

# El Paso County Sheriff's Office

## Summary

**Print Date/Time:** 07/15/2020 10:55  
**Login ID:** shrkirby

El Paso County Sheriff's Office  
**ORI Number:** CO021000  
 0

### Case

**Case Number:** 2020-00004764  
**Location:** 3215 OAK CREEK DR E  
 COLORADO SPRINGS, CO 80906  
**Reporting Officer ID:** P01060 - Montville

**Incident Type:** EPSO Menacing  
**Occurred From:** 04/19/2020 21:27  
**Occurred Thru:** 04/19/2020 21:27  
**Disposition:** Exceptional Clearance  
**Disposition Date:** 07/09/2020  
**Reported Date:** 04/19/2020 22:57 Sunday

### Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	CO0210000	13B	18-3-204 (1)	Assault in the third degree - Simple Assault	1
2	CO0210000	13A	18-3-206 (2)	Menacing (felony) - Aggravated - Family - Gun	4

### Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Medical Personnel	1	[REDACTED]	2741 E LAS VEGAS ST COLORADO SPRINGS, CO 80906		White	Female	
Other	1	Hartman, Austin	27 E VERMIJO AVE COLORADO SPRINGS, CO 80903	(719)520-7100			
Other	2	Zaleski, Robert			White	Male	
Other	3	Havko, Brooke				Female	
Other	4	Newsome, John					
Other	5	Ilizaliturri, Michael					
Other	6	Davidson, Brittany					
Other	7	Abendschan, Jacob	27 E VERMIJO AVE COLORADO SPRINGS, CO 80903	(719)520-7100			
Other	8	Montville, Lisa	27 E VERMIJO AVE COLORADO SPRINGS, CO 80903	(719)520-7100			
Other	9	Brklich, Nickolas	27 E VERMIJO AVE COLORADO SPRINGS, CO 80903	(719)520-7100			
Other	10	Bethel, Jessica	27 E VERMIJO AVE COLORADO SPRINGS, CO 80903	(719)520-7100			
Other	11	Dabb, Cory					
Other	12	Willhelmi, Gregory			White	Male	
Other	13	Warren, Charles			Unknown	Male	
Other	14	Czajkowski, Kris	CSPD OFFICER				
Other	15	Nassar, Eddie	CSPD OFFICER				

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Other	16	Somosky, Joseph						
Other	17	Hubbell, Rosario	27 E VERMIJO AVE COLORADO SPRINGS, CO 80903	(719)520-7100	White	Male		
Other	18	Ferrell, Timothy	27 E VERMIJO AVE COLORADO SPRINGS, CO 80903	(719)520-7100	White	Male		
Other	19	Newsome, John R, Jr	12 E BOULDER ST COLORADO SPRINGS, CO 80903	(719)200-3055	White	Male		
Other	20	Milhalko, Mitchell			White	Male		
Other	21	Gonzalez, Lisa	27 VERMIJO AVE COLORADO SPRINGS, CO 80903	(719)520-7100	White	Female		
Other	22	Whitehead, Bradley	27 E VERMIJO AVE COLORADO SPRINGS, CO 80903	(719)520-7100				
Other	23	Price, Jon	27 E VERMIJO AVE COLORADO SPRINGS, CO 80903	(719)520-7100				
Other	24	Glenn, David	27 E VERMIJO AVE COLORADO SPRINGS, CO 80903	(719)520-7100	Unknown	Male		
Other	25	Schulz, Jeffery	27 E VERMIJO AVE COLORADO SPRINGS, CO 80903	(719)520-7100	White	Male		
Other	26	Crofoot, Edward			White	Male		
Other	27	Manzanilla, David	27 E VERMIJO AVE COLORADO SPRINGS, CO 80903	(719)520-7100				
Other	28	Schilling, Shawn	27 E VERMIJO AVE COLORADO SPRINGS, CO 80903	(719)520-7100				
Other	29	Schreiber, Richard Lee	3179 OAK CREEK DR E COLORADO SPRINGS, CO 80906	651-2886	White	Male	05/31/1963 56	
Other	30							43
Other	31	Lichtman, Peter			Unknown	Male		
Other	32	FREDERICKS, GRANT				Male		
Other	33	MANDEL, SEAN				Male		
Suspect	1	THORPE, VIRGILL OBRIAN	3215 OAK CREEK DR E COLORADO SPRINGS, CO 80906		Black	Male	12/13/1991 28	
Victim	1							
Victim	2							
Victim	3							

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Victim	4	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Witness	1	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Witness	2	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Witness	3	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Witness	4	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Witness	5	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Witness	6	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Witness	7	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Witness	8	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Witness	9	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Witness	10	Canaan, Dustin	CSPD Colorado Springs, CO 80903				
Witness	11	Mesmer, Heather	705 NEVADA AVE PUEBLO, CO 81004	(719)444-7000			
Witness	12	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Witness	13	Seenath, V jay	[REDACTED]				

**Arrests**

Arrest No.	Name	Address	Date/Time	Type	Age
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**Property**

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
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**Vehicles**

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
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**METRO CRIME LABORATORY**705 South Nevada Avenue, Suite B200 Colorado Springs, CO 80903  
Phone: (719)444-7750 Fax: (719)444-7924**LABORATORY REPORT****Requesting Agency:** Case No: 20-04764El Paso County Sheriffs Office  
27 E Vermijo Av  
Colorado Springs, CO 80903**Lab Case Number:** 20MCL01048**Unit:** Crime Scene Investigations**Related Lab Case :** 20MCL01060

20-14453 Colorado Springs Police Department

**Request Submitted By:** Det. Mark Riley**Crime Scene Inv.:** Brooke Havko, 4269**Request Date:** Mon Apr 20, 2020**Report Date:** Wed Apr 22, 2020 07:35**Offense:** All Other Offenses**Victim:** THORPE, VIRGILL**DOB:** 12/13/1991**REQUESTED SERVICE - Process** [Crime Scene - Response]**CSI RESPONSE DOCUMENTATION****CSI - Autopsy Documentation**

<b>Autopsy No.</b>	<b>Date</b>	<b>Coroner/Medical Examiner</b>	<b>Decedent</b>	<b>Digital Images (DIMS)</b>
<b>20-00367</b>	04/20/2020	Dr. Emily Russell, M.D.	THORPE, VIRGILL DOB: 12/13/1991 Age: 29	<input checked="" type="checkbox"/>

**Location of autopsy:** 2741 E Las Vegas St (El Paso County Coroner's Office)**Response Date/Time:** Mon Apr 20, 2020 **Arrived:** 07:55 **Clear:** 13:39**Declared Cause of Death:** Multiple Gunshot Wounds**Declared Manner of Death:** Homicide**Evidence item(s) related to Autopsy**

- 4269 A-01** (A-01) {**IMPRESSION EVIDENCE**} 10 PRINTS AND R/L PALM PRINTS. COLLECTED FROM VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.
- 4269 A-02** (A-02) {**TRACE**} BROWN PAPER BAG W/ POSS. BLDSTNS & WRIST WRAP. REC'D FROM R. HAND OF VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.
- 4269 A-03** (A-03) {**TRACE**} BROWN PAPER BAG W/ POSS. BLDSTNS & WRIST WRAP. REC'D FROM L. HAND OF VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.
- 4269 A-04** (A-04) {**JEWELRY (APPROVAL)**} BLACK UNKNOWN BRAND RUBBER RING W/ POSS. BLDSTNS. REC'D FROM L. RING FINGER OF VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.
- 4269 A-05** (A-05) {**HOMICIDE KIT**} PARTIAL HOMICIDE KIT: R/L FINGERNAIL CLIPPINGS, R/L HAND SWABS. REC'D FROM VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.
- 4269 A-06** (A-06) {**GSR PACKET**} GSR PACKET. COLLECTED FROM VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.
- 4269 A-07** (A-07) {**DNA - BLOOD STANDARD**} BLOOD CARD. COLLECTED FROM VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.
- 4269 A-08** (A-08) {**FIREARM - PROJECTILE FRAGMENT**} PROJECTILE FRAGMENTS. T.A.W. 0.0 G/0 GN. REC'D FROM BACK OF VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.

# METRO CRIME LABORATORY

## REPORT CONTINUATION

Lab Case No.: 20MCL01048

Agency Case No.: 20-04764 [EPSO]

### CSI - Autopsy Documentation

Autopsy No.	Date	Coroner/Medical Examiner	Decedent	Digital Images (DIMS)
4269 A-09	(A-09)	{FIREARM - PROJECTILE FRAGMENT}	PROJECTILE FRAGMENTS. T.A.W. 0.2 G/2 GN. REC'D FROM HEAD OF VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.	
4269 A-10	(A-10)	{FIREARM - PROJECTILE FRAGMENT}	PROJECTILE FRAGMENTS. T.A.W. 0.2 G/4 GN. REC'D FROM ABDOMEN OF VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.	
4269 A-11	(A-11)	{FIREARM - PROJECTILE}	DEFORMED COPPER JACKETED, LEAD CORE PROJECTILE. T.A.W. 2.8 G/42 GN. REC'D FROM CERVICAL SPINE OF VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.	
4269 A-12	(A-12)	{FIREARM - PROJECTILE}	COPPER JACKETING FROM PROJECTILE. T.A.W. 1.3 G/22 GN. REC'D FROM LEFT THIGH OF VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.	
4269 A-13	(A-13)	{FIREARM - PROJECTILE}	DEFORMED COPPER JACKETED, LEAD CORE PROJECTILE. T.A.W. 2.6 G/40 GN. REC'D FROM LOWER SPINE OF VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.	
4269 A-14	(A-14)	{FIREARM - PROJECTILE}	DEFORMED COPPER JACKETED, LEAD CORE PROJ. T.A.W. 2.9 G/46 GN. REC'D FROM L. ABDOMINAL WALL OF VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.	
4269 A-15	(A-15)	{FIREARM - PROJECTILE}	DEFORMED COPPER JACKETED, LEAD CORE PROJECTILE. T.A.W. 1.3 G/20 GN. REC'D FROM L. BACK OF VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.	
4269 A-16	(A-16)	{FIREARM - PROJECTILE}	COPPER JACKETING FROM PROJECTILE. T.A.W. 0.6 G/8 GN. REC'D FROM L. ARM OF VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.	
4269 A-17	(A-17)	{FIREARM - PROJECTILE}	DEFORMED COPPER JACKETED, LEAD CORE PROJECTILE. T.A.W. 0.9 G/14 GN. REC'D FROM R. SHOULDER OF VICTIM VIRGILL THORPE DOB: 12/13/91 AT AUTOPSY #20-00367 ON 4/20/20.	

### RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS

The evidence items recovered during the autopsy were transported to the Metro Crime Lab and placed into a secure processing room until they could be inventoried, packaged and sealed, and transferred to the custody of an EPSO Evidence Technician.

All digital photographs that were taken during the autopsy were entered into the Digital Imaging Management System (DIMS) with the Colorado Springs Police Department, Set #2.

There is no additional information regarding this investigation at this time.

### EVIDENCE DISPOSITION

All Evidence Disposition: Submit to Agency Evidence

**END OF REPORT**

**METRO CRIME LABORATORY  
REPORT CONTINUATION**

Lab Case No.: **20MCL01048**

Agency Case No.: **20-04764 [EPSO]**



**Assigned Analyst**  
Brooke Havko | 4269  
CSI

04/21/2020 14:50

20MCL01048.0002\_20200420\_ReqID\_022512

**Page 3 of 3**

Report CSI v.2016.09.15

This report is the property of the Metro Crime Laboratory [MCL]. If this report is reproduced, it **MUST** be reproduced in its entirety with all pages included.

El Paso County Sheriff  
Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Price, Jon 02034**

Barcode	Item #	Item Type	Description
 1156723	1	Drawing(s)/Diagram(s)	Serial #: DIAGRAM BY CSPD OFFICER HEATHER MESMER
Mandatory Info: <b>Evidence</b>		EVIDENCE ENTERED: 04/20/2020 CURRENT LOCATION: EVIDENCE INTAKE	
Collected by: Price, Jon 02034 Recovery Address: 27 E VERMIJO AVE Homicide #:			
 1156724	2	Drawing(s)/Diagram(s)	Serial #: DIAGRAM BY CSPD OFFICER DUSTIN CANAAN
Mandatory Info: <b>Evidence</b>		EVIDENCE ENTERED: 04/20/2020 CURRENT LOCATION: EVIDENCE INTAKE	
Collected by: Price, Jon 02034 Recovery Address: 27 E VERMIJO AVE Homicide #:			
 1156725	3	Waiver(s)	Serial #: CELL PHONE WAIVER SIGNED BY [REDACTED]
Mandatory Info: <b>Evidence</b>		EVIDENCE ENTERED: 04/20/2020 CURRENT LOCATION: EVIDENCE INTAKE	
Collected by: Whitehead, Bradley 05071 Recovery Address: 27 E VERMIJO AVE Homicide #:			
 1156726	4	CD/DVD(s)	VERBATIM Serial #: DVD OF INTERVIEW WITH [REDACTED]
Mandatory Info: <b>Evidence</b>		EVIDENCE ENTERED: 04/20/2020 CURRENT LOCATION: EVIDENCE INTAKE	
Collected by: Whitehead, Bradley 05071 Recovery Address: 27 E VERMIJO AVE Homicide #:			
 1156727	5	CD/DVD(s)	VERBATIM Serial #: PHOTOGRAPHS OF CALL LOG
Mandatory Info: <b>Evidence</b>		EVIDENCE ENTERED: 04/20/2020 CURRENT LOCATION: EVIDENCE INTAKE	
Collected by: Whitehead, Bradley 05071 Recovery Address: 27 E VERMIJO AVE Homicide #:			
 1156748	6	Scribe Sheet(s)	Serial #: SCRIBE SHEET FOR SEARCH WARRANT EXECUTED AT RESIDENCE ON 04/20/2020.
Mandatory Info: <b>Evidence</b>			

El Paso County Sheriff  
Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Ferrell, Timothy 13001**

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Barcode	Item #	Item Type	Description
Collected by: Ferrell, Timothy 13001			Evidence entered: 04/20/2020
Recovery Address: 3215 OAK CREEK DR. E			Current Location: Evidence Intake
Homicide #:			

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## El Paso County Sheriff's Office

Case No: 20-4704 Date: 4/20/20  
 Location: 3215 Oak Creek Drive

No.	Item Description
①	Swabs of possible bloodstains - interior - Lab
②	3 magazines - bar area - Lab
③	1 iPhone / 1 grey HP laptop Living room - Lab
④	1 grey HP laptop with decorative stickers - dining table - Lab
⑤	1 galaxy phone (black) Living room - Lab
⑥	1 Samsung Galaxy (gold case) - kitchen - Lab
⑦	1 Apple iPhone - under bed in basement - Lab
⑧	1 hoodie white (Pink brand) - basement - Lab
⑨	1 LS shirt (unknown color) - basement - Lab
⑩	Clothing rack with 11 articles of clothing - basement - Lab
⑪	1 Long rifle (██████████ Eagle Arms) - basement - Lab
⑫	1 rifle magazine with rounds
⑬	3 sections of carpet (basement) - Lab
⑭	1 rose color iPhone from basement bedroom, Lab
⑮	1 Samsung Galaxy S10, (black), kitchen, Lab
⑯	1 green metal ammo can, under bedroom closet, Lab
⑰	1 black Century Arms TP9SE, ██████████ closet - Lab
⑱	2 magazines loaded with 9mm ammo, master bedroom, Lab
⑲	1 black rifle case with 4 rifle mags (one loaded), one pistol mag, master bedroom closet, Lab
⑳	1 pistol holster, master bedroom dresser, Lab
㉑	1 box of 9mm ammo, Master bedroom, Lab
㉒	4 rifle mags, 4 pistol mags, 1 pistol holster, basement, Lab
㉓	Multiple projectile fragments, basement, Lab

# 13001  
 4/20/2020  
 Nothly Ferthe

# Supplement 20200420 0744 Ferrell, Timothy #13001

Case # 20-4764 Supplement #1 Tuesday, April 21, 2020

On 04/20/2020, I, Detective Timothy Ferrell of the El Paso County Sheriff's Office (EPSO) Investigations Division, assisted with investigating a Colorado Springs Police Department officer involved shooting at 3215 Oak Creek Dr E, in El Paso County, Colorado. Called out to assist with searching residence:

On at approximately 7:44 am, I arrived on scene and contacted the on-scene supervisor. I did not enter the residence due to the Colorado Springs Metro Crime Lab (MCL) completing photographs and scans inside the residence.

Contacted neighbor:

At approximately 8:30 am, I was notified a neighbor was requesting to speak with a detective. I contacted the resident [REDACTED] [REDACTED] DOB: [REDACTED] at [REDACTED] [REDACTED] [REDACTED] and she advised someone had contacted her earlier in the morning she had told them she had not heard anything the night before due to being tired. After waking up, she realized she had heard something and wanted to give me the information. [REDACTED] advised she fell sleep on a couch in her family room and was woken up but what she described as firecrackers, "but not quite right". She had looked out the window in her residence to the south and could see people walking around and flashing red and blue lights. [REDACTED] described the "shots seemed at a fast pace" and was unsure of the time but stated it was dark outside and she believed it could have been after midnight. [REDACTED] did not see anything that occurred and has no security cameras.

Walkthrough of the scene:

At approximately 11:00 am, I completed a walkthrough of the scene with Detective Lisa Montville and she advised me MCL Technicians Austin Hartman and Robert Zaleski were going to be documenting the scene and would be collecting all evidence located. Detective Montville provided me with a scribe sheet as well as the search warrant to be left in the residence at the completion of the search.

While walking through the scene, I observed a basement window well on the north side of the house which had the glass broken out. I also observed numerous shell casings on the ground in the area.

Upon walking up to the front door, I observed several spots of what appeared to be blood on the concrete walk. I also observed the door lying inside of the doorway on the floor to the right. It appeared the door had been mechanically breached, with damage to the door and door frame. There were more drops of what appeared to be blood on the floor leading to the staircase to the basement. In the basement I observed there were two main rooms. In the second room to the south, I observed a large area with multiple areas of what appeared to be blood soaked into the carpet. In between the area with the blood and the broken window on the north wall, I observed a black AR style rifle with a magazine inserted into the magazine well on the floor. Upon inspecting the rest of the room, I observed numerous defects on the carpet and walls. After completing the walkthrough, I exited the residence.

Completed neighborhood canvass:

At approximately 12:00 pm, I was advised there were two neighbors on the street that had not been contacted in the initial neighborhood canvass. The addresses given were [REDACTED] and [REDACTED] on [REDACTED] [REDACTED] [REDACTED]. I contacted the resident at [REDACTED] [REDACTED] [REDACTED] identified as [REDACTED] [REDACTED] [REDACTED] who stated at approximately 9:40-9:45 pm the night before, she had been in her living room when she heard "around six gunshots". She had gone outside of her residence after several minutes and observed lights flashing to the south. [REDACTED] had no other information and had no security cameras.

I contacted the resident at [REDACTED] [REDACTED] [REDACTED] identified as [REDACTED] [REDACTED] [REDACTED] who said she had been asleep in her residence at approximately 10:00 pm the night before when she was woken up by "three, four, or five gunshots". Restated shortly after hearing the gunshots, she had started seeing "police lights" in the area. [REDACTED] stated her husband had been sleeping in a separate room and had slept through without waking up. [REDACTED] had no security cameras.

Search of residence completed:

MCL advised me of all items removed from the residence which I documented on the scribe sheet. Detective Nickolas Brklich, Detective Jessica Bethel, and I searched the residence to check for further items to be documented and collected by the MCL. I located a black Samsung S10 cell phone in the kitchen and indicia on the dining room table. MCL photographed both items and collected them as evidence.

During the search on the exterior of the residence on the north side, MCL recovered a total of six 9 mm handgun casings and 25 .223 cal. Casings.

After the secondary search was completed, I left a copy of the search warrant and scribe sheet on the dining room table. A copy of the scribe sheet is included with this supplement.

Evidence items entered:

I entered the scribe sheet into evidence at the El Paso County Sheriff's Office Evidence Facility, item #6.

I have nothing further.

Case status:

SAO

## Supplement 20200420 0800 Gonzalez, Lisa #11055

### SUPPLEMENTAL CASE NARRATIVE

CASE: 2020-4764 Detective Lisa Gonzalez #11055

INCIDENT: AOA-DFIT

DATE: 04/21/2020

Body Worn Camera (BWC) footage is not available for this incident.

Colorado Springs Police Department Original Case Number #2020-14453

This is a supplement to the original case taken by Detective Lisa Montville #01060 on 04/19/2020.

On 04/20/2020, at approximately 0800 hours, I attended the autopsy for the suspect in this case, Virgill Thorpe DOB: 12/13/1991, at the El Paso County Coroners Office, located at 2741 East Las Vegas Street, Colorado Springs, CO. The Medical Examiner performing the autopsy on Mr. Thorpe was [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] started the autopsy at approximately 0830 hours and concluded it at about 1330 hours. [REDACTED] [REDACTED] recovered 11 projectiles or projectile fragments from Mr. Thorpe's body. [REDACTED] [REDACTED] stated the cause of Mr. Thorpe's death was multiple gunshot wounds, and cautiously believed the mechanism could be from a projectile that entered Mr. Thorpe's body at or about the right-side fifth rib, pierced his lung and eventually lodged in his cervical spine. [REDACTED] was awaiting further reports from [REDACTED] [REDACTED] Hospital before making any conclusions.

Please refer to [REDACTED] [REDACTED] official autopsy report for further information regarding the cause, manner and mechanism of Mr. Thorpe's death.

Colorado Springs Metro Crime Lab Technician Brooke Havko #4269 was present for the autopsy as well, and documented and collected all items of evidentiary value.

I have nothing further at this time.

Case Status: Active - Investigations

## Supplement 20200423 0857 Montville, Lisa #010690

Case Supplement, 20-4764

### Detective Statement:

On April 23, 2020, at about 8:57 a m., I, Detective Montville was conducting follow-up on this case. On this date, I located the evidence voucher for evidence item number 17. A copy of the voucher is attached to this supplement.

Nothing Follows.

Case Status:ACT-INV

# Property Invoice for item number 17; Officer Nassar Interview an

## El Paso County Sheriff Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Montville, Lisa 01060**

Barcode	Item #	Item Type	Description
 1156765	17	CD/DVD(s)	Serial #:  Mandatory Info: <b>Evidence</b>  Collected by: Montville, Lisa 01060 Recovery Address: 27 E VERMIJO AVE Homicide #:
			ONE CD CONTAINING AN INTERVIEW AND DIAGRAM AUTHORED BY CSPD OFFICER EDDIE NASSAR AND MONTVILLE  Evidence entered: 04/21/2020 Current Location: Tape Box

# Supplement 20200419 2309 Gonzalez, Lisa #11055

## SUPPLEMENTAL CASE NARRATIVE

CASE: 2020-4764 Detective Lisa Gonzalez #11055

INCIDENT: AOA-DFIT

DATE: 04/21/2020

Body Worn Camera (BWC) footage is not available for this incident.

Colorado Springs Police Department Original Case Number #2020-14453

This is a supplement to the original case taken by Detective Lisa Montville #01060 on 04/19/2020.

On 04/19/2020, at approximately 2309 hours, I was called by Detective Sergeant Abendschan #02020 regarding responding to an officer-involved shooting at 3215 Oak Creek Drive East, located in incorporated El Paso County, Colorado.

Sergeant Abendschan requested I respond directly to the residence and contact Lead Detective Lisa Montville #01060.

I arrived at the residence at approximately 0005 hours on 04/20/2020 and was briefed on the situation by Colorado Springs Police Department (CSPD) Sergeant's Kory Dabb and Greg Wilhelmi. Sergeant Wilhelmi said CSPD Officers were dispatched to the Oak Creek Drive East at approximately 2127 hours regarding a domestic disturbance where the suspect was reported to have an "AR Rifle" and had made threats towards law enforcement.

Once on scene, officers contacted the suspect, later identified as Virgill Thorpe DOB: 12/13/1991, and a friend of his, later identified as [REDACTED] on or near the front porch of the residence. Officers reported Virgill appeared very irate and was yelling at them. At this time, other officers were attempting to get the other occupants, including Virgill's [REDACTED] later identified as [REDACTED] her two adult [REDACTED] and [REDACTED] and [REDACTED] an unrelated male friend, out of the house out through a basement window well located on the north side of the residence.

After a few moments, Virgill re-entered the residence, closing the front door behind him, and went to the basement. Virgill's friend, [REDACTED] stayed outside with officers. Officers on the north side window well observed Virgill now armed with a rifle. Officers reported Virgill raising the rifle towards them through the window and they returned fire. The officers reported who returned fire were as follows:

- Officer Charles Warren
- Officer Kris Czajkowski
- Officer Eddie Nassar
- Corporal Joseph Somosky

Once the shooting ceased, Officers observed Virgill "down" in the basement and immediately tried to enter the residence through the front door to render first aid. Officers had to kick open the front door to make entry, as the door had been locked. Once in the basement, Officers contacted Virgill and rendered first aid until medical personnel arrived and took over life saving efforts.

Virgill was transported to [REDACTED] Hospital, located at 1400 East Boulder Street, Colorado Springs, where he succumbed to his injuries. [REDACTED] Physician [REDACTED] pronounced Virgill's time of death as 2341 hours on 04/19/2020.

Colorado Springs Metro Crime Lab personnel arrived to process the crime scene at approximately 0255 hours. I briefed Crime Scene Technicians Austin Hartman #6850 and Robert Zaleski #6883 of the aforementioned details.

After the briefing, myself, Detective Montville, other investigating personnel from CSPD and EPSO, along with Crime Scene Technicians Hartman and Zaleski conducted an initial walk-through of the crime scene. We approached the house from the street side and walked towards the front door. 3215 Oak Creek Drive East is a single-family, ranch-style home, with an attached two-car garage and finished basement. It has three bedrooms and three full bathrooms. The front door is to the right of the right of the garage if you are looking at the residence from the street.

On the concrete front porch, a single, dried blood droplet was visible, along with a small, red trauma kit, consistent with the type commonly carried in patrol vehicles. Once inside the front doorway, the actual door was off the hinges and propped up against a couch to the right of the entryway. The door frame was broken, and splintered pieces of the wood frame were on the floor around the entryway. The metal front door had numerous shoe impressions consistent with the appearance of the door being kicked repeatedly. Numerous dried blood droplets were visible on the wood floor and along the stair rail for the staircase descending to the basement.

In the basement, suspected blood stains were visible on the light beige carpet, mostly concentrated in one area towards the east-side basement wall. A window on the north-side basement wall was shattered and broken glass was scattered on the carpet, window frame, and inside the window well. Numerous defects from suspected gunfire were visible in the carpeting, window frame and sheetrock in the basement walls.

Approximately ten feet south of the shattered window, a black "AR" style rifle was laying on the carpeted floor. I did not take note of the exact make or model of the rifle. A magazine was loaded into the magazine well of the rifle, but I did not touch or inspect the rifle, so it was unknown to me if the rifle was loaded with ammunition. The plastic foregrip of the rifle was broken. One expended rifle ammunition casing was laying near the rifle on the floor. Broken, black plastic pieces that appeared to be the foregrip of the rifle were located inside the window well of the broken, north-side window.

At that time, we concluded the initial walk-through and Metro Crime Lab personnel began processing the crime scene.

I have nothing further at this time.

Case Status: Active - Investigations

## **Supplement 20200420 1130 Bethel, Jessica #07088**

Case Number: 2020-00004764

Date Occurred: Monday, April 20, 2020

Deputy Jessica Bethel # 07088

This is a supplemental narrative to Case # 2020-00004764 Supp 1

Thursday, April 23, 2020

On Monday, April 20, 2020, I, Detective J. Bethel of the El Paso County Sheriff's Office (EPSO) Investigations Division, assisted with the investigation of an Officer Involved Shooting.

### **Initial Call**

On Monday April 20, 2020, at approximately 11:30 am, I was contacted by Detective Sergeant Rosario Hubbell. Sgt. Hubbell told me an Officer Involved Shooting, involving officers from the Colorado Springs Police Department (CSPD) (CSPD Case # 20-14453) occurred at 3215 Oak Creek Dr. E, Colorado Springs, CO 80906, located in the incorporated area of El Paso County, State of Colorado. Sgt. Hubbell requested my assistance with searching the scene.

### **Initial Observations/Arrival at Scene**

I arrived on scene at approximately 1:20 pm. Upon arrival I observed CSPD patrols had setup yellow crime scene tape and were blocking East Cheyenne Mountain Blvd just east of Oak Creek Dr. E. I met with Sgt Hubbell and Detectives Timothy Ferrell and Nicholas Brklich. I was informed members of the Metro Crime Lab were processing the scene and the search would be conducted upon their completion.

I looked at the address from the street while being briefed. 3215 Oak Creek Dr E, is a one story, single family residence with a finished basement and a two-car attached garage. The residence has gray/ beige siding with brick framing the front of the garage. The front door faces west with the numbers 3215 attached to the right side of the door frame.

Sgt. Hubbell and Detectives Brklich and Farrell told me the shooting occurred through the basement window on the north side of the residence. I could see the basement window from the street where I was standing. The window was in a window well below ground level. The window was open and both panes of glass were shattered.

### **Investigative Activity**

Upon completion of the initial scene processing I assisted with a search of the residence for additional evidentiary items.

As I approached the home, I observed a red medical kit on the front porch of the home. The front door of the home was broken off the hinges and the door frame was damaged. The hinges to the front door were located on the left side of the door frame on the interior.

When I entered the home, I observed to the immediate right of the front door was a living room. To the immediate left of the front door was a short hallway which led to the attached garage. There were stairs that led to the basement on the left side of the entryway past the hallway to the garage. The entryway of the home led directly to a dining room. To the right of the dining room was a kitchen. Past the landing of the stairwell on the left was a hallway with bedrooms.

There were a few droplets of what appeared to be blood on the front porch and through the entryway of the home. The blood stopped at the top of the stairs. As I descended into the basement, I observed what appeared to be blood on the carpet of one of the stairs towards the bottom of the stairwell. The stairs led into an open area of the basement which had military gear and a bar in it. There was a doorway to the north which led into another open, L shaped room. As I entered the room, I observed clothing racks with clothes. There was blood on the floor near the clothing racks and defects in the wall behind the clothing racks. The remainder of the room contained bedroom furniture, a small reptile tank and a couch. There was also a bathroom connected to the bedroom portion of the room. The couch was a yellow and orange colored older couch and was located under the window that was shattered. I observed a hole in the left seat cushion of the couch. The hole was examined further by lab personnel. The hole went through the cushion at an angle to the west. When the couch was moved and unfolded (it was a sleeper couch) fragments of what appeared to be a projectile were found. Lab personnel documented and collected the fragments. Near the foot of the bed was a black, AR style rifle. The rifle had a magazine inserted into the magazine well. The rifle was an Eagle Arms rifle bearing serial number, [REDACTED]

I observed several defects in the walls, ceiling and floor of the L shaped basement room where the shattered window was. I assisted with the search for fragments in the room.

I conducted a search of the remainder of the house with Detective Brklich and Detective Farrell. I located several evidentiary items which are listed below.

#### Evidentiary Items

On the kitchen table located on the upper level of the home, I observed indicia for residents of the home.

In the master bedroom located on the upper level of the home, I located an empty ammunition canister in the closet on top of a two-drawer filing cabinet. Behind the canister on top of the filing cabinet was a black, plastic handgun case. The handgun case contained a black, Century Arms handgun bearing serial number, [REDACTED], [REDACTED] which was loaded and had an additional loaded magazine in the case. On the floor of the closet, close to the two-drawer filing cabinet I located an open, black, plastic rifle case. The case was empty except for one handgun magazine, and four rifle magazines. One of the rifle magazines was loaded with ammunition.

I concluded my search of the home.

All items found were processed and collected by the Metro Crime Scene Lab Technicians (CST).

#### Conversation with [REDACTED]

As lab personnel were completing their final photos of the home, [REDACTED] approached the crime scene banner. I spoke with [REDACTED] along with Sgt. Hubbell. She told me she would like to go back into her home and asked about assistance with repairs and cleaning. Sgt. Hubbell provided [REDACTED] with the telephone number to CSPD risk management along with the name of the victim advocate assigned to her. I asked [REDACTED] if she would like us to assist her with securing her front door closed with boards. [REDACTED] told me she did not want holes drilled into her walls and did not want any assistance with the front door at the time. [REDACTED] asked when she could get her electronic devices back. I explained they could be released later when the investigation concluded. [REDACTED] and her family were allowed back into the home.

I departed the area at approximately 5:30 pm.

Case Status: SAO

## Supplement 20200421 0900 Montville, Lisa #01069

CASE NUMBER: 20-4764

CASE TITLE: Assist Outside Agency

NARRATIVE: Officer Eddie Nassar Interview with Detective Montville

On April 21, 2020 at about 9:00 a.m., I, Detective Montville, was conducting follow-up on this case. On this date, I conducted a recorded interview with Colorado Springs Police Officer Eddie Nassar at the Office of the Sheriff, located at 27 East Vermijo Avenue, in Colorado Springs, Colorado. Also present during the interview was Officer Nassar's attorney, identified as John Newsome. I later placed a copy of the interview I conducted onto a CD, and I entered the CD into the El Paso County Sheriff's Office Evidence Facility

under Item Number 17. Included in Item 17 was a diagram authored by Officer Nassar during the interview. A copy of the Evidence Voucher is not attached to this supplement due to software issues, however a copy of the diagram is attached. The following is a summary of the interview I conducted with Officer Nassar and is not intended to be a verbatim transcription.

I began the interview by providing Attorney Newsome and Officer Nassar with my business card containing my name and telephone number. I also reintroduced myself, providing my name and title. I also explained to Officer Nassar that it was my understanding that we were here to speak about an incident that he was involved in while employed with the Colorado Springs Police Department. Officer Nassar stated that he has been a sworn police officer for approximately three months with the Colorado Springs Police Department. Officer Nassar stated that he had attended the Police Academy from approximately July 2019 until January 2020. Officer Nassar stated that he is a sworn peace officer with the State of Colorado. Officer Nassar stated that he had prior military experience. Officer Nassar stated that he served for approximately five years with the Marine Corps. Officer Nassar stated that he is still a reservist with the [REDACTED] [REDACTED]

Officer Nassar stated that he is currently a police trainee and in training with the Colorado Springs Police Department. Officer Nassar stated his assigned police training officer was on vacation, so he is currently assigned to Corporal Somosky. Officer Nassar stated he is assigned to the Gold Hill Patrol Division. Officer Nassar stated that he has been assigned to Gold Hill Patrol since January of 2020. Officer Nassar stated that he is assigned to the [REDACTED] [REDACTED] and he identified his work hours as [REDACTED] until [REDACTED]. Officer Nassar stated he believed his days off this week were supposed to be [REDACTED] [REDACTED] and [REDACTED]. Officer Nassar stated that he did not work [REDACTED] night, which would have been the night of [REDACTED] [REDACTED] going into the morning of [REDACTED] [REDACTED]. Officer Nassar identified Sunday, April 19, 2020, as his [REDACTED] day working this rotation.

I asked Officer Nassar how his day started on Sunday, April 19, 2020. Officer Nassar stated that he woke up at about 6:00 p.m. Officer Nassar stated that he had some coffee and had something to eat, and he arrived at work at approximately 8:45 p.m. Officer Nassar stated that he had to wait until 9:00 p.m. to get ready. Officer Nassar stated that he got ready for his shift and attended line-up. Officer Nassar stated that line-up was conducted until approximately 9:30 p.m. I asked Officer Nassar what he did to get ready for his shift. Officer Nassar stated that he was in the locker room changing into his uniform. Officer Nassar also stated that he put on a ballistic vest and his duty belt. I asked Officer Nassar to describe his uniform to me that he was wearing on April 19, 2020. Officer Nassar stated he was wearing a long-sleeve, blue police uniform shirt with a badge and patches that identified him as a Colorado Springs Police Officer. Officer Nassar stated that he had on black in color duty pants. I asked Officer Nassar to describe the set-up of his duty belt that he was wearing on April 19, 2020. Officer Nassar stated that he had handcuffs, a gun, OC spray, a taser, a baton, a radio, and a flashlight on his duty belt. I asked Officer Nassar what kind of gun he had on his duty belt that evening. Officer Nassar stated it was an M&P, 2.0. Officer Nassar stated his duty gun was issued through the Colorado Springs Police Department. Officer Nassar stated his duty weapon is a 9-mm. Officer Nassar stated the magazines were fully loaded, and his duty weapon was also fully loaded. Officer Nassar stated this included one round in the chamber of his duty gun. Officer Nassar stated he carries two fully loaded magazines on his duty belt with 17 rounds each. Officer Nassar stated he does not carry a back-up weapon.

Officer Nassar stated nothing significant happened during line-up. Officer Nassar stated he was prepared to be busy due to a barricaded subject in the Stetson Hills Division. Officer Nassar stated his call sign on April 19, 2020 was 2A5. Officer Nassar stated he and Corporal Somosky were paired up due to him being in training. Officer Nassar and Corporal Somosky were in the same patrol unit. Officer Nassar stated his patrol unit on that evening was a fully marked and fully equipped Dodge Charger. Officer Nassar stated that shortly after leaving the Gold Hill Patrol Division building, he was dispatched to a domestic violence in progress.

Officer Nassar stated a member of the Colorado Springs Police Department Communications Center dispatched him and Corporal Somosky along with other units to the domestic violence in progress. I had Officer Nassar describe how he drove to the domestic violence disturbance. Officer Nassar stated multiple units rallied at the Vasa Fitness Center on the corner of Highway 115 and Cheyenne Mountain Boulevard. Officer Nassar stated at least four Colorado Springs Police Department cruisers were at the rally prior to going to the domestic disturbance. Officer Nassar stated that he would not be able to name every officer that was there. Due to the situation, an expedited response was necessary. Officer Nassar stated while he was en-route to the domestic disturbance Dispatch stated that there was a rifle in the house of the domestic disturbance.

Officer Nassar stated the reporting party told Dispatch that the rifle was not where it is normally stored in the house. The missing rifle made the reporting party concerned. Officer Nassar stated he was also told by Dispatch that the Suspect stated that he would shoot it out with the cops. Officer Nassar stated while at the Vasa Fitness, he donned additional ballistic gear, to include a "Shield 616" rifle rated ballistic vest. Officer Nassar stated he also armed himself with a rifle. Officer Nassar stated that his rifle rated vest had markings on it that said Police. Officer Nassar stated his body worn camera was in his vest. Officer Nassar stated the rifle he armed himself with was an AR-15, Smith and Wesson. Officer Nassar stated that rifle was assigned to him. Officer Nassar couldn't remember specifically what type of ammunition was loaded in the rifle. Officer Nassar stated his rifle is carried with a loaded magazine with no rounds in the chamber and the bolt in the forward position. Officer Nassar stated that he believed the rifle magazine was loaded with 28 rounds of rifle ammunition.

Officer Nassar stated a quick plan to respond to the domestic disturbance was formed at the Vasa Fitness Center. Officer Nassar stated Somosky assigned him and another officer to go to the front door of the residence. Officer Nassar stated the other responding officers would try to go to the side and/or the back of the residence. Officer Nassar stated the plan was to try to get the reporting party and her friend out of the house. Officer Nassar stated he did not remember the address of the domestic disturbance. I asked

Officer Nassar if East Oak Creek Drive sounded familiar, and he stated that it did. Officer Nassar was able to describe the residence being the second house on the left from the corner. I had indicated that it was the 3600 block. However, it was the 3200 block of Oak Creek Drive East, Colorado Springs, Colorado.

I asked Officer Nassar what happened after he left the [REDACTED] Fitness Center. Officer Nassar stated that he drove into the neighborhood. Officer Nassar stated he approached the home (at 3215 Oak Creek Drive East) on foot with other officers. Officer Nassar provided a brief description of the house. I asked Officer Nassar what the lighting was like outside of the house. Officer Nassar stated the porch light of the residence was on. Officer Nassar stated that he also had a flashlight. Officer Nassar stated the lighting from the street was not that great. Officer Nassar stated when he approached the house, he was carrying an additional piece of equipment. Officer Nassar stated he was carrying a ballistic rifle-rated shield with him as he approached the residence.

Officer Nassar stated that he was approached the front door and stopped near the garage. Officer Nassar stated the front door was open, and two subjects were standing at the front door. Officer Nassar stated one of the persons at the front door was a black male who matched the Suspect's description. The other subject was the Suspect's friend. Officer Nassar stated that he had information that the Suspect had a friend at his residence as well. Officer Nassar stated officers identified themselves as being with the police department. Officer Nassar stated the Suspect knew the police were at his residence. Officer Nassar stated officers on scene were saying, police department, come outside, and the Suspect was refusing to come outside. Officer Nassar stated the Suspect was yelling and cussing at the officers. Officer Nassar stated the Suspect was being irate with police officers on scene. Officer Nassar stated officers were trying to get the Suspect to come out and speak with them, and the Suspect was refusing.

Officer Nassar stated the Suspect said something to the effect of, you guys come in here, you guys come into my house. Officer Nassar described the Suspect as being irrational. Officer Nassar stated the Suspect was yelling. Officer Nassar stated he and Somosky both gave the Suspect multiple commands. Officer Nassar stated the commands were directing the subject to come outside of the house. Officer Nassar described the Suspect as a black male with a medium build, approximately 5'10" tall, with short buzzed hair. Officer Nassar stated the Suspect's friend was right next to him and was grabbing the Suspect. Officer Nassar stated the Suspect's friend was trying to get the Suspect to come outside and to calm down. Officer Nassar stated the Suspect was refusing his friend's request to come outside and calm down. Officer Nassar stated the Suspect continued to yell and be irrational and officers did not want to escalate the situation by approaching the Suspect. Officer Nassar stated they wanted the Suspect to come out of the house to conduct their investigation. Officer Nassar stated he believed they were requesting the Suspect come outside for approximately two to three minutes.

I had Officer Nassar draw a diagram of where he and Somosky were located. Officer Nassar drew the house and where he was standing on the diagram. Officer Nassar also drew the garage and where the Suspect was standing on the diagram. Officer Nassar also indicated where Officer Canaan was standing. Officer Nassar stated it was approximately 20 feet from where he was standing with the ballistic shield and the front door where the Suspect was standing.

Officer Nassar stated when the Suspect's friend grabbed him in an attempt to get him to come outside and talk to the police. This action set the Suspect off and made him mad. Officer Nassar stated that the Suspect pushed off of his friend and went back into the house. Officer Nassar stated the officers were aware the Suspect had firearms in the house, so they were telling the friend to come towards them and away from the house. Officer Nassar stated the Suspect's friend was slowly coming towards them, and the Suspect's friend wanted to further engage with the Suspect. Officer Nassar stated at this point, the Suspect came back to the front door. Officer Nassar stated before the Suspect went back into the house the first time, the Suspect said something to the effect of, I have something for you. Officer Nassar stated that statement alerted officers as to what was going on. Officer Nassar stated when the Suspect went back into the house, he grabbed a piece of furniture, possibly a dresser, and started screaming.

Officer Nassar described the Suspect screaming as something to the effect of, "ahhhhhh". The Suspect was screaming very loudly. Officer Nassar stated the Suspect came back to the front door, and the Suspect had something in his right hand. Officer Nassar stated he thought the Suspect had a firearm in his right hand when he came back to the door. Officer Nassar stated he alerted other officers that the Suspect possibly had a firearm on him. Officer Nassar stated the Suspect closed the front door. Officer Nassar stated he remained in position, holding on the front door and the living room window that also faced where he was standing.

Officer Nassar stated he could hear other officers alerting him that the Suspect had gone into the basement of the residence. Other Colorado Springs Police Officers were able to look into the basement from a window which would have been on the north side of the residence. Officer Nassar stated about this time other officers on the call were pulling the Reporting Party and her friend out of the basement window. Officer Nassar stated the officers called for a shield, and that's when he ran around to the north side of the house near the basement window. Officer Nassar stated as he rounded the corner, he could see other officers pulling the Reporting Party out of the window.

Officer Nassar stated other officers on scene were telling the Reporting Party to come back away from the window. Officer Nassar stated the Reporting Party was trying to talk to him and was telling him that she wanted to talk to the Suspect. Officer Nassar stated that he was trying to get the Reporting Party back away from the window when the Suspect appeared in the basement and presented a rifle. Officer Nassar stated the Suspect pointed the rifle up. Officer Nassar stated this is when he fired his handgun. Officer Nassar stated prior to the shooting, there were officers directly in front of the window and the Reporting Party at one point was between Officer Nassar and the window. Officer Nassar stated from his point of view, he was able to see the entire basement. Officer Nassar

stated he was at an elevated position compared to the window, so he would be looking down into the basement. Officer Nassar stated there were lights on in the basement. Officer Nassar stated somebody said gun. Officer Nassar stated everything happened very fast, but right around the time he heard gun, the Suspect was in possession and had armed himself with a rifle. Officer Nassar stated he saw the barrel of the Suspect's rifle come up, and that's when everyone started firing.

I asked Officer Nassar what was going through his mind when he saw that the Suspect had armed himself with a rifle. Officer Nassar stated there were several officers outside of the window, and the Reporting Party was in the immediate vicinity of the armed Suspect. Officer Nassar stated he was concerned about protecting the other officers as well as the Reporting Party that had come out of the window. I confirmed that Officer Nassar was in fear for the safety of the other officers and female Victim possibly being seriously injured or killed due to the Suspect arming himself with the rifle. Officer Nassar stated that he did not know if the Suspect had fired a round or rounds from the rifle. Officer Nassar stated that his rifle was slung the entire time, and he was holding the ballistic shield. Officer Nassar stated he had his handgun out, and that is what he fired.

Officer Nassar stated his point of aim was through the window and at the Suspect. I asked Officer Nassar how many rounds he fired from his handgun, and he stated he thought he fired one round. Officer Nassar stated after he had fired the one round, another officer came into his field of vision. Officer Nassar stated the other officer moved in front of him, so he stopped firing to prevent injuring the officer in front of him. Officer Nassar stated he knew Somosky was firing his rifle. Officer Nassar stated there was another officer armed with a rifle near the window. Officer Nassar stated at least two other officers were on his left side during the shooting. Officer Nassar stated he was approximately 5 feet away from the basement window.

I asked Officer Nassar what happened to the Suspect after the shooting. Officer Nassar stated the Suspect fell down. Officer Nassar stated the Suspect was still kind of moving his arms. Officer Nassar stated a few officers ran to the front side of the house. Officer Nassar stated he remained in place with another officer and covered the window. Officer Nassar stated he gave the Suspect commands not to move because he did not want the Suspect to grab his rifle again. Officer Nassar stated officers at the front door called for the ballistic shield, so he made his way to the front door. Officer Nassar stated the Suspect had locked the door prior to going downstairs, and he kicked the door down to make entry. Officer Nassar stated the door was kicked in to render aid to the Suspect. Officer Nassar stated after the door was knocked down, two officers went downstairs while he remained upstairs. Officer Nassar stated officers downstairs yelled for a medical kit, so he ran outside and retrieved a medical kit. Officer Nassar stated he handed off the medical kit to other officers. Officer Nassar stated tourniquets and pressure were applied to the Suspect's wounds. Officer Nassar stated after tourniquets were applied, the Suspect stopped breathing, so CPR was started. Officer Nassar stated he did apply CPR to the Suspect at one point, and the person applying the CPR was switched out often and rotated amongst the officers on scene.

Officer Nassar stated at one point it appeared the Suspect started breathing again as medical arrived on scene. Officer Nassar stated after medical arrived on scene, he was taken out of the room by a sergeant. Officer Nassar stated he was asked by the sergeant if he had fired and if he knew if anyone else had fired. Officer Nassar stated he was escorted out to the street by the sergeant. Officer Nassar stated he is right-handed, and when he was holding the ballistic shield, it was with his left hand/arm.

At about 9:42 am, I took a break. Officer Nassar and Attorney Newsome and myself all left the interview room.

At about 9:46 am, the three of us re-entered the interview room. I told Officer Nassar I did not have any additional questions for him. Attorney Newsome asked Officer Nassar if at the time that he fired if he felt that he had any other choice, and he stated no. Attorney Newsome asked Officer Nassar if there was any communication or orders to fire, and Officer Nassar stated no. Attorney Newsome clarified that Officer Nassar's decision to fire was independent of anyone else's decision to fire.

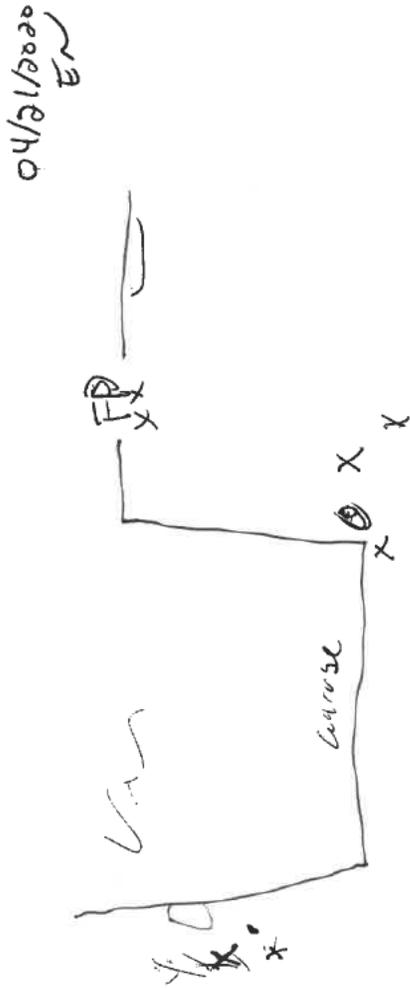
At about 9:48 am, I concluded the interview.

Nothing follows.

Case Status: Active.

(typed from digital narrative/ktr)

# Officer Nassar Diagram



## Supplement 20200419 0927 Manzanilla, David #07019

SUPPLEMENTAL NARRATIVE 20-4764

CSPD CR#20-14453

### ADDRESS OF OCCURANCE

3215 OAK CREEK DRIVE EAST

COLORADO SPRINGS, CO 80906

### INITIAL INFORMATION

On 4/19/20 at approximately 9:27 PM, the Colorado Springs Police Department (CSPD) Communications Center, received a 911 call regarding a "shooting" near the area of 3215 Oak Creek Drive East, Colorado Springs, Colorado. At approximately 10:52 PM, I received a phone call from Detective Lieutenant M. Mihalko EID/03026, who told me the previously mentioned shooting involved several CSPD officers, triggering a response from the El Paso County Sheriff's Office (EPSO) Deadly Force Investigations Team (DFIT).

Lieutenant Mihalko told me the suspect, later identified as Virgill Thorpe DOB: 12/13/91, had been involved in a domestic violence incident, and during his contact with CSPD officers he armed himself with a weapon. At some point during the altercation, CSPD officers shot the suspect. Furthermore, Mr. Thorpe was transported to [REDACTED] Hospital, located at 1400 East Bolder Street, Colorado Springs, Colorado.

Subsequently, I contacted the "on-call" Investigations Division Sergeant, Jake Abendschan EID/02020, via telephone and informed him of the shooting.

### DETECTIVE STATEMENT

At approximately 11:45 PM, I, Detective Lieutenant David Manzanilla EID/07019, who is assigned to the El Paso County Sheriff's Office Investigations Division, responded to the Office of the Sheriff (OTS), located at 27 E Vermijo Avenue, Colorado Springs, Colorado. My role during this incident was to supervise the overall investigation. The following assignments were made by Sergeant Abendschan:

- ? Detective L. Montville EID/01060 - Lead/Scene Detective: Sent to 3215 Oak Creek Drive East
- ? Detective L. Gonzalez EID/11055 - Scene Detective: Sent to 3215 Oak Creek Drive East
- ? Detective B. Whitehead EID/05071 - Sent to [REDACTED] Hospital to check the status of one witness and suspect
- ? Detective K. Mai EID/98039 - Sent to the OTS to conduct witness interviews
- ? Detective J. Price EID/02034 - Sent to the OTS to write a SW for 3215 Oak Creek Drive East and conduct additional witness interviews
- ? Detective D. Glenn EID/13076 - Sent to the CSPD Police Operations Center to process the involved officers
- ? Detective J. Schulz EID/03034 - Sent to the CSPD Police Operations Center to process the involved officers

I remained at the OTS and viewed portions of the following interviews:

- ? [REDACTED]
- ? [REDACTED]
- ? [REDACTED]
- ? [REDACTED] (Witness)
- ? [REDACTED] (Witness)

It should be noted I did not watch every moment of the interviews. Moreover, I coordinated other operational and logistical matters with detectives and supervisors involved in the investigation.

Please refer to the aforementioned detectives' supplements for additional information.

I have nothing further.

Case Status: SAO

## Supplement 20200419 2300 Abendschan, Jacob #02020

The following supplements case number 20-4764 taken by Detective Jon Price on April 20, 2020.

On April 19, 2020 at approximately 2300 hours, I Sergeant Jake Abendschan received a phone call from Lt. David Manzanilla regarding an officer involved shooting investigation. Lt. Manzanilla told me four Colorado Springs Police Department (CSPD) officers were involved in an incident at 3215 Oak Creek Drive East in Colorado Springs within the County of El Paso and the State of Colorado.

### INITIAL INFORMATION

After contacting several detectives, I responded to the scene, arriving at 0004 hours. I contacted Sergeant Kory Dabb and Sergeant Greg Wilhelmi with CSPD. Sergeants Dabb and Wilhelmi provided a briefing of the incident. The initial call was for a family disturbance during which the suspect was reported to have a rifle. The suspect also reportedly told a reporting party that he would shoot at police when they responded.

Responding officers set up around the residence. The suspect came out of the residence and yelled at the officers then went back

inside. Officers were assisting other occupants of the home out of a basement window. The suspect pointed a gun at the officers who began firing at the suspect through the basement window. Four officers were identified that had fired their weapons. The suspect was identified as Virgill Thorpe. (121391) Officers had to kick open the front door to enter the residence and secure Mr. Thorpe. Mr. Thorpe was transported to [REDACTED] Hospital where he was pronounced dead at 2341 hours. Four people were in the residence at the time of the call. They were transported to the Office of the Sheriff for interviews.

#### ACTIVITY ON SCENE

My role as the scene sergeant included prioritizing, assigning and supervising the work of the detectives involved in the investigation. Each detective will complete a supplement detailing their specific roles and actions during the investigation. Please refer to their reports for information. Initial assignments were as follows:

Scene Detective - Lisa Montville and Lisa Gonzalez (training)  
POC officer processing - David Glenn and Jeff Schulz (training)  
OTS warrants and interviews - Jon Price, Karl Mai  
[REDACTED] Hospital - Brad Whitehead.

I have nothing further.

## Supplement 20200419 1113 Whitehead, Brad #05071

2020-00004764 (1) Initial report:

Called out:

On Sunday, April 19, 2020, at about 11:13 pm, I, Detective Bradley Whitehead, #05071, of the El Paso County Sheriff's Office Investigation's Division, was contacted by Detective Sergeant Jacob Abendschan via telephone. He advised me there was an officer involved shooting with the CSPD (Colorado Springs Police Department) and asked me to respond to UC Health to speak with a witness. Sgt. Abendschan identified the witness to me as [REDACTED] UC Health is located at [REDACTED] [REDACTED] [REDACTED] [REDACTED] Colorado Springs, CO 80909.

UC Health:

On arrival at about 12:32 am, I met with CSPD Officers Michael Ilizaliturri, #6805, and Brittany Davidson, #6159. They were standing outside of Room 8, in Care Unit 2. They advised me [REDACTED] was currently being seen by an FNE (Forensic Nurse Examiner). Officers Ilizaliturri and Davidson advised me [REDACTED] was a direct witness to the incident and she had shards of glass in her leg.

I told the officers I would be transporting [REDACTED] to the OTS (Office of The Sheriff) upon her discharge from the hospital. [REDACTED] was brought to the hospital via ambulance and they cut part of her pants off to get to her injury. Officer Davidson told me they had the part of [REDACTED] pants in their vehicle and asked if I wanted it. I told them to hold onto it and place it in their evidence. Officer Ilizaliturri provided me with his phone number in case I needed to contact him.

After nurses were done attending to [REDACTED] they told me she would be discharged soon. I did not interview her at the hospital and only obtained her identifying information. She identified herself to me as [REDACTED] [REDACTED] [REDACTED] [REDACTED] and said she lived at 3215 Oak Creek Drive E., Colorado Springs, CO 80906. I asked her if she would be willing to go to the OTS with me so I could obtain a statement from her there and she said yes.

At about 1:40 am, she was discharged from the hospital. At about 1:48 am, I departed the hospital with [REDACTED] and transported her to the OTS and arrived at about 1:54 am. I escorted her to the Investigation's Division where she met with other family members and waited with them.

Collection of evidence:

At about 1:56 am, Sgt. Abendschan called me and asked me to respond to UC Health and meet with Detective Crofoot with the CSPD. Detective Crofoot had the suspects clothing and Sgt. Abendschan asked me to take custody of the clothing.

On arrival at about 2:10 am, I met with Detective Crofoot who was accompanied by two patrol officers. One of the officers went to his vehicle and obtained several brown paper bags and handed them to me and I secured them in the back of my car. Detective Crofoot also provided me with the pictures he took while the coroner examined the body.

At about 2:46 am, I arrived at the El Paso County Sheriff's Office Evidence Facility, located at 2749 E. Las Vegas St., and placed the items in Drying Room 3C. The items were soaked with blood and needed to be dried before they could be placed into evidence. Inside

the drying locker, I placed a brown piece of paper under each item that I hung. I placed the bag the item was located in towards the back of the closet behind the brown piece of paper on the floor.

I removed and hung the following items to dry:

1 tourniquet; 1 black pair of underwear, 1 red pair of shorts, 1 yellow chain and 1 black wristwatch.

I secured the locker with a lock and placed my business card with the case number on the door.

I have nothing further at this time.

Case Status: Active

## **Supplement 20200420 1335 Montville, Lisa #01060**

Case Supplement, 20-4764

Detective Statement:

On April 20, 2020 at about 1:35 a.m., I, Detective Montville received an email from Detective Sergeant Jacob Abendschan. Attached to the email was a copy of Colorado Springs Police Department call screen number 20165976. The call screen contained information in reference to a domestic disturbance, on 4/19/20, at about 9:27 p.m., at 3215 Oak Creek Drive East, in Colorado Springs, Colorado.

A copy of the call screen is attached to this supplement.

Nothing Follows.

Case Status: ACT-INV

## **Narrative 20200419 1117 Montville, Lisa #01060**

Case Narrative

Detective Statement:

On April 19, 2020, at about 11:17 p.m., I, Detective Montville received a telephone call from Detective Sergeant Jacob Abendschan. Sgt. Abendschan stated several police officers, with the Colorado Springs Police Department, had been dispatched to a domestic disturbance at 3215 Oak Creek Drive East, in Colorado Springs, Colorado. Sgt. Abendschan stated sometime after the officers arrived on scene an officer involved shooting had occurred at the address. Sgt. Abendschan requested I respond to the address to assist with the investigation.

I departed my residence and arrived on scene at about 12:10 a.m.

Nothing Follows.

Case Status: ACT-INV

# EVIDENCE VOUCHER 2

## El Paso County Sheriff Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Bethel, Jessica 07088**

Barcode	Item #	Item Type	Description
 1156798	26	CD/DVD(s)	VERBATIM Serial #:
Mandatory Info: <b>Evidence</b>		DISK CONTAINING PTZ ANGLE OF OFFICER WARRAN INTERVIEW WITH BETHEL ON 4.21.2020	
Collected by: Bethel, Jessica 07088		Evidence entered: 04/21/2020	
Recovery Address: 27 E VERMIJO AVE		Current Location: Evidence Intake	
Homicide #:			

# EVIDENCE VOUCHER 1

## El Paso County Sheriff Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Bethel, Jessica 07088**

Barcode	Item #	Item Type	Description
 1156775	20	CD/DVD(s)	VERBATIM Serial #:
Mandatory Info: <b>Evidence</b>		INTERVIEW WITH OFFICER CHARLES WARREN BY DET BETHEL ON 4.21.2020	
Collected by: Bethel, Jessica 07088 Recovery Address: 27 E VERMIJO AVE Homicide #:		Evidence entered: 04/21/2020 Current Location: Evidence Intake	
 1156776	21	CD/DVD(s)	VERBATIM Serial #:
Mandatory Info: <b>Evidence</b>		DISK CONTAINING INTERVIEW OF OFFICER CHRIS CSAJKOWSKI BY DET RILEY 4.21.2020	
Collected by: Bethel, Jessica 07088 Recovery Address: 27 E VERMIJO AVE Homicide #:		Evidence entered: 04/21/2020 Current Location: Evidence Intake	

# Supplement 20200421 Bethel, Jessica #07088

Case Number: 2020-00004764

Date Occurred: Tuesday, April 21, 2020

Deputy Jessica Bethel # 07088

This is a supplemental narrative to Case # 2020-00004764 Supp 2

Thursday, April 23, 2020

On Tuesday, April 21, 2020, I, Detective J. Bethel of the El Paso County Sheriff's Office (EPSO) Investigations Division, assisted with the investigation of an Officer Involved Shooting.

I was tasked with conducting an interview of Colorado Springs Police Department (CSPD) Officer Charles Warren IV, [REDACTED] (EID 5988). Officer Warren was involved in the Officer Involved Shooting at 3215 Oak Creek Dr. E, Colorado Springs, CO 80906, located in the incorporated area of El Paso County, State of Colorado on April 19, 2020.

Officer Warren and his attorney met me at the Office of The Sheriff (OTS) located at 27 E. Vermijo Ave in Colorado Springs, CO 80903. The interview took place in interview room #4 which is equipped with audio and video recording. A copy of the interview was placed onto a disk and entered into evidence as item #20. The PTZ angle of the interview was also placed onto a disk and entered into evidence as item #26.

The following is a synopsis of the interview and should not be considered a verbatim transcription.

At approximately 11:30 am, I began the interview with Officer Warren. He was provided with water before the interview was conducted. I advised him the room was recorded and he would need to step out of the room to speak with his attorney in private. I provided Officer Warren with my business card and asked him how he was feeling. He told me he was feeling better after getting sleep. Officer Warren identified himself to me by name, date of birth and employee number. Officer Warren stated he works for the Colorado Springs Police Department on [REDACTED] out of the Gold Hills Division. He has [REDACTED] and [REDACTED] off. He began his career with CSPD in October 2016. The incident occurred on what would be Officer Warren's [REDACTED] of the work week.

I asked Officer Warren what he was wearing the day of the incident. He told me he was wearing his patrol uniform which consisted of a short sleeve shirt with shoulder patches which identified him as a police officer. He wore a soft vest carrier over his short sleeve shirt which had a badge affixed to it. Officer Warren was wearing his typical duty pants and boots. His duty belt consisted of from right to left, pepper spray, his department issued firearm, two sets of handcuffs in the back, then his radio, his taser, a flashlight and the extra magazines for his duty weapon. Officer Warren informed me when he responded to the call, he was wearing his Shield 616 heavy vest and helmet. The heavy vest covered his badge affixed to his soft vest carrier but was clearly marked with Police on the front and back of the vest. The vest also had several rifle and handgun magazines stowed on it along with a medical kit.

I asked Officer Warren if he carries a backup weapon. He confirmed he did. Officer Warren told me he keeps this weapon on his left side of his torso, zipped up under his soft vest carrier. His backup weapon is a 45 caliber Springfield XDS. Officer Warren denied using his backup weapon during the incident. He informed me his backup weapon was loaded with a magazine of five rounds and one round in the chamber for a total of six rounds of ammunition.

I asked Officer Warren how his duty weapon was loaded that day. He told me it was loaded with a full magazine of seventeen rounds and an additional round in the chamber of the weapon for a total of eighteen rounds of ammunition. The two additional magazines Officer Warren carried on his duty belt for his duty weapon were both loaded with seventeen rounds each. Officer Warren informed me the two spare magazines for his duty weapon that were carried on his Shield 616 vest both had seventeen rounds loaded in them. He told me he had two rifle magazines on his Shield 616 vest as well which were for his department issued M16 rifle. The rifle magazines were each loaded with twenty-eight rounds of ammunition. Officer Warren stated he did not use his rifle magazines or his rifle during the incident.

I asked Officer Warren what type of ammunition he was carrying the day of the incident. He stated his duty weapon and magazines contained Winchester Ranger P ammunition that are 127 grain jacketed hollow points. Officer Warren could not recall what type of rifle ammunition he was carrying other than it was Winchester Ranger.

I asked Officer Warren if he went to any other calls for service before the incident. He confirmed he did. Officer Warren told me the previous call for service he responded to was a noise complaint. I asked how Officer Warren slept the night before the incident. He told me it was a normal night for him, and he estimated he slept for 8 hours before coming to work. Officer Warren told me he felt fine while he was at work.

I asked Officer Warren to tell me about how he obtained the information about the call and then to tell me about the incident from start to finish.

Officer Warren told me he was sitting in a parking lot with another officer while they were both in their cars and he (Officer Warren) was finishing entering notes about the previous call for service. Officer Warren said his attention was brought to the radio when the officer he was with noticed the call being aired and made a statement about it. Officer Warren did not hear all the details of the call for service that was initially aired to responding officers, because he was talking at the time. Officer Warren said the other officer said he needed to go because the call sounded serious and dispatched himself to the call. This caught Officer Warren's attention and he decided to drive towards the direction of the call to assist if need be. While he was driving, he looked at the call screen and noted a female was reporting a male at the address on Oak Ridge Dr was armed with a rifle and another note said the male had cocked the rifle. Officer Warren said he thought that was not a good thing and he noticed other officers parked in a parking lot close to the address. Officer Warren said he saw other officers putting additional gear on and thought the call was getting serious.

Officer Warren said he approached a CSPD Corporal who was on scene and asked if he needed any additional help for the call. The Corporal told him yes and instructed him to go to the address. Officer Warren stated he asked dispatch to assign him to the call. Officer Warren stated he was the last officer in the parking lot to leave because he was putting on his gear and he drove his marked police vehicle to the area of the address. He stated he parked his marked, police vehicle a few houses away from the address and approached other officers who were already at the address.

Officer Warren stated when he arrived on scene he went to the "1/2" corner of the house and joined another officer who was there. He said he realized the officers at the front door were in contact with someone at the front door and could hear a male voice. He walked around the corner of the house to see what was going on at the front door. Officer Warren told me he saw what he thought was three officers at the front door and they were attempting to calm the male down. Officer Warren said the male was amped up and would not calm down. He could not exactly what the man at the front door was saying.

Officer Warren stated he did see the male and knew it was the male that was being called about. He further explained while on his way to the call he found the suspect's name in the call screen and looked it up in a law enforcement database. He observed a photo of the male and he also found an associated address for the male that was the same address as the call he was enroute to. Officer Warren said the man at the front door was the same man he looked up on his way to the call.

While officers were at the front door, they were attempting to negotiate with the suspect to get the remaining people out of the house. Officer Warren stated at least one male (not the suspect) came out of the home. Officer Warren called the male over to him and spoke to him in the driveway of the home, just in front of the garage. He said he was attempting to gather information about what was going on with the suspect. The man told him the suspect was his friend and he was just trying to help him. Officer Warren told me while he was speaking with the male, the suspect went back inside the home, but officers did not follow him inside. At the time, Officer Warren did not know who else was in the home with the suspect. Officer Warren directed the man he spoke to down to another officer who was standing at the perimeter of the scene.

Officer Warren told me the next thing he heard was officers at the "1/2" side of the house in contact with someone. Officer Warren went to the side of the house where the other officers were in contact with someone. He observed a basement window that was located below ground level that had a ladder that could be climbed up to get to ground level. Officer Warren joined the other officers at the window and saw the same male suspect that he saw at the front door previously. The officers were circled around the window. The suspect was still agitated, and other officers were trying to speak with him, asking him questions like what is going on, who else is inside and told the suspect they wanted to help him. Officer Warren stated the suspect was very upset and said something to the effect of, "You're here for me, you're hear for me". During this conversation with the suspect, one or two people came out of the basement. Officer Warren could not recall what the people looked like or even their race or gender because he was so focused on the suspect. He said he was focused on the suspect because the information about the suspect possibly having a rifle.

After the people exited the basement the suspect was still yelling at the officers. The suspect then moved to a position where he was no longer in sight of Officer Warren. Officer Warren said this all happened very quickly. Officer Warren told me the next thing he knew, the suspect returned to the area with a black object in his hands and came up to the window. He said he could immediately tell that the suspect had a rifle, specifically an AR. Officer Warren recalled the rifle was shorter and had a platform like an M4 platform and the rifle had a magazine inserted into the magazine well of the gun. He said the suspect came right up to the window and pointed the rifle upwards at the faces of the officers standing next to him (Officer Warren) at the window.

Officer Warren told me he was positioned to the right side of the window and had other officers to his left. One of the officers had a shield and he believed the officer's name is Eddy Nasar. Officer Warren said he was afraid the other officers did not see the rifle and they were going to be shot. He said he yelled, "Gun Gun Gun" and hoped the officers could hear it. He said he had his handgun at the low ready and hadn't pointed it at the suspect until he saw the gun. Officer Warren told me he fired his handgun approximately 4-5 times and the other officers fired their weapons as well.

Officer Warren became emotional and said it still bothers him. I asked him to tell me about the lighting at that point in time. He told me it was approximately 9:30 pm and was dark outside. He said he could see inside the basement of the home because the lights were on inside. He added one of the other officers had their weapon mounted light activated several times and he could see everything in the basement. Officer Warren said he could clearly see the suspect when he was in front of them.

Officer Warren picked up where he left off when the shooting occurred. He said another officer got on the radio and aired shots fired. He believed this officer was posted at the front of the house but was not sure. Officer Warren told me the suspect disappeared from the window and he had to look into the window further to see where the suspect was. Officer Warren stated the suspect was face down on the floor and could see blood. He saw the suspect's rifle was a few feet away from him and the suspect did not have anything in his hands.

Officer Warren said he got on the radio and aired shots fired. He also requested medical "Code 3" for the suspect who had gunshot wounds. Officer Warren said he heard other voices in the basement, and he was concerned that the other people may be injured. He said he did not see the people in the basement and knew they were there when they started calling out. He yelled to the people inside and asked them where they were and who they were. The people told him they were in the bathroom and followed his commands to open the door and come out to him. Officer Warren said a female that came out of the bathroom told him she thought she may have been shot. She came to him and explained her ankle hurt. Officer Warren said he examined the female and attempted to treat her injury, which he thought may have been shrapnel, but did not have anything to put on her wound. He had another officer take the female to provide medical aid.

Officer Warren was approached by Sgt. Sandoval who told him and the other officers that shot they needed to separate, not talk to one another and to keep their gear in the condition it was in. He said they all complied.

Officer Warren told me other officers entered the home, conducted a protective sweep of the house and found there was no one else inside.

Officer Warren was transported to the Police Operations Center by a Sgt.

I asked Officer Warren what he could see through the window. He said when he looked down and to the right, he saw a bed and a bathroom door where the female and her male friend were after the shooting occurred. He could not see any other doorways or anything else in the room, but did mention the room was well lit.

I asked Officer Warren if the suspect was saying anything when he came out with the rifle and what the suspect's body language was like. He told me as soon as the suspect came out with the rifle, he did not recall him saying anything else. He recalled the suspect immediately pointing the rifle straight up towards the officers to his left. Officer Warren added the barrel seemed like it was "point blank" in the other officers' faces.

I asked Officer Warren what he recalled hearing, seeing or smelling right before the shooting occurred. Officer Warren did not recall hearing anything or smelling anything and stated when the suspect disappeared, he thought it was not good that they lost sight of him and did not expect the suspect to come back with a rifle. He said, "It scared the hell out of me" and after the shooting he remembered smelling gun smoke. Officer Warren did not recall the gunshots being loud at all.

I asked Officer Warren where he was aiming when he was firing. He told me he was shooting down and to the left where the suspect was. He said he knew the carpet was his backstop.

I asked Officer Warren what made him stop shooting. He said he could no longer see the suspect and could not hear anything from the suspect, so he thought the threat had stopped.

I asked him if the other officers present were telling him anything. He told me he remembered they talked to one another but could not remember what was being said specifically. He said the context of the conversation was where the suspect was and making sure each of them were ok and not injured. At the time none of the officers were complaining of pain or injury.

I asked Officer Warren if there was anything he would like to add. He said no. I took a break from the interview as did Officer Warren and his attorney.

After consulting with my colleagues who were watching the interview, Officer Warren, his attorney and I returned to the interview room. I asked Officer Warren if he was ordered to shoot. He said no. I concluded the interview.

After Officer Warren and I exited the interview room, I was approached by Lt. Manzanilla who asked me to ask Officer Warren if he saw the suspect shoot. I posed this question to Officer Warren outside of the interview room in front of his attorney. Officer Warren answered the question, no. I passed this information onto Lt. Manzanilla.

I have nothing further at this time.

Case Status: SAO

## Supplement 20200419 1122 Schulz, Jeff #03034

This is a supplement to EPSO case #20-4764

Case Information:

EPSO Case #20-4764

CSPD Case #20-14453

Suspect: Virgill Thorpe DOB: 12/13/1991

Address: 3215 Oak Creek Drive East

Colorado Springs, Colorado 80906

DETECTIVE STATEMENT

I, Detective Jeff Schulz/03034, am a sworn Deputy with the El Paso County Sheriff's office (EPSO) I have been a sworn deputy for 17 years and I am currently assigned to the Criminal Intelligence Unit (CIU) as a Detective. My main job function is to look at pattern crimes that involve but not limited to, Theft, Burglaries, Criminal Trespass Auto and Motor Vehicle Thefts. My main focus is looking at prolific offenders responsible for a pattern of crimes.

DETECTIVE STATEMENT

On 04/19/2020 at approximately 1122 hours, I, Detective Jeff Schulz received a call from Detective David Glenn in reference an officer involved shooting (OIS) involving four Colorado Springs Police Officers (CSPD). Detective Glenn asked me to respond to the Police Operations Center (POC).

Once on scene at the POC I met with (EPSO) Commander Andy James and (EPSO) Lieutenant Mitch Mihalko. I was advised by Lt. Mihalko that the address of the OIS was 3215 Oak Creek Drive East. I was also told that the four officers involved were CSPD Officer Eddie Nassar, CSPD Officer Chris Czajkowski, CSPD Officer Charlie Warren and Corporal Joe Somosky.

I was told that the suspect in this incident was identified as Virgill Thorpe DOB: 12/13/1991, who was transported to [REDACTED] Hospital where he later died from his injuries. I was also advised that there were four witnesses on scene.

On 04/20/2020 at approximately 0110 hours, Sergeant Carlos Sandavol gave a Public Safety Statement based on information given to him by Corporal Joe Somosky. Sgt. Sandavol stated that Corporal Somosky told him that they were dispatched to a Domestic Violence (DV) call for service. Corporal Somosky said he and the other officers developed a plan before getting to the address of the call based on information that the suspect may have a gun in his possession. Officer Somosky said they arrived on scene and set up containment on the house. Corporal Somosky said they were looking through the basement windows in an attempt to see the suspect in the basement. Corporal Somosky said the suspect came to the door and they, the officers challenged him to come out. Corporal Somosky said the suspect told them "no" and then stated, "come in I have something for you" and slams the door and goes back inside the house. Corporal Somosky said the suspect went downstairs and at some point, retrieved a gun. Corporal Somosky said the suspect

pointed the gun out the window at them and then at that point he fired his rifle at the suspect.

At approximately 0241 hours Crime Lab Technician Alyssa Berriesfield started the process of documenting information from all four officers. This information consisted of photos of the officer's weapons involved in the actual shooting or of the weapons that were in the officer's possession at the time of the shooting. Also taken were swabs and photos of any blood on the officer's uniforms. General photos were taken of all the officers to consist of front, left side, right side and back. All weapon serial numbers were documented as well as a round count was completed on all weapons involved or present while the officers were not present.

**ROUND COUNTS: Officer Charles Warren 5988**

The first officer was Charles Warren 5988. Officer Warren said he fired his duty handgun during the incident. That handgun is a Smith and Wesson M&P-9 9mm with an associated serial number of [REDACTED] with an attached TRL-1 tac light. Officer Warren also had a personal backup weapon with him which is a XD 45ACP 3.3 with an associated serial number of [REDACTED]

**Duty Weapon (Handgun)**

1st Magazine: 12 in the actual Magazine and 1 in the chamber (13)

2nd Magazine: 17 rounds in the Magazine

3rd Magazine: 17 rounds in the Magazine

4th Magazine: 17 rounds in the Magazine

5th Magazine: 17 rounds in the Magazine

**Personal Weapon (Handgun)**

1st Magazine 5 in the Magazine and 1 in the chamber

Officer Warren's personal weapon was returned to him as it was not discharged during the incident. Officer Warren's duty weapon as well as the magazine in the gun was collected as evidence. The additional magazines were returned to Officer Warren.

**ROUND COUNTS: Officer Eddie Nassar 6820**

The second Officer was Eddie Nassar 6820. Officer Nassar said he fired his duty handgun during the incident. That handgun is a Smith and Wesson M&P-9 9mm with an associated serial number of [REDACTED] with an attached TRL-1 tac light.

**Duty Weapon (Handgun)**

1st Magazine: 16 in the actual Magazine and 1 in the chamber (17)

2nd Magazine: 17 rounds in the Magazine

3rd Magazine: 17 rounds in the Magazine

Officer Nassar's duty weapon as well as the magazine in the gun was collected as evidence. The additional magazines were returned to Officer Nassar.

**ROUND COUNTS: Corporal Joseph Somosky 2321**

The third Officer was Corporal Joseph Somosky 2321. Officer Somosky said he fired his duty rifle during the incident. That rifle is a Colt AR-15 with an associated serial number of [REDACTED]

A round count was also completed on Corporal Somosky's duty weapon. That duty weapon is a Smith and Wesson M&P-9 9mm with an associated serial number of [REDACTED] with an attached TRL-1 tac light.

**Duty Weapon (Rifle)**

1st Magazine: 8 in the actual Magazine and 1 in the chamber (9)

2nd Magazine: 30 rounds in the Magazine

3rd Magazine: 30 rounds in the Magazine

4th Magazine: 30 rounds in the Magazine

5th Magazine: 30 rounds in the Magazine

It was confirmed that Corporal Somosky loads each of his rifle magazines with 30 rounds of ammunition.

There was blood found on both sides of the magazine that was still in the weapon which I listed as the first magazine. There was also blood on both sides of the magazine well. The rifle and the magazine were collected as evidence. The additional magazines were returned to Corporal Somosky.

**Duty Weapon (Handgun)**

1st Magazine: 16 in the actual Magazine and 1 in the chamber (17)

2nd Magazine: 17 rounds in the Magazine

3rd Magazine: 17 rounds in the Magazine

4th Magazine: 17 rounds in the Magazine

5th Magazine: 17 rounds in the Magazine

Corporal Somosky's duty weapon and additional magazines were returned to him as it was not involved in the actual incident.

Blood was also found in the following areas on Corporal Somosky:

1. Left front pant leg near the cargo pocket
2. Left shirt sleeve and left shirt shoulder
3. Right pant leg near the cargo pocket
4. OC pouch which was located on the right side of the duty belt

Photographs and swabs were taken from all these areas by the crime scene tech. Corporal Somosky also said he had blood on his hands from performing life saving measures on the suspect in this case.

**ROUND COUNTS: Officer Kristopher Czajkowski 6588**

The fourth Officer was officer Kristopher Czajkowski 6588. Officer Czajkowski said he fired his duty rifle during the incident.

That rifle is a Smith and Wesson M&P 15 with an associated serial number of [REDACTED] A round count was also completed on Officer Czajkowski's duty weapon. That duty weapon is a Smith and Wesson M&P-9 9mm with an associated serial number of [REDACTED] with an attached TRL-1 tac light.

**Duty Weapon (Rifle)**

**1st Magazine: 23 in the actual Magazine and 1 in the chamber (24)**

**2nd Magazine: 28 rounds in the Magazine**

**3rd Magazine: 28 rounds in the Magazine**

**Officer Czajkowski's duty rifle as well as the magazine in the rifle was collected as evidence and his duty hand gun and additional magazines were returned to him.**

**Duty Weapon (Handgun)**

**1st Magazine: 17 in the actual Magazine and 1 in the chamber (18)**

**2nd Magazine: 17 rounds in the Magazine**

**3rd Magazine: 17 rounds in the Magazine**

**4th Magazine: 17 rounds in the Magazine**

**5th Magazine: 17 rounds in the Magazine**

**The standard load for CSPD handgun magazines is 17 with the exception of the magazine in the handgun which will contain 17 rounds and then 1 additional round in the chamber for a total of 18. A standard load for CSPD rifle is 28 in the magazine with none in the chamber for a total of 28. The only exception to this was Corporal Somosky who said he loaded his magazines or his rifle with 30 rounds.**

**Nothing further at this time**

**Case Status: S.A.O.**

# EVIDENCE VOUCHER INTERVIEW ENTRY

## El Paso County Sheriff Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Bethel, Jessica 07088**

Barcode	Item #	Item Type	Description
 1156775	20	CD/DVD(s)	VERBATIM Serial #:
Mandatory Info: <b>Evidence</b>		INTERVIEW WITH OFFICER CHARLES WARREN BY DET BETHEL ON 4.21.2020	
Collected by: Bethel, Jessica 07088 Recovery Address: 27 E VERMIJO AVE Homicide #:		Evidence entered: 04/21/2020 Current Location: Evidence Intake	
 1156776	21	CD/DVD(s)	VERBATIM Serial #:
Mandatory Info: <b>Evidence</b>		DISK CONTAINING INTERVIEW OF OFFICER CHRIS CSAJKOWSKI BY DET RILEY 4.21.2020	
Collected by: Bethel, Jessica 07088 Recovery Address: 27 E VERMIJO AVE Homicide #:		Evidence entered: 04/21/2020 Current Location: Evidence Intake	

## Supplement 20200421 Bethel, Jessica #07088

Case Number: 2020-00004764

Date Occurred: Tuesday, April 21, 2020

Deputy Jessica Bethel # 07088

This is a supplemental narrative to Case # 2020-00004764 Supp 3

Friday, April 24, 2020

On Tuesday, April 21, 2020, I, Detective J. Bethel of the El Paso County Sheriff's Office (EPSO) Investigations Division, assisted with the investigation of an Officer Involved Shooting.

I placed a copy of the interview conducted with Colorado Springs Police Department Officer Chris Csajkowski into evidence as item #21. The disk contains both the PTZ angle and the overall angle of the interview room.

The interview was conducted by Detective Mark Riley on Tuesday, April 21, 2020.

I have nothing further at this time.

Case Status: SAO

## Supplement 20200419 1120 Glenn, David #13076

This is a supplement to EPSO case #20-4764

Case Information:

EPSO Case #20-2050

CSPD Case #20-14453

Suspect: Virgil Thorpe DOB: 12/13/1991

Address: 3215 Oak Creek Drive East

Colorado Springs, Colorado 80906

Detective Information

I, Detective David Glenn Jr #13076, am a sworn Deputy with the El Paso County Sheriff's office (EPSO) I have been a sworn deputy for 7 years and I am currently assigned to the Criminal Intelligence Unit (CIU) as a Detective. My main job function is to look at pattern crimes that involve but not limited to, Theft, Burglaries, Criminal Trespass Auto and Motor Vehicle Thefts, with a focus on the apprehension of prolific offenders.

DETECTIVE STATEMENT

On 04/19/2020 at approximately 1120 hours, I, received a telephone call from Detective Sergeant Jacob Abendschan in reference an officer involved shooting (OIS) involving four Colorado Springs Police Officers (CSPD). Detective Sergeant Abendschan asked me to respond to the Police Operations Center (POC).

Once on scene there I met with (EPSO) Commander Andy James and (EPSO) Lieutenant Mitch Mihalko. I was advised by Lt. Mihalko that the address of the OIS was 3215 Oak Creek Drive East. I was also told that the four officers involved were CSPD Officer Eddie Nassar, CSPD Officer Kristofer Czajkowski, CSPD Officer Charles Warren and Corporal Joseph Somosky.

PUBLIC SAFETY STATEMENT

On 04/20/2020 at approximately 0110 hours, Sergeant Carlos Sandavol gave a Public Safety Statement in reference Corporal Somosky with the following information:

Sgt. Sandavol stated that Corporal Somosky told him that they were dispatched to a Domestic Violence (DV) call for service. At the time of dispatch, the officers were advised there was a male on scene who was armed and pointed his weapon at the reporting party.

Additionally, the male threatened to shoot at any police officers who arrived on scene.

Corporal Somosky said he and the other officers met at the [REDACTED] gym parking lot, located at 455 East Cheyenne Mountain Boulevard, prior to arriving at the Oak Creek address to develop a plan and don protective gear. Officer Somosky said they arrived on scene and set up containment on the house with himself and his trainee, Officer Nassar, positioned at the front of the house. Corporal Somosky said the male suspect came to the door and they, the officers challenged him to come out. Corporal Somosky said the suspect told them "no" and then stated, "I have something for you," before he went back inside the house. At that point, the officers observed the male suspect through the basement windows pointing a rifle at them and they opened fire on him from outside the house.

CSPD METRO CRIME LAB

At approximately 0241 hours Crime Scene Investigator (CSI) Alyssa Berriesford started the process of documenting information from all four officers. This information consisted of photos of the officer's weapons involved in the actual shooting or of the weapons that were in the officer's possession at the time of the shooting. Also taken were swabs and photos of any blood on the officer's uniforms. General photos were taken of all the officers to consist of front, left side, right side back, and footwear tread pattern. All weapon serial numbers were documented as well as a round count was completed on all weapons involved or present while the officers were not present.

ROUND COUNTS: Officer Charles Warren 5988

The first officer was Charles Warren 5988. Officer Warren said he fired his duty handgun during the incident. That handgun is a

Smith and Wesson MP-9 9mm with an associated serial number of [REDACTED] with an attached TRL-1 tac light. Officer Warren also had a personal backup weapon with him which is a XD 45ACP 3.3 with an associated serial number of [REDACTED]

Duty Weapon (Handgun)

1st Magazine: 12 in the actual Magazine and 1 in the chamber (13)

2nd Magazine: 17 rounds in the Magazine

3rd Magazine: 17 rounds in the Magazine

4th Magazine: 17 rounds in the Magazine

5th Magazine: 17 rounds in the Magazine

Personal Weapon (Handgun)

1st Magazine 5 in the Magazine and 1 in the chamber

Officer Warren's personal weapon was returned to him as it was not discharged during the incident. Officer Warren's duty weapon as well as the magazine in the gun was collected as evidence. The additional magazines were returned to Officer Warren.

ROUND COUNTS: Officer Eddie Nassar 6820

The second Officer was Eddie Nassar 6820. Officer Nassar said he fired his duty handgun during the incident. That handgun is a Smith and Wesson MP-9 9mm with an associated serial number of [REDACTED] with an attached TRL-1 tac light.

Duty Weapon (Handgun)

1st Magazine: 16 in the actual Magazine and 1 in the chamber (17)

2nd Magazine: 17 rounds in the Magazine

3rd Magazine: 17 rounds in the Magazine

Officer Nassar's duty weapon as well as the magazine in the gun was collected as evidence. The additional magazines were returned to Officer Nassar.

ROUND COUNTS: Corporal Joseph Somosky 2321

The third Officer was Corporal Joseph Somosky 2321. Officer Somosky said he fired his duty rifle during the incident. That rifle is a Colt AR-15 with an associated serial number of [REDACTED]

A round count was also completed on Corporal Somosky's duty weapon. That duty weapon is a Smith and Wesson MP-9 9mm with an associated serial number of [REDACTED] with an attached TRL-1 tac light.

Duty Weapon (Rifle)

1st Magazine: 8 in the actual Magazine and 1 in the chamber (9)

2nd Magazine: 30 rounds in the Magazine

3rd Magazine: 30 rounds in the Magazine

4th Magazine: 30 rounds in the Magazine

5th Magazine: 30 rounds in the Magazine

It was confirmed that Corporal Somosky loads each of his rifle magazines with 30 rounds of ammunition.

There was blood found on both sides of the magazine that was still in the weapon which I listed as the first magazine. There was also blood on both sides of the magazine well. The rifle and the magazine were collected as evidence. The additional magazines were returned to Corporal Somosky.

Duty Weapon (Handgun)

1st Magazine: 16 in the actual Magazine and 1 in the chamber (17)

2nd Magazine: 17 rounds in the Magazine

3rd Magazine: 17 rounds in the Magazine

4th Magazine: 17 rounds in the Magazine

5th Magazine: 17 rounds in the Magazine

Corporal Somosky's duty weapon and additional magazines were returned to him as it was not involved in the actual incident.

Blood was also found in the following areas on Corporal Somosky:

1. Left front pant leg near the cargo pocket

2. Left shirt sleeve and left shirt shoulder

3. Right pant leg near the cargo pocket

4. OC pouch which was located on the right side of the duty belt

Photographs and swabs were taken from all these areas by the crime scene tech. Corporal Somosky also said he had blood on his hands from performing life saving measures on the suspect in this case.

ROUND COUNTS: Officer Kristopher Czajkowski 6588

The fourth Officer was officer Kristopher Czajkowski 6588. Officer Czajkowski said he fired his duty rifle during the incident.

That rifle is a Smith and Wesson M&P 15 with an associated serial number of [REDACTED] A round count was also completed on Officer Czajkowski's duty weapon. That duty weapon is a Smith and Wesson MP-9 9mm with an associated serial number of [REDACTED] with an attached TRL-1 tac light.

Duty Weapon (Rifle)

1st Magazine: 23 in the actual Magazine and 1 in the chamber (24)

2nd Magazine: 28 rounds in the Magazine

3rd Magazine: 28 rounds in the Magazine

Officer Czajkowski's duty rifle as well as the magazine in the rifle was collected as evidence and his duty hand gun and additional magazines were returned to him.

Duty Weapon (Handgun)

1st Magazine: 17 in the actual Magazine and 1 in the chamber (18)

**2nd Magazine: 17 rounds in the Magazine**

**3rd Magazine: 17 rounds in the Magazine**

**4th Magazine: 17 rounds in the Magazine**

**5th Magazine: 17 rounds in the Magazine**

**The standard load for CSPD handgun magazines is 17 with the exception of the magazine in the handgun which will contain 17 rounds and then 1 additional round in the chamber for a total of 18. A standard load for CSPD rifle is 28 in the magazine with none in the chamber for a total of 28. The only exception to this was Corporal Somosky who said he loaded his magazines or his rifle with 30 rounds.**

**SUSPECT INFO**

**While I was at the he POC, I was notified by CSPD Detective Jerry Schiffelbein the male suspect was identified as Virgill Thorpe DOB: 12/13/1991 and that he died at [REDACTED] Hospital as a result of his injuries.**

**Case Status: SOA**

## **Supplement 20200423 1020 Montville, Lisa #01060**

**Case Supplement, 20-4764**

**Detective Statement:**

**On April 23, 2020, at about 10:20 a m., I, Detective Montville was conducting follow-up on this case. On this date, I responded to the Colorado Springs Metro Crime Lab, located at 705 South Nevada Avenue, in Colorado Springs, Colorado. I met with the Metro Crime Lab administrative assistant and received copies of the digital photographs collected by lab personnel for this case.**

**The digital photographs included: processing of Officer Charles Warren, Officer Kris Czajkowski, Officer Eddie Nassar and Corporal Joseph Somosky, photographs taken during Virgill Thorpe's autopsy and photographs taken at the scene; located at 3215 Oak Creek Drive East.**

**I placed the photographs onto a flash drive and I entered the flash drive into the El Paso County Sheriff's Office Evidence Facility under item number 28. A copy of the evidence voucher is attached to this supplement.**

**Nothing Follows.**

**Case Status: ACT-INV**

# Evidence voucher for item number 28

## El Paso County Sheriff Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Montville, Lisa 01060**

Barcode	Item #	Item Type	Description
 1156854	28	Flash/Thumb/USB Drive(s)	Serial #: ONE FLASH DRIVE CONTAINING COPIES OF DIGITAL PHOTOGRAPHS COLLECTED BY THE METRO CRIME LAB
Mandatory Info: <b>Evidence</b>			Evidence entered: 04/23/2020 Current Location: Evidence Intake
Collected by: Montville, Lisa 01060 Recovery Address: 27 E VERMIJO AVE Homicide #:			

# Supplement 20200420 Mai, Karl 98039

This is a supplemental narrative for EPSO Case No. 2020-00004764, Agency Outside Assist, Colorado Springs Police Department (CSPD), Officer Involved Shooting.

On 04/20/2020, I, Detective Karl Mai #98039, conducted the following investigation regarding this case:

I responded to the Office of the Sheriff (OTS, 27 E. Vermijo) to conduct victim and witness interviews associated with a domestic violence incident and a CSPD Officer Involved Shooting (OIS) that occurred on 4/19/20 at 3215 Oak Creek Drive East, in Colorado Springs, El Paso County, Colorado.

I knew very little about the incident prior to starting the interviews. I understood CSPD had responded to the named address after receiving a 911 call regarding a possible incident of domestic violence. They had been informed by the caller that the suspect, Virgill O'Brien Thorpe (12/13/91) was armed with a firearm. I knew Thorpe had been shot and wounded by several sworn members with CSPD and he was being treated for his wounds at [REDACTED] Hospital - [REDACTED]

CSPD transported several people to the OTS for interviews. I personally interviewed the following people:

1. [REDACTED]
2. [REDACTED] was an eyewitness to this incident.
3. [REDACTED]. [REDACTED] was an eyewitness to this incident.

All the interviews I conducted were recorded using the integral recording system built into Interview Room #4 within the workspace of EPSO's Investigations Division. I downloaded the recordings, saved them to CD's and entered them into evidence. I will identify those evidence items later in this report.

## Synopsis of Interviews:

Combining the information I received from all three interviews, I can summarize what happened from the perspective of [REDACTED] and [REDACTED]

On 4/19/20, [REDACTED] and Thorpe ([REDACTED]) were working on their backyard fence, along with Thorpe's friend [REDACTED] (NFI). They started working around 0800 hours and stopped working around 1600 hours. After the work was over, [REDACTED] Thorpe and [REDACTED] started drinking alcoholic beverages and [REDACTED] was doing some outdoor cooking. Both [REDACTED] and Thorpe drank to the point of intoxication. Around dusk, these adults started making use of a hot tub at the property. At some point, [REDACTED] and Thorpe started arguing about common [REDACTED] issues; money, jobs and relationship problems (possibly infidelity). They had been arguing in the master bedroom on the main floor of the house. [REDACTED] attempted to walk away from the argument, exiting the master bedroom, but Thorpe followed her into the hallway and grabbed [REDACTED] in-turn grabbed Thorpe, wrapping both of her arms and legs around his body, which took her off the ground completely. Thorpe responded by forcefully pushing [REDACTED] onto the hallway floor and she struck the back of her head against the floor, causing pain and visible injuries.

When she got up, [REDACTED] informed Thorpe she was going to call the police and she retreated to [REDACTED] bedroom in the home's basement. While on the telephone with 911 dispatchers, Thorpe appeared in [REDACTED] room, now armed with a rifle. Over the next several minutes, Thorpe walked in and out of the room, sometimes with the gun and sometimes without the gun. [REDACTED] and [REDACTED] both reported Thorpe had charged the weapon in front of them and ejected a live round onto the floor of [REDACTED] bedroom. This is a strong indicator that weapon was loaded and ready to fire. Thorpe also made several statements indicating he was not afraid of the police and was prepared for an armed confrontation. When CSPD arrived, they contacted [REDACTED] [REDACTED] [REDACTED] (another [REDACTED] of [REDACTED]'s) and [REDACTED] [REDACTED] via a basement window in [REDACTED] bedroom. The responding officers were able to get [REDACTED] and [REDACTED] out of the house via that basement window and the last time [REDACTED] saw Thorpe, he was unarmed, and she verbalized this to the police outside her house.

However, as soon as [REDACTED] was out the window, Thorpe again exited [REDACTED] room and returned only seconds later with the rifle in hand. Both [REDACTED] and [REDACTED] witnessed this. Thorpe then approached the basement window and pointed the rifle upward toward the police who were in the midst of coaxing and help [REDACTED] to escape through the window. [REDACTED] reported Thorpe did discharge his rifle. [REDACTED] was not so sure about that. Regardless, both reported that when Thorpe approached the window with the rifle and pointed it at the police, that's when the officers outside the window fired upon Thorpe. [REDACTED] thought Thorpe retreated from the room after being shot at. [REDACTED] reported Thorpe fell to the floor at the exit to [REDACTED] room after being shot at. Neither of them could say if Thorpe had been injured by CSPD's gun fire or not.



followed [REDACTED] and grabbed her from behind. [REDACTED] turned the wrapped both her arms and her legs around Thorpe. [REDACTED] was not sure if she started to lose her grip and fall, but she was sure that Thorpe intentionally drover her downward into the hallway flooring (later she said there was tile there). She described Thorpe bending forward at the waste and pushing her with force into the floor. As a result, [REDACTED] struck the back of her head on the floor, causing pain and visible injury.

Later, outside the interview room, [REDACTED] and I did go over her injuries more in depth. She removed the wig she was wearing, and I examined the back of her head with a gloved hand. I could feel a shallow bump on the back of her head. It was a couple of inches below the crown of her skull and just left of center. I could not see the bump through her natural hair, but I could see some redness on her scalp in that area. I could feel a slight bump with my fingers and [REDACTED] let me know it was very sensitive to the touch.

[REDACTED] also had what appeared to be fresh bruising on the back of her upper left arm, about four inches above her elbow. There was a patch of skin there which had a bruise approximately two inches in diameter. The bruise was red, purple and green. The skin in this area was also scuffed. Based on my experience, this appeared to be a fresh injury. [REDACTED] was not sure if she was bruised here when she hit the floor, or when Thorpe grabbed her. Further up the back of her left arm, about four inches below her left shoulder, I observed two smaller bruises about the size of dimes. She also had some redness on the inside of her upper left arm. The marks on both the inside and outside of [REDACTED] upper left arm was an indicator she was grabbed. [REDACTED] also had a fresh bruise and skin abrasion on her right elbow. She thought that could have been from hitting the floor too.

After being slammed to the ground, [REDACTED] got up and told Thorpe she was going to call the police. She told Thorpe she had warned him about putting his hands on her and she was not going to be an abused [REDACTED] When asked, [REDACTED] would not give details about past abuse. [REDACTED] said Thorpe just walked away when she told him this. I didn't ask which direction he went, but [REDACTED] went to the basement level and she went to [REDACTED] bedroom. [REDACTED] also told Thorpe not to follow her. [REDACTED] knew both [REDACTED] and [REDACTED] were there and she wanted to be with them.

In [REDACTED] room, [REDACTED] told her daughters Thorpe had assaulted her. She then called 911. I later found out she used [REDACTED] cellphone to make that call. While on the telephone with the 911 dispatcher, Thorpe entered [REDACTED] room and he was carrying a rifle. [REDACTED] didn't know enough about guns to say what kind of rifle it was. She knew the rifle Thorpe was holding is normally stored unloaded underneath the bed in the master bedroom. [REDACTED] said she and Thorpe had recently taken several guns out target shooting, and they had cleaned the firearms afterward, that's why she was confident the rifle is stored unloaded. When Thorpe moved into her home, he only owned a pistol. [REDACTED] thought it could have been a 9mm pistol. Since he moved in, Thorpe acquired the rifle he had during this incident and she had bought a pistol too. Based on these statements there was likely three guns in the house. I never received information from anyone I interviewed indicating either of the pistols were involved in this incident; only the rifle was involved.

[REDACTED] said she was shocked at seeing Thorpe with a gun; she couldn't believe it. [REDACTED] relayed to the 911 operator that Thorpe was armed. However, as quickly as he came into [REDACTED] room with the rifle, Thorpe walked out of the room with the rifle. [REDACTED] believed Thorpe went back to the main level of the home and was there for several minutes while [REDACTED] and her daughters waited for a police response. When the police were on scene, [REDACTED] couldn't see what was happening on the main level, or in front of the home but, after the police arrived, Thorpe returned to [REDACTED] bedroom and he no longer had the rifle. He was saying some things [REDACTED] couldn't recall but she described Thorpe being in a panic. [REDACTED] said she grabbed Thorpe by the shoulders and told him to calm down.

A moment later, [REDACTED] heard the police outside [REDACTED] window. Because [REDACTED] has a basement bedroom, her window looks into a below ground window well. The police were above the window well with flashlights and they were communicating with the [REDACTED] and her daughters. [REDACTED] said her motherly instincts took over and she helped [REDACTED] crawl out the window first, before she tried to get out the window herself. [REDACTED] said as she was exiting the window, she looked back and saw Thorpe near the exit to [REDACTED] room and he was unarmed. As soon as she was clear of the window, [REDACTED] said she told the officers Thorpe was unarmed.

[REDACTED] was pulled and cajoled away from the window and toward a police cruiser parked in front of her house by one of the CSPD officers. She was not happy with the way the officer handled her, describing he was pulling at her shirt and not listening to her. She also described she had some choice words for the officer who was controlling her. [REDACTED] said she repeatedly told the officers Thorpe was unarmed. However, only moments after getting pulled from the window and arriving at the police car, [REDACTED] heard several gunshots. The shots sounded like they happened outside of her home. [REDACTED] could not see the gunfire directly.

As the interview went on, [REDACTED] seemed to be getting more and more frustrated. She verbalized concerns she felt like she was under suspicion and she was being investigated. She described how she has been in several violent relationships, starting with her own father and the police have frequently not been helpful. At one-point, [REDACTED] asked to speak with me off camera, but I didn't want to, and [REDACTED] couldn't articulate why she wanted that. She said several times the whole situation was embarrassing, and she didn't like being on camera. I asked [REDACTED] just a few more clarifying questions. I asked her if there had been a physical altercation between her and Thorpe in the master bedroom too and she said there wasn't. I asked her if there were any witnesses to her being slammed to the floor and she said there wasn't.

When we talked a little more about the guns in the house, I asked [REDACTED] why they had guns. Was it for sport or for protection?

██████████ said she and Thorpe had talked about her having a gun for when he was gone to, "Kuwait." During the interview, I wasn't sure what ██████████ said and I asked her to repeat herself. When I reviewed the recording, so I could write this report, I heard "Kuwait." ██████████ refused to repeat herself and she got a little smirk on her face. It was at this moment I realized why ██████████ was evasive in some of her answers tonight. It was because Thorpe was active duty military, serving at Ft. Carson in Colorado. When she finally admitted that was the case, she acknowledged Thorpe would likely lose his career because if he was arrested for domestic violence and that's why she was protecting that information. I told ██████████ that would all come out eventually, with or without her input. I later learned Thorpe's First Sergeant had visited the crime scene, so the Army already knew what was happening and ██████████ efforts were pointless.

When I started asking ██████████ about how much she had to drink before the incident, she said she didn't want to talk anymore, and she mentioned wanting an attorney. I pushed past that because I did not interpret my conversation with ██████████ as being a custodial interrogation about a crime she was suspected of committing. ██████████ also mentioned there are security cameras mounted on the exterior of her home and they are monitored/recorded by ██████████. ██████████ said the account was in both her name and Thorpe's name and the account was tied to their address on Oak Creek. ██████████ said the telephone number associated with the account could be ██████████, which is ██████████ cellphone number.

I was finished with ██████████ in the interview room at approximately 0155 hours. After we left the room, I had her sit in a chair away from ██████████ and ██████████ so they could not speak about the incident. It was also after we left the interview room that I documented ██████████ injuries using the photo app on my duty cellphone. ██████████ also told me at this time she had six beers before the incident.

██████████ Interview:

██████████ cell phone number is ██████████.

My interview with ██████████ began at 0216 hours and it ended at 0302 hours, according to the video's timestamp. During the interview, I stepped out of the room twice to confer with people watching the interview. I was away between 0241 & 0244 hours, and then from 0256 to 0258 hours. The recording of ██████████ interview was entered into evidence as Item #15.

When I brought ██████████ into Interview Room #4, I observed her left leg had a large bandage on it. We discussed her injuries during the interview, but I did not document them because I did not want her to remove her bandage. When we left the interview room, I observed ██████████ was limping on that leg and I asked her if it was sore to walk on. She said it was.

██████████ said when this incident occurred, she was there along with her sister ██████████ ██████████ ██████████ ██████████ her mother (██████████) and Thorpe. ██████████ said she calls her mother's husband Thorpe, but she didn't know if that was his first or last name. ██████████ confirmed ██████████ and Thorpe were married and I thought it odd when I reviewed this interview ██████████ didn't know more about Thorpe. She didn't know what Thorpe did in the military. She had heard Thorpe was studying to be a drill instructor. Based on my own military experience, I know this is a highly sought-after job and it requires the best and most disciplined soldiers to become drill instructors.

██████████ said she was at work from about 1600 hours until 2030 hours and she arrived home at 2040 hours. ██████████ works at the ██████████. When she got home, she knew ██████████ and Thorpe had guests, but she didn't go to meet them or try to see who was there. ██████████ said she didn't want to know who was there. She went to the kitchen to turn the oven on so she could make some food and then she went down to her downstairs bedroom. ██████████ and ██████████ followed her, and they stayed there until the incident started and during the incident.

██████████ said the incident may have begun around 2120 hours. The master bedroom is directly above hers and she could hear her mother yelling at Thorpe, but she didn't know why. ██████████ said shortly before her mother appeared in her room, she could hear a scuffle upstairs that lasted about five minutes. There were several small thumps and thuds on the floor above her, followed by one very loud thump. ██████████ said she and ██████████ were about to go check on their mother, but ██████████ came into her room first and instructed ██████████ to call the police because Thorpe had pushed her down and she hit her head. ██████████ said she and ██████████ asked ██████████ what the argument was about, and ██████████ said Thorpe's friends had brought some women to the house and she didn't like that. ██████████ said ██████████ cellphone was used to call 911.

██████████ said ██████████ was in her room for about ten minutes and they had already called the police when Thorpe appeared with a rifle. ██████████ doesn't know guns. She said ██████████ had claimed the gun was an, "AR." ██████████ said the gun was long and it had long, sharp bullets. I asked ██████████ how she knew what the bullets looked like. ██████████ said when Thorpe came into the room with the rifle, he "cocked it," and a bullet flew out of the gun. ██████████ said Thorpe was threatening to shoot at the police if they were called and he made this statement in front of everyone. She said he was talking fast saying things like, "Try me!" and "Call the cops, see what happens!" ██████████ also said Thorpe denied hitting ██████████ and told them not to call the police. I asked ██████████ if Thorpe pointed the rifle at anyone. She said when he charged the weapon, he waved it across everyone in the room, but he never specifically aimed the weapon at anyone. After making these statements and making his weapon ready to fire, Thorpe left the room.

██████████ described there are two rooms in the basement. One of them is a TV room and the other is her bedroom. There is also a

bathroom in the basement. [REDACTED] room is large she said. It has a door, but the door was broken prior to this incident so they could not have locked themselves in the room, away from Thorpe, even if they wanted to. [REDACTED] said when you first enter the basement, the TV room is first and her room is beyond there. When the police arrived, [REDACTED] said the dispatcher [REDACTED] was talking to notified them the police were on scene and instructed them to find a door or window to escape from. [REDACTED] suggested they exit the house through the window in her bedroom. [REDACTED] said she could tell the police were outside her window because they had flashlights and, "who else would be walking around at night with flashlights." The police were also talking to them from outside the window. [REDACTED] told [REDACTED] and [REDACTED] to exit the window first. When [REDACTED] and [REDACTED] were getting out, [REDACTED] said Thorpe was still standing in the room and he was yelling at the cops, but he was no longer armed. [REDACTED] quoted Thorpe having said, "You guys wanna go?" This is a common challenge prior to fight. I have heard this statement many times in my career, from victims, witnesses and suspects alike. [REDACTED] also quoted Thorpe saying, "You guys want to do this?" which is more fighting words. [REDACTED] commented that when she heard Thorpe say this, she thought something was about to happen.

After [REDACTED] and [REDACTED] were out, [REDACTED] said she started to climb out the window too. There is a couch near the window. [REDACTED] had one foot on the back of the couch and one foot (her left one) on the windowsill. She was just about to push her head through the window opening when she saw Thorpe re-enter her bedroom and he was armed with the rifle again. Thorpe took several steps toward the window and the rifle was up at the ready. When she was describing this, [REDACTED] had both of her hands up and out in front of her, mimicking what she had seen Thorpe do. One hand was higher than the other and she verbalized that Thorpe was pointing the rifle up at the police outside her window. [REDACTED] said Thorpe started shooting the rifle as he approached the window and may have continued to shoot until he was standing next to the window. When she saw Thorpe come back into the room with the rifle up and ready, [REDACTED] pulled back from the window and dove toward the couch. When the shooting started, [REDACTED] said she could feel the pressure waves from the bullets being fired (which is an explosion of gunpowder contained in a small space). After diving away, [REDACTED] covered her ears and tried to scramble under her bed, but she couldn't fit. [REDACTED] got [REDACTED] attention and told her to come into the bathroom where he was. [REDACTED] thought Thorpe may have fired six shots. She didn't know if the police returned fire.

Regarding the injuries to her lower left leg, [REDACTED] said she was injured when Thorpe started shooting, but she didn't think she had been shot. [REDACTED] was told at the hospital there was metal stuck in her leg and the doctors didn't want to remove it fearing they would only cause more damage. [REDACTED] also had some burns on her leg, along with several cuts. [REDACTED] said it was most likely the bullet had fragmented and ricocheted into her leg, or it was debris from the window and window frame that entered her leg. I can say from my own experience that for [REDACTED] to feel the pressure of the bullets being discharged, she had to have been very close to the tip of someone's gun barrel, whether it was the police or Thorpe's. For her to be burned, only two things could have happened. Either she was hit with hot bullet fragments, or she was VERY close to the barrel tip of someone's gun when it was discharged and the hot gasses and flame that come with a bullet being fired burned her. I have seen several times in my career (usually when investigating suicides) a gun can easily scorch human tissue if it is discharged very close to the skin. Either way, it is obvious that [REDACTED] was in harms way when the shooting started and she made it clear that from her perspective, Thorpe was the first person to fire a gun during this incident.

After the shooting stopped, [REDACTED] said she thought Thorpe had retreated to the main level of the house. She said she heard him upstairs and she may have heard some more shooting too. [REDACTED] told [REDACTED] that Thorpe was still in the house and they needed to get out. [REDACTED] and [REDACTED] then escaped through the same window in her bedroom.

[REDACTED] said she has heard and seen evidence of past domestic violence between her mother and Thorpe. She has heard them fighting in the past and then her mother appears with bruises or a black eye. [REDACTED] also said Thorpe was quick to grab a gun if he wanted to dominate someone. [REDACTED] said Thorpe has pulled a gun on her [REDACTED] in the past and he's even pointed guns at his own friends. [REDACTED] said she didn't trust Thorpe and does not like her mother being married to him. [REDACTED] said her brother, [REDACTED] who moved out of [REDACTED] house about four months before this incident, has tried to get Thorpe arrested and kicked out of the military because of his abusive behavior.

#### [REDACTED] Interview:

[REDACTED] cell phone number is [REDACTED]. His permanent address is [REDACTED], Colorado Springs, CO

My interview with [REDACTED] began at 0308 hours and it ended at 0352 hours. The recording of [REDACTED] interview was entered into evidence as Item #16.

[REDACTED] stated he spends about half his time between [REDACTED] house and his own residence. However, because his mother has been sick recently, [REDACTED] said he had been staying at 3215 Oak Creek Dr. E. for two weeks leading up to this incident. [REDACTED] has been dating [REDACTED] for approximately nine months. [REDACTED] is a [REDACTED].

[REDACTED] estimated he and [REDACTED] were out doing Door Dash food deliveries from 1400 hours, on 4/19/20, until 2000 or 2100 hours. The arrived home sometime during that last hour. Initially, [REDACTED] went into his and [REDACTED] bedroom on the upper level of the home. [REDACTED] and [REDACTED] were in the kitchen, but they soon went downstairs to [REDACTED] bedroom. [REDACTED] said he heard the argument between [REDACTED] and Thorpe begin. He heard [REDACTED] say something to Thorpe which sounded like, "Your friends are

in the hot tub waiting for you,” and then she slammed the door. [REDACTED] did not specify which door [REDACTED] had slammed shut. When this argument started, [REDACTED] decided to go downstairs and join [REDACTED] and [REDACTED].

After 30 or 40 minutes, [REDACTED] said he heard a loud bang on the floor above him. [REDACTED] [REDACTED] and [REDACTED] left [REDACTED] room and were going to check on the disturbance, but they ended up meeting [REDACTED] in the basement TV room. [REDACTED] was repeatedly saying, “Call the cops.” She said Thorpe had pushed her and she hit her head really hard. They stayed in the TV room for a few more minutes but then all four of them retreated to [REDACTED] bedroom.

During his interview, [REDACTED] described Thorpe coming and going from [REDACTED] bedroom several more times than either [REDACTED] or [REDACTED] had described. After [REDACTED] had first come downstairs, and shortly after they retreated to [REDACTED] bedroom, Thorpe made his first appearance in [REDACTED] bedroom and [REDACTED] said he was not armed. However, Thorpe was making statements like, “You think I’m afraid of the cops? You know I’ve got guns all over this house.” Thorpe left and reappeared about ten minutes later and now he had a firearm which [REDACTED] called an, “AR.” He described it as a rifle. [REDACTED] knows Thorpe had at least one other pistol in the house, but he never saw Thorpe carrying it during this incident. When he came into the room with the rifle, [REDACTED] observed Thorpe charge the weapon. Thorpe held the rifle in his right hand and pulled a charging handle with his left hand. [REDACTED] described the charging handle (cocking lever, or bolt handle) was on the side of the gun, not on top of it. When he charged the weapon, [REDACTED] saw a live round get ejected from the rifle. [REDACTED] interpreted this as an attempt to intimidate [REDACTED] because Thorpe was looking right at her when he charged the weapon.

After charging the rifle, Thorpe left the room and was gone for several minutes again. At one point, [REDACTED] heard some yelling and thought Thorpe might have been interacting with the police after their arrival. [REDACTED] guessed Thorpe had been tazed or pepper sprayed, but this was pure speculation. He didn’t report seeing such a thing occur with his own eyes. After that shouting, [REDACTED] said Thorpe reappeared in the bedroom and now he did not have the rifle. [REDACTED] said Thorpe was continuing to be verbally aggressive. He pointed with his finger at each person in the room and said to each person, “You want it?!” [REDACTED] also said the police were now at the basement window and Thorpe was yelling at them too saying, “I’m not scared of you! Meet me out front! We’ll see what happens!” [REDACTED] said he could hear the police encouraging Thorpe to come meet them. [REDACTED] said Thorpe was intoxicated and in a fighting mood. [REDACTED] said Thorpe’s actions made him fearful for his life and for the lives of the women in the room with him. [REDACTED] said [REDACTED] was also intoxicated.

I asked [REDACTED] how he knew it was the police outside the window. [REDACTED] said it was a matter of the things they were saying, asking questions about where the suspect was, who was with him, what happened and, trying to coax them out the window. [REDACTED] also said he could see the police flashlights and at one point, he could see the tip of a barrel on one of the officers’ firearms.

[REDACTED] said it was [REDACTED] who went out the window first, followed by [REDACTED]. As soon as [REDACTED] was clear through the window, Thorpe stepped out of the room and returned a few seconds later with the rifle in his hands. [REDACTED] said it must have been staged right outside [REDACTED] room. With the rifle in his hands, [REDACTED] said Thorpe approached the window in [REDACTED] bedroom, with the tip of the barrel pointed up toward the police and then [REDACTED] heard gunshots. [REDACTED] said Thorpe got so close to the window, his head was only 6 - 12 inches from the window. Thorpe was standing upright; he did not crouch down. [REDACTED] also said the tip of the barrel on Thorpe’s rifle was either slightly through the window, or right at the vertical plain of the window and it was point upward toward the police. [REDACTED] said Thorpe was holding the rifle with just one hand. Initially, [REDACTED] said Thorpe did not shoot, but later he said he was not sure if Thorpe fired or not. [REDACTED] said after the first two shots were fired, he went deaf and could not even guess how many shots he heard. [REDACTED] said he didn’t see Thorpe’s rifle recoil as if it had been fired (something he suggested as in indicator) and he didn’t see any spent shell casings flying across the room or rolling across the floor (something I suggested as in indicator). [REDACTED] said after the shooting, [REDACTED] room was filled with gun smoke and, he could taste the sulfur in the air.

[REDACTED] said he believed the police shot Thorpe because Thorpe, “had a full rifle pointed up at them.” [REDACTED] said Thorpe was acting very aggressive and making statements that would make a person believe he wanted to shoot it out with the police, even if he didn’t say that specifically. [REDACTED] also said he had heard [REDACTED] tell the police dispatcher that Thorpe had earlier cocked the gun he was carrying.

When the shooting started, both [REDACTED] and [REDACTED] dove for the far side of the bed (furthest from the window) in [REDACTED] bedroom. [REDACTED] said he, “Army crawled,” into the nearby bathroom and called to [REDACTED] to do the same thing. After she was in the bathroom, [REDACTED] closed the bathroom door. [REDACTED] said [REDACTED] leg was injured. After the shooting stopped, [REDACTED] opened the bathroom door and called to the police, identifying himself as an innocent and saying he needed medical assistance for [REDACTED]. The police at the window asked [REDACTED] if he could see Thorpe and initially, [REDACTED] could not see him. When [REDACTED] poked his head out the bathroom doorway, he could then see Thorpe laying facedown, half in and half out of [REDACTED] bedroom. His head was outside the bedroom, his torso was in the doorway and his feet were inside the bedroom. [REDACTED] said the rifle was four or five feet away from Thorpe now. [REDACTED] said Thorpe was not moving, but he could not tell if he was injured. [REDACTED] said he perceived that Thorpe was still breathing. [REDACTED] said Thorpe was dressed only in a pair of swim shorts. Earlier, [REDACTED] said Thorpe had been wearing a shirt too, but he took it off when the police arrived, which [REDACTED] interpreted as just another sign of aggression. When it was safe, [REDACTED] and [REDACTED] also climbed out of the house through [REDACTED] bedroom window.

I asked [REDACTED] if he ever heard Thorpe make any statements to the police indicating he had put down his firearm, or he was wanting to surrender. [REDACTED] said Thorpe never said anything like that. I asked [REDACTED] if Thorpe ever threatened to harm him or the ladies, or to take any of them hostage and he said that didn’t happen either. [REDACTED] said he has never previously seen Thorpe threaten anyone with

a gun, but he knows Thorpe was abusive toward [REDACTED] because [REDACTED] told him so.

After [REDACTED] interview, he later pointed out to me he had a very minor cut on the inside of his left leg which he said he likely received when he crawled through the window to escape the residence.

#### Post Interview Actions at the OTS:

After I had finished the interview with [REDACTED] I was informed by Lt. D. Manzanilla (EPSO) that Thorpe had died at the hospital. I did not want to share this information with any members of the household until the interviews were over, fearing I might lose their cooperation. After [REDACTED] interview was over, I told [REDACTED] she could now rejoin and sit next to her [REDACTED]. [REDACTED] was being interviewed by Detective B. Whitehead (EPSO) and she was not present when I broke the news to [REDACTED]. When I told [REDACTED] that Thorpe had died, I wanted to head off some of her concerns because she was adamant during her interview that Thorpe was unarmed the last time she saw him. Based on the other interviews I conducted, I think she was correct. However, I explained to [REDACTED] that after she and [REDACTED] cleared the window, both [REDACTED] and [REDACTED] had witnessed Thorpe retrieve the rifle, aggressively approach the window where the police were at, and then point the rifle at the police, so the police shot him. In my presence, [REDACTED] asked [REDACTED] if that was true and [REDACTED] confirmed those facts to her mother.

Because [REDACTED] cellphone was used to call 911 and because she had it with her, there was an initial decision made to secure [REDACTED] cellphone for imaging. Det. Whitehead had secured a cellphone waiver from [REDACTED] allowing EPSO to download the contents of her cellphone. When [REDACTED] emerged from the interview room with Det. Whitehead, I heard her grumbling to the others about having her cellphone taken. She and [REDACTED] then complained and wanted [REDACTED] cellphone back, declaring it was her, "lifeline." [REDACTED] is a diabetic. She has a device semi-permanently attached to her skin, which connects to her cellphone via a Bluetooth signal and takes her blood sugar readings. [REDACTED] and [REDACTED] were both saying it was vital to [REDACTED] health that she be allowed to keep her cellphone because she had no other way to monitor her blood sugar. I approached Lt. Manzanilla and shared these concerns with him. With no thought there was any other evidence likely to be found on [REDACTED] cellphone, other than her call history, Lt. Manzanilla agreed to let [REDACTED] keep her phone. Prior to giving it back to her, Det. Whitehead and I opened the call log on [REDACTED] cellphone and snapped some photos of her recent calls, which did include one or two calls to 911. Det. Whitehead should also report on this and have information regarding what evidence item these photos were saved under.

After these interviews were completed, CSPD provided transportation to [REDACTED] and the others, taking them to a hotel which had been arranged for by CSPD's victim's advocate office.

This concluded my involvement in this investigation for 4/20/20.

When I entered my report into EPSO's reporting system, I included several offenses associated with Thorpe's actions. I did not provide any victim rights forms to [REDACTED] her children or [REDACTED] [REDACTED] as these are offenses that occurred in CSPD's jurisdiction and are only mentioned here to provide a foundation for this investigation.

**END OF REPORT**

Case Status: Active

# Evidence voucher

## El Paso County Sheriff Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Brklich, Nickolas 05007**

Barcode	Item #	Item Type	Description
 1156824	27	CD/DVD(s)	VERBATIM Serial #:
Mandatory Info: <b>Evidence</b>		INTERVIEW OF OFFICER J. SOMOSKY	
Collected by: Brklich, Nickolas 05007		Evidence entered: 04/22/2020	
Recovery Address: 27 E. VERMIJO AVE		Current Location: Evidence Intake	
Homicide #:			

## Supplement 20200421 1230 Brklich, Nick #05007

Case Number: 2020-4764  
Date Reported: Sunday April 19, 2020  
Case Title: Officer Involved Shooting  
Detective Nickolas Brklich # 05007

This is a supplement to Case # 2020-4764 Supp 2 Thursday April 23, 2020

On Tuesday April 21, 2020, at approximately 12:30 pm, I, Detective N. Brklich of the El Paso County Sheriff's Office (EPSO), Investigation Division, met with CSPD Officer Corporal Joseph Somosky and his attorney Mr. John Newsome, at The Office of the Sheriff, (OTS), located at 27 E. Vermijo Street, Colorado Springs, CO 80903, in reference to a scheduled interview. The interview was conducted in interview room 4, which is audio/video recorded. I began the interview with Corporal Somosky at approximately 12:34 pm. A copy of the interview was later downloaded to compact disc and was placed into evidence (Item # 27) at the El Paso County Sheriff's Office Evidence Facility. The following is a summary of the interview with Corporal Somosky; however, it is not intended to be a verbatim word for word transcript.

I asked Corporal Somosky to give me his full name and spell his last name, which he provided. Corporal Somosky stated he is currently employed by the Colorado Springs Police Department (CSPD) (Badge 2321). Corporal Somosky stated he is assigned to the Gold Hill subdivision with Tuesday - Thursday off. Corporal Somosky added he was working the night of Sunday April 19, 2020. Corporal Somosky stated he came in a little early for his shift but started at 9:00 pm. I asked him to tell me about his normal activities before work. Corporal Somosky stated he doesn't have children, so he usually gets up early to have dinner. He stated he will then go back to sleep and wake up around 6:30 - 7:30. Corporal Somosky stated after getting ready he drives to work. Corporal Somosky stated he did the same thing Sunday night. He stated he gets dressed in the locker room and was wearing his full office issued uniform. Corporal Somosky went on to describe the uniform, emblems on the uniform and equipment. Corporal Somosky also described patrol vehicle.

Corporal Somosky stated he is not assigned a specific sector due to being the shift Corporal. He described having more of a supervisory position, running the shift. I asked him about working Sunday night. I asked him to talk me through their briefing onward. Corporal Somosky stated they are not having briefings due to the COVID pandemic. We stated roll call consists of making sure everyone is present for duty with proper equipment. Corporal Somosky stated he always carries a rifle rated shield with him and drew one from the armory.

Corporal Somosky stated he had a recruit riding with him that night. When the first call came in Corporal Somosky advised his rider to get ready and head to the call. I asked Corporal Somosky if he received a call on Oak Creek Dr. Corporal Somosky stated they initially were not assigned to this call but he felt it would be a good call for a recruit to respond to. It stated it was a call for service reference a domestic violence. Corporal Somosky stated he notified dispatch they would be in-route to the call.

Corporal Somosky stated the call came out initially as a domestic disturbance with alcohol involved. The male suspect had produced a rifle and "cocked it". The disturbance was also reported to have been physical. Corporal Somosky stated other officers assigned to the call and the decision was made to stage prior to going on the address. Corporal Somosky stated while at staging officers put on rifle rated vests and grabbed other required equipment.

Corporal Somosky stated he researched maps to determine how to approach the residence and began calling out assignments and where to set up upon arrival. Corporal Somosky described how the officers decided to set up and where.

Corporal Somosky stated he continued to gather additional information while in-route to the residence. He was informed the female party was in the basement of the house and the male was upstairs. He stated he attempted to get information concerning other entry/exits for the house. Corporal Somosky stated due to the mention of alcohol and a rifle being involved, he wanted to set up a containment on the house and call out the male suspect to talk to them. Corporal Somosky stated he knew of one additional person in the house, a tall white male.

Corporal Somosky stated after verifying the correct house, they began approaching the house. Corporal Somosky stated as they were in the driveway approaching the house, the front door opened and an African American male, matching the description given earlier, appeared in the doorway. Corporal Somosky stated the male was agitated and enraged. He stated the male was wearing red shorts and a gray shirt. Corporal Somosky stated he knew the suspects name to be Virgil Thorpe, but he did not have a picture. Corporal Somosky stated based on the description from the dispatcher he believed this male to be Mr. Thorpe.

Corporal Somosky reiterated they never knocked on the door and never even got to the door before it opened and Mr. Thorpe stepped out yelling at them. Corporal Somosky described Mr. Thorpe as being "in a loop". He continued to yell "do you have a warrant", "this is my fucking house", "fuck you do you have a warrant". Corporal Somosky stated he tried to de-escalate Mr. Thorpe by staying calm and just asking Thorpe to come out and talk to him. Corporal Somosky stated at times he could see both of Mr. Thorpe's hands but then he would go back into the house where only one hand was visible to Corporal Somosky. Corporal Somosky stated at one-point Mr. Thorpe told them to come inside but he was already halfway in the house with one hand out of view.

Corporal Somosky stated the white male he had mentioned earlier came out of the house and was not allowed back in. He stated Mr. Thorpe continued to yell about a warrant, walked back into the house and slammed the door. Corporal Somosky stated one of the other officers proceeded to the north side of the house. The officer announced he had movement to the window. Corporal Somosky stated he went to the north side and observed the officer, with his rifle up, looking at the window. Corporal Somosky stated he saw a female, approximately in her 20's, looking out the window with it open. He stated he reached down to pull her out of the house and

noticed she was looking back as he pulled her out. Corporal Somosky stated as he looked, he saw the same African American male from the front door coming into the basement.

Corporal Somosky stated the male was still enraged and screaming at everyone. He added he could see both of the male's hands and he was unarmed. Corporal Somosky pulled the female out of the window and noticed a second female. Corporal Somosky stated the male stepped in between the female and the window but his eyes locked on to the second officer. Corporal Somosky stated he attempted to talk Mr. Thorpe out of the house but he would not look away or listen. Corporal Somosky stated he tried to pull the female out but could hear Mr. Thorpe state "do you want to go to war with me?" "do you want to go to war, fuck you". Corporal Somosky stated the male pulled his shirt off, allowing Corporal Somosky to see he male had no weapons on him and he was wearing gym shorts. Corporal Somosky stated he finished pulling the second female out of the house.

Corporal Somosky stated the male spit at the second officer and then walked out of his sight. Corporal Somosky stated the male came back in view with an AR style rifle. Corporal Somosky described the weapon and was able to see the weapon had a magazine in the magazine well. He stated the male was still enraged, walking toward the window and began bringing the weapon up. Corporal Somosky stated he looked at the male through his optic and could still see the weapon coming up. Corporal Somosky stated he fired his weapon three to four times and was blinded by the muzzle flash. Corporal Somosky stated he dropped the weapon a little but was able to see the male moving to the east of the window. He stated he could not see the weapon any longer, but a third female came into view. Corporal Somosky stated with the third female and the in the area, the initial report of violence and the male having a weapon he fired two more times at the male.

Corporal Somosky stated the male fell to the floor on his belly. Corporal Somosky stated he returned to the front door and he, along with other officer's, entered the house. Corporal Somosky stated they cleared the main level and proceeded down to the basement. Corporal Somosky stated while downstairs he was able to see the male did not have a weapon. Corporal Somosky stated he cuffed the male and started to assess injuries. Corporal Somosky stated they began administering first aid.

Corporal Somosky stated he told another officer to look for the weapon. He stated the weapon was found but not touched. Corporal Somosky stated medical arrived on scene and took over medical treatment. Corporal Somosky stated he was talking to the male at first but then noticed he stopped breathing. Corporal Somosky ordered CPR to start. After medical took over Corporal Somosky was called out of the house.

I asked Corporal Somosky how many officers were at the window. He stated he only saw one other. I asked if he fired his weapon. Corporal Somosky stated he did not know. He then added he knows now that the officer did because he was also taken from the scene. I asked about at staging. I asked if they approached the house from staging with lights and siren or if they were silent. I asked if they identified themselves as officers during the initial contact with the male. Corporal Somosky stated he did not but seemed to recall two other officers identifying themselves as officers and ordering the male to show his hands. Corporal Somosky went on to describe once he puts on his rifle rated vest his badge is covered but his stripes are still visible along with a placard reading "POLICE" on the front of the vest. I asked about the lighting in the area. He stated there was some streetlights in close proximity but could not remember if the porch light was on or not.

I rehashed what Corporal Somosky had stated earlier about the male being in the basement. I asked about the weapon coming up. Corporal Somosky described what he saw of the weapon coming up. I asked if anyone gave him an order to fire. He stated no. I asked if he ordered anyone to fire. He again stated no. I asked if he remembered how many rounds he fired. Corporal Somosky stated he was not sure but thought he fired two or three at first and then a controlled pair the second time. I asked where he was standing as he was looking at the window. Corporal Somosky stated he was on the right side of the window, to the west side. I asked what happened after medical arrived. Corporal Somosky reiterated he was called out of the house by a Sergeant. I asked if the male was saying anything as he was approaching the window. Corporal Somosky stated he didn't.

I exited the interview room at approximately 1:10 pm and returned at approximately 1:15 pm.

I asked Corporal Somosky to describe what the male did with the weapon when he first saw him carrying the weapon. Corporal Somosky stated he was carrying it from a low ready position to a position where it would be fired. He stated the muzzle of the weapon was being raised toward them. Corporal Somosky stated it may have been more toward the other officer, as the male was still fixated on the second officer. I asked Corporal Somosky if the male fired his weapon. He stated he had no idea. Corporal Somosky added after the shift, while at home he discovered he may have been hit by shrapnel in his leg. He notified his supervisors and went to the hospital where he was told he had been hit but bullet fragments.

Corporal Somosky stated after the shooting and entering the house he never again saw the weapon.

I again exited the room at approximately 1:20 pm and returned less than one minute later to end the interview at approximately 1:21 pm.

Case Status: Same as original

## Supplement 20200423 1020 Montville, Lisa #01060

Case Supplement, 20-4764

Detective Statement;

On April 23, 2020, at about 10:20 a m., I, Detective Montville was conducting follow-up on this case. On this date, I went to the Colorado Springs Police Operations Center, located at 705 South Nevada Avenue, in Colorado Springs, Colorado. I retrieved a CD

prepared by Tiffany Vaughn, a Senior Office Specialist, with the Colorado Springs Police Department.

The CD contained copies of radio traffic, call screens, 911 calls and recorded telephone calls from CSPD dispatch. I placed the CD into the El Paso County Sheriff's Office Evidence Facility under item number 29.

A copy of the evidence voucher is attached to this supplement.

Nothing Follows.

Case Status: ACT-INV

## **Supplement 20200420 1830 Brklich, Nick 05007**

Case Number: 2020-4764

Date Reported: Sunday April 19, 2020

Case Title: Officer Involved Shooting

Detective Nickolas Brklich # 05007

This is a supplement to Case # 2020-4764 Supp 1 Monday April 20, 2020

### **Initial Call**

On Monday April 20, 2020, at approximately 6:30 am, I, Detective N. Brklich of the El Paso County Sheriff's Office (EPSO) Investigations Division was notified by Detective Sergeant Jake Abendschan of an Officer Involved Shooting, involving officers from the Colorado Springs Police Department (CSPD) (CSPD Case # 20-14453). The shooting occurred at 3215 Oak Creek Dr. E, Colorado Springs, CO 80906, located in the incorporated area of El Paso County, State of Colorado.

Sgt Abendschan requested my assistance at the residence, between 8:00 - 9:00 am, to assist with a search of the residence. I arrived on scene at approximately 8:00 am. Upon my arrival I met with Sgt Abendschan and Detectives Tim Ferrell and Lisa Montville. I was informed members of the Metro Crime Lab were processing the scene and the search would be conducted upon their completion.

### **Initial Observations/Arrival at Scene**

Upon arrival I observed CSPD patrols had setup yellow crime scene tape and were blocking East Cheyenne Mountain Blvd. 3215 Oak Creek Dr E, is a one story, single family residence with a finished basement and a two-car attached garage. The residence has gray siding with brick framing the front of the garage. The front door faces west with the numbers 3215 attached to the right side of the door frame.

I was informed the shooting occurred through the basement window on the north side of the residence. I was able to observe the basement window shattered, several defects to the window frame, the metal window well frame and one defect to the side of the residence. I also observed several spend rifle casings and handgun casing lying on the ground.

### **Investigative Activity**

Upon completion of the initial scene processing I assisted with a search of the residence for possible additional evidentiary items. All items found were processed and collected by the Metro Crime Scene Lab Technicians (CST).

I departed the area at approximately 5:30 pm.

Case Status: Active Investigation

## **Supplement 20200427 1325 Montville, Lisa 01060**

Case Supplement, 20-4764

### **Detective Statement:**

On April 27, 2020, at about 1:25 p.m., I, Detective Montville was conducting follow-up on this case. I emailed Shawn Schilling, with the Colorado Springs Fire Department. I requested any and all records held by the Colorado Springs Fire Department for this incident.

A copy of the request is attached to this supplement.

**Nothing Follows.**

**Case Status: ACT-INV**

**Supplement 20200427 1230 Whitehead, Bradley #05071**

**2020-00004764 (5) Photographs from Det. Crofoot:**

**On Tuesday, April 28, 2020, at about 12:30 pm, I, Detective Bradley Whitehead, #05071, of the El Paso County Sheriff's Office Investigation's Division, downloaded the photographs given to me By Detective Crofoot with the Colorado Springs Police Department.**

**Detective Crofoot provided me with these photographs when I met with him on Monday, April 20, 2020, at about 2:10 am, at UC Health. I placed the CD into Evidence Locker #INV1 as Item #56.**

**I have nothing further at this time.**

**Case Status: Active**

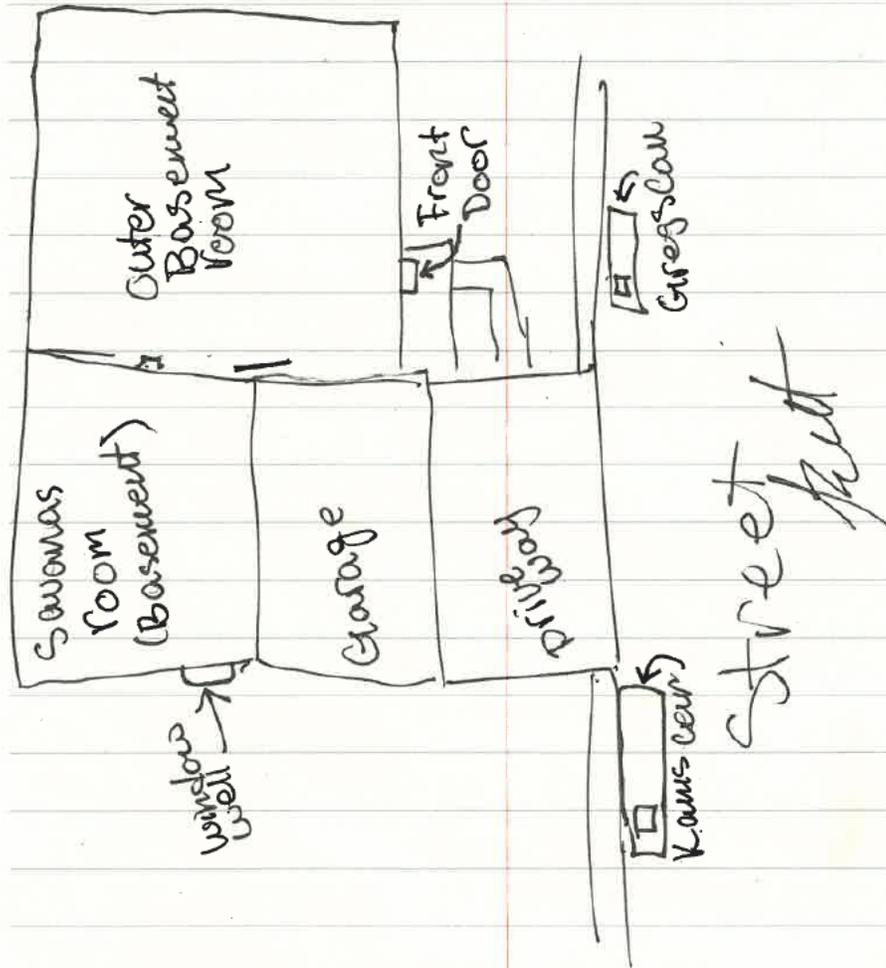
El Paso County Sheriff  
Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Whitehead, Bradley 05071**

Barcode	Item #	Item Type	Description
 1157000	56	CD/DVD(s)	VERBATIM Serial #:  Mandatory Info: <b>Evidence</b> CD CONTAINING PHOTOS OF THORPE TAKEN BY DETECTIVE CROFOOT WITH THE CSPD
Collected by: Whitehead, Bradley 05071			Evidence entered: 04/28/2020
Recovery Address: 1400 EAST BOULDER STREET			Current Location: Evidence Intake
Homicide #:			



## Supplement 20200421 1100 Whitehead, Bradley #05071

2020-00004764 (5) [REDACTED] drawing:

On Tuesday, April 21, 2020, at about 11:00 am, I, Detective Bradley Whitehead, #05071, of the El Paso County Sheriff's Office Investigation's Division, located the drawing [REDACTED] made during our interview. The drawing was in my notebook and I found it while I was going through my notes.

I scanned the drawing and then attached it to this supplement. I placed the original into Evidence Locker #INV1 as Item #19.

I have nothing further at this time.

Case Status: Active

## Supplement 20200420 1650 Whitehead, Bradley #05071

2020-00004764 (7) Voicemail from [REDACTED]

On Monday, April 20, 2020, at about 4:50 pm, I, Detective Bradley Whitehead, #05071, of the El Paso County Sheriff's Office Investigation's Division, received a voicemail from a female who identified herself as [REDACTED] [REDACTED]

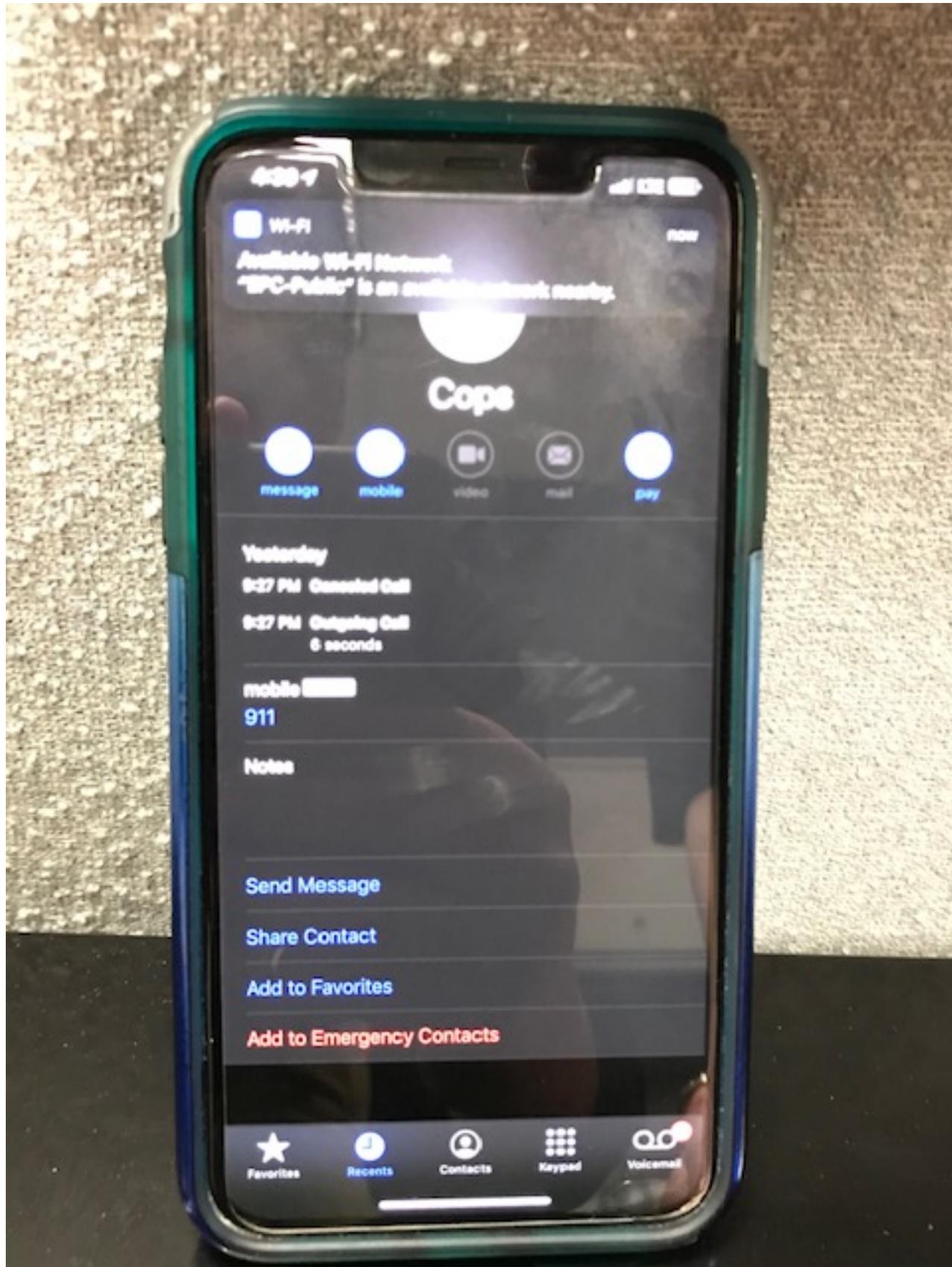
[REDACTED] stated she has remembered more about what happened since I made contact with her. She stated she remembered hearing someone say 'get back, get back inside' and 'let me see your hands, put your hands up.' [REDACTED] thought there was going to be a fight and heard a lot of "muffling" and "yelling" back and forth. She told me to call her if I had any questions.

I believe [REDACTED] may have me confused with someone else who contacted her at her residence. When I attempted to make contact with her at 6:30 am, there was no answer and I left my card on her door.

I have nothing further at this time.

Case Status: Active

Call log photo 2



El Paso County Sheriff  
Property Invoice

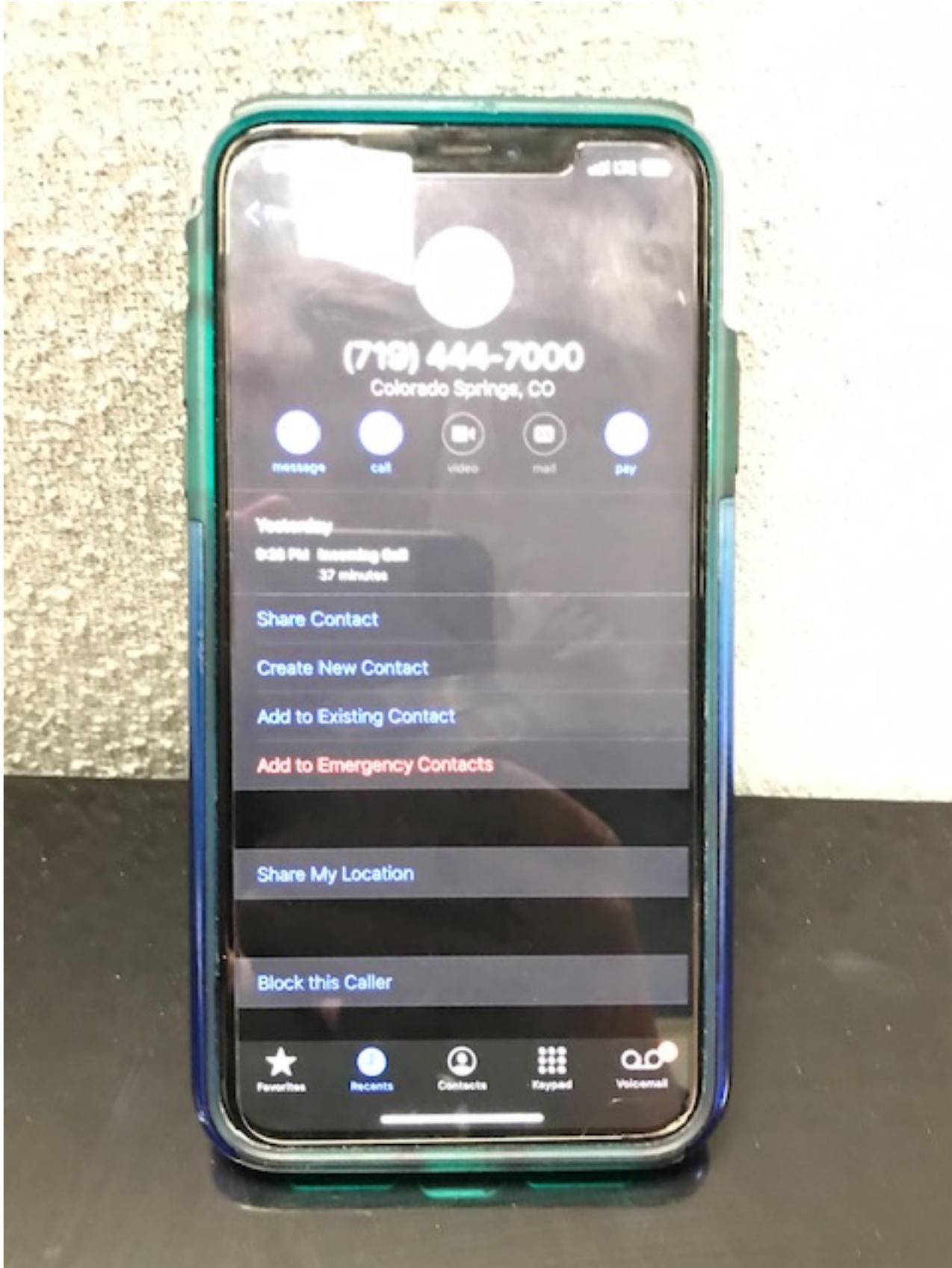


Case Number: **2020-00004764**

Submitting Deputy: **Whitehead, Bradley 05071**

Barcode	Item #	Item Type	Description
 1156725	3	Waiver(s)	Serial #:
Mandatory Info: <b>Evidence</b>		CELL PHONE WAIVER SIGNED BY [REDACTED]	
Collected by: Whitehead, Bradley 05071		Evidence entered: 04/20/2020	
Recovery Address: 27 E VERMIJO AVE		Current Location: Evidence Intake	
Homicide #:			
 1156726	4	CD/DVD(s)	VERBATIM Serial #:
Mandatory Info: <b>Evidence</b>		DVD OF INTERVIEW WITH [REDACTED]	
Collected by: Whitehead, Bradley 05071		Evidence entered: 04/20/2020	
Recovery Address: 27 E VERMIJO AVE		Current Location: Evidence Intake	
Homicide #:			
 1156727	5	CD/DVD(s)	VERBATIM Serial #:
Mandatory Info: <b>Evidence</b>		PHOTOGRAPHS OF CALL LOG	
Collected by: Whitehead, Bradley 05071		Evidence entered: 04/20/2020	
Recovery Address: 27 E VERMIJO AVE		Current Location: Evidence Intake	
Homicide #:			

Call log photo 1



2020-00004764 (2) [REDACTED] interview:

On Monday, April 20, 2020, at about 3:30 am, I, Detective Bradley Whitehead, #05071, of the El Paso County Sheriff's Office Investigation's Division, was assigned with interviewing a witness who was identified to me as [REDACTED] was already at the OTS (Office of The Sheriff) with other family members waiting to be interviewed.

At about 3:45 am, I escorted [REDACTED] into Interview Room #1 in the Investigations Division. I advised her interview was being recorded by audio and video, and that the interview was voluntary. I told her she could end the interview at anytime and I would escort her back to the waiting room and she said "ok."

I asked her for her name and she identified herself as [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] said she lived at 3215 Oak Creek Drive East, Colorado Springs, CO 80906. I asked her who she was sitting in the waiting room with and she identified them as her sister [REDACTED] and her mother [REDACTED]. There was another male sitting with them who she thought was [REDACTED] who was one of Thorpe's friends. [REDACTED] said [REDACTED] her [REDACTED] was also with them, but he was in another room.

I asked her who Thorpe was and she said he was the one who the cops shot at. I asked her what his last name was and she said she didn't know if Virgil was his first or last name. She identified Thorpe as her mom's husband and said he wasn't her dad. [REDACTED] said her dad lives in Pennsylvania. I asked her if Thorpe was her stepdad and she said no, he was an acquaintance.

I asked [REDACTED] who else was in the home at the time of the incident. [REDACTED] said [REDACTED] had some girls over, but she did not know who, or how many there were. [REDACTED] said she was downstairs while they were upstairs.

I asked her to walk me through her day and tell me what happened. She said she got up at about 1:00 pm and then from about 3:00 pm till about 9:00 pm she did Door Dash with [REDACTED]. Door Dash is a fast food delivery service. [REDACTED] also showed back up at the residence at about the same time, 8:50 pm to 9:00 pm. [REDACTED] went downstairs and [REDACTED] remained on the main floor with [REDACTED] [REDACTED] Thorpe and [REDACTED] [REDACTED] Thorpe and [REDACTED] were outside using the hot tub. [REDACTED] said everything seemed fine as everyone was laughing.

[REDACTED] soon went downstairs to hang out with [REDACTED] and [REDACTED] remained on the main floor. [REDACTED] came downstairs a short while later and told them their mother appeared to be mad. [REDACTED] assumed it was because of the female friends [REDACTED] had at the house. [REDACTED] said Thorpe has a history of cheating. [REDACTED] told them their mother was slamming doors in the house. I asked her if she heard her mother slamming doors and she said she didn't because she was hard of hearing.

[REDACTED] said they remained downstairs and about 20 or 30 minutes later they heard a "really loud bang" coming from upstairs. They did not pay any attention to it because they thought it might have been their dogs getting out of the kennels. Moments later they heard another loud bang similar to the first. She compared the sound to that of people wrestling. They went upstairs to see what happened and they saw their mother crying. They asked her what happened, and [REDACTED] told them to call the cops. [REDACTED] said she called the cops, but thought her mother also called the cops and hung up.

She returned to the basement with [REDACTED] [REDACTED] and [REDACTED] Thorpe and [REDACTED] stayed upstairs. [REDACTED] said her mother told them Thorpe threw her to the ground and she hit her head. While her mother was telling them what happened, Thorpe came downstairs and started yelling at them. Her mother told Thorpe if he did this again she was going to call the cops.

Thorpe told her to call the cops because 'I got guns, I'm not scared.' [REDACTED] said she did not take him seriously because when he is intoxicated he isn't afraid of anything. [REDACTED] assumed [REDACTED] and Thorpe would go to bed and one of them would sleep on the couch like in the past. Thorpe continued to talk about how he has guns and wasn't afraid of the cops.

Thorpe then went upstairs and then came downstairs with an "AK" or "AR" type rifle. [REDACTED] said he cocks it back and "a bullet even flew out." Thorpe continued to tell them how he wasn't scared and had guns. [REDACTED] said he did not point the gun at any of them and kept it pointed at the ground. [REDACTED] felt at that moment "this is getting serious."

Thorpe went back upstairs and she said they told her mom to call the cops. [REDACTED] said she felt something bad could happen with a combination of anger, guns and alcohol. She said while her mom was on the phone with dispatch, Thorpe did not come downstairs the entire time.

[REDACTED] said when the cops arrived there were a bunch of them because Thorpe had a gun. [REDACTED] said she told her mom to let dispatch know there was a threat involving a gun. [REDACTED] said "he didn't say it, but he implied, if they show up, I'll shoot." [REDACTED] said just because he didn't say it, he implied it and that was the same thing.

█ went on to say when the cops arrived her mom was still on the phone with dispatch. The dispatcher told them the cops were there and told them to exit the residence. █ said they were in the basement, so they started to open the window to █ bedroom to escape through the window well. They could hear Thorpe screaming, yelling and throwing things on the main level.

█ said while they were opening the window Thorpe came back downstairs. She felt the cops would hear what was going on inside the house because the window was open. She also thought they moved to the side of the house where they were trying to exit the residence. Thorpe began yelling at them and she felt he was trying to fight all of them, but they did not respond to his threats.

Thorpe began instigating her mother trying to get her to fight him, but █ kept telling him to stop. █ got in between them because both of them were drunk and "I did not want her to get hit." █ began walking her mother away from Thorpe who saw the cops through the open window and began threatening them. █ said he told the cops he had gun and told them to come to the front door. I asked her if he still had the gun with him and she said no. She said when he came downstairs that time he did not have the gun with him.

█ said Thorpe spit at the cops and she said "that's a bad move." █ estimated the window well to be about 4 feet deep. After he spat at the cops he went back upstairs, so they started escaping through the window. She thought Thorpe went upstairs to give himself up, but "there was just a bunch of gun shots."

I asked █ if she was out of the house when the shooting began and she said "they were pulling me out while they were firing." I asked her how many shots she heard and she said "it was fast firing, it was not like a little pistol." She said she didn't know how many shots were fired and didn't know if Thorpe fired any shots. I asked her if she saw what happened and she said "all I heard was gunshots."

I asked her what she remembered hearing the cops say to Thorpe. She reiterated to me she was hard of hearing and didn't know what the cops said. She remembered her mom yelling "stop" and hearing Thorpe screaming. She said she heard "fire" and then heard gunshots. I asked her if she heard someone yell "fire" and then there was gunshots and she said "yeah, I'm pretty sure someone did because I didn't just make it up in my mind."

I asked █ if she could draw me a picture of her house from a bird's eye view. A diagram that showed where the window well was in relation to the driveway and the street. █ drew a diagram, labeled items on the diagram and explained it to me. █ signed the diagram when she was done.

I asked her how intoxicated her mom and Thorpe were. I asked her if she could base it off a scale of 1-10 with 10 being the most intoxicated she has seen them. She estimated her mom and Thorpe both to be at about an 8.

I repeated █ statement back to her and asked her if her mom came downstairs and told them what happened and told her to call the cops and █ said "yeah." She said her mom came down screaming at them to call the cops, but she told her mom to calm down and told her it was ok. █ said all her mom told her was Thorpe slammed her down.

█ said Thorpe has put his hands on her mother before so she knew her mother wasn't lying to her about it. █ said in 2018, Thorpe put his hands on her and put her in the hospital, but a report was never made. I asked her if Thorpe was pretty violent and she said "yeah." █ started talking about another incident where Thorpe pulled a gun out. I was then asked by a co-worker at the door to step out of the interview. I told her I would be right back.

I returned to the room moments later with her cell phone and a cell phone search waiver. I asked her to continue with where she left off and she said her friends were taking her to the hospital because her blood sugar was low. █ said he was drunk and wanted to take her, but she refused because he was drunk. A physical altercation occurred between them and her nose was broken and she had several bruises. █ was able to get out of the house and into her friends car. She saw Thorpe exit the house with a pistol.

I asked her if she could hear what the cops were saying to Thorpe. She said she didn't and wasn't too worried about it and just wanted to get out of the house. █ said she could see the flash of the guns, which I understood to be the muzzle flash. She said she saw the cops with their guns pointed at the window and she could see and hear the guns being fired.

I told her I had her cell phone and a cell phone search waiver and asked her if she would be willing to allow us to download her phone. She said she wasn't going to allow it and said we did not need to do it. She said there was nothing of Thorpe on her phone and said she needed her phone because it measured her blood sugar. She reiterated to me she would not do it for her own health. She further advised me if I wanted to search it, it would be done right there with her holding it.

I began explained the cell phone search waiver to her and told her we would be able to get her phone right back to her if she were to sign the search warrant. She again said she was not going to allow me to search her phone. I told her I would have to seize her phone and apply for a search warrant and it could take several days to return her phone. I told her I was going to take a break and check with a coworker, and I would return in a moment.

I returned moments later and explained to her I spoke with my coworkers who promised to get her phone back to her by the close of the business day. I told her if she did not want it could take several days to return her phone. [REDACTED] agreed and provided me with her passcode to unlock her phone and showed me how to unlock it. I asked her if she was ok with that and she asked me if she would get it back by the end of the day. I told her she would.

I went over the search waiver with her to ensure everything was filled out correctly. I asked her for a phone number so I could make contact with her when her phone was ready to be returned. I left the room to meet with her family to get a number, but I was not able to meet with everyone so I returned to the room. I asked her if she had any questions for me and she only asked about getting her phone back. I ended the interview.

I escorted her back to the waiting area where [REDACTED] [REDACTED] and [REDACTED] were waiting. I asked [REDACTED] for his phone number so I could contact him to return [REDACTED] phone to her. All parties became upset about her phone. Detective Karl Mai was able to speak with the family and with supervisors and through discussion it was agreed the only thing needed was the call log of when she called 911. I took digital photographs of the calls made from [REDACTED] phone and the phone was given back to her. All parties were then escorted out of the facility by an officer with the Colorado Springs Police Department.

I placed the following items into Evidence Locker INV1:

- Item #3 - Cell phone waiver signed by [REDACTED]
- Item #4 - DVD of interview with [REDACTED]
- Item #5 - Photographs of the call log on [REDACTED] phone.

I have attached the evidence receipt and the three photographs to this suppelement.

I have nothing further at this time.

Case Status: Active

Call log photo 3



El Paso County Sheriff  
Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Whitehead, Bradley 05071**

Barcode	Item #	Item Type	Description
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	8	Jewelry	CASIO UNK Serial #: BLACK
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Mandatory Info: **Evidence** BLACK CASIO WRISTWATCH

Evidence entered: 04/21/2020  
Current Location: Jewelry Shelf

Collected by: Whitehead, Bradley 05071  
Recovery Address: 1400 E. BOULDER STREET  
Homicide #:

	9	Jewelry	UNK UNK Serial #: N/A YELLOW
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Mandatory Info: **Evidence** 1 YELLOW NECKLACE

Evidence entered: 04/21/2020  
Current Location: Jewelry Box

Collected by: Whitehead, Bradley 05071  
Recovery Address: 1400 E. BOULDER STREET  
Homicide #:

	10	Medical Supplies/Equipmen t	CAT TORNIQUET Serial #: NSN6515-01-521-7976 BLACK
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Mandatory Info: **Evidence** TURNIQUET USED ON THORPE REMOVED AT THE HOSPITAL

Evidence entered: 04/21/2020  
Current Location: Homicide Box 1

Collected by: Whitehead, Bradley 05071  
Recovery Address: 1400 E. BOULDER STREET  
Homicide #:

	11	Underwear	HANES Serial #: BLACK / YELLOW
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Mandatory Info: **Evidence** BLACK AND YELLOW UNDERWEAR WORN BY THORPE

Evidence entered: 04/21/2020  
Current Location: Homicide Box 1

Collected by: Whitehead, Bradley 05071  
Recovery Address: 1400 E. BOULDER STREET  
Homicide #:

	12	Clothing	UNDER ARMOUR Serial #: RED / GRAY
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Mandatory Info: **Evidence** RED AND GRAY SHORTS WORN BY THORPE

Evidence entered: 04/21/2020  
Current Location: Homicide Box 1

Collected by: Whitehead, Bradley 05071  
Recovery Address: 1400 E. BOULDER STREET  
Homicide #:

	13	CD/DVD(s)	VERBATIM Serial #:
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Mandatory Info: **Evidence** CD CONTAINING PICTURES OF EVIDENCE PROCESSING

El Paso County Sheriff  
Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Whitehead, Bradley 05071**

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Barcode	Item #	Item Type	Description
Collected by: Whitehead, Bradley 05071			Evidence entered: 04/21/2020
Recovery Address: 2749 E LAS VEGAST ST			Current Location: Tape Box
Homicide #:			

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## Supplement 20200421 0945 Whitehead, Bradley #05071

### 2020-00004764 (4) Evidence processing:

On Tuesday, April 21, 2020, I, Detective Bradley Whitehead, #05071, of the El Paso County Sheriff's Office Investigation's Division, responded to the El Paso County Sheriff's Office Evidence Facility, located at 2749 East Las Vegas Street, Colorado Springs, CO 80906; to process evidence.

On arrival at about 9:45 am, I gained access to Drying Room 3C, by contacting an evidence technician. I ensured the items were dry by touching them with a gloved hand, and then proceeded to process them.

I removed a black Casio wristwatch and yellow necklace that were in the same bag. I had them drying on the floor on a brown piece of paper. I took digital photographs of each item and then placed them into separate bags. I kept the watch in the original bag it was given to me in and then placed the necklace into a new envelope. I folded the brown piece of paper from the outside in and then placed it into the bag with the watch.

I removed the brown piece of paper lying on the floor under the tourniquet hanging from above it and set it on a worktable. I removed the tourniquet and set it on the piece of paper and took digital photographs. I noted the tourniquet was identified by NSN [REDACTED] [REDACTED] [REDACTED] [REDACTED]. I placed the tourniquet into the original bag it was given to me in and then folded the brown piece of paper from the outside in and placed it into the bag with the tourniquet.

I removed the brown piece of paper lying on the floor under a pair of black Hanes underwear and set it on a desk. I removed the underwear and set it on the piece of paper and took digital photographs. I placed the underwear into the original bag it was given to me in and then folded the brown piece of paper from the outside in and placed it into the bag with the underwear.

I removed the brown piece of paper lying on the floor under a pair of red and gray Under Armour shorts. I placed the shorts on the paper and then took digital photographs of the shorts. I placed the shorts into the original bag it was given to me in and then placed it into a new bag as the blood soaked the original bag. I folded the brown piece of paper and from the outside in and placed it into the bag with the shorts.

I placed the items into Evidence Locker #100 as the following:

- #8 - Black wristwatch
- #9 - Necklace
- #10 - Tourniquet
- #11 - Underwear
- #12 - Shorts
- #13 - CD with pictures of aforementioned items

I have nothing further at this time.

Case Status: Active

## Supplement 20200428 1142 Montville, Lisa #01060

Case Supplement, 20-4764

### Detective Statement:

On April 28, 2020, at about 11:42 a m., I, Detective Montville received an email from Shawn Schilling, with the Colorado Springs Fire Department. Attached to the email were copies of CSFD reports for this incident.

Copies of the reports are attached to this supplement.

Nothing Follows.

Case Status: ACT-INV

## Supplement 20200420 Montville, Lisa #01060

see attached

## Supplement 20200420 2246 Mihalko, Mitch #03026

CR 20-4764 / AOA - DFIT

Associated Case: CSPD 2020-14453

LT M. Mihalko 03026

20 Apr. 2020

On Sunday, April 20, 2020 at approximately 2246 hours, I, Lieutenant M. Mihalko of the El Paso County Sheriff's Office (EPSO) Investigations Division was alerted by Colorado Springs Police Department (CSPD) Lieutenant J. Fabrielle of that members of CSPD Patrol were involved in the use of deadly force.

As part of standard procedure, a Deadly Force Investigations Team (DFIT) response is an agreement between the Colorado Springs Police Department, the El Paso County Sheriff's Office and the District Attorney's Office for transparency purposes. In compliance with CRS 16-2.5-301 and the aforementioned agreement, the El Paso County Sheriff's Office became the investigating agency.

### INITIAL INFORMATION:

The initial information provided to me was that officers had responded to a domestic violence call for service at 3215 Oak Creek Drive East, Colorado Springs, CO. CSPD Patrol officers responded to the call for service and were subsequently involved in a shooting incident where the subject was shot by officers. I was told there were four officers directly involved in the use of force incident. Those officers were identified to me as:

1. Officer Eddie NASSAR
2. Officer Chris CZAJKOWSKI
3. Officer Charlie WARREN
4. Corporal Joe SOMOSKY

The person who was shot was identified as Virgil THORPE, DOB 12/13/1991.

### DETECTIVE STATEMENT:

Detective Lieutenant D. Manzanilla took overall command of the call out activities during this investigation. Detective Sergeant J. Abendschan was assigned as the field supervisor during this investigation. Detective L. Montville was assigned as the lead detective in the case. My role was to assist Detective Lieutenant Manzanilla as needed with investigative or administrative efforts.

Detective Sergeant Abendschan assembled the EPSO team assigned to the investigation. Detectives were assigned to the scene location, the Police Operations Center (POC) and the Office of the Sheriff (OTS) for various duties related to the interview of personnel and processing of evidence.

Responding Lieutenant: DET LT D. Manzanilla / DET LT M. Mihalko

Field Supervisor: DET SGT J. Abendschan

Lead Detective: DET L. Montville

Scene Detective: DET L. Montville / DET L. Gonzalez

Witness Detective: DET K. Mai

Officer Processing: DET D. Glenn / DET J. Schulz

Support Detective(s): DET J. Price, DET B. Whitehead

### DETECTIVE RESPONSE:

I responded to the Police Operations Center at approximately 0010 hrs on Monday, April 21, 2020 to check with investigative personnel. I later responded to the Office of the Sheriff (OTS) at about 0300 hours and cleared at 0325 hrs. During this time, I remained in contact with the Lieutenant Manzanilla conducting the investigative efforts and helping to compile and share information as necessary.

Case Status: Active

Typewritten by Mihalko on 042120 at 1000 hrs.

## Supplement 20200420 1800 Whitehead, Bradley #05071

2020-00004764 (3) Neighborhood Canvass:

On Monday, April 20, 2020, at about 6:00 am, I, Detective Bradley Whitehead, #05071, of the El Paso County Sheriff's Office Investigation's Division, arrived at the mobile command post located at East Cheyenne Mountain Boulevard and Oak Creek Drive

East. I met with Sgt. Abendschan who asked me to conduct a neighborhood canvass.

At about 6:10 am, I made contact with the resident located at [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] who identified herself to me as [REDACTED] [REDACTED] [REDACTED]. [REDACTED] told me she was in her backyard with her husband and baby earlier in the evening when they were being harassed by Thorpe. I also met with her husband who identified himself to me [REDACTED] [REDACTED] [REDACTED]. They reported the harassment to the CSPD (Colorado Springs Police Department) at about 5:00 pm and CSPD responded at about 7:00 pm.

Later, at about 10:00 pm, they heard gun shots. I asked them what they remembered about that incident. They said they could hear undiscernible yelling and gunshots. They stayed away from the windows and were not able to provide me with any other information regarding that incident.

At about 6:20 am, I made contact with the resident located at [REDACTED], who identified himself to me as [REDACTED] [REDACTED] [REDACTED]. I asked him if he was home during last night's incident and he said he was. [REDACTED] said they, the residents at 3215, were upset about their neighbors calling the cops on them earlier in the evening. [REDACTED] said they were "very drunk."

I asked him what he heard and saw when the shooting happened. He said he heard an officer yell 'come outside, we want to talk to you.' A male responded by saying 'my house, I don't have to, you guys are gonna shoot me.' The officer responded to the male 'we just want to talk.' [REDACTED] said the conversation was followed by gunfire.

I asked him if he heard the cops give any commands and he said he wasn't sure, but felt the cops were reasonable with Thorpe and tried to deescalate the situation. I asked him if he heard the cops tell him to drop the gun, put his hands up, or anything to that affect and he said he didn't remember. [REDACTED] said his [REDACTED] told him she heard the cops tell Thorpe to drop the gun.

I noticed [REDACTED] had video surveillance on his house and asked him if his cameras caught anything. He said the cameras were not directed towards Thorpe's house, but his cameras were activated when the cops walked in front of his house. He said he had two videos that contained audio. [REDACTED] said he could email them to me. I provided him with my business card that had my email address.

At about 6:30 am, I attempted to make contact with the resident at [REDACTED], but there was no answer, so I left my business card on their door.

At about 6:32 am, I made contact with the resident at [REDACTED], who identified himself to me as [REDACTED] [REDACTED] [REDACTED]. I asked him if he was home during the incident at his neighbor's house and he said he was. He told me he heard yelling, loud talking, and gunfire, but did not see or hear anything else. He was not able to understand what was being yelled.

At about 6:38 am, I made contact with the resident at [REDACTED], who told me they did not see or hear anything.

At about 6:45 am, I made contact with the resident at [REDACTED], who told me they did not see or hear anything.

At about 6:47 am, I attempted to make contact with the resident at [REDACTED], but there was no answer so I left my business card on their door.

At about 6:48 am, I made contact with the resident at [REDACTED], who identified himself to me as Richard Schreiber, [REDACTED]. Richard said he did not see or hear anything.

At about 7:00 am, I made contact with the resident at [REDACTED], but they said they did not see or hear anything.

At about 7:01 am, I attempted contact at [REDACTED], but there was no answer, so I left a business card on the door.

At about 7:02 am, I made contact with the resident at [REDACTED]. They did not see anything and only heard gunfire.

I only attempted to make contact with residents within eye site and ear shot of 3215 Oak Creek Drive East.

I have nothing further at this time.

Case Status: Active

**METRO CRIME LABORATORY**

705 South Nevada Avenue, Suite B200 Colorado Springs, CO 80903  
 Phone: (719)444-7750 Fax: (719)444-7924

**LABORATORY REPORT**

**Requesting Agency:** Case No: 20-04764  
 El Paso County Sheriffs Office  
 27 E Vermijo Av  
 Colorado Springs, CO 80903

**Lab Case Number:** 20MCL01048  
**Unit:** Crime Scene Investigations

**Related Lab Case :** 20MCL01060  
 20-14453 Colorado Springs Police Department

**Request Submitted By:** Det. David Glenn

**Crime Scene Inv.:** Alyssa Berriesford, 6048

**Request Date:** Mon Apr 20, 2020

**Report Date:** Fri May 01, 2020 06:59

**Offense:** All Other Offenses

**Victims:** CZAJKOWSKI, OFFICER KRISTOFER **DOB:** --/--/----  
 NASSAR, OFFICER EDDIE --/--/----  
 SOMOSKY, CORPORAL JOSEPH --/--/----  
 WARREN, OFFICER CHARLES --/--/----

**REQUESTED SERVICE -** [Crime Scene - Response]

**CSI RESPONSE DOCUMENTATION**

**CSI - Person Processing**

In Custody	Subject/Person Information	Digital Images (DIMS)
<input type="checkbox"/>	<b>WARREN, OFFICER CHARLES</b> DOB: --/--/---- Location of contact: 705 S Nevada Ave (Police Operations Center)	<input checked="" type="checkbox"/>

**Evidence item(s) related to**

**6048 CW-01** (CW-01) {**FIREARM – HANDGUN (APPROVAL)**} BLK SMITH & WESSON M&P 9 HANDGUN (S/N: [REDACTED] W/ ATTACHED TLR-1 HL STREAMLIGHT FLASHLIGHT & EMPTY MAG REC'D FROM OFFICER CHARLES WARREN/5988 ON 4/20/20.

**6048 CW-01A** (CW-01A) {**FIREARM – AMMO**} (13) LIVE CARTRIDGES – (1) CHAMBER, (12) MAGAZINE; W/ HS "WCC +P+ 1 6" & "WCC +P+ 1 8" REC'D FROM SMITH & WESSON HANDGUN (OFFICER WARREN) ON 4/20/20.

In Custody	Subject/Person Information	Digital Images (DIMS)
<input type="checkbox"/>	<b>NASSAR, OFFICER EDDIE</b> DOB: --/--/---- Location of contact: 705 S Nevada Ave (Police Operations Center)	<input checked="" type="checkbox"/>
<b>6048 EN-01</b> (EN-01)	{ <b>FIREARM – HANDGUN (APPROVAL)</b> } BLK SMITH & WESSON M&P 9 HANDGUN (S/N: [REDACTED] W/ ATTACHED TLR-1 HL STREAMLIGHT FLASHLIGHT & EMPTY MAG REC'D FROM OFFICER EDDIE NASSAR/6820 ON 4/20/20.	
<b>6048 EN-01A</b> (EN-01A)	{ <b>FIREARM – AMMO</b> } (17) LIVE CARTRIDGES – (1) CHAMBER, (16) MAGAZINE; W/ HS "WCC +P+ 1 8" REC'D FROM SMITH & WESSON HANDGUN (OFFICER NASSAR) ON 4/20/20.	

**METRO CRIME LABORATORY  
REPORT CONTINUATION**

Lab Case No.: **20MCL01048**

Agency Case No.: **20-04764 [EPSO]**

**CSI - Person Processing**

<b>In Custody</b>	<b>Subject/Person Information</b>	<b>Digital Images (DIMS)</b>
<input type="checkbox"/>	<b>SOMOSKY, CORPORAL JOSEPH</b> DOB: --/--/---- <b>Location of contact: 705 S Nevada Ave (Police Operations Center)</b>	<input checked="" type="checkbox"/>
<b>6048 JS-01 (JS-01)</b>	<b>{FIREARM - LONG GUN (APPROVAL)}</b> BLK COLT AR-15A3 LONG GUN (S/N: [REDACTED] W/ ATTACHED SCOPE & STRAP, EMPTY MAG & POSS BLOODSTAINS REC'D FROM CORPORAL JOSEPH SOMOSKY/2321 ON 4/20/20.	
<b>6048 JS-01A (JS-01A)</b>	<b>{FIREARM - AMMO}</b> (9) LIVE CARTRIDGES - (1) CHAMBER, (8) MAGAZINE; W/ HS "WINCHESTER 223 REM" REC'D FROM COLT LONG GUN (CORPORAL SOMOSKY) ON 4/20/20.	
<b>6048 JS-02 (JS-02)</b>	<b>{POSS BLOOD SAMPLE}</b> (5 SETS) POSS BLD SWABS REC'D FROM VEST, FLASHLT POUCH, L/R PANT LEG, L SHIRT SLEEVE OF CORPORAL JOSEPH SOMOSKY/2321 ON 4/20/20.	

<b>In Custody</b>	<b>Subject/Person Information</b>	<b>Digital Images (DIMS)</b>
<input type="checkbox"/>	<b>CZAJKOWSKI, OFFICER KRISTOFER</b> DOB: --/--/---- <b>Location of contact: 705 S Nevada Ave (Police Operations Center)</b>	<input checked="" type="checkbox"/>
<b>6048 KC-01 (KC-01)</b>	<b>{FIREARM - LONG GUN (APPROVAL)}</b> BLK SMITH & WESSON M&P-15 LONG GUN (S/N: [REDACTED] W/ ATTACHED SCOPE, STRAP & FLASHLT, & EMPTY MAG REC'D FROM OFFICER KRISTOFER CZAJKOWSKI/6588 ON 4/20/20.	
<b>6048 KC-01A (KC-01A)</b>	<b>{FIREARM - AMMO}</b> (24) LIVE CARTRIDGES - (1) CHAMBER, (23) MAGAZINE; W/ HS "WINCHESTER 223 REM" REC'D FROM SMITH & WESSON LONG GUN (OFFICER CZAJKOWSKI) ON 4/20/20.	

**RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS**

**NOTIFICATION/RESPONSE:**

April 20, 2020  
Approximately 0150 hours

I, Crime Scene Investigator (CSI) Alyssa Berriesford/6048, was contacted by CSI Amanda Kimball/4867. CSI Kimball indicated that an additional CSI from the Metro Crime Lab was requested to respond to assist in processing multiple officers in relation to an officer-involved shooting investigation.

**BRIEFING:**

At approximately 0231 hours, I arrived at the Colorado Springs Police Department (CSPD) Police Operations Center (POC) and met with Detective Jerry Schiffelbein/3343 of the CSPD Violent Crimes Unit.

Detective Schiffelbein indicated that four officers had discharged their weapons during the incident; two had reportedly fired their duty handguns while the remaining two had reportedly fired their duty rifles.

At approximately 0241 hours, I gathered the necessary equipment and responding to Conference Room #2209 in the Investigations Division of the POC.

# METRO CRIME LABORATORY

## REPORT CONTINUATION

Lab Case No.: **20MCL01048**

Agency Case No.: **20-04764 [EPSO]**

### RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS

Investigations Division - Room #2209  
CSPD POC  
705 South Nevada Avenue  
Colorado Springs, CO 80903

Detective Jeffrey Schulz/03034 and Detective David Glenn/13076 of the El Paso County Sheriff's Office (EPSO) Investigations Division as well as Detective Schiffelbein and Detective Nicole Black/5400 of the CSPD Violent Crimes Unit were present for each officer processing. Detective Glenn indicated that all four of the officers previously had blood on their hands which had since been photographed and washed off.

#### OFFICER CHARLES WARREN/5988

At approximately 0252 hours, I began taking overall photographs of CSPD Patrol Officer Charles Warren/5988 to include the front and back of his hands both with and without scale. Officer Warren was instructed to put on his tactical vest and additional photographs were taken. No injuries or possible bloodstains were observed on Officer Warren or his clothing and equipment.

Officer Warren provided his duty and auxiliary handguns as well as all associated auxiliary magazines for documentation. Detective Schiffelbein then escorted Officer Warren from the room where he remained throughout the subsequent firearm documentation.

His duty handgun and all auxiliary magazines were photo-documented first. The handgun was identified as a Smith & Wesson M&P 9 9mm handgun loaded with 12 cartridges in the magazine and one in the chamber. Officer Warren had four auxiliary magazines for the Smith & Wesson handgun; all contained 17 cartridges. The handgun, associated magazine and cartridges were collected as evidence at that time; the auxiliary magazines and cartridges were returned to Officer Warren.

I then photo-documented his auxiliary handgun. The handgun was identified as a Springfield XDS-45 0.45 caliber handgun loaded with five cartridges in the magazine and one in the chamber. The handgun, associated magazine and cartridges were returned to Officer Warren.

Officer Warren was escorted back into the room and additional photographs were taken of his footwear tread.

I completed the documentation and processing of Officer Warren and his firearms. Refer to the beginning of this report for the items of evidence collected from Officer Warren (Items CW-01 and CW-01A).

#### OFFICER EDDIE NASSAR/6820

At approximately 0323 hours, I began taking photographs of CSPD Patrol Officer Eddie Nassar/6820 to include the front and back of his hands both with and without scale. Officer Nassar was instructed to put on his tactical vest and additional photographs were taken. Photographs were also taken of his footwear tread. No injuries or possible bloodstains were observed on Officer Nassar or his clothing and equipment.

Officer Nassar provided his duty handgun and rifle as well as all auxiliary magazines for documentation. Detective Schiffelbein then escorted Officer Nassar from the room where he remained throughout the subsequent firearm documentation.

I then proceeded to photo-document his duty rifle. The rifle was identified as a Smith & Wesson

# METRO CRIME LABORATORY

## REPORT CONTINUATION

Lab Case No.: **20MCL01048**

Agency Case No.: **20-04764 [EPSO]**

### RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS

M&P-15 0.223 caliber rifle loaded with 28 cartridges in the magazine and none in the chamber. The rifle, associated magazine, and cartridges were returned to Officer Nassar.

I photo-documented his duty handgun. The handgun was identified as a Smith & Wesson M&P 9 9mm handgun loaded with 16 cartridges in the magazine and one in the chamber. Officer Nassar had two auxiliary magazines for the Smith & Wesson handgun; all contained 17 cartridges. The handgun, associated magazine and cartridges were collected as evidence at that time; the auxiliary magazines and cartridges were returned to Officer Nassar.

I completed the documentation and processing of Officer Nassar and his firearms. Refer to the beginning of this report for the items of evidence collected from Officer Nassar (Items EN-01 and EN-01A).

### CORPORAL JOSEPH SOMOSKY/2321

At approximately 0350 hours, I began taking photographs of CSPD Patrol Corporal Joseph Somosky/2321 to include the front and back of his hands both with and without scale. Possible bloodstains were observed and photographed on Corporal Somosky's clothing and equipment in the following locations: left sleeve/shoulder of shirt, left pant leg near pocket, right pant pocket, and flashlight pouch. Samples were collected from each possible bloodstain. Corporal Somosky was instructed to put on his tactical vest and additional photographs were taken. Possible bloodstains were observed and photographed in the following locations: front left top corner, top of medical equipment pouch. A sample was collected from the possible bloodstains. Photographs were also taken of Corporal Somosky's footwear tread. No injuries were observed on Corporal Somosky or his clothing and equipment.

Corporal Somosky provided his duty handgun and rifle as well as all auxiliary magazines for documentation. Detective Schiffelbein then escorted Corporal Somosky from the room where he remained throughout the subsequent firearm documentation.

I then proceeded to photo-document his duty handgun. The handgun was identified as a Smith & Wesson M&P 9 9mm handgun loaded with 17 cartridges in the magazine and one in the chamber. Corporal Somosky had four auxiliary magazines for the Smith & Wesson handgun; all contained 17 cartridges. The handgun, associated magazine, and cartridges as well as the auxiliary magazines and cartridges were returned to Corporal Somosky.

I photo-documented his duty rifle. The rifle was identified as a Colt AR-15A3 0.223 caliber rifle loaded with eight cartridges in the magazine and one in the chamber. Possible bloodstains were observed and photographed on the firearm and associated magazine. Corporal Somosky had four auxiliary magazines for the Colt rifle; all contained 30 cartridges. The rifle, associated magazine and cartridges were collected as evidence at that time; the auxiliary magazines and cartridges were returned to Corporal Somosky.

I completed the documentation and processing of Corporal Somosky and his firearms. Refer to the beginning of this report for the items of evidence collected from Corporal Somosky (Items JS-01 through JS-02).

### OFFICER KRISTOFER CZAJKOWSKI/5988

At approximately 0443 hours, I began taking photographs of CSPD Patrol Officer Kristofer Czajkowski/6588 to include the front and back of his hands both with and without scale. A small cut was observed on the back of Officer Czajkowski's right hand - I was informed that a small metal

# METRO CRIME LABORATORY

## REPORT CONTINUATION

Lab Case No.: **20MCL01048**

Agency Case No.: **20-04764 [EPSO]**

### RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS

fragment had previously been collected from that injury. Officer Czajkowski was instructed to put on his tactical vest and additional photographs were taken. Photographs were also taken of his footwear tread. No additional injuries or possible bloodstains were observed on Officer Czajkowski or his clothing and equipment.

Officer Czajkowski provided his duty handgun and rifle as well as all auxiliary magazines for documentation. Detective Schiffelbein then escorted Officer Czajkowski from the room where he remained throughout the subsequent firearm documentation.

I then proceeded to photo-document his duty handgun. The handgun was identified as a Smith & Wesson M&P 9 9mm handgun loaded with 17 cartridges in the magazine and one in the chamber. Officer Czajkowski had four auxiliary magazines for the Smith & Wesson handgun; all contained 17 live cartridges. The handgun, associated magazine and cartridges as well as the auxiliary magazines and cartridges were returned to Officer Czajkowski.

I photo-documented his duty rifle. The rifle was identified as a Smith & Wesson M&P-15 0.223 caliber long gun loaded with 23 cartridges in the magazine and one in the chamber. Officer Czajkowski had two auxiliary magazines for the Smith & Wesson rifle; all contained 28 live cartridges. The rifle, associated magazine and cartridges were collected as evidence at that time; the auxiliary magazines and cartridges were returned to Officer Czajkowski.

At approximately 0513 hours, I completed the documentation and processing of Officer Czajkowski and his firearms. Refer to the beginning of this report for the items of evidence collected from Officer Czajkowski (Items KC-01 and KC-01A).

#### CLEARED:

I cleared the Investigations Division of the CSPD POC and transported all items of evidence collected to the Metro Crime Lab where they were placed in a secure processing room until they could be inventoried, packaged and sealed, and transferred to an EPSO Evidence Technician.

The digital photographs taken during the officer processing were acquired into the CSPD's Digital Imaging Management System (DIMS) under Set #1.

There is no additional information regarding this request at this time.

### EVIDENCE DISPOSITION

All Evidence Disposition: Submit to Agency Evidence

**END OF REPORT**



**Assigned Analyst**  
Alyssa Berriesford | 6048  
CSI

04/24/2020 10:48

## Supplement 20200429 0940 Montville, Lisa #01060

Case Supplement, 20-4764

### Detective Statement:

On April 29, 2020, at about 9:40 a m., I, Detective Montville was conducting follow-up on this case. On this date, I queried the Eagle Arms, Eagle-15 rifle bearing serial number: [REDACTED]-[REDACTED] through [REDACTED]/[REDACTED]. The weapon was clear and was not reported missing or stolen.

I also contacted Deputy Glenn Boarmann. I requested Boarman conduct an [REDACTED]-[REDACTED] on the weapon; to gather more information about ownership records and point of sale records. The results of the [REDACTED]-[REDACTED] are pending.

Nothing Follows.

Case Status: ACT-INV

## Supplement 20200421 Price, Jon #01060

On April 21, 2020, I, Detective Jon Price #02034, downloaded the video recordings of each of my interviews to separate DVD's. I entered them into evidence as follows:

Item #22 - Officer Mesmer Interview

#23 - Corporal Seenath Interview

#24 - Officer Canaan Interview

#25 - [REDACTED] [REDACTED] Interview

Nothing Further

Status: Same as original

# Evidence Invoice

## El Paso County Sheriff Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Price, Jon 02034**

Barcode	Item #	Item Type	Description
 1156723	1	Drawing(s)/Diagram(s)	Serial #: DIAGRAM BY CSPD OFFICER HEATHER MESMER
		<b>Mandatory Info: Evidence</b>	<b>Evidence entered: 04/20/2020</b> <b>Current Location: Tape Box</b>
Collected by: Price, Jon 02034 Recovery Address: 27 E VERMIJO AVE Homicide #:			
 1156724	2	Drawing(s)/Diagram(s)	Serial #: DIAGRAM BY CSPD OFFICER DUSTIN CANAAN
		<b>Mandatory Info: Evidence</b>	<b>Evidence entered: 04/20/2020</b> <b>Current Location: Tape Box</b>
Collected by: Price, Jon 02034 Recovery Address: 27 E VERMIJO AVE Homicide #:			
 1156761	13	CD/DVD(s)	VERBATIM Serial #: CD CONTAINING PICTURES OF EVIDENCE PROCESSING
		<b>Mandatory Info: Evidence</b>	<b>Evidence entered: 04/21/2020</b> <b>Current Location: Tape Box</b>
Collected by: Price, Jon 02034 Recovery Address: 2749 E LAS VEGAST ST Homicide #:			
 1156790	22	CD/DVD(s)	VERBATIM Serial #: RECORDING OF OFFICER MESMER INTERVIEW
		<b>Mandatory Info: Evidence</b>	<b>Evidence entered: 04/21/2020</b> <b>Current Location: Evidence Intake</b>
Collected by: Price, Jon 02034 Recovery Address: 27 E VERMIJO AVE Homicide #:			
 1156791	23	CD/DVD(s)	VERBATIM Serial #: RECORDING OF CORPORAL SEENATH INTERVIEW
		<b>Mandatory Info: Evidence</b>	<b>Evidence entered: 04/21/2020</b> <b>Current Location: Evidence Intake</b>
Collected by: Price, Jon 02034 Recovery Address: 27 E VERMIJO AVE Homicide #:			
 1156792	24	CD/DVD(s)	VERBATIM Serial #: RECORDING OF OFFICER CANAAN INTERVIEW
		<b>Mandatory Info: Evidence</b>	

El Paso County Sheriff  
Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Price, Jon 02034**

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Barcode	Item #	Item Type	Description
Collected by: Price, Jon 02034 Recovery Address: 27 E VERMIJO AVE Homicide #:			<b>Evidence entered: 04/21/2020</b> <b>Current Location: Evidence Intake</b>
 1156793	25	CD/DVD(s)	VERBATIM Serial #:
Mandatory Info: <b>Evidence</b> RECORDING OF [REDACTED] [REDACTED] INTERVIEW			<b>Evidence entered: 04/21/2020</b> <b>Current Location: Evidence Intake</b>
Collected by: Price, Jon 02034 Recovery Address: 27 E VERMIJO AVE Homicide #:			

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# El Paso County Sheriff's Office



El Paso County Sheriff's Office  
Detective Lisa Montville  
27 East Vermijo Avenue  
Colorado Springs, Colorado CO 80903  
[lisamontville@elpasoco.com](mailto:lisamontville@elpasoco.com)  
719-520-7227

Metro Crime Laboratory  
705 South Nevada Avenue  
Colorado Springs, Colorado 80903

Dear Sir/Madam:

## Case Summary:

On April 19, 2020, at about 9:27 p.m., the Colorado Springs Police Department was dispatched to a domestic disturbance involving a rifle at 3215 Oak Creek Drive East, in Colorado Springs, Colorado. The suspect, later identified as Virgill Thorpe DOB: 12/13/91, had allegedly thrown his [REDACTED] later identified as [REDACTED] to the ground. Thorpe had also threatened to shoot it out with the police.

Officers initially contacted Thorpe on the front porch of the residence. Thorpe eventually shut the front door and went into the basement of the home. Thorpe armed himself with a rifle and raised the rifle up towards responding police officers standing outside of the basement window. Colorado Springs Police Officers Charles Warren, Kris Czajkowski, Eddie Nassar and Joseph Somosky shot at Thorpe via the basement window. Thorpe was struck and injured by gunfire. Thorpe was transported to [REDACTED] Hospital where he succumbed to his injuries.

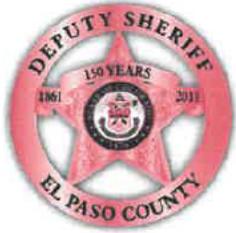
## Suspect Weapon Collected



**Civil Process Unit**  
210 South Tejon St. • Colorado Springs, CO 80903  
719-520-7144

**Office of the Sheriff**  
27 East Vermijo Ave. • Colorado Springs, CO 80903  
719-520-7100  
[www.epsheriffsoffice.com](http://www.epsheriffsoffice.com)

**Criminal Justice Center**  
2739 E. Las Vegas St. • Colorado Springs, CO 80906  
719-390-2106



# El Paso County Sheriff's Office



A search warrant was executed at the scene and an Eagle Arms rifle, bearing serial number: [REDACTED] **EPSO item number 62, barcode number 1157086**, was recovered and collected from the floor of the basement. One spent rifle cartridge casing identified as: **EPSO item 64, barcode number 1157092, headstamp LC 17+**, was also found and collected from the basement floor. It is probable Thorpe fired at least one round from the Eagle Arms rifle.

The involved officers were transported the Police Operations Center located at 705 South Nevada Avenue, in Colorado Springs, Colorado. The officers were photographed, processed and the weapons used to shoot at Thorpe were collected as evidence.

### CSPD Weapons Collected

Officer Charles Warren: one black in color, Smith & Wesson M&P, with light, 9mm handgun bearing serial number [REDACTED] **EPSO evidence item number 30, barcode number 1156857.**

Officer Eddie Nassar: one black in color, Smith & Wesson M&P, with light, 9mm handgun bearing serial number: [REDACTED] **EPSO evidence item number 32, barcode number 1156860.**

Officer Kris Czajkowski: one black in color, Smith and Wesson M&P rifle, with light, bearing serial number [REDACTED] **EPSO item number 34, barcode number 1156862.**

Officer Joseph Somosky: one black in color, Colt AR 15A3 rifle, bearing serial number [REDACTED] **EPSO item number 36, barcode number 1156864.**

### Scientific Testing Requested

**Suspect Weapon-** I am requesting item, **EPSO item number 62, barcode number 1157086**, described as an Eagle Arms rifle, be examined and processed for fingerprints and swabs for possible DNA evidence be collected from the trigger, trigger guard and barrel.

I am requesting this item be examined for functionality and the spent rifle casing collected from the basement floor: **EPSO item 64, barcode number 1157092** be examined and compared to the rifle.

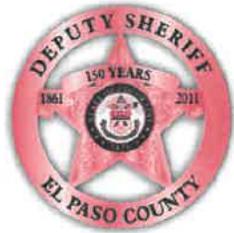
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**Civil Process Unit**  
210 South Tejon St. • Colorado Springs, CO 80903  
719-520-7144



**Office of the Sheriff**  
27 East Vermijo Ave. • Colorado Springs, CO 80903  
719-520-7100  
[www.epcsheriffsoffice.com](http://www.epcsheriffsoffice.com)

**Criminal Justice Center**  
2739 E. Las Vegas St. • Colorado Springs, CO 80906  
719-390-2106



# El Paso County Sheriff's Office



**CSPD Weapons:** I am requesting functionality testing on EPSO item numbers: **EPSO evidence item number 30, barcode number 1156857, EPSO evidence item number 32, barcode number 1156860, EPSO item number 34, barcode number 1156862, EPSO item number 36, barcode number 1156864.** No further testing or comparisons are requested at this time.

Please feel free to contact me with any questions.

Lisa Montville



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**Civil Process Unit**  
210 South Tejon St. • Colorado Springs, CO 80903  
719-520-7144

**Office of the Sheriff**  
27 East Vermijo Ave. • Colorado Springs, CO 80903  
719-520-7100  
[www.epcsheriffsoffice.com](http://www.epcsheriffsoffice.com)

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**Criminal Justice Center**  
2739 E. Las Vegas St. • Colorado Springs, CO 80906  
719-390-2106

## **Supplement 20200504 1050 Montville,Lisa #01060**

**Case Supplement, 20-4764**

### **Detective Statement:**

**On May 4, 2020, at about 10:50 a.m., I, Detective Montville was conducting follow-up on this case. On this date, I prepared and submitted a laboratory request to the Metro Crime Lab. I emailed a copy of the lab cover letter to Metro Crime Lab Manager Shelley Weber. I submitted the lab request electronically via the [REDACTED] system.**

**A copy of the cover letter and a copy of the [REDACTED] submission are attached to this supplement. The details of the submission are included in the documents.**

**Nothing Follows.**

**Case Status: ACT-INV**

**\*2004764\***

**ACN: 2004764**

Submitting Agency: El Paso County Sheriffs Office

Submitting Rep: Lisa Montville

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Offenses

09A - Homicide: Murder/Non-negligent Manslaughter

Evidence List

- 1 - Eagle Arms Rifle bearing serial number: [REDACTED]
- 2 - Rifle cartridge casing: headstamp LC 17+
- 3 - Officer Charles Warren: one black in color, Smith & Wesson M&P, with light, 9mm handgun bearing serial number [REDACTED]
- 4 - Officer Eddie Nassar: one black in color, Smith & Wesson M&P, with light, 9mm handgun bearing serial number: [REDACTED]
- 5 - Officer Kris Czajkowski: one black in color, Smith and Wesson M&P rifle, with light, bearing serial number [REDACTED]
- 6 - Officer Joseph Somosky: one black in color, Colt AR 15A3 rifle, bearing serial number [REDACTED]

# Supplement 20200505 Ferrell, Timothy #13001

Case # 20-4764 Supplement #2 Tuesday, May 5, 2020

On 05/05/2020, I, Detective Timothy Ferrell of the El Paso County Sheriff's Office (EPSO) Investigations Division, completed follow-up on this case.

Report of Execution of Search Warrant (ROE) completed:

On 05/05/2020, I completed a ROE for search warrant #20-1179, and filed it with the EL Paso County Courthouse for the following premise:

3215 Oak Creek Drive East, Colorado Springs, Colorado, 80906. A beige single-story ranch style home with attached two car garage. The house is beige with red trim. The numerals "3215" are arranged vertically on the right side of the front door in white numerals. To include a gray, 2011 Chevy Malibu bearing Colorado License plate [REDACTED] [REDACTED] parked in the driveway. A copy is included with this supplement.

I have nothing further.

Case status:

SAO

RECEIVED

IN THE COUNTY COURT IN AND FOR THE COUNTY OF  
EL PASO AND STATE OF COLORADO  
(EPSO #20-4764)  
CRIMINAL PROCEEDINGS NO. 20-1179

MAY 05 2020

CLERK'S OFFICE

**Report of Execution of Search Warrant**

On the 20th day of April, 2020, a search warrant was issued by the County Court for El Paso County and State of Colorado directing that a search may be made of the following described premise, location or person:

3215 Oak Creek Drive East, Colorado Springs, Colorado, 80906. A beige single-story ranch style home with attached two car garage. The house is beige with red trim. The numerals "3215" are arranged vertically on the right side of the front door in white numerals. To include a gray, 2011 Chevy Malibu bearing Colorado License plate CXY009 [REDACTED] parked in the driveway

And on the 20th day of April, 2020, the undersigned, as one of the persons authorized to conduct such a search and seizure and who did conduct such search and seizure reports the following was found and seized:

- See attached scribe sheet

The undersigned does further inform the Court that if property was seized that the person from whose premises the items were taken was furnished with a copy of the search warrant as well as a copy of this inventory of the goods seized.



Detective Timothy Ferrell, #13001  
El Paso County Sheriffs Office

# El Paso County Sheriff's Office

Case No: 20-4764 Date: 4/20/20  
 Location: 3215 Oak Creek Drive

No.	Item Description
1	Swabs of possible blood stains - interior - Lab
2	3 magazines - bar area - Lab
3	<del>1 iPhone</del> 1 grey HP laptop Living room - Lab
4	1 grey HP laptop with decorative stickers - dining table - Lab
5	1 galaxy phone (black) Living room - Lab
6	1 Samsung Galaxy (gold case) - kitchen - Lab
7	1 Apple iPhone - under bed in basement - Lab
8	1 hoodie white (Pink brand) - basement - Lab
9	1 LS shirt (Mint color) 3 - basement - Lab
10	Clothing rack with 11 articles of clothing - basement - Lab
11	1 Long rifle (SN: M2208497) (Eagle Arms) - basement - Lab
12	1 rifle magazine with rounds
13	3 sections of carpet (basement) - Lab
14	1 rose color iPhone from basement bedroom, Lab
15	1 Samsung Galaxy S10, (black), kitchen Lab
16	1 green metal ammo can, master bedroom closet, Lab
17	1 black Century Arms TP9SF, [redacted] Master bedroom closet - Lab
18	2 magazines loaded with 9mm ammo, master bedroom, Lab
19	1 black rifle case with 4 rifle mags (one loaded), one pistol mag, master bedroom closet, Lab
20	1 pistol holster, master bedroom dresser, Lab
21	1 box of 9mm ammo, Master bedroom, Lab
22	4 rifle mags 4 pistol mags, 1 pistol holster, basement, Lab
23	Multiple projectile fragments, basement, Lab

# 13001  
 4/20/2020  
 Nothing further

# Supplement 20200421 1013 Riley, Mark #02073

Case number: 2020-00004764

Offense: Att. Murder of Peace Officer

Date: 05/04/20

By: Detective Mark Riley #02073

On April 21, 2020, I, Detective Mark Riley #02073 of the El Paso County Sheriff's Office (EPSO), Investigation Division, conducted follow up on this case.

At approximately 10:13 a m., I conducted an interview of Colorado Springs Police Department (CSPD) Officer Kristofer Czajkowski. This was completed in Interview Room #4 at the El Paso County Sheriff's Office Investigations Division. The full recording of the interview with Officer Aragon was later downloaded onto a CD and placed into evidence as Item #21 for this case.

The following is a synopsis of the recording and should not be considered a word for word transcription. For full details of the interview, the CD containing the recording should be watched in its entirety.

I begin the interview by obtaining Officer Czajkowski's full name and badge number of #6588 and obtaining basic information from him. He was hired by the Colorado Springs Police Department in May of 2019.

He is currently a Patrol Officer with the CSPD Gold Hill Division. His normal work hours are [REDACTED] He is currently in the middle of a change in work week but his current work schedule will be [REDACTED] through [REDACTED]

I ask Officer Czajkowski about the normal duty uniform he wears during his shift.

During his shift, he wears dark blue slacks, a light blue undershirt and a external vest carrier with his ballistic vest is worn over the blue undershirt. There are CSPD patches on each shoulder of the blue undershirt. He has his CSPD badge and his name plate.

I ask him to describe what is carried on his duty belt. On the left front is a remote control which controls his body camera. Going to the left, he has two handgun magazines, a Taser, radio, flashlight, one pair of handcuffs on the back, a handgun and holster on the right side and another pair of handcuffs on the front.

His duty weapon he was carrying was the M & P 2.0 9mm. His normal ammunition load is three magazines of 18 rounds each and one live round in the chamber of the handgun. He carries two other fully loaded magazines on his duty belt.

He confirms his body worn camera was activated during this incident. The footage from the camera is automatically downloaded. Officer Czajkowski tells me he got 7 hours of sleep prior to this shift. This amount of sleep is normal for him.

I ask what type of patrol vehicle he was assigned for this shift.

He was assigned a Dodge Charger, unknown year, that is black and white with "Police" marked on it. It is equipped with emergency lights and siren also. Controls for the lights and siren are inside with a location for his computer to be attached. There is also a police radio inside the vehicle.

I ask Officer Czajkowski to explain what he did during his work on April 19, in as much detail as he can remember from the beginning through the remainder of the shift.

Officer Czajkowski describes normal administrative duties prior to actually beginning his patrol duties.

Once his normal administrative duties were completed, he loaded his gear into the patrol vehicle he was assigned. He attended the line up meeting and left to begin his duties.

Once on duty, he heard over the radio that there was a physical domestic call which was holding. He was placed on this call by dispatch. This was the call where the shooting later took place. He believes the address for this call was 3215 Oak Creek Drive.

Information he received for this call indicated it was a physical disturbance. The reporting party called in stating a black male suspect wearing red shorts, no shirt, had pushed her over and she had bumped her head. The female also described the male coming down to the basement and "cocking" a rifle. Officer Czajkowski took that statement as charging a rifle. The female also stated the male told her if police showed up, he would shoot at them.

Because of this information, units assigned to this call met in a parking lot near the address prior to responding to the house.

At the staging area, tasks were handed out to note who would go where upon arrival at the house. At this time, all personnel donned their heavy ballistic vests with rifle rated plates. Units were designated to position themselves at the address so they would have 360-degree coverage around the house.

Officer Czajkowski was assigned to go to the front of the house with other units.

Once assignments were made, the units responded to the house, and set up where they were assigned. Officer Czajkowski believes this was about 9:50 p m.

Once at the house, several officers approached the front of the house. Officer Czajkowski moved to the north corner of the house to cover that area. This area included a window leading into the basement of the home.

He heard what he thought was the front door of the residence. He heard officers speaking to two male individuals at the door. He heard CSPD Corporal Somosky tell the males he just wanted to talk to them and asked them to come outside. This was said a couple of times.

Officer Czajkowski observed a white male come outside to the officers. The male was taken back away from the residence. Officers continued trying to speak to the other individual at the door. Approximately 1 minute later, he heard the front door slam shut.

After the front door slammed, Officer Czajkowski saw the basement window opening and the screen for the window was pushed out. He called other officers to the window.

Officer Czajkowski observed a black male with red shorts on, and he believed the male had a shirt on in the basement. Officer Czajkowski describes this male as matching the suspect description given earlier in the call. He observed four other individuals in the basement with the black male.

Officer Czajkowski was positioned directly in front of the window. The window opened from his left to the right. The black male was directly in front of him and the remaining people were to right hand side.

The black male was arguing with one of the females in the basement and appeared very aggressive. The others were talking and yelling at the same time. Officer Czajkowski is not sure what was being said.

Officer Czajkowski attempted to talk to the male suspect, to de-escalate the situation. When this happened, the male appeared to focus on Officer Czajkowski. The male was yelling and screaming at him. At one point, the male told Officer Czajkowski that he would meet him outside. The way this was said, it appeared the male wanted to fight Officer Czajkowski. The male told him to "shoot me already" or something similar to that. They told the male they didn't want to shoot him, and they wanted to talk things out.

The male ripped his shirt off and tensed up. He appeared to be getting more aggressive. He then moved forward and spit at Officer Czajkowski. The male then moved out of the field of view to the left.

Once this happened, officers were able to remove two of the individuals inside the basement. A female was unable to lift herself out of the window, so Corporal Somosky and Officer Czajkowski lifted her out. Another female was pulled out shortly after the first. When this female was being helped out, the male appeared in the window holding a black AR style rifle. A black magazine was inside the magazine well of the weapon. Officer Czajkowski believes the male was holding the rifle in one hand but is unsure which hand.

Officer Czajkowski saw the rifle placed on the window sill and then observed it being raised in the direction of himself and the other officers.

When he saw this movement of the rifle, he was in fear for the safety of the two females just removed from the basement, as well as in fear for the safety of the other officers and for his own life.

Officer Czajkowski raised his rifle, aimed center mass on the suspect and fired his weapon. He believes he fired three times. After firing, he lost sight of the suspect. He moved to his left and he could see other officers still firing into the basement. He didn't have a field of view so he remained to the left. A few seconds later, he believes Corporal Somosky said the suspect was down.

Corporal Somosky moved to the front of the residence to make entry. Officer Czajkowski moved to the right side of the window, got into a kneeling position and saw the suspect lying face down on the east portion of the basement. He could see the male from the waist down. He could not see the male's hands. He could see the rifle laying on the ground to the right of the suspect.

While covering the male while other officers made entry into the home, he heard a male and a female inside the basement. The male was saying they needed to get out because he thought the female was shot. They were directed to the window and removed from the

home. Another officer moved them away and made sure they were okay.

Officer Czajkowski remained in his position until he observed officers enter the basement and began rendering aid to the suspect. He took the male that was removed from the basement to the street, where another officer took over and placed the male into a car. He remained at the scene until he was directed to leave.

Officer Czajkowski tells me retrieving his rifle was planned at the staging area. He did not remove it prior to arriving on scene. The rifle is his .223 M4 style rifle.

I ask about the lighting near the window where he was positioned. He does not believe there was any exterior lighting in the area. The interior of the window was illuminated by the lighting of the basement, and he used his rifle attached flashlight to illuminate the area further.

He confirms the window was in the ground with a well around it.

He believes there were four officers at the window. He believes it was Officer Nasser, Corporal Somosky and Officer Warren.

He knows Corporal Somosky was to his right along with Officer Warren. He is unsure where Officer Warren was located.

When the male began to raise the weapon, he believed the male was going to shoot at officers. The weapon appeared to be a fully functional weapon.

I take a break from the interview at approximately 10:36 a.m. I return at approximately 10:39 a.m.

I ask what his normal load for his rifle. He tells me there are two magazines with 28 rounds inside on his vest and another with 28 rounds inside the rifle.

He confirms he did not hear what the male was saying other than misc. arguing.

He does not know if the male ever fired his weapon.

He confirms he was never ordered to fire at the suspect.

There are no further questions and the interview is ended at approximately 10:42 a.m.

Case Status: SAO

## **Supplement 20200421 0600 Riley, Mark #02073**

Case number: 2020-00004764

Offense: Att. Murder of Peace Officer

Date: 05/04/20

By: Detective Mark Riley #02073

On April 21, 2020, at approximately 6:00 a.m., I, Detective Mark Riley #02073 of the El Paso County Sheriff's Office (EPSO), Investigation Division, was contacted by Detective Sergeant Jacob Abendschan and directed to respond and collect evidence from Colorado Springs Police Department Corporal Somosky.

At approximately 6:35 a.m., I collected the duty pants worn by Corporal Somosky during this incident. The pants are blue and are made by "Flying Cross".

Corporal Somosky had noticed minor injuries to his left leg upon arriving at home and then noticed damage to the pants. He passed this information up his chain of command and I was sent to collect them. I later placed the item into the El Paso County Sheriff's Office Evidence Facility under Item #7 for this case. A copy of the evidence invoice is included with this report.

At approximately 7:00 a.m., I was directed to attend the autopsy of the suspect in this case, Virgill Thorpe.

At approximately 8:00 a.m., I, along with Detective Lisa Gonzalez attended the autopsy of Mr. Thorpe.

The autopsy was conducted by [REDACTED] [REDACTED] [REDACTED] At the end of the autopsy she indicated the preliminary finding was Mr. Thorpe died as a result of homicide/gunshot wounds.

A final determination is pending the autopsy report.

A additional supplemental report will be completed when the final autopsy report is received.

Case Status: SAO

El Paso County Sheriff  
Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Riley, Mark 02073**

Barcode	Item #	Item Type	Description
 1156755	7	Clothing	FLYING CROSS Serial #: BLUE
Mandatory Info: <b>Evidence</b>		DUTY UNIFORM PANTS FROM CSPD SOMOSKY WITH PROJECTILE DAMAGE	
Collected by: Riley, Mark 02073		Evidence entered: 04/21/2020	
Recovery Address: 11581 AVENA		Current Location: Homicide Box 1	
Homicide #:			

## Supplement 20200505 Montville, Lisa #01060

Case Supplement, 20-4764

### Detective Statement:

On May 5, 2020, at about 10:42 a.m., I, Detective Montville received a forwarded voicemail from Colorado Springs Police Detective Jerry Schiffelbein. The voicemail was from [REDACTED] [REDACTED] with [REDACTED] Companies. The voicemail stated a dehumidifier was rented to the residents at 3215 Oak Creek Drive East. Routine maintenance was being performed on the dehumidifier. During the maintenance check a bullet was located inside of the filter of the machine.

At about 10:56 a.m., I called [REDACTED] at [REDACTED]. Arrangements were made to meet with [REDACTED] at [REDACTED] located at [REDACTED] [REDACTED] in Colorado Springs, Colorado at 12:00 p.m. today.

Detective Jessica Bethel and I arrived on scene at about 11:58 p.m. We gathered the necessary equipment to process the scene. [REDACTED] is located in an industrial area on the east side of Colorado Springs, Colorado. [REDACTED] provides services to the general public related to repairing, rebuilding and restoring buildings. We met with [REDACTED] [REDACTED] in the lobby of the business. He escorted us to a workshop/ garage in the rear of the building.

The dehumidifier was rented to [REDACTED] [REDACTED] at 3215 East Oak Creek Drive on April 15, 2020 to clean up water from a leaking toilet. The dehumidifier was returned to [REDACTED] Companies sometime after April 20, 2020. The dehumidifier was black and blue in color and is described as a Drieaz; Drizair 1200, with the markings "[REDACTED] DH002" marked on the top of the unit.

I inspected the unit and noted it had at least one defect in the blue plastic casing and at least one defect in the aluminum metal coils. I took digital photographs of the unit and the defects with and without scale. [REDACTED] and his employee removed the blue plastic housing, so the coils were fully exposed. A slight defect was found in the metal coil cover located at the top of the unit. Additional digital photographs were taken of the defect. The metal coil cover was removed, and a deformed projectile was recovered from unit and collected as evidence.

[REDACTED] provided a copy of the rental contract and a copy of a quote to replace the unit as it is a total loss. The estimated cost to replace the unit is \$1754.74. Copies of the documents are attached to this supplement.

The digital photographs I collected were placed on a CD and the CD was entered into El Paso County Sheriff's Office Evidence Facility under item number 124. The deformed projectile was entered into evidence under item number 123. A copy of the evidence voucher is attached to this supplement.

Detective Bethel and I left [REDACTED] [REDACTED] at about 12:35 p.m.

Nothing Follows.

Case Status: ACT-INV

# Evidence Voucher for item numbers 123 and 124

## El Paso County Sheriff Property Invoice



Case Number: 2020-00004764

Submitting Deputy: Montville, Lisa 01060

Barcode	Item #	Item Type	Description
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123

Projectile(s)

Serial #:

Mandatory Info: **Evidence**

ONE DEFORMED PROJECTILE

Evidence entered: 05/05/2020  
Current Location: Evidence Intake

Collected by: Montville, Lisa 01060

Recovery Address: [REDACTED]

Homicide #:



124

CD/DVD(s)

Serial #:

Mandatory Info: **Evidence**

ONE CD CONTAINING DIGITAL PHOTOGRAPHS OF A DEHUMIDIFIER  
WITH DEFECTS

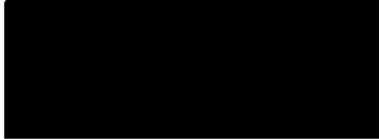
Evidence entered: 05/05/2020  
Current Location: Evidence Intake

Collected by: Montville, Lisa 01060

Recovery Address: [REDACTED]

Homicide #:

# Copies of rental contract and quote



## CONTRACT FOR EMERGENCY WATER-DAMAGE REMEDIATION SERVICES

THIS CONTRACT is made and entered into on this 15<sup>th</sup> day of April, 2019, at 11:30A.m., by and between Property Owner, Property Representative, Insured or Insured Representative (hereinafter collectively referred to as Customer) [REDACTED], 3215 E. Oakcreek Dr., hereinafter referred to as "Buyer", and ASR COMPANIES, hereinafter referred to as "Company." The services to be performed by Company under this Contract were initiated by a telephone solicitation to Company by  Buyer,  Buyer's agent [REDACTED], or  Buyer's insurance representative [REDACTED].

SUBJECT PROPERTY: 3215 E. Oakcreek Dr.

EMERGENCY OCCURRENCE/SOURCE OF WATER LOSS: toilet (clean water)

ESTIMATED TIME WATER HAS REMAINED UNTREATED: 8 hrs

COMPANY CATEGORIZATION OF WATER LOSS: CATEGORY: 2

CONTRACT SERVICES: Company is in the business of providing emergency services to immediately preserve and property from further damage after an emergency occurrence has developed, and extracting water, and drying premises and personal property as needed protect on an emergency basis. Buyer is entitled to a completely filled in copy of this Contract, signed by both Buyer and Company, before substantial work has started. This Contract is executed in connection with making of emergency or immediately necessary repairs that are necessary for the immediate protection of persons or real or personal property. Buyer acknowledges and waives the right to cancel this Contract unless Buyer can prove good cause to cancel.

1. **CONTRACT TO PERFORM EMERGENCY SERVICES AND IMPLEMENT EMERGENCY DRYING PLAN:** Buyer hereby hires Company to: (a) enter Buyer's premises and observe, investigate, and consider the nature and extent of the water intrusion; (b) perform all services necessary to preserve and protect furnishings from further damage; (c) perform all services necessary to remove water as quickly and thoroughly as possible; and (d) install specialized drying equipment and dehumidifiers to promote rapid drying of all affected structural materials with the primary objective focused upon the stabilization of the property while minimizing the potential for adverse mold growth and minimizing structural damage.

2. **CONTRACT PRICE FOR EMERGENCY SERVICES:** The Contract price to be paid by Buyer to Company for its emergency services under this Contract will be calculated by multiplying the unit price of each item of material, equipment, and/or labor utilized in the emergency plan times the quantity of that material, equipment, and/or labor utilized. The unit prices to be applied to this Contract are set forth in Addendum A of this Contract. The Contract price for emergency services provided will include an additional ten percent (10%) of the line item total for profit, and an additional ten percent (10%) of the line item total for operating overhead.

3. **EMERGENCY WORK AND STRUCTURAL DRYING COSTS:** Water damage is a progressive condition and drying time varies depending on the types of materials, degree of saturation, airflow volume and velocity, temperature and the indoor relative humidity. Therefore, Buyer understands it is impractical to receive an accurate or meaningful quote before project completion and Company will not be bound to any oral estimate of the ultimate cost of work given at the beginning of work by any representative of Company related to emergency services and structural drying.

4. **AFTER HOURS, WEEKEND, AND HOLIDAY PRICING:** Company's standard unit pricing schedule shall apply for work performed between 8:00 a.m. and 4:00 p.m., Monday through Friday. The entire standard unit pricing schedule shall be increased by fifty percent (50%) for work performed between 4:00 p.m. and 8:00 a.m., Monday through Friday, and for work performed at any time on Saturday or Sunday. The standard unit pricing schedule shall be increased by one-hundred percent (100%) for work performed on a national holiday.

5. **USE OF ENVIRONMENTAL CONSULTING SERVICE:**

Buyer authorizes Company to engage an Environmental Consulting Service to provide project monitoring and oversight of Company's structural drying system, provide thermal imaging services, and produce photo documentation and reporting of the remediation process.

6. **USE OF ANTIMICROBIAL AGENTS:**

Buyer directs Company to treat all wet areas and all wet materials with an antimicrobial agent. Although antimicrobial agents may cause allergic reactions in humans and animals, Buyer recognizes the necessity to use antimicrobial agents for effective completion of Company's services. To the fullest extent permitted by law, Buyer agrees to release Company from all personal claims of Buyer arising out of the use of antimicrobial agents. To the fullest extent permitted by law, Buyer agrees to defend, indemnify, and hold harmless Company and Company's consultants, agents, and employees or any of them from and against all claims, demands, damages, injuries, liabilities, losses, and expenses, including but not limited to attorneys' fees, arising out of, resulting from, or encountered in connection with Company's use of antimicrobial agents except for those claims, demands, injuries, liabilities, losses, and expenses caused by the active negligence or willful misconduct of Company.

7. **USE OF AIR SCRUBBERS:** Buyer authorizes Company to install Air Scrubbers.

8. **BUYER'S RESPONSIBILITY FOR EQUIPMENT LEFT ON PREMISES:** The emergency drying plan formulated by Company will require equipment be left overnight, and from day to day, on Buyer's premises. Buyer agrees all equipment installed

will remain in place and in operation until Company determines that the equipment or any part thereof shall be removed. Buyer is responsible for any damage to the equipment, and is responsible for any theft or mysterious disappearance of the equipment.

*I have read and understand the contents of this page: Initials* [REDACTED]

9. **BUYER'S RESPONSIBILITY – SAFETY AROUND THE EQUIPMENT:** Buyer is responsible for assuring that all persons except those employed by Company stay away from equipment placed on the premises by Company, so as to prevent personal injury. To the fullest extent permitted by law, Buyer agrees to release Company from all personal claims of Buyer arising out of contact with equipment placed on the premises by Company. To the fullest extent permitted by law, Buyer agrees to defend, indemnify, and hold harmless Company and Company's consultants, agents, and employees or any of them from and against all claims, demands, damages, injuries, liabilities, losses, and expenses, including but not limited to attorneys' fees, arising out of, resulting from, or encountered in connection with contact with equipment placed on the premises by Company except for those claims, demands, injuries, liabilities, losses, and expenses caused by the active negligence or willful misconduct of Company.
10. **BUYER'S RESPONSIBILITY – CAUTION IN WORK AREAS:** At all times, Buyer shall be responsible for assuring that all non-Company personnel on the premises exercise caution in all work areas.
11. **EQUIPMENT MINIMUM CHARGES:** Buyer understands there is a 3 (three) Day minimum charge for each piece of equipment installed. "Day" is defined as Midnight (12:00 AM) to 11:59 PM. Equipment charges begin at time of arrival, regardless of the particular hour in which installation occurs. Buyer understands any portion of any day that equipment is located at the Subject Property constitutes 1 (one) Day of equipment charges. The basis for equipment charges are days on location, not time used.
12. **INSURANCE:** Company carries commercial general liability insurance and workers' compensation insurance.
13. **TERMINATION OF CONTRACT:** This Contract may only be terminated by the written agreement of Buyer and Company.
14. **CONTENTS:** Buyer is responsible to safeguard all personal items and valuables (including, but not limited to: jewelry, heirlooms, antiques, firearms, collections, memorabilia etc.) with a value exceeding \$25.00 prior to allowing Company to begin any work. In the event of accidental damage to or breakage of any items, Buyer agrees Company's liability will not exceed \$25.00 per item affected. Within 48 hours of project commencement, Buyer will identify in writing any content/property damage associated with project set-up. Within 48 hours of project completion, Buyer will identify in writing any content/property damage associated with project completion. Buyer agrees Company will not be responsible for any damages identified beyond either 48-hour time periods. To the fullest extent permitted by law, Buyer agrees to release Company from all personal claims of Buyer arising out of any of Buyer's items deemed missing. To the fullest extent permitted by law, Buyer agrees to defend, indemnify, and hold harmless Company and Company's consultants, agents, and employees or any of them from and against all claims, demands, damages, liabilities, losses, and expenses, including but not limited to attorneys' fees, arising out of, resulting from, or encountered in connection with items deemed missing except for those claims, demands, liabilities, losses, and expenses caused by the active negligence or willful misconduct of Company.
15. **PACKOUTS:** After water damage, it is often necessary to remove personal property from the Subject Property to perform building repairs, preserve the property, evaluate the damage or perform intensive restoration. Buyer hereby authorizes Company to pack out any and all personal property Company deems necessary. In such event, Buyer understands Company will take reasonable care when handling the personal property, but Buyer understands that incidental nicks and scratches may occur. In the event of accidental damage to or breakage of any contents or property, Company's liability will not exceed \$25.00 per item affected.
16. **PAYMENT:** Payment for all emergency services and structural drying work performed by Company under this Contract is due within thirty (30) days from the date of this Contract. Payment for all non-emergency work performed by Company under this Contract is due within ten (10) days from the date of completion of said work. Buyer understands a finance charge of 1.5% per month will be applied to any unpaid balance after thirty (30) days and Buyer agrees to pay all finance charges that accrue. In the event of a dispute, Buyer agrees to immediately pay all undisputed amounts due under this Contract.
17. **NO REPRESENTATIONS REGARDING INSURANCE COVERAGE:**

Insurance is a contract between the policyholder and the insurance carrier, not between the insurance carrier and Company. If Buyer is entitled to insurance benefits, the insurance company may pay a portion or all of the costs incurred by Buyer for Company's services. However, insurance companies often vary widely in the types and amounts of coverage they provide. Therefore, insurance companies, even the best, sometimes do not reimburse the full amount. Company is not responsible for reading or interpreting any insurance policy and Buyer acknowledges and represents that Company has made no representations, inducements, promises, or agreements orally or otherwise with regard to the probability of payment by an insurance company for any of the services to be provided by Company. It is fully understood Buyer is personally liable for the full cost of all work performed, including, if payment is made by an insurance company, all deductibles, depreciation, costs or betterment's not reimbursed or deemed not covered by an insurance carrier. Buyer agrees any and all charges for services not reimbursed by an insurance company are the sole responsibility of Buyer. The duty of Buyer to pay for services rendered by Company to Buyer under this Contract shall not be contingent upon the honoring of any applicable insurance claim settlement.
18. **ASSIGNMENT OF FUNDS:** Should Buyer be entitled to insurance benefits of any type, whatsoever, under any policy of property or casualty or liability insurance insuring Buyer, or any other party liable to Buyer, Buyer hereby authorizes and directs insurance company to include the name **ASR COMPANIES** on any check or draft issued in honor of said insurance claim up to the amount due to Company, or to pay Company directly for said work. Buyer authorizes insurance company to mail any and all payments for said work directly to Company. In the event Buyer is named joint payees with Company, Buyer hereby appoints Company as its attorney in fact to endorse Buyer's name to any insurance checks or drafts delivered to Company relating to this loss. Company is authorized to deposit such funds to its account. If any insurance company makes payment directly to Buyer, Buyer will endorse and deliver the check to Company within three business days.



Dehumidifier minimum \$150 x 2 day

ADDENDUM - A

• Emergency service call (1 man and truck)	\$ 200.00 m/c	• Injector type wood floor drying system	\$ 245.00 ea./day
• Additional technician to mitigate loss	\$ 100.00 ea.	• Air scrubber	\$ 95.00 ea./day
• Manipulate contents small amount	\$ 58.00 ea.	• Air scrubber (large)	\$155.00 ea./day
• Manipulate contents medium amount	\$ 77.00 ea.	• Air scrubber (extra-large)	\$185.00 ea./day
• Manipulate contents large amount	\$ 115.00 ea.	• Dehumidifier large	\$ 96.00 ea./day
• Manipulate contents extra-large amount	\$ 230.00 m/c	• Dehumidifier extra-large	\$140.00 ea./day
• Interior door - detach and reset (per door)	\$ 30.00 ea.	• Electrician hardwire connect/disconnect	\$570.00 per trip
• Water extraction (minimum charge)	\$ 145.00 m/c	• Lay flat ducting	\$ 0.65 lf.
• Water extraction - heavy	\$ .90 sf.	• Environmental firm/3rd-party monitor	\$ 650.00 m/c per trip
• Water extraction (gray) - category 2	\$ 1.15 sf.	• Power distribution box	\$ 50.00 ea./day
• Water extraction - claw	\$ 1.75 sf.	• Power cord 50-amp	\$ 20.00 ea./day
• Water extraction (black) - category 3	\$ 2.00 sf.	• Extension cords	\$ 3.50 ea./day
• Remove wet pad - category 1 & 2	\$ .70 sf.	• HEPA vacuuming (detailed)	\$ .85 sf.
• Remove wet pad - category 3	\$ 1.00 sf.	• HEPA filter	\$249.00 ea.
• Lift carpet for drying	\$ .50 sf.	• HEPA filter - for vacuum	\$ 42.00 ea.
• Remove wet carpet - category 1 & 2	\$ .75 sf.	• Sand exposed framing	\$ 3.50 sf
• Remove wet carpet - category 3	\$ 1.05 sf.	• Personal protective equipment (per person)	\$ 22.00 ea.
• Scrape glue	\$ 1.00 sf.	• Boots	\$ 23.50 ea.
• Tear out trim/base and bag for disposal	\$ 1.15 lf.	• Eye protection-plastic goggles-disposable	\$ 6.50 ea.
• Add-on for tear out trim from grout/tile	\$ 0.80 lf.	• Respirator disposable	\$ 2.00 ea.
• Remove tackless strip	\$ 1.20 lf.	• Respirator Rubber Mask w/ dual cartridge	\$ 16.00 ea.
• Remove vinyl basecove	\$ 2.70 lf.	• Respirator replacement cartridge	\$ 16.00 ea.
• Tear out laminate floor (category 1 & 2)	\$ 2.25 sf.	• Respirator replacement cartridge (bio)	\$ 30.00 ea.
• Tear out laminate floor (category 3)	\$ 3.35 sf.	• Cardboard boxes	\$ 5.00 ea.
• Tear out hardwood floor (category 1 & 2)	\$ 4.50 sf.	• Wardrobe boxes	\$ 20.00 ea.
• Tear out hardwood floor (category 3)	\$ 6.50 sf.	• Storage of contents (per month)	\$ 2.20 sf.
• Tear out underlayment (category 1 & 2)	\$ 1.95 sf.	• Remove dishwasher- standard	\$160.00 ea.
• Tear out underlayment (category 3)	\$ 2.90 sf.	• Remove refrigerator- standard	\$ 28.00 ea.
• Tear out vinyl floor (category 1 & 2)	\$ 1.75 sf.	• Remove washer-standard	\$ 22.00 ea.
• Tear out vinyl floor (category 3)	\$ 2.55 sf.	• Remove dryer- standard	\$ 21.00 ea.
• Remove wet ceiling Tile	\$ 1.45 sf.	• Remove countertops- flat laid laminate	\$ 12.00 lf.
• Remove wet drywall (category 1 & 2)	\$ 1.20 sf.	• Remove countertops- granite, marble	\$ 35.00 lf.
• Tear out wet drywall up to 2' tall, bag	\$ 4.50 lf.	• Detach cabinet-lower or upper unit	\$ 24.00 lf.
• Tear out wet drywall up to 2' cat. 3, bag	\$ 6.50 lf.	• Detach cabinet-full height unit	\$ 29.00 lf.
• Tear out wet drywall up to 4' tall, bag	\$ 6.30 lf.	• Remove toilet- standard	\$145.00 ea.
• Tear out wet drywall up to 4' cat. 3, bag	\$ 9.00 lf.	• Remove double sink- standard	\$ 95.00 ea.
• Floor protection	\$ .65 sf.	• Inspection and moisture detection	\$250.00 m/c
• Clean floor- heavy	\$ .70 sf.	• Clean up work area	\$ 50.00 hr.
• Containment barrier	\$ 1.00 sf.	• Project coordinator	\$150.00 hr.
• Insulation removal (batt)	\$ 1.00 sf.	• Senior project manager (ASD certified)	\$125.00 hr.
• Insulation removal (blown in)	\$ 3.95 sf.	• Senior clerk/estimator	\$ 85.00 hr.
• Remove cabinet toe kick	\$ 3.90 lf.	• Administrative hours	\$ 40.00 hr.
• Drill cabinet/wall ventilation holes	\$ .65 lf.	• General labor	\$ 50.00 hr.
• Apply antimicrobial general	\$ .30 sf.	• Thermal image camera	\$ 75.00 per day
• Equipment delivery	\$ 75.00 m/c	• Ladder 24' - 34' & extension ladders	\$ 12.00 ea./day
• Equipment set up/take down/monitor	\$ 71.00 hr.	• Ladder 4'-12'	\$ 8.00 ea./day
• On-site evaluation - supervisor/admin	\$ 75.00 ea.	• Vehicle - van	\$ 115.00 ea./day
• Equipment decontamination (category 2)	\$ 52.00 ea.	• Truck - moving/box	\$ 155.00 ea./day
• Equipment decontamination (category 3)	\$ 68.00 ea.	• Small tools charge	\$ 5.00 ea./day
• Haul debris off load & disposal charge	\$ 165.00 truck	• Vehicle - pickup, SUV, or car	\$ 70.00 ea./day
• Centrifugal air movers	\$ 32.00 ea./day	• Mileage	\$ .55 per mile
• Axial air movers	\$ 37.00 ea./day	• Additional profit (APPLIED TO ALL WORK)	10%
• Duct-type cavity drying system	\$ 110.00 ea./day	• Additional overhead (APPLIED TO ALL WORK)	10%
• Injector type cavity drying system	\$ 175.00 ea./day		

ea. = each m/c = minimum charge sf. = square foot lf. = linear foot cf. = cubic foot hr. = hour ea./day = each per day

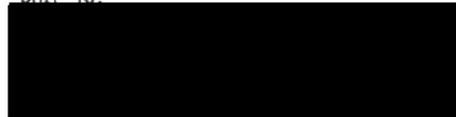
I have read and understand the contents of this page: Initial 



# Quotation

QUOTE DATE	QUOTE NUMBER
05/05/20	S4061636
ORDER TO:	PAGE NO
	1

QUOTE TO:  


SHIP TO:  


CUSTOMER NUMBER	CUSTOMER ID NUMBER	REQUISITION NUMBER	SALES PERSON
370177	DEHU QUOTE		
WRITER	SHIP VIA	TERMS	SHIP DATE
Ashley Dunlap	STORE	NET 30 DAYS	ASAP
ORDER QTY	PART NO	DESCRIPTION	UNIT PRICE
1ea	55310	55310 DRI-EAZ F203-A DRIZAIR 1200 DEHUMIDIFIER WITH FILTER	1621.000/ea
			1,621.00

**This is a Quotation.**  
 Prices are firm for 30 days, subject to change without notice after 30 days.  
 This total may not reflect all charges for taxes, freight, surcharges or  
 or handling. Please contact your sales rep for additional information. Thank you.

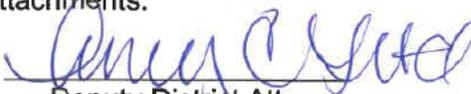
<b>Subtotal</b>	1621.00
<b>Est Freight</b>	0.00
<b>Est Tax</b>	133.74
<b>Total</b>	1754.74

DISTRICT COURT, El Paso County, Colorado Court Address: 270 South Tejon Street Colorado Springs, Colorado 80903	
<b>People of the State of Colorado</b> vs. <b>Defendant:</b>	<b>▲ COURT USE ONLY ▲</b>
Deputy District Attorney: Amy Fitch Attorney Registration #: 26042 Add.: 105 E. Vermijo Colorado Springs, CO 80903 Phone Number: 719.520.6000 District Attorney: Daniel H. May, #11379	Case #:  Division #:  Courtroom #:
<b>REQUEST FOR SEALING OF SEARCH/ARREST WARRANT</b>	

The People respectfully request this Court enter an Order, sealing the Search Warrant and Application, to include the Affidavit and all attachments and, as grounds, therefore state the following:

1. The Criminal Case Report supporting this Search Warrant was initiated by the El Paso County Sheriff's Office, **20-4764**, El Paso County, Colorado.
2. If the information supporting the Search Warrant Affidavit was to be released, it could jeopardize the ongoing case investigation.
3. The People request the sealing of this document until the completion or termination of the investigation, upon order of the court.

**WHEREFORE**, the People of the State of Colorado respectfully request the Court enter an ORDER, sealing the Search Warrant and Application for the Search Warrant, to include the Affidavits and all attachments.

By:   
Deputy District Attorney

April 20, 2020

District Court, El Paso County, Colorado Court Address: 270 South Tejon Street Colorado Springs, CO 80903	
<b>People of the State of Colorado</b> vs. <b>Defendant:</b>	<b>▲ COURT USE ONLY ▲</b>
<u>Deputy District Attorney:</u> Amy Fitch Address: 105 E. Vermijo, Colo. Spgs., CO 80903 Phone Number: 520-6000 Attorney Registration #: 26042 District Attorney: Daniel H. May, #11379	Case #:  Division #:  Courtroom #:
<b>COURT ORDER</b>	

THE COURT, having been advised of the premises, hereby enters an ORDER that the Search Warrant Affidavit and Application for Search Warrant, to include the Affidavit and all attachments, be sealed until the completion of the investigation in this case, upon further order by the Court.

DONE THIS 20th DAY OF April, 2020, at 1 55 a.m.

  
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 JUDGE

<b>DISTRICT COURT, EL PASO COUNTY COLORADO</b> <b>Court Address: 270 South Tejon Street, Colorado Springs, Colorado 80903</b>		<b>▲ COURT USE ONLY</b>
<b>3215 Oak Creek Drive East, Colorado Springs, Colorado, 80906. A beige single-story ranch style home with attached two car garage. The house is beige with red trim. The numerals "3215" are arranged vertically on the right side of the front door in white numerals. To include a gray, 2011 Chevy Malibu bearing Colorado License plate [REDACTED] parked in the driveway.</b>		
<b>Agency Name: El Paso County Sheriff's Office</b>	<b>Agency Number: 20-4764</b>	<b>Case/File Number:</b>  <b>Division: Criminal    Ctrm:</b>
<b>SEARCH WARRANT</b>		

Whereas Detective Jon Price #02034 has made an Application and Affidavit to the Court for the issuance of a Search Warrant, and;

Whereas the application is in proper form and probable cause is found for the issuance of a Search Warrant to search the person(s) and or premises specified in the application.

THEREFORE, the applicant, and any other peace officer into whose hands this Search Warrant shall come, is hereby ordered, with the necessary and proper assistance, to enter and search within the next fourteen (14) days the person, premises, location and any appurtenances thereto, description of which is: **3215 Oak Creek Drive East, Colorado Springs, Colorado, 80906. A beige single-story ranch style home with attached two car garage. The house is beige with red trim. The numerals "3215" are arranged vertically on the right side of the front door in white numerals. To include a gray, 2011 Chevy Malibu bearing Colorado License plate [REDACTED] parked in the driveway.**

The following person(s), property or thing(s) will be searched for and if found seized:  
 See Attachment 'B'

as probable cause has been found to believe that it would be material evidence in a subsequent criminal prosecution.

Furthermore, a copy of this warrant is to be left with the person whose premises or person is searched along with a list of any and all items seized at the time of its execution. If said person cannot be located or identified, a copy of the Search Warrant and the list of property seized shall be left at the place from which the property was taken.

Further, a return shall be promptly made to this Court upon the execution of this Search Warrant along with an inventory of any property taken. The property seized shall be held in some safe place until the Court shall further order.

So ORDERED this 20th day of April 2020, at 1 50     A.M.

BY THE COURT:  
 Judge/Magistrate: Catherine D. Mitchell Helton

<b>DISTRICT COURT, EL PASO COUNTY COLORADO</b> <b>Court Address: 270 South Tejon Street, Colorado Springs, Colorado 80903</b>		<b>▲ COURT USE ONLY</b>
<b>3215 Oak Creek Drive East, Colorado Springs, Colorado, 80906. A beige single-story ranch style home with attached two car garage. The house is beige with red trim. The numerals "3215" are arranged vertically on the right side of the front door in white numerals. To include a gray, 2011 Chevy Malibu bearing Colorado License plate [REDACTED] parked in the driveway.</b>		
<b>Agency Name: El Paso County Sheriff's Office      Agency Number: 20-4764</b>		<b>Case/File Number:</b>  <b>Division: Criminal      Ctrm:</b>
<b>APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT</b>		

The undersigned, a peace officer as defined in 16-2.5-101 Colorado Revised Statutes, as amended, being first duly sworn on oath moves the Court to issue a Warrant to search those person(s) and/or premises known as:

**3215 Oak Creek Drive East, Colorado Springs, Colorado, 80906. A beige single-story ranch style home with attached two car garage. The house is beige with red trim. The numerals "3215" are arranged vertically on the right side of the front door in white numerals. To include a gray, 2011 Chevy Malibu bearing Colorado License plate [REDACTED] parked in the driveway.**

The undersigned states that there exists probable cause to believe that the following person, property or thing(s) to be searched for, and if found seized, will be found on the aforementioned person(s) and/or premises and are described as follows:

See Attachment "B"

The grounds for the seizure of said person(s), property or thing(s) are that probable cause exists to believe that it would be material evidence in a subsequent criminal prosecution.

The facts submitted in support of this application are set forth in the accompanying attachment designated as Attachment A which is attached hereto and made a part hereof.

Applicant: Jon Price  
**Detective Jon Price #02034**

Sworn and subscribed before me this 20th day of April, 2020, at 1:45 A.M.

Judge/Magistrate: Catherine Mitchell-Helton

<b>DISTRICT COURT, EL PASO COUNTY COLORADO</b> <b>Court Address: 270 South Tejon Street, Colorado Springs, Colorado 80903</b>		<b>▲ COURT USE ONLY</b>
<b>3215 Oak Creek Drive East, Colorado Springs, Colorado, 80906. A beige single-story ranch style home with attached two car garage. The house is beige with red trim. The numerals "3215" are arranged vertically on the right side of the front door in white numerals. To include a gray, 2011 Chevy Malibu bearing Colorado License plate [REDACTED] parked in the driveway.</b>		
<b>Agency Name: El Paso County Sheriff's Office</b>	<b>Agency Number: 20-4764</b>	<b>Case/File Number:</b>  <b>Division: Criminal Ctrm:</b>
<b>ATTACHMENT A</b>		

Your Affiant is Detective Jon Price #02034, a regularly employed deputy of the El Paso County Sheriff's Office with over 18 years law enforcement experience currently assigned to the Major Crimes Unit of the Criminal Investigations Division. In support of this Court Order your Affiant states under oath he has knowledge of the following facts and circumstances documented in EPSO case #20-4764:

On Sunday, April 19, 2020 at 11:15 pm, your Affiant, received a phone call from Detective Sergeant Jacob Abendschan. He directed your Affiant to respond to the Office of the Sheriff to assist in the investigation of an Officer Involved Shooting concerning the Colorado Springs Police Department (CSPD).

At approximately 00:42 am on your Affiant spoke with EPSO Detective Lisa Montville via telephone. Although this is preliminary information, Detective Montville has learned the following:

At approximately 9:27 pm on April 19<sup>th</sup>, the Colorado Springs Police Department received a report of a domestic disturbance at 3215 Oak Creek Drive East in the City of Colorado Springs. The disturbance was between a Virgill Thorpe and his [REDACTED]. An altercation occurred in the bedroom where Mr. Thorpe reportedly threw [REDACTED] to the floor. Sometime after this physical encounter, Mr. Thorpe accessed an assault style rifle, which caused [REDACTED] to contact 911.

Responding Officers staged at the front door of the home due to the report of a weapon being involved. Mr. Thorpe reportedly confronted Officers from inside the house at the front door by yelling "obscenities" at them. He also made threats to shoot the Police Officers.

A friend of Mr. Thorpe, Devin Wilson was inside the home. He reportedly attempted to reason with Mr. Thorpe, and de-escalate the situation. These attempts were unsuccessful. At some point during the negotiations, Mr. Thorpe made his way to the basement of the residence. Officers, who were still outside, observed Mr. Thorpe point a rifle towards them, at which point they fired their weapons. Mr. Thorpe was injured by the gunfire, and subsequently transported to a local hospital.

Your Affiant also spoke with EPSO Detective Lisa Gonzalez, who was present at the scene. She described 3215 Oak Creek Drive East as a single-story ranch home with an attached two car garage. The house is beige with red trim. The numerals "3215" are arranged vertically on the right side of the front door in white numerals. There is also a gray, 2011 Chevy Malibu bearing Colorado License plate CXY009 [REDACTED] parked in the driveway.

You Affiant states it is reasonable for the Honorable Court to issue this Search Warrant of 3215 Oak Creek Drive East as such search is essential to this investigation.

Applicant: Jon Price

Detective Jon Price /#02034

Sworn and subscribed before me this 20th day of April 2020, at 145 A.M.

Judge/Magistrate: Catherine Mitchell Blith

**DISTRICT COURT, COUNTY COLORADO**

**Court Address: 270 South Tejon Street, Colorado Springs, Colorado 80903**

**3215 Oak Creek Drive East, Colorado Springs, Colorado, 80906. A beige single-story ranch style home with attached two car garage. The house is beige with red trim. The numerals "3215" are arranged vertically on the right side of the front door in white numerals. To include a gray, 2011 Chevy Malibu bearing Colorado License plate [REDACTED] parked in the driveway.**

**Agency Name: El Paso County Sheriff's Office**

**Agency Number: 20-4764**

**ATTACHMENT B**

The following person(s), property or thing(s) will be searched for and if found seized:

1. Items of indicia
2. Photographs, scans, measurements, diagrams or any other means of documenting the scene.
3. Firearms, live ammunition, firearm cases, firearms accessories or any other items associated with firearms.
4. Spent shell casings.
5. Projectiles.
6. Trace evidence to include but not limited to biological fluids, hairs, fibers, glass fragments, etc.
7. Cellular or electronic devices which may contain digital evidence of the incident.
8. Any evidence of a domestic disturbance.

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**NO OTHER ITEMS ARE SOUGHT FOR SEIZURE**

# Mesmer Transcript

April 20, 2020; Interview Room #2, 02:12 am – 02:54 am, DVD = Evidence item #22

## INTERVIEW WITH OFC. HEATHER MESMER

Q=Det. Jon Price

A=Ofc. Heather Mesmer

A: Do you care what side?

Q: Ah, black chair please.

A: Okay.

Q: My name's Jon. I'm a detective.

A: Okay.

Q: What's your name?

A: Heather Mesmer.

Q: Heather.

A: Police officer, still in training.

Q: Oh okay. Spell your last name.

A: M-E-S-M-E-R.

Q: And what's your, ah, badge number?

A: 6817.

Q: Okay. You doing all right?

A: Yeah.

Q: Do you want me to take this off or leave it on?

A: It's up to you.

Q: Okay. It's comfortable.

A: I'm - I'm a little weird with it. But it's cool.

Q: Yeah, it's fine with me.

A: All right.

Q: If it's okay with you I'm okay with it too.

A: I'm stuck in the car with - with Dustin the whole day so.

Q: Oh okay.

A: It is what it is.

Q: Cool. How long have you been with CSPD?

A: Um, I got hired July 22 of 2019.

Q: Okay.

A: It's when I started the academy.

Q: So nine - nineish months?

A: Ish.

Q: Yeah.

A: Yep.

Q: Okay. So when did you graduate?

A: I graduated January 21.

Q: Uh-huh.

A: Of this year I think it was.

Q: Okay. So you're...

A: About four months.

Q: ...a couple - couple months into your PTO?

A: Yeah. Three months in.

Q: Okay. Now how does that work? Do you have to go to like different shifts and different divisions or are you just...

A: They try to get you on - on different shifts, you know.

Q: Okay.

A: There was 68 of us in the class. I think we ended up with like 62 or 61.

Q: Mm-hm.

A: So they had a lot of recruits to put on and not as many PTOs.

Q: Right.

A: So it's hard to - I guess for them to schedule. But they made it work. I mean I was on [REDACTED] to [REDACTED] and then now I'm on [REDACTED] so.

Q: Okay. And what are [REDACTED]

A: [REDACTED] to [REDACTED]

Q: Okay. And what are your days off right now?

A: They just changed, so today's our [REDACTED]

Q: Uh-huh.

A: So we get [REDACTED] [REDACTED] [REDACTED] off.

Q: Okay. [REDACTED] is your first day back, huh?

A: Mm-hm. Yeah, [REDACTED] [REDACTED] [REDACTED]

Q: Oh, that stinks. I remember doing that though back when I was on training. Huh. So what division are you in?

A: Gold Hill.

Q: Gold Hill?

A: Mm-hm.

Q: Okay.

A: Yep.

Q: All right. And how long have you been in Gold Hill?

A: The whole time since I think I started January 26.

Q: Okay.

A: Or maybe that was graduation. I don't remember.

Q: All right.

A: But the whole since...

Q: Okay.

A: ...since I've been on the streets.

Q: All right. All right. Cool, cool. So run me through your day. Was it like busy or dead or?

A: Today?

Q: Yeah.

A: So, um, a fellow officer in the locker room, she's like, "I need to talk to you about a case you had in days - when you were on days." I was like, "Okay." After line up. So I talked to her after line up and it turns out that there was a harassment case that she took and I had also taken the same guy, same girl...

Q: Mm-hm.

A: ...on another one and this officer thinks she had stalking charges. So, um, we went to the POC, the Police Operations Center.

Q: Mm-hm.

A: And, ah, wrote a search warrant for his phone, because she arrested him for DV harassment I think it was.

Q: Mm-hm.

A: No, she - so she had him arrested on the warrant that I actually wrote and, seized his phone. And the victim had been saying he'd been texting her and calling her and stuff. So we wrote a warrant for her - for his phone.

Q: Mm-hm.

A: And that took seven hours.

Q: Oh wow.

A: We were there from 2:00 to what time did we get out of there, 8:00, almost 9:00.

**Q: Uh-huh.**

**A: So.**

**Q: So this call...**

**A: So then we got sent to help out Sand Creek at a - I don't know if you heard it, the Black Walnut barricaded suspect.**

**Q: The SWAT call out?**

**A: Yeah, that must have been it.**

**Q: Okay.**

**A: So we were headed that way.**

**Q: Mm-hm.**

**A: And then they were like, "Oh, disregard, they have Sand Creek officers to help."**

**Q: Mm-hm.**

**A: So turn around and then got this call.**

**Q: Okay.**

**A: And we...**

**Q: So when dispatch puts out this call what information did they give you?**

**A: Um, the RP said whatever call, because I was driving and trying to navigate...**

**Q: Mm-hm.**

**A: ...um, was - RP said the guy had a gun and he was in the basement and then he wasn't in the basement.**

**Q: Mm-hm.**

**A: And that was about all.**

**Q: Okay.**

**A: I mean I didn't read the call screen while I was driving.**

**Q: Good.**

**A: So my PTO was kind of relaying information.**

**Q: Uh-huh. So do I understand correctly that as you're driving there he's moving around the house and the dispatchers are giving you updates as far as what's going on or?**

**A: That's how I understood it yeah.**

**Q: Yeah?**

**A: Like the RP said he came. He brought the gun upstairs and cocked it and then took it downstairs but wasn't pointing at anybody.**

**Q: Did they describe the gun? Was there?**

**A: They said she described the - the gun as an AR.**

**Q: Okay. So you knew there was a - a rifle involved when you were heading there?**

A: Potentially, yeah.

Q: How far away were you? I mean how far was your drive to get there?

A: We were actually the closest because...

Q: Okay.

A: ...we were already on the interstate headed to the creek. So we got off on Academy.

Q: Mm-hm.

A: And I was headed up, um, south on Academy...

Q: Mm-hm.

A: ...when that call came in so I just did a U-turn and got onto northbound I15 - or 115.

Q: Mm-hm.

A: And then we staged at [REDACTED]

Q: Uh-huh.

A: Which is just off of Cheyenne Mountain Boulevard. So we were first on scene. So we were - if I had known where I was going immediately, we would have been five minutes away, but because it took me a second to orient where I was...

Q: Sure.

A: ...it took me...

Q: Been there.

A: ... probably got there about ten minutes so.

Q: So you said you guys staged? How many - how many units staged up?

A: We're - let's see, because someone showed up at the end. I'd say four, five. And as we were getting ready to go take up positions, um, another officer came or another car came and drove by and I think he dropped the sergeant.

Q: Mm-hm.

A: But we were on our way to where we were going so.

Q: Okay. Who was the sergeant in charge?

A: I don't remember.

Q: Okay.

A: I am so bad with - I'm still figuring out who all the...

Q: Learning names?

A: Yeah, all the - all the sergeants and the - and the names are. If it's the same sergeant that was like with us during the incident...

Q: Mm-hm.

A: ...it was - I'm gonna butcher the name. Wilhelmia?

Q: Okay.

**A: Wilhelmina. And - but I'm not sure if that was him in the staging area.**

**Q: Okay. Did he like lay out a plan? Did you guys have like, you know, you go here, you go here, you?**

**A: Yeah, and he did. And I was in the back still getting my 616 gear on because of the mention of the AR.**

**Q: Uh-huh.**

**A: And, ah, when I got up there, he had already kind of talked to all the other officers that were around there.**

**Q: Uh-huh.**

**A: So I just, ah, Canaan told me what we were gonna do basically.**

**Q: Canaan's your PTO?**

**A: Right in front of - yeah.**

**Q: Okay.**

**A: Dustin Canaan.**

**Q: Oh, oh Canaan.**

**A: Canaan. Like Cannon but Canaan instead.**

**Q: Canaan. Okay. Dustin Canaan. Okay. So where - what was your assignment? Where were you guys supposed to go?**

**A: He said we're gonna - at the corner of Cheyenne Boulevard and Oak Creek.**

**Q: Uh-huh.**

**A: But not actually at - like at the intersection.**

**Q: Uh-huh.**

**A: Stopped a ways back.**

**Q: Okay.**

**A: And I - our job at that point was to call the victim out to us to get her out of the house.**

**Q: Okay. So I'm not really familiar with that. Oak Creek and what?**

**A: Oak Creek and it was - I think it was Cheyenne Mountain Boulevard.**

**Q: Cheyenne. And so from that intersection, how far is it to the house?**

**A: We went from - from the intersection?**

**Q: Well, from wherever you guys were.**

**A: So we were at [REDACTED] which is a the corner of 115 and Cheyenne Boulevard.**

**Q: [REDACTED] What's that?**

**A: It's a fitness place. [REDACTED] Fitness.**

**Q: Oh okay. Yeah. Okay. I know what you're talking about.**

**A: So from staging we went to that Cheyenne and Oak Creek intersection.**

**Q: Mm-hm.**

**A: And I mean that was - it was 15 seconds away, 20 seconds away.**

**Q: Okay. So the house was right there within view?**

**A: Yeah.**

**Q: Okay.**

**A: I mean if you - there were, you know, privacy fence and stuff so we stopped a ways back and got out of the car.**

**Q: And I take it you walked closer?**

**A: Mm-hm.**

**Q: Okay. So you get there. You walk closer. Then what happens?**

**A: There was some confusion on which house it was.**

**Q: Okay.**

**A: Because we were given information that he was on the top floor and she was in the basement. So we mistakenly thought that there had to be another story...**

**Q: Mm-hm.**

**A: ...to the house.**

**Q: Okay.**

**A: So we actually went past the house at first...**

**Q: Uh-huh.**

**A: ...and got it clarified, figured out which house it was. It was a house with a in ground basement and a - the ground level floor.**

**Q: Like a split level?**

**A: Yeah.**

**Q: Okay. Okay. So as you walk by that first time what - what do you hear or see coming from the house?**

**A: From - so from the target house...**

**Q: Yeah.**

**A: ...that we walked by originally the first time.**

**Q: Yeah.**

**A: Um...**

**Q: What's going on right there?**

**A: I didn't hear anything.**

**Q: Okay.**

**A: I didn't hear any noises. I was watching it...**

**Q: Uh-huh.**

**A: ...like a hawk because we were told that it was the second house from the corner.**

**Q: Uh-huh.**

**A: But, you know, then we thought, "Oh it's not," because it doesn't have the right levels. That was just a mistake.**

**Q: Mm-hm.**

**A: And, um, I didn't see anything...**

**Q: Okay.**

**A: ...while I was walking by it, like looking back at it.**

**Q: So there was no fighting or anything going on inside?**

**A: I didn't - I didn't hear...**

**Q: Okay.**

**A: ...anything. I was watching the windows. I mean everything was dark.**

**Q: Okay.**

**A: There was - it was all dark.**

**Q: Uh-huh.**

**A: So.**

**Q: You guys had flashlights out?**

**A: We did.**

**Q: Okay.**

**A: Not - they weren't on the entire time.**

**Q: Uh-huh.**

**A: But they were on at intervals to see where we were going.**

**Q: Mm-hm.**

**A: So.**

**Q: Okay. So you figure out where the house is and you have to turn around and come back to it.**

**A: Mm-hm.**

**Q: Okay. Then what happens?**

**A: Ah, Canaan and I went and then we had a fellow, ah, rookie, Nassar. His name is Eddie. I've always known him as Nassar. He had the shield.**

**Q: Mm-hm.**

**A: So he came up besides us and we walked to the corner of the garage and there were like these bushes on the side.**

**Q: Mm-hm.**

**A: And then the door was set back.**

**Q: Mm-hm.**

**A:** So we kind of used the corner of the garage and, we stood there and the like almost immediately someone opens the door and he just cracks it.

**Q:** Mm-hm.

**A:** And the officer behind - I think it was Vijay. I never actually looked but I think it was Vijay. Maybe it was some of- or Nassar's PTO I believe it was...

**Q:** Uh-huh.

**A:** ...um, was giving the person at the door commands because he matched the description of the suspect.

**Q:** What description of the suspect did you guys have?

**A:** Um, bald black male, tall.

**Q:** Any clothing description or?

**A:** If there- there was on the call screen, I don't remember it.

**Q:** Fair enough.

**A:** And then there was someone with him. And we had been told that there was a friend with him, that he went by [REDACTED]

**Q:** Mm-hm.

**A:** He was kind of behind the guy at the door.

**Q:** Uh-huh.

**A:** And he was a - white male and Vijay was giving him commands.

**Q:** What was he telling him to do?

**A:** "'Come out and talk to us.'

**Q:** Mm-hm.

**A:** And the guy kept saying, "No you come. I'm right here. You come this way." And he's like, "No, you come" - he just kept telling him, "Come back this way. Come talk."

**Q:** Mm-hm.

**A:** "Come talk." And he just seemed to be getting more and more elevated and I distinctly remember him saying something along the lines of, "Oh you want to do work? We can do work." Or he said something like that.

**Q:** Mm-hm.

**A:** Like a challenge of sorts. And his friend was trying to - he was like touching him, trying to get him to like come into the house or just like calm down. I'm not sure what he was trying to do.

**Q:** Mm-hm.

**A:** But he, ah, it looked to me like he tried to keep his friend in the house for a second and then his - he pushed his friend out as he closed the door, so his friend came out towards us.

**Q:** Mm-hm.

**A:** And he closed the door.

**Q:** So the suspect came out or the friend came?

**A: The friend came out.**

**Q: Okay.**

**A: And before that when he was talking to us...**

**Q: Mm-hm.**

**A: ...I did not see a weapon at any point. But there was a giant bush in the way and Canaan is tall enough to look - to see over it.**

**Q: Uh-huh.**

**A: Um, at one point he did say, "He has a gun." But he kept his hand behind the door.**

**Q: The suspect did?**

**A: Yes.**

**Q: Okay.**

**A: The - the almost - like basically the entire time. He kept it behind the door and he wouldn't come any closer. So...**

**Q: Okay. So you're holding out your right hand. So the door opens this way and so you can see his left side? Is that correct or? What side of him...**

**A: So if I'm facing - so it was like me facing you.**

**Q: Okay.**

**A: His right hand was behind.**

**Q: The door?**

**A: The door.**

**Q: So that if it was a gun it would have been in his right hand?**

**A: It could have been...**

**Q: Yeah.**

**A: ...but he closed the door...**

**Q: Mm-hm.**

**A: ...and opened it. I think he did that once.**

**Q: Uh-huh.**

**A: I could be totally off but I think he did close the door and then open it once to challenge us verbally again.**

**Q: Uh-huh.**

**A: And I remember at one point thinking, "I can't see his left hand." So - and he was behind the door jamb. I remember thinking that. Again I didn't see anything...**

**Q: Mm-hm.**

**A: ...in his hands.**

**Q: Okay.**

**A: Um, after he pushed his friend out the door, um, his friend kept wanting to go back and talk to him, "Let me talk to him," and**

stuff. And obviously we wouldn't let him do that.

Q: Mm-hm.

A: Um, but the suspect closed the door and that was the last contact we had with him there.

Q: Mm-hm.

A: Um, and we just stood there. Ah, Canaan and I stayed there and I watched the window while he watched the door, because there was a window off to the side of the...

Q: Mm-hm.

A: ...front door.

Q: Can you draw a diagram please?

A: Yeah.

Q: Because I've not been out there.

A: Now?

Q: Yeah, yeah.

A: That's fine.

Q: So. It'll just make it easier for me to understand.

A: Okay. So you want me to put - let's see. This here. So this is the garage.

Q: Okay.

A: And there was a - there was a car parked here...

Q: Mm-hm.

A: ...if I remember it right. We were staged right here.

Q: Okay.

A: And there were these big bushes right here.

Q: Okay.

A: Right probably there. Front door was here and then there was, um, the bay window that I was keeping an eye on.

Q: Mm-hm. Now does that go down or does that go up? Because you said - because that - I'm assuming that's where it split, right?

A: Um, the bay window?

Q: Uh-huh.

A: I don't know what you mean by up or down. Because it - it was - just came out.

Q: It's just the main level?

A: Yeah, it was on the main level.

Q: Okay. All right.

A: So it was right beside the front door.

Q: Okay.

**A: So we were - so Canaan was right here. I was right here. Um, and then so he could see over...**

**Q: Mm-hm.**

**A: ...and I was peering around.**

**Q: Mm-hm.**

**A: I didn't have the straight on view.**

**Q: Uh-huh.**

**A: And then I don't know exactly where the other PTO officer was.**

**Q: Mm-hm.**

**A: I assume he was back here somewhere.**

**Q: Okay.**

**A: And then Eddie Nassar with the shield was - he was like right here.**

**Q: Mm-hm.**

**A: And he had the shield. I think it was Vijay. But he said he kept telling Eddie to move over..**

**Q: Mm-hm.**

**A: ...because he was basically in front...**

**Q: Mm-hm.**

**A: ...of the thing. Um...**

**Q: Which way - are the hinges on this side or on that side?**

**A: So the hinges - yeah. I was just getting ready. The hinges are over here.**

**Q: Uh-huh.**

**A: And I should have put them on the other side, because the door opened inward. Like that.**

**Q: That makes sense, yeah.**

**A: Don't - yeah, don't most front doors open inward?**

**Q: Mm-hm.**

**A: Um, so yeah.**

**Q: Okay.**

**A: So we were right here.**

**Q: Mm-hm.**

**A: And the rest of the house here.**

**Q: Mm-hm.**

**A: The basement is under the garage I think it was. And there's a window to the basement, like right here.**

**Q: That's weird.**

**A: Well it's like one of those window wells.**

**Q: Mm-hm.**

**A: So, um, window well. So he went back in the house.**

**Q: Mm-hm.**

**A: And Eddie and then his PTO with the shield, because he - they didn't know where he was going, but there was officers already staged over here.**

**Q: Mm-hm.**

**A: Um, and then the - we knew the victim was in the basement or the - the other people...**

**Q: Mm-hm.**

**A: ...were in the basement. Um, so we were trying - we - they wanted - the original thing was to get them to crawl out a window if they were in the basement. And I remember at one point, um, when was it? They - they said at one point that, ah, yeah, we were standing here. I remember now. We were standing here and then when he closed the door a little bit later we heard the dispatch say, um, "He's in the basement and the female is not free to leave." So she was still on the phone with dispatch.**

**Q: Okay.**

**A: So she said she wasn't free to leave.**

**Q: Mm-hm.**

**A: Um, and then we just heard yelling. We just stayed here and watched that area.**

**Q: Okay.**

**A: So Eddie and him went - they ended up moving over here...**

**Q: Right.**

**A: ...because we knew he was in the, ah, basement. So Eddie went over there with the shield and we just heard yelling. And I mean we just stayed there, watched. Um, lots of yelling and then we heard shots.**

**Q: Mm-hm.**

**A: And we went over there. And like we're right here. There's still - there's still shots. And this lady comes around the corner and, um, someone, I think it was Vijay again, he was yelling at anybody to get her out of there because she was trying to argue with me and Canaan. We were right here. She was trying to argue with us.**

**Q: Mm-hm.**

**A: Like, "Just let me talk to him," or - or whatever she was saying. I don't - I don't recall exactly.**

**Q: Mm-hm.**

**A: Um, so Canaan ended up taking her off to the side at the same time as I, um, somebody gave - gave orders to get inside.**

**Q: Mm-hm.**

**A: I don't know who did. But they gave orders, so Eddie, Vijay and another officer, again I don't know who it was, and myself we went to the front and started trying to kick the door down. That was my first attempt at kicking a door down.**

**Q: Mm-hm.**

**A: I learned a lot. You mule kick it. Um, so Eddie and I took turns breaking it down. Eddie ended up getting the door down. Um, we**

went in, cleared the living room, which was over here. And then there was a - there was a little hallway off to the front door to probably - to a closet or something.

Q: Mm-hm.

A: I didn't really look into it. Um, and then the basement stairs were just close to the front door and they went down that way.

Q: Okay.

A: And then after there there was the kitchen, the dining area and then a hallway over here.

Q: Mm-hm.

A: So, Eddie, he stayed here and watched the living room. And then there was another room off to the side. I never saw what it was. And then I stayed here and watched the hallway.

Q: Mm-hm.

A: Until I heard the - Vijay and, um, someone else, whoever it was. So they went downstairs and as soon as they hollered, "Get someone down here to clear the rest," we, um, I went down there because I was closest to. Went down there, cleared the basement, and then applied the tourniquet to the guy's leg and medical took forever getting there.

Q: Mm-hm.

A: And then once they did get there I started snapping photos of the whole basement room area.

Q: Uh-huh.

A: The window. I don't know how to - I don't know how to draw it 3D. But the window was - it was probably a little further over closer this way.

Q: Mm-hm.

A: It's not to scale.

Q: Okay.

A: But, um, the window was over here. And he was over here. There was a bed, a bathroom and there was a closet. He was laying like right next to a closet. So...

Q: Mm-hm.

A: ...it was almost like he was trying to go back upstairs.

Q: Mm-hm.

A: Is what it was. But - and then the AR rifle was right, ah, around the end of the bed.

Q: Okay.

A: Yeah. Um, end of the bed.

Q: Okay.

A: And I got photos of everything. I applied the tourniquet to the guy's leg and waited for medical to get there.

Q: Was he still conscious at that point?

A: Um...

Q: I don't even know, did he lose consciousness?

A: He did and we actually did CPR on him...

**Q: Mm-hm.**

**A: ...before medical got there because he stopped breathing. So he was not - I wouldn't say he was conscious.**

**Q: Okay.**

**A: But I'm no medical expert so.**

**Q: Okay.**

**A: I'm not sure what constitutes consciousness.**

**Q: Well was he talking to you guys?**

**A: No.**

**Q: Did he say anything?**

**A: No.**

**Q: Okay.**

**A: And the two officers that were working on him, Vijay and - and the other one, they said, um, that he had some - I think they said exit wounds on his back.**

**Q: Uh-huh.**

**A: But they couldn't figure out where it went in. And he had his shirt off when I came down the stairs.**

**Q: Uh-huh.**

**A: Don't know if they took - took it off. He was wearing a shirt when we contacted him - him at the front door...**

**Q: Right.**

**A: ...when he opened it and talked to us.**

**Q: Mm-hm.**

**A: Um, it makes sense for them to take it off to look for exit wounds and stuff so.**

**Q: Mm-hm.**

**A: So.**

**Q: So he was hit multiple times?**

**A: Yeah.**

**Q: Okay.**

**A: Yes. And I remember going down the stairs and seeing the smoke and the smell.**

**Q: Smoke from what?**

**A: Just from gunfire I guess.**

**Q: Do you think he fired a weapon then or what?**

**A: I have no idea.**

**Q: Because I mean they were outside so?**

**A: Yeah. I have - I have no idea. But it smelled like that same.**

**Q: Like gunpowder.**

**A: Because I remember it from the range.**

**Q: Right, sure.**

**A: Like it was just, you know, it's distinct.**

**Q: Uh-huh.**

**A So it was just - it was - it was my first, like this was my first intense event.**

**Q: Sure.**

**A: And it was - I was like, you know, this isn't the range, this is weird.**

**Q: Yeah.**

**A: You know, just thinking that weird thought.**

**Q: Sure.**

**A: So.**

**Q: Okay.**

**A: Yep. I don't think I forget anything.**

**Q: So let's, um, let's - so when you guys - let's go start from here.**

**A: Mm-hm.**

**Q: He, um, does he know you guys are out there or does somebody knock on the door, when this first starts, when you first get here?**

**A: No. We didn't knock - we didn't knock on the door.**

**Q: He just came to the door on his own or?**

**A: He came to the door.**

**Q: Uh-huh.**

**A: Um, later when I was guarding the scene...**

**Q: Mm-hm.**

**A: ...after he had been taken away by ambulance and whatnot, um, the living room was, you know, right here.**

**Q: Yeah.**

**A: I was standing there kind of looking around and there was a security screen, TV screen...**

**Q: Mm-hm.**

**A: ...sitting by the TV.**

**Q: Oh, so he has video cameras?**

**A: And it showed like out. It showed his whole driveway and stuff.**

**Q: Mm-hm.**

**A:** So he probably saw us I'm assuming go by...

**Q:** Uh-huh.

**A:** ...that first time when we bypassed the house.

**Q:** Okay.

**A:** Um...

**Q:** Okay. So is his friend with their - with him right there at the start or is that - does his friend show up later?

**A:** Um, I think his friend was there at the start but he had the door closed, or not closed but cracked.

**Q:** Cracked.

**A:** Just barely.

**Q:** Mm-hm.

**A:** We couldn't see him.

**Q:** Mm-hm.

**A:** Until he opened it a little further.

**Q:** Okay. And tell me again some of the things you remember him saying.

**A:** He was - he was very agitated.

**Q:** Mm-hm.

**A:** And it's - it's really weird. I mean they - they talk about this but I just remember - I remember very distinct his statement of, "Do you want to do work? We can do work," or, "I'll show you work," or something like that.

**Q:** Mm-hm.

**A:** And that was - I don't know what it was, but that just made my stomach swoop, because I was like, "He's not gonna come out." That was my first thought, he's not coming out and we knows there's - she said there's a rifle in there, so he's agitated.

**Q:** Mm-hm.

**A:** But he was saying other things, like, um, "No, you come here. I'm right here," like at the beginning.

**Q:** Mm-hm.

**A:** Because the other officers, "Come talk to us. Come out here and talk to us." "No. I'm right here. You come to me." And he was just hollering other stuff.

**Q:** Like what?

**A:** I don't - I don't remember exactly what. He was just very agitated and...

**Q:** Mm-hm.

**A:** ....loud.

**Q:** And by agitated do you mean like - I don't want to put words in your mouth. What - what do you mean agitated?

**A:** His - well his tone.

**Q:** Mm-hm.

**A: His, ah, how fast he was talking.**

**Q: Mm-hm.**

**A: Um, he kept moving, like he couldn't sit still.**

**Q: Mm-hm.**

**A: Um, how do you articulate that kind of thing?**

**Q: So the friend, what is he saying during this time? Do you remember any particular?**

**A: When he was in the door with the suspect...**

**Q: Mm-hm.**

**A: ...I couldn't hear him say anything.**

**Q: Okay.**

**A: And from what I remember, the suspect did not stop yelling the whole time, loud.**

**Q: Loud.**

**A: I mean he was - he was - he was loud. So even if the other guy was saying something I couldn't have heard it. When he walked out, the - when his friend walked out after he closed the door...**

**Q: Mm-hm. Uh-huh.**

**A: ...um, he stood there at the door for a second like this. And I think he wanted to go back in, because he was like...**

**Q: The friend you're talking about?**

**A: The friend wanted to go back in.**

**Q: Uh-huh.**

**A: We had to give him multiple commands to walk towards us.**

**Q: Mm-hm.**

**A: Because I remember thinking this. I was like, "We need to get this guy secured because that guy could be in there doing whatever..."**

**Q: Mm-hm.**

**A: ...and we don't want him, you know, in the picture, so we need to get him." So we were trying to give him commands to come towards us.**

**Q: Right.**

**A: And he finally did, and he was saying, "Just let me talk to him. Like I - I can go back in and talk to him." And actually before I grabbed him, he tried. He acted like he was gonna go back. And he was, "I can go talk to him," that kind of thing.**

**Q: Mm-hm.**

**A: Um, but the other officer was saying, um, "We can't let you go back in there."**

**Q: Right.**

**A: "Like no." So I patted him down and then someone else took him. I'm not sure if it was that officer. I never looked over my shoulder because I was too busy focusing on, so I don't know who was next to me.**

**Q: Hm.**

**A: I don't know officers anyway, because I haven't been on long enough.**

**Q: So when you're standing there, do you - what did you have in your hands?**

**A: I had my handgun.**

**Q: Okay.**

**A: My duty weapon.**

**Q: Okay. Do you have like a tac light or a hand...**

**A: A flashlight on it? Yes.**

**Q: Yeah. Did you use that at that point or?**

**A: I did use it.**

**Q: Okay.**

**A: Um, after Canaan said, "He has a gun." Um, I was watching the window and it was dark.**

**Q: Mm-hm.**

**A: But I felt okay with using my flashlight to blind the window.**

**Q: Mm-hm.**

**A: On the gun.**

**Q: Mm-hm.**

**A: Because if he were to come up fast then I wouldn't want to have something else or...**

**Q: Mm-hm.**

**A: ...down. So I was using my flashlight on my gun.**

**Q: Okay. Are there any exterior lights that were on, like, ah...**

**A: I think the lights on the garage.**

**Q: ...front porch or something? Okay.**

**A: Was on. And actually now that you mention it, yeah, the suspect actually he turned on the side door light.**

**Q: Mm-hm.**

**A: I think he did it in response to something an officer was telling him to do. The officer was - said, "We just want to" - I think he said, "Come see you - we want to see you," or something and so I think he turned the light on, "Okay, you can see me."**

**Q: Mm-hm.**

**A: That's not verbatim. That's not a quote.**

**Q: Mm-hm.**

**A: But I think that's what - that's something what it was. I think this one was a motion sensor because I think it turned on when we came up.**

**Q: Mm-hm.**

**A: But I remember him turning the light on. Because his hand disappeared first thing. So this must have been the first - like before he closed the door for the first time.**

**Q: Mm-hm.**

**A: Um, his hand disappeared for a second and the light came on. I just remember his hand disappearing.**

**Q: Okay.**

**A: So I remember that part. I think it was in response to what he was saying but.**

**Q: Okay. Are the interior lights on, like the living room lights or?**

**A: I didn't see any lights on in the living room.**

**Q: So it was dark in there?**

**A: Yeah.**

**Q: Okay.**

**A: From what I could see.**

**Q: So, um, how long - you guys show up. He you see the door crack and you start talking to him, giving him commands. How long is that? And I know time gets distorted, but how long is that before the friend actually gets forced out of the house?**

**A: So from the time we walked up to the time the friend walks out?**

**Q: Yeah. How long is that conversation?**

**A: Oh, I'm terrible with time.**

**Q: Yeah.**

**A: It was maybe a couple minutes.**

**Q: Okay.**

**A: Max. I don't know. Time is really weird.**

**Q: Yeah.**

**A: Like I said that was my first intense experience. So it was like auditory exclusion is real, but I still remember hearing distinct commands from more experienced officers and stuff.**

**Q: Mm-hm.**

**A: And then there are other things that I'm like, "I didn't hear that," like the radio chattering or like him yelling in the background. I don't know.**

**Q: Okay.**

**A: It was - it was odd.**

**Q: Okay. So friend comes out. You get him secured. At that point he shuts the front door. Is that right?**

**A: Yeah so he - so he kind of -it kind of looked like he shoved his friend out the door...**

**Q: Mm-hm.**

**A: ...and just kind of shut the door behind him.**

**Q: Mm-hm.**

**A: And he was hollering the whole time.**

**Q: Okay.**

**A: He was. I don't know if this is exactly when he said it but he said, "I'm gonna - if you want to do work, we can do work."**

**Q: Mm-hm.**

**A: Or he said something like that.**

**Q: Okay.**

**A: And the friend - the friend just kind of stood there like this, like kind of dumbstruck, like not sure what to do.**

**Q: Mm-hm.**

**A: And we gave him multiple commands to walk towards us and he didn't.**

**Q: Mm-hm.**

**A: I think he was just like - like, "What's going on?"**

**Q: Okay. And so then, ah, then what happens? I'm - I kind of lost it. So he's in there and you guys get, um, notification from dispatch that he went downstairs, right? Is that what happened next?**

**A: So - so we were standing there watching.**

**Q: Mm-hm.**

**A: Canaan had the front door and I had the window.**

**Q: Mm-hm.**

**A: We heard - I don't - I don't remember if it was - see I remember dispatch saying there's - the female's not free to leave.**

**Q: Mm-hm.**

**A: I remember her saying that. Um, and then Eddie went around the car and...**

**Q: Okay.**

**A: ...went that way. I honestly don't remember if I heard him yelling or not.**

**Q: Okay.**

**A: Or if I heard the officers yelling. I don't recall anything.**

**Q: Okay.**

**A: So.**

**Q: So the next sound you hear is what?**

**A: Us breathing.**

**Q: Okay.**

**A: I heard Canaan and I because we were standing this close...**

**Q: Mm-hm.**

**A: ...watching, just - I just - to me I - I heard quiet.**

**Q: Mm-hm.**

**A: And then the - I heard - oh I did hear, someone say, "He's - he's in something something, unarmed." And I couldn't understand at the time if it was - if he had said unarmed or armed.**

**Q: Mm-hm.**

**A: Um, but I read the call screen while we were sitting there and it did say he was unarmed and I don't know how much time lapsed between when I heard that on the radio and then when we heard the shots going this way. I remember hearing like maybe two, three, four shots.**

**Q: Mm-hm.**

**A: And then turning around and going in that direction. Because the - the shots were coming from that side.**

**Q: Okay. So you hear two, three four shots. You start that way. Are there any additional shots?**

**A: There's more shots as we were walking.**

**Q: Okay.**

**A: I think it just took us - maybe it didn't. I don't know. It took us that long to register the shots, because they were just so fast.**

**Q: Yeah.**

**A: So it's not like we heard the shots and turned around. You know, it's kind of like you heard the shot but your mind didn't consciously register it.**

**Q: Uh-huh.**

**A: So you have to think and then turn around and...**

**Q: Okay.**

**A: ...and go that way. Um, but as we were walking, there were still shots. And as the lady came around the corner there were still shots.**

**Q: Okay.**

**A: I remember that part.**

**Q: So how many shots - I mean I know it's hard, but can you guess like?**

**A: I thought I - I thought I heard maybe nine to ten shots.**

**Q: Okay.**

**A: Maybe. But I don't know.**

**Q: Okay. So when you come around the corner, what officers are here?**

**A: I have no idea.**

**Q: Okay.**

**A: I don't know who they were. I couldn't tell you how many. They were just clustered around the window well.**

**Q: Okay.**

**A: And I remember thinking how useless I was there, because obviously I didn't want to point my weapon towards them.**

**Q: Mm-hm.**

**A: So I kept - we - I mean he had - Canaan had taken the lady and was trying to get her out of the way because she didn't want to leave or I don't know what she wanted to do, because I wasn't listening to what she was doing.**

**Q: Mm-hm.**

**A: Because I was kind of zeroed in on what they were doing there.**

**Q: Sure. Okay.**

**A: Um, and then somebody yelled something along the lines of, "Get in - we need to get in there now," and I just remember Vijay coming around with - with Eddie and then another officer and having us kick the door...**

**Q: Mm-hm.**

**A: ...and go in.**

**Q: Okay. So is there anybody other than the suspect and you officers, is there anybody else in the house at this point?**

**A: We didn't see anybody when we cleared it.**

**Q: Okay.**

**A: But we were upstairs. Eddie and I were upstairs while Vijay and the other went downstairs.**

**Q: Mm-hm.**

**A: And then we were standing there, you know, watching our places. I heard, ah, Vijay say, "Medical - medical is clear to come in," and, "Get someone down here to clear the rest of it," so I went down...**

**Q: Mm-hm.**

**A: ...and, ah, cleared the rest of the - the basement. And I saw the weapon laying there. I checked under the bed. And before I checked under the bed Vijay was saying, "Is the basement clear? Is the basement clear?" But I hadn't finished clearing it yet. I was trying to do a thorough job.**

**Q: Mm-hm.**

**A: So I got down on my knees and looked under the bed and then I yelled that it was clear.**

**Q: Mm-hm.**

**A: And then the other officer asked if I had a tourniquet and I said, "No." So he threw me one. And I picked it up and put it on his leg, because he actually hadn't seen the - the - it looked like a through and through on his ankle...**

**Q: Mm-hm.**

**A: ...yet. So when I pointed it out to him he gave me a tourniquet and had me put it on.**

**Q: Was that his right or left leg?**

**A: It was his left.**

**Q: He was shot in the ankle?**

**A: Looked like it.**

**Q: Okay.**

**A: Never seen the inside of an ankle before but there's a first time for everything.**

**Q: Did you fire any rounds during this incident?**

**A: No.**

**Q: Okay. Is there anything else you can think of that's of importance that we missed?**

**A: Not that I can think of.**

**Q: Okay.**

**A: But now that you clarified the questions, like I said, I think the most like surreal moment was when he was at the front door with us and the - what he said. And I just got that feeling that he's not - he's not coming out.**

**Q: Hm.**

**A: At the same time at that point we didn't know, we as in Canaan and I didn't know where the victim was and I didn't learn until afterwards that there were actually four people in the basement.**

**Q: Mm-hm..**

**A: So I didn't know that until afterwards. I just thought it was the one lady.**

**Q: So do you think, and I know you didn't actually see it, but do you think the - all four of them came out this window well here? Is that how they all got out or?**

**A: I think so.**

**Q: Mm-hm.**

**A: The - because when I was down in the basement, um, the officers had shot through the window.**

**Q: Mm-hm.**

**A: But the window was open.**

**Q: Okay.**

**A: It - it was a sliding window and it was open.**

**Q: So when you say they shot through, they shot through the open window?**

**A: They shot through the glass.**

**Q: Okay. So slide - it slides like this?**

**A: Yeah, it slides - it slides. You're facing then window, it slides to the right I think it was.**

**Q: Okay, so.**

**A: No, it's to the left.**

**Q: So in this case since it slides, there'd be two panes of glass, right? So the holes came through both panes of glass, is that what you're saying?**

**A: Yeah, and the whole window was shattered.**

**Q: Okay.**

**A: I mean there was a big hole in it but the glass was totally shattered.**

**Q: Hm, okay.**

**A: And then, you know, when you look out the window there's just the metal wall of the window well.**

**Q: Uh-huh.**

**A: And then you have to look up to get to - it's an in ground basement.**

**Q: Uh-huh.**

**A: Um, I did notice that the weapon that was on the ground, um, my familiarity with the AR from what I learned in the academy and training, um, it was on fire. The safety was off.**

**Q: Uh-huh.**

**A: Um...**

**Q: Did you see any, um, shell casings or live ammo on the floor...**

**A: No.**

**Q: ...from the - from the AR?**

**A: I did not.**

**Q: Okay. Well Heather, it'll be natural once you get a couple sleep cycles, you calm down.**

**A: Mm-hm.**

**Q: You'll be thinking about it obviously but, if you do think of any details, you know, a day or two from now just shoot me an email if you could please.**

**A: Okay. Just email you what I thought of and stuff?**

**Q: Yeah, yeah.**

**A: Okay.**

**Q: If you think it's, you know, important so.**

**A: Okay.**

**Q: So yeah. Do you have any questions for me?**

**A: No. I just want to make sure I'm not forgetting anything and leaving anything out.**

**Q: Well you did a good job.**

**A: I'm inter- I'm really - I didn't shoot. I don't think it was, you know, trau- as traumatizing for me.**

**Q: Mm-hm.**

**A: I remember the sinking feeling I got when I heard the shots.**

**Q: Mm-hm.**

**A: Because I was just thinking, God I hope that's not towards us.**

**Q: Okay.**

**A: Like - like who's shooting? That's what I was - who's shooting?**

**Q: Mm-hm.**

**A: That was - that was a bad feeling because I was over here and going around the corner, seeing all the officers I was like, well it doesn't - like you're not gonna get - you can squeeze in between them, you know what I mean? Like there was just - there looked to be**

so many officers around a little window.

**Q: Yeah.**

**A: There was no wiggle room. So it's like even if something was going on there was nowhere you could really be I guess.**

**Q: Mm-hm.**

**A: So I just remember - it's weird to me how much - what things I remember with I feel like such clarity.**

**Q: Hm.**

**A: It's interesting.**

**Q: Yeah. It kind of happens in slow motion sometimes, huh?**

**A: Yeah.**

**Q: Yeah.**

**A: Yeah.**

**Q: Yeah.**

**A: But yeah.**

**Q: Cool. All righty. Well I guess we're done for now.**

**A: Okay.**

**Q: Thank you ma'am.**

**A: Thank you.**

**Q: Yep.**

**The transcript has been reviewed with the audio recording submitted and it is an accurate transcription.**

**Signed** \_\_\_\_\_

## **Seenath transcript**

**April 20, 2020; Interview Room #2 OTS, 03:19 am – 03:40 am, DVD = item #23**

**INTERVIEW WITH CPL. VIJAY SEENATH**

**Q=Det. Jon Price**

**A=Cpl. Vijay Seenath**

**A: Jeez.**

**Q: Nothing in it?**

**A: Uh, black please.**

**Q: Right there. Long night, huh?**

**A: Yep.**

**Q: Um, so Vijay, what's your last name, sir?**

**A: Seenath, S-E-E-N-A-T-H.**

**Q: And your badge number?**

**A: 4658.**

**Q: And Vijay is just - you spell it V-I-J-A-Y.**

**A: Oh, sorry.**

**Q: No, no worries. V-I-J-A-Y. So how long have you been with, CSPD, sir?**

**A: Eight years.**

**Q: Eight years? Okay.**

**A: Eight years this year, yeah.**

**Q: Wow. Where have you, where all have you worked for this division here?**

**A: Uh, I've always been on patrol. I was a cop in London with a mixture of things.**

**Q: Okay. Have you had any specialized assignments here at CSPD?**

**A: Uh, crowd control team, marksman, negotiator.**

**Q: Okay.**

**A: Yeah.**

**Q: And, uh, I see your - is it a sergeant or...**

**A: A corporal.**

**Q: Corporal? Okay. So were you a supervisor on this incident tonight, or who was actually a supervisor?**

**A: Um, I'll say Joe.**

**Q: Joe?**

**A: Uh, 'cause he took the lead.**

**Q: Okay.**

**A: Somosky**

**Q: Somosky?**

**A: So it was me and Somosky, so there was two corporals dispatched on this call.**

**Q: Uh-huh.**

**A: And so I was dispatched at - at 2137 hours.**

**Q: Uh-huh.**

**A: Um, we met up at [REDACTED] Fitness Center.**

Q: Oh.

A: We staged there. Uh, the call said domestic. Uh, he pushed - pushed the [REDACTED] down, racked an AR, said he would shoot it out with cops, and so we staged at [REDACTED] but on our way to [REDACTED] Fitness Center, initially Joe had asked for - if we'd get a marksman on this call, uh, me.

Q: Mm-hm.

A: So initially, Joe wanted me to set up on - on the back when we met at [REDACTED] it was a case of, I want to try and sat on the front.

Q: Okay.

A: Um, then we put on the heavy gear, and the house directly across the street, there's like a little walkway that leads to the back. I set up inside that walkway. Um, rifle, cover my guys, and I saw - I know my guys set up on the back. I think there was a couple of guys on the 1, 2 corner. Um, on the front side, garage kind of protrudes a bit from the house. Uh, there was Somosky, um, I think Heather Mesmer.

Q: Mm-hm.

A: Um, I think, Dustin Canaan was there as well and Nassar. As they were approaching, the front side to set up there by the garage, um, door opens. And while this is going on, there was some radio coms between Somosky and dispatch was on the phone with the RP, to see if RP can get out, 'cause it's a two-level house. Uh, ground level, basement, um, so, as they're setting up, I - I can't recall if they gave commands or shouted announcements, um, 'cause I'm further back than everybody.

Q: Mm-hm.

A: Um, we know downstairs in the basement is [REDACTED] their two [REDACTED] and [REDACTED] [REDACTED] Uh, and there was mention of, uh, the suspect's friend being there as well.

Q: Mm-hm.

A: Um, door opens. I had my rifle up. Uh, couldn't see the suspect's hands but I could see - I could hear him shouting, uh, I could hear him shouting, couldn't see his hands. There was a - another individual, uh, I think it might be that - the guy out there who's got - dressed in the black top - I mean a black hat. Um, the [REDACTED] was trying to calm him down. Um, and from his - from suspect's demeanor, I knew it was - this could be bad.

Q: How? What do you mean?

A: Well, the information we'd got, we'd got a number of people in the basement of the house, we've got a domestic, we've got a suspect who's racked an AR, who said, "Hey, you cops turn up, I'm gonna shoot you."

Q: Mm-hm.

A: I mean that raises a number of possibilities. A, we turn up 'cause we got a duty to turn up. Is he gonna shoot at us? Also, are we gonna be now facing a hostage situation?

Q: Mm-hm.

A: Or are we gonna be there for the - a barricaded suspect?

Q: Mm-hm.

A: Um, so it raises a number of possibilities. Uh, more of them not good...

Q: Sure.

A: ...situations to be in. Um, like I said, door's opened, you could just see - well, I could hear him shouting at the cops.

Q: What was he shouting?

A: I vaguely remember but I remember at one point was like - something like - on the word - along the lines of "Fuckin' get a warrant," or something like that. Um, then there was a lot of other stuff, but plus I'm further back.

Q: Right.

A: You know, uh, I'm 30, 40 yards away, um, probably about 30. Nassar with the shield, he kept drifting so that he was almost face on the suspect, even though he was a few yards back. Um, and I remember shouting over the radio, "Hey, whoever's got a shield, move to the left because you're now blocking my shot," so as a marksman I'm kind of ineffective if you're standing there, 'cause I have nowhere - where else to really maneuver in this walkway that I'm in.

Q: Uh-huh.

A: Um...

Q: And you said you were across the street?

A: Yeah.

Q: Okay.

A: Yeah, 'cause I remember shouting on the radio like, "Whoever's got a shield, let that shield move - move to your left."

Q: Uh-huh.

A: 'Cause like I said, I can't see the guy's hands. My job is over watch.

Q: Mm-hm.

A: Um, I'm kind of ineffective if someone's...

Q: Right.

A: ...blocking - blocking my view and at that point there's no need for you to be that far out. I remember the guy with the black hat coming out. Uh, suspect, uh, shutting the door. Um, I remember hearing something like, um, "Oh, he can't come out at this point." Um, heard somebody saying, "Am I missing Somosky?" Somosky and don't know who was with Somosky. I remember seeing him go around to the 1-2 side of the house and then down the 2 side, so I ain't got a vision on them.

Q: Mm-hm.

A: Uh, and I remember him calling out that they're in - he's in the basement with [REDACTED] Um, that left at the front of the house, and I see Heather and I believe it was Canaan, and - but my job, I - I watch on that - on the - on the 1 side, the front side of the house so...

Q: Mm-hm.

A: I remember - I believe it was Nassar still with a shield, still blocking my view, so I had to take a shot in the front door. Um, so again, you know, "Hey, whoever has that shield, move to your left." Um, and I mean it was all pretty quick.

Q: Sure.

A: Then somebody else went and take off, start running to the left side, so I just focused on what I've got to focus on, which is the 1 side.

Q: Uh-huh.

A: And then suddenly I heard 10 to 15 shots rattle off.

Q: Mm-hm.

A: And at that point, um, as soon as I heard a shot, so I don't know whoever, you know, my immediate - my immediate thought was bad guy shooting the people inside the house. Um, so I started running across to the front door, and ran across to the front door. Um, then suddenly Nassar there and I had - I had him with me, so I'm on the front door when I'm shouting to them, "Boot the door in. Boot the door in, we need to get in." 'Cause to me, at that point, um, he's just - as far as I'm aware at that point, he's fired - he's firing shots. I've got...

Q: Mm-hm.

A: ...a possible hostage situation, possibly hostages down, wounded in there.

Q: Mm-hm.

A: Then I believe I heard over the radio, uh, suspect was down. Um, 'cause I remember shouting at Heather and - now they have to boot that door in, we need to get in that house.

Q: Mm-hm.

A: I was telling them, "Boot that door in." The door eventually goes in. As we go in, I'm shouting to them like, "Let's slow it down," 'cause I noticed we're not covering every angle and to me, I don't know - I know - I've heard on the radio, suspects in the basement.

Q: Mm-hm.

A: Um, but that doesn't mean the suspect hasn't taken one in the arm or got winged, and, you know, is wandering around his house with an AR and we've got a possible hostage situation.

Q: Mm-hm.

A: Um, so I'm gonna go in and tell them slow it down. Um, so like I said suspect was in the basement, so I was like all right, I told Heather and I said we reached a point where me and Joe can go downstairs, but we haven't cleared that floor, so I shout to those, uh, those two standing there, cover these angles, and hold it. Me and Joe go downstairs. Come downstairs and it's a weird shaped basement as you - as you come down, and stays everything all the way - ways if you like, kind of go to the left. Come downstairs, go into the - back up. There was - I don't recall there being a door, um, but just a doorway, we come through. Uh, suspect's laying on the ground. I shout to Joe, "I'll cover it, get him cuffed up." Um, I take my cuffs and throw it to Joe. Then suspect head's say here, where we've come in from, but the room, uh, branches off to the left, so I can't see what's round that corner.

Q: Mm-mm.

A: So I remain covering the suspect - threw my cuffs to Joe, I was like, "Get him cuffed up." I shouted on the radio, "I'll need two units to come down here and clear the rest of this basement, and I need a med kit, and I need medical rolling." Um, kept talking to the suspect like, "Keep breathing," I can see he's breathing at that point, "Keep breathing, buddy, keep breathing." Um, 'cause at that point I don't know what's around that corner.

Q: Uh-huh.

A: I don't know if there's anyone else in the house, um, I know if there's an AR somewhere. Mesmer comes in. I tell her, "All right. Clear that corner. Clear what's around this side." As she starts clearing, Nassar shows up with a first aid kit. I had a tourniquet on me. I know from looking at the guy, and from what Joe was saying to me, there was a gunshot wound, somewhere his left - left shoulder, left arm area, a gunshot wound to his foot. So Mesmer, by then, I'm shouting to her, "Is it clear?" and she was like, "It's clear." Um, "There's a gun right there, okay. Once it's clear, we're good here." Uh, threw my tourniquet to Joe to get on his arm. Um, I checked who has another tourniquet, I was like, "All right, Mesmer, get this, or Heather, get this on his leg." Um, 'cause he had a gunshot on his foot. Um, and then I know there was a bit of blood on his shorts. So I was like, "All right, let's try and get his shorts down, see if there's any other wounds we're missing." Couldn't see anything, so I told Mesmer, "Get that right up on his leg." I told Nassar, uh, "He's got a gunshot wound on his right shoulder. Uh, get some, uh, bandages and just plug that hole."

Q: Mm-hm.

A: So, I told Joe, "Tourniquet on left arm." Had Heather get a tourniquet up on his left leg, and I had Nassar try and block the hole right there. Um, by that point, uh, keep - keep talking to him, I keep talking to him, and then Joe said he stopped, uh, he stopped breathing so, uh, I go into chest compressions. Um, chest compressions for about two minutes, and Joe was like - and I say, "You take over in two, you know, in a minute." Um, so I did chest compressions, then Nassar took over for me, and then I had Heather plug up the whole while Nassar's doing chest compressions, and then I swapped them round, and at that point medical came. Uh, medical, um, and we'd got - from him not breathing, we got him breathing again, um, and medical did what they do.

Q: That was pretty good, very detailed, thank you. So, uh, right - you said you heard 10 to 15 gunshots. Did they give, um, any commands right before that?

A: I didn't hear. Um, 'cause like I said, I'm 30 odd yards away.

Q: Yeah.

A: And the walkway focusing on on the front and they'd gone around...

Q: Mm-hm.

A: ...uh, to the 2 side.

Q: Mm-hm.

A: So I've lost visual. Um, I mean I heard some chatter, but I couldn't tell you what was said.

Q: Okay.

A: And then I heard 10 to 15 shots, and I - my immediate reaction was he's either shooting at people inside the house or at cops, and we need to get in there now.

Q: Mm-hm.

A: So I went straight to the door, was like - kick down this door, we need in.

Q: All right. So once you get in there and start clearing, was there anybody left in the house other than the suspect?

A: Um, when we - when we - when we made entry, I shouted to the guys let's slow it down.

Q: Mm-hm.

A: 'Cause I don't know who else is in this house. Um, and they just reached a - a point where everything behind us was sterile.

Q: Mm-hm.

A: Stairs going down, um, house goes left. There's parts to the right we can't see. Hey, this is a good point for, uh - sorry, I can't think of the name - Heather...

Q: Mesmer?

A: ...Mesmer)...

Q: Mm-hm.

A: ...to hold and cover one angle, and Nassar to hold and cover the - the other angle.

Q: Mm-hm.

A: 'Cause everything behind us is sterile by that point.

Q: Mm-hm.

A: Uh, me and Joe go downstairs and like I said, um, we go down, we come across the suspect there.

Q: Yeah, so everybody else had got out at that point?

A: Yeah.

Q: Okay. All right. Uh...

A: Oh, and that's another thing. Uh, taking a step back, when the shots rang out, like I said, there was a guy who'd come out moments before it, so once the shots started ringing and I started running over to the front door, I think I shouted to Canaan, "Get him, get him, get him out of here."

Q: Yeah.

A: You know, the last thing I wanted is a civvie in the middle of a gunfight when we had an opportunity to get him out.

Q: Yeah. Okay. Um, so, uh, Heather said there was a gun down there. Did you see the gun?

**A: Um, to the best of my recollection, I remember maybe seeing a - an AR with a mag in.**

**Q: Okay.**

**A: Um, but like I said, that - that area was clear. Uh, no one else could get to it. Uh, my focus was on our suspect.**

**Q: That was consistent with what dispatch had told you guys?**

**A: Yeah.**

**Q: Okay.**

**A: I remember seeing as I was walking out - I mean there was a whole set of military gear on the floor, but there was like a - like a bar area - it looked like it was a bar, it was just - uh, a set of drawers or it could have been a bar, like a bunch of loaded magazines there, so...**

**Q: Okay. Were there any shell casings or loose rounds like on the floor, like...**

**A: Uh, I - I didn't see any, and, man, to be honest, I wasn't looking for any.**

**Q: Yeah.**

**A: 'Cause like I said once the shots rang out, my job is to get in there...**

**Q: Mm-hm.**

**A: ...and make sure - or prior, and like, you know, I need to get in there, make sure no innocents are down.**

**Q: Yeah.**

**A: And even to that point safety of a suspect.**

**Q: Mm-hm. Okay. Um, you did a really good job. I don't have any other questions. I'm gonna give you my card - I didn't bring one in. If you think of something, you know, in a day or two, feel free to email me if you think it's, uh, important.**

**A: Okay.**

**Q: Um, did you, uh, range find the door? You said you were at 30, 40 yards. I'm just wondering.**

**A: I...**

**Q: Do you have like a laser, as a marksman?**

**A: No.**

**Q: And that doesn't have anything to do with...**

**A: Yeah.**

**Q: ...anything, I'm just curious if you...**

**A: It's just averaging.**

**Q: Okay.**

**A: It's just averaging.**

**Q: Yeah.**

**A: I'd say about 30 yards.**

**Q: 30 yards?**

**A: Yeah.**

**Q: Yeah. And you had an AR on him, I'm assuming?**

**A: Yeah.**

**Q: Okay.**

**A: Yeah. But yeah, no range finder.**

**Q: All right. Well, thank you, sir. Do you have any questions for me?**

**A: Uh, no.**

**Q: No?**

**A: You gonna need a supplement or anything like that or is this covered?**

**Q: I'm not sure. You should check with your supervisor if you want to, to write one up or not. I'm not sure what your policies are.**

**A: Cool. I'm guessing since I was interviewed, they probably wouldn't want that.**

**Q: Yeah. Yeah.**

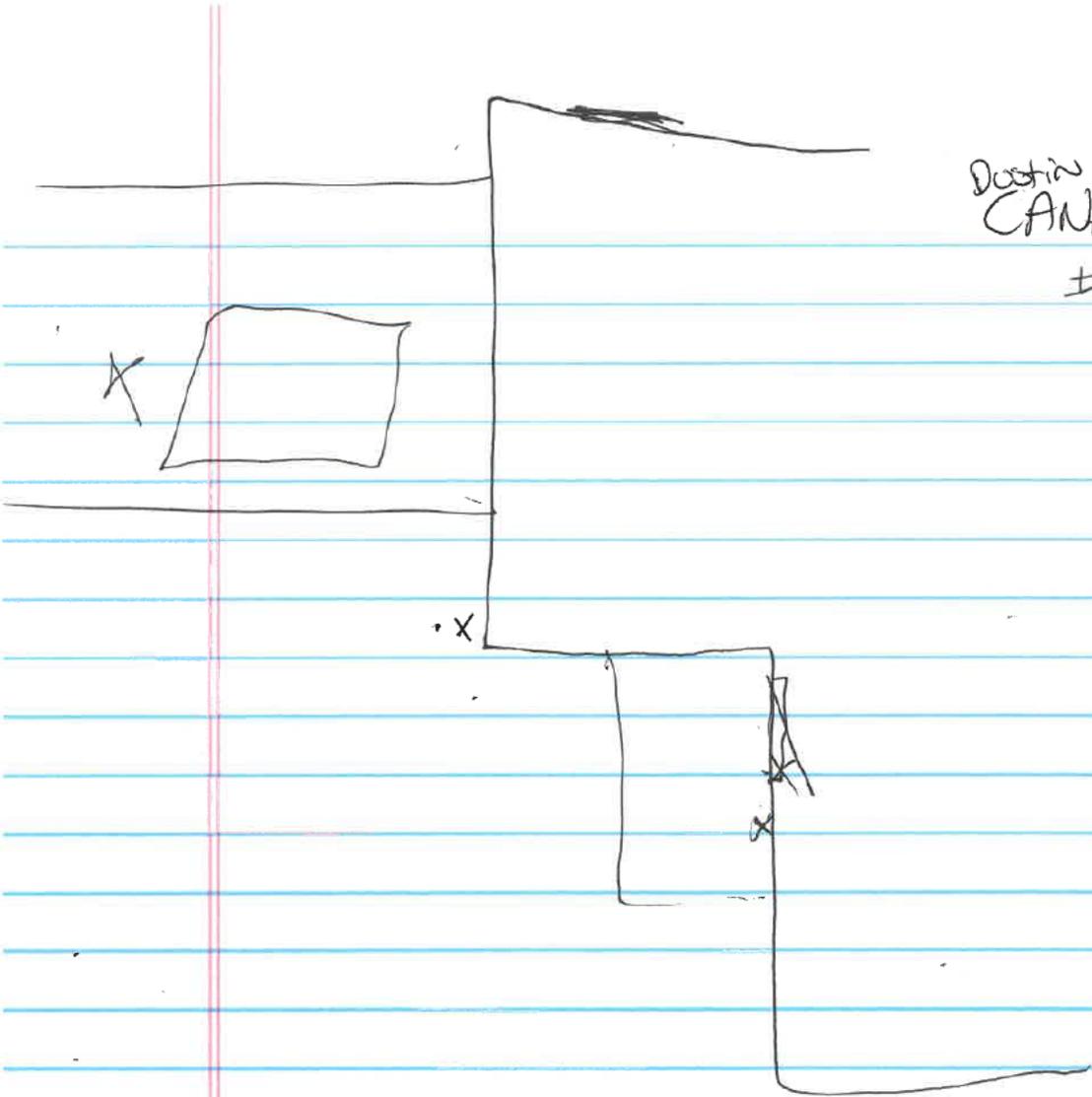
**A: Do - do you need anything else from me?**

**Q: Thank you. Get you on your way.**

**A: Thanks, I appreciate it.**

**The transcript has been reviewed with the audio recording submitted and it is an accurate transcription.**  
**Signed** \_\_\_\_\_

# #2 Canaan Diagram



Dustin  
CANAAN

#5747

SEP 02004

# Canaan transcript

April 20, 2020; Interview Room #2 OTS, 02:56 am – 03:16 am, DVD = item #24

INTERVIEW WITH OFC. DUSTIN CANAAN

Q=Det. Jon Price

A=Ofc. Dustin Canaan

Q: We took our masks off. It's up to you...

A: Oh, good.

Q: ...if you're comfortable without it, I'm comfortable without it.

A: Definitely. Oh, I feel like I'm gonna suffocate in that thing.

Q: Yeah. My name's Jon, I'm a detective here.

A: Hi, Dustin.

Q: Can I get you anything? You doing all right?

A: Doing all right. Doing good.

Q: Okay. So how long you been with CSPD?

A: Uh, gonna be five years in July.

Q: Wow. So...

A: Goes by fast.

Q: Yeah. Where all have you been assigned to?

A: Uh, I spent my training and then my first year in Falcon, and then since then I've been Gold Hill.

Q: Uh-huh. You like Gold Hill better or...

A: Oh, yeah. It's awesome.

Q: Oh, cool.

A: Yeah. I don't miss Fal- well, I miss Falcon, but I don't, so...

Q: How's that?

A: I like the going on shift with more than three cops. [REDACTED] so that's nice.

Q: Oh, cool, okay.

A: Yeah.

Q: You have any specialized assignments or anything like that?

A: No.

**Q: Okay.**

**A: Just this for now.**

**Q: Yeah.**

**A: So we'll see.**

**Q: But you're a PTO, that's special.**

**A: Yeah, no, it was a nice change of pace. I was getting kind of burnt out. Yeah, just going in, running calls, and then going - I mean that's all I did is just go to calls all day.**

**Q: Yeah.**

**A: Now I get to train.**

**Q: Right.**

**A: That's kind of nice so, I don't know.**

**Q: Right. And you say today was your [REDACTED]**

**A: Yeah.**

**Q: All right.**

**A: We had our day - uh, first quarter ended, so this is the first day of second quarter, so we worked four, had one day off, and then come back for another four.**

**Q: Oh.**

**A: Me and Mesmer, so...**

**Q: So a short weekend?**

**A: Yeah. Once you're used to three, it's rough. Rough going to one day.**

**Q: Oh.**

**A: But I got vacation coming up at the end of the month, so - or end of next month, I've got a four-day weekend end of this month.**

**Q: Nice.**

**A: Yeah, it will be nice, especially after all this.**

**Q: So tell me about your day. What - you come on shift, you go to briefing I suppose or...**

**A: We didn't really do a line up. We've been minimizing them just 'cause of the virus.**

**Q: Right.**

**A: So they mentioned a few things, we kind of bailed. We got, so Mesmer had a DV case that - her suspect was arrested and his phone was taken, that they were gonna do stalking charges on, so...**

**Q: Uh-huh.**

**A: ...we went and wrote a couple phone warrants, which took seven hours.**

**Q: Uh-huh.**

**A: For some reason, and then we - when we were gonna go handle some calls and then got that call, so...**

**Q: Okay.**

**A: ...that's it.**

**Q: So kind of like the first call of the night almost, huh?**

**A: Yeah, it was. Yeah, first call.**

**Q: Sure.**

**A: So...**

**Q: So where were you at when you guys got the call?**

**A: Oh, we - they sent us to the Creek for a shooting, but then they disregarded us, so we were down like Academy and 115.**

**Q: Uh-huh.**

**A: By that Safeway.**

**Q: Okay.**

**A: Or whatever it is, King Soopers, Safeway.**

**Q: Yeah.**

**A: So we were pretty close.**

**Q: Okay.**

**A: And then we all met at the [REDACTED] Fitness there at Cheyenne Mountain Boulevard and 115.**

**Q: Okay. So when the call comes out, what information does dispatch give you initially?**

**A: They said that there was a domestic violence disturbance. The female party said that the guy like racked a rifle, like, you know, racked a round on his rifle.**

**Q: Mm-hm.**

**A: Uh, we weren't sure whether - where he was, where she was, but it turns out he was upstairs and she was downstairs. And then he had a friend over, [REDACTED] [REDACTED]**

**Q: Mm-hm.**

**A: He's out there and, um, I guess we'd been out there earlier in the day for a noise complaint or something.**

**Q: Okay.**

**A: Or I don't know, they said they were having a bonfire out back, so - so we didn't have a whole lot of information. Uh, they did say that he threatened to shoot us if we showed up.**

**Q: Uh-huh.**

**A: So, our call taker or dispatcher did say that. So we all suited up in our heavy gear, came up with a bit of a plan.**

**Q: Mm-hm.**

**A: We didn't want to take too long, obviously.**

**Q: Sure.**

**A: So, I think there were five of us there at [REDACTED] before we decided to roll over there.**

**Q: Okay. So what was the plan?**

**A: So we had, uh, so the house is on the Quail Lake Park area.**

**Q: Uh-huh.**

**A: Like it backs up to it. We had units - one set of units, I think it was a DMR unit, went around to the back to watch the back of the house, and then we had a unit go to the south to kind of block from the south side, there's a cul-de-sac there.**

**Q: Okay.**

**A: Uh, then the rest of us pretty much parked along Cheyenne Mountain Boulevard, just west of Oak Tree, and then - like a ways back - and we went up on foot, and, uh, so when we looked on the map, it was the second house in from Cheyenne Mountain Boulevard.**

**Q: Okay.**

**A: Um, so there's a corner house and then the target house. What threw me off is that we get to the - the target house, and I was like, "Well, this is a single-story house," and our notes said that he was upstairs and she was downstairs. So I said, "That doesn't make sense," and then both houses on the sides are tri-levels with upper floors.**

**Q: Mm-hm.**

**A: So we go down to the next house, but it's the wrong address, so then we're like, "Well, that is the right house," so we go back to that house. Um, you know, shining our lights at the address thing, and then - and then that's when the dude came to the door, he saw us outside.**

**Q: Uh-huh. Okay. So where did you guys all post up? Where were you positioned? Could you drive a - draw a diagram, please.**

**A: Yeah. I could try.**

**Q: Show me where you guys were standing and...**

**A: So...**

**Q: It just makes it easier when you start talking about...**

**A: No, that's fine. So there's - this is like, um, the house is kind of like this.**

**Q: Uh-huh.**

**A: And then this is like a little patio and then the door is like right here, this is the garage and driveway. There's a car in the driveway.**

**Q: Mm-hm.**

**A: Um, I was like right here.**

**Q: Mm-hm.**

**A: Um, this is all brick right here.**

**Q: Okay.**

**A: So I posted up here. There's like a bush right here.**

**Q: Mm-hm.**

**A: And then my - Mesmer, she was right behind me right here.**

**Q: Mm-hm.**

**A: Uh, Short, he had a shield, he was kind of to my right, and then behind him I think was Vijay. I don't remember. But then, uh, the**

dude was right here, he had the door kind of cracked, and he would, you know, kind of stick his head out and yell at us, and...

Q: Mm-hm.

A: ...screaming if we had a warrant and all kinds of stuff like that.

Q: Mm-hm.

A: So we were all - I think - I don't know if this was the sergeant or Vijay. They were making, you know, they were giving commands, telling him to come out, keep his hands up, and he wouldn't do it, he just kept yelling at us.

Q: Mm-hm.

A: He was really irate, so...

Q: What was he saying?

A: The warrant stuff, just random obscenities, you know, calling - I think he was calling us bitches and stuff like that, and then he said something like - like, "I'm gonna go to war with you," or something like that.

Q: Uh-huh.

A: And then he had his arm - so like his right arm behind the front door.

Q: Uh-huh.

A: So we couldn't see it, and we all - we all covered down on him, like I had my rifle pointed at him. And then he walks past the door and he's actually holding a rifle in his arm. So, but he wasn't - it was just kind of down at his side.

Q: Mm-hm.

A: And then he keeps going back and forth, yelling at us a little bit. And then the door, he slams the door, and then he retreats inside. And so we kind of just post up, and then at that time - well, all that - all this time, we're trying to get the people out the - the window well...

Q: Mm-hm.

A: ...which is right here, on the side of the house. So they're trying to - we have units - I think two units over there, trying to get the - [REDACTED] I guess, his [REDACTED] I don't know who all was down there, but...

Q: Mm-hm.

A: ...at least [REDACTED] and the girl...

Q: Mm-hm.

A: ...were down there, trying to get them out. Um, and so, Mesmer and I, we just stayed posted up at the front door, 'cause there's a window, big window and then the door.

Q: Mm-hm.

A: So we stayed there, and then all the other units went around, uh, Short, he had the shield, so, and they were asking for him to go around, 'cause then they started seeing the dude down there with them. So he went around right here, and then all of a sudden just gunshots. I mean they were all yelling and screaming, you know, trying to get the girls out.

Q: Uh-huh.

A: And then yeah, just tons of gunshots. Soon as I heard that, Mesmer and I both, we ran over here, you know, to the side. The girls were coming out while the gunshots were going off, and Vijay was yelling, "Get them out of here," so I just grabbed them, kind of started pulling them back, and then we went to the car, like behind the car over here. Then we kind of waited there, and then when the gunshots died down, there was another car on the street over here, so we moved over there, like an SUV.

Q: Mm-hm.

A: So, and they were trying to, you know, they wanted to go back 'cause, you know, obviously husband, so...

Q: Mm-hm.

A: ...um, I kind of had to drag [REDACTED] - I just grabbed her shirt and just pulled her to get her over there. And then once that was done, a couple units started coming into the area, so I started - I pushed, uh, I think [REDACTED] into Jones' car, and then the other girl, her [REDACTED] into a different - another patrol car. And then, uh, oh, yeah, before all this, uh, [REDACTED] he was in the house with Thorpe, I guess Thorpe, and, uh, he was trying to get him to calm down, and he was trying to get Thorpe to just go back inside, and then he would come out and talk to us.

Q: Mm-hm.

A: And he ended up coming out by himself, and we just kind of grabbed him and then drug him to the - the inter- the street corner.

Q: Mm-hm.

A: And then he was sitting there, um, after all the shooting, and then I grabbed him and put him in my car, which was parked on Cheyenne Mountain Boulevard.

Q: Mm-hm.

A: So...

Q: Okay.

A: Pretty crazy.

Q: Yeah. So, [REDACTED] is the friend; is that right?

A: [REDACTED] [REDACTED] he's an Army buddy of his. They're both in the Army.

Q: Uh-huh.

A: So...

Q: Okay. Have you been to this house before?

A: Yeah.

Q: Do you know them?

A: I have. It was like a child custody thing. I think.

Q: Uh-huh.

A: Um, I think it was between [REDACTED] and her ex-husband. He was out of state, and he had come to get one of their daughters, I think.

Q: Uh-huh.

A: But, uh, Thorpe wasn't there. Uh, I don't know where he was, but it was - I mean it was all a civil thing, so...

Q: Yeah. Was this your first encounter with Thorpe?

A: Yes.

Q: Okay. So he's at the door and you - what did you hear [REDACTED] say to him, like "Go inside and I'll go out," or...

A: Yeah, he was trying to convince him to calm down and go back inside the house.

Q: Uh-huh.

A: Which we didn't really want that 'cause, you know, the whole family is in there.

**Q: Yeah.**

**A: We wanted him to come out.**

**Q: Yeah.**

**A: But he wouldn't, so finally [REDACTED] he ended up just coming out by himself.**

**Q: Uh-huh.**

**A: And we just kind of grabbed him and...**

**Q: Okay.**

**A: ...drug him off.**

**Q: Did [REDACTED] give you any kind of intel as far as what was going on in there or...**

**A: No. I mean and I didn't really even get to talk to him, 'cause they just, you know, were focused on Thorpe at the door.**

**Q: Uh-huh.**

**A: So, yeah.**

**Q: Okay. And you said you - he had a gun down at his side?**

**A: Yeah, it was...**

**Q: What hand was the gun in?**

**A: Uh, I believe it was his right hand.**

**Q: Okay.**

**A: 'Cause it was behind the - it was concealed behind the door.**

**Q: Uh-huh.**

**A: Um, yeah, right hand, uh, AR, so, which is consistent with what [REDACTED] had said to our call taker.**

**Q: Okay. At that point he'd never pointed it at you; is that right?**

**A: No.**

**Q: Okay.**

**A: No, I was - 'cause I, you know, I was - had my, uh, pointed my gun right at him and I was, you know, at that point I'm thinking, you know, he's got a gun, I know that.**

**Q: Uh-huh.**

**A: He hasn't pointed it at us or threatened to shoot us or anything, but at the same time I know his family is in the basement.**

**Q: Right.**

**A: You know, if he runs inside, we have a hostage situation on our hands.**

**Q: Yeah.**

**A: So, but I didn't, you know, I decided he hasn't pointed it at us, we're still talking, and then he ran inside.**

**Q: So you made an evaluation as to whether or not deadly force was...**

**A: Yeah.**

**Q: Yeah, I mean it went through your head?**

**A: I mean it still is. I'm second-guessing myself, like constantly. 'Cause if he'd gotten, uh, shots off - I mean I don't even know if he got shots off, but if he had and another, you know, officer was hurt - I could have taken care of it. I don't know that anyone else saw the gun at first. Um, I told them, I said, "He's got a," you know, "He's got a gun."**

**Q: You told your fellow officers that?**

**A: Yeah.**

**Q: Okay.**

**A: Um, so they - they all knew. Um, I know Mesmer said she didn't see it, but she was kind of - she had like that bush in her way.**

**Q: Mm-hm.**

**A: Um, I think Short did see it 'cause he said the same thing.**

**Q: Uh-huh.**

**A: So, but we just kind of - we addressed it and just kept trying to give him orders to get him to come out.**

**Q: Uh-huh.**

**A: So...**

**Q: Okay. Um, you said you had your rifle?**

**A: Yes.**

**Q: Is that a AR also?**

**A: It's one of the old Vietnam era ones.**

**Q: Okay.**

**A: I don't have my own.**

**Q: Right. So...**

**A: But yeah, so I had my...**

**Q: Okay.**

**A: ...my rifle, my 616, vest, helmet, all that.**

**Q: What were the lighting conditions outside?**

**A: There are exterior lights. There was a porch light, and then we, I think - I was standing like right under the light for the garage, pretty much, and then I know a bunch of us, including me, had our flashlights, you know, shining right at him.**

**Q: Uh-huh.**

**A: Um, so it was dark but lit.**

**Q: Okay. Were, um, interior lights on or...**

**A: There was a light through the main window, but it wasn't super bright.**

**Q: Right here?**

**A: Right here, yeah, it's a big - like a big bay window.**

**Q: Uh-huh.**

**A: Um, right there. But once he shut the door, we - I mean I couldn't see movement or anything inside through the window or anything.**

**Q: Uh-huh.**

**A: So...**

**Q: So when he's out the door, you have - the way you see him is because you have flashlights on him, is that...**

**A: No, there was - well, there's a patio light. So, there's like a covered little like patio right here.**

**Q: Uh-huh.**

**A: He was right here. There's like a light right here on the...**

**Q: Oh, okay.**

**A: ...under the patio.**

**Q: So that was what's lighting it up there then?**

**A: Yeah.**

**Q: Okay.**

**A: And I think - I think one of the things that kind of keyed us off that he was even coming to the door was the mo- there was like a motion light, I think it kicked on...**

**Q: Uh-huh.**

**A: ...when he - when he opened the door. 'Cause we had gone down - you know, we checked this house, decided not the single-story house, went to the next house, and then came back, and as we were coming back, that's when, you know, I saw movement and the light kicked on.**

**Q: Uh-huh.**

**A: So I was like oh, someone's at the door.**

**Q: Okay. This light kicks on, right?**

**A: Yeah.**

**Q: Okay. So how long, you know, you're - you say you're giving him commands, come out, and - and Devin's trying to get him - how long is all that going on? I know time gets distorted but...**

**A: I know. I'm thinking like five minutes maybe, if that.**

**Q: It's pretty quick, huh?**

**A: Yeah, 'cause we - [REDACTED] you know, [REDACTED] was kind of trying to grab him, pull him, push him out.**

**Q: Uh-huh.**

**A: You know, push him back inside a little bit, and then - so that whole deal took a couple minutes maybe. We're just yelling at him, just, you know, "Come out with your hands up." Um, just, you know, "Dude, we just want to talk. No one's in trouble," that kind of thing.**

**Q: Uh-huh.**

A: He's screaming, you know, "Do you have a warrant?" and stuff like that. And then...

Q: Did he ever specifically say he was going to shoot or he had a gun, or anything like that?

A: No, I don't think he had the gun at first. I think he - I think it was near him and he grabbed it, because he said something like, "I'm gonna go to war with you."

Q: Uh-huh.

A: Something like that, something about going to war with us. And then I think that's when he kind of - he grabbed the - grabbed the rifle. I don't know if he left the door completely - I can't remember - 'cause, uh, yeah, he didn't have it the whole time, 'cause yeah, [REDACTED] when he was, you know, doing the thing with [REDACTED] he didn't have it - he wasn't armed then.

Q: Uh-huh.

A: So, but he like crossed back - back across the door, and the door was only ever partly open, you know.

Q: Mm-hm.

A: So, he - yeah, he grabbed it afterwards and was - but he was just holding it down at his side.

Q: Okay. All right. So he forces [REDACTED] out, closes the door, you can't see any movement?

A: Well, [REDACTED] just kind of leaves him, 'cause we're yelling at [REDACTED] to come out too, so I think [REDACTED] he wasn't really - he wa- he wasn't pushed out by Thorpe.

Q: All right.

A: [REDACTED] just left on his own.

Q: Yeah.

A: He kind of, you know, walked out with his hands up.

Q: Mm-hm.

A: So...

Q: Okay. Um, so how long - so now - now it's dark in there, Devin's out. How long before the next thing kicks off? Like, uh, like right away or is it a couple minutes or...

A: I think it was maybe two minutes. Maybe a minute, two minutes.

Q: Uh-huh.

A: 'Cause - so while all of this is going on at the front door, they're trying to get the girls out, you know, the side.

Q: Right.

A: Um, out, you know, through the win- like the window well.

Q: Mm-hm.

A: And, uh, so while they're doing that, you know, we just stayed posted up at the door, 'cause I don't know if he's coming back out the door, if he's gonna go to the window.

Q: Yeah.

A: And then they start saying they see him in the basement, and I guess - I think he was near one of the - someone down there, one of the other parties down in the basement, and they're yelling commands at him, and then just gunfire.

Q: Mm-hm.

**A:** And I - I didn't move from here until after, you know, until the gunfire started, then I ran, you know, over here, and then saw the girls coming at me, so grabbed them, drug them behind the car.

**Q:** Okay. And so from here, you can hear officers over here yelling commands?

**A:** Yeah.

**Q:** And what were they yelling?

**A:** I don't know, I couldn't - I couldn't say specifics. Just...

**Q:** Yeah.

**A:** ...yelling generic, you know, commands.

**Q:** Like "Show me your hands"?

**A:** Yeah, type stuff.

**Q:** All right. Um, how many gunshots do you think there were?

**A:** At least a dozen I think, maybe a dozen.

**Q:** Yeah.

**A:** It was a lot, really rapid. I mean we could tell there were multiple officers firing at the same time.

**Q:** Okay.

**A:** But I - I don't know how many, so...

**Q:** Okay.

**A:** A lot of gunshots though.

**Q:** Could you tell? Was he - was the suspect firing back or...

**A:** I couldn't tell, um, for sure. I mean it was just too much, so...

**Q:** All right. And what officers are over there who were shooting?

**A:** So, I don't know. Um, I think Vijay was over there, and then Short, 'cause Short had the shield, and I sent him over 'cause they were calling for him. So, but he was a - he had just moved up, you know, just, you know, just to the front, so Short, Vijay, maybe Csajkowski and Warren, and then Kruger and his rookie were behind the house, I believe.

**Q:** Uh-huh.

**A:** They had come in from the park side, so - but I - I still - I don't know for certain who shot. I mean at the time I didn't, for sure.

**Q:** Sure, sure.

**A:** So I mean I - I just kind of, you know, once the girls came, you know, I wasn't trying to engage or anything. I grabbed them and got them out of there, 'cause the shooting was still occurring.

**Q:** Right.

**A:** So...

**Q:** So you take - I mean it sounds like you put people in different cars. Um, did you ever go in the house?

**A:** No, never went in. Uh, Mesmer, she kind of got separated from me.

**Q:** Uh-huh.

A: Um, 'cause as soon as I was pulling them back after the shooting happened, uh, they were yelling to go to the front, so her, Short, and Vijay all started kicking the door.

Q: Mm-hm.

A: Um, she kicked it a few times I think, Short kicked it a couple, I think Vijay finally is the one who kicked it in, and then they all ran inside.

Q: Mm-hm.

A: And then I just - I took the - the girls and then [REDACTED] to cars, and just made sure they were all secured.

Q: Okay.

A: Um, and just waited, and then after that I just waited, uh, with [REDACTED] so...

Q: Okay. Um, while you're there, do you remember dispatch giving you any updates over the air?

A: Uh, I know I heard Code 1, and I heard - I think it was over the radio they were asking for Short to come around with the shield.

Q: Uh-huh.

A: And at some point they were telling dispatch to see, 'cause, um, 'cause [REDACTED] was on - I think she was still on the phone with the call takers through a lot of this, and they were trying to get her to get - leave, to come out the window well while he - while we had him at the front door.

Q: Uh-huh.

A: And then I just remember, you know, someone airing, you know, "Shots fired," um, stuff like that.

Q: Mm-hm.

A: And then - but I don't really remember much more.

Q: Okay. Did you fire any rounds during this incident?

A: No.

Q: Okay. Anything we missed?

A: I don't think so. Um, so, [REDACTED] he's interesting. He's drunk - well, he was, he's sobering up, but he's drunk.

Q: Uh-huh.

A: He was really concerned 'cause his boots and his glasses were inside, and then even afterwards he said, "Just let me go and talk to him, I can get all this straightened out," so I don't know if he knew the severity of it, or - or what.

Q: Uh-huh.

A: But - 'cause he did say eventually he heard the gunshots, so - and then of course, you know, um, he called his CR - since they're Army, he called it his CO.

Q: Uh-huh.

A: He was like, "Hey," telling him, you know, this is what's going on, and he just said, you know, "He must have done something stupid," but he didn't say what, he wouldn't elaborate on that...

Q: Uh-huh.

A: ...while on the phone.

Q: Okay.

A: But yeah, I don't know what led up to any of this, so, but, yeah. Well, that's probably it, I think.

Q: Yeah. Cool. Well, you have my card.

A: Yeah.

Q: If you, uh, think of anything.

A: Yeah. Well, like I said, I'm here for...

Q: Shoot me an email.

A: ...today's my Monday, so...

Q: All right.

A: ...I'll be here the next four days

The transcript has been reviewed with the audio recording submitted and it is an accurate transcription.

Signed \_\_\_\_\_

## Supplement 20200419 2315 Price, Jon #02034

On Sunday, April 19, 2020 at 11:15 pm, I, Detective Jon Price #02034, received a phone call from Detective Sergeant Jacob Abendschan. He directed me to respond to the Office of the Sheriff to assist in the investigation of an Officer Involved Shooting concerning the Colorado Springs Police Department (CSPD).

I arrived at the Office of the Sheriff at 00:02 am on the morning of Monday, April 20th. At 00:31 am Sgt. Abendschan assigned me to the task of composing and obtaining a Search Warrant.

I spoke with EPSO Detective Lisa Montville via telephone. Although this is preliminary information, Detective Montville has learned the following:

At approximately 9:27 pm on April 19th, the Colorado Springs Police Department received a report of a domestic disturbance at 3215 Oak Creek Drive East in the City of Colorado Springs. The disturbance was between a Virgill Thorpe and his [REDACTED] [REDACTED]

[REDACTED] An altercation occurred in the bedroom where Mr. Thorpe reportedly threw [REDACTED] [REDACTED] to the floor. Sometime after this physical encounter, Mr. Thorpe accessed an assault style rifle, which caused Ms. [REDACTED] to contact 911.

Responding Officers staged at the front door of the home due to the report of a weapon being involved. Mr. Thorpe reportedly confronted Officers from inside the house at the front door by yelling "obscurities" at them. He also made threats to shoot the Police Officers.

A friend of Mr. Thorpe, [REDACTED] [REDACTED] was inside the home. He reportedly attempted to reason with Mr. Thorpe, and de-escalate the situation. These attempts were unsuccessful. At some point during the negotiations, Mr. Thorpe made his way to the basement of the residence. Officers, who were still outside, observed Mr. Thorpe point a rifle towards them, at which point they fired their weapons. Mr. Thorpe was injured by the gunfire, and subsequently transported to a local hospital.

This was the extent of the information available at the time I spoke with Detective Montville. I then spoke with EPSO Detective Lisa Gonzalez, who was present at the scene. She described 3215 Oak Creek Drive East as a single-story ranch home with an attached two car garage. The house is beige with red trim. The numerals "3215" are arranged vertically on the right side of the front door in white numerals. There is also a gray, 2011 Chevy Malibu bearing Colorado License plate [REDACTED] [REDACTED] parked in the driveway.

At approximately 1:45 am, I presented an application and affidavit for a Search Warrant electronically to the Honorable Magistrate Catherine Mitchell Helton. After reviewing the documents and swearing me to them, Magistrate Mitchell Helton issued the Search Warrant for 3215 Oak Creek Drive.

I was then assigned by Lieutenant Manzanilla to assist by conducting interviews of several individuals who were waiting in the office. I conducted four interviews in interview room #2. Each interview was video recorded. I had each interview transcribed, and the transcriptions are attached to this supplement. The following are summaries of each interview:

CSPD Officer Heather Mesmer 02:12 am - 02:54 am

Officer Mesmer was a part of the contact team at the front door, and was not at the side of the house when the shooting occurred. Although she did not see a weapon, she recalled hearing Officer Canaan stating, "He has a gun." While speaking with the suspect at the front door she recalled him saying something to the effect, "Do you wanna do work? We can do work."

CSPD Officer Dustin Canaan 02:56 am - 03:16 am

Officer Canaan was a part of the contact team at the front door, and was not at the side of the house when the shooting occurred. At

one point during the contact at the front door he saw the suspect holding a rifle in his right hand. The suspect yelled obscenities and made a comment to the effect, "I'm gonna go to war with you."

CSPD Corporal Vijay Seenath 03:19 am - 03:40 am

Corporal Seenath performed overwatch from across the street, and was not at the side of the house when the shooting occurred. At one point during the contact at the front door he heard the suspect say something to the effect, "Get a fucking warrant". When the shooting began, he feared the suspect was firing shots at persons within the home.

██████████ ██████████ ██████████ 03:49 am - 04:01 am

██████████ ██████████ ██████████ spent the day at the house helping the suspect construct a fence. They later drank beer and sat in a hot tub together. Mr. ██████████ was unaware of any domestic disturbance, and thought the police were at the front door due to a noise complaint. Mr. ██████████ was unaware if the suspect was in possession of a gun, and, in general, was uncooperative in the interview.

Officer Mesmer drew a diagram of 3215 Oak Creek Drive during the interview. I entered this diagram into evidence as item #1.

Officer Canaan also drew a diagram of 3215 Oak Creek Drive during the interview. I entered this diagram into evidence as item #2.

This was the extent of my investigative activities, and I cleared the call at approximately 5:45 am.

Nothing Further

Case Status: Same as original

## ██████████ Transcript

April 20, 2020, 03:49 am – 04:01 am, Interview Room #2, DVD = Evidence item #25

INTERVIEW WITH ██████████ ██████████

Q=Det. Jon Price

A=██████████ ██████████

Q: Okay. Take the black chair please. My name is Jon. I'm a detective here.

A: Okay.

Q: Is it, um, ██████████

A: Mm-hm ██████████.

Q: And what's your birth date please?

A: ██████████.

Q: Okay. And your current address?

A: ██████████.

Q: And a good phone number?

A: ██████████

Q: ██████████

A: ██████████

Q: ██████████

A: ██████████

Q: ██████████ What state is your driver's license out of?

A: [REDACTED]

Q: Okay. So, um, how - how do you know, ah, [REDACTED] and, ah -- sorry, it's really late at night -- Mr. - Mr. Thorpe?

A: Ah, we work together.

Q: All right. Where do you guys work at?

A: We're in the Army.

Q: In the Army? What's your unit?

A: 4-10 Cav.

Q: 4-10 Cav? Has your chain of command been notified?

A: Ah, my first Sergeant has and I called somebody in his troop to let them know so I'm sure yeah. I didn't know for certain that I was being questioned by you guys.

Q: I promise I don't have COVID. I just happen to have something in my throat. Man. How long have you known him?

A: Ah, at least two years.

Q: Have you guys been deployed together?

A: Mm-hm.

Q: Where have you guys been?

A: Ah, we were just in Kuwait and then we came back and went to school together.

Q: How long have you guys been back?

A: Since October.

Q: Okay. All right. So tell me, tell me about what happened today.

A: So I don't know. I know the cops showed up and then he was like talking to them out the door. And me, I was just like, "Yo, go back inside. I got it. I'll walk outside and see what's up," because there was like cops everywhere.

Q: Mm-hm.

A: And then I walked outside with my hands up and stuff and then they brought me down there and sat me down on the pavement and then after that I have no idea what happened. I was sitting there. They had me - one beat cop was sitting there like guarding me. And then next thing you know all I hear is gunshots and then that's that. I don't know what all - what all went on in the house so.

Q: Okay. Why were the cops called?

A: I have no idea actually. Because I called my ride to come pick me up.

Q: Mm-hm.

A: And yeah. They couldn't even come get me because there was cops everywhere for some reason. We have no idea. I have no idea why the cops were called.

Q: Mm-hm.

A: Because all we did prior to that was be in the hot tub. Like that was it so.

Q: What time did you go over there today?

A: Ah, I got over there at 8:00 this morning because I was helping him tear down and put up a new fence.

**Q: So you were there all day?**

**A: Mm-hm.**

**Q: Okay. Did you guys get the fence done?**

**A: No, we got it tore down and then we go the new posts laid and concrete poured so we were waiting for that to dry and then we were gonna finish it tomorrow but.**

**Q: Uh-huh.**

**A: Yeah.**

**Q: So after you guys are done working on the fence, what did you all do?**

**A: Ah, we started grilling and we got some food, put some meat on the grill. We ate. We got in the hot tub. And then literally like after I got out of the hot tub it was like there was cops outside for some reason.**

**Q: Hm.**

**A: I don't - I don't - I don't know why. I don't know if we were being loud in the hot tub or whatever but, yeah. Like I said, I don't know. He was like talking to them out the door. And I told him I would go out there and talk to them. And then when I come out, they like sat me down and put a guard on me and then whatever went on in the house from there.**

**Q: What was he saying to them at the door?**

**A: He was just like, "Why are you guys here?" Like he was just asking like, "Why are you guys fucking with me," or whatever.**

**Q: Yeah.**

**A: Like he felt like he was - like we weren't doing nothing because we were like in the hot tub just chilling.**

**Q: Mm-hm.**

**A: Like I still have like my bathing suit on.**

**Q: Oh okay.**

**A: So.**

**Q: What time did you all get in the hot tub?**

**A: Um, um, it was right before dark.**

**Q: Okay.**

**A: Sun was going down.**

**Q: Was it going - anything going on between him and his** [REDACTED]

**A: Mm-mm, no.**

**Q: No?**

**A: Not that I know of. If it was, it wasn't around me.**

**Q: Hm.**

**A: They were fine in the hot tub because she was in the hot tub with us.**

**Q: Uh-huh.**

A: So.

Q: Okay. Did he have any, ah, weapons on him tonight?

A: Not that I seen. Like I said, ah, he was with me all day today and he didn't have shit on him except a shovel so.

Q: Hm. Does he have - does he own weapons that you know of?

A: Not that I know of, no.

Q: Okay. So tell me a little bit more about, ah, I mean did - did the cops come up and knock on the door or what happened there?

A: Honestly - so I don't know. Like I just heard - so the person who was gonna come pick me up was like, "Yo, there's cops outside." I was like, "That's weird." And that's how we knew.

Q: Hm.

A: And then he - Thorpe went to the door. And I told Thorpe like, "Yo, I'm gonna go outside." Like I didn't drink that much. I was gonna - fixing to leave anyways because it was getting time for me to go home so.

Q: Mm-hm.

A: I was gonna walk outside and then I did. I tried to figure out why they were there, but they was like already for some reason like three of them already waiting.

Q: Hm.

A: Like posted up by the end of his car so.

Q: Mm-hm.

A: And then they put a - like I said, they put a guard on me.

Q: So your friend was out there waiting to pick you up when all this went down?

A: Well they were coming by. They were coming by and then he called and he's like, "Yeah, there's cops everywhere."

Q: Okay.

A: I was like, "Okay."

Q: Oh, so they didn't get there 'til afterwards?

A: Yeah.

Q: All right. Hm.

A: Who? No, they got there before letting me know the cops were there and then that's how we figured out the cops were there but I was like, "Yo, just go back home or whatever. I'll Uber or I'll call you."

Q: What's this friend's name?

A: Ah, [REDACTED] [REDACTED] He's my roommate.

Q: How do you spell it?

A: [REDACTED]

Q: Oh [REDACTED]

A: [REDACTED].

[REDACTED]. And he lives in [REDACTED]

**A: Yeah. He's my roommate.**

**Q: All right. What kind of car does he drive?**

**A: A white [REDACTED] [REDACTED]**

**Q: Okay. I didn't know if he'd been talked to or what, you know, because he might have saw what happened.**

**A: No he didn't. He - he was gone way before anything ever happened.**

**Q: Okay.**

**A: He - he's - like I said, he was coming to pick me up. He was like, "Yo, there's cops outside." And I was like, "All right. I'll tell Thorpe." And then like he was waiting and then I called him and I was like, "Yeah, I don't know. Just drive around or whatever." And then I called hm, because the cops let me keep my phone. I was like, "Yeah, just go back home. It's gonna be a while."**

**Q: Okay.**

**A: So yeah.**

**Q: So when the cops show up at the door, what were they wanting, ah, Thorpe to do?**

**A: Ah, they - so when I walked to the front door, because I was still in the back, I walked up. Thorpe was like - they were like exchanging words. I honestly don't know what they were saying. I really don't. And I was like, "Yo bro. Just go back inside. I'll go out there and talk to them and see like why they're here." And then when I got out there they were like, "Get here now," like pulled me. And I was like, "Okay." And then next thing you know, like more police cars started showing up, they put a guard on me and then I was just sitting on the curb.**

**Q: Mm-hm.**

**A: And then whenever - I tried to ask them if I could go back in and just let him hear my voice, like let him talk to me.**

**Q: Mm-hm.**

**A: And they were like, "No." And then...**

**Q: Did he try - did you want to go inside to chill him out or something?**

**A: Yeah, I wanted to go try and like - if he was acting up I knew if he heard me he would calm down. He would talk to me. And I tried to ask them to go back inside and they were like, "No, just stay out here."**

**Q: Huh.**

**A: Because I - I was begging them, like honestly I was to go back in there but they didn't let me. Which is - I mean I guess it's protocol or whatever. I don't know how cops work but.**

**Q: Hm. You guys having some beers tonight?**

**A: Yeah.**

**Q: How much did Thorpe have to drink?**

**A: Ah, I don't know. I know we drank maybe a six pack a piece.**

**Q: Okay. What time did you all start drinking?**

**A: Ah, I started around I want to say 2:00. Probably when I lit the grill, like 2:00 pm.**

**Q: Mm-hm.**

**A: He was drinking then too so I'd say then.**

**Q: That's not very much. If you started at 2:00, that's like seven hours?**

**A: Well yeah. I mean I don't know how much he drank. I would say what I seen was a six pack a piece.**

**Q: Uh-huh.**

**A: But honestly I'm not like paying attention to how much somebody drinks if I'm being honest with you. I'm just chilling and drinking and getting in the hot tub.**

**Q: Right?**

**A: So.**

**Q: Hm.**

**A: I don't know if he was drinking before that either so. I mean yeah, I was over there all day but I didn't see him drinking anything.**

**Q: Okay. Who all - who else was there? Was there anybody else from your unit there during the day or?**

**A: Ah, yeah. There was a couple of other people. I don't know their - like I don't know one of the dude's name. It's some dude Thorpe works with. I don't know the dude's name. I don't know his first name. His last name is [REDACTED].**

**Q: [REDACTED]?**

**A: Mm-hm.**

**Q: Okay. What time did they leave?**

**A: Ah, shit. Probably around 1:00 or 2:00.**

**Q: Okay.**

**A: Yeah, 1:00, because we were - that concrete, we were just waiting on that concrete to dry.**

**Q: Do you go over there and hang out frequently or?**

**A: Ah, actually that's only the second time I've been over to his house.**

**Q: Really?**

**A: Yeah. He's been over to my house once too.**

**Q: Hm.**

**A: So.**

**Q: So do you know his [REDACTED] very well?**

**A: [REDACTED]**

**Q: Yeah.**

**A: I mean the only time I've been around him. I don't know her like personally.**

**Q: Uh-huh. What's their relationship like?**

**A: They've been fine every time I've been with them.**

**Q: Has he ever told you that they were having problems?**

**A: No.**

**Q: So tell me about the incident with the police?**

**A:** Like I said I don't know. I told him I was gonna walk outside and try to like see why they were there.

**Q:** Mm-hm.

**A:** The was like three of them that I remember was standing at the end of the driveway and pulled me - told me to come with them. And then they like pulled me behind 'em.

**Q:** Did you hear gunshots tonight?

**A:** Yes.

**Q:** Okay. So tell me about that.

**A:** I was sitting on the curb after I was begging them to let me go in there and talk to him.

**Q:** Mm-hm.

**A:** They were like, "No." And I was like, "All right, whatever. Let's" - I was like, "Please just let me go in there." And they were like, "No." And I'm sitting on the curb and then I hear like commotion and then all I hear is just gunshots.

**Q:** Mm-hm.

**A:** So.

**Q:** Could you hear were they shooting at him? Was he shooting at them?

**A:** I have no idea.

**Q:** Could you tell what was going on?

**A:** No. I had no idea. I was sitting on the side on the bottom right curb towards the street.

**Q:** Okay. And you say you heard a commotion. What does - what does that mean?

**A:** Like just like the cops trying to talk to him. I don't know if they were like what they were doing. I just heard them talk. But honestly I just heard the cops talking.

**Q:** Were they telling him to do something?

**A:** I don't know what they were doing. I really don't.

**Q:** All right. You don't know much?

**A:** No, I was outside sitting on the curb.

**Q:** Yeah.

**A:** I wasn't there for the rest of it.

**Q:** Okay. Anything else you can tell me about what's going on tonight?

**A:** No. In fact I just want to go home and go to bed.

**Q:** I gotcha. Roger that. We're almost done so. All right. Give me a minute. I'll be right back in with you, okay?

**A:** Okay.

**The transcript has been reviewed with the audio recording submitted and it is an accurate transcription.**

**Signed** \_\_\_\_\_

## Supplement 20200419 2300 Abendshan, Jake #02020

The following supplements case number 20-4764 taken by Detective Jon Price on April 20, 2020.

On April 19, 2020 at approximately 2300 hours, I Sergeant Jake Abendschan received a phone call from Lt. David Manzanilla regarding an officer involved shooting investigation. Lt. Manzanilla told me four Colorado Springs Police Department (CSPD) officers were involved in an incident at 3215 Oak Creek Drive East in Colorado Springs within the County of El Paso and the State of Colorado.

### INITIAL INFORMATION

After contacting several detectives, I responded to the scene, arriving at 0004 hours. I contacted Sergeant Kory Dabb and Sergeant [REDACTED] Wilhelmi with CSPD. Sergeants Dabb and Wilhelmi provided a briefing of the incident. The initial call was for a family disturbance during which the suspect was reported to have a rifle. The suspect also reportedly told a reporting party that he would shoot at police when they responded.

Responding officers set up around the residence. The suspect came out of the residence and yelled at the officers then went back inside. Officers were assisting other occupants of the home out of a basement window. The suspect pointed a gun at the officers who began firing at the suspect through the basement window. Four officers were identified that had fired their weapons. The suspect was identified as Virgill Thorpe. (121391) Officers had to kick open the front door to enter the residence and secure Mr. Thorpe.

Mr. Thorpe was transported to [REDACTED] Hospital where he was pronounced dead at 2341 hours.

Four people were in the residence at the time of the call. They were transported to the Office of the Sheriff for interviews.

### ACTIVITY ON SCENE

My role as the scene sergeant included prioritizing, assigning and supervising the work of the detectives involved in the investigation. Each detective will complete a supplement detailing their specific roles and actions during the investigation. Please refer to their reports for information. Initial assignments were as follows:

Scene Detective - Lisa Montville and Lisa Gonzalez (training)

POC officer processing - David Glenn and Jeff Schulz (training)

OTS warrants and interviews - Jon Price, Karl Mai

[REDACTED] Hospital - Brad Whitehead.

I have nothing further.

## Supplement 20200520 1320 Whitehead, Bradley #05071

2020-00004764 (8) Photographs of X-Rays by Det. Crofoot:

On Tuesday, May 5, 2020, at about 1:20 pm, I, Detective Bradley Whitehead, #05071, of the El Paso County Sheriff's Office Investigation's Division, was advised the photographs of the X-Rays taken by Detective Crofoot were not included in my earlier supplement.

I located the photographs and downloaded them to a CD. I placed the CD into Evidence Locker #INV1 as Item #122.

I have nothing further at this time.

Case Status: Active

El Paso County Sheriff  
Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Whitehead, Bradley 05071**

Barcode	Item #	Item Type	Description
 1157275	122	CD/DVD(s)	VERBATIM Serial #:  CD CONTAINING X-RAYS OF THORPE TAKEN BY DETECTIVE CROFOOT

Mandatory Info: **Evidence**

Collected by: Whitehead, Bradley 05071  
Recovery Address: 27 E VERMIJO AVE  
Homicide #:

Evidence entered: 05/05/2020  
Current Location: Evidence Intake

# Evidence voucher for item 126

## El Paso County Sheriff Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Montville, Lisa 01060**

Barcode	Item #	Item Type	Description
 1157525	126	CD/DVD(s)	Serial #:  ONE CD CONTAINING FARO SCANS FROM SCENE, REC'D FROM CSI ZALESKI TO MONTVILLE @POC
Mandatory Info: <b>Evidence</b>			<b>Evidence entered: 05/12/2020</b> <b>Current Location: Evidence Intake</b>
Collected by: Montville, Lisa 01060 Recovery Address: 705 SOUTH NEVADA AVENUE Homicide #:			

## Supplement 20200512 1200 Montville, Lisa #01060

Case Supplement, 20-4764

### Detective Statement:

On May 12, 2020, at about 12:00 p m., I, Detective Montville met with Crime Scene Investigator Robert Zaleski, at the Police Operations Center, located at 705 South Nevada Avenue, in Colorado Springs, Colorado.

Zaleski gave me a CD containing copies of the FARO scans for this case. I entered the CD into the El Paso County Sheriff's Office Evidence Facility under item number 126. A copy of the evidence voucher is attached to this supplement.

Nothing Follows.

Case Status: ACT-INV

## Supplement 20200512 1345 Montville, Lisa #01060

Case Supplement, 20-4764

### Detective Statement:

On May 12, 2020, at about 1:45 p m., I, Detective Montville received a CD from Colorado Springs Police Department Detective Jerry Schifflbein. The CD contained copies of Colorado Springs Police Department case number 20-14453 and 20-14460. Also included on the CD were digital photographs collected during the course of CSPD's investigations.

I placed the CD into the El Paso County Sheriff's Office Evidence Facility under item number 125. A copy of the evidence voucher is attached to this supplement.

Nothing Follows.

Case Status: ACT-INV

## Supplement 20200513 1537 Riley, Mark #02073

Case number: 2020-00004764

Offense: Att. Murder of Peace Officer

Date: 05/13/20

By: Detective Mark Riley #02073

On May 13, 2020, I, Detective Mark Riley #02073 of the El Paso County Sheriff's Office (EPSO), Investigation Division, conducted follow up on this case.

On May 12, 2020, at approximately 3:37 p m., I received an email from Sandy Way with the El Paso County Coroner's Office. Attached to the email was the Autopsy Report for Virgill Thorpe.

The autopsy was completed by [REDACTED] [REDACTED] [REDACTED] on 04/20/20 at 8:00 a m. The date of death is listed as 04/19/20 at 11:41 p m. The final diagnosis documented the following wounds; additional information is contained under each wound. For further details, review the attached Autopsy Report.

- I. Gunshot wound of the occipital scalp (GSW #1)
- II. Gunshot wound of right shoulder (GSW #2)
- III. Gunshot wound of the right back (GSW #3)
- IV. Gunshot wound of the left arm (GSW #4)
- V. Gunshot wound of the right mid back (GSW #5)
- VI. Graze a gunshot wound of the right hand (GSW #6)

- VII. Graze gunshot wound of left second finger (GSW #7)
- VIII. Graze gunshot wound of left third fingertip (GSW #8)
- IX. Gunshot wound of left back and abdomen (GSW #9)
- X. Gunshot wound of the left hip (GSW #10)
- XI. Gunshot wound of the legs (GSW #11)
- XII. Gunshot wound of the left ankle and foot (GSW #12)
- XIII. Shrapnel defects, back, upper extremities, and thighs
- XIV. Bullet fragments recovered from abdomen, associated with GSW's 9 and/or 10.
- XV. Status post hospitalization with bilateral thoracotomies, right upper lobe wedge Resection, laparotomy, and massive blood transfusion..

The opinion written by [REDACTED] states "It is my opinion that Virgill Thorpe, a 28-year-old Black male, died as a result of multiple gunshot wounds. These injuries were sustained in an encounter with law enforcement with multiple interposed targets to include window glass, metal framing of window, rifle held by decedent, metal framing of window well, and sheet rock."

"MANNER OF DEATH: Homicide."

A copy of the autopsy report is included with this supplemental report.

Case Status: SAO

05-15-20 EPSO Discovery Release- Signed



**EPSO Case #** 20-4764  
**Docket #** 2020DA112  
**Defendant(s):** Thorpe, Virgill  
**Victim(s):** Nassar, Eddie

Section	Description	Pages	Media
01	Case Core	0001-0152	PDF
02	Evidence Reports	0001-0033	PDF
03	Lab Requests/Reports	0001-0012	PDF
04	Autopsy Report	0001-0016	PDF
05	Victim Information	No reports	
06	Suspect Information	No reports	
07	Diagrams/Maps	0001-0004	PDF
08	Media Information	0001	PDF
09	DA Reports	0001-0006	PDF
10	Other Reports	0001-0012	PDF
10A	CSPD Case Report 20-14453	0001-0160	PDF
11	Records	0001-0006	PDF
12	Legal Papers	No reports	
13	Miscellaneous	0001-0083	PDF
14	Arrest Warrants	No reports	
15	Search Warrants	0001-0010	PDF
16	Correspondence	0001	PDF
17	Toll/Phone Records	No reports	
18	Photocopied Evidence	No reports	
19	Search Waivers	0001	PDF
20	Witnesses	No reports	
21	Vehicle Information	No reports	
22	Utility Records	No reports	
23	911/Radio Traffic	0001-0012	PDF
Digital Media			
Barcode	Description	Item #	Media
1156727	Photos of Call Log	5	CD
1156761	Evidence Processing Photos	13	CD
1156762	[REDACTED] Interview	14	DVD
1156763	[REDACTED] Interview	15	DVD
1156764	[REDACTED] Interview	16	DVD
1156765	Eddie Nassar Interview and Diagram	17	DVD
1156766	Photos of [REDACTED] Injuries	18	CD
1156776	Chris Csajkowski Interview	21	DVD
1156824	Josep Somosky Interview	27	DVD
1156854	Metro Crime Lab Photos	28	DVD
1156856	CSPD Radio Traffic, Call Screens, 911 Calls, and Dispatch Records	29	DVD
1157000	Hospital Photos of Thorpe taken by CSPD Crofoot	56	CD

Rev 2019.v.1 071119



## Supplement 20200527 0700 Montville, Lisa #01060

Case Supplement, 20-4764

### Detective Statement:

On May 27, 2020, at about 7:00 a.m., I, Detective Montville met with Detective Jerry Schiffelbein, at the Office of the Sheriff, located at 27 East Vermijo Avenue, in Colorado Springs, Colorado. Detective Schiffelbein gave me a USB drive containing an analysis of body worn camera collected from multiple CSPD officers involved in this case. The analysis was performed by a company contracted with the Colorado Springs Police Department. The analysis was received by Colorado Springs Police Department Commander Mandel. Detective Schiffelbein stated a supplement will be completed by CSPD reference the information contained on the drive.

I placed the USB drive into the El Paso County Sheriff's Office Evidence Facility under item number 127. A copy of the evidence voucher is attached to this report.

Nothing Follows.

Case Status: ACT-INV

## Supplement 2020514 0830 Montville, Lisa #01060

Case Supplement, 20-4764

### Detective Statement:

On May 14, 2020, at about 8:30 a.m., I, Detective Montville received an email from El Paso County Sheriff's Office Deputy Glenn Boarman. Attached to the email was a copy of the [REDACTED] for the Eagle Arms, Eagle-15 rifle bearing serial number: [REDACTED]. The e-trace data is compiled and distributed by the Bureau of Alcohol, Tobacco, Firearms and Explosives.

The rifle was purchased on March 2, 2018, at Springs Armory, located at 2462 Waynoka Road, Colorado Springs, Colorado, 80915. The rifle was purchased by Virgill Obrian Thorpe DOB: 12/13/1991. A copy of the [REDACTED] is attached to this supplement.

Nothing Follows.

Case Status: ACT-INV



**METRO CRIME LABORATORY**705 South Nevada Avenue, Suite B200 Colorado Springs, CO 80903  
Phone: (719)444-7750 Fax: (719)444-7924**LABORATORY REPORT****Requesting Agency:** Case No.: 20-04764  
El Paso County Sheriffs Office  
27 E Vermijo Av  
Colorado Springs, CO 80903**Lab Case Number:** 20MCL01048**Unit:** Latent Prints**Analyst:** Alyssa Berriesford, 6048**Related Lab Case :** 20MCL01060

20-14453 Colorado Springs Police Department

**Request Submitted By:** Det. Lisa Montville, 01060**Request Date:** Mon May 04, 2020**Report Date:** Wed Jun 03, 2020**Offense:** Homicide: Murder/Non-negligent Manslaughter**Suspect:** THORPE, Virgill**DOB:** 12/13/1991**Victims:** CZAJKOWSKI, OFFICER KRISTOFER**DOB:** --/--/----

NASSAR, OFFICER EDDIE

--/--/----

SOMOSKY, CORPORAL JOSEPH

--/--/----

WARREN, OFFICER CHARLES

--/--/----

**REQUESTED SERVICE -** [Latent Print - DNA Swab/Process]**EVIDENCE ITEMS**

Barcode (Item No.)	Item description
6048 S-05-A (S-05-A)	(2 SETS) POSS BLOOD SWABS REC'D FROM SIDES OF SHOULDER STOCK (1) & BARREL/RECEIVER (1) OF EAGLE ARMS FIREARM ON 06/01/20.
6048 S-05-B (S-05-B)	(1 SET) TRACE DNA SWABS REC'D FROM GRIP, TRIGGER, INT TRIGGER GUARD, TOP OF SHOULDER STOCK, RELEASE MECH & BROKEN PLASTIC PIECE OF EAGLE ARMS FIREARM ON 06/01/20
6883 S-05 (S-05)	BLACK 'EAGLE ARMS" RIFLE W/POSS BLDSTAINS ( [REDACTED] ) ID'D USING PLAC 5 REC'D FROM NORTH BASEMENT RM NORTH OF SOUTH WALL ON 4/20/20.

**LOCATION:** 705 S Nevada Av (Colorado Springs Police Department Metro Forensic Crime Laboratory)**RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS****Barcode 6883 S-05 (S-05):** BLACK 'EAGLE ARMS" RIFLE W/POSS BLDSTAINS ( [REDACTED] ) ID'D USING PLAC 5 REC'D FROM NORTH BASEMENT RM NORTH OF SOUTH WALL ON 4/20/20.

The following processes were utilized:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Cyanoacrylate fuming   | <input type="checkbox"/> 1,8 - Diazafluoren-9-one                     |
| <input type="checkbox"/> Rhodamine 6G  | <input type="checkbox"/> Ninhydrin                                    |
| <input checked="" type="checkbox"/> Basic Yellow   | <input type="checkbox"/> RUVIS - Reflected Ultraviolet Imaging System |
| <input checked="" type="checkbox"/> Alternate Light Source   | <input type="checkbox"/> Powder                                       |
| <input type="checkbox"/> Other: _____  |   |
| <input checked="" type="checkbox"/> Latent prints recovered <b>Photographs uploaded to DIMS</b>          |   |
| <input checked="" type="checkbox"/> Possible biological sample recovered <b>6048 S-05-A, 6048 S-05-B</b> |   |
| <input type="checkbox"/> Trace sample recovered _____  |   |

**Comments/Results:** Possible bloodstains were observed and photographed. Separate sets of possible blood swabs were collected from the sides of the shoulder stock and the barrel/receiver of the firearm (Two sets total). One set of trace DNA swabs was collected from the grip, trigger, interior trigger guard, top of the shoulder stock, release mechanisms, and broken plastic piece.**Date(s) Processed:** 5/29/2020

20MCL01048.0005\_20200504\_ReqID\_022686

Report v.2016.09.30



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# METRO CRIME LABORATORY REPORT CONTINUATION

Lab Case No.: **20MCL01048**

Agency Case No.: **2004764 (EPSO)**

## EVIDENCE DISPOSITION

Items were either transferred to an EPSO Evidence Technician or to a lab technician for further analysis.

**END OF REPORT**

*Alyssa Berriesford*

**Assigned Analyst**

Alyssa Berriesford | 6048  
CSI

20MCL01048.0005\_20200504\_ReqID\_022686

Report v.2016.09.30



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**METRO CRIME LABORATORY**

705 South Nevada Avenue, Suite B200 Colorado Springs, CO 80903  
 Phone: (719)444-7750 Fax: (719)444-7924

**LABORATORY REPORT**

**Requesting Agency:** Case No: 20-04764  
 El Paso County Sheriffs Office  
 27 E Vermijo Av  
 Colorado Springs, CO 80903

**Lab Case Number:** 20MCL01048

**Unit:** Crime Scene Investigations

**Related Lab Case :** 20MCL01060  
 20-14453 Colorado Springs Police Department

**Request Submitted By:** Det. Lisa Montville, 1060

**Crime Scene Inv.:** Robert Zaleski, 6883

**Request Date:** Mon Apr 20, 2020

**Report Date:** Fri Jun 05, 2020 14:06

**Offenses:** All Other Offenses

Homicide: Murder/Non-negligent Manslaughter

**Subjects:** [REDACTED]

**DOB:** [REDACTED]

**Suspect:** THORPE, VIRGILL

**DOB:** 12/13/1991

**REQUESTED SERVICE - Process** [Crime Scene - Response]

**CSI RESPONSE DOCUMENTATION**

**CSI - Scene Processing**

SCENE PROCESSING LOCATION	3D SCANS	UAV	Images (DIMS)
	[X]	[ ]	[X]

Evidence item(s) related to Scene processing of

- 6883 S-01 (S-01) {OTHER - NOT LISTED} WHITE "OPTILUBE" WRAPPER W/POSS BLOODSTAINS REC'D FROM LOWER 2ND BASEMENT STAIR ID'D AS PLAC 1 ON 4/20/20.
- 6883 S-02 (S-02) {FIREARM - MAG} 3 GREY EMPTY RIFLE MAGAZINES REC'D FROM SE CORNER OF S BASEMENT ROOM ON BAR COUNTER ID'D AS PLAC 2 ON 4/20/20.
- 6883 S-03 (S-03) {OTHER - NOT LISTED} WHITE FACE TOWEL W/POSS BLDSTAINS ID'D AS PLAC 3 REC'D FROM N BASEMENT RM E OF LAUNDRY RM DOOR ON 4/20/20
- 6883 S-04 (S-04) {CLOTHING} WHITE "PINK VICTORIA SECRET" HOODED JACKET W/ POSS BLDSTAINS AND DEFECTS ID'D USING PLAC 4 REC'D IN N BASEMENT RM HANGING FROM AIRDUCT ON 4/20/20.
- 6883 S-04A (S-04A) {TRACE} TRACE HAIR REC'D FROM ITEM S-04 (PLAC 4) ON 4/20/20.
- 6883 S-05 (S-05) {FIREARM - LONG GUN (APPROVAL)} BLACK 'EAGLE ARMS" RIFLE W/POSS BLDSTAINS [REDACTED] ID'D USING PLAC 5 REC'D FROM NORTH BASEMENT RM NORTH OF SOUTH WALL ON 4/20/20.
- 6883 S-05A (S-05A) {FIREARM - MAG} BLK "PMAG 30 M4/AR MOE" 5.56 X 45 MAG W/MULT LIVE CARTRDGS & POSS BLDSTN; CHMBRD LIVE CARTRIDGE (HS: LC 17 +) REC'D FM ITEM 5 (EAGLE ARMS RIFLE) ID'D AS PLAC 5 ON 4/20/20.
- 6883 S-06 (S-06) {FIREARM - SHOTSHELL/CASING (LG FIRED)} BRASS RIFLE CARTRIDGE CASING (HS:LC 17 +) REC'D FROM N BASEMENT ROOM ON CARPET N OF S WALL ID'D USING PLAC 6 ON 4/20/20.

**METRO CRIME LABORATORY**

**REPORT CONTINUATION**

Lab Case No.: 20MCL01048

Agency Case No.: 20-04764 [EPSO]

**CSI - Scene Processing**

**SCENE PROCESSING LOCATION**

**3D SCANS**

**UAV**

**Images (DIMS)**

[X]

[ ]

[X]

6883 5-07 (5-07)	{FIREARM - SHOTSHELL/CASING (LG FIRED)} BRASS RIFLE CARTRIDGE CASING (HS: WINCHESTER REM 223) ID'D USING PLAC 7 REC'D IN ROCKS IN NW BASEMENT WINDOW WELL ON 4/20/20.
6883 5-08 (5-08)	{FIREARM - PARTS/ACCESSORIES} BROKEN METAL GUN PART ID'D USING PLAC 8 REC'D IN ROCKS IN NW BASEMENT WINDOW WELL ON 4/20/20.
6883 5-09 (5-09)	{FIREARM - PARTS/ACCESSORIES} BLACK PLASTIC GUN PART ID'D USING PLAC 9 REC'D IN ROCKS NW BASEMENT WINDOW WELL ON 4/20/20.
6883 5-10 (5-10)	{DOCUMENT} WHITE ENVELOPE W/POSS BLDSTAINS & LETTER CONTAINING "ANTHONY D DAVIS TAX DOCUMENTS" ID'D USING PLAC 10 REC'D IN N BASEMENT RM ON FLOOR E OF FOOT OF BED ON 4/20/20.
6883 5-11 (5-11)	{FIREARM - SHOTSHELL/CASING (LG FIRED)} (3) BRASS RIFLE CARTRIDGE CASINGS (HS: WINCHESTER REM 223) ID'D USING PLAC 11 REC'D N OF NW WINDOW WELL IN GRASS ON 4/20/20.
6883 5-12 (5-12)	{FIREARM - SHOTSHELL/CASING (LG FIRED)} (20) BRASS RIFLE CARTRIDGE CASINGS (HS: WINCHESTER REM 223) ID'D USING PLAC 12 REC'D FROM NW SIDE OF HOUSE W OF WINDOW WELL IN ROCKS ON 4/20/20.
6883 5-13 (5-13)	{FIREARM - SHELL CASING (HG FIRED)} (6) SILVER COLOR HANDGUN CARTRIDGE CASINGS (4 HS: WCC +P+ 1 8) (2 HS: WCC +P+ 16) ID'D USING PLAC 13 REC'D N OF HOUSE IN ROCKS ON 4/20/20.
6883 5-14 (5-14)	{FIREARM - PROJECTILE FRAGMENT} (2) PROJECTILE FRAGMENTS (TAW: 0.2G/2GN) ID'D USING PLAC 14 REC'D FROM N BASEMENT RM ON INTERIOR NW WINDOW SILL ON 4/20/20.
6883 5-15 (5-15)	{DIGITAL - PHONE/PAGER} VERIZON SAMSUNG (MODEL: SM-A102U) CELL PHONE W/ CASE. IMEI: 356983102022990 ID'D USING PLAC 15 REC'D FROM N BASEMENT RM UNDER BED ON 4/20/20.
6883 5-16 (5-16)	{DIGITAL - COMPUTER} SILVER COLOR HP INTEL 7 GEN LAPTOP [REDACTED] W/POWER CORD ID'D USING PLAC 16 REC'D FROM DINING RM TABLE E OF FRONT DOOR ON 4/20/20.
6883 5-17 (5-17)	{DIGITAL - PHONE/PAGER} SAMSUNG GALAXY S10 CELL PHONE W/CASE (IMEI: UNKNOWN) ID'D AS PLAC 17 REC'D FROM NW KITCHEN COUNTER ON 4/20/20.
6883 5-18 (5-18)	{DIGITAL - PHONE/PAGER} SAMSUNG GALAXY S9 CELL PHONE (IMEI:356915/09/409961/0) W/ SD CARD ID'D USING PLAC 18 REC'D FROM LIVING RM ON N END OF TV STAND ON 4/20/20.
6883 5-19 (5-19)	{DIGITAL - COMPUTER} GREY HP INTEL CORE I3 LAPTOP [REDACTED] W/ POWER CORD ID'D USING PLAC 19 REC'D IN LIVING ROOM ON COFFEE TABLE IN CENTER OF ROOM ON 4/20/20.
6883 5-20 (5-20)	{HOUSEHOLD - ACCESSORY} WOODEN CLOTHING DRYING RACK W/POSS BLDSTAINS & DEFECT ID'D USING PLACARD 21 REC'D FROM N BASEMENT RM NEAR EAST WALL ON 4/20/20.

**METRO CRIME LABORATORY**  
**REPORT CONTINUATION**

Lab Case No.: 20MCL01048

Agency Case No.: 20-04764 [EPSO]

**CSI - Scene Processing**

**SCENE PROCESSING LOCATION**

**3D SCANS**

**UAV**

**Images (DIMS)**

[X]

[ ]

[X]

6883 S-20A (S-20A)	{CLOTHING} GRN/WHT/YLW "1991" HOODED SWEATSHIRT W/POSS BLOODSTAINS & DEFECTS REC'D FROM ITEM S-20 (PLAC 21) ON 4/20/20.
6883 S-20B (6883 S-20B)	{CLOTHING} PURPLE/WHITE TYEDYE "NO BOUNDARIES" SHORT SLEEVE SHIRT (SIZE M) W/POSS BLDSTAINS & DEFECTS REC'D FROM ITEM S-20 (PLAC 21) ON 4/20/20.
6883 S-20C (S-20C)	{CLOTHING} BROWN "ROMA CONCEPT" SWEATPANTS (SIZE L) W/POSS BLDSTAINS & DEFECTS REC'D FROM ITEM S-20 (PLAC 21) ON 4/20/20.
6883 S-20D (S-20D)	{CLOTHING} PINK "DIG PINK" SHORT SLEEVE T SHIRT W/POSS BLDSTAINS & DEFECTS REC'D FROM ITEM S-20 (PLAC 21) ON 4/20/20.
6883 S-20E (S-20E)	{CLOTHING} WHITE SLEEVELESS UNDERSHIRT REC'D FROM ITEM S-20 (PLAC 21) ON 4/20/20.
6883 S-20F (S-20F)	{CLOTHING} DARK BLUE "REEBOK SPEEDWICK PERFORMANCE UNDERWEAR (SIZE M) W/POSS BLDSTAINS REC'D FROM ITEM S-20 (PLAC 21) ON 4/20/20.
6883 S-20G (S-20G)	{CLOTHING} LIGHT PURPLE "PINK VICTORIAS SECRET" UNDERWEAR (SIZE M) W/POSS BLDSTAINS REC'D FROM ITEM S-20 (PLAC 21) ON 4/20/20.
6883 S-20H (S-20H)	{CLOTHING} BLACK "EMBRACE YOUR LOVE" LEGGINGS (SIZE M) W/POSS BLOODSTAINS REC'D FROM ITEM S-20 (PLAC 21) ON 4/20/20.
6883 S-20I (S-20I)	{CLOTHING} GREY WOMENS UNDERWEAR W/POSS BLOODSTAINS REC'D FROM ITEM S-20 (PLAC 21) ON 4/20/20.
6883 S-20J (S-20J)	{CLOTHING} LIGHT GREY "H&M DIVIDED" LONG SLEEVE SHIRT W/POSS BLOODSTAINS (SIZE M) REC'D FROM ITEM S-20 (PLAC 21) ON 4/20/20.
6883 S-20K (S-20K)	{CLOTHING} BLACK SOCK W/POSS BLOODSTAINS & DEFECTS REC'D FROM ITEM S-20 (PLAC 21) ON 4/20/20.
6883 S-21 (S-21)	{FIREARM - AMMO} (1) BRASS GREEN TIPPED LIVE CARTRIDGE (HS: LC 17 +) REC'D FROM N BASEMENT ROOM UNDER GREY FURRY STOOL IN FRONT OF FOOT OF BED ON 4/20/20.
6883 S-22 (S-22)	{POSS BLOOD SAMPLE} POSSIBLE BLOOD SWAB REC'D FROM REAR DRIVER SIDE SEAT OF CSPD POLICE CRUISER 2808 LP# (CO) 404-PRP ON 4/20/20.
6883 S-23 (S-23)	{FIREARM - CASE/HOLSTER} BLK "CANIK" GUN BOX W/ GUN ACCESSORIES REC'D FROM FIRST FLOOR MASTER BEDROOM ON 4/20/20.
6883 S-23A (S-23A)	{FIREARM - HANDGUN (APPROVAL)} BLACK "CANIK CENTURY ARMS INC. TP9 SF" HANDGUN (██████████ AT 13922) REC'D FROM ITEM S-23 (BLACK "CANIK" GUN BOX) ON 4/20/20.
6883 S-23B (S-23B)	{FIREARM - MAG} (2) BLK "MEC-GAR MFG. FOR CANIK- TP SERIES" WITH MULTIPLE LIVE CARTRIDGES REC'D FROM ITEM S-23 ON 4/20/20.
6883 S-24 (S-24)	{OTHER - NOT LISTED} GREEN METAL " FEDERAL AMMUNITION 5.56X45MM 420 ROUNDS" AMMUNITION BOX REC'D FROM FIRST FLOOR MASTER BEDROOM CLOSET ON 4/20/20.
6883 S-25 (S-25)	{FIREARM - CASE/HOLSTER} BLK HOLSTER REC'D FROM FIRST FLOOR MASTER BEDROOM NORTH DRESSER TOP WESTERM MOST DRAWER ON 4/20/20.

**METRO CRIME LABORATORY**  
**REPORT CONTINUATION**

Lab Case No.: **20MCL01048**

Agency Case No.: **20-04764 [EPSO]**

**CSI - Scene Processing**

**SCENE PROCESSING LOCATION**

**3D SCANS**

**UAV**

**Images (DIMS)**

**[X]**

**[ ]**

**[X]**

6883 S-26 (S-26)	{ <b>FIREARM - AMMO</b> } WHITE "WINCHESTER 9MM LUGER" BOX CONTAINING MULT LIVE CARTRIDGES (HS:WIN 9MM LUGER) REC'D FM 1ST FLR MASTER BDRM DRESSER ON N DRESSER ON 4/20/20.
6883 S-27 (S-27)	{ <b>POSS BLOOD SAMPLE</b> } (4) POSS BLD SWABS ID'D AS PLAC A (SIDEWALK W OF ENTRY DR), B & E (ENTRY HALLWAY FLR), & G (WOODEN BANISTER) REC'D FM 1ST FLR OF RESIDENCE ON 4/20/20.
6883 S-28 (S-28)	{ <b>POSS BLOOD SAMPLE</b> } POSS BLOOD SWAB ID'D AS PLAC I REC'D FROM FIRST FLR MASTER BEDROOM ON FLR TO THE SOUTH SIDE OF THE BED ON 4/20/20.
6883 S-29 (S-29)	{ <b>POSS BLOOD SAMPLE</b> } POSS BLOOD SWAB ID'D USING PLAC N REC'D FROM N BASEMENT RM N OF DEHUMIDIFIER ON CARPET ON 4/20/20.
6883 S-30 (S-30)	{ <b>POSS BLOOD SAMPLE</b> } (7) POSS BLOOD SWABS ID'D USING ADHESIVE SCALES BS4, BS7, BS12, BS15, BS17, BS18, & BS20 REC'D FROM N BASEMENT ROOM ON 4/20/20.
6883 S-31 (S-31)	{ <b>FIREARM - CASE/HOLSTER</b> } LIGHT BROWN "BLACKHAWK!" GUN HOLSTER REC'D IN S BASEMENT ROOM ON CRATE AGAINST S WALL ON 4/20/20.
6883 S-32 (S-32)	{ <b>FIREARM - MAG</b> } (4) GREY 15 COUNT EMPTY MAGAZINES REC'D FROM S BASEMENT ROOM ON CRATE NEXT TO S WALL ON 4/20/20.
6883 S-33 (S-33)	{ <b>FIREARM - MAG</b> } (4) BROWN EMPTY RIFLE MAGAZINES REC'D FROM S BASEMENT ROOM IN BROWN DUFFLE BAG IN FRONT OF FIREPLACE ON 4/20/20.
6883 S-34 (S-34)	{ <b>DIGITAL - PHONE/PAGER</b> } SAMSUNG GALAXY S10 (IMEI: 357295100830244) W/ CHARGER REC'D FROM FIRST FLOOR KITCHEN TABLE AGAINST N WALL ON 4/20/20.
6883 S-35 (S-35)	{ <b>FIREARM - PROJECTILE FRAGMENT</b> } DEFORMED PROJECTILE FRAGMENT (TAW:0.9G/14GN) REC'D FROM WEST END OF NW WINDOW WELL ON 4/20/20.
6883 S-36 (S-36)	{ <b>FIREARM - PROJECTILE FRAGMENT</b> } DEFORMED PROJECTILE FRAGMENT (TAW:1.4G/22GN) REC'D FROM EAST CORNER OF NORTHWEST WINDOW WELL ON 4/20/20.
6883 S-37 (S-37)	{ <b>FIREARM - SHOTSHELL/CASING (LG FIRED)</b> } BRASS CARTRIDGE CASING (HS: WINCHESTER 223 REM) REC'D FROM N SIDE OF NW WINDOW WELL ON 4/20/20.
6883 S-38 (S-38)	{ <b>FIREARM - PROJECTILE FRAGMENT</b> } DEFORMED PROJECTILE FRAGMENT (TAW:0.1G/2GN) REC'D FROM N BASEMENT ROOM PLASTIC CEILING LIGHT PANEL ON 4/20/20.
6883 S-39 (S-39)	{ <b>FIREARM - PROJECTILE FRAGMENT</b> } DEFORMED PROJECTILE FRAGMENT (TAW:1.0G/14GN) REC'D FROM CENTER OF N BASEMENT ROOM ON CARPET ON 4/20/20.
6883 S-40 (S-40)	{ <b>FIREARM - PROJECTILE FRAGMENT</b> } (5) DEFORMED PROJECTILE FRAGMENTS (TAW:1.1G/18GN) REC'D FROM N BASEMENT ROOM UNDER WINDOW UNDERNEATH CARPET ON 4/20/20.
6883 S-41 (S-41)	{ <b>FIREARM - PROJECTILE FRAGMENT</b> } (5) DEFORMED PROJECTILE FRAGMENTS (TAW 1.0G/16GN) REC'D FROM N BASEMENT ROOM NW CORNER UNDER COUCH ON 4/20/20.
6883 S-42 (S-42)	{ <b>FIREARM - PROJECTILE</b> } DEFORMED PROJECTILE (TAW:3.6G/56GN) REC'D FROM N BASEMENT ROOM E WALL UNDER BASEBOARD ON 4/20/20.

**METRO CRIME LABORATORY**  
**REPORT CONTINUATION**

Lab Case No.: **20MCL01048**

Agency Case No.: **20-04764 [EPSO]**

**CSI - Scene Processing**

**SCENE PROCESSING LOCATION**

**3D SCANS**

**UAV**

**Images (DIMS)**

**[X]**

**[ ]**

**[X]**

<b>6883 S-43</b> (S-43)	{ <b>FIREARM - PROJECTILE FRAGMENT</b> } DEFORMED PROJECTILE FRAGMENT (TAW:0.8G/12GN) REC'D FROM N SIDE OF HOUSE W OF NW WINDOW WELL UNDER SCREEN ON 4/20/20.
<b>6883 S-44</b> (S-44)	{ <b>FIREARM - PROJECTILE FRAGMENT</b> } DEFORMED PROJECTILE FRAGMENT (TAW:3.0G/46GN) REC'D FROM N SIDE OF HOUSE W OF NW WINDOW WELL UNDER SCREEN ON 4/20/20.
<b>6883 S-45</b> (S-45)	{ <b>FIREARM - CASE/HOLSTER</b> } 1 BLACK "FLAMBEAU" GUN BOX CONTAINING 4 EMPTY MAGAZINES AND BIPOD REC'D FROM FIRST FLOOR MASTER BEDROOM ON 4/20/20.
<b>6883 S-45A</b> (S-45A)	{ <b>FIREARM - MAG</b> } 1 BLACK 5.56X45 "MFT" MAGAZINE W/ MULTIPLE LIVE CARTRIDGES REC'D FROM BLACK "FLAMBEAU" GUN BOX (S-45) ON 4/20/20.
<b>6883 S-46</b> (S-46)	{ <b>HOUSEHOLD - CARPET/RUG</b> } TAN/BROWN CARPET SWATCH W/ 1 DEFECT ID'D AS PLACARD D4 REC'D IN N BASEMENT ROOM EAST OF FOOT OF BED ON 4/20/20.
<b>6883 S-47</b> (S-47)	{ <b>HOUSEHOLD - CARPET/RUG</b> } TAN/BROWN CARPET SWATCH W/ 2 DEFECTS ID'D AS D13 AND D14 REC'D FROM N BASEMENT ROOM NEAR SOUTH WALL ON 4/20/20.
<b>6883 S-48</b> (S-48)	{ <b>HOUSEHOLD - CARPET/RUG</b> } TAN/BROWN CARPET SWATCH W/ DEFECTS ID'D AS D1, D2, AND D3 REC'D FROM N BASEMENT ROOM EAST OF FOOT OF BED ON 4/20/20.
<b>6883 S-49</b> (S-49)	{ <b>DIGITAL - PHONE/PAGER</b> } PINK I PHONE W/ CRACKED SCREEN REC'D FROM N BASEMENT ROOM IN NIGHTSTAND S OF BED ON 4/20/20.

**RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS**

**NOTIFICATION/RESPONSE:**

April 20, 2020  
 Approximately 0145 Hours

I, Crime Scene Investigator (CSI) Robert Zaleski/6883, was notified by CSI Austin Hartman/6850 that assistance from the Metro Crime Lab (MCL) was requested in processing a scene related to an Officer Involved Shooting (OIS) incident, located at 3215 Oak Creek Dr E.

CSI Hartman requested I respond for training purposes. I met with CSI Hartman at the Colorado Springs Police Department's (CSPD) Police Operations Center (POC) where we spoke with Detective Jerry Schiffelbein/3343 of the CSPD's Violent Crimes Unit. Detective Schiffelbein informed us that CSI Alyssa Berriesford/6048 would process the CSPD first responding officers at the POC and we would respond directly to the scene. Refer to CSI Berriesford's Crime Scene Response Report (Request 0001, Released 05/01/20) for additional information regarding this request.

At approximately 0238 hours, CSI Hartman and I gathered all of the necessary equipment and departed the CSPD POC en route to the scene.

**BRIEFING/ WALKTHROUGH:**

3215 Oak Creek Dr E  
 Colorado Springs, CO 80906

# METRO CRIME LABORATORY

## REPORT CONTINUATION

Lab Case No.: 20MCL01048

Agency Case No.: 20-04764 [EPSO]

### RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS

We arrived on scene at approximately 0247 hours and spoke with CSPD Patrol Sergeant Gregory Wilhelmi/1350 who stated that there were three police cruisers that would need to be photographed prior to processing the scene. These were police cruiser numbers GH2038, 2808, and 2902.

Before we photographed the vehicles, we went to the El Paso County Sheriff's Office (EPSO) Mobile Command Post that was parked nearby for more information on the case. Detective Lisa Montville/01060 of EPSO Major Crimes was the lead.

I received a briefing on the case from EPSO Detective Lisa Gonzalez/11055 who indicated that in the late evening hours of April 19th, 2020, CSPD Patrol Officers responded to a domestic violence incident. Multiple gunshots were exchanged between the suspect, Virgill Thorpe (DOB: 12/13/1991) and responding officers through the northwest basement window well. Mr. Thorpe sustained multiple gunshot wounds and was transported to the hospital where he was pronounced deceased. An altercation between Mr. Thorpe and [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] was believed to have begun on the first floor in the master bedroom.

At approximately 0303 hours, Detective Gonzalez, District Attorney Investigator Steven Carlos of the 4th Judicial District, CSPD's liaison Detective Brent Jacobsen/4162, CSI Hartman and I received a walkthrough of the scene by Detective Montville.

#### SCENE DESCRIPTION:

The residence located at 3215 Oak Creek Dr E was south of the E Cheyenne Mountain Blvd and Oak Creek Dr E intersection in a residential neighborhood. It was the second house from this intersection on the east side of the street. The front of the house was facing west.

I observed a window screen in the grass north of the house by the northwest window well. The northwest window well had approximately three defects in the metal covering. The window was broken and there were several defects in the window frame. There were multiple cartridge casings throughout the rocks and grass west of the window well.

The backyard fence appeared to be under construction. The wooden posts were in place, but there were numerous wooden pickets lying on the ground throughout the backyard.

The front door was broken off of the hinges and was leaned up against the couch. I observed possible bloodstains at the front entry doorway, through the hallway, and on top of the banister of the stairs leading to the basement. There was also a possible bloodstain observed in the northwest master bedroom floor on the south side of the bed.

In the basement, possible bloodstains were observed on the bottom two stairs. In the north basement room, I observed possible bloodstains and defects on the carpet and walls throughout its entirety. The room was in disarray with defects throughout the room. The northwest window well that was observed earlier from outdoors was in this room. A cartridge casing could be seen in the rock bed of the window well. A rifle was observed on the floor along with a cartridge casing.

See Figure 1 for a Google Satellite image of the incident location.

#### EXTERIOR SCENE PROCESSING:

At approximately 0345 hours, I began taking overall photographs of the scene starting at the

# METRO CRIME LABORATORY

## REPORT CONTINUATION

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### RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS

intersection of E Cheyenne Mountain Blvd and Oak Creek Dr E.

CSPD Police Cruiser GH2038 bearing license plate (CO) 736-VEM was left running by one of the responding officers. This cruiser was located south of a green electrical box with "3199 OAK" posted on its side. Exterior photographs were taken of this cruiser.

CSPD Police Cruiser 2902 bearing license plate (CO) BSH-054 was parked south of a green electrical box with "PD 11887", "31 2385 RMJB 88", and "H 40" posted on its side. Exterior photographs were also taken of this cruiser.

CSPD Police Cruiser 2808 bearing license plate (CO) 404-PRP was parked in front of 3205 Oak Creek Dr E. Exterior photos were taken of this cruiser. This cruiser was used to transport a subject earlier, and had possible bloodstains on the back seat. Detective Jacobsen unlocked the cruiser and I photographed the stains, and then collected a sample.

I finished processing the cruisers at approximately 0423 hours.

At approximately 0426 hours, I took overall photographs of the exterior of 3215 Oak Creek Dr E. Photographs were taken of the northwest window well and the backyard.

#### INTERIOR SCENE PROCESSING:

I took overall photographs inside of the residence at approximately 0449 hours. After overalls of the house were completed, at approximately 0603 hours, placards and/or adhesive scale labels were placed near evidence that would be further documented and/or collected. Numeric placards 1 through 22 were used to identify physical evidence. Lettered placards A through N were used to identify possible bloodstains on the floor, banister, and stairs. BS1 through BS20 adhesive scale labels were used to identify possible bloodstains on the walls. D1 through D39 adhesive scale labels/placards were used to identify defects observed in the area. Trajectory measurements were not documented due to defect characteristics which were not suitable for trajectory rod placement.

Additional photographs with placards in place and footwear on the exterior surface of the front door were taken.

See **Figure 2** for a top-down view of the northwest window well and basement of 3215 Oak Creek Dr E created using FARO Zone 3D Software with approximate numeric placard placement. See **Figure 3** for a table with numeric placards location and description of the items.

#### FARO 3D LASER SCANNER DOCUMENTATION:

At approximately 0915 hours, the scene was then further documented using the FARO 3D laser scanner. A total of 13 scans were taken of the interior and exterior of the residence.

#### TRAJECTORY DOCUMENTATION:

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# METRO CRIME LABORATORY

## REPORT CONTINUATION

Lab Case No.: 20MCL01048

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### RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS

See **Figure 4** for tables with defect description and locations.

#### Trajectory Paths:

Trajectory Path 1, D35-D7-D8: D35 was consistent with a projectile striking the exterior northwest window frame in the upper center portion, traveling northwest to southeast, exterior to interior at a slightly downward angle. The projectile perforated the interior window frame creating D7 and continued to travel. Impact defect D8 in the upper interior window frame of the northwest window frame was possibly correlated to this flightpath. The projectile continued in motion, but no further flight path could be determined, and no projectile was recovered.

Trajectory Path 2, D34-D36-D6: D34 was consistent with a projectile striking the exterior northwest basement window aluminum trim in the upper east corner, traveling northwest to southeast, exterior to interior at a slightly downward angle. Defect D36 was possibly correlated to this flight path, possibly striking the interior window track creating D36. The projectile then continued, perforating the interior window frame creating D6. The projectile continued in motion, but no further flight path could be determined, and no projectile was recovered.

Trajectory Path 3, D31-D30: D31 was consistent with a projectile striking the exterior northwest window well's lower west end, traveling west to east, exterior to interior at a slightly downward angle. The projectile then continued perforating the window well creating D30. The projectile continued in motion, but no further flight path could be determined, and no projectile was recovered.

Trajectory Path 4, D33-D32: D33 was consistent with a projectile striking the exterior northwest window well's lower west end, traveling west to east, exterior to interior at a slightly downward angle. The projectile then continued perforating the window well creating D32. The projectile continued in motion, but no further flight path could be determined, and no projectile was recovered.

Trajectory Path 5, D1: Was consistent with a projectile striking the carpet east of the foot of the bed, perforating the carpet of the north basement room at a downward angle and continued, impacting the concrete subfloor. No additional corresponding defects were observed and no projectile fragments were recovered in relation to this flight path.

Trajectory Path 6, D2: Was consistent with a projectile striking the carpet east of the foot of the bed, perforating the carpet of the north basement room at a downward angle and continued, impacting the concrete subfloor. No additional corresponding defects were observed and no projectile fragments were recovered in relation to this flight path.

Trajectory Path 7, D3: Was consistent with a projectile striking the carpet east of the foot of the bed, perforating the carpet of the north basement room at a downward angle and continued, impacting the concrete subfloor. No additional corresponding defects were observed and no projectile fragments were recovered in relation to this flight path.

Trajectory Path 8, D4: Was consistent with a projectile striking the carpet east of the foot of the bed, perforating the carpet of the north basement room at a downward angle and continued, impacting the concrete subfloor. No additional corresponding defects were observed and no projectile fragments were recovered in relation to this flight path.

Trajectory Path 9, D10: Was consistent with a projectile striking the northwest window sill,

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# METRO CRIME LABORATORY

## REPORT CONTINUATION

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### RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS

traveling north to south at a downward angle, perforating the horizontal wall, and exiting out of the interior vertical wall below the window sill. The projectile continued in motion, but no further flight path could be determined, and no projectile was recovered.

Trajectory Path 10, D13: Was consistent with a projectile striking the carpet near the south wall of the north basement room, perforating the carpet at a downward angle, and continued impacting the concrete subfloor. No additional corresponding defects were observed and no projectile fragments were recovered in relation to this flight path.

Trajectory Path 11, D14: Was consistent with a projectile striking the carpet near the south wall of the north basement room, perforating the carpet at a downward angle and continued, impacting the concrete subfloor. No additional corresponding defects were observed and no projectile fragments were recovered in relation to this flight path.

Trajectory Path 12, D15: Was consistent with a projectile striking the east wall of the north basement room, traveling northwest to southeast at a downward angle, perforating the drywall in the southeast corner. The projectile continued, impacting the concrete wall behind the drywall. No additional corresponding defects were observed and no projectile fragments were recovered in relation to this flight path.

Trajectory Path 13, D16: Was consistent with a projectile striking the east wall of the north basement room, traveling northwest to southeast at a downward angle, perforating the drywall in the southeast corner. The projectile continued, impacting the concrete wall behind the drywall. No additional corresponding defects were observed and no projectile fragments were recovered in relation to this flight path.

Trajectory Path 14, D17: Was consistent with a projectile striking the east wall of the north basement room, traveling northwest to southeast at a downward angle, perforating the drywall in the southeast corner. The projectile continued, impacting the concrete wall behind the drywall. No additional corresponding defects were observed and no projectile fragments were recovered in relation to this flight path.

Trajectory Path 15, D19: Was consistent with a projectile striking the lower southeast portion of the east wall, traveling west to east perforating the drywall. The projectile continued, impacting the concrete wall behind the drywall. No additional corresponding defects were observed and no projectile fragments were recovered in relation to this flight path.

Trajectory Path 16, D20: Was consistent with a projectile striking the lower southeast portion of the east wall, west to east, perforating the drywall. The projectile continued, impacting the concrete wall behind the drywall. No additional corresponding defects were observed and no projectile fragments were recovered in relation to this flight path.

Trajectory Path 17, D22: Was consistent with a projectile striking the carpet near the southeast portion of the east wall of the north basement room at a downward angle, perforating the carpet and continued, impacting the concrete subfloor. No additional corresponding defects were observed and no projectile fragments were recovered in relation to this flight path.

Trajectory Path 18, D23: Was consistent with a projectile striking the carpet near the southeast portion of the east wall of the north basement room at a downward angle, perforating the carpet and continued, impacting the concrete subfloor. No additional corresponding defects were observed and no projectile fragments were recovered in relation to this flight path.

# METRO CRIME LABORATORY

## REPORT CONTINUATION

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### RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS

Trajectory Path 19, D24-D25: D24 was consistent with a projectile striking the white comforter next to the east wall of the north basement room, traveling west to east, perforating the white comforter creating D25. The projectile continued in motion, but no further flight path could be determined, and no projectile was recovered.

Trajectory Path 20, D28: Was consistent with a projectile striking the northeast ceiling light panel in the north basement room at an upward angle, perforating the plastic ceiling light panel. A projectile fragment (S-38) was recovered from inside of the light panel.

Trajectory Path 21, D29: Was consistent with a projectile striking the interior east section of the northwest window well, traveling west to east at a downward angle, perforating the metal window well. The projectile possibly continued in motion into the earth; a projectile was not able to be recovered from the defect due to difficulties removing the window well.

Trajectory Path 22, D39: Was consistent with a projectile striking the wooden post of the clothing rack in the north basement room, traveling northwest to southeast. The projectile perforated the wooden post and continued in motion, but no further flight path could be determined, and no projectile was recovered. It is possible that the clothing rack was standing when it was struck by the projectile.

Due to the defect characteristics, no further flight path information could be determined for Defects D5, D9, D11, D12, D18, D21, D26, D27, D37, or D38.

### EVIDENCE COLLECTION:

While the FARO scans were being completed, CSI Hartman collected representative samples from possible bloodstains identified using Placards A, B, E, G, I, BS4, BS7, BS12, BS15, BS17, BS18, and BS20.

At approximately 1047 hours, I began collecting the placarded evidence in the basement. During evidence collection, at approximately 1143 hours, Detective Jacobsen located a green tipped live cartridge (Head Stamp: LC 17 +) in the north basement room underneath a grey stool; it was photo-documented and collected.

I then began photographing the articles of clothing from the wooden drying rack (Placard 21) while CSI Hartman collected evidence from the first floor (Placards 15 through 19). A projectile fragment was found by EPSO Detective Timothy Ferrell/13001 in the north basement room in the center of the floor; it was documented and collected.

The remaining items of evidence were collected to include an additional casing and projectile fragments.

At approximately 1408 hours, CSI Hartman and I examined the concrete subfloor under the carpet where defects D1, D2, D3, D4, D13, and D14 were located. No projectiles were recovered, but carpet swatches containing the defects were cut out and collected.

At approximately 1420 hours, CSI Hartman made safe and cleared the black Eagle Arms rifle (Serial Number: ████████) that was positioned on the north basement room floor south of the northwest window well. There was one green tipped live cartridge in the chamber (Head Stamp: LC 17 +).

The plastic ceiling light panel containing Defect D28 was removed and a projectile fragment (S-38)

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# METRO CRIME LABORATORY

## REPORT CONTINUATION

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### RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS

was recovered.

Detective Jacobsen used a reciprocating saw to remove portions of the wall in the southeast corner of the north basement room where defects D15 through D17 were located to search for projectiles. No projectiles were recovered.

At approximately 1520 hours, the couch against the north wall was moved and the pull-out bed was opened to reveal additional defects that were further documented. Projectile fragments were collected from the carpet where the couch was originally positioned.

At approximately 1530 hours, EPSO Detectives Nick Brklich/05007, Jessica Bethel/07088, and Ferrell searched the residence. A pink iPhone, black Century Arms Inc TP9 handgun (Serial Number: [REDACTED]), an empty green ammunition box, two holsters, eight empty magazines, and a white "WINCHESTER" box with live cartridges were collected.

In the north basement room against the east wall where the white comforter was positioned, there was a possible projectile defect in the wooden baseboard. I removed the wooden baseboard from the wall to reveal a deformed projectile, which I then photographed and collected.

For a complete list of evidence items collected, refer to the beginning of this report.

#### CLEARED SCENE:

At approximately 1655 hours, I took post-processing photographs of the scene and at approximately 1724 hours, CSI Hartman and I cleared the scene en route to the POC.

The items of evidence collected were transported to the Metro Crime Lab where they were placed in a secure processing room until they could be inventoried, packaged, and transferred into the custody of an EPSO Evidence Technician. The digital photographs were acquired into the CSPD's Digital Imaging Management System (DIMS) under Set 3 and 4. The FARO Scene 2 Go data was acquired into DIMS under Set 6 and the raw FARO scans were acquired into DIMS under Set 8. The FARO Zone 3D Image was acquired into DIMS under Set 10.

#### EVIDENCE PROCESSING:

During evidence processing, additional photos were taken of several items of evidence. The evidence photos were acquired into DIMS under Set 5.

On April 23, 2020 at approximately 1158 hours, suspected bone fragments that were collected on scene (Placard 22) were transferred to El Paso County Coroner's Office Autopsy Technician Amanda Bond so that they could be placed with the decedent.

There is no additional Information regarding this request at this time.

### EVIDENCE DISPOSITION

All Evidence Disposition: Placed in Evidence

**METRO CRIME LABORATORY  
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**APPENDIX  
FIGURE 1**

\* NOT TO SCALE



**Figure 1:** Google Satellite Image of Incident Location At 3215 Oak Creek Dr E

**METRO CRIME LABORATORY**  
**REPORT CONTINUATION**

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**APPENDIX**  
**FIGURE 2**  
\* NOT TO SCALE



**Figure 2:** Top-down View of the Northwest Window Well and Basement of 3215 Oak Creek Dr E Created Using FARO Zone 3D Software. Placard placement is approximate and not to scale.

**METRO CRIME LABORATORY**  
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**APPENDIX**  
**FIGURE 3**

**Numeric Placards from 3215 Oak Creek Dr E**

Placard	Description	Location
1	White "OPTILUBE" wrapper	Lower 2nd basement stair
2	3 grey empty rifle carpets	S basement rm on bar counter
3	White Towel	N basement rm E of laundry rm door
4	White "PINK VICTORIA SECRET" hooded jacket	N basement rm hanging from air duct
5	Black "EAGLE ARMS" rifle	N basement rm N of S wall
6	Brass cartridge casing, HS: LC 17 +	N basement rm on carpet N of S wall
7	Brass cartridge casing, HS: WINCHESTER REM 223	NW basement window well in rocks
8	Broken metal gun part	NW basement window well in rocks
9	Black plastic gun part	NW basement window well in rocks
10	White envelope and letter	N basement rm on floor E of foot of bed
11	3 brass cartridge casings, HS: WINCHESTER REM 223	N of NW window well in grass
12	20 brass cartridge casings, HS: WINCHESTER REM 223	NW side of house W of window well in rocks
13	6 silver color handgun cartridge casings; 4 w/ HS: WCC +P+ 1 8, 2 w/ HS: WCC +P+ 1 6	N of house in rocks
14	2 projectile fragments	N basement rm on interior NW window sill
15	Verizon Samsung cell phone w/case	N basement rm under bed
16	Silver HP INTEL 7 GEN laptop w/power cord	First floor dining rm table E of front door
17	Samsung Galaxy S10 cell phone w/case	First floor kitchen on NW kitchen counter
18	Samsung Galaxy S9 cell phone w/ SD card	First floor living rm on N end of TV stand
19	Grey HP INTEL CORE I3 laptop w/power cord	First floor living rm on coffee table in center of rm
20	Xfinity home alarm system monitor	First floor living rm E wall on TV stand (not collected)
21	Wooden clothing drying rack w/articles of clothing	N basement rm near E wall
22	Suspected bone fragments	N basement rm near E wall (returned)

<b>Legend:</b>	HS= Head Stamp	NE= Northeast	SE= Southeast	W= West
	w/= with	NW= Northwest	SW= Southwest	rm= room
	N= North	S= South	E= East	

**METRO CRIME LABORATORY**  
**REPORT CONTINUATION**

Lab Case No.: **20MCL01048**

Agency Case No.: **20-04764 [EPSO]**

**APPENDIX**  
**FIGURE 4**

Defect	Location	Description
D1	E of foot of bed in N basement rm carpet	Appeared consistent with entry of a projectile into the carpet
D2	E of foot of bed in N basement rm carpet	Appeared consistent with entry of a projectile into the carpet
D3	E of foot of bed in N basement rm carpet	Appeared consistent with entry of a projectile into the carpet
D4	E of foot of bed in N basement rm carpet	Appeared consistent with entry of a projectile into the carpet
D5	Canvas painting on carpet E of NW window in N basement rm	Canvas material pushed in on painted side and pushed out on backside; consistent with entry in painted side and exit out of the backside
D6	Upper eastern corner of interior NW window frame in N basement rm	Plastic and green sponge material pushed out with irregular margins, consistent with exit of a projectile
D7	Upper interior window frame of NW window in N basement rm	Plastic material blown out with irregular margins; consistent with exit of a projectile
D8	Upper interior window frame of NW window in N basement rm	Plastic material blown out with jagged edges; consistent with a possible projectile defect
D9	Upper interior window frame of NW window in N basement rm	Indent in side of window frame; consistent with ricochet of a projectile
D10	Interior window sill in NW window of N basement rm	On horizontal side, indent in cement; consistent with impact of a projectile. Or vertical side, chipped away paint and radiating cracks; consistent with exit of a projectile
D11	Ceiling near NW window in N basement rm	Scuffed away ceiling tile material; consistent with impact of a possible projectile fragment
D12	Ceiling near NW window in N basement rm	Scuffed away ceiling tile material; consistent with impact of a possible projectile fragment
D13	Carpet near S wall of N basement rm	Appeared consistent with entry of a projectile into the carpet
D14	Carpet near S wall of N basement rm	Appeared consistent with entry of a projectile into the carpet
D15	SE corner wall of N basement rm	Pushed in drywall material with regular margins; consistent with entry of a projectile
D16	SE corner wall of N basement rm	Pushed in drywall material with regular margins; consistent with entry of a projectile
D17	SE corner wall of N basement rm	Pushed in drywall material with regular margins; consistent with entry of a projectile
D18	Lower SE wall of N basement rm	Chipped away drywall/paint material with irregular margins; consistent with impact of a projectile
D19	Lower SE wall of N basement rm	Pushed in drywall material; consistent with entry of a projectile

**Figure 4:** Trajectory Documentation

**METRO CRIME LABORATORY**  
**REPORT CONTINUATION**

Lab Case No.: **20MCL01048**

Agency Case No.: **20-04764 [EPSO]**

**APPENDIX**  
**FIGURE 4 Continued**

Defect	Location	Description
D20	Lower SE wall of N basement rm	Pushed in drywall material with regular margins; consistent with entry of a projectile
D21	Macaroni and cheese can on carpet near S wall of N basement rm	Pushed in metal material with smooth margins; Consistent with entry of a projectile
D22	In carpet in SE corner of N basement rm	Appeared consistent with entry of a projectile into the carpet
D23	In carpet in SE corner of N basement rm	Appeared consistent with entry of a projectile into the carpet
D24	In white comforter next to E wall of N basement rm	Pushed in cloth material with regular margins; consistent with entry of a projectile
D25	In white comforter next to E wall of N basement rm	Pushed out cloth material with irregular margins; consistent with exit of a projectile
D26	In white comforter next to E wall of N basement rm	Pushed in cloth material with regular margins; consistent with entry of a projectile
D27	In dark grey towel hanging on metal rack W of E wall on N basement rm	Pushed in cloth material; consistent with a projectile defect
D28	3 defects in plastic NE ceiling light panel of N basement rm	Broken away plastic material; consistent with entry of a projectile
D29	Interior E section of NW window well	Pushed in metal material with smooth margins: consistent with entry of a projectile
D30	Interior W section of NW window well	Pushed out metal material with irregular jagged margins; consistent with exit of a projectile
D31	Exterior W section of NW window well	Pushed in metal material with regular margins; consistent with entry of a projectile
D32	Interior W section of NW window well	Pushed out metal material with irregular margins; consistent with exit of a projectile
D33	Exterior W section of NW window well	Pushed in metal material with regular margins; consistent with entry of a projectile
D34	Exterior window trim of NW window	Pushed in aluminum on W end of defect with regular margins, consistent with entry of a projectile
D35	Exterior window frame of NW window	Pushed in plastic material with regular margins, consistent with entry of a projectile
D36	In between upper window frame of NW window in N basement rm	Blown out plastic and green sponge material with irregular margins; consistent with exit of a projectile
D37	In ceiling near center of room E of air duct in N basement rm	Pushed in ceiling tile material w/black discoloration and visible projectile fragment; appeared consistent with impact of a projectile
D38	In white/yellow/green shirt on wooden clothing rack near east wall of N basement rm	Linear tear in clothing with black discoloration around perimeter; consistent with impact of a projectile.
D39	In wooden post of clothing rack in N basement rm	On NW facing side, pushed in wood material and bullet wipe with regular margins; consistent with entry of a projectile. On SE facing side, blown out wood material with bullet wipe; consistent with exit of a projectile.

**Figure 4:** Trajectory Documentation

**METRO CRIME LABORATORY**  
**REPORT CONTINUATION**

Lab Case No.: **20MCL01048**

Agency Case No.: **20-04764 [EPSO]**

**END OF REPORT**



**Assigned Analyst**  
Robert Zaleski | 6883  
CSI

06/05/2020 13:00

20MCL01048.0003\_20200420\_ReqID\_022530

**Page 17 of 17**

Report CSI v.2016.09.15

This report is the property of the Metro Crime Laboratory [MCL]. If this report is reproduced, it **MUST** be reproduced in its entirety with all pages included.

## Email to Staff

**From:** [Mitchell Mihalko](#)  
**To:** [SHR-Investigations-Distro](#)  
**Subject:** FW: Virgill Thorpe - Preservation Notice - Confidential  
**Date:** Friday, June 12, 2020 6:47:42 AM  
**Attachments:** [INVESTIGATIONS REQUEST TO PRESERVE.pdf](#)  
[ATT00001.htm](#)

---

Please find the attached Notice for Preservation and comply – associated case 20-4764. DET Monville will be the POC for preservation.

Hi again. Here is another.

Please see attached Preservation Notice in reference to Virgill Thorpe, DOB: 12/13/1991. This is in reference to an incident that occurred on April 19, 2020, involving the Colorado Springs Police Department. Please be sure that everything is preserved according to this notice. As always, let me and/or Peter know if you have any questions.

Thank you,  
Sara

**Sara Metz**, Paralegal  
Office of the County Attorney  
EPSO  
27 East Vermijo Avenue  
Colorado Springs, CO 80903  
719-464-5067

## **Supplement 20200612 0647 Mihalko, Mitch #03026**

CR 20-4764 / AOA - CSPD  
LT M. Mihalko 03026  
6/12/2020

On Friday, June 12, 2020, at approximately 0647 hours, I, Lieutenant M. Mihalko of the El Paso County Sheriff's Office (EPSO) Investigations Division continued investigative and administrative efforts in this case.

### **NOTICE OF PRESERVATION:**

On June 12, 2020, I read an email which contained a Notice of Preservation from Office of the County Attorney regarding Virgill THORPE. I sent the notice to EPSO Investigations and Metro Crime Lab staff. I later sent a copy to the EPSO Evidence Facility supervisors. Personnel were directed to read and comply with the notice.

Copies of the distributed e-mail and attachments have been included with this supplement for the case file. Nothing was entered into evidence.

Case Status: SAO

## **Supplement 20200615 1028 Montville, Lisa #01060**

Case Supplement, 20-4764

### **Detective Statement:**

On June 15, 2020, at about 10:28 a m., I, Detective Montville was conducting follow-up on this case. On this date, I prepared and submitted an electronic laboratory request for this case via the [REDACTED] system. I emailed a cover letter documenting the details of my request to Metro Crime Lab Manager Shelley Weber.

A copy of [REDACTED] evidence invoice and a copy of the laboratory cover letter are attached to this supplement.

Nothing Follows.

Case Status: ACT-INV

## **Supplement 20200612 0648 Montville, Lisa #01060**

Case Supplement, 20-4764

### **Detective Statement:**

On June 12, 2020, at about 6:48 a m., I, Detective Montville received an email from El Paso County Sheriff's Office Lieutenant Mitch Mihalko. The email contained a PDF document from El Paso County Assistant Attorney Peter Lichtman. The document outlined a preservation request from Killmer, Lane & Newman Law Firm, in reference to this case.

A copy of the preservation request is attached to this supplement.

Nothing Follows.

Case Status:

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**Officer Involved Shooting  
April 19, 2020**

---

**Forensic Video Analysis**

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Commander Sean Mandel  
Colorado Spring Police Department  
Investigation Division  
705 S Nevada Ave  
Colorado Springs, CO 80903

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Prepared by Grant Fredericks, Analyst,  
Forensic Video Solutions, Inc.  
June 16, 2020

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## Introduction

On April 22, 2020, I was first contacted by the Colorado Springs Police Department in relation to an officer involved shooting investigation.

On May 4, 2020, I was retained as an expert in Forensic Video Analysis on behalf of the Colorado Springs Police Department.

In various communications, I have been asked to conduct an analysis of video images in order to determine, if possible, the number of shots that were fired, the order of each shot, and the identification of which weapon fired which shot. In addition, I was asked to clarify the images to determine any other information from the video data that would be helpful to investigators.

The identification of weapons from the sounds of the shots fired is outside my area of expertise. As a result, I have made no attempt in this report to identify a weapon from the sound of the shot.

This report will identify the timing of each shot in relation to the appearance of a male who points a long-barreled rifle out of a basement window.

## Qualifications

I am a Certified Forensic Video Analyst with extensive experience in the recovery, scientific examination, and evaluation of recorded video and audio information involving criminal and civil investigations in the United States (US), Canada, the United Kingdom (UK), and elsewhere. I have been continuously active in this science since 1984.

I attained an undergraduate degree in Television Broadcast Communications, with an emphasis on television engineering in 1982.

As a Forensic Video Analyst, I have processed thousands of videotapes and computer discs containing digital multimedia evidence for both criminal and civil cases. I have been providing expert testimony as a Forensic Video Analyst since the early 1990's. In the past ten (10) years I have provided expert testimony in the field of Forensic Video Analysis more than one hundred and fifty (150) times in US and Canadian courts at all levels. I have testified as an expert in Forensic Video Analysis in Washington State, Arizona, California, Colorado, Connecticut, Florida, Idaho, Illinois, Iowa, Maine, Massachusetts, Michigan, Missouri, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, Texas, British Columbia, Alberta, Manitoba, New Brunswick, Ontario, the Yukon Territories; London, England, Auckland, New Zealand, and in the Cayman Islands.

From 1999 until December of 2012, I was the Principal Instructor for a series of Forensic Video Analysis courses offered by the Law Enforcement & Emergency Services Video Association (LEVA), a non-profit organization that to date had trained more than 3000 law enforcement and private sector video analysts from around the world.

From 2006 until December of 2012, I was the Team Leader for LEVA's Forensic Video Analysis Certification Program.

From 1998 until 2013, I was the Team Leader of LEVA's Curriculum Development Committee, and I continued as an active member of the Committee until 2016.

I have been an active member of LEVA since 1994 and I continue offering instruction in the science of forensic video analysis.

For the last nineteen (19) years, I have been a contract instructor of Forensic Video Analysis and Digital Multimedia Evidence Processing for the Federal Bureau of Investigation (FBI) National Academy in Quantico, VA. I continue to teach all four annual FBINA Sessions.

From 2006 until 2014, I was the Digital Video Advisor to the International Association of Chiefs of Police (IACP) for its In-Car Video project and for its Digital Interview Room Standards project, which are funded by the US Department of Justice (DOJ). These programs are focused specifically on the development of compression standards for improved performance of digital video systems to ensure accurate presentation in court. I am a co-author of the national standards for mobile video recording systems for law enforcement.

From 2004 until 2016 I was an instructor of Forensic Video Analysis at the University of Indianapolis, IN. I provided more than 2900 hours of classroom instruction to video analysts from throughout the world who have attended the university's Digital Multimedia Evidence Processing Lab. Students serve as video analysts, primarily from law enforcement agencies in the US, Canada, the UK, Australia, and Asia. Each of the courses

focused on digital video encoding and analog video engineering principles, and on the application of proper scientific methodologies for processing digital multimedia evidence, including scientific techniques used to determine image timing intervals in order to accurately convert time-lapsed video into real-time video for synchronization of separately recorded video sources.

One of the courses that I taught at the University of Indianapolis is entitled Photographic/Video Comparisons, which focuses on the identification of vehicles, clothing, and weapons captured to digital and analog video recording sources. Vehicle identification examines class and unique characteristics of Questioned Vehicle, and often included headlight spread pattern analysis. Clothing identification examinations often involve comparing fabrics recorded under the influence of infrared illumination. I have conducted fabric analysis examinations throughout North America and other locations, and I have taught extensively on the influences of infrared illumination and its effect on fabrics recorded to video. I taught courses in Photographic/Video Comparisons of vehicles and clothing in Canada at the British Columbia Institute of Technology, in the UK, and in Indianapolis for each of the twenty (20) years from 1998 to 2017. This course is accredited by LEVA, which recognizes the course in its Forensic Video Analysis Certification Program.

A significant element of the Photographic/Video Comparison course material, and of the other courses that I teach, involves the science of Reverse Projection Photogrammetry. Reverse Projection is the scientific process of obtaining accurate measurements and making accurate observations from photographic and video images. Reverse Projection has been used among imaging scientists, investigators, and in US courts regularly for more than forty (40) years as a tool to reproduce crime and accident scenes, in order to conduct measurements and to make other accurate observations.

Each of the courses that I teach focuses on reflection of light, both visual and infrared, pixel tracking, digital compression technology, macroblock analysis, motion vector analysis, color measurement/analysis, speed estimation, and on digital and analog artifact (error) identification for the sole purpose of ensuring accurate interpretation of video evidence. Since each of the signal and digital components could impact the meaning of images, and since there are a significant number of technical variables that could cause a lay person to misinterpret the appearance of video data, the majority of testimony that I have provided includes a narrative explanation of the events captured to the video recording system.

I am a former Police Officer with the City of Vancouver Police Department in Canada where I was assigned to the Criminal Investigation Division as the head of the department's Forensic Video Unit.

## **Compensation**

See attached Fee Schedule

## **Primary Equipment & Software Used**

- MediaInfo 0.7.58
- Photoshop CC
- iNPUT-ACE
- QuickTime Pro 7.7.2
- VLC 2.0.1
- RX 7 Audio Editor

## Exhibits

All information, any and all of the underlying foundational or support materials, and/or any portion thereof within this document, or any of its references or attachments, are to be considered important exhibits with regard to this case and this report.

All, mp4 files, PDF files, .xlsx files., images, videos, recordings, testing, methods, procedures, etc. are all to be considered exhibits that are hereby fully incorporated, and are an integral part of this report, and may be used at any time during any aspect of proceedings associated with this case, including, but not limited to, deposition and/or trial as exhibits to aid in my testimony or presentation.

In order to attempt to answer the posed questions, I was provided with the following exhibits for my analysis:

- Item 1.** 20\_13\_10750\_f3d13c1d-7229-4c18-93a5-b018824c677e\_1\_344639\_1588617643771.mp4
- Item 2.** 20\_13\_11161\_0b476d21-00db-4852-b58a-f4d7c5a97228\_1\_344637\_1588617622337.mp4
- Item 3.** 20\_13\_11234\_1d037e40-98c4-4660-8047-bb614837339e\_10\_344636\_1588617235439.mp4
- Item 4.** 20\_13\_12942\_354fa340-eb07-42c9-8428-59107c5d9ed9\_1\_344641\_1588617665756.mp4

These exhibits were encoded via four Utility Body Worn Camera recording systems. I am familiar with Utility BWC, having examined a number of cases involving this technology.

Each of these items was reviewed in detail.

## Technical Considerations

During the examination of the video in this case, careful consideration was given to technical variables that can introduce errors into the image, and that could result in the misinterpretation of the images by an untrained observer of compressed video images.

Some of the variables that require accurate interpretation include:

- Color values affected by clipping and oversaturation
- Artificial edge patterns that may affect the shape of objects
- Temporal shift in object positioning due to prediction
- Image refresh rates
- Audio packet analysis for timing
- Motion blur caused by speed of movement
- GOP structure of images sequences

## Examination of Video Images

The Utility Body Worn Video encoding systems record video at a variable image refresh rate, ranging between 16.662 and 16.948 frames per second. The video matrix is 720 x 960 pixels and is encoded as h.264 compressed video. The audio is recorded in a linear mode, meaning that the audio can be used as the accurate reference for the passage of time. This allows the camera to be synchronized, based on the audio. However, the audio and video are not always in sync. For this reason, it is not possible to determine what precise images are represented by a specific audio event. However, the audio and video events described in this report are closely linked.

In addition, no date and time information is depicted on screen (no on-screen display), and metadata, normally available in BWC systems, is not available for this analysis.

As indicated above, the audio can be used to synchronize each of the cameras. As a result, the attached *Quad Alignment.mp4* video shows the four provided BWC systems in one synchronized view. Due to the available light, most of the images are dark with little to no visual detail. The aligned video is approximately thirty minutes long and provides an overview of all activity from before the shots were fired to when efforts were made to provide medical assistance to the male who was shot. The officer's name for each camera view is added to the bottom of each video for reference purposes. The majority of the quad aligned video deals with issues outside of the scope of this work request and will not be discussed in this report further.

The attached *Weapon Images.pdf* document provides an image by image examination of video frames from Officer WARREN's camera. A slide number is placed at the bottom right corner of each image for reference purposes.

Slide 2 is Frame 691, encoded at 41.517 seconds into the WARREN video.

The images in this document depict a basement window.

Slides 18 to 118 show a witness climbing out of the window and exiting the house. This activity is also depicted at 6:47 into the *Quad Alignment.mp4* video clip described above.

At Slide 85, encoded at 46.436 (Frame 773) in the WARREN video, the male suspect is visible. The document tracks the suspect with the blue arrow.

Slides 119 to 142 track a long-barreled rifle in the suspect's right hand.

Slide 135 shows a relatively clear image of the weapon as it is pointed outward from the window. This image is Frame 882, encoded at 49.380 in Officer WARREN's BWC.

Slides 134 through 142 show a light to the left and outside of the window. This light is a flashlight held by an officer who is positioned outside of the window.

Slide 135 shows that the weapon is pointed in the direction of the flashlight.

Prior to the first shot being fired at 49.512 seconds on the WARREN BWC, an officer is heard yelling "gun" five times.

## Timing of Shots

A total of thirty shots can be distinguished by listening to the BWC audio. Due to the overlap of some shots, it is possible that more than thirty shots were fired.

Officer SOMOSKY's BWC provides the most reliable record of each shot, since his camera contains better audio fidelity for this purpose. Officer SOMOSKY's timing is different from Officer WARREN's BWC, since his camera started earlier. The first shot is heard on Officer SOMOSKY's BWC at 04:02.414. As noted, this is the same audio event heard on Officer WARREN's BWC at 49.380.

An examination of the audio from Officer SOMOSKY's BWC provides the following timing record of each distinguishable sound of a shot being fired:

1. Shot One: 04:02.414
2. Shot Two: 04:02.607
3. Shot Three: 04:02.708
4. Shot Four: 04:02.816
5. Shot Five: 04:02.917
6. Shot Six: 04:02.976
7. Shot Seven: 04:03.133
8. Shot Eight: 04:03.381
9. Shot Nine: 04:03.432
10. Shot Ten: 04:03.503
11. Shot Eleven: 04:03.532
12. Shot Twelve: 04:03.693
13. Shot Thirteen: 04:03.865

14. Shot Fourteen: 04:03.962
15. Shot Fifteen: 04:04.189
16. Shot Sixteen: 04:04.412
17. Shot Seventeen: 04:04.603
18. Shot Eighteen: 04:04.784
19. Shot Nineteen: 04:05.303
20. Shot Twenty: 04:05.459
21. Shot Twenty-one: 04:05.544
22. Shot Twenty-two: 04:05.652
23. Shot Twenty-three: 04:05.822
24. Shot Twenty-Four: 04:05.995
25. Shot Twenty-Five: 04:06.305
26. Shot Twenty-Six: 04:06.525
27. Shot Twenty-Seven: 04:06.850
28. Shot Twenty-Eight: 04:08.251
29. Shot Twenty-Nine: 04:08.645
30. Shot Thirty: 04:10.961

As noted earlier, I have no opinion regarding the question of how many weapons were involved in the shooting event. I also have no ability to differentiate the sounds that each fired weapon would make. This analysis can merely provide an accurate record of the timing of each shot.

This analysis shows that from the first shot to the last shot, a total of 8.547 seconds elapsed.

## Opinion

After giving careful consideration to the audio and video data provided in each of the four BWC recordings, I have formed the following opinions:

- The weapon was visible to Officer WARREN's BWC for 1.017 seconds prior to the first shot being fired.
- The weapon was visible and was pointing outside the window for a total of 0.841 seconds, including the time prior to and during the first shots.
- The first shots were fired after the weapon was visible outside the window and pointed in the direction of the police flashlight.

This report is true and accurate to a reasonable, or higher, degree of professional certainty and/or probability.



Grant Fredericks

# EVIDENCE VOUCHER FOR ITEM 130

## El Paso County Sheriff Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Montville, Lisa 01060**

Barcode	Item #	Item Type	Description
 1159188	130	CD/DVD(s)	Serial #:
Mandatory Info: <b>Evidence</b>		ONE CD CONTAINING A COPY GRANT FREDERICKS, FORENSIC VIDEO SOLUTIONS, REPORT	Evidence entered: 06/22/2020 Current Location: Evidence Intake
Collected by: Montville, Lisa 01060			
Recovery Address: 27 E VERMIJO AVE			
Homicide #:			

## **Supplement 20200622 1038 Montville, Lisa #01060**

**Case Supplement, 20-4764**

### **Detective Statement:**

**On June 22, 2020, at about 10:38 a m., I, Detective Montville received an email from Detective Jerry Schiffelbein. Attached to the email were two PDF files. The first file was a copy of a supplemental report prepared by Colorado Springs Police Department Commander Sean Mandel. A copy of Commander Mandel's report is attached to this supplement.**

**The second file was a report prepared by Grant Fredericks, of Forensic Video Solutions, Inc. The report was dated June 16, 2020. The report documented Fredericks's analysis of the body worn cameras involved in this incident. A copy of the report is attached to this supplement.**

**I also placed a copy of the report prepared by Fredericks onto a CD. I placed the CD into the El Paso County Sheriff's Office Evidence Facility under item number 130. A copy of the evidence voucher is attached to this supplement.**

**Nothing Follows.**

**Case Status: ACT-INV**











**METRO CRIME LABORATORY**705 South Nevada Avenue, Suite B200 Colorado Springs, CO 80903  
Phone: (719)444-7750 Fax: (719)444-7924**LABORATORY REPORT****Requesting Agency:** Case No.: 20-04764El Paso County Sheriffs Office  
27 E Vermijo Av  
Colorado Springs, CO 80903**Lab Case Number:** 20MCL01048**Unit:** Latent Prints**Analyst:** Alyssa Berriesford, 6048**Related Lab Case :** 20MCL01060

20-14453 Colorado Springs Police Department

**Request Submitted By:** Det. Lisa Montville, 01060**Request Date:** Mon Jun 15, 2020**Report Date:** Fri Jun 26, 2020**Offense:** Homicide: Murder/Non-negligent Manslaughter**Suspect:** THORPE, VIRGILL**DOB:** 12/13/1991**REQUESTED SERVICE - Process** [Latent Print - DNA Swab/Process]**EVIDENCE ITEMS**

<b>Barcode (Item No.)</b>	<b>Item description</b>
6048 S-05A-A (S-05A-A)	(2 SETS) TRACE DNA SWABS REC'D FROM MAGAZINE & 25 LIVE CARTRIDGES (1) AND 1 LIVE CARTRIDGE (1) ON 6/23/20.
6048 S-05A-B (S-05A-B)	(1 SET) POSS BLOOD SWABS REC'D FROM MAGAZINE ON 6/23/20.
6883 S-05A (S-05A)	BLK "PMAG 30 M4/AR MOE" 5.56 X 45 MAG W/MULT LIVE CARTRDGS & POSS BLDSTN; CHMBRD LIVE CARTRIDGE (HS: LC 17 +) REC'D FM ITEM 5 (EAGLE ARMS RIFLE) ID'D AS PLAC 5 ON 4/20/20.

**LOCATION:** 705 S Nevada Av (Colorado Springs Police Department Metro Forensic Crime Laboratory)**RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS****Barcode 6883 S-05A (S-05A):** BLK "PMAG 30 M4/AR MOE" 5.56 X 45 MAG W/MULT LIVE CARTRDGS & POSS BLDSTN; CHMBRD LIVE CARTRIDGE (HS: LC 17 +) REC'D FM ITEM 5 (EAGLE ARMS RIFLE) ID'D AS PLAC 5 ON 4/20/20.

The following processes were utilized:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Cyanoacrylate fuming   | <input type="checkbox"/> 1,8 - Diazfluoren-9-one                      |
| <input type="checkbox"/> Rhodamine 6G  | <input type="checkbox"/> Ninhydrin                                    |
| <input checked="" type="checkbox"/> Basic Yellow   | <input type="checkbox"/> RUVIS - Reflected Ultraviolet Imaging System |
| <input checked="" type="checkbox"/> Alternate Light Source   | <input type="checkbox"/> Powder                                       |
| <input type="checkbox"/> Other: _____  |   |
| <input checked="" type="checkbox"/> Latent prints recovered <b>Photographs uploaded to DIMS</b>            |   |
| <input checked="" type="checkbox"/> Possible biological sample recovered <b>6048 S-05A-A, 6048 S-05A-B</b> |   |
| <input type="checkbox"/> Trace sample recovered _____  |   |

**Comments/Results:** Latent prints developed on one live cartridge only. One set of trace DNA swabs was collected from one live cartridge packaged separately. A second set of trace DNA swabs was collected from the magazine and 25 live cartridges. Possible bloodstains were observed on the magazine; they were photographed and a sample was collected.**Date(s) Processed:** 6/23/2020**EVIDENCE DISPOSITION**

Items were either transferred to an EPSO Evidence Technician or a lab technician for further analysis.

**END OF REPORT**

**METRO CRIME LABORATORY  
REPORT CONTINUATION**

Lab Case No.: **20MCL01048**

Agency Case No.: **2004764 (EPSO)**

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*Alyssa Berriesford*

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**Assigned Analyst**  
Alyssa Berriesford | 6048  
CSI



**METRO CRIME LABORATORY**705 South Nevada Avenue, Suite B200 Colorado Springs, CO 80903  
Phone: (719)444-7750 Fax: (719)444-7924**LABORATORY REPORT****Requesting Agency:** Case No: 2004764  
El Paso County Sheriffs Office  
27 E Vermijo Av  
Colorado Springs, CO 80903**Lab Case Number:** 20MCL01048**Unit:** Firearms**Related Lab Case :** 20MCL01060  
20-14453 Colorado Springs Police Department**Request Submitted By:** Det. Lisa Montville, 1060**Analyst:** Stefanie Happ, 3488**Request Date:** Mon May 04, 2020**Report Date:** Thu Jul 02, 2020 11:31**Offense:** Homicide: Murder/Non-negligent Manslaughter**Suspect:** THORPE, VIRGILL**DOB:** 12/13/1991**Victims:** CZAJKOWSKI, OFFICER KRISTOFER**DOB:** --/--/----

NASSAR, OFFICER EDDIE

--/--/----

SOMOSKY, CORPORAL JOSEPH

--/--/----

WARREN, OFFICER CHARLES

--/--/----

**REQUESTED SERVICE - Comparison** [Firearms - All Services]

The below listed Firearm Services were completed in response to the submitted Laboratory Request:

**Bullet/Cartridge/Cartridge Case Comparison****Weapons Functionality****EVIDENCE ITEMS**

Barcode (Item No.)	Item description
6048 CW-01 (EPSO 1156857)	Smith and Wesson, M&P9 M2.0, 9mm pistol bearing the serial number [REDACTED] and one empty magazine.
6048 EN-01 (EPSO 1156860)	Smith and Wesson, M&P9 M2.0, 9mm pistol bearing the serial number [REDACTED] and one empty magazine.
6048 JS-01 (EPSO 1156864)	Colt, AR-15 A3, caliber 223 REM rifle bearing the serial number [REDACTED] and one empty magazine.
6048 KC-01 (EPSO 1156862)	Smith and Wesson, M&P15, 5.56mm NATO rifle bearing the serial number [REDACTED] and one empty magazine.
6883 S-05 (EPSO 1157086)	Eagle Arms, Eagle-15, caliber 223 WYLDE rifle bearing the serial number [REDACTED].
6883 S-05A (EPSO 1157090)	One sealed coin envelope containing one cartridge of ammunition reportedly recovered from the chamber of Item S-05, one sealed coin envelope containing twenty-five cartridges of ammunition reportedly recovered from the magazine, and one empty "PMAG 30" magazine reportedly recovered from Item S-05.
6883 S-06 (EPSO 1157092)	One cartridge case bearing a "LC" "17" headstamp recovered from the basement room carpet (Placard #6).

**RESULTS, OPINIONS, INTERPRETATIONS AND CONCLUSIONS**

The mechanical functioning examination of the Smith and Wesson pistol identified above as Item CW-01 disclosed that it is an operable firearm, capable of causing serious injury or death. The pistol was test fired for bullet and cartridge case recovery. The test fired specimens were entered into evidence under the barcode number 3488 CW-01TF.

The mechanical functioning examination of the Smith and Wesson pistol identified above as Item EN-01 disclosed that it is an operable firearm, capable of causing serious injury or death. The pistol was test fired for bullet and cartridge case recovery. The test fired specimens were entered into evidence under the barcode number 3488 EN-01TF.

The mechanical functioning examination of the Colt rifle identified above as Item JS-01 disclosed that it is an operable firearm, capable of causing serious injury or death. The rifle was test fired and test cycled for test specimen recovery. The test

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Report FA v.2016.11.14



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# METRO CRIME LABORATORY

## REPORT CONTINUATION

Lab Case No.: **20MCL01048**

Agency Case No: **2004764 [EPSO]**

specimens were entered into evidence under the barcode number 3488 JS-01TF. Additionally, swabs were collected from a suspected bloodstain observed on the right side of the receiver (exterior of the magazine well) in an effort to preserve potential biological evidence. The swabs were packaged under barcode number 3488 JS-01 PBS.

The mechanical functioning examination of the Smith and Wesson rifle identified above as Item KC-01 disclosed that it is an operable firearm, capable of causing serious injury or death. The rifle was test fired and test cycled for test specimen recovery. The test specimens were entered into evidence under the barcode number 3488 KC-01TF.

The mechanical functioning examination of the Eagle Arms rifle identified above as Item S-05 disclosed that it is an operable firearm, capable of causing serious injury or death. The rifle was test fired for bullet and cartridge case recovery utilizing the magazine and three cartridges of ammunition from Item S-05A. The test fired specimens were entered into evidence under the barcode number 3488 S-05TF. Additionally, a barrel patch was collected prior to test firing in an effort to preserve potential trace evidence. This patch was packaged with the rifle. A test fired cartridge case from the Eagle Arms rifle was entered into the [REDACTED] You will be notified if any associations are found.

The cartridge case identified above as Item S-06 was microscopically compared to the test fired cartridge cases recovered from the Eagle Arms rifle (Item S-05). The comparisons disclosed that Item S-06 was fired in the Eagle Arms rifle (Item S-05) based on agreement of all discernable class characteristics and agreement of individual characteristics.

### EVIDENCE DISPOSITION

All Evidence Disposition: Return to Submitting Agency

**END OF REPORT**



**Assigned Analyst**  
Stefanie Happ | 3488  
Firearms Examiner

07/02/2020 11:24

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# Copy of evidence voucher for item number 133

## El Paso County Sheriff Property Invoice



Case Number: **2020-00004764**

Submitting Deputy: **Price, Jon 02034**

Barcode	Item #	Item Type	Description
 1159516	133	Preservation Order Serial #: Item(s)	PRINTED LETTERS AND HANDWRITTEN NOTES COLLECTED TO COMPLY WITH PRESERVATION NOTICE
Mandatory Info: <b>Evidence</b>			<b>Evidence entered: 06/29/2020</b> <b>Current Location: Evidence Intake</b>
Collected by: Montville, Lisa 01060 Recovery Address: 27 E VERMIJO AVE Homicide #:			

## **Supplement 20200629 1545 Montville, Lisa #01060**

**Case Supplement, 20-4764**

**Detective Statement:**

**On June 29, 2020, at about 3:45 p.m., I, Detective Montville collected printed letters and handwritten notes in my possession related to this case. I placed the letters and notes into the El Paso County Sheriff's Office Evidence Facility under item number 133; to comply with the preservation notice.**

**A copy of the evidence voucher is attached to this supplement.**

**Nothing Follows.**

**Case Status: ACT-INV**

## **Supplement 20200709 1043 Montville, Lisa #01060**

**Case Supplement, 20-4764**

**Detective Statement:**

**On July 9, 2020, at about 10:43 a.m., I, Detective Montville received an email from Deputy District Attorney Amy Fitch. Attached to the email was a press release prepared by the Fourth Judicial District Attorney's Office. The press release provided a summary of the case and stated no criminal charges would be filed against Colorado Springs Police Officers Somosky, Nassar, Czajkowski and Warren.**

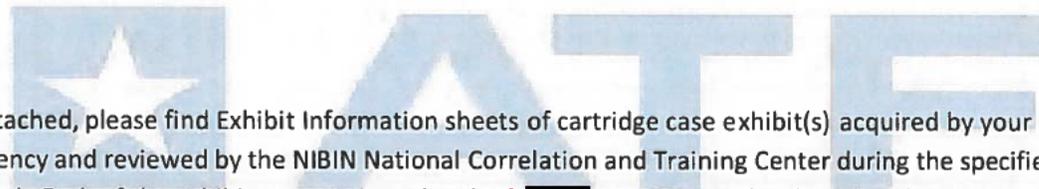
**A copy of the press release is attached to this supplement.**

**Nothing Follows.**

**Case Status: CBEM-INV**

	<p>Bureau of Alcohol, Tobacco, Firearms and Explosives  National Integrated Ballistic Information Network  NIBIN National Correlation and Training Center</p> <p><b>Correlation Reviews – No Leads Developed</b></p>	 <p><b>ATF</b></p> <hr/> <p>PROTECTING THE PUBLIC SERVING OUR NATION</p>
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Site Name: CO-COSPBR1  
Agency: COLORADO SPRINGS PD  
Week of: 07/05/2020 - 07/11/2020



Attached, please find Exhibit Information sheets of cartridge case exhibit(s) acquired by your agency and reviewed by the NIBIN National Correlation and Training Center during the specified week. Each of the exhibits was reviewed and **NO [REDACTED] LEADS** were developed at this time.

As long as the exhibit(s) are not deleted, they will remain available for future correlation reviews. If a **[REDACTED] Lead** is developed as a result of a future correlation review, you will be notified.

PROTECTING THE PUBLIC  
SERVING OUR NATION



ATF Supervisor

07/13/2020

Date



### Exhibit

Case Number: 20MCL01048  
Site Name: CO-COSPBR1  
Exhibit Number: 3488 S-05TF

### Firearm Details

Exhibit Number: 1157086 / S-05  
Caliber: .223 Cal  
Make: Eagle arms  
Model:  
Type: Rifle  
Serial Number: M22-08497  
Country:

Creation: 7/2/2020 11:03:37 AM  
Created By: Stefanie T. Happ  
Modification: 7/2/2020 11:03:37 AM  
Modified By: Stefanie T. Happ  
Importer Name:  
Importer State:  
Registration Date:  
Crime:

### Physical Characteristics

Barrel Length: 0.00  
Ammo Capacity: 0  
Finish:

### Recovery

Date:  
City:  
State:

### Possessor Name

Last:  
First:  
Middle:

### Officer Name

Last:  
First:

### Comments:

Model "Eagle-15"

7/6/2020  
Undrea D. Randolph

*URAD AB*

For official use only  
Sensitive but unclassified