

CRIME REPORT INCIDENT REPORT

CASE NO. 09-4873	
BEAT 4	RD

REPORT INFORMATION

<input type="checkbox"/> Prosecution Desired	<input type="checkbox"/> Crime-Only	<input type="checkbox"/> Courtesy Report
<input type="checkbox"/> Crime	<input checked="" type="checkbox"/> Crime/Arrest	<input type="checkbox"/> Domestic Violence
<input type="checkbox"/> Gang Involved	<input type="checkbox"/> Crime/Suspect	<input type="checkbox"/> W&I 300/601 Involved

INCIDENT	CODE SECTION	<input checked="" type="checkbox"/> F <input type="checkbox"/> M	CRIME/INCIDENT	REFER OTHER REPORTS				
	245(a)(2) PC		ADW					
	CODE SECTION	<input checked="" type="checkbox"/> F <input type="checkbox"/> M	CRIME/INCIDENT					
	245(d) PC		ADW ON PEACE OFFICER					
	CODE SECTION	<input checked="" type="checkbox"/> F <input type="checkbox"/> M	CRIME/INCIDENT	Occurred on	DATE	DAY	TIME	
	246 PC		SHOOTING AT INHABITED DWELLING	Or Between	4/10/09	FRIDAY	1700	
	LOCATION	VENTURA CA 93003			And	DATE	DAY	TIME
						4/10/09	FRIDAY	2143

CODE	NAME (Last,First,Middle)	FIRM NAME	AKA/MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
V1											
RESIDENCE ADDRESS		CITY	STATE	ZIP	RESIDENCE PHONE						
BUSINESS NAME		ADDRESS	CITY	STATE	ZIP	BUSINESS PHONE					

OCCUPATION/GANG	DAYS OFF	WORK HOURS	SOCIAL SEC. NO.	OPERATOR'S LIC. NO. / STATE							
	VARY	VARY	UNKNOWN								
CODE	NAME (Last,First,Middle)	FIRM NAME	AKA/MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
V2	VENTURA POLICE DEPT.										
RESIDENCE ADDRESS		CITY	STATE	ZIP	RESIDENCE PHONE						
BUSINESS NAME		ADDRESS	CITY	STATE	ZIP	BUSINESS PHONE					
VENTURA POLICE DEPARTMENT		1425 DOWELL DR., VENTURA CA 93003			(805) 339-4400						
OCCUPATION/GANG	DAYS OFF	WORK HOURS	SOCIAL SEC. NO.	OPERATOR'S LIC. NO. / STATE							

VEH	MODE	LIC. NO.	STATE	YEAR	MAKE	MODEL	<input type="checkbox"/> UNK <input type="checkbox"/> 2D <input type="checkbox"/> 4D <input type="checkbox"/> CV (conv) <input type="checkbox"/> PK <input type="checkbox"/> VN <input type="checkbox"/> SW <input type="checkbox"/> MH <input type="checkbox"/> MC <input type="checkbox"/> LL(suv) <input type="checkbox"/> OTHER				
COLOR/COLOR		OTHER CHARACTERISTICS				WHERE PARKED / IMPOUNDED					

SUMMARY (Brief Synopsis of the Crime/Incident)
 ON THE ABOVE LISTED DATE AND TIME (S) WAS IN HIS HOME IN VENTURA WHEN HE POINTED A HANDGUN AT HIS WIFE (V1). AFTER POINTING THE GUN AT HIS WIFE (S) FIRED A SINGLE ROUND FROM THE GUN. (V1) LEFT THE RESIDENCE AND CALLED FOR HELP. OFFICERS FROM VPD ARRIVED ON SCENE AND ATTEMPTED TO CONTACT (S). (S) REFUSED TO COME OUT OF HIS RESIDENCE. (S) ENGAGED OFFICERS IN A STANDOFF. DURING THE STANDOFF (S) FIRED BOTH HANDGUNS AND HIGH-POWERED RIFLES BOTH INDISCRIMINATELY AND IN THE DIRECTION OF VPD SWAT OFFICERS ON SCENE. HOUSES IN THE AREA WERE EVACUATED. ROUNDS FIRED BY THE (S) STRUCK HOUSES AND A FIRE STATION IN THE AREA. THOSE HOUSES AND THE FIRE STATION WERE OCCUPIED WHEN HIT. OFFICERS FROM THE CRISIS NEGOTIATION TEAM COMMUNICATED WITH THE (S) NUMEROUS TIMES DURING THE INCIDENT. (S) MADE BOTH SUICIDAL AND THREATENING STATEMENTS AND CONTINUED TO REFUSE TO COME OUT. SWAT OFFICERS FIRED AT (S) TWICE. (S) WAS HIT ONCE. (S) ULTIMATELY CAME OUT OF HIS HOUSE AND SURRENDERED.

PROPERTY CODES: R:Recovered S:Stolen F:Found L:Lost E:Evidence SK:Safekeeping	PROPERTY TYPE: A:Automotive AP: Auto Parts/Access B: Bicycles C: Camera Equipment	D: Documents E: Equipment/Tools F: Firearms H: Household Appliance J: All Jewelry	L: Liquor/Consumables LS: Livestock/Pets M: Musical Instruments N: Narcotics/Drugs O: Office Equipment	P: Personal Accessories R: Radio/TV/Sound/Cell Phone S: Sporting Equipment V: Vessels X: Money/Securities	Y: Clothing/Furs Z: Misc. Items
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CODE	ITEM	QTY	ARTICLE	MAKE/BRAND	MODEL	SERIAL #	MISC. DESCRIPTION	VALUE/TAG #

<input type="checkbox"/> Pursuant to Sec. 6254 Govt. Code (Am. 1990), victim of identified sex crime requests that name be withheld. Identified crimes are 261, 264, 264.1, 273a, 273d, 273.5, 280, 288, 288a, 289 PC	REPORT STATUS: <input type="checkbox"/> ACTIVE <input type="checkbox"/> PATROL <input type="checkbox"/> DET <input checked="" type="checkbox"/> CLOSED <input type="checkbox"/> SUSPENDED <input type="checkbox"/> UNFOUNDED	PHYSICAL EVIDENCE: (Check box if applicable) <input type="checkbox"/> Blood <input checked="" type="checkbox"/> Photos/Video <input checked="" type="checkbox"/> Weapon <input type="checkbox"/> Clothing <input checked="" type="checkbox"/> Projectile <input type="checkbox"/> Rape Kit <input checked="" type="checkbox"/> Documents <input type="checkbox"/> Other Prints <input type="checkbox"/> Fingerprints <input type="checkbox"/> Tool
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DATE / TIME REPORTED 4/10/09 1750	REPORTING OFFICER / ID NO. MUNGER # 323	REVIEWING SUPERVISOR / ID NO. <i>[Signature]</i>	DATE 4/10/09	RMS:
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COPIES TO: PATROL DET CAU GANG SRO STOREFRONT DMV DOJ PROB PAROLE OTHER

INCIDENT FACTORS

PREMISES	POINT OF ENTRY	WEAPON TYPE	SUSPECT'S ACTIONS/PROPERTY
<input type="checkbox"/> 01 Airport <input type="checkbox"/> 2 Apartment <input type="checkbox"/> 03 Bank/Savings/Credit Union <input type="checkbox"/> 04 Bar/Lounge <input type="checkbox"/> 05 Bus Station/Bus <input type="checkbox"/> 06 Casino <input type="checkbox"/> 07 Church <input type="checkbox"/> 08 Condo/Townhouse <input type="checkbox"/> 09 Construction Site <input type="checkbox"/> 10 Convenience Store <input type="checkbox"/> 11 Convention Facility <input type="checkbox"/> 12 Fast Food Restaurant <input type="checkbox"/> 13 Fenced Yard <input type="checkbox"/> 14 Garage/Carport <input type="checkbox"/> 15 Gas/Service Station <input type="checkbox"/> 16 Grocery Store <input type="checkbox"/> 17 Hospital <input type="checkbox"/> 18 Hotel/Motel <input type="checkbox"/> 19 Industrial Complex <input type="checkbox"/> 20 Jail/Prison <input type="checkbox"/> 21 Lake/Waterway <input type="checkbox"/> 22 Liquor Store <input type="checkbox"/> 23 Medical Office <input type="checkbox"/> 24 Mobile Home <input type="checkbox"/> 25 Mountain Area <input type="checkbox"/> 26 Movie Theater <input type="checkbox"/> 27 Office <input type="checkbox"/> 28 Park <input type="checkbox"/> 29 Public Building <input type="checkbox"/> 30 Rental Storage <input type="checkbox"/> 31 Restaurant <input type="checkbox"/> 32 Retail Business <input type="checkbox"/> 33 School/Child Care <input type="checkbox"/> 34 Shopping Mall <input type="checkbox"/> 35 Single Family Residence <input type="checkbox"/> 36 Sports Complex <input type="checkbox"/> 37 Storeroom/Shed <input type="checkbox"/> 38 Street/Roadway/Alley/Hwy <input type="checkbox"/> 39 Vehicle <input type="checkbox"/> 40 Warehouse <input type="checkbox"/> 99 Other _____	<input type="checkbox"/> 01 Adj. Building <input type="checkbox"/> 02 Basement <input type="checkbox"/> 03 Door <input type="checkbox"/> 04 Duct/Vent <input type="checkbox"/> 05 Floor <input type="checkbox"/> 06 Front <input type="checkbox"/> 07 Garage <input type="checkbox"/> 08 Ground Level <input type="checkbox"/> 09 Rear <input type="checkbox"/> 10 Roof <input type="checkbox"/> 11 Side <input type="checkbox"/> 12 Sliding Glass Door <input type="checkbox"/> 13 Upper Level <input type="checkbox"/> 14 Wall <input type="checkbox"/> 15 Window <input type="checkbox"/> 99 Other _____	<input type="checkbox"/> 01 Altered Stock <input type="checkbox"/> 02 Automatic <input type="checkbox"/> 03 Blue Steel <input type="checkbox"/> 04 Blunt Object <input type="checkbox"/> 05 Bolt Action <input type="checkbox"/> 06 Chrome/Nickel <input type="checkbox"/> 07 Club <input type="checkbox"/> 08 Derringer Type <input type="checkbox"/> 09 Double Barrel <input type="checkbox"/> 10 Explosives <input type="checkbox"/> 11 Fire/Incendiary Devices <input checked="" type="checkbox"/> 12 Firearm <input type="checkbox"/> 13 Handgun <input type="checkbox"/> 14 Hands, Fists, Feet, etc. <input type="checkbox"/> 15 Knife/Cutting Instrument <input type="checkbox"/> 16 Motor Vehicle <input type="checkbox"/> 17 Over/Under <input type="checkbox"/> 18 Poison <input type="checkbox"/> 19 Pump <input type="checkbox"/> 20 Revolver <input type="checkbox"/> 21 Rifle <input type="checkbox"/> 22 Sawed Off <input type="checkbox"/> 23 Shoes/Boots <input type="checkbox"/> 24 Shotgun <input type="checkbox"/> 25 Simulated <input type="checkbox"/> 26 Single Shot <input type="checkbox"/> 27 Toy Gun <input type="checkbox"/> 90 None <input type="checkbox"/> 99 Other _____ Color Grips _____ Gauge-Caliber _____ Barrel Length _____	<input type="checkbox"/> 01 Alarm Disabled <input type="checkbox"/> 02 Arson <input type="checkbox"/> 03 Ate/Drank on Premises <input type="checkbox"/> 04 Cased Location Before Crime <input type="checkbox"/> 05 Cut/Disconnected Phone <input type="checkbox"/> 06 Defecated/Urinated <input type="checkbox"/> 07 Demanded Money <input type="checkbox"/> 08 Fired Weapon <input type="checkbox"/> 09 Had Been Drinking <input type="checkbox"/> 10 Hot Prowl <input type="checkbox"/> 11 Knew Location of Hidden Cash <input type="checkbox"/> 12 Multiple Suspects Indicated <input type="checkbox"/> 13 Placed Property in Sack/Pocket <input type="checkbox"/> 14 Prepared Exit <input type="checkbox"/> 15 Ransacked <input type="checkbox"/> 16 Selective in Loot <input type="checkbox"/> 17 Shut Off Power <input type="checkbox"/> 18 Smoked on Premises <input type="checkbox"/> 19 Took Only Consumables <input type="checkbox"/> 20 Took Victim's Vehicle <input type="checkbox"/> 21 Under Influence Drugs <input type="checkbox"/> 22 Used Lookout <input type="checkbox"/> 23 Used Driver <input type="checkbox"/> 24 Used Match/Candle <input type="checkbox"/> 25 Used Victim's Suitcase/Pillowcase <input type="checkbox"/> 26 Used Victim's Tools <input type="checkbox"/> 27 Vehicle Needed to Remove Property <input type="checkbox"/> 99 Other _____
<p>VEHICLE</p> <input type="checkbox"/> 01 2D 2-Door <input type="checkbox"/> 02 4D 4-Door <input type="checkbox"/> 03 BI Bicycle <input type="checkbox"/> 04 BU Bus <input type="checkbox"/> 05 VC Camper/Mini Truck <input type="checkbox"/> 06 CV Convertible <input type="checkbox"/> 07 MC Dirt Bike <input type="checkbox"/> 08 HB Hatchback <input type="checkbox"/> 09 MD Mo-Ped <input type="checkbox"/> 10 MC Motorcycle <input type="checkbox"/> 11 MH Motor Home <input type="checkbox"/> 12 MV Off-Road <input type="checkbox"/> 13 PK Pick-Up <input type="checkbox"/> 14 SW Station Wagon <input type="checkbox"/> 15 LL SUV <input type="checkbox"/> 16 TL Trailer <input type="checkbox"/> 17 VN Van/Minivan <input type="checkbox"/> 18 WC Watercraft <input type="checkbox"/> 99 Other _____	<p>METHOD OF ENTRY</p> <input type="checkbox"/> 01 Admitted - No Force <input type="checkbox"/> 02 Attempt Only <input type="checkbox"/> 03 Bodily Force <input type="checkbox"/> 04 Bolt Cutters/Pliers <input type="checkbox"/> 05 Brick or Rock <input type="checkbox"/> 06 Broke Hole in Wall <input type="checkbox"/> 07 Burned <input type="checkbox"/> 08 Channel Lock/Pipe Wrench/Vice Grips <input type="checkbox"/> 09 Climbed In/Over/Through <input type="checkbox"/> 10 Coat Hanger/Wire <input type="checkbox"/> 11 Concealment <input type="checkbox"/> 12 Cut <input type="checkbox"/> 13 Fraud/Hoax <input type="checkbox"/> 14 Kicked In <input type="checkbox"/> 15 Knob Twist <input type="checkbox"/> 16 Lock Punch <input type="checkbox"/> 17 Open for Business <input type="checkbox"/> 18 Pried/Jimmied <input type="checkbox"/> 19 Removed Louvers <input type="checkbox"/> 20 Saw/Drill <input type="checkbox"/> 21 Screwdriver <input type="checkbox"/> 22 Smash & Grab <input type="checkbox"/> 23 Tire Iron <input type="checkbox"/> 24 Unlocked <input type="checkbox"/> 25 Window Smash <input type="checkbox"/> 99 Other _____	<p>MEANS OF ATTACK</p> <input checked="" type="checkbox"/> 01 Firearm <input type="checkbox"/> 02 Knife/Cutting Instrument <input type="checkbox"/> 03 Other Assaults - Simple Not Aggravated <input type="checkbox"/> 04 Other Dangerous Weapon <input type="checkbox"/> 05 Strong-Arm (Hands, Fists, Feet, etc.) <input type="checkbox"/> 99 Other _____	<p>SUSPECT'S ACTIONS/PERSONS</p> <input type="checkbox"/> 01 Blindfolded Victim Bound/Gagged/Tied <input type="checkbox"/> 02 Covered Victim's Face <input type="checkbox"/> 03 Forced Victim into Vehicle <input type="checkbox"/> 04 Forced V to Fondle Suspect <input type="checkbox"/> 05 Forced Victim to Move <input type="checkbox"/> 06 Inflicted Injuries <input checked="" type="checkbox"/> 07 Made Threats <input type="checkbox"/> 08 Masturbated Self <input type="checkbox"/> 09 Photographed Victim <input type="checkbox"/> 10 Rape by Instrument (Foreign Object) <input type="checkbox"/> 11 Ripped/Cut Clothing <input type="checkbox"/> 12 Searched Victim <input type="checkbox"/> 13 Sodomy <input type="checkbox"/> 14 Struck Victim <input type="checkbox"/> 15 Suggested V Commit Lewd Act <input checked="" type="checkbox"/> 16 Suspect Armed <input type="checkbox"/> 17 Suspect Ejaculated <input type="checkbox"/> 18 Suspect Fondled Victim <input type="checkbox"/> 19 Suspect Orally Copulated Victim <input type="checkbox"/> 20 Threatened Retaliation <input type="checkbox"/> 21 Tortured <input type="checkbox"/> 22 Used Demand Note <input type="checkbox"/> 23 Used Victim's Name <input type="checkbox"/> 24 Victim Injured <input type="checkbox"/> 25 Victim Orally Copulated Suspect <input type="checkbox"/> 99 Other _____
<p>VEHICLE ENTRY</p> <input type="checkbox"/> 01 N/A <input type="checkbox"/> 02 Door/Lock Forced <input type="checkbox"/> 03 Trunk Forced <input type="checkbox"/> 04 Unlocked <input type="checkbox"/> 05 Window Broken/Smashed <input type="checkbox"/> 06 Window Forced <input type="checkbox"/> 07 Window Open <input type="checkbox"/> 99 Other _____	<p>PROPERTY TAKEN</p> <input type="checkbox"/> 01 Alcohol <input type="checkbox"/> 02 Bicycles <input type="checkbox"/> 03 Clothes/Furs <input type="checkbox"/> 04 Computer Hard/Software <input type="checkbox"/> 05 Consumable Goods <input type="checkbox"/> 06 Credit/Debit Cards <input type="checkbox"/> 07 Drugs/Narcotics <input type="checkbox"/> 08 Firearms <input type="checkbox"/> 09 Gambling Equipment <input type="checkbox"/> 10 Household Goods <input type="checkbox"/> 11 Jewelry/Precious Metals <input type="checkbox"/> 12 Livestock <input type="checkbox"/> 13 Money <input type="checkbox"/> 14 Office Type Equipment <input type="checkbox"/> 15 Pending Inventory <input type="checkbox"/> 16 Purses/Handbags/Wallets <input type="checkbox"/> 17 Radios/TVs/VCRs/DVDs <input type="checkbox"/> 18 Recordings Audio/Visual <input type="checkbox"/> 19 Tools <input type="checkbox"/> 20 Vehicle Parts/Accessories <input type="checkbox"/> 99 Other _____	<p>PHYSICAL SECURITY</p> <input type="checkbox"/> 01 N/A <input type="checkbox"/> 02 Audible Alarm <input type="checkbox"/> 03 Auxiliary Locks (Deadbolt, Windows, etc.) <input type="checkbox"/> 04 Dog <input type="checkbox"/> 05 Garage Door Locked <input type="checkbox"/> 06 Inside Lighting On <input type="checkbox"/> 07 Obscured Interior View (Commercial/Business) <input type="checkbox"/> 08 Outside Lighting On <input type="checkbox"/> 09 Private Security Patrol <input type="checkbox"/> 10 Security Signage (N.W., Alarm, etc.) <input type="checkbox"/> 11 Silent Alarm <input type="checkbox"/> 12 Standard Locks <input type="checkbox"/> 13 Window Bars/Grills <input type="checkbox"/> 99 Other _____	

VENTURA POLICE ADDITIONAL VICTIMS/WITNESSES

CASE NO.
09-4873

INCIDENT	CODE	NAME (LAST, FIRST, MIDDLE)	FIRM NAME	AKA / MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
	V3	BROWN, MICHAEL					M	W				
	RESIDENCE ADDRESS				CITY	STATE	ZIP	RESIDENCE PHONE				
	BUSINESS NAME				ADDRESS	CITY	STATE	ZIP	BUSINESS PHONE			

VENTURA POLICE DEPT. 1425 DOWELL DR., VENTURA CA 93003									(805) 339-4400			
OCCUPATION / GANG				DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.		OPERATOR'S LIC. NO. / STATE				
POLICE OFFICER												

INCIDENT	CODE	NAME (LAST, FIRST, MIDDLE)	FIRM NAME	AKA / MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
	V4	MACINNES, BOB					M	W				
	RESIDENCE ADDRESS				CITY	STATE	ZIP	RESIDENCE PHONE				
	BUSINESS NAME				ADDRESS	CITY	STATE	ZIP	BUSINESS PHONE			

VENTURA POLICE DEPT. 1425 DOWELL , VENTURA CA. 93003									(805) 339-4400			
OCCUPATION / GANG				DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.		OPERATOR'S LIC. NO. / STATE				
POLICE CORPORAL												

INCIDENT	CODE	NAME (LAST, FIRST, MIDDLE)	FIRM NAME	AKA / MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
	RESIDENCE ADDRESS				CITY	STATE	ZIP	RESIDENCE PHONE				
	BUSINESS NAME				ADDRESS	CITY	STATE	ZIP	BUSINESS PHONE			

OCCUPATION / GANG				DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.		OPERATOR'S LIC. NO. / STATE				

INCIDENT	CODE	NAME (LAST, FIRST, MIDDLE)	FIRM NAME	AKA / MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
	RESIDENCE ADDRESS				CITY	STATE	ZIP	RESIDENCE PHONE				
	BUSINESS NAME				ADDRESS	CITY	STATE	ZIP	BUSINESS PHONE			

OCCUPATION / GANG				DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.		OPERATOR'S LIC. NO. / STATE				

INCIDENT	CODE	NAME (LAST, FIRST, MIDDLE)	FIRM NAME	AKA / MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
	RESIDENCE ADDRESS				CITY	STATE	ZIP	RESIDENCE PHONE				
	BUSINESS NAME				ADDRESS	CITY	STATE	ZIP	BUSINESS PHONE			

OCCUPATION / GANG				DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.		OPERATOR'S LIC. NO. / STATE				

INCIDENT	CODE	NAME (LAST, FIRST, MIDDLE)	FIRM NAME	AKA / MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
	RESIDENCE ADDRESS				CITY	STATE	ZIP	RESIDENCE PHONE				
	BUSINESS NAME				ADDRESS	CITY	STATE	ZIP	BUSINESS PHONE			

DATE / TIME REPORTED	REPORTING OFFICER / ID NO.	REVIEWING SUPERVISOR / ID NO.	DATE	RMS:
4/10/09 1750	MUNGER # 323	<i>[Signature]</i>	4/14/09	

COPIES TO: PATROL DET CAU GANG SRO STOREFRONT DMV DOJ PROB PAROLE OTHER _____

Ventura Police
ADDITIONAL VICTIMS/WITNESSES

CASE NO. 09-4873

INCIDENT
 INCIDENT
 INCIDENT
 INCIDENT
 INCIDENT
 INCIDENT

CODE	NAME (LAST, FIRST, MIDDLE)	FIRM NAME	AKA/MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
V1											
RESIDENCE ADDRESS		CITY		STATE		ZIP		RESIDENCE PHONE			
BUSINESS NAME		ADDRESS		CITY		STATE		ZIP		BUSINESS PHONE	
OCCUPATION/GANG		DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.		OPERATORS LIC. NO./STATE					
		VARY	VARY			CA					
V2											
RESIDENCE ADDRESS		CITY		STATE		ZIP		RESIDENCE PHONE			
BUSINESS NAME		ADDRESS		CITY		STATE		ZIP		BUSINESS PHONE	
OCCUPATION/GANG		DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.		OPERATORS LIC. NO./STATE					
		VARY	VARY			SAME					
V3	CITY OF VENTURA	FIRE									
RESIDENCE ADDRESS		CITY		STATE		ZIP		RESIDENCE PHONE			
BUSINESS NAME		ADDRESS		CITY		STATE		ZIP		BUSINESS PHONE	
OCCUPATION/GANG		DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.		OPERATORS LIC. NO./STATE					
RESIDENCE ADDRESS		CITY		STATE		ZIP		RESIDENCE PHONE			
BUSINESS NAME		ADDRESS		CITY		STATE		ZIP		BUSINESS PHONE	
OCCUPATION/GANG		DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.		OPERATORS LIC. NO./STATE					
RESIDENCE ADDRESS		CITY		STATE		ZIP		RESIDENCE PHONE			
BUSINESS NAME		ADDRESS		CITY		STATE		ZIP		BUSINESS PHONE	
OCCUPATION/GANG		DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.		OPERATORS LIC. NO./STATE					
RESIDENCE ADDRESS		CITY		STATE		ZIP		RESIDENCE PHONE			
BUSINESS NAME		ADDRESS		CITY		STATE		ZIP		BUSINESS PHONE	
OCCUPATION/GANG		DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.		OPERATORS LIC. NO./STATE					

DATE / TIME REPORTED	REPORTING OFFICER / ID NO.	REVIEWING SUPERVISOR / ID NO.	DATE	RMS:
1-11-09 / 1750	CAZENO #389	#290	1-11-09	
COPIES TO: <input type="checkbox"/> PATROL <input checked="" type="checkbox"/> DET <input type="checkbox"/> CAU <input type="checkbox"/> GANG <input type="checkbox"/> SRO <input type="checkbox"/> STOREFRONT <input type="checkbox"/> DMV <input type="checkbox"/> DOJ <input type="checkbox"/> PROB <input type="checkbox"/> PAROLE <input type="checkbox"/> OTHER				

ADDITIONAL VICTIMS/WITNESSES

CASE NO. 09-4873

INCIDENT

INCIDENT

INCIDENT

INCIDENT

INCIDENT

INCIDENT

CODE	NAME (LAST, FIRST, MIDDLE)	FIRM NAME	AKA/MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
<u>V-4</u>											
RESIDENCE ADDRESS				CITY	STATE	ZIP	RESIDENCE PHONE				
BUSINESS NAME				ADDRESS	CITY	STATE	ZIP	BUSINESS PHONE			
OCCUPATION/GANG			DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.			OPERATORS LIC. NO./STATE			

CODE	NAME (LAST, FIRST, MIDDLE)	FIRM NAME	AKA/MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
RESIDENCE ADDRESS				CITY	STATE	ZIP	RESIDENCE PHONE				
BUSINESS NAME				ADDRESS	CITY	STATE	ZIP	BUSINESS PHONE			
OCCUPATION/GANG			DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.			OPERATORS LIC. NO./STATE			

CODE	NAME (LAST, FIRST, MIDDLE)	FIRM NAME	AKA/MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
RESIDENCE ADDRESS				CITY	STATE	ZIP	RESIDENCE PHONE				
BUSINESS NAME				ADDRESS	CITY	STATE	ZIP	BUSINESS PHONE			
OCCUPATION/GANG			DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.			OPERATORS LIC. NO./STATE			

CODE	NAME (LAST, FIRST, MIDDLE)	FIRM NAME	AKA/MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
RESIDENCE ADDRESS				CITY	STATE	ZIP	RESIDENCE PHONE				
BUSINESS NAME				ADDRESS	CITY	STATE	ZIP	BUSINESS PHONE			
OCCUPATION/GANG			DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.			OPERATORS LIC. NO./STATE			

CODE	NAME (LAST, FIRST, MIDDLE)	FIRM NAME	AKA/MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
RESIDENCE ADDRESS				CITY	STATE	ZIP	RESIDENCE PHONE				
BUSINESS NAME				ADDRESS	CITY	STATE	ZIP	BUSINESS PHONE			
OCCUPATION/GANG			DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.			OPERATORS LIC. NO./STATE			

CODE	NAME (LAST, FIRST, MIDDLE)	FIRM NAME	AKA/MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
RESIDENCE ADDRESS				CITY	STATE	ZIP	RESIDENCE PHONE				
BUSINESS NAME				ADDRESS	CITY	STATE	ZIP	BUSINESS PHONE			
OCCUPATION/GANG			DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.			OPERATORS LIC. NO./STATE			

TIME REPORTED	REPORTING OFFICER / ID NO.	REVIEWING SUPERVISOR / ID NO.	DATE	RMS:
<u>4-14-09 10900</u>	<u>LANCE 337</u>	<u>4/14/09</u>	<u>4/14/09</u>	

COPIES TO: PATROL DET CAU GANG SRO STOREFRONT DMV DOJ PROB PAROLE OTHER

- 8102 W & I
- 12028.5 PC
- CHP 180
- GANG

Ventura Police Department
ARREST REPORT

ADULT JUVENILE

PAGE 1 OF 3

DATE / TIME BOOKED 4/15/09 1850		RELATED CASES		ARREST NO.		VCSO BN 118342		CASE NO. 09-4873				
DATE / TIME OF ARREST 4/10/09 2143		LOCATION OF ARREST CITY STATE ZIP VENTURA CA 93004				ARRESTING OFFICER / ID NO. BEAUTROW / 202						
TYPE OF ARREST <input checked="" type="checkbox"/> PC <input type="checkbox"/> CITIZEN <input type="checkbox"/> WARRANT <input type="checkbox"/> OTHER		LOCATION OF OFFENSE VENTURA CA 93004				TRANSPORTING OFFICER / ID NO. MCCAIN / 409						
CODE S	NAME (LAST, FIRST, MIDDLE) FENNELL, JEFFREY STEPHEN			AKA/MONIKER	DOB	AGE 37	SEX M	RACE W	HT 5-11	WT 210	HAIR BRO	EYES BRO
RESIDENCE ADDRESS CITY STATE ZIP						RESIDENCE PHONE						
BUSINESS NAME ADDRESS CITY STATE ZIP						BUSINESS PHONE						
OCCUPATION / GANG PLUMBER				DAYS OFF N/A	WORK HOURS N/A	SOCIAL SECURITY NO.		OPERATOR'S LIC. NO./STATE				
CODE SECTION / DESCRIPTION / COUNTS				M	F	WARRANT NO.		DATE ISSUED	COURT	BAIL		
245 (a) (1) PC / ADW				<input type="checkbox"/>	<input checked="" type="checkbox"/>							
245 (d) PC / ADW ON PEACE OFFICER				<input type="checkbox"/>	<input checked="" type="checkbox"/>							
246 PC / SHOOT AT INHABITED DWELLING				<input type="checkbox"/>	<input checked="" type="checkbox"/>							
246.3 (a) PC / DISCHARGE FIREARM W/GROSS NEG				<input type="checkbox"/>	<input checked="" type="checkbox"/>							
EMERGENCY NOTIFICATION: NAME		RELATIONSHIP	ADDRESS		CITY	STATE	ZIP	TELEPHONE				
DEFENDANT / ASSOCIATE ID NUMBER				CO-DEFENDANT / ASSOCIATE ID NUMBER								
CITIZEN ARREST STATEMENT: I hereby arrest the above person on the charge indicated above and request a peace officer to take him/her into custody. I will appear to sign a complaint against the person I have arrested. SIGNATURE _____												
ARRESTING CITIZEN'S NAME (Print)			ADDRESS		CITY	STATE	ZIP	TELEPHONE				
IN VIEW OF THE INFORMATION HEREIN STATED, THE ABOVE ARRESTEE WAS NOT RELEASED PURSUANT TO PC 853.6 SPECIFICALLY BECAUSE:												
<input type="checkbox"/> Intoxicated state may result in danger to self or others. <input type="checkbox"/> Arrestee required medical examination or care or could not care for own safety. <input type="checkbox"/> The immediate release would jeopardize prosecution. <input type="checkbox"/> Arrested for one or more offenses listed under Section 40302/40303 CVC. <input type="checkbox"/> Demanded immediate appearance. <input type="checkbox"/> Arrested for driving U/I. <input type="checkbox"/> Oral admonition given -- 13202/13202.5 VC-CDL susp. for 6 mos. upon completion.						<input type="checkbox"/> There are additional outstanding arrest warrants. <input type="checkbox"/> Arrestee had no personal identification. <input type="checkbox"/> Release would increase likelihood of offense continuing. <input type="checkbox"/> Refused to sign written promise to appear. <input type="checkbox"/> There is reason to believe that the person would not appear as specified in a written notice. <input type="checkbox"/> (Any other reason)						
ARRESTEE STATUS: <input checked="" type="checkbox"/> In Custody/Detention <input type="checkbox"/> Bail <input type="checkbox"/> 849b <input type="checkbox"/> Juvenile Citation <input type="checkbox"/> Misdemeanor Citation RELEASED TO: _____ CITATION NUMBER: _____												
WHERE WAS ARRESTEE BOOKED? <input checked="" type="checkbox"/> VCJ <input type="checkbox"/> VPD <input type="checkbox"/> VCMH <input type="checkbox"/> Other				EVIDENCE: <input type="checkbox"/> Prints <input type="checkbox"/> Photos <input type="checkbox"/> Blood <input type="checkbox"/> Urine <input type="checkbox"/> Handwriting <input type="checkbox"/> Breath <input type="checkbox"/> Other								
WAIVER STATEMENT												
DATE / TIME REPORTED 4/10/09 1750		REPORTING OFFICER / ID NO. MUNGER / 323				REVIEWING SUPERVISOR / ID NO. MUNGER / 323 <i>LJM #323</i>				DATE 4/10/09	RMS:	
COPIES TO: <input type="checkbox"/> PATROL <input type="checkbox"/> DET <input type="checkbox"/> CAU <input type="checkbox"/> GANG <input type="checkbox"/> SRO <input type="checkbox"/> STOREFRONT <input type="checkbox"/> DMV <input type="checkbox"/> DOJ <input type="checkbox"/> PROB <input type="checkbox"/> PAROLE <input type="checkbox"/> OTHER:												

Ventura Police Department
ARREST REPORT

CASE NO.
 09-4873

NARRATIVE
 ON THE ABOVE LISTED DATE AND TIME (S) WAS IN HIS HOME IN VENTURA WHEN HE POINTED A HANDGUN AT HIS WIFE (V1). AFTER POINTING THE GUN AT HIS WIFE (S) FIRED A SINGLE ROUND FROM THE GUN. (V1) LEFT THE RESIDENCE AND CALLED FOR HELP. OFFICERS FROM VPD ARRIVED ON SCENE AND ATTEMPTED TO CONTACT (S). (S) REFUSED TO COME OUT OF HIS RESIDENCE. (S) ENGAGED OFFICERS IN A STANDOFF. DURING THE STANDOFF (S) FIRED BOTH HANDGUNS AND HIGH-POWERED RIFLES BOTH INDISCRIMINATELY AND IN THE DIRECTION OF VPD SWAT OFFICERS ON SCENE. HOUSES IN THE AREA WERE EVACUATED. ROUNDS FIRED BY THE (S) STRUCK HOUSES AND A FIRE STATION IN THE AREA. THOSE HOUSES AND THE FIRE STATION WERE OCCUPIED WHEN HIT. OFFICERS FROM THE CRISIS NEGOTIATION TEAM COMMUNICATED WITH THE (S) NUMEROUS TIMES DURING THE INCIDENT. (S) MADE BOTH SUICIDAL AND THREATENING STATEMENTS AND CONTINUED TO REFUSE TO COME OUT. SWAT OFFICERS FIRED AT (S) TWICE. (S) WAS HIT ONCE. (S) ULTIMATELY CAME OUT OF HIS HOUSE AND SURRENDERED.

CLOTHING

VEHICLE

LICENSE NO. STATE YEAR MAKE MODEL Unk 2D 4D CV (Conv) PK VN SW
 MH MC LL (suv) OTHER _____

HAIR/COLOR

OTHER CHARACTERISTICS

WHERE PARKED/IMPOUNDED

HAIR LENGTH

- 01 BALD/SHAVED
- 02 BALDING
- 03 OVER EARS
- 04 SHORT
- 05 SHOULDER LENGTH
- 06 VARIED LENGTH
- 99 OTHER _____

HAIR STYLE

- 01 AFRO
- 02 BRAIDED
- 03 CURLY
- 04 FLAT TOP
- 05 JERRI CURLS
- 06 PONYTAIL
- 07 SHAVED
- 08 STRAIGHT
- 09 THIN
- 99 OTHER _____

COMPLEXION

- ACN ACNE
- ALB ALBINO
- BLK BLACK
- CLR CLEAR
- DRK DARK
- DBR DARK BROWN
- FAR FAIR
- FRK FRECKLED
- LGT LIGHT
- LBR LIGHT BROWN
- MED MEDIUM
- MBR MEDIUM BROWN
- OLV OLIVE
- POC POCKED
- RUD RUDDY
- SAL SALLOW
- WTH WEATHERED
- YEL YELLOW
- 99 OTHER _____

EYE DESCRIPTION

- 01 NORMAL
- 02 AFFLICTED EYE
- 03 CONTACT LENSES
- 04 CROSSED
- 05 DIFFERENT COLORS
- 06 GLASSES
- 07 LARGE
- 08 SMALL
- 99 OTHER _____

R/L HANDED

- RIGHT
- LEFT

VOICE

- 01 ACCENT Describe _____
- 02 LISP
- 03 SLURRED
- 04 STUTTER
- 99 OTHER _____

DEMEANOR

- 01 ANGRY
- 02 APOLOGETIC
- 03 CALM
- 04 INTOXICATED
- 05 IRRATIONAL
- 06 NERVOUS
- 07 POLITE
- 08 PROFESSIONAL
- 09 UNORGANIZED
- 10 VIOLENT
- 99 OTHER _____

PHYSICAL BUILD

- 01 HEAVY
- 02 MEDIUM
- 03 MUSCULAR
- 04 THIN
- 99 OTHER _____

FACIAL HAIR

- 01 CLEAN SHAVEN
- 02 FULL BEARD
- 03 GOATEE
- 04 MOUSTACHE
- 05 SIDEBURNS
- 06 UNSHAVEN
- 99 OTHER _____

TATTOOS / SCARS / DISTINGUISHING MARKS

- 01 FACE
- 02 TEETH
- 03 NECK
- 04 R/ARM
- 05 L/ARM
- 06 R/HAND
- 07 L/HAND
- 08 R/LEG
- 09 L/LEG
- 10 R/SHOULDER
- 11 L/SHOULDER
- 12 FRONT TORSO
- 13 BACK TORSO
- 99 OTHER _____

PHYSICAL APPEARANCE

- 01 BANDANA MASK
- 02 BUSINESS CLOTHES
- 03 CASUAL CLOTHES
- 04 COAT/JACKET
- 05 COSTUME MASK
- 06 DISGUISE
- 07 DISTINCTIVE JEWELRY
- 08 DRESSED AS OPPOSITE SEX
- 09 RAGGED/TRANSIENT
- 10 STOCKING MASK
- 11 UNIFORM
- 99 OTHER _____

TIME REPORTED

REPORTING OFFICER / ID NO.

REVIEWING SUPERVISOR / ID NO.

DATE

RMS

4/10/09 1750

MUNGER # 323

[Signature]

4/14/09

COPIES TO: PATROL DET CAU GANG SRO STOREFRONT DMV DOJ PROB PAROLE OTHER:

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN

VENTURA, CA 93004

INTERVIEW WITH: CPL. BEAUTROW

INTERVIEWED BY: DET. CPL. MUNGER AND DET. BRITTLE

DICTATED BY: DET. CPL. MUNGER
DATE/TIME DICTATED: 041309 / 1820 HOURS

ON 041109 AT APPROXIMATELY 1651 HOURS DET. BRITTLE AND I MET WITH CPL. BEAUTROW IN INTERVIEW ROOM #1 REGARDING HIS INVOLVEMENT IN THE INCIDENT AT . CPL. BEAUTROW AS IN INVOLVED IN THAT INCIDENT AS A MEMBER OF THE SWAT TEAM.

I STARTED OFF THE INTERVIEW BY ADVISING CPL. BEAUTROW OF HIS RIGHTS PER MIRANDA. AFTER CONFIRMING CPL. BEAUTROW UNDERSTOOD HIS RIGHTS I ASKED HIM, "AT THIS TIME DO YOU WISH TO WAIVE YOUR RIGHTS TO VOLUNTARILY ANSWER QUESTIONS"? CPL. BEAUTROW RESPONDED, "YES".

I ASKED CPL. BEAUTROW HOW HE WAS NOTIFIED ABOUT THE INCIDENT AT . BEAUTROW SAID HE WAS AT HOME WHEN HIS WIFE TOLD HIM THERE WAS A MESSAGE ON THE ANSWERING MACHINE NOTIFYING HIM OF A SWAT ACTIVATION. HE CONTACTED THE COMMUNICATIONS CENTER HE WAS NOTIFIED THERE WAS A SUBJECT IN A HOUSE WHO HAD DISCHARGED A ROUND. HE TOLD THE OPERATOR HE SPOKE WITH HIS ESTIMATED TIME OF ARRIVAL AND CAME TO THE VENTURA POLICE DEPARTMENT.

AT THE VENTURA POLICE DEPARTMENT BEAUTROW MET WITH LT. VANCE IN THE BRIEFING ROOM. HE RETRIEVED HIS EQUIPMENT AND ASKED VANCE WHERE HE WANTED HIM TO GO. LT. VANCE ASKED HIM TO WAIT WHILE HE GATHERED MORE INFORMATION. AFTER A FEW MINUTES LT. VANCE GAVE HIM THE ADDRESS AND ASKED HIM TO RESPOND TO THE SCENE. HE RODE IN A DETECTIVE UNIT WITH CPL. MACINNES AND OFC. VAZQUEZ. HE KNEW THERE WAS ANOTHER OFFICER IN THE CAR BUT COULD NOT REMEMBER WHO IT WAS. THEY RESPONDED TO THE SCENE. THEY INITIALLY STARTED TO GET OUT OF THEIR VEHICLE WEST OF THE ACTUAL LOCATION. THEY HAD TO GET BACK INTO THEIR CAR AND GO TO THE CP, WHICH WAS LOCATED EAST OF THE ADDRESS ON

BEAUTROW COULD NOT RECALL RECEIVING ANY UPDATED INFORMATION REGARDING THE CALL ON HIS WAY TO THE INCIDENT.

ONCE ON SCENE HE AND CPL. MACINNES WENT TO THE NORTH EAST CORNER OF AND , WHERE THEY MET UP WITH OFC. PRIOR TO GETTING A BRIEF FROM HE HEARD OVER THE RADIO THE IR TEAM HAD GONE TO THE FRONT OF THE RESIDENCE WITH THE ARMORED VEHICLE. OFC. GAVE HIM THE NAME OF THE SUSPECT, AND HE RECOGNIZED THE NAME FROM A PREVIOUS CONTACT. TOLD HIM THAT FENNELL HAD "A LOT OF HIGH-POWERED RIFLES AND KEEP YOUR HEAD DOWN". I ASKED BEAUTROW HOW HE KNEW FENNELL. HE SAID "PREVIOUS ARREST". I ASKED CPL. BEAUTROW IF THAT ARREST HAD GIVEN HIM ANY INFORMATION REGARDING FENNELL'S BEHAVIOR. HE DESCRIBED FENNELL AS "BEING VERY ABUSIVE" AND "HAS A DRINKING PROBLEM". I ASKED CPL. BEAUTROW WHEN THAT PREVIOUS CONTACT HAD TAKEN PLACE. IT WAS IN 1999 AND HE HAS NOT HAD CONTACT WITH THE SUSPECT SINCE THAT ARREST.

AFTER A SHORT BRIEFING FROM SGT. DICKEY, WHO WAS WITH THE IR TEAM, REQUESTED BEAUTROW, MACINNES, AND VAZQUEZ RESPOND TO HIS LOCATION. BEAUTROW BELIEVED THAT OFC. RUGGERIO WAS ALSO WITH THEM WHEN THEY WENT TO MEET WITH SGT. DICKEY. I ASKED CPL. BEAUTROW WHERE THEY ARMORED VEHICLE WAS. HE SAID IT WAS PARKED ON , FACING NORTH

BOUND, AND APPROXIMATELY ONE CAR LENGTH NORTH OF THE ACTUAL SUSPECT'S RESIDENCE.

HE TOOK A POSITION AT THE SOUTH END OF THE ARMORED CAR AND THROUGHOUT THE INCIDENT HE CHANGED OUT WITH OTHER OFFICERS. AT ONE POINT HE MOVED TO THE FRONT END OF THE ARMORED CAR. HE TOOK A POSITION OVER THE HOOD OF THE CAR. FROM HIS POSITION ON THE SOUTH END OF THE ARMORED CAR HE COULD SEE A TRAILER IN THE DRIVEWAY OF THE RESIDENCE, BUT HE COULD NOT SEE THE FRONT DOOR, AS A LARGE TREE BLOCKED IT. HE COULD ALSO SEE A WINDOW THAT HE BELIEVED WAS ATTACHED TO THE GARAGE. THAT WINDOW TURNED OUT TO BE IN A FAMILY.

AS UNITS RESPONDED TO THE INCIDENT ASSIGNMENTS WERE CHANGED, INCLUDING RUGGERIO AND MACINNES BEING MOVED TO THE "1 -2" CORNER. BEAUTROW EXPLAINED THE SYSTEM OF NUMBERING OF THE HOUSE, STARTING WITH SIDE FACING STREET AS THE ONE SIDE, THE SOUTH SIDE WAS THE TWO SIDE, THE BACK OF THE HOUSE WAS THE THREE SIDE, AND THE NORTH WALL WAS THE FOUR SIDE. BEAUTROW SAID THE ARMORED CAR WAS PARKED ON ONE SIDE OF THE HOUSE. WHEN HE WAS ON THE REAR OF THE ARMORED CAR, HE COULD ONLY COVER THE ONE SIDE OF THE RESIDENCE; WHEN HE WAS ON FRONT END HE COULD ONLY COVER THE 1 - 4 SIDE OF THE HOUSE.

HE SAID OFC. DOLAN MADE ANNOUNCEMENTS OVER THE BULLHORN, TRYING TO INITIATE CONTACT WITH THE SUSPECT. THERE WERE SEVERAL ANNOUNCEMENTS MADE OVER THE COURSE OF APPROXIMATELY 10 - 15 MINUTES, AND THERE WAS NO RESPONSE. HE HAD BEEN ON SCENE FOR APPROXIMATELY 30 - 40 MINUTES.

THE NEXT THING HE REMEMBERED WAS HEARING INFORMATION OVER THE RADIO ABOUT THE SUSPECT YELLING AND THEN THE SUSPECT BEGAN FIRING. HE DID NOT KNOW HOW MANY SHOTS THERE WERE AND COULD NOT TELL EXACTLY WHERE THE SHOTS WERE COMING FROM. THEY WERE MUFFLED AND HE KNEW THEY "WERE DEFINITELY AWAY FROM US". HE POINTED OUT, HOWEVER, THE SHOTS WERE LOUD ENOUGH FOR THEM TO HEAR.

AT THAT POINT THAT SOMEONE PUT OUT THE SUSPECT WAS YELLING FOR US "TO BACK OFF". I ASKED BEAUTROW IF THERE WAS ANY OTHER RADIO TRAFFIC. HE REPLIED, "I'M SURE THERE WAS, BUT I'M NOT SURE WHAT IT WAS."

THERE WAS A LULL AFTER THAT, AND THEN THERE WAS ANOTHER VOLLEY OF GUNSHOTS. I ASKED HOW LONG THE LULL WAS. BEAUTROW SAID IT LASTED APPROXIMATELY 10 MINUTES. THAT VOLLEY INCLUDED 4 - 5 GUNSHOTS. THOSE GUNSHOTS SOUNDED AS IF THEY WERE COMING FROM THE BACKSIDE OF THE HOUSE. THERE WAS RADIO TRAFFIC REGARDING THE SUSPECT "POSSIBLY SHOOTING FROM THE THREE", OR "POSSIBLY THE 3 -4 SIDE OF THE HOUSE". HE COULD SEE THE FOUR SIDE OF THE RESIDENCE. IT WAS GETTING DARK AND THERE WAS A TRUCK IN THE DRIVEWAY SO HE COULD NOT SEE CLEARLY ALL THE WAY DOWN THE SIDE OF THE HOUSE.

I ASKED BEAUTROW IF WHEN HE ARRIVED ON SCENE IT WAS STILL LIGHT OUT AND IT HAD PROGRESSIVELY GOTTEN DARK AS THE SITUATION PROGRESSED. HE SAID IT HAD.

HE HAD BEEN ON THE SCENE FOR JUST OVER AN HOUR WHEN THE SECOND VOLLEY OF SHOTS RANG OUT. I ASKED BEAUTROW IF THE DARKNESS WAS OBSCURING HIS VISION AND HE CONFIRMED THAT IT WAS MAKING IT HARDER TO SEE. I ASKED BEAUTROW IF, AT THAT POINT, HE HAD SEEN ANYONE MOVING AROUND INSIDE THE HOUSE. BEAUTROW SAID HE HAD NOT.

THE NEXT THING HE REMEMBERED WAS MORE RADIO TRAFFIC ABOUT THE SUSPECT POSSIBLY BEING ON THE THREE OR FOUR SIDE OF THE RESIDENCE, AND THERE WAS ANOTHER VOLLEY OF SHOTS. BEAUTROW SAID THAT VOLLEY OF SHOTS "WAS COMING OUR WAY". I ASKED HIM WHAT HE MEANT BY THE SHOTS WERE COMING HIS WAY. HE SAID HE HEARD RICOCHETS OF SHOTS. THE SHOTS WERE DEFINITELY LOUDER AND POINTED IN HIS DIRECTION. THE SHOTS DID NOT HIT THEIR VEHICLE, BUT HE BELIEVED THEY HIT OBJECTS NEARBY. I ASKED BEAUTROW HOW THAT MADE HIM FEEL AND RESPONDED, "UNEASY". I ASKED BEAUTROW HOW MANY PEOPLE WERE BEHIND THE ARMORED CAR HE REPLIED, "THERE WERE SIX OF US". I ASKED BEAUTROW IF HE COULD TELL WHAT TYPE OF WEAPON WAS BEING FIRED BY

THE SUSPECT. BEAUTROW RESPONDED, "INITIALLY, IT WAS HARD TO TELL, BECAUSE THE SHOTS POINTED IN OUR DIRECTION WERE DEFINITELY A HIGH-POWERED RIFLE, POSSIBLY AN AR, OR SOMETHING". I UNDERSTOOD BEAUTROW'S USE OF THE TERM AR MEANT AN AR15 STYLE ASSAULT RIFLE.

I ASKED BEAUTROW IF HE WAS AFRAID IN HIS POSITION BEHIND THE ARMORED CAR. BEAUTROW, SAID, "YEAH, I WAS SCARED". I ASKED BEAUTROW IF THE ARMORED CAR WOULD STOP AMMUNITION FROM A HIGH-POWERED RIFLE. HE RESPONDED, "WELL, WE HOPE IT DOES", BUT, "I WOULDN'T TRUST MY LIFE WITH IT A 100%". BEAUTROW POINTED OUT THE ARMORED CAR IS ONLY REINFORCED IN CERTAIN SPOTS.

BEAUTROW SAID HE ALSO KNEW THAT FROM HIS TRAINING AND EXPERIENCE WHEN A SUSPECT HAD HIGH GROUND ON HIM "THAT WAS DEFINITELY A VERY DANGEROUS SITUATION". THE SUSPECTS HOUSE WAS A TWO STORY. I ASKED BEAUTROW IF HE BELIEVED THAT WAS ESCALATING A DANGER TO HIM. BEAUTROW RESPONDED, "DEFINITELY".

AT ONE POINT AFTER THE SHOTS HAD BEEN SHOT IN HIS DIRECTION HE SAW WHAT HE BELIEVED WAS A SILHOUETTE IN THE 3 - 4 AREA OF THE HOUSE, BUT HE COULD NOT BE SURE, AS HIS VIEW OF THE SILHOUETTE WAS OBSTRUCTED BY LIGHTS COMING FROM THE NEXT DOOR NEIGHBOR'S GARAGE.

AT TIMES, THOSE LIGHTS GOT BRIGHTER FOR AN UNKNOWN REASON AND IT MADE IT HARDER TO SEE DOWN THE SIDE OF THE RESIDENCE.

I ASKED IF THERE WAS ANY CHANGE IN THE LIGHTING CONDITIONS INSIDE THE HOUSE NOW THAT IT WAS STARTING TO GET DARK. HE COULD NOT TELL BECAUSE OF THE BLINDS IN THE RESIDENCE WERE SHUT.

A SHORT TIME AFTER HE SAW THE SILHOUETTE IN THE BACKYARD OF THE RESIDENCE, A SPOT LIGHT, CONNECTED TO THE SUSPECT'S RESIDENCE CAME ON AND ILLUMINATED THEIR POSITION. BEAUTROW SAID THE LIGHT DEFINITELY PUT HIS TEAM AT A DISADVANTAGE, BECAUSE THE LIGHT ILLUMINATED THEIR POSITION, MAKING THEM VISIBLE.

ABOUT 10 MINUTES LATER 5 – 6 MORE ROUNDS WERE FIRED. HE BELIEVED THOSE ROUNDS WERE ALSO FIRED ON THE NORTH SIDE OF THE RESIDENCE, TOWARDS HIS POSITION. BEAUTROW SAID HE COULD HEAR RICOCHETS NEAR HIS POSITION. BEAUTROW DESCRIBED THOSE ROUNDS AS ALSO SOUNDING LIKE HIGH-POWERED RIFLE ROUNDS.

HIS POSITION AT THAT POINT WAS OVER THE HOOD OF THE ARMORED CAR, ON THE FRONT PASSENGER SIDE. BEAUTROW SAID HIS POSITION ALLOWED HIM TO SEE DOWN THE SIDE OF THE HOUSE. HE HAD A VIEW OF THE WINDOWS ON THE NORTH SIDE OF THE HOUSE, WHICH HE BELIEVED WERE ATTACHED TO A GARAGE, AND PARTIAL VIEW OF TWO SECOND STORY WINDOWS.

TEN – 15 MINUTES AFTER THE SECOND VOLLEY OF ROUNDS IN HIS DIRECTION, THE SPOT LIGHT ON THE NORTH SIDE OF THE HOUSE WAS TURNED OFF. I ASKED BEAUTROW IF HE RECEIVED ANY UPDATES FROM THE CP REGARDING THE SITUATION. HE RECEIVED UPDATES THROUGHOUT THE INCIDENT. SOME OF THE INFORMATION HE RECEIVED WAS REGARDING THE SUSPECT BEING IN CONTACT WITH THE NEGOTIATORS, AND HE RECEIVED INFORMATION REGARDING WHAT THE SUSPECT HAD TOLD THE NEGOTIATORS. SOMETHING WAS PUT OUT SHORTLY AFTER THE LIGHT ON THE NORTH SIDE OF THE HOUSE WAS TURNED OFF ABOUT THE SUSPECT, "BEING TIRED". HE COULD NOT RECALL EXACTLY WHAT WAS SAID, BUT HE BELIEVED WHAT HE WAS TOLD WAS THAT THE SUSPECT WAS WEARING DOWN.

I ASKED BEAUTROW IF HE RECEIVED ANY INFORMATION THAT ESCULATED HIS SENSE OF WHAT WAS TAKING PLACE. BEAUTROW RESPONDED, "AFTER THAT, YES". LT. VANCE PUT OUT INFORMATION THAT THE SUSPECT "WAS GOING TO EITHER COMMIT SUICIDE, OR COME OUT BLAZING". I ASKED BEAUTROW APPROXIMATELY HOW LONG INTO THE INCIDENT THAT INFORMATION HAD BEEN PUT OUT. HE ESTIMATED APPROXIMATELY 15 – 20 MINUTES.

I ASKED BEAUTROW IF THERE WAS AN ORDER FROM THE CP ABOUT THE INCIDENT. HE SAID HE COULD NOT RECALL EXACTLY WHEN THE ORDER HAD BEEN GIVEN. HE ASKED IF I WANTED TO KNOW WHAT THE ORDER THAT WAS GIVEN FROM THE CP WAS, AND I SAID YES. BEAUTROW RESPONDED, "BOLT-FORWARD". I ASKED WHAT

"BOLT-FORWARD" MEANT. HE SAID "BOLT-FORWARD" IS A COMMAND THAT IS GIVEN TO THE SNIPERS THAT THE BOLT IS FORWARD ON THEIR WEAPON, AND IF THEY HAVE A SHOT, TO TAKE THE SHOT. HE SAID THE ORDER MEANT TO USE DEADLY FORCE.

THERE WAS ANOTHER LULL. THAT LULL ENDED A SHORT TIME AFTER HE LEARNED MIKE BROWN WAS ON SCENE AND MAKING HIS WAY TO THE POSITION WITH RUGGERIO ON THE SOUTH EAST SIDE OF THE HOUSE. BEAUTROW SAID THAT AT APPROXIMATELY THE SAME TIME MIKE BROWN WAS ARRIVING, HE SAW MUZZLE FLASH FROM A SECOND-STORY WINDOW. HE SAW A MUZZLE FLASH AND SMOKE COMING FROM A WEAPON. BEAUTROW ALSO DESCRIBED SEEING A MAN HOLDING A RIFLE IN THE WINDOW.

BEAUTROW FIRED AT THE SILHOUETTE HE SAW IN THE SECOND STORY WINDOW. I ASKED BEAUTROW WHY HAD MENTIONED BROWN JUST ARRIVING ON SCENE, RELATED TO THE MUZZLE FLASH HE SAW IN THE WINDOW. BEAUTROW SAID, "THERE WERE SEVERAL THINGS". HE KNEW WHERE BROWN WAS GOING AND HE SAW THE DIRECTION THE WEAPON WAS BEING FIRED IN. THOUGH HE COULD NOT SAY WHERE BROWN WAS EXACTLY, HE KNEW BROWN WAS MOVING IN THAT AREA, AND THAT'S THE AREA HE SAW THE SUSPECT SHOOTING TOWARDS.

I ASKED BEAUTROW HOW THAT MADE HIM FEEL, KNOWING THE SUSPECT WAS SHOOTING IN THE DIRECTION OF OFFICER BROWN. BEAUTROW RESPONDED, "UNEASY". BEAUTROW POINTED OUT THE SUSPECT WAS NOT ONLY FIRING IN THE DIRECTION OF THE AREA WHERE HE KNEW BROWN WAS, THE SUSPECT WAS ALSO FIRING TOWARDS OTHER HOUSES, AND IN THE DIRECTION OF THE CP. HE KNEW THAT THE SUSPECT HAD A HIGH-POWERED RIFLE, AND HE COULD HEAR, BASED ON HIS TRAINING AND EXPERIENCE, THE SUSPECT WAS FIRING A HIGH-POWERED RIFLE. AT THAT POINT, HIS CONCERN WAS THE SAFETY OF NEIGHBORS AND OFFICERS ON THE SCENE. BEAUTROW SAID HE FELT THERE WAS A "SERIOUS THREAT OF SERIOUS BODILY INJURY, OR DEATH".

I CONFIRMED WITH BEAUTROW HE SAW THE SILHOUETTE AND THAT HE FIRED TOWARDS IT. BEAUTROW SAID, "I FIRED FOUR ROUNDS". BEAUTROW SAID HE FIRED

THE ROUNDS, SINGLE ACTION, BUT RAPIDLY, ONE AFTER ANOTHER. THERE WAS NO BREAK BETWEEN THE SHOTS. BEAUTROW POINTED OUT THAT HIS INTENT IN FIRING THE ROUNDS WAS TO PIN THE SUSPECT DOWN, OR STOP HIM. AFTER HE FIRED THE FOUR ROUNDS HE STOPPED TO ASSESS.

WHEN THERE WAS NO MORE FIRE FROM THE SUSPECT, AND HE COULD NO LONGER SEE HIM, HE DID NOT FIRE ANY MORE ROUNDS. BESIDES THE MUZZLE FLASH IN THE ROOM, THERE WAS NO OTHER LIGHT SOURCE COMING FROM THE ROOM. THE LIGHT ILLUMINATING THE FRONT OF THE HOUSE WAS COMING FROM THE SPOTLIGHTS ON A PATROL CAR.

AFTER FIRING HE TOLD HIS TEAM WHAT HE WAS FIRING AT, AND SGT. DICKEY BROADCAST OVER THE RADIO HE HAD RETURNED FIRE.

I ASKED IF THERE WAS ANY COMMUNICATION BEAUTROW KNEW OF WITH THE SUSPECT AT THAT POINT. BEAUTROW SAID THERE WAS NOT. HE SAID AT THAT POINT IT WAS QUIET AND THERE WAS NO MORE SHOOTING FROM THE SECOND STORY. THE TEAM HE WAS WITH WAS WAITING TO SEE WHAT WAS GOING TO HAPPEN NEXT. I ASKED BEAUTROW IF HE HAD SEEN THE SUSPECT PRIOR TO WHEN HE FIRED AT HIM. HE HAD NOT. BASED ON THE INFORMATION HE RECEIVED WHEN RESPONDING TO THE SCENE AND HIS KNOWLEDGE WHEN HE FIRED, THERE WAS ONLY ONE SUSPECT INSIDE THE RESIDENCE.

APPROXIMATELY 10 – 15 MINUTES PASSED BEFORE HE HEARD ANOTHER VOLLEY OF MUFFLED GUNSHOTS. HE HEARD A SINGLE GUNSHOT AT THAT POINT, AND DESCRIBED IT AS BEING MUFFLED AND COMING FROM THE DOWNSTAIRS. HE BELIEVED THAT SHOT HAD COME FROM SOMEWHERE IN THE AREA OF 3 – 4 SIDE OF THE HOUSE.

MORE TIME PASSED WHERE IT WAS QUIET AND THERE WAS INFORMATION FROM LT. VANCE THAT THE SUSPECT HAD RELAYED HE WAS GOING TO "SHOOT OUT A LIGHT". I ASKED BEAUTROW WHAT THAT INFORMATION MEANT TO HIM. HE BELIEVED THE SUSPECT WAS GOING TO COME OUT SHOOTING AND THE HE WAS POSSIBLY NOW GOING TO BE SPECIFIC WITH TARGET IDENTIFICATION. BEAUTROW SAID HE DID NOT

KNOW WHAT LIGHT THE SUSPECT WAS REFERRING TO. HE WAS UNSURE IF THE SUSPECT WAS TALKING ABOUT A STREET LIGHT OR THE LIGHTS FROM THE PATROL CAR THEY HAD ILLUMINATING THE RESIDENCE.

I ASKED BEAUTROW WHAT HAPPENED AFTER HE RECEIVED THAT INFORMATION. BEAUTROW SAID A SHORT TIME LATER, THERE WAS A SINGLE GUNSHOT, "A .308 SHOT I'VE HEARD MANY TIMES BEFORE". HE SAID INITIALLY HE THOUGHT THAT SHOT CAME FROM THE SUSPECT SHOOTING; HOWEVER, HE REALIZED THE CONCUSSION FROM THE ROUND CAME FROM THE REAR OF HIS LOCATION. HE ALSO HEARD CHATTER OVER THE RADIO THAT THE SUSPECT HAD POSSIBLY BEEN SHOT BY ONE OF THE SWAT TEAM SNIPERS.

THE NEXT INFORMATION HE HAD WAS THE SUSPECT WAS ON-LINE WITH THE CP AND THE SNIPER HAD SHOT THE SUSPECT. BEAUTROW SAID MORE INFORMATION WAS RELATED THAT THE COMMAND POST WAS ORDERING THE SUSPECT TO COME OUT. HE WAS SAYING HE COULD NOT COME OUT BECAUSE HE WAS INJURED. THE SUSPECT WAS ORDERED TO CRAWL OUT OF THE FRONT DOOR.

INITIALLY THE SUSPECT DID NOT COME OUT FOR APPROXIMATELY 5-10 MINUTES. AFTER THAT TIME PASSED OFFICERS LOCATED SOUTH OF HIS LOCATION BEGAN YELLING OUT ORDERS TO THE SUSPECT. BEAUTROW HEARD RADIO TRAFFIC THAT THE SUSPECT WAS STARTING TO CRAWL OUT OF THE RESIDENCE. THE SUSPECT CRAWLED OUT OF THE RESIDENCE A FEW FEET. BEAUTROW SAID HE COULD HEAR THE SUSPECT SAY HE COULD NOT CONTINUE TO CRAWL, BECAUSE HE HAD BEEN SHOT. AT THAT POINT, BEAUTROW SAID HE, DICKEY AND VAZQUEZ HAD MOVED FORWARD FROM THEIR POSITION TO A BLOCK WALL, LOCATED IN THE DRIVEWAY, JUST NORTH OF THE SUSPECT'S DRIVEWAY. BEAUTROW SAID HE AND HIS GROUP APPROACHED THE FRONT OF THE HOUSE AND FOUND THE SUSPECT ON HIS KNEES AT THE FRONT DOOR AND GAVE COMMANDS FOR THE SUSPECT TO LYE ON THE GROUND IN A PRONE POSITION. HE DESCRIBED THE SUSPECT AS GOING DOWN ON HIS STOMACH AND PUTTING HIS LEFT HAND OUT COMPLETELY. THE SUSPECT HAD TROUBLE GETTING HIS RIGHT HAND ALL THE WAY OVER HIS HEAD, BECAUSE HE HAD BEEN SHOT. HE, DICKEY AND VAZQUEZ APPROACHED THE SUSPECT AND HE HANDCUFFED AND SEARCHED HIM. THE SUSPECT WAS WEARING SWEATPANTS AND

HE FOUND BULLETS IN BOTH OF HIS POCKETS. HE DESCRIBED THE BULLETS AS BEING LOOSE IN THE SUSPECT'S POCKETS AND NOT IN MAGAZINES.

AT THAT POINT, THE REMAINDER OF THE SWAT TEAM APPROACHED THE FRONT OF THE RESIDENCE WHILE BEAUTROW AND DICKEY STAYED WITH THE SUSPECT. THE SWAT TEAM MADE ENTRY INTO THE HOUSE AND CLEARED THE RESIDENCE. SGT. DICKEY GOT ON THE RADIO AND IMMEDIATELY REQUESTED MEDICAL ASSISTANCE FOR THE SUSPECT. THEY WERE BROUGHT A BACKBOARD, WHICH THEY PLACED THE SUSPECT ON, AND TOOK HIM FROM THE FRONT OF THE RESIDENCE TO AN AMBULANCE WAITING NEAR THE CP.

I ASKED BEAUTROW IF HE COULD RECALL THE SUSPECT SAYING ANYTHING AS HE WAS BEING TAKEN INTO CUSTODY. BEAUTROW SAID HE DID. HE SAID THE SUSPECT FIRST SAID, "THAT WAS A GOOD SHOT", AND "IT WAS STUPID, WHAT HE DID". I ASKED BEAUTROW IF HE COULD TELL IF THE SUSPECT WAS INTOXICATED. BEAUTROW SAID HE COULD SMELL ALCOHOL ON THE SUSPECT, BUT THE SUSPECT COULD DEFINITELY TELL WHAT WAS GOING ON, AND THE SUSPECT RESPONDED TO HIS COMMANDS.

WE TOOK A SHORT BREAK DURING THE INTERVIEW. WHEN WE RETURNED I ASKED BEAUTROW WHAT HE MEANT WHEN HE USED THE TERM "UNEASY" TO DESCRIBED HOW HE FELT WHEN HE WAS BEING FIRED AT? BEAUTROW CLARIFIED BY SAYING, "I WAS SCARED SHITLESS". BEAUTROW CLARIFIED HE AS CONCERNED HIS SAFETY. HE EXPLAINED, AS STATED PREVIOUSLY, HE WAS UNSURE IF THE ARMORED CAR WOULD EVEN STOP FIRE FROM A HIGH-POWERED RIFLE. HE EXPLAINED HE WAS VERY AFRAID FOR HIS SAFETY AND THE SAFETY OF HIS TEAM MEMBERS. HE ALSO SAID HE FELT CONCERNED FOR THE SAFETY OF ANYONE IN THE AREA THAT MIGHT BE AFFECTED BY THE ROUNDS THE SUSPECT WAS FIRING INDISCRIMINATELY. I ASKED BEAUTROW WHAT HIS POSITION WAS WHEN HE WAS FIRING ON THE SECOND WINDOW. BEAUTROW SAID HE WAS SHOOTING OVER THE HOOD OF THE ARMORED VEHICLE FROM THE FRONT, PASSENGER SIDE. HE SAID HE FIRED WITH HIS H & K MP5 9MM.

I ASKED BEAUTROW IF WHEN HE SAID HE FIRED FOUR ROUNDS, IF HE COULD HAVE BEEN MISTAKEN. BEAUTROW SAID, "I DON'T THINK SO". HE CONFIRMED THAT NO

ONE ELSE WAS FIRING FROM HIS LOCATION TOWARDS THE SUSPECT'S RESIDENCE. I EXPLAINED THAT WE FOUND SIX CASINGS IN THE AREA, WHERE HE WAS FIRING FROM. BEAUTROW RESPONDED, "IF YOU FOUND SIX CASINGS, I WAS THE ONLY ONE SHOOTING, SO MY COUNT WAS OFF".

BEAUTROW SAID HE KNEW WHEN HE ARRIVED ON SCENE THAT WAS THE BROTHER-IN-LAW OF THE SUSPECT, JEFF FENNELL, BUT HE DID NOT KNOW

FOLLOWING ANOTHER SHORT BREAK, WE ENDED THE INTERVIEW.

DATE/TIME TRANSCRIBED: 041309 / 1315 HOURS
TRANSCRIBED BY: P170 / HOCK
DATE/TIME REVIEWED:
REVIEWED BY:

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN (110769)
VENTURA, CA 93004

INTERVIEW WITH: OFFICER MIKE BROWN

INTERVIEWED BY: DET. CPL. MUNGER AND DET. BRITTLE

Dictated by: DET. CPL. MUNGER/323
DATE/TIME Dictated: 041309 / 1400 HOURS

ON 041109 AT APPROXIMATELY 0030 HOURS, DET. BRITTLE AND I MET WITH OFFICER MIKE BROWN IN INTERVIEW ROOM #1 REGARDING HIS INVOLVEMENT IN THE INCIDENT AT . OFFICER BROWN WAS A MEMBER OF THE SWAT TEAM ON THAT INCIDENT.

OFFICER BROWN RECEIVED TELEPHONE NOTIFICATION OF A SWAT ACTIVATION AT APPROXIMATELY 1830 HOURS ON 041009. HE SAID THAT PRIOR TO RESPONDING TO THE STATION HE HAD LEARNED THROUGH OFFICER KELLY THAT THERE HAD BEEN A REPORT OF SHOTS FIRED FROM A BARRICADED SUBJECT IN THE HOUSE ON . BROWN CAME TO THE STATION WITH OFFICER KELLY AND WHILE EN ROUTE TO THE INCIDENT OFFICER BROWN RECALLED HEARING ADDITIONAL REPORTS OF SHOTS FIRED FROM THE UNITS AT

WHEN OFFICERS BROWN AND KELLY ARRIVED AT THE COMMAND POST FOR THE INCIDENT, OFFICER BROWN CHECKED IN WITH LT. VANCE. LT. VANCE BRIEFED HIM ON THE INCIDENT AND GAVE HIM AN ASSIGNMENT ON THE PERIMETER AT THE ONE - TWO CORNER OF THE RESIDENCE ON , WHICH HE DESCRIBED AS BEING AT THE HOUSE, JUST SOUTH OF THE SUSPECT'S HOUSE.

DET. BRITTLE ASKED BROWN WHAT WAS GOING THROUGH HIS MIND AFTER LEARNING THERE WERE SHOTS FIRED AT THE SITUATION. OFFICER BROWN DESCRIBED IT AS BEING A VERY VOLATILE SITUATION WITH SHOTS BEING FIRED OUT OF THE HOUSE. OFFICER BROWN DESCRIBED THE AREA AS BEING RESIDENTIAL WITH LOTS OF POTENTIAL VICTIMS WHO MAY NOT HAVE GOTTEN OUT OF THEIR HOUSES BECAUSE OF THE SUBJECT'S ACTIONS. BROWN SAID THAT THE TYPE OF WEAPONS THE SUSPECT POSSIBLY HAD IN HIS POSSESSION, INCLUDING AN AK47 AND A 308 RIFLE COULD TRAVEL A LONG WAY AND IN HIS MIND HE KNEW THERE WERE "LOTS OF POTENTIAL VICTIMS".

ONCE HE ARRIVED ON SCENE HE HEARD SHOTS BEING FIRED FROM THE SUSPECT'S LOCATION. HE ALSO RECALLED SOMEONE TELLING HIM THAT A ROUND HAD SKIPPED OFF THE GROUND IN THE AREA BY THE COMMAND POST. BROWN SAID HE RESPONDED TO HIS ASSIGNMENT, RUNNING WESTBOUND ON STREET ON THE SIDEWALK ON THE NORTH SIDE OF THE STREET. BROWN SAID AS HE RAN WEST HE CAME TO THE NORTHEAST CORNER OF THE INTERSECTION OF AND WHEN HE REALIZED FROM HIS POSITION HE WAS IN A STRAIGHT LINE OF SIGHT WITH THE UPSTAIRS WINDOWS OF THE SUSPECT'S HOUSE. AS HE REALIZED THIS, HE CONTINUED WESTBOUND ACROSS TO THE NORTHEAST CORNER, WHERE HE WAS TO MEET UP WITH OFFICER RUGGERIO AND CPL. MACINNES.

AS BROWN CROSSED THE STREET, TOWARDS HIS ASSIGNMENT, "NUMEROUS ROUNDS BEGAN COMING OUT OF THE SUSPECT'S HOUSE IN OUR DIRECTION". HE SAID AS THE ROUNDS WERE COMING OUT OF THE SUSPECT'S HOUSE, BRANCHES FROM THE TREES IN FRONT OF HIM AND CPL. MACINNES BEGAN FALLING TO THE GROUND, AS IF ROUNDS WERE HITTING THE TREES.

BROWN SAID THERE WAS A TRAILER IN THE DRIVEWAY OF THE SUSPECT'S HOUSE AT THAT WAS DIRECTLY IN FRONT OF HIM. BROWN DESCRIBED WATER FALLING OFF OF THE TRAILER, AS IF THE TRAILER WAS POSSIBLY IN THE LINE OF FIRE FROM THE UPSTAIRS WINDOW, BETWEEN HIM AND THE SUSPECT AS HE WAS CROSSING THE STREET. HE SAID HE FELT THAT THE GUNFIRE THAT ERUPTED AS HE WAS RUNNING WESTBOUND ACROSS WAS DIRECTED AT HIM.

OFFICER BROWN RELATED HE HAD BEEN SHOT AT IN THE PAST AND HE FELT HE WAS BEING SHOT AT IN THIS INCIDENT, AS WELL. BROWN SAID HE FELT AS IF THE SUSPECT HAD NO REGARD FOR ANYONE'S SAFETY AND HE WAS TRYING TO HURT SOMEONE. BROWN SAID HE FELT HIS LIFE WAS IN DANGER, AS WAS THAT OF THE OTHER OFFICERS ON THE SCENE.

BROWN RECALLED THE ORDER FROM THE CP REGARDING THE SUSPECT WAS "BOLT FORWARD". OFFICER BROWN SAID HE KNEW THAT AS AN ORDER FOR SNIPERS TO TAKE A SHOT AT THE SUSPECT IF THEY HAD THE OPPORTUNITY TO END THE SUSPECT'S THREATENING BEHAVIOR.

BROWN SAID HE HAD RECEIVED INFORMATION DURING THE CALL THAT THE SUSPECT HAD MADE THE STATEMENT HE WAS EITHER GOING TO COMMIT SUICIDE OR "COME OUT BLAZING". BROWN RECALLED HEARING THE SHOT FROM THE SWAT TEAM INTO THE RESIDENCE SUBSEQUENTLY ENDED THE INCIDENT, AS THE SUBJECT WAS HIT BY THAT SHOT. HE ALSO RECALLED THAT AFTER RECEIVING INFORMATION THAT THE SUSPECT WAS HIT, CONTACT WAS MADE WITH HIM VIA TELEPHONE AND HE WAS ORDERED OUT OF THE HOUSE. THE SUSPECT SUBSEQUENTLY CAME OUT OF THE HOUSE AND HE WAS TAKEN INTO CUSTODY.

BROWN SAID HE WAS INVOLVED WITH THE PROTECTIVE SWEEP OF THE RESIDENCE AFTER THE SUSPECT WAS TAKEN INTO CUSTODY. DURING THAT SWEEP, HE RECALLED SEEING A SHOTGUN UP AGAINST THE WALL, NEAR A DOOR. HE BELIEVES THE SUSPECT HAD POSSIBLY STAGED AT THAT LOCATION DURING THE INCIDENT. BROWN ALSO RECALLED SEEING AN M4 223 CALIBER RIFLE WITH A SCOPE WHILE HE WAS SWEEPING THE UPSTAIRS PORTION OF THE RESIDENCE. HE RECALLED SEEING SPENT CASINGS AND BULLET HOLES IN THE BLINDS OF THE MASTER BEDROOM, ALONG WITH TWO OTHER HANDGUNS ON THE END OF THE BED, NEXT TO THE M4 RIFLE.

DATE/TIME TRANSCRIBED: 041309 / 1645 HOURS
TRANSCRIBED BY: P170 / HOCK

DATE/TIME REVIEWED:
REVIEWED BY:

Jell #323
off/13/09

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN (110769)
VENTURA, CA 93004

INTERVIEW WITH: SERGEANT DICKEY

INTERVIEWED BY: DET. BOON/301 AND DET. MC CONATHY/374

Dictated by: DET. BOON/301
DATE/TIME Dictated: 041309/1315 HOURS

ON 041109 DETECTIVE MCCONATHY AND I INTERVIEWED SGT. DICKEY AT THE VENTURA POLICE DEPARTMENT REFERENCE THIS INCIDENT. THE FOLLOWING IS A SUMMARY OF THAT INTERVIEW.

SGT. DICKEY INFORMED US THAT ON 041009 AT APPROXIMATELY 1800 HOURS HE RECEIVED A SWAT CALL OUT. SGT. DICKEY RESPONDED TO THE STATION AND CONTACTED THE VENTURA POLICE DEPARTMENT'S COMMUNICATION CENTER. AT THAT TIME SGT. DICKEY SPOKE WITH CPL. HIGGINS, WHO INFORMED SGT. DICKEY THE VENTURA POLICE DEPARTMENT HAD RECEIVED A SHOTS FIRED CALL (POSSIBLY DOMESTIC RELATED). CPL. HIGGINS TOLD SGT. DICKEY THE SUBJECT HAD POSSIBLY BARRICADED HIMSELF INSIDE THE RESIDENCE AND THAT HE HAD FIRED SEVERAL ROUNDS.

PER SGT. DICKEY, CPL. HIGGINS ALSO TOLD HIM THAT UPON PATROL OFFICERS' ARRIVAL SEVERAL ADDITIONAL SHOTS WERE HEARD INSIDE THE RESIDENCE AT
IN VENTURA. SGT. DICKEY STATED THAT UPON ARRIVAL TO THE VENTURA POLICE DEPARTMENT, HE CHANGED INTO HIS SWAT EQUIPMENT AND WAITED FOR ADDITIONAL OFFICERS (CPL. PAYNE AND OFC. DOLAN).

ONCE ALL OF THE SWAT OFFICERS WERE READY, THEY RESPONDED TO THE SCENE. PER SGT. DICKEY, UPON ARRIVAL AT THE LOCATION, HE DEPLOYED WITH HIS TEAM AND SET UPON THE RESIDENCE. SGT. DICKEY INFORMED DET. MCCONATHY AND ME THAT HE INITIALLY SET UP WITH HIS TEAM TO THE FRONT OF THE RESIDENCE. THEIR INTENT FOR SETTING UP ON THE FRONT OF THE RESIDENCE WAS IN CASE THE SUBJECT EXITED THE RESIDENCE, (THEY WOULD BE ABLE TO CONTACT HIM AND TAKE HIM INTO CUSTODY).

WHILE ON SCENE, SGT. DICKEY LEARNED OFC. WEBSTER WAS ON SCENE AND THAT HE HAD OBTAINED THE ARMORED CAR. SGT. DICKEY STATED THAT IN ORDER TO PREVENT THE SUBJECT'S VEHICLES FROM BEING MOVED, HE INSTRUCTED OFC. WEBSTER TO BLOCK THE DRIVEWAY WITH THE ARMORED VEHICLE. SGT. DICKEY INFORMED DET. MCCONATHY AND ME THAT THE ARMORED VEHICLE WAS PULLED IN FRONT OF THE RESIDENCE WITH THE FRONT OF THE VEHICLE POINTING NORTH AND THE REAR FACING SOUTH. PER SGT. DICKEY, THE VEHICLE WAS PARKED IN SUCH A MANNER THAT THE WORDING "VENTURA POLICE" COULD BE CLEARLY SEEN (AS THE VEHICLE WAS BROADSIDE TO THE RESIDENCE AT _____, WITH THE LETTERING ON THE SIDE OF THE VEHICLE FACING WEST, TOWARDS THE RESIDENCE). SGT. DICKEY ALSO INFORMED US THAT THE VEHICLE HAD A POLICE LIGHT BAR ON IT, AND THE VEHICLE WAS COMPLETELY DISTINGUISHABLE AS A POLICE VEHICLE.

PER SGT. DICKEY, HE, ALONG WITH OFC. DOLAN, OFC. WEBSTER, AND CPL. PAYNE STAGED AT THE ARMORED VEHICLE (ON THE EASTSIDE OF THE VEHICLE). AT THIS LOCATION, SGT. DICKEY BEGAN COORDINATING WITH THE PERIMETER UNITS TO ENSURE THEY HAD 360 DEGREE COVERAGE ON THE RESIDENCE. SGT. DICKEY INFORMED US THAT THESE COMMUNICATIONS (TO SET UP THE PERIMETER TEAM) WERE CONDUCTED BY RADIO AND VIA CELL PHONE. SGT. DICKEY ALSO COORDINATED WITH ADDITIONAL SWAT OFFICERS AS THEY ARRIVED ON SCENE AND PLACED THEM ON THE PERIMETER. SGT. DICKEY INFORMED US THAT IT WAS HIS INTENT TO FORM A TIGHT PERIMETER IN ORDER TO BE ABLE TO TAKE THE SUSPECT INTO CUSTODY, OR TO PREVENT HIS ESCAPE FROM THE RESIDENCE, (IF THE SUSPECT DECIDED TO MAKE THESE ACTIONS).

I ASKED SGT. DICKEY IF PATROL OFFICERS WERE STILL DEPLOYED AT THE LOCATION AT THE TIME HE ARRIVED AND HE CONFIRMED THAT THEY WERE. SGT. DICKEY INFORMED ME THESE OFFICERS WERE UTILIZED IN EVACUATING THE RESIDENTS NEAR THE ADDRESS.

SGT. DICKEY WAS ASKED ABOUT THE UNIFORMING OF THE PERSONNEL ON SCENE. SGT. DICKEY INFORMED ME THAT ALL OF THE SWAT PERSONNEL WERE CLEARLY DRESSED IN VENTURA POLICE DEPARTMENT SWAT UNIFORMS, AND THAT PATROL OFFICERS WERE CLEARLY DRESSED IN VENTURA POLICE DEPARTMENT PATROL UNIFORMS. IN ADDITION TO THE UNFORMED PERSONNEL ON SCENE, THERE WERE POLICE VEHICLES THROUGHOUT THE IMMEDIATE AREA.

I THEN ASKED SGT. DICKEY WHAT THEIR NEXT COURSE OF ACTION WAS. SGT. DICKEY INFORMED ME THAT OFC. VAZQUEZ AND CPL. BEAUTROW ARRIVED ON SCENE AND MET WITH THEM AT THE ARMORED VEHICLE. SGT. DICKEY STATED THAT HE BEGAN REQUESTING ADDITIONAL EQUIPMENT, I.E., SHIELDS, ETC. SGT. DICKEY STATED THAT WHILE POLICE ACTIVITIES WERE GOING ON, THEY HEARD SHOTS FIRED INSIDE THE RESIDENCE, OR IN THE BACKYARD. SGT. DICKEY COULD NOT SPECIFY THE EXACT TIME OF THESE SHOTS; HOWEVER, HE STATED THESE SHOTS CAME FROM THE RESIDENCES' BACKYARD, OR SIDE YARD AT

SGT. DICKEY STATED THAT WHILE ON SCENE, SWAT OFFICERS USED THE BULLHORN TO ATTEMPT TO CONTACT THE SUSPECT INSIDE THE RESIDENCE. SGT. DICKEY STATED THAT THEY CLEARLY IDENTIFIED THEMSELVES NUMEROUS TIMES AS MEMBERS OF THE VENTURA POLICE DEPARTMENT AND THEY REQUESTED THAT THE OCCUPANT (JEFF) COME OUT OF THE FRONT OF THE RESIDENCE AND SURRENDER.

I ASKED SGT. DICKEY IF ANY OF THE OFFICERS ON THE PERIMETER HEARD THESE ANNOUNCEMENTS. SGT. DICKEY STATED HE CONTACTED OFC. HOURIGAN AND HE CONFIRMED THAT THE BULLHORN MESSAGES WERE BEING HEARD ON THE BACKSIDE OF THE HOUSE. SGT. DICKEY STATED THAT HE SUSPECTED THERE WERE APPROXIMATELY ONE DOZEN ATTEMPTS USING THE BULLHORN TO GET THE SUSPECT, LATER IDENTIFIED AS JEFFREY FENNELL, TO SURRENDER TO POLICE.

SGT. DICKEY STATED THAT THE SUSPECT (FENNELL) NEVER COMPLIED WITH THESE ORDERS.

SGT. DICKEY STATED THAT WHILE HE AND HIS TEAM WERE AT THE LOCATION, AND ON SEVERAL OCCASIONS, SHOTS WERE HEARD FROM BOTH INSIDE AND OUTSIDE THE RESIDENCE. SGT. DICKEY DESCRIBED THE SHOTS AS HANDGUN, SHOTGUN, OR POSSIBLE HIGH-POWERED RIFLE ROUNDS. WHILE HEARING THE SHOTS BEING FIRED, SGT. DICKEY ALSO INFORMED US THAT HE HEARD SEVERAL RICOCHETS, (THE BULLETS SOUNDED AS IF THEY WERE STRIKING THE ASPHALT NEAR THEIR LOCATION). ADDITIONALLY, WHILE ON SCENE, THEY COULD SEE AND HEAR PIECES OF THE TREES TO THE FRONT OF THE RESIDENCE, FALLING TO THE GROUND. SGT. DICKEY INFORMED US THAT THE ROUNDS SEEMED TO BE GOING IN ALL DIRECTIONS AND HE HAD PERSONNEL DEPLOYED TO ALL THOSE LOCATIONS, THEREBY ENDANGERING THOSE OFFICERS.

SGT. DICKEY STATED THAT WHILE AT THE LOCATION, HE WAS WATCHING AND SAW A LARGE FLOOD LIGHT OR MOTION LIGHT ILLUMINATE THE SIDE OF THE RESIDENCE. DIRECTLY THEREAFTER HE HEARD A SOUND OF SEVERAL LARGE CALIBER ROUNDS BEING FIRED. SGT. DICKEY STATED THAT THESE ROUNDS WERE BEING FIRED IN THE DIRECTION OF TEAM IN FRONT OF THE RESIDENCE. SGT. DICKEY INFORMED ME THAT WHILE ROUNDS WERE BEING FIRED AT THIS TEAM, HE WAS RESPONSIBLE FOR RADIO TRAFFIC AND HE INFORMED DISPATCH THAT ROUNDS WERE BEING FIRED AT HE AND HIS TEAM.

DET. MCCONATHY ASKED SGT. DICKEY IF THE ROUNDS SOUNDED LIKE THEY WERE FROM A FULLY AUTOMATIC WEAPON. SGT. DICKEY REPLIED THAT THEY DID NOT SOUND THAT WAY. SGT. DICKEY ELABORATED THAT THE WEAPONS SOUNDED LIKE SEMI-AUTOMATIC RIFLES AND THAT THE RIFLES SOUNDED LIKE THEY WERE HIGH-POWERED RIFLES. I ASKED SGT. DICKEY ABOUT THIS, AND HE INFORMED ME THAT HE WAS VERY FAMILIAR WITH FIREARMS, DUE TO HIS POLICE TRAINING, AS WELL AS HIS TRAINING ON THE SWAT TEAM. SGT. DICKEY INFORMED ME THAT HE WAS FAMILIAR WITH THE SOUNDS OF HANDGUN FIRE, SHOTGUN FIRE, AND RIFLE FIRE. I ASKED SGT. DICKEY HOW CLOSE HE THOUGHT THE ROUNDS WERE TO HIS TEAM. SGT. DICKEY ESTIMATED THAT THE ROUNDS BEING FIRED AT THEM WERE STRIKING

IN AN AREA 5 - 10 FEET FROM THE VEHICLE; HOWEVER, THE VEHICLE WAS NOT STRUCK WITH ANY OF THE ROUNDS. DET. MCCONATHY ASKED SGT. DICKEY ABOUT HEARING ANY SOUNDS OF GLASS BREAKING FROM THE SUSPECT'S RESIDENCE. SGT. DICKEY STATED HE DID, IN FACT, HEAR THOSE NOISES.

SGT. DICKEY DESCRIBED THE SOUNDS HE HEARD, AND ALSO DESCRIBED THE SOUND OF THE TREE IN FRONT OF THE RESIDENCE BEING HIT BY THE ROUNDS. DURING THAT TIME, DET. MCCONATHY ASKED SGT. DICKEY IF THEY SUSPECT WAS SAYING ANYTHING. SGT. DICKEY STATED THAT HE WAS NOT SAYING ANYTHING.

SGT. DICKEY THEN BEGAN EXPLAINING THAT OFC. BROWN WAS MOVING TOWARD MACINNES' LOCATION. ONCE OFC. BROWN WAS IN VIEW OF THE HOUSE "SEVERAL HIGH-POWERED" ROUNDS STARTING COMING OUT OF THE SOUTHWEST CORNER OF THE RESIDENCE, AND THE ROUNDS SEEMED TO BE FIRED IN THE DIRECTION OF OFC. BROWN. SGT. DICKEY STATED THAT FROM HIS LOCATION, HE COULD SEE THE MUZZLE FLASHES FROM THE RIFLE.

AS FENNELL BEGAN FIRING ON OFC. BROWN, CPL. BEAUTROW FIRED APPROXIMATELY FOUR ROUNDS AT THE WINDOW WHERE FENNELL WAS FIRING FROM. SGT. DICKEY STATED THAT CPL. BEAUTROW WAS ON THE OPPOSITE SIDE OF THE ARMORED VEHICLE FROM HIM, (SGT. DICKEY WAS ON THE SOUTH SIDE OF THE VEHICLE, WHILE CPL. BEAUTROW WAS ON THE NORTH SIDE OF THE VEHICLE), AND CPL. BEAUTROW FIRED A VOLLEY OF SHOTS (APPROXIMATELY 3 - 4).

AS HAPPENED, FENNELL'S WEAPON STOPPED FIRING AND THEN FENNELL BEGAN YELLING SOMETHING. SGT. DICKEY STATED HE COULD NOT HEAR WHAT FENNELL WAS YELLING. SGT. DICKEY STATED HE AND HIS PERSONNEL WERE UNABLE TO TELL EXACTLY WHAT FENNELL WAS SAYING, BECAUSE THEY WERE ATTEMPTING TO TAKE COVER BEHIND THE ARMORED VEHICLE.

DET. MCCONATHY ASKED SGT. DICKEY IF HE SAW FENNELL MOVING AROUND THE RESIDENCE, AT ALL. SGT. DICKEY STATED THAT FROM THEIR LOCATION HE DID NOT SEE FENNELL MOVING AROUND THE RESIDENCE, BUT HE WAS TOLD BY RADIO THAT FENNELL WAS MOVING TO DIFFERENT LOCATIONS WITHIN THE RESIDENCE. SGT.

DICKEY STATED THAT ALTHOUGH HE DID NOT SEE FENNELL, HE COULD TELL WHAT HIS LOCATION WAS, (DUE TO MUZZLE FLASHES, SOMETIMES IN THE BACKYARD AND OTHER PLACES AROUND THE RESIDENCE).

WHILE ALL OF THIS WAS GOING ON, SGT. DICKEY STATED THERE WAS ANOTHER VOLLEY OF SHOTS FIRED THAT SEEMED TO BE COMING IN THE DIRECTION OF HIS TEAM. AT THIS TIME, SGT. DICKEY THOUGHT FENNELL MIGHT HAVE ENGAGED CPL. MACINNES. DUE TO THE SOUND OF THE VOLLEY OF SHOTS (SEVERAL POSSIBLE HANDGUN CALIBER ROUNDS, THEN ONE LARGE CALIBER ROUND BEING FIRED), SGT. DICKEY DID A ROLL CALL OVER THE RADIO, BECAUSE HE FEARED CPL. MACINNES MAY HAVE ENGAGED THE SUSPECT AND BEEN HIT. SGT. DICKEY STATED HIS CONCERN WAS FOR DET. MACINNES AND OFC. RUGGIERO, WHO WERE ON THE SOUTH SIDE OF THE RESIDENCE AT THE TIME OF THE VOLLEY SHOTS WAS HEARD. SGT. DICKEY ALSO CHECKED ON OTHER OFFICERS TO MAKE SURE THEY WERE NOT STRUCK BY WEAPON FIRE.

I ASKED SGT. DICKEY, AS THE INCIDENT WAS UNFOLDING, HOW HE FELT. SGT. DICKEY INFORMED DET. MCCONATHY AND I THAT HE WAS CONCERNED BOTH FOR THE SAFETY OF HIS TEAM, BUT ALSO FOR SAFETY OF THE RESIDENTS SURROUNDING THE SUSPECT RESIDENCE. SGT. DICKEY WAS PARTICULARLY CONCERNED WITH THE HIGH-POWERED RIFLE THAT THE SUSPECT WAS FIRING, DUE TO THE FACT THAT RIFLE ROUNDS CAN TRAVEL GREAT DISTANCES AND BE LETHAL TO TARGETS AT THOSE LOCATIONS. SGT. DICKEY STATED THAT DUE TO FENNELL'S TACTICAL ADVANTAGE (HAVING A HIGHER VANTAGE POINT), HE WAS CONCERNED THAT IF FENNELL WAS UNABLE TO HIT SWAT TEAM MEMBERS OR OFFICERS ON SCENE, FENNELL MAY BE ATTEMPTING TO FIRE ON RESIDENCES FAR DISTANT FROM HIS.

ADDITIONAL CONCERNS SGT. DICKEY CITED WERE THE FACTS THAT THE WEAPONS THAT FENNELL WAS FIRING AT THE TIME OF THE INCIDENT WERE HIGH CALIBER RIFLES AND THE BULLETS COULD EASILY PENETRATE THE SOFT BODY ARMOR PROVIDED TO OFFICERS ON SCENE. BECAUSE OF THIS FACT, SGT. DICKEY WAS IN FEAR FOR THE LIVES OF HIS TEAM MEMBERS, OTHER OFFICERS ON SCENE, AS WELL AS HIS OWN LIFE. SGT. DICKEY STATED THAT DUE TO THE WAY THE SHOTS WERE

BEING FIRED HE WAS FEARFUL THAT ONE OF THE OFFICERS ON SCENE MAY BE HIT BY FENNELL.

I TALKED TO SGT. DICKEY ABOUT HIS EXPERTISE ABOUT FIREARMS, ESPECIALLY THE HIGH-POWERED RIFLE. SGT. DICKEY INFORMED ME THAT IT WAS HIS ORDER TO THE OFFICERS NEAR HIM, BEHIND THE ARMORED CAR, THAT THEY "SUCK UP" AND REMAIN BEHIND GOOD, SOLID COVER WHEN THE RIFLE ROUNDS WERE GOING OFF, DUE TO THE FACT THAT ANY OFFICERS HIT BY ROUNDS OF THIS NATURE COULD BE IN PERIL OF LOSING THEIR LIVES.

DURING THE INCIDENT, SGT. DICKEY STATED THAT LT. VANCE GAVE THE "BOLT-FORWARD" COMMAND. SGT. DICKEY EXPLAINED THAT THIS COMMAND WAS GIVEN DUE TO THE BELIEF THAT IF THE SUSPECT WAS NOT STOPPED WHEN GIVEN THE OPPORTUNITY, THE SUSPECT COULD CONTINUE TO BE A DANGER TO LIFE. SGT. DICKEY INFORMED DET. MCCONATHY AND ME THAT THIS COMMAND WENT OUT OVER THE RADIO, AND IT WAS INSTRUCTIONS TO ANY OF THE TEAM MEMBERS ON SCENE.

AFTER THE "BOLT-FORWARD" COMMAND, SGT. DICKEY STATED THAT SEVERAL ROUNDS WERE FIRED BY THE SUSPECT.

AS WE CONTINUED TO TALK ABOUT THE INCIDENT, SGT. DICKEY INFORMED US THAT IT WAS HIS UNDERSTANDING THAT THE SUSPECT WAS IN COMMUNICATION WITH THE COMMAND POST AND THAT HE HAD MADE ADDITIONAL STATEMENTS DURING THE INCIDENT THAT HE WAS GOING TO OUT WITH "GUNS BLAZING". SGT. DICKEY STATED HE LEARNED THIS INFORMATION OVER THE RADIO. THIS INFORMATION GAVE SGT. DICKEY A HEIGHTENED SENSE THAT THE SITUATION WAS "VERY SERIOUS". BECAUSE OF THE ACTIONS OF THE SUSPECT, SGT. DICKEY KNEW THAT IF REQUIRED, THEY WOULD POSSIBLY NEED TO USE DEADLY FORCE AGAINST THE SUSPECT.

AS THE CALL UNFOLDED, SGT. DICKEY RECEIVED INFORMATION THAT FENNELL WAS POSSIBLY GOING TO "SHOOT OUT" ONE OF THE LIGHTS. SGT. DICKEY WAS CONCERNED BY THIS, DUE TO THE FACT THERE WERE LIGHTS SEVERAL FEET FROM HIS TEAM'S LOCATION THAT WERE ILLUMINATING THE FRONT OF THE RESIDENCE. THE LIGHTS SGT. DICKEY WAS TALKING ABOUT WERE THE SPOTLIGHTS FROM A

PATROL CAR THAT HAD BEEN USED TO ILLUMINATE THE FRONT OF THE RESIDENCE. BECAUSE OF THIS THREAT, SGT. DICKEY TOLD HIS TEAM MEMBERS TO US "SUCK UP" BEHIND THE COVER AND THAT THEY WERE ONLY TO EXPOSE MINIMAL PORTIONS OF THEMSELVES AND THEIR WEAPONS. SGT. DICKEY STATED THAT AT THIS TIME, AND WITH THIS INFORMATION, HE TOOK THE THREAT DIRECTLY AS A THREAT TO THE LIVES OF HIS TEAM MEMBERS IN FRONT OF THE RESIDENCE, (BECAUSE THE LIGHTING WAS SO CLOSE TO THEIR LOCATION). SGT. DICKEY STATED THAT DURING THE INCIDENT HE RECEIVED INFORMATION THAT THE SUBJECT WAS COMING TO A WINDOW. SGT. DICKEY THEN HEARD ON THE RADIO THAT ONE ROUND WAS FIRED, AND HE WAS THEN TOLD THAT THE SUSPECT WAS DOWN. AT THIS TIME, SGT. DICKEY INFORMED DET. MCCONATHY AND ME THAT THE SUBJECT WAS STILL ON THE PHONE WITH THE COMMAND POST.

AFTER FENNEL HAD BEEN SHOT, A PHONE CONVERSATION WAS CONTINUED WITH HIM, AND FENNEL WAS INSTRUCTED TO COME OUT THE FRONT OF THE RESIDENCE. SGT. DICKEY STATED THAT FENNEL CAME OUT OF THE FRONT DOOR OF THE RESIDENCE; HOWEVER, AT THAT TIME HE WOULD NOT COME OUT PAST THE FRONT PORCH. SGT. DICKEY STATED NO ONE HAD A VISUAL ON FENNEL, DUE TO THE DARKNESS IN FRONT OF THE RESIDENCE.

BECAUSE SGT. DICKEY AND HIS TEAM COULD NOT SEE FENNEL, (TO ORDER HIM OUT ANY FURTHER), HE MOVED HIS TEAM UP, (USING THE HOUSE AS COVER), AND THEY SAW FENNEL AT THE FRONT OF THE RESIDENCE.

WHEN FENNEL WAS SEEN, IT WAS OBVIOUS HE WAS WOUNDED, AND FENNEL WAS INSTRUCTED TO CRAWL OUT TOWARDS THE SWAT TEAM MEMBERS. WHEN FENNEL WAS BEING ORDER TO CRAWL OUT TO THE TEAM, HE REPEATEDLY TOLD THE TEAM MEMBERS THAT HE WAS UNABLE TO CRAWL TO THEIR LOCATION.

I ASKED SGT. DICKEY WHAT HIS CONCERNS WERE UPON APPROACHING THE RESIDENCE. SGT. DICKEY STATED HIS CONCERNS WERE THE CACHE OF WEAPONS FENNEL HAD, AS WELL AS THE FACT HE HAD BEEN FIRING AT POLICE OFFICERS FOR SEVERAL HOURS. SGT. DICKEY WAS CONCERNED THAT FENNEL MAY HAVE ANOTHER FIREARM ON HIS PERSON. SGT. DICKEY STATED THAT DUE TO THE

SITUATION, HE WANTED FENNEL TO REMAIN COMPLETELY STILL, SO THAT HIS TEAM COULD APPROACH WITH RELATIVE SAFETY AND TAKE FENNEL INTO CUSTODY, AND PROVIDE HIM AID.

AT ONE POINT, SGT. DICKEY STATED THAT FENNEL EVENTUALLY COMPLIED WITH THE ORDERS OF THE OFFICERS ON SCENE. SGT. DICKEY STATED THAT HE AND CPL. BEAUTROW MOVED UP ON FENNEL. FENNEL WAS SAFELY TAKEN INTO CUSTODY. WHILE THIS WAS GOING ON, SEVERAL OFFICERS MOVED IN FRONT OF SGT. DICKEY AND CPL. BEAUTROW AND BEGAN COVERING THE RESIDENCE (THE OPENED RESIDENCE FRONT DOOR). WHILE THIS WAS OCCURRING, SGT. DICKEY AND CPL. BEAUTROW SEARCHED FENNEL TO DETERMINE THAT HE HAD NO FURTHER WEAPONS. PER SGT. DICKEY, FENNEL HAD HIS POCKETS FULL OF AMMUNITION WHEN HE WAS SEARCHED.

ONCE FENNEL WAS SAFELY IN CUSTODY, SGT. DICKEY CALLED FOR A BACKBOARD FROM THE FIRE DEPARTMENT. SGT. DICKEY STATED HE KNEW THAT FIRE DEPARTMENT PERSONNEL WOULD NOT COME INTO THE LOCATION, (AS IT WAS NOT SECURE). SGT. DICKEY STATED THAT HE WANTED TO PROVIDE FENNEL AID AS QUICKLY AS POSSIBLE, AND HIS INTENT FOR THE BACKBOARD WAS TO TRANSPORT FENNEL AND GET HIM AID AS QUICKLY AS POSSIBLE.

WITH THE ASSISTANCE OF SEVERAL OTHER OFFICERS, FENNEL WAS STRAPPED ONTO THE BACKBOARD, HE WAS TRANSPORTED APPROXIMATELY 200 YARDS TO WAITING PARAMEDICS AND TURNED OVER TO THEIR CARE. DUE TO THE STILL UNSECURE SITUATION, CPL. BEAUTROW AND SGT. DICKEY RAN BACK TO THE RESIDENCE TO PROVIDE ADDITIONAL ASSISTANCE WITH OPERATIONS AT THAT LOCATION.

I ASKED SGT. DICKEY ABOUT "BOLT-FORWARD" COMMAND AND ASKED FOR CLARIFICATION ABOUT THIS COMMAND. I ASKED SGT. DICKEY IF ANY OF THE SWAT OPERATORS ON SCENE CONFIRMED THIS WITH THE COMMAND POST, OR WHAT THE PROCEDURE WAS WHEN THIS ORDER WAS GIVEN. PER SGT. DICKEY, CONFIRMATORY RADIO TRAFFIC COMES ONLY FROM THE SWAT SNIPER TEAMS.

DURING THE INTERVIEW DET. MCCONATHY ASKED SGT. DICKEY IF HE HAD FIRED DURING THE INCIDENT. SGT. DICKEY CONFIRMED THAT HE HAD NOT FIRED DURING THE INCIDENT. DET. MCCONATHY THEN ASKED SGT. DICKEY IF HE WAS IN FEAR FOR HIS LIFE. SGT. DICKEY REPLIED, "ABSOLUTELY". SGT. DICKEY ALSO STATED THAT HE WAS IN FEAR FOR THE LIVES OF THOSE AROUND HIM, AS WELL AS FOR PERSONS IN THE NEIGHBORHOOD. SGT. DICKEY STATED HE WAS IN FEAR DURING THE ENTIRE TIME OF THE INCIDENT.

I SPOKE WITH SGT. DICKEY ABOUT HOW THIS INCIDENT COMPARED WITH OTHER INCIDENTS. SGT. DICKEY INFORMED ME THAT HE WAS IN ABSOLUTE FEAR THE ENTIRE TIME HE WAS AT THE LOCATION, DUE TO THE ACTIONS OF THE SUSPECT. SGT. DICKEY WAS THEN ASKED IF THERE WERE ANY OTHER THINGS THAT WE HAD POSSIBLY FORGOTTEN TO ASK THAT HE COULD PROVIDE INFORMATION THAT HE FELT MAY BE IMPORTANT TO THE INVESTIGATION. SGT. DICKEY INFORMED DET. MCCONATHY AND ME THAT IT WAS HIS INTENT, AS WELL AS THAT OF HIS TEAM MEMBERS, TO HAVE THE SUSPECT SURRENDER PEACEFULLY AND THAT NO FORCE WOULD NEED TO BE USED DURING THE INCIDENT. SGT. DICKEY STATED THAT UNFORTUNATELY THE INCIDENT DID NOT UNFOLD IN THAT MANNER.

THE INTERVIEW THE SGT. DICKEY ENDED AT APPROXIMATELY 0035 HOURS ON 04/11/09.

DATE/TIME TRANSCRIBED:	041309 / 0915 HOURS
TRANSCRIBED BY:	P170 / HOCK
DATE/TIME REVIEWED:	
REVIEWED BY:	

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN

VENTURA, CA 93004

INTERVIEW WITH: OFFICER DOLAN / 361

INTERVIEWED BY: DET. MCCONATHY / 374

DICTATED BY: DET. MCCONATHY / 374

DATE/TIME DICTATED: 041209 / 0930 HOURS

ON 041109 AT 1500 HOURS I INTERVIEWED OFFICER DOLAN REGARDING HIS INVOLVEMENT WITH THE INCIDENT AT . DOLAN IS A MEMBER OF THE VENTURA POLICE DEPARTMENT SPECIAL WEAPONS AND TACTICS TEAM (SWAT).

DOLAN SAID SHORTLY AFTER 1800 HOURS HE RECEIVED A PHONE CALL WHILE HE WAS AT HIS HOUSE, ADVISED THERE WAS A SWAT CALL-OUT AND WAS ORDERED TO COME TO THE STATION. ONCE AT THE STATION HE CHANGED INTO HIS SWAT UNIFORM AND MET WITH SGT. DICKEY AND CPL. PAYNE, AND THE THREE DROVE TO THE SCENE IN A MARKED BLACK AND WHITE VENTURA POLICE DEPARTMENT SUBURBAN. WHILE EN ROUTE, SGT. DICKEY BRIEFED THEM ON WHAT WAS HAPPENING AND TOLD THEM THE SUSPECT'S NAME. DOLAN IS FAMILIAR WITH THE SUSPECT, JEFF FENNELL, FROM A CONTACT HE HAD APPROXIMATELY ONE-YEAR PRIOR IN WHICH HE CONTACTED FENNELL DOWNTOWN DURING A MINOR DISTURBANCE. FENNELL HAD BEEN DRINKING AND WAS GIVEN A WARNING. DOLAN REMEMBERED FENNELL FROM THAT CONTACT, BUT DID NOT KNOW WHERE HE LIVED.

ONCE THEY ARRIVED ON SCENE THEY PARKED AT AND EXITED THEIR VEHICLE. THEY HAD ALREADY DISCUSSED THEY WOULD ACT AS

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THE IMMEDIATE REACTION TEAM TO THE INCIDENT. THEY STAGED AT THE HOME JUST NORTH OF [REDACTED] THE THREE MOVED UP TO THE NORTHEAST CORNER OF [REDACTED], WHICH DOLAN DESCRIBED AS THE ONE/FOUR CORNER. HE SAID AT THIS LOCATION THEY WERE PROTECTED BY THE GARAGE.

DOLAN REMEMBERS HEARING SGT. DICKEY HAVE CONTACT WITH OFFICER WEBSTER AND ADVISING HIM TO DRIVE THE ARMORED VEHICLE TO THE FRONT OF [REDACTED]

AND BLOCK THE DRIVEWAY WITH IT. HE SAID THE REASON WAS TO STOP ANY VEHICLES FROM LEAVING THE RESIDENCE, AND TO PROVIDE A FORM OF PROTECTIVE COVER FROM THE SUSPECT SHOOTING. OFFICER WEBSTER ARRIVED IN THE ARMORED VEHICLE AND PARKED IT DIRECTLY IN FRONT OF THE DRIVEWAY. THERE WAS A GRAY PICKUP TRUCK IN THE DRIVEWAY, WITH A RACK ATTACHED TO THE ROOF. THERE WERE ALSO TWO SUBURBAN VEHICLES ON THE STREET, WHICH OFFICER DOLAN THOUGHT MAY HAVE BEEN ASSOCIATED WITH [REDACTED]

OFFICER WEBSTER WAS ACCOMPANIED IN THE ARMORED VEHICLE BY CPL. CASTELLANOS. OFFICER WEBSTER EXITED THE VEHICLE AND BECAME PART OF THE IMMEDIATE REACTION TEAM, ALONG WITH SGT. DICKEY, CPL. PAYNE, AND OFFICER DOLAN. CPL. CASTELLANOS LEFT THE SCENE AT THAT TIME. THE FOUR OFFICERS OF THE IMMEDIATE REACTION TEAM THEN GATHERED BEHIND THE ARMORED VEHICLE, AND REMAINED THERE UNTIL OTHER OFFICERS ARRIVED ON SCENE. DURING THIS TIME SGT. DICKEY WAS COORDINATING WITH THE RIFLE TEAM, SETTING THEM AT VARIOUS LOCATIONS NEAR THE SUSPECT'S HOUSE. HE ALSO COORDINATED THE EVACUATION OF SUBJECTS FROM HOUSES IN THE AREA THAT WERE IN IMMEDIATE DANGER.

THE NEXT OFFICERS TO ARRIVE WERE OFFICERS VAZQUEZ AND CPL. BEAUTROW. BOTH CAME TO THE LOCATION BEHIND THE ARMORED VEHICLE, AND TOOK UP POSITION NEXT TO OFFICER DOLAN. DOLAN SAW CPL. MACINNES AND OFFICER RUGGIERO ARRIVE AND TAKE A POSITION AT THE HOUSE JUST SOUTH OF [REDACTED]

DOLAN DESCRIBED THIS AS THE ONE/TWO CORNER, WHICH WOULD HAVE BEEN THE SOUTHEAST CORNER OF [REDACTED]

ONCE THE ADDITIONAL OFFICERS WERE ON SCENE, DOLAN SAID HE GAVE APPROXIMATELY FIVE VERBAL ANNOUNCEMENTS OVER A BULLHORN TO THE SUSPECT IN A 10-TO-12-MINUTE PERIOD. HE SAID HE CALLED THE SUSPECT BY NAME, AND INCLUDED THE ADDRESS OF THE HOME. HE IDENTIFIED HIMSELF AS THE VENTURA POLICE DEPARTMENT, AND ADVISED SUSPECT FENNEL TO COME OUT WITH HIS HANDS UP. DOLAN SAID HE MADE CONTACT WITH OFFICER HOURIGAN WHO WAS IN A POSITION BEHIND , AND IT WAS CONFIRMED HOURIGAN COULD HEAR THE ANNOUNCEMENTS CLEARLY BEING MADE FROM THE OTHER SIDE OF THE RESIDENCE. DOLAN SAID OFFICER VAZQUEZ ALSO MADE ONE OF THE ANNOUNCEMENTS, PROVIDING THE SAME INFORMATION TO FENNEL AS HE HAD.

DOLAN SAID IT BECAME DARK AND THE HOUSE ITSELF WAS VERY DARK ON ITS PERIMETER. THE SUSPECT BEGAN TO FIRE SEVERAL SHOTS THAT SOUNDED MUFFLED AND APPEARED TO BE COMING FROM VARIOUS LOCATIONS INSIDE THE HOUSE. HE SAID THE SHOTS WERE DIFFERENT COMBINATIONS, WITH SOME BEING ONE OR TWO SHOTS, AND OTHERS BEING LARGER VOLLEYS.

DOLAN SAID HE AND OFFICER VAZQUEZ TOOK TURNS IN A POSITION AT THE HOOD OF THE ARMORED VEHICLE, WHICH GAVE THEM A VIEW OF THE RESIDENCE. THEY HAD A CLEAR VIEW OF THE NORTH SIDE OF THE RESIDENCE, HOWEVER THERE WAS A FENCE APPROXIMATELY SIX-FEET HIGH THEY COULD NOT SEE BEHIND. A LIGHT TURNED ON IN THIS AREA AT ONE POINT, AND THEY HEARD A SHOT COME FROM THIS AREA. THE PROJECTILE FROM THAT SHOT MADE NOISE AS IT WENT THROUGH BRUSH NEAR THEM, AND ALSO MADE A NOISE AS IF IT WERE RICOCHETING OFF WOOD. DOLAN SAID THE SHOTS WERE NEAR HIS LOCATION AND HE BELIEVED FENNEL WAS SHOOTING AT HIM. DOLAN REMEMBERS SGT. DICKEY MAKING A BROADCAST VIA RADIO THE SUSPECT WAS POSSIBLY SHOOTING AT THEM. THE SUSPECT RETURNED BACK INTO THE HOUSE FROM THE NORTH SIDE YARD, AND A SHORT TIME LATER THE LIGHT WENT OFF, AS THOUGH IT WERE ON AN AUTOMATIC TIMER.

DOLAN SAID HE HEARD LT. VANCE COME OVER THE RADIO AND ADVISE SWAT SNIPERS OF THE "BOLT FORWARD" COMMAND. HE SAID THIS COMMAND GAVE SWAT

THE AUTHORITY TO USE DEADLY FORCE IN THE INCIDENT. HE SAID THE SNIPERS ACKNOWLEDGED THIS COMMAND THROUGH A ROLL-CALL-TYPE RESPONSE. HE SAID SGT. DICKEY ALSO VERBALLY DISCUSSED THIS COMMAND WITH HE, CPL. PAYNE, OFFICER VAZQUEZ AND CPL. BEAUTROW; HE ALSO ACKNOWLEDGED THE "BOLT FORWARD" COMMAND OVER THE RADIO. DOLAN SAID THIS ORDER WAS GIVEN BECAUSE HE KNEW THE SUSPECT WAS AN ACTIVE THREAT AND WAS A DANGER TO OFFICERS AND THE SURROUNDING COMMUNITY. HE SAID TWO OR THREE TIMES HE FELT THE SUSPECT WAS SHOOTING DIRECTLY AT THEM.

DOLAN SAID HE HEARD OFFICER BROWN ARRIVE ON SCENE AS A SWAT MEMBER, AND HE WAS ADVISED TO GO TO THE LOCATION WHERE CPL. MACINNES AND OFFICER RUGGIERO WERE. OFFICER BROWN ADVISED HE WAS EN ROUTE TO THAT LOCATION, AND THEN DOLAN HEARD APPROXIMATELY 10-TO-15-ROUNDS BEING FIRED BY THE SUSPECT. DOLAN SAID HE STEPPED SLIGHTLY BACK FROM THE ARMORED VEHICLE IN AN ATTEMPT TO SEE IF OFFICER BROWN WAS UNHURT BY THE GUNSHOTS.

AT THAT TIME DOLAN HEARD FOUR SHOTS COMING FROM HIS IMMEDIATE AREA. HE LOOKED OVER AND SAW OFFICER VAZQUEZ WAS NOT IN A POSITION TO TAKE A SHOT AT THE HOUSE. DOLAN ASKED CPL. BEAUTROW IF HE WERE THE ONE WHO SHOT. BEAUTROW RESPONDED HE HAD FIRED FOUR SHOTS. DOLAN REMEMBERS BEAUTROW SAYING SOMETHING TO THE EFFECT HE HAD SEEN THE SUSPECT IN AN UPSTAIRS WINDOW, AND OBSERVED A MUZZLE FLASH FROM A WEAPON. OFFICER DOLAN INFORMED SGT. DICKEY THAT CPL. BEAUTROW SHOT AT THE SUSPECT IN AN UPSTAIRS WINDOW. SGT. DICKEY BROADCAST THAT INFORMATION OVER THE RADIO.

DOLAN SAID HE SAW WATER COMING DOWN THE DRIVEWAY THAT APPEARED TO BE COMING FROM A FIFTH-WHEEL TRAILER THAT WAS PARKED IN THE DRIVEWAY OF THE SUSPECT'S RESIDENCE. DOLAN SAID THEY KNEW THE SUSPECT WAS ON THE SECOND FLOOR OF HIS RESIDENCE BECAUSE CPL. BEAUTROW HAD JUST SEEN HIM FIRE FROM THAT LOCATION. SGT. DICKEY ADVISED DOLAN TO ATTEMPT TO SHOOT CS GAS INTO THE RESIDENCE USING THE SL6 WEAPON. DOLAN FIRED FOUR BARRICADE PENETRATING CS ROUNDS AT THE SUSPECT RESIDENCE, HOWEVER HE

DOES NOT BELIEVE ANY ENTERED THE HOUSE. DUE TO THE FACT THERE WERE NUMEROUS TREES AROUND THE HOUSE AND POOR LIGHTING, SWAT MEMBERS COULD NOT ADVISE DOLAN WHERE THE ROUNDS HIT. DOLAN DID NOT FIRE ANY ROUNDS AFTER THAT BECAUSE HE WAS NOT COMFORTABLE WHERE THE ROUNDS WERE HITTING, AND DID NOT WANT TO SEND ANY SHOTS OVER THE RESIDENCE THAT MIGHT INJURE CIVILIANS.

THEY GATHERED BEHIND THE ARMORED VEHICLE AGAIN AND REMAINED THERE FOR APPROXIMATELY 45-MINUTES. DURING THAT TIME THEY HEARD NUMEROUS AND SPORADIC GUNSHOTS, AND HE SPECIFICALLY REMEMBERS ONE MUFFLED GUNSHOT COMING FROM THE GARAGE. DOLAN ESTIMATES THE SUSPECT FIRED 40-TO-60-ROUNDS DURING THE COURSE OF THE INCIDENT.

BETWEEN 2130 AND 2200 HOURS DOLAN WAS IN THE LOCATION AT THE HOOD OF THE ARMORED VEHICLE. THE COMMAND POST MADE A BROADCAST THAT THE SUSPECT TOLD THE CRISIS NEGOTIATOR BY PHONE HE HAD A HIGH-POWERED RIFLE AND HE WAS GOING TO SHOOT OUT A LIGHT. DOLAN SAID THERE WAS A LIGHT DIRECTLY OVER THE ARMORED VEHICLE, ILLUMINATING HIM AND HIS TEAM MEMBERS. HE SAID THERE ALSO WAS A PATROL VEHICLE NEAR THEM WITH ITS SPOTLIGHT ON, POINTING TOWARD THE HOUSE. DOLAN THOUGHT THE SUSPECT MAY HAVE BEEN TALKING ABOUT THESE LIGHTS, SO THEY AGAIN GATHERED BEHIND THE ARMORED VEHICLE IN AN ATTEMPT TO TAKE COVER. WHILE HE WAS IN THAT LOCATION, DOLAN DID NOT SEE OR HEAR ANY LIGHTS NEAR HIM BEING SHOT OUT.

SHORTLY THEREAFTER, DOLAN HEARD A SINGLE SHOT AND FELT A NOISE CONCUSSION COME FROM BEHIND HIM. HE TOLD OFFICER VAZQUEZ, "THAT WAS ONE OF OURS." THEY SPOKE AMONGST THEMSELVES, TRYING TO FIGURE OUT WHERE THE SHOT CAME FROM. THEY HEARD OFFICER ROBINSON BROADCAST OVER THE RADIO THAT A SNIPER SHOT THE SUSPECT, WHO WAS NOW DOWN. THE COMMAND POST ADVISED THAT THE SUSPECT WAS SHOT AND ON THE GROUND. HE WAS SPEAKING BY PHONE WITH THE COMMAND POST AND WAS BEING ADVISED TO CRAWL OUT THE FRONT DOOR. OFFICER DOLAN AND THE OTHER OFFICERS BEHIND THE ARMORED VEHICLE QUICKLY FORMULATED A PLAN TO APPROACH THE SUSPECT AND TAKE HIM INTO CUSTODY.

HE SAID HE AND CPL. BEAUTROW WERE NEAR THE HOOD OF THE TRUCK AND MOVED UP CLOSEST TO THE RESIDENCE IN AN ATTEMPT TO FLANK THE SUSPECT WHEN HE CRAWLED OUT. SGT. DICKEY, CPL. PAYNE, OFFICER WEBSTER AND OFFICER VAZQUEZ REMAINED BEHIND THE REAR OF THE ARMORED VEHICLE, AND WERE GIVING VERBAL COMMANDS TO THE SUSPECT AS HE BEGAN TO EXIT THE HOUSE.

OFFICER DOLAN AND CPL. BEAUTROW MOVED TO THE LAWN AREA AT THE NORTHEAST CORNER OF THE SUSPECT RESIDENCE, WHILE THE SUSPECT WAS BEING GIVEN VERBAL COMMANDS TO CRAWL OUT. THE SUSPECT SAID HE COULD NOT CRAWL OUT, THAT HE WAS INJURED. HE DID CRAWL OUT AND ONCE HE WAS FAR ENOUGH AWAY FROM THE RESIDENCE, OFFICERS SAW HE HAD NO WEAPONS AND THE TEAM THEN APPROACHED HIM. DOLAN AND OFFICER WEBSTER STEPPED OVER THE SUSPECT AND CONTINUED TO COVER THE RESIDENCE FOR ADDITIONAL THREATS, WHILE FENNELL WAS TAKEN INTO CUSTODY BY OTHER SWAT MEMBERS. DOLAN REMEMBERS HEARING SGT. DICKEY CALL FOR AN AMBULANCE TO ASSIST THE SUSPECT, BUT DOES NOT KNOW IF THE AMBULANCE APPROACHED OR IF THE SUSPECT WAS TAKEN TO THE AMBULANCE.

SWAT THEN CLEARED THE INTERIOR OF THE HOUSE. PRIOR TO DOING SO DOLAN REMEMBERS THE SUSPECT BEING ASKED IF THERE WERE ANY BOOBY TRAPS OR OTHER PEOPLE IN THE HOUSE. THE SUSPECT ADVISED THERE WERE NO BOOBY TRAPS, AND HE WAS THE ONLY PERSON IN THE HOUSE. ONCE THEY ENTERED THE HOUSE, DOLAN SAW BLOOD IN THE KITCHEN AS WELL AS SEEING A BULLET HOLE IN THE KITCHEN WINDOW, WHICH HE BELIEVED WAS THE ENTRY FOR THE BULLET THAT STRUCK THE SUSPECT. IN AN UPSTAIRS BEDROOM DOLAN OBSERVED AN AR-15 RIFLE AND THREE TO FOUR HANDGUNS. OUTSIDE, ON THE NORTH SIDE OF THE RESIDENCE DOLAN SAW A SHOTGUN LEANING AGAINST A WALL. THIS WAS THE SIDE OF THE RESIDENCE HE HAD BEEN COVERING FROM BEHIND THE ARMORED VEHICLE, AND SAID THE GUN WAS APPROXIMATELY 25-TO-30-FEET FROM WHERE HE HAD BEEN POSITIONED. HE ALSO EXAMINED THE RESIDENCE FOR POSSIBLE LOCATIONS WHERE THE GAS ROUNDS HE SHOT FROM THE SL6 MAY BE, HOWEVER HE WAS UNABLE TO LOCATE ANY. HE DID SEE FOUR ROUNDS IN A BEDROOM HE BELIEVED WERE ROUNDS SHOT BY CPL. BEAUTROW.

ONCE THE HOME WAS SECURED THEY LEFT THE SCENE AND RETURNED TO THE STATION. OFFICER DOLAN SAID HE NEVER SAW FENNELL UNTIL AFTER HE WAS SHOT AND WAS CRAWLING OUT THE FRONT DOOR. HE DID NOT SEE ANY OF THE SHOTS THAT FENNELL HAD TAKEN HIT ANYTHING. HE ALSO DID NOT SEE ANY MUZZLE FLASH OR GUN SMOKE FROM FENNELL'S SHOTS. HE REMEMBERS HEARING SHOTS COME FROM THE SOUTH SIDE OF THE RESIDENCE WHERE CPL. MACINNES AND OFFICER RUGGIERO WERE POSITIONED. HE AND HIS TEAMMATES BECAME CONCERNED AT THAT TIME THAT THOSE OFFICERS HAD BEEN FIRED UPON. HE REMEMBERED SGT. DICKEY CHECKING ON THE RADIO WITH THEM, BUT FOUND OUT THEY WERE NOT HARMED AND HAD NOT BEEN FIRED UPON. DOLAN REMEMBERS HEARING YELLING COMING FROM THE SUSPECT AT VARIOUS TIMES, HOWEVER IT WAS ALWAYS MUFFLED AND HE COULD NOT UNDERSTAND IT. HE SPECIFICALLY REMEMBERS SOME TYPE OF YELLING FROM THE SUSPECT AT THE TIME SHOTS WERE BEING FIRED IN THE DIRECTION OF OFFICER BROWN. HE ALSO HEARD THE SUSPECT YELL IN RESPONSE TO THE SHOTS BEING TAKEN AT HIM BY CPL. BEAUTROW. DOLAN DESCRIBED THIS YELLING AS A KIND OF "CHEERING", AN EXCITED RESPONSE AT BEING SHOT AT. HE SAID HE DID NOT HEAR THE SUSPECT SAY ANYTHING IN RESPONSE TO THE VERBAL ANNOUNCEMENTS OVER THE BULLHORN, ASKING THE SUSPECT TO EXIT THE HOUSE.

I ASKED OFFICER DOLAN IF HE WAS IN FEAR FOR HIS SAFETY OR THE SAFETY OF OTHER TEAM MEMBERS THROUGHOUT THE INCIDENT. DOLAN SAID HE WAS ABSOLUTELY IN FEAR FOR HIS LIFE. HE SAID AFTER THE SUSPECT SHOT AT OFFICER BROWN, HE WAS IN A POSITION OVER THE HOOD OF THE ARMORED VEHICLE AND FELT EXTREMELY UNCOMFORTABLE AND VULNERABLE. HE KNEW THE LIGHTING AT HIS LOCATION WAS ILLUMINATING HIM, AND THE HIGH-POWERED WEAPONS THE SUSPECT HAD COULD EASILY PENETRATE THE ARMOR OF THE VEHICLE AND HIT HIM. DOLAN FELT IN IMMINENT DANGER AT THAT TIME, AND ATTEMPTED TO TAKE COVER BEHIND THE ARMORED VEHICLE THE BEST WAY HE COULD.

DATE/TIME TRANSCRIBED: 041309 / 1145 HOURS
TRANSCRIBED BY: P283 / HUBER
DATE/TIME REVIEWED:
REVIEWED BY:

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN

VENTURA, CA 93004

INTERVIEW WITH: CORPORAL HARBERT / 310

INTERVIEWED BY: DET. MC CONATHY/374

Dictated by: DET. MC CONATHY/374
DATE/TIME Dictated: 041209 1020 HOURS

ON 041109 AT 0040 HOURS I INTERVIEWED CORPORAL HARBERT AT THE VENTURA POLICE DEPARTMENT REGARDING HIS INVOLVEMENT WITH THE INCIDENT AT . CORPORAL HARBERT IS A MEMBER OF THE VENTURA POLICE DEPARTMENT'S SWAT TEAM AND SERVES AS A SNIPER.

HARBERT SAID HE WAS AT HIS RESIDENCE WHEN HE WAS ALERTED OF A SWAT CALLOUT AND ADVISED TO RESPOND TO THE STATION. HE SAID HE ARRIVED AT THE STATION AND CHANGED INTO HIS SWAT UNIFORM, THEN DROVE TO THE AREA OF AND WITH WHO IS ALSO ON THE SWAT TEAM. AT THAT LOCATION HE WAITED FOR OFFICER STEGNER, WHO IS HIS TEAMMATE ON THE SWAT TEAM. CORPORAL HARBERT EXPLAINED THAT HE IS A SNIPER AND OFFICER STEGNER SERVES AS HIS SPOTTER. ONCE OFFICER STEGNER ARRIVED, THEY THEN CLIMBED OVER A FENCE INTO THE BACK YARD OF A RESIDENCE ON THE EASTSIDE OF , ACROSS FROM . ONCE THEY WERE INSIDE THE RESIDENCE, THEY DETERMINED IT DID NOT PROVIDE AN ADEQUATE VIEW OF AND MOVED ONE HOUSE FURTHER NORTH. THEY MOVED TO THE HOUSE FURTHER NORTH BY CLIMBING OVER THE FENCE TO THE BACKYARD. WITH THEM AT THIS TIME WAS OFFICER SEARS. ONCE THEY ENTERED THE BACKYARD, THERE WAS A MALE AND FEMALE SITTING THERE WHO IDENTIFIED THEMSELVES AS THE RESIDENTS OF THE HOUSE. THE ADDRESS OF THE HOUSE WAS LATER DETERMINED

1/23/09

TO BE . . . THE MALE AND FEMALE GAVE AUTHORIZATION FOR HARBERT AND STEGNER TO ENTER THEIR RESIDENCE AND USE IT AS THEIR POSITION. ONCE THEY ENTERED THE HOUSE, THEY FOUND OFFICER REYES AND OFFICER ROBINSON WERE ALREADY INSIDE. OFFICER SEARS THEN LEFT THE RESIDENCE.

HARBERT AND STEGNER TOOK UP A POSITION IN THE NORTHWEST BEDROOM ON THE BOTTOM FLOOR OF THE RESIDENCE. FROM THERE, THEY HAD A POSITION THAT SHOWED THEM THE FRONT DOOR OF . . . , AS WELL AS A WINDOW, JUST SOUTH OF THE FRONT DOOR. HARBERT HAD A NIGHT VISION SCOPE AND HIS ASSIGNMENT WAS TO COVER THE FRONT DOOR IN CASE THE SUSPECT EXITED. JUST AFTER THEY TOOK A POSITION IN THIS BEDROOM THEY BEGAN HEARING SHOTS COMING FROM . . . HE DID NOT SEE THE SUSPECT SHOOTING AND DID NOT SEE ANY MUZZLE FLASH. THE SUSPECT FIRED NUMEROUS SHOTS AFTER THAT; HOWEVER, HE COULD NOT TELL WHERE THE SHOTS WERE COMING FROM, OR WHAT WAS BEING SHOT AT. THE SHOTS SOUNDED AS IF THEY WERE COMING FROM DIFFERENT CALIBER WEAPONS, WITH SOME BEING HANDGUNS AND OTHERS BEING RIFLES. HE WAS UNABLE TO SEE ANY OTHER SWAT TEAM MEMBERS, DUE TO HEAVY SHRUBBERY OUTSIDE THE BEDROOM WINDOW.

THEY THEN RECEIVED A RADIO BROADCAST FROM LIEUTENANT VANCE GIVING THEM THE BOLT FORWARD COMMAND. HE ADVISED ME THIS IS A COMMAND USED BY THE SWAT TEAM TO AUTHORIZE THE USE OF LETHAL FORCE DURING A SITUATION. HE SAID OFFICER STEGNER WAS WITH HIM AT THIS TIME AND THAT OFFICER STEGNER ACKNOWLEDGED THAT THEY RECEIVED THE COMMAND OVER THE RADIO. SHORTLY THEREAFTER, EITHER OFFICER ROBINSON OR OFFICER REYES CAME INTO THE ROOM AND ADVISED HARBERT THAT THE GARAGE PROVIDED AN ADDITIONAL VIEW OF THE FRONT OF . . . DUE TO THE FACT THAT OFFICER HARBERT COULD ONLY SEE THE FRONT DOOR AND THE WINDOW TO THE SOUTH OF THE DOOR, HE SENT OFFICER STEGNER INTO THE GARAGE. OFFICER STEGNER WAS ARMED WITH A RIFLE, WHICH WAS SIMILAR TO CORPORAL HARBERT'S, EXCEPT FOR THE TYPE OF SCOPE ATTACHED TO IT. OFFICER REYES STAYED WITH CORPORAL HARBERT TO ASSIST HIM AND OFFICER ROBINSON WENT WITH OFFICER STEGNER TO ASSIST HIM.

HARBERT TOLD ME THAT THROUGHOUT THIS INCIDENT HE WAS IN FEAR FOR HIS SAFETY AND FOR THE SAFETY OF HIS TEAMMATES. HE SAID THAT THE SUSPECT

WAS FIRING NUMEROUS ROUNDS FROM UNKNOWN LOCATIONS AND WAS KNOWN TO BE USING A HIGH-POWERED RIFLE. HE KNEW THAT THE RIFLE COULD EASILY PENETRATE ANY COVER THAT SOMEONE MAY HAVE BEEN HIDING BEHIND FOR PROTECTION.

APPROXIMATELY 20 - 30 MINUTES AFTER OFFICER STEGNER WENT TO THE GARAGE, CORPORAL HARBERT HEARD A SINGLE SHOT. HE DID NOT KNOW WHERE THE SHOT CAME FROM OR WHO HAD FIRED IT. HE THEN HEARD A BROADCAST OVER THE RADIO BY OFFICER ROBINSON ADVISING THAT THE SUSPECT HAD BEEN SHOT AND WENT DOWN. AT THAT TIME HE REALIZED IT WAS OFFICER STEGNER WHO HAD FIRED THE ROUND. CORPORAL HARBERT HELD HIS POSITION IN THAT BEDROOM AND CONTINUED TO COVER THE FRONT DOOR OF THE RESIDENCE. HE HEARD THE RADIO BROADCAST FROM LIEUTENANT VANCE THAT THE SUSPECT WAS WOUNDED AND WAS GOING TO BE COMING OUT OF THE RESIDENCE. THROUGH THE SCOPE OF HIS RIFLE HE WAS ABLE TO WATCH THE FRONT DOOR AND SAW THE SUSPECT ON HIS KNEES INSIDE OF THE HOUSE. HE THEN WATCHED AS THE SUSPECT SLOWLY CRAWLED OUT OF THE FRONT OF THE RESIDENCE ONTO THE DRIVEWAY. HE WAS UNABLE TO SEE THE SUSPECT'S RIGHT HAND, BUT COULD SEE HIS LEFT HAND AND SAW THAT THE SUSPECT WAS NOT HOLDING ANY WEAPONS. HE EVENTUALLY SAW THE SUSPECT'S RIGHT HAND AND THAT HE DID NOT HAVE A WEAPON. HE CONTINUED TO WATCH AS THE SWAT TEAM THEN MOVED UPON THE SUSPECT AND TOOK HIM INTO CUSTODY. HE CONTINUED TO HOLD HIS POSITION UNTIL THE SWAT TEAM CLEARED . HE THEN SECURED FROM HIS POSITION.

I ASKED HARBERT IF HE EVER FIRED HIS WEAPON DURING THE INCIDENT. HE TOLD ME THAT HE DID NOT.

DATE/TIME TRANSCRIBED: 041309 / 1140 HOURS
TRANSCRIBED BY: P170/HOCK
DATE/TIME REVIEWED:
REVIEWED BY:

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN

VENTURA, CA
805-218-9270

INTERVIEW WITH: OFFICER HOURIGAN / 353

INTERVIEWED BY: DET. MCCONATHY / 374

Dictated by: DET. MCCONATHY / 374
DATE/TIME DICTATED: 041209 / 1100 HOURS

ON 041109 AT 1445 HOURS I INTERVIEWED OFFICER HOURIGAN AT THE VENTURA POLICE DEPARTMENT REGARDING THE INCIDENT AT . . . OFFICER HOURIGAN IS A MEMBER OF THE VENTURA POLICE DEPARTMENT SPECIAL WEAPONS AND TACTICS (SWAT) TEAM AND WAS INVOLVED IN THE INCIDENT.

OFFICER HOURIGAN WAS OFF DUTY AND RECEIVED A SWAT ACTIVATION PAGE AND HE RESPONDED IMMEDIATELY TO THE STATION. AFTER OBTAINING HIS EQUIPMENT HE RESPONDED TO THE SCENE AND ARRIVED AT APPROXIMATELY 1915 HOURS. HE WAS SPEAKING TO CPL. CASTELLANOS ABOUT THE INCIDENT WHEN HE HEARD APPROXIMATELY FOUR SHOTS. HE WAS ADVISED BY LT. VANCE TO GO TO A RESIDENCE ON . . . WHICH HOURIGAN IDENTIFIED AS . . . AND TAKE UP A PERIMETER POSITION ON THE TWO/THREE CORNER, THE SOUTHWEST OF THE RESIDENCE LOCATED AT . . .

HOURIGAN SAID OFFICERS GONZALES AND GUTIERREZ WERE ALREADY INSIDE . . . OFFICER GONZALES WAS DOWNSTAIRS AND OFFICER GUTIERREZ WAS UPSTAIRS. HOURIGAN WENT INTO THE BACK YARD IN AN ATTEMPT TO TAKE A POSITION TO WATCH THE PERIMETER, HOWEVER HE SAID HE COULD NOT GET A GOOD VISUAL OF . . . , AND THERE ALSO LITTLE TO USE FOR COVER IN THAT . . .

LOCATION. HOURIGAN WENT BACK INSIDE THE RESIDENCE AND WENT UPSTAIRS, TAKING THE POSITION OF OFFICER GUTIERREZ. HE SAID HE WAS IN A BATHROOM WHICH FACED NORTH, OVERLOOKING _____ WHILE AT THIS LOCATION OFFICER HOURIGAN HEARD NUMEROUS SHOTS BEING FIRED FROM THE RESIDENCE. HE ESTIMATED THROUGHOUT THE INCIDENT WHILE HE WAS ON SCENE HE HEARD 40-TO-50 SHOTS FIRED, BUT DID NOT KNOW WHAT THEY WERE BEING FIRED AT. AT ONE POINT HOURIGAN HEARD SHOTS BEING FIRED FROM THE BACKYARD OF _____ DRIVE. IT WAS BY NOW DARK AND HOURIGAN HEARD GUNSHOTS AND SAW MUZZLE FLASH. HE SAID FROM THE DIRECTION OF THE MUZZLE FLASH HE DETERMINED THE SHOTS WERE MOST LIKELY IN A WESTWARD DIRECTION. HE SAID IT WAS EXTREMELY DARK IN THE BACKYARD AND HE NEVER SAW THE SUSPECT WALKING, BUT HEARD LEAVES CRUNCHING ON THE GROUND AND SPECULATED IT MAY BE THE SUSPECT WALKING. FROM HIS LOCATION HOURIGAN COULD CLEARLY SEE THE SOUTH SIDE AND WEST SIDE OF THE HOUSE.

APPROXIMATELY 20-TO-30-MINUTES AFTER HE HEARD SWAT MEMBERS GIVING VERBAL COMMANDS TO THE SUSPECT TO EXIT THE RESIDENCE, HOURIGAN HEARD THE SUSPECT YELL, "BACK OFF, BACK OFF" SEVERAL TIMES. HOURIGAN BELIEVED THE SUSPECT WAS SAYING THIS IN RESPONSE TO HEARING THE COMMANDS GIVEN BY THE SWAT TEAM.

HOURIGAN HEARD LT. VANCE GIVE THE "BOLT-FORWARD" COMMAND TO SWAT MEMBERS. HE EXPLAINED THIS IS MOSTLY FOR SWAT SNIPERS, BUT IT AUTHORIZES ANY MEMBER OF THE TEAM TO USE DEADLY FORCE. HOURIGAN ALSO HEARD OVER THE RADIO THAT OFFICER BROWN HAD BEEN SHOT AT, AND CPL. BEAUTROW HAD SHOT HIS WEAPON AT THE SUSPECT. HOURIGAN SAID SGT. DICKEY CONFIRMED WITH ALL THE TEAM MEMBERS THAT THE "BOLT-FORWARD" COMMAND WAS GIVEN.

I ASKED HOURIGAN IF HE FELT IN FEAR OF HIS SAFETY, OR THAT OF HIS TEAMMATES. HE SAID HE DEFINITELY FELT IN FEAR FOR HIS OWN SAFETY, AND TRIED TO STAY BACK FROM THE WINDOW SO THE SUSPECT WOULD NOT SEE HIM. HE SAID SEVERAL TIMES AFTER THE SUSPECT SHOT, BULLETS COULD BE HEARD PASSING NEAR HIS LOCATION. OFFICER GONZALES ASKED IF THE SUSPECT WAS SHOOTING AT HIM, BUT HOURIGAN NEVER SAW THE SUSPECT AND DID NOT KNOW WHOM HE WAS

SHOOTING AT. HE WAS UNAWARE IF THE SUSPECT KNEW THE POLICE WERE IN THE RESIDENCE AT THE REAR OF

HOURIGAN HEARD OVER THE RADIO THE SUSPECT WAS NEAR A WINDOW AT THE FRONT OF THE HOUSE. HE HEARD SEVERAL OFFICERS CONFIRMING THE LOCATION AND THEN HEARD A SINGLE SHOT. HE CONTINUED LISTENING OVER THE RADIO AS THE SUSPECT WAS CRAWLING OUT THE FRONT DOOR, AND LATER TAKEN INTO CUSTODY. DURING THAT TIME HOURIGAN HELD HIS POSITION AT THE SOUTHWEST CORNER IN CASE OTHER SUBJECTS WHO MIGHT BE IN THE HOUSE MIGHT TRY TO ESCAPE OUT THE BACK. ONCE THE INCIDENT WAS OVER, HOURIGAN LEFT HIS POSITION. HE SAID HE NEVER WENT INTO AND HE NEVER FIRED HIS WEAPON DURING THE INCIDENT.

DATE/TIME TRANSCRIBED: 041309 / 1230 HOURS
TRANSCRIBED BY: P283 / HUBER

DATE/TIME REVIEWED:
REVIEWED BY:

SUPPLEMENTAL REPORT

CRIME: 245(d) PC -- ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNEL, JEFFREY STEPHEN

VENTURA, CA 93004

INTERVIEW WITH:

INTERVIEWED BY: DET. CPL. MUNGER / 323
DET. BRITTLE / 239

Dictated by: DET. CPL. MUNGER / 323
DATE/TIME Dictated: 041309 / 041309 / 1315 HOURS

ON 041109 AT 0005 HOURS, DET. BRITTLE AND I INTERVIEWED
REGARDING THE INCIDENT AT RECEIVED
THE INITIAL REPORT FROM , AND HE SUBSEQUENTLY CONTACTED
CPL. HIGGINS, WHO INITIATED THE CALL FOR SERVICE.

SAID SOMETIME AROUND APPROXIMATELY 1730 HOURS HE WAS AT
HOME WITH HIS WIFE WHEN HE RECEIVED A TELEPHONE CALL FROM
WHO TOLD HIM HER HUSBAND JEFF WAS, "DRUNK, IN THE HOUSE
AND HAD A HANDGUN ON HIM." DESCRIBED AS
BORDERLINE-HYSTERICAL CRYING AND UPSET ABOUT WHAT HAPPENED.
SAID TOLD HIM SHE RECEIVED A CALL FROM A NEIGHBOR
TELLING HER JEFF WAS DRUNK AND IN THE HOUSE, AND HE HAD SPREAD "A BUNCH
OF HIS GUNS AROUND THE HOUSE."

Handwritten signature/initials
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TOLD WHEN SHE GOT HOME SHE WAS ABLE TO GET ALL THE GUNS LOCKED UP IN A ROOM. SAID WENT UPSTAIRS IN THE RESIDENCE TO LOOK FOR ANOTHER GUN WHEN SHE LEARNED JEFF HAD FOUND A 357 MAGNUM, WHICH HE STARTED "WAVING AROUND THE ROOM."

BELIEVED THIS HAPPENED IN THE COUPLES' BEDROOM.

SAID TOLD HIM JEFF ACTUALLY POINTED THE GUN AT HER AND THEN TURNED THE GUN AT HIMSELF, POINTING IT TO HIS HEAD AND THEN INTO HIS MOUTH. TOLD JEFF TOLD HER, "GO AHEAD, CALL THE COPS, LET'S SEE WHAT HAPPENS."

SAID TOLD HIM SHE WAS ABLE TO GET OUT OF THE BEDROOM, AND THEN HEARD A SHOT. THOUGHT JEFF HAD KILLED HIMSELF AND SHE RETURNED TO THE BEDROOM TO SEE WHAT HAPPENED. WHEN SHE RETURNED TO THE BEDROOM SHE SAW JEFF STILL HAD THE GUN AND HE "STARTED DOING THE SAME THING, SAYING, 'CALL THE COPS, CALL THE COPS.'"

SAID WAS ABLE TO GET OUT OF THE HOUSE AND WENT TO A NEIGHBOR'S HOUSE AND CALLED HIM.

AFTER RECEIVING THE PHONE CALL FROM CONTACTED DISPATCH AND RELAYED THE INFORMATION TO CPL. HIGGINS. TOLD CPL. HIGGINS AS MUCH INFORMATION AS HE COULD REGARDING THE GUNS IN JEFF'S HOME. SAID HE KNEW JEFF HAD A "SMALL ARSENAL, WITH HANDGUNS, SHOT GUNS AND RIFLES", AND POINTED OUT OF PARTICULAR CONCERN WERE THE HIGH-POWERED RIFLES JEFF HAD IN HIS POSSESSION. SAID HE RECENTLY LEARNED JEFF RELOADS HIS OWN AMMUNITION AND KEEPS THE EQUIPMENT TO RELOAD AT HIS HOUSE. ADDED HE LEARNED FROM THAT JEFF WAS NOT GOOD AT KEEPING HIS WEAPONS LOCKED UP, EVEN WITH IN THE HOUSE.

I ASKED IF KNEW WHERE DAUGHTER WAS WHEN CALLED HIM. BELIEVED THEIR DAUGHTER WAS IN DAY-CARE AT THE TIME. CANNOT RECALL IF JEFF HAD MADE THREATS TOWARD POLICE, PRIOR TO POLICE RESPONDING TO HIS RESIDENCE. SAID HE NEVER HEARD JEFF MENTION ANYTHING RELATED TO VIOLENCE TOWARD

THE POLICE IN THE PAST. SAID HE KNOWS THROUGH HIS WIFE THAT JEFF BECOMES VIOLENT WHEN HE DRINKS.

SAID HE WAS AT THE COMMAND POST (CP) DURING THE STANDOFF. I ASKED IF HE HEARD ANYTHING GOING ON AND HE SAID HE HEARD MULTIPLE GUNSHOTS BEING FIRED FROM THE DIRECTION OF THE RESIDENCE LOCATED AT HE SAID IN HIS EXPERIENCE THE SHOTS COMING FROM JEFF'S RESIDENCE SOUNDED A COMBINATION OF HIGH-POWERED RIFLES AND HANDGUN ROUNDS. SAID HE HEARD SEVERAL RICOCHETS NEAR THE CP.

I ASKED IF HE COULD TELL IF THE ROUNDS WERE BEING FIRED FROM INSIDE OR OUTSIDE THE HOUSE. SAID AT DIFFERENT TIMES IT SOUNDED LIKE THE ROUNDS WERE BEING FIRED FROM BOTH INSIDE AND OUTSIDE THE RESIDENCE. SAID THERE WERE THREE DISTINCT RICOCHETS NEAR HIM DURING THE STANDOFF. HE SAID IT WAS HARD TO TELL WHERE THE RICOCHETS WERE HITTING.

AFTER HE MADE THE PHONE CALL TO CPL. HIGGINS REPORTING THE INCIDENT, RECEIVED ANOTHER PHONE CALL FROM WHO INDICATED TO HIM SHE KNEW WHAT WAS GOING TO HAPPEN, AND SHE WAS AWARE THE SITUATION WOULD TURN INTO A SWAT CALL-OUT. TOLD SHE DID NOT BLAME HIM FOR WHAT WAS GOING TO HAPPEN. I ASKED IF THAT IS WHAT TOLD HIM VERBATIM, AND HE SAID, "THAT WAS PRETTY MUCH WHAT SHE WAS SAYING."

DATE/TIME TRANSCRIBED: 041309 / 0450 HOURS
TRANSCRIBED BY: P283 / HUBER

DATE/TIME REVIEWED:
REVIEWED BY:

John #323
4/13/09

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN

VENTURA, CA 93004

INTERVIEW WITH: OFFICER KELLY /

INTERVIEWED BY: DET. MCCONATHY / 374

DICTATED BY: DET. MCCONATHY / 374

DATE/TIME DICTATED: 041209 / 1300 HOURS

ON 041109 AT 0100 HOURS I INTERVIEWED OFFICER KELLY REGARDING HIS INVOLVEMENT WITH THE INCIDENT THAT OCCURRED AT . OFFICER KELLY IS A MEMBER OF THE VENTURA POLICE DEPARTMENT SPECIAL WEAPONS AND TACTICS (SWAT) TEAM AND SERVES AS A TEAM SNIPER.

KELLY SAID HE WAS OFF DUTY AND AT LAKE CASITAS WHEN HE RECEIVED NOTIFICATION OF THE SWAT CALL-OUT. HE CALLED LT. VANCE AND ADVISED HE RECEIVED THE CALL AND WAS COMING IN. WHILE SPEAKING TO LT. VANCE, HE HEARD GUNSHOTS IN THE BACKGROUND AND SGT. DICKEY BROADCASTING OVER THE POLICE RADIO THAT SHOTS HAD BEEN FIRED. OFFICER KELLY AND OFFICER BROWN, WHO WAS ALSO AT THE LAKE THEN LEFT AND DROVE TO THE POLICE DEPARTMENT WHERE THEY RETRIEVED THEIR EQUIPMENT. THE TWO THEN GOT INTO A SPECIAL CRIMES UNIT (SCU) VEHICLE AND DROVE TO THE AREA OF AND TO MEET WITH LT. VANCE. WHILE EN ROUTE KELLY HEARD LT. VANCE GIVE THE "BOLT-FORWARD" ORDER OVER THE RADIO. KELLY EXPLAINED THIS IS A TERM SWAT MEMBERS USE TO AUTHORIZE LETHAL FORCE DURING AN INCIDENT.

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UPON ARRIVAL HE AND OFFICER BROWN MET WITH LT. VANCE AND WERE QUICKLY BRIEFED. LT. VANCE SHOWED THEM A CALIFORNIA ID PHOTOGRAPH OF JEFFREY FENNELL. KELLY CONFIRMED WITH LT. VANCE THE "BOLT-FORWARD" COMMAND WAS STILL IN EFFECT, AND IT WAS CONFIRMED.

KELLY WAS ADVISED CPL. CASTELLANOS WOULD DRIVE HIM TO A HOUSE LOCATED ON _____, WHICH WAS TO THE NORTHWEST OF _____. OFFICER BROWN WAS ORDERED TO TAKE A POSITION WITH CPL. MACINNES, WHO WAS LOCATED ONE RESIDENCE SOUTH OF _____. KELLY SAID OFFICER BROWN BEGAN MOVING TOWARD THAT LOCATION ACROSS _____. HE AND CPL. CASTELLANOS BEGAN MOVING TOWARD A PATROL UNIT SO THEY COULD GO TO _____. KELLY SAID AS THEY WERE MOVING TOWARD THE VEHICLE, AND OFFICER BROWN WAS CROSSING THE STREET, HE HEARD SEVERAL RAPID FIRE GUNSHOTS. HE SAID HE DOES NOT KNOW WHO WAS BEING SHOT AT, BUT HEARD BULLETS HITTING THE GROUND BETWEEN HIM AND _____, AND THEN RICOCHETING UP INTO THE AIR PAST HIM. KELLY COULD HEAR THE BULLETS "ZINGING" AS THEY PASSED HIM. HE REMEMBERS HEARING SOMETHING BEHIND THEM BEING STRUCK, AND THOUGHT IT MIGHT BE A VEHICLE OR FENCE. HE SAID HE AND CPL. CASTELLANOS IMMEDIATELY CHANGED DIRECTIONS AND WENT TO A VEHICLE PARKED ON THE _____, OUT OF VIEW OF _____. THEY GOT INTO THE CAR AND CPL. CASTELLANOS DROVE KELLY TO THE RESIDENCE ON _____ WHERE HE WAS TO TAKE UP A POSITION.

WHILE EN ROUTE TO THAT RESIDENCE, HE WAS ADVISED OFFICER PUSEN AND CPL. ANSELMO HAD ALREADY ENTERED THE HOUSE THROUGH AN UNLOCKED WINDOW AND TAKEN UP A POSITION IN AN UPSTAIRS BEDROOM. OFFICER KELLY SAID HE DID NOT KNOW WHICH WINDOW THEY ENTERED, AND AS HE APPROACHED THE HOUSE ON FOOT, THE SUSPECT BEGAN FIRING AGAIN. KELLY DID NOT WANT THE OFFICERS INSIDE THE RESIDENCE TO SEPARATE DURING THE INCIDENT, SO HE KICKED OPEN THE FRONT DOOR TO GAIN ENTRY INTO THE RESIDENCE. HE WENT UPSTAIRS WHERE HE CONTACTED CPL. ANSELMO AND OFFICER PUSEN. THE ROOM THEY WERE IN OVERLOOKED THE BACKYARD OF _____ AND THEY WERE ABLE TO SEE THE WEST SIDE OF THE HOUSE, AS WELL AS A LARGE PORTION OF THE NORTH SIDE OF THE HOUSE. THEY ADVISED OFFICER KELLY THE SUSPECT HAD COME

OUTSIDE NUMEROUS TIMES AND FIRED A WEAPON INTO THE AIR. THEY DID NOT KNOW IF HE WAS SHOOTING AT THEM BECAUSE THEY DUCKED FOR COVER BEHIND SEVERAL LARGE ITEMS THEY HAD STACKED IN FRONT OF THE WINDOW FOR PROTECTION. THEY SAID THEY DID SEE MUZZLE FLASH FROM THE SUSPECT'S WEAPON WHEN HE WAS SHOOTING. KELLY SAID HE DECIDED HE NEEDED A BETTER OBSERVATION POINT, SO HE CRAWLED OUT ON THE ROOF OF THE RESIDENCE AND TOOK UP A POSITION WHERE HE COULD SEE THE ENTIRE REAR SLIDING GLASS DOOR OF THE RESIDENCE, AS WELL AS A LARGE PORTION OF THE NORTH SIDE. HE DESCRIBED THIS AS THE THREE/FOUR CORNER. HE REMAINED IN THAT POSITION UNTIL THE INCIDENT WAS CONCLUDED.

KELLY SAID WHILE HE WAS ON THE ROOF HE WAS ARMED WITH HIS DEPARTMENT ISSUED RIFLE. DURING THAT TIME HE NEVER SAW THE SUSPECT, AND NEVER SAW ANY GUN OR MUZZLE FLASH. HE HEARD THE SUSPECT ENTERING A BACK ROOM IN THE RESIDENCE, WHICH HE BELIEVED MAY HAVE BEEN THE GARAGE. HE HEARD A LOUD, MUFFLED GUNSHOT, BUT DID NOT KNOW WHAT HAD BEEN SHOT AT, OR WHAT DIRECTION THE SHOT WAS FIRED. HE SAID AS HE WAS IN THIS POSITION HE WAS FEARFUL FOR HIS LIFE BECAUSE HE WAS TOLD THE SUSPECT HAD SEVERAL LARGE CALIBER WEAPONS AND HE HAD BEEN SHOT AT. HE ALSO HEARD OVER THE RADIO THE SUSPECT WAS PLANNING ON "GOING OUT IN A BLAZE OF GLORY", WHICH HE INTERPRETED AS THE SUSPECT COMING OUT OF THE HOUSE SHOOTING.

AS KELLY HELD HIS POSITION HE HEARD THE SUSPECT SHOOTING TOWARD THE FRONT OF THE HOUSE. HE SAID HE HEARD A SINGLE LOUD GUNSHOT THAT HE RECOGNIZED AS POSSIBLY BEING A SNIPER RIFLE USED BY THE SWAT TEAM. HE SAID HE HEARD A BROADCAST OVER THE RADIO, WHICH HE WAS UNABLE TO UNDERSTAND. SHORTLY THEREAFTER LT. VANCE BROADCAST THE SUSPECT HAD BEEN SHOT AND WOULD COME OUT THE FRONT DOOR. KELLY DID NOT SEE ANY OF THIS ACTION TAKE PLACE, DUE TO HIS POSITION AT THE REAR OF THE RESIDENCE. HE COULD HEAR MEMBERS OF THE SWAT TEAM GIVING VERBAL COMMANDS TO THE SUSPECT, TELLING HIM THEY WANTED TO SEE HIS HANDS. IT SOUNDED AS IF THE SUSPECT WAS NOT COOPERATING AND WAS NOT SHOWING HIS HANDS AS REQUESTED. KELLY THEN HEARD THE SUSPECT WAS TAKEN INTO CUSTODY, BUT HE CONTINUED HOLDING HIS POSITION. ONCE THE HOUSE WAS CLEARED BY THE SWAT

TEAM, AND THE LOCATION WAS CONSIDERED CONTROLLED, KELLY LEFT HIS POSITION ON _____ AND RETURNED TO THE COMMAND POST.

KELLY SAID HE NEVER FIRED HIS WEAPON DURING THE INCIDENT. WHEN HE WAS AT THE REAR OF THE RESIDENCE HE DOES NOT THINK THE SUSPECT KNEW HE WAS THERE OR FIRE IN HIS DIRECTION. HE STRONGLY BELIEVES THOUGH, WHEN HE AND CPL. CASTELLANOS WERE WALKING TOWARD THE PATROL UNIT AND OFFICER BROWN WAS CROSSING _____ DRIVE THAT THE SUSPECT WAS FIRING IN THEIR DIRECTION, AND THE BULLETS CAME NEAR ENOUGH TO CAUSE HIM TO BECOME EXTREMELY IN FEAR FOR HIS LIFE.

DATE/TIME TRANSCRIBED: 041309 / 1400 HOURS
TRANSCRIBED BY: P283 / HUBER

DATE/TIME REVIEWED:
REVIEWED BY:

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN
VENTURA, CA 93004

INTERVIEW WITH: OFFICER STEGNER / 346

INTERVIEWED BY: DET. CPL. MUNGER / 323
DET. BRITTLE /

Dictated by: DET. CPL. MUNGER / 323
DATE/TIME Dictated: 041309 / 1600 HOURS / 239

ON 041109 AT APPROXIMATELY 1630 HOURS DET. BRITTLE AND I INTERVIEWED OFFICER STEGNER REGARDING HIS INVOLVEMENT IN THE INCIDENT OF 041009 AT OFFICER STEGNER IS A SNIPER ON THE VENTURA POLICE DEPARTMENT (VPD) SPECIAL WEAPONS AND TACTICS (SWAT) TEAM AND WAS INVOLVED IN THE DRIVE INCIDENT IN THAT CAPACITY.

AT THE BEGINNING OF THE INTERVIEW I READ OFFICER STEGNER HIS RIGHTS PER MIRANDA AND CONFIRMED WITH HIM HE UNDERSTOOD THOSE RIGHTS. I ASKED HIM, "DO YOU WISH TO WAIVE YOUR RIGHTS AND VOLUNTARILY ANSWER QUESTIONS?" OFFICER STEGNER RESPONDED, "YES I DO."

I ASKED OFFICER STEGNER HOW HE RECEIVED NOTIFICATION OF THE INCIDENT AT STEGNER SAID HE RECEIVED TELEPHONIC NOTIFICATION OF SWAT ACTIVATION THAT INCLUDED INSTRUCTIONS TO RESPOND TO THE VPD. OFFICER STEGNER CALLED VPD DISPATCHER GAVE HER HIS ESTIMATED TIME OF ARRIVAL TO THE STATION, AND ASKED FOR DETAILS OF THE ACTIVATION. DISPATCHER TOLD STEGNER THERE WAS A MAN ON WHO HAD FIRED ROUNDS INSIDE HIS HOME. OFFICER STEGNER ESTIMATED HIS TIME TO VPD AT APPROXIMATELY 15-TO-20-MINUTES, RESPONDING FROM

HE SAID HE HAD BEEN ON HIS WAY TO CHURCH WHEN HE RECEIVED THE NOTIFICATION.

ONCE HE GOT TO VPD HE GATHERED HIS EQUIPMENT AND MET WITH DET. CPL. MACINNES AND LEARNED THE SUBJECT IN THE RESIDENCE WAS A RELATIVE OF ANOTHER . STEGNER MADE PLANS WITH MACINNES TO RESPOND TO THE SCENE, AND COULD NOT RECALL IF HE HAD BEEN GIVEN INFORMATION REGARDING THE SUSPECT OR IDENTITY OF THE SUSPECT PRIOR TO LEAVING THE STATION. STEGNER RODE WITH MACINNES TO THE COMMAND POST (CP) WITH CPL. BEAUTROW AND OFFICER VAZQUEZ. OFFICER STEGNER SAID THE VEHICLE THEY WERE IN WHILE RESPONDING TO THE INCIDENT WAS AN UNMARKED POLICE VEHICLE. OFFICER STEGNER COULD NOT RECALL IF HE WAS USING UPDATED INFORMATION OVER THE RADIO WHILE HE WAS EN ROUTE TO THE CALL.

STEGNER RECALLED MEETING WITH WHEN HE ARRIVED ON SCENE, AND SAID TOLD HIM THERE WAS AT LEAST ONE DEER RIFLE AND HANDGUN IN THE RESIDENCE. OFFICER STEGNER SAID HE RECEIVED A QUICK BRIEFING FROM HIS PARTNER OFFICER HARBERT WHEN HE ARRIVED ON SCENE. HE RECALLS HARBERT TELLING HIM THE SUSPECT WAS IN THE SECOND HOUSE OF ON THE WEST SIDE OF DRIVE. STEGNER COULD NOT RECALL WHEN, BUT HE KNEW AT SOME POINT PRIOR TO RECEIVING HIS BRIEFING FROM HARBERT, SOMEONE HAD TOLD HIM THERE HAD BEEN A FEMALE SUBJECT INSIDE THE RESIDENCE , AND SHE HAD BEEN SHOT AT BY THE SUSPECT. STEGNER SAID IT WAS POSSIBLY MACINNES WHO INFORMED HIM OF THAT INFORMATION PRIOR TO LEAVING THE STATION.

AFTER RECEIVING THE UPDATED INFORMATION FROM HARBERT REGARDING THE LOCATION OF THE RESIDENCE, STEGNER AND HARBERT SWITCHED RIFLES; THERE HAD BEEN A MIX-UP PRIOR TO HARBERT LEAVING THE STATION, AND HE HAD TAKEN STEGNER'S SNIPER RIFLE TO THE SCENE, AND STEGNER SUBSEQUENTLY BROUGHT HARBERT'S TO HIM. HARBERT TOLD STEGNER HIS RIFLE WAS LOADED WITH ONE ROUND IN THE CHAMBER AND FOUR ROUNDS IN THE CARTRIDGE.

STEGNER AND HARBERT LEFT THE CP AND MADE THEIR WAY TO THE NORTHEAST CORNER OF THE INTERSECTION OF AND . FROM THAT CORNER STEGNER WAS ABLE TO LOOK AROUND A LARGE BRICK WALL, WHERE HE SAW THE SUSPECT'S HOUSE. STEGNER DESCRIBED IT AS THE SECOND HOUSE NORTH OF , ON THE WEST SIDE OF , AND IT WAS A

I ASKED STEGNER ABOUT THE LIGHTING CONDITIONS AT THE TIME HE MET HARBERT AT THE SCENE, AND HE RECALLED IT WAS APPROXIMATELY 1900 HOURS AND THERE WAS STILL LIGHT, BUT IT WAS BEGINNING TO GET DARK. STEGNER AND HARBERT BRIEFLY DISCUSSED WHAT POSITION THEY WOULD TAKE, AND DECIDED TO TAKE A POSITION IN THE RESIDENCE LOCATED ON THE NORTH SIDE OF THE WALL THEY WERE STANDING NEAR. THAT HOUSE WAS LOCATED ON THE CORNER OF AND

STEGNER AND HARBERT MOVED TO THE HOUSE BEHIND THE HOUSE THEY WANTED TO GET INTO, TO TAKE UP POSITION. THEY CLIMBED THE FENCE INTO THAT WALL AND THEN ANOTHER FENCE INTO THE BACK YARD OF THE HOUSE ON THE NORTHEAST CORNER. ONCE INSIDE THAT RESIDENCE THEY MET WITH OFFICER SEARS WHO POINTED THEM TOWARD AN UPSTAIRS BEDROOM IN A HOUSE WHERE HE BELIEVED THEY COULD TAKE A POSITION. STEGNER COULD NOT RECALL WHY, BUT HE AND HARBERT DECIDED NOT TO TAKE A POSITION IN THAT RESIDENCE. THEY MADE THEIR WAY BACK OVER A FENCE INTO A HOUSE ONCE OVER THE FENCE THERE THEY MOVED NORTHBOUND AND WERE ABLE TO CLIMB INTO THE BACK YARD OF THE SECOND HOUSE NORTH OF . ONCE IN THE BACKYARD OF THAT RESIDENCE, THEY WERE IN THE HOUSE DIRECTLY

THEY MET WITH A HISPANIC MALE AND HISPANIC FEMALE IN THAT RESIDENCE. THE MALE SUBJECT HAD A PROSTHETIC LEG AND SAID HE WOULD NOT BE ABLE TO EVACUATE HIMSELF FROM THE RESIDENCE. STEGNER AND HARBERT WENT IN THE RESIDENCE WHERE THEY MET WITH SGT. SCHINDLER, OFFICER ROBINSON AND OFFICER REYES.

STEGNER BELIEVES SGT. SCHINDLER WAS IN THE HALLWAY OF THE RESIDENCE AND OFFICERS ROBINSON AND REYES WERE WATCHING THE SUSPECT'S HOUSE FROM WINDOWS INSIDE THE HOUSE THEY WERE IN. HE BELIEVED THEY WERE POSSIBLY IN BEDROOMS, BUT HE COULD NOT RECALL. SGT. SCHINDLER DIRECTED STEGNER AND HARBERT TO A WINDOW IN THE MASTER BEDROOM, LOCATED ON THE NORTHWEST CORNER OF THAT HOUSE, FACING THE SUSPECT'S HOUSE. STEGNER BELIEVED THE HOUSE WAS A SINGLE STORY RESIDENCE, BUT WAS UNSURE. THE MASTER BEDROOM WAS LOCATED ON THE GROUND FLOOR IN THE NORTHWEST CORNER OF THE HOME.

OFFICER STEGNER SAID THAT BEDROOM HAD GOOD LIGHTING CONDITIONS ALLOWING THEM TO MAINTAIN THE COVER OF DARKNESS, WHILE OBSERVING THE SUSPECT RESIDENCE. THE RESIDENCE HAD HANGING BLINDS AND THE WINDOW COULD BE OPENED, ALLOWING THEM TO LOOK OUT. HARBERT TOOK UP A POSITION BEHIND HIS RIFLE, WHERE HE UTILIZED A NIGHT VISION SCOPE TO WATCH THE FRONT OF THE SUSPECT'S HOUSE.

OFFICER STEGNER SAID HE TAPED THE BLINDS OPEN AND BEGAN TO SET UP A "HIDE", UTILIZING DARK CLOTH TO CREATE A SPACE WHERE HE AND HARBERT COULD NOT BE SEEN BY THE SUSPECT BY LOOKING IN. STEGNER SAID THERE WAS ONLY ROOM FOR HARBERT TO COVER THE RESIDENCE WITH HIS RIFLE. STEGNER RECALLED HARBERT HAVING A CLEAR VIEW OF THE FRONT DOOR OF THE RESIDENCE. STEGNER CONTINUED WITH PREPARATIONS BY SETTING UP THE REST OF THEIR EQUIPMENT.

AFTER STEGNER COMPLETED SETTING UP EQUIPMENT, HE TOOK UP A POSITION ON THE SOUTH SIDE OF THE SAME WINDOW HARBERT WAS UTILIZING. HARBERT WAS AT THE NORTH END OF THE WINDOW AND STEGNER WAS ABLE TO MOVE A TELEVISION INTO A CORNER AND TAKE A POSITION OVER A DRESSER. THIS NEW POSITION ALLOWED HIM TO UTILIZE THE SOUTH SIDE OF THE BEDROOM WINDOW TO COVER A GARAGE WINDOW ON THE SUSPECT'S RESIDENCE. THE DRESSER ALSO AFFORDED HIM COVER FROM POSSIBLE HIGH-POWERED RIFLE FIRE. STEGNER STATED HE BELIEVED THEY HAD BEEN IN THAT POSITION FOR APPROXIMATELY 20-

TO-30-MINUTES BY THE TIME HE TOOK THE POSITION ON THE SOUTH SIDE OF THE WEST FACING WINDOW.

I ASKED STEGNER WHAT WAS GOING ON WITH THE SUSPECT HOUSE AT THAT TIME. STEGNER RECALLED THERE WAS RADIO TRAFFIC, AND COULD NOT RECALL EXACTLY WHAT WAS SAID, BUT DID REMEMBER OFFICER REYES TELLING HIM AFTER HE CAME ON SCENE THE SUSPECT FIRED SEVERAL ROUNDS INSIDE HIS HOUSE. REYES ALSO SAID THE SUSPECT CAME OUT OF THE HOUSE AND WALKED AROUND FOR A LITTLE BIT, THEN WALKED BACK INTO THE HOUSE.

A SHORT TIME AFTER SETTING UP STEGNER RECALLED FOUR-TO-FIVE ROUNDS BEING FIRED FROM THE SUSPECT'S HOUSE AND HE DESCRIBED THEM AS, "SUPER LOUD" AND COMING FROM INSIDE THE SUSPECT'S HOUSE. HE SAID WITHIN SECONDS OF HEARING THOSE ROUNDS SGT. DICKEY CAME OVER THE RADIO ADVISING FOUR-TO-FIVE ROUNDS HAD BEEN FIRED FROM INSIDE THE RESIDENCE.

STEGNER SAID FROM HIS POSITION HE COULD SEE A SMALL CORNER OF THE SWAT TEAM ARMORED VEHICLE POSITIONED ON THE THREE/FOUR CORNER OF THE SUSPECT'S RESIDENCE. I ASKED WHICH CORNER HE WAS TALKING ABOUT AND HE DESCRIBED IT AS BEING THE NORTHEAST CORNER OF THE RESIDENCE. STEGNER DESCRIBED THE OFFICERS AT THAT LOCATION BEHIND THE ARMORED VEHICLE AS BEING, "A LOT CLOSER TO THE HOUSE THAN WE WERE." STEGER SAID SOMETIME AROUND WHEN HE HEARD THE LAST VOLLEY OF SHOTS, LT. VANCE CAME OVER THE RADIO AND SAID THE CRISIS NEGOTIATION TEAM (CNT) HAD REACHED THE SUSPECT AND THEY WERE CURRENTLY NEGOTIATING WITH HIM.

STEGNER SAID APPROXIMATELY 15-MINUTES PASSED AND THE LIGHTING CONDITIONS CONTINUED TO CHANGE. AS IT GOT DARKER THEIR VIEW OF THE SUSPECT'S RESIDENCE DIMINISHED. HARBERT TOLD STEGNER HIS VIEW WITH THE NIGHT VISION SCOPE ON HIS RIFLE HAD ALSO BECOME DIMINISHED, AND HE WAS HAVING TROUBLE WITH DISTINCTION. HE SAID THE FRONT DOOR TO THE RESIDENCE APPEARED TO BE RECESSED INTO THE HOUSE AND IT WAS DARK. SGT. DICKEY GAVE AN ORDER FOR A PATROL CAR TO BE MOVED UP TO A LOCATION NEAR THE

ARMORED VEHICLE, SO THE FRONT OF THE RESIDENCE COULD BE ILLUMINATED WITH SPOTLIGHT.

STEGNER SAID RIGHT BEFORE OR RIGHT AFTER THE ORDER FOR THE LIGHT CAME FROM SGT. DICKEY, HE HEARD FOUR-TO-FIVE MORE SHOTS, DESCRIBING THEM AS SOUNDING "LOUDER." THEY APPEARED TO COME FROM OUTSIDE THE SUSPECT'S RESIDENCE. STEGNER RECALLED BEING TOLD BY RADIO THAT THE SHOTS JUST HEARD WERE COMING FROM THE ONE/TWO CORNER OF THE HOUSE, WHICH HE DESCRIBED AS BEING THE SOUTHWEST CORNER OF THE HOUSE.

STEGNER RECALLED CPL. ANSELMO COMING OVER THE RADIO AND SAYING HE HAD SEEN A SILHOUETTE OF THE SUSPECT WHO FIRED THE ROUNDS, HOWEVER HE DID NOT HAVE A SHOT. AT APPROXIMATELY THE SAME TIME ANOTHER OFFICER PUT OUT INFORMATION THAT THE SUSPECT YELLED SOMETHING OUT IN THE BACKYARD, THAT HE SAID, "TAKE IT" AND BELIEVED THE SUSPECT REPEATED IT. STEGER SAID THIS CAUSED HIM TO WORRY THAT

STEGNER WAS AFRAID THE SUSPECT ATTEMPTING TO HAVE A SNIPER TAKE A SHOT AT HIM. HE WAS ALSO WORRIED IF THE SUSPECT KNEW THEIR TACTICS HE MAY FIGURE OUT WHERE THEY WERE HIDING.

APPROXIMATELY 15-TO-20 MINUTES PASSED BEFORE ANOTHER VOLLEY OF FOUR-TO-FIVE SHOTS OCCURRED. SOMETIME IN THAT TIME FRAME STEGNER RECALLED LT. VANCE PUTTING OUT INFORMATION THAT THE SUSPECT COULD BE HEARD POSSIBLY LOADING ANOTHER WEAPON.

THE SHOTS STEGNER HEARD AFTER THE 15-TO-20 MINUTES OF SILENCE WERE ADVISED BY SOMEONE OVER THE RADIO AS COMING FROM THE NORTHWEST CORNER OF THE RESIDENCE. STEGNER IDENTIFIED THAT AS THE THREE/FOUR CORNER OF THE HOUSE. STEGNER DESCRIBED THE NORTH SIDE OF THE HOUSE AS HAVING A TRUCK IN THE DRIVEWAY, A SMALL WOODEN FENCE AND A TRAILER ON THE WEST SIDE OF THAT. FROM HIS POSITION STEGNER SAID HE WAS ABLE TO GET A VIEW DOWN THE SIDE OF THE RESIDENCE, BUT IT WAS LIMITED TO ABOUT 15-FEET. STEGNER SAID HE COULD SEE IF THE SUSPECT WERE TO COME AROUND THE

CORNER. STEGNER WAS ABLE TO MAINTAIN A VIEW OF THE NORTH SIDE OF THE HOUSE AND THE WINDOW HE HAD BEEN WATCHING BEFORE. STEGNER SAID HE WAS ABLE TO MAINTAIN THAT POSITION FOR APPROXIMATELY ONE-HOUR.

AFTER SHOTS WERE FIRED FROM THE NORTHWEST CORNER THERE WAS AN APPROXIMATE FIVE-TO-TEN MINUTE LULL AND THEN THE SUSPECT CAME OUT AGAIN AN FIRING. STEGNER SAID THOSE ROUNDS SOUNDED AS IF THEY WERE CLOSER TO HIS LOCATION. HE SAID THAT VOLLEY WAS APPROXIMATELY FIVE-TO-SEVEN ROUNDS AND IT WAS "LOUDER" THAN THE PREVIOUS ROUNDS. HE BELIEVED THOSE ROUNDS WERE FROM A RIFLE AND THEY APPEARED TO BE COMING FROM THE SOUTHEAST CORNER OF THE HOUSE.

AFTER THAT VOLLEY OF FIRE STEGNER RECALLED SGT. DICKEY COMING ACROSS THE RADIO CALLING THE UNITS ON SCENE AND ASKING IF THEY WERE OKAY. SGT. DICKEY CALLED DET. CPL. MACINNES AND MACINNES DID NOT ANSWER. STEGNER SAID, "I REMEMBER BEING AFRAID MACINNES MIGHT HAVE GOTTEN HIT, AND I PRAYED HE WOULD BE OKAY." A FEW SECONDS AFTER THAT SGT. DICKEY CALLED DET. CPL. MACINNES AGAIN AND MACINNES ANSWERED HE WAS OKAY.

STEGNER NOTICED THE SUSPECT MOVED EACH TIME AFTER FIRING ROUNDS, IN AN APPARENT MOVE TO AVOID DETECTION. STEGNER SAID, "NOT ONLY WAS HE SHOOTING FROM OUTSIDE, INSIDE AND DIFFERENT AREAS, HE WAS ABLE TO GET TO THOSE PLACES WITHOUT BEING DETECTED." STEGNER SAID HE BEGAN TO WORRY THE SUSPECT HAS SOME SORT OF TACTICAL EXPERIENCE. HE POINTED OUT THE SUSPECT WAS USING TACTICS THAT WERE WISE IN ORDER TO NOT BE DETECTED. STEGNER RECALLED NO ONE WAS OBSERVING THE SUSPECT MOVING AROUND INSIDE THE HOUSE.

STEGNER SAID HE STARTED TO BECOME FRUSTRATED BECAUSE HE COULD NOT SEE PARTS OF THE HOUSE, AND BELIEVED THERE WERE PARTS NOT BEING COVERED. HE SAID THERE WERE ONLY TWO SNIPERS ASSIGNED TO THE INCIDENT AT THAT POINT,

STEGNER BELIEVED IT WAS AROUND THAT TIME, OR RIGHT AFTER ANOTHER SET OF SHOTS THE SUSPECT FIRED, WHEN LT. VANCE GAVE THE ORDER "BOLT-FORWARD." STEGNER SAID THAT COMMAND INDICATES TO SNIPERS THAT IF THEY GET A CLEAR SHOT OF THE SUSPECT, TO TAKE IT. STEGNER CONFIRMED THAT COMMAND, AND RECALLED HARBERT ALSO CONFIRMING THE ORDER.

STEGNER SAID UP TO THAT POINT HE AND HARBERT HAD NOT SEEN THE SUSPECT AT ALL. STEGNER RECALLED WHEN THE SUSPECT HAD BEEN SHOOTING FROM THE SOUTHEAST SIDE OF THE HOUSE, SGT. DICKEY REPORTED ROUNDS HITTING NEAR THE ARMORED VEHICLE. SGT. DICKEY BELIEVED THE SUSPECT WAS FIRING ON THE IMMEDIATE RESPONSE (IR) TEAM, WHO WERE IN POSITION BEHIND THE ARMORED VEHICLE. STEGNER SAID, "AT THIS POINT I WAS IN FEAR FOR EVERYONE'S LIFE AT THE SCENE. HE WAS TAKING SHOTS AT PEOPLE; EVEN THE SHOTS INSIDE THE HOUSE, WHO KNOWS WHERE THEY WERE GOING, WHERE HE WAS AIMING? I WAS WORRIED FOR ALL OF US AT THE SCENE, AND PEOPLE IN HOUSES AROUND THE AREA."

STEGNER SAID APPROXIMATELY 15-TO-20 MINUTES AFTER HEARING THE ROUNDS ON THE ONE/TWO CORNER OF THE HOUSE, HE HEARD ANOTHER VOLLEY OF SHOTS COMING FROM INSIDE THE HOUSE. INFORMATION CAME OVER THE RADIO THAT THE SUSPECT WAS SHOOTING FROM A SECOND STORY WINDOW AND THE SUSPECT APPEARED TO BE SHOOTING AT OFFICER BROWN, WHO WAS MOVING TO A POSITION NEAR THE SOUTHEAST SIDE OF THE HOUSE. STEGNER RECALLED OFFICER BROWN COMING OVER THE RADIO AND SAYING HE SAW MOVEMENT IN THE TREES, AS IF THE SUSPECT WAS FIRING INTO THE BUSHES OVER HIM.

OFFICER STEGNER MOVED HIS RIFLE TO TRY AND GET A BETTER VIEW OF THE UPSTAIRS WINDOWS OF THE HOUSE. HE WAS ABLE TO GET A VIEW OF AN UPSTAIRS WINDOW ON THE ONE/TWO CORNER OF THE HOUSE, BUT COULD NOT SEE ANY OF THE OTHER WINDOWS, AS THE FRONT OF THE HOUSE WAS OBSTRUCTED BY A LARGE TREE. OFFICER STEGNER COVERED THE WINDOW HE COULD SEE; WHILE COVERING THAT WINDOW ANOTHER VOLLEY OF SHOTS CAME FROM A SECOND STORY WINDOW. OFFICER STEGNER WATCHED FOR MUZZLE FLASH AS THE ROUNDS

WERE GOING OFF, BUT HE COULD NOT SEE ANY FROM THE WINDOW HE WAS WATCHING.

I ASKED STEGNER, IN HIS EXPERIENCE, WHAT THE ROUNDS BEING FIRED FROM THE SECOND STORY WINDOW SOUNDED LIKE. HE SAID IN HIS EXPERIENCE, THE ROUNDS SOUNDED LIKE THEY WERE COMING FROM A HIGH-POWERED RIFLE. I ASKED OFFICER STEGNER IF ALL THE ROUNDS SOUNDED THAT WAY, AND HE SAID SOME OF THE ROUNDS SOUNDED LIKE THEY COULD HAVE BEEN FROM A HANDGUN, BUT MOST OF THE ROUNDS SOUNDED LIKE THEY CAME FROM A HIGH-POWERED RIFLE. STEGNER RECALLED SGT. DICKEY SAID THE ROUNDS SOUNDED TO HIM LIKE THEY WERE COMING FROM AN AR-15, OR SOME OTHER TYPE OF HIGH-POWERED RIFLE.

AFTER THE SECOND VOLLEY OF ROUNDS FROM THE SECOND FLOOR, OFFICER STEGNER RECALLED SOMEONE SAYING AN OFFICER HAD EXCHANGED GUNFIRE WITH THE SUSPECT. STEGNER COULD NOT RECALL WHO SAID THERE WAS AN EXCHANGE OF GUNFIRE, OR WHO FIRED. AFTER THE REPORTED EXCHANGE OF GUNFIRE, STEGNER SAID HE COULD HEAR WHAT HE BELIEVED WAS THE SUSPECT YELLING OUT, BUT COULD NOT RECALL WHAT THE SUSPECT WAS SAYING. HE BELIEVED THE SUSPECT HAD EITHER BEEN SHOT, OR HE WAS YELLING BACK AT THE OFFICERS WHO FIRED AT HIM.

ALL THE WINDOWS IN STEGNER'S VIEW WERE DARK. AT TIMES DURING THE INCIDENT STEGNER RECALLED THE SUSPECT TURNING ON FLOOD LIGHTS ON THE SIDES OF THE HOUSE, TURNING THEM OFF, AND THEN TURNING THEM ON AND OFF AGAIN. STEGNER BELIEVES THE SUSPECT WAS MOVING AROUND A LOT.

STEGNER COULD NOT RECALL WHICH OFFICER HAD COME IN, BUT KNOWS IT WAS OFFICER ROBINSON OR OFFICER REYES. ONE OF THEM TOLD STEGNER THERE WAS ANOTHER POSITION INSIDE THE GARAGE OF THE HOUSE THEY WERE IN, WHERE HE MIGHT BE ABLE TO GET A BETTER VIEW OF THE FRONT OF THE SUSPECT'S HOUSE.

STEGNER DESCRIBED THE GARAGE AS HAVING A TOP PANEL OF WINDOWS IN THE GARAGE DOOR, GIVING A CLEAR VIEW OF THE SUSPECT'S FRONT WINDOWS. STEGNER AND HARBERT DECIDED TO SPLIT UP. STEGNER WENT INTO THE GARAGE

WHERE OFFICER ROBINSON HELPED HIM SET UP ON A LADDER, LOOKING OUT OF THE SOUTHERN MOST GARAGE DOOR WINDOW. FROM THIS POSITION IN THE GARAGE STEGNER SAW THERE WAS ANOTHER SECOND STORY WINDOW, WHICH HE DESCRIBED AS HAVING THE BLINDS STICKING OUT OF IT. STEGNER COULD TELL THAT IS WHERE THE SUSPECT HAD BEEN FIRING. FROM HIS NEW POSITION STEGNER HAD A CLEAR VIEW OF THE "WHOLE FRONT OF THE HOUSE."

STEGNER SAID FROM THIS NEW POSITION HE "DEFINITELY STARTED TO FEEL FEAR, FOR MYSELF AS WELL AS THE OTHER OFFICERS. I HAD ALREADY FELT FEAR FOR THEM. I WAS AFRAID THEY WOULD TAKE A BULLET, BUT, MY OLD POSITION I WAS HIDING BEHIND A DRESSER AND THERE WAS A CORNER OF A WINDOW IN FRONT OF ME THAT I KNEW CONTAINED STUDS."

IN STEGNER'S NEW POSITION HE ONLY HAD THE THIN METAL OF THE GARAGE DOOR BETWEEN HIS POSITION AND THE SUSPECT'S HOUSE. STEGNER SAID HE WAS NOT CONCERNED SO MUCH THAT THE SUSPECT WOULD SEE WHERE HE WAS BECAUSE IT WAS DARK, HE WAS MORE CONCERNED WITH THE SUSPECT TAKING A RANDOM SHOT INTO THE GARAGE DOOR, AND STEGNER KNEW IT WOULD GO RIGHT THROUGH THE DOOR. STEGNER SAID HE FELT THE RISK WAS NECESSARY BECAUSE HIS NEW POSITION AFFORDED HIM THE ABILITY TO SEE THE MAJORITY OF THE SUSPECT'S HOUSE. STEGNER SAID HE WANTED TO, "JUST SEE HIM, SO I COULD END THE THREAT."

PRIOR TO STEGNER MOVING TO HIS NEW POSITION IN THE GARAGE, LT. VANCE BROADCAST INFORMATION THE SUSPECT SAID HE WAS EITHER GOING TO COMMIT SUICIDE OR, "COME OUT BLAZING." STEGNER SAID, "THAT AGAIN MADE ME FEEL FEAR, THAT HE WAS GOING TO COME OUT SHOOTING RANDOMLY." STEGNER FELT THE SUSPECT WOULD POSSIBLY HIT ONE OF "US" OR A CITIZEN IN THE AREA. STEGNER RECALLED THAT INFORMATION WAS BROADCAST PRIOR TO THE SUSPECT SHOOTING FROM THE SECOND STORY WINDOW.

ONCE STEGNER WAS COVERING THE WINDOWS ON THE SECOND STORY OF THE SUSPECT HOUSE, LT. VANCE BROADCAST INFORMATION THE SUSPECT TOLD HIM HE WAS GOING TO, "SHOOT OUT THE LIGHT." STEGNER SAID HE WAS UNSURE WHAT

LIGHTS THE SUSPECT WAS TALKING ABOUT, OR WHERE ALL OF THE OFFICERS WERE ADJACENT TO THE LIGHTS CAUSED HIM TO BE CONCERNED AGAIN THE SUSPECT WAS GOING TO HIT AN OFFICER ON SCENE.

OFFICER ROBINSON TOLD STEGNER A KITCHEN LIGHT HAD JUST COME ON. STEGNER SAID THERE WAS A WINDOW ON THE NORTH SIDE OF THE FRONT DOOR THAT APPEARED TO BE A BAY WINDOW. STEGNER LOWERED HIS RIFLE TO THAT WINDOW AND SAW A LIGHT WAS ON. STEGNER REALIZED THAT WAS THE WINDOW ROBINSON HAD BEEN TALKING ABOUT. STEGNER WATCHED THAT WINDOW FOR A FEW SECONDS BEFORE HE SAW THE SUSPECT WALK INTO HIS VIEW IN THE WINDOW. THE SUSPECT WAS WALKING NORTH TO SOUTH. STEGNER SAID THERE WAS A PORTION OF TIME WHEN HE COULD SEE AN APPROXIMATE ONE-FOOT-BY-ONE-FOOT PATTERN THAT APPEARED TO BE THE SUSPECT'S UPPER TORSO. STEGNER RECALLED THE SUSPECT'S HEAD BEING OBSCURED BY SOME SORT OF POTTED PLANT ON A TOP SHELF OF THE BAY WINDOW. THERE APPEARED TO BE THREE SHELVES IN THE BAY WINDOW. THERE WAS ALSO SOMETHING ON THE LOWER SHELF, CAUSING STEGNER NOT TO BE ABLE TO SEE FROM THE SUSPECT'S LOWER ABDOMEN DOWN. STEGNER SAID HE COULD SEE WHAT HE BELIEVED WAS A WHITE SHIRT. HE COULD NOT TELL IF IT WAS THE FRONT OR BACK OF THE SUSPECT. HE SAID HE WAS IN FEAR THE SUSPECT WAS GOING TO START FIRING FROM THE FRONT WINDOW, OR MOVE TO A PLACE WHERE HE WOULD FIRE ON THEM MORE. STEGNER EXPLAINED THE SUSPECT TOLD LT. VANCE HE WAS GOING TO "COME OUT FIRING."

STEGNER SAID HE FELT LIKE HE NEEDED TO END THE THREAT BEFORE THE SUSPECT HURT SOMEONE. HE AIMED FOR THE CENTER OF THE MASS HE COULD SEE AND HE FIRED A SHOT. STEGNER SAID ALMOST INSTANTANEOUSLY, AFTER FIRING THE SHOT THE SUSPECT DROPPED DOWN AND OUT OF HIS SIGHT. STEGNER SAID HE FELT THERE WAS NO WAY THE SUSPECT COULD HAVE REACTED THAT FAST TO THE SOUND OF HIS WEAPON, AND HE BELIEVED HIS SHOT HIT THE SUSPECT. STEGNER TOLD OFFICER ROBINSON TO GET ON THE RADIO AND LET EVERYONE KNOW A SHOT HAD BEEN TAKEN BY A SNIPER, AND THE SUSPECT HAD FALLEN OUT OF HIS VIEW FROM THE KITCHEN WINDOW.

STEGNER SAID HE CONTINUED TO COVER THE KITCHEN WINDOW, AND AT NO TIME DID THE SUSPECT COME BACK INTO HIS SIGHT. APPROXIMATELY 10-TO-15-SECONDS AFTER THE SHOT WAS FIRED, LT. VANCE ADVISED VIA RADIO THE SUSPECT WAS ON THE PHONE AND ADVISED HE HAD BEEN SHOT IN THE SHOULDER. LT. VANCE TOLD THE UNITS THE SUSPECT WAS GOING TO CRAWL OUT OF THE HOUSE.

SHORTLY AFTER THAT STEGNER SAID HE SAW THE SUSPECT CRAWL OUT THE FRONT DOOR OF THE RESIDENCE, AND WATCHED AS SWAT MEMBERS YELLED OUT ORDERS. STEGNER RECALLED THE SUSPECT YELLING HE COULD NOT MOVE BECAUSE HIS SHOULDER HURT. STEGNER SAID THE SUSPECT CRAWLED A SHORT DISTANCE OUT OF THE RESIDENCE, AND FROM HIS LOCATION HE COULD ONLY SEE A PART OF THE SUSPECT. OTHER MEMBERS OF THE SWAT TEAM WERE ABLE TO TAKE THE SUSPECT INTO CUSTODY.

I ASKED STEGNER TO BACK UP TO WHEN HE FIRST GOT TO THE CALL. I ASKED IF HE HAD BEEN GIVEN INFORMATION REGARDING THE SUSPECT BEING THE SOLE OCCUPANT OF THE HOUSE. STEGNER SAID HE RECEIVED INFORMATION THAT THE SUSPECT'S WIFE OR GIRLFRIEND HAD BEEN SHOT AT, BUT WAS ABLE TO GET OUT OF THE HOUSE PRIOR TO HIM GETTING ON SCENE. AS FAR AS STEGNER KNEW, THE SUSPECT WAS THE SOLE OCCUPANT OF THE HOUSE.

I ASKED STEGNER WHY HE THOUGHT THE SUSPECT WAS TURNING THE LIGHTS ON THE SIDE OF THE HOUSE ON AND OFF. STEGNER SAID HE DID NOT KNOW. FROM WHAT HE COULD SEE THE LIGHT WAS ILLUMINATING MORE OF THE BACK OF THE HOUSE, HOWEVER SGT. DICKEY BROADCAST THE LIGHTS WERE ILLUMINATING HIS POSITION AT THE FRONT OF THE HOUSE. STEGNER SAID THAT LIGHT DID HELP HIM SEE FURTHER DOWN THE DRIVEWAY, TOWARD THE BACK OF THE HOUSE.

DET. BRITTLE ASKED STEGNER WHAT WAS, "GOING ON WITH YOURSELF, REGARDING FEAR." STEGNER SAID IN HIS FIRST POSITION HE FELT LIKE HE WAS IN A GOOD POSITION WITH COVER, BUT HE FELT LIKE "ONE OF OUR GUYS WAS GOING TO GET SHOT." STEGNER SAID, "WE TRAIN TOGETHER AND WORK TOGETHER, I LOVE 'EM, I DON'T WANT TO SEE ANYTHING HAPPEN TO THEM." HE SAID, "I WAS AFRAID THEY WERE GOING TO GET HURT." WHEN HE MOVED TO THE GARAGE STEGNER SAID HE

WAS AFRAID HE WAS GOING TO GET SHOT. HE SAID EVEN A HANDGUN ROUND WOULD PENETRATE THE GARAGE DOOR HE WAS BEHIND. STEGNER EXPLAINED EVEN A RANDOM BAD SHOT BY THE SUSPECT WOULD PENETRATE THE GARAGE AND HURT HIM.

DET. BRITTLE ASKED STEGNER IF HE WAS ABLE TO PUT AN APPROXIMATE NUMBER OF SHOTS HE HEARD FOR THE DURATION OF THE EVENT, FROM THE TIME HE CAME ON SCENE. HE ESTIMATED HE HEARD APPROXIMATELY 25-SHOTS. DET. BRITTLE ASKED STEGNER WHAT HE TOOK IT TO MEAN WHEN THE SUSPECT SAID HE WAS GOING TO, "COME OUT BLAZING." STEGNER RESPONDED, "I THOUGHT IT MEANT HE WAS GOING TO COME OUT AND SHOOT AT US UNTIL HE WAS SHOT!"

WE TOOK A SHORT BREAK AND RETURNED A FEW MINUTES LATER AND CONTINUED THE INTERVIEW. I ASKED STEGNER IF HE KNEW THE SUSPECT OR IF HE HAD EVER HAD INTERACTION WITH HIM. STEGER SAID HE DID NOT. I ASKED WHERE HE RECEIVED INFORMATION REGARDING THE SUSPECT SHOOTING AT THE VICTIM. STEGNER SAID UPON ARRIVAL ON SCENE, BUT COULD NOT REMEMBER WHO TOLD HIM. STEGNER SAID TO HIS KNOWLEDGE THAT INFORMATION HAD NOT BEEN REVEALED DURING THE INCIDENT.

I ASKED STEGNER IF HE COULD CONFIRM AT SOME POINT DURING THE INCIDENT THE SUSPECT ACTUALLY EXITED THE RESIDENCE. STEGNER SAID HE HAD NOT BEEN THERE WHEN THAT TOOK PLACE, BUT HE HAD BEEN TOLD THE SUSPECT HAD EXITED THE RESIDENCE AND DID NOT HAVE A GUN. THE SUSPECT WALKED AROUND THE FRONT OF THE HOUSE AND THEN WALKED BACK INTO THE HOUSE. I CONFIRMED WITH STEGNER THE ONLY TIME HE ACTUALLY SAW THE SUSPECT WHILE ON SCENE IS WHEN HE SAW THE SUSPECT IN THE KITCHEN BAY WINDOW. STEGNER CONFIRMED THAT WAS THE ONLY TIME.

I ASKED STEGNER TO CLARIFY WHAT HE MEANT BY THE THREE/FOUR CORNER. STEGNER SAID THE WAY THE SWAT TEAM NUMBERS HOUSES IS CLOCKWISE FROM THE FRONT OF THE HOUSE WITH THE FRONT BEING THE ONE, THE LEFT SIDE BEING TWO, THE BACK BEING THREE AND THE NORTH SIDE BEING FOUR. STEGNER EXPLAINED ON THE THREE/FOUR CORNER HE MEANT THE NORTHEAST CORNER OF

THE HOUSE. I ASKED WHAT HE MEANT BY THE ONE/FOUR CORNER OF THE HOUSE AND HE SAID THAT CORNER WAS LOCATED ON THE NORTHEAST OF THE HOUSE. STEGNER SAID, "I'M STARTING TO THINK NOW THAT THE THREE/FOUR CORNER IS WHAT I SAID I WAS VIEWING, BUT NOW I'M SAYING THAT THE ONE/FOUR CORNER IS WHAT I HAD A VIEW OF."

I ASKED STEGNER WHERE HE WAS WHEN HE RECEIVED INFORMATION THERE HAD BEEN AN EXCHANGE OF GUNFIRE BETWEEN THE SUSPECT AND A SWAT MEMBER. STEGNER RECALLED HE HAD BEEN IN THE MASTER BEDROOM OF THE HOUSE. I ASKED HOW THAT INFORMATION MADE HIM FEEL. STEGNER SAID HE WAS HOPING THAT WHOEVER EXCHANGED GUNFIRE WITH THE SUSPECT HAD BEEN ABLE TO, "STOP THE THREAT."

STEGNER CLARIFIED HE WAS AFRAID FOR THE OFFICERS WHILE THEY WERE BEING SHOT AT, BUT HOPED THEY WERE STOPPING THE THREAT WHEN THEY FIRED BACK. I ASKED STEGNER IF THE "BOLT-FORWARD" COMMAND HAD EVER BEEN RESCINDED WHILE HE WAS ON SCENE. STEGNER SAID IT HAD NOT. I ASKED IF THAT ORDER HAD COME ACROSS MORE THAN ONCE. STEGNER SAID, "NO, THE ORDER JUST CAME ONCE."

WE TOOK ANOTHER BREAK TO SEE IF WE HAD ANY MORE QUESTIONS FOR STEGNER. WHEN WE DID NOT WE CAME BACK INTO THE INTERVIEW AND ENDED THE INTERVIEW.

DATE/TIME TRANSCRIBED: 041409 / 0945 HOURS
TRANSCRIBED BY: P283 / HUBER

DATE/TIME REVIEWED:
REVIEWED BY:

JM #323
4/14/09

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN
VENTURA, CA 93004

INTERVIEW WITH: DET. CPL. MACINNES / 221

INTERVIEWED BY: DET. MCCONATHY / 374

Dictated by: DET. MCCONATHY / 374
DATE/TIME DICTATED: 041209 / 1345 HOURS

ON 041109 AT 0115 HOURS I CONTACTED DET. CPL. MACINNES AT THE VENTURA POLICE DEPARTMENT TO INTERVIEW HIM REGARDING HIS INVOLVEMENT WITH THE INCIDENT AT . . . DET. CPL. MACINNES IS A MEMBER OF THE VENTURA POLICE DEPARTMENT SPECIAL WEAPONS AND TACTICS (SWAT) TEAM.

MACINNES SAID AT APPROXIMATELY 1825 HOURS HE RECEIVED A SWAT ACTIVATION CALL AND RESPONDED TO THE POLICE DEPARTMENT, WHERE HE WAS BRIEFED ON THE INCIDENT AND CHANGED INTO HIS SWAT UNIFORM, AND GATHERED HIS EQUIPMENT. HE DROVE TO THE LOCATION IN AN UNMARKED POLICE VEHICLE WITH CPL. BEAUTROW, OFFICER VAZQUEZ AND OFFICER RUGGIERO. UPON THEIR ARRIVAL SEVERAL OTHER OFFICERS WERE ALREADY ON SCENE. THEY WERE INITIALLY TOLD TO RESPOND TO THE RESIDENCE IMMEDIATELY NORTH OF

AND TAKE UP A PERIMETER POSITION. THEY ARRIVED AT THAT LOCATION AND EXITED THE VEHICLE, BUT WERE THEN TOLD TO LEAVE THAT POSITION AND RESPOND TO SGT. DICKEY'S POSITION AT . . . AND

THEY THEN GOT BACK INTO THEIR VEHICLE AND RESPONDED TO SGT. DICKEY'S LOCATION. ONCE THEY ARRIVED CPL. BEAUTROW AND OFFICER VAZQUEZ TOOK UP A POSITION BEHIND THE ARMORED VEHICLE WITH SGT. DICKEY, OFFICER DOLAN AND

OFFICER WEBSTER. DET. CPL. MACINNES AND OFFICER RUGGIERO WERE ADVISED TO RETURN TO THE CORNER HOUSE ON AND AND TAKE A POSITION ON THE PERIMETER, WHERE THEY COULD WATCH THE SOUTHEAST CORNER OF , WHICH THEY IDENTIFIED AS THE ONE/TWO CORNER. DET. CPL. MACINNES ADVISED THE ADDRESS AT THIS LOCATION WAS

DET. CPL. MACINNES AND OFFICER RUGGIERO TOOK UP A POSITION BEHIND THE GARAGE OF WHICH ALLOWED THEM TO VISUALLY OBSERVE THE FRONT OF AND A LARGE FIFTH-WHEEL TRAILER IN THE DRIVEWAY. THEY HEARD NUMEROUS SHOTS FROM THE SUSPECT'S LOCATION. THE SHOTS CAME FROM DIFFERENT AREAS OF THE PROPERTY, AND AT ONE POINT THEY WERE HEARD COMING FROM THE BACKYARD. DET. CPL. BECAME WORRIED AT THAT TIME THE SUSPECT COULD CLIMB OVER THE FENCE BETWEEN THE TWO HOUSES AND APPROACH HIM FROM BEHIND. DET. CPL. MACINNES HAD OFFICER RUGGIERO ENTER THE RESIDENCE AND ATTEMPT TO SECURE THE REAR SLIDING GLASS DOOR, HOWEVER THE LOCK WAS BROKEN AND RUGGIERO WAS UNABLE TO DO SO. IT WAS DECIDED OFFICER RUGGIERO WOULD REMAIN IN THE HOUSE AND KEEP A PERIMETER WATCH ON THE BACK FENCE BETWEEN THE TWO HOUSES.

DET. CPL. MACINNES HEARD OFFICERS BROWN AND KELLY ARRIVE ON SCENE. HE REQUESTED OFFICER BROWN COME TO HIS LOCATION TO ASSIST HIM SINCE HE AND RUGGIERO WERE SEPARATED. HE SAID OFFICER BROWN WAS SENT TO HIS LOCATION AND IMMEDIATELY UPON HIS ARRIVING, SEVERAL SHOTS RANG OUT FROM THE HOUSE IN THE DIRECTION OFFICER BROWN HAD JUST RUN FROM. DET. CPL. MACINNES SAID THE PROJECTILES FROM THESE SHOTS WENT THROUGH A TREE THAT WAS APPROXIMATELY 10-FEET FROM HIS LOCATION. THE LEAVES AND BRANCHES ON THE TREE WERE SNAPPING AND FALLING TO THE GROUND FROM THE PROJECTILES GOING THROUGH THEM. DET. CPL. MACINNES ALSO SAW THE SAME THING HAPPENING TO A TREE IMMEDIATELY ACROSS FROM HIS LOCATION. HE FELT AS IF THE SUSPECT WAS TRYING TO SHOOT AT OFFICER BROWN, BECAUSE HE SAW HIM RUNNING ACROSS THE STREET. DET. CPL. MACINNES WAS EXTREMELY FEARFUL FOR HIS SAFETY AT THIS TIME AND FELT HE WAS BEING FIRED UPON. FROM HIS LOCATION HE COULD SEE A LARGE FIFTH-WHEEL TRAILER PARKED IN THE DRIVEWAY OF . IMMEDIATELY

AFTER THE SHOTS HAD BEEN FIRED IN HIS DIRECTION, HE SAW WATER COMING DOWN THE DRIVEWAY FROM UNDERNEATH THE TRAILER. HE LATER LEARNED THERE WAS A WATER RESERVOIR ON TOP OF THE TRAILER THAT WAS SHOT BY THE SUSPECT.

DET. CPL. MACINNES HEARD OVER THE RADIO THAT THE IMMEDIATE RESPONSE TEAM WAS GOING TO ATTEMPT TO SHOOT GAS INTO THE RESIDENCE. HE SAID HE HEARD THE FOUR GAS ROUNDS BEING FIRED AT THE RESIDENCE, BUT DID NOT SEE THEM STRIKE THE HOUSE AND LEARNED THEY DID NOT ENTER THE HOUSE AND WERE INEFFECTIVE. HE ALSO HEARD SGT. DICKEY BROADCAST HE HEARD A GUNSHOT COMING FROM THE GARAGE AREA WHICH WAS BELIEVED TO BE NEAR THE REAR OF THE HOUSE.

DET. CPL. MACINNES HEARD SGT. DICKEY BROADCAST OVER THE RADIO HE BELIEVED THE SUSPECT WAS POSSIBLY SHOOTING AT THE IMMEDIATE RESPONSE TEAM. HE HEARD LT. VANCE GIVE THE "BOLT-FORWARD" COMMAND TO SWAT SNIPERS. HE SAID THE SUSPECT HAD ALREADY FIRED NUMEROUS TIMES OUTSIDE THE RESIDENCE, AND IN THE GENERAL AREA AND DIRECTION OF OFFICERS. HE TOLD ME THE "BOLT-FORWARD" COMMAND WAS AUTHORIZATION FOR TEAM MEMBERS TO USE LETHAL FORCE. AFTER THAT COMMAND WAS GIVEN SGT. DICKEY CAME OVER THE RADIO AND ACKNOWLEDGED WITH EACH TEAM MEMBER THEY HAD RECEIVED THE "BOLT-FORWARD" COMMAND.

DET. CPL. MACINNES CONTINUED HOLDING HIS POSITION AND HEARD A BROADCAST BY LT. VANCE THE SUSPECT TALKED ABOUT GOING TO SLEEP, OR EITHER WANTING TO COMMIT SUICIDE AND COMING OUT OF THE HOUSE BLAZING. HE ALSO REMEMBERS LT. VANCE SAYING THE SUSPECT ADVISED HE WAS GOING TO SHOW HIMSELF OR EXPOSE HIMSELF IN A WINDOW. IT WAS SHORTLY AFTER THAT HE HEARD A SINGLE SHOT WHICH HE BELIEVED WAS A SWAT SNIPER SHOT. HE DID NOT KNOW WHERE THE SHOT CAME FROM OR WHO FIRED IT. HE HEARD A BROADCAST THAT A SNIPER HAD SHOT THE SUSPECT, WHO HAD GONE DOWN. AFTER THAT LT. VANCE CAME ON THE RADIO AGAIN AND ADVISED THE SUSPECT WAS IN FACT SHOT AND WAS GOING TO COME OUT OF THE HOUSE. THE SUSPECT BEGAN TO EXIT THE FRONT DOOR OF THE RESIDENCE AND THE IMMEDIATE RESPONSE TEAM ADVANCE

ON HIM. OFFICER BROWN AND DET. CPL. MACINNES ALSO APPROACHED THE SUSPECT, AND CONTINUED TO MONITOR THE RESIDENCE WHILE THE IMMEDIATE RESPONSE TEAM TOOK THE SUSPECT INTO CUSTODY.

AFTER THE SUSPECT WAS IN CUSTODY DET. CPL. MACINNES ASSISTED IN CLEARING THE HOUSE. HE SAID UPSTAIRS HE SAW AN AK-47 ASSAULT RIFLE LYING NEAR A WINDOW; THERE WERE NUMEROUS EMPTY SHELL CASINGS SCATTERED THROUGHOUT THE ROOM. DET. CPL. MACINNES SAW AN AR-15 ASSAULT RIFLE WITH A SCOPE NEAR THE WINDOW. A HANDGUN WAS ALSO FOUND ON THE NIGHTSTAND. THERE WERE NUMEROUS BULLET HOLES IN THE BEDROOM WINDOW AND SCREEN AND IN THE WALLS OF THE BEDROOM.

DET. CPL. MACINNES SAID HE DID NOT FIRE HIS WEAPON DURING THE ENTIRE INCIDENT. I ASKED IF HE WAS AWARE OF ANY OTHER OFFICERS FIRING THEIR WEAPONS PRIOR TO THE SNIPER TAKING HIS SHOT AT THE SUSPECT. HE SAID DURING THE INCIDENT HE WAS NOT AWARE OF ANY OFFICERS FIRING THEIR WEAPON, HOWEVER HE LATER LEARNED CPL. BEAUTROW FIRED AT THE SUSPECT.

AFTER THE SCENE WAS SECURED DET. CPL. MACINNES RESPONDED BACK TO THE COMMAND POST AND RETURNED TO THE POLICE STATION.

DATE/TIME TRANSCRIBED: 041309 / 1550 HOURS
TRANSCRIBED BY: P283 / HUBER
DATE/TIME REVIEWED:
REVIEWED BY:

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN
VENTURA, CA 93004

INTERVIEW WITH: CPL. PAYNE

INTERVIEWED BY: DET. BOON/301

DICTATED BY: DET. BOON/301

DATE/TIME DICTATED: 041309 / 1614 HOURS

ON 041109 AT APPROXIMATELY 0111 HOURS I INTERVIEWED CPL. RICK PAYNE OF THE VENTURA POLICE DEPARTMENT REFERENCE THIS INCIDENT. FOR FURTHER INFORMATION ON THIS INTERVIEW, PLEASE SEE THE COMPACT DISC BOOKED INTO EVIDENCE. THE FOLLOWING IS A SUMMARY OF THE INTERVIEW:

CPL. PAYNE STATED THAT WHILE AT HIS RESIDENCE HE RECEIVED A SWAT CALL OUT AND HE RESPONDED DIRECTLY TO THE VENTURA POLICE DEPARTMENT. WHILE DRIVING TO THE VENTURA POLICE DEPARTMENT, CPL. PAYNE CONTACTED THE COMMUNICATIONS CENTER AND INFORMED THEM HE WAS EN ROUTE. UPON ARRIVING AT THE STATION, HE STATED HE MET WITH SGT. DICKEY, OFC. DOLAN AND CPL. HARBERT. PER CPL. PAYNE, HE, ALONG WITH SGT. DICKEY AND OFC. DOLAN DROVE DIRECTLY TO THE SCENE AND WERE THE FIRST SWAT OFFICERS ON SCENE.

UPON ARRIVAL ON THE SCENE, HE AND HIS TEAM MEMBERS TOOK A POSITION ONE RESIDENCE . . . WHILE STAGED AT THAT LOCATION, THE ARMORED VEHICLE WAS POSITIONED IN FRONT OF THE RESIDENCE. ONCE THE VEHICLE WAS IN POSITION, CPL. PAYNE AND THE OTHER SWAT OFFICERS ON SCENE BECAME THE IMMEDIATE RESPONSE TEAM TO THE FRONT OF THE RESIDENCE, (BEHIND THE ARMORED VEHICLE). PER CPL. PAYNE THEY COULD HEAR GUNSHOTS INSIDE THE

RESIDENCE, AND AT THIS TIME, THEY BEGAN TO DETERMINE HOW THEY WERE GOING TO HANDLE THE SITUATION. AS THE INCIDENT UNFOLDED AND IT WAS GETTING DARKER, THE TEAM REALIZED THEY WERE POSITIONED ALMOST DIRECTLY UNDERNEATH A STREET LIGHT, WHICH COMPROMISED THEIR LOCATION. IN ADDITION TO THIS STREET LIGHT, ANOTHER STREET LIGHT PROVIDED BACK LIGHTING, WHICH ALSO COMPROMISED THEIR TACTICAL POSITION.

WHILE AT THIS LOCATION, THE DECISION WAS MADE TO MOVE VENTURA POLICE DEPARTMENT VEHICLES INTO THE AREA TO ASSIST WITH THE ILLUMINATION OF THE FRONT OF THE RESIDENCE. ONE OF THE VEHICLES WAS POSITIONED NEAR THE ARMORED VEHICLE. DUE TO THE LIGHTING AT THE RESIDENCE, AS WELL AS THE LIGHTING CONDITIONS OUTSIDE, IT WAS DIFFICULT TO DETERMINE THE EXACT LOCATION OF THE SUSPECT; HOWEVER, AT TIMES THEY COULD SEE THE SUSPECT MOVING AROUND INSIDE AND FIRING SEVERAL ROUNDS. THE ROUNDS SOUNDED AS IF THEY WERE HITTING VERY CLOSE TO THE IMMEDIATE RESPONSE TEAM'S LOCATION.

AT THIS TIME IT WAS CPL. PAYNE'S TURN TO MONITOR THE #1 SIDE OF THE RESIDENCE. CPL. PAYNE STATED THAT AS HE WAS WATCHING THE RESIDENCE, AND OUT OF THE CORNER OF HIS EYE, HE SAW OFC. BROWN MOVING TOWARDS CPL. MACINNES' LOCATION. AS OFC. BROWN WAS MOVING WESTBOUND ACROSS , THE SUSPECT (FENNELL) BEGAN SHOOTING, (APPARENTLY IN BROWN'S DIRECTION). CPL. PAYNE STATED THAT AS THE SUSPECT WAS SHOOTING IN OFC. BROWN'S DIRECTION, THE SUBJECT STRUCK THE WATER TANK ON HIS TRAILER AND WATER BEGAN LEAKING DOWN THE SIDE OF IT.

WHILE THE SHOOTING WAS GOING ON, CPL. PAYNE STATED HE COULD SEE THE BLINDS MOVING IN THE MASTER BEDROOM OF THE RESIDENCE; HOWEVER, HE COULD NOT SEE A MUZZLE FLASH, NOR COULD HE SEE THE SUSPECT AS HE WAS FIRING. PART OF THE OBSTRUCTION AT THE RESIDENCE WERE THE TREES IN THE FRONT YARD. DURING THIS TIME, CPL. BEAUTROW FIRED APPROXIMATELY 4 ROUNDS INTO THE WINDOW OF THE MASTER BEDROOM, (WHERE HE SAW THE SUSPECT).

IT WAS THEN QUIET FOR A BRIEF TIME, AND A RADIO CHECK AS MADE WITH CPL. MACINNES, OFC. BROWN, AND OFC. RUGGIERO, (WHO WERE STATIONED ONE HOUSE :). IT WAS DISCOVERED THAT ALL OF THE OFFICERS AT THAT LOCATION WERE UNHARMED.

AS THE INCIDENT CONTINUED TO UNFOLD, CPL. PAYNE STATED THAT THE SUSPECT WAS ON-LINE WITH THE COMMAND POST, AT WHICH TIME FENNELL SAID HE WAS GOING TO PRESENT HIMSELF AND TAKE OUT A LIGHT. THIS INFORMATION CONCERNED CPL. PAYNE, DUE TO THE FACT THAT HIS LOCATION, AS WELL AS THAT OF HIS TEAM, WAS VERY NEAR THE VEHICLE WITH THE SPOT LIGHT, (POINTED TOWARDS THE FRONT OF THE RESIDENCE). ONCE THIS INFORMATION WAS RECEIVED, SGT. DICKEY ORDERED CPL. PAYNE NOT TO EXPOSE HIMSELF (DUE TO THE POSSIBILITY THAT A SHOT WAS GOING TO BE FIRED IN HIS DIRECTION).

AFTER THIS INFORMATION WAS PROVIDED, CPL. PAYNE SAID HE HEARD ONE SINGLE SHOT. CPL. PAYNE LATER LEARNED THAT THIS SINGLE SHOT WAS TAKEN BY THE SWAT SNIPER, OFC. STEGNER.

A SHORT TIME AFTER THE SHOT WAS TAKEN, CPL. PAYNE LEARNED THAT THE SUSPECT WAS STILL ON-LINE WITH THE COMMAND POST AND THAT THE SUSPECT WAS NOW INJURED. AS THIS INFORMATION WAS PROVIDED, CPL. PAYNE STATED HE BEGAN FORMULATING ANOTHER PLAN TO TAKE THE SUSPECT INTO CUSTODY.

ONCE THE SUSPECT FINALLY SURRENDERED, HE CRAWLED OUT OF THE FRONT DOOR AND THE IMMEDIATE RESPONSE TEAM WAS UNABLE TO VIEW HIM, (DUE TO THE FACT THAT HE WAS CLOSE TO THE GROUND). THE IMMEDIATE RESPONSE MOVED FORWARD TO CONTACT THE SUSPECT AND TAKE HIM INTO CUSTODY. A SHORT TIME LATER THE SUSPECT WAS TAKEN INTO CUSTODY.

ONCE THE SUSPECT WAS IN CUSTODY, A CALL WAS MADE TO THE FIRE DEPARTMENT TO RESPOND TO THE LOCATION, (IT IS UNKNOWN IF THEY WERE PREPARED TO RESPOND TO THE LOCATION, OR UNWILLING TO RESPOND TO THE LOCATION), HOWEVER, A BACKBOARD WAS REQUESTED SO THAT THE SUSPECT COULD BE TRANSPORTED FOR MEDICAL CARE.

CPL. PAYNE AND OTHER OFFICERS THEN CLEARED THE RESIDENCE AND ENSURED NO OTHER SUBJECTS WERE INSIDE THE RESIDENCE.

I ASKED CPL. PAYNE CLARIFICATION QUESTIONS SO THAT I COULD MORE FULLY UNDERSTAND THE INCIDENT AND WHAT HE SAW AT THE LOCATION. I ASKED ABOUT THE TYPE OF WEAPONS POSSIBLY USED THROUGHOUT THE INCIDENT, (AND IF HE COULD IDENTIFY THEM BY SOUND). HE STATED THAT HANDGUN ROUNDS WERE BEING FIRED, AS WELL AS RIFLE ROUNDS. IN ADDITION TO THE SOUNDS OF HANDGUN AND RIFLE ROUNDS THERE WAS ANOTHER RIFLE BEING FIRED, (HOWEVER, HE COULD NOT IDENTIFY THE RIFLE, JUST BY THE SOUND).

I ASKED CPL. PAYNE TO DESCRIBE HIS UNIFORM AT THE TIME OF THE INCIDENT AND HE INFORMED ME HE WAS WEARING HIS SWAT UNIFORM WITH POLICE INSIGNIA AND PATCHES. HE ALSO INFORMED ME HE WAS WEARING HIS GREEN SWAT BULLETPROOF VEST, AS WELL AS A GREEN BALLISTIC HELMET. ADDITIONALLY, HE WAS WEARING SAFETY GLASSES, GLOVES, AND PROTECTIVE KNEEPADS.

CPL. PAYNE WAS ASKED ABOUT ANY ANNOUNCEMENTS MADE TO THE SUSPECT AT THE RESIDENCE. HE INFORMED ME THAT SEVERAL ANNOUNCEMENTS WERE MADE, (SOME OF WHICH WERE BY OFC. DOLAN AND OFC. VAZQUEZ). AFTER MAKING THE ANNOUNCEMENTS, IT WAS CONFIRMED BY RADIO THAT THE ANNOUNCEMENTS WERE HEARD BY OFFICERS TO THE REAR OF THE RESIDENCE.

I ASKED CPL. PAYNE TO DESCRIBE THE ARMORED VEHICLE HE WAS BEHIND. HE STATED THAT VEHICLE WAS PAINTED BLACK AND HAD VENTURA POLICE VISIBLE ON THE SIDE. I CLARIFIED I WITH CPL. PAYNE THAT THE SIDE OF THE VEHICLE WITH THE "VENTURA POLICE" ON IT WAS FACING THE FRONT OF THE SUSPECT'S RESIDENCE. CPL. PAYNE CONFIRMED IT WAS. HE ALSO SAID THIS VEHICLE HAD RED AND BLUE LIGHTS ON IT.

I ASKED CPL. PAYNE IF HE COULD GAGE HOW FAR THE ROUNDS BEING FIRED WERE FROM THE IMMEDIATE RESPONSE TEAM. HE STATED HE WAS UNABLE TO GAGE HOW FAR AWAY THE ROUNDS WERE FROM HIM, BUT HE STATED THEY WERE CLOSE

ENOUGH TO HEAR THE ROUNDS "WHIZZING BY". CPL. PAYNE ALSO STATED THAT ROUNDS WERE HEARD SKIPPING OFF OF THE CONCRETE IN THE AREA.

CPL. PAYNE WAS ASKED IF HE PERSONALLY FIRED ANY ROUNDS DURING THE INCIDENT AND HE STATED THAT HE DID NOT FIRE ANY ROUNDS.

I ASKED CPL. PAYNE ABOUT HIS FEELINGS DURING THE INCIDENT. HE STATED THAT EVEN THOUGH HE WAS BEHIND THE ARMORED VEHICLE, IT SEEMED THAT THEY WERE IN AN UNSAFE POSITION. HE ALSO STATED HE WAS VERY CONCERNED FOR CPL. MACINNES AND OFC. BROWN, AS THEY WERE RIGHT AT THE CORNER OF THE SUSPECT'S RESIDENCE.

I ASKED CPL. PAYNE IF HE COULD THINK OF ANYTHING ELSE THAT WOULD BE IMPORTANT TO THE INVESTIGATION. CPL. PAYNE STATED AT THAT TIME HE DIDN'T HAVE ANY FURTHER INFORMATION FOR THE INVESTIGATION.

I ASKED CPL. PAYNE IF HE WOULD CONTACT ME IF HE HAD ADDITIONAL INFORMATION.

THE INTERVIEW WITH CPL. PAYNE ENDED AT APPROXIMATELY 0135 HOURS ON 04/11/09.

DATE/TIME TRANSCRIBED: 041409/1030 HOURS
TRANSCRIBED BY: P170 / HOCK

DATE/TIME REVIEWED:
REVIEWED BY:

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN
VENTURA, CA 93004

INTERVIEW WITH: OFFICER ROBINSON / 345

INTERVIEWED BY: DET. MCCONATHY/374

Dictated by: DET. MCCONATHY/374
DATE/TIME DICTATED: 041209/1430 HOURS

ON 041109 AT 0148 HOURS I INTERVIEWED OFFICER ROBINSON REGARDING AN INCIDENT AT . HE WAS ONE OF THE INITIAL RESPONDING OFFICERS TO THE INCIDENT.

ROBINSON TOLD ME HE WAS ON PATROL AT THE TIME THE INCIDENT WAS BROADCAST OVER THE RADIO. HE IS ON THE VENTURA POLICE DEPARTMENT RIFLE TEAM AND RESPONDED TO THE LOCATION OF THE INCIDENT AT THAT TIME. UPON HIS ARRIVAL HE WAS TEAMED UP WITH OFFICER REYES AND THE TWO OF THEM WENT TO IN AN ATTEMPT TO FIND AN OBSERVATION POINT FOR THE RESIDENCE AT IS DIRECTLY ACROSS THE STREET FROM THE SUSPECT'S LOCATION.

ROBINSON SAID HE AND REYES CLIMBED OVER THE REAR FENCE OF THE RESIDENCE AND BEGAN BANGING ON THE DOORS AND WINDOWS IN AN ATTEMPT TO GET THE ATTENTION OF THE RESIDENTS INSIDE. THEY DID NOT RECEIVE ANY RESPONSE TO THEIR KNOCKING, BUT SAW AN OPEN UPSTAIRS WINDOW. THEY THEN CLIMBED ONTO THE ROOF AND WENT TO THE OPEN WINDOW, WHERE THEY AGAIN BEGAN KNOCKING. THEY MADE CONTACT WITH A MALE SUBJECT INSIDE AND ADVISED HIM WHAT WAS OCCURRING AND THAT HE NEEDED TO EVACUATE. THEY

2/14/09

FOUND OUT THEN THAT HE WAS HANDICAPPED WITH ONLY ONE LEG AND REQUIRED ASSISTANCE. THEY ENTERED THROUGH THE BEDROOM WINDOW, THEN DISCOVERED HIS SISTER WAS ALSO IN THE RESIDENCE, BUT WAS DOWNSTAIRS. SHE WAS ABLE TO ASSIST THEM WITH GETTING THE MALE SUBJECT DOWNSTAIRS AND THEY WERE THEN INSTRUCTED TO WAIT IN THE BACKYARD.

OFFICERS ROBINSON AND REYES THEN TOOK UP A POSITION IN ONE OF THE DOWNSTAIRS BEDROOMS. AS THEY WERE TAKING UP A POSITION, THEY HEARD THE SUSPECT FIRING SHOTS FROM INSIDE HIS RESIDENCE. ROBINSON ESTIMATED THE SUSPECT FIRED 40 - 50 SHOTS DURING THE ENTIRE TIME HE AND REYES WERE ON SCENE.

AS SWAT OFFICERS BEGAN ARRIVING ON SCENE, CPL. HARBERT AND OFFICER STEGNER RESPONDED TO THE RESIDENCE OF . THEY CAME IN THROUGH THE BACK AND OCCUPIED A DOWNSTAIRS ROOM, WHICH WAS JUST NORTH OF THE ROOM ROBINSON SAID HE AND REYES WERE OCCUPYING. LATER, OFFICER STEGNER MOVED INTO THE GARAGE FOR A BETTER VIEW OF , AND HE ACCOMPANIED HIM THERE TO ASSIST HIM. OFFICER REYES REMAINED WITH CPL. HARBERT. ROBINSON AND STEGNER SET UP A POSITION IN THE GARAGE AND STEGNER USED A LADDER TO BETTER SEE THE SUSPECT'S RESIDENCE.

THROUGHOUT THIS TIME THE SUSPECT CONTINUED TO FIRE SPORADICALLY FROM DIFFERENT LOCATIONS WITHIN HIS RESIDENCE. I ASKED ROBINSON IF THE SUSPECT EVER FIRED DIRECTLY AT HIM. HE SAID HE DID NOT FEEL THE SUSPECT FIRED DIRECTLY AT HIM, BUT THAT HE COULD TELL THE SUSPECT WAS FIRING IN HIS GENERAL DIRECTION. HE SAID HE COULD DISTINCTLY TELL WHEN THE SUSPECT WOULD BE FIRING INTO THE AIR AND WHEN THE SUSPECT WAS FIRING TOWARDS THEM FROM THE SOUNDS THAT THE GUN MADE. HE ALSO SAID THAT WHEN THE GUN WAS POINTING OUT TOWARDS THE STREET HE ACTUALLY HEARD THE BULLETS STRIKING OBJECTS.

AS OFFICER ROBINSON AND OFFICER STEGNER WERE WATCHING THE RESIDENCE, HE SAW THE KITCHEN LIGHT COME ON AND SAW A MALE SUBJECT STANDING IN THE WINDOW WEARING WHITE TEE SHIRT. OFFICER ROBINSON ADVISED OFFICER

STEGNER THAT THE LIGHT HAD COME ON AND THAT THE SUSPECT WAS STANDING THERE. APPROXIMATELY 2 - 3 SECONDS LATER OFFICER STEGNER FIRED HIS RIFLE AT THE SUSPECT. THE SUSPECT IMMEDIATELY FELL TO THE GROUND, OUT OF SIGHT. OFFICER STEGNER ADVISED OFFICER ROBINSON TO MAKE A RADIO BROADCAST THAT THEY HAD FIRED UPON THE SUSPECT AND THAT HE WAS HIT, AND LYING ON THE GROUND. THEY CONTINUED TO KEEP AN OBSERVATION ON THE SUSPECT'S RESIDENCE AND DID NOT SEE HIM AGAIN UNTIL HE BEGAN CRAWLING OUT THE FRONT DOOR AND WAS CONTACTED BY THE IMMEDIATE RESPONSE TEAM, AND TAKEN INTO CUSTODY. THEY CONTINUED TO REMAIN IN THEIR LOCATION UNTIL THE HOUSE WAS SECURED.

OFFICER ROBINSON TOLD ME THAT HE NEVER FIRED HIS HANDGUN OR RIFLE DURING THE ENTIRE INCIDENT. HE SAID HE WAS ABSOLUTELY IN FEAR FOR LIFE WHEN HE FELT THAT BULLETS WERE FIRED IN HIS DIRECTION, AND KNEW THAT THE WEAPON THE SUSPECT HAD COULD HAVE EASILY PENETRATED THE WALL OF THE RESIDENCE HE WAS IN. HE SAID HE NEVER HEARD THE SUSPECT YELLING ANYTHING, BUT HEARD A BROADCAST OVER THE RADIO THAT THE SUSPECT WAS ADVISING OFFICERS TO GET BACK AND STAY BACK.

AFTER THE SCENE WAS SECURED, OFFICER ROBINSON THEN RETURNED TO THE VENTURA POLICE DEPARTMENT.

DATE/TIME TRANSCRIBED: 041309 / 1600 HOURS
TRANSCRIBED BY: P170 / HOCK
DATE/TIME REVIEWED:
REVIEWED BY:

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN
VENTURA, CA 93004

INTERVIEW WITH: OFFICER RUGGIERO / 352

INTERVIEWED BY: DET. BOON / 301

DICTATED BY: DET. BOON / 301

DATE/TIME DICTATED: 041309 / 1443 HOURS

ON 041109 AT APPROXIMATELY 0037 HOURS, I INTERVIEWED OFFICER RUGGIERO OF THE VENTURA POLICE DEPARTMENT SPECIAL WEAPONS AND TACTICS (SWAT) TEAM REGARDING THIS INCIDENT. THE FOLLOWING IS A SUMMARY OF THAT INTERVIEW. FOR FURTHER INFORMATION, PLEASE SEE THE COMPACT DISC BOOKED INTO EVIDENCE WITH A RECORDING OF THIS INTERVIEW.

RUGGIERO WAS AT HIS RESIDENCE WHEN HE RECEIVED INFORMATION OF THE SWAT CALL-OUT AT APPROXIMATELY 1825 HOURS ON 041009. HE IMMEDIATELY WENT TO THE VENTURA POLICE DEPARTMENT, OBTAINED HIS EQUIPMENT AND DEPLOYED TO THE LOCATION. UPON ARRIVAL AT THE COMMAND POST NEAR RUGGIERO MET WITH DET. CPL. MACINNES, CPL. BEAUTROW AND OFFICER VAZQUEZ AND DEPLOYED NEAR THE SCENE.

PER OFFICER RUGGIERO, CONTACT WAS MADE WITH THE IMMEDIATE REACTION TEAM AND DET. CPL. MACINNES AND HE WERE DISPATCHED TO THE RESIDENCE SOUTH OF TO TAKE A POSITION AT THE ONE/TWO CORNER. PER OFFICER RUGGIERO, UPON DEPLOYING SOUTHEAST OF THE RESIDENCE, THEY WERE UNABLE TO GET A GOOD VIEW OF THE RESIDENCE DUE TO A LARGE FIFTH-WHEEL TRAILER PARKED IN THE DRIVEWAY. OFFICER RUGGIERO INFORMED ME HE

RECEIVED INTELLIGENCE ABOUT THE INCIDENT, AND THE INCIDENT INVOLVED A MALE SUBJECT WHO HAD BEEN DRINKING AND SHOOTING FIREARMS AT THE LOCATION.

WHILE AT THE LOCATION, OFFICER RUGGIERO STATED HE HEARD OFFICERS MAKING ANNOUNCEMENTS TO THE SUSPECT INSIDE THE RESIDENCE AT OFFICER RUGGIERO STATED THE MEMBERS OF THE IMMEDIATE RESPONSE TEAM WERE ON A LOUD SPEAKER AND THEY WERE STATING THEY WERE THE SWAT TEAM, AND THE WERE ASKING JEFF FENNELL AT TO COME OUT OF THE RESIDENCE WITH HIS HANDS UP. OFFICER RUGGIERO STATED THE ANNOUNCEMENT WAS MADE REPEATEDLY.

AS THE INCIDENT WAS UNFOLDING, OFFICER RUGGIERO STATED HE HEARD SEVERAL SHOTS COMING FROM INSIDE THE RESIDENCE; HE DID NOT KNOW THE EXACT TIME FRAME OF THESE SHOTS, BUT THERE WERE TWO VOLLEYS OF SHOTS FIRED.

AFTER THESE VOLLEYS OF SHOTS, OFFICER RUGGIERO STATED HE HEARD LOUDER SHOTS IN THE BACKYARD OF THE RESIDENCE. OTHER OFFICERS AT THE LOCATION INFORMED OFFICER RUGGIERO MUZZLES FLASHES WERE BEING SEEN IN THE BACKYARD OF THE RESIDENCE. AS THE INCIDENT CONTINUED OFFICER RUGGIERO STATED THERE WERE MORE SHOTS IN THE NORTHERN PORTION OF THE RESIDENCE.

OFFICER RUGGIERO SAID MEMBERS OF THE IMMEDIATE RESPONSE TEAM INFORMED OTHER OFFICERS ON SCENE THEY WERE POSSIBLY BEING FIRED UPON. OFFICER RUGGIERO STATED HE HAD NEVER BEEN SHOT AT DURING ANY TYPE OF CALL WHILE WORKING AS A POLICE OFFICER. HE WAS VERY CONCERNED DUE TO THE FACT THE BACKYARD OF THE RESIDENCE WHERE HE AND DET. CPL. MACINNES WERE LOCATED WAS UNSECURED. PER OFFICER RUGGIERO THE SUSPECT COULD EASILY HAVE JUMPED OVER THE FENCE OF TO THE LOCATION THEY WERE. DUE TO THIS CONCERN, OFFICER RUGGIERO WENT INTO THE RESIDENCE WHERE HE COULD STILL SEE DET. CPL. MACINNES BUT WHERE HE COULD EASILY COVER THE REAR OF THE RESIDENCE.

WHILE HE WAS INSIDE THE RESIDENCE OFFICER RUGGIERO HEARD ONE SHOT FOLLOWED BY THREE QUICK SHOTS. HE ALSO HEARD SEVERAL VERY LOUD SHOTS. HE LOOKED OUT TOWARD DET. CPL. MACINNES AND COULD SEE BRANCHES AND LEAVES WERE FALLING FROM THE LOCATION NEAR DET. CPL. MACINNES. WHILE THIS WAS OCCURRING THE IMMEDIATE RESPONSE TEAM INFORMED OFFICER RUGGIERO THEY THOUGHT THE ROUNDS WERE COMING FROM THE SOUTHEAST CORNER OF THE RESIDENCE. THIS CONCERNED OFFICER RUGGIERO BECAUSE THIS WAS VERY CLOSE TO DET. CPL. MACINNES' LOCATION.

DURING THE CALL, OFFICERS KELLY AND BROWN ARRIVED ON SCENE AND THE REQUEST WAS MADE FOR OFFICER BROWN TO MEET UP WITH OFFICER RUGGIERO AND DET. CPL. MACINNES, TO ASSIST THEM WITH CONTAINMENT OF THE RESIDENCE. AS OFFICER BROWN WAS MOVING TOWARD HIS POSITION SEVERAL SHOTS WERE FIRED AGAIN, AND THE IMMEDIATE RESPONSE TEAM INFORMED OFFICERS THE ROUNDS AGAIN APPEARED TO BE COMING FROM THE SOUTHEAST CORNER OF THE RESIDENCE.

AS ALL THE FIRING WAS GOING ON, OFFICER RUGGIERO STATED THE COMMAND POST COMMUNICATED TO OFFICERS ON SCENE THAT THEY WERE IN CONTACT WITH THE SUSPECT, AND THEY LEARNED THE SUSPECT WAS ARMED WITH A HIGH-POWERED RIFLE AND WAS GOING TO TRY AND SHOOT OUT A LIGHT.

A FEW SECONDS AFTER BEING GIVEN THIS INFORMATION, OFFICER RUGGIERO HEARD A SHOT FIRED WHICH SOUNDED LOUDER AND AS THOUGH IT CAME FROM A MORE POWERFUL RIFLE. OFFICER ROBINSON INFORMED OFFICERS VIA RADIO THE SUSPECT WAS NOW DOWN.

OFFICER RUGGIERO SAID EARLIER IN THE CALL LT. VANCE HAD GIVEN THE "BOLT-FORWARD" COMMAND, WHICH MEANT IF THE OPPORTUNITY PRESENTED ITSELF, THE SUSPECT WAS TO BE SHOT. AFTER THE SINGLE SHOT HAD BEEN FIRED, AND LATER DETERMINED TO HAVE BEEN FIRED BY OFFICER STEGNER, THE COMMAND POST ADVISED THE SUSPECT WAS IN CONTACT WITH THE COMMAND POST AND HAD BEEN SHOT.

AFTER BEING SHOT THE SUSPECT WAS GIVEN COMMANDS TO COME OUT OF THE RESIDENCE. PER OFFICER RUGGIERO THE SUBJECT STATED HE COULD NOT CRAWL OUT OF THE RESIDENCE. EVENTUALLY, OFFICER RUGGIERO SAID THE SUSPECT MADE HIS WAY TO THE DOOR AND HE COULD HEAR THE IMMEDIATE REACTION TEAM YELLING TO THE SUSPECT TO COME TOWARD THEM WITH HANDS UP.

ONCE THE SUSPECT WAS OUTSIDE THE RESIDENCE, DET. CPL. MACINNES AND OFFICER BROWN MOVED UP TO ASSIST WITH CONTACTING THE SUSPECT. OFFICER RUGGIERO ALSO LEFT THE RESIDENCE AND MET UP WITH OTHER MEMBERS OF THE IMMEDIATE RESPONSE TEAM. OFFICER RUGGIERO STATED HE SAW THE SUSPECT ON THE GROUND, BLEEDING FROM HIS RIGHT SHOULDER. THE SUSPECT WAS HANDCUFFED. ONCE THE SUSPECT WAS SECURED OFFICER RUGGIERO AND OTHER SWAT MEMBERS WENT INTO THE RESIDENCE TO CLEAR FOR ADDITIONAL SUSPECT. OFFICER RUGGIERO DESCRIBED THE CLEARING OF THE RESIDENCE AND SAID NO ADDITIONAL SUBJECTS WERE LOCATED WITHIN THE RESIDENCE.

OFFICER RUGGIERO THEN TALKED ABOUT THE VARIOUS SHOTS HE HEARD DURING THE INCIDENT. HE SAID SEVERAL OF THE SHOTS SOUNDED "DIFFERENT" AND HEARD IN DIFFERENT LOCATIONS WITHIN AND OUTSIDE THE HOUSE. OFFICER RUGGIERO SAID WITH ALL THE FIRING GOING ON IT WAS, "UNSETTLING". HE SAID THEY DID NOT KNOW WHERE THE SUSPECT WAS DURING ANY GIVEN TIME, AND HE WAS SHOOTING SEVERAL DIFFERENT FIREARMS.

OFFICER RUGGIERO TALKED ABOUT HIS EXPERIENCE WITH THE SWAT TEAM AND WITH HIS ABILITY TO DIFFERENTIATE BETWEEN THE VARIOUS SOUNDS AS BEING FROM DIFFERENT CALIBERS AND TYPES OF WEAPONS. OFFICER RUGGIERO ALSO SAID WHEN HE HEARD THE SOUND OF THE HIGH-POWERED RIFLE, HE BEGAN "PRAYING." I ASKED IF HE WAS AFRAID FOR HIS SAFETY AT ANY TIME DURING THE INCIDENT AND HE SAID HE WAS. I ALSO ASKED IF HE HAD ANY FEARS DURING THE INCIDENT IF ANY OTHER OFFICERS ON SCENE WOULD LOSE THEIR LIVES, AND HE STATED HE HAD.

I ASKED HOW HE FELT WHEN HE SAW PORTIONS OF TREE FALLING DOWN ON DET. CPL. MACINNES. OFFICER RUGGIERO SAID PART OF HIS FEELINGS WERE DISBELIEF,

AND HE COULD NOT BELIEVE THE SUBJECT WAS RANDOMLY SHOOTING ROUNDS. OFFICER RUGGIERO SAID HE FELT DET. CPL. MACINNES WAS POSSIBLY IN DANGER DUE TO THE SUSPECT'S SHOOTING.

OFFICER RUGGIERO ALSO TALKED ABOUT THE "BOLT-FORWARD" COMMAND GIVEN DURING THE INCIDENT. OFFICER RUGGIERO STATED IT WAS GIVEN IN AN INCIDENT SUCH AS THIS WHEN THE SUSPECT IS IN DANGER OF SERIOUSLY HURTING OR KILLING SOMEONE, AND NEEDS TO BE STOPPED.

WE BRIEFLY TALKED ABOUT OTHER PORTIONS OF THE INCIDENT AND OFFICER RUGGIERO INFORMED ME HE WAS DRESSED IN HIS FULL SWAT UNIFORM AT THE TIME OF THE INCIDENT, AND OTHER SWAT MEMBERS WERE WEARING THEIR SWAT UNIFORMS, AND POLICE OFFICERS ON SCENE WERE WEARING THEIR STANDARD PATROL UNIFORMS. I ASKED OFFICER RUGGIERO TO DESCRIBE THE ARMORED VEHICLE THE IMMEDIATE RESPONSE TEAM WAS USING FOR COVER. HE SAID IT WAS A BLACK VEHICLE WITH "VENTURA POLICE DEPARTMENT" WRITTEN ON ITS SIDE AND CONFIRMED THE VEHICLE HAS AN OVERHEAD LIGHT BAR.

I ASKED IF HE HAD ANY FURTHER INFORMATION REGARDING THIS INCIDENT THAT WOULD HELP WITH MY INVESTIGATION, AND HE COULD NOT THINK OF ANY BUT WAS ADVISED TO CONTACT ME IF FURTHER INFORMATION WAS REMEMBERED. THE INTERVIEW BETWEEN OFFICER RUGGIERO ENDED ON 041109 AT APPROXIMATELY 0107 HOURS.

DATE/TIME TRANSCRIBED:	041309 / 1830 HOURS
TRANSCRIBED BY:	P283 / HUBER
DATE/TIME REVIEWED:	04/14/09 / 0715
REVIEWED BY:	#30

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN

VENTURA, CA 93004

INTERVIEW WITH: LT. RAY VANCE / 160

INTERVIEWED BY: DET. CPL. MUNGER / 323
DET. SGT. MURRAY / 264

Dictated by: DET. CPL. MUNGER / 323
DATE/TIME DICTATED: 041309 / 2020 HOURS

ON 041109 AT APPROXIMATELY 1800 HOURS, DET. SGT. MURRAY AND I MET WITH LT. RAY VANCE IN INTERVIEW ROOM NUMBER ONE REGARDING THE INCIDENT AT
LT. VANCE WAS THE SPECIAL WEAPONS AND TACTICS (SWAT) TEAM
COMMANDER IN THAT INCIDENT.

I ADVISED LT. VANCE OF HIS RIGHTS PER MIRANDA AND CONFIRMED HE UNDERSTOOD THOSE RIGHTS. I ASKED HIM, "AT THIS TIME, DO YOU WISH TO WAIVE YOUR RIGHTS AND VOLUNTARILY ANSWER QUESTIONS?" LT. VANCE RESPONDED, "YES."

I ASKED HOW HE WAS NOTIFIED ABOUT THE INCIDENT AT . . . LT. VANCE SAID HE RECEIVED A TELEPHONE CALL AT HIS HOME FROM LT. TAYLOR, THE ON-DUTY WATCH COMMANDER. TAYLOR WAS GOING TO ACTIVATE THE SWAT TEAM AND TOLD HIM THERE WAS A SUBJECT WHO HAD BARRICADED HIMSELF IN A HOUSE AND HAD FIRED A SHOT FROM INSIDE. LT. VANCE CAME TO THE STATION WHERE HE GATHERED HIS EQUIPMENT AND AMMUNITION. HE WENT INTO THE BRIEFING ROOM WHERE HE MET WITH UNITS WHO ALREADY HAD RESPONDED TO THE STATION AND PLACED A MESSAGE ON THE WHITE BOARD TELLING SWAT MEMBERS WHO WERE

STILL RESPONDING WHERE THEY SHOULD RESPOND. LT. VANCE ESTIMATED HE ARRIVED AT THE STATION AT APPROXIMATELY 1845 HOURS.

HE LEFT THE STATION AND RESPONDED TO THE SCENE WHERE HE MET WITH SWAT MEMBERS ON [REDACTED], JUST WEST OF [REDACTED]. THERE WAS A COMMAND POST (CP) SET UP AT [REDACTED]. PRIOR TO LEAVING THE STATION HE LEARNED THE SUSPECT HAD COME OUTSIDE THE RESIDENCE AND WALKED AROUND, BUT THEN HAD GONE BACK INSIDE THE RESIDENCE.

WHEN HE ARRIVED ON SCENE CPL. CASTELLANOS BRIEFED HIM ON THE LAYOUT OF THE AREA AND WHERE PERIMETER UNITS WERE LOCATED. HE INITIATED CONTACT WITH SGT. DICKEY, WHO WAS ON SCENE AS PART OF THE IMMEDIATE REACTION (IR) TEAM. SGT. DICKEY WAS ALREADY STAGED TO THE FRONT OF THE SUSPECT'S HOUSE.

HE HAD NO INFORMATION ABOUT THE SUSPECT EXCEPT FOR HIS NAME AND A PHOTOGRAPH OF HIM. HE DID KNOW [REDACTED] WAS THE POSSIBLE VICTIM IN THE INCIDENT; LT. HE DOES KNOW [REDACTED], BUT NOT HER HUSBAND.

I ASKED LT. VANCE WHAT HE KNEW ABOUT THE SUSPECT BEING ARMED. AFTER HE HAD BEEN AT THE CP FOR A SHORT TIME HE WAS JOINED BY [REDACTED] WHO IS THE [REDACTED] OF THE SUSPECT. [REDACTED] BRIEFED LT. VANCE REGARDING THE SUSPECT HAVING ALL KINDS OF WEAPONS, INCLUDING HANDGUNS, LONG GUNS, SCOPED RIFLES AND AN AK-47. [REDACTED] TOLD HIM THE SUSPECT POSSIBLY HAD ALL KINDS OF AMMUNITION IN HIS HOUSE, AND THAT HE DOES HIS OWN RELOADING.

WHEN HE ARRIVED ON SCENE HE BELIEVED THERE WERE APPROXIMATELY FOUR UNITS WITH THE IR TEAM ALREADY ON SCENE, LOCATED NEAR THE ARMORED VEHICLE TO THE FRONT OF THE SUSPECT'S RESIDENCE. A FEW OTHER UNITS ARRIVED ON SCENE JUST PRIOR TO HIS ARRIVAL AND THOSE UNITS HAD ALREADY BEEN DEPLOYED. HE WAS ON SCENE FOR APPROXIMATELY TEN MINUTES PRIOR TO PUTTING TOGETHER WHERE ALL THE UNITS WERE, AND ALL THAT INFORMATION HAD BEEN LOGGED.

WHILE THE PERIMETER WAS BEING SET UP, HE SPOKE WITH SGT. REYNOSO REGARDING THE CRISIS NEGOTIATION TEAM'S (CNT) PREPARATION, AND THEIR ATTEMPTS TO MAKE CONTACT WITH THE SUSPECT. AS PART OF THE PREPARATION ON THE PERIMETER, HE DEPLOYED A BULLHORN TO THE IR TEAM, ALONG WITH A LESS-LETHAL .37 MM, AND A .37 MM LOADED WITH GAS. THE IR TEAM ATTEMPTED TO MAKE CONTACT WITH THE SUSPECT BY USING THE BULLHORN, BUT WAS UNSUCCESSFUL.

HE EXPLAINED OTHER PREPARATIONS BEING MADE REGARDING CNT SETTING UP PHONE LINES TO MAKE CONTACT WITH THE SUSPECT INSIDE THE HOUSE. HE RECALLED THE INITIAL CALLS FROM CNT INTO THE SUSPECT'S HOUSE WENT STRAIGHT TO AN ANSWERING MACHINE. EVENTUALLY CNT WAS ABLE TO MAKE CONTACT WITH THE SUSPECT, BUT THE SUSPECT DID NOT SAY A LOT INITIALLY. HE COULD NOT RECALL WHAT INFORMATION CAME OUT OF THE FIRST PHONE CALLS TO THE SUSPECT.

UNITS WERE HOLDING THE PERIMETER AND ATTEMPTING TO MAKE CONTACT WITH THE SUSPECT. A SHORT TIME AFTER INITIAL CONTACT WAS MADE THE SUSPECT FIRED ROUNDS INSIDE THE RESIDENCE. THAT INFORMATION WAS RELAYED TO HIM FROM UNITS ON THE PERIMETER, AND HE COULD NOT RECALL HOW MANY SHOTS WERE FIRED THEN. HE BELIEVES POSSIBLY THREE-TO-FOUR SHOTS. HE COULD NOT RECALL HEARING THOSE SHOTS, AND POINTED OUT LATER IN THE INCIDENT HE DID HEAR SHOTS BEING FIRED, BUT NOT THE FIRST SHOTS.

THROUGHOUT THE EVENING THE CNT MADE CONTACT WITH THE SUSPECT ON AND OFF. THE SUSPECT TOLD THE CNT HE COULD LOOK OUT HIS FRONT DOOR AND SEE A PERSON OFF TO HIS LEFT, AND HE WANTED THAT PERSON TO BACK OFF. I ASKED LT. VANCE WHAT THAT MEANT TO HIM. HE TOOK THAT TO MEAN THE SUSPECT COULD SEE EITHER A MEMBER OF THE IR OR A PATROL UNIT TO THE FRONT OF THE SUSPECT'S RESIDENCE. HE PASSED THAT INFORMATION TO SGT. DICKEY, BECAUSE HE KNEW HE WAS TO THE FRONT OF THE RESIDENCE WITH THE IR TEAM AND HE WOULD KNOW WHERE OFFICERS WERE. SGT. DICKEY RELAYED BACK HE DID NOT BELIEVE ANYONE WAS IN FRONT OF THE HOUSE THE SUSPECT COULD SEE.

SGT. MURRAY ASKED LT. VANCE IF HE FELT ANY OF HIS OFFICERS WERE IN DANGER AT THAT POINT. LT. VANCE SAID BECAUSE THERE WERE OFFICERS IN CLOSE PROXIMITY TO WHERE SHOTS WERE BEING FIRED, HE WAS CONCERNED FOR THEM, HOWEVER, UP TO THAT POINT ALL SHOTS HAD BEEN CONTAINED INSIDE THE HOUSE. HE ADDED THAT PRIOR TO GOING ON SCENE HE RECEIVED INFORMATION THE SUSPECT WAS THE ONLY PERSON INSIDE THE HOUSE.

THROUGHOUT THE INCIDENT THERE WERE APPROXIMATELY 30 CONTACTS MADE WITH THE SUSPECT VIA TELEPHONE, AND THE SUSPECT WOULD HANG UP ON THE NEGOTIATOR. AFTER THE FIRST VOLLEY OF FIRE THE SUSPECT SEEMED AS IF HE WAS BECOMING MORE AGGRESSIVE TO THE CNT PROCESS. THE SUSPECT MADE STATEMENTS HE WANTED THE POLICE TO BACK OFF. HE RECEIVED INFORMATION FROM SGT. MURRAY THROUGH [REDACTED] THAT BECAUSE THE SUSPECT HAD BEEN DRINKING, THERE WAS A HIGH LIKELIHOOD HE WOULD USE HIS GUNS. HIS OTHER CONCERN WAS A NATURAL GAS LEAK IN THE LIVING ROOM OF THE SUSPECT'S RESIDENCE HE ALSO LEARNED OF, THROUGH SGT. MURRAY FROM [REDACTED]. A GAS LEAK IN THE LIVING ROOM OF A HOUSE IS A CONCERN FOR HIM BECAUSE OF TACTICS AND THE TYPES OF EQUIPMENT THAT COULD BE USED IN THAT ENVIRONMENT.

I ASKED IF THERE WERE ANY KEY THINGS THE SUSPECT SAID TO CNT THAT CAUSED HIM TO RAISE HIS LEVEL OF CONCERN. LT. VANCE POINTED OUT THE SUSPECT SAID HE WAS EITHER GOING TO, "COMMIT SUICIDE" OR, "COME OUTSIDE AND GO OUT IN A BLAZE OF GLORY." HE RECEIVED INFORMATION THE SUSPECT HAD SAID THAT ONE-HOUR AFTER HE ARRIVED ON SCENE. LT. VANCE ESTIMATED THE SUSPECT ALREADY HAD FIRED TWO-TO-THREE VOLLEYS OF FIRE PRIOR TO MAKING THE "BLAZE OF GLORY" STATEMENT.

HE SAID ALL THE VOLLEYS OF FIRE REPORTED HAD BEEN MULTIPLE SHOTS, UNTIL A REPORT OF A SINGLE SHOT LATER IN THE INCIDENT, WHEN A PERIMETER UNIT REPORTED HEARING ONE SHOT FROM INSIDE THE RESIDENCE.

SOME OF THE INFORMATION RELAYED TO HIM ABOUT THE SHOTS FROM INSIDE THE HOUSE WAS THAT THEY WERE MULTIPLE SHOTS AND SOME HAD COME FROM AN UPSTAIRS ONE/FOUR WINDOW, AND ALSO SHOTS FROM THE THREE SIDE. MUZZLE FLASHES FROM THE BACK OF THE RESIDENCE WERE ALSO REPORTED AND THAT INDICATED THE SUBJECT WAS MOVING AROUND, BOTH INSIDE AND OUTSIDE THE HOUSE. AT ONE POINT THE REPORTS WERE THE SUSPECT WAS FIRING HIGH-CALIBER ROUNDS. HE COULD ACTUALLY HEAR THOSE ROUNDS BEING FIRED FROM THE CP.

FROM HIS POSITION IN THE CP HE COULD HEAR RICOCHETS FROM THE SUSPECTS ROUNDS GOING OVER HIS HEAD. THE SHERIFF'S BOMB SQUAD PERSONNEL ON SCENE REPORTED THEY BELIEVED THEIR VAN, PARKED NEAR THE CP HAD BEEN HIT BY GUNFIRE THE ROUNDS HE COULD HEAR FROM THE CP WERE VERY CLEAR, AND YOU COULD TELL THEY WERE FROM A HIGH-POWERED RIFLE. THE CP WAS APPROXIMATELY 100-YARDS FROM THE SUSPECT'S RESIDENCE, AND THERE WERE HOUSES BETWEEN.

I ASKED LT. VANCE TO EXPLAIN THE NUMBERING SWAT MEMBERS USE FOR HOUSES. HE SAID THE FRONT OF THE HOUSE IS NUMBER ONE, AND THE SYSTEM GOES CLOCK-WISE TO TWO, THREE AND FOUR, FOR EACH SIDE OF THE HOUSE. HE EXPLAINED THE TWO SIDE WOULD BE ON THE LEFT SIDE OF THE HOUSE AS YOU FACE IT, AND THE THREE SIDE WOULD BE ON THE BACK SIDE OF THE HOUSE.

THE ROUNDS GOING OVER THE CP, THE REPORT FROM THE BOMB SQUAD, AND THE INFORMATION THE SUSPECT HAD A HIGH-POWERED RIFLE ABSOLUTELY RAISED HIS CONCERN. I ASKED WHY. HE SAID, "I HAVE SEVERAL PERSONNEL WITHIN CLOSE PROXIMITY TO THE HOUSE. WITH THESE ROUNDS, EVEN IF THEY ARE FIRED INSIDE THE HOUSE THEY CAN GO THROUGH EXTERIOR WALLS AND HIT SOMEONE." HE EXPLAINED WITH ROUNDS GOING OVER HIS HEAD HE DID NOT KNOW WHERE THOSE ROUNDS MIGHT BE GOING, SO HE WAS CONCERNED FOR PEOPLE IN THE AREA, IN THEIR HOUSES, DOWN THE STREET, OR IN VEHICLES DRIVING BY. LT. VANCE SAID HIS BIGGEST CONCERN WAS FOR THE SWAT TEAM AND PATROL TEAM ON THE PERIMETER, EXPLAINING, DEPENDING ON THE CALIBER OF THE RIFLE, HE WAS NOT

SURE HOW SECURE THEY WERE. I ASKED IF HE WAS AFRAID FOR THEIR SAFETY AND THE SAFETY OF OTHERS. HE RESPONDED, "ABSOLUTELY."

TO HIS KNOWLEDGE THE BOMB SQUAD NEVER CONFIRMED IF A ROUND HIT THEIR VAN. SGT. DICKEY REPORTED ROUNDS WERE COMING IN THE DIRECTION OF THE IR, STAGED TO THE FRONT OF THE RESIDENCE BEHIND THE ARMORED VEHICLE.

I ASKED LT. VANCE IF HE RESPONDED TO THAT INFORMATION AND HE SAID, "YES, BASED ON THE FACT THAT THIS GUY HAS HIGH-POWERED WEAPONS, HE'S SHOOTING MULTIPLE VOLLEYS OR ROUNDS, HE SEEMS TO BE GETTING MORE AGITATED AND IS SHOOTING MORE OFTEN, WITH OFFICERS IN CLOSE PROXIMITY AND ANYONE ELSE WHO MAY BE IN THE AREA POTENTIALLY HIT BY A STRAY ROUND, AND THE FACT HE TOLD THE NEGOTIATORS." AT THAT POINT LT. VANCE PAUSED BECAUSE HE WAS INTERRUPTED BY HIS COUNSEL. HIS COUNSEL HAD TO CHANGE BATTERIES IN HIS RECORDER WHEN HE CONTINUED LT. VANCE SAID, "WHAT I WAS ABOUT TO SAY, WAS HE HAD ALSO TOLD THE NEGOTIATORS AT ONE POINT, THAT THERE WAS A STREET LIGHT ABOUT 80-YARDS FROM HIS HOUSE THAT HE WAS GOING TO SHOOT OUT, THAT WAS OBVIOUSLY A CONCERN BECAUSE HE WOULD BE USING A HIGH-POWERED RIFLE, AND ASSUMING HE MISSES, AND HE PROBABLY WILL, THAT ROUND'S GOTTA GO SOMEWHERE. SO THERE IS A HUGE SAFETY CONCERN FOR THE COMMUNITY."

LT. VANCE SAID BASED ON ALL THOSE FACTORS HE GAVE CPL. HARBERT AND OFFICER STEGNER, WHO WERE THE TWO LONG-GUNS AT THE SCENE, THE COMMAND "BOLT-FORWARD." HE EXPLAINED THAT COMMAND MEANS, IF THE LONG-GUNS HAVE A SHOT ON THE SUSPECT, THEY ARE TO TAKE THAT SHOT. LT. VANCE SAID THAT INFORMATION WAS ALSO RELAYED TO THE IR. THAT COMMAND WAS ALSO CONFIRMED WITH ALL PERIMETER UNITS.

LT. VANCE SAID THE DECISION TO GIVE THE "BOLT-FORWARD" COMMAND WAS MADE AT APPROXIMATELY 2052 OR 2053 HOURS. HE ESTIMATED HE HAD BEEN ON SCENE FOR APPROXIMATELY ONE-HOUR AND 15-MINUTS WHEN THAT COMMAND WAS GIVEN.

SGT. MURRAY ASKED IF THE "BOLT-FORWARD" COMMAND WAS CONTINUOUS UNTIL RESCINDED AND LT. VANCE SAID, "YES." I ASKED LT. VANCE IF, AFTER GIVING THAT ORDER HE HAD EVER RESCINDED IT. LT. VANCE SAID, "NO, I DID NOT." HE POINTED OUT EVEN AFTER THAT COMMAND HAD BEEN GIVEN, THE SUSPECT CONTINUED TO SHOOT OUT OF THE HOUSE, AND VOLLEYS AND ROUNDS WERE COMING OUT OF THE HOUSE.

I ASKED IF THERE HAD BEEN OTHER INFORMATION REGARDING THE SUSPECT SHOOTING OUT OF THE HOUSE. HE SAID AFTER GIVING THE "BOLT-FORWARD" ORDER, THE SUSPECT HAD BEEN SEEN FIRING FROM A WINDOW IN THE ONE/FOUR CORNER OF THE RESIDENCE. WHEN THAT HAPPENED HE RECEIVED INFORMATION A PERIMETER UNIT HAD FIRED INTO THE HOUSE. HE BELIEVED THE SHOTS HAD BEEN FIRED, "BY US" BECAUSE A SILHOUETTE HAD BEEN SEEN IN THAT WINDOW. LT. VANCE BELIEVED THE UNITS WERE TRYING TO PREVENT THE SUSPECT FROM FIRING OUT THAT WINDOW. HE SAID HE RECEIVED THAT REPORT FROM THE IR TEAM. AFTER THE UNIT FROM THE IR TEAM FIRED ON THE UPSTAIRS WINDOW, IT WAS QUIET FOR A SHORT TIME, LASTING APPROXIMATELY FIVE-TO-TEN-MINUTES. HE WAS UNSURE IF CNT WAS IN CONTACT WITH THE SUSPECT AT THAT TIME. I ASKED IF THE SUSPECT HAD COMMUNICATED ANYTHING THROUGH CNT REGARDING THE RETURNED FIRE THROUGH THE UPSTAIRS WINDOW. HE DID NOT KNOW IF THE SUSPECT MADE ANY COMMENTS ABOUT BEING SHOT AT.

I ASKED IF ANYTHING WAS RELAYED TO HIM ABOUT THE INCIDENT ESCALATING. HE SAID, "HAVE I ALREADY MENTIONED, AT ONE POINT THE SUSPECT HAD SAID HE WAS EITHER GOING TO COMMIT SUICIDE OR COME OUT IN A BLAZE OF GLORY?" HE RECALLED ANOTHER TIME WHEN THE SUSPECT SAID HE WAS GOING TO COME TO THE WINDOW AND, "PRESENT HIMSELF, AND WHATEVER HAPPENS, HAPPENS." HE POSSIBLY PUT THE INFORMATION REGARDING THE SUSPECT COMING TO THE WINDOW TO PRESENT HIMSELF OVER THE RADIO. THIS MEANT TO HIM THE SUSPECT WAS EITHER GOING TO COME TO THE WINDOW AND STAND THERE, OR COME TO THE WINDOW AND SHOOT AGAIN.

I ASKED WHAT HAPPENED AFTER ROUNDS WERE SHOT INTO THE UPSTAIRS BEDROOM WINDOW. HE SAID HE GAVE THE ORDER FOR THE PERIMETER UNITS TO

PUT GAS INTO AN UPSTAIRS WINDOW. HE TRIED TO KEEP THE SUSPECT OUT OF THE SECOND FLOOR AND ON THE GROUND FLOOR. THE UNITS ON THE PERIMETER USED A .37 MM LAUNCHER TO FIRE ROUNDS AT A WINDOW. THOSE ROUNDS DID NOT PENETRATE THE HOME, AND WERE NOT EFFECTIVE.

HE SAID, "WE WERE NEVER ABLE TO LIMIT WHERE HE WENT INSIDE THE HOUSE, THROUGHOUT THE WHOLE INCIDENT." AFTER THE GAS WAS DEPLOYED THERE WAS A REPORT ON THE THREE SIDE OF THE HOUSE THAT THERE WERE LIGHTS COMING ON, AND SHORTLY AFTER THAT REPORT THERE WERE REPORTS OF A SINGLE GUNSHOT IN THE GARAGE AREA OF THE RESIDENCE. THE GARAGE WAS LOCATED ON THE ONE SIDE, IN THE ONE/FOUR AREA OF THE HOUSE. HE HAD THAT INFORMATION BASED OFF A DIAGRAM ROUGHLY DRAWN OUT FOR HIM WHEN HE ARRIVED ON SCENE.

I ASKED WHAT HAPPENED AFTER HEARING THE SINGLE GUNSHOT. HE REQUESTED OXNARD POLICE DEPARTMENT RESPOND WITH THEIR "BEARCAT", WHICH IS AN ARMORED VEHICLE. HE WANTED TO UTILIZE THAT VEHICLE IN AN ATTEMPT TO DEPLOY GAS INTO THE RESIDENCE AGAIN. HE BELIEVED THE BEARCAT WOULD PROVIDE MORE COVER AND SECURITY FOR THE UNITS TRYING TO COVER THE HOUSE, AND THE UNIT TRYING TO PUT GAS INTO THE HOUSE.

THE NEXT THING THAT HAPPENED WAS AN ADDITIONAL REPORT OF SHOTS BEING FIRED IN THE DIRECTION OF THE IR TEAM. HE THINKS THE NEXT REPORT WAS A REPORT FROM ONE OF THE LONG-GUNS, HE BELIEVED IT WAS CPL. HARBERT, THE REPORT WAS THAT A LONG-GUN HAD TAKEN A SHOT INTO THE KITCHEN AND THE SUSPECT WAS DOWN. HE WAS NOT SURE IT WAS CPL. HARBERT THAT MADE THAT REPORT. LT. VANCE SAID HE GOT ONTO THE RADIO AND CONFIRMED THAT REPORT.

AFTER THE REPORT OF THE SHOT FROM THE LONG-GUN, CNT REPORTED THE SUSPECT RE-INITIATED CONTACT AFTER BEING HIT, TELLING THEM HE HAD BEEN SHOT IN THE SHOULDER. CNT FOLLOWED PROTOCOL BY TELLING THE SUSPECT HE NEEDED TO COME OUT OF THE HOUSE SO HE COULD BE TREATED MEDICALLY. CNT KNOWS HOW TO GIVE INSTRUCTIONS TO A SUSPECT ON HOW TO EXIT A HOUSE. THE

NEXT THING HE RECALLED ON THE RADIO WAS THE SUSPECT WAS AT THE FRONT DOOR, CRAWLING OUT OF THE HOUSE.

ONCE THE SUSPECT WAS SUFFICIENTLY OUT OF THE RESIDENCE, THE IR TEAM TOOK HIM INTO CUSTODY. LT. VANCE RECALLED HEARING THE IR TEAM REQUEST MEDICAL AID FOR THE SUSPECT. HE RECALLED THEM ORDERING A BACKBOARD FOR THE SUSPECT ON IN ORDER TO EVACUATE HIM TO WHERE FIRE AND AMBULANCE PERSONNEL WERE WAITING.

WE TOOK A SHORT BREAK AND WHEN WE RETURNED I ASKED LT. VANCE A FEW MORE QUESTIONS. I ASKED LT. VANCE WHAT THE SOURCE OF HIS INFORMATION REGARDING THE SUSPECT BEING THE SOLE OCCUPANT OF THE HOUSE. HE BELIEVED THAT INFORMATION CAME FROM LT. TAYLOR, WHO TOLD HIM

SAID SHE WAS IN THE HOUSE WITH THE SUSPECT PRIOR TO LEAVING. I ASKED HOW HE WAS ABLE TO CONFIRM THAT INFORMATION. HE RECEIVED THAT INFORMATION THROUGH CNT, AND SGT. MURRAY CONFIRMED THAT INFORMATION AFTER SPEAKING TO . I ASKED LT. VANCE HOW HE DISTRIBUTED THAT INFORMATION. HE SAID MOST OF THE UNITS AT THE SCENE ALREADY HAD THAT INFORMATION WHEN THEY ARRIVED. HE COULD NOT RECALL RELAYING THAT INFORMATION AT ALL.

I ASKED WHAT THE RISK OF NOT GIVING THE "BOLT-FORWARD" ORDER WOULD HAVE BEEN. LT. VANCE RESPONDED, "WELL, THAT THIS IS GOING TO CONTINUE. THE LONGER THIS GOES ON THE BETTER CHANCE THAT SOMEONE IS GOING TO GET INJURED OR KILLED, WHETHER IT BE OFFICERS ON SCENE, WHETHER HE ACTUALLY SEES SOMEBODY AND TAKES A SHOT AT THEM, OR WHETHER IT'S JUST HIS RANDOMNESS OF SHOOTING SOMEBODY FROM A MILE AWAY GETS HIT IN THEIR HOUSE, THOSE ARE ALL HUGE CONCERNS, BASED ON WHAT I KNOW ABOUT THE WEAPONS HE HAS IN THE HOUSE, AND THE MULTIPLE VOLLEYS GOING OFF, THAT ARE GOING OVER OUR HEADS AS WELL, IT COULD POTENTIALLY HIT PEOPLE FROM OVER 30-YARDS FROM WHERE I WAS. SO, BASED ON HIS ACTIONS, HIS ACTIONS NEEDED TO BE STOPPED. THAT WAS THE REASON FOR THE 'BOLT-FORWARD' COMMAND, BECAUSE SOMEBODY, WELL A LOT OF PEOPLE, WERE IN SERIOUS DANGER."

AT THAT POINT WE TOOK ANOTHER SHORT BREAK WHEN WE RETURNED WE ENDED
OUT INTERVIEW WITH LT. VANCE.

DATE/TIME TRANSCRIBED: 041409 / 1230 HOURS
TRANSCRIBED BY: P283 / HUBER

DATE/TIME REVIEWED:
REVIEWED BY:

SUPPLEMENTAL REPORT

CRIME: 245(A)(2) PC, 245(D) PC, 246 PC, 246.3 PC, 69 PC

VICTIM: OFC. STEGNER #346
CORPORAL BEAUTROW #294
VENTURA POLICE DEPARTMENT

SUSPECT: FENNELL, JEFFREY STEPHEN

VENTURA CA 93004

INTERVIEW WITH: OFC. E. VASQUEZ
INTERVIEWED BY: DET. D. BOON #301
REPORTED BY: DET. D. BOON #301
DATE/TIME REPORTED: 04/13/09 / 1712

ON 04/11/09, AT APPROXIMATELY 0137 HOURS, I INTERVIEWED OFC. E. VASQUEZ REFERENCE THIS INCIDENT. THE FOLLOWING IS A SUMMARY OF THE INTERVIEW WITH OFC. VASQUEZ, (FOR FURTHER INFORMATION PLEASE SEE THE COMPACT DISC BOOKED INTO EVIDENCE AT THE VENTURA POLICE DEPARTMENT).

OFC. VASQUEZ WAS CALLED OUT AND HE RESPONDED TO THE VENTURA POLICE DEPARTMENT. UPON ARRIVING AT THE POLICE DEPARTMENT, OFC. VASQUEZ OBTAINED HIS EQUIPMENT AND STANDARD SWAT UNIFORM. OFC. VASQUEZ THEN MET WITH CPL. BEAUTROW, CPL. MACINNES, OFC. WEBSTER, AND OFC. RUGGERIO.

OFFICERS DEPLOYED TO THE LOCATION, AND ARRIVED ON SCENE A SHORT TIME LATER. UPON ARRIVING ON SCENE, OFC. VASQUEZ MOVED TO A POSITION BEHIND THE ARMORED VEHICLE, (WHICH WAS PARKED IN FRONT OF _____), WITH OTHER OFFICERS, (LATER DESCRIBED BY OFC. VASQUEZ AS A LARGE BLACK VEHICLE WITH "VENTURA PD" LETTERING ON THE SIDE AND A LIGHT BAR).

WHILE ON SCENE OFC. VASQUEZ STATED THAT HE HEARD GUNSHOTS COMING FROM THE INSIDE OF THE RESIDENCE. DURING THE INCIDENT SEVERAL GUNSHOT WERE HEARD AND SOME OF THE ROUNDS PASSED IN CLOSE PROXIMITY TO OFFICER VASQUEZ AND THE OFFICERS WHO WERE WITH HIM.

OFFICER VASQUEZ WAS ASKED ABOUT HIS FAMILIARITY WITH FIREARMS. OFC. VASQUEZ STATED THAT HE HAD SPENT TIME IN THE MILITARY, AND THAT WHILE IN THE MILITARY HE BECAME FAMILIAR WITH SEVERAL TYPES OF WEAPONS.

OFC. VASQUEZ ALSO GAINED EXPERIENCE WITH FIREARMS WHILE EMPLOYED AS A POLICE OFFICER, AND WHILE WORKING ON THE SWAT TEAM.

OFC. VASQUEZ WAS ASKED IF HE HAD EXPERIENCE WITH ROUNDS BEING FIRED NEAR HIS LOCATION. OFC. VASQUEZ STATED THAT DURING HIS MILITARY TRAINING HE HAD EXPERIENCE WITH ROUNDS BEING FIRED IN HIS DIRECTION.

OFC. VASQUEZ WAS ASKED WHAT TYPES OF FIREARMS WERE BEING FIRED ON THE NIGHT OF THE INCIDENT. OFC. VASQUEZ STATED THAT THERE WAS THE SOUND OF A PISTOL BEING FIRED, AND A RIFLE BEING FIRED.

I ASKED OFC. VASQUEZ IF THE RIFLE BEING FIRED CAUSED HIM ANY CONCERN. HE STATED THAT IT DID BECAUSE RIFLES CAN PENETRATE ARMOR, (INCLUDING HIS BODY ARMOR).

OFC. VASQUEZ STATED AS THE INCIDENT CONTINUED, THE SUSPECT BEGAN FIRING OUT OF THE #1 SIDE OF THE RESIDENCE, (THROUGH AN UPSTAIRS WINDOW). WHILE THE SUSPECT WAS FIRING, OFC. VASQUEZ STATED THAT HE COULD SEE THE CURTAINS MOVING IN THE BEDROOM.

IN RESPONSE TO THIS ACTION BY THE SUSPECT, CPL. BEAUTROW FIRED AT THE SUSPECT APPROXIMATELY FOUR TIMES. OFC. VASQUEZ THEN HEARD WHAT SOUNDED TO HIM LIKE THE SUSPECT HOLLERING.

OFC. VASQUEZ STATED THAT AT THIS TIME HE MOVED HIS POSITION TO THE RIGHT OF CPL. BEAUTROW SO THAT HE COULD ENGAGE THE SUSPECT IF HE BEGAN FIRING AGAIN. OFC. VASQUEZ DID TELL ME HOWEVER, THAT HE DID NOT FIRE ANY ROUNDS DURING THE INCIDENT.

WHILE WAITING FOR THE SUSPECT TO POSSIBLY EMERGE, OFC. VASQUEZ COVERED OFC. DOLAN, (WHO WAS ON SCENE), AS OFC. DOLAN ATTEMPTED TO DEPLOY GAS INTO THE RESIDENCE. PER OFC. VASQUEZ, OFC. DOLAN DEPLOYED APPROXIMATELY FOUR GAS ROUNDS.

ONCE THE ROUNDS WERE DEPLOYED, (AND POSSIBLY MISSED THE INTENDED TARGET), OFC. VASQUEZ RETREATED TO THE COVER OF THE ARMORED VEHICLE.

OFC. VASQUEZ STATED THAT APPROXIMATELY 20 MINUTES ELAPSED WHERE THE SUSPECT DID NOT FIRE HIS WEAPON. AFTER THAT TIME, OFC. VASQUEZ HEARD A ROUND GO OFF IN THE GARAGE AREA OF THE RESIDENCE. THIS ROUND SOUNDED CLOSER THAN THE OTHER ROUNDS THAT OFC. VASQUEZ HAD PREVIOUSLY HEARD.

OFC. VASQUEZ STATED THAT AFTER THE ROUND WENT OFF, HE HEARD INFORMATION THAT THE SUSPECT WAS GOING TO TRY TO SHOOT A LIGHT OUT. THIS CONCERNED OFC. VASQUEZ BECAUSE THERE WAS A LIGHT ON ONE OF THE POLICE VEHICLES NEAR THE IMMEDIATE RESPONSE TEAM.

A SHORT TIME AFTER THIS, OFC. VASQUEZ HEARD A ROUND GO OFF AND HE FELT A SMALL "CONCUSSION" BEHIND HIM.

THE SHOT IS CONFIRMED AS BEING FIRED BY A MEMBER OF THE SWAT TEAM, AND THE COMMAND POST RELAYS INFORMATION THAT THE SUSPECT HAS BEEN HIT. THE SUSPECT LATER COMES OUT OF THE RESIDENCE AND IS TAKEN INTO CUSTODY BY MEMBERS OF THE IMMEDIATE RESPONSE TEAM.

WHILE THE SUSPECT IS BEING TAKEN INTO CUSTODY, OFC. VASQUEZ ASSISTED WITH COVERING THE FRONT DOOR OF THE RESIDENCE. MEMBERS OF THE SWAT TEAM CLEARED THE RESIDENCE. NO OTHER SUSPECTS WERE LOCATED IN THE RESIDENCE.

I ASKED OFC. VASQUEZ IF DURING THE INCIDENT, ANY ANNOUNCEMENTS WERE MADE TO HAVE THE SUSPECT SURRENDER. OFC. VASQUEZ CONFIRMED THAT HE

AND OFC. DOLAN MADE ANNOUNCEMENTS TO THE SUSPECT. UNITS ON THE PERIMETER CONFIRMED THESE ANNOUNCEMENTS.

OFC. VASQUEZ WAS ASKED IF HE COULD THINK OF ANYTHING ELSE THAT NEEDED TO BE ADDRESSED. OFC. VASQUEZ EXPRESSED CONCERN ABOUT THE TYPES OF RIFLES THAT WERE IN THE SUSPECT'S POSSESSION.

THE INTERVIEW WAS CONCLUDED ON 04/11/09, AT APPROXIMATELY 0211 HOURS.

DATE/TIME REPORTED:	04/13/09 / 1825
REPORTED BY:	#301
DATE/TIME REVIEWED:	04/13/09 / 1825
REVIEWED BY:	#301 <i>#301</i>

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN
VENTURA, CA 93004

INTERVIEW WITH: OFFICER WEBSTER / 356

INTERVIEWED BY: DET. MCCONATHY / 374

Dictated by: DET. MCCONATHY / 374

DATE/TIME Dictated: 041209 / 1500 HOURS

ON 041109 AT 0130 HOURS I INTERVIEWED OFFICER WEBSTER AT THE VENTURA POLICE DEPARTMENT REGARDING HIS INVOLVEMENT WITH THE INCIDENT AT
OFFICER WEBSTER IS A MEMBER OF THE VENTURA POLICE DEPARTMENT SPECIAL WEAPONS AND TACTIC (SWAT) TEAM.

OFFICER WEBSTER SAID HE WAS WORKING PATROL AND WAS ON A TRAFFIC STOP ON THE WESTSIDE OF TOWN. ONCE HE FINISHED HIS TRAFFIC STOP HE HEARD OTHER OFFICERS SPEAKING ON THE RADIO REGARDING THE INCIDENT AT
HE BROUGHT UP THE CALL HISTORY ON THE MDC IN HIS PATROL UNIT AND READ THE SEVERITY OF THE CALL AND THOUGHT A SWAT CALL-OUT MIGHT OCCUR AND DECIDED TO DRIVE TOWARD POLICE HEADQUARTERS AND PREPARE THE ARMORED VEHICLE IF IT WAS NEEDED. AT HEADQUARTERS HE CHANGED INTO HIS SWAT UNIFORM AND RETRIEVED HIS EQUIPMENT, THEN DROVE THE ARMORED VEHICLE TO THE INITIAL COMMAND POST (CP) THAT WAS SET UP NEAR THE INTERSECTION OF AND THERE HE MET WITH CPL. CASTELLANOS WHO BRIEFED HIM.

SHORTLY THEREAFTER SGT. DICKEY AND OFFICER DOLAN ARRIVED ON SCENE AS SWAT MEMBERS AND TOOK UP A POSITION TOWARD THE FRONT OF

Handwritten initials/signature

THEY REQUESTED THE ARMORED VEHICLE BE BROUGHT IN AND PARKED IN FRONT OF THE RESIDENCE TO BLOCK ANY VEHICLES FROM EXITING THE SUSPECT RESIDENCE AND TO PROVIDE COVER FOR OFFICERS. WEBSTER DROVE THE VEHICLE AND CPL. CASTELLANOS ACCOMPANIED HIM. ONCE THEY HAD IT IN POSITION HE EXITED THE VEHICLE AND BECAME A PART OF THE IMMEDIATE RESPONSE TEAM, ALONG WITH SGT. DICKEY AND OFFICER DOLAN. CPL. CASTELLANOS LEFT THE SCENE AT THAT TIME. THEY WERE JOINED AT THE ARMORED VEHICLE LOCATION BY CPL. PAYNE, CPL. BEAUTROW AND OFFICER VAZQUEZ. AS HE WAS WAITING AT THAT POSITION OFFICER WEBSTER HEARD APPROXIMATELY 20-SHOTS BEING FIRED FROM THE RESIDENCE, IN DIFFERENT NUMBERED VOLLEYS. HE COULD HEAR THE ROUNDS GOING BY THE ARMORED VEHICLE, AND COULD TELL THEY WERE BEING FIRED FROM BOTH A RIFLE AND HANDGUN. HE SAID HE REMEMBERS APPROXIMATELY FOUR-TO-FIVE DIFFERENT VOLLEYS, ALL THREE-TO-EIGHT-SHOTS IN LENGTH, COMING FROM THE RESIDENCE. AT ONE POINT HE HEARD A BULLET RICOCHET EXTREMELY CLOSE TO CPL. PAYNE, AND FELT CPL. PAYNE MAY HAVE BEEN SHOT. HE IMMEDIATELY CHECKED WITH CPL. PAYNE AND DISCOVERED HE HAD NOT BEEN SHOT.

I ASKED OFFICER WEBSTER IF HE SAW THE SUSPECT SHOOTING TOWARD OFFICER BROWN. HE SAID HE HEARD OFFICER BROWN ARRIVE ON SCENE AND WAS EN ROUTE TO THE LOCATION WHERE DET. CPL. MACINNES AND OFFICER RUGGIERO'S WERE STAGED. HE THEN HEARD A LARGE VOLLEY OF BULLETS BEING FIRED FROM THE SUSPECT'S HOUSE. HE SAID HE LOOKED OUT FROM BEHIND THE ARMORED VEHICLE AND SAW GUN SMOKE BILLOWING FROM AN UPSTAIRS WINDOW, AND FELT THE SUSPECT MAY HAVE BEEN ENGAGED IN A FIRE-FIGHT WITH DET. CPL. MACINNES AND OFFICER RUGGIERO. SGT. DICKEY LATER CONTACTED THOSE TWO OFFICERS AND DISCOVERED THEY HAD NOT EXCHANGED FIRE WITH THE SUSPECT. I ASKED WEBSTER IF HE KNEW CPL. BEAUTROW FIRED AT THE SUSPECT, AND HE SAID HE HEARD SGT. DICKEY OVER THE RADIO THAT BEAUTROW FIRED FOUR ROUNDS, BUT HE DID NOT SEE THAT HAPPEN. HE SAID WHEN THAT HAPPENED CPL. BEAUTROW WAS NEAR THE FRONT OF THE ARMORED VEHICLE.

OFFICER WEBSTER SAID HE FELT VERY VULNERABLE IN THE POSITION THEY WERE IN BECAUSE THEY WERE BACKLIT AND THE SUSPECT HAD A DISTINCT ADVANTAGE OVER THEM, AS HE WAS ON A SECOND FLOOR LOOKING DOWN ON THEM. HE ALSO

FELT IT WAS THE SUSPECT'S INTENTION TO SHOOT OR KILL SOMEONE BY HIS ACTIONS. HE NEVER SAW THE SUSPECT, BUT HE DID SEE MUZZLE FLASH COMING FROM A SECOND STORY WINDOW. WEBSTER SAID SEVERAL TIMES DURING THE INCIDENT THE SUSPECT FIRED IN THEIR DIRECTION, AND THEY TRIED TO CONCEAL THEMSELVES THE BEST THEY COULD BEHIND THE TIRES OF THE VEHICLE. THEY FELT THE SUSPECT MAY TRY AND SHOOT AT THEIR LEGS, WHICH WERE UNPROTECTED BY THE VEHICLE. THEY ALSO KNEW IF THE SUSPECT HAD A HIGH-POWERED RIFLE THE ROUNDS COULD PENETRATE THE ARMORED VEHICLE. WEBSTER HEARD LT. VANCE GIVE THE "BOLT-FORWARD" COMMAND, USED BY THE SWAT TEAM WITH AUTHORIZED THE USE OF LETHAL FORCE. HE SAID HE AND THE REST OF THE TEAMMATES VERBALLY COMMUNICATED WITH SGT. DICKEY REGARDING THE CONFIRMATION OF THE COMMAND. HE ALSO HEARD SGT. DICKEY BROADCAST THE "BOLT-FORWARD" COMMAND OVER THE RADIO, AND ACKNOWLEDGED WITH THE OTHER TEAM MEMBERS ON THE PERIMETER.

WEBSTER SAID HE HEARD A SINGLE SHOT, BUT DID NOT KNOW WHERE THE SHOT CAME FROM. HE HEARD OFFICER ROBINSON BROADCAST OVER THE RADIO A SNIPER HAD TAKEN A SHOT AND THE SUSPECT WAS DOWN. THE BROADCAST WAS FAINT AND HE ASKED ROBINSON TO REPEAT. HE THEN HEARD THE CP BROADCAST OVER THE AIR THE SUSPECT WAS SHOT AND STILL ON THE PHONE WITH NEGOTIATORS. THEY WERE ADVISED THE SUSPECT WOULD EXIT THE RESIDENCE OUT THE FRONT DOOR AND GIVE UP. WEBSTER SAID HE COULD NOT SEE THE FRONT DOOR FROM HIS POSITION, BUT HE UNDERSTOOD HE WAS THE PERSON TO GIVE THE VERBAL COMMANDS TO THE SUSPECT TO COME FORWARD. HE WAS ADVISED BY OTHER OFFICERS OF THE SUSPECT'S ACTIONS, AND HE WAS CALLING OUT FOR THE SUSPECT TO COME TOWARD THEM. HE SAID THE SUSPECT REPLIED BY SAYING HE COULDN'T, BUT HE WAS TRYING. AFTER A FEW MOMENTS SGT. DICKEY AND TWO OTHER OFFICERS APPROACHED THE RESIDENCE, THEN OFFICER WEBSTER AND REMAINING OFFICERS FELL IN LINE BEHIND HIM. ONCE THEY WERE CLOSER TO THE FRONT DOOR, HE COULD SEE THE SUSPECT AND SAW HE WAS INJURED AND BLEEDING. HE SAID THE IMMEDIATE RESPONSE TEAM APPROACHED THE SUSPECT, BUT HE STEPPED OVER HIM AND CONTINUED TO PROVIDE SECURITY BY GUARDING THE FRONT DOOR IN CASE THERE WERE ADDITIONAL SUSPECT. HE SAID THE SUSPECT WAS TAKEN INTO CUSTODY BY SGT. DICKEY AND CPL.

BEAUTROW, AND REMOVED FROM THE SCENE. SEVERAL SWAT TEAM OFFICERS ENTERED THE RESIDENCE AND CLEARED IT FOR ANY OTHER POTENTIAL HAZARDS.

INSIDE THE RESIDENCE OFFICER WEBSTER DESCRIBED THE SUSPECT AS HAVING "AN ARSENAL" OF WEAPONS. HE SAW TWO PISTOLS ON A CHAIR UPSTAIRS, AN AR-15 RIFLE WITH A SCOPE ON IT AND SEVERAL EMPTY CASINGS ON THE GROUND NEAR IT. HE SAW MULTIPLE OTHER CASINGS FROM DIFFERENT CALIBER WEAPONS SCATTERED THROUGHOUT THE RESIDENCE.

OFFICER WEBSTER SAID HE WAS IN EXTREME FEAR FOR HIS SAFETY DURING HIS TIME ON SCENE IN THIS INCIDENT. HE KNEW THE SUSPECT HAD HIGH-POWERED RIFLES THAT COULD PENETRATE THE ARMOR OF THE VEHICLE HE WAS USING FOR PROTECTION. HE ALSO FELT VULNERABLE BECAUSE HE WAS IN A POSITION OF DISADVANTAGE, AND WAS BACKLIT BY STREET LIGHTS AND A PATROL VEHICLE. HE SAID HE FELT IT WAS THE SUSPECT'S INTENTION TO SHOOT OR KILL AN OFFICER, AND IF THEY WERE TO HAVE LEFT THE COVER OF THE ARMORED VEHICLE, THEY COULD POSSIBLY HAVE BEEN SHOT.

AFTER THE INCIDENT WAS CONTROLLED AND THE HOUSE WAS CLEARED, OFFICER WEBSTER RETURNED TO THE VENTURA POLICE DEPARTMENT WITH THE REST OF THE SWAT TEAM.

DATE/TIME TRANSCRIBED: 041309 / 1640 HOURS
TRANSCRIBED BY: P283 / HUBER
DATE/TIME REVIEWED:
REVIEWED BY:

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN

VENTURA, CA 93004

Dictated by: DET. CPL SARAH STARR/354

 OFFICERS' ACTIONS

ON 040109 AT APPROXIMATELY 1820 HOURS I RECEIVED A PHONE MESSAGE REGARDING A SWAT TEAM ACTIVATION. I RESPONDED TO THE VENTURA POLICE DEPARTMENT AND MET WITH CRISIS NEGOTIATIONS TEAM (CNT) MEMBER, CPL. WALSH. I WAS INFORMED THAT THE LOCATION OF THE INCIDENT WAS IN VENTURA. WALSH AND I RESPONDED TO , WHICH WAS SET UP AS A COMMAND POST AND NEGOTIATIONS SITE.

UPON ARRIVAL I BRIEFLY SPOKE TO OUTSIDE OF THE RESIDENCE. WAS ALSO SPEAKING TO OFC. CALIENTO AND I OVERHEARD MOST OF THEIR CONVERSATION. SAID THAT SHE HAS BEEN MARRIED TO JEFFREY FENNELL FOR 7 YEARS AND THE TWO HAVE A 3-YEAR-OLD DAUGHTER, FENNELL IS AN ALCOHOLIC, BUT WAS SOBER FOR 8 YEARS. HE RELAPSED FOR A SHORT TIME LAST AUGUST, BUT THEN QUIT DRINKING AGAIN.

ON 041009 FENNELL GOT INTOXICATED. WHEN CAME HOME SHE FOUND HIM HOLDING A .357 REVOLVER. HE POINTED THE GUN AT HER, LAUGHED, AND SAID IT WOULD BE FUNNY IF SHE CALLED THE POLICE. HE THEN POINTED THE GUN AT HIS OWN HEAD AND PUT IT IN HIS MOUTH. STARTED TO LEAVE THE RESIDENCE, BUT WHEN SHE GOT DOWNSTAIRS SHE HEARD A GUNSHOT AND SHE WENT BACK UPSTAIRS TO SEE WHAT HAPPENED. SHE SAW THAT FENNELL HAD NOT

SHOT HIMSELF, BUT SHE DIDN'T SEE WHERE HE HAD SHOT. THEN LEFT
THE RESIDENCE AND CALLED HER

WHEN TOLD HIM WHAT
HAPPENED, CALLED THE VENTURA POLICE DEPARTMENT
COMMUNICATIONS CENTER AND REPORTED IT.

ALSO TOLD ME THAT FENNELL HAD NUMEROUS GUNS IN THE
RESIDENCE, INCLUDING AN AK47 RIFLE. HAD LOCKED THE DOOR TO
THE OFFICE WHERE THE GUNS ARE STORED, BUT SHE THOUGHT FENNELL COULD
BREAK INTO THE ROOM IF HE WANTED TO, AND GAIN ACCESS TO THE WEAPONS.

OFC. CALLIENTO GOT A MORE DETAILED STATEMENT FROM AT THE
SCENE, AND CPL. MUNGER LATER INTERVIEWED AT THE VENTURA
POLICE DEPARTMENT. SEE THEIR REPORTS FOR FURTHER DETAILS REGARDING
HER STATEMENT.

AFTER SPEAKING WITH I WENT BACK INSIDE OF
AND MET WITH OTHER MEMBERS OF THE CRISIS NEGOTIATIONS TEAM. WE
PREPARED TO MAKE PHONE CONTACT WITH JEFFREY FENNELL. DURING THE
INCIDENT I ACTED AS THE PRIMARY NEGOTIATOR. CPL. WALSH ACTED AS
SECONDARY NEGOTIATOR AND KEPT A LOG OF THE TIMES THAT WE MADE CONTACT,
OR ATTEMPTED TO MAKE CONTACT WITH JEFFREY FENNELL. THE FOLLOWING IS A
SUMMARY OF MY NEGOTIATIONS WITH FENNELL. ANY TIMES LISTED ARE
APPROXIMATE AND TAKEN FROM THE LOG KEPT BY CPL. WALSH. ALL OF MY
CONVERSATIONS WITH FENNELL WERE DIGITALLY RECORDED.

I HAD TWO TELEPHONE NUMBERS LISTED FOR JEFFREY FENNELL: THE FIRST WAS
HIS HOME TELEPHONE NUMBER. THE NT CALLED THE PHONE
COMPANY AND HAD THAT PHONE NUMBER SHUT OFF, SO THAT FENNELL COULD NOT
PLACE CALLS FROM THE RESIDENCE. A NEW PHONE NUMBER ASSIGNED TO THE
HOUSE, FOR POLICE USE ONLY, WAS . THROUGHOUT ALL OF MY
NEGOTIATIONS WITH FENNELL I SPOKE TO HIM ON THAT PHONE NUMBER. FENNELL

DID HAVE A CELL PHONE WITH A PHONE NUMBER OF _____; HOWEVER, WE SHUT THE SERVICE TO THAT TELEPHONE OFF, AS WELL, DUE TO THE EMERGENCY SITUATION.

ON 041009 AT 1945 HOURS I PLACED THE FIRST PHONE CALL TO FENNEL. I REACHED AN ANSWERING MACHINE AND LEFT A MESSAGE FOR FENNEL, IDENTIFYING MYSELF AND ASKING THAT HE ANSWER THE PHONE. AT 1948 HOURS I AGAIN CALLED FENNEL AND HE ANSWERED THE PHONE. I ASKED FENNEL WHAT WAS GOING ON INSIDE OF THE RESIDENCE. HE REPLIED, "NOTHING". I TOLD HIM THAT PEOPLE WERE WORRIED ABOUT HIM AND ASKED HIM WHY HE THOUGHT PEOPLE WOULD BE WORRIED ABOUT HIM. HE REPLIED, "DON'T KNOW". I ASKED FENNEL WHAT WAS GOING ON WITH HIM. HE REPLIED, "AH, DRINKING, A LITTLE. ARE THEY OUTSIDE?" AS FENNEL WAS TALKING I NOTICED THAT HE SOUNDED LIKE HE WAS EITHER TIRED OR UNDER THE INFLUENCE OF SOME SORT OF INTOXICATING SUBSTANCE. HIS VOICE WAS LOW AND SLIGHTLY MUMBLED AT THAT POINT. I TOLD FENNEL THAT THE POLICE WERE OUTSIDE. HE SAID HE DIDN'T SEE THEM. I INFORMED HIM THAT SOMEONE HAD SEEN HIM WALK OUTSIDE TOWARDS HIS MAILBOX, AND THEN BACK TO THE RESIDENCE. HE SAID HE HAD DONE THAT, BUT THAT HE HAD NOT SEEN ANYONE OUTSIDE AT THE TIME.

FENNEL THEN ASKED, "IS _____ THERE?" FENNEL IS THE BROTHER OF A _____. I KNEW THAT HE WAS REFERRING TO HER WHEN HE ASKED ME THAT QUESTION. I TOLD FENNEL THAT _____ WAS NOT THERE, BUT THAT SHE WAS AT HOME. HE REPLIED, "OH, BUMMER." KNOWING THAT _____ HAS A BABY, I TOLD FENNEL THAT _____ NEEDED TO BE AT HOME WITH THE BABY. HE REPLIED, "FOR SURE." I THEN ASKED FENNEL WHAT HAD BEEN GOING ON THAT CAUSED THE POLICE TO BE CALLED TO HIS HOUSE. HE REPLIED, "I DON'T SEE THEM." SINCE I HAD ALREADY IDENTIFIED MYSELF AS A REPRESENTATIVE OF THE VENTURA POLICE DEPARTMENT I TOLD FENNEL, "WE'RE OUTSIDE." FENNEL THEN SAID, "REALLY? OH." I TOLD FENNEL I HAD INFORMATION HE HAD A GUN. HE REPLIED, "I GOT A LOT OF 'EM." I ASKED HIM WHERE THE GUNS WERE AND HE REPLIED, "ALL OVER." I THEN ASKED HIM WHAT HE WAS DOING WITH THE GUNS AND HE REPLIED, "PLAYING." I HAD RECEIVED INFORMATION THAT FENNEL WAS A HUNTER. WHEN I MENTIONED THAT TO HIM, HE

SAID THAT HE WAS. I ASKED HIM IF HE NORMALLY HUNTS IN HIS HOUSE AND SAID THAT HE DOESN'T. I THEN ASKED HIM IF HE NORMALLY PLAYS WITH GUNS INSIDE OF HIS HOUSE AND REPLIED, "NOT REALLY." I THEN ASKED HIM WHAT WAS GOING ON THAT WOULD CAUSE HIM TO BE PLAYING GUNS INSIDE OF HIS HOUSE LIKE THAT. HE REPLIED, "UH, I WASN'T."

BECAUSE SEVERAL GUNSHOTS HAD BEEN HEARD BY OFFICERS IN THE AREA I WANTED TO MAKE SURE THAT FENNEL WAS NOT INJURED. I ASKED HIM IF WAS HURT AND HE REPLIED, "I'M FINE." HE ALSO INDICATED THAT THERE WAS NO ONE ELSE IN THE HOUSE WITH HIM. I THEN ASKED HIM, IF EVERYTHING WAS FINE, WOULD HE BE WILLING TO COME OUT AND SPEAK WITH OFFICERS. HE REPLIED, "NO." WHEN I ASKED HIM WHY HE WAS NOT WILLING TO DO THAT HE SIMPLY REPLIED, "BECAUSE." I THEN ASKED HIM WHAT HE WAS WORRIED ABOUT THAT WOULD CAUSE HIM TO NOT TO SPEAK WITH OFFICERS. FENNEL DID NOT SEEM TO FULLY FOLLOW THE CONVERSATION BECAUSE HE SIMPLY REPLIED, "ARE THEY OUT THERE?" I TOLD HIM THAT THEY WERE. HE REPLIED, "OKAY. THAT'S NOT GOOD."

AT THAT POINT I COULD HEAR FENNEL EITHER OPEN OR CLOSE A DOOR AND I ASKED HIM WHERE HE WENT. HE REPLIED, "NO WHERE. IS [REDACTED] OUT THERE?" I KNEW THAT FENNEL WAS THE

[REDACTED] WHEN HE ASKED IF [REDACTED] WAS THERE I KNEW THAT HE WAS REFERRING TO [REDACTED] WHO IS [REDACTED]. I INFORMED FENNEL THAT [REDACTED] WAS THERE AND THAT [REDACTED] WAS WORRIED ABOUT HIM. FENNEL REPLIED, "I'M SURE." I ALSO EXPLAINED THAT EVERYONE WAS WORRIED ABOUT HIM AND THAT I HEARD THAT HE WAS GOING THROUGH A LOT IN HIS LIFE RIGHT NOW. HE REPLIED, "UM HUM." I ASKED HIM IF THOSE ISSUES ARE WHAT BROUGHT ON HIS DRINKING AGAIN. HE REPLIED, "YEAH. I GUESS SO." I ASKED HIM HOW HE FELT ABOUT THAT AND HE AGAIN SEEMED TO NOT TO FULLY FOLLOW THE CONVERSATION. HE REPLIED BY ASKING, "CAN I TALK TO MY SISTER?" I REMINDED FENNEL THAT [REDACTED] WAS NOT AT THE SCENE AND WAS AT HOME WORRIED ABOUT HIM. HE REPLIED, "I'M SURE."

I THEN REMINDED FENNEL THAT [REDACTED] AND [REDACTED] WERE WORRIED ABOUT HIM AND SO WAS WIFE, [REDACTED]. I AGAIN ASKED HIM WHAT WAS GOING ON

AND REPLIED, "NOTHING." I ASKED HIM WHAT HAD BEEN WORRYING HIM. FENNELL REPLIED BY LAUGHING AND SAYING, "MAN, YOU GUYS JUST LEAVE ME ALONE." I TOLD HIM THAT WE COULD NOT LEAVE HIM ALONE BECAUSE GUNS WERE INVOLVED IN THE INCIDENT AND WE NEEDED TO CHECK ON HIS WELL BEING. HE REPLIED, "I'M OKAY." I AGAIN TOLD HIM WE COULD NOT LEAVE AND HE REPLIED, "YEAH, YEAH, YEAH, YEAH, I KNOW." I TOLD HIM WE WANTED TO MAKE SURE HE WAS OKAY AND WE NEEDED TO SEE HIM FACE TO FACE. FENNELL REPLIED, "YEAH, WELL, THAT'S NOT GOING TO WORK."

I THEN BROUGHT UP [REDACTED] BEING WORRIED ABOUT HIM. I TOLD HIM SHE WAS WORRIED AND THAT SHE WAS WORRIED ABOUT THEIR DAUGHTER. HE REPLIED, "WELL, SHE'S GOT HER." REFERRING TO THE FACT THAT [REDACTED] HAD THEIR DAUGHTER, [REDACTED] I THEN ASKED FENNELL WHAT CAUSED HIM TO BE SO STRESSED OUT. HE REPLIED, "YOU GUYS NEED TO LIKE BACK OFF." I REMINDED FENNELL THAT HE TOLD ME HE WAS NOT ABLE TO SEE THE POLICE. HE REPLIED, "BACK OFF." I THEN JUST SAID HIS NAME, "JEFF," AND HE IMMEDIATELY SHOUTED BACK AT ME ANGRILY, "BACK OFF!" I TOLD HIM WE WERE THERE BECAUSE WE CARED ABOUT HIM AND HE REPLIED, "I DON'T CARE, BUT BACK OFF." WHEN I ASKED HIM WHAT HE MEANT BY THAT HE SAID, "YOU BETTER GET...THE GUY THAT'S OUT IN FRONT OF MY HOUSE RIGHT NOW NEEDS TO BACK OFF." I ASKED FENNELL, "CAN YOU SEE HIM?" HE REPLIED, "YEAH." I ASKED FENNELL WHERE HE COULD SEE THE PERSON. FENNELL LAUGHED AND SAID, "WHAT DO YOU MEAN, WHERE? YEAH." HE THEN ANGRILY SHOUTED, "BACK OFF!" I TOLD FENNELL THAT NO ONE WANTED TO HARM HIM AND HE REPLIED, "OKAY, I'M DONE. I'M DONE TALKING TO YOU. BYE." FENNELL THEN HUNG UP THE PHONE. THIS ENDED OUR CONVERSATION AT 1954 HOURS.

I IMMEDIATELY CALLED BACK INTO THE RESIDENCE AND FENNELL ANSWERED THE PHONE. I SAID, "JEFF?" HE REPLIED, "YEAH, TELL 'EM TO BACK OFF!" I TOLD FENNELL THAT I WOULD RELAY THE MESSAGE TO MY BOSS AND SEE WHAT WE COULD DO ABOUT MOVING THAT PERSON. HE REPLIED, "YEAH, BACK OFF." I ASKED HIM WHICH PERSON IT WAS HE WAS TALKING ABOUT AND HE SAID, "I DON'T KNOW. THERE'S A COP. THERE'S A COP STANDING BY MY FRONT LEFT SIDE OF MY HOUSE. HE NEEDS TO BACK OFF." I AGAIN TOLD FENNELL I WOULD RELAY THE MESSAGE

ABOUT HAVING THE PERSON MOVED AND I ASKED HIM IF HE LIKED

FENNELL SAID THAT HE DID AND I SAID, "OKAY, ?"
FENNELL ACKNOWLEDGED THAT HE WAS. I TOLD FENNELL THAT THE PEOPLE
OUTSIDE WERE AND HIS FRIENDS, AND THAT THEY WERE NOT TRYING TO
HARM HIM. FENNELL INTERRUPTED ME AS I WAS SPEAKING AND SAID, "RIGHT,
RIGHT, RIGHT." I TOLD FENNELL THAT WE JUST WANTED TO HIM TO COME OUT AND
TO BE SAFE. HE REPLIED BY SAYING, "NO. NOT GOING TO HAPPEN."

I EXPLAINED TO FENNELL THAT I UNDERSTOOD THAT HE DIDN'T WANT TO COME OUT,
BUT THAT I WANTED TO KNOW WHY HE WOULDN'T COME OUT. HE SAID, "'CUZ I
DON'T WANT TO." I ASKED HIM WHAT IT WAS THAT MADE HIM NOT WANT TO COME
OUT AND HE SIMPLY REPLIED, "'CUZ." I ASKED HIM, "BECAUSE OF WHAT?" FENNELL
THEN LAUGHED AND SAID, "WELL TRAINED, BUT I'M NOT GOING TO." WHEN I ASKED
HIM TO GIVE ME A REASON WHY HE SAID THAT HE DID NOT NEED TO GIVE A REASON
WHY AND THAT HE WAS GOING TO "SIT HERE AND WE'LL PLAY IT OUT. WE'LL SEE
WHAT HAPPENS." I ASKED HIM WHAT HE'D RATHER DO INSTEAD OF COMING OUT OF
THE HOUSE AND HE SAID, "I'M GOING TO SIT HERE AND THINK ABOUT IT." I ASKED
HIM WHAT HE WAS GOING TO THINK ABOUT AND HE SIMPLY LAUGHED.

I THEN BROUGHT UP SOME THINGS THAT I KNEW TO BE ENJOYABLE TO FENNELL. I
HAD RECEIVED INFORMATION THAT HE LIKED TO GO CAMPING AND HAD SOME
HORSES IN OJAI. WHEN I BROUGHT THOSE SUBJECTS UP WITH HIM HE
ACKNOWLEDGED THAT HE DOES ENJOY THOSE THINGS AND HE SEEMED TO CALM
DOWN, SLIGHTLY. I TOLD HIM, "WE WANT YOU TO BE ABLE TO DO THOSE THINGS."
FENNELL REPLIED, "UM HUM, SURE YOU DO." I TOLD HIM THAT WE REALLY DID WANT
HIM TO BE ABLE TO DO THOSE THINGS AND HE PAUSED FOR A FEW SECONDS, TOOK
A DEEP BREATH, AND REPLIED, "TOO LATE." I ASKED HIM WHAT HE THOUGHT IT WAS
TOO LATE FOR AND HE SAID, "WE'VE ALREADY GONE OVER THE EDGE HERE." I TOLD
HIM THAT WASN'T TRUE AND ASKED HIM WHAT HE MEANT BY THAT. HE SAID, "UH,
WHAT DO YOU THINK I MEAN?" I TOLD HIM THAT I WASN'T SURE AND THAT'S WHY I
WAS ASKING HIM. HE SAID, "I DON'T KNOW, I GUESS WE'LL HAVE TO SEE." I
EXPLAINED TO FENNELL THAT IT WASN'T NECESSARY TO MAKE THE EVENT ANY
BIGGER THAN IT ALREADY WAS AND THAT NO ONE HAD BEEN HURT. I EXPLAINED
THAT IF WE END THE INCIDENT PEACEFULLY IT WOULD BE THE BEST THING FOR

EVERYONE INVOLVED. AS I WAS EXPLAINING THIS, FENNEL HUNG UP THE PHONE. THIS ENDED OUR SECOND CONVERSATION AT 1958 HOURS.

AT 2000 HOURS I BEGAN MAKING MORE PHONE CALLS INTO THE RESIDENCE. I CALLED NUMEROUS TIMES AND LEFT NUMEROUS MESSAGES, HOPING THAT FENNEL WOULD PICK UP. I CONTINUED DOING THIS UNTIL 2010 HOURS, AT WHICH TIME I TRIED CALLING HIS CELLULAR PHONE TO SEE IF IT WAS STILL WORKING, HOWEVER, IT WAS NOT ACCEPTING CALLS. I WAS INFORMED THAT THE TACTICAL SWAT TEAM HAD HEARD MORE SHOTS BEING FIRED FROM THE AREA OF THE RESIDENCE AND I CONTINUED MAKING CALLS INTO THE RESIDENCE.

AT 2011 HOURS FENNEL ANSWERED THE PHONE AND SAID, "WHAT?" I IDENTIFIED MYSELF TO HIM AND TOLD HIM THAT WE HAD HEARD SOME SHOTS FROM THE HOUSE. I ASKED HIM IF HE WAS OKAY. HE SAID HE WAS AND WHEN I ASKED HIM WHAT HAPPENED HE REPLIED, "NOTHING." I ASKED HIM IF HE HAD SHOT A GUN AND HE SAID, "YEAH." I ASKED HIM WHERE HE SHOT THE GUN AND HE SAID, "IN THE WALL." I ASKED HIM WHY HE HAD DONE THAT AND SAID, "I FELT LIKE IT." I THEN ASKED HIM WHAT KIND OF GUN HE HAD USED TO SHOOT INTO THE WALL. FENNEL LAUGHED AND REPLIED, "WHAT KIND DO YOU WANT?" I TOLD HIM THAT I DIDN'T WANT HIM TO SHOOT ANY GUN AND THAT I WAS WORRIED ABOUT HIS SAFETY AND THE SAFETY OF OTHERS AROUND HIM. I TOLD HIM THAT IT WAS DANGEROUS TO SHOOT INTO THE WALL. FENNEL REPLIED, "TELL THE GUY THAT'S ON THE OTHER SIDE OF THE WALL FROM MY HOUSE TO BACK OFF." I THEN ASKED FENNEL IF THE PERSON THAT HE PREVIOUSLY ASKED TO MOVE HAD ACTUALLY MOVED. HE SAID THAT THEY HAD NOT. I ASKED HIM WHICH SIDE OF THE HOUSE THE PERSON WAS ON SO THAT I COULD BE SURE, AND HE REPLIED, " " . " TO CONFIRM WHETHER OR NOT THAT WAS THE NAME OF THE ONE OF HIS NEIGHBORS I ASKED, " " HOUSE?" FENNEL REPLIED, "YEP. HE'S OUT THERE." I TOLD FENNEL THAT I WOULD PASS THE MESSAGE ALONG TO MY BOSS ABOUT MOVING THE PERSON.

I THEN ASKED FENNEL HOW MANY TIMES HE HAD SHOT AND HE SAID, "I DON'T KNOW." I ASKED HIM IF HE DIDN'T REMEMBER AND HE REPLIED, "THREE." I THEN EXPLAINED TO FENNEL THAT HE SAID HE "FELT LIKE" SHOOTING, BUT THAT I WANTED HIM TO MAKE AN AGREEMENT WITH ME NOT TO SHOOT ANYMORE. WHEN I

ASKED HIM TO MAKE THAT AGREEMENT HE REPLIED, "NO." I TOLD FENNEL HE SEEMED FAMILIAR WITH GUNS AND ASKED HIM IF HE HUNTS AND IF HE WAS "A GOOD SHOT." FENNEL ACKNOWLEDGED THAT HE DID HUNT AND THAT HE WAS A GOOD SHOT BY REPLYING, "A LITTLE BIT." I ASKED HIM IF GUN SAFETY WAS IMPORTANT AND HE LAUGHED AND SAID, "YEAH." I THEN ASKED, "YOU DON'T WANT TO HURT ANYBODY, DO YOU?" HE REPLIED, "MAYBE." I THEN SAID, "YOU MIGHT WANT TO HURT SOMEBODY?" FENNEL THEN SAID, "QUIT LEADING ME ON. I DON'T WANT TO HURT ANYBODY." I AGAIN ASKED HIM IF HE DID NOT WANT TO HURT ANYBODY AND HE SAID, "NO, I JUST WANT TO BE LEFT ALONE."

I EXPLAINED TO FENNEL THAT I UNDERSTOOD THAT HE WANTED TO BE LEFT ALONE, BUT THAT I WAS WORRIED THAT BECAUSE HE HAD BEEN DRINKING HE WAS DOING THINGS HE WOULD NOT BE DOING IF HE WAS SOBER. HE SAID, "YEAH, MAYBE." I ASKED HIM IF HE HAD EVER DONE SOMETHING WHEN HE HAD BEEN DRINKING THAT HE REGRETTED THE NEXT DAY. HE ACKNOWLEDGED THAT HE HAD. I ASKED HIM IF HE EVER WISHED THAT HE HAD A FRIEND TO TELL HIM NOT TO DO SOMETHING BECAUSE HE WOULD REGRET IT IN THE MORNING. HE REPLIED, "YEAH, FOR SURE." I THEN TOLD HIM, "WELL, I'M YOUR SOBER FRIEND TELLING YOU THAT YOU DON'T WANT TO BE SHOOTING THAT GUN OFF ANYMORE, BECAUSE YOU'RE REALLY GOING TO REGRET IT IN THE MORNING." RIGHT AT THAT MOMENT I HEARD THE SOUND OF A SHOT BEING FIRED OVER THE TELEPHONE. I SAID, "JEFF?" AS HE REPLIED, "YEAH." I HEARD ANOTHER SHOT FIRED OVER THE TELEPHONE. I SAID, "JEFF, STOP SHOOTING THE GUN." HE REPLIED, "OKAY." I ASKED HIM IF WOULD STOP SHOOTING THE GUN, BECAUSE HE WAS WORRYING THE PEOPLE AROUND HIM AND HE SAID, "I'M SURE." I ASKED HIM WHERE HE WAS SHOOTING AND HE LAUGHED. HE SAID, "I'M NOT GOING TO TELL YOU THAT." I THEN TOLD HIM THAT HE SEEMED LIKE AN HONEST PERSON AND THAT HE DIDN'T WANT TO HURT ANYONE. WHEN I ASKED HIM IF THAT WAS TRUE HE REPLIED, "YOU NEVER KNOW." I EXPLAINED TO FENNEL THAT HE SEEMED LIKE A PERSON WHO DIDN'T WANT TO HURT ANYONE AND THAT IF HE KEPT FIRING HIS GUN THERE WAS A GOOD CHANCE THAT HE MIGHT HURT SOMEONE, OR HURT HIMSELF, AND I DIDN'T WANT TO SEE THAT HAPPEN. HE SAID, "UM HUM." I THEN ASKED HIM, "WOULD YOU SET THE GUN DOWN?" FENNEL THEN SAID, "NO. TELL THE GUY OVER AT THE WALL TO BACK OFF. HE CAN'T SEE ME. I MEAN IF HE'S GOT THERMAL, HE CAN SEE ME, BUT BARELY."

I ASKED FENNEL, "IS IT THE GUY AT THE WALL THAT YOU'RE SHOOTING AT?" HE SAID THAT IT WAS NOT. WHEN I ASKED HIM IF HE WAS JUST SHOOTING IN GENERAL IT SOUNDED AS IF HE REPLIED, "YEAH," HOWEVER, HIS RESPONSE WAS MUMBLED AND NOT COMPLETELY AUDIBLE.

I THEN MENTIONED FENNEL'S . I REMINDED HIM THAT OTHER CHILDREN LIKE HER LIVE IN HIS NEIGHBORHOOD. I TOLD HIM I DIDN'T THINK HE WOULD WANT ONE OF HIS NEIGHBORS SHOOTING A GUN IF WAS HOME. HE REPLIED, "RIGHT." I THEN SAID THAT I KNEW HE WOULDN'T WANT TO HURT "A KID." FENNEL THEN TOLD ME, "YOU'RE DOING A NICE JOB. THANK YOU." I TOLD HIM THAT I APPRECIATED HIM STAYING ON THE PHONE WITH ME AND ASKED HIM IF THERE WAS ANY WAY HE'D PUT THE GUN DOWN WHILE WE WERE TALKING. HE REPLIED, "NO." I REMINDED HIM THAT HE DIDN'T HAVE TO LEAVE THE GUN ANYWHERE, HE COULD JUST SET IT RIGHT NEXT TO HIM. AS I WAS TELLING HIM THIS, I HEARD A LOUD SOUND IN THE BACKGROUND. BASED ON MY TRAINING AND EXPERIENCE, I RECOGNIZED THIS SOUND AS LOOSE AMMUNITION BEING MOVED. I ASKED HIM WHAT THE NOISE WAS AND HE REPLIED BY SAYING, "YEAH, TELL THE GUY TO BACK OFF." I TOLD HIM THAT WE WOULD AND I HAD PASSED ALONG THE MESSAGE ABOUT THE PERSON NEAR THE . FENNEL THEN YELLED VERY ANGRILY, "TELL HIM TO BACK OFF!"

FROM THE WAY FENNEL WAS YELLING, I BELIEVED HE MIGHT BE INTENDING TO GO OUTSIDE, SINCE I KNEW HE WAS ARMED WITH A GUN I DID NOT WANT HIM TO WALK OUTSIDE, BECAUSE I FEARED HE MIGHT SHOOT SOMEONE OR CAUSE POLICE TO SHOOT HIM. I THEREFORE SAID, "JEFF, DON'T GO OUTSIDE RIGHT NOW." FENNEL STAYED ON THE PHONE WITH ME, BUT WAS CLEARLY SHOUTING AT A THIRD PARTY WHEN HE SAID, "BACK OFF!" I REPEATED FOR HIM NOT TO GO OUTSIDE, AND REPEATED HIS NAME SEVERAL TIMES. HE SEEMED TO CALM DOWN A BIT AND CALMLY SAID, "BACK OFF . . . TELL HIM TO BACK OFF."

I ASKED FENNEL TO SPEAK TO ME AND SAID I COULD RELAY ANY MESSAGE HE HAD. HE STARTED LAUGHING AND SAID, "IF I WANTED TO SHOOT HIM, I COULD SHOOT HIM." I ASKED FENNEL NOT TO SHOOT ANYONE AND HE SAID, "WELL, IF YOU

WANTED TO GET SHOT . . . HE'S STUPID." WHEN I TRIED TO ADDRESS HIM AGAIN, HE ANGRILY INTERRUPTED ME AND SAID, "I'M JUST SAYING . . . BACK OFF!" FENNELL THEN, MORE CALMLY SAID, "TELL HIM TO BACK OFF, CAUSE I CAN SEE HIM AND SIT HERE AND WATCH HIM." I TOLD FENNELL I WOULD PASS ON THE MESSAGE, AND ASKED HIM, "YOU DON'T WANT TO HURT YOURSELF, DO YOU?" HE DID NOT SEEM TO ACKNOWLEDGE THAT QUESTION AND REPLIED, "YEAH, BUT HE'S STUPID," STILL REFERRING TO THE SUBJECT OUTSIDE. HE WENT ON TO SAY, "HE'S DOING HIS JOB, BUT HE'S LIKE SITTING THERE, LIKE WAITING FOR ME TO SHOOT HIM."

I WANTED TO CHANGE THE CONVERSATION AND FIND OUT IF FENNELL WAS SUICIDAL. I ASKED, "JEFF, YOU DON'T WANT TO GET HURT, RIGHT?" FENNELL LAUGHED AND SAID, "WELL, THAT'S ALL RELATIVE." I ASKED IF HE WAS CONTEMPLATING KILLING HIMSELF AND HE REPLIED, "NO." HOWEVER, WHEN I ASKED HIM IF HE WANTED TO DIE, HE SAID, "WELL, I GUESS IF I HAVE TO, I HAVE TO." I TOLD HIM HE DID NOT HAVE TO AND THERE WAS A WAY FOR THIS SITUATION TO END PEACEFULLY.

AT THAT POINT IN THE CONVERSATION I AGAIN HEARD THE LOUD SOUND OF WHAT I BELIEVED TO BE LOSE AMMUNITION; THIS WAS THE SAME SOUND I HEARD BEFORE. I ASKED FENNELL WHAT THE NOISE WAS AND HE REPLIED, "AMMUNITION." I ASKED FENNELL TO "PLEASE" SET THE GUN AND AMMUNITION DOWN WHILE WE WERE TALKING. HE REPLIED, "OKAY." I COULD STILL HEAR THE SOUNDS OF AMMUNITION MOVING, SO I SAID, "YOU WILL?" FENNELL REPLIED, "SURE," BUT I COULD STILL HEAR THE SOUND OF AMMUNITION BEING MOVED.

I ASKED FENNELL WHAT WE COULD DO TO RESOLVE THIS SITUATION PEACEFULLY. HE SAID, "TOO LATE FOR THAT." I EXPLAINED IT WAS NOT TOO LATE, THAT NO ONE HAD BEEN HURT. I SAID I WAS SURE HIS DAUGHTER WOULD WANT TO SEE HIM, AND HE SAID, "YEAH, LIKE I'M GONNA SEE HER." BECAUSE I HAD JUST HEARD THE AMMUNITION AND KNEW FENNELL WAS STILL ARMED AND SEEMED AGITATED, I TOLD HIM I WAS WORRIED HE MIGHT GO OUTSIDE. HE SAID, "I'M NOT GOING OUTSIDE, I'M NOT THAT STUPID." I TOLD HIM IF HE WOULD LEAVE HIS GUNS DOWN ON THE TABLE IT WOULD BE HELPFUL, AND HE REPLIED, "NAH, NOT GONNA HAPPEN. BRING 'EM IN . . . SEE WHAT HAPPENS."

IN AN ATTEMPT TO DISTRACT FENNEL FROM GUNS AND VIOLENT THOUGHTS I BROUGHT UP HIS DAUGHTER AGAIN. I ASKED IF HE HAD SEEN HER THAT DAY AND HE SAID HE HAD. I TOLD HIM [REDACTED] NEEDS TO KNOW SHE HAD A FATHER, AND REMINDED HIM SHE WAS ONLY THREE. FENNEL SUDDENLY SHOUTED, "BACK HIM OFF!" WHEN I ASKED WHOM HE WAS TALKING ABOUT, FENNEL ANGRILY SHOUTED, "BACK OFF!" WHEN HE WAS SHOUTING THIS IT WAS CLEAR HE WAS NOT SHOUTING INTO THE PHONE, BUT DIRECTING HIS VOICE AT A THIRD PARTY, APPARENTLY THE POLICE OFFICERS OUTSIDE. I ADDRESS HIM BY NAME AND HE SAID, "BACK THE FUCK OFF!" I ASKED HIM TO STAY ON THE PHONE WITH ME, AND TO TALK TO ME, AND AT THAT POINT HE HUNG UP THE PHONE. THIS ENDED OUR CONVERSATION AT APPROXIMATELY 2018 HOURS.

FROM 2018 HOURS TO 2030 HOURS I MADE NUMEROUS PHONE CALLS AND LEFT NUMEROUS MESSAGES INTO THE HOUSE. FENNEL DID NOT ANSWER THE PHONE, AND DURING THAT TIME NUMEROUS SHOTS WERE HEARD BEING FIRED IN THE AREA OF THE RESIDENCE. AT 2030 HOURS FENNEL PICKED UP THE PHONE AND I ASKED HIM WHAT WAS GOING ON AND HE REPLIED, "I'M GOING TO SLEEP." I ASKED IF HE WAS OKAY AND HE SAID HE WAS. I ASKED IF HE WAS GOING TO SLEEP AND HE REPLIED, "YEP." I TOLD HIM WE NEEDED HIM TO COME OUT AND TALK TO US AND HE REPLIED, "NOPE." I ASKED WHAT HAPPENED AND IF HE WAS HURT, OR IF HE WAS SAFE; HE SAID HE WAS SAFE. I EXPLAINED WE HEARD A LOT OF GUNFIRE AND ASKED WHAT HAPPENED. HE REPLIED, "I'M SORRY." I ASKED IF HE WOULD STAY ON THE PHONE WITH ME AND HE SAID, "SURE."

AS I CONTINUED THE CONVERSATION WITH FENNEL I ASKED WHERE HE WAS GOING TO GO TO SLEEP. HE SUDDENLY SHOUTED, "STAY OUT! NO, NO, NO, NO, NO, NO!" I ASKED WHOM HE WAS TALKING TO AND HE AGAIN SHOUTED, "NO!" I ASKED WHOM HE WAS TELLING TO, "STAY OUT." HE TOLD ME, "THEY GOT THE LIGHTS ON." I EXPLAINED NO ONE WAS COMING IN AND THEY JUST HAD THE LIGHTS ON BECAUSE IT WAS DARK OUTSIDE. I AGAIN BROUGHT THE SUBJECT BACK TO HIS DAUGHTER . I EXPLAINED TO HIM HE PREVIOUSLY TOLD ME HE DID NOT WANT TO HURT ANYONE, AND I REALLY NEEDED HIM TO STOP SHOOTING. WHEN I ASKED IF HE COULD DO THAT, FENNEL TOOK A DEEP BREATH, SIGHED, AND SAID, "I DON'T KNOW,

CAN I?" I EXPLAINED TO FENNEL THAT I BELIEVED HE COULD STOP SHOOTING AND THAT IS WHAT HE REALLY WANTED TO DO. I HAD A CONVERSATION WITH HIM ABOUT HOW HE SEEMED LIKE A "STANDUP GUY," AND THAT HE WAS RELATED TO PEOPLE I KNEW. HE EXPLAINED HE THOUGHT THE SITUATION WAS A, "CATCH-22." WHEN I ASKED HIM TO EXPLAIN WHAT HE MEANT BY THAT, HE SAID, "WELL, YOU TELL ME?" WHEN I AGAIN ASKED WHAT HE MEANT, AND TOLD HIM I WANTED TO MAKE SURE HE WAS OKAY AND NO ONE GOT HURT, FENNEL SAID, "IT'S KINDA BLOWN OUT OF PROPORTION IF YOU ASK ME. I ASKED WHAT HE THOUGHT WAS BLOWN OUT OF PROPORTION AND HE SAID, "THE WHOLE DEAL."

I ASKED FENNEL IF HE MEANT THAT THE POLICE SHOULDN'T BE AT HIS HOUSE. HIS RESPONSE WAS MUMBLED AND I COULD NOT UNDERSTAND WHAT HE SAID. I SAID IT MIGHT HAVE BEEN THE CASE, THAT POLICE WEREN'T NEEDED EARLIER ON, BUT AT THIS POINT THERE HAD BEEN GUNSHOTS. I TOLD HIM WE NEEDED TO MAKE SURE TO GET HIM OUT OF THE HOUSE BEFORE WE WERE ABLE TO GO. I ASKED HIM, "YOU DO KNOW THAT RIGHT JEFF?" HE REPLIED, "UH-HUH." I ASKED IF HE WAS WILLING TO COME OUTSIDE WITHOUT ANY GUNS, AND HE SAID, "NOPE." I SAID I WAS WORRIED HE OR ONE OF OUR OFFICERS COULD END UP HURT, AND I DIDN'T WANT THAT TO HAPPEN. HE REPLIED, "THAT WOULD BE BAD." I ACKNOWLEDGED IT WOULD BE BAD AND ASKED IF HE WOULD BE WILLING TO WORK WITH ME TO MAKE SURE THAT DID NOT HAPPEN. HE SAID, "WHAT ARE YOU GUYS DOING HERE IN THE FIRST PLACE?" I SAID A GUNSHOT HAD BEEN HEARD INSIDE HIS HOUSE AND HE REPLIED, "OH BROTHER."

I EXPLAINED TO FENNEL THE INITIAL GUNSHOT IS WHY WE WERE THERE IN THE FIRST PLACE. NOW WE WERE AT A POINT WHERE NO ONE WAS HURT AND WE COULD END THIS INCIDENT PEACEFULLY IF WE COULD CALM IT DOWN. I SAID IT DIDN'T NEED TO GO ANY FARTHER AND ASKED IF HE KNEW WHAT I MEANT. HE SAID, "UH-HUH." I ASKED, "YOU DON'T WANT IT TO GO ANY FARTHER, DO YOU?" FENNEL PAUSED AND LET OUT A SIGH. HE THEN SAID, "YOU NEVER KNOW."

AFTER THAT I HEARD THE SOUND OF A DOOR CLOSING. I ASKED FENNEL WHERE HE WAS GOING AND TOLD HIM I THOUGHT HE WAS GOING TO SLEEP. HE REPLIED, "YEAH, I'M TIRED." I ASKED IF HE WAS GOING TO LIE DOWN IN BED AND HE SAID HE

WAS NOT. I ASKED WHERE HE WAS GOING TO SLEEP, AND HE REPLIED, "YOU NEVER KNOW." I EXPLAINED TO FENNEL I KNEW HE DID NOT LIKE THE PEOPLE OUTSIDE HIS HOUSE, AND WE COULD END THIS INCIDENT PEACEFULLY AND GET HIM OUT OF THE HOUSE. HE REPLIED, "IT WOULD BE REALLY EASY FOR THEM RIGHT NOW." I EXPLAINED TO FENNEL HE KNEW ABOUT LAW ENFORCEMENT AND THEY WERE NOT ABLE TO LEAVE AT THAT POINT. HE SAID, "THEY COULD COME GET ME RIGHT NOW." I EXPLAINED IT WAS TOO DANGEROUS FOR OFFICERS TO COME GET HIM BECAUSE OF THE SHOOTING AND GUNS INVOLVED. I ASKED IF HE UNDERSTOOD WHY THEY DIDN'T WANT TO COME IN AND GET HIM. HE SAID, "OF COURSE."

I REMINDED HIM HE TOLD ME HE LIKED HIS . I ASKED IF HE GOT ALONG WITH AND HE SAID HE DID. I SAID, "OKAY, THEN YOU WOULDN'T WANT HIM TO GET HURT, WOULD YOU?" FENNEL SAID, "NO." I TOLD FENNEL WHEN HE WAS FIRING HIS GUN OUTSIDE THE HOUSE, WAS THERE, AND I DIDN'T WANT TO SEE ANYTHING HAPPEN TO HIM OR ANY OF OUR OTHER OFFICERS. HE REPLIED, "UH-HUH."

I ASKED FENNEL IF HE HIMSELF WANTED TO BE SAFE. HE SAID, "IT'S KINDA LATE FOR THAT." I ASKED WHY HE THOUGHT IT WAS TOO LATE, AND HE SAID, "I DON'T KNOW. SHIT ALREADY HIT THE FAN OUTSIDE." I TOLD HIM I KNEW IT HAD GOTTEN "EXTREME" BUT IT WAS NOT TOO LATE, AND NO ONE HAD GOTTEN HURT. I ALSO EXPLAINED WHEN SOMEONE DOES GET HURT THAT'S WHEN THE SITUATION REALLY ESCALATES. I SAID AGAIN IT WAS NOT TOO LATE, AND HE ACKNOWLEDGED BY SAYING, "UH-HUH."

AS I CONTINUED SPEAKING WITH FENNEL I BROUGHT UP HIS WIFE AND THE FACT THEY HAD AN APPOINTMENT THAT COMING MONDAY. I RECEIVED INFORMATION HE HAD A BANKRUPTCY HEARING THAT DAY AND HE WAS LOOKING FORWARD TO IT BECAUSE IT WAS GOING TO ALLOW HIM TO MOVE FORWARD FINANCIALLY. WHEN I BROUGHT THAT UP FENNEL LAUGHED BUT SAID, "OKAY." I ASKED IF GOING TO THE APPOINTMENT MONDAY SOUNDED LIKE SOMETHING HE WANTED TO DO HE SAID, "SURE." I ASKED IF HE WANTED TO MAKE THE MEETING ON MONDAY, HE SAID, "SURE, SEND 'EM IN," REFERRING TO THE POLICE OFFICERS. I EXPLAINED IT WAS TOO DANGEROUS TO SEND ANYONE IN THE HOUSE, AND TOLD

HIM I WOULD LIKE HIM TO PUT HIS GUN DOWN AND COME OUT PEACEFULLY. I ASKED HIM IF HE WOULD AND HE SAID, "NOPE." I ASKED FENNEL WHAT HE NEEDED FROM THE POLICE TO END THIS PEACEFULLY AND HE SAID, "I DON'T KNOW." AS I EXPLAINED TO HIM I WANTED HIM TO BE COMFORTABLE WITH HIS DECISION TO COME OUT, HE HUNG UP THE PHONE. OUR CONVERSATION ENDED AT APPROXIMATELY 2040 HOURS.

FROM 2040 HOURS TO 2050 HOURS I CALLED NUMEROUS TIMES, LEAVING MESSAGES ON THE ANSWERING MACHINE, AND SOMETIMES CALLING AND HANGING UP WHEN THE MACHINE PICKED UP. I NEVER RECEIVED A RESPONSE FROM FENNEL DURING THAT TIME, BUT MORE SHOTS WERE HEARD COMING FROM THE RESIDENCE AND SHOTS WERE FIRED FROM THE RESIDENCE TOWARD OFFICERS.

AT APPROXIMATELY 2052 HOURS FENNEL AGAIN ANSWERED THE PHONE AND NONCHALANTLY SAID, "HELLO?" I ASKED IF HE WAS OKAY AND HE SAID HE WAS. I EXPLAINED WE HEARD MORE SHOTS AND ASKED WHAT HAPPENED. HE REPLIED, "I'M GOING TO BLOW MY BRAINS OUT." I TOLD HIM NOT TO DO THAT AND ASKED WHY HE WAS THINKING ABOUT DOING IT. HE SAID, "WELL, I DON'T SEE MANY OPTIONS." I EXPLAINED HE HAD A LOT OF OPTIONS AND ASKED IF HE WAS WILLING TO LISTEN TO SOME OF THEM. HE SAID HE WAS NOT AND EXPLAINED WHAT HE THOUGHT HIS TWO OPTIONS WERE. HE SAID, "WELL, IT'S EITHER GO BLAZIN' OR BLAZE MYSELF." I EXPLAINED I DIDN'T THINK THOSE WERE HIS ONLY OPTIONS, AND THERE WERE SEVERAL OTHER OPTIONS. FENNEL REPLIED SOMETHING I DID NOT FULLY UNDERSTAND; I THOUGHT HE SAID, "WHAT CAN YOU DO?" WHEN I ASKED WHAT HE MEANT BY THAT HE SEEMED CONFUSED AND SAID, "THE DUDE MIGHT AS WELL KNOCK ON MY DOOR AND WALK IN SO I CAN HEAR YOU OUTSIDE." I EXPLAINED I DIDN'T KNOW WHICH PERSON HE WAS TALKING ABOUT, AND HE SAID, "WELL, IT DOESN'T MATTER, THERE'S SOMEBODY OUT THERE." I ACKNOWLEDGED THERE WAS SOMEONE OUT THERE AND THEY WERE THERE BECAUSE THEY WERE WORRIED ABOUT HIM.

AT THAT POINT I EXPLAINED TO FENNEL I WANTED TO PRESENT HIM WITH ANOTHER OPTION. I REMINDED HIM HE TOLD ME HE THOUGHT HE ONLY HAD TWO OPTIONS, BUT ANOTHER OPTION WAS TO LAY DOWN HIS GUNS AND GO OUTSIDE. HE REPLIED,

"NOT GONNA HAPPEN." WHEN I ASKED WHY HE THOUGHT IT WAS A BAD IDEA HE SAID, "WELL, I LOSE CONTROL RIGHT THERE." I REMINDED HIM HE HAD CONTROL OF WHATEVER DECISION HE MADE, AND TAKING CONTROL TO MAKE THE RIGHT DECISION GIVES HIM THE CONTROL TO BE A FATHER TO HIS DAUGHTER. HE REPLIED, "NICE." I ASKED IF HE WAS GOING TO BE A ROLE MODEL FOR HIS DAUGHTER AND HE SAID, "YEAH, A ROLE MODEL . . . GREAT ROLE MODEL RIGHT NOW." I TOLD HIM HE COULD BE A GOOD ROLE MODEL, AND HE SAID, "YEAH, SHUT UP."

I EXPLAINED TO FENNEL THAT IN EACH MOMENT HE WAS ABLE TO MAKE A NEW CHOICE, AND HE COULD MAKE THE CHOICE TO BE PEACEFUL. HE SAID, "YEAH, I DON'T KNOW ABOUT THAT. KINDA SEEMS LIKE I'M MAKING THE CHOICE RIGHT NOW." I EXPLAINED HE HAD THE POWER TO MAKE ANY CHOICE HE WANTED, AND I WAS TRYING TO GUIDE HIM INTO MAKING A CHOICE HE WOULD NOT REGRET THE NEXT MORNING. FENNEL LAUGHED AND SAID, "I MIGHT NOT BE HERE IN THE MORNING." I TOLD HIM I HOPED HE WOULD BE THERE IN THE MORNING AND REMINDED HIM HE NEEDED A FATHER. HE SAID, "YEAH, WELL, WHATEVER." I ASKED, "DON'T YOU WANT TO BE A FATHER TO HER?" HE REPLIED, "OF COURSE." WHEN I ASKED HIM TO TALK MORE ABOUT THAT FENNEL SAID, "DON'T YOU THINK WE KINDA CROSSED THAT LINE? THERE IS A LINE THAT GETS CROSSED. THE LINE HAS DEFINITELY BEEN CROSSED." I REMINDED HIM THERE WAS NEVER ANY LINE THAT WOULD SEPARATE HIM FROM HIS DAUGHTER, BECAUSE HE WOULD ALWAYS BE HER FATHER. HE SAID, "YEAH, WELL, IT GOT CROSSED RIGHT HERE, NOT MUCH OF A DAD." I TOLD HIM I THOUGHT HE LOVED HER VERY MUCH, AND HE SAID, "OF COURSE, WHO DOESN'T?" WHEN I TOLD HIM HE WOULD NEED A FATHER GROWING UP HE SAID, "YEAH WELL, I WON'T BE THERE FOR A WHILE."

I CONTINUED SPEAKING WITH FENNEL AND TOLD HIM HE COULD MAKE THE CHOICE, RIGHT THEN IN THAT MOMENT, TO BE A ROLE MODEL FOR HER FROM THAT POINT ON. FENNEL STARTED LAUGHING. I BROUGHT UP THE FACT THAT I HEARD HE HAD BEEN SOBER FOR A LONG TIME. I ASKED IF THAT WAS CORRECT AND HE SIGHED. HE SAID, "WE'RE DONE TALKING." FENNEL HUNG UP THE PHONE AT APPROXIMATELY 2055 HOURS.

FROM 2055 HOURS TO ABOUT 2105 HOURS I CALLED INTO THE RESIDENCE NUMEROUS TIMES. I LEFT NUMEROUS MESSAGES ON THE ANSWERING MACHINE UNTIL THE ANSWERING MACHINE WAS FULL. DURING THE TIME FENNEL WAS NOT ON THE PHONE, MORE SHOTS WERE HEARD COMING FROM THE RESIDENCE. I COULD HEAR THE ROUNDS BEING FIRED AND NOTICED THEY SOUNDED LIKE HIGH CALIBER ROUNDS. FROM ABOUT 2105 TO 2110 HOURS I AGAIN CALLED INTO THE RESIDENCE NUMEROUS TIMES. I WAS UNABLE TO LEAVE MESSAGES BECAUSE THE MACHINE WAS FULL, BUT I CONTINUED TO CALL. FENNEL NEVER ANSWERED THE PHONE. I TOOK A SHORT BREAK FROM CALLING THE RESIDENCE. AT ABOUT 2118 HOURS I AGAIN CALLED NUMEROUS TIMES. FENNEL DID NOT ANSWER ANY OF THE CALLS.

FINALLY, AT ABOUT 2130 HOURS FENNEL AGAIN ANSWERED THE PHONE BY SAYING, "HELLO?" I THANKED FENNEL FOR ANSWERING AND TOLD HIM I HAD NOT HEARD FROM HIM FOR A WHILE AND I WAS WORRIED ABOUT HIM. HE REPLIED, "I'M ALIVE." I TOLD HIM I WAS GLAD HE WAS ALIVE, AND HE EXCITEDLY SAID, "HEY, THOSE GUYS SHOT INTO MY WINDOW!" I SAID, "DID THEY?" HE SAID, "YEAH, NICE SHOT THOUGH, THEY MISSED."

I ASKED FENNEL WHY HE WAS SHOOTING TOWARD OFFICERS AND HE REPLIED, "I DON'T LIKE THE LIGHT." I REPEATED THE WORDS AND ASKED HIM, "YOU DON'T LIKE THE LIGHT?" HE REPLIED, "NO, I GOT A HIGH-POWERED RIFLE AND I'M GONNA TAKE THAT LIGHT OUT RIGHT ABOUT . . ." HE SAID THIS AS IF HE WAS ABOUT TO PULL THE TRIGGER OF THE RIFLE TO SHOOT OUT THE LIGHT. I SAID, "YOU HAVE A HIGH-POWERED RIFLE AND YOU'RE GOING TO SHOOT AT THE LIGHT?" HE SAID, "UH-HUH." I ASKED HIM TO PLEASE NOT DO THAT AND HE SAID, "I DON'T LIKE IT." I EXPLAINED I UNDERSTOOD HE DID NOT LIKE THE LIGHT, BUT ASKED IF THERE WAS ANYWAY HE COULD JUST MOVE AWAY FROM THE LIGHT. HE INTERRUPTED ME WHILE I WAS TALKING AND SAID, "IT'S REALLY CLOSE TOO, IT'S LIKE 80-YARDS OR SOMETHING LIKE THAT. OH, YOU CAN TAKE CARE OF THAT, NO PROBLEM." WHEN HE SAID THIS HE SEEMED TO ACTUALLY BE REFERRING TO THE FACT THAT HE COULD TAKE CARE OF THE LIGHT BY SHOOTING IT OUT. I EXPLAINED I BELIEVED HE WAS CAPABLE OF DOING THAT, BUT ASKED IF HE COULD JUST CLOSE THE BLINDS OR GO INTO ANOTHER ROOM SO THE LIGHT DIDN'T BOTHER HIM. HE REPLIED, "UHM, MAYBE." I

REMINDING HIM THAT THAT COULD BE ANOTHER OPTION FOR HIM. HE SEEMED TO REFER TO THE ACT OF SHOOTING OUT THE LIGHT WHEN HE SAID, "IT'D PISS 'EM OFF. THEY'RE NOT GOING TO HIT ME." I ASKED FENNELLS IF HE WANTED TO "PISS THEM OFF." HE REPLIED, "MAYBE." I ASKED WHY HE WANTED TO DO THAT AND HE SAID, "UHM, I DON'T KNOW."

I ASKED FENNELLS, "WHAT'S GOING ON TODAY JEFF?" HE SAID, "WE'VE ALREADY CROSSED THE LINE, SO NOW I HAVE TO MAKE THE DECISION IF I WANT TO GO AHEAD AND TAKE IT THE REST OF THE WAY, OR IF I WANT TO GO AHEAD AND JUST LET IT GO." HE SAID, "RIGHT NOW I'M KINDA DECIDING THAT. IF I WANT TO LET IT GO. I'M SURE THEY GOT INFRARED. I'M STANDING RIGHT IN FRONT OF THE WINDOW RIGHT NOW. I BEGAN SPEAKING AND HE CONTINUED BY SAYING, "HE COULD TAKE ME RIGHT NOW." I ASKED FENNELLS TO, "TALK ME THROUGH THIS," AND TELL ME WHAT HE THOUGHT HIS OPTIONS WERE. FENNELLS SEEMED TO IGNORE WHAT I WAS SAYING AND SEEMED TO BE SPEAKING TO THE OFFICERS OUTSIDE, HOWEVER HE WAS TALKING IN A SOFT VOICE ON THE PHONE WHEN HE SAID, "HERE YOU GO, TAKE ME RIGHT THERE, RIGHT THERE."

I EXPLAINED WE DIDN'T WANT TO HURT HIM AND AS I CONTINUED TO TALK HE INTERRUPTED ME BY SAYING, "WELL, HE COULD TAKE ME RIGHT NOW, EASY." I WAS EXPLAINING TO FENNELLS WE WANTED HIM TO BE SAFE AND WAS CONTINUING TO TRY AND SPEAK TO ME WHEN HE AGAIN INTERRUPTED ME AND SAID, "I'LL TURN THE LIGHT ON FOR HIM." I SAID, "YOU'RE GOING TO TURN THE LIGHT ON FOR HIM?" AT THAT POINT FENNELLS APPARENTLY DID TURN ON THE LIGHT AND SAID, "YEAH, THERE YOU GO."

AT THAT POINT I FELT FENNELLS MIGHT BE TRYING TO COMMIT SUICIDE AND ASKED IF THAT WAS THE CASE. HE REPLIED, "WELL, HARD TO SAY." I BEGAN TO EXPLAIN HE HAD "A LOT TO LIVE FOR." AND THEN SUDDENLY HEARD THE LOUD SOUND OF A SHOT BEING FIRED. FENNELLS SHOUTED, "OH!" FENNELLS'S VOICE WAS NOW FARTHER AWAY FROM THE PHONE AND IN THE DISTANCE I COULD HEAR HIM SAY, "OH FUCK!" I ADDRESSED FENNELLS BY NAME AND HE SAID, "HE SHOT ME! OH FUCK! AH! AHH!" I ADDRESSED HIM BY NAME AND HE SAID, "OH MY GOD, HE SHOT ME! HE SHOT ME!" I ASKED FENNELLS TO PICK UP THE PHONE AND HE SAID, "OPEN THE DOOR!" I

ADDRESSED HIM BY NAME AND HE RESPONDED FROM A DISTANCE BY SAYING, "YEAH?" I ASKED IF HE COULD GET THE PHONE AND HE SAID HE COULDN'T BECAUSE HE WAS ON THE FLOOR.

I ASKED WHAT WAS GOING ON AND HE SAID, "OH MY GOD, AH!" HE CLEARLY SOUNDED LIKE HE WAS IN PAIN AS HE WAS SPEAKING. I ASKED IF HE WAS OKAY AND HE SAID, "NO, HE SHOT ME RIGHT THROUGH THE SHOULDER!" I ASKED IF HE COULD GET TO THE PHONE AND HE SAID HE COULD NOT BECAUSE HE WAS ON THE GROUND. I ASKED HIM TO LEAVE HIS GUN AND CRAWL OUTSIDE. HE SAID, "I DON'T HAVE A GUN." I ASKED IF HE COULD CRAWL OUTSIDE AND HE SAID HE COULDN'T. I ASKED WHY HE SAID, "BECAUSE HE KNOCKED THE SHIT OUT OF ME." I SPENT SEVERAL MINUTES TRYING TO COACH FENNEL INTO CRAWLING OUTSIDE SO HE COULD SEEK MEDICAL ATTENTION. SEVERAL TIMES HE SHOUTED, "OPEN THE DOOR, OPEN THE DOOR." HE SAID HE WAS IN THE KITCHEN NEAR THE FRONT DOOR AND HE WAS TRYING TO GET TO THE FRONT DOOR. HE THOUGHT HE COULD NOT MAKE IT AND WHEN I ASKED WHY, HE SAID, "CAUSE HE SHOT ME!" AT ONE POINT HE SAID, "I GIVE UP. I GIVE UP." I THANKED HIM FOR SURRENDERING AND ASKED IF HE COULD GET OUT THE FRONT DOOR. HE SAID HE WAS ABOUT 20-FEET FROM THE FRONT DOOR AND HE COULD NOT GET OUT. WHEN I TOLD HIM TO KEEP TRYING HE SAID, "OKAY." FENNEL DID KEEP TRYING AND AS I WAS SPEAKING TO HIM I NOTICED HIS VOICE GOT FARTHER AND FARTHER AWAY FROM THE TELEPHONE. I ASKED HOW HE WAS DOING AND HE SAID, "I'M GOING." SOON FENNEL SAID HE WAS NEAR THE FRONT DOOR BUT HE COULD NOT OPEN IT. I TOLD HIM TO KEEP TRYING AND HE SAID HE WAS. SHORTLY AFTER THAT I COULD HEAR THE COMMANDS OF THE SWAT OFFICERS OVER THE PHONE. THEY HAD VERBAL CONTACT WITH FENNEL AND I STOPPED SPEAKING TO HIM.

I WAS INFORMED BY OTHER MEMBERS OF THE CRISIS NEGOTIATIONS TEAM FENNEL HAD BEEN TAKEN INTO CUSTODY. I STOPPED MY DIGITAL RECORDING AND ENDED MY NEGOTIATIONS WITH FENNEL.

AFTER THE VENTURA POLICE DEPARTMENT SWAT TEAM SECURED THE RESIDENCE, I RESPONDED TO _____ AS A VENTURA POLICE DETECTIVE. I SECURED THE

SCENE WITH CRIME SCENE TAPE AND HELD THE SCENE FOR OTHER DETECTIVES SO IT COULD BE PROCESSED FOR EVIDENCE.

I RESPONDED TO THE VENTURA POLICE DEPARTMENT TO WRITE A SEARCH WARRANT FOR THE RESIDENCE. I COMPLETED THE SEARCH WARRANT WHICH WAS SIGNED BY HONORABLE JUDGE BRUCE YOUNG. I INFORMED SGT. MURRAY THE WARRANT HAD BEEN AUTHORIZED AND VENTURA POLICE DETECTIVES SERVED THE WARRANT AT

DATE/TIME TRANSCRIBED:	041409 / 1655 HOURS
TRANSCRIBED BY:	P283 / HUBER AND P170/HOCK
DATE/TIME REVIEWED:	
REVIEWED BY:	

SUPPLEMENTAL

245(d) PC/246 PC/246.3 PC/69 PC
HIGGINS #257

SUMMARY:

ON 041009, I WAS WORKING AS THE ON-DUTY DISPATCH SUPERVISOR WHEN AT APPROX. 1745HRS, I RECEIVED A CALL FROM OFC. ASKING THAT I CALL HIM BACK ON HIS CELLPHONE. USING MY DEPARTMENT ISSUED CELLPHONE, I CALLED OFC. AND HE TOLD ME THE FOLLOWING:

HE HAD JUST RECEIVED A CALL FROM HIS SISTER-IN-LAW, AND SHE TOLD HIM HER HUSBAND, LATER ID'D AS THE SUSPECT JEFFREY FENNEL, WAS INSIDE THEIR HOUSE DRUNK AND ARMED WITH A HANDGUN, SPECIFICALLY A 357. OFC. SAID TOLD HIM FENNEL HAD BEEN PUTTING THE GUN IN HIS MOUTH AND ALTHOUGH HE DID NOT THREATEN TO SHOOT, HE POINTED THE GUN AT HER. TOLD OFC. SHE WALKED INTO ANOTHER ROOM OF THE HOUSE, WHEN SHE HEARD FENNEL FIRE THE HANDGUN. TOLD OFC. SHE CHECKED TO SEE IF FENNEL HAD SHOT HIMSELF, BUT LEFT THE HOUSE WHEN SHE SAW HE WAS UNHARMED AND STILL ARMED WITH THE HANDGUN.

OFC. TOLD ME FENNEL HAS ACCESS TO A LARGE AMOUNT OF WEAPONS INSIDE THE HOUSE, BUT SAID ACCORDING TO THE MAJORITY OF THE WEAPONS WERE EITHER HIDDEN, OR LOCKED UP AND SECURED. HE ALSO SAID WAS ABLE TO GET THE KEYS TO THEIR VEHICLES.

OFC. CONFIRMED HAD LEFT THE HOUSE AND WAS AT A NEIGHBORS AND THAT THE FENNEL'S SMALL CHILD WAS AT DAYCARE.

I ASKED OFC. FOR THE ADDRESS, WHICH HE SAID WAS THE PHONE NUMBER FOR THE RESIDENCE AND CELLPHONE NUMBER FOR

I IMMEDIATELY ENTERED A CALL INTO CAD, THEN NOTIFIED THE FIELD SERGEANTS AND ON-DUTY WATCH COMMANDER OF THE CIRCUMSTANCES.

WHILE THE OFFICERS WERE ENROUTE TO THE CALL, I CALLED CELLPHONE, AND SHE TOLD ME THE FOLLOWING:

CONFIRMED SHE WAS STILL AT A NEIGHBOR'S HOUSE AND THAT NO ONE ELSE WAS INSIDE THE HOUSE, SAYING THEIR CHILD WAS AT DAYCARE. SHE TOLD ME SHE HAD BEEN WATCHING THE HOUSE AFTER SHE LEFT, AND HAD NOT SEEN JEFF LEAVE THE HOUSE. SAID SHE COULD NOT AFFORD JEFF BEING ARRESTED.

AT THAT TIME, I DISCONNECTED FROM THE PHONE CALL WHEN SHE WAS CONTACTED BY ONE OF THE OFFICERS WHO HAD ARRIVED ON SCENE.

REFER TO ADDITIONAL OFFICERS REPORTS FOR FURTHER INFORMATION.

HIGGINS/257
041509/1500 HRS.

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN (110769)
VENTURA, CA 93004

INTERVIEW WITH:
VENTURA, CA 93004

INTERVIEWED BY: DET. CPL. STARR/354
DICTATED BY: DET. CPL. STARR/354
DATE/TIME DICTATED: 041409 / 1500 HOURS

ON 041309 AT APPROXIMATELY 1655 HOURS I CONTACTED [REDACTED] AT HER RESIDENCE. I INFORMED [REDACTED] THAT I WANTED TO SPEAK TO HER ABOUT THE INCIDENT THAT OCCURRED ON 041009. [REDACTED] AGREED TO SPEAK WITH ME AND INVITED ME INTO HER RESIDENCE. OUR CONVERSATION WAS DIGITALLY RECORDED. A CD COPY OF THE RECORDING WAS BOOKED INTO VENTURA POLICE DEPARTMENT AS EVIDENCE. [REDACTED] TOLD ME THE FOLLOWING:

ON 041009 AT APPROXIMATELY 1700 HOURS [REDACTED] WAS HOME. SHE WALKED OUT TO HER DRIVEWAY TO SWITCH A CAR SEAT OUT OF HER CAR. WHEN SHE DID THIS SHE SAW [REDACTED] STANDING ON THE NORTHWEST CORNER OF [REDACTED] WAS CRYING. [REDACTED] IS FRIENDS AND NEIGHBORS WITH [REDACTED]. SHE WALKED OVER TO [REDACTED] TO FIND OUT WHAT WAS HAPPENING. [REDACTED] TOLD [REDACTED] THAT FENNELL HAD BEEN DRINKING.

SINCE [REDACTED] WAS SO UPSET [REDACTED] WALKED HER INTO HER HOUSE AND TOLD HER THEY COULD TALK THERE. THEY WENT INTO [REDACTED] BEDROOM, WHICH IS AT THE FRONT OF THE RESIDENCE. [REDACTED] WANTED TO DO THIS BECAUSE

SHE WANTED TO WATCH HER HOUSE FROM THE WINDOW. SHE WAS CONCERNED THAT FENNELL MIGHT TRY TO LEAVE THE HOUSE AND SHE WANTED TO BE ABLE TO SEE HER HOUSE TO SEE IF HE DID THAT. [REDACTED] ASKED [REDACTED] FOR ADVICE ABOUT WHAT SHE SHOULD DO.

I ASKED [REDACTED] TO ELABORATE AS TO WHAT [REDACTED] TOLD HER HAD HAPPENED BETWEEN [REDACTED] AND FENNELL. AT THAT POINT, [REDACTED] HAD ONLY REVEALED TO ME THAT FENNELL HAD BEEN DRINKING, BUT HAD NOT SAID WHAT OCCURRED BETWEEN THE TWO OF THEM. WHEN I ASKED HER THIS [REDACTED] SAID THAT FENNELL HAD BEEN "UPSET." [REDACTED] HAD APPARENTLY SHOWERED HIM AND PUT HIM TO BED. [REDACTED] THOUGHT HE WAS GOING TO SLEEP, BUT HE SUDDENLY WOKE UP AND "GOT UPSET AND VIOLENT." WHEN I ASKED [REDACTED] TO ELABORATE ON WHAT SHE MEANT BY "VIOLENT" SHE SAID THAT FENNELL HAD BEEN YELLING AT [REDACTED] DIDN'T ASK [REDACTED] FOR ANY DETAILS ABOUT WHAT HAD OCCURRED. I ASKED HER IF SHE KNEW ABOUT ANYTHING ELSE THAT HAD HAPPENED BESIDES "YELLING." [REDACTED] SAID SHE DIDN'T KNOW AND THAT SHE DIDN'T "GO INTO THAT." SHE JUST KNEW THAT FENNELL WAS UPSET WITH [REDACTED] - UPSET ABOUT LIFE.

I THEN ASKED [REDACTED] IF SHE WAS IN THE ROOM WHEN [REDACTED] CALLED " [REDACTED] REFERRING TO [REDACTED] SAID THAT SHE WAS IN THE ROOM WHEN [REDACTED] CALLED [REDACTED] I ASKED HER WHAT SHE HEARD [REDACTED] TELL [REDACTED] SAID THAT WHEN [REDACTED] CALLED [REDACTED] SHE ASKED HIM WHAT SHE SHOULD DO. [REDACTED] SAID THAT FENNELL WAS DRUNK AND AFTER THE PHONE CALL, [REDACTED] WAS UNDER THE IMPRESSION THAT [REDACTED] TOLD [REDACTED] TO "JUST LEAVE IT BE", BECAUSE FENNELL WOULD FALL ASLEEP. [REDACTED] APPARENTLY, DID THINK THAT FENNELL WOULD "PASS OUT." [REDACTED] QUICKLY REALIZED THAT WAS NOT WHAT [REDACTED] DECIDED, BECAUSE "WITHIN MINUTES" THERE WAS A POLICE OFFICER WITH A GUN OUTSIDE ON THE STREET. [REDACTED] COULDN'T BE SURE WHAT [REDACTED] TOLD [REDACTED], BECAUSE SHE COULDN'T HEAR HIS END OF THE CONVERSATION.

I THEN AGAIN ASKED IF SHE HEARD WHAT TOLD SHE REPEATED THAT TOLD THAT FENNELL WAS "UPSET," AND THAT HE HAD YELLED AT HER AND THREATENED TO KILL HIMSELF. I ASKED IF TOLD HER HOW FENNELL HAD THREATENED TO KILL HIMSELF. SAID, "I ASSUME WITH A GUN," BUT, SAID THAT SHE DID NOT HEAR SAY THAT.

I THEN ASKED IF HAD MENTIONED THAT FENNELL HAD HIT HER OR STRUCK HER IN ANY WAY. SAID THAT DID NOT CLAIM THAT.

AT THAT POINT DURING OUR CONVERSATION I REALIZED THAT WAS NOT LIKELY TELLING ME EVERYTHING THAT SHE KNEW ABOUT THE INCIDENT. WAS RELUCTANT TO MENTION ANYTHING ABOUT A GUN AND I HAD ALREADY SPOKEN TO PREVIOUSLY. TOLD ME THAT SHE DID REVEAL TO THAT FENNELL HAD A GUN AND THAT THERE WAS AN INCIDENT INVOLVING A GUN, AND THE FIRING OF A GUN. SINCE SUPPOSEDLY HAD THIS CONFRONTATION IN FRONT OF I BELIEVED THAT KNEW MORE ABOUT WHAT HAD TOLD THAN SHE WAS LEADING ON.

I THEN SPECIFICALLY ASKED IF HAD EVER MENTIONED A GUN, OR THAT FENNELL HAD POINTED A GUN. HESITATED TO REPLY, STUTTERED AT FIRST AND SAID, "WELL..." AND WAS THEN INTERRUPTED BY ONE OF THE CHILDREN IN THE HOUSE. WHEN THE CHILD WALKED AWAY WENT ON TO SAY, "UM, LET ME THINK SO I DON'T TELL YOU WRONG INFORMATION." THEN SAID, "HE POINTED THE GUN AT HIMSELF, AND OKAY, YES, WHEN SHE WENT DOWNSTAIRS HE SHOT THE GUN." I ASKED WHEN HAD TOLD HER THAT. SAID SHE ASSUMES IT WAS WHEN THEY WERE OUTSIDE, BUT SHE DID NOT REMEMBER CLEARLY, IT COULD HAVE BEEN WHEN IN ROOM. SHE THEN ALSO SAID THAT HAD GONE BACK UPSTAIRS TO SEE IF FENNELL HAD KILLED HIMSELF. FOUND THAT HE HAD NOT KILLED HIMSELF AND THAT'S WHEN SHE RAN OUTSIDE, AND EVENTUALLY CONTACTED BELIEVES THAT WHEN WAS ON THE CORNER SHE WAS CONSIDERING GOING BACK IN THE HOUSE, HOWEVER, INTERVENED.

AFTER THE POLICE ARRIVED WAS STILL INSIDE OF RESIDENCE. EVENTUALLY RAN OUT OF THE HOUSE AND WAS YELLED AT BY POLICE TO GET BACK IN THE HOUSE, HOWEVER, SHE DID NOT. SHE CONTINUED RUNNING EASTBOUND ON AND CONTACTED POLICE. STAYED AT HOME AND ABOUT 15 MINUTES LATER SHE RECEIVED A PHONE CALL FROM ASKING FOR A JACKET. THEN WALKED OUT HER FRONT DOOR AND WALKED A JACKET TO DESPITE THE COMMAND OF POLICE OFFICERS TELLING HER TO NOT TO DO SO. STAYED WITH ON UNTIL POLICE ESCORTED TO THE VENTURA POLICE DEPARTMENT.

"NEVER SAW THIS COMING" FROM FENNELL AND WAS SHOCKED BY THE INCIDENT. SHE HAS BEEN IN ALMOST CONSTANT CONTACT WITH SINCE THE INCIDENT OCCURRED. IS THE ONE WHO PICKED UP FROM THE VENTURA POLICE DEPARTMENT AND GAVE HER A RIDE TO THE HOSPITAL TO VISIT FENNELL.

DATE/TIME TRANSCRIBED: 041509 / 1045 HOURS
TRANSCRIBED BY: P170 / HOCK
DATE/TIME REVIEWED:
REVIEWED BY:

SUPPLEMENTAL REPORT

245 PC
WEBSTER / 356

ON 041009 AT APPROXIMATELY 1755 HOURS I HAD JUST CLEARED A SUBJECT STOP IN THE AREA OF N. VENTURA AVENUE AND SIMPSON STREET. I HEARD SEVERAL OFFICERS TALKING ON THE RADIO REGARDING EVACUATING HOUSES, WHICH SPARKED MY ATTENTION AND I BEGAN SEARCHING THE CALL VIA MY MOBIL DIGITAL COMPUTER IN MY POLICE UNIT. I SAW A CALL IN WHICH A SUBJECT WAS THREATENING A FEMALE WITH A FIREARM IN THE AREA OF . DUE TO THE SEVERITY OF THE CALL, I BEGAN DRIVING TO THE VENTURA POLICE DEPARTMENT (VPD), DUE TO MY BELIEF A SPECIAL WEAPONS AND TACTICS (SWAT) CALL-OUT WOULD BE INITIATED. APPROXIMATELY FIVE MINUTES LATER MY PHONE RANG WITH VENTURA DISPATCH ADVISING THE SWAT TEAM WAS BEING ACTIVATED.

I RETRIEVED THE KEYS TO THE ARMORED VEHICLE FROM THE SWAT LOCKER AND DROVE TO THE SCENE. I MET WITH SGT. TURNER AND CPL. CASTELLANOS IN THE AREA OF APPROXIMATELY 10-TO-15-MINUTES LATER. SGT. DICKEY ARRIVED ON SCENE AND ADVISED ME TO DRIVE THE ARMORED VEHICLE TO BLOCK THE DRIVEWAY OF SO THE SUSPECT WOULD NOT BE ABLE TO ACCESS A VEHICLE AND POTENTIALLY DRIVE AWAY ARMED.

I HEARD SEVERAL VOLLEYS OF GUNFIRE COMING FROM THE SUSPECT HOUSE, CAUSING ME TO FEAR FOR MY LIFE. I COULD TELL THE GUN FIRE WAS A LARGE CALIBER RIFLE, BASED ON MY EIGHT-YEARS IN LAW ENFORCEMENT AND SWAT TRAINING EXPERIENCE WITH RIFLES. I DROVE THE ARMORED VEHICLE AND BLOCKED THE DRIVEWAY OF THE SUSPECT'S HOUSE.

THROUGHOUT THE NEXT SEVERAL HOURS SEVERAL GUNSHOTS WERE FIRED IN MY DIRECTION. I WAS POSITIONED TO THE FRONT OF THE HOUSE AS AN IMMEDIATE RESPONSE (IR) UNIT, ALONG WITH SGT. DICKEY, OFFICER VAZQUEZ, CPL. BEAUTROW, AND CPL. PAYNE. THE GUNFIRE WAS RANDOM AND CONTAINED SEVERAL DIFFERENT CALIBERS OF WEAPONS. AGAIN, BASED ON MY TRAINING AND EXPERIENCE I COULD TELL THE GUNFIRE WAS A LARGE CALIBER RIFLE AND POSSIBLY A PISTOL.

I HEARD SEVERAL VOLLEYS OF GUNFIRE COMING FROM POSSIBLY THE SECOND STORY OF THE HOUSE, THE NORTH AND SOUTH SIDES OF THE HOUSE. THE VOLLEYS OF GUNFIRE, WHICH SOUNDED LIKE THEY WERE COMING IN OUR DIRECTION CAUSED ME TO FEAR FOR MY LIFE AND THE LIFE OF OTHERS, RESIDENTS AND OFFICERS, IN THE AREA.

AFTER SOME TIME PASSED I HEARD LT. VANCE ADVISE SWAT OFFICERS ON SCENE THE "BOLT-FORWARD" COMMAND. I RECOGNIZED THIS TO MEAN, IF THE SUSPECT WAS SEEN WE WERE DIRECTED TO ENGAGE THE SUSPECT, DUE TO THE SEVERITY AND IMMANENT THREAT OF GREAT BODILY INJURY OR DEATH COMING FROM THE SUSPECT FIRING RIFLE ROUNDS INDISCRIMINATELY.

AFTER MORE TIME PASSED I HEARD VIA RADIO A SWAT SNIPER SHOT THE SUSPECT IN HIS RESIDENCE. THE SUSPECT EXITED THE HOUSE APPROXIMATELY FIVE-MINUTES LATER AND I WAS DESIGNATED TO TAKE VERBAL CONTROL OF THE SUSPECT, TO COME OUTSIDE HIS HOUSE WITH HIS HANDS IN THE AIR. THE SUSPECT REFUSED MY ORDERS AND SAID HE WAS TRYING BUT COULD NOT, DUE TO THE GUNSHOT WOUND TO HIS SHOULDER.

AFTER SEVERAL VERBAL COMMANDS FOR HIM TO COME OUT TO THE STREET WITH HIS HANDS IN THE AIR, SGT. DICKEY, THE REST OF THE IR TEAM AND I MOVED FORWARD TO TAKE CUSTODY OF THE SUSPECT. AS WE APPROACHED THROUGH THE NORTH SIDE OF THE FRONT YARD, I COULD SEE THE SUSPECT LYING ON THE FRONT OF HIS DRIVEWAY, ON HIS STOMACH WITH HIS HANDS OUT. I COULD TELL HE WAS BLEEDING. I STEPPED OVER THE SUSPECT AND SGT. DICKEY AND CPL. BEAUTROW TOOK CUSTODY OF THE SUSPECT.

SEVERAL OTHER SWAT OFFICERS AND I CLEARED THE RESIDENCE FOR OTHER POTENTIAL SUSPECTS OR VICTIMS. AFTER THE HOUSE WAS SECURED, I LEFT THE AREA AND WAS LATER INTERVIEWED BY VENTURA POLICE DEPARTMENT DETECTIVES. FOR FURTHER, SEE OTHER OFFICERS' SUPPLEMENTAL REPORTS.

P283 / HUBER
041509 / 1403 HOURS

SUPPLEMENTAL REPORT

OFFICER ACTION REPORT
CLEAVENGER / 344

ON 4-10-09 AT 1820 HRS I RECEIVED A PHONE CALL OF A SWAT CALL
OUT FOR AN INCIDENT AT

I ARRIVED AT THE STATION AND WAS TOLD TO MEET THE TEAM AT
ONCE THERE I ACTED AS THE EQUIPMENT
OPERATOR FOR THE NEGOTIATIONS. THE EQUIPMENT WAS SET UP
INSIDE THE DINNING ROOM AREA OF THE RESIDENCE.

ON TWO OCCASIONS I HAD TO EXIT THE HOUSE AND GO TO THE
DRIVEWAY. WHILE OUTSIDE OF THE HOUSE I HEARD SEVERAL GUN
SHOTS, WHICH WAS CONFIRMED BY OTHER MEMBERS OF THE TEAM.

CLEAVENGER / 344



2/26/09

SUPPLEMENTAL REPORT

245 PC/ 246 PC/69 PC
SGT. J. REYNOSO / #213

OFFICERS ACTIONS:

ON 4/10/09, 1820 HRS I RECEIVED A PHONE MESSAGE REGARDING A SWAT ACTIVATION. I WAS ADVISED TO CALL OUR COMMUNICATIONS CENTER FOR FURTHER INFORMATION. COMMUNICATIONS PERSONNEL INSTRUCTED ME TO MEET THE CRISIS NEGOTIATIONS TEAM (CNT) AT _____, WHICH WAS SET UP AS A COMMAND POST (CP). I HAD TO RESPOND TO VPD TO PICK UP EQUIPMENT; THERE I MET WITH CNT MEMBER D. CLEAVENGER. HE AND I DROVE TO THE CP ON _____. UPON ARRIVAL, AS THE CNT TEAM LEADER/SGT, I ASSISTED IN SETTING UP OUR NEGOTIATIONS EQUIPMENT. OFFICER CALIENTO, ALSO A CNT TEAM MEMBER, WAS ON SCENE INTERVIEWING THE SUSPECT'S WIFE. CPL STARR WAS ALSO ON SCENE, SHE WAS ASSIGNED AS THE PRIMARY NEGOTIATOR, AND CPL WALSH WAS ASSIGNED AS THE BACK-UP NEGOTIATOR. I STOOD OUTSIDE THE RESIDENCE AS THE LIAISON TO LT. VANCE.

WHEN WE HAD OUR CNT EQUIPMENT IN PLACE LT. VANCE GAVE US THE COMMAND TO BEGIN NEGOTIATIONS. NEGOTIATIONS STARTED AT ABOUT 1945 HRS. VIA CELL PHONE AND RECORDED. DURING THE NEGOTIATIONS I STOOD OUTSIDE THE RESIDENCE IN THE DRIVEWAY. SEVERAL TIMES I COULD CLEARLY HEAR THE SOUND OF GUNFIRE, SOME OF WHICH SOUNDED AS THOUGH IT WAS SHOT IN OUR DIRECTION. I PASSED THIS INFORMATION ONTO THE NEGOTIATORS INSIDE THE CP AS I HEARD THE GUNSHOTS.

WHENEVER THE SUSPECT WOULD HANG UP THE PHONE CPL WALSH AND/OR CPL STARR WOULD GIVE ME AN UPDATE ON THE CONVERSATION/NEGOTIATIONS, WHICH I WOULD IN TURN, GIVE TO LT. VANCE. SOME OF THE INFORMATION I RECEIVED WAS THAT THE SUSPECT WAS UPSET OVER OFFICERS STANDING OUTSIDE HIS RESIDENCE AND THAT HE HAD A HIGH-POWERED RIFLE IN HIS POSSESSION, WHICH HE WOULD USE. OTHER PERTINENT INFORMATION WAS THAT THE SUSPECT WAS THINKING ABOUT SUICIDE, SURRENDERING WAS A BAD IDEA, AND WAS DONE TALKING.

SEE CPL. STARR'S REPORT FOR DETAILS ON NEGOTIATIONS.

TYPED BY SGT. J. REYNOSO #213

J. Reynoso #213

*4-10-09
2167*

SUPPLEMENTAL REPORT

CRIME: 245(A)(2) PC, 245(D) PC, 246 PC, 246.3 PC, 69 PC

VICTIM:

OFC. STEGNER #346
CORPORAL BEAUTROW #294
VENTURA POLICE DEPARTMENT

SUSPECT:

FENNELL, JEFFREY STEPHEN (110769)

VENTURA CA 93004

INTERVIEW WITH:

N/A

INTERVIEWED BY:

DET. D. BOON #301

REPORTED BY:

DET. D. BOON #301

DATE/TIME REPORTED:

04/13/09 / 1847

OFFICER ACTIONS REPORT

ON 04/11/09, AT APPROXIMATELY 1200 HOURS, INVESTIGATORS OF THE VENTURA POLICE DEPARTMENT BRIEFED PRIOR TO CONTINUING THE CRIME SCENE PROCESSING AT . . . ONCE THE BRIEFING WAS CONCLUDED I, ALONG WITH OTHER DETECTIVES OF THE VENTURA POLICE DEPARTMENT, (ALONG WITH EVIDENCE TECH. GUALTIERI, AND HER VOLUNTEER R. IGARTA) WENT TO THE LOCATION.

WHILE AT THE LOCATION, I ASSISTED DET. LANCE WITH PROCESSING THE SMALL ROOM WHERE SEVERAL FIREARMS WERE LOCATED, (FOR FURTHER INFORMATION PLEASE SEE DETECTIVE LANCE'S REPORT). I ALSO ASSISTED WITH THE PROCESSING OF OTHER ITEMS OF THE CRIME SCENE.

ONCE THE PROCESSING OF THE SCENE WAS COMPLETE, THE SCENE WAS RELEASED AND THE EVIDENCE OBTAINED FROM THE SCENE WAS TRANSPORTED TO THE VENTURA POLICE DEPARTMENT FOR STORAGE.

110769
246

#301

FOR FURTHER INFORMATION ON THE PROCESSING OF THIS CRIME SCENE, PLEASE SEE THE REPORTS OF THE OTHER INVESTIGATIVE PERSONNEL WHO ASSISTED WITH THE TASK.

DATE/TIME REPORTED: 04/13/09 / 1920
REPORTED BY: #301
DATE/TIME REVIEWED: 04/13/09 / 1920
REVIEWED BY: #301 #30

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: JEFFREY STEPHEN FENNELL (110769)
VENTURA, CA 93004

Dictated by: DET. BORKOVEC / 286
DATE/TIME Dictated: 041109 / 1930 HOURS

ON 041009 AT APPROXIMATELY 2100 HOURS I RECEIVED A PHONE CALL FROM DET. SGT. MURRAY WHO TOLD ME A SWAT CALL OUT ON SUSPECT FENNELL AND HE REQUESTED I RESPOND TO THE STATION FOR INVESTIGATION PURPOSES. I LATER ARRIVED AT THE STATION AND WAS INFORMED MY DET. SGT. MURRAY FENNELL HAD BEEN SHOOTING THE INSIDE AND OUT THE WINDOWS OF HIS HOME USING NUMEROUS WEAPONS, INCLUDING A HIGH POWERED RIFLE / ASSAULT WEAPON. FOR DETAILS REGARDING THE INITIAL INCIDENT, INCLUDING THE RESPONSE BY VPD SWAT, REFER TO OTHER REPORTS UNDER THE SAME REPORT NUMBER (RN).

I WAS ASSIGNED TO SUPERVISE THE CRIME SCENE AT _____ AND THE SURROUNDING NEIGHBORHOOD IMPACTED BY THE INCIDENT. I ASSISTED CSI EVIDENCE TECHNICIAN GUALTIERI IN PROCESSING THE ENTIRE CRIME SCENE. I CONTINUED TO ASSIST GUALTIERI UNTIL APPROXIMATELY 0415 HOURS ON 041109, WHEN DET. SGT. MURRAY INFORMED ME WE WOULD BE LOCKING DOWN THE SCENE AND RESPONDING BACK AT A LATER TIME FOR COMPLETION.

ON 041109 AT APPROXIMATELY 1200 HOURS I RESPONDED BACK TO THE CRIME SCENE ON _____, ALONG WITH DETECTIVES LANCE, BOON AND EVIDENCE TECHNICIAN GUALTIERI. I ASSISTED PROCESSING THE SCENE, INCLUDING TAKING HEIGHT MEASUREMENTS FROM THE VPD SWAT LONG RIFLE. THE PREVIOUS EVENING I RETRIEVED AND COLLECTED THE REMAINDER OF THE ROUND FROM THE LONG RIFLE THAT LODGED INTO A WALL AT _____ FOR DETAILS

11/11/09
204

REGARDING MEASUREMENTS AND RECOVERY OF EVIDENCE, REFER TO GUALTIERI'S REPORT UNDER THE SAME RN.

I CONTINUED ASSISTING WITH THE CRIME SCENE UNTIL THE ENTIRE PROCESSING WAS COMPLETE AND ALL WEAPONS FROM FENNEL'S GUN ROOM HAD BEEN RETRIEVED. ONCE EVERYTHING WAS COMPLETE I TOOK ENDING OVERALL PHOTOGRAPHS OF THE SCENE. PRIOR TO COMPLETING THE PHOTOGRAPHS, I SEARCHED THE ENTIRE RESIDENCE FOR ANY FURTHER WEAPONS AND / OR AMMUNITION. I THEN RELEASED THE RESIDENCE TO FOR ALL OTHER DETAILS, REFER TO OTHER REPORTS UNDER THE SAME RN.

DATE/TIME TRANSCRIBED: 041309 / 0915 HOURS
TRANSCRIBED BY: P283 / HUBER

DATE/TIME REVIEWED:
REVIEWED BY:

CRIME REPORT

245 PC / 273.5 PC
CASTELLANOS / 220

ON 041009 AT APPROXIMATELY 1750 HOURS, I RESPONDED TO REGARDING A POSSIBLE DOMESTIC WITH A MALE THREATENING WITH A GUN. PRIOR TO ARRIVING AT THE CALL, I HAD THE UNITS RESPONDING WITH ME, OFFICER PUSEN, OFFICER REYES AND SGT. SCHINDLER, MEET AT THE CORNER OF [REDACTED] PRIOR TO CONTACTED THE DISTURBING PARTY (DP), LATER IDENTIFIED AS JEFF FENNELL.

WE WERE ALL AT THE LOCATION AS DESCRIBED ABOVE AND WERE CONTACTED BY VICTIM [REDACTED] WHO TOLD US HER HUSBAND WAS DRUNK AND INSIDE THE RESIDENCE, AND POSSIBLY HAD A HANDGUN. [REDACTED] SAID SHE CAME HOME TODAY AND SAW HER HUSBAND WAS HIGHLY INTOXICATED AND ACTING BIZARRELY. SHE SAID HE WAS IN THE SHOWER AND BANGING HIS HEAD AGAINST THE GLASS SHOWER DOOR AND YELLING AT [REDACTED]

THIS TERRIFIED [REDACTED] AND SHE GRABBED ALL HER HUSBAND'S GUNS AND PUT THEM IN A ROOM DOWNSTAIRS SO HE WOULD NOT HAVE ACCESS TO THEM. SHE LOCKED THE DOOR WHERE SHE PUT THE WEAPONS AND WENT BACK UPSTAIRS.

FENNELL GOT OUT OF THE SHOWER AND WAS STANDING IN THE BEDROOM. WHEN [REDACTED] WALKED INTO THE BEDROOM HE BEGAN YELLING AT HER AND SLAPPED AND PUNCHED HER SEVERAL TIMES IN THE HEAD AND FACE. FENNELL OPENED THE CLOSET AND REACHED TO THE TOP SHELF AND UNDER SOME CLOTHING HE PULLED OUT A HANDGUN. FENNELL POINTED THE HANDGUN DIRECTLY AT [REDACTED] FACE, AND TOLD HER HE WAS GOING TO SHOOT HER. FENNELL THEN POINTED THE GUN AT HIS HEAD, AND BEGAN YELLING UNINTELLIGIBLE STATEMENTS.

FENNELL POINTED THE GUN AT A WALL AND FIRED A SINGLE ROUND. [REDACTED] ASKED FENNELL WHAT HE WAS DOING AND SAID IT WAS STUPID TO SHOOT THE GUN, WHEN FENNELL LOOKED AT HER AND SAID HE DID NOT FIRE A ROUND. [REDACTED] SAID FENNELL WAS SO INTOXICATED HE DID NOT REALIZE HE HAD FIRED A ROUND FROM THE HANDGUN. FENNELL THEN POINTED THE GUN AT [REDACTED] AND THEN AT HIMSELF, AND [REDACTED] TOLD HIM SHE WAS LEAVING AND EXITED THE BEDROOM.

FA
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GOT HER DAUGHTER AND THEY EXITED THE RESIDENCE, GOING TO A NEIGHBOR'S HOUSE WHERE POLICE WERE EVENTUALLY CALLED. TOLD ME HER HUSBAND JEFF FENNEL HAD ACCESS TO OVER 20 HANDGUNS AND HIGH-POWERED RIFLES. SHE KNEW HE WAS ONLY ARMED WITH THE HANDGUN AT THE TIME SHE LEFT THE RESIDENCE.

WAS TAKEN ASIDE AND SGT. SCHINDLER AND I BEGAN EVACUATING RESIDENCES IN THE AREA AND SET UP A PERIMETER. THE SWAT UNIT WAS ACTIVATED AND THEY EVENTUALLY RESOLVED THE SITUATION.

P283 / HUBER
041109 / 0855 HOURS

SUPPLEMENTAL REPORT

245 PC, 246 PC, 273.5 PC
PUSEN/299

ON 4-10-09, AT APPROXIMATELY 1750 HOURS, I RESPONDED TO A CALL OF A SUBJECT THREATENING WITH A GUN AT [REDACTED] THE SUSPECT WAS IDENTIFIED AS JEFF FENNELL. WHEN I ARRIVED ON SCENE I PARTNERED UP WITH OFFICER KOHAGEN. WE POSITIONED OURSELVES INSIDE A RESIDENCE AT [REDACTED]. THE RESIDENCE WAS OCCUPIED BY A SINGLE ELDERLY WOMAN. OFFICER KOHAGEN AND MYSELF ASKED THE WOMAN FOR HER CONSENT TO ENTER HER HOME. SHE ALLOWED US TO ENTER. THE RESIDENCE AT [REDACTED] WAS ACROSS THE STREET AND ONE HOUSE NORTH FROM THE SUSPECT RESIDENCE.

OUR VIEW FROM [REDACTED] WAS OBSTRUCTED DUE TO TREES AND BUSHES IN FRONT OF THE RESIDENCE. I REPOSITIONED IN THE DRIVEWAY BEHIND A GREEN GMC SUV. I HEARD A SERIES OF GUN SHOTS COME FROM THE SUSPECT RESIDENCE. I DID NOT SEE THE SUSPECT FIRE THE SHOTS BUT I SAW WHAT APPEARED TO BE GUN SMOKE COMING FROM THE NORTHWEST CORNER OF THE RESIDENCE. I WAS INSTRUCTED BY MY SUPERVISOR TO EVACUATE THE WOMAN FROM THE RESIDENCE AT [REDACTED] AND MOVE TO A BETTER POSITION. OFFICER KOHAGEN AND MYSELF ESCORTED THE WOMAN FROM HER RESIDENCE AND TO A LOCATION OF SAFETY. WE WERE INSTRUCTED TO ALSO EVACUATE THE RESIDENTS FROM [REDACTED] OFFICER KOHAGEN AND MYSELF ESCORTED THE 8 OCCUPANTS INSIDE THE RESIDENTS OUTSIDE THE HOUSE AND TO A LOCATION OF SAFETY. THE OCCUPANTS CONSISTED OF 4 ADULTS AND 4 CHILDREN.

I WAS INSTRUCTED TO ASSIST CPL. ANSELMO AT [REDACTED] THIS RESIDENCE WAS LOCATED DIRECTLY BEHIND THE SUSPECTS RESIDENCE. OFFICER ANSELMO WAS IN THE SECOND STORY BEDROOM. THE SECOND STORY BEDROOM WINDOW FACES EAST AND OVERLOOKED THE NORTHWEST CORNER OF THE SUSPECTS RESIDENCE. OFFICER ANSELMO AND I WERE ARMED WITH AR-15 RIFLES. WE WERE POSITIONED NEXT TO A GLASS, FRENCH DOOR OVERLOOKING THE SUSPECTS RESIDENCE. OUR VIEW OF THE NORTHWEST CORNER HAD MINIMAL OBSTRUCTIONS, HOWEVER, THE LIGHTING CONDITIONS WERE VERY LOW AND THE NORTHWEST CORNER OF THE RESIDENCE WAS VERY DARK AND DIFFICULT TO MAKE OUT.

DURING THE COURSE OF TIME CPL ANSELMO AND I WERE IN POSITION, I HEARD GUNSHOTS BEING FIRED FROM THE BACK YARD OF THE SUSPECTS HOUSE. I SAW

W. J. [unclear]

MUZZLE FLASHES COMING FROM THE NORTHWEST CORNER OF THE BACK YARD. I COULD ONLY SEE THE MUZZLE FLASHES. I WAS NOT ABLE TO SEE THE SUSPECT DUE TO THE LOW LIGHTING CONDITIONS. AT ONE POINT I COULD HEAR THE SUSPECT YELLING, "BACK OFF, BACK OFF". I LATER HEARD HIM YELLING "TAKE IT, TAKE IT". I COULD NOT SEE THE SUSPECT WHEN HE WAS YELLING AND I COULD NOT SEE WHO HE WAS YELLING AT.

I HEARD THE SUSPECT SHOOT SEVERAL MORE TIMES FROM THE NORTHWEST CORNER OF THE BACK YARD. AT ONE POINT I SAW GUNSMOKE ALONG THE NORTH SIDE OF THE RESIDENCE NEAR A TRAILER PARKED ON THE NORTH SIDE OF THE HOUSE. I HEARD SGT. DICKEY STATE THE SUSPECT WAS FIRING TOWARD SWAT OFFICERS WHO WERE POSITIONED IN FRONT OF THE SUSPECT RESIDENCE.

I LATER HEARD ADDITIONAL GUNSHOTS COMING FROM THE SUSPECT RESIDENCE. THE GUNSHOTS SOUNDED LIKE THEY WERE BEING DISCHARGED BY A HIGH POWERED RIFLE. THE SHOTS DID NOT SOUND THE SAME AS THE SHOTS I HEARD EARLIER. I COULD NOT SEE WHERE THE SHOTS WERE COMING FROM OR WHO THEY WERE BEING DIRECTED TOWARDS.

EVENTUALLY THE SUSPECT WAS DISARMED AND TAKEN IN TO CUSTODY BY SWAT OFFICERS. ONCE THE SCENE WAS SECURED AND RENDERED SAFE, I CLEARED.

299
041009/2355

SUPPLEMENTAL REPORT

ON 4-10-09, AT ABOUT 1822 HOURS, I WAS DISPATCHED TO _____ TO HELP ASSIST OFFICERS ON A DOMESTIC VIOLENCE CALL. AS I RESPONDED TO ASSIST, I WAS ADVISED, BY OTHER OFFICERS TO SET UP ON THE CORNER OF _____ FOR A PERIMETER. SEVERAL OFFICERS AND THE VENTURA POLICE DEPARTMENT SWAT TEAM ALSO RESPONDED.

AFTER ARRIVING ON SCENE, I WAS DIRECTED TO COVER THE CORNER OF _____ SO THAT NO ONE COULD EXIT OR ENTER FOR SAFETY PURPOSES. I STAYED ON THE CORNER FOR OCEAN 93 THEN RELIEVED APPROXIMATELY 1 HOUR.

ON 4-10-09, AT ABOUT 2220 HOURS, I WAS DISPATCHED BACK TO _____ TO ASSIST WITH THE CRIME SCENE. CORPORAL WALSH ADVISED ME TO START A CRIME SCENE LOG. ON 4-10-09, AT ABOUT 2227 HOURS, I STARTED THE CRIME SCENE LOG. ON 4-11-09, AT ABOUT 0145 HOURS, OFFICER REYES RELIEVED ME OF MY POSITION AND TOOK OVER THE DUTIES OF THE CRIME SCENE LEDGER.

REFER TO OTHER OFFICERS REPORTS IN REFERENCE TO THIS INCIDENT. ALSO REFER TO THE CRIME SCENE LOG SHEET IN REFERENCE TO THOSE WHO ENTERED THE CRIME SCENE.

ALEXANDER/416

(PW)

RAV
2/2/09

SUPPLEMENTAL REPORT

245(a)(2) PC
HENUBER / 376

ON 041009 AT APPROXIMATELY 1847 HOURS I ASSISTED OFFICERS WITH A MALE WITH A GUN CALL AT . I RESPONDED TO ON THE NORTHEAST CORNER AND REMAINED AT THIS LOCATION AS PART OF THE PERIMETER UNIT. WHILE AT THIS LOCATION I HEARD NUMEROUS SHOTS COMING FROM AND SEVERAL SHOTS SEEMED TO INDICATE THEY WERE COMING IN MY DIRECTION, TOWARD AT APPROXIMATELY 2102 HOURS OFFICER BROWN RAN ACROSS THE INTERSECTION OF AND SHOTS APPEARED TO BE COMING IN HIS DIRECTION FROM A SECOND FLOOR WINDOW. I COULD SEE THE CURTAINS MOVING IN THE MIDDLE WINDOW AT THE SAME TIME THE SHOTS WERE BEING FIRED. I DID NOT SEE ANY MUZZLE FLASHES.

I CONTINUED HEARING ROUNDS FIRED UNTIL THE SUSPECT FENNEL WAS SHOT. AFTER HE WAS TAKEN INTO CUSTODY, I ASSISTED OFFICERS TO THE FRONT WITH A BACK BOARD AND CARRIED THE SUSPECT TO A WAITING AMBULANCE, STATIONED I RODE IN THE AMBULANCE WITH THE SUSPECT TO THE HOSPITAL, AND REMAINED STATIONED AT HIS ROOM UNTIL OFFICER BUCK RELIEVED ME.

P283 / HUBER
041109 / 0812 HOURS

Handwritten signature and date:
2/20/11

SUPPLEMENTAL REPORT

245(d) PC
KOHAGEN / 413

ON 041009 AT APPROXIMATELY 1750 HOURS I RESPONDED TO THE AREA OF
TO ASSIST OFFICERS ON SCENE OF A MAN WITH A GUN CALL. I WAS
DIRECTED BY SGT. TURNER AND CPL. CASTELLANOS TO GO TO THE INTERSECTION
OF WITH OFFICER PUSEN TO BE HIS SPOTTER.

WHEN OFFICER PUSEN AND I ARRIVED WE WERE INITIALLY SET UP IN FRONT OF
IN ORDER TO OBTAIN A BETTER VISUAL OF THE SUSPECT RESIDENCE
AT WE THEN WENT ACROSS THE FRONT YARD AT AND INTO THE
BACKYARD OF WE PROCEEDED TO THE UPSTAIRS OF AFTER
GETTING THE CONSENT OF THE HOMEOWNER TO DO SO, HOWEVER, WE WERE
UNABLE TO GET A CLEAR VIEW OF THE RESIDENCE AT BECAUSE OF A TREE
IN THE FRONT YARD AT

I WENT DOWNSTAIRS AND TOOK COVER BEHIND A GREEN SUBURBAN PARKED IN THE
DRIVEWAY AT WHILE IN THE DRIVEWAY OF THAT RESIDENCE I COULD
HEAR SHOTS BEING FIRED FROM WHAT SOUNDED LIKE THE BACKYARD OF
FROM WHERE I WAS SITTING, THROUGH MY BINOCULARS, I COULD SEE GUN
SMOKE OR POSSIBLY DUST FROM A BULLET IMPACT INTO SOME HARD OBJECT,
POSSIBLY CONCRETE, COMING FROM THE NORTHWEST CORNER OF THE BACKYARD
OF

SHOTS DISCONTINUED FOR A SHORT PERIOD OF TIME, AT WHICH POINT WE WERE
DIRECTED TO GO TO WHILE IN THAT RESIDENCE THE SUSPECT
EXITED THE FRONT DOOR OF RETRIEVED MAIL FROM HIS MAILBOX,
AND WENT BACK INSIDE HIS RESIDENCE.

AFTER STAGING AT WHICH IS DIRECTLY ACROSS FROM
WE WERE INSTRUCTED BY SGT. SCHINDLER TO EVACUATE THE RESIDENTS
OF AND OFFICER PUSEN CLIMBED THE BACK FENCE BETWEEN
AND AND HELPED AN ELDERLY FEMALE, THE ONLY RESIDENT OF
EXIT TOWARD THE FRONT OF HER HOUSE AND PROVIDED COVER AS WE
ESCORTED HER TOWARD THE INTERSECTION OF NEAR THE
INTERSECTION OF OFFICER ACQUARELLI ASSISTED GETTING THE
RESIDENT OUT OF THE DANGER AREA.

OFFICER PUSEN AND I WENT TO THE FRONT DOOR OF AND WERE ADVISED
BY THE RESIDENT THERE WERE NINE PEOPLE IN THE HOUSE. IN ORDER TO REMOVE
THEM TO SAFETY WE USED A LADDER IN THE BACK YARD AND CLIMBED THE WALL
BETWEEN I ASSISTED GETTING EVERYONE OVER THE
WALL AND THEN OFFICER PUSEN AND I ESCORTED THEM TO THE NORTH SIDE OF
AND THEN EXITED OUT THE WEST SIDE GATE. OFFICER PUSEN AND I
ESCORTED THEM TO WHERE OFFICER ACQUARELLI ASSISTED IN
REMOVING THEM FROM THE DANGER ZONE.

OFFICER PUSEN, OFFICER HARTSON AND I RE-ENTERED AND SET UP COVERAGE FROM THAT RESIDENCE. I WAS IN A FRONT BEDROOM WITH OFFICER HARTSON, WHO HAD HIS PATROL RIFLE, AND I WAS MAINTAINING VISUAL OBSERVATION OF VIA BINOCULARS. I HAD A CLEAR VIEW OF THE NORTHERN TWO UPSTAIRS WINDOWS ON THE EAST SIDE OF AFTER MAINTAINING THAT POSITION FOR SEVERAL MINUTES OFFICER HARTSON, OFFICER PUSEN AND I WERE ADVISED TO EXIT OFFICER HARTSON AND I WERE ADVISED TO MEET WITH SGT. TURNER NEAR AND WE WERE RELIEVED. FOR FURTHER INFORMATION REGARDING THIS INCIDENT, REFER TO OTHER OFFICERS' SUPPLEMENTAL AND ARREST REPORTS.

P283 / HUBER
041109 / 1130 HOURS

SUPPLEMENTAL REPORT

245 PC
GONZALES / 411

ON 041009 AT APPROXIMATELY 1750 HOURS I RESPONDED TO [REDACTED] FOR A MALE SUBJECT IN POSSESSION OF A GUN INSIDE THE RESIDENCE. UPON ARRIVAL I WAS INSTRUCTED TO RESPOND TO THE INTERSECTION OF [REDACTED] TO BLOCK OFF TRAFFIC. I POSITIONED MY PATROL UNIT ALONG THE EAST EXTENDED CURB LINE OF [REDACTED] TO BLOCK TRAFFIC. OFFICER GUTIERREZ AND OFFICER ALEXANDER ARRIVED AT MY LOCATION A SHORT TIME LATER. OFFICER GUTIERREZ AND I WERE INSTRUCTED TO EVACUATE RESIDENTS SURROUNDING [REDACTED] OFFICER GUTIERREZ EVACUATED THE RESIDENTS FROM [REDACTED] THE HOMEOWNERS OF THE RESIDENCES WERE ESCORTED TO THE INTERSECTION OF [REDACTED] WITH OFFICER ALEXANDER. AS THE HOMEOWNERS WERE BEING ESCORTED AWAY FROM [REDACTED] I HEARD APPROXIMATELY TWO TO THREE GUNSHOTS COMING FROM THE [REDACTED] THE HOMEOWNERS WERE SUCCESSFULLY EVACUATED FROM THE [REDACTED] WITHOUT INJURY.

THE OWNER OF [REDACTED] ALLOWED OFFICER GUTIERREZ AND I TO ENTER THE RESIDENCE TO GAIN ENTRY TO THE BACKYARD. OFFICER GUTIERREZ AND I HAD A VIEW OF THE BACKYARD TO [REDACTED] WHERE THE SUSPECT WAS LOCATED. OFFICER GUTIERREZ RE-ENTERED [REDACTED] DUE TO THE LACK OF PROTECTIVE COVER BETWEEN IT AND [REDACTED]

OFFICER GUTIERREZ AND I ENTERED THE SECOND FLOOR OF [REDACTED] AND HAD A VISUAL OF THE BACKYARD OF [REDACTED] VIA WINDOWS IN A RESTROOM. OFFICER GUTIERREZ AND I WERE VIEWING THE BACKYARD OF [REDACTED] FROM [REDACTED] BUT WERE UNABLE TO SEE THE SUSPECT FROM OUR POSITION. AS I WAS VIEWING THE SUSPECT'S BACKYARD I HEARD TWO GUNSHOTS COMING FROM THE [REDACTED] I WAS UNABLE TO SEE ANY MUZZLE FLASH, AND COULD ONLY HEAR THE GUNSHOTS BEING FIRED FROM THE [REDACTED]

ON 041009 AT APPROXIMATELY 1900 HOURS, THE VENTURA POLICE DEPARTMENT SWAT UNIT ARRIVED ON SCENE. SWAT OFFICER HOURIGAN ARRIVED AT MY LOCATION OF [REDACTED] TO VIEW THE SUSPECT'S BACKYARD. AS OFFICER HOURIGAN AND I WERE ON THE SECOND FLOOR OF THE RESIDENCE, I HEARD SEVERAL AUTOMATIC BURSTS OF GUNSHOTS COMING FROM THE [REDACTED] WHERE THE SUSPECT WAS LOCATED. I DID NOT SEE ANY MUZZLE FLASH AND ONLY HEARD GUNFIRE COMING FROM THE SUSPECT RESIDENCE.

I WAS INSTRUCTED TO REMAIN ON THE FIRST LEVEL OF THE RESIDENCE BY SWAT OFFICER HOURIGAN, TO KEEP A VISUAL ON THE BACKYARD OF [REDACTED] AS I WAS ON THE FIRST LEVEL OF THE RESIDENCE, I HEARD SEVERAL MORE BURSTS OF AUTOMATIC GUNFIRE COMING FROM THE SUSPECT'S LOCATION. AS THE SUSPECT WAS FIRING SEVERAL ROUNDS I HEARD NUMEROUS ROUNDS HITTING OBJECTS ON [REDACTED]

AS I WAS STANDING ON THE FIRST FLOOR OF
I HEARD SEVERAL "PINGING" SOUNDS COMING FROM

I HEARD SWAT OFFICER KELLY OVER MY HANDHELD RADIO SAYING THE SUSPECT
MAY BE SHOOTING IN THE DIRECTION OF SWAT OFFICERS WHO WERE LOCATED ON
I REMAINED ON THE FIRST FLOOR AND COULD NO LONGER HEAR
GUNFIRE COMING FROM THE SUSPECT'S RESIDENCE. I THEN HEARD ONE GUNSHOT
COMING FROM THE NORTHWEST CORNER OF
I WAS INFORMED THE SHOT CAME FROM SWAT OFFICERS AND THE SUSPECT WAS HIT
IN THE SHOULDER AREA. I HEARD SWAT OFFICERS OVER MY HANDHELD RADIO SAY
THE SUSPECT WAS NOW CRAWLING TO THE FRONT DOOR OF THE RESIDENCE AT

A SHORT TIME LATER I HEARD SCREAMING COMING FROM THE
I HEARD SWAT OFFICERS GIVING THE SUSPECT VERBAL COMMANDS TO EXIT
THE RESIDENCE. THE SUSPECT CONTINUED TO SCREAM IN PAIN AS SWAT OFFICERS
WERE GIVING HIM COMMANDS. I HEARD OVER MY HANDHELD RADIO THAT THE
SUSPECT WAS NOW IN CUSTODY WITH A WOUND TO HIS SHOULDER AREA. THE
SUSPECT WAS TRANSPORTED TO THE VENTURA COUNTY MEDICAL CENTER FOR
MEDICAL ATTENTION.

I HEARD SWAT OFFICERS SEARCH THE RESIDENCE FOR ADDITIONAL SUSPECTS, AND
NO ADDITIONAL SUSPECTS WERE LOCATED INSIDE. SWAT OFFICER
HOURIGAN AND I EXITED THE RESIDENCE OF AND I SECURED
THE RESIDENCE BY LOCKING THE FRONT DOOR.

I WAS INFORMED BY CPL. CASTELLANOS THE AREA WAS SAFE FOR THE RESIDENTS
TO RETURN TO THEIR HOMES. I OPENED AND ALLOWED
EASTBOUND TRAFFIC TO PASS. THE STANDOFF WITH THE SUSPECT WAS
APPROXIMATELY FOUR AND ONE-HALF HOURS IN DURATION.

P283 / HUBER
041109 / 1156 HOURS

SUPPLEMENTAL REPORT

245 PC
TURNER / 204

ON 041009 AT APPROXIMATELY 1750 HOURS I MONITORED A CALL REGARDING A POSSIBLE DOMESTIC WITH GUNSHOTS FIRED INSIDE A RESIDENCE AT
I RESPONDED TO THE LOCATION AND ARRIVED AT THE INTERSECTION OF
ASSUMING CONTROL OF THE INNER AND OUTER
PERIMETERS.

I LISTENED BRIEFLY AS THE SUSPECT'S WIFE WAS EXPLAINING TO SEVERAL OFFICERS SHE AND HER HUSBAND HAD BEEN INSIDE THE HOME WHEN AN ARGUMENT ENSUED. EXPLAINED AS SHE WAS WALKING AWAY SHE HEARD A SINGLE GUNSHOT BUT DID NOT KNOW EXACTLY WHERE THAT GUNSHOT IMPACTED INSIDE THE HOUSE. WAS ABLE TO LEAVE THE RESIDENCE AND CONTACT POLICE.

CPL. CASTELLANOS AND I BEGAN PLACING OFFICERS IN PERIMETER POSITIONS AROUND THE SUSPECT'S HOME. WE BEGAN AN EVACUATION OF A NUMBER OF HOUSES SURROUNDING THE SUSPECT'S HOME, AND MOVED OFFICERS INTO KEY POSITIONS FOR AN INNER PERIMETER. THOSE RESIDENTS WHO WERE EVACUATED WERE INSTRUCTED TO SEEK REFUGE AND ASSISTANCE AT THE VENTURA CITY FIRE STATION LOCATED AT

OVER THE COURSE OF THE NEXT TWO HOURS I REMAINED ON SCENE AND CONTINUED DIRECTING PEOPLE INTO POSITIONS. SWAT ARRIVED ON SCENE AND BEGAN THEIR OPERATION. REFER TO THEIR SUPPLEMENTAL REPORTS. DURING THIS TWO-HOUR PERIOD I HEARD OFFICERS ON THE RADIO BROADCASTING INFORMATION SOMEONE WAS FIRING A GUN WITHIN THE HOME. I ALSO WAS ABLE TO HEAR FAINT GUNSHOTS AT THE SAME TIME, CONFIRMING THEIR OBSERVATIONS.

AT APPROXIMATELY 1900 HOURS I PLACED THREE POLICE VOLUNTEERS (VIP) IN KEY TRAFFIC POSITIONS TO ASSIST IN THE OPERATION. VIP BAKER WAS PLACED AT
VIP MAES WAS PLACED AT
AND VIP BOOKER WAS PLACED AT
AT APPROXIMATELY 1945 HOURS I WAS RELIEVED OF MY DUTIES AND RETURNED TO THE STATION, COMPLETING MY SHIFT.

P283 / HUBER
041109 / 1249 HOURS

SUPPLEMENTAL REPORT

245 PC
EDWARDS / 419

ON 041009 AT APPROXIMATELY 1750 HOURS I RESPONDED TO THE AREA OF
TO ASSIST OFFICERS AT WITH
TRAFFIC CONTROL. I USED MY PATROL VEHICLE TO BLOCK EASTBOUND TRAFFIC
FROM ENTERING FROM STERLING.

AT APPROXIMATELY 1915 HOURS I WAS RELIEVED BY A VENTURA POLICE
DEPARTMENT CITIZEN VOLUNTEER (VIP), AT WHICH TIME I WALKED EASTBOUND ON
THE AND ASKED ON-LOOKERS IN THE AREA TO GO INSIDE
THEIR HOMES FOR THEIR SAFETY.

AT ABOUT 2000 HOURS OFFICER SEARS RELIEVED ME AT
AT WHICH TIME I RETURNED TO DEPARTMENT HEADQUARTERS AND ENDED
MY SHIFT.

P283 / HUBER
041109 / 1238 HOURS

*Edwards
245*

SUPPLEMENTAL REPORT

CRIME: 245(A)(2) PC, 245(D) PC, 246 PC, 246.3 PC, 69 PC

VICTIM: OFC. STEGNER #346
CORPORAL BEAUTROW #294
VENTURA POLICE DEPARTMENT

SUSPECT: FENNELL, JEFFREY STEPHEN (110769)

VENTURA CA 93004

INTERVIEW WITH: N/A

INTERVIEWED BY: DET. D. BOON #301

REPORTED BY: DET. D. BOON #301

DATE/TIME REPORTED: 04/13/09 / 1832

OFFICER ACTIONS REPORT

ON 04/10/09, AT APPROXIMATELY 2141 HOURS, I RECEIVED A CALL FROM DET. SGT. MURRAY THAT I WAS NEEDED TO ASSIST WITH AN OFFICER INVOLVED SHOOTING INVESTIGATION. I RESPONDED TO THE VENTURA POLICE DEPARTMENT, AND I ARRIVED AT 2247 HOURS.

UPON ARRIVAL ON SCENE, I WAS INFORMED THAT I WOULD BE ASSISTING WITH THE INTERVIEWS OF OFFICERS WHO WITNESSED THE SHOOTING.

I INTERVIEWED SEVERAL OFFICERS REFERENCE THEIR OBSERVATIONS DURING THIS INCIDENT, (FOR FURTHER INFORMATION PLEASE SEE THE INTERVIEW REPORTS I COMPLETED OF MY INTERVIEWS WITH SGT. DICKEY, OFC. RUGGERIO, CPL. PAYNE AND OFC. VASQUEZ).

ONCE INTERVIEWS WERE COMPLETE, SGT. MURRAY ASKED ME TO RETRIEVE OFC. STEGNER'S RIFLE FROM WHERE IT WAS BEING SECURED IN SGT. MURRAY'S TRUNK. ON 04/11/09, AT APPROXIMATELY 0224 HOURS, I OBTAINED THE RIFLE, AND SECURED IT IN A VENTURA POLICE DEPARTMENT EVIDENCE LOCKER.

I WAS ALSO ASSIGNED TO PHOTOGRAPH CPL. BEAUTROW'S H&K MP-5. I OBTAINED THE FIREARM FROM LT. VANCE, AND I TOOK THE GUN TO THE VENTURA POLICE CRIME LAB. THE FIREARM WAS PHOTOGRAPHED, AND REMOVED ONE LIVE ROUND FROM THE CHAMBER OF THE FIREARM.

THE MAGAZINE FROM THE FIREARM WAS REMOVED AND I LOCATED 21 9MM ROUNDS IN THE MAGAZINE. ALL OF THESE ITEMS WERE PHOTOGRAPHED AND THE H&K MP-5 WAS RELEASED TO LT. VANCE AT HIS REQUEST.

ONCE PHOTOGRAPHS WERE TAKEN I CONCLUDED MY PORTION OF THE INVESTIGATION UNTIL 04/11/09 AT APPROXIMATELY 1200 HOURS, (WHEN I RETURNED TO THE VENTURA POLICE DEPARTMENT IN ORDER TO ASSIST WITH PROCESSING THE CRIME SCENE).

DATE/TIME REPORTED:	04/13/09 / 1844
REPORTED BY:	#301
DATE/TIME REVIEWED:	04/13/09 / 1844
REVIEWED BY:	#301 #301

SUPPLEMENTAL REPORT

245(a)(2) PC / 245(d) PC / 246 PC / 246.3 PC / 69 PC
REYES / 372

ON 041009 AT APPROXIMATELY 1750 HOURS I WAS DISPATCHED TO A REPORT OF A MALE THREATENING WITH A GUN INSIDE A HOUSE AT [REDACTED] IN VENTURA. DISPATCH ADVISED THE SUSPECT JEFF FENNELL HAD POINTED A GUN AT HIS WIFE AND FIRED AT LEAST ONE SHOT INSIDE THE HOUSE.

I ARRIVED AT APPROXIMATELY 1752 HOURS AND PARKED MY VEHICLE AT [REDACTED] AND APPROACHED ON FOOT. I POSITIONED MYSELF NEAR THE NORTHEAST CORNER OF THE INTERSECTION AND WAS ABLE TO MAINTAIN A VISUAL OF THE FRONT YARD AND UPSTAIRS WINDOWS OF [REDACTED]

WHILE MAINTAINING A VISUAL OF THE FRONT OF THE RESIDENCE AT APPROXIMATELY 1802 HOURS I OBSERVED A FEMALE WALK OUT OF THE RESIDENCE AT [REDACTED]. PER DISPATCH THE FEMALE WAS IDENTIFIED AS [REDACTED] THE WIFE OF THE SUSPECT. I DIRECTED [REDACTED] TO WALK EAST TOWARD THE AREA OF [REDACTED] TO CONTACT OTHER OFFICERS WHO WERE ARRIVING.

I OBSERVED [REDACTED] WAS HOLDING A CELL PHONE IN HER HAND AND HAD A BLUE TOOTH EAR PIECE IN HER RIGHT EAR. I HEARD [REDACTED] TALKING AND SHE SAID SOMETHING TO THE EFFECT OF, " [REDACTED] , THIS ISN'T WHAT I WANT TO HAPPEN, HE'S STANDING IN MY STREET WITH A RIFLE" AND, "YEAH, I KNOW THEY HAVE TO DO THEIR JOB" AS SHE WAS WALKING EASTBOUND, AWAY FROM ME.

AFTER [REDACTED] WALKED AWAY FROM MY LOCATION, I CONTINUED MONITORING THE FRONT AREA OF THE SUSPECT'S HOUSE AND HEARD APPROXIMATELY FOUR GUNSHOTS. I HEARD FOUR RAPID "CRACKS", AND IT APPEARED THE GUNSHOTS WERE COMING FROM INSIDE [REDACTED] APPROXIMATELY ONE-TO-TWO-MINUTES LATER I HEARD AN ADDITIONAL SINGLE GUNSHOT COMING FROM THE AREA OF THAT HOUSE.

OFFICER ROBINSON ARRIVED AT MY LOCATION AND INFORMED ME WE WERE GOING TO MOVE TO A DIFFERENT LOCATION TO MAINTAIN A BETTER VISUAL OF [REDACTED]. OFFICER ROBINSON AND I WERE LET INTO THE BACK DOOR OF THE RESIDENCE AT [REDACTED]. FROM THERE WE CLIMBED THE FENCE INTO THE BACK YARD OF [REDACTED]. WHILE IN THE BACKYARD OF [REDACTED] OFFICER ROBINSON AND I BEGAN KNOCKING ON THE WINDOWS AND SLIDING REAR DOORS OF THE HOUSE, IN AN ATTEMPT TO CONTACT ANYONE INSIDE. DURING THIS TIME I CONTINUED HEARING GUNSHOTS COMING FROM THE SUSPECT HOUSE ACROSS THE STREET AT [REDACTED]

I USED A LADDER TO CLIMB ONTO THE ROOF AT [REDACTED] IN AN ATTEMPT TO GAIN ENTRY INTO THE HOME. I USED MY KNIFE TO CUT THE SCREEN ON A WINDOW AND AS I GAINED ENTRY INTO THE HOME I OBSERVED A MALE LYING ON A BED INSIDE THE ROOM. AS I ENTERED INTO THE ROOM THE MALE WOKE UP AND LOOKED AT ME. I GAVE HIM A BRIEF EXPLANATION WHY I WAS THERE AND REQUESTED HIS PERMISSION TO ENTER HIS HOME FOR A BETTER VIEW OF THE SUSPECT'S HOUSE.

THE MALE APPEARED TO BE DISABLED AND HAD ONE PROSTHETIC LEG, AND HE WAS UNABLE TO WALK DOWNSTAIRS WITHOUT ASSISTANCE, TO LET US IN. OFFICER ROBINSON THEN CLIMBED INTO THE RESIDENCE AND WE CONTACTED ANOTHER ADULT FEMALE OCCUPANT OF THE HOME. DURING THIS TIME WE CONTINUED HEARING GUNSHOTS COMING FROM THE SUSPECT'S HOUSE ACROSS THE STREET.

I ENTERED INTO A BEDROOM OF THE HOME AT [REDACTED] AND HAD A CLEAR VISUAL OF THE FRONT LAWN AND DOOR OF [REDACTED] AT APPROXIMATELY 1841 HOURS I CLEARLY SAW SOMEONE EXITING THE FRONT DOOR OF THE SUSPECT'S HOUSE, A WHITE MALE, APPROXIMATELY 40-YEARS-OLD, WEARING A BROWN SHORT-SLEEVED TEE SHIRT AND CAMOUFLAGE PANTS, WALKING EASTBOUND THROUGH THE DRIVEWAY, BETWEEN A WHITE TRAILER AND THE GARAGE OF THE HOME. THE SUSPECT WALKED VERY SLOWLY TO THE EDGE OF THE DRIVEWAY BEFORE THE SIDEWALK. I OBSERVED THE MALE STOP AT THE END OF THE DRIVEWAY AND LOOK SOUTH TOWARD [REDACTED] FOR APPROXIMATELY 20-TO-40-SECONDS. I HEARD OFFICER ACQUARELLI REPORT VIA RADIO THE SUSPECT WAS SITTING ON A BRICK WALL BY THE DRIVEWAY. THE SUSPECT THEN STOOD UP AND TURNED BACK TOWARD THE HOUSE, WALKING TO THE FRONT DOOR AREA. I SAW THE SUSPECT RETRIEVE ONE OR TWO LETTERS FROM THE MAILBOX, TO THE RIGHT OF THE FRONT DOOR WHEN FACING THE HOUSE. I CONTINUED WATCHING THE FRONT OF THE RESIDENCE AND DID NOT OBSERVE ANY OTHER SIGNIFICANT MOVEMENT.

I MAINTAINED MY POSITION UNTIL RELIEVED BY SWAT PERSONNEL. I NEXT MOVED TO THE KITCHEN AREA OF THE HOUSE WHERE I WAS ABLE TO MAINTAIN COVER FOR OTHER SWAT PERSONNEL WHO WERE OUTSIDE, ON THE STREET. I HAD A CLEAR VIEW OF THE WINDOW TO THE ATTACHED GARAGE. THE WINDOW FACED EAST AND WAS LOCATED ALONG THE NORTHEAST CORNER OF THE HOUSE. I WAS ABLE TO SEE THE ARMORED VEHICLE ARRIVE ON SCENE AND HEARD SWAT MEMBERS USING THE "BULLHORN" TO MAKE ANNOUNCEMENTS TOWARD THE SUSPECT'S HOUSE. I COULD CLEARLY HEAR A SWAT MEMBER IDENTIFY HIMSELF AS A VENTURA POLICE OFFICER AND ASK FOR ANYONE INSIDE THE RESIDENCE OF [REDACTED] TO COME OUT WITH HANDS UP. I ALSO HEARD THE SWAT MEMBER IDENTIFY THE SUSPECT BY NAME, ASKING FOR JEFF FENNEL TO COME OUTSIDE WITH HIS HANDS UP. AFTER SEVERAL ANNOUNCEMENTS WERE MADE, I BEGAN HEARING GUNSHOTS FROM INSIDE THE SUSPECT HOUSE, AND RADIO TRAFFIC FROM OTHER OFFICERS ON SCENE.

IN CONTINUED TO MONITOR THE SUSPECT RESIDENCE FROM MY POSITION IN THE KITCHEN AREA WHEN I HEARD SWAT MEMBERS BROWN AND KELLY ADVISE OVER THE RADIO THEY WERE AT THE LOCATION. I HEARD OFFICER BROWN STATE OVER THE RADIO HE WAS MOVING INTO POSITION. AT ABOUT THE TIME HE COMPLETED HIS RADIO TRAFFIC, I HEARD SEVERAL GUNSHOTS COMING FROM THE UPPER LEVEL OF THE SUSPECT'S HOUSE. THE GUNSHOTS WERE MUCH LOUDER THAN ONES HEARD EARLIER, AND IT APPEARED THESE GUNSHOTS WERE COMING FROM THE FRONT OF THE HOUSE.

I CONTINUED HEARING GUNSHOTS COMING FROM THE AREA OF THE SUSPECT'S HOUSE WHEN I MOVED INTO THE GARAGE OF [REDACTED] FROM THE GARAGE AREA I WAS ABLE TO HAVE A BETTER VIEW OF THE FRONT OF [REDACTED] I TOLD SWAT MEMBERS HARBERT AND STEGNER ABOUT THE BETTER VIEW POINT OF THE UPSTAIRS LEVEL FROM THE GARAGE. I STAYED WITH CPL. HARBERT IN THE

ROOM ACROSS THE STREET FROM THE SUSPECT'S HOUSE, WHEN OFFICERS STEGNER AND ROBINSON WENT INTO THE GARAGE. DURING THE TIME I WAS WITH CPL. HARBERT I HEARD LT. VANCE STATE ON THE RADIO THAT THE SUSPECT WAS IN POSSESSION OF A HIGH-POWERED RIFLE AND WAS GOING TO "TAKE OUT A LIGHT."

I HEARD A LOUD CRACKING SOUND AND THE WINDOW I WAS STANDING BY BEGAN TO SHAKE. OFFICER ROBINSON ADVISED OVER THE RADIO THAT OFFICER STEGNER HAD FIRED AT THE SUSPECT. I CONTINUED TO MAINTAIN A VISUAL OF THE FRONT OF THE HOUSE AND I OBSERVED THE SUSPECT OPEN THE FRONT DOOR OF THE HOUSE AND BEGIN CRAWLING OUTSIDE. THE SUSPECT WAS ORDERED BY MEMBERS OF SWAT TO COME TO THE STREET AREA OF THE HOUSE. I COULD HEAR THE SUSPECT SAY "I CAN'T MOVE", BUT HE CONTINUED TO CRAWL TO THE DRIVEWAY OF THE HOUSE. I OBSERVED MEMBERS OF SWAT MOVE TOWARD THE SUSPECT AND PLACE HIM INTO HANDCUFFS AND THEN ADMINISTER FIRST AID TO HIM, PLACING HIM ON A STRETCHER AND MOVING HIM TO AN AREA WHERE PARAMEDICS AND FIRE PERSONNEL WERE WAITING TO TREAT HIM.

AFTER THE SCENE HAD BEEN DEEMED SECURE, I ASSISTED DETECTIVES BY MAINTAINING THE INTEGRITY OF THE SCENE AT [REDACTED] FOR COLLECTION OF EVIDENCE AND PHOTOGRAPHING FROM THAT RESIDENCE. ONCE EVIDENCE COLLECTION WAS COMPLETED AT [REDACTED] I ASSISTED DETECTIVES BY MAINTAINING THE INTEGRITY OF THE SCENE ON THE STREET FOR EVIDENCE PROCESSING.

AT APPROXIMATELY 0145 HOURS ON 041109 I BECAME IN CHARGE OF THE CRIME SCENE LOG, DOCUMENTING MEMBERS ENTERING OR LEAVING THE CRIME SCENE, UNTIL I WAS RELIEVED BY THE MORNING WATCH OFFICER. FOR FURTHER INFORMATION, REFER TO THE CRIME SCENE LOG.

P283 / HUBER
041109 / 1005 HOURS

SUPPLEMENTAL REPORT

245 PC / 246 PC
ACQUARELLI/400

ON 4-10-09 AT APPROXIMATELY 1819 HOURS, I RESPONDED TO THE AREA OF [REDACTED] AND [REDACTED] REFERENCE A CALL OF A MAN WITH A GUN. I WAS ADVISED BY VENTURA POLICE DISPATCH THAT THE DISTURBING PARTY WAS IDENTIFIED AS JEFF FENNELL AND THAT HE HAD POSSIBLY POINTED A GUN AT HIMSELF AND HIS WIFE AND HAD POSSIBLY FIRED ONE SHOT. I WAS ALSO ADVISED FENNELL WAS POSSIBLY IN THE RESIDENCE AT [REDACTED]

UPON ARRIVAL, I WAS ADVISED BY SGT. TURNER (#204) TO EVACUATE SURROUNDING RESIDENCES. OFFICER COLE (#424) AND I EVACUATED THE RESIDENTS OF [REDACTED] THREE RESIDENTS, TWO ADULTS AND ONE JUVENILE, WERE LED NORTHBOUND TO [REDACTED] AND WESTBOUND ON [REDACTED] OUT OF THE IMMEDIATE AREA. I ATTEMPTED TO EVACUATE THE RESIDENTS OF [REDACTED] BUT WAS MET WITH NEGATIVE RESULTS. I OBSERVED THE PROPERTY AND IT DID NOT APPEAR THAT ANY OF THE RESIDENTS WERE IN THE HOUSE.

I PROCEEDED TO [REDACTED]. I WAS ADVISED VIA RADIO THAT FENNELL HAD POSSIBLY EXITED THE RESIDENCE. I OBSERVED A WHITE MALE WEARING A BROWN T-SHIRT AND WHAT APPEARED TO CAMOUFLAGE PANTS WALK EASTBOUND ALONG THE DRIVEWAY OF [REDACTED]. THE SUBJECT SAT ON A NEARBY WHITE TRAILER FACING NORTH AND APPEARED TO PICK UP AN OBJECT FROM THE GROUND. THE SUBJECT THEN WALKED BACK INTO [REDACTED]

I CONTACTED THE RESIDENTS OF [REDACTED]. I LED FOUR RESIDENTS, TWO ADULTS AND TWO CHILDREN WESTBOUND ON [REDACTED] ST. AND OUT OF THE IMMEDIATE AREA. I ATTEMPTED TO EVACUATE RESIDENTS AT [REDACTED] BUT WAS MET WITH NEGATIVE RESULTS. I OBSERVED THE PROPERTY AND IT DID NOT APPEAR THAT ANY RESIDENTS WERE IN THE HOUSE. I PROCEEDED TO [REDACTED] AND LED TWO ADULT RESIDENTS WESTBOUND ON [REDACTED]

I WENT TO [REDACTED] AND EVACUATED TWO ADULT RESIDENTS WESTBOUND ON [REDACTED] AND PROCEEDED TO [REDACTED] AND EVACUATED TWO ADULT FEMALE RESIDENTS WESTBOUND ON [REDACTED]. ALL OF THE RESIDENTS I CONTACTED FOR EVACUATION WERE ADVISED THAT VENTURA CITY FIRE STATION #4 LOCATED AT [REDACTED] WAS AVAILABLE FOR SHELTER UNTIL THE SITUATION WAS RESOLVED. OFFICER COLE (#424), CORPORAL ANSELMO (#330), AND I THEN ENTERED THE RESIDENCE OF [REDACTED] IN ORDER TO OBTAIN A BETTER VANTAGE POINT OF [REDACTED]. WE MADE ENTRY INTO THE RESIDENCE THROUGH THE NORTH KITCHEN WINDOW AND DETERMINED NO ONE WAS INSIDE THE HOUSE.

I TOOK A PERIMETER POSITION ON [REDACTED] ON THE NORTH SIDE OF THE PROPERTY LINE AT [REDACTED] AND [REDACTED]. I ALSO ASSISTED OFFICER KOHAGEN (#413) AND OFFICER PUSEN (#299) WITH THEIR EVACUATIONS OF THE SURROUNDING RESIDENCES BY LEADING THE RESIDENTS WESTBOUND ON [REDACTED]

I MAINTAINED MY PERIMETER POSITION AND HAD A VIEW OF THE SECOND STORY OF
THROUGHOUT THE STANDOFF, I HEARD NUMEROUS VOLLEYS OF
RAPID GUNFIRE AND SINGLE GUNSHOTS. I HEARD BULLETS TRAVELING THROUGH
THE AIR AND STRIKING UNKNOWN OBJECTS IN THE SURROUNDING AREA. I ALSO
SAW MUZZLE FLASHES COMING FROM THE BACKYARD OF I HEARD A
MALE VOICE YELLING FROM THE REAR YARD OF HOWEVER I WAS
UNABLE TO DETERMINE WHAT THE SUBJECT WAS SAYING.

ACQUARELLI/400

SUPPLEMENTAL REPORT

245 PC
BUCK / 391

ON 041109 AT APPROXIMATELY 0330 HOURS I WAS REQUESTED BY VENTURA POLICE DEPARTMENT DISPATCH TO RESPOND TO THE VENTURA COUNTY MEDICAL CENTER, ROOM 212 AND RELIEVE OFFICER HENUBER, WHO WAS STANDING BY WITH A PRISONER IN CUSTODY BEING TREATED AT THE HOSPITAL.

UPON ARRIVAL I RELIEVED OFFICER HENUBER AND STOOD BY OUTSIDE THE DOORWAY OF ROOM 212, WHILE THE SUSPECT, JEFF FENNELL WAS LYING IN BED INSIDE THE HOSPITAL ROOM. FOR THE MAJORITY OF MY TIME AT THE HOSPITAL FENNELL WAS ASLEEP, HOWEVER I NOTICED HE OCCASIONALLY WOULD WAKE UP, OPEN HIS EYES, MOVE HIS HEAD, AND HIS UNINJURED ARM. AT APPROXIMATELY 0430 HOURS AN OLDER WHITE FEMALE, WHO IDENTIFIED HERSELF AS FENNELL'S MOTHER, CAME TO THE ROOM IN AN ATTEMPT TO SEE JEFF FENNELL. I DENIED HER PERMISSION TO SPEAK WITH SUSPECT FENNELL.

I STOOD BY SUSPECT FENNELL'S HOSPITAL ROOM UNTIL APPROXIMATELY 0715 HOURS, WHEN I WAS RELIEVED BY OFFICER HARTSON.

P283 / HUBER
041109 / 1052 HOURS

SUPPLEMENTAL REPORT

245 PC
COLE / 424

ON 041009 AT APPROXIMATELY 1806 HOURS I RESPONDED TO REFERENCE A MAN WITH A GUN CALL. I WAS DIRECTED TO TAKE A PERIMETER POSITION AT THE NORTHWEST CORNER OF I PARKED MY PATROL VEHICLE FACING WESTBOUND ON WEST OF I GOT OUT OF MY PATROL VEHICLE AND ASSUMED A COVER POSITION BEHIND A LOW BRICK WALL, LOCATED TO THE FRONT OF FROM THAT POSITION I HAD A CLEAR VIEW OF THE FRONT OF WHERE THE SUSPECTED MAN WITH A GUN WAS LOCATED.

WHILE MAINTAINING VISUAL OBSERVATION OF THE FRONT OF THE SUSPECT RESIDENCE, AND AT APPROXIMATELY 1814 HOURS, I HEARD SEVERAL SHOTS COMING FROM THE AREA OF THE RESIDENCE. I IMMEDIATELY NOTIFIED DISPATCH OF THE SHOTS AND MY LOCATION. IMMEDIATELY FOLLOWING THAT OFFICERS KOHAGEN, ACQUARELLI AND HARTSON ARRIVED ON SCENE. OFFICER HARTSON WAS CARRYING A LONG RIFLE AND TOOK UP MY VANTAGE POINT TO BETTER COVER THE FRONT OF THE RESIDENCE. I MOVED TO OFFICER ACQUARELLI'S POSITION AND WE EVACUATED THREE INDIVIDUALS LOCATED IN THE HOUSE DIRECTLY NORTH OF THE SUSPECT RESIDENCE. THESE INDIVIDUALS WERE DIRECTED TOWARD AN ADDITIONAL PERIMETER UNIT TO THE WEST OF OUR LOCATION.

AT APPROXIMATELY 1821 HOURS I HEARD MORE SHOTS FROM THE SUSPECT RESIDENCE. AT APPROXIMATELY 1825 HOURS I HEARD SIX ADDITIONAL SHOTS FROM THE SUSPECT RESIDENCE. AFTER EVACUATION OF THE NEIGHBORING RESIDENTS, OFFICER ACQUARELLI, CPL. ANSELMO AND I MADE ENTRY INTO VIA A KITCHEN WINDOW, LOCATED ON THE NORTH SIDE OF THE RESIDENCE. CPL. ANSELMO TOOK UP A POSITION ON THE SECOND FLOOR WITH HIS LONG RIFLE WHILE OFFICER ACQUARELLI AND I CLEARED THE RESIDENCE.

UPON COMPLETION WE EXITED THE RESIDENCE AND SET UP A PERIMETER POSITION COVERING THE WEST AND NORTH REAR CORNERS OF THE SUSPECT RESIDENCE. OUR PERIMETER POSITION WAS LOCATED IN THE AREA OF STREET AND DRIVE.

THROUGHOUT THE COURSE OF THIS INCIDENT I HEARD SEVERAL SHOTS COMING FROM THE SUSPECT RESIDENCE AND OBSERVED AT LEAST TWO MUZZLE FLASHES FROM THE NORTH OR WEST AREA OF THE BACK YARD OF THE SUSPECT RESIDENCE.

P283 / HUBER
041109 / 1108 HOURS

Handwritten initials and date: P283 2/24

SUPPLEMENTAL REPORT

245 PC
ANSELMO / 330

ON 041009 AT APPROXIMATELY 1750 HOURS THE VENTURA POLICE DEPARTMENT COMMUNICATIONS CENTER RECEIVED INFORMATION A SUBJECT WITH A GUN HAD BEEN DRINKING AND WAS NOW THREATENING INSIDE HIS RESIDENCE AT

SEVERAL OFFICERS RESPONDED TO ASSIST AND AT APPROXIMATELY 1809 HOURS I OVERHEARD SGT. SCHINDLER VIA RADIO ASK FOR THE WATCH COMMANDER REFERENCE A POSSIBLE SWAT ACTIVATION AS SEVERAL SHOTS HAD BEEN FIRED FROM THE RESIDENCE. WHILE AT THE STATION I INSTRUCTED OFFICER LAMBORN TO PREPARE THE ARMORED VEHICLE FOR DEPLOYMENT.

OFFICER WEBSTER ARRIVED AT THE STATION AND GATHERED HIS SWAT GEAR. OFFICER WEBSTER ASSUMED CONTROL OF THE ARMORED VEHICLE AND I COULD OVERHEAR SEVERAL RADIO TRANSMISSIONS REFERENCE SHOTS CONTINUING TO BE FIRED. AS OFFICER WEBSTER BEGAN DRIVING TO THE I DROVE THE TRAFFIC PATROL TRUCK, EQUIPPED WITH PAINT AND MEASURE TAPES, AND RESPONDED TO THE SCENE, WHERE I CONTACTED CPL. CASTELLANOS, WHO INSTRUCTED OFFICER PUSEN AND I TO ASSUME A PERIMETER POSITION ARMED WITH AR-15'S IN A NORTHWEST DIRECTION, OR THREE/FOUR CORNER.

I GAINED ENTRANCE INTO A RESIDENCE LOCATED AT AND MAINTAINED A POSITION THROUGH THE EAST FACING GLASS DOORS. I HAD A CLEAR AND UNOBSTRUCTED VIEW OF THE BACKYARD OF THE SUSPECT'S RESIDENCE LOCATED A AT APPROXIMATELY 1935 HOURS I COULD HEAR THE VENTURA POLICE DEPARTMENT SWAT UNIT MAKING ANNOUNCEMENTS REGARDING THE OCCUPANT RESIDING IN JEFFREY FENNELL, TO EXIT THE RESIDENCE. THE ANNOUNCEMENTS CONTINUED FOR SEVERAL MINUTES.

IT SHOULD BE NOTED WHILE LISTENING TO THESE ANNOUNCEMENTS, I WAS LOCATED APPROXIMATELY 40-YARDS WEST OF THE RESIDENCE AND COULD CLEARLY HEAR THE SWAT DEMANDS FOR OCCUPANTS OF TO EXIT THE RESIDENCE.

AT APPROXIMATELY 1959 HOURS OFFICER PUSEN AND I HEARD APPROXIMATELY FOUR-TO-FIVE SHOTS BEING FIRED FROM WITHIN THE SUSPECT RESIDENCE. IN FEAR OF MY SAFETY AND DUE TO THE POSSIBILITY OF BEING STRUCK BY A PROJECTILE, I PLACED APPROXIMATELY FOUR LARGE, PLASTIC BINS CONTAINING

1/2/22

FILES, MEASURING APPROXIMATELY TWO FEET IN THICKNESS, BETWEEN THE GLASS EAST FACING DOOR AND WHERE OFFICER PUSEN AND I HAD ASSUMED POSITIONS. AT APPROXIMATELY 2004 HOURS I HEARD THE SUSPECT YELLING "BACK OFF, BACK OFF", AND OBSERVED SUSPECT FENNELL OPEN THE NORTH FACING DOOR, FROM THE NORTHEAST CORNER OF HIS RESIDENCE. I COULD HEAR FENNELL TALKING TO HIMSELF AND SAYING "TAKE IT, TAKE IT."

THE SUSPECT CLOSED THE DOOR AND AT APPROXIMATELY 2009 HOURS THE SUSPECT OPENED THE DOOR AND FIRED SEVERAL SHOTS IN AN UNKNOWN DIRECTION. OFFICER PUSEN AND I COULD SEE THE MUZZLE FLASH COMING FROM THE REAR DOOR, BUT DUE TO LIGHTING CONDITIONS, WE WERE UNABLE TO GET A CLEAR VISUAL OF THE DEFENDANT AT THIS TIME.

AT APPROXIMATELY 2016 HOURS, I COULD HEAR THE DEFENDANT FIRING FROM WITHIN HIS RESIDENCE AND YELLING "BETTER BACK OFF", AND BEGAN FIRING AGAIN, POSSIBLY AT SWAT MEMBERS WHO HAD POSITIONED THEMSELVES IN THE ONE/FOUR CORNER. AT APPROXIMATELY 2043 HOURS, SHOTS WERE BEING HEARD FROM WITHIN INSIDE THE RESIDENCE, AND AT APPROXIMATELY 2051 HOURS ADDITIONAL SHOTS WERE FIRED. AT APPROXIMATELY 2053 HOURS A SHORT BURST OF GUNFIRE COULD BE HEARD, THE SHOTS BEING FIRED SOUNDED AS IF THE WEAPON AT HAND WAS POSSIBLY A HIGH-CALIBER RIFLE, BASED ON THE SOUND OF GUNFIRE BEING SIMILAR TO MY AR-15. AT APPROXIMATELY 2102 HOURS SHOTS AGAIN WERE HEARD AND CONTINUED FOR SEVERAL MINUTES. AT 2104 HOURS CPL. CASTELLANOS INSTRUCTED TO DEPLOY GAS INSIDE THE SUSPECT'S RESIDENCE, WHICH SEEMED TO HAVE LITTLE EFFECT.

AT APPROXIMATELY 2133 HOURS LT. VANCE ADVISED SUSPECT FENNELL WAS LAND-LINED, STATING HE HAD BEEN HIT IN THE SHOULDER AND WAS NOW LYING ON THE FLOOR. OFFICER PUSEN AND I CONTINUED MAINTAINING A VISUAL OF THE BACK YARD WHERE I DID NOT HEAR ANY ADDITIONAL SHOTS BEING FIRED. I WAS ADVISED VIA RADIO THAT THE SCENE AND SUSPECT HOUSE WERE SECURED, AND TO BREAK DOWN MY PERIMETER POSITION. FOR FURTHER DETAILS REFER TO DET. CPL. STARR'S REPORT.

P283 / HUBER
041109 / 1041 HOURS

SUPPLEMENTAL REPORT

245 PC
GUTIERREZ / 406

ON 041009 AT APPROXIMATELY 1750 HOURS I RESPONDED TO THE AREA OF MONTGOMERY AVENUE AND STREET FOR TRAFFIC CONTROL REFERENCE A SUBJECT FIRING A WEAPON INSIDE HIS HOUSE LOCATED AT I WAS INSTRUCTED BY SGT. TURNER, WHO WAS ON SCENE, TO EVACUATED HOUSES AT AND THE TWO HOUSES JUST SOUTH OF THE SUSPECT'S HOUSE. I APPROACHED THE TWO HOUSES EASTBOUND FROM STERLING AVENUE AND NOTICED A MALE WITH HIS FAMILY STANDING OUTSIDE THE FRONT DOOR OF I IMMEDIATELY ASKED THEM MALE AND HIS FAMILY TO EVACUATE THE HOUSE, WHICH THEY DID IMMEDIATELY. THE FAMILY WALKED WESTBOUND ON TO MEET WITH OFFICER ALEXANDER, WHO DIRECTED THEM WHERE TO GO. OFFICER GONZALES/411 AND I THEN EVACUATED AND ALSO HAD THAT FAMILY WALK WESTBOUND ON TO ALSO MEET WITH OFFICER ALEXANDER.

OFFICER GONZALES OBTAINED THE KEY TO WHERE HE AND I MAINTAINED A VISUAL OF THE SUSPECT HOUSE BACKYARD. AT ONE POINT I SAW THE SUSPECT, WHO WAS WEARING A BROWN TEE SHIRT, WALK INTO A REAR BATHROOM OF HIS HOUSE, APPEARING TO WASH HIS HANDS IN A SINK. THE SUBJECT THEN WALKED BACK TO THE LIVING ROOM AREA AND I LOST THE VISUAL OF HIM.

AT APPROXIMATELY 1955 HOURS I WAS RELIEVED OF MY DUTIES BY SWAT OFFICER HOURIGAN, WHO STAYED AT WITH OFFICER GONZALES. I LEFT THE SCENE WITHOUT FURTHER INCIDENT. I RETURNED THE HOUSE KEY TO A RESIDENT OF AND EXPLAINED SHE WOULD BE NOTIFIED WHEN THEY COULD BE LET BACK INTO THEIR HOME.

P283 / HUBER
041109 / 1414 HOURS

SUPPLEMENTAL REPORT

245 PC
HARTSON / 403

ON 041009 AT APPROXIMATELY 1800 HOURS I WAS DISPATCHED TO REGARDING A DOMESTIC VIOLENCE INCIDENT, WHERE A MALE SUBJECT WAS POSSIBLY ARMED WITH A GUN. UPON ARRIVAL AT THE LOCATION, I CONTACTED SGT. TURNER AT THE INTERSECTION OF _____, WHICH HAD BEEN SET UP AS THE STAGING AREA FOR THIS INCIDENT. SGT. TURNER DIRECTED ME TO _____ TO SET UP A PERIMETER, AND WATCH THE SUSPECT HOUSE.

OFFICER ACQUARELLI AND I DROVE TO _____ WHERE I SET UP A POST TO THE FRONT OF _____ FROM WHICH I COULD VIEW _____ I WAS POSITIONED TO THE FRONT OF THE RESIDENCE OF _____ WHERE I HAD COVER BEHIND A BRICK WALKWAY. I STAYED AT THIS LOCATION AND WATCHED _____ UNTIL I WAS RELIEVED.

WHILE AT MY POSITION I HEARD MULTIPLE GUNSHOTS COMING FROM THE SUSPECT RESIDENCE. SOME OF THE GUNSHOTS SOUNDED AS THOUGH THEY WERE COMING FROM INSIDE THE RESIDENCE, AS WELL AS FROM THE BACKYARD. I HEARD APPROXIMATELY EIGHT TO TEN SHOTS FIRED ON SEPARATE OCCASIONS THROUGHOUT THE TIME I WAS POSITIONED AT _____

P283 / HUBER
041309 / 0830 HOURS



SUPPLEMENTAL REPORT

245 PC
WEEKS / 288

ON 041009 AT APPROXIMATELY 2218 HOURS I ARRIVED AT THE COMMAND POST NEAR THE INTERSECTION OF _____, RESPONDING TO A SWAT CALL OUT AT _____. I RESPONDED FROM NORTHERN CALIFORNIA, WHICH IS WHY I ARRIVED ON SCENE AT SUCH A LATE HOUR.

BY THE TIME I ARRIVED ON SCENE, THE SITUATION WAS UNDER CONTROL, AND THE SUSPECT WAS IN CUSTODY AND THE RESIDENCE ON _____ HAD BEEN CLEARED. AS I ARRIVED, SWAT PERSONNEL WERE SECURING THEIR EQUIPMENT, AND DETECTIVES WERE TAKING CONTROL OF THE SCENE.

I CONTACTED LT. VANCE AND ASKED IF THERE WAS ANYTHING I COULD DO TO ASSIST. LT. VANCE WAS STANDING IN THE GENERAL AREA OF OFFICER STEGNER. I INFORMED LT. VANCE I HAD DRIVEN TO THE SCENE ALONE AND HAD ROOM IN MY VEHICLE, AND ASKED IF HE WOULD LIKE ME TO ACCOMPANY OFFICER STEGNER TO THE POLICE STATION. LT. VANCE DIRECTED ME TO ACCOMPANY OFFICER STEGNER TO THE VENTURA POLICE DEPARTMENT.

OFFICER STEGNER AND I LEFT THE SCENE FROM THE AREA OF THE COMMAND POST AT APPROXIMATELY 2230 HOURS. I DROVE DIRECTLY TO THE VENTURA POLICE DEPARTMENT WITH OFFICER STEGNER AS A PASSENGER IN THE VEHICLE. WHEN WE ARRIVED AT THE POLICE STATION WE PARKED DOWNSTAIRS AND IMMEDIATELY WALKED UP TO THE SPECIAL ENFORCEMENT TEAM (SET) OFFICE, WHERE OFFICER STEGNER AND I REMAINED, UNTIL SGT. FOREMAN ARRIVED AND BEGAN SPEAKING WITH OFFICER STEGNER.

DURING MY TIME WITH OFFICER STEGNER, I DID NOT ASK HIM ANY QUESTIONS ABOUT THE CALL OUT OR THE INCIDENT, AND WE DID NOT DISCUSS ANY OF HIS ACTIONS THROUGHOUT THE INCIDENT.

P283 / HUBER
041109 / 0911 HOURS

H. Huber
2/24

SUPPLEMENTAL REPORT

245 (a)(2) PC / 246.3 PC
WALSH / 290

ON 041009 AT APPROXIMATELY 1820 HOURS OFFICER CALIENTO AND I WERE INSTRUCTED BY LT. TAYLOR TO RESPOND TO THE AREA . WE ARE MEMBERS OF THE CRISIS NEGOTIATION TEAM (CNT) AND LT. TAYLOR HAD DEPLOYED SWAT MEMBERS TO AN INCIDENT AND NEEDED OUR ASSISTANCE IN NEGOTIATION DUTIES.

OFFICER CALIENTO, DET. CPL. STARR AND I RESPONDED TO THE AREA AND WERE INSTRUCTED BY CPL. CASTELLANOS THAT THE MAKE-SHIFT COMMAND POST WAS GOING TO BE AT WHERE WE COULD SET UP OUR CNT EQUIPMENT. DET. CPL. STARR ACTED AS THE PRIMARY NEGOTIATOR AND I ACTED AS SECONDARY NEGOTIATOR. SEE ALSO DET. CPL. STARR'S REPORT.

AFTER NEGOTIATIONS WERE COMPLETED THE SUSPECT, LATER IDENTIFIED AS JEFF FENNELL WAS ESCORTED TO THE FRONT OF THE RESIDENCE AT ON A BACKBOARD STRETCHER. VENTURA CITY FIRE AND AMR PERSONNEL REMOVED A PAIR OF BLUE FLEECE SWEATPANTS SOILED BY BLOOD OFF FENNELL. THE SWEATPANTS WERE LOCATED IN THE STREET IN FRONT OF

VENTURA POLICE OFFICER CLEAVENGER TOLD ME THERE WAS AMMUNITION AROUND THE SWEATPANTS. I TOOK PHOTOGRAPHS OF THE SWEATPANTS ALONG WITH A SMALL AMOUNT OF BLOOD. THE AMMUNITION WERE THREE, .40 CALIBER SMITH AND WESSON (BALL TYPE) BULLETS. ALL ABOVE MENTIONED ITEMS WERE PHOTOGRAPHED AND SEIZED. ADDITIONALLY, A PAIR OF POLICE HANDCUFFS AND A SET OF VENTURA POLICE DEPARTMENT POLICE VEHICLE KEYS WERE FOUND. IT WAS LATER DETERMINED THESE ITEMS BELONGED TO OFFICER HENUBER OF THE VENTURA POLICE DEPARTMENT.

I SECURED THE ABOVE MENTIONED ITEMS INTO THE VPD BLOOD DRYING ROOM. FURTHER EXAMINATION OF THE SWEATPANTS REVEALED THEY WERE SOILED BY BLOOD AND THERE WAS AMMUNITION IN EACH POCKET. SEE PROPERTY PAGE FOR FURTHER DESCRIPTION AND INFORMATION REFERENCE THE AMMUNITION.

THE PAIR OF ADDIDAS SWEATPANTS WERE BOOKED INTO THE VPD BLOOD DRYING ROOM FOR FURTHER PRESERVATION. THE AMMUNITION WAS BOOKED INTO VPD PROPERTY AS EVIDENCE.

AFTER COLLECTING THE EVIDENCE, DET. CPL. STARR INSTRUCTED ME TO TAKE PHOTOGRAPHS OF INCLUDING THE FRONT EXTERIOR WITH POLICE VEHICLES PARKED IN FRONT OF THE RESIDENCE. VPD CSI ALSO TOOK PHOTOGRAPHS AS WELL.

P283 / HUBER
041109 / 0404 HOURS

Handwritten signature/initials

SUPPLEMENTAL REPORT

245 PC
CALIENTO / 389

ON 041009 AT APPROXIMATELY 1822 WAS ACTIVATED AND I WAS DISPATCHED IN THE CAPACITY OF CRISIS NEGOTIATION TEAM TO THE AREA OF REFERENCE A BARRICADED SUBJECT WITH FIREARMS. I CONTACTED WHO TOLD ME SHE WAS MARRIED TO JEFF FENNEL (110769) AND THEY LIVE TOGETHER AT THEY DO NOT HAVE ANY CHILDREN IN COMMON.

ON TODAY'S DATE SAID FENNEL HAD BEEN DRINKING HARD LIQUOR AND WAS NINE YEARS SOBER AND "FELL OFF THE WAGON" AROUND AUGUST OF 2008. HE STAYED SOBER UNTIL HE WENT ON A FOUR-DAY ALCOHOLIC'S ANONYMOUS RETREAT. UPON RETURN FROM THAT AA RETREAT FENNEL BEGAN DRINKING AGAIN. SAID SHE WAS UNSURE HOW MUCH HARD LIQUOR HE CONSUMED, BUT WHEN HE DRINKS HE BECOMES VERY AGGRESSIVE AND ANGRY AND IS DIFFICULT TO DEAL WITH.

SAID SHE RETURNED HOME AND FOUND FENNEL IN THE HOUSE WITH A NEIGHBOR LOOKING AT "ALL OF HIS GUNS." WHEN I ASKED HOW MANY GUNS FENNEL HAS, SAID THERE WERE "TOO MANY TO COUNT." SAID FENNEL HAD AK-47'S, HANDGUNS, SHOTGUNS AND NUMEROUS OTHER WEAPONS IN THE HOUSE, INCLUDING AMMUNITION.

ACCORDING TO FENNEL HAD A PLUMBING COMPANY CALLED "TRADITIONAL PLUMBING", WHICH HAD GONE BANKRUPT AND THEY WERE APPROXIMATELY \$1.5 MILLION IN DEBT. SAID THEY HAD A COURT DATE ON MONDAY, 041309 AT APPROXIMATELY 1430 HOURS FOR BANKRUPTCY PROCEEDINGS DUE TO FENNEL'S COMPANY GOING OUT OF BUSINESS. SAID THEY HAD BEEN FIGHTING OVER FINANCES AND FENNEL HAD BEEN COMPLAINING ABOUT THEIR MARRIAGE AND SEX.

SAID ON TODAY'S DATE SHE RETURNED HOME TO FIND FENNEL INTOXICATED AND LOOKING AT ALL HIS GUNS WITH A NEIGHBOR. THE NEIGHBOR REALIZED WAS NOT HAPPY THEY WERE DOING THIS AND WALKED OUT OF THE RESIDENCE WITH FENNEL. WHILE FENNEL AND THE NEIGHBOR WERE OUTSIDE COLLECTED AS MANY WEAPONS AS SHE COULD AND PLACED THEM BACK INTO A CLOSET/GUN STORAGE, LOCKED THE DOOR WITH HER KEYS, AND TOOK ALL THE KEYS AND PUT THEM IN HER PURSE TO KEEP THE GUNS LOCKED AWAY FROM FENNEL.

WHEN FENNEL CAME BACK INTO THE HOUSE THEY BEGAN HAVING A VERBAL ALTERCATION, AT WHICH TIME FENNEL REACHED INTO A LAUNDRY HAMPER WHERE HAD HIDDEN A 357 MAGNUM. HE PULLED THE GUN OUT OF THE LAUNDRY BASKET AND POINTED IT AT WHO SAID SHE BECAME ALARMED, AND THEY CONTINUED ARGUING. FENNEL TOLD "HOW ABOUT YOU CALL THE COPS, LET'S HAVE SOME FUN."

FENNEL THEN POINTED THE GUN AT HER AGAIN AND THEN WENT INTO THE BEDROOM; HE THEN PLACED THE GUN AT HIS HEAD, THEN POINTED IT AGAIN AT AND THEN PUT THE GUN INTO HIS MOUTH AS IF TO COMMIT SUICIDE. WALKED AWAY AND DOWNSTAIRS AND FENNEL WENT INTO AN UPSTAIRS BATHROOM.

WHILE WAS DOWNSTAIRS SHE HEARD A GUNSHOT AND THOUGHT FENNEL HAD COMMITTED SUICIDE. SHE WENT BACK UPSTAIRS AND SAW FENNEL IN THE BATHROOM WITH A BEER IN ONE HAND AND THE GUN IN THE OTHER. HE AGAIN POINTED THE GUN AT THIS TIME WITH HIS FINGER ON THE TRIGGER. BECAME CONCERNED FOR HER SAFETY, RAN DOWNSTAIRS, GRABBED HER CELL PHONE AND LEFT THE RESIDENCE, CALLING

SAID WHEN FENNEL HAS BEEN DRINKING HARD LIQUOR HE FEELS HE CAN, "TAKE ON THE WORLD", AND TOLD ME SHE WAS CONCERNED IF FENNEL REALIZED THERE WERE AS MANY POLICE ON SCENE AS THERE WERE, FENNEL WOULD BE "GOING HOME IN A BODY BAG." THOUGHT HE MAY BE SUICIDAL AND ANGRY AND DRUNK ENOUGH TO SHOOT AT OFFICERS.

OFFICER'S ACTIONS:

AFTER THE INTERVIEW WITH I RETURNED TO THE COMMAND POST AND ACTED IN THE CAPACITY AS INTELLIGENCE OFFICER FOR THE CRISIS NEGOTIATING TEAM (CNT). AFTER THE INCIDENT CAME TO A CONCLUSION I WAS APPROACHED BY A PASSER-BY WHO TOLD ME HER HOME AT HAD A BULLET ON THE LIVING ROOM FLOOR. I WENT TO HER RESIDENCE AND SPOKE TO VICTIM ONE (V1) WHO TOLD ME NO ONE IN HER FAMILY HAD BEEN HOME DURING THE INCIDENT AND ARRIVED HOME SHORTLY AFTER THE STREET HAD BEEN REOPENED, TO DISCOVER A HOLE IN THEIR LIVING ROOM AND A COPPER BULLET/ROUND IN THE MIDDLE OF THE FLOOR.

I TOOK PICTURES OF BOTH THE OUTSIDE ENTRANCE SHOT FROM THE ROUND AND THE INSIDE WHERE THE ROUND CAME THROUGH THE DRYWALL AND CAME TO REST ON THE LIVING ROOM CARPET. AFTER PHOTOGRAPHING THE ROUND I COLLECTED IT AND THE ROUND WAS BOOKED INTO VENTURA POLICE DEPARTMENT PROPERTY AS EVIDENCE. APPROXIMATE DAMAGE TO THE WALL WAS BETWEEN \$500 AND \$1000. I GAVE V1 A VICTIM'S BILL OF RIGHTS MARSY'S CARD, AND INCLUDED THE REPORT NUMBER, THE DEFENDANT'S NAME AND DATE OF BIRTH, AND MY NAME.

WHILE LEAVING I WAS APPROACHED BY VICTIM TWO (V2) WHO SAID HE RESIDED AT AND HE NOTICED TWO BULLET HOLES OR RICOCHETS IN HIS DRIVEWAY. I TOOK PHOTOGRAPHS OF THE HOLES AND WAS UNABLE TO FIND ANY OTHER DAMAGE TO THE RESIDENCE I TOLD V2 TO CONTACT THE VENTURA POLICE DEPARTMENT IF HE FOUND ANY OTHER DAMAGE TO HIS HOME.

I WAS INFORMED FIREHOUSE FOUR, LOCATED AT ALSO WAS STRUCK BY A ROUND FROM I ATTEMPTED TO CONTACT FIREFIGHTERS AT THE FIRE HOUSE, BUT THEY WERE OUT. THE BULLET HOLE WAS IN

THE REAR OF THE FIREHOUSE, ON THE NORTH SIDE, FACING
TOOK PHOTOGRAPHS OF THE BULLET HOLE.

ALL PHOTOGRAPHS WERE TAKEN WITH A DIGITAL CAMERA. THE PHOTOGRAPHS
WERE SUBMITTED TO VPD CSI FOR PROCESSING. AT 0446 HOURS ON 041109 I
RELIEVED OFFICER REYES AT AND TOOK POSSESSION OF THE
CRIME SCENE LOG, AND TOOK OVER THE SECURITY OF THE CRIME SCENE. I WAS
RELIEVED BY OFFICER MORALES #308 AT APPROXIMATELY 0635 HOURS.

P283 / HUBER
041109 / 1333 HOURS

RELATED CASES	CASE NO. 09-4873
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SECTION / DESCRIPTION AS (A) (2) PL / AD W WITH FIREARM					CLASS <input type="checkbox"/> Misd <input checked="" type="checkbox"/> Fel	OCURRED ON OR BETWEEN	DATE 04-10-09	DAY FRI	TIME 1750		
LOCATION OF OFFENSE CITY STATE ZIP					AND		DATE	DAY	TIME		
CODE S	NAME (Last, First, Middle) / FIRM NAME FENNEL, JEFFREY, STEPHEN		AKA / MONIKER	DOB 11-07-69	AGE 37	SEX M	RACE W	HT 511	WT 210	HAIR BRO	EYES BRO
RESIDENCE ADDRESS CITY STATE ZIP							RESIDENCE PHONE				
BUSINESS NAME ADDRESS CITY STATE ZIP							BUSINESS PHONE				
OCCUPATION / GANG			DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.			OPERATOR'S LIC NO. / STATE			

NARRATIVE
 THE PURPOSE OF THIS SUPPLEMENTAL REPORT IS TO DETAIL MY ACTIONS DURING THE ABOVE CRIME.
 I RESPONDED TO THE INTERSECTION OF _____ IN ORDER TO BLOCK OFF TRAFFIC FROM ENTERING _____ (BOTH FOOT AND VEHICULAR TRAFFIC).
 I ARRIVED ON _____ AT APPROXIMATELY 1830 HOURS AND WAS RELEASED BY SGT. TURNER AT APPROXIMATELY 1930 HOURS

FIELD PROPERTY RELEASE

I, _____, have received from the Ventura Police Department the property described below, which I declare is owned by me.
 I must be able to produce these items if they are required by the Court in the future as evidence in any criminal proceeding in connection with its original loss. I understand that I should not dispose of these items or alter the physical characteristics until after any criminal prosecution involving the property's loss is completed.
 If I cannot produce the property if required by Court, there is a serious risk that any criminal prosecution involving the property will be dismissed.

SIGNATURE _____

- | | | | | | |
|------------------------|-----------------------|-------------------------|------------------------------|--------------------------------|-------------------------|
| PROPERTY CODES: | PROPERTY TYPE: | D: DOCUMENTS | L: LIQUOR/CONSUMABLES | P: PERSONAL ACCESSORIES | Y: CLOTHING/FURS |
| R: RECOVERED | A: AUTOMOTIVE | E: EQUIPMENT/TOOLS | LS: LIVESTOCK/PETS | R: RADIO/TV/SOUND/PHONE | Z: MISC. ITEMS |
| F: FOUND | AP: AUTO PARTS/ACCESS | F: FIREARMS | M: MUSICAL INSTRUMENTS | S: SPORTING EQUIPMENT | |
| E: EVIDENCE | B: BICYCLES | H: HOUSEHOLD APPLIANCES | N: NARCOTICS/DRUGS | V: VESSELS | |
| | C: CAMERA EQUIPMENT | J: ALL JEWELRY | O: OFFICE EQUIPMENT | X: MONEY/SECURITIES | |
| | S: STOLEN | | | | |
| | L: LOST | | | | |
| | SK: SAFEKEEPING | | | | |

CODE	ITEM	QTY	ARTICLE	MAKE/BRAND	MODEL	SERIAL NO.	MISC. DESCRIPTION	VALUE/TAG#

DATE / TIME REPORTED 04-09-09 / 1750	REPORTING OFFICER / ID NO. STALLONE / 394	REVIEWING SUPERVISOR / ID NO. [Signature]	DATE 4-11-09	ADDITIONAL PROPERTY ON PAGE _____ <input type="checkbox"/>
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SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: (031175)
OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN (110769)
VENTURA, CA 93004

Dictated by: DET. LANCE / 337
Date/Time Dictated: 041309 /

OFFICER'S ACTIONS REPORT:

ON 041309 SGT. MURRAY REQUESTED DET. CPL. STARR AND I CANVAS THE AREA OF DRIVE, INCLUDING ; IN AN ATTEMPT TO CONTACT ADDITIONAL WITNESSES OR VICTIMS REFERENCE THE ORIGINAL INCIDENT, WHICH OCCURRED ON 041009.

AT I SPOKE TO .. AFTER IDENTIFYING MYSELF I ASKED IF SHE WAS AT HER RESIDENCE THIS PAST FRIDAY IN THE EARLY EVENING AND SHE SAID, "YES." SHE EXPLAINED SHE KNOWS "JEFF" VERY WELL AND SHE KNEW HE HAD BEEN DRINKING WITH A NEIGHBOR EARLIER THAT DAY. EXPLAINED THE NEIGHBOR WHO LIVES NORTH OF HER HAS A BOAT PARKED IN THE DRIVEWAY, AND THIS NEIGHBOR HAD BEEN DRINKING WITH JEFF DURING THE DAY. SAID SHE WAS THERE THE ENTIRE NIGHT WITH HER HUSBAND. SOME TIME DURING THE EVENING SHE SAW A POLICE CAR IN FRONT OF THE HOUSE. WENT OUTSIDE TO SEE WHAT WAS GOING ON AND SHE WAS TOLD TO GET BACK INSIDE HER RESIDENCE. SAID HER NEIGHBOR CONTACTED HER AND TOLD HER THERE HAD BEEN SOME SORT OF "STANDOFF", AND SHE WAS TOLD SHE HAD TO EVACUATE HER RESIDENCE. SAID SHE LEFT THE RESIDENCE THROUGH HER BACKYARD TOWARD HOUSE, AND LET THE POLICE DEPARTMENT USE HER HOUSE. SAID SHE KNEW JEFF WAS HAVING FINANCIAL PROBLEMS, BUT HE SEEMED TO BE AN AVERAGE GUY. I ASKED IF THERE WAS ANY DAMAGE TO HER RESIDENCE. SAID THERE WERE TWO BULLET

HOLES ON THE OUTSIDE OF HER RESIDENCE. DESCRIBED THE WHOLE INCIDENT AS BEING, "REALLY SAD." SHE WALKED ME OUTSIDE AND SHOWED ME THE DAMAGE TO HER HOUSE AND FENCE.

UPON INVESTIGATION I NOTICED A TAN COLORED WOODEN FENCE ON THE SOUTH SIDE OF THE RESIDENCE. AT THE END OF THE FENCE, APPROXIMATELY THREE-INCHES FROM THE TOP I NOTICED A BULLET HOLE THROUGH THE FENCE. I LOOKED AROUND TOWARD THE SOUTH SIDE OF THE FENCE AND NOTICED WHAT APPEARED TO BE AN EXIT HOLE THROUGH THE FENCE. TOWARD THE WEST SIDE OF THE RESIDENCE, ALONG THE TOP OF THE HOUSE ADJACENT TO THE GARAGE, THERE APPEARED TO BE TWO SCRAPE MARKS, APPROXIMATELY ONE-INCH IN LENGTH EACH. I SHOWED THESE MARKS TO AND ASKED IF THIS WAS UNDISCOVERED DAMAGE AND SHE SAID, "YES." I APPEARED AS THOUGH A BULLET MAY HAVE GRAZED THE TOP OF THE WEST WALL NEAR THE ROOFLINE, AND DID NOT APPEAR TO BE A BULLET HOLE. PHOTOGRAPHS WERE TAKEN OF THE RESIDENCE AND DAMAGE TO THE FENCE AS WELL AS THE WEST WALL OF THE RESIDENCE.

AT I SPOKE WITH HE SAID HE AND HE HAD BEEN HOME AT THE INITIAL TIME OF INCIDENT LAST FRIDAY. SAID HE HEARD SEVERAL GUNSHOTS HE DESCRIBED AS "POPS," AND KNEW FOR CERTAIN IT WAS GUNFIRE BUT HAD NO IDEA WHERE IT WAS COMING FROM. I ASKED IF HE HAD ANY IDEA HOW MANY ROUNDS AND ALL HE COULD TELL ME WAS, "A LOT OF ROUNDS." SAID HE , EAST OF HIS RESIDENCE I ASKED IF THERE WAS ANY DAMAGE TO HIS RESIDENCE AND HE SAID, "NO."

RESIDES AT AND HE SAID HE WAS HOME LAST FRIDAY AND HEARD "MULTIPLE SHOTS," SOUNDING LIKE AN "AK-47." SAID IT SOUNDED LIKE "AUTOMATIC GUNFIRE" AND HE RECEIVED A CALL FROM THE POLICE DEPARTMENT TELLING HIM TO STAY INSIDE, WHICH HE DID. SAID HE STAYED IN HIS RESIDENCE THE ENTIRE EVENING. THERE WAS NO DAMAGE TO HIS RESIDENCE.

AT [REDACTED] I CONTACTED [REDACTED] WHO SAID SHE WAS HOME LAST FRIDAY WITH HER DAUGHTER, AND SAW POLICE OUTSIDE HER RESIDENCE. [REDACTED] SAID SHE HEARD, "GUNSHOTS" COMING FROM AN UNKNOWN DIRECTION, SO SHE RAN TO THE NORTHWEST BEDROOM, WHICH HAS A LARGE WINDOW, TO SEE WHAT WAS GOING ON. [REDACTED] STATED SHE WATCHED ALL THE ACTION FROM THIS BEDROOM. SHE DID NOT KNOW HOW MANY GUNSHOTS SHE HEARD, BUT SAID THERE WERE POLICE EVERYWHERE. SHE SAID THERE WAS NO DAMAGE TO HER RESIDENCE.

I WENT TO [REDACTED] AND SPOKE WITH [REDACTED], WHO EXPLAINED SHE WAS NOT HOME LAST FRIDAY. I ASKED IF ANYONE ELSE MAY HAVE BEEN HOME DURING THE INCIDENT AND IF THEY COULD SPEAK WITH ME. [REDACTED] SAID HER ROOMMATE [REDACTED] WAS HOME AT THE TIME, HOWEVER SHE WAS NOT AT THE RESIDENCE AND WOULD BE MOVING BACK EAST ANY DAY NOW. THERE WAS NO DAMAGE TO THIS RESIDENCE.

AT [REDACTED] I SPOKE TO [REDACTED] WHO TOLD ME SHE WAS AT HER RESIDENCE LAST FRIDAY DOING DISHES WHEN HER HUSBAND CALLED AND ASKED HER IF THERE WAS SOMETHING GOING ON. [REDACTED] WENT OUTSIDE AND SAW POLICE EVERYWHERE AND KNEW SOMETHING WAS GOING ON. SHE WENT BACK INSIDE HER RESIDENCE AND THEN HEARD GUNFIRE, WHICH SOUNDED LIKE A, "HANDGUN." SHE TOLD ME SHE HEARD A VOICE ON A LOUD SPEAKER, TRYING TO GET SOMEONE OUT OF A HOUSE. [REDACTED] HEARD MORE GUNFIRE, WHICH SOUNDED LIKE AN, "AR" REFERRING TO AN ASSAULT RIFLE. [REDACTED] SAID SHE KNOWS WHAT AN ASSAULT RIFLE SOUNDS LIKE BECAUSE HER HUSBAND WORKS FOR THE SHERIFF'S DEPARTMENT AND SHE HAS HEARD THIS PARTICULAR WEAPON. SHE DESCRIBED THE GUNFIRE AS, "SEVERAL BURSTS." [REDACTED] DID NOT KNOW HOW MANY SHOTS SHE HEARD, BUT SIMPLY STATED IT WAS, "A LOT." SHE DESCRIBED THE WHOLE INCIDENT AS BEING, "TRAUMATIC." THERE WAS NO DAMAGE TO [REDACTED] RESIDENCE.

I DID NOT GO TO [REDACTED] DUE TO THE FACT DET. MCCONATHY ALREADY CONTACTED THE HOMEOWNER.

I WENT TO _____ AND SPOKE WITH _____ TOLD ME SHE WAS INSIDE HER RESIDENCE LAST FRIDAY, SITTING IN THE DEN WHEN SHE SAW A POLICEMAN IN HER BACK YARD. SHE CONTACTED THE OFFICER AND TOLD ME THE POLICE IMMEDIATELY WENT UPSTAIRS INTO THE SECOND LEVEL OF HER HOUSE TO GET A BETTER VIEW OF HER NEIGHBOR'S RESIDENCE. _____ SAID THERE WERE POLICE EVERYWHERE AND THAT THEY TOLD HER SHE HAD TO EVACUATE. _____ SAID SHE EVACUATED THE RESIDENCE THROUGH HER BACKYARD AND STAYED IN THE NEARBY AREA FOR SEVERAL HOURS. SHE SAID SHE HEARD MANY GUNSHOTS AND A LOT OF, "SCREAMING." SHE DESCRIBED THE GUNSHOTS AS, "MILITARY SOUND" AND DESCRIBED THE ENTIRE INCIDENT AS, "FRIGHTENING." THERE WAS NO DAMAGE TO HER RESIDENCE.

AT _____ I CONTACTED _____ WHO TOLD ME HE WAS HOME LAST FRIDAY, IN THE EARLY EVENING AND HE SAW THE VPD SWAT TEAM AROUND 6:30. _____ SAID AT ABOUT 7:00 P.M. THAT NIGHT HE WAS TOLD HE NEEDED TO EVACUATE, SO HE AND HIS FAMILY WENT TO A NEIGHBOR'S HOUSE ON _____ SAID HE HEARD A SERIES OF SHOTS, FOUR-TO-FIVE SHOTS AT A TIME. HE DESCRIBED THE SHOTS AS, "VARIOUS CALIBER" AND THEN HEARD ONE, "BIG BOOM." THERE WAS NO DAMAGE TO _____ RESIDENCE.

AT _____ I SPOKE WITH _____ WHO SAID HE WAS HOME LAST FRIDAY WITH HIS WIFE _____ AND THEY BOTH HEARD SEVERAL GUNSHOTS. HE SAID POLICE CAME TO HIS RESIDENCE AND IMMEDIATELY EVACUATED THEM THROUGH THE BACKYARD. _____ DID NOT KNOW HOW MANY GUNSHOTS HE HEARD, BUT SAID HE KNEW HIS NEIGHBOR JEFF AND GUESSED HE HAD JUST, "SNAPPED." THERE WAS NO DAMAGE TO _____ RESIDENCE.

CPL. STARR CONTACTED OTHER RESIDENTS IN THE NEARBY AREA. REFER TO HER SUPPLEMENTAL REPORT FOR FURTHER INFORMATION.

DATE/TIME TRANSCRIBED: 041409 / 1353 HOURS
TRANSCRIBED BY: P283 / HUBER

DATE/TIME REVIEWED:
REVIEWED BY:

C. Starr 4/14/09

Starr 4/14/09

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN (110769)
VENTURA, CA 93004

Dictated by: DET. CPL. STARR / 354
DATE/TIME Dictated: 041409 / 1420 HOURS

OFFICER'S ACTIONS:

ON 041309 AT ABOUT 1555 HOURS I WENT TO THE AREA OF
TO CONDUCT A NEIGHBORHOOD CANVAS REGARDING THE SHOOTING
THAT OCCURRED IN THAT AREA ON 041009. THOUGH MANY OF THE RESIDENTS IN
THAT AREA HAD ALREADY BEEN CONTACTED BY POLICE, I WANTED TO SEE IF ANY
FURTHER DAMAGE TO RESIDENCES HAD BEEN FOUND SINCE THE INCIDENT.

AT I CONTACTED WHO INFORMED ME SHE
INSPECTED HER HOME AND DID NOT FIND ANY DAMAGE OR BULLET HOLES.
IS FRIENDS WITH AND I TOOK A STATEMENT FROM HER
REGARDING HER KNOWLEDGE OF WHAT OCCURRED ON 041009 BETWEEN
AND FENNELL. FOR FURTHER DETAILS REGARDING THAT INTERVIEW,
REFER TO THE SUPPLEMENTAL REPORT OF HER INTERVIEW.

AT THERE WAS NO ANSWER.

AT AND CONTACTED WHO
SAID HE HAD BEEN AWAY FROM THE RESIDENCE BEFORE THE SHOOTING
OCCURRED, AS HAD HIS FAMILY. THEY DID NOT RETURN TO THEIR RESIDENCE UNTIL
AFTER THE INCIDENT WAS OVER. WHEN HE RETURNED HOME HE DISCOVERED A
BULLET HOLE IN THE WALL OF HIS LIVING ROOM, AND THE BULLET WAS ON THE
CARPET IN THE LIVING ROOM. HE INVESTIGATED AND FOUND THE BULLET HAD

COME THROUGH THE SIDE OF HIS HOUSE AND ENTERED INTO THE LIVING ROOM. THERE WAS A LARGE HOLE IN THE WALL. OFFICER CALIENTO RESPONDED TO RESIDENCE THAT EVENING AND TOOK PHOTOGRAPHS OF THE DAMAGE AND COLLECTED THE BULLET FROM THE CARPET AS EVIDENCE. REFER TO OFFICER CALIENTO'S REPORT FOR FURTHER DETAILS.

INITIALLY DID NOT NOTICE ANY OTHER DAMAGE, HOWEVER ON THE MORNING OF 041209 HE AND FAMILY MEMBERS LOCATED ANOTHER BULLET ON THEIR BACK PATIO. IT WAS RESTING ON THE CONCRETE AND IT APPEARED TO HAVE STRUCK SOMETHING BECAUSE IT WAS FLATTENED. TRIED TO FIND WHAT IT MAY HAVE STRUCK, BUT COULD NOT FIND A BULLET HOLE ANYWHERE IN HIS RESIDENCE OR BACK YARD. IT IS UNKNOWN WHERE THE BULLET IMPACTED BEFORE IT LANDED ON HIS BACK PATIO. PICKED UP THE BULLET AND HAD IT IN HIS ROOM AND HE PROVIDED IT TO ME. I COLLECTED IT AS EVIDENCE.

AT THERE WAS NO ANSWER.

I NEXT WENT TO THE RESIDENCE OF RESIDENCE WAS USED AS THE COMMAND POST DURING THE INCIDENT OF 041009. I ASKED IF HE FOUND ANY DAMAGE TO HIS HOUSE AFTER THE INCIDENT. SAID HE HAD NOT FOUND ANY BULLET HOLES OR DAMAGE TO HIS RESIDENCE. HE CHECKED BECAUSE DURING THE SWAT INCIDENT HE WAS IN THE LIVING ROOM WHILE NEGOTIATORS WERE INSIDE HIS HOME, AND HE HAD HEARD ITEMS IMPACTING THE WEST WALL OF THE LIVING ROOM. HE FELT HE WOULD LIKELY FIND DAMAGE ON THAT WALL BUT DID NOT FIND ANY WHEN HE INSPECTED IT. HE ASSUMES IT MAY HAVE BEEN LEAVES OR TWIGS FALLING OUT OF TREES ABOVE AS BULLETS PASSED THROUGH THEM.

AT I SPOKE TO WHO INFORMED ME HE WAS NOT HOME AT THE TIME OF THE INCIDENT OF 041009. I WALKED WITH HIM AS HE CHECKED THE EXTERIOR OF HIS RESIDENCE AND HE DID NOT LOCATE ANY DAMAGE TO HIS HOME.

AT I SPOKE TO WHO WERE BOTH HOME AT THE TIME OF THE INCIDENT ON 041009. THEIR DAUGHTER WAS ALSO HOME, ASLEEP IN AN UPSTAIRS BEDROOM. BOTH REMEMBER HEARING SOME SORT OF "POP" SOUND PRIOR TO POLICE CONTACTING THEM. THEY DID NOT RECOGNIZE THE SOUND AS GUNFIRE, AND THOUGHT IT MAY BE SOMETHING FALLING OUTSIDE; NEITHER PAID MUCH ATTENTION TO THE SOUND. NOT LONG AFTER THAT THEY WERE CONTACTED BY VENTURA POLICE DEPARTMENT OFFICERS WHO INFORMED THEM THEY NEEDED TO EVACUATE THEIR HOUSE. THEY WOKE THEIR DAUGHTER AND LEFT THE HOUSE UNTIL THE INCIDENT WAS OVER. THEY CHECKED THEIR HOUSE FOR DAMAGE AND DID NOT FIND ANY.

AT I SPOKE TO NEITHER WERE HOME AT THE TIME OF THE INCIDENT BECAUSE THEY WERE AT DISNEYLAND. UPON RETURN THEY CHECKED THEIR HOUSE AND DID NOT FIND ANY DAMAGE.

AT THE HOUSE NEXT DOOR TO I SPOKE TO AND WHO BOTH LIVE AT THIS ADDRESS.

THEY BOTH KNOW AND JEFFREY FENNELL AS NEIGHBORS. THEY WERE HOME AT THE TIME OF THE INCIDENT ON 041009 AND HEARD SOUNDS THAT THEY LATER LEARNED TO BE GUNSHOTS COMING FROM THOUGHT SHE REMEMBERED HEARING THREE SHOTS BEFORE SHE WAS CONTACTED BY POLICE. LOOKED OUTSIDE AND SAW WALKING OUTSIDE, TALKING ON A CELL PHONE. SHE WAS WALKING SOUTHBOUND ON AND SHE APPEARED TO BE IN "DISTRESS." HE DID NOT CONTACT HER BECAUSE SHE WAS ON THE PHONE. A SHORT TIME AFTER THAT VENTURA POLICE DEPARTMENT OFFICERS EVACUATED FROM THEIR HOUSE.

I WENT TO AND SPOKE TO THIS HOME IS NEXT DOOR TO HAS LIVED AT THIS ADDRESS FOR FOUR OR FIVE YEARS. FENNELL AND HAVE LIVED NEXT DOOR TO HIM THAT ENTIRE TIME. CONSIDERS HIMSELF "FRIENDLY NEIGHBORS" WITH THEM.

ON 041009 AT ABOUT 1430 HOURS, [REDACTED] RETURNED HOME FROM SCHOOL AND SAW FENNEL ACROSS THE STREET, TALKING TO "SOME KIDS." [REDACTED] HAD A CONVERSATION WITH FENNEL ABOUT FENNEL HELPING HIM REMOVE SOME WASTE FROM HIS HOUSE AND REPAIR A FAUCET. DURING THAT CONVERSATION FENNEL SEEMED TO BE IN A "GOOD MOOD," AND [REDACTED] NOTICED FENNEL HAD BEEN DRINKING. [REDACTED] FELT IT WAS OBVIOUS FENNEL HAD BEEN DRINKING ALCOHOL AND FENNEL OFFERED [REDACTED] A DRINK. [REDACTED] DECLINED AND WENT HOME.

[REDACTED] DID NOT HEAR ANYTHING UNUSUAL COMING FROM FENNEL'S HOUSE UNTIL THE POLICE CAME TO HIS HOUSE AND EVACUATED HIM AND HIS FAMILY. AS HE WAS BEING EVACUATED [REDACTED] HEARD FOUR SHOTS COMING FROM FENNEL'S HOUSE. THE [REDACTED] EVACUATED TO A NEIGHBOR'S HOUSE AND OVER THE COURSE OF THE NIGHT HE HEARD "A LOT" OF SHOTS COMING FROM THE AREA. HE SAID MOST OF THE ROUNDS SOUNDED "MUFFLED", BUT A FEW OF THEM HAD A "SHARPER" SOUND. [REDACTED] CHECKED HIS HOUSE AND DID NOT FIND ANY DAMAGE.

AT [REDACTED] THE RESIDENTS SAID THEY WERE NOT HOME AT THE TIME OF THE INCIDENT, BUT WHEN THEY RETURNED HOME THEIR FRONT DOOR HAD BEEN BROKEN OPEN BY POLICE. THEY HAD NO IDEA WHAT OCCURRED DURING THE SWAT INCIDENT, BUT FOUND NO DAMAGE TO THEIR HOME FROM BULLETS.

AT [REDACTED] I SPOKE TO [REDACTED] TOLD ME ON THE EVENING OF 041009 SHE AND HER HUSBAND WERE GETTING READY TO LEAVE FOR THE EVENING. THEY WALKED OUT THEIR FRONT DOOR AND TO THEIR DRIVEWAY AND [REDACTED] IMMEDIATELY SAW A POLICE VEHICLE WITH ITS FLASHING LIGHTS ON IN FRONT OF HER HOUSE. SHE WAS OUTSIDE FOR A LITTLE WHILE AND WATCHED AS ANOTHER POLICE UNIT PULLED UP WITH FLASHING LIGHTS, AND TWO OFFICERS GOT OUT WITH THEIR GUNS DRAWN. OFFICERS RAN UP TO THE [REDACTED] RESIDENCE AND [REDACTED] HEARD A "POP, POP, POP, POP" SOUND. [REDACTED] WATCHED AS THE [REDACTED] WERE EVACUATED FROM THEIR HOUSE.

AT THAT POINT SHE WENT INSIDE HER RESIDENCE AND WATCHED FROM A WINDOW. WITHIN A COUPLE OF MINUTES, A POLICE OFFICER CAME UP AND EVACUATED . THEY WENT TO A NEIGHBOR'S HOUSE AND COULD HEAR SHOTS BEING FIRED THROUGHOUT THE INCIDENT. AT ONE POINT, WAS CERTAIN SHE HEARD "A RIFLE SHOT." THE CHECKED THEIR HOUSE AND FOUND NO DAMAGES FROM GUNFIRE.

AT NO ONE ANSWERED.

DATE/TIME TRANSCRIBED: 041509 / 1030 HOURS
TRANSCRIBED BY: P283 / HUBER
DATE/TIME REVIEWED:
REVIEWED BY:

CITY OF
VENTURA
POLICE DEPARTMENT

MEDIA RELEASE

Contact: Watch Commander, 805-339-4416

Release Prepared By:
PIO Sgt. Jack Richards 805-339-4482
VENTURA POLICE DEPARTMENT

Updated Information from earlier Press Release.

Incident: Assault with Deadly Weapon, Assault with a Deadly Weapon against a Peace Officer w/ Firearm

Location:

Date/Time Occurred: April 10, 2009, 5:50 p.m.

Officers Involved: VPD Patrol Officers, VPD SWAT Team, Ventura County Sheriffs Dept, VPD Detectives

Suspect: Jeffrey Fennell, 39 yrs, Ventura Resident

Arrested for: 245(a) 2 PC – Assault with a Deadly Weapon w/Firearm
245(d) PC – Assault with a Deadly Weapon against a Peace Officer
246 PC – Shooting into an Inhabited Dwelling
246.3 PC – Discharge a Firearm w/Gross Negligence
69 PC – Obstructing, Resisting Executive Officers in Performance of their duties, including Threats of violence.

Report # 09-4873

Narrative:

On April 10, 2009 at about 5:50 p.m. Ventura Police Patrol Officers responded to a reported call of a domestic disturbance with shots fired inside a residence. When officers arrived they contacted the female victim that had just fled the home. Officers immediately surrounded the residence and a short time later reported hearing multiple shots fired from within the house. Officers continued to maintain a perimeter around the residence as shots continued to be fired from inside the house, they also began to evacuate nearby residences. Ventura Police SWAT arrived and took over the incident.

The suspect continued to fire and exchange shots with SWAT Officers. The suspect was shot in the upper torso area and then surrendered. He was rescued by SWAT personnel and transported by ambulance to Ventura County Medical Center and is being treated for his injuries and is expected to survive. Ventura Police Detectives are still on scene continuing to investigate the incident.

Updated Information* (as of 6:00 p.m. Saturday, April 11, 2009)

Investigators concluded interviews today from yesterday's nearly five hour siege in an east Ventura residential neighborhood where it's estimated that the Suspect (Fennell) fired at least fifty rounds of ammo from inside his residence and at Ventura Police Officers. Ventura Police have released the name of Officer Dan Stegner as the SWAT Sniper that fired the round that hit the suspect in the shoulder. During the siege the suspect indiscriminately fired handgun and high-powered rifle rounds from his backyard and from inside the two-story home on Drive, many of the rounds were later determined to have struck homes in the area and also Ventura City Fire Station #4 nearby which is nearly two blocks away.

*If you have any information about this crime, please call **Ventura Police Detectives at 339-4394**, or make an anonymous call to **Crime Stoppers at 385-TALK or 494-TALK**.*

If your information leads to an arrest, you could receive a cash reward of up to \$1,000.

Updated Information (Con't)

Despite on-going efforts by the SWAT Crisis Negotiators, the suspect refused to surrender and continued to fire shots in and from his home. Stegner fired a single shot from his weapon as the suspect appeared in his view moving through the downstairs area of the home and was struck in the upper torso and shoulder area. After he was shot the suspect was again contacted by SWAT Crisis Negotiators and agreed to surrender by crawling unarmed out the front door of the residence. Once the suspect exited the residence, SWAT officers were able to safely take the suspect into custody and rush him to EMS personnel staged two blocks away.

A subsequent search of the suspect's home revealed a cache of numerous high-powered rifles, shotguns, handguns and thousands of rounds of ammunition. Due to the number of shots fired by the suspect, Police are asking nearby residents to notify the Ventura Police Communications Center at (805) 650-8010 immediately if they discover damage related to this incident.

If you have any information about this crime, please call **Ventura Police Detectives at 339-4394**, or make an anonymous call to **Crime Stoppers at 385-TALK or 494-TALK**.
If your information leads to an arrest, you could receive a cash reward of up to \$1,000.

SUPPLEMENTAL REPORT

CRIME: 245(d) PC

VICTIM:

OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE SWAT MEMBERS

SUSPECT:

JEFFREY STEPHEN FENNELL (110769)**VENTURA, CA 93004**
805-218-9270

DICTATED BY: DET. CPL. STARR / 354

DATE/TIME DICTATED: 111110 / 1400

ON 111110 AT APPROXIMATELY 1310 HOURS DETECTIVE MCCONATHY AND I WENT TO
IN VENTURA TO MEET WITH DETECTIVE MUNGER
HAD INFORMED ME THAT WISHED TO TURN OVER EVIDENCE RELATED
TO THE INCIDENT THAT HAD OCCURRED AT THE HOUSE IN APRIL OF 2009.

UPON ARRIVAL AT THE HOUSE, MET US AT THE FRONT DOOR. SHE
PRESENTED ME WITH A CLEAR PLASTIC BAG CONTAINING WHAT APPEARED TO BE
FOUR PROJECTILES AND ONE SHELL CASING. SHE SAID THE THREE PROJECTILES
HAD COME FROM THE INSIDE OF THE COOLER ON THE RECREATIONAL VEHICLE. I
KNEW FROM HAVING BEEN ON SCENE THE DAY OF THE INCIDENT THAT THE
RECREATIONAL VEHICLE HAD BEEN PARKED IN THE DRIVEWAY OF THE RESIDENCE
AT THE TIME. SHE SAID SHE RETRIEVED THE THREE PROJECTILES FROM THE
COOLER AND THE COOLER IS NOW IN THE "LANDFILL." SHE SAID THAT THE SHELL
CASING HAD BEEN RECOVERED FROM A BOOT INSIDE OF HER CLOSET. SHE HAD
RETAINED THE ITEMS.

THEN ASKED ME IF I WANTED THE ALCOHOL FROM THAT NIGHT. SHE
PRESENTED ME WITH A CARDBOARD BOX CONTAINING TWO PLASTIC BAGS. INSIDE
THE PLASTIC BAGS WAS A CARDBOARD HANDLED SIX PACK BOTTLE CARRIER FOR
SAMUEL ADAMS BEER. THERE WERE FIVE BEER BOTTLES INSIDE OF THE CARRIER.
TWO OF THEM STILL HAD THE CAP ON THEM AND APPEARED TO BE FULL. THE
REMAINING THREE WERE EMPTY. ALSO INSIDE OF THE BOX WAS AN EMPTY BOTTLE

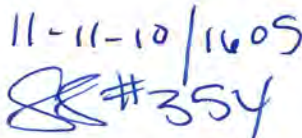
OF "JOSE CUERVO GOLDEN MARGARITAS." ALSO GAVE ME A RECEIPT FROM ALBERTSON'S STORE NUMBER 6318. I CONDUCTED A SEARCH ON THE INTERNET AND FOUND THAT STORE 6318 IS LOCATED AT 7800 TELEGRAPH ROAD IN VENTURA. THE RECEIPT WAS FROM APRIL 10, 2009 AT 1252 HOURS AND WAS FOR "J CUERVO MARGARITA." THE RECEIPT INDICATED THAT IT WAS PURCHASED FOR \$16.99, TAX WAS \$1.40 AND THE \$18.39 TOTAL WAS PAID FOR USING \$100.00 CASH. THE "PREFERRED CUSTOMER" NUMBER ON THE RECEIPT WAS 42575435585.

ALSO GAVE ME A SMALL CLEAR PLASTIC BAG CONTAINING WHAT APPEARED TO BE A BULLET FRAGMENT. SHE SAID SHE RECOVERED THAT FRAGMENT FROM INSIDE OF THE RECREATIONAL VEHICLE AFTER INVESTIGATORS HAD CLEARED THE SCENE.

AS I SPOKE TO SHE DID NOT APPEAR TO BE FORTHCOMING WITH INFORMATION. FOR INSTANCE, SHE TOLD ME SHE HAD LOCATED THE ALCOHOL IN THE HOUSE AFTER THE INCIDENT. WHEN I SPECIFICALLY ASKED HER WHERE SHE FOUND IT SHE REPLIED, "IN THE HOUSE," AS IF NOT WANTING TO GIVE AN EXACT LOCATION. WHEN I SPECIFICALLY ASKED HER WHICH ROOM IT HAD BEEN IN SHE REPLIED THAT IT HAD BEEN IN THE KITCHEN. SHE DID NOT SEEM TO WANT TO ELABORATE. I TOOK THE ITEMS SHE CLAIMED TO BE EVIDENCE AND LEFT THE HOUSE.

AFTER COLLECTING THE ITEMS FROM I GAVE THEM TO DETECTIVE MCCONATHY WHO BOOKED THEM AT THE VENTURA POLICE DEPARTMENT AS EVIDENCE. SEE HIS PROPERTY REPORT FOR FURTHER DETAILS.

DATE/TIME REPORTED: 111110 / 1600
REPORTED BY: STARR / 354

DATE/TIME REVIEWED: 11-11-10 / 1605
REVIEWED BY: 

SpeakWrite
www.speak-write.com
Job Number: 10315-002
Date: 11/11/2010
Billed Word Count: 359

RELATED CASES N/A	CASE NO. 09-04873
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CODE SECTION / DESCRIPTION 245 (D)(2) P.C. A.D.W. ON PEACE OFF. W/ SEVE AUTO				CLASS <input type="checkbox"/> Misd <input checked="" type="checkbox"/> Fel	OCURRED ON OR BETWEEN	DATE 04/10/09	DAY FRID	TIME -
LOCATION OF OFFENSE CITY STATE ZIP				AND	DATE	DAY	TIME	

CODE RP	NAME (Last, First, Middle) / FIRM NAME WIENS, JEFFERY	AKA / MONIKER	DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
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RESIDENCE ADDRESS 1425 DOWELL DR. VENTURA CA 93003	CITY STATE ZIP	RESIDENCE PHONE (805) 339-4354
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BUSINESS NAME CITY OF VENTURA FIRE DEPARTMENT	ADDRESS CITY STATE ZIP	BUSINESS PHONE (805) 339-4354
---	------------------------	---

OCCUPATION / GANG CAPTAIN - FIRE DEPT.	DAYS OFF	WORK HOURS	SOCIAL SECURITY NO.	OPERATOR'S LIC NO. / STATE
--	----------	------------	---------------------	----------------------------

NARRATIVE
ON 05/04/09, AT APPROXIMATELY 1630 HOURS, I CONTACTED CAPT. WIENS REFERENCE AN UNRELATED CASE (V.P.D. 09-5933). WHILE SPEAKING WITH CAPTAIN WIENS HE TOLD DET. MACINNIS AND I THAT ONE OF HIS FIREFIGHTERS HAD REMOVED A BULLET THEY LOCATED IN THE NORTH WALL OF VENTURA CITY FIRE STATION #4, (AFTER THE INCIDENT AT - - -).

DET. MACINNIS AND I ASKED FOR THE BULLET, AND CAPT. WIENS GAVE IT TO US.

THE BULLET WAS TRANSPORTED TO THE VENTURA POLICE DEPARTMENT WHERE IT WAS BOOKED AS EVIDENCE IN THIS CASE.

FIELD PROPERTY RELEASE

I, _____, have received from the Ventura Police Department the property described below, which I declare is owned by me.

I must be able to produce these items if they are required by the Court in the future as evidence in any criminal proceeding in connection with its original loss. I understand that I should not dispose of these items or alter the physical characteristics until after any criminal prosecution involving the property's loss is completed.

If I cannot produce the property if required by Court, there is a serious risk that any criminal prosecution involving the property will be dismissed.

SIGNATURE _____

- | | | | | | | |
|---|---|---|--|--|--|------------------------------------|
| PROPERTY CODES:
R: RECOVERED
F: FOUND
E: EVIDENCE | S: STOLEN
L: LOST
SK: SAFEKEEPING | PROPERTY TYPE:
A: AUTOMOTIVE
AP: AUTO PARTS/ACCESS
B: BICYCLES
C: CAMERA EQUIPMENT | D: DOCUMENTS
E: EQUIPMENT/TOOLS
F: FIREARMS
H: HOUSEHOLD APPLIANCES
J: ALL JEWELRY | L: LIQUOR/CONSUMABLES
LS: LIVESTOCK/PETS
M: MUSICAL INSTRUMENTS
N: NARCOTICS/DRUGS
O: OFFICE EQUIPMENT | P: PERSONAL ACCESSORIES
R: RADIO/TV/SOUND/PHONE
S: SPORTING EQUIPMENT
V: VESSELS
X: MONEY/SECURITIES | Y: CLOTHING/FURS
Z: MISC. ITEMS |
|---|---|---|--|--|--|------------------------------------|

CODE	ITEM	QTY	ARTICLE	MAKE/BRAND	MODEL	SERIAL NO.	MISC. DESCRIPTION	VALUE/TAG#

DATE / TIME REPORTED 05/05/09 1148	REPORTING OFFICER / ID NO. D. BOON #301	REVIEWING SUPERVISOR / ID NO. TOM 264	DATE 5/5/09	ADDITIONAL PROPERTY ON PAGE <input type="checkbox"/>
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SUPPLEMENTAL REPORT

CRIME: 245 PC/246 PC/69 PC
VICTIM:
SUSPECT: JEFF FENNELL

REPORTED BY: GUALTIERI, P357
DATE/TIME REPORTED: 4/15/09 1628 HRS.

CRIME SCENE INVESTIGATION SERVICE REQUEST REPORT

ON 4/15/09, AT APPROXIMATELY 1540 HOURS, I CHECKED CABINET #4 IN THE BLOOD DRYING ROOM. CABINET #4 CONTAINED ONE ITEM BOOKED BY CORPORAL WALSH, ID# 290.

ON 4/15/09, AT APPROXIMATELY 1600 HOURS, I REMOVED TAG A129813, "SIZE LARGE BLUE ADDIDAS SWEATPANTS-SOILED W/BLOOD" FROM CABINET #4 AND PACKAGED IT APPROPRIATELY.

ON 4/15/09, AT APPROXIMATELY 1630 HOURS, I BOOKED THE ITEM INTO THE VENTURA POLICE DEPARTMENT PROPERTY ROOM FOR STORAGE.

DATE/TIME REPORTED: 4/15/09 1628 HRS.
REPORTED BY: GUALTIERI, P357
DATE/TIME REVIEWED: 4/15/09 1631 HRS.
REVIEWED BY: GUALTIERI, P357

GG P357

Rm 221

GG

VENTURA POLICE DEPARTMENT

PROPERTY SUPPLEMENTAL REPORT

PAGE 1 OF 1

RELATED CASES										CASE NO. 09-4873			
CODE SECTION / DESCRIPTION PROPERTY							CLASS <input type="checkbox"/> Misd <input type="checkbox"/> Fel		OCCURRED ON OR BETWEEN		DATE 04-13-09	DAY MON	TIME 1257
LOCATION OF OFFENSE				CITY VENTURA	STATE CA	ZIP 93003	AND		DATE	DAY	TIME		
CODE	NAME (Last, First, Middle) / FIRM NAME			AKA / MONIKER		DOB	AGE	SEX	RACE	HT	WT	HAIR	EYES
RESIDENCE ADDRESS							CITY	STATE	ZIP	RESIDENCE PHONE			
BUSINESS NAME			ADDRESS		CITY	STATE	ZIP	BUSINESS PHONE					
OCCUPATION / GANG				DAYS OFF		WORK HOURS		SOCIAL SECURITY NO.		OPERATOR'S LIC. NO. / STATE			

NARRATIVE
 ON THE ABOVE DATE AND TIME VPD VIP DAVE CARLSON LOCATED AN EXPENDED TEAR GAS CARTRIDGE. THE CARTRIDGE WAS LOCATED IN THE FRONT LAWN OF I TRANSPORTED THE CARTRIDGE TO VPD AND BOOKED IT AS EVIDENCE.

9721

FIELD PROPERTY RELEASE

I, _____, have received from the Ventura Police Department the property described below, which I declare is owned by me.

I must be able to produce these items if they are required by the Court in the future as evidence in any criminal proceeding in connection with its original loss. I understand that I should not dispose of these items or alter the physical characteristics until after any criminal prosecution involving the property's loss is completed.

If I cannot produce the property if required by Court, there is a serious risk that any criminal prosecution involving the property will be dismissed.

SIGNATURE _____

PROPERTY CODES:				PROPERTY TYPE:			
R: RECOVERED	S: STOLEN	A: AUTOMOTIVE	D: DOCUMENTS	L: LIQUOR/CONSUMABLES	P: PERSONAL ACCESS.	Y: CLOTHING/FURS	
F: FOUND	L: LOST	AP: AUTO PARTS/ACCESS	E: EQUIPMENT/TOOLS	LS: LIVESTOCK/PETS	R: RADIO/TV/SOUND/PHONE	Z: MISC. ITEMS	
E: EVIDENCE	SK: SAFEKEEPING	B: BICYCLES	F: FIREARMS	M: MUSICAL INSTRUMENTS	S: SPORTING EQUIPMENT		
		C: CAMERA EQUIPMENT	H: HOUSEHOLD APPLIANCES	N: NARCOTICS/DRUGS	V: VESSELS		
			J: ALL JEWELRY	O: OFFICE EQUIPMENT	X: MONEY/SECURITIES		

CODE	ITEM	QTY	ARTICLE	MAKE/BRAND	MODEL	SERIAL NO.	MISC. DESCRIPTION	VALUE / TAG #
1								
2								
3								
4								

DATE / TIME REPORTED 04-13-09 1257	REPORTING OFFICER / ID NO. URIBE 397	REVIEWING SUPERVISOR / ID NO. <i>[Signature]</i>	DATE 4.14.09	ADDITIONAL PROPERTY ON PAGE _____ <input type="checkbox"/>
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9721

PROP

SUPPLEMENTAL REPORT

CRIME: 245 PC/246 PC/69 PC
VICTIM:
SUSPECT: JEFF FENNELL

REPORTED BY: GUALTIERI, P357
DATE/TIME REPORTED: 4/11/09 1120 HRS.

CRIME SCENE INVESTIGATION REPORT

ON 4/10/09, AT APPROXIMATELY 2055 HOURS, I WAS CONTACTED BY DETECTIVE SERGEANT MURRAY REFERENCE AN OFFICER INVOLVED SHOOTING AT
IN VENTURA. SGT. MURRAY ASKED ME TO RESPOND TO THE VENTURA POLICE DEPARTMENT FOR CRIME SCENE INVESTIGATION.

ON 4/10/09, AT APPROXIMATELY 2200 HOURS, I ARRIVED AT THE VENTURA POLICE DEPARTMENT. I WAS CONTACTED BY SGT. MURRAY WHO BRIEFED ME ON THE CIRCUMSTANCES. SGT. MURRAY ALSO INFORMED ME THAT DETECTIVE BORKOVEC AND CRIME SCENE VOLUNTEER IGARTA WOULD BE ASSISTING WITH THE CRIME SCENE INVESTIGATION.

ON 4/10/09, AT APPROXIMATELY 2237 HOURS, VOLUNTEER IGARTA AND I ARRIVED AT
IN VENTURA. UPON OUR ARRIVAL, SGT. MURRAY REQUESTED THE RESIDENCE ACROSS THE STREET FROM WHICH WAS
BE PROCESSED. THIS WAS THE RESIDENCE FROM WHICH THE SNIPER HAD FIRED.

ON 4/10/09, AT APPROXIMATELY 2244 HOURS, I BEGAN MY SERIES OF PHOTOGRAPHS BEGINNING WITH THE EXTERIOR OF WHILE PHOTOGRAPHING THE EXTERIOR, I NOTICED THE FURTHEST SOUTH WINDOW ON THE GARAGE DOOR WAS BROKEN.

ONCE THROUGH PHOTOGRAPHING THE GARAGE DOOR WINDOW, DET. BORKOVEC WALKED ME THROUGH THE RESIDENCE TO THE BACKYARD. HE POINTED OUT

WHERE A SCREEN HAD BEEN REMOVED FROM THE SOUTH UPSTAIRS WINDOW ON THE EAST SIDE OF THE RESIDENCE. THIS AREA WAS PHOTOGRAPHED.

ONCE THROUGH PHOTOGRAPHING THE BACKYARD, I MOVED TO THE INTERIOR OF THE RESIDENCE. I BEGAN BY PHOTOGRAPHING THE STAIRCASE LEADING TO THE SOUTHEAST BEDROOM OF THE RESIDENCE.

ONCE THROUGH PHOTOGRAPHING THE UPSTAIRS SOUTHEAST BEDROOM, I MOVED TO THE INTERIOR OF THE GARAGE IN THE SOUTHWEST CORNER OF THE RESIDENCE WHERE THE SNIPER WEAPON WAS LOCATED. THE WEAPON AND THE SHELL CASING WERE PHOTOGRAPHED AND COLLECTED AS EVIDENCE.

ONCE THROUGH WITH THE INTERIOR OF THE GARAGE, DET. BORKOVEC DIRECTED ME TO THE SOUTHWEST AND NORTHWEST DOWNSTAIRS BEDROOMS. HE INSTRUCTED ME TO TAKE PHOTOGRAPHS OF BOTH.

ONCE THROUGH PHOTOGRAPHING THE SOUTHWEST AND NORTHWEST DOWNSTAIRS BEDROOMS, I MOVED BACK OUTSIDE OF THE RESIDENCE. I BEGAN PHOTOGRAPHING THE STREET AND THE LOCATION OF THE VEHICLES THAT WERE PRESENT. AS I WAS PHOTOGRAPHING THE STREET, I NOTICED PIECES OF PAPER ON THE STREET NEAR THE SWAT VEHICLE, THAT WHEN LIFTED, WERE COVERING A LIVE ROUND AND MULTIPLE SHELL CASINGS. THESE WERE ALL PHOTOGRAPHED AND COLLECTED AS EVIDENCE.

ONCE THROUGH COLLECTING THE LIVE ROUND AND THE SHELL CASINGS, I BEGAN PHOTOGRAPHING THE EXTERIOR OF THE RESIDENCE. THERE WERE THREE POOLS OF BLOOD IN FRONT OF THE ENTRANCE TO THE RESIDENCE AND SEVERAL LIVE ROUNDS NORTH OF THE POOLS OF BLOOD. THE ROUNDS WERE COLLECTED AS EVIDENCE AND THE POOLS OF BLOOD WERE SWABBED. THERE WAS A HOLE IN THE EXTERIOR WINDOW OF THE KITCHEN. THE HOLE WAS ALSO PHOTOGRAPHED.

ONCE THROUGH WITH THE EXTERIOR OF THE EAST SIDE OF THE RESIDENCE, I MOVED TO THE INTERIOR OF THE RESIDENCE AND TOOK OVERALL PHOTOGRAPHS. WHILE TAKING OVERALL PHOTOGRAPHS, I NOTICED FOUR LARGER POOLS OF BLOOD

ON THE KITCHEN FLOOR WHERE JEFF FENNEL WAS SHOT. THE KITCHEN WAS PHOTOGRAPHED AND TRAJECTORY RODS WERE PLACED THROUGH THE HOLE IN THE KITCHEN WINDOW CONTINUING THROUGH THE WEST WALL OF THE KITCHEN INTO THE EAST WALL OF THE HALLWAY AND STOPPING IN THE WEST WALL OF THE HALLWAY. IT SHOULD BE NOTED THAT THE WEST WALL OF THE HALLWAY IS WHERE A ROUND WAS RECOVERED. THIS ROUND WAS REMOVED, PHOTOGRAPHED AND COLLECTED AS EVIDENCE. WHILE PHOTOGRAPHING THE KITCHEN, VOLUNTEER IGARTA SWABBED THE POOLS OF BLOOD ON THE FLOOR, THE BLOOD ON THE WEST SIDE WALL OF THE KITCHEN AND THE KITCHEN CEILING.

ONCE THROUGH WITH THE KITCHEN AND HALLWAY, I MOVED TO THE DOWNSTAIRS NORTHEAST ROOM OF THE RESIDENCE. THERE WAS ONE BULLET FRAGMENT LOCATED IN THE SOUTHWEST CORNER OF THE ROOM. THIS BULLET FRAGMENT WAS PHOTOGRAPHED AND COLLECTED AS EVIDENCE.

ONCE THROUGH WITH THE DOWNSTAIRS NORTHEAST ROOM OF THE RESIDENCE, I MOVED TO THE UPSTAIRS GUEST BATHROOM LOCATED TO THE NORTH OF THE STAIRCASE. THERE WAS A HOLE IN THE BATHROOM DOOR AND IN THE SOUTH WALL OF THE GUEST BATHROOM. LOCATED IN THE DOORWAY OF THE BATHROOM WERE TWO SHELL CASINGS. THERE WAS ALSO A BULLET FRAGMENT ON THE FLOOR AND ANOTHER ONE IN THE BATHTUB. THE SHELL CASINGS AND BULLET FRAGMENTS WERE PHOTOGRAPHED AND COLLECTED AS EVIDENCE.

ONCE THROUGH WITH THE UPSTAIRS BATHROOM, DET. BORKOVEC DIRECTED ME TO A SHOTGUN LOCATED IN THE BACKYARD. THE SHOTGUN WAS IN THE CORNER OF THE GRASS AREA ON THE NORTH SIDE OF THE RESIDENCE OUTSIDE OF THE DEN. IT WAS LOCATED IN THE NORTHEAST CORNER OF THE GRASS AREA. THE SHOTGUN WAS PHOTOGRAPHED AND COLLECTED AS EVIDENCE.

ONCE THROUGH PHOTOGRAPHING THE SHOTGUN, WE CONCLUDED OUR PROCESSING FOR THE DAY AND RETURNED TO THE VENTURA POLICE DEPARTMENT

DATE/TIME REPORTED:
REPORTED BY:

4/11/09 1120 HRS.
GUALTIERI, P357

DATE/TIME REVIEWED:
REVIEWED BY:

4/13/09 0722 HRS.
GUALTIERI, P357

gg P357

SUPPLEMENTAL REPORT

CRIME: 245 PC/246 PC/69 PC
VICTIM:
SUSPECT: JEFF FENNELL
REPORTED BY: GUALTIERI, P357
DATE/TIME REPORTED: 4/13/09 0723 HRS.

CRIME SCENE INVESTIGATION REPORT

ON 4/11/09, AT APPROXIMATELY 1250 HOURS, VOLUNTEER IGARTA AND MYSELF RETURNED TO IN VENTURA TO COMPLETE PROCESSING THE CRIME SCENE.

ON 4/11/09, AT APPROXIMATELY 1255 HOURS, I BEGAN MY SERIES OF PHOTOGRAPHS BEGINNING WHERE I HAD LEFT OFF THE NIGHT BEFORE. THE UPSTAIRS MASTER BEDROOM. THE MASTER BEDROOM CONTAINED FOUR FIREARMS AND MULTIPLE SHELLS CASINGS OF MULTIPLE CALIBERS. THERE WERE ALSO LIVE ROUNDS. ALL OF THE FIREARMS, SHELL CASINGS AND LIVE ROUNDS WERE PHOTOGRAPHED AND COLLECTED AS EVIDENCE.

ONCE THROUGH COLLECTING THE EVIDENCE IN THE MASTER BEDROOM, I PHOTOGRAPHED MULTIPLE HOLES IN THE EAST WALL AND THE SOUTH WALL OF THE MASTER BEDROOM. THE WINDOW AND THE SCREEN SOUTH OF THE BED ON THE EAST WALL OF THE ROOM HAD MULTIPLE HOLES IN THEM. ALL OF THESE HOLES WERE PHOTOGRAPHED. I ALSO PLACED TRAJECTORY RODS IN THE HOLES OF THE WINDOW, SCREEN AND WALLS TO SHOW THE POSSIBLE PATH OF THE BULLETS. IT SHOULD BE NOTED THAT THERE WERE FIVE HOLES IN THE WINDOW SCREEN SOUTH OF THE BED ON THE EAST WALL, BUT SIX HOLES INTO THE SOUTH WALL. THERE WAS ALSO A BULLET FRAGMENT BENEATH THE SOUTH WINDOW ON THE EAST WALL OF THE MASTER BEDROOM. THIS BULLET FRAGMENT WAS PHOTOGRAPHED AND COLLECTED AS EVIDENCE.

Handwritten signature and date: 4/13/09 2:44

ONCE THROUGH WITH THE MASTER BEDROOM, DETECTIVE SERGEANT MURRAY POINTED OUT THAT THERE WAS A ROUND IN THE FAN OF THE R.V. PARKED IN THE DRIVEWAY IN THE FRONT OF THE RESIDENCE. THIS ROUND APPEARED TO HAVE BEEN FIRED FROM THE MASTER BEDROOM WINDOW. THE BULLET FRAGMENT WAS PHOTOGRAPHED AND COLLECTED AS EVIDENCE.

ONCE THROUGH WITH THE R.V., I MOVED TO THE BACKYARD ON THE NORTH SIDE OF THE RESIDENCE. THE BACKYARD SHARED A COMMON WALL WITH THE DEN. THE WALL WAS THE NORTH WALL OF THE DEN AND THE SOUTH WALL OF THE BACKYARD. THERE WERE MULTIPLE HOLES IN THE COMMON WALL. THERE WAS ALSO A HOLE IN THE GARAGE AND MULTIPLE HOLES IN THE WINDOW ON THE NORTH SIDE OF THE RESIDENCE WHERE THE DEN IS LOCATED. THE HOLES LOCATED ON THIS SIDE OF THE RESIDENCE APPEARED TO BE EXITING FROM THE INTERIOR OF THE DEN. THERE WERE ALSO A FEW HOLES THAT WERE TO THE EAST OF THE DEN EXTERIOR DOOR THAT APPEARED TO HAVE PIERCED THROUGH THE WALL TO THE EAST OF THE DOOR.

ONCE THROUGH WITH THE BACKYARD, I MOVED BACK TO THE INTERIOR OF THE RESIDENCE TO THE UPSTAIRS MASTER BATHROOM. THERE WAS ONE HOLE IN THE MIRROR IN THE BATHROOM. THIS HOLE WAS PHOTOGRAPHED.

ONCE THROUGH WITH THE MASTER BATHROOM, I MOVED TO THE EXTERIOR DECK ON THE NORTH EXTERIOR SIDE OF THE MASTER BATHROOM. WHILE ON THE DECK, I PHOTOGRAPHED A PAINT CAN THAT APPEARED TO HAVE A HOLE IN IT. FROM THE DECK, THE ROOF OF THE DEN WAS VISIBLE. THERE WERE MULTIPLE HOLES IN THE ROOF THAT APPEARED TO BE EXIT HOLES COMING FROM THE INTERIOR OF THE DEN. THERE WERE ALSO HOLES ON THE EXTERIOR WEST MASTER BATHROOM WALL.

ONCE THROUGH WITH THE DECK, I MOVED TO THE INTERIOR DEN OF THE RESIDENCE. THE DEN CONTAINED MULTIPLE LIVE ROUNDS AND SHELL CASINGS. THE LIVE ROUNDS AND SHELL CASINGS WERE ALL PHOTOGRAPHED AND COLLECTED AS EVIDENCE.

ON 4/11/09, AT APPROXIMATELY 1715 HOURS, I CONCLUDED PROCESSING THE CRIME SCENE AND RETURNED TO THE VENTURA POLICE DEPARTMENT. ALL EVIDENCE IN THIS CASE WILL BE BOOKED INTO THE VENTURA POLICE DEPARTMENT PROPERTY ROOM FOR STORAGE.

DATE/TIME REPORTED: 4/13/09 0723 HRS.
REPORTED BY: GUALTIERI, P357
DATE/TIME REVIEWED: 4/13/09 1323 HRS.
REVIEWED BY: GUALTIERI, P357

gg P357

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: (031175)
OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN (110769)

VENTURA, CA 93004

INTERVIEW WITH: JEFFREY FENNELL

INTERVIEWED BY: DET. LANCE / 337

Dictated by: DET. LANCE / 337

DATE/TIME Dictated: 041309 /

ON 041009 AT APPROXIMATELY 1900 HOURS, DET. SGT. MURRAY CALLED ME AT MY RESIDENCE AND REQUESTED I COME TO WORK TO ASSIST WITH A SPECIAL WEAPONS AND TACTICS (SWAT) CALL-OUT AT

UPON ARRIVAL AT THE STATION, I CONTACTED DET. CPL. MUNGER WHO WAS ALREADY SPEAKING TO VICTIM . REFER TO CPL. MUNGER'S REPORT REFERENCE HER STATEMENT. IT WAS LATER DETERMINED THAT SUSPECT JEFF FENNELL HAD BEEN SHOT BY A MEMBER OF THE VENTURA POLICE DEPARTMENT SWAT TEAM. DET. SGT. MURRAY REQUESTED I IMMEDIATELY GO TO THE SCENE.

I DROVE TO AND AS I APPROACHED ON I NOTICED FIRE PERSONNEL ASSISTING A MALE SUBJECT, LATER IDENTIFIED AS JEFF FENNELL, INTO THE AMBULANCE. I IMMEDIATELY GOT INTO THE AMBULANCE AND WAS TRANSPORTED WITH FIRE PERSONNEL AND AMR TO VENTURA COUNTY MEDICAL CENTER (VCMC). IT SHOULD BE NOTED WHILE EN ROUTE TO VCMC, AMR AND FIRE PERSONNEL WERE WORKING ON THE SUSPECT, WHO DID NOT MAKE ANY COMMENTS.

ONCE THE AMBULANCE ARRIVED AT VCMC, THE SUSPECT WAS IMMEDIATELY TRANSPORTED TO THE EMERGENCY ROOM TO RECEIVE EMERGENCY MEDICAL TREATMENT. JUST PRIOR TO HIM BEING TRANSPORTED TO GET A CT SCAN, I WAS ABLE TO BRIEFLY SPEAK TO FENNEL. I WALKED UP TO FENNEL, WHO WAS STILL IN THE EMERGENCY ROOM AND IDENTIFIED MYSELF. I ADVISED FENNEL I NEEDED TO READ HIM HIS MIRANDA RIGHTS, WHICH I DID USING MY VPD MIRANDA CARD. FENNEL WAIVED HIS RIGHTS AND SAID, "SURE" HE WOULD TALK TO ME. I ASKED WHAT HAPPENED TONIGHT, AND HE SAID, "I GOT TOO DRUNK, I JUST GOT CRAZY". I ASKED WHAT HE MEANT BY GETTING TOO CRAZY AND HE REPLIED, "I DRANK TOO MUCH". I ASKED HOW MUCH HE HAD TO DRINK AND FENNEL SAID HE DID NOT KNOW. I ASKED FENNEL IF HE WAS SHOOTING GUNS EARLIER THIS EVENING AND HE SAID, "YEAH". I ASKED WHAT KIND OF WEAPONS HE HAD BEEN SHOOTING, AND FENNEL DID NOT ANSWER. I THEN ASKED IF THEY WERE HANDGUNS OR ASSAULT RIFLES, AND HE SAID, "BOTH." I ASKED HOW MANY ROUNDS HE FIRED, AND HE STATED, "I DON'T KNOW". I ASKED WHO HE WAS SHOOTING AT, AND HE SAID HE DISCHARGED THE ROUNDS IN HIS OFFICE, IN THE WALL. I ASKED FENNEL IF HE WAS AIMING THE ROUNDS AT ANYONE AND HE SAID, "NO". I ASKED WHAT HIS PURPOSE WAS IN SHOOTING THE ROUNDS AND HE STATED, "I DON'T KNOW" AND SAID HE WAS, "STUPID". I ASKED IF HE HAD ANY INTENTIONS ON HITTING ANYONE AND HE SAID, "NO". I ASKED FENNEL IF HE HAD AN ARGUMENT EARLIER WITH HIS WIFE AND HE TOLD ME, "NO". I ASKED IF HE SHOT ANY ROUNDS AT HIS WIFE, AND HE SHOOK HIS HEAD AS IF TO INDICATE NO. I ASKED IF HE WAS SUICIDAL EARLIER IN THE DAY, AND HE SAID, "YEAH".

HOSPITAL PERSONNEL THEN WHEELED FENNEL TO HAVE A CT PROCEDURE. WHILE I WAS WAITING OUTSIDE THE CT SCANNING ROOM I BRIEFLY SPOKE WITH WHO ORIGINALLY SAW FENNEL IN ER. I ASKED WHAT FENNEL'S CONDITION CURRENTLY WAS. HE SAID HE WAS IN STABLE CONDITION AND DID NOT HAVE ANY LIFE-THREATENING INJURIES, AND THAT SOME POINT IN THE FUTURE HE WOULD NEED TO HAVE SURGERY TO RECONSTRUCT HIS SHOULDER.

OFFICER HENUBER WAS ABLE TO GO INTO THE CT SCAN ROOM WHERE HE OBTAINED FENNEL'S SHIRT. OFFICER HENUBER LATER WAS ABLE TO OBTAIN FENNEL'S UNDERWEAR JUST OUTSIDE THE OPERATING ROOM. OFFICER HENUBER GAVE ME

FENNELL'S SHIRT AND UNDERWEAR, WHICH I LATER GAVE TO EVIDENCE TECH GINA GUALTIERI.

WHILE FENNELL WAS RECEIVING THE CT SCAN I CONTACTED OUTSIDE VCMC AND TOLD HER VPD WANTED CONSENT FROM HER TO SEARCH HER RESIDENCE AT [REDACTED] I SHOWED [REDACTED] THE VPD CONSENSUAL SEARCH REQUEST FORM, WHICH SHE VOLUNTARILY SIGNED. I CONTACTED DET. CPL. MUNGER AND TOLD HIM I RECEIVED BOTH VERBAL AND WRITTEN CONSENT FOR VPD OFFICERS TO SEARCH THE RESIDENCE AT [REDACTED]

IT SHOULD BE NOTED THAT MY CONVERSATION WITH FENNELL INSIDE ER AND MY CONVERSATION WITH [REDACTED] OUTSIDE VCMC WERE BOTH RECORDED AND THESE RECORDINGS WERE BOOKED INTO VPD PROPERTY AS EVIDENCE.

DUE TO THE FACT FENNELL WAS SUBSEQUENTLY TRANSPORTED TO THE OPERATING ROOM, I WAS UNABLE TO RE-CONTACT HIM. AT APPROXIMATELY 0100 HOURS ON 041109 I WENT TO THE CRIME SCENE AT [REDACTED] I CONTACTED DET. BORKOVEC WHO BRIEFLY WALKED ME THROUGH THE CRIME SCENE. THE ROOM ON THE NORTHWEST CORNER OF THE RESIDENCE (FIRST LEVEL) WAS DETERMINED TO BE FENNELL'S DEN. THIS NORTHWEST ROOM HAD A DOOR ON THE WEST WALL, LEADING INTO A SMALL ROOM WHICH HAD NUMEROUS HANDGUNS, SHOTGUNS, AMMUNITION, GUN PARTS, BOWS AND ARROWS, AND OTHER ITEMS.

I WAS SPECIFICALLY IN CHARGE OF THIS ROOM, AND I SUBSEQUENTLY WAS ABLE TO TAKE MANY DIFFERENT FIREARMS AND OTHER ITEMS FROM THIS PARTICULAR ROOM. ITEM NUMBERS 111 THROUGH 160 WERE ALL ITEMS CONFISCATED WITHIN THIS ROOM.

ITEM 161, A "TAURUS" .357 REVOLVER WAS FOUND ON THE FLOOR OF THE DEN, JUST OUTSIDE THE GUN ROOM.

ITEM 162, A SUN DEVIL .223 CALIBER ASSAULT RIFLE WAS LOCATED ALSO ON THE FLOOR JUST OUTSIDE THE GUN ROOM.

EVIDENCE TECH GUALTIERI FOUND ITEM NUMBER 163, THE MOSSBERG SHOTGUN
THIS SHOTGUN WAS LOADED WITH A WINCHESTER SLUG AND HAD FOUR
FINCCH 12 GAUGE ROUNDS IN THE MAGAZINE (ITEM 165).

ITEM 164 WAS A TASER, WHICH WAS FOUND ON THE SOUTH SIDE OF THE DEN,
LOCATED ON A SHELF.

IT SHOULD BE NOTED ITEMS 166 THROUGH 171 WERE FOUND BY DET. BORKOVEC,
WHO TOLD ME HE FOUND THESE PARTICULAR ITEMS INSIDE A SHED, LOCATED ON
THE NORTH SIDE OF THE RESIDENCE. THESE ITEMS INCLUDED PAINTBALL GUNS
AND AN AIR-SOFT GUN.

IT SHOULD BE NOTED I STARTED MY ITEMS AT 111 SO THERE WOULD BE NO
CONFUSION WITH ANY OTHER ITEMS TAKEN FROM THE SCENE. IT SHOULD ALSO BE
NOTED WHILE I TOOK PHOTOGRAPHS OF ALL THESE ITEMS, THE PHOTO NUMBER
BEGAN AT NUMBER ONE. AS AN EXAMPLE, ITEM NUMBER 111 HAS A PHOTO NUMBER
OF NUMBER ONE; ITEM NUMBER 112 HAS A PHOTO NUMBER OF TWO, ETC. DET.
BOON AND I SUBSEQUENTLY TOOK ALL THE AFOREMENTIONED ITEMS AND BOOKED
THEM INTO VENTURA POLICE DEPARTMENT PROPERTY AS EVIDENCE. REFER TO ALL
OTHER OFFICERS REPORTS FOR FURTHER INFORMATION.

DATE/TIME TRANSCRIBED: 041309 / 1913 HOURS
TRANSCRIBED BY: P283 / HUBER

DATE/TIME REVIEWED:
REVIEWED BY:

C. L. 4/14/09

1.

↳ ABOUT TO HAVE A KID

- ON LINE: ~~1942~~ 1945
OFF LINE: NO ANSWER MESSAGE LEFT

- ON LINE @ 1948
MADE CONTACT w/ DP

- HAS A LOT OF GUNS
ALL OVER

Does he sound HBD. - SOUNDS HBD

- Any children? () 4 yrs

- OFF LINE @ 1954

- ~~ON~~ ON LINE @ 1954

- OFFLINE @ 1958

- ON LINE @ 2000 - LONG MESSAGE LEFT

- OFFLINE @ 2001

- ON LINE @ 2002 - MESSAGE LEFT

- OFFLINE @ 2003 - BUSY SIGNAL

- ON LINE @ 2004 - MESSAGE LEFT

- OFFLINE @ 2005

- ON LINE @ 2006 - MESSAGE LEFT

- OFF LINE @ 2007

- ON LINE @ 2008 - MESSAGE LEFT

- OFF LINE @ 2009

TRYING CELL PHONE @ 2010 -
CELL PHONE TURNED OFF

- ONLINE @ 2011 - LONG CONVERSATION
- OFFLINE @ 2018
- ONLINE @ 2019 - MESSAGE LEFT
- OFFLINE @ 2019
- ONLINE @ 2020 - MESSAGE LEFT
- OFFLINE @ 2022
- ONLINE @ 2023 - MESSAGE LEFT
- OFFLINE @ 2024
- ONLINE @ 2024 - MESSAGE LEFT
- OFFLINE @ 2025
- ONLINE @ 2025 - BUSY SIGNAL
- OFFLINE @ 2025
- ONLINE @ 2026 - MESSAGE LEFT
- OFFLINE @ 2026
- ONLINE @ 2027 - MESSAGE LEFT
- OFFLINE @ 2027
- ONLINE @ 2028 - MESSAGE LEFT
- OFFLINE @ 2028
- ONLINE @ 2030 - ONLINE w/DP
- WANTS TO GO TO SLEEP
- DOES NOT WANT TO COME OUT, ASLEEP ^{FINISH}
- OFFLINE @ 2040
- ONLINE @ 2040 - MESSAGE LEFT
- OFFLINE @ 2041
- ONLINE @ 2042 - MESSAGE LEFT

ONLINE @ 2043 - MESSAGE LEFT

OFFLINE @ 2044

ONLINE @ 2043 - MESSAGE LEFT

OFFLINE @ 2043

ONLINE @ 2044 - MESSAGE LEFT

OFFLINE @ 2044

ONLINE @ 2045 - MESSAGE LEFT

OFFLINE @ 2045

ONLINE @ 2046 - NO MESSAGE LEFT

OFFLINE @ 2046

ONLINE @ 2047 - MESSAGE LEFT

OFFLINE @ 2047

ONLINE @ 2048 - MESSAGE LEFT

OFFLINE @ 2048 -

ONLINE @ 2050 - MESSAGE LEFT

OFFLINE @ 2051

ONLINE @ 2052 - DP ONLINE

- THINKING ABOUT SUICIDE

- "SURRENDERING IS A BAD IDEA"

- "WELL DON'T TALK"

OFFLINE @ 2053

- ONLINE @ 2050 - MESSAGE LEFT

- OFFLINE @ 2050

CONTINUE

- CALLING INTO RESIDENCE 2051
- ~~IF~~ MULTIPLE TIMES NO MESSAGES TO PERSONAL MACHINE
- MESSAGES LEFT ——— X'S

ONLINE @ 2102 HUNG; MESSAGE LEFT

ON LINE @ 2103; MESSAGE LEFT

OFFLINE

ON LINE @ 2105 - NO MORE ROOM ON MESSAGE MACHINE

ONLINE w/ MULTIPLE PHONE CALLS

BREAK @ 2110

ONLINE @ 2118 - RINGING, NO ANSWER

MULTIPLE TIMES

OFFLINE @ 2120

BREAK @ 2120

- ONLINE @ 2130 — ONLINE w/ DP
- HAS HIGH POWERED RIFLE AND SHOOT THE LIGHTS
- OPEN THE DOOR, HE SHOT ME, HE SHOT ME
- SHOT
- AND WANTS TO GIVE UP

CONTINUE

- COMPOSE BY TAIKISS HEAVY
- VC @ 2240

5
DOES HE SOUND HARD?

CAN SEE OFF WALLS

THAN BALK OFF

~~KNOW LEFT SIDE~~

~~DO~~

~~WHAT KIND OF GUNS?~~

~~DO I WANT TO WANT ^{YOURSELF} ~~STREETS~~~~

- THERE ARE CHILDREN
THAT LIVE IN THIS
NEIGHBORHOOD.

- THOSE BULLETS CAN
GO THROUGH WALLS -

- THOSE'

6

~~IS IT SOUNDS LIKE HE~~

- ~~BUILDING UP~~ AGAIN
- ~~SEE~~

WHERE IS ~~HE~~ HE
AT?

- ~~YOU WOULD WANT JEANETTE~~
~~LOOK CAREFUL~~

NEEDS HER FATHER,
NO MATTER WHAT ~~IS~~ HAPPENS.

- BANKRUPTCY - GO TO COURT ON
MORNING, GET THE FINANCIAL
ISSUE PUT BEHIND YOU.

- ~~TO TEACH~~

- TO TEACH HER RIGHT AND WRONG

- HOW TO DRIVE

- GRADUATE (HUGH)

9

WHAT WINDO?

Ventura Police Department
CRIME SCENE LOG

Type of Incident DOMESTIC / SHOOTING	Date 4-10-09	Case Number 09-4873
Location VENTURA CA 93003		
Officer Initiating Log/ID # ALEXANDER #410	Date/Time 4-10-09/2227	Relief Officer/ID # WALSH #290
	Date/Time 4-11-09/0100	Relief Officer/ID # ALEXANDER #410
	Date/Time 4-11-09/0126	

PERSONS ENTERING SCENE

Name (Print)	Rank	Assignment	Time		Remarks
			IN	OUT	
STARR	CPL	CNT DETECTIVE	2227	2338	
WALSH	CPL	CNT	2227	2251	
CLEAVENGER	OFC	CNT	2227	2241	
REYES	OFC	Security	2227	0118	FIRST ON SCENE
MUNGER	CPL	DETECTIVE	2230	2348	
BRITTLE	DET.	DETECTIVE	2230	2340	
MCCONATHY	DET.	DETECTIVE	2230	2348	
MURRAY	SRGT	DETECTIVE	2230	2348	
BORKOVEC	OFC	DETECTIVE	2230	0405	
CALIENTO	OFC	CNT	2232	2241	
REYENOSO	SRGT	CNT	2235	2241	
ROBINSON	OFC	PATROL	2235	2257	
GUALTIERI	CSI	CRIME SCENE	2236	0405	
IGARTA	CSI	CRIME SCENE	2236	0405	
CORNEY	ASSIST C	STAFF	2239	2240	

PERSONS ENTERING SCENE

Name (Print)	Rank	Assignment	Time		Remarks
			IN	OUT	
REYENOSO	SRGT.	CNT	2244	2257	
CLEAVENGER	OFC	CNT	2244	2251	
CLARK	F984	FIRE DEPARTMENT	2248	2257	
CORNEY	ASSIST C	STAFF	2250	2300	
BARTOSH	F840	FIRE DEPARTMENT	2301	2303	
D MILLER		DISTRICT ATTORNEY INVES	2305	2357	
R GOUGHLIN		DISTRICT ATTORNEY INVES	2305	2357	
GARNER	LT.	#147	2322	0008	
THURSTON	LT.	#131	2322	0008	
WALSH	CPL	CNT	2330	2340	
REBECA MENDOZA		ASSISTANT CITY ATTORNEY	2342	0000	
WALSH	CPL	CNT	0025	0031	
CALIENTO	OFC	CNT	0025	0031	
WALSH	CPL	CNT	0058	0146	
LANCE	DET	DET	0100	0405	

SCENE RELEASE

Date/Time of Release 4-10-09 0658	Release Authorized By: WALSH	Scene Released To: WALSH	Remarks: TRUCK
Date/Time Report Completed	Reporting Officer/ID #	Approved By/ID #	

Ventura Police Department CRIME SCENE LOG

Type of Incident <i>DOMESTIC / SHOOTING</i>		Date <i>04-10-09</i>		Case Number <i>09-4873</i>	
Location <i>VENTURA CA 93003</i>					
Officer Initiating Log/ID # <i>ALEXANDER #410</i>	Date/Time <i>4-11-09/0144</i>	Relief Officer/ID # <i>REYES #372</i>	Date/Time <i>4-11-09/0145</i>	Relief Officer/ID # <i>CALIENTO #388</i>	Date/Time <i>4-11-09/0446</i>

PERSONS ENTERING SCENE

Name (Print)	Rank	Assignment	Time		Remarks
			IN	OUT	
<i>JULE GREENLEAF</i>	<i>-</i>	<i>-</i>	<i>0147</i>	<i>0152</i>	<i>RETRIEVE CLOTHES FROM TRAILER</i>
<i>MURRAY</i>	<i>SGT</i>	<i>DET.</i>	<i>0315</i>	<i>0405</i>	
<i>MURRAY</i>	<i>SGT</i>	<i>DET.</i>	<i>1239</i>	<i>1301</i>	<i>4/11/09</i>
<i>LANCE</i>	<i>DET/OFC</i>	<i>DET</i>	<i>1239</i>	<i>1615</i>	}
<i>BORKAVIC</i>	<i>DET/OFC</i>	<i>DET</i>	<i>1239</i>	<i>1715</i>	
<i>BOON</i>	<i>DET/OFC</i>	<i>DET</i>	<i>1239</i>	<i>1615</i>	
<i>GUALTIERI</i>	<i>CS/PSO</i>	<i>CRIME SCENE</i>	<i>1241</i>	<i>1715</i>	
<i>IGARTA</i>	<i>CS/PSO</i>	<i>CRIME SCENE</i>	<i>1241</i>	<i>1715</i>	
<i>Boon</i>	<i>OFC</i>	<i>DET</i>	<i>1700</i>	<i>1715</i>	
<i>LANCE</i>	<i>OFC</i>	<i>DET</i>	<i>1700</i>	<i>1715</i>	
			IN	OUT	
			IN	OUT	
			IN	OUT	
			IN	OUT	
			IN	OUT	

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN (110769)
VENTURA, CA 93004

INTERVIEW WITH:

INTERVIEWED BY: DET. CPL. MUNGER AND DET. LANCE

Dictated by: DET. CPL. MUNGER
DATE/TIME Dictated: 041309 / 0940 HOURS

ON 041009 AT APPROXIMATELY 1915 HOURS DET. SGT. MURRAY BROUGHT
TO THE VENTURA POLICE DEPARTMENT. WAS ESCORTED
INTO INTERVIEW ROOM #1, WHERE I SPOKE WITH HER. WHILE I WAS SPEAKING WITH
OFFICERS FROM THE VENTURA POLICE DEPARTMENT WERE AT
RESIDENCE AT IN A STANDOFF WITH HER HUSBAND, JEFFREY
FENNELL. DURING THE INTERVIEW WITH SHE BRIEFLY EXPLAINED TO ME THE
CIRCUMSTANCES THAT LED TO THE POLICE BEING CALLED TO HER RESIDENCE.

STARTED HER EXPLANATION OF WHAT WAS TAKING PLACE AT HER HOUSE BY
TELLING ME SHE HAD CALLED HER
HAD INITIATED A RESPONSE BY THE POLICE TO HER RESIDENCE. I
CONFIRMED FIRST WITH THAT SHE HAD NOT BEEN PHYSICALLY INJURED
PRIOR TO SPEAKING WITH HER. SHE TOLD ME SHE WAS "OKAY".

WAS WORKING AT WHEN SHE RECEIVED A TELEPHONE CALL
FROM HER NEIGHBOR. HER NEIGHBOR TOLD HER SHE BELIEVED JEFF WAS
INTOXICATED. LEFT WORK AND DROVE HOME. WHEN SHE GOT THERE JEFF
WAS IN HIS OFFICE WITH THEIR NEIGHBOR FROM ACROSS THE STREET. JEFF HAD
DISPLAYED HIS GUNS ON A BED IN HIS OFFICE. BELIEVED WHEN JEFF

Handwritten signature/initials
2/24

LEARNED SHE WAS HOME HE AND THE NEIGHBOR LEFT THE HOUSE AND WENT BACK ACROSS THE STREET TO THE NEIGHBOR'S HOUSE.

SECURED THE FIREARMS IN THE ARMORY PORTION OF THE JEFF'S OFFICE. AFTER SECURING THE FIREARMS SEARCHED THE REST OF HER RESIDENCE FOR OTHER FIREARMS TO MAKE SURE JEFF DID NOT HAVE ACCESS TO ANY OTHERS.

KNEW THERE WAS ANOTHER OUTSTANDING FIREARM IN THE HOUSE, BUT SHE COULD NOT FIND IT.

WHEN JEFF CAME BACK INTO THE RESIDENCE ESCORTED HIM TO THEIR SHOWER AND PUT HIM IN IT, BECAUSE HE SMELLED LIKE CIGARETTES AND ALCOHOL. AFTER THE SHOWER TRIED TO HAVE JEFF GET INTO BED.

SAID WHILE JEFF WAS IN THE SHOWER "HE THOUGHT IT WOULD BE FUNNY TO START BANGING HIS HEAD ON THE GLASS DOOR." SAID SHE WAS ABLE TO GET JEFF OUT OF THE SHOWER WITHOUT BREAKING THE GLASS DOORS. SHE HELPED HIM GET INTO BED, WHERE SHE BELIEVED HE WOULD PASS OUT AND "BE DONE WITH IT". AFTER HAD GOTTEN JEFF INTO BED THEY WERE TALKING BACK AND FORTH AND "JOKING AROUND". SAID SHE WAS "TRYING TO BE AS FUNNY AS POSSIBLE TO TRY NOT TO AGITATE HIM INTO ANY STATE". SAID SHE KNEW JEFF HAD BEEN DRINKING "HARD LIQUOR" AND THAT SHE KNEW HARD LIQUOR "DOES NOT GO WELL WITH HIM".

AFTER GOT JEFF INTO BED HE GOT OUT AND STARTED WALKING AROUND THE ROOM. SAID SHE TOLD JEFF TO GET BACK INTO BED AND THAT SHE WOULD GO AND MAKE HIM SOMETHING TO EAT. SAID "JEFF KIND OF PUSHED ME".

RESPONDED BY TELLING JEFF NOT TO PUSH HER AND SHE ATTEMPTED TO TAKE JEFF BACK TO BED. JEFF TOLD HER, "DON'T TOUCH ME, OR I'LL HIT YOU". JEFF WALKED INTO THEIR CLOSET TO GET A PAIR OF PANTS. JEFF DID GET A PAIR OF PANTS AND PUT THEM ON. AFTER PUTTING ON HIS PANTS JEFF "WENT FOR THE GUN" THAT COULD NOT FIND.

JEFF PULLED THE GUN OUT FROM ITS HIDING PLACE IN HIS CLOSET BEHIND CLOTHES ON A SHELF. AFTER RETRIEVING THE GUN FROM ITS HIDING PLACE IN THE

CLOSET SAID, " HE TURNED AND POINTED THE GUN AT ME A FEW TIMES".
THEN WALKED INTO THE BATHROOM.

I ASKED TO CLARIFY HOW MANY TIMES JEFF POINTED THE GUN AT HER. SHE SAID SHE HAD OPENED AND CLOSED THE DOOR TO THE BATHROOM WHILE JEFF WAS POINTING THE GUN AT HER. SAID SHE TOLD JEFF TO "KNOCK IT OFF AND PUT THE GUN DOWN".

SAID, "ONE OF THE TIMES I OPENED THE DOOR HE AIMED THE GUN TO HIS HEAD AND PUT IT INTO HIS MOUTH". SAID SHE TOLD JEFF, "THAT'S REAL GOOD. I'M GOING TO TELL YOUR DAUGHTER YOU'RE GOING TO COMMIT SUICIDE".

LEFT THE BEDROOM AND WALKED DOWN THE STAIRS. AS WAS WALKING DOWN THE STAIRS SHE HEARD THE FIREARM GO OFF. SHE WALKED BACK UP THE STAIRS "TO MAKE SURE HE DIDN'T SHOOT HIMSELF". WHEN GOT INTO THE ROOM, SHE SEARCHED, BUT COULD NOT FIND WHERE THE ROUND HAD GONE.

TOLD JEFF TO GIVE HER THE GUN. DESCRIBED JEFF AS "FIDDLING AROUND WITH IT". SAID JEFF'S FINGER WAS STILL ON THE TRIGGER. SAID SHE COULD NOT RECALL IF JEFF HAD POINTED THE GUN AT HER AGAIN AT THAT POINT, BUT SHE REALIZED HE WAS NOT GOING TO GIVE HER THE GUN, AND HIS FINGER WAS STILL ON THE TRIGGER. LEFT THE BEDROOM AND WALKED DOWN THE STAIRS WHERE SHE PICKED UP HER CELL PHONE AND EARPIECE, AND LEFT THE RESIDENCE. ONCE SHE WAS OUTSIDE SHE HEARD JEFF COME DOWN STAIRS AND SLAM THE FRONT DOOR CLOSED. WALKED TO THE CORNER WHERE SHE BEGAN CALLING HER SISTER-IN-LAW, WHEN SHE COULD NOT REACH ON HER CELL PHONE SHE CALLED HOUSE PHONE, WHERE SHE SAID SHE "YELLED" INTO THE ANSWERING MACHINE AS IT PICKED UP. AS SHE WAS LEAVING THE MESSAGE, ANSWERED THE PHONE AND SHE SPOKE TO HER BRIEFLY. HANDED THE PHONE TO HER HUSBAND,

WHILE WAS SPEAKING WITH SHE WAS IN HER NEIGHBOR'S HOUSE, WHERE SHE HAD CLEAR SIGHT OF HER RESIDENCE. SHE WATCHED HER RESIDENCE TO MAKE SURE JEFF DID NOT LEAVE. SHE SAID PRIOR

TO LEAVING HER RESIDENCE SHE SECURED ALL THE GUNS AND CAR KEYS, EXCEPT FOR THE GUN HE HAD DISCHARGED.

WHILE AT HER NEIGHBOR'S HOUSE SHE SPOKE WITH SAID SHE TOLD "HE DISCHARGED A GUN AND I DON'T KNOW WHERE IT WENT". SHE ALSO TOLD THAT JEFF HAD PUT THE GUN IN HIS MOUTH AND THAT WAS WHEN SHE LEFT. SHE SAID EXPLAINED TO HER THAT SHE HAD PUT HIM IN A HARD PLACE AND THAT DIDN'T WANT ANYONE ELSE TO GO INTO THE HOUSE.

SAID SHE SAT AND CONTINUED TO WATCH THE HOUSE TRYING TO DECIDE WHETHER SHE WAS GOING TO CONTINUE TO WATCH THE HOUSE ALL NIGHT, HOPING THAT JEFF WOULD PASS OUT. SHE KNEW THAT IF HE DID NOT LEAVE THE HOUSE HE WOULD NOT HAVE ACCESS TO ANY MORE ALCOHOL. SAID AS SHE WAITED SHE RECEIVED A CALL FROM CPL. HIGGINS, WHO INFORMED HER HAD CONTACTED HIM ABOUT WHAT WAS GOING ON.

SAID TO HER KNOWLEDGE THERE HAD ONLY BEEN ONE SHOT, ALTHOUGH SHE WAS INFORMED BY CPL. CASTELLANOS AND SGT. TURNER THAT THERE HAD BEEN MULTIPLE OTHERS AFTER THE POLICE ARRIVED.

SAID THE ONLY HANDGUN SHE KNEW JEFF HAD IN HIS POSSESSION WHEN SHE LEFT WAS A .357 REVOLVER.

SAID, "WAS HE DESPERATE ENOUGH TO DO SOMETHING? I DON'T KNOW. WAS HE DESPERATE ENOUGH TO GET INTO THE OTHER GUNS? HE WOULD HAVE HAD TO KICK DOWN THE DOOR, BECAUSE I HAD THE KEYS." DESCRIBED THE DOOR AS "A MAKE SHIFT DOOR INSIDE THE GARAGE". SAID SHE BELIEVED JEFF COULD KICK THE DOWN THE DOOR WITH ONE OF HIS KICKS.

SAID SHE RECEIVED THE FIRST PHONE CALL FROM A NEIGHBOR, , AT APPROXIMATELY 1601 HOURS. SHE ESTIMATED SHE GOT BACK TO HER HOUSE AT APPROXIMATELY 1630 HOURS. SHE SAID SHE FIRST CALLED HER SISTER-IN-LAW, , AT 1713 HOURS.

ESTIMATED THAT PRIOR TO LEAVING SHE HAD PLACED AT LEAST 10 FIREARMS INTO THE ARMORY ROOM. SHE RECALLED COMING HOME ON THE PREVIOUS MONDAY AND FINDING A BARETTA 92 HANDGUN, IN A TACTICAL HOLSTER HANGING BEHIND THEIR DOOR. ESTIMATED JEFF HAD APPROXIMATELY 4 – 5 LONG GUNS IN THE HOUSE, AND AT LEAST ONE AK47.

FURTHER ESTIMATED THERE WERE AT LEAST TWO SCOPE RIFLES IN THE HOUSE. WHEN I ASKED HOW MUCH AMMUNITION JEFF HAD, POINTED OUT JEFF RELOADS HIS OWN AMMUNITION. EXPLAINED SHE BELIEVES JEFF HAS BEEN SUICIDAL FOR SOME TIME AND HAS MADE SUICIDAL STATEMENTS IN THE PAST. JEFF IS AN ALCOHOLIC AND HAD BEEN RELAPSING RECENTLY.

I CONTINUED SPEAKING WITH PERIODICALLY THROUGHOUT THE EVENING UNTIL THE INCIDENT AT HER RESIDENCE CAME TO A CONCLUSION. AT ONE POINT POINTED OUT THAT WHEN HER HUSBAND HAD BEEN VIOLENT IN THE PAST IT HAD BEEN AS A RESULT OF HIS ALCOHOLISM, AND ONLY WHEN HE HAD CONSUMED HARD LIQUOR, AS SHE BELIEVED HE HAD DONE PRIOR TO HER COMING HOME.

DATE/TIME TRANSCRIBED: 041309 / 1530 HOURS
TRANSCRIBED BY: P170 / HOCK
DATE/TIME REVIEWED:
REVIEWED BY:

James
4/13/09

SUPPLEMENTAL REPORT

CRIME: 245(d) PC – ASSAULT WITH A DEADLY WEAPON
AGAINST A PEACE OFFICER

VICTIMS: OFFICER STEGNER / 346
CORPORAL BEAUTROW / 294
VENTURA POLICE DEPARTMENT SWAT MEMBERS

SUSPECT: FENNELL, JEFFREY STEPHEN (110769)

INTERVIEW WITH: JEFFREY FENNELL

INTERVIEWED BY: DET. MCCONATHY / 374

Dictated by: DET. MCCONATHY / 374

DATE/TIME DICTATED: 041209 / 1600 HOURS

ON 041109 AT 1400 HOURS I CONTACTED JEFFREY FENNELL AT THE VENTURA COUNTY MEDICAL CENTER, ROOM 212 TO INTERVIEW HIM REGARDING THE INCIDENT AT FENNELL WAS THE SUSPECT IN THE HOUSE FIRING WEAPONS AND LATER ARRESTED BY SPECIAL WEAPONS AND TACTICS (SWAT) OFFICERS.

I IDENTIFIED MYSELF AND HE SPONTANEOUSLY SAID, "IT'S ALL A BLUR". I ADVISED HIM I WAS THERE TO QUESTION HIM REGARDING HIS ACTIONS AND TOLD HIM HE WAS UNDER ARREST AT THE TIME OF THIS INTERVIEW. I ADVISED FENNELL OF THE MIRANDA WARNING AND HE ANSWERED, "YES" TO ALL FOUR WAIVER QUESTIONS. I ASKED FENNELL IF HE WISHED TO SPEAK TO ME, HAVING THOSE RIGHTS IN MIND, TO WHICH HE REPLIED, "SURE".

FENNELL SAID, "IT'S ALL COMING BACK TO ME IN LITTLE PIECES. I DRANK A LOT OF ALCOHOL REALLY FAST". HE THEN SAID, "THERE'S NO RHYME OR REASON, IT'S JUST THE ALCOHOL. I HAVE NO IDEA EVEN WHAT WAS GOING ON". I COULD TELL FENNELL WAS STRUGGLING WITH HIS MEMORY, SO I BEGAN ASKING SIMPLE QUESTIONS THAT MIGHT HELP HIM REMEMBER THINGS THAT HAPPENED.

I ASKED IF HE REMEMBERED THE PREVIOUS NIGHT. HE SAID HE REMEMBERED HE WAS PLAYING "SHOOTING GALLERY" OR SOMETHING LIKE THAT AT HIS HOUSE. THE ANSWERS HE WAS GIVING WERE WITH AN EXPRESSION OF DISBELIEF, AND I COULD TELL HE WAS TRYING TO UNDERSTAND WHAT HAPPENED. HE SAID, "I DON'T KNOW IF I THOUGHT SOMEONE WAS IN THERE OR WHAT I WAS THINKING. I WAS SO DRUNK".

I TRIED TO WALK FENNELL THROUGH HIS ACTIVITIES FROM THE BEGINNING OF THE DAY. I ASKED WHAT TIME HE STARTED DRINKING ALCOHOL AND HE HAD TROUBLE REMEMBERING EXACTLY, BUT BELIEVES HE STARTED DRINKING AROUND 12 P.M. HE WAS DRINKING BEER AND A BOTTLE OF PRE-MIXED JOSE CUERVO MARGARITA DRINK. I ASKED HOW MUCH HE CONSUMED AND HE SAID HE DRANK IT ALL. HE EXPLAINED HE DRANK THE ENTIRE FIFTH OF MARGARITA DRINK AND THEN WENT BACK TO THE STORE TO PURCHASE MORE. HE REMEMBERS DRINKING APPROXIMATELY SIX BEERS ALSO. HE COULD NOT REMEMBER WHICH STORE HE WENT TO TO PURCHASE THE ADDITIONAL MARGARITA MIX, BUT BELIEVES IT MAY HAVE BEEN ALBERTSONS. HE SAID HE WAS VERY DRUNK AT THAT TIME AND DOES NOT HAVE MEMORY OF IT.

HE DOES NOT REMEMBER WHEN HE STARTED SHOOTING HIS GUNS AND SAID EVERYTHING IS JUST A BLUR. SOMETIME DURING THE AFTERNOON HIS WIFE CAME HOME BUT HE DOES NOT KNOW WHAT HAPPENED, IF THEY WERE FIGHTING OR WHY SHE CAME TO THE HOUSE, BUT THAT SHE WAS PROBABLY UPSET WITH HIM BECAUSE HE WAS DRUNK. HE SAID, "I THINK I WAS JUST FUCKING AROUND. I HAD NO INTENTION OF HURTING ANYONE AND IT JUST GOT CRAZY. PARANOIA, I DON'T KNOW, I WAS JUST SO DRUNK. I KNOW I DIDN'T WANT TO HURT ANYONE; I WAS JUST BEING STUPID AND POPPING ROUNDS OFF IN THE HOUSE. I HAVE NO IDEA WHAT MY MOTIVATION WAS".

AS FENNELL WAS TALKING I GOT THE IMPRESSION HE WAS ATTEMPTING TO GUESS WHAT MIGHT HAVE HAPPENED, FROM WHAT HE HAD BEEN TOLD BY OTHERS, AND ACTUALLY DID NOT HAVE A MEMORY OF THE INCIDENT.

I ASKED HIM WHAT TYPE OF PROBLEMS HE HAD IN HIS LIFE THAT WOULD LEAD TO SUCH AN ACTION. HE SAID HE IS CURRENTLY BEING TREATED FOR DEPRESSION

AND TAKES PAXIL AND XANAX. HE SAID HE IS GOING THROUGH A LOT OF PROBLEMS IN HIS LIFE, INCLUDING A BANKRUPTCY AND THE LOSS OF THEIR HOUSE. HE SAID HE IS AN ALCOHOLIC AND HAD BEEN SOBER FOR SEVEN-YEARS, BUT IN AUGUST, ONCE HE GOT OUT OF BANKRUPTCY COURT HE IMMEDIATELY STARTED DRINKING AGAIN. HE SAID HE DOES NOT BELIEVE HE TOOK XANAX ON THE DATE OF THE INCIDENT, BUT HE COULD NOT REMEMBER.

I QUESTIONED FENNEL ABOUT THE AMOUNT OF WEAPONS IN HIS RESIDENCE AND HE REPLIED, "I LIKE GUNS." HE SAID HE WAS JUST SHOOTING THEM AT THE WALL IN HIS HOUSE. I ADVISED HE IN FACT SHOT THEM OUTSIDE THE WINDOW, COMING VERY CLOSE TO POLICE OFFICERS IN THE AREA AND THAT NUMEROUS BUILDINGS AND VEHICLES IN THE AREA HAD BEEN HIT BY BULLETS. HE HAD NO MEMORY OF THIS AND ASKED IF ANYONE HAD BEEN HURT FROM HIS SHOOTING. HE SAID, "I DON'T KNOW WHAT TO SAY, I HAVE NO EXPLANATION, JUST ALCOHOLIC INSANITY".

I ASKED IF HE COULD HAVE BEEN SUICIDAL DURING THE INCIDENT AND HE IMMEDIATELY SAID, "YES". HE SAID HE REMEMBERS STICKING THE GUN IN HIS MOUTH OR TO HIS HEAD THREE OR FOUR TIMES DURING THE NIGHT IN AN ATTEMPT TO KILL HIMSELF, BUT COULD NOT DO IT. HE SAID HE TOLD HIS WIFE JUST THE OTHER DAY IF HE DID NOT HAVE HIS DAUGHTER IN HIS LIFE, HE WOULD PROBABLY KILL HIMSELF. I ASKED IF HE MAY HAVE BEEN ATTEMPTING TO KILL HIMSELF BY HAVING AN OFFICER SHOOT HIM, AND HE SAID, "I GUESS, ALCOHOL MAKES YOU DO CRAZY STUFF".

I CONTINUED ASKING HIM WHAT HE MIGHT REMEMBER FROM THE PREVIOUS EVENING. HE SAID HE REMEMBERED SPEAKING TO A FEMALE ON THE PHONE, WHO SAID SHE WAS FROM THE POLICE DEPARTMENT. HE DOES NOT REMEMBER WHAT THEIR CONVERSATION WAS. HE DOES NOT REMEMBER GOING INTO HIS BACKYARD, AND HE DOES NOT REMEMBER SEEING AN ARMORED VEHICLE PARKED IN FRONT OF HIS HOUSE. HE SAID HE NEVER SAW ANY POLICE OFFICERS. HE DOES REMEMBER ATTEMPTING TO SHOOT OUT SOME TYPE OF LIGHT. HE DOESN'T KNOW IF IT WAS A LIGHT IN HIS HOUSE, A PORCH LIGHT, OR SOME TYPE OF POLICE LIGHT; HE ONLY REMEMBERS THAT HE WAS GOING TO SHOOT OUT A LIGHT.

I ASKED FENNEL IF HE REMEMBERS BEING SHOT. HE SAID HE DOES REMEMBER THAT AND THAT IT, "WOKE HIM UP". HE SAID HE REMEMBERS GOING INTO THE KITCHEN AND TURNING ON THE LIGHT, AND A FEW SECONDS LATER WAS SHOT. HE SAID HE WAS SPEAKING ON THE PHONE WITH THE FEMALE WHEN IT HAPPENED. HE REMEMBERS CRAWLING OUT TO THE FRONT PORCH AFTER BEING SHOT, BUT HIS MEMORY IS BLURRY. HE SAID HE KNEW POLICE WERE OUTSIDE FROM SPEAKING WITH THE FEMALE ON THE PHONE, BUT HE DID NOT SEE ANY OF THEM PRIOR TO CRAWLING OUTSIDE.

I ASKED ABOUT HIS VARIOUS GUNS AND SHOOTING THEM IN THE HOUSE. HE SAID HE KNEW HE WAS SHOOTING THE GUNS INSIDE, BUT DID NOT UNDERSTAND WHY HE WAS SHOOTING THEM. HE SAID HE HAS OWNED THE AK-47 FOR A COUPLE OF YEARS AND HE SPECIFICALLY REMEMBERS SHOOTING THAT INTO HIS OFFICE WALLS SOMETIME DURING THE NIGHT. HE DOES NOT REMEMBER SHOOTING THAT WEAPON ANYWHERE ELSE. I ASKED ABOUT THE AR-15 RIFLES HE HAD AND HE SAID HE BELIEVED HE HAD ALL THREE OUT AND WAS SHOOTING THEM.

I ASKED WHY HE HAD SO MUCH AMMUNITION INSIDE HIS RESIDENCE. HE SAID JUST THE PRIOR WEEKEND HE HAD GONE ON A TRIP WITH FRIENDS HE MET AT ALCOHOLICS ANONYMOUS AND THEY WENT TO BLYTH TO SHOOT FIREARMS. HE SAID HE STOCKED UP ON AMMUNITION FOR THAT TRIP, BUT THE WEATHER WAS NOT GOOD AND THEY ENDED UP NOT SHOOTING AND THAT IS WHY HE HAD SO MANY ROUNDS IN THE HOUSE.

I ASKED FURTHER ABOUT HIS POSSIBLE SUICIDAL TENDENCIES. HE SAID HE TRIED TO KILL HIMSELF WHEN HE WAS A JUVENILE BY CUTTING HIS ARM. HE HAS NOT ATTEMPTED TO KILL HIMSELF WHILE AN ADULT, BUT HE HAS IN FACT THOUGHT ABOUT SUICIDE FOR A LONG TIME. HE HAS SPOKEN TO A PSYCHIATRIST ABOUT HIS SUICIDAL THOUGHTS AND HE THINKS ABOUT IT WHILE DRUNK AND SOBER. I ASKED IF HE WERE TO KILL HIMSELF, HOW WOULD HE DO IT? HE SAID PROBABLY BY SHOOTING HIMSELF IN THE HEAD.

AS THE INTERVIEW PROGRESSED, IT APPEARED FENNEL WAS JUST TRYING TO GUESS AT ANSWERS INSTEAD OF ACTUALLY REMEMBERING WHAT OCCURRED. I

ASKED WHAT WAS THE LAST THING HE REMEMBERS ABOUT THAT DAY; HE SAID DRINKING BEER WITH A NEIGHBOR NAMED FROM ACROSS THE STREET. AFTER THAT HE HAS NO MEMORY OF THE EVENING, OTHER THAN BITS AND PIECES.

DATE/TIME TRANSCRIBED: 041309 / 1730 HOURS

TRANSCRIBED BY: P283 / HUBER

DATE/TIME REVIEWED:

REVIEWED BY: