

# INTEROFFICE MEMORANDUM

**DATE:** March 24, 2017  
**PHONE:** 909-382-7686  
**FROM:** Simon Umscheid  
Chief Deputy District Attorney  
Central Division



**William Lee**  
Supervising Deputy District Attorney  
Central Division

**Lynette Grulke**  
Deputy District Attorney  
West End Division

**TO:** **Gary S. Roth**  
Assistant District Attorney  
Desert Division

**Mary F. Ashley**  
Assistant District Attorney  
Central Division

---

**SUBJECT: OFFICER INVOLVED FATAL INCIDENT**

Involved Parties – Deputy Sean Wallen, San Bernardino County Sheriff's Department; Deputy Bruce Southworth, San Bernardino County Sheriff's Department; Corporal Rafael Ixco, San Bernardino County Sheriff's Department; Sergeant Andre Capps, Redlands Police Department; Officer Joseph Aguilar, Redlands Police Department; Officer Daniel Gonzalez, Redlands Police Department; Officer Matthias Knudsen, Redlands Police Department; Officer John Manly, Redlands Police Department; Sergeant Scott Murray, San Bernardino Police Department; Detective Eric Bennet, San Bernardino Police Department; Officer Jose Loera, San Bernardino Police Department; Officer Brian Karmann, San Bernardino Police Department; Sergeant Gary Schuelke, San Bernardino Police Department; Officer Ryan Schuelke, San Bernardino Police Department; Officer Jose Vasquez, San Bernardino Police Department;

Officer Brian Olvera, San Bernardino Police Department; Officer Raymond Bonshire, San Bernardino Police Department; Sergeant Gerald Beall, San Bernardino Police Department; Officer Nicolas Koahou, San Bernardino Police Department; Sergeant Jeff Harvey, San Bernardino Police Department; Officer Edward Lee, San Bernardino Police Department; Investigator Tom Boyles, San Bernardino County District Attorney's Office; Investigator T. C<sup>1</sup>., Riverside Sheriff's Office;

Suspect – Syed Rizwan Farook, DOB – 06/14/1987, Resident of Redlands, CA.

Suspect – Tashfeen Malik, DOB – 07/13/1986, Resident of Redlands, CA.

Date of Incident – December 2, 2015, 1549 Hours;

---

---

Location – San Bernardino Ave. / Shedden Dr., San Bernardino, CA.

Case Agent – Detective Michael Cleary, San Bernardino County Sheriff's Department

Investigating Agency – San Bernardino County Sheriff's Department

DR# 601500179

DA Star # 2016-00-0037993

---

## **PREAMBLE**

The summary of this incident is drawn from material submitted by the San Bernardino County Sheriff's Department. The case agent is Detective Michael Cleary of the San Bernardino County Sheriff's Department Homicide Unit. The submission contains various narrative reports that include interviews of deputies, officers and civilians, dispatch call logs, crime scene description and diagrams, photographs, video recordings, audio recordings, coroner investigation report, autopsy protocol with attached toxicology reports and the deceased subject's criminal history.

For further information, see detailed list below of reports provided and reviewed.

---

<sup>1</sup> Full name not used in order to protect officer's confidentiality.

## Reports Reviewed

- San Bernardino Sheriff's Department Officer-Involved Shooting Report (Master Report), DR # 601500179, H # 2015-106 (Detective Michael Cleary).
  - Supplemental by Lieutenant W. Green.
  - Supplemental by Sergeant M. Dorsey.
  - Supplemental by Sergeant J. Burton.
  - Supplemental by Sergeant M. Kraut.
  - Supplemental by Corporal S. Snyder.
  - Supplemental by Corporal M. Ernes.
  - Supplemental by Corporal J. Van Tuinen.
  - Supplemental by Detective R. Vogelsang.
  - Supplemental by Corporal L. Coughlin.
  - Supplemental by Corporal R. Curtis.
  - Supplemental by Corporal R. Hunt.
  - Supplemental by Corporal M. Gonzales.
  - Supplemental by Corporal K. Slusser.
  - Supplemental by Officer J. Coillot.
  - Supplemental by Officer F. Losch.
  - Supplemental by Officer S. Michels.
  - Supplemental by Corporal E. Stewart.
  - Supplemental by Sergeant H. Dominguez.
  - Supplemental by Corporal E. Campa.
  - Supplemental by Corporal R. Mendez.
  - Supplemental by Corporal A. Jaeger.
  - Supplemental by Officer Mike Collins.
  - Supplemental by Officer Matthew Collins.
  - Supplemental by Officer C. Ward.
  - Supplemental by Officer J. Ramirez.
  - Supplemental by Sergeant S. McFarland.
  - Supplemental by Captain J. Weems.
  - Supplemental by Sergeant C. Hice.
  - Supplemental by Officer G. Anderson.
  - Supplemental by Officer M. Mastaler.
  - Supplemental by Officer M. Render.
  - Supplemental by Officer L. Quaker.
  - Supplemental by Officer J. Lopez.
  - Supplemental by Officer N. Parcher.
  - Supplemental by Officer J. Pulido.
  - Supplemental by Officer R. Peterson.
  - Supplemental by Officer B. Harris.
  - Supplemental by Agent M. Hong.
  - Supplemental by Officer H. House.
  - Supplemental by Officer R. Snyder.

- Supplemental by Detective J. Cunningham.
- Supplemental by Detective A. Tello.
- Supplemental by Officer Dorsett.
- Supplemental by Officer R. Thornburg.
- Supplemental by Officer J. Di Mola.
- Supplemental by Detective N. Oldendorf.
- Supplemental by Officer Murphy.
- Supplemental by Investigator G. Carr.
- Supplemental by SBSB Narcotic Division.
- Supplemental by SBSB Rancho Station.
- Supplemental by SBSB Yucaipa Station.
- Supplemental by SBSB Chino Hills Station.
- Supplemental by SBSB Highland Station.
- Supplemental by SBSB Central Station.

**TABLE OF CONTENTS**

FACTUAL SUMMARY .....7  
INTERVIEWS.....8  
Interview of Andy Capps.....8  
  
Interview of Gary Schuelke.....10  
Interview of Brian Olvera.....13  
Interview of Shaun Wallen.....15  
Interview of Matthias Knudsen.....17  
Officer Joseph Aguilar.....19  
Interview of Sgt. Scott Murray..... 20  
Interview of Daniel Gonzales.....21  
Interview of Jose Loera.....23  
Interview of Thomas Boyles.....25  
Interview of Bruce Southworth.....26  
Interview of Raymond Bonshire.....28  
Interview of Jeffrey Harvey.....29  
Interview of T.C.....31  
Interview of Ryan Schuelke.....32  
Interview of Jose Vazquez.....34  
Interview of Brian Karmann.....35  
Interview of Rafael Ixco.....37  
Interview of Gerald Beall.....38  
Interview of Erick Bennett.....40

Interview of Nicolas Koahou.....41

Interview of Johnathan Manly.....44

Interview of Edward Lee.....45

CRIME SCENE.....47

AUTOPSY PROTOCOL.....49

STATEMENTS OF APLICABLE LAW.....50

ANALYSIS.....52

CONCLUSION.....53

## FACTUAL SUMMARY

*The following summary is based on the San Bernardino Police Computer Aided Dispatch report, the reports prepared by first responders and the Federal indictment of Enriquez Marquez, Jr.*

On December 2, 2015 at about 10:58 am San Bernardino Police began to receive numerous calls of shots fired at the Inland Regional Center located at 1365 South Waterman Avenue in San Bernardino. Initial calls indicated that there were several gunshots heard. Another call reported that there were two or possibly three subjects in all black clothing and masks armed with assault weapons. Within a matter of three to four minutes there were multiple calls reporting that multiple masked subjects had entered in the conference room, located in Building 3 of the Inland Regional Center, and opened fire in the main conference room.

One of the calls, which came in approximately six minutes of the first call, indicated that there was a black vehicle with out of state license plates located to the rear of the building. Multiple calls came in from victims who were injured or were hiding in bathrooms and other area to try and avoid being shot. One caller reported seeing the suspects flee in a black full size SUV. Calls also reported that there were multiple victims down inside the IRC conference room.

Officers arrived on scene at the IRC complex within a few moments and began the process of searching for suspects and clearing victims out of the building. Officer Scott Snyder of the Fontana Police Department was on scene at IRC 11:06. He met with Lt. Mike Madden from San Bernardino Police and they devised a plan to enter the building.

Officer Snyder was joined in the initial entry into the building with a group of other officers from the San Bernardino Police Department. Officer Snyder was partnered with Detective Lewis. They made entry from the east side of the building. Before entering the building, Officer Snyder noted two victims in the rear area of the building. A male victim was sitting slumped on a bench outside the doors. He also saw a female victim lying on the sidewalk outside the entry doors. Both victims, after an initial check, appeared to be deceased.

Officer Snyder made entry into the large conference room on the east side of the IRC Conference Building. He noted that there was shattered glass at the rear entry. The fire alarm system in the building was activated and the ceiling sprinklers were activated spraying water. The room was still filled with smoke and the stench of gunpowder.

Once inside the conference room Snyder and the other officers located multiple gunshot victims on the floor who were unresponsive. Officer Snyder along with the

other officers went room to room on the first floor evacuating those who were hiding in restrooms and other spaces. The officers went to the other floors in the building and cleared the building. When Officer Snyder returned to the first floor, medical staff was on-scene and attempting to assist those who were injured.

Officer Brian Murphy from San Bernardino Police was also one of the officers that made the initial entry into the IRC building within minutes of the shooting. His report describes much the same scene as Officer Snyder. He indicated that he saw as many as twenty victims in the conference room. Some of the victim were on the floor and some were slumped over in chairs.

On the date of the shooting, suspect Syed Rizwan Farook (Farook) arrived at the IRC at 8:48 am. At 9:05 Farook entered the IRC conference Room. At 10:37 Farook left the IRC in a black sports utility vehicle. At approximately 10:58 the black SUV returned to IRC. Farook and a second individual exited the black SUV and entered the IRC Conference Center killing 14 and injuring 22 other victims.

## **INTERVIEWS**

### **SERGEANT ANDY CAPPS**

Sergeant Andy Capps of the Redlands Police Department was interviewed by Detective Mike Cleary and Detective Tina Kirby of the Sheriff's Department on December 2, 2015 at 10:42 Pm at Sheriff's Headquarters.

Sgt. Capps was assigned on that date as the watch commander from 11:30 am until midnight. Capps had become aware of the mass shooting in San Bernardino by listening to radio traffic prior to the beginning of his shift. He had heard the suspect and vehicle description over the radio prior to briefing that morning.

The description indicated two male suspect driving a dark SUV possibly having Utah plates. After briefing Capps received unrelated call regarding a possible Lojack hit on a stolen vehicle. Capps responded to the area where that call was taking place. While enroute, Capps was flagged down by an undercover San Bernardino Police Officer in a silver minivan. In the area of Alabama Street and the 10 freeway.

Capps was told that they were involved in surveillance of the possible suspects in the IRC shooting. SBPD undercover units had been following the vehicle prior to Capps making contact with the officer. Capps was asked to assist in the surveillance. Capps followed the undercover vehicle onto the 10 freeway traveling westbound. He exited the freeway at Tippecanoe and traveled northbound in heavy traffic.

It turned out the suspect vehicle was three vehicles ahead of Sgt. Capps also sitting in traffic. Sgt. Capps was the only officer in a marked vehicle. After the light turned green heading northbound on Tippecanoe, Sgt. Capps positioned his vehicle behind the SUV and activated his emergency lights. It was at that point that Sgt. Capps attempted to initiate a felony traffic stop.

It was at that point that Sgt. Capps noticed a Sheriff unit and a motor unit (unknown department) also with flashing lights. The suspect vehicle did not yield but accelerated at the green light but maintained the speed limit. Sgt. Capps was close enough that he could see that there were two individuals inside the vehicle. Sgt. Capps could see the suspects passing something between the two of them and it appeared to him they were wearing ballistic vests. The suspect vehicle turned eastbound onto San Bernardino Avenue. As Sgt. Capps turned, the Sheriff's Department vehicle was next to Sgt. Capps as he followed the black SUV.

As Sgt. Capps followed the Black SUV eastbound he heard what he thought sounded like gunfire. He then saw the rear window in the SUV shatter out. Sgt. Capps immediately slowed down to greater the distance between his vehicle and the SUV. Sgt. Capps then realized that he and the other law enforcement vehicles were taking gunfire from the rear of the SUV.

Sgt. Capps broadcasted that there were "shots fired." As the SUV passed Richardson it slowed down and came to a stop. Sgt. Capps estimated that he was 50 to 60 feet behind the SUV. The Sheriff unit continued past Sgt. Capps and stopped north of the SUV in the northbound lanes of San Bernardino Avenue.

As the SUV stopped it erupted in gunfire from within the vehicle. Sgt. Capps retrieved his AR-15 from the rifle rack of his vehicle. He exited his vehicle and took a position behind the right rear tire, utilizing his vehicle for protection. He believed that the gunfire coming from the SUV was directed towards where he had taken position. Sgt. Capps also feared that the Sheriff's deputy was at risk given where the vehicle was positioned.

Sgt. Capps could hear gunfire and saw muzzle flashes coming from the suspect vehicle. Capps fired at the SUV from a kneeling position behind his unit. He then saw one of the suspects exit the vehicle with what looked like a long rifle. He saw the suspect began to engage the Sheriff deputy parked to the north in a gun battle. Capps could not tell at that point if the suspect who had exited the vehicle was male or female.

Capps continued to fire back at the suspects, attempting to take precise shots at both suspects inside and outside the SUV. The gun battle lasted sometime as other officers joined in. Other officers arriving on-scene also took protective positions behind Sgt. Capps' vehicle. There was an undercover silver van that had moved into position

between his vehicle and the Sheriff vehicle. He could see that the van was taking gunfire from both suspects.

Sgt. Capps had to direct attention to his weapon during the gunfire due to it malfunctioning. As a result of his weapon malfunctioning, Sgt. Capps did not see the first subject who exited the vehicle start to walk north across San Bernardino Avenue. Sgt. Capps was running low on ammunition and was handed a magazine by another officer. He then saw that there was a tactical team walking along the south side of San Bernardino avenue in attempt to take a flank position. Sgt. Capps provided cover fire for the team as they approached on foot.

As the team approached on foot there was still gunfire coming from the rear of the vehicle. During the gunfire Sgt. Capps could not hear what was being broadcast over the radio. Once the suspect in the vehicle stopped returning fire Sgt. Capps and the other officers on scene began to check and make sure no officers were injured. He heard over the radio that another officer had been shot but that he was going to be okay.

He also learned that there was possibly another subject that had fled the suspect vehicle. Sgt. Capps indicated he had not seen any other individuals other than the two involved in the shooting. Sgt. Capps had been fearful for his own safety and that of the other law enforcement officers involved given that both subjects opened fire on law enforcement with rifles.

#### SERGEANT GARY SCHUELKE

Sgt. Gary Schuelke of the San Bernardino Police Department was interviewed by Detective Jon Cahow of the San Bernardino County Sheriff's Department at the San Bernardino County Sheriff's Department Headquarters on December 3, 2015 at about 12:18 am. Detective Chuck Phillips was also present during the interview.

At the time of the shooting Schuelke was assigned as the sergeant over the San Bernardino Police Narcotics team. He was in plain clothes at the time with a black raid vest. At the time of the incident Schuelke's team was assisting the Drug Enforcement Administration on a drug investigation.

Schuelke was on the freeway in Ontario when he was advised by his department that there was an active shooter situation in San Bernardino. After learning that there were possibly multiple fatalities Sgt. Schuelke and his team responded back to San Bernardino. Schuelke responded to the IRC command post which had been set up near IRC. Schuelke met with SPD Lieutenant Travis Walker. Together they decided

that Schuelke and his team would focus on attempting to identify and locate the suspects.

Sgt. Schuelke's son, Officer Ryan Schuelke, is also employed by the San Bernardino Police Department as a police officer. Ryan Schuelke was assisting at IRC with the evacuations. Officer Ryan Schuelke was told during the evacuations by an evacuee that he might know who one of the shooters was. Ryan Schuelke contacted Sgt. Schuelke and the two officers brought the evacuee back to IRC and interviewed him.

Sgt. Schuelke could not remember the name of the evacuee but was told that the evacuee had been sitting next to Farook at the meeting prior to the shooting. The evacuee stated that he attempted to engage Farook in a friendly conversation that morning but Farook would not respond. The witness indicated he found that it was very odd. Farook was very quiet in the meeting and then got up and left early for unknown reasons. When the shooting started, the witness felt it was likely Farook based on stature and body movement. The information was turned over to Sheriff Intel at the command post. At this point Sgt. Schuelke and his team convened in a nearby hotel parking lot to gather information and to formulate a plan.

Sgt. Schuelke made sure his team had appropriate raid vests, weapons and other equipment. Sheriff's Intel discovered Farook had rented a black Ford SUV with Utah plates from Enterprise Rent a Car a day or two prior to the shooting. Given that the vehicle matched descriptions given by witnesses, Sgt. Schuelke believed that they were in fact on the right track.

Through the car rental company, they were able to get two cell phone numbers for Farook. With that Sgt. Schuelke's team was able to get an emergency ping on the phone from Verizon. The phone pinged to 53 Center Street in Redlands, which they were able to determine was Farook's address. Sgt. Schuelke sent two teams of officers to the Redlands address in an attempt to locate the black SUV.

While driving by the address, officers discovered that two SBPD homicide detectives were already conducting surveillance of the address. One of the officers then saw the suspected vehicle leave the alleyway from behind the residence. Officer Campos reported to Sgt. Schuelke that they had located the vehicle and that there were two subjects in the vehicle.

Sgt. Schuelke was eastbound on the 10 Freeway when he received the information that Officer Campos was following the potential suspects. Sgt. Schuelke's immediate concern was that the suspects could possibly be going back to the IRC to engage officers in another shooting. He instructed Officer Campos to follow the SUV. Sgt. Schuelke wanted either a marked unit to attempt a traffic stop or possibly SWAT.

Officer Koahou was able to flag down Redlands Police Sergeant Andy Capps who was driving a marked unit.

Sgt. Schuelke first saw the suspect vehicle, followed by his team's vehicle, as it passed the Mountain View off ramp. The SUV suddenly veered off and exited at Tippecanoe which made Sgt. Schuelke believe that the driver had recognized he was being followed. The driver (later identified as Farook) turned and went northbound on Tippecanoe. Sgt. Schuelke instructed his officers to utilize the "push to talk" devices during the surveillance in case the media or others were utilizing police scanners to track the events.

Based on officers saying that the subjects in the SUV were looking around, Schuelke believed that they were conducting counter surveillance. He put out on the radio that a traffic stop should not be initiated until the vehicle was north of San Bernardino Avenue; an area where there would be significantly less people and traffic. Sgt. Schuelke saw that the Redlands Police unit were coming up from behind with their lights on. The black SUV turned right onto San Bernardino Avenue from Tippecanoe as the marked Redlands unit took position behind the suspect vehicle.

Ryan Schuelke notified Sgt. Schuelke that shots were being fired before Sgt. Schuelke heard them. He told investigators that he saw the back window of the SUV shatter but did not realize it was from gunfire from inside the vehicle. Sgt. Schuelke saw Sgt. Capps' vehicle swerving back and forth and then realized officers were taking fire. The SUV stopped along the south curb of the street past Richardson. Sgt. Capps's vehicle stopped about ten to fifteen yards behind the SUV. Initially Ryan Schuelke grabbed the AR 15 rifle and began to return fire.

Gary Schuelke saw the suspect (later identified as Farook) get out of the SUV and begin shooting at a Deputy Sheriff that was parked north of the SUV. Farook walked north towards the deputy who was taking cover from behind his unit. Sgt. Schuelke took the rifle from Ryan Schuelke. Ryan Schuelke transitioned to his handgun. Sgt. Schuelke had a clear sightline of Farook and estimated the distance at about 80 yards. He fired at Farook with the rifle as fast and accurately as he could, knowing he needed to stop Farook. He utilized the red dot optic on the weapon to fire as accurately as he could at Farook realizing that they were in a residential neighborhood with people likely being in the surrounding homes.

Sgt. Schuelke estimated that he took between 5 and 6 shots at Farook's center mass. One of the rounds passed through Farook causing a mist of blood on impact. Farook fell to the ground but was still moving. Schuelke fired two more rounds at Farook because he was still clutching the rifle. After Farook went to the ground Schuelke saw that rounds were still being fired from within the SUV.

Sgt. Schuelke remembered that there were other officers with him at the time also firing their weapons at the suspects. Sgt. Schuelke and the other officers took cover behind a fence about forty yards from the rear of the SUV. The subject in the SUV (later identified as Tashfeen Malik) was continuing to fire from within the SUV. He could see that Malik would fire multiple rounds before ducking down. She would then pop back up and open fire again. Based on Sgt. Schuelke's position it appeared to him that she was blindly firing towards the officers rather than taking aim.

Sgt. Schuelke fired multiple rounds towards the tailgate of the suspect vehicle as Malik continued to fire bursts of rounds towards law enforcement. Sgt. Schuelke could not estimate the number of rounds he fired from that position but reloaded his thirty-round magazine once in between firing rounds at the suspect vehicle. As multiple officers fired at the SUV, eventually Malik stopped shooting back.

After the shooting stopped, Sgt. Schuelke heard over dispatch that there was a possible third suspect. He and his officers walked southbound along the fence line but did not locate any possible third suspect.

Sgt. Schuelke and other members of his team got into his vehicle and went to a location on Almond Avenue where there was a dispatch of a possible third suspect being detained. When Sgt. Schuelke arrived, a subject was detained. That subject turned out to be a local resident and was not involved with Farook and Malik.

After the scene was secured, Sgt. Schuelke and other members of his team returned to the Center Street address in Redlands and coordinated with the FBI who took over the investigation later in the evening.

During his interview Sgt. Schuelke described the suspects of firing a barrage of rounds at officers. He felt that the officers had no choice to return fire and attempt to stop the suspects or they would have killed more people. Sgt. Schuelke described the situation as being the scariest and most dangerous situation he had been in in his twenty-four years as a police officer.

### OFFICER BRIAN OLVERA

Officer Brian Olvera of the San Bernardino Police Department was interviewed by Detective Brian Chambers and Sgt. Jerry Davenport of Sheriff Specialized Investigations on December 3, 2016 at 9:58 pm at Sheriff Headquarters.

On the day of the IRC shooting, Officer Olvera was attending SWAT training at Arrowhead Springs which is located on Waterman Avenue. While at the training Officer Olvera overheard the call of shots fired at the IRC. He immediately got into his vehicle

with his gear and drove to the scene at IRC. Officer Olvera, Officer Ahmed and Officer Flowers were the first tactical team on scene at IRC.

Officer Olvera and his partners entered the number one building at IRC and assisted other officers in clearing the building. After clearing the building Officer Olvera overheard that there was a pursuit of a possible suspect. Olvera and Officer Ahmed immediately got into their vehicle and attempted to head to the scene. Olvera estimated they got to the location in about 2 to 3 minutes. Officer Olvera was at the corner of San Bernardino Avenue and Tippecanoe when he heard a broadcast that shots were being fired.

As he pulled up next to units already on scene from San Bernardino Police, Redlands Police and the Sheriff's Department, Officer Olvera recognized the sound of assault weapons being fired in the direction of law enforcement. Officer Olvera and Ahmed ran towards the sound of gunfire to attempt to aid the other officers already on scene. Upon arrival at the scene, Officer Olvera could see muzzle flashes coming from inside the black SUV out the rear window. He could also see Farook laying in the street on the northbound side of San Bernardino Avenue. He could not tell whether Farook was down or was just firing from a lying position.

Olvera ran to the aid of two officers who were yelling they were out of ammunition. As he took his position near the two officers. Officer Olvera could hear bullets whizzing by and striking the ground. Officer Olvera observed what he knew to be a San Bernardino Police Department undercover van with about 8 to 10 officers taking cover behind it while the suspect in the black SUV continued to fire at law enforcement.

Officer Olvera also saw that Deputy Wallen was taking cover behind his vehicle. He also saw that Officer Koahou was down with a bandage on his leg. Officer Koahou confirmed that he had been shot in the leg but was able to provide medical aid to himself. Officer Olvera requested a nearby deputy to assist in getting Koahou out of harms' way. Officer Olvera also requested the assistance of an armored vehicle because they were engaged in an active gunfight.

Officer Olvera could see that Malik was still inside the vehicle shooting out the back window. Officer Olvera noted that she would pop up and fire towards officers and get back down. He did not know at the time the suspect in the vehicle was a female. He could only tell the person was in dark clothing and was firing at them with an assault weapon from inside the vehicle through the rear shattered window.

Olvera was concerned for the safety of Deputy Wallen whose vehicle had multiple bullets holes and flat tires from the suspects shooting at Deputy Wallen. Olvera also feared for the safety of the officers behind the van since it had been hit with multiple

rounds. Officer Olvera contacted a number of unknown deputies hiding behind another Sheriff's unit. He wanted to put in place a plan to attempt to extract Deputy Wallen.

One of the unknown deputies got into the unit and began to drive slowly with the other deputies behind it. As they slowly made their way to where Deputy Wallen was pinned down, Officer Olvera began to fire rounds in the direction of Malik in the SUV to provide cover while the other officers went to try and extract Deputy Wallen. Officer Olvera estimated that he fired 15 rounds towards Malik in three separate volleys. He told investigators that as he fired towards the SUV, Malik was firing back the officers obviously trying to kill them. Officer Olvera told investigators that he feared for his life as Malik continued to fire at him and the other officers.

When the Sheriff vehicle got within about ten yards of Deputy Wallen, he ran for cover behind the vehicle. The vehicle then began to back the vehicle to a safer position. It was now that Officer Olvera realized that there was no longer gunfire coming from inside the SUV. Olvera and the other officers stayed in a covered position until the first armored vehicle arrived on scene.

Once the scene was determined to be safe, Officer Olvera began to assist checking the neighborhood to make sure that the residents in the immediate area were okay. Officer Olvera told the investigators that he knew from being on scene that the suspects were heavily armed with assault weapons and that they had shot multiple unarmed citizens. All Officer Olvera's fired rounds came in the rescue attempt of deputy Wallen. He fired all his rounds at the subject in the SUV to provide cover so that Deputy Wallen could get out safely.

#### DEPUTY SHAUN WALLEN

Deputy Shaun Wallen was interviewed by Sheriff's Department Detective Jonathan Woods at Sheriff's Headquarters on December 2, 2015 at 8:42 pm. On the date of the IRC shooting Deputy Wallen was assigned to the Rancho Cucamonga Station and was working the day shift. At 11:10 am he heard the dispatch broadcast of an active shooter at 1365 South Waterman Avenue in San Bernardino.

Deputy Wallen responded to dispatch's request for officers to respond to the scene of the active shooter. Deputy Wallen drove eastbound on the 10 freeway and exited on Waterman Avenue and headed north. During the drive Deputy Wallen heard updates including that there were several fatalities and that the suspects were armed with assault weapons and dressed in body armor.

Deputy Wallen arrived at IRC at 11:25 am. He parked his vehicle to the southeast of the IRC Building. He saw that SWAT teams were present and preparing to go inside

the buildings. Deputy Wallen joined unknown officers and entered the building. He saw that there were two deceased people outside of the entrance; a male slumped over on a bench and female laying on the ground. Both victims had obvious gunshot wounds to their heads. Deputy Wallen also noticed that some law enforcement officers were already loading injured and possibly deceased victims into beds of pickup trucks.

Deputy Wallen and the other officers entered the building and began to escort out trapped citizens from inside the building. Deputy Wallen then assisted the Bombs and Arson Detail search the parking lot for possible explosive devices. After assisting with the search, no additional threats were located. During the search, Deputy Wallen overheard the description of a black SUV possibly leaving north on Waterman with two to three suspects in black clothing and body armor.

About 3:00 pm Deputy Wallen overheard a dispatch broadcast that Redlands Police and San Bernardino Police Officers were following a potential suspect vehicle on the 10 freeway westbound. Wallen got into his vehicle and got onto the 10 freeway driving eastbound. He saw the possible pursuit in the other direction so he got off the freeway and reentered going westbound. He followed the other law enforcement vehicles behind the black SUV. The suspect vehicle and trailing law enforcement exited the freeway (Wallen didn't know at the time of the interview that it was Tippecanoe Avenue). Wallen attempted to catch up and saw the suspect vehicle make a right turn onto San Bernardino Avenue from Tippecanoe.

As the vehicles went eastbound on San Bernardino Avenue there was a "shuffle" amongst the order of the law enforcement vehicles. Deputy Wallen pulled up next to a Redlands Police Unit that was behind the black SUV. The black SUV slowed down. Knowing that the suspects had high powered rifles, Deputy Wallen took off his seatbelt and armed himself with his Mini 14 rifle in preparation for a felony stop. Suddenly Deputy Wallen saw the rear window of the SUV shatter out and he realized there was gunfire coming out of the rear of the suspect vehicle.

The suspect vehicle then accelerated away eastbound down San Bernardino Avenue. A short distance later the vehicle again stopped. Deputy Wallen estimated that he stopped his vehicle about 75 feet from the suspect vehicle. As soon as the suspect vehicle stopped, both suspects began firing their weapons towards Wallen and the other officers. Deputy Wallen exited his vehicle and took cover. He immediately began returning fire and Farook and Malik with his Mini 14 rifle.

Farook began running northbound across the street shooting at Deputy Wallen. Fearing that Farook would try and get around his cover, Deputy Wallen went around to the rear of his vehicle. Farook and Deputy Wallen were about 80 feet apart when they engaged in a gun battle in the middle of San Bernardino Avenue. As Farook appeared around the driver's side of Wallen unit, he was still firing at the deputy. Deputy Wallen continued firing back at Farook.

Farook went down to a seated position in the street as Wallen continued to fire at him. From a seated position, Farook continued to fire at him with the AR-15 rifle. Deputy Wallen could hear the rounds from Farook passing Wallen's head. Farook transitioned to a handgun that he pulled from a holster on his right thigh. Farook continued to fire at Wallen from a seated position with the handgun. Wallen shifted his position and then saw that Farook had fallen to the ground and was no longer firing at him.

Deputy Wallen could see that the second subject was still firing from the rear of the SUV. After changing out two magazines for the Mini 14, Deputy Wallen was out of ammunition. He retrieved his Remington 870- shotgun from inside his vehicle. He took cover behind the trunk of his car. He continued to hear shots coming from the SUV. Wallen was also aware that other officers were firing at the SUV.

Deputy Wallen believed he had a sightline of Malik so he fired at her with the shotgun. As Malik continued to fire on the officers, Wallen switched to his department issued handgun. Wallen fired fifteen more rounds at Malik with his handgun. Due to his vehicle's position, Deputy Wallen had no protection from Malik other than his police unit. He was notified by Detective Chad Johnson and Deputy Bruce Southworth that they were going to extract him utilizing another unit for protection. Detective Johnson drove another marked unit close to Wallen's position. Southworth continued firing at Malik giving cover so Wallen could take cover behind Johnson's vehicle. Johnson drove slowly to the corner of San Bernardino Avenue and Sheridan Avenue.

Deputy Wallen remembered firing forty rounds from his Mini 14 rifle. He also fired all four rounds from his department issued shotgun. He also fired fifteen rounds from his handgun. Prior to the incident, Deputy Wallen had turned on his belt recorder. It picked up and recorded the gunfight as it occurred. During the duration of the gunfight, Deputy Wallen gave no verbal commands to either suspect. He also did not hear Farook or Malik say anything during the gunfight.

#### OFFICER MATTHIAS KNUDSEN

Officer Matthias Knudsen of the Redlands Police Department was interviewed by Detective Gary Hart of the San Bernardino County Sheriff's Department. The interview took place at the Sheriff's Headquarters. Officer Knudsen was a member of the SWAT team and received a group text from Lieutenant Reiss indicating that there was an active shooter situation in San Bernardino.

After being briefed Officer Knudsen was paired with Officer John Manly. After following up on other possible suspect vehicles, Officer Knudsen and his partner entered the 10 Freeway and drove to the area of Tippecanoe. They were tracking the radio traffic of

the officers following the black SUV with Utah plates. Officer Knudsen heard Sgt. Capps broadcast that the subjects were moving about in the vehicle and appeared to be putting on vests. At that point, Officer Knudsen increased his response to Code Three, utilizing overhead lights and the siren.

A few moments later Officer Knudsen overheard the broadcast that the subjects were firing at officers. Officers Knudsen and Manly arrived at the scene on San Bernardino Avenue once the subjects had stopped and were in a gun battle with other officers. Officer Knudsen moved his vehicle up amongst the other law enforcement vehicles whose respective officer occupants were shooting at the suspects. Both officer Knudsen and Officer Manly took up positions behind their respective vehicles.

Officer Knudsen then moved into position behind Sgt. Capps vehicle by running and crouching along the way. Officer Knudsen estimated that his position behind Capps' vehicle was about 40 yards to the west of the suspect vehicle. Based on his military training and experience, Officer Knudsen could distinguish between incoming and outgoing gunfire. While he could not see any muzzle flash, he could tell that gunfire was coming from out of the rear of the black SUV towards the officers.

Officer Knudsen could see that there were two San Bernardino Police Officers in the prone position. He then heard yelling that an officer had been hit. Officer Knudsen raised his rifle and took aim at "center Mass" of the SUV and fired 2-3 rounds at the vehicle. Knudsen then saw the left rear door of the SUV open and saw a leg come out of the door. Approximately a second or so later Officer Knudsen saw a head pop up in the rear seat of the vehicle. He could not see if the subject had raised a firearm or not.

Officer Knudsen believed that gunfire was still coming from the SUV so he took aim and fired 2-3 rounds at the head that had emerged from the backseat. The head then dropped back down and out of sight from Officer Knudsen's viewpoint. He then fired multiple rounds at the left rear hatch and quarter panel area where the subject was sitting in the vehicle. He fired until his magazine was empty. Between the three volleys of shots, Officer Knudsen fired about 25 rounds. During the same time frame, Officer Manly had also been firing at the black SUV.

Officer Knudsen reloaded his weapon. He and other officers began to move south and east to take a flank position to the SUV. They moved in the front yard areas and began moving east towards the SUV. During this time Officer Knudsen heard that there was a subject possibly down in the street, something he could not have seen based on his position during the initial firefight with the occupant in the vehicle. As they moved along in the yard he and the other two officers cleared a shed that was located in one of the front yards. The shed was empty but Officer Knudsen did locate a cell phone which was later determined to belong to a resident who fled at the initial sounds of gunfire.

A significant number of other officers arrived on scene during this time. Officer Knudsen remained at this flank position until it was determined the threat presented by the two suspects was neutralized. Officer Knudsen told the interviewing investigator that he felt as if he and the other officers were in immediate danger if he hadn't attempted to shoot the suspects.

### OFFICER JOSEPH AGUILAR

Officer Joseph Aguilar of the Redlands Police Department was interviewed by Detective Johnathan Woods of Sheriff Specialized Investigations on December 3, 2015. The interview took place at Sheriff Headquarters on the date of the IRC incident. Officer Aguilar was assigned to patrol in the City of Redlands and was driving a marked Redlands Police unit.

Officer Aguilar received notice that there was an active shooter situation about 11:45 am on December 2, 2015 via a group email. Approximately 15 minutes after the email, he heard the BOLO regarding the potential suspect vehicle being in Redlands. Officer Aguilar learned more details of the shooting from news reports. Officer Aguilar continued to handle routine service calls for the next couple of hours. Officer Aguilar responded to assist another Redlands officer on a pursuit of an unrelated stolen vehicle. That incident took Officer Aguilar to the area of Alabama Street and the 10 Freeway. It was at this time that Officer Aguilar heard from Sgt. Capps that he and undercover vehicles were following a possible IRC suspect vehicle. Officer Aguilar ended up entering the freeway going westbound at Mountain View. At the time, he entered the freeway he did not see the IRC suspect vehicle or trailing officers.

Officer Aguilar heard a broadcast that suspect had exited at Tippecanoe and were heading northbound. Officer Aguilar also exited Tippecanoe and then saw 5-6 other police units going northbound. He utilized his siren and lights to get through traffic to catch up to the last trailing law enforcement vehicle. Officer Aguilar then saw the suspect vehicle turn right onto San Bernardino Avenue. The suspect vehicle appeared to be going about 25 miles per hour.

Given the number of law enforcement vehicles trailing the suspect vehicle and the fact he was several vehicle lengths behind, Officer Aguilar could not see the subject or subjects inside the SUV. While still driving his vehicle, Officer Aguilar heard a string of shots. He then heard a broadcast that the suspects in the black SUV were firing at officers. Officer Aguilar and the other police vehicles came to a stop as the shots rang out.

Officer Aguilar got out of his vehicle and went around behind it to take cover. He could hear rounds striking the asphalt. He then moved to the south side of San Bernardino

Avenue and began moving east along the street utilizing stopped vehicles as cover. Officer Aguilar ended up next to Sgt. Capps behind Capps' vehicle. From this vantage point Officer Aguilar had a clear view of the black SUV. He could hear shots still coming from the vehicle. As he saw a door on the black SUV open, Officer Aguilar attempted to fire with a shotgun but it malfunctioned. He then laid the shotgun down inside Capps' vehicle and began firing with his handgun.

Officer Aguilar heard yelling that someone was shooting from inside the SUV. He could also see that there was a Sheriff's Deputy pinned behind a vehicle north of his location. Officer Aguilar took aim at the rear hatch area of the SUV and fired 5-6 rounds. He did not know whether his shots hit the suspect, but he did not see any further movement from within the SUV.

Officer Aguilar and other officers utilized a unit driven by Deputy Johnson to take cover and proceed slowly to where the deputy was pinned. Utilizing Deputy Johnson's shotgun, he and other officers provided cover as deputy Johnson slowly drove towards the deputy who was pinned behind his unit. He fired two rounds at the SUV as they moved forward. Once they were able to retrieve the deputy, they slowly backed away. They retreated to an area near the undercover van on the north side of San Bernardino Avenue.

It was broadcast that there was possibly a pipe bomb in the area. Officer Aguilar and the other officers stayed in place until the SWAT team made sure the threat from the SUV was in fact neutralized.

#### SERGEANT SCOTT MURRAY

San Bernardino Police Department Sergeant Scott Murray was interviewed by Detective Hurtado and Sgt. Steers of Sheriff Specialized Investigations. The interview occurred on December 2, 2015 at about 9:38 pm. On the date of the IRC massacre Sgt. Murray was attending a training ion Rialto from 8:00 am to 5:00 pm. Officer Luna who was also attending the class received a call advising the officer of the active shooter at IRC. Sgt. Murray and the other officers left the class and went to the San Bernardino Police Department.

After retrieving a patrol vehicle, a green SMASH shirt and equipment at the station, Sgt. Murray drove to IRC to await further instructions. Sgt. Murray spoke with some of the SWAT officers who had entered the building. He was told that there were at least twelve deceased victims inside and that there were high capacity magazines inside the building where the victims had been shot.

Sgt. Murray and other officers were dispatched to a man with a gun call at the 1600 East Coulston Street. That call turned out to be unrelated to the IRC shooting. While

leaving that scene, Sgt. Murray heard over the radio that officers were in pursuit of a possible suspect vehicle. Sgt. Murray went westbound on Coulston and then turned northbound on Tippecanoe. When he got to the intersection of Tippecanoe and San Bernardino Avenue, Sgt. Murray could see the pursuit about half a mile ahead of him.

As he got close enough to see, Sgt. Murray saw that the suspect SUV's rear window was shot out. He also saw that the SUV's driver's side door was open. He could hear several gunshots being fired. Sgt. Murray believed the gunshots were coming from the SUV. He could also hear rounds hitting the street surface. He could also hear rounds whizzing by his head as he exited his vehicle.

Sgt. Murray had his M4 rifle as he went towards a residence southeast of the suspect vehicle. Sgt. Murray saw several officers hiding behind a row of hedges. The officers were all firing at the suspect vehicle. He heard incoming rounds going by his head as he walked. He believed the rounds were coming from the SUV. He also saw the male suspect lying in the roadway. Near the motionless body in the street was a rifle.

Upon taking his position with the other officers, Sgt. Schuelke advised he was out of ammunition. While the hedges provided screening in terms of visibility, Sgt. Murray was aware that they did not provide cover from the rounds. As he stood he could see a silhouette inside the vehicle moving. Fearing for the safety of himself and the other officers, Sgt. Murray fired three rounds into the rear window area of the vehicle. He could see that the person inside the SUV was still moving about so he fired two more rounds into rear of the SUV.

After firing the last round, Sgt. Murray did not see any further movement from inside the SUV. Sgt. Murray believed that during the incident that if he did not return fire the suspect would potentially kill officers.

#### OFFICE DANIEL GONZALES

On December 3, 2015, at approximately 9:09 in the evening, Redlands Police Officer Daniel Gonzales was interviewed by Detective Mike Cleary and Detective Christine Kirby.

On December 2, 2015, Officer Gonzales was assigned to patrol at the Redlands Police Department. Officer Gonzales was wearing a class "A" Redlands Police Department uniform. Officer Gonzales was aware of the active shooter incident at the Inland Regional Center (IRC) prior to starting his shift. Officer Gonzales attended a briefing and was told to conduct business as usual unless they were needed. The suspects were described as two males, wearing dark clothing, ski masks, ballistic vests armed with AR-15's, assault style rifles.

Officer Gonzales was dealing with a domestic disturbance call when he heard dispatch broadcast a suspicious vehicle in the area of State Street and Tennessee Street. Officer Gonzales advised dispatch he would respond to the area. The suspicious vehicle was described as a black SUV, which was the same description given during the shooting at the IRC.

While Officer Gonzales drove to the area he heard Redlands Police Department Sergeant Andrew Capps broadcast he was being flagged down in the area by plain clothes officers. The plain clothes officers asked Sergeant Capps to conduct a traffic stop of a black SUV that got onto the 10 freeway and traveled westbound. Sergeant Capps broadcast over the radio that he exited on Tippecanoe Avenue and turned east on San Bernardino Avenue. When Officer Gonzales turned east on San Bernardino Avenue he heard Sergeant Capps and Redlands Police Department Corporal Kelly Bishop broadcast shots fired.

The SUV stopped on San Bernardino Avenue in the eastbound lanes, east of Richardson. Before Officer Gonzales stopped his patrol unit, he could already hear gunfire. Officer Gonzales believed the gunshots were from a rifle and not a handgun. Officer Gonzales stopped 50 to 60 yards behind Sergeant Capps' patrol unit which was off set from the SUV. Officer Gonzalez put on his ballistic helmet, exited his patrol vehicle, and immediately removed his duty weapon from his holster. Officer Gonzales ran towards Sergeant Capps' vehicle.

Officer Gonzales heard gunfire coming from the SUV in his direction. As Officer Gonzales ran east he could see rounds, fired by the suspects in the direction of law enforcement, strike the asphalt creating plumes of dust as they hit. Officer Gonzales saw a San Bernardino County Sheriff's Department (SBCSD) patrol vehicle was extremely close to the SUV. It appeared there were numerous rounds being fired at the SBCSD vehicle. Glass on the SBCSD vehicle was shattering and falling to the ground.

Officer Gonzales stayed near Sergeant Capps' vehicle which was approximately fifty feet west of the suspects' SUV. Officer Gonzales did not see the male suspect, later identified as Syed Farook, on the ground. Officer Gonzales believed there was still active gunfire coming from the rear of the SUV. Officer Gonzales saw movement in the back of the SUV. Officer Gonzales never saw a complete figure of an individual but could see a person's shoulder in the rear of the SUV. Officer Gonzales saw the percussion of the gunfire from inside the SUV moving pieces of fabric inside the SUV. The gunfire from the interior of the SUV appeared to be coming from the passenger side of the SUV and directed toward the SBCSD vehicle.

Sergeant Capps ran out of ammunition in his rifle. There were multiple officers stacked up behind Sergeant Capps. The officers began rotating to shoot at the SUV. Officer Gonzales was the first officer to rotate into Sergeant Capps' position when Sergeant Capps ran out of ammunition. Officer Gonzales fired his handgun at the rear compartment of the SUV where he could still see movement in the center of the back

seat. Officer Gonzales shot his entire magazine and reloaded a new magazine into his weapon. Officer Gonzales fired an additional five rounds from the second magazine.

Another officer with a rifle took Officer Gonzales' position and attempted to stop the threat. Officer Gonzales looked towards the south curb line and saw members of the San Bernardino Police Department's narcotics team attempt to engage the SUV from a southeast position. Officer Gonzales was afraid he and other law enforcement officers were going to be shot by the suspects. Officer Gonzales was also afraid that the SUV may blow up if a device was placed somewhere in the interior of the vehicle.

Officer Gonzales heard there was another officer shot and was worried how serious the officer's injury was. Officer Gonzales was aware there was a deputy sheriff that was very close to the SUV that could not safely back out of his position and an extraction team was going in to help the deputy. Officer Gonzales heard there was another officer down at that location. Officer Gonzales, however, was not able to see what was happening with either incident because of his location.

#### OFFICER JOSE LOERA

On December 3, 2015, at approximately 1:17 in the morning, San Bernardino Police Officer Jose Loera was interviewed by Detective Brendan Motley and Detective Jacob Gault.

On December 2, 2015, Officer Jose Loera was assigned to the narcotics detail at the San Bernardino Police Department. Officer Loera was wearing plain clothes including a black tactical vest with the word "POLICE" written in white lettering across the front and back of the vest. Officer Loera had a San Bernardino Police Department cloth badge affixed to the left chest of the vest. Officer Loera was working with his team on a narcotics investigation in the area of Ontario and Los Angeles. A member of Officer Loera's team was contacted by the crime analyst from San Bernardino Police Department who advised there was an active shooter at the 1300 block of South Waterman. Officer Loera and his team responded to San Bernardino and went to the command post at the shooting scene.

Initially, Officer Loera's team attempted to obtain information from witnesses and victims. Officer Loera's team then left the command post and met at the Double Tree Hotel on Hospitality Drive in San Bernardino for a briefing. A possible address for the suspect was located in Redlands and another possible address was located in Riverside. The addresses were provided to Officer Loera's team.

Officer Loera and two other officers were directed to go to Riverside and conduct surveillance. Officer Loera was headed to Riverside when he was diverted to Redlands after the suspect's cell phone was located there. Officer Loera responded to Redlands

and kept a look out for the suspect vehicle which was described as a rented black SUV with Utah license plates.

Officer Eric Campos from the San Bernardino Police Department arrived at the location and watched the back of the Redlands residence. Officer Campos saw a SUV that matched the suspect vehicle description arrive at the rear of the residence and then leave. Officer Campos began to follow the SUV. Officer Loera assisted in “rolling surveillance” of the SUV.

Officer Loera followed the SUV onto the 10 freeway. Officer Loera saw two suspects in the SUV. Officer Loera continued to follow the SUV after it exited on Tippecanoe Avenue. The passenger of the SUV was in the rear seat directly behind the driver. The passenger of the SUV began looking backward. It appeared to Officer Loera that the passenger was checking for vehicles that may be following the SUV. Officer Loera slowed down his unmarked vehicle and created some distance for safety. Officer Loera was afraid that the suspects may start shooting through the rear of the SUV. A narcotics detective requested air support and a marked unit respond.

A marked Redlands Police Department unit arrived as Officer Loera followed the SUV north on Tippecanoe Avenue. The Redlands officer activated his emergency lights and siren and attempted to conduct a traffic stop of the SUV. The SUV failed to pull over and a pursuit started. Two additional marked patrol units arrived. Officer Loera continued to follow the pursuit. The SUV turned east onto San Bernardino Avenue. Prior to Officer Loera passing Richardson Street, Officer Loera heard a “pop, gunfire.” Within seconds, Officer Loera passed an area of roadway where black glass was on the ground, which Officer Loera believed was from the rear window of the SUV. Officer Loera determined that the suspects in the SUV were shooting at pursuing officers.

The SUV stopped on San Bernardino Avenue after it passed Richardson Street. The marked patrol units stopped behind the SUV. Officer Loera immediately heard gunfire. Officer Loera took his semi-automatic, AR-15 rifle, from his vehicle and moved east towards the SUV. Officer Loera heard bullets whistle as they passed Officer Loera. The gunfire was very rapid and sounded as though it was coming from a fully automatic weapon.

Officer Loera went to the passenger side of Sergeant Gary Schuelke’s vehicle where the door was open. Officer Loera could see the rear glass of the SUV was shattered. The driver side of the SUV opened and one suspect, later identified as Syed Farook exited. Farook began shooting an assault rifle towards Officer Loera and the other police officers. Officer Loera had his rifle pointed at the SUV. Officer Loera took the aim of his rifle off the SUV and aimed it at Farook. Officer Loera heard fired bullets hitting vehicles and striking the pavement near him. Officer Loera fired his rifle at Farook. Officer Loera fired all the rounds from the magazine until Officer Loera saw Farook drop to the ground. Officer Loera was afraid for his safety and the safety of the other officers at the scene. Officer Loera felt he would have died if he had not fired his weapon at the suspects to stop the immediate threat.

Farook was moving while on the ground and still had control of his rifle. Officer Loera had no more ammunition for his rifle so he transitioned to his handgun and moved east toward Farook. Officer Loera took cover near a utility pole on the south side of San Bernardino Avenue. Officer Loera could see a deputy "hunkered" at the rear of his patrol car. The deputy had "overshot" the area where all the other police vehicles stopped to return fire. That deputy's patrol car was being struck by gunfire from a suspect, later identified as Tashfeen Malik, who was inside the SUV.

Officer Loera felt he needed to help the deputy by engaging Malik. Officer Loera fired all but two rounds from his handgun magazine at Malik in the SUV. Officer Loera advanced closer towards the SUV and heard additional rounds hitting law enforcement vehicles. Officer Loera obtained a clear visual of Malik in the SUV and fired the remaining two rounds of ammunition. Officer Loera changed magazines and fired all the rounds of the second magazine at Malik. Officer Loera changed magazines and reloaded his handgun for a third time.

Sergeant Schuelke and San Bernardino Police Officer Jose Vasquez came to Officer Loera's location and engaged Malik who was still inside the SUV. Additional officers arrived at the scene and began shooting from the Redlands Police Department patrol unit. Officer Loera held his position until gunfire ceased between police officers and the two suspects.

#### SENIOR D.A. INVESTIGATOR THOMAS BOYLES

On December 2, 2015, at approximately 10:51 in the evening, Senior Investigator Thomas Boyles was interviewed by Detective Brendan Motley and Detective Jacob Gault.

On December 2, 2015, Senior Investigator Boyles was employed by the San Bernardino County District Attorney's Office. Senior Investigator Boyles was assigned to the SANCATT auto theft task force. Senior Investigator Boyles was wearing plain clothes and a black tactical vest with the word "POLICE" written across the front chest. He had a San Bernardino County District Attorney cloth badge affixed to the left chest. The words "POLICE D.A. INVESTIGATOR" were written in block letters across the back of the vest.

Senior Investigator Boyles was working an assignment in Victorville when he heard dispatch advise Victorville Police Department units of an incident involving a shooting at the IRC in San Bernardino. At around 2:00 in the afternoon, Senior Investigator Boyles and his team met with his sergeant at the San Bernardino Police Department for a briefing. The team formed two man units and were assigned to check for the suspect vehicle which was described as a black SUV.

Senior Investigator Boyles and his partner, California Highway Patrol Officer Jake Griffith, were checking the county yard parking lot on 3<sup>rd</sup> Avenue, when Senior Investigator Boyles heard over the radio that there was a pursuit taking place. An unknown deputy advised on the San Bernardino County Sheriff's Department radio channel that there were shots being fired during the pursuit. Senior Investigator Boyles drove west on San Bernardino towards the area where the pursuit ended.

As Senior Investigator Boyles was approaching the area where the pursuit terminated, he realized rounds from the involved officers were traveling east and skipping off the pavement on San Bernardino Avenue. Senior Investigator Boyles traveled south on an unknown street to avoid crossfire and ultimately stopped on the west side of the involved law enforcement units on San Bernardino Avenue. Police officers and the suspects were actively exchanging gunfire when Senior Investigator Boyles and Officer Griffith exited their vehicle.

Senior Investigator Boyles took his AR-15 rifle, ballistic helmet, and additional rounds of ammunition and joined approximately twenty to twenty-five officers positioned behind a Redlands Police Department patrol unit. Senior Investigator Boyles heard that there was an officer down. Gunfire was still being exchanged by police officers and the suspects. At times, the gunfire would slow and then become more rapid. Senior Investigator Boyles saw a male suspect, later identified as Syed Farook, down on San Bernardino Avenue. Farook did not appear to be shooting but Senior Investigator Boyles heard an unknown officer say Farook was moving and had a handgun. Farook's rifle was near his feet.

The suspect in the SUV, later identified as Tashfeen Malik, was moving around. Senior Investigator Boyles could see Malik was shooting from inside the SUV and estimated Malik fired in excess of twenty rounds. Senior Investigator Boyles was afraid that Malik was attempting to kill him and he was in fear the other officers and civilians would get hurt. Senior Investigator Boyles fired two rounds from his AR-15 rifle at Malik. Senior Investigator Boyles felt he would possibly die if he did not return fire.

Senior Investigator Boyles and three other officers moved to a yard located on the south side of the street. Senior Investigator Boyles later retreated near his own vehicle. An unknown officer pointed out a suspicious device near Senior Investigator Boyles' vehicle. The device appeared to be a pipe bomb. Senior Investigator Boyles and officers from San Bernardino Police Department evacuated two residences near the suspicious device.

#### DEPUTY BRUCE SOUTHWORTH

On December 2, 2015, at approximately 10:11 in the evening, Deputy Bruce Southworth was interviewed by Detective Troy Mooradian and Detective Adam Salsberry.

On December 2, 2015, San Bernardino County Sheriff's Department Deputy Southworth was working at the Morongo Basin Sheriff Station and assigned to the Multi

Enforcement Team. Deputy Southworth was wearing a San Bernardino County Sheriff's Department class "D" uniform. A gold cloth San Bernardino County Sheriff's Department badge was sewed on the left chest of Deputy Southworth's shirt. While inside the Morongo Basin Station's detective office, Deputy Southworth received a text message notifying him of an active shooter call for service in San Bernardino. Deputy Southworth and his partner, San Bernardino County Sheriff's Detective Chad Johnson, responded to the call.

Deputy Southworth and Detective Johnson arrived at the command post in San Bernardino and contacted San Bernardino County Sheriff's Homicide Sergeant Jason Radeleff. Sergeant Radeleff instructed them to assist with perimeter security on the north side of Inland Center Drive and Waterman Avenue. Deputy Southworth and Detective Johnson were later relieved from their assignment. When the two were walking back to their patrol car, Deputy Southworth heard the radio that an officer was requesting assistance. The officer was in a vehicle pursuit and the suspects were shooting at him.

Deputy Southworth and Detective Johnson ran to their vehicle and responded to the call. As they approached the scene, Deputy Southworth saw two to three law enforcement vehicles stopped behind the suspect vehicle, a black Ford SUV. Deputy Southworth could hear multiple gunshots but was not immediately able to determine where the shots were coming from. When he heard the gunfire, Deputy Southworth was instantly fearful for his life and the lives of the other officers.

Deputy Southworth took Mini-14 rifle from the vehicle and advanced towards a Redlands Police Department patrol vehicle. Deputy Southworth continued to hear multiple rounds being fired from the SUV. The gunshots sounded similar to rifle rounds from a semi-automatic weapon. Deputy Southworth believed there was someone in the rear of the SUV firing but could not see the person. Multiple officers were firing back at the SUV. Deputy Southworth could hear what sounded like fired bullets hitting the ground near him and flying past his head.

Detective Johnson went back for their patrol vehicle and drove it forward to help an injured officer. The injured officer wanted to continue to engage the suspects and refused to leave the scene. Deputy Southworth saw the male suspect, later identified as Syed Farook, lying on the street and appeared to be deceased. There was a rifle on the ground near Farook.

Deputy Southworth saw San Bernardino County Sheriff's Deputy Shaun Wallen pinned down near his patrol vehicle. There were no other officers or cover near Deputy Wallen. Deputy Southworth believed if officers did not get to Deputy Wallen quickly, Deputy Wallen could be shot or killed. Detective Johnson drove his patrol vehicle towards Deputy Wallen while Deputy Southworth and additional officers walked on the driver's side of the vehicle. The plan was to get as close to Deputy Wallen as possible and provide cover for him while he ran to them for safety.

Deputy Southworth believed Deputy Wallen's patrol vehicle was still taking gunfire from a suspect in the SUV. Deputy Southworth was afraid for his own safety, the safety of Deputy Wallen, and the safety of the other officers who were attempting to help Deputy Wallen. Deputy Southworth fired one round from his Mini-14 rifle at the SUV. Deputy Southworth did not want the suspect to fire at Deputy Wallen as he ran to Detective Johnson's patrol vehicle. The gun malfunctioned and did not eject the fired cartridge casing. Deputy Southworth cleared the weapon and cycled a new round into the chamber. By that time, Deputy Wallen had run to Detective Johnson's vehicle and they backed away from the SUV.

### OFFICER RAYMOND BONSHIRE

On December 3, 2015, at approximately 12:30 in the morning, Officer Raymond Bonshire was interviewed by Detective Adam Salsberry and Detective Troy Mooradian.

On December 2, 2015, Officer Bonshire was assigned to patrol at the San Bernardino Police Department. Officer Bonshire was wearing a San Bernardino Police Department class "A" uniform. On December 2<sup>nd</sup>, at around 11:30 in the afternoon, Officer Bonshire was driving to a meeting when he received a news alert on his cellular phone of a mass shooting in San Bernardino. Once Officer Bonshire was at the police station and dressed in uniform, he was instructed to start his shift immediately and handle calls for service in the City of San Bernardino.

Officer Bonshire knew from radio traffic that there were multiple shooters involved, several people had been killed, and the suspects were last seen in a black SUV type vehicle. While dealing with a report of a male wearing army fatigues and armed with a rifle, Officer Bonshire heard on his police radio that San Bernardino Police Department Sergeant Gary Schuelke was behind a vehicle with Utah license plates that matched the suspect vehicle description. The subjects in that vehicle were shooting at Sergeant Schuelke. Officer Bonshire responded to Sergeant Schuelke's location.

While driving on San Bernardino Avenue, Officer Bonshire was hearing updates on his police radio that the shooter was firing out the back window of the suspect vehicle at officers. When Officer Bonshire exited his patrol vehicle he heard an exchange of gunfire coming from the area of the suspect vehicle and police vehicles. The gunfire sounded like gunfire from high powered rifles. Officer Bonshire armed himself with a Colt AR-15 rifle.

Officer Bonshire moved forward up towards Sergeant Schuelke's patrol vehicle. Officer Bonshire was scared running towards the sound of gunfire but then he heard officers yelling they were running out of ammunition and that caused him more concern. Officer Bonshire heard that there was an officer down and that there was possibly a deputy pinned down by gunfire.

There were several officers taking cover behind the most forward police vehicle. Officers were yelling that there was an additional shooter in the SUV. Officer Bonshire started firing his AR-15 rifle towards the SUV for “suppression fire” while he moved towards a house on the south side of the street. Officer Bonshire did not want to give the suspect an opportunity to “pop up” and shoot back at the officers. Officer Bonshire believed the suspects were shooting at officers because other officers were advising it over the radio.

Officer Bonshire heard that officers were planning to extract an injured officer. Those officers requested “suppression fire” while they extracted the injured officer. Officer Bonshire described “suppression fire” as firing rounds at the SUV to put the suspects in the SUV at a position of disadvantage to prevent the suspects from being able to shoot back at officers. Officer Bonshire fired approximately eight to nine rounds at the rear tailgate of the SUV where he believed the suspect was hunkered down behind.

Officer Bonshire first saw the male suspect, later identified as Syed Farook, when Farook was lying on the street, north of the SUV, with a rifle lying near Farook’s feet. Officer Bonshire kept his weapon aimed at Farook in case the male became a threat. Officer Bonshire never saw Farook move.

Officer Bonshire heard over his police radio that officers requested armored vehicles respond. Armored vehicles started to approach from the east. Commands were given for officers to start falling back to the west, to allow Special Weapons and Tactics (SWAT) officers to contact the suspects. As Officer Bonshire was walking back, he noticed a vehicle in the middle of the road, west of the front of the Redlands Police Department vehicle. There was a female civilian slouched down in the driver’s seat who appeared terrified and the female’s granddaughter was seated in the backseat. Officer Bonshire and other officers helped get the female civilian and her granddaughter moved to safety.

### SERGEANT JEFFREY HARVEY

On December 2, 2015, at approximately 3:46 in the afternoon, Sergeant Jeffrey Harvey was interviewed by Detective Charles Phillips and Detective Jonathan Cahow.

On December 2, 2015, Sergeant Jeffrey Harvey, from San Bernardino Police Department, was assigned as a patrol sergeant. Sergeant Harvey was wearing a San Bernardino Police Department class “B” uniform. On December 2, 2015, while on his way to work, Sergeant Harvey’s wife called him and told him the news reported an active shooter killed ten people and injured twenty in San Bernardino. When Sergeant Harvey arrived at work, Lieutenant Dan Gomez told Sergeant Harvey that the police department was investigating an active shooter at 1300 South Waterman, several people were shot and killed and several were injured. Lieutenant Gomez assigned Sergeant Harvey to handle calls.

Sergeant Harvey did not have any suspect descriptions but believed the suspects were driving a black SUV because he responded to several suspicious black SUV calls throughout the day. Sergeant Harvey later reviewed a portion of the active shooter call and learned the suspects were described to be light skinned males and drove a black SUV.

At around 3:00 in the afternoon, Sergeant Harvey heard someone broadcast over the radio that a black SUV with Utah license plates were seen in Redlands near Tennessee and Interstate 10, but they lost sight of the vehicle and were requesting other units check the area. Sergeant Harvey told dispatch he would respond to the call. As Sergeant Harvey exited the freeway at the Tippecanoe/Anderson exit, he saw several patrol units exit the freeway and drive north on Tippecanoe Avenue. Sergeant Harvey activated his emergency lights and siren and followed a couple of Redlands Police Department units as they pursued the suspect.

The pursuit continued east on San Bernardino Avenue at about fifty to sixty miles per hour. On San Bernardino Avenue, Sergeant Harvey slowed down as he made his way over railroad tracks. Sergeant Harvey heard a buzzing or ricochet sound which Sergeant Harvey believed to be a fired bullet, then heard a gunshot. Someone broadcasted over the radio that shots were fired. Sergeant Harvey heard several more gunshots and fired bullets go past him.

Sergeant Harvey parked his unit on the south side of San Bernardino Avenue. When Sergeant Harvey exited his patrol vehicle he heard gunfire east of him. Sergeant Harvey recognized the gunshots to be from a rifle. Sergeant Harvey took his helmet and AR-15 rifle and ran east on the south side of San Bernardino Avenue.

Sergeant Harvey knew there was a gunfight and believed their lives were in danger. The gunshots were rapid and loud. The gunfire became very intense. Sergeant Harvey "did not want to get shot. There was a huge intense crescendo and rounds were going everywhere." Sergeant Harvey took cover behind a block concrete pillar and then moved toward a Redlands Police Department patrol vehicle. Sergeant Harvey was afraid during the intense gunfire as rounds were still going by him. Sergeant Harvey thought he was going to die.

As Sergeant Harvey ran east through the intersection of San Bernardino Avenue and Shedden Drive, Sergeant Harvey saw officers east of him shoot at the black SUV parked in front of the Redlands Police Department unit. Sergeant Harvey took cover behind the Redlands Police Department vehicle. Sergeant Harvey noticed something white move above the seats, in the rear passenger side of the SUV, then saw and heard rapid muzzle flashes. Sergeant Harvey heard rounds go by his head and was terrified. Sergeant Harvey believed he had to protect his life and the protect the other officers around him.

Sergeant Harvey rapidly shot what he believed was about ten rounds at the muzzle flash inside the suspect vehicle. Gunfire erupted in about three crescendos from both the suspect and assisting officers. As the suspect shot, officers returned fire, which

happened several times. Based on the crescendo of gunfire, Sergeant Harvey believed the suspect shot at officers, reloaded and continued to shoot at the officers several times.

Sergeant Harvey wanted to get a closer look inside the SUV. Sergeant Harvey instructed other officers to fire suppressing fire to allow Sergeant Harvey and other officers to advance to a telephone pole about thirty yards from the suspect vehicle. As Sergeant Harvey ran to the telephone pole, he saw a suspect, later identified as Syed Farook, dressed in dark clothing lying on the ground, not moving, north of the SUV. Sergeant Harvey did not see any movement in the SUV so Sergeant Harvey yelled and broadcasted to cease fire. The shooting stopped.

### INVESTIGATOR T. C.<sup>1</sup>

On December 2, 2015, at approximately 9:47 in the evening, Investigator T. C.<sup>1</sup> was interviewed by Detective Patty Ruiz and Detective Gary Hart.

On December 2, 2015, Investigator T. C.<sup>1</sup>, from the Riverside Sheriff's Department, was assigned to the Inland Empire Financial Crimes Task Force. Investigator C. was wearing plain clothes and a green tactical vest. The vest had a Riverside County Sheriff's Department cloth badge affixed to the center of the chest and the word "Sheriff" written in block lettering on the back of the vest. On December 2<sup>nd</sup>, Investigator C. was at the task force and Secret Service Office in Riverside watching news footage of the active shooter incident at the Inland Regional Center (IRC) in San Bernardino. At around 10:30 in the morning, Agent Robert Poland asked Investigator C. to accompany him to the scene of the active shooter to determine if there was a threat against the President of the United States.

San Bernardino Police Department Sergeant Gary Schuelke gave an update on the investigation, stating there were one to three suspects involved in the shooting. One of the suspects was possibly an employee of IRC, named Syed Farook, who attended a meeting at IRC in the morning and then left. Farook then returned to IRC later that morning.

Investigator C. and Agent Poland followed two unmarked San Bernardino Police Department vehicles off the I-10 freeway and turned north on Tippecanoe Avenue. Investigator C. saw a black SUV with out of state license plates. The license plates matched the description of Farook's vehicle. The SUV turned eastbound on San Bernardino Avenue and was traveling at a normal speed.

---

<sup>1</sup> Full name not used in order to protect officer's confidentiality.

After driving east on San Bernardino Avenue for about one block, Investigator C. suddenly heard a couple volleys of shots fired. Investigator C. believed the shots were coming from inside the SUV and started about one minute after the SUV exited the I-10 freeway. Investigator C. and Agent Poland were about thirty yards from the SUV when shots were fired. The SUV continued eastbound for several more yards and stopped about sixty yards east of Investigator C. Investigator C. felt Farook was trying to kill him and the other law enforcement officers who were present. Investigator C. knew Farook and anyone with him was dangerous because they had already attacked and killed unarmed people.

Farook exited the driver's side door of the SUV and started shooting with an assault rifle in a westward direction toward Investigator C. and other law enforcement officers. Farook shifted his focus and started shooting at a marked patrol vehicle. Investigator C. feared for his life and the lives of the other officers. Investigator C. believed Farook was trying to kill any law enforcement officer.

Investigator C. exited his vehicle and took cover behind a power pole. Investigator C. could see a female suspect, later identified as Tashfeen Malik, inside the cargo space of the SUV. Malik shot towards the west towards the west, in Investigator C.'s and other officers' direction. It sounded like the firearm Malik was shooting as the same type of firearm Farook was shooting.

Investigator C. fired one shot from his Glock 17 at Malik. Investigator C. felt compelled to shoot back because if he did not, officers and more innocent people could have lost their lives. Investigator C. intended on shooting Malik and stopping the threat so nobody else would get hurt. Malik continued to shoot at officers from inside the SUV.

Malik continued to shoot towards Investigator C. and other officers. The officers on the south side of San Bernardino Avenue shot back at Malik. The exchange of gunfire was rapid and Investigator C. estimated about one hundred shots were fired between the officers and the suspects. When the shooting stopped, officers remained focused on the SUV because they did not know if there was a bomb or other types of explosives inside the vehicle. Officers from Bomb/Arson and Special Weapons and Tactics (SWAT) arrived on scene and inspected the SUV and confirmed it was safe.

#### OFFICER RYAN SCHUELKE

On December 3, 2015, at approximately 1:58 in the morning, Officer Ryan Schuelke was interviewed by Detective Adam Salsberry and Detective Troy Mooradian.

On December 2, 2015, Officer Schuelke, from the San Bernardino Police Department, was assigned to patrol. Officer Schuelke was wearing plain clothes, including a black shirt with San Bernardino Police patches on the shoulders, and had his San Bernardino Police badge clipped to a lanyard around his neck. On December 2<sup>nd</sup>, Officer Schuelke was not scheduled to work but was volunteering his time as a role player for the Special

Weapons and Tactics (SWAT) team. Officer Schuelke and the other officers were debriefing when the call of an active shooter came out. The SWAT team needed to respond to the incident location. Officer Schuelke also responded to the call.

Officer Schuelke and members of the San Bernardino Police Department narcotics team went to the Double Tree Hotel off Hospitality Lane to gather intelligence and possible addresses for a possible suspect by the name of Syed Farook. Team members located a house in Redlands that was possibly related to Farook. Officer Schuelke and San Bernardino Police Department Sergeant Gary Schuelke made their way to the Redlands address.

On the way to Redlands, one of the narcotics units located the suspect vehicle. The suspect vehicle, a black SUV, exited the I-10 freeway and travelled northbound on Tippecanoe Avenue. A Redlands Police Department patrol vehicle attempted to conduct a traffic stop of the SUV near Gould Street. The SUV failed to pull over. Officer Schuelke could see the driver, later identified as Syed Farook, reaching around for something in the front seat area. Officer Schuelke noticed there was a passenger, later identified as Tashfeen Malik, in the rear of the SUV, directly behind Farook.

As they approached Richardson Avenue, Officer Schuelke heard a "loud bang" which he thought was "shots fired." Officer Schuelke told Sergeant Schuelke that there were possible shots fired. Officer Schuelke noticed the rear window of the SUV was shattered and Malik was looking around. Shortly after, Officer Schuelke heard one to two more loud "pops." The SUV passed Richardson Avenue and stopped.

Farook immediately exited the SUV with a rifle and started shooting in a north west direction at a San Bernardino County Sheriff's Department vehicle. The Redlands Police Department patrol unit stopped right in front of Sergeant Schuelke and Officer Schuelke. Officer Schuelke was in fear for his safety as well as the safety of the deputy who was "taking rounds." Officer Schuelke was afraid the deputy was going to be injured.

Officer Schuelke exited the passenger door of his vehicle and fired three to four rounds at Farook. If Officer Schuelke did not fire his weapon, Farook could have killed the deputy or injured other officers and civilians. Officer Schuelke noticed muzzle flashes coming from the SUV while he was shooting at Farook. Officer Schuelke heard bullet strikes in his general area.

Officer Schuelke feared for his safety and determined Malik was more of a threat at that time. Officer Schuelke fired approximately seven to eight rounds into the back area of the SUV. Officer Schuelke could not see Malik's body but could see Malik's head "pop up" occasionally. Officer Schuelke fired at the back of the SUV, below the window seal and above the bumper area where he believed Malik was. Officer Schuelke believed he fired approximately fifteen total rounds into the rear trunk area of the SUV.

Officer Schuelke looked to his left and noticed a deputy was pinned down near the deputy's vehicle. Farook was "sweeping" towards the north side of the street and advancing towards the deputy. Officer Schuelke feared for the deputy's safety and fired three to five more rounds until Farook went down.

Officer Schuelke moved positions to Sergeant Schuelke's location on the south side of the street near a brick wall. Sergeant Schuelke retrieved his rifle from Officer Schuelke and Officer Schuelke transitioned to a handgun. Officer Schuelke could still hear shots being fired from the suspect vehicle. Officer Schuelke did not have a clear shot so he jumped a wall to a property and went to the north east corner of the property near a bush line. At this point, Officer Schuelke is approximately thirty yards away from the SUV.

Officer Schuelke could not see Malik in the back of the SUV but could see the "flashes" going off. Officer Schuelke fired three to four more rounds from his handgun into the backseat area of the SUV. Officer Schuelke could still hear shots coming from the rear of the SUV and fired three to four more shots. Officer Schuelke did not have cover and moved towards the south east of his location and used the wall as cover. Officer Schuelke reloaded his handgun with a full magazine.

Officer Schuelke heard 40-King, the San Bernardino County Sheriff's Department helicopter, radio that there was a possible third suspect running from the SUV. Officer Schuelke ran south but did not see a third suspect. When Officer Schuelke and additional officers returned to San Bernardino Avenue, they were told to cease fire because an armored vehicle was on scene and was going to approach the SUV.

#### OFFICER JOSE VAZQUEZ

On December 2, 2015, at approximately 11:38 in the evening, Officer Jose Vazquez was interviewed by Detective A. Salsberry.

On December 2, 2015, Officer Vazquez was assigned to a narcotics detail for the San Bernardino Police Department. He was in plain clothes. Officer Vazquez went to the area of the IRC upon learning of the active shooter. He attended a briefing at a nearby Hilton Hotel and was told that officers would be sent to an address in Redlands to look for a black Tahoe or Yukon-type SUV with Utah license plates.

A later radio broadcast said that Officer Eric Campos was following the SUV with two occupants on the 10 freeway. Officer Campos was in an unmarked vehicle. Officer Vazquez caught up to them after exiting the freeway to assist in a "rolling surveillance." Officer Vazquez was the third law enforcement vehicle behind the SUV. They waited for a marked police unit to arrive to conduct an enforcement stop.

Marked units from the SBCSD and Redlands Police Department arrived and turned on their lights and sirens. The SUV failed to yield and continued east on San Bernardino Avenue at 25 to 35 mph. It was not “trying to get away” and the occupants were moving around. Officer Vazquez feared they were preparing to “engage” the officers.

Officer Vazquez heard a gunshot. The suspects had shot out the back window of their SUV. Officer Vazquez concluded they would not give up and grew concerned for the safety of himself and other officers. They were suspected of killing many people and being armed with assault weapons, and they were now firing at officers.

The SUV stopped. A male suspect exited from the driver’s door while firing an assault rifle at the officers. Officer Vazquez then saw a gun appear from the inside rear area of the SUV and heard the “whizzing” sounds of bullets flying by. There was a second suspect inside the SUV firing at the officers. Officer Vazquez returned fire with a shotgun at the SUV until it went “dry,” and then transitioned to firing his handgun.

Officer Vazquez advanced towards the SUV on foot and hid near an L-shaped bush. He fired at the suspect in the SUV, discharging 15 rounds in the magazine and one round in the chamber, and then reloaded. There was no more movement inside the SUV. The officers pulled back.

This incident occurred in the daylight. Officer Vazquez fired his weapons out of concern for the safety of himself, other officers, and members of the public in and around the homes in the area. He estimated shooting 4 to 5 shotgun rounds and 16 rounds from his handgun.

#### OFFICER BRIAN KARMANN

On December 3, 2015 at approximately 1:37 in the morning, Officer Brian Karmann was interviewed by Sergeant Mauricio Hurtado and Sergeant J. Steers.

On December 2, 2015, Officer Karmann was assigned to a narcotics detail with the San Bernardino Police Department. He was dressed in plain clothes. Officer Karmann was conducting a narcotics operation with his team in Ontario when he learned of the active shooter. Sergeant Gary Schuelke, the team leader, terminated the operation and ordered Officer Karmann to a command post set up near the IRC. Officer Karmann learned there were at least 12 deaths and several more who were injured; there were possibly 3 suspects who had worn body armor, were armed with automatic weapons, and possibly had explosives; and they had fled in a dark SUV.

Sergeant Schuelke named "Farook Syed" as a possible suspect. It was learned that he had rented a black Ford Expedition SUV with Utah license plate number X523RY from Enterprise Rent-a-Car. They obtained possible cell phone numbers and learned of addresses associated with him in Riverside and Redlands.

The narcotics team was directed to locate "Farook Syed." In conjunction with other law enforcement agencies, officers were sent to various locations associated with him. Officer Karmann and Officer Pomposo Urquidies were sent to Riverside. While headed there, Officer Karmann learned that his cell phone pinged to an area near an associated Redlands address. The entire team was diverted to Redlands.

Officer Karmann learned that two individuals were driving away from the Redlands address in a black Ford Expedition SUV. Officer Karmann joined in a surveillance along with about 7 additional unmarked law enforcement vehicles. Officer Karmann observed that the driver was a male suspect wearing glasses. He could not see a suspect in the SUV, but other officers broadcasted that there was a second suspect in the SUV.

The SUV entered the eastbound 10 freeway and exited at Tippecanoe Avenue. Officer Nicolas Koahou contacted Redlands Police Department to coordinate a traffic stop by a marked law enforcement vehicle. Eventually, multiple marked law enforcement vehicles approached with their lights and sirens turned on. Officer Karmann directed a marked Redlands Police Department vehicle driven by Sergeant Andrew Capps to conduct an enforcement stop.

As Sergeant Capps maneuvered to get behind the SUV, Officer Urquidies observed the two suspects in the SUV reaching for something. Officer Karmann feared they were reaching for weapons. Sergeant Capps attempted to stop the SUV. The SUV did not yield. Several marked and unmarked law enforcement vehicles passed Officer Karmann. The SUV turned eastbound onto San Bernardino Avenue.

Officer Karmann heard multiple broadcasts that shots were fired from the back of the SUV. Officer Karmann could hear the gunfire. The SUV stopped in the street. There were about 3 unmarked law enforcement vehicles and approximately 4 marked Redlands Police Department vehicles in front of Officer Karmann.

Officer Karmann and Officer Koahou got out of their vehicle. Officer Karmann heard rapid fire shooting and the sound of bullets passing by his head. He was armed with a handgun and an M4 rifle. Officers Karmann and Urquidies ran towards the SUV. They used parked law enforcement vehicles to protect themselves from the gunfire. He made it to the lead law enforcement vehicle and hid behind the driver's door along with Redlands Police Department Officer

John Manly. Officer Manly and other nearby officers were firing at the SUV. They were about 75 yards behind the SUV.

The SUV's back window was shattered. Officer Karmann saw a silhouette of a head moving up and down in the backseat and a muzzle flash each time the head popped up. Bullets from the SUV hit the door that Officers Karmann was hiding behind. The rapid rate of gunshots hitting the door were indicative of an automatic rifle. Officer Karmann returned fire using his M4 rifle. He fired all 29 cartridges in his magazine and reloaded.

Officer Karmann heard that an officer was down. He saw Officer Koahou on the ground with a gunshot wound to his leg. Officer Koahou got up and sought cover behind a law enforcement vehicle. Several officers planned to rescue Officer Koahou but the suspect in the SUV continued to fire. Officer Karmann fired 29 cartridges from the second magazine. Someone yelled for "cover fire." Officer Karmann transitioned to his handgun and fired over 14 rounds at the SUV. Four to 6 officers ran across the street to pull Officer Koahou to safety.

Officer Manly gave Officer Karmann another magazine for the M4 rifle. Officer Karmann fired several more rounds but stopped when the suspect stopped firing and could no longer be seen. All firing stopped when someone yelled to "cease fire."

Shortly thereafter, armored police vehicles arrived and positioned themselves around the SUV. Afterwards, Officer Karmann was told of another suspect that had exited the SUV and was lying on the street. Officer Karmann was not previously aware of the second suspect's actions.

### CORPORAL RAFAEL IXCO

On December 3, 2015, at approximately 1:07 in the morning, Corporal Rafael Ixco was interviewed by Sergeant Mauricio Hurtado and Sergeant J. Steers.

On December 2, 2015, Corporal Ixco was the watch commander of the Rancho Cucamonga station of the SBCSD. He was wearing a Class "A" short sleeve uniform with Sheriff Department patches, yellow corporal chevrons on each shoulder, a metal badge on his left chest and an American flag on his right chest. He had a ballistic vest under his uniform shirt.

Corporal Ixco heard a radio dispatch of an active shooter in San Bernardino. He drove to the location and parked his vehicle at a command post just north of the IRC. He learned the suspects had fled in a black SUV. He attempted to obtain video surveillance from nearby businesses.

Corpora Ixco contacted several deputies at the north perimeter of the IRC hiding behind patrol cars while pointing rifles towards IRC. Law enforcement officers were in the process of clearing the IRC building and it was unknown if the active shooter was still there. Corporal Ixco remained at the north perimeter until the IRC building was cleared. He learned there were about 40 victims, possible explosives left behind, and that assault weapons were used.

Corporal Ixco heard radio broadcasts that the SUV was seen near San Bernardino Avenue and Tippecanoe Avenue. Corporal Ixco and others drove there. While on San Bernardino Avenue, Corporal Ixco came upon several cars parked in the road. He parked his car behind a van.

Corporal Ixco heard several gunshots. He exited his car. The SUV was stopped on the south side of the street. Its back window was shattered. Corporal Ixco took cover behind a van. There were officers on the north side of the street and south side of the street. Corporal Ixco could not tell if gunshots were fired from or fired at the SUV.

A patrol car on the north side of the street slowly moved towards the SUV while officers used it as cover. Corporal Ixco could not follow the cover car because he was too far away. He got into the driver's seat of an unmarked van. Its front windshield was shattered by a bullet. He drove it forward, caught up to the patrol car, and exited. He felt the van could provide additional cover for officers.

Corporal Ixco was about 25 yards from the SUV. There were several officers in the area, including one with a bandaged leg. He learned that an additional officer might be hurt. There was a subject lying on the ground near the SUV who was not moving. The officers were being shot at from the SUV. There was a moving shadow in the backseat of the SUV. Corporal Ixco fired his rifle once at the SUV but stopped because other officers obstructed his view. Someone yelled to stop firing. Corporal Ixco did not see any further movement from inside the SUV.

Shortly thereafter, armored vehicles approached the SUV. Corporal Ixco heard a broadcast that a subject was running in the neighborhood just south of his location. Unsure if this subject was involved or not, Corporal Ixco and other officers attempted to locate the subject without success.

### SERGEANT GERALD BEALL

On December 2, 2015, at approximately 10:38 in the evening, Sergeant Gerald Beal was interviewed by Detective John Everman and Detective M. Warrick.

On December 2, 2015, Sergeant Beal was the swing shift sergeant with the San Bernardino Police Department. He was wearing a Class "A" short sleeve uniform

with police patches and sergeant chevron patches on both sleeves, a metal police badge and American flag over the breast pockets, and a ballistic vest under his shirt.

Sergeant Beal learned of an active shooter while he was off-duty. He went to work early to assist. At about 1:00 in the afternoon, he was instructed to assist with patrol calls. He learned there were about 1 to 3 suspects who fled in a black SUV.

Sergeant Beal was assisting on a call when he heard radio traffic of a pursuit of a black SUV, occupied by two subjects, and shots being fired near San Bernardino Avenue and Richardson Street. Sergeant Beal quickly drove to the intersection of San Bernardino Avenue and Mountain View Avenue. He looked westward down San Bernardino Avenue and saw a parked SUV with several law enforcement vehicles behind it. Fearing there might be law enforcement crossfire from his location, Sergeant Beal drove south on Mountain View Avenue to relocate to the other side of the SUV.

Sergeant Beal reached the other side of San Bernardino Avenue. He heard rapid gunfire and a broadcast that an officer was down. Sergeant Beal exited his car with an AR-15 rifle and moved towards the SUV, taking cover from rapid gunfire behind various vehicles, until he arrived at a Redlands Police Department law enforcement vehicle. Several law enforcement officers were taking cover behind it.

The SUV was approximately 30 yards away. Someone was firing at the officers from the SUV. Sergeant Beal heard rounds skipping off the ground around him. Officers were returning fire towards the SUV. When one officer ran out of ammunition, Sergeant Beal took over the position with his rifle. Sergeant Beal saw movement near the back seat of the SUV. He fired 3 times at the suspect. The gunshots then stopped.

Some officers moved towards the SUV across residential yards. Sergeant Beal stayed with the Redlands Police Department vehicle. A SWAT Bear Cat was called to assist in contacting the suspect.

During this time, a vehicle travelled west on San Bernardino Avenue. It was occupied by a terrified woman and an infant. Sergeant Beal and another officer escorted them away from the scene. When Sergeant Beal returned, the SWAT team announced that the suspects were down and the scene was secure.

An unknown officer mentioned a pipe bomb might be in the area. Sergeant Beal and others evacuated residents in the area. A suspected pipe bomb was located along San Bernardino Avenue. Sergeant Beal and other officers set up teams to walk through the area to look for additional pipe bombs and any injured people. None were found.

During the shooting, Sergeant Beal was only aware of the suspect in the SUV. He learned of the second suspect after the scene was secured.

### DETECTIVE ERICK BENNETT

On December 3, 2015, at approximately 12:20 in the morning, Detective Erick Bennett was interviewed by Detective John Everman and Detective M. Warrick.

On December 2, 2015, Detective Bennett was assigned to a narcotics detail for the San Bernardino Police Department. He was in plain clothes and driving an unmarked vehicle while engaged in a narcotics operation. Upon learning of the active shooter, the team terminated the operation and drove to the command post located near the IRC.

Over 100 people were being evacuated from the IRC. Detective Bennett and Officer Nicolas Koahou interviewed some evacuees hoping to identify the suspects. Five evacuees who witnessed the shooting offered a general description of the suspects as slim, tall, armed with rifles, and shooting everyone.

Ramiro S. was a witness. He said that Syed Farook was a county employee who was present for a meeting at the IRC that morning and left at some point. About thirty minutes later a subject came in and started to shooting people. The shooters then left in a black, 4-door, GMC or Chevy SUV.

Detective Bennett verified Syed Farook's identity and learned that he had rented a black Ford Expedition. Further investigation identified addresses in Redlands and Riverside associated with him, two cell phone numbers, and the Utah License Plate number to the Expedition. Officer determined coordinates for one of the cell phones at West State Street near Center Street in Redlands at 1:58 pm and nearby San Bernardino Avenue in Redlands at 2:26 pm.

Officer Campos was sent to the Center Street location. He reported seeing the Expedition driving away with a driver and an occupant in the back seat. Detective Bennett's team followed the Expedition. It travelled westbound on the 10 freeway, exited at Tippecanoe Avenue, and drove north. Several unmarked law enforcement vehicles followed the Expedition.

Eventually marked law enforcement vehicles moved up behind the Expedition with their lights and sirens turned on. There were three or four vehicles between Detective Bennett and the Expedition. The Expedition failed to yield and turned right on San Bernardino Avenue in an eastbound direction. Detective Bennett heard gunshots. An officer broadcasted that a subject shot out the back window of the Expedition.

The Expedition drove past Richardson Street and stopped east of Shedden Drive. Gunfire erupted from the Expedition towards the officers. Detective Bennett exited his vehicle, moved towards the Expedition while taking cover from gunfire behind other vehicles, and moved across residences on the south side of the street. He eventually hid behind bushes.

Detective Bennett noticed a male subject on the ground a short distance from the Expedition. He appeared incapacitated. There was movement from the back seat of the Expedition along with muzzle flashes. Detective Bennett fired about a dozen rounds from his handgun to the rear of the Expedition.

Detective Bennett heard that Officer Koahou was down. He saw Officer Koahou on the ground firing his rifle. Officer Koahou appeared to be okay. Shortly thereafter, the gunfire stopped. Officer Koahou and another officer were extracted from the area. SWAT Bear Cats were called to engage the suspects.

A vehicle was parked within the numerous law enforcement vehicles that was occupied by a woman and her granddaughter. They were moved to safety. Officer Bennett heard that a pipe bomb was located in the area. People in the area were evacuated.

#### OFFICER NICOLAS KOAHOU

On December 4, 2015, at approximately 11:13 in the morning, Officer Nicolas Koahou was interviewed by Detective Justin Long and Detective J. Woods.

On December 2, 2015, Officer Koahou was assigned to a narcotics detail for the San Bernardino Police Department. Officer Koahou was dressed in plain clothes and driving an unmarked minivan as his narcotics team was engaged in a narcotics operation in Ontario. Upon learning of the active shooter, Sergeant Gary Schuelke directed the team to report to the command post near the IRC.

Officer Koahou donned his tactical vest and armed himself with an AR-15 rifle. He learned that the suspects had used automatic weapons. It was unknown whether they were still in the IRC building. Officers were sweeping through the IRC building and evacuating people. About 12 people were known to be dead and a possible pipe bomb was discovered in the building. A fire alarm had been activated in one of the IRC buildings.

Officer Koahou and Detective Erick Bennett took positions on the north side of the IRC building and asked evacuees if they were injured or if they saw anything. Several people gave a general description of the suspects as wearing black clothing, ski masks, and firing rifles at people running away. Officer Koahou overheard one witness say that a county employee named Sayeed Farook was present for an event at the IRC, acted strange, left 20 to 30 minutes prior to the

shooting, and that one of the shooters had the same physical stature as Sayeed Farook.

Officer Koahou met with members of his team at a nearby Hilton Hotel. They learned that Sayeed Farook had rented a black Ford SUV with Utah plates and was associated with an address on North Center Street in Redlands and another address in Riverside. The team also waited for further investigation into pings to Sayeed Farook's cell phone.

Two officers were sent to observe the Riverside address. Officers Koahou and Campos were sent to the Center Street address in Redlands. While driving to Redlands, Officer Koahou learned that Sayeed Farook's cell phone pinged to a location near the Redlands address. The entire team was redirected there.

Officer Koahou discovered that Detectives Cunningham and Albert Tello were already in the area. They were instructed to leave so that the undercover team could set up surveillance. Shortly thereafter, Officer Koahou learned that Detective Tello saw the black SUV heading near Officer Campos' position. Officer Campos saw the SUV and followed it. Officer Koahou caught up and joined the surveillance.

Officer Koahou broadcasted the surveillance to his team members. Officer Campos thought there were 3 suspects in the SUV. Officer Koahou was stopped next to the SUV and saw a male driver and a passenger in the backseat. The SUV entered the 10 freeway westbound from Alabama Street.

Officer Koahou wanted a marked law enforcement vehicle to conduct a felony stop on the SUV. Upon seeing a Redlands Police Department SUV, Officer Koahou rolled down his window, spoke to Redlands Police Department Sergeant Andrew Capps, explained the situation, and asked him to pull over the SUV.

As Officer Koahou and Sergeant Capps entered the 10 freeway, another team member broadcasted that the SUV was getting off the freeway at Tippecanoe Avenue. Officer Koahou exited at Tippecanoe Avenue followed by Sergeant Capps and a second Redlands Police Department vehicle. The SUV was travelling north on Tippecanoe Avenue. Officer Koahou pulled his vehicle off to the side so that marked law enforcement vehicles could move ahead. There were three marked patrol vehicles behind the SUV with their lights and sirens turned on. The SUV failed to yield, turned on San Bernardino Avenue in an easterly direction, and drove slowly. Officer Koahou felt this was deliberately done so the suspects could prepare for a gun battle.

Officer Koahou heard gunshots firing in rapid succession. The SUV stopped in the street in front of several marked and unmarked law enforcement vehicles. It was about 30 yards from the closest law enforcement vehicle. SBCSD Deputy Shaun Wallen was crouched near the trunk of that vehicle in a "horrible position."

Officer Koahou feared the suspect could walk around Deputy Wallen's vehicle and shoot him.

Officer Koahou stopped his car about 80 yards behind the SUV. The driver's side door of the SUV was open. A male suspect exited the car clad in all black clothing. He looked westward, took a "shooting stance," and his arms and hands were positioned as if he were holding a rifle. Officer Koahou could not distinguish a firearm due to the dark clothing but he feared the suspect intended to shoot at the officers, and he was particularly afraid for Deputy Wallen's safety.

Officer Koahou fired 2 or 3 rounds at the suspect with his rifle. The suspect flinched but did not fall. Instead, he walked north across San Bernardino Avenue while maintaining his shooting stance towards the officers. The suspect headed in Deputy Wallen's direction. Officer Koahou feared he intended to target Deputy Wallen or perhaps enter a residence and hurt civilians. Officer Koahou yelled at Deputy Wallen to "stay down."

Officer Koahou ran towards the SUV, obtained a clear view of the suspect as he stood near the front of Deputy Wallen's vehicle, dropped to the ground into a shooting position, yelled at Deputy Wallen to "Stay down, don't get up, because I'm shooting past you!", and fired at the suspect from about 60 to 70 yards away. Officer Koahou fired 4 or 5 rounds. After each round, Officer Koahou paused to gauge any reaction.

Eventually, the suspect crumbled to the ground. He attempted to sit up. Officer Koahou, fearing that he intended to reengage with law enforcement, fired two more rounds. The suspect fell to the ground. When his arm and legs began to move, Officer Koahou fired 2 or 3 rounds at his legs. The suspect stopped moving.

Officer Koahou rose up, ran eastbound, and screamed at Deputy Wallen to "stay down, come to me when I get to you!" He could hear gunshots being exchanged between someone in the SUV and officers. As Officer Koahou ran towards Deputy Wallen, he fired multiple rounds at the SUV to force the shooter's head down. This would momentarily stop the shooting and allow him to get to Deputy Wallen.

Then Officer Koahou felt pain to the outside of his left thigh. He stumbled but made it to the northeast corner of Shedden Drive and San Bernardino Avenue. He was shot in the thigh. He was "scared to death" that he could die. Eventually, he realized the injury was not severe and turned his focus to extracting Deputy Wallen to safety.

Officer Koahou intended to fire his remaining rounds at the SUV so that the second suspect would need to take cover and give Deputy Wallen a chance to move to safety. Officer Koahou fired the remaining rounds in his magazine. A

sheriff deputy came up and asked about his injury and placed a pressure dressing on the wound. Officer Koahou loaded another magazine into the rifle. Gunshots were being fired from the SUV. Officer Koahou fired about 5 rounds at the SUV. By now, his wound was wrapped. He stood up—though a little wobbly—intending to reengage the shooter.

Redlands Police Department Officer Joe Aguilar drove up in a marked patrol vehicle and told Officer Koahou to get in the car. They used the patrol vehicle to slowly move towards Deputy Wallen while additional officers used it as cover. Several officers fired at the SUV to give cover for Deputy Wallen to run over to the cover vehicle. Finally, Deputy Wallen, who had been shooting a shotgun, was able to join the others behind the moving cover vehicle. They slowly moved backwards to a safer position.

Then the gunshots and the movement in the SUV stopped. Officer Koahou suspected that the second suspect in the car was deceased. He walked back to his van, braced himself using his rifle, and felt pain in his leg. Officer Koahou was driven away and transferred to an ambulance that took him to Loma Linda University Medical Center for treatment. A bullet was lodged in his upper thigh near his femur bone.

#### OFFICER JOHNATHAN MANLY

On December 3, 2015, at approximately 1:00 in the morning, Officer Johnathan Manly was interviewed by Detective Mike Flores and Detective Scott Stafford.

On December 2, 2015, Officer Manly worked for the Redlands Police Department. He was at the San Bernardino Justice Center when he learned of the active shooter. At 1330 hours, his SWAT team was activated. Officer Manly armed himself with a Colt M4 rifle. His team was told in briefing that about 12 people were killed and many more were injured, there were 3 suspects armed with AR-type rifles, they wore body armor, and they fled in a black SUV.

The team was broken up into two person units. Officer Manly was partnered with Officer Matt Knudsen. At about 1500 hours, Officer Manly heard a broadcast that an undercover officer was following the black SUV. Another broadcast by Sergeant Capps indicated the black SUV was on the 10 freeway.

Officers Manly and Knudsen caught up to the surveillance after the SUV exited at Tippecanoe Avenue. Sergeant Capps broadcasted that the suspects in the SUV appeared to be putting on body armor and arming themselves. The SUV turned onto San Bernardino Avenue. As Officers Manly and Knudsen made the turn, Sergeant Capps broadcasted “shots fired” over the radio.

Officers Manly and Knudsen came upon several parked law enforcement vehicles with the SUV stopped ahead of them. Sergeant Capps' Redlands Police Department vehicle was parked a few car lengths behind the SUV, with several marked and unmarked law enforcement vehicles behind them.

Officers Manly and Knudsen exited their car and ran to Sergeant Capps' vehicle. Rapid fire gunshots were coming from the SUV. Officers were screaming that they were being shot at. Someone yelled that an officer was shot. Officers were firing at the SUV.

Officer Manly saw a suspect duck down in the backseat of the SUV. Gunfire was coming from that location. Officers returned fire towards the SUV. Officer Manly fired about 28 rounds into the backseat of the SUV with his M4 rifle. He then reloaded. There continued to be movement and gunfire from the rear of the SUV. Officer Manly fired 2 or 3 more rounds. He stopped when someone yelled to cease fire.

Two SWAT Bear Cats arrived and surrounded the SUV. Members of the SWAT team checked for continuing threats while Officer Manly and others backed away. Officer Manly was unaware of the other suspect who was lying on the street. He first learned of the second suspect after the firing ceased.

#### OFFICER EDWARD LEE

On December 2, 2015, at approximately 11:24 in the evening, Officer Edward Lee was interviewed by Detective Brian Chambers and Detective G. Davenport.

On December 2, 2015, Officer Lee was on patrol for the San Bernardino Police Department. He was wearing a Class "C" uniform consisting of a short sleeve shirt with police department patches on both shoulders, and a silver police badge pinned to the left chest.

Officer Lee was on an unrelated call when he heard a call of "shots fired" at the IRC. While driving to the location, he heard a broadcast that 2 or 3 shooters wore masks, tactical gear and vests, were armed with rifles, and possibly fled in a black SUV. There were multiple shooting victims.

Officer Lee arrived on-scene and saw Sergeant Harris, Officer Brian Olvera and Officer Ahmed put on SWAT gear. They walked toward the IRC building. As they neared the building, Officer Lee saw a deceased male with gunshot wounds lying on a bench and an unresponsive female on the ground next to a pool of blood. They entered the building and into a conference room where numerous victims were on the floor with gunshot wounds. The officers continued through the conference room and into a hallway. Officer Lee was instructed by Lieutenant Madden to stand post in a hallway while SWAT members searched

the building for improvised explosive devices (IED). Officer Lee heard a broadcast that a suspected IED had been found. Later, instructions were given to evacuate the building. Surviving victims were evacuated from the building.

Later there was a broadcast of a pursuit of the suspected SUV. Officer Lee drove to the 1600 block of San Bernardino Avenue. The SUV was parked along the south side of San Bernardino Avenue. Someone was firing gunshots from the SUV. Officers took cover from gunfire behind patrol cars and were returning fire. A male subject in dark clothes was lying on the street.

Officer Lee took cover behind a patrol vehicle about 25 yards from the SUV. Bullets were flying by his head and ricocheting off the asphalt. He fired several rounds from his AR-15 at the SUV. Officer Lee estimated that the suspect in the SUV fired several hundred rounds at the officers.

Officer Jeffrey Harvey developed a plan to advance on the SUV to draw attention away from a sheriff deputy who was exposed in the street. A SBCSD patrol vehicle was parked northwest of the SUV in a poor tactical position. The suspect fired at the vehicle and a sheriff deputy appeared trapped without any safe direction to flee. Officer Lee and two other officers moved towards a light pole awaiting a chance to advance on the SUV. From there, Officer Lee saw movement in the back of the SUV and saw an unknown object fly out of the rear of the SUV. Officer Lee feared it could be an IED. Officer Lee and others advanced on the SUV while firing their weapons to allow SWAT members to extract the deputy from the location. Then the shooting stopped. SWAT Bear Cats were called to engage the suspects.

## CRIME SCENE

The crime scene extends along San Bernardino Avenue between Tippecanoe Avenue and Mountain View Avenue in the City of San Bernardino. San Bernardino Avenue runs east to west and is a two-lane road with a center median turn lane. It is lined with businesses between Tippecanoe Avenue and Richardson Street, and residential housing between Richardson Street and Mountain View Avenue.



The suspects were in a black Ford Expedition SUV with Utah license plate X523RY. It travelled north on Tippecanoe Avenue, turned right onto San Bernardino Avenue in the eastbound direction, and stopped just east of Shedden Drive in the 1800 block of East San Bernardino Avenue. The Expedition was parked near the south side curb line of the street. Numerous marked and unmarked law enforcement vehicles were parked west of (i.e. behind) the Expedition. This is where the shootout occurred.

A short distance from that location, there was shattered glass and a bracket material on an eastbound lane of San Bernardino Avenue between Tippecanoe Avenue and Richardson Street. These are believed to be from the back window/door of the Expedition that fell to the ground when the suspects initially fired at pursuing officers.

The bodies of Syed Rizwan Farook and Tashfeen Malik were examined by bomb technicians for explosives. The technicians removed various tactical gear and weapons from their bodies and placed them on the ground nearby.

Syed Rizwan Farook was located north of the Expedition near the north side curb line of San Bernardino Avenue and was dressed in black cargo pants, black shirt, and black socks. He was wearing a tactical vest with vest strap and a "Serpa" drop-down style thigh holster containing a Springfield 9mm semi-automatic pistol with a loaded magazine. He had a Smith & Wesson M&P MP-15 semi-automatic rifle slung around his body. The rifle had been modified to fire fully automatic, which it could not do because the modification was done incorrectly. Syed Rizwan Farook also had a black bandolier style belt with attached magazine pouches, an ammunition bag, and several magazines as

follows: three 18-round 9mm magazines (with at least one loaded), seven loaded 30-round .223 magazines, and two loaded 30-round .223 magazines taped together (one of which was empty and the other was partially loaded).

Tashfeen Malik's body was seated on the ground with her back against rear driver's side compartment near the doorway of the Expedition and was dressed in black "dickie" pants, black sweatshirt, black airsoft neck protector, black safety glasses, and black socks. She was wearing a load bearing vest with several spare rifle and pistol magazines, green "molle" gear magazine carrier, and a "Serpa" drop-down thigh holster containing a handgun (Stoger Industries 9mm semi-automatic pistol and magazine). She had a black "DPMS" AR-15 semi-automatic rifle with an empty 30-round rifle magazine slung around her body. Also, removed from her person were: nine loaded 30-round rifle magazines with three sets of two magazines taped together, one loaded 10-round rifle magazine, and seven 8-round pistol magazines.

Bomb technicians removed several items from the Expedition and placed them on the street. Some items were originally located in the street. These items included:

1. Enterprise rental car agreement for Ford Expedition SUV (Utah license plate X523RY) showing the renter as Syed Farook.
2. Khaki pants with a wallet. The wallet contained Syed Rizwan Farook's identification, credit cards, cash (\$419) and other items, some bearing the name of Tashfeen Malik.
3. Black backpack containing rifle and pistol magazines: 10 loaded 10-round rifle magazines for AR-type rifle and four loaded double-stacked 16-round 9mm magazines for a Springfield XD-9 pistol.
4. Clear plastic bag containing 90 .223 cartridges in 10-round stripper clips and 59 loose .223 cartridges.
5. Clear plastic bag containing 176 loose 9mm cartridges, nine loaded 8-round 9mm magazines, and two loaded 18-round 9mm magazines.
6. One 30-round rifle magazine loaded with .223 cartridges.
7. Four loaded 30-round rifle magazines for AR-type rifle, two of which were taped together.
8. Green military style ammunition container with 870 .223 rifle cartridges loaded into 10-round stripper clips.
9. Empty green rifle magazine holder.
10. Three rifle sighting systems.
11. Black beanie mask.
12. First Aid Kit and other medical items. Prescription medication bottle for "Malik-Farook, Tashfeen."
13. Blue backpack containing US Currency and white pills.
14. Various articles of clothing.

Federal officials also collected from the scene a black Microsoft Surface Pro tablet, a Samsung Galaxy J1 cellphone from Tashfeen Malik's body, and a black "Sansa" media device resembling an MP3 player located near Tashfeen Malik's body.

Deputy Shaun Wallen's SBCSD vehicle was situated about 70 feet northwest of the Expedition. It had several bullet holes of which at least 10 were determined to have been fired from the suspects, several shattered windows, and one flat tire. Sergeant Andrew Capp's vehicle was an SUV and situated in the eastbound lanes about 213 feet directly behind the Expedition.

During the shootout, the suspects fired about 80 rifle rounds and 1 handgun round and law enforcement fired about 440 rounds from rifles, shotguns, and handguns. Numerous unexpended rounds of ammunition, fired cartridge casings, fired shotgun shells, and bullets and bullet fragments were discovered inside and around vehicles, on the streets, and in residential yards. Multiple nearby homes and civilian cars were struck by bullets. There were no civilian injuries at this crime scene.

### **AUTOPSY PROTOCOL**

On December 2, 2015, Syed Rizwan Farook and Tashfeen Malik were shot and killed by law enforcement officers. Autopsies were performed on their bodies on December 8, 2015 by the San Bernardino County Coroner's Office.

Syed Rizwan Farook was 28 years-old, weighed 166 pounds, and measured 71.5 inches in length. He suffered 27 discernable gunshot entry wounds as follows: One to the chin/neck, one to the chest, four to the right thigh, nine to the right lower leg, two to the right foot, two to the left arm, two to the left thigh, one to the left lower leg, two to the left foot, and three to the right buttock area. There was one puncture wound to the right thigh. Soot or stippling was not noted at any of the gunshot entry locations. Some of the gunshot wounds to the right leg and buttock were caused by fragmented bullets. There were multiple abrasions at the head, neck, abdomen, extremities and pelvis/backside, and contusions to the right thigh and left lower leg. Toxicology results were negative. Cause of death was determined to be from multiple gunshot wounds.

Tashfeen Malik was 29 years-old, weighed 121 pounds, and measured 63.5 inches in length. She suffered two gunshot wounds to the top of the head resulting in multiple comminuted skull fractures and partial brain avulsion, one gunshot wound to the left breast, one gunshot wound to the abdomen, at least three gunshot wounds to the left arm, multiple gunshot wounds to the right thigh, and multiple gunshot wounds to the left leg. Additionally, there were multiple

smaller injuries caused by bullet fragments or possibly vehicle parts, as well as abrasions at various locations on the body.

The pathologist opined that at least 15 gunshots struck the decedent but an exact determination could not be made due to fragmentation of projectiles. Soot or stippling was not noted at any gunshot wound location. Toxicology results were negative. Cause of death was determined to be from multiple gunshots wounds.

### **STATEMENTS OF APPLICABLE LAW**

The legal doctrine of self-defense is codified in Penal Code sections 196 through 199. Those sections state, in pertinent part: where the nature of an attack on a person, as a reasonable person, is justified in believing that his assailant intends to commit a felony upon him, he has a right in defense of his person to use all force necessary to repel the assault. He is not bound to retreat but may stand his ground and he has the right in

defense of his person to repel the assault upon him even to take the life of his adversary. (*People v. Collins* (1961) 189 Cal.App.2d 575.)

Justification does not depend on the existence of actual danger but rather depends on appearances. It is sufficient that the circumstances be such that a reasonable person would be placed in fear for his safety and the defendant act out of that fear. (*People v. Clark* (1982) 130 Cal.App.3d 371.)

Any person may use sufficient force to defend another upon whom injury is about to be illegally applied. Penal Code §§ 692 – 694. The person using the force must believe subjectively that the use of such force is necessary to prevent the death or great bodily injury. (*People v. Humphrey* (1996) 13 Cal.4<sup>th</sup> 1073, 1082.)

CALCRIM 507 states that a killing by a police officer is justified if the following are established:

1. A person was a police officer
2. The killing was committed while the officer was performing a legal duty
3. The killing was necessary to accomplish a lawful purpose
4. The officer had probable cause to believe that the other person posed a threat of serious physical harm either to the officer or to another person

CALCRIM 3470 states that a person acts in lawful self-defense if the following are established:

1. The person reasonably believed that he or someone else was in imminent danger of suffering bodily injury
2. The person reasonably believed that the immediate use of force was necessary to defend against that danger
3. The person used no more force than was reasonably necessary to defend against that danger.

Any police officer who has reasonable cause to believe that a person to be arrested has committed a public offense may use reasonable force to affect the arrest. A police officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance of the person being arrested nor shall the officer lose his right to self-defense by the use of reasonable force to affect the arrest. Penal Code section 835a.

A peace officer may also use lethal force in apprehending a person who has committed a felony in order to keep the peace, Penal Code section 197(4), where the person in question “threatens death or great bodily harm.” (*People v. Piorkowski* (1974) 41 Cal.App.3d 324, 328 – 329.)

Where an officer has probable cause to believe that the suspect poses a threat of serious physical harm, either to the officer or others, it is not constitutionally unreasonable to use deadly force to prevent escape. If a suspect threatens an officer with a weapon, deadly force may be used if necessary. (*Tennessee v. Garner* (1985) 471 U.S. 1.)

The reasonableness of the particular use of force must be judged from the perspective of a reasonable officer on the scene rather than with 20/20 vision of hindsight. Police officers are often forced to make quick decisions in circumstances that are tense, uncertain and rapidly evolving. Certain factors are to be considered. Such as: severity of the crime, whether the suspect poses an immediate threat to safety, and whether he is actively resisting. (*Graham v. Conner* (1989) 490 U.S. 386.)

An officer is authorized to arrest without a warrant for any felony whether committed in the officer’s presence or not. (Penal Code section 836(a).)

An arrest is reasonable under the Fourth Amendment when an officer has probable cause to believe the person arrested has committed a criminal offense. The probable cause standard applies to all offenses. (*Atwater v. City of Lago Vista* (2001) 532 U.S. 318 and *People v. Kraft* (2000) 23 Cal.4<sup>th</sup> 978.)

Probable cause to arrest exists when the facts and circumstances within the officer’s knowledge would lead an officer of ordinary care and prudence to entertain an honest

and strong suspicion that the person arrested is guilty of a crime. (*Beck v. Ohio* (1964) 379 U.S. 89)

An officer attempting to enforce a detention or arrest may use an amount of force that is reasonably necessary. (*People v. Brown* (1985) 169 Cal.App.3d 159.) Even if unjustified, every person has a duty to submit to the orders of a police officer and may not resist unless excessive force is used. (*Evans v. City of Bakersfield* (1994) 22 Cal.App.4<sup>th</sup> 321.

A police officer may legally arrest someone if he has probable cause to make the arrest. Any other arrest is unlawful. Probable cause exists when the facts known to the arresting officer at the time of the arrest would persuade someone of reasonable caution that the person to be arrested has committed a crime. In deciding the lawfulness of the arrest, you can consider the officer's training, experience and all the circumstances known by the officer. A police officer may use reasonable force to arrest someone or in self-defense. (CALCRIM 2670)

An officer attempting to enforce a detention or an arrest may use an amount of force that is reasonably necessary. (*People v. Brown* (1985) 169 Cal.App.3d 159.) The right to detain or arrest is meaningless unless an officer may, when necessary, forcibly do so. (*People v. Johnson* (1991) 231 Cal.App.3d 1.) Officers are authorized to take such steps as are reasonably necessary to protect their personal safety and to maintain the status quo during the course of an arrest or detention. (*United States v. Hensley* (1985) 469 U.S. 221 and *People v. Soun* (1995) 34 Cal.App.4<sup>th</sup> 1499.

## **ANALYSIS**

In this case, an active shooter incident had occurred at the Inland Regional Center in San Bernardino. Officers from multiple law enforcement agencies responded to assist with the investigation. The officers were briefed on the situation and advised that there were possibly one to three suspects and the suspects fled the scene in a black SUV. The officers were aware that multiple innocent people were shot and killed during the shooting and several more innocent people had suffered injuries during the shooting.

Law enforcement officers attempted to conduct a traffic stop of the suspect vehicle but the SUV initially refused to pull over. The driver of the SUV, later identified as Syed Farook, and the passenger, later identified as Tashfeen Malik, started shooting at the pursuing officers to avoid capture. The SUV eventually stopped on San Bernardino Avenue where an extensive gun battle ensued.

Armed with assault rifles, Farook and Malik open fired on law enforcement officers at the scene. Farook and Malik posed an imminent threat of death not only to the officers at the scene but also any civilians in the surrounding area. Farook and Malik had no intention of surrendering to law enforcement officers. It was clear that Farook and Malik wanted to kill massive amounts of people and it did not matter to them whether those

people killed were civilians or law enforcement officers. Under the circumstances, the officers engaged in this gun battle had an honest and objectively reasonable belief that their only option to avoid being killed was to respond with lethal force.

The officers involved in this incident demonstrated an extraordinary amount of bravery. Decisions made by the officers involved in following the suspects and attempting to stop them certainly saved more innocent lives. Faced with two heavily armed suspects who had already executed fourteen innocent unarmed civilians and critically injured twenty two others, the officers involved put their lives at risk to prevent what may have been a second mass shooting as evidenced by the fact that the suspects appeared to be driving back to the IRC area and had reloaded. Despite the suspects being heavily armed and completely reckless in shooting at law enforcement on a crowded residential street, no more civilians or law enforcement were killed.

### **CONCLUSION**

Based on the facts presented in the reports and the applicable law, Sgt. Andy Capps' use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Sgt. Gary Schuelke's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Officer Brian Olvera's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Deputy Shaun Wallen's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Officer Mathias Knudson's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Officer Joseph Aguilar's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, sergeant Scott Murray's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Officer Daniel Gonzales' use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Officer Jose Loera's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Senior Investigator Thomas Boyles' use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Deputy Bruce Southworth's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Officer Raymond Bonshire's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Sergeant Jeffrey Harvey's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Investigator T. C<sup>1</sup>'s use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Officer Ryan Schuelke's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Officer Jose Vasquez's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Brian Karmann's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Corporal Rafael Ixco's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

---

<sup>1</sup> Full name not used in order to protect officer's confidentiality.

Based on the facts presented in the reports and the applicable law, Sergeant Gerald Beall's use of deadly force was a proper exercise of right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Detective Erick Bennett's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Officer Nicholas Koahou use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Officer Edward Lee's use of deadly force was a proper exercise of his right of self-defense and the defense of others and therefore his actions were legally justified.

---

Simon R. Umscheid  
Chief Deputy District Attorney

---

Date

---

William W. Lee  
Supervising Deputy District Attorney

---

Date

---

Lynette M. Grulke  
Deputy District Attorney

---

Date

---

Mary F. Ashley  
Assistant District Attorney

---

Date

---

Gary S. Roth  
Assistant District Attorney

---

Date