement with this case file for review by the District Attorney's Office.

STATEMENT OBTAINED FROM GUZMAN, YVONNE:

Investigator J. Barrera obtained a statement from Ms. Guzman at our CID office. Carmen explained that she was driving down Cross Mountain Trail running and errand when she came across the intersection of Cross Mountain Trail and Walnut Pass. She explained that she observed the interaction between the two (2) Deputies and a tall heavy set male. She explained that at a point when she turned away from what was occurring she heard two (2) gunshots. She explained that she became startled by the gunshots and drove away not looking back. Carmen provides additional details on her statement which I will provide with this case file for review by the District Attorney's Office.

STATEMENT OBTAINED FROM DEPUTY ENRIQUE CEPEDA:

Investigator J. Barrera was checking the Visitnet system when he came across a call for a disturbance at 24414 Walnut Pass on November 01, 2014. The disturbance indicated that a male later identified to be the Decedent had recently got out of prison and he was causing a disturbance. The keycard also indicated that the Decedent had tried "suicide by cop" in the pass. No case number was generated for the case so Investigator was able to track down the responding Deputies and asked them to come in to our office to provide a statement of what they remembered about the call. Deputy E. Cepeda was the first Deputy contacted an appointment was scheduled. He came in on September 02, 2015 at 1500 hours. Deputy E. Cepeda was provided a keycard from the incident and was asked if he remembered the call. He explained that he remembered the call and remembered being the first Deputy to arrive.

He remembered being invited into the residence and had made contact with a female. The female was telling him that her brother (Gilbert) known on this report as Decedent was at location and was on drugs.

She explained that she had gotten into a verbal disturbance with the Decedent. Deputy E. Cepeda stated that he made contact with the Decedent that day and he had a defiant attitude towards his presence. Deputy E. Cepeda explained that he could not detect any signs of the Decedent being on drugs. After talking to the Decedent the Decedent agreed to pack some items and left the residence for the night. Deputy E. Cepeda stated that he documented some notes on the Visitnet system and then he cleared the call. No further action was taken.

STATEMENT OBTAINED FROM DEPUTY GARCIA, BRANDON:

Deputy B. Garcia was the second Deputy that arrived at the scene on November 01, 2014. He was also contacted and asked to come in and provide a statement. As he came to our office Investigator J. Barrera provided him with a copy of the keycard for November 01, 2014. Deputy B. Garcia explained that he did not remember responding to that call. No further action was taken.

CONTINUED INVESTIGATION:

Once Deputy # 1 and Deputy # 2 had departed our CID office, we met up with our supervisor to include Chief Saidler and had a debriefing of what transpired. We started discussing what was accomplished and what needed to be done. We were informed at the time about two (2) video recordings of the Officer Involved Shooting that were in the possession of the Sheriff's Office.

The first video was sent to the Sheriff's Office by KSAT 12 and the second video was provided by Mr. Flemings. Mr. Fleming's lives at 8502 Vineyard Mist which is located in close proximities to the Decedent's residence. Mr. Flemings had recorded the incident with his cell phone from his upstairs office. I was aware of Mr. Flemings recording but did not know the contents of the video. After reviewing both video's for the first time we discussed the contents of both videos. Shortly afterwards I walked back to our Homicide Office and started to annotate what had been completed and what we needed to follow up on to complete the investigation. We stayed at our office until 2300 hours then I departed the office and headed home.

ATTENDED AUTOPSY:

On 08-29-15, I was contacted by the Medical Examiner's Office informing me that the Autopsy for the Decedent was scheduled for 0900 hours. I informed them that I was going to attend the Autopsy. I arrived at the Medical Examiner's Office at 0845 and was prepped to enter the Autopsy room. As I entered the Autopsy room I made contact with Dr. Kannon who informed me that he was going to perform the Autopsy. I provided Dr. Kannon with a synopsis of what transpired prior to the Decedent being shot. Dr. Kannon then pointed out the defects on the Decedent. The Decedent had a defect to his pelvic area just above his penis.

He also pointed out a separate defect to his right chest area. The Decedent had some abrasions which will be annotate on Dr. Kannon's final official report.

Dr. Kannon was able to retrieve two (2) projectiles from the Decedent body. Dr. Kannon ruled the cause of death as gunshot wounds and the manner of death as a Homicide. At the conclusion of the Autopsy, I notified Chief Saidler, Lt. M. Pesses and Sgt. R. Pollard of the findings. No further action was taken on this date.

CONTINUED INVESTIGATION:

On August 31, 2015, I arrived at our CID office and started making a list of what needed to be worked on to complete the investigation. I made contact with Investigator A. Arevalos and asked him to review and generate a dictation of the cell phone recording recorded by Michael Fleming. I also asked him to review and generate a dictation of the dispatch "911" call received from dispatch.

I provided Investigator R. Arevalos with a copy of the recording obtained from Mr. Flemings. Investigator R. Arevalos was able first review the cell phone recording and was able to annotate a timeframe starting from the time the recording started to 10 minutes and 38 seconds into the video.

The timeline annotates the conversations as they are occurring from the start of the video to a few minutes pass the shooting. This timeline is only to be used as a guide to follow along as the video is being watched. If any times the dictations are not accurate please refer to the video.

Investigator A. Arevalos was also able to annotate through the same video a timeline of the actions that the Decedent was taking from the start of the incident up until the shooting. The timeline captures the aggressive behavior the Decedent was displaying towards both responding Deputies prior to the shooting. Please refer to the video for additional actions displayed by the Decedent and the Deputies.

I will be including thirteen (13) photos along with above timeline. The photos are screenshots images of the cell phone video. The time on the video is shown on each screenshot photo. The photos were obtained using the VLC zoom mode. No enhancements have been done to the photos other than the zoom mode.

On August 31, 2015, I requested the "911" transmission and the Deputies transmission for the Officer Involved Shooting from Dispatch. I generated a request Telephone and Radio Request form and e-mailed the request to our dispatch supervisor. Shortly afterwards I was provided the requested transmission. I reviewed the transmission and provided our administration a copy of the transmission.

I also provided Investigator R. Arevalos and provided him with a copy of the "911" transmissions so he could generate a timeline dictation of the "911" transmission.

There were three (3) calls that were annotated and received by dispatch. The calls are labeled at 2015-BCSO-034981, 2015-BCSO-034981a and 2015-BCSO-034981b. Investigator R. Arevalos was able to generate a dictation of each call received. The dictations will be a guide to follow as the "911" transmissions are being reviewed.

I will provide a copy of above dictations and photos with this case file for review by the District Attorney's Office.

CONTACT WITH THE FEDERAL BUREAU OF INVESTIGATION:

On August 31, 2015, I was contacted by Damos, Peter, who is assisted to the (F.B.I) Civil Rights/Public Corruption Unit. He was inquiring about the Officer Involved Shooting that occurred on August 28, 2015 and requested for copies of the video and any documents related to the case.

I also received an e-mail from Agent P. Damos supervisor (Agent Keith Byers) who expressed interest in obtaining the requested documents and video's. I informed them that I would get with my supervisor's and contact them later in the day. I contacted Sgt. R. Pollard and Chief Saidler about the FBI's request and informed them that Agent P. Damos was willing to come to our office to pick up the requested items. Chief Saidler gave authorization to release all the documents and video's I had in my case file.

I re-contacted Agent P. Damos and an appointment was scheduled for September 01, 2015. On September 01, 2015, Agent P. Damos, Agent Keith Byers, Agent Sandra Torres and a separate Agent arrived at our CID office. I introduced myself and then provide them with a brief synopsis of the Officer Involved Shooting incident. I provided them with a copy of what I currently had collected. The Agents were then walked to the Sheriff's Conference room where they were shown the second video recovered from Michael Flemings. At the conclusion I informed them that I will provide them with any additional items they might request at a later date. Agent P. Damos was given a Property Receipt form which he signed acknowledging he received the requested items.

EVIDENCE UNIT REQUEST:

Evidence Submission forms were generated for the request of evidence to be sent to the Medical Examiner's Office and processed. See attached form for items submitted. I also requested for the Taser recovered at the scene to be taken to the Academy where (FPCO) Deputy R. Martinez will download the data on the Taser. I requested to get a copy of the downloaded data for my case file.

I was able to contact Deputy K. Shannon who is assigned to the property room and asked him if he would be able to transport the Taser located in the property room to Deputy R. Martinez at the Academy for the purpose of downloading the data on the Taser. He agreed and asked me to submit a request form to him which I did.

ATTORNEY GENERAL REPORT:

Sgt. R. Pollard informed me that he had generated the required Attorney General's report for the Custodial Death related to the Officer Involved Shooting. Sgt. R. Pollard provided me with a copy of the Custodial Death Report which was generated on September 03, 2015. I will provide the copy with this case file.

TASER LOG DOWNLOAD:

On September 02, 2015, I received a copy of the Taser Log from Deputy K. Shannon. He explained that he had removed the Taser from the property room and transported the Taser to the Academy where he contacted Deputy R. Martinez. The Taser is listed to have a serial # of #X00-559744. Deputy R. Martinez provided me an Information report which showed the Taser to be assigned to Deputy # 1. Deputy R. Martinez annotated on his report details of his findings. As I reviewed the log, the Taser shows to be activated three (3) times on August 28, 2015. See log for further details. I will provide a copy of the Taser Log and Deputy R. Martinez report with this case file.

GENERATION OF GRAND JURY SUBPOENAS:

I was in contact with Investigator J. Barrera and asked him to generate Grand Jury Subpoenas for Acadian Ambulance Services requesting records for the treatment accorded to the Decedent on August 28, 2015 as a result to the Officer Involved Shooting and to his wife (Maritza Amador). I also asked him to generate a separate Grand Jury Subpoena for the University Hospital for the treatment afforded to the Decedents wife (Maritza Amador) and their infant child (Rosa Maria Amador Flores). Investigator J. Barrera generated the Grand Jury Subpoenas and forwarded them to the District Attorney's Office for approval.

Once he received the signed Grand Jury Subpoenas from the District Attorney's Office he faxed them to the listed location. I will be pending the requested documents and upon receiving the documents I will forward them to the District Attorney's Office for review.

CONTINUED INVESTIGATION:

On September 03, 2015, I informed Investigator R. Arevalos about a news article that came out on KSAT 12 regarding the Decedent's pass history. I asked Investigator R. Arevalos to contact the Bexar County Clerk's Office and obtaining copies of any previous criminal history related to the Decedent.

Investigator R. Arevalos was able to contact the District Clerk's Office and obtained the District Attorney's case file for both criminal cases (1999 and 2003) involving the Decedent. I was provided the copies from Investigator R. Arevalos with I will provide with this case file.

I was also given information that a citizen that was involved in a verbal altercation in the pass with a known male that may have been the Decedent. I contacted Investigator R. Mendez and asked him to check up on the provided information. He was able to contact the female at a Home Depot located close to US Hwy 281. As he contacted the female it was clear through the female's description of the male that the male was not the Decedent. Investigator R. Mendez documented the meeting and provided me a copy of his report.

CONTACT WITH THOMAS, MICHAEL:

Sgt. R. Pollard had contacted Investigator K. Hodgkinson and requested for him to make contact with Mr. Thomas and obtain a statement from him due to him being a witness to the Officer Involved Shooting and had recorded the incident as it occurred. Mr. Thomas is the person that recorded the incident and provided KSAT 12 with a copy of the recording. Investigator K. Hodgkinson and Investigator F. Stubbs made contact with University of Incarnate Word LT. J. Serbantes who assigned them in tracking down Mr. Thomas. Mr. Thomas was a pass student at above university. They were able to contact Mr. Thomas and an appointment was scheduled for September 02, 2015. Mr. Thomas had agreed to provide a statement and provide a copy of his recording of the incident.

Investigator K. Hodgkinson, Investigator F. Stubbs and Investigator T. Kobryn, who is assigned to our Computer Forensic Unit, arrived at UIW at 1545 hours and contacted UIW Officer Peters. They were escorted to an interview room and at 1610 hours Mr. Thomas arrived. After talking to Mr. Thomas they explained to him that they were going to video tape his statement. Mr. Thomas provided a video statement and was also presented Consent to Search-Computer/Electronic Equipment form which will allow Investigator T. Kobryn to retrieve the recording from his cell phone. Mr. Thomas agreed to sign the form and then provided Investigator T. Kobryn with his cell phone. Investigator T. Kobryn only extracted the requested recording from the cell phone and then provided the cell phone back to Mr. Thomas. At the conclusion of obtaining the statement and recording from Mr. Thomas cell phone, Mr. Thomas was giving Investigator K. Hodgkinson contact information and then he departed the location. See recorded statement for complete details of the interview.

CONTACT WITH MIRANDA, LINDA (BCSO VICTIM ADVOCATE):

I have been in contact with Ms. Miranda regarding the Child Protective Services statues on Maritza. Ms. Miranda informed me that she had received information that there has been a CPS case opened to investigate the wellbeing of her infant child (Rosa Maria). Contact was made with Maritza and the infant child by CPS through the weekend at her mother's address on Huisache Ave. As contact was made bruising and marks were noted on the infant to the upper and lower part of the eye.

A special investigator was assigned to investigator the case. Ms. Miranda also provided me the Decedent's Parole officer's name. I am going to reach out to both the CPS Special Investigator and obtain any documents pertaining to the contact with Maritza and the infant child. I will also contact the Decedent's Parole Office to see if they can provide any details on their history with the Decedent. Once I receive above documents I will forward the documents to the District Attorney's Office for their review.

TRANSPORTING VIDEO TO DPS:

On September 01, 2015, Sgt. Trevino transported a copy of the video recorded by Mr. Flemings to the Department of Public Safety Crime Lab for to get the video processed and try to get a better clarity of the video. Sgt. M. Trevino was able to retrieve the video of September 04, 2015 which provided a frame by frame depiction of the recording. I was given a copy of the video which will be provided to the District Attorney's Office for their review.

PRINTOUT OF NEWS STORIES RELATED TO OFFICER INVOLVED SHOOTING:

Investigator R. Arevalos was able to print out the related news stories pertaining to the Officer Involved Shooting that I am currently investigating. I will provide a copy of the clippings with this case file.

ATTEMPTED CONTACT WITH JENNIFER SPEER:

Investigator J. Turack was assigned to attempt to make contact with Ms. Speer in attempts to obtain a statement from her. We had received information that Ms. Speer might have witnessed the Officer Involved Shooting. After making several attempts to contact Ms. Speer, no contact was made. The District Attorney's Office will be notified for possible Grand Jury Subpoena in the future.

CONCLUSION:

On September 08, 2015, I turned this case file to the District Attorney's Office for their review. As I received requested evidence submission results and any other documents pertain to above case I will forward a copy to the District Attorney's Office for review.