



PUBLIC RELEASE MEMORANDUM

Subject: Fatal Officer-Involved Shooting

Involved Officers: **Detective Greg Gary**
San Bernardino County Sheriff's Department

Deputy Christopher Mejia
San Bernardino County Sheriff's Department

Deputy Christopher Haas
San Bernardino County Sheriff's Department

Corporal Eric Rose
San Bernardino County Sheriff's Department

Detective Cory McCarthy
San Bernardino County Sheriff's Department

Involved Subject/DOB: **Joshua Beedie**
11/03/1981

Subject's Residence: Morongo, CA

Incident Date and Time: September 4, 2020, 1:37 p.m.

Incident Location: The 30000 block of Old Woman Springs Road, Lucerne Valley

Case Agent/Agency: **Detective Robert Hoag, Detective Amy Bilbao**
San Bernardino County Sheriff's Department

Agency Report #: **DR# 072002570**
H# 2020-088

DA STAR #: 2021-00-26622

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PREAMBLE

This was a fatal officer-involved shooting by deputies from the San Bernardino County Sheriff's Department. The shooting was investigated by the San Bernardino County Sheriff's Department. This factual summary is based on a thorough review of all the investigative reports, photographs, video and audio recordings submitted by the San Bernardino County Sheriff's Department.

FACTUAL SUMMARY

In the dark, early morning hours of September 2, 2020, Joshua Beedie made his first of three unusual visits to Moss Mobile Manor, a residential mobile home park located at the 30000 block of Old Woman Springs Road in Lucerne Valley. Beedie was not a resident of the mobile home park, but at approximately 1:00 a.m., he drove to Moss Mobile Manor and parked his car directly west of Witness #3's mobile home. Witness #3 was prompted to look outside when his dog began barking. When Witness #3 looked outside, he saw Beedie's car parked next to his mobile home. Witness #3 did not recognize Beedie or his vehicle. Witness #3 watched as Beedie got out of his car and walked up to his neighbor, Witness #5's home. Beedie stood at a window on the side of Witness #5's home and began looking inside. Beedie stayed next to Witness #5's window for a few minutes before walking back to his car. Concerned, Witness #3 grabbed a flashlight and went outside to investigate. Witness #3 confronted Beedie while Beedie sat in his car. Beedie told Witness #3 his name was Jeremy and said he was there to visit Witness #5. Beedie asked Witness #3 several questions about Witness #5's personal life. This made Witness #3 suspicious, but after speaking to Beedie for several minutes, Witness #3 went back inside his home and went to sleep. When Witness #3 awoke at 7:00 a.m., he saw Beedie still sitting in the driver's seat of his car, parked in the same spot. Witness #3 drove his son to school and when he returned home, Beedie and his car were gone. When Witness #3's wife reached out to Witness #5 about Beedie's strange visit, Witness #5 asked them to call 911 if they saw Beedie again. Witness #5 said she was afraid of Beedie because he had previously entered her home while armed with two guns.

Beedie made two more early morning visits, showing up each time at 1:00 a.m. on September 3 and September 4, 2020. When Witness #3 opened his door to go outside to confront Beedie on September 3, Beedie quickly sped away. When Beedie showed up again at 1:00 a.m. on September 4, Witness #3 went outside with his flashlight to confront Beedie. Witness #3 walked up to the driver's side of Beedie's car and shined his flashlight on Beedie. Witness #3 saw a case of beer on the front passenger seat next to Beedie. Beedie again told him he was there to visit Witness #5 and said he was going to drink some beers while he waited for her to get home. Witness #3 went back inside his home and went to sleep. When Witness #3 awoke at 7:30 a.m. on September 4, 2020, he saw Beedie's car still parked in the same spot. Beedie was awake and sitting in the driver's seat. Witness #3 saw several discarded beer cans on the ground outside Beedie's driver's door. Witness #3 told his wife to call 911 and while she was on the phone with 911,

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Witness #3 heard Beedie's car start. Witness #3 looked outside and saw Beedie drive away. Witness #3 was unable to provide the 911 operator with Beedie's license plate number.

A few hours later, at approximately 9:30 a.m., Witness #3 was inside his mobile home when he heard a gunshot. The gunshot sounded like it came from the east side of the property. Witness #3 walked outside and saw his neighbor, Witness #1 drive past his home very quickly. Witness #1's accelerated speed concerned Witness #3 because Witness #1 normally drove slowly on the property. Witness #3 watched as Witness #1 drove his truck to the west entrance of the mobile home park and hid behind a metal container approximately 20 feet away. Witness #1 yelled at Witness #3 to hide and told him someone was shooting at him. Witness #1 told Witness #3 to leave the mobile home park. Witness #3 then heard about six more gunshots. The gunshots were loud and sounded like they were coming from the east side of the mobile home park. Witness #1 called 911 and reported that a male had pulled into the mobile home park and had shot at him with an AR15.

Witness #3 ran back inside to get his wife and child so they could flee to safety. Witness #3 heard three more gunshots and the sound of a helicopter. When Witness #3 exited his home with his wife and child, Witness #3 saw two uniformed Sheriff's deputies at the west entrance of the mobile home park.¹ Witness #3 also saw two marked Sheriff's patrol units at the west entrance with their emergency lights activated. A deputy yelled for everyone to leave the mobile home park and to run to him. Witness #3 saw the Sheriff's helicopter orbiting overhead. Witness #3, his wife, and their son ran to the deputy. Witness #3 then ran back home to stay with his "disabled" mother-in-law who was unable to walk or protect herself. The gunfire continued to ring out as Witness #3 moved his mother-in-law's bed away from the window and the wall. Witness #3 went to his rear patio and looked toward the storage yard which was located on the southeast side of the mobile home park property. Through a partially cleared portion between the trees that surrounded the storage yard, Witness #3 saw Beedie. Beedie held two different guns, one in each hand. Witness #3 watched as Beedie fired both guns. Beedie ran between a double-decker bus and several vehicles in the storage yard as he continued to shoot. Beedie fired multiple rounds into the ground and into the air at the Sheriff's helicopter. When Beedie pointed a gun at Witness #3 and fired a round at him, Witness #3 ran back inside his home.

Over the course of the next four hours, law enforcement was faced with a stand-off as Beedie continued to actively shoot from within the mobile home park. As the shots rang out, it was evident Beedie was shooting multiple caliber firearms, including a high-powered rifle and a handgun. Beedie remained hidden inside the mobile home park as

¹ Prompted by multiple 911 calls from additional residents of the mobile home park, deputies were dispatched to the scene. When deputies arrived on scene at approximately 9:40 a.m., they immediately encountered gunfire from Beedie. Beedie fled inside the mobile home park to an unknown location but continued to fire rounds.

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deputies searched for him and began to evacuate residents. Photographs of Beedie, his physical description, and eye-witnesses' descriptions of Beedie's clothing were distributed to all deputies who responded to the scene. Deputies learned Beedie had an arrest warrant out of Morongo for an alleged rape and an attempted murder, during the commission of which Beedie had used an AR-15 and a handgun, from the day prior.

Aviation deputies in the Sheriff's Helicopter, 40King3, orbited above the mobile home park, assisting the deputies on the ground. From 40King3, Deputy Christopher Mejia, the tactical flight officer, searched for Beedie as they orbited. Announcements were made over 40King3's public address (PA) system instructing residents to shelter in place. PA announcements were also made to Beedie telling him to surrender peacefully.² When the Sheriff's helicopter twice had to leave to refuel, California Highway Patrol (CHP) aviation remained overhead, continuing the search.



View of mobile home park from 40King3.

On the ground, patrol deputies set up positions around the perimeter of the mobile home park as Beedie continued to fire rounds from within. CHP patrol units blocked the roadway surrounding the mobile home park, protecting the public from danger as Beedie continued shooting. Sheriff's deputies with the Special Weapons and Tactics (SWAT), Specialized Enforcement Division (SED) arrived on scene. SED detective Greg Gary, a member of the Sheriff's long-rifle team, set up a perimeter containment position on Donaldson Road, just east of the mobile home park. A team of six SED deputies, including Corporal Eric Rose, Deputy Christopher Haas, and Detective Cory McCarthy, headed north on foot

² The PA announcements to Beedie continued over the course of the entire stand-off.

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along the west side of the mobile home park to reach the northwest corner of the property where they would enter the mobile home park property. All the while, Beedie continued to actively shoot. With each round or burst of Beedie's gunfire, it was apparent Beedie was moving within the storage yard and was firing in all directions. Deputies on the perimeter heard bullets whizzing overhead on multiple occasions. At one point, a detective and two deputies on the perimeter were pinned down when they began taking gunfire. Using ballistic protection, deputies on scene were able to rescue the detective and two deputies unscathed.

Deputies with the SED Crisis Negotiations Team responded to the command post which was set up approximately a half mile west of the mobile home park. The Crisis Negotiations Team acquired three possible phone numbers for Beedie. Multiple calls were made, but Beedie didn't answer. Voice and text messages asking Beedie to reply went unanswered.

Beedie's ongoing gunfire made the evacuations and search highly dangerous. As such, three Sheriff's armored rescue vehicles (hereafter rescue vehicle) arrived on scene. One of the rescue vehicles entered the property and picked up the team of six SED deputies who had entered the property on foot. Together, this team was designated as Bravo Team. Additional SED deputies were assigned to the two remaining rescue vehicles. Utilizing the rescue vehicles, the three teams began working their way around the mobile home park, evacuating residents³ and searching for Beedie. Bravo Team was tasked with evacuating residents from the mobile homes located on the west side of the park. Bravo Team began the evacuations beginning at the north end, working their way south. While evacuating residents, the deputies spoke to them about what they had seen, hoping to gain information that would help them find Beedie.

All deputies on scene, including those located on the perimeter, overhead, and within the park continued their search for Beedie, focusing on the storage yard where Beedie was believed to be hiding. The storage yard was filled with multiple vehicles, mobile homes, recreational vehicles, boats, and trailers, adding to the difficulty in the search. Deputies used binoculars, the optics on their rifles, camera systems with optical zoom magnification, a thermal imaging infrared camera, two drones, and a robot in their search for Beedie.

After hours of searching and speaking with residents as they conducted the evacuations, SED deputies began to focus their attention on a silver trailer located in the storage yard. While Deputy Haas was looking at the silver trailer from his position inside the roof turret of the rescue vehicle, 40King3 flew directly over the silver trailer, making PA announcements for Beedie to surrender. Just as 40King3 flew over the trailer, Deputy Haas heard a gunshot and simultaneously saw a trail of dust leaving the roof of the silver trailer as if a bullet had gone through it. Upon seeing this Deputy Haas knew Beedie was

³ While many residents were evacuated, several chose to shelter in place and others were forced to shelter in place because Beedie's continued shooting prevented their rescue.

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inside the silver trailer and Beedie was shooting through the roof of the trailer at 40King3. Once it was determined Beedie was hiding inside the silver trailer, a plan was formulated to deploy a chemical agent into the trailer to force Beedie to come outside where he could be arrested. In order to successfully deploy the chemical agent, the deputies had to move closer to the silver trailer.

At approximately 1:36 p.m., as the rescue vehicles moved in, Beedie suddenly ran from the trailer. From their respective positions, Detective Gary, Deputy Mejia, Corporal Rose, Deputy Haas, and Detective McCarthy each saw Beedie running south with a rifle and a handgun in his hands. Beedie ran toward mobile homes where residents were sheltering in place. Beedie pointed the guns at the mobile homes as he ran. Fearing Beedie was going to shoot residents or that he would take residents hostage, Detective Gary, Deputy Mejia, Corporal Rose, Deputy Haas, and Detective McCarthy fired their rifles at Beedie. Beedie was struck and momentarily ducked beneath a trailer. Within seconds, Beedie was seen running again, this time in a southwest direction toward occupied mobile homes and Bravo Team's rescue vehicle. Beedie had dropped the rifle, but still held a handgun in his right hand as he ran. Beedie raised his right arm and pointed the gun at Bravo Team's rescue vehicle and the occupied mobile homes just beyond the rescue vehicle. Deputy Mejia, Corporal Rose, Deputy Haas, and Detective McCarthy fired additional rounds at Beedie and Beedie fell to the ground. Deputies approached Beedie, took him into custody, removed multiple firearms from Beedie's person, and began administering medical aid. Beedie was transported to St. Mary Medical Center, but later succumbed to his injuries and was pronounced deceased at 2:34 p.m.

STATEMENTS BY POLICE OFFICERS⁴

All San Bernardino County Sheriff's Department SED deputies who responded to the scene on September 4, 2020 wore readily identifiable San Bernardino County Sheriff's Department (SBCSD) tactical duty uniforms consisting of green uniform shirts and green BDU pants.⁵ The uniform shirts had SBCSD patches on both shoulders. Over their shirts, the SED deputies donned green plate carrier vests equipped with rifle-rated ballistic ceramic plates in the front and the back and handgun-rated soft body armor on the sides. The vests had SBCSD patches on the front, the word "SHERIFF" in bright yellow letters on the front and back, and a yellow cloth SBCSD badge on the front. The SED deputies also wore green ballistic helmets and in-ear communications systems with noise cancelling technology for shooting.⁶ The SED deputies wore belt recorders.

⁴ Herein is a summary only. All reports submitted were reviewed, but not all are referenced here. All witness deputies' statements were generally consistent.

⁵ Detective Greg Gary wore plain clothes, but donned his department issued green ballistic vest with the word, "SHERIFF" in bright yellow letters on the front and rear, and a SBCSD cloth badge on the front.

⁶ It should be noted, the noise cancelling technology muffled the sound of Beedie's gunfire.

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On September 28, 2020, at approximately 8:26 a.m., **Detective Gregory Gary** was interviewed by Detective Robert Hoag and Detective Nicholas Craig of the San Bernardino County Sheriff's Department.

Detective Gary was employed by the San Bernardino County Sheriff's Department, assigned to the Specialized Enforcement Division (SED). Detective Gary was a member of the long rifle team and was certified as a long rifle instructor, training core competency with members of the team every other week. The long rifle team's training facility has a rifle range that allows for training from zero to 300 yards with systems set up to allow for shooting moving targets. Detective Gary's duty weapon was a Remington 700 .308 bolt action rifle which he kept loaded with five rounds.

On September 4, 2020, Detective Gary was on duty, driving an unmarked Dodge Ram pickup truck, equipped with emergency lights and sirens. At approximately 9:30-9:45 a.m., Detective Gary was with other members of the SED unit in Apple Valley when they received a notification regarding a possible active shooter⁷ at the Moss Mobile Manor in Lucerne Valley. The SED team then heard a deputy over the patrol radio calling out "shots fired" and asking for back up. The team also heard deputies broadcasting they were being "shot at." Detective Gary and the other team members grabbed the gear they needed for an active response and immediately began responding to the scene. Detective Gary grabbed his plate carrier vest and his M-4 rifle and began driving to the scene. Detective Gary drove with his lights and sirens activated. As Detective Gary drove, he monitored the patrol radio. Detective Gary heard deputies reporting multiple shots were being fired by the unknown suspect. Detective Gary also heard information that a "possible witness or victim" had shot at the suspect in self-defense after the suspect had shot at him. The reporting deputies described the location, saying they believed the subject was located in the northeast corner of a junk yard/storage area of the mobile home park near the marijuana grow right next door. Detective Gary was familiar with the location of the marijuana grow as he had been there the week prior and had spoken to some of the residents of the Moss Mobile Manor about it. Detective Gary thought about his "deployment locations" and where he could set up to be the most effective.

The deputies on scene were trying to set up a perimeter to keep the suspect contained but Detective Gary knew the deputies' effectiveness was "limited based on their fear of movement." The deputies couldn't go into the mobile home park because the suspect was shooting from inside the park and they did not know exactly where he was. Deputies on scene reported their locations in relation to the mobile home park over the patrol radio. A deputy on scene reported that it sounded like the suspect was shooting a rifle. The deputies on scene did not know if people were actively being shot. Detective Gary heard deputies from the Sheriff's helicopter, 40King3, announce they had arrived on scene.

⁷ Detective Gary described an active shooter as someone who is actively shooting and trying to kill people. Based on his training and experience, Detective Gary knew active shooters commonly pick what is called a "soft location" where there are an "abundance of targets." Detective Gary believed the mobile home park was such a location where unsuspecting residents were "soft targets."

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40King3 began reporting they were trying to find the suspect, that shots were being fired from the area of the storage yard, but they were unable to see the suspect.

Detective Gary believed he was the first SED operator to arrive on scene, arriving at approximately 10:05 a.m. Detective Gary saw patrol units stopped on Old Woman Springs Road, which was the south perimeter of the mobile home park. When he arrived, the deputies on scene had a "pretty loose perimeter" set up around the mobile home park with the exception of the east side of the property. As such, Detective Gary drove on Old Woman Springs Road past the mobile home park straight to the next dirt road, which was Donaldson Road. Detective Gary then drove north on Donaldson Road, just east of the mobile home park, where he stopped his truck. Detective Gary knew he could access the northeast corner of the mobile home park from Donaldson Road and from there, he would be able to see the area described by the deputies as the suspect's location. Detective Gary saw there was a large area where several "beat up" recreational vehicles (RV's) were stored. Believing this was the area associated with the storage yard, Detective Gary set up his position as a long rifle containment where he could see into the north and east side of the storage yard. Knowing the deputies on scene and 40King3 had only a loose containment, Detective Gary wanted to get a long rifle set up as quickly as possible. Detective Gary first heard the suspect's gunfire while he was setting up his position on Donaldson Road.

Approximately five to ten minutes later, Deputy David Curtis arrived and parked his unit next to Detective Gary's. Deputy Curtis was assigned to assist Detective Gary as a spotter. As a spotter, Deputy Curtis' role was to be on foot, armed with an M-4 rifle and to act as an extra set of eyes, to look for the suspect, to give Detective Gary a break on the scope, and to provide security for Detective Gary, whose focus was down scope. Detective Gary told Deputy Curtis they would need to use his binoculars to locate the suspect. Detective Gary initially set up his long rifle position across the front of his truck but did not like the vantage point because waist-high and chest-high bushes in the area blocked his field of view. Detective Gary got into the bed of his truck and set up his rifle position on the top of the truck's cab. Detective Gary realized it was not the best position for his safety, but it gave him a better view into the area and would afford him the best opportunity to locate the suspect. Right after he got set up, Detective Gary heard the suspect continue shooting in multiple directions and believed the suspect was shooting out of the southeast section of the storage yard. Detective Gary used his range finder to obtain the distance from his position to the area from which he believed the shots were coming. Detective Gary was approximately 220 to 230 yards from a green trailer in that area of the storage yard and approximately 230 to 240 yards from a nearby flatbed trailer loaded with junk.

Over the radio, a deputy reported, "He's shooting at us, he's shooting over our car, we're taking rounds." Detective Gary believed this Sheriff's unit was located at the southeast perimeter. The deputy in the unit had to be evacuated from the location to safety. At another point, Detective Gary heard additional deputies were pinned down with the

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suspect firing at them and Sergeant Gaytan used an armored rescue vehicle to rescue them.

Detective Gary heard the suspect shooting in an eastern direction and was initially worried the suspect was shooting at him and Deputy Curtis. When Detective Gary did not hear any rounds go overhead, he believed the suspect was not shooting directly at them. Detective Gary maintained his position, attempting to locate the suspect. The suspect continued firing rounds every five to ten minutes, each time firing between three to seven round volleys. Detective Gary couldn't count how many shots the suspect fired in total because there were "so many." As the shots continued to ring out, deputies on the perimeter would report "shots fired" and describe the location from which they believed the shots had been fired. Deputies reported they believed the suspect was on the east side and other times reported the suspect was on the west side. Detective Gary believed the suspect was located in the southeast side of the storage area firing both to the east and to the west because he heard distinct differences in the sounds of the gunfire. When the suspect fired and deputies radioed the suspect was on the east side, the gunfire was very loud because the noise was projected in Detective Gary's direction. When the suspect shot and the deputies radioed the suspect was on the west side, the gunfire sounded quieter. Detective Gary believed the suspect fired rounds whenever he saw a deputy. This limited their movement and ability to gain the upper hand thus giving the suspect the advantage.

Detective Gary continued attempting to locate the suspect, looking for any type of movement, but could not identify anything he believed to be the suspect. This caused him to believe the suspect was inside a trailer. From his training, Detective Gary knew he would not be able to see the suspect if the suspect was deep inside a room in a trailer because of the lighting. The temperature that day was about 105 degrees and Detective Gary held his position for what "felt like forever." Detective Gary was concerned someone was going to get shot and his adrenalin was high. Detective Gary scanned the area and saw people walking in and out of and around their trailers inside the mobile home park. He knew the people he saw were not the suspect because the people were not armed with weapons. Detective Gary remained in this position while SED operators in armored vehicles began conducting evacuations of the residents of the mobile home park. From radio traffic, Detective Gary knew one of the armored vehicles was performing evacuations but could not see this from his vantage point. In total, there were three armored vehicles on scene. Detective Gary did see an armored vehicle evacuate a few people from the RV's located on the south side of the storage yard but did not know if they had evacuated everybody.

Deputies at the scene were able to ascertain the suspect's identity through investigation. The suspect was identified as Joshua Beedie. Witnesses at the scene were shown photographs and positively identified Joshua Beedie as the suspect. This information, along with a booking photo and a California ID photo of Beedie, were sent to all SED operators, including Detective Gary. Detective Gary knew Beedie was wanted for rape

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and attempted murder from the previous night. In that case, Detective Gary understood Beedie was alleged to have shot at the victim's father or another person who had interrupted the rape. Members of the SED Team had attempted to apprehend Beedie the night before but were unable to locate him.

40King3 flew overhead and every time the helicopter circled above the storage yard, additional gunshots were fired, leading Detective Gary to believe Beedie was shooting at 40King3. 40King3 made multiple announcements over the public address system, essentially saying, "It's the Sheriff's Department. Let's resolve this peacefully, come out with your hands up." The objective was to get Beedie to surrender peacefully.

One of the armored vehicles drove into the mobile home park near the southwest corner of the storage yard. At the same time, 40King3 flew over and the aviation deputies reported, "Hey, I have round signatures coming through the top of the trailer" in the east side of the storage yard. With that, Beedie's precise location was identified. Sergeant Tollefson said he was going to put out a pin drop for Beedie's location. Detective Gary contacted Sergeant Tollefson on the radio and asked him to make sure he included him in the pin drop so he would know exactly what they were talking about. Detective Gary believed Beedie was shooting from the southeast side of the storage yard area near a large flatbed trailer. When Sergeant Tollefson sent him the pin drop, Detective Gary saw the location was one row north of but in line with the flatbed trailer. The pin drop identified a trailer with a tree to the south side. The trailer had a truck attached to it facing south. Detective Gary could only see the top of the trailer because another trailer beside it blocked his view. Detective Gary could see the front of the old white truck that was identified as being attached to the suspect trailer.

As soon as they identified Beedie's location, Detective Gary and Deputy Curtis moved several feet south on Donaldson Road where Detective Gary had a better viewpoint. Detective Gary again set up his rifle position on the top of the truck's cab and stood in the bed of the truck. SED members formulated a plan to deploy a chemical agent into the trailer in order to force Beedie outside where they could arrest him. As SED deputies began attempting to move into position in order to utilize the chemical agents, Beedie continued shooting, keeping the deputies from getting close enough to deploy the chemical agent. Detective Gary saw an armored rescue vehicle with SED operators, including Sergeant Gaytan, drive on Donaldson Road to the southeast side of the storage yard. Sergeant Gaytan contacted Detective Gary and told him to let him know if they were blocking his view. Sergeant Gaytan asked Detective Gary to guide them to the trailer where the suspect was located. The rescue vehicle drove to the east side edge of the storage yard, turned around and stopped north of the suspect trailer location, facing the fence⁸ on the eastern edge of the storage yard. Detective Gary believed Beedie must have looked out the back window of the trailer and must have seen the armored vehicle because approximately 30 seconds to two minutes later, Beedie came out of the trailer

⁸ Photographs of the scene reveal the fence at this location was a chain link fence.

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running east and then south. Detective Gary saw Beedie running and heard the deputy from 40King3 announce, "Oh, he's running."

Detective Gary was positioned just over 200 yards away. Detective Gary looked through his gun's US Optics scope and saw Beedie⁹ was running with an "AR" rifle in his left hand and another rifle in his right hand. Beedie held each gun by the grip and pointed them forward. Beedie's "AR was pointed forward when he was running with it.... Beedie had it in a position ready to use, ready to fire, and it, his intent in my opinion was super clear...it was my belief he was running south to get into those trailers to find another hostage or somebody to use to his advantage." Beedie ran toward the RV's where Detective Gary believed residents were still located. Detective Gary feared Beedie was going to shoot or take civilians hostage because Beedie had shown no regard for the lives of any of the residents at the mobile home park. Beedie had shot at residents when he first arrived and then continued to fire rounds at deputies and residents during the entire "three-hour standoff."¹⁰ To Detective Gary, Beedie's intent was clear and Detective Gary knew he "had to engage or else he [Beedie] was gonna kill somebody." As Beedie ran south, the left side of his body was toward Detective Gary. Detective Gary fired one round from his rifle, aiming "about six inches in front of Beedie, where the bullet would strike Beedie in the upper thoracic area as he ran. When he fired the round, he saw Beedie fall to the ground and Detective Gary had "no doubt" his round hit Beedie. When Beedie fell, Detective Gary momentarily lost view of him due to the waist-high bushes. Within three to four seconds, Beedie got back up and began running again. At the same moment, 40King3 circled back overhead. Beedie took three or four more steps and fell again, disappearing behind a flatbed trailer piled with junk.

Detective Gary could not see where Beedie went from that point forward due to the waist-high bushes. A couple seconds later, a deputy from "40King3 started shooting." Detective Gary also heard other gunshots but did not know who was else was firing. Detective Gary heard a volley of fire from 40King3 "with a slight pause and then another volley of rounds and then the suspect was down." Detective Gary could not see Beedie but believed Beedie was down "based on the dust" from the ground. Detective Gary then saw SED deputies at the back of an armored vehicle and heard them giving Beedie commands. Detective Gary could not tell exactly what they were saying due to the distance but could tell they were yelling commands. The SED deputies used a light sound diversionary device¹¹ to try to startle Beedie, "making sure he wasn't laying an ambush and then once they made contact, they started first aid."

⁹ Detective Gary saw Beedie's clothing matched the suspect's description and that Beedie's face matched the pictures he had received.

¹⁰ The first 911 call was received at approximately 9:26 a.m., the officer-involved shooting occurred at approximately 1:37 p.m.

¹¹ Detective Gary explained the purpose of the light sound diversionary device is to stimulate any movement or to distract the person long enough to give law enforcement a second or two advantage for safety purposes.

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On September 15, 2020, at approximately 9:48 a.m., **Deputy Christopher Mejia** was interviewed by Detectives Jerry Moreno and Robert Hoag of the San Bernardino County Sheriff's Department.

Deputy Mejia was employed by the San Bernardino County Sheriff's Department, assigned to the Emergency Operations Aviation Division as a tactical flight officer. Deputy Mejia's duty weapon was a Patriot Ordinance Factory Revolution .308 rifle, loaded with 20 rounds of .308 Hornady Tap ammunition.

On September 4, 2020, Deputy Mejia was on duty as a tactical flight officer¹² in the San Bernardino County Sheriff's Aviation Unit 40King3 which was piloted by Sergeant Futscher. 40King3 was clearly identified as a police helicopter and painted with a white background and black lettering with the words, "San Bernardino County Sheriff's Department" on both sides of the tail and the San Bernardino County Sheriff's Department star on both sides and the front of the helicopter. Deputy Mejia was in the back seat of the helicopter, providing tactical flight officer training to Lieutenant Mahan who was seated in the front next to the pilot. Deputy Mejia's flight suit was distinctively marked with San Bernardino County Sheriff's Department patches on each shoulder, a badge on his left chest and his name tag on his right chest. Deputy Mejia did not wear a belt recorder; however, 40King3 was equipped with an MX-10 camera system which recorded intra-cabin communication systems and the camera's view.¹³ Deputy Mejia received training related to the firing of his rifle from the helicopter.

At approximately 9:30 a.m., 40King3 was flying over Lone Pine Canyon near the I-15 freeway when a call came out regarding shots fired at the 30000 block of Old Woman Springs Road in Lucerne Valley. 40King3 began responding to the call. While en route, Deputy Mejia listened to the radio traffic concerning the call and learned there was a man shooting in the Moss Mobile Manor Mobile Home Park. The reporting party told dispatch that her relative had attempted to confront the suspect and she did not know if he was okay or if he had been shot. While they flew to the scene, dispatch advised multiple times that the caller was reporting shots were still being fired. During their approximate 15 to 20-minute flight to the scene, Deputy Mejia heard deputies were responding to the scene and were setting up outside the mobile home park. Deputy Mejia then heard deputies at the scene reporting shots were being fired from within the mobile home park.

When 40King3 arrived on scene, flying overhead, Deputy Mejia saw deputies on the ground were beginning to set up a perimeter around the mobile home park. The mobile home park was a large property with two junk yards or storage yards on the east side. Open desert surrounded the property, with the exception of two distant homes to the east. Deputy Mejia saw a deputy at a house near the southeast corner of the park, "another

¹² Per Deputy Mejia, tactical flight officer duties include coordination with ground units via the patrol radio, aiding patrol vehicles in vehicle pursuits, establishing perimeters to contain suspects for arrest, searching for missing persons, and conducting hoist rescue operations.

¹³ The MX-10 camera system was activated by Lieutenant Mahan and recorded the incident under review.

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unit on the northwest corner that was reporting taking fire, and then another unit on the southeast corner at Highway 247 or Old Woman Springs¹⁴ that later on was reporting that they were also taking fire and the rounds were whizzing over their heads." Deputy Mejia saw there were patrol units staged at both entrances to the park, off of Old Woman Springs Road. Deputy Mejia further described the entrances as the east and west entrances. Both were located on the south side of the mobile home park. Deputies on the ground continued to call out, "shots fired." Deputy Mejia saw people frantically moving about the mobile home park and taking cover behind vehicles. Deputy Mejia began looking to see if he could determine from where the shots were being fired as he watched the people running. "They were hiding behind vehicles and then they would run to another vehicle, and then they would run back [...] it looked like chaos with, with these people and they were in the middle section of the park."

Sergeant Futscher contacted the CHP aviation division and arranged to have them provide air support so that aerial coverage would be maintained while 40King3 left to refuel. The CHP sent their airplane to the scene to assist. In addition, CHP ground units were on scene, blocking Highway 247 from civilian traffic.

40King3 orbited in a counterclockwise direction over the scene because the flight officer and the camera were located on the left side of the helicopter; this enabled them to better work the call. Located on the east side of the mobile home park property was a storage yard. The storage yard was surrounded by trees. As 40King3 orbited overhead, Deputy Mejia saw a male civilian running westbound from the storage yard. The male dropped to the ground just as Deputy Mejia heard deputies call out "shots fired."¹⁵ Deputy Mejia thought the male had been hit by gunfire. A few minutes later, the male stood up and ran west where he took cover with other civilians who were behind a gold colored truck in the east driveway. Deputy Mejia did not believe the male was the suspect because the male was not holding any weapons and it looked like he was "trying to get away from something." Deputy Mejia saw the civilians looking toward the storage yard.

Deputy Mejia received a photograph of the suspect, Joshua Beedie. According to witnesses at the scene, Beedie was wearing a blue shirt. Deputy Mejia learned Beedie was wanted for an attempted murder out of Morongo from the previous night. With this information, Deputy Mejia looked for Beedie as they flew overhead. Deputy Mejia was seated inside the helicopter, with the door open, looking to the left. Deputy Mejia was tethered to the helicopter with tethering straps and held his rifle on his lap, at the low ready, in the event he had to use lethal force against Beedie. Deputy Mejia systematically searched for Beedie, looking from the west to the east and north to the south, searching rows of trees, vehicles, and single-wide and double-wide mobile homes. Lieutenant Mahan used the helicopter's camera to perform the same systematic search, zooming in on objects as he did so. It was a hot day with the temperature outside at 108 degrees,

¹⁴ The portion of State Highway 247 running through Lucerne Valley is named Old Woman Springs Road.

¹⁵ The helicopter's elevation was between 400 to 500 feet above ground level. Due to the elevation and the helicopter's engine noise, Deputy Mejia was unable to hear the gunfire.

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but they used the FLIR¹⁶ (thermal imaging infrared camera) to find hotspots in shady areas where Beedie may have been hiding. They were still unable to locate Beedie despite their search.

Deputy Mejia saw the SED Team begin setting up their vehicles at the west and east entrances of the park off of Highway 247. SED had two smaller armored rescue vehicles and one larger armored rescue vehicle on scene. While the SED Team was getting set up, a detective in an unmarked unit on the southeast corner of the park on Highway 247 called out that he and two other deputies with him were "taking gunfire." The detective reported the bullets were "going right past their heads and that the suspect was shooting at them." Deputy Mejia could see there were trees and trailers in between the detective's unit and the interior of the mobile home park, and he wondered how Beedie had a clear sight on everybody. The SED Team devised a plan "to roll in a truck, pop smoke, and while the smoke kind of obscured the area," they rescued the detective and the two deputies. Other SED Team members began getting a team together to start clearing the mobile home park. Deputy Mejia saw that team start moving up the east driveway but then the team had to retreat when they began hearing constant gunfire for fear they were being ambushed.

Deputy Mejia saw civilians walking around the mobile home park, especially in the south portion even while deputies reported gunshots being fired. Because Beedie was actively shooting, they used the PA system in 40King3 to tell the residents to stay inside their trailers and to shelter in place. Lieutenant Mahan made the announcements. Lieutenant Mahan also made announcements directed to Beedie and verified with the ground deputies that they could hear the announcements. Lieutenant Mahan specifically addressed Joshua Beedie by name and directed him to come out with his hands up and to surrender peacefully. Lieutenant Mahan recorded the announcements directed at Beedie and "hit play," which put the announcements on loop so they would play repeatedly.

Deputies from the north and the south ends of the park were calling out that they were hearing rounds going right past them. To Deputy Mejia, it seemed that Beedie was shooting in every direction. Deputy Mejia learned a civilian had been "grazed or shot" by gunfire. Deputy Mejia continued looking for Beedie. Every time Deputy Mejia heard deputies call out "shots fired," the aviation unit would get on the radio to ask the deputies where the shots were coming from so they could look in the described locations. Deputy Mejia was unable to see any "muzzle flashes or dust or debris flying that would indicate that someone was shooting and where they were shooting from." Deputy Mejia's stress level and adrenaline were highly elevated as deputies continued to call out shots were being fired. Deputy Mejia was afraid someone had been shot and believed Beedie was trying to kill people. A deputy who was located on the northwest corner of the mobile

¹⁶ Deputy Mejia explained that the FLIR camera cannot see through walls, windows, or structures.

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home park called out over the radio that "rounds were flying past him." The deputy reported Beedie seemed to be going from the east to the west, across the north end of the mobile home park. Another deputy reported Beedie was believed to be located in the east storage yard. Deputy Mejia kept an eye on that area. Another deputy reported he believed Beedie was inside a two-story silver Airstream type trailer that was attached to a white truck with a half orange and half white bed. The deputy described the location as being in the storage yard, just east of an orange "sea container." Deputy Mejia communicated with the deputies on the ground to confirm no one was living in any of the trailers in the storage lot. The ground deputies confirmed it was just a storage area and no one was living there. Deputy Mejia kept an eye on that location for a while, but as conflicting information came in about Beedie's location, Deputy Mejia began to look elsewhere. A deputy on the northwest portion of the park reported the suspect was firing from the east to the west on the north side of the park. Other deputies on the south were saying shots were coming from a location northeast of them. Deputy Mejia searched for Beedie continuously, with negative results. Deputy Mejia described his stress level as being extremely high. The fact that he was unable to identify Beedie's location further exacerbated his stress level because he was unable to tell the deputies on the ground where to go for safety.

As Beedie continued shooting, the Sheriff's armored rescue vehicles began evacuating residents. Deputy Mejia saw the rescue vehicles moving from the north to the south, working their way down as they evacuated residents. As the larger rescue vehicle got about half-way down the mobile home park, the rescue vehicle started taking gunfire from the east. Just before that, one of the smaller rescue vehicles located in the east portion of the mobile home park had radioed they were taking gunfire from the north. With this information, they were finally able to triangulate Beedie's position. In so doing, Deputy Mejia realized the original silver Airstream type trailer they had originally looked at must have been where Beedie was hiding all along. They began centering 40King3's orbit over the silver trailer. As they were doing so, a few of the SED deputies took position in the northwest corner of the storage lot. These SED deputies radioed they could see muzzle flashes or debris coming from the silver trailer and that Beedie was shooting at 40King3. Deputy Mejia saw there was a cutout in the roof of the trailer and realized Beedie could easily look up and shoot at them in the helicopter. Deputy Mejia knew they would not be able to see Beedie if he was not directly beneath the cutout.

Every time 40King3 orbited over the silver trailer, the SED deputies would radio that Beedie was shooting at the helicopter. Mindful of this fact, 40King3 stayed between 400 and 500 feet above ground. During one of the orbits, Deputy Mejia saw what looked like a left arm pop out of one of the trailer's windows. Deputy Mejia didn't see anything else and explained, "it was super quick 'cause we were flying at about 80-90 miles an hour, ah ground speed, in circles." Deputy Mejia told his partners what he saw and said he was convinced Beedie was inside the trailer. At that point, they used 40King3's camera to zoom in on the trailer and saw what looked like bullet holes all around the trailer. Deputy Mejia saw bullet holes in a large window on the north end of the trailer and in all the

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windows along the west side of the trailer. It looked like someone had been shooting at or out of the west side of the trailer. In addition, a window on the southwest side of the trailer appeared to be completely missing.

While Deputy Mejia was focusing on the trailer, one of the rescue vehicles moved to the east fence line of the storage area. Deputy Mejia saw the rescue vehicle was positioned at a 45-degree angle, directly northeast of the trailer where Beedie was hiding. Deputy Mejia told his pilot that the SED team had moved in closer to Beedie and that Beedie "might be getting more desperate." As Deputy Mejia was saying this, he saw Beedie running from the silver trailer. Deputy Mejia did not see Beedie come out of the trailer and only saw him running from the trailer. Deputy Mejia saw Beedie was running in a southbound direction toward an area where residents were sheltering in place and toward deputies who were positioned at the south entrance to the mobile home park. Beedie was holding a black rifle in his right hand near the butt stock. Beedie ran in a "crouched down position, kind of like almost like a tactical run to make yourself, your profile smaller."

Deputy Mejia feared that if Beedie got to the area where residents were sheltering in place, then Beedie would "take a hostage or kill someone." Beedie looked up at Deputy Mejia. When Beedie looked up, his upper body lifted, and Deputy Mejia saw Beedie had transitioned his hands and was now holding the rifle with his right hand near the trigger and his left on the foregrip, as one would hold it to shoot. Deputy Mejia also saw what appeared to be a brown holster and what looked like two handguns on Beedie's left side or back. Beedie pointed the rifle at the helicopter. Deputy Mejia asked the pilot for a "J-turn" which Deputy Mejia described as follows: "If you're flying straight and imagine drawing a J with the helicopter, you're flying and bang to the left and you make a pretty tight turn and come back the same, like a 180 kind of thing, coming back the same direction you were coming from." As the pilot made the J turn, Deputy Mejia announced, "Engage," and shot one round from his rifle at Beedie. When he fired the round at Beedie, Deputy Mejia was directly southeast of Beedie and the helicopter had dropped in elevation to just over 200 feet above ground. Deputy Mejia was positioned with his left foot on the upper step above the helicopter's skid tube and his right foot on the floor inside the helicopter. Deputy Mejia believed his round missed Beedie and instead struck the ground right behind him because of the dust he saw there. Beedie crouched back down, continued running and went beneath the southeast portion of a single wide trailer. The trailer was completely destroyed and had no walls or a roof.

Because Beedie was armed with a rifle, a precision weapon, Deputy Mejia knew Beedie could easily shoot them in the helicopter as they flew at their altitude of 200 feet above ground. Deputy Mejia feared Beedie was positioning himself so he would be able to shoot at them in the helicopter or at the SED deputies who were positioned nearby. Deputy Mejia fired six rounds from his rifle at the southeast portion of the trailer where he had last seen Beedie in an effort to stop the threat presented by Beedie. Deputy Mejia also wanted to prevent Beedie from reaching the civilians who were sheltering in place and the deputies who were located at the entrance to the park.

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Deputy Mejia stopped shooting when the helicopter's orbit came around to the north and he lost a good reference point. When the helicopter came back around and was flying over the southwest portion of their orbit, Deputy Mejia saw Beedie running west and then southwest toward a row of classic cars. Beyond the row of cars was a tree line and just beyond the tree line were the mobile homes where residents were sheltering in place. Deputy Mejia knew if Beedie reached the trees, he would not be able to do anything to stop him because of the civilians who were located there. Beedie no longer had the rifle; however, he held what appeared to be a handgun in his right hand. As Beedie ran, he raised his right arm straight out to his right side, at shoulder level, parallel with the ground. Beedie looked westbound as he pointed the handgun west toward the larger rescue vehicle. Just beyond the rescue vehicle were mobile homes that had not yet been evacuated. Fearing for the deputies in the rescue vehicle and the residents in the mobile homes on the other side of the rescue vehicle, Deputy Mejia shot his rifle, aiming for Beedie's upper body. Deputy Mejia saw dust from the ground as his rounds struck the dirt behind Beedie as Beedie continued running. On the final trigger pull, Deputy Mejia did not see dust from the ground and instead saw Beedie fall. When Beedie fell to the ground, Deputy Mejia stopped firing. Lieutenant Mahan broadcast over the radio that Beedie was down. Deputy Mejia believed he fired eight rounds before Beedie fell. When Deputy Mejia fired the eight rounds, the helicopter was "banking pretty hard" and had descended to about 113 feet above ground.

Deputy Mejia saw SED deputies approaching Beedie along the east fence line. As soon as he knew the deputies had taken over the scene on the ground, Deputy Mejia made his weapon safe by removing the magazine and ejecting the round that was still chambered. Deputy Mejia then put his rifle away in the rack.

Deputy Mejia estimated they were over the scene for just under four hours, during which time PA announcements were repeatedly given to Beedie to surrender peacefully. Despite the continuous PA announcements, Beedie continued shooting throughout the entire duration of the call.

On September 16, 2020, at approximately 3:05 p.m., **Deputy Christopher Haas** was interviewed by Detectives Jerry Moreno and Robert Hoag of the San Bernardino County Sheriff's Department.

Deputy Haas was employed by the San Bernardino County Sheriff's Department, assigned to the Specialized Enforcement Division (SED). Deputy Haas' duty weapon was .223/5.56 caliber Colt M4 rifle, which he kept loaded with 29 rounds.

On September 4, 2020, at approximately 10:03 a.m., Deputy Haas was off duty when he received an all-call SWAT notification from Lieutenant Visosky directing all available personnel to respond to the 30000 block of Old Woman Springs Road in Lucerne Valley for an active shooter at Moss Mobile Manor. Deputy Haas explained an active shooter means an individual is firing indiscriminately and trying to kill people. Deputy Haas had

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worked patrol in Lucerne Valley and was familiar with the mobile home park. Upon receiving this notification, Deputy Haas was very worried because he knew there were a lot of people living at Moss Mobile Manor. Deputy Haas also knew the mobile home park was a large property and would be difficult to handle without sufficient resources. Deputy Haas immediately jumped into his car and began responding to the location, arriving approximately 30 minutes later. As he drove to the scene, Deputy Haas listened to the patrol radio so he would receive updated broadcasts about the active shooter incident. Deputy Haas heard deputies on scene saying over the air that bullets were going over their heads. These deputies were located in the southeast corner of the property. Deputy Haas heard the "panic and stress in their voices" as they said they didn't know where the suspect was, and they were "being shot at." Deputy Haas feared someone was going to be shot. As Deputy Haas continued driving to the scene, he heard several additional updates from the scene and continued reports of additional shots being fired.

Upon arriving on scene, Deputy Haas parked on Highway 247, just west of the property where he believed he wouldn't be seen by the suspect. Other deputies were located there as well. As soon as he got out of his vehicle, he began hearing gunshots. The gunshots sounded like they were near the east side of the property. Deputy Haas also heard the Sheriff's Helicopter, 40King3, overhead giving announcements over the public address (PA) system. Deputy Haas made contact with a couple of deputies who directed him to the front of the property where SED members were located. Deputy Haas quickly put on his SED uniform, his ballistic vest, his duty belt with his firearm, and his ballistic helmet.

Deputy Haas contacted Detective Bibeau who was in front of the property. Detective Bibeau gave him a quick brief on the situation and told him what the plan was. Deputy Haas, along with Detective Bibeau, Detective McCarthy, Detective Corral, Deputy Moore, and Detective Elder were to head north along the west fence line of the property as an Immediate Response Team, looking for any casualties or anybody who might have been shot. They were designated as Charlie Team. Together, the team of six headed north on foot along the west side of the mobile home park to reach the northwest corner of the property. The team had to go on foot because the rescue vehicles¹⁷ were not yet on scene and they needed to get inside the mobile home park as quickly as possible to provide security for the residents and to contain the suspect. Having been through active shooter trainings and based upon the number of gunshots he heard as they made their way, Deputy Haas knew the odds were stacked against them. Because they expected to find gunshot victims, they had Detective McCarthy, who was a medic, with them so he could provide medical aid.

Charlie Team began slowly working their way along the west edge of the property because no one knew where the active shooter was located inside the mobile home park. Because he was familiar with the location, Deputy Haas knew there were multiple places

¹⁷ Deputy Haas explained the rescue vehicle is a ballistic vehicle that provides protection and is able to hold several division members inside. The three rescue vehicles that arrived on scene were green with markings across all sides identifying them as Sheriff's Department vehicles.

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for the suspect to hide. There were many trees, trailers, and much debris on the property that would enable the suspect to move around, to get behind people, to get into trailers, and to take people hostage. The team slowly made their way to the northwest corner, knowing they needed to contain the suspect to keep him as isolated as possible so he would not endanger the public. As they made their way, the team continued to hear gunshots. Whenever the deputies on the perimeter of the property broadcasted that they heard gunshots, Deputy Haas would hear muffled gunshots or no gunshots at all. Because of this, they believed the suspect was moving positions. To Deputy Haas, not knowing where the suspect was located was especially scary.

When they got to the northwest corner, they cut a chain link fence in order to make their way onto the property. Once on the property, Charlie Team slowly began working their way back south, working through the trailers. Deputy Haas kept watch, looking east because he kept hearing gunfire, while other team members knocked on the doors of the trailers to find residents who were still inside. Detective Corral received a notification via the SWAT all-call identifying the suspect as Joshua Beedie. The notification included a photograph of Beedie and a description of the clothing Beedie was wearing that day: a blue shirt and dark pants. Detective Corral shared this information with the other team members, including Deputy Haas. Deputy Haas learned Beedie was wanted in relation to a previous call from the night before. Deputy Haas did not know the details concerning that previous call as he was still busy trying to work around the trailers. When they reached the third trailer from the north, they spoke with a woman and her child. Seeing the fear in their eyes made Deputy Haas realize even more how critical this incident was. Without the rescue vehicle, they had no way to safely evacuate them and told them to shelter in place. They told her to get as far back in the back of her trailer as possible and to put as much space between them and the east side of the property which is where they believed the gunshots were originating.

Charlie Team was told Bravo Team was coming to pick them up in an armored rescue vehicle, so they waited near the third trailer at the north end of the trailer park. Bravo Team arrived in the rescue vehicle.¹⁸ The rescue vehicle was driven by Detective Golditch; Sergeant Tollefson and Detective Diaz were passengers. The two teams merged into one team, designated as Bravo Team. With the rescue vehicle, they began evacuating residents from the north to the south. They placed the rescue vehicle in between the residents and the area from where they were hearing the gunshots, getting several people safely to their vehicles so they could drive to the north end of the property and flee to safety. When they reached the fifth or sixth trailer from the north, they started hearing gunshots coming from behind them. Realizing they were now exposed to gunfire; the team was forced to stop as they were no longer able to provide protection to the residents they were evacuating. Their main concern was keeping the residents safe and the team was extremely worried someone was going to get shot because Beedie was

¹⁸ Deputy Haas knew two additional rescue vehicles were on scene. He believed one rescue vehicle was located on the south side providing containment to the south side of the property and another one was at the main entrance to the property providing containment to the east side of the property.

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shooting so frequently. From the time Deputy Haas arrived on scene, he heard “pretty steady gunfire, just bullets going off.” Deputy Haas heard deputies on scene broadcast they were being shot at and there were multiple rounds going right over their heads. These deputies were behind a sedan with no ballistic protection and had to be rescued by one of the rescue vehicles on scene. Deputy Haas heard “softer pops and then louder pops” and believed the suspect was shooting multiple caliber weapons, specifically a pistol and a rifle.

As the gunfire continued, Bravo Team began to narrow down the origin of the gunfire. They believed the gunshots were coming from the middle portion of the of the property, near several abandoned recreational vehicles and other vehicles. Bravo Team could hear rounds going over the top of them as Beedie continued firing. Detective Corral spoke with one of the residents in the nearby trailers who told him, “they believed the subject was in a silver trailer just to the east of where we had stopped at that moment.” They began looking east and saw the silver trailer was in the general direction of where they were hearing the gunfire. There were two large orange “sea containers” with a small gap in between them. The team stopped the rescue vehicle where they could see directly in between the sea containers where the silver trailer was directly in their line of sight. The team stopped the rescue vehicle with the front facing south and the driver’s side facing east.

Deputy Haas got into the turret (a large porthole in the top of the rescue vehicle). The lid to the turret provided ballistic protection. Once in the turret, Deputy Haas was elevated and was able to see over obstructions. Deputy Haas looked to the east, in the direction of the gunfire, and saw a silver trailer attached to a white and orange truck. 40King3 was flying overhead making PA announcements for Beedie to surrender. Deputy Haas heard a gunshot and simultaneously saw a trail of dust leaving the roof of the silver trailer as a bullet went through it. Deputy Haas and the other Bravo Team members feared Beedie was shooting at 40King3. Upon seeing this, Deputy Haas was able to determine Beedie was inside the silver trailer. This information was broadcasted to all other deputies on scene. Knowing there were deputies positioned around the perimeter, they did not want to take their eyes off of the trailer in case Beedie ran out and was able to get behind someone or was able to maneuver around back into where the occupied trailers were or to escape all together. The team stayed in position so they could keep their eyes on the trailer. Deputy Haas heard other team members discuss a chemical action plan to attempt to gain Beedie’s compliance and to avoid having to use a higher level of force, but Deputy Haas did not know the details of that plan.

Deputy Haas switched positions with Corporal Rose. Deputy Haas went down to one of the side portholes of the rescue vehicle and Corporal Rose went into the turret. Detective McCarthy was to the left of Deputy Haas, looking out of the “back end” porthole. Deputy Haas was on the driver’s side behind the driver’s seat, watching out of the middle porthole. The porthole was approximately six inches in diameter. Deputy Haas stood in front of the porthole, resting his left knee on the bench below, with the barrel of his Colt M4 rifle

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sticking through the porthole with the rifle tip protruding approximately three to four inches outside the rescue vehicle. Deputy Haas held his left hand on the barrel of the rifle with the stock of the rifle positioned on his right shoulder. Deputy Haas looked through both his rifle's optic¹⁹ and through window of the porthole.

As Deputy Haas watched through the porthole, a deputy from 40King3 broadcasted over the radio that they saw a male running southbound from the trailer with a rifle in his hands. Upon hearing this, Deputy Haas immediately thought Beedie was trying to maneuver to a better position so he could shoot the deputies or other people in the mobile home park. Deputy Haas knew there were still occupied trailers all around the property, including to the south and the west of Beedie, because they had been unable to evacuate everyone. Deputy Haas also knew the trailers provided little protection as bullets could easily pass through trailer walls. Deputy Haas began hearing gunfire.²⁰ Deputy Haas then heard Corporal Rose begin to fire his rifle from his position in the turret. Deputy Haas was looking east through the porthole at the silver trailer to see where Beedie was. There were trailers and a dark colored SUV between their rescue vehicle and the silver trailer. When Deputy Haas did not see Beedie, he looked up at Corporal Rose to see which direction he was facing. Corporal Rose was looking east, in the same direction Deputy Haas had been looking. Deputy Haas looked through the side porthole again and saw Beedie come around the back of the dark colored SUV, approximately 100 yards away. Beedie matched the suspect description and was wearing a blue shirt and dark pants. Beedie ran in a south/southwest direction with his "body bladed" toward their rescue vehicle and the occupied trailers. Beedie had a black pistol in his right hand. Beedie's right arm was extended as he pointed the black pistol at Bravo Team and the occupied trailers. Deputy Haas heard "one pop" come from Beedie's handgun as Beedie shot it at Bravo Team and the occupied trailers. In response, Deputy Haas immediately fired a round at Beedie, paused to reassess and saw Beedie was still running in the same direction with his arm extended and the pistol pointed in Bravo Team's direction. Deputy Haas knew they were in an armored rescue vehicle, but there were residents they had been unable to evacuate, including a mother and child, who "couldn't protect themselves, we couldn't get them out of there safely, so they had to stay inside. Those bullets that he (Beedie) was firing could easily get through (the trailer walls). We were, we were there to protect them and that was what, that was why I began to fire."

Attempting to stop the threat Beedie continued to pose to the deputies and the residents they had been unable to evacuate, Deputy Haas fired three more rounds at Beedie, each time aiming for Beedie's upper chest near his left clavicle. When Deputy Haas fired, he heard Detective McCarthy and Corporal Rose also firing. Beedie then went out of view and Deputy Haas lost sight of him. There were several abandoned vehicles and other items blocking Deputy Haas' view of Beedie. Deputy Haas did not know whether Beedie was trying to take a better position or if he was lying on the ground. Corporal Rose was

¹⁹ Deputy Haas described the optic on his rifle as a holographic sight that projects a red dot in the center which provides a reference point. The optic provides a good field of view and is designed to be used with both eyes open when firing.

²⁰ Deputy Haas was not asked to describe where he believed this gunfire originated.

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still in the turret and could see Beedie. Corporal Rose said Beedie was lying on the ground. 40King3 was overhead giving PA announcements.

Bravo Team then drove the rescue vehicle east through a chain link fence to get close to Beedie so the team members who were medics could begin administering aid to Beedie. They drove the rescue vehicle in order to provide protection in case Beedie was still armed and dangerous. Deputy Haas saw Beedie lying on his right side facing south. Beedie had a silver pistol in a holster on his belt. Another team of SED members came from the east to take Beedie into custody. Before approaching Beedie, a light sound diversionary device was deployed to distract Beedie, just in case he was lying in wait. When Beedie gave no response, the team approached and took Beedie into custody. Deputy Haas saw the deputies remove the silver pistol from Beedie's holster as well as another handgun they found on the ground beneath him when the deputies who were medics began rendering aid to Beedie. Deputy Haas then walked away to help other SED teams clear the trailer from which Beedie had run to ensure no one else was inside the trailer. After deploying a light sound diversionary device, to divert the attention of anyone who may have been inside the trailer, they were able to enter the trailer and found no one inside. Deputy Haas saw multiple bullet holes and fired cartridge casings throughout the trailer.

In Deputy Haas' estimation, four hours elapsed from the time he received the SWAT call-out until the conclusion. The entire time Deputy Haas was on scene, he heard 40King3 overhead giving PA announcements for Beedie to surrender. Beedie never gave any indication he was willing to surrender and instead continued shooting throughout the duration of the incident. Deputy Haas estimated Beedie fired at least 100 rounds, shooting sporadically from the moment Deputy Haas arrived on scene until the end.

On September 21, 2020, at approximately 8:43 a.m., **Corporal Eric Rose** was interviewed by Sergeant Joseph Steers and Detective Robert Hoag of the San Bernardino County Sheriff's Department.

Corporal Rose was employed by the San Bernardino County Sheriff's Department, assigned to the Specialized Enforcement Division (SED). In his assignment with SED, Corporal Rose was a member of the long rifle team and was also a tactical medic. Corporal Rose's duty weapons were a .223/5.56 caliber Colt M4 rifle and a .45 caliber Kimber 1911 handgun. Corporal Rose's Colt M4 rifle was loaded with 28 .223 caliber rounds.

On September 4, 2020, at approximately 10:00 a.m., Corporal Rose was off duty at home when he received an all-call SWAT notification directing all available personnel to respond to Lucerne Valley for an active shooter at Moss Mobile Manor. Corporal Rose turned on his handheld radio to monitor the call while he got ready to respond to the mobile home park. When he turned on the radio, the first thing he heard was deputies on scene broadcasting shots were being fired. Corporal Rose also heard a deputy on scene

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broadcast he was "being shot at." Upon hearing this, Corporal Rose knew deputies were taking gunfire. Corporal Rose donned his tactical duty uniform and within 10 to 15 minutes began responding to the scene. Corporal Rose drove Code Three (expedited with lights and sirens activated) from his residence, arriving on scene approximately an hour and a half later.

While en route, Corporal Rose continued to monitor radio traffic. There were reports that the suspect was shooting into the mobile home park. Corporal Rose figured the suspect must have had "some gripe with the park and he was there to kill some folks." Corporal Rose was concerned the suspect had already shot people in the mobile home park and realized no air rescue helicopter was on scene. Initially the Sheriff's Department did not have an air rescue unit available, so Corporal Rose coordinated with Fort Irwin to have their medical evacuation helicopter crew on standby. Due to the nature of the call, Corporal Rose was afraid there were going to be multiple casualties and patients who needed to be medically transported. When the Sheriff's Department's air rescue helicopter was able to fly to the scene, the crew from Fort Irwin remained on standby in case they needed to transport multiple patients. Corporal Rose also coordinated with St. Mary's, the closest hospital to Moss Mobile Manor, to ensure they had the capacity to receive patients if needed.

Corporal Rose heard deputies on scene trying to narrow down where the suspect was located. The suspect had been constantly shooting a rifle and a handgun from the area of the storage yard which contained abandoned cars and trailers and was located in the northeast area of the trailer park. As he drove, Corporal Rose heard approximately 20 separate broadcasts that shots were being fired. Corporal Rose heard there were detectives at the scene who were pinned down by gunfire behind a car and had to be rescued. In addition, there were reports of bystanders within the mobile home park moving between trailers and a person who had run out of the storage yard. Corporal Rose was concerned the suspect was barricaded in a sniper position where he would "have the drop" on deputies or bystanders.

Corporal Rose arrived on scene at approximately 11:15 or 11:30 a.m.²¹ The Sheriff's armored rescue vehicle from San Bernardino arrived on scene at the same time. The rescue vehicle was clearly marked with Sheriff's Department emblems and identifiers. The Sheriff's Department's helicopter, 40King3, was flying overhead approximately 200 feet above the mobile home park when Corporal Rose arrived. Deputies from 40King3 were making announcements over the public address system for the suspect to surrender.

²¹ Detective Rose activated his belt recorder while responding to the scene, but unbeknownst to Detective Rose, the belt recorder shut off after several minutes.

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Corporal Rose checked in with Lieutenant Visosky at the command post and was directed to formulate a medical evacuation plan. As a tactical medic, Corporal Rose ensured the air rescue crew and an ambulance were on stand-by. The fire department and ambulance were directed to stage nearby, at a safe distance from the scene, due to the suspect's constant gunfire. Corporal Rose coordinated the landing of the medical transport helicopter on the nearby highway and kept Fort Irwin on deck in case multiple patients needed to be transported. While at the command post, Corporal Rose heard sporadic gunfire and also heard two gunshot rounds fly overhead.

Several SED units had already deployed to the mobile home park prior to Corporal Rose's arrival. There were two Immediate Response Teams (Alpha Team and Bravo Team), two Sierra Units (long rifle teams) and one Containment Team. Corporal Rose was directed to go with Detectives Golditch and Diaz in the rescue vehicle to pick up the containment team, whose members included Sergeant Tollefson, Corporal McCarthy, Deputy Bibeau, and Deputy Moore.²² The members of the team were on foot on the northwest side of the property providing containment (acting as a buffer) between the storage yard and the mobile homes in case the suspect tried to move to the mobile homes. They picked up the containment team, providing them the ballistic protection of the rescue vehicle. Once they had the members loaded up into the rescue vehicle, their job was to provide containment between the storage yard and the occupied trailers where residents had not yet been evacuated. Together, they were designated Immediate Response Team Bravo.

The mobile home park had approximately 70 spaces but because they did not know how many of the mobile homes were occupied, a systematic plan was formulated to begin evacuating the residents. Bravo Team was tasked with evacuating the mobile homes on the west side of the park beginning with the north end and moving toward the south end while also providing containment to the west side of the storage yard. In another Sheriff's rescue vehicle, Alpha Team was tasked with evacuating residents from the south side of the mobile home park. Bravo Team began evacuating residents who were willing to leave.²³ From the rescue vehicle, they made announcements to residents that there was an active shooter in the mobile home park and that they were there to evacuate residents. They asked residents to remain sheltered in their trailers until they contacted them at their trailer doors. In one of the mobile homes, there were two medically fragile children, who required oxygen and constant medication, so it took additional time to get the evacuations going. While they conducted the evacuations, the suspect was still firing rounds and the team tried to provide coverage with the rescue vehicle as best they could. Because they did not know the suspect's precise location, they tried to give 360-degree security.

As they worked their way down the mobile home park, they came to a location where there were two large orange storage containers. In between the two storage containers was what Corporal Rose believed to be a horse trailer. One of the residents they were evacuating advised she had seen the suspect near that specific trailer at the beginning of

²² Deputy Haas and Detective Elder were also members of the containment team.

²³ Some residents chose to shelter in place.

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the incident. The resident said no one was supposed to be in the storage yard and that none of the stored trailers were occupied. Corporal Rose's team relayed this information to the command post and the Sheriff's helicopter was able to get overhead to get a better look. There was an orange and white truck attached to or parked in front of the trailer, so the aviation deputies were able to identify the specific trailer fairly quickly. The suspect continued firing sporadically but the aviation deputies were not able to see from where the shots were being fired. Corporal Rose believed the suspect "was probably somebody who kind of knows what he's doing based on the fact that we can't find him, he's still firing, and he picked a really good tactical position." The suspect's rounds were coming into the mobile home park. Corporal Rose and his team were concerned someone was going to get shot but because they were not able to identify the suspect's precise location, they were unable to return fire. The team deployed a robot with a camera. The goal was to drive the robot into the storage yard to locate the suspect, but the signal on the robot was too weak to get it that far. Alpha Team deployed an unmanned aerial system (drone) but they were also unable to locate the suspect.

Bravo Team decided their best course of action once they got most of the trailers evacuated was to move back to the area between the two storage containers where they could see the trailer where the suspect was believed to be. Their goal was to provide a wall between the trailer and the occupied mobile homes. While moving into position, Deputy Haas got into the turret, which is a "hole on top of the armor" that provides a better vantage point by allowing a person to look outside. Once in the turret, Deputy Haas said he could see "rounds coming through the roof of the trailer" where they believed the suspect was located. Sergeant Tollefson broadcasted this information to the other SED teams. A deputy in 40King3 was giving announcements over the public address system telling the suspect to surrender and every time 40King3 would fly over that trailer, they would hear a volley of gunshots. Corporal Rose and his team members believed the suspect was shooting out of the top of the trailer trying to hit 40King3, but because it was so bright outside and the windows were so dark, they could not see into the trailer and were therefore unable to shoot the suspect.

By this point, they had identified the suspect as Joshua Beedie. Beedie was the suspect in an attempted murder and sexual assault that had occurred the day prior and was believed to be armed with an AR15 and a handgun. Two photographs of Beedie were sent to all SED members. Beedie was described as a white male, with a thin build, facial hair, approximately 5'10" tall, 170 pounds, and was wearing a baseball hat.

Over the radio, Lieutenant Visosky briefed everybody with an updated tactical plan. The updated plan was to use the armored vehicles to keep containment on the storage yard and to close in on Beedie's location where they would then deploy "CS"²⁴ gas, which is "a chemical irritant, in an attempt to get him to surrender." Corporal Rose and the other Bravo Team members were positioned near two large storage containers approximately

²⁴ CS gas 2-chlorobenzylidene malononitrile is one of the most commonly used tear gases in the world. National Center for Biotechnology Information, U.S. National Library of Medicine.

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100 yards away from the trailer where Beedie was believed to be. The storage containers were in between Bravo Team and Beedie's trailer. In order to successfully deploy the gas, the team needed to get closer to the trailer where Beedie was located. However, the concern was that Beedie was deep inside the trailer where he would have a potential shot at the deputies as they tried to approach. The team believed Beedie was lying in wait and trying to draw the deputies in closer where he would be able to shoot them.

Bravo Team discussed getting a better vantage point to try to see into the trailer. Corporal Rose had a special magnifier on his rifle allowing him to see three times further than one could with a regular optic. Corporal Rose used the magnifier to look for Beedie through one of the rescue vehicle's side portholes. Because the porthole was lower to the ground than the turret, his vantage point was not as good, so Corporal Rose switched positions with Deputy Haas. Once in the turret, Corporal Rose was able to see over the bushes and rubbish in between them and the trailer where they believed Beedie was hiding. Corporal Rose was concerned Beedie was lying underneath the trailer, so he was trying to identify Beedie's exact location. Corporal Rose was positioned off to the side of the turret so he would have a better visual of the trailer as he scanned it, looking for Beedie. Because of this, the armored turret lid only provided ballistic cover to Corporal Rose's left shoulder.

Within a minute of being in the turret, Corporal Rose heard a deputy from 40King3 radio that Beedie was running southbound. Right about that time, Corporal Rose saw Beedie come around to the front of the truck located in front of the trailer. Beedie had a rifle in his right hand and was running south toward occupied trailers they had not yet been able to evacuate. The occupied trailers were approximately 100 yards from Beedie. Beedie also had something in his left hand, but Corporal Rose could not tell what it was. Corporal Rose was afraid Beedie was going to make it to the trailers where he would either take someone hostage or would shoot and kill occupants in the trailers. Corporal Rose was in fear for the occupants' lives. In addition, Corporal Rose knew Alpha Team had begun moving into position, getting closer to Beedie's location, in order to deploy the CS gas. Corporal Rose did not know Alpha Team's precise location and was in fear for their lives. Corporal Rose did not know why Beedie was in the trailer park, which was in a remote location, and believed Beedie must have had a "gripe of grievance against someone in the mobile home park." Because Beedie "had already shot somebody...we definitely did not want to allow him to get to those trailers." They had made multiple attempts to deescalate the situation, but all had failed. They had given Beedie multiple commands from the helicopter to surrender and Beedie shot at the helicopter. Beedie had also shot at the deputies on the ground. During the entire incident, Beedie had continued shooting sporadically. When Beedie ran south toward occupied trailers, armed with a rifle, Corporal Rose knew Beedie posed an imminent threat to the occupants of the trailers and to the nearby deputies. Corporal Rose believed his best force option was to use lethal force against Beedie.

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Corporal Rose shot his rifle at Beedie, aiming slightly ahead of Beedie so that as Beedie ran, the rounds would strike him in his chest/center of mass. Corporal Rose's goal was to incapacitate Beedie or to drive him back behind the trailer in order to keep him from running south into the occupied trailers. Beedie was approximately 70 to 80 yards away from Corporal Rose when he fired. Corporal Rose fired between five to eight rounds, before his rifle malfunctioned and stopped firing. Corporal Rose cleared the malfunction (a round had not chambered properly) and by the time he did so, Beedie had continued running south where one of the storage containers blocked Corporal Rose's view. Believing Beedie was going to continue running south, Corporal Rose repositioned his rifle to the other side of the storage container and approximately five to ten seconds later, he saw Beedie running in a south to southwest direction. Beedie now appeared to have a handgun in his right hand, which he pointed at Corporal Rose and his partners, and began shooting. Corporal Rose began firing his rifle at Beedie again and Beedie fell out of view behind a large tractor-trailer. By this point, Beedie was approximately 60 to 80 yards away from Corporal Rose. Corporal Rose believed Beedie was taking cover behind the tractor-trailer. Corporal Rose began shooting toward the tractor-trailer to try to keep Beedie pinned down. Corporal Rose then heard over the radio that Beedie was down, so he stopped firing. All of Corporal Rose's rounds were fired from the turret at the top of the rescue vehicle. Corporal Rose believed his magazine was likely nearly empty, so he did a tactical reload, dropping the magazine and inserting a new one. Corporal Rose saw there was only one round remaining in the magazine he dropped.

A deputy from 40King3 announced that Beedie was not moving but said he could see a gun on Beedie's hip and said he believed Beedie had a gun underneath him. A team to the north approached Beedie on foot while giving him verbal commands. Corporal Rose and Bravo Team drove the rescue vehicle east through a chain link fence toward Beedie. As they approached, Corporal Rose could see Beedie had a handgun on his hip. To ensure Beedie wasn't lying in wait, Sergeant Tollefson deployed a distraction device that was "basically a loud firecracker" next to Beedie. Beedie didn't move, so they believed he was incapacitated. The team on foot secured Beedie's weapons and handcuffed him. Corporal Rose and Bravo Team got out of the rescue vehicle and approached Beedie on foot. Corporal Rose grabbed his medical bag and rendered aid to Beedie. Corporal Rose saw Beedie had traumatic injuries, including an injury to the left side of his chest. Deputy Pollick applied a tourniquet to Beedie's left arm. Corporal Rose could not see any obvious signs of bleeding and was concerned Beedie was bleeding internally. Corporal Rose attempted to pack Beedie's wound to stop the bleeding, but the wound was too deep, making the task difficult. Beedie was in and out of consciousness with shallow breathing, so they assisted his ventilations with a bag valve mouth mask. Corporal Rose obtained a baseline set of vital signs to provide the paramedics and requested the ambulance meet them at the nearby dirt road. Beedie was loaded into the rescue vehicle so the team could transport him to the ambulance. When they backed the rescue vehicle, it got stuck on something and would not move. The team carried Beedie on the backboard to the waiting ambulance. Deputy Pollick rode with Beedie in the ambulance to the hospital while Corporal Rose returned to the command post.

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On September 16, 2020, at approximately 12:13 p.m., **Detective Cory McCarthy** was interviewed by Detectives Jerry Moreno and Robert Hoag of the San Bernardino County Sheriff's Department.

Detective McCarthy was employed by the San Bernardino County Sheriff's Department, assigned to the Specialized Enforcement Division (SED). Detective McCarthy's duty weapons were a .223/5.56 caliber Colt M4 rifle, and a .45 caliber Kimber 1911 handgun. Detective McCarthy's Colt M4 rifle was loaded with 29 .223 caliber rounds in the magazine.

On September 4, 2020, at approximately 10:03 a.m., Detective McCarthy was off duty when he received an all-call SWAT notification directing all available personnel to respond to Lucerne Valley for an active shooter at Moss Mobile Manor. To Detective McCarthy, the call for an active shooter meant there was a person actively shooting and killing people with a firearm. Detective McCarthy turned on his department issued radio so he could listen to updates concerning the call while he prepared to respond to the scene. Detective McCarthy donned his tactical duty uniform, his plate carrier, and his gun belt. Detective McCarthy loaded his Kimber 1911 handgun and inserted a loaded magazine into his Colt M4 rifle. Detective McCarthy heard multiple deputies at the scene reporting shots were being fired. Detective McCarthy also heard a detectives unit at the scene say there were multiple shots coming from inside the mobile home park and they could not locate the suspect. Multiple deputies and detectives reported they were taking gunfire. Upon hearing this, Detective McCarthy feared there may have been deputy and civilian casualties at the scene.

Detective McCarthy put on his headset which enabled him to hear and communicate through the radio and donned his ballistic helmet. Detective McCarthy drove to the scene, Code Three. As he drove, Detective McCarthy continued to hear deputies reporting additional shots were being fired and that they were still unable to locate the suspect. Deputies on scene reported they believed the suspect was moving from north to south and east to west in an area of the mobile home park they described as the storage yard. Detective McCarthy also heard a detective on scene report he was being shot at again. When he was approximately five to ten minutes away from the mobile home park, Detective McCarthy heard the dispatcher say the suspect's name²⁵ (Joshua Beedie). Dispatch advised Beedie was wanted in reference to a sexual assault and attempted murder that had occurred the night before in the Morongo Basin area. In regard to the attempted murder, dispatch reported Beedie was reported to have shot at a male victim with a handgun and an AR-15.

²⁵ At the time of the interview, Detective McCarthy could not recall the name of the suspect. Detective McCarthy referred to Beedie as "the suspect" during his interview. For ease of reference, Beedie's name is used in this summary.

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As Detective McCarthy arrived on scene, at approximately 10:35 a.m., he heard Sergeant Sandlin report he had multiple SED personnel on the east end of the mobile home park where he believed Beedie was located. Sergeant Sandlin advised he and the other SED personnel members were going to bound²⁶ forward to attempt to locate Beedie to prevent any casualties.

Detective McCarthy parked approximately 200 to 350 yards southwest of the mobile home park, where he could see and listen to what was occurring before driving into the scene. Detective McCarthy was concerned about being “ambushed” and wanted to be in a “responsive location” where he would be able to rescue deputies or civilians in need. Detective McCarthy saw multiple police vehicles stopped on Old Woman Springs Road. Detective McCarthy got out of his vehicle, hanging his rifle on his body by the sling so he would be hands free. Detective McCarthy then heard a live round go westward over his head and heard deputies announce over the radio additional shots were being fired by Beedie. The deputies again reported they could not locate Beedie. Sergeant Sandlin then got on the radio and reported he and his team were being shot at, that Beedie was firing additional rounds, they were unable to pinpoint Beedie’s location, and they were not going to continue to bound forward because they believed Beedie was drawing them into an ambush where he could kill them. Detective Bibeau wanted to get to Sergeant Sandlin and the other SED personnel located on the east who were unable to bound forward.

Detective McCarthy contacted Detective Bibeau, another SED member, at the southwest side of the mobile home park. Six residents of the mobile home park were with Detective Bibeau, taking cover behind marked Sheriff’s vehicles. Detective Bibeau advised that the residents had told him one of their fathers was inside a mobile home in the park and he had seen Beedie move into the storage yard area of the mobile home park, traveling from east to west and shooting randomly toward Highway 247. While Detective McCarthy and Detective Bibeau spoke to each other, Beedie continued shooting. They were not sure if Beedie was moving or if he was shooting from one specific location.

Detective McCarthy and Detective Bibeau ran to the entrance located on the southeast side of the mobile home park. There they saw Deputy Pollick and Sergeant Gaytan, both SED members. Detective Bibeau told Sergeant Gaytan what he had learned from the residents of the park. Discussion was had and a plan was formulated. A team of six SED members, including Detective McCarthy, Detective Bibeau, Detective Corral, Deputy Moore, Deputy Haas, and Detective Elder, was formed. The team was identified as Charlie Team and together, they were to travel along the west side of the property and attempt to move to a position of advantage in an effort to locate Beedie’s position. Law enforcement did not know whether Beedie had specific targets or if he was just shooting randomly. Based upon Detective McCarthy’s training and experience, it sounded like Beedie was shooting a high-powered rifle and a handgun. With Beedie’s continued

²⁶ Detective McCarthy explained this term refers to the tactic used wherein one team member watches and provides coverage while another team member moves forward, with the members alternating as they advance.

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shooting, Detective McCarthy feared Beedie was shooting at citizens inside the mobile home park and he expected the team would find casualties.

As Charlie Team prepared to move forward, Detective Bibeau told the team a resident had advised there was an opening in the chain link fence on the west side of the mobile home park through which they could walk to gain entry onto the property. That opening would put the team in line with where the resident had seen Beedie moving from east to west in the storage yard. Detective McCarthy had heard other deputies on scene report Beedie was moving north to south and east to west in the storage yard but that they were unable to pinpoint Beedie's precise location. In pairs of two, the team bounded forward on the west side of the mobile home park. As they did so, Beedie continued shooting the entire time. The team heard bullets whizzing over their heads as they moved forward. When they reached the opening in the fence, Detective McCarthy saw the opening was in an unsafe location because of its proximity to the storage yard. Had the team entered there, Beedie would have been able to shoot multiple members of their six-man team. Charlie Team bounded another 50 to 75 yards north on the west side of the property. Deputy Moore used bolt cutters to cut a hole in the fence so they could make entry.²⁷ As they entered the property, Detective McCarthy told the other team members to make sure they had coverage in all directions because they did not know Beedie's precise location.

Charlie Team members climbed onto the roofs of several trailers on the west side of the property, attempting to gain a better vantage point to locate Beedie, but were unable to locate Beedie. As they moved south inside the mobile home park, Detective McCarthy began to take screen shots of their location to send to the other members of other teams so they would know where they were in order to avoid any "blue on blue" incidents.²⁸ Beedie continued firing rounds and Detective McCarthy could see the area described as the storage yard, but due to several large trees between Charlie Team and the storage yard, Detective McCarthy was unable to see into the storage yard. In order to keep containment north of the storage yard, some Charlie Team members remained while other members advanced south. As the team members moved south, they knocked on mobile home doors, hoping to get access inside where they might be better able to see into the storage yard. At one of the mobile homes, a female resident told them she and a child lived there. The resident told them Beedie had arrived at the mobile home park in a small blue four door vehicle and pointed to the vehicle which was located approximately 100 yards to the east. While inside her home, Detective Corral spoke to the female resident while Detective McCarthy and Deputy Haas looked out through her mobile home windows trying to locate Beedie's position as Beedie continued to fire.

One of the Sheriff's armored rescue vehicles²⁹ had arrived on scene. Detective McCarthy learned the rescue vehicle was going to pick up Charlie Team to provide them with better

²⁷ Detective McCarthy estimated it took approximately 30 minutes for the team to get from the front of the mobile home park to this location.

²⁸ Law enforcement members firing at other law enforcement members.

²⁹ In total, three armored rescue vehicle ultimately responded to the scene.

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coverage as they continued to try to locate Beedie and as they conducted evacuations of the residents. Sergeant Tollefson and Detective Rose advised over the radio that they were going to drive the rescue vehicle to Charlie Team's location so they could begin evacuating residents. At approximately 12:28 p.m., Charlie Team was picked up by the rescue vehicle and the two teams were designated Bravo Team. They began evacuating residents, although some residents chose to shelter in place. While in the rescue vehicle, Beedie continued shooting and Detective McCarthy heard multiple bullets whiz over their heads. At one point, Detective McCarthy heard several loud cracks as bullets whizzed by them. At this point, the team knew the bullets were getting closer and while they did not know if Beedie could see them, Beedie's gunshots were getting closer to them. The team continued moving south, conducting evacuations. The team came to a mobile home with a female caretaker and a child with medical issues. The caretaker was crying and wanted to be evacuated but she needed assistance as the child was on oxygen. The team helped to evacuate her and the child. The team then helped another resident with a medically fragile child and other children evacuate. Bravo Team then had to stop moving south because they would have lost containment of Beedie had they done so. It was important to keep Beedie contained in order keep him from moving into the mobile home park or to his vehicle. The team did not want to allow Beedie the opportunity to move into the mobile home park or to his vehicle without anyone stopping him. Because of this, they had to stop the evacuations and were unable to evacuate all of the residents.

Detective McCarthy then heard detectives over the radio say they were behind their vehicle on Highway 247 and Beedie was shooting at them. Detective McCarthy heard other SED personnel say they were going to rescue the detectives. Shortly thereafter, Detective McCarthy heard the detectives were safely evacuated.

Because of the excessive heat inside the rescue vehicle, Bravo Team members rotated in and out of the rescue vehicle from the passenger side where the rescue vehicle provided ballistic coverage between them and the storage yard. At one point, Deputy Haas got into the turret of the rescue vehicle, using the hatch as ballistic cover, in an effort to locate Beedie. Other members looked out of the driver's side portholes toward the storage yard, attempting to locate Beedie. While Deputy Haas was in the turret, they heard multiple shots being fired again from the storage yard. As this occurred, Deputy Haas said, "Hey, I think I identified where he is shooting from." Deputy Haas said he believed Beedie was in a silver Airstream type trailer in the storage yard because when the barrage of gunfire occurred, he saw dirt coming up from the silver trailer's roof, as if bullets went through it. Deputy Haas reported that he believed Beedie was shooting at the Sheriff's helicopter, 40King3, which was circling overhead giving PA announcements to Beedie to peacefully surrender. Deputy Haas further identified the trailer as a being hitched to a white truck with an orange stripe. The white truck appeared to be non-operational. Detective McCarthy looked through the driver's side windows of rescue vehicle and saw the white truck with the orange stripe and the front of the silver trailer. The team began to focus on the silver trailer. The trailer was approximately 150 yards away from Bravo Team. There were two large orange storage containers between Bravo

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Team and the storage yard. Corporal Rose had a magnifier on his Colt M-4 rifle so the team had him take Deputy Haas' spot so he could better identify Beedie's location. Beedie continued to fire but they were still unable to see Beedie inside the trailer.

The overall goals were to prevent innocent lives from being taken, to prevent any deputies and Sheriff's personnel from being shot or injured, and to safely and peacefully take Beedie into custody. PA Announcements were made to Beedie, telling him to surrender peacefully, but the only response Beedie gave to those announcements was gunfire. Detective McCarthy heard over the radio that a drone was used in an attempt to locate Beedie but had to be taken down because of technical issues.³⁰ Further, Detective Beedie knew an avatar robot was deployed into the storage yard in an attempt to locate Beedie, but the deputies were not able to get close enough due to Beedie's continued shooting to be able to use the robot. At this point, Lieutenant Visosky advised over the radio that they were going to move forward with a plan to have one of the three rescue vehicles on scene move to the north of the silver trailer so that Bombs and Arson deputies could use the tactical tractor to get close enough to deploy chemical agents in order to get Beedie to surrender peacefully.

Detective McCarthy did not know how close the tactical tractor had gotten to the silver trailer, but at approximately 1:36 p.m., someone reported over the radio that Beedie was running southbound. Detective McCarthy was positioned at one of the driver's side portholes. Detective McCarthy opened a port³¹ and rested the front of his M4 on the port while looking through the ballistic glass above the porthole for Beedie. Detective McCarthy heard Corporal Rose begin firing his rifle in the turret. Detective McCarthy heard three to four rounds and when he looked up into the turret, he saw Corporal Rose track from left to right with his Colt M4. This told Detective McCarthy Beedie was still running south, as was put out over the radio. Detective McCarthy then heard another three to four rounds come from Corporal Rose's rifle. Detective McCarthy also heard gunfire that he estimated was 100 to 130 yards in front of their location. Detective McCarthy believed the gunfire was from Beedie because as each gunshot was fired, it sounded like the person firing "was moving from the north to south." Detective McCarthy explained: "I heard one individual round, it was moving from the north to the south, and then less than a second later, I heard another one and it was approximately in the middle of the trailer. I heard another one shortly after that and it was further south of that behind the trailer, and then I heard a last fourth round ah behind that trailer." Based on this, Detective McCarthy believed Beedie was going to either continue to run south to other parts of the mobile home park or would run west to Bravo Team's location.

Two vehicles, one of which was a black SUV, obstructed Detective McCarthy's view of Beedie. Detective McCarthy then saw Beedie appear from behind the black SUV. Beedie

³⁰ Investigation revealed deputies attempted to use two drones in an effort to locate Beedie but the excessive heat that day, with temperatures well over 100 degrees Fahrenheit, prevented the drone from operating properly.

³¹ Up until that point, they had kept the portholes closed because Beedie had been shooting so frequently, they did not want any of his rounds to come through one of the ports and hit them.

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was in full sprint with a black handgun in his right hand and was running straight toward the rescue vehicle. Detective McCarthy saw that Beedie was a white male wearing a blue button up shirt, a red bandana, and blue jeans. Beedie raised the handgun and as he did, Detective McCarthy began to lower his head onto his Colt M-4 to get lined up with his rifle's optic. When Detective McCarthy looked through his optic, he saw Beedie raising the handgun to shoulder level and then pointing the handgun in Bravo Team's direction. Behind the rescue vehicle were several mobile homes and Detective McCarthy knew they had not been able to evacuate all of the residents from those mobile homes. Detective McCarthy heard Beedie's gun fire and saw the smoke emitting from Beedie's handgun. As Beedie shot the handgun toward their rescue vehicle and the mobile homes behind the rescue vehicle, Detective McCarthy was in fear for the lives of the deputies and the lives of the residents they had been unable to evacuate. Detective McCarthy aimed for the left side of Beedie's stomach and fired a round from his rifle at the same moment Beedie fired another round from his handgun. Detective McCarthy estimated Beedie was approximately 90 yards away at this point. Detective McCarthy fired approximately two to four more rounds at Beedie as Beedie fired a second shot from his handgun.

Each time Detective McCarthy fired his rifle at Beedie, his goal was to stop the threat Beedie presented to the lives of law enforcement and the civilian residents. However, Beedie continued running toward them. Beedie then made an abrupt left turn, ran south and ducked behind a nonoperational vehicle. Detective McCarthy believed Beedie was attempting to get into a better position to shoot at the deputies in the rescue vehicles or citizens in the mobile home park. Because of his training, Detective McCarthy knew he could get rounds through the back end and trunk area of the nonoperational vehicle, so he fired approximately eight rounds through it, attempting to stop the threat Beedie still posed. Detective McCarthy tried to see where Beedie was and whether he had continued running south or was still behind the nonoperational vehicle. Detective McCarthy looked to his right and saw Deputy Haas and other Bravo Team members begin to jump out of the passenger side door of the rescue vehicle. Detective McCarthy told the other team members to do a tactical reload so they would have a fully loaded firearm in the event Beedie continued shooting at them or the residents in the mobile home park. Detective McCarthy then heard a deputy from 40King3 say Beedie was down.

Detective McCarthy and the other Bravo Team members drove the rescue vehicle through a small fence to get to Beedie's location. The reason they drove the rescue vehicle was because they did not know if Beedie was injured so they wanted to remain contained inside the rescue vehicle for officer safety. As they approached Beedie, Detective McCarthy saw Beedie was lying down on his right side with his back facing them. Detective McCarthy saw blood on the back of Beedie's blue shirt. They stopped the rescue vehicle approximately 20 yards away from Beedie where they could see him. They saw additional SED personnel who had been in another rescue vehicle to the north where they had planned to deploy the gas with the tactical tractor. The additional SED personnel were on foot and they deployed a light sound diversionary device to the left of Beedie in an attempt to elicit a response from him in the event he was lying in wait to draw the

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deputies in closer to kill them. After Beedie gave no response, the team approached Beedie and began to cuff him to the rear. Detective McCarthy, Detective Rose, Detective Diaz, and Deputy Pollick, who were all medics, then began to administer medical aid to Beedie who was breathing but was otherwise unresponsive. As they began cutting off Beedie's clothing in order to see his wounds, Detective McCarthy located two loaded magazines to an AR15 or M4, one in each of the back pockets of Beedie's pants. Detective McCarthy found two additional magazines in the front pockets of Beedie's pants. Beedie also had a chrome semi-automatic handgun in a holster on his right hip. In addition, they found a black revolver underneath Beedie, on his right side. Detective McCarthy put the handguns on the hood of a nearby nonoperational car to get them away from Beedie so they could safely administer medical aid to him. Detective McCarthy handed chest seals to Detective Rose so they could place the seals over bullet holes as occlusive dressings to prevent pneumothorax.

As they tended to Beedie's wounds, Detective McCarthy heard multiple light sound diversionary devices going off at the silver trailer. Detective McCarthy directed his attention to the trailer and saw additional SED personnel clearing the trailer from which Beedie had run. Detective McCarthy went back to assisting the other deputies with Beedie's medical care. They loaded Beedie onto a backboard and into the rescue vehicle so they could continue treating Beedie while they transported him to the waiting ambulance.

On September 24, 2020, **Deputy Anthony Alcalá** prepared a report detailing his involvement in the September 4, 2020 response to the active-shooter incident at Moss Mobile Manor.

Deputy Alcalá was employed by the San Bernardino County Sheriff's Department, assigned to the Specialized Enforcement Division (SED), Crisis Negotiations Team (CNT).

On September 4, 2020, Deputy Alcalá, along with four other CNT members, responded to the scene in an effort to provide negotiations. Deputy Alcalá arrived at the command post which was set up at the intersection of Old Woman Springs Road and Hughes Road. The command post was approximately a half mile west of the mobile home park. While at the command post, CNT members were briefed on the ongoing incident and investigation.

Through investigation, CNT obtained three possible phone numbers for Beedie, one with a (760) area code, one with a (442) area code, and one with a (909) area code. At approximately 12:04 p.m., 12:05 p.m., and 12:06 p.m., Deputy Alcalá called each phone number. Each phone call went unanswered.

At approximately 12:34 p.m., Deputy Alcalá called the victim from Beedie's attempted murder case out of Morongo, Witness #7. Witness #7 told Deputy Alcalá his daughter,

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Witness #8, who was the rape victim, knew more about Beedie. Witness #7 agreed to have his daughter contact Deputy Alcalá to speak with him.

While the CNT waited for Witness #8 to call, the team established that the (909) area code phone number for Beedie was the correct phone number. At approximately 12:40 p.m., Deputy Alcalá called the (909) phone number for Beedie and left a voice message for him. After leaving the voice message, Deputy Alcalá sent a text message to the (909) phone number requesting Beedie to reply. Beedie never replied to the text message.

At approximately 12:46 p.m., Deputy Alcalá spoke to Witness #8 over the phone. Witness #8 confirmed she knew Beedie's name was Joshua Beedie. Witness #8 advised Beedie was not her boyfriend and alleged that Beedie had raped her and attempted to kill her on September 3, 2020. Witness #8 was unable to provide a phone number for Beedie but provided the name of a person who might have further information about Beedie. Multiple attempts were made to reach this person, but each were unsuccessful.

Deputy Alcalá again tried to reach Beedie by calling his (909) phone number at 1:02 p.m. and 1:25 p.m., but the calls rang until reaching Beedie's voice mail. No new voice messages were left. CNT also attempted to locate relatives of Beedie, including a possible ex-wife, however before locating and contacting the relatives, SED broadcasted shots were fired and Beedie was down.

STATEMENTS BY CIVILIAN WITNESSES³²

On September 4, 2020, at approximately 3:45 p.m., **Witness #1** was interviewed by Detective S. DeMuri of the San Bernardino County Sheriff's Department.

Witness #1 lived in Lake Havasu, Arizona but often visited his parents at their home at the Moss Mobile Manor located at the 30000 block of Old Woman Springs Road in Lucerne Valley. The family owned and operated the Moss Mobile Manor.

Witness #1 had been visiting and staying with his parents at the mobile home park since August 28, 2020. On the morning of September 4, 2020, Witness #1 left the mobile home park to run an errand. When he returned at approximately 9:00 a.m., Witness #1's mother told him a dark colored car had sped through the mobile home park and the car was located somewhere on the property. Witness #1 did not see the car speed through the property. Witness #1 and his mother each got into their own vehicles and began driving around the mobile home park in search for the vehicle that had sped through the property. Witness #1 was concerned for the safety of the tenants and children who lived and played at the property.

Witness #1 drove his truck north along the east driveway on the property to the front of his sister's residence. Witness #1's sister, Witness #6, told Witness #1 the car was, "right

³² All reports of civilian statements made were reviewed, though not all are summarized here.

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there," and pointed in a southeast direction. Witness #1 looked over his right shoulder to the southeast and saw a dark colored car parked near the southeast corner of the storage yard, located on the property. Witness #1 thought the person in the car may have been lost or was in the storage yard trying to steal property. Witness #1 drove his truck to the north end of the east driveway and turned to the east to access the storage yard. Witness #1 drove south along the west side of the storage yard and drove past a large bush, near the south end of the storage yard. As Witness #1 passed the bush and began to turn to the left (east), he saw a male, later identified as Joshua Beedie,³³ crouched behind a large pile of old tree branches.

Witness #1 had never seen Beedie before and had no idea who he was. Witness #1 saw Beedie move up and down in a crouched position. When Beedie was crouched down low, Witness #1 could barely see Beedie's head. When Beedie moved slightly upward, then Witness #1 could see Beedie's upper body. Beedie stood up and pointed a rifle³⁴ at Witness #1. As Witness #1 completed his left turn and drove approximately another 10 feet east, he heard one gunshot and his front passenger door window shattered. Witness #1 was struck by what he believed were bullet fragments or glass.³⁵ Witness #1 quickly accelerated his truck and drove out of the area as fast as he could. Witness #1 drove north along the east side of the storage area and saw his mother driving her red Nissan Altima in the storage area. Witness #1 continued driving out of the storage area, into the residential area, and left the property via the westernmost driveway. While driving out of the property, Witness #1 called 911 and was connected to a Sheriff's dispatcher. Once outside the property, Witness #1 drove his truck north along the west side of the property and into the desert north of the property. Witness #1 remained on the phone with 911 and reported the incident. While on the phone, Witness #1 drove in a random pattern on dirt roads around the desert. Witness #1 was afraid Beedie might follow him and attempt to shoot him again.

Witness #1 did not see Beedie or any other cars following him, so he returned to the west side of the property. Witness #1 parked his truck in the desert, along the west fence line of the Moss Mobile Manor property. Witness #1 got out of his truck and saw his brother, Witness #2, standing outside his home at the mobile home park. Witness #2 asked Witness #1 what was going on and Witness #1 told him he had been shot at and to go inside his home. Witness #1 ran onto the property, to his parents' home and found his father, Witness #16, on the front porch with Witness #17. As Witness #1 told Witness #16 and Witness #17 someone had shot at him, Witness #1 heard 10 to 15 additional gunshots. Witness #1 told Witness #16 and Witness #17 to go inside. Witness #1 retrieved his 9 mm Berretta handgun from his bedroom. Witness #1 inserted a fully loaded

³³ Subsequent investigation revealed the subject was Joshua Beedie. It should be noted, none of the witnesses knew or had prior involvement with Joshua Beedie.

³⁴ Witness #1 believed he saw Beedie's rifle had a flashlight attached to it and that the flashlight was turned on because when Beedie pointed the rifle at him, he saw a flash of light.

³⁵ Photographs of Witness #1's injuries revealed blood and holes on the back of his shirt, several puncture wounds and cuts to the right side of his upper back, upper right side, and the back of his upper right arm.

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magazine into his gun, cycled the weapon, and loaded a round into the chamber, making the gun ready to fire. Witness #1 placed the weapon on "safe" and walked outside.

When Witness #1 walked outside, Deputy James Lee arrived in his marked patrol vehicle. Witness #1 met with Deputy Lee and told him he was armed. Deputy Lee removed Witness #1's handgun, made it safe, and placed it inside his locked patrol vehicle. Deputy Lee then told Witness #1 to leave the area for his safety. Witness #1 walked outside the property and got into his truck. Witness #1 drove his truck back to the front of the property and was stopped outside by an unknown deputy. The deputy did not allow Witness #1 back onto the property. While Witness #1 spoke with the deputy, he heard five or six additional gunshots coming from the storage yard area. When he heard the gunshots, he also heard bullets "whizz" through the air over his and the deputies' heads.

An unknown deputy told Witness #1 to leave the area in his truck. Witness #1 told the deputy he had been injured by the gunfire and the deputy told Witness #1 to go to the command post, approximately ¼ mile west of the mobile home park. Witness #1 drove to the command post but there were no paramedics there to look at his wounds. Witness #1 drove to a friend's house until the incident was over. Witness #1 then drove back to the mobile home park and was directed by law enforcement to go to the Lucerne Valley Sheriff's station to be interviewed. Before he left, Witness #1 saw several Sheriff's vehicles at the mobile home park.

Beedie was not a resident at the mobile home park. Witness #1 did not know why Beedie had come onto the property. During his interview, Witness #1 accessed the mobile home property's surveillance system via his cell phone. The surveillance system's cameras were motion activated, only recording when motion was sensed. Witness #1 showed Detective DeMuri a short video clip from the surveillance system. The video was only a few seconds long and showed a dark colored car³⁶ drive past the camera.

Detective DeMuri examined Witness #1's truck and noted the following damages: The right front door window was struck by a bullet. The bullet struck the center of the window, approximately six inches below the top window frame. The window had an approximate ¾" diameter hole where the bullet struck. The window shattered; however, remained in place. The bullet traveled from the passenger side to the driver side, through the vehicle, and appeared to have fragmented after striking the window. The inside of the bullet hole in the right front window was beveled and appeared larger than the outside. The interior headliner, rear window, and plastic parts in the left rear corner of the passenger compartment had several small holes and impacts on them. The rear window was struck from the inside and shattered, however, it remained in place. The plastic pieces on the interior of the "C" pillar, near the top of the rear driver's side window, and the headliner above the left rear seat had several small holes in them. The holes were approximately

³⁶ The car was later identified as the one driven by Beedie. The time stamp on the video was 9:19 a.m. Beedie was not captured by any of the other working cameras on the mobile home park's surveillance system.

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¼" in size and may have been caused by fired bullet fragments or flying glass. The driver's side rear window was shattered and hung on the outside of the window opening by the rubber weather stripping.

On September 4, 2020, at approximately 6:00 p.m., **Witness #2** was interviewed by Detective M. Page and Detective S. DeMuri of the San Bernardino County Sheriff's Department.

Witness #2 lived at Moss Mobile Manor located at the 30000 block of Old Woman Springs Road in Lucerne Valley. Moss Mobile Manor was owned by his parents. Witness #2 was employed by his parents to provide maintenance and security services for the mobile home park. The mobile home park contained approximately 80 individual trailers which needed constant maintenance. Witness #2 knew everyone who lived at the mobile home park and was familiar with all the vehicles that were supposed to be there. The tenants at the mobile home park had Witness #2's phone number and it was not unusual for tenants to call him if they needed a repair on the property. Directly east of the main mobile home park was a large storage yard surrounded by a chain-link fence. The storage yard contained many disabled vehicles, boats, busses, and recreational vehicles. Witness #2 estimated there were over 100 different vehicles stored in the yard.

On Friday, September 4, 2020, at 11:00 a.m.,³⁷ Witness #2 returned home after running some errands. Shortly thereafter, Witness #2 received a phone call from Witness #9 who lived at Moss Mobile Manor with her husband, Witness #3. Witness #9 told Witness #2 a blue Hyundai Accent was parked near her mobile home. Witness #9 wanted to call the police because the Hyundai did not belong there and the occupant inside the vehicle (Joshua Beedie) was drinking alcohol. Witness #9 asked Witness #2 if she should call the police and Witness #2 told her she should because it would be the simplest and safest way to handle the situation.

At approximately 11:25 a.m., Witness #2 was watering his roses when he saw a truck belonging to his brother, Witness #1, out in the desert field, west of the mobile home park. Witness #2 began walking toward his brother's truck to see what was going on. Witness #2 jumped the north perimeter fence of the property and continued through the desert field toward his brother's truck. As he got closer, he saw his brother, Witness #1. Witness #2 asked his brother what he was doing, and his brother told him a guy had shot at him. When Witness #2 met Witness #1 in the field, Witness #1 told him that a guy (Beedie) shot at him from a blue car. Witness #1 was scared and shaking and said he thought he had been shot. Witness #2 did not see any obvious injuries to Witness #1. Witness #2 didn't know what to think because "this type of incident never really happens." Witness #2 thought maybe his brother was "off-roading his truck a little too hard and it broke the window." Witness #1 told Witness #2 he believed the blue car was possibly near their

³⁷ The times given by Witness #2 appear to be inaccurate as the call for service that day was created at 9:26 a.m. after the first 911 call was received by Sheriff's Dispatch. Deputies were on scene at approximately 9:40 a.m.

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grandmother's residence in the mobile home park and told Witness #2 to look for the car. Witness #2 did not call the police and had assumed his brother had done so.

Witness #2 went back to his residence and grabbed his military-grade vest with Kevlar padding, which he put on while walking around the property looking for the car. Witness #2 removed his handgun from his vehicle trunk and loaded a magazine into the firearm. Witness #2 placed the handgun into a holster on his right hip in the event someone shot at him and he needed to defend himself. Witness #2 walked east toward the storage lot. When he reached the north corner of the trailer park property, he heard six gunshots fired in quick succession. Initially, Witness #2 thought the gunshots were firecrackers. The sound of "party snapper" type firecrackers was common on the property, so Witness #2 was not initially concerned. Witness #2 casually walked east to the storage yard. Witness #2 did not see the blue car on the property, so he continued to walk east until he was approximately half-way through the storage yard. Witness #2 walked around in the storage yard, navigating between multiple vehicles. Near the center of the storage yard, Witness #2 saw his neighbor/tenant, Witness #10, hanging onto the arms of the front windshield wipers of a parked blue and white bus. Witness #10 was holding himself off the ground with his feet in the air. The bus was a flat-faced bus with no hood. Witness #2 ran up to Witness #10 and asked him, "What's going on? What's going on?" Witness #10 yelled, "He's shooting at me! Get out of here!" At that moment, Witness #2 heard about 20 gunshots. The gunshots were fired in quick succession and sounded to be very close. Witness #2 heard bullets ricocheting off of the back of the bus. Witness #2 backed himself against a white trailer, approximately 20 feet northwest of Witness #10, using the trailer as cover from the gunfire. Witness #2 could not see who was shooting or from where the gunshots were being fired. The gunfire stopped and Witness #2 thought the shooter was reloading his weapon. Witness #2 told Witness #10 to come with him. Witness #10 dropped down from the bus and ran to Witness #2.

Witness #2 and Witness #10 ran west toward the mobile homes. As they ran, Witness #2 heard approximately five to six additional gunshots as Beedie shot at them. Witness #2 heard bullets "whiz" over his head as they ran. Witness #2 believed they were being shot at and feared for his and Witness #10's lives. Additionally, Beedie was shooting toward the trailers where people were living so Witness #2 was afraid for the lives of everyone who lived at the mobile home park. Witness #2's "fight or flight" response "kicked in" and he "hit the ground." Witness #2 turned to the east, laid on the ground in a prone position, pulled his handgun, and with both hands on his handgun,³⁸ used his sights and aimed toward the rear of a white travel trailer which was the location from which he believed the gunshots were coming. Witness #2 made the decision to shoot back toward the sound of the gunfire so he could escape. Witness #2 had an un-obstructed view of the lower front portion of the trailer. Witness #2 squeezed the trigger on his handgun, but it did not fire. Witness #2 remembered he had not chambered a round. Witness #2 chambered the

³⁸ Witness #2 demonstrated this to the detectives by running in place, stopping, jumping several inches into the air, completing a 180-degree turn, throwing himself face down onto the floor of the interview room, and then extending both arms straight out in front, grasping both hands together.

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handgun and aimed at the trailer a second time. Still in a prone position, Witness #2 fired two rounds in rapid succession at the lower front portion of the trailer. Witness #2 saw his bullets impact the trailer and did not hear any additional gunshots. When Beedie stopped firing, that gave Witness #2 the chance to get away. Witness #2 holstered his handgun, stood up, and ran west toward the front of the mobile home park. When Witness #2 stood up, he did not see where Witness #10 was. Witness #2 heard approximately 10 additional gunshots from the storage yard.

As Witness #2 ran, he heard his family members yelling. Witness #2 told them to hide. Witness #2 reached the area of the well-house and saw a white and blue helicopter circling overhead. Witness #2 could not see any markings on the helicopter but believed it was the Sheriff's helicopter. Witness #2 then heard approximately 50 to 70 gunshots being fired from the area between a silver double stacked trailer and a camper shell in the storage yard. The shots were fired one at a time, not in quick succession. Witness #2 ran further out of sight of the storage yard. Witness #2 headed south along the west driveway toward Old Woman Springs Road where he saw a marked Sheriff's patrol vehicle with activated red and blue emergency lights. Witness #2 waived his arms and pointed toward the storage yard in an effort to notify the deputies of Beedie's location.

Witness #2 ran toward the west entrance of the mobile home park toward the deputies. Witness #2 contacted Deputy James Lee, who was in a Sheriff's uniform. Witness #2 told Deputy Lee that Beedie was in the storage yard, just east of the property. Witness #2 also informed Deputy Lee he was armed and he had fired two rounds at Beedie. Witness #2 raised both of his hands over his head and pushed his right hip out toward Deputy Lee so Deputy Lee could remove his handgun. Deputy Lee removed Witness #2's handgun and searched him for additional weapons. Deputy Lee detained Witness #2 and placed him into the back seat of a patrol vehicle. While in the patrol unit, Witness #2 heard "a lot of" additional gunfire and "thumping" from the deputies as they ran nearby. Witness #2 did not see any deputies or officers firing their guns. While in the patrol unit, Witness #2 estimated he heard over 30 gunshots.

Witness #2 saw approximately five marked Sheriff's units with activated red and blue emergency lights on their roofs and several additional unmarked Sheriff's units with activated red emergency lights near the front passenger window. The Sheriff's vehicles were parked near the front entrance to the mobile home park. Witness #2 also saw two marked California Highway Patrol (CHP) units arrive and Sheriff's SWAT officers arrive. After about two hours, Witness #2 was removed from the patrol unit and was placed into handcuffs by Deputy Gus Garcia. Deputy Garcia told Witness #2 he was being detained and that he needed to move him out of the area. Deputy Garcia moved Witness #2 back to the command center where he remained for approximately an hour. At that point, Witness #2 could not hear any additional gunfire or commands while he sat in the patrol vehicle. Witness #2 was eventually transported to the Lucerne Valley Sheriff's station and placed into an interview room.

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On September 4, 2020, at approximately 11:20 p.m., **Witness #3** was interviewed by Detective M. Page of the San Bernardino County Sheriff's Department.

Witness #3 lived at the Moss Mobile Manor mobile home park with his wife, their two children, and his mother-in-law who was paralyzed and bedridden. Witness #3 and his family lived next door to Witness #5 and her boyfriend, Witness #11. Witness #11 bragged about selling methamphetamine out of their home, so Witness #3 did not speak to Witness #5 or Witness #11.

On Wednesday, September 2, 2020 at approximately at 1:00 a.m., Witness #3's dog started barking outside and would not stop. Witness #3 looked out the window and saw a blue sedan parked directly west of his home. Witness #3 watched as a male, later identified as Beedie, stepped out from the driver's seat of the sedan. Beedie walked to Witness #5's residence and looked into a side window of her home. Beedie stayed next to Witness #5's window for a few minutes before walking back to his car. Beedie then got back into his car and sat in the driver's seat. Witness #3 did not recognize the sedan or Beedie, so he decided to walk out with his flashlight to investigate.

Witness #3 walked toward the vehicle and shined his flashlight to illuminate the vehicle's interior. Beedie yelled out to Witness #3 and asked him why he shined the flashlight on him. Witness #3 approached the driver's side of the car and asked Beedie why he was there so late. Beedie told Witness #3 his name was Jeremy and said he was looking for "Witness #5." Beedie told Witness #3 he had seen "Witness #5" earlier at the store and she told him to come over. Beedie asked Witness #3 if he knew who Witness #5 was dating and what her boyfriend's name was. Witness #3 did not tell Beedie Witness #11's name. Beedie's questions about Witness #5's personal life made Witness #3 suspicious. Beedie was not confrontational and after approximately 15 minutes, Witness #3 went back inside his home and went to sleep.

Witness #3 awoke at approximately 7:00 a.m., and saw the blue sedan was still parked in the same spot as it had been the night before. Beedie was still in the driver's seat. At about 8:00 a.m., Witness #3 drove his son to school. When he returned at about 8:20 a.m., Beedie was gone. Witness #3's wife sent Witness #5 a text message about having people over late at night and Witness #5 replied that she had not invited Beedie. Witness #5 explained she was afraid of Beedie, and Beedie had previously entered her home while armed with two guns. Witness #5 asked that they call 911 if they saw Beedie there again. When Witness #3 read the text messages between his wife and Witness #5, he believed Beedie would likely still be armed. At approximately 12:00 p.m., Witness #3 saw Witness #2. Witness #3 told him about Beedie, that Beedie had looked into a window of Witness #5's home and Beedie was possibly armed. Witness #2 told Witness #3 to call 911 if they saw Beedie again.

The following day, September 3, 2020 at approximately 1:00 a.m., Witness #3 saw headlights from a vehicle near his home. The vehicle parked in the same spot as Beedie

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had parked the night before. Witness #3 turned off the front porch lights to his home and walked to the front door. Witness #3 told his wife to call 911. As Witness #3 opened the front door, the car's ignition started, and the driver quickly sped away. Witness #3 illuminated the car with his flashlight and saw it was Beedie. Because Beedie left, there was no longer any reason to call 911. Later, around noon, Witness #3 saw Witness #2 walking on the property again. Witness #3 told Witness #2 he had seen Beedie a second time and Witness #2 asked if Beedie was armed. Witness #3 told Witness #2 he didn't see any guns and that Beedie had only been there a short time.

On Friday, September 4, 2020 at approximately 1:00 a.m., Witness #3 again saw headlights approach his home and then park in the same spot as the two previous nights. Witness #3 looked out a window and confirmed it was the same vehicle. Witness #3 went outside to speak with Beedie. Witness #3 walked up to the driver's side of Beedie's car and shined the flashlight on Beedie. Witness #3 saw a case of Bud Light beer on the front passenger seat next to Beedie. Witness #3 asked Beedie why he was there so late again. Beedie claimed Witness #5 had invited him over and said he was going to drink a few beers while he waited for Witness #5 to arrive. Witness #3 saw an empty Bud Light beer can on the ground outside Beedie's driver's door and suspected Beedie had discarded the can there. Witness #3 went back inside his home and went to sleep.

At approximately 7:30 a.m., Witness #3's son woke him up and told him "the car" was still parked outside. Witness #3 looked outside and saw Beedie's vehicle in the same spot. Beedie was in the driver's seat and was awake. Witness #3 saw six additional beer cans on the ground outside Beedie's driver's door. Witness #3 told his wife to call 911 because Beedie was still there and was likely drunk. While his wife called 911 at about 8:00 a.m., Witness #3 walked his son to his car to take him to school. Witness #3 watched Beedie, but Beedie did not look at him. Witness #3 went back inside his residence briefly and his wife, who was on the phone with 911, told him dispatch wanted the license plate number to the car. Witness #3 heard Beedie start the car and when he looked outside, he saw Beedie backing out and then driving away. Witness #3 attempted to follow Beedie to get the license plate number but was unsuccessful as Beedie sped away onto a road behind the mobile home park. When Witness #3 returned home at approximately 8:30 a.m., he told his wife Beedie had possibly driven around to the back of the mobile home park.

At approximately 9:30 a.m., while inside his bathroom, Witness #3 heard a gunshot. Witness #3 believed the gunshot came from the east side of the property. Witness #3 walked outside and asked his wife if she heard the gunshot. As he spoke to his wife, Witness #3 saw Witness #1 drive his truck past their home very quickly. Witness #1's accelerated speed concerned Witness #3 because Witness #1 normally drove slowly on the property. Witness #3 suspected Witness #1 was possibly "shot at" and that was why he was driving so quickly. Witness #1 stopped his truck near the west entrance of the mobile home park. Witness #3 watched as Witness #1 hid behind a metal container, approximately 20 feet away. Witness #1 yelled to Witness #3 and told him to hide. Witness #1 told him someone was shooting at him and told Witness #3 to leave the mobile home

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park. Witness #3 then heard about six more gunshots. The gunshots were loud and sounded like they were coming from the east side of the mobile home park.

Witness #3 ran back to his home and told his wife to pick up their younger son and to get ready to leave. Witness #3 heard another three gunshots and then the sound of a helicopter. Witness #3 and his wife and child exited their home and Witness #3 saw two uniformed deputies at the west entrance of the mobile home park. Witness #3 saw two marked Sheriff's patrol vehicles with their emergency red and blue lights activated. A deputy yelled for everyone to leave the mobile home park and to run to him. Witness #3 saw a blue and white helicopter orbiting overhead and believed law enforcement had the mobile home park surrounded. Witness #3, his wife, and their son ran to the deputy. Witness #3 saw a deputy handcuff Witness #2 and place him into the rear seat of a patrol vehicle. Witness #3 heard three more gunshots and then he ran back to his home to stay with his mother-in-law who was unable to walk or protect herself. When he reached home, Witness #3 heard four additional gunshots. Witness #3 moved his mother-in-law's bed away from the window and the wall. Witness #3 then moved his children's bunk beds against the window.

From his rear patio, Witness #3 saw Beedie standing next to a double-decker bus in the storage yard, approximately 100 yards east of the mobile home park. Witness #3 could see Beedie through a partially cleared portion between the trees that surrounded the storage yard. Witness #3 immediately recognized Beedie based upon the clothing he wore when Witness #3 had spoken to him earlier. Beedie held two different guns, one in each hand. Both guns were dark colored, one was bigger than the other. Witness #3 believed the guns were handguns. Beedie fired the guns and Witness #3 saw smoke and sparks expel from each gun as he fired. Witness #3 also believed Beedie had a shotgun because he heard the sound of a shotgun being fired from Beedie's location. However, Witness #3 did not see a shotgun. With guns in each hand, Beedie ran between the double-decker bus and several vehicles in the storage yard. Witness #3 saw the police helicopter orbit the storage yard above Beedie. As Beedie ran, he fired one round into the ground with one gun and pointed the second gun toward the police helicopter and fired one round at the helicopter. Witness #3 saw Beedie run between the double-decker bus and the vehicles approximately 10 times. Each time Beedie ran, he fired a round into the ground and another into the air at the police helicopter.

Witness #3 walked back inside his home and heard an officer from the helicopter give loud and clear announcements to "give up" and that they had "the place surrounded." The announcements were given at least three times. Witness #3 walked back to the rear patio of his home and saw Beedie in the storage yard again. Beedie pointed a gun at Witness #3 and shot one time. Witness #3 heard a bullet whiz past his home. Witness #3 believed Beedie was trying to kill him, so he ran back inside his home for safety. Witness #3 eventually walked back outside with his cell phone and saw Beedie standing near the double-decker bus holding both guns. Witness #3 heard multiple volleys of gunfire and saw a deputy shoot several times from the helicopter. Witness #3 saw Beedie fall to the

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ground as multiple bullets struck the ground around him. Witness #3 did not see any other deputies fire their guns.³⁹

On September 4, 2020, at approximately 5:07 p.m., **Witness #4** was interviewed by Detective M. Page of the San Bernardino County Sheriff's Department.

Witness #4 had lived at the Moss Mobile Manor mobile home park for nearly a year. The mobile home park was typically very quiet. The mobile home park contained approximately 100 mobile homes which were placed near each other. Witness #4 believed the mobile home park was about half vacant. Witness #4 lived alone but spoke to his neighbor, Witness #12, often. Witness #4 did not know Witness #12's last name. The front door of Witness #4's home faced Witness #12's front door and Witness #4 spoke to Witness #12 from inside his home since the homes were so close.

On Friday, September 4, 2020, at approximately 9:00 a.m., Witness #4 was on his front porch when he heard what he described as three firecrackers exploding. Witness #4 saw Witness #12 and asked him if he heard the fireworks. Witness #12 told Witness #4 the sound was gunfire. Witness #12 told Witness #4 to call Witness #13, who was the manager of the mobile home park. Witness #4 called Witness #13 and she immediately yelled at Witness #4 to, "Get down!" Witness #13 told Witness #4 to lie on the floor inside his home because, "He's over in your area; get down!" Witness #4 ran into his home and laid on the floor. While Witness #4 was on the floor, he heard volleys of two to three gunshots every 10 to 20 minutes. Two windows to Witness #4's house were open to allow the breeze to flow through his home. Witness #4 did not see where the gunshots came from, but he believed they were centralized east of his home. Witness #4 explained that after each volley of gunfire, the sound of the gunshots moved to a different area of the mobile home park. Witness #4 remained down on his floor for fear he would be shot and killed.

After about an hour, Witness #4 heard loud gunfire near his mobile home. Witness #4's dog became frightened and ran out the front door. Witness #4 chased after his dog because he didn't want his dog to be shot and killed. Witness #4 reached his dog approximately 10 feet from his front door and heard two to three bullets whiz past him. Witness #4 ran back inside with his dog and laid down on the floor. Witness #4 estimated

³⁹ Witness #3 recorded approximately 22 minutes of footage from his rear patio with his cell phone via his Facebook Live social media account. Witness #3 showed Detective Page the recording during the interview. The video was in color and included audio. The video depicted Witness #3 on the rear patio with his camera pointing east. Witness #3 was heard on the video as he attempted to narrate the events he saw. At one point in the video, multiple gunshots were heard. Witness #3 yelled out that shots were fired from the helicopter and that Beedie had been shot. The video recording did not capture images of Beedie, the helicopter, or any deputies. Witness #3 attempted to obtain a digital copy of the video but was unable to do so as the video was recorded directly to Facebook Live. Witness #3 was later informed by Facebook that the video was removed from his profile and that he no longer had access to the video. Facebook's response to the search warrant for Witness #3's Facebook videos indicated no video recordings were located.

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he heard over 20 gunshots. Witness #4 believed at least two different types of guns were being fired. One sounded like a .22 caliber and the other sounded like a large caliber rifle.

Witness #4 eventually heard a helicopter arrive. The helicopter flew overhead, circling the mobile home park. Witness #4 heard announcements from the helicopter's public address system. The announcements were loud and clear and commanded the suspect to "Give up and lay on the ground." Based on the commands given, Witness #4 believed the helicopter was the Sheriff's helicopter. Once the helicopter arrived and commands were given, Witness #4 heard an increase in the gunfire. Witness #4 believed the gunfire was directed at the helicopter because he heard the gunfire each time the helicopter orbited nearby and made announcements. Witness #4 believed the helicopter took approximately three minutes to make a complete circle around the mobile home park. For two hours, the helicopter circled above, during which time, commands were given over the helicopter's public address system. All the while Witness #4 heard continual volleys of gunfire. Witness #4 estimated the commands were given at least eight or nine times. Witness #4 then heard a second, louder helicopter arrive.

The gunfire continued and to Witness #4, it sounded as if the gunfire was coming from different locations around the mobile home park. Witness #4 heard a volley of gunfire close to his home and this frightened Witness #4's dog again, causing it to run outside a second time. Witness #4 chased his dog for approximately 10 to 25 feet from his mobile home before he was able to capture it. While outside, Witness #4 saw the red and blue flashing overhead lights of two marked Sheriff's patrol vehicles near the east entrance of the mobile home park. Witness #4 did not see any uniformed deputies near the patrol vehicles. Witness #4 saw the helicopter's blue and white coloration but could not see any logos or insignias on its side. Witness #4 carried his dog and ran back into his home. As he ran, Witness #4 saw Witness #12 seated on a chair on his front porch. Witness #12 told him to look at a deputy who was running. Witness #12 made a comment that the deputy was heavy set and wouldn't make it very far. Witness #4 looked but only saw a figure running through the mobile home park. Witness #4 heard the helicopter leave the area, but it returned approximately 10 minutes later. When the helicopter returned, the announcements over the public address system continued. The helicopter remained for another two hours, during which time, Witness #4 continued to hear gunfire.

Witness #4 remained inside his home until a large armored vehicle pulled into the driveway. Deputies asked Witness #4 to leave his mobile home for his safety. Witness #4 agreed and was escorted into the armored vehicle. Witness #4 was dropped off with additional deputies at the front of the mobile home park. Witness #4 was then transported to the Lucerne Valley Sheriff's station to be interviewed by detectives. Witness #4 did not see the person who was shooting at the mobile home park. Witness #4 believed the shooter posed an immediate threat to everyone who lived at the mobile home park, and to law enforcement. Witness #4 was frustrated law enforcement didn't take action to end the situation sooner because the suspect's shooting went on for a long time.

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INCIDENT AUDIO AND VIDEO

911 CALLS

Call from Witness #1

The recording⁴⁰ begins with CHP dispatch transferring a call to Sheriff's Dispatch. CHP dispatch indicated they had the "victim of the shots fired at [the 30000 block of] Highway 247," and stated, "He was not hit. Go ahead." The Sheriff's Department dispatcher asked, "May I help you?"

Witness #1 reported he had just "been shot at" by "some guy" who had pulled into his trailer park. Witness #1 said the guy had gone to hide somewhere in the trailer park and when Witness #1 went to tell him he couldn't be there, "before I even got out of my truck, he fired a round at me with an AR15. It went through my passenger window and out my back window and almost hit me." Witness #1 reported his mother was right behind him when the man shot at him. Witness #1 said "He almost fucking hit me! Someone needs to get here now!"

Witness #1 provided the address and gave his first and last name to the dispatcher. The dispatcher asked Witness #1 if he knew the person and Witness #1 replied that he had no idea who the person was. The dispatcher asked Witness #1 which space number he was in and Witness #1 replied, "I'm space [...], man come on, please!" The dispatcher told Witness #1 he had the call entered and asked him to stay on the line. Witness #1 replied but his words were unintelligible.

The dispatcher asked Witness #1 where the suspect was now and Witness #1 replied, "I, I don't know, I got out of there!" The dispatcher asked him if he had any injuries. Witness #1 then said, "What do you mean, I don't know, get a cop-" before the dispatcher interrupted and told Witness #1 that he had a deputy on the way and explained talking to him was not slowing down the deputy's response. Witness #1 then said, "Look, you better get fucking more of them! He has a AR fully loaded AR15 and he's firing shots at people that are showing up!" The dispatcher asked Witness #1 if the man had shot at others and Witness #1 replied, "Well, I imagine whoever else shows up there, they're gonna get shot at too!" The dispatcher told Witness #1 to calm down and asked him, "Yes or no, did he fire shots at others?" Witness #1 replied, "Not that I know of," and explained that he got out of there as fast as he could.

In response to the dispatcher's questions, Witness #1 reported he believed the suspect was Hispanic, approximately in his 20's, approximately 5'4", wearing a black shirt and a black baseball hat. Witness #1 reported the suspect drove an older dark blue Hyundai Accent. The dispatcher asked, "Okay, nobody's been injured yet?" Witness #1 answered, "Yet." The dispatcher asked if he had ever seen the suspect before and Witness #1 said, "I personally haven't. I heard he's been coming in and out of the trailer park."

⁴⁰ The duration of the call was six minutes, 14 seconds.

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The dispatcher asked Witness #1 where he was located and Witness #1 said, "I'm driving, I'm out in the desert, dude." The dispatcher confirmed that Witness #1 had driven out into the desert and Witness #1 replied he had. Witness #1 advised he was in a blue and white 2002 Chevy Silverado. The dispatcher told Witness #1 the deputies were on their way and Witness #1 asked how long it would take them to get there. The dispatcher advised the deputies were coming from different areas to Lucerne Valley. Witness #1 then said he needed to hang up the phone so he could check on his family. The dispatcher said, "Okay, you need to disconnect?" and Witness #1 replied, "Yes." The dispatcher told him deputies were on the way and asked him to keep an eye out for them. Witness #1 replied he would and said goodbye. The call ended.

Call from Witness #6

The recording⁴¹ begins with CHP dispatch transferring the call to Sheriff's Dispatch. CHP dispatch indicated they had a call from [the 30000 block of] Highway 247 at the trailer park where someone was shooting a weapon and chasing somebody.

Witness #6 reported, "He's right there, unintelligible, he's got a gun!" Witness #6 supplied the address as [the 30000 block of] Old Woman Springs Road in Lucerne Valley and verified it was at the Moss Mobile Manor. Witness #6 told the dispatcher the suspect was in the storage yard where they have storage containers. Witness #6 reported the suspect sped into the property and hid in their storage yard. Witness #6 advised that when her brother went to go ask him what he was doing, the suspect just started firing off shots and was walking around with a gun she believed was an AK47.

In response to the dispatcher's questions, Witness #6 reported the suspect was a white male wearing a blue shirt, black pants and carrying a gun. Witness #6 explained she did not see the suspect very closely and could not estimate his height. Witness #6 reported the suspect's vehicle was an older blue Hyundai which was still parked at the location. Witness #6 was not able to see the license plate number to the suspect's vehicle. Witness #6 said the suspect looked to be in his young 30's with a medium build. Witness #6 reported she heard four shots fired. When asked if anyone had been hurt, Witness #6 replied, "I don't know. My brother is gone, and we can't find him. He was in a vehicle." Witness #6 explained that her brother had gone to confront the suspect who was speeding and then parked in their storage yard. Witness #6 said when her "brother got close to him, he fired off shots." Witness #6 advised she didn't know if her brother was hurt and that she called dispatch immediately. Witness #6 told the dispatcher she was hiding behind vehicles trying to see where the suspect was located but she lost him when he went in between some trailers and she couldn't see him because storage containers were blocking her view.

⁴¹ The duration of the call was 37 minutes, 31 seconds.

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Witness #6 was heard speaking to someone else and when asked, told the dispatcher she was with her sister who was hiding with her. The dispatcher told Witness #6 to stay hidden. Witness #6 said she could see the suspect "poking his head out" and explained the suspect was located in the trailer park behind a white travel trailer. Witness #6 provided her location as in the center of the trailer park on the left-hand side and provided her space number.

The dispatcher asked if there was anything else she could describe about the suspect and Witness #6 said she may be able to look at some videos for additional information. The dispatcher told her they didn't want her to move or do anything that would bring any type of attention to her. The dispatcher advised, "Let me know if you hear anything else, okay, if you see anything?" Witness #6 asked, "Are the cops coming?" The dispatcher told her the deputies were en route to her.

Yelling was heard in the background and the dispatcher asked who it was. Witness #6 advised it was her mother and she had just driven up to her. Witness #6 told the dispatcher her mother was in a red Nissan and the dispatcher advised, "We don't want her getting out of her vehicle or doing anything like that." Yelling continued in the background. The dispatcher asked what kind of vehicle her brother was in and Witness #6 said he was in a blue and white Chevy Silverado. Witness #6 advised her brother's name was [Witness #1]. Raised voices continued to be heard in the background and a female was heard asking if the police were on their way.

Upon being asked, Witness #6 reported the suspect was still in the mobile home park, and he was poking his head out from behind a white trailer. Witness #6 complained about the deputies' response time and the dispatcher told her the deputies were on their way. Witness #6 was heard yelling at someone else in the background. The dispatcher asked her if everyone with her was safe, that it sounded like there were several people there. Witness #6 told her there were a lot of them there. Witness #6 told the dispatcher they were safe, and they were going to get their brother. Yelling was heard in the background.

The dispatcher asked, "You haven't heard any more shots, correct?" Witness #6 did not answer. The dispatcher verified the white travel trailer's location was near the middle, left side of the trailer park. The dispatcher asked several times for the color of the vehicle she was hiding behind before Witness #6 said she was behind a red Tahoe. Witness #6 asked when the deputies were going to arrive. The dispatcher told Witness #6 she was asking the deputies how far they were. The dispatcher asked if she was able to see the suspect from where she was and Witness #6 replied, "Not anymore. I walked away." The dispatcher asked for her location and explained the deputy was asking. Witness #6 said she was still by her vehicle, but she had walked away from it. Yelling continued to be heard in the background.

The dispatcher asked if she was inside the mobile home park and Witness #6 said she was right in the middle. Yelling continued in the background. Witness #6 said the suspect

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was trying to change his clothes and advised he was wearing a blue shirt the last time she saw him. The dispatcher asked if she saw any deputies and Witness #6 replied, "Absolutely not, ma'am." Witness #6 advised the suspect's car was still running. Witness #6 again provided her mobile home's space number.

Witness #6 then yelled, "They're firing again. They're firing again ma'am." Loud shots were heard in the background as Witness #6 repeated, "They're firing again and again, ma'am, that's two." Screaming was heard in the background. The dispatcher asked what space number the suspect was near and Witness #6 said, "He's nowhere near us. He's in a, he's in a storage area on the outside of it!" Loud shots were heard, and Witness #6 said, "There's three!" Witness #6 then yelled, "Call Witness #2!" Dogs were heard barking in the background. When the dispatcher asked if she was safe, Witness #6 said she was safe, but she was concerned about her brother's safety. Witness #6 then yelled, "Where are the deputies at?" The dispatcher advised that the deputies were on scene and they were probably inside the area.

A child was heard in the background and the dispatcher asked if a child was with her. Witness #6 explained the child was in her front yard and said, "this is going on in front of my house." Witness #6 said she had two children. Witness #6 reported additional shots fired. Loud shots were heard in the background. Witness #6 said, "Oh my god, this is crazy." Children's voices and barking dogs were heard in the background. The dispatcher advised the deputies were at the entrance to the trailer park. Loud gunshots were heard, and Witness #6 said, "There's more. Seven." Witness #6 then said she needed to take her "kids and leave because this is getting out of control." Loud yelling was heard in the background. A panicked voice yelled, "Well, why in the fuck aren't they here?" Another voice yelled back, "I don't know!" The dispatcher asked who was yelling and Witness #6 said her sister was yelling and wanted to know why the "police were not on this side dealing with, doing their job, why are they sitting up front." The dispatcher advised that the deputies were there.

Witness #6 told the dispatcher she needed to get her kids loaded up and she could only do so with two hands. The dispatcher asked if she was requesting to disconnect. Witness #6 then said, "Nine, ten, eleven, twelve, thirteen," as she counted out the gunshots being fired. Witness #6 told the dispatcher if she could get off the phone she could safely leave because the shots were far from her. The dispatcher told her to wait while she checked with the deputies to verify it was safe for her to leave. Witness #6 reported she heard another gunshot. Children were heard yelling in the background. The dispatcher asked what vehicle she would be leaving in and Witness #6 said, "a red Dodge Durango and he just fired off again. Seven more." Witness #6 was heard talking to her children in the background. The dispatcher asked her to stay put until they could let the deputies know she was leaving. Witness #6 then reported that the helicopter was there.

Loud shots were heard in the background and Witness #6 said, "They're firing off again, ma'am," and reported she heard five gunshots. Witness #6 was heard yelling that she

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saw him running. Upon being asked, Witness #6 said she did not know if the person she saw running was the suspect. Witness #6 verified the suspect's clothing was a blue shirt and black pants. Witness #6 said the suspect was carrying a black duffle bag. Witness #6 was then heard saying, "Oh my brother's down," before unintelligible yelling was heard. Witness #6 advised, "They're shooting at my brother and my brother took off running and now my brother's--." The dispatcher asked Witness #6 who was shooting at her brother and Witness #6 replied, "The guy in the blue shirt, black pants. I don't know him. I don't know his name, honey." Witness #6 said her brother was white was wearing a grey shirt and black pants. When asked for her brother's description, Witness #6 said, "He's white."

Witness #6 said, "He's in the three-story silver trailer that's in the storage yard. There's gonna be a blue Expedition, a van, and then it's gonna be in the next row in front of it." The dispatcher asked what space number it was, and Witness #6 replied there was no space number because it was in the storage yard where they kept stored vehicles. Loud shots were again heard in the background and Witness #6 said, "He's shooting again!" Witness #6 yelled for her mother and asked her to "please take him." Witness #6 told the dispatcher, "He's right across from space 62." The dispatcher verified she was referring to the suspect. The dispatcher asked, "Your brother is in the three-story trailer, correct?" Witness #6 replied, "No, the shooter is." Witness #6 explained that her brother was running toward her to exit the storage yard. Witness #6 said, "He's firing off again." Witness #6 said she heard one shot and it sounded like it was coming from the silver three-story trailer. Witness #6 was heard talking to her child and then to the dispatcher, saying, "He's firing again." Witness #6 said she heard one gunshot. Witness #6 said her brother and family left to go to her parent's house and provided their space number.

Witness #6 then reported she heard another gunshot. Witness #6 was heard speaking to her children. Witness #6 told the dispatcher she was inside her house with the television on and she wouldn't be able to hear anything. Witness #6 then said, "Oh, there's another one." Witness #6 then said, "Come on, let's go in the bathroom." The dispatcher asked if she was still hearing shots and Witness #6 explained that she could not because she was in her bathroom. The dispatcher asked her if she could hide behind furniture and Witness #6 said there were steel containers between her and the suspect. Witness #6 further advised she was in the back end of her trailer. Witness #6 spoke to her children and their voices were heard in the background. A shot was heard, and Witness #6 said, "Ah, another gunshot. Come on baby. It's getting further down the line." Witness #6 then said, "There was two." The dispatcher told Witness #6 to stay in an area where she felt it was safe for her and her children. Witness #6 then said, "In my car leaving out of here." The dispatcher told her it wouldn't be safe for her to leave at this time. Witness #6 reported she heard another shot and it sounded like it was closer. Witness #6 said she heard two gunshots. Children were heard in the background followed by Witness #6 saying, "Oh, there's another one."

Witness #6 asked the dispatcher where the helicopter went, and the dispatcher said it was maybe circling around the area. Witness #6 then said, "Oh, there's another shot."

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Witness #6 said she heard one gunshot that was "really loud, really close." Witness #6 then asked if she could get off the phone so she could call her mom. The dispatcher told her she could, and the call ended.

DISPATCH RECORDING/CALL HISTORY

All radio transmissions made by Sheriff's Dispatch, Sheriff's deputies, Sheriff's Aviation, and California Highway Patrol Aviation officers responding to the scene were recorded. The dispatch recording generally conveyed the development of the lethal situation that gave rise to the multi-agency response. In conjunction with the dispatch recording, the call history was also reviewed. The following is a summary of the general timeline of events.

9:26 a.m. Call created in response to first 911 call. Male in storage yard, fired shots from AK47.

9:28 a.m. First deputy dispatched to the scene. Additional deputies assigned to assist.

9:29 a.m. Deputies updated with additional information received from second 911 call. Male pulled into trailer park and fired a shot from an AR15 that went through reporting party's window.

9:29 a.m. Deputies updated with additional information as given by Witness #6.

9:40 a.m. First deputy on scene.

9:43 a.m. Units staged at both entrances to the park.

9:48 a.m. 40King3 on scene.

9:49 a.m. Suspect's vehicle plate inquiry

9:50 a.m. SED notified.

9:56 a.m. CHP airship en route, ETA 10 minutes.

10:02 a.m. CHP H80 launching to head to scene.

10:16 a.m. CHP shutting down traffic.

10:24 a.m. Sergeant at scene advised deputies contact him if the suspect's phone number is available to begin negotiations.

10:29 a.m. Beedie identified as possible suspect

10:39 a.m. SED begins bounding up from the south to the north.

10:42 a.m. Sgt. Sandlin- "Do you see any bodies?"

10:45 a.m. 40King3 PA announcements begin, advising residents to shelter in place and telling the suspect to surrender.

10:47 a.m. Sgt. Sandlin, "Might be setting up an ambush. Going to hold off for armor."

10:48 a.m. 40King3 asks ground deputies to verify they can hear the PA announcements. Ground deputies confirm.

10:50 a.m. Photo of Beedie sent to 40King3

11:05 a.m. Per CHP, they have three to four units on scene.

11:07 a.m. Rescue of detectives who were taking gunfire from Beedie.

11:13 a.m. Shots heard from northeast corner, from junkyard.

11:14 a.m. 40King3- "If he's in there, he's going to be underneath something, we have not seen anything. Possibly inside a vehicle."

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11:25 a.m. UAV launched.

11:27 a.m. Armor on scene.

11:29 a.m. Recent photo of Beedie sent to SWAT All-Call.

11:31 a.m. Citizen exiting in a white caravan.

11:31 a.m. 40King3- Asks deputies to stop the citizen to ask him if he could tell where the gunshots were originating.

11:32 a.m. Citizen reported shots came from due east.

11:34 a.m. 40King3- "Looking between trailers, no movement between, behind, or in front of them."

11:35 a.m. Additional armor on scene.

11:37 a.m. Problems with UAV, sending second one.

11:39 a.m. 40King3 announced they were going to fly away to make Beedie think they were leaving in order to stimulate his movement so someone could find him. 40King3 advised H81 was high above the scene and the deputies would not lose their "eyes in the sky" while 40King3 flew away.

11:44 a.m. 40King3 announced they had about 45 minutes left of fuel

11:45 a.m. Alpha Team entering park in armor.

11:45 a.m. UAV deployed.

11:46 a.m. Beedie shooting at 40King3.

11:59 a.m. Possible phone number for Beedie provided.

12:11 p.m. Witness from trailer #2 reported the suspect was in the trailer next to his.

12:18 p.m. Elderly male⁴² rescued from trailer #1.

12:18 p.m. Elderly male reported shooter was "on the move" shooting just north of his location, "which will be trailer #2."

12:21 p.m. Elderly male was from trailer #2, reported the shooting was "north of him in the general area of the junkyard."

12:28 p.m. SED doing evacuations starting with #70.

12:31 p.m. Alpha Team reports suspect possibly hiding in trailer at "1/4 corner where desert bear cat is, somewhere north of us."

12:33 p.m. SED- "#70 sheltered in place, moving to #68."

12:34 p.m. 40King3 asks for the trailer's exact location in the park.

12:35 p.m. Alpha Team provides location as "right off our 6."

12 46 a.m. Witness said she saw suspect in silver trailer, east of Bear⁴³ and across from trailer #62, about 100 yards.

12:47 p.m. Silver trailer orange/white pickup on south side identified as possible suspect location.

12:48 p.m. 40King3- "Been checking that trailer for a while now."

12:55 p.m. Going to try to send robot now to look at area of silver trailer.

12:57 p.m. 40King3- "Windows on trailer are broken out facing west and south."

1:08 p.m. SED- Another shot heard on #3 side

1:09 p.m. 40King3- "Could you tell if it was a handgun or an AR?"

1:09 p.m. SED- "Sounded like handgun, 2 prior from a long rifle."

⁴² Witness #4.

⁴³ Bravo Team's RESCUE VEHICLE.

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1:10 p.m. 40King3- "Heard it on # 3 side?"
1:10 p.m. SED- "Light pole 75 yards IFO (in front of) me, from that area, maybe a little south to the east from there."
1:10 p.m. SED- Rapid fire coming from that location.
1:10 p.m. 40King3- "Light pole along tree line or fence line?"
1:11: p.m. SED- "Along fence line."
1:11 p.m. All SED units on scene, moving to switch over to SWAT1⁴⁴ to go over tactics.
1:11 p.m. 40King3- Switching to SWAT1
1:12 p.m. 40King3- "Armored vehicle on south portion of trailer park, you're directly south of that trailer they're hinting at."
1:37 p.m. Shots fired, suspect down, and proceeding to give commands, suspect was running from trailer with rifle in hands at 1336 hours.
1:40 p.m. Still giving commands, suspect down.
1:40 p.m. Units making contact with subject.
1:44 p.m. Have fire roll in on 247 at front of trailer park.
1:46 p.m. Patrol unit will respond in with fire.
1:54 p.m. Units C4⁴⁵ at this time, trailer is clear, medical attending to subject.
1:58 pm. Subject is breathing, loading up by fire and being transported.

During the recording, there were 40 separate broadcasted reports by deputies of shots fired by the suspect. In addition to reporting the sound of gunfire, the deputies reported the various locations from which the shots were believed to have been fired. Those locations varied until the origin of the gunfire was determined to be from the southeast portion of the storage yard and ultimately from the silver trailer located therein.

BELT RECORDINGS

Approximately 56 Sheriff's units were on scene. In addition, seven CHP units assisted with traffic control while 40King3, CHP Air 81 and H80 conducted aerial searches for Beedie. Multiple hours of belt recordings from multiple law enforcement officers were received and reviewed, though not all are summarized herein. The timestamps referenced below indicate the minutes and seconds seen on the media player bar.

Detective Greg Gary⁴⁶

Timestamp 47:56- Detective Gary said, "Which way is the wind blowing now? Did you hear they're gonna use gas? Good. They're gonna deploy from over here, right? Four side? Deputy Curtis responded, "Four side, yeah."

⁴⁴ SWAT1 channel communications were not recorded; however, portions of the radio transmissions through SWAT1 were recorded by 40King3's intra-cabin audio system.

⁴⁵ Code 4, no further assistance needed.

⁴⁶ For the sake of brevity, the summary of Detective Gary's belt recording will only cover what was recorded in the moments leading up to, during, and immediately after the incident under review.

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Timestamp 49:37- Radio traffic was heard in the background. Over the radio, Sergeant Tollefson said, "61 Sam 2, he is for sure inside the trailer. We just saw rounds come out of the roof." The sound of a helicopter was heard. Detective Gary asked Sergeant Tollefson to send out a "pin drop" of the suspect's location.

Timestamp 53:03- Detective Gary and Deputy Curtis spoke about where the suspect was located in the "junkyard." Detective Gary said a gray truck and another obstacle blocked their view and they needed to reposition to improve their viewpoint. Detective Gary said he would stand in the back of the truck while Deputy Curtis repositioned the truck.

Timestamp 58:12- Detective Gary said, "We still don't have obs on, but I think we are better." Deputy Curtis offered to move the truck and Detective Gary said, "No we're good here."

Timestamp 59:29- Detective Gary said, "Go for Sierra One." Inaudible radio traffic was heard in the background. Gary then said, "We got a trailer between us and the target area, but we have the area you're talking about."

Timestamp 1:04:20- Detective Gary said, "More shots fired. Sierra One, we got additional shots fired." Gary said the media on Donaldson Street were within gunfire range."

Timestamp 1:07:53- Detective Gary said, "I'm shifting fire to the south side, just to let you know." Deputy Curtis replied, "Copy."

Timestamp 1:08:04- Detective Gary said, "He's running. I'm gonna engage."

Timestamp 1:08:11- One gunshot was heard. The action on Detective Gary's rifle was heard cycling.

Timestamp 1:08:16- Additional muffled and distant gunshots were heard. A helicopter was also heard.

Timestamp 1:08:28- Detective Gary said, "When I shot, he dropped, huh?" Deputy Curtis replied, "Yeah." Detective Gary said, "Off, bolt open." Inaudible radio traffic was heard in the background.

Deputy Christopher Haas⁴⁷

Timestamp 1:24- The rescue vehicle's engine started and inaudible voices were heard speaking over each other. Detective Ian Golditch was heard using the PA system advising residents of an active shooter in the area. Detective Golditch told the residents they were there to evacuate and save them and that when the rescue vehicle stopped in front of

⁴⁷ Deputy Haas, Corporal Rose, and Detective McCarthy were in close proximity to each other in the rescue vehicle. As such, each of their voices could be heard on the belt recording.

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their individual residence, they were to come outside unarmed and would be evacuated to safety. The engine of the rescue vehicle continued to run throughout the following events. A strong wind was also heard which restricted the ability to hear conversations. The engine noise from 40King3 was heard as it orbited above.

Timestamp 6:40- Deputy Haas and Detective Rose discussed Deputy Haas retrieving his long rifle. Detective Rose said he spoke to a resident who said no one was in a group of trailers.

Timestamp 10:20- Detective McCarthy said he saw a small blue Hyundai nearby. Detective Golditch continued to use the PA system to advise residents to leave their homes.

Timestamp 10:40- Deputy Haas and Detective Rose discussed what they could use for cover and concealment. Detective Rose suggested they use the rescue vehicle's turret. Sergeant Tollefson agreed and told Detective Golditch they were placing a person into the turret so he should not move the rescue vehicle into a position where it would expose the turret to gunfire. Deputy Haas said, "I'm set."

Timestamp 14:24- Detective Elder said, "Did you hear that?" Sergeant Tollefson said, "What, another shot?" Did you hear it, Haas?" Deputy Haas said, "Yeah, I heard it." Detective Elder said, "Where was it coming from?" Deputy Haas replied, "The same direction. That cluster of trailers right there. Sounds like a handgun." Radio broadcasts were heard in the background with deputies saying they heard another shot which sounded like it came from a handgun. Detective Golditch continued using the PA to advise residents of the active shooter emergency.

Timestamp 16:56- A radio broadcast was heard advising they were "going to move toward switching to SWAT1" to go over tactics.

Timestamp 16:12- Detective Corral said, "Did you hear that? Rapid fire." Deputy Haas said, "Back there, where we just were." Sergeant Tollefson told the deputies to get back inside the rescue vehicle and they could move backwards. Sergeant Tollefson told Detective Golditch to back up the rescue vehicle to place the deputies in a better position. Detective Elder and Deputy Haas instructed Detective Golditch where to move the rescue vehicle, so they had a view of Beedie's suspected location.

Timestamp 20:36- Over the radio, Lieutenant Visosky was heard saying Alpha Team would move forward with the tractor to the number four side where the tractor would push through and the team would deploy gas toward the trailer in an effort to elicit a response from Beedie.

Timestamp 23:08- Deputy Haas said, "Yep, ah he, yeah. He is for sure in that trailer. I just saw the rounds come out of the roof." Sergeant Tollefson said, "61Sam2, he is for sure

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inside the trailer. We just saw rounds come out the roof. It's directly east of us." Deputy Haas clarified Beedie's location and said Beedie was in a silver Airstream trailer attached to an orange and white truck. Sergeant Tollefson instructed the deputies to stay inside the rescue vehicle and to not expose themselves to possible gunfire.

Timestamp 26:40- Detective Rose said, "There was another shot." Detective Rose asked Deputy Haas where he saw the shots fired. Deputy Haas said it was in the center of the trailer, near a long open window. Deputy Haas said he only saw the bullets exit the roof but did not see Beedie.

Timestamp 28:40- A radio broadcast was heard, "40King3, be advised, that last muzzle signature was straight up in the air." Lieutenant Mahan's broadcast followed, asking from which portion of the trailer the gunshots had come.

Timestamp 29:37- Detective Rose said, "Another one." Sergeant Tollefson said, "Another shot. You see anything?" Deputy Haas answered, "No."

Timestamp 29:37- A gunshot was captured in the audio recording and Detective Rose immediately said, "That was toward us." Sergeant Tollefson said, "Yeah." A radio broadcast was heard saying, "Additional shots fired. Toward the Bear." Sergeant Tollefson and Detective Rose talked about firing at the trailer if shots continued to be fired in their direction. Sergeant Tollefson said Detective Rose should not shoot unless he could see the threat. Detective James Diaz spoke to Sergeant Tollefson about the route their rescue vehicle could possibly take to provide them with cover so they could approach Beedie if necessary. Detective Diaz suggested cutting the chain link fence next to the storage yard and approach behind the "Conex" boxes.

Timestamp 35:24- Detective McCarthy said, "Another shot fired." Detective Rose asked if Beedie was prone under the trailer. Deputy Haas replied, "I can't see." Detective Rose asked Deputy Haas if he was tired and said he would rotate into the turret if necessary.

Timestamp 35:50- A radio broadcast was heard reporting additional gunshots fired.

Timestamp 36:00- Corporal Rose said, "Haas, if you get tired, let me swap out with you so I can check it out with the magnifier."

Timestamp 36:07- A radio broadcast was heard: "Bravo and Charlie Team, Alpha. Be advised, we're going to re-deploy to the number four side and will be online with Bravo."

Timestamp 36:24- A gunshot was captured on the recording. Detective McCarthy said, "There's another one. You guys see it?" Detective Rose said, "That was out the back side. That was a rifle, yeah." A radio broadcast was heard: "Additional shots fired on the north side of the trailer. North side of the trailer." Sergeant Tollefson asked Detective Rose if

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he could see if Beedie was under the trailer. Detective Rose said he could not see under the trailer.

Timestamp 38:03- Deputy Haas said, "Another shot." Detective Rose said, "I didn't see that one, Haas." Deputy Haas said, "I didn't see that one either. I think it was maybe out the other side because it sounded muffled." Someone asked, "Like maybe towards the three side?" Deputy Haas replied, "Yeah." Deputy Haas and Detective Rose spoke about switching positions so Detective Rose could use his rifle's optic from a higher position.

Timestamp 41:43- A radio broadcast was heard saying, "Southbound, he's running southbound." Sergeant Tollefson said, "He's running southbound. Get in."

Timestamp 41:47- Approximately nine gunshots were heard in approximately four seconds. (A brief pause occurred after the first six gunshots, followed by three additional gunshots.) Voices were heard yelling, "Where's he at? Shots fired."

Timestamp 41:52- Multiple gunshots were heard in rapid succession. (During the subsequent investigation, Detective N. Craig was able to slow the recording and in so doing, he estimated he heard approximately 40 gunshots in approximately 12 seconds.) Detective McCarthy yelled, "Hey, we got him," and the gunshots ceased at timestamp 42:04. Sergeant Tollefson said, "Cease fire." Detective Corral said, "Hey, suspect's down." Detective McCarthy told deputies to, "Tac-load" their weapons. The engine of the rescue vehicle revved, and Detective Rose said, "Hey, we're driving up." Detective Rose said Beedie was behind a GMC truck and gave instructions on where to drive the rescue vehicle.

Timestamp 44:18- Sergeant Tollefson said they were going to approach Beedie and said they needed a "flashbang."

Corporal Eric Rose

Corporal Rose's belt recording was 12 minutes and 19 seconds long.⁴⁸ The recording began while Corporal Rose was driving to the scene with his vehicle's siren activated. The recording ended while Corporal Rose was still driving to the scene and several hours prior to the officer-involved shooting.

Detective Cory McCarthy

Detective McCarthy's belt recording was two hours, twenty-nine minutes, and five seconds long. The recording began shortly after Detective McCarthy arrived on scene and ended prior to the officer-involved shooting.

⁴⁸ See footnote 22.

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40KING3 VIDEO AND AUDIO SUMMARY

40King3 was equipped with an MX-10 camera system which recorded intra-cabin communication systems and the camera's view.⁴⁹ The SBCSD personnel assigned to 40King3 were Lieutenant James Mahan, Sergeant Daniel Futscher, and Deputy Christopher Mejia. The recordings captured the audible intra-cabin communications between Lieutenant Mahan, Sergeant Futscher, and Deputy Mejia. The recordings also captured broadcasted communications from deputies, detectives, and SED personnel.⁵⁰

Below is an image⁵¹ captured from 40King3's video showing the overall scene. The paved road is Old Woman Springs Road and it borders the south side of the mobile home park.



As 40King3 orbited above the mobile home park in a counterclockwise fashion, Lieutenant Mahan operated the camera system and zoomed in on specific areas to gain a better view. Lieutenant Mahan and Deputy Mejia were heard speaking about the ongoing search for Beedie. Over 40King3's radio, deputies on the ground could be heard broadcasting each time shots were fired. In an effort to find Beedie, the deputies described the area from which they believed the shots originated. Lieutenant Mahan was heard communicating with the deputies on the ground, coordinating law enforcement's extensive search for Beedie throughout the mobile home park in an organized fashion.

⁴⁹ The entire recording was reviewed; however, this summary will focus primarily on the moments just prior to and during the officer-involved shooting.

⁵⁰ The camera was turned off when 40King3 twice left the scene to refuel.

⁵¹ All images in this section of the memorandum are from 40King3's video recording.

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While continuing the search for Beedie, Lieutenant Mahan coordinated the timing of 40King3's PA announcements in an effort to keep residents from coming out of their homes where they would be endangered by Beedie's continuing gunfire. When it was deemed safe to do so, Lieutenant Mahan broadcasted PA announcements. The PA announcements were as follows: "Attention on the ground, this is the Sheriff's Department. Residents stay inside your home. There is a man with gun. Suspect, Joshua Beedie, you need to give yourself up and come out from your hiding place with your hands raised and place the gun on the ground. You are surrounded."

While searching the storage yard, Lieutenant Mahan zoomed in on multiple trailers located therein. A portion of the storage yard is depicted below. Note the rows of stored trailers, boats, and other miscellaneous vehicles. Old Woman Springs Road, which lies at the southern border of the mobile home park is at the top of the photograph. Just south of the storage yard are several residential mobile homes.

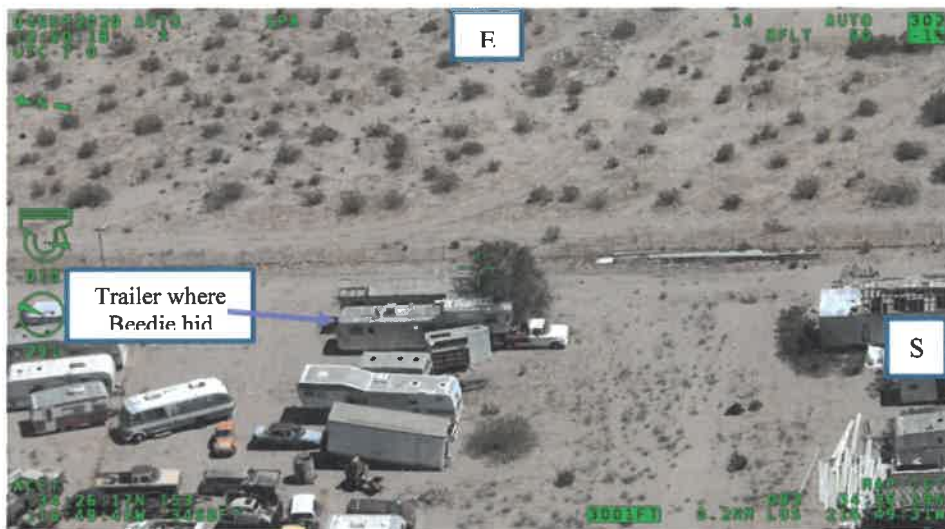


As the search continued in a systematic fashion, Lieutenant Mahan also activated the FLIR camera to enhance the shaded areas on the ground covered by structures and trees.

Over the radio, Sergeant Nick Tollefson was heard broadcasting that residents had earlier observed Beedie shooting from a silver trailer with a white and orange truck backed beneath it. Once the specific trailer where Beedie was believed to be hiding was identified, 40King3's orbit narrowed, circling above the trailer. The camera's focus zoomed in closely

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on the trailer. Lieutenant Mahan reported his observations to the deputies on the ground. Deputy Mejia was heard saying he took a photograph of the area of the silver trailer with the orange and white truck and sent the photograph to SED Detective Rose.



Detective Gary⁵² broadcasted that he heard rapid gunfire in the storage yard near a light pole. The light pole was near the silver trailer and the orange and white truck.

Over the radio, Lieutenant Visky directed SED personnel to switch their radios to the SWAT1 channel to discuss tactics.

⁵² Detective Gary was positioned on Donaldson Road, east of the mobile home park property.

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Lieutenant Viosky broadcasted SED personnel in Alpha Team's rescue vehicle were going to move south along the east side of the storage yard with the tactical tractor where they would then use the tractor to deploy chemical agents near Beedie's last known position, the silver trailer. Lieutenant Viosky broadcasted the chemical agent was an attempt to elicit a response from Beedie and that if they failed to do so, then the tractor would continue south toward a cement block building identified as restrooms near the RV's on the south side of the mobile home park.

Sergeant Tollefson broadcasted, "61Sam2, it's for certain he is inside the trailer. We just saw the rounds come out of the roof. It's directly east of us." Lieutenant Mahan asked Sergeant Tollefson if the trailer was the one in the storage lot toward the east perimeter fence line with the white and orange truck. Sergeant Tollefson verified it was the silver "Airstream" with the white and orange truck hitched to it.

Lieutenant Mahan talked to Deputy Mejia and Sergeant Futscher about their options if Beedie started shooting and striking law enforcement personnel. Sergeant Futscher suggested they verify with park personnel that the specific trailer did not have anyone living in it. The camera focus zoomed in closely on the trailer. Deputy Mejia asked Lieutenant Mahan and Sergeant Futscher if Beedie was shooting through the roof of the trailer at them. Lieutenant Mahan replied, "Ya, probably." Lieutenant Mahan contacted the command post and said, "I just want to confirm that storage lot, that there's no occupants in any of the vehicles in there, including the trailer that we're talking about." Lieutenant Viosky confirmed they had no information that anyone was living in the trailers in the storage lot. Lieutenant Mahan told Lieutenant Viosky it appeared to be just a storage lot, but they wanted to confirm that if they did have to engage Beedie, they would not be shooting toward any civilians or residents. An unidentified deputy advised 40King3 that during evacuations they confirmed with residents that no one was living in the storage yard.

As 40King3 orbited above the silver trailer, an unknown SED member contacted 40King3 and said, "40King, be advised, the last muzzle signature was straight up in the air." Lieutenant Mahan asked the SED member to identify the portion of the trailer where the muzzle signature was seen. Deputy Mejia was heard saying, "He's shooting at us." Deputy Mejia and Lieutenant Mahan were heard speaking about the multiple apparent bullet holes in the trailer's roof. An SED deputy then broadcasted additional shots were fired in the direction of "The Bear."⁵³

Lieutenant Mahan continued using the camera to search for Beedie inside the trailer through the trailer's windows and open doors. Lieutenant Mahan commented that there appeared to be bullet holes in one of the windows on the trailer and zoomed in closely on

⁵³ "The Bear" was the name of the larger rescue vehicle. This rescue vehicle was positioned west of the large orange storage containers. Deputy Haas, Corporal Rose, and Detective McCarthy, and other deputies were inside this rescue vehicle.

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the window. 40King3's camera was then "locked"⁵⁴ onto the silver trailer, ensuring the camera's focus was fixed onto the trailer. Deputy Mejia asked SED personnel where Beedie's gunfire was seen in the trailer and Sergeant Tollefson replied that the gunfire was through the roof, between the two front (south) windows.

As 40King3 continued orbiting above the trailer, Deputy Mejia and Lieutenant Mahan commented that they may want to verify with Sierra One, the long rifle team located on the east perimeter, that they can see the silver trailer. Lieutenant Mahan contacted the long rifle team and verified this. Deputy Mejia said, "Someone was sticking out of the window." Deputy Mejia explained that he saw an arm sticking out of the window on the east side of the trailer. The camera's focus zoomed in on a specific window located on the east side of the trailer, near the south end. As Deputy Mejia described what he saw, SED personnel broadcasted over the radio additional gunfire was heard from the trailer.

Over the radio, Sergeant Sandlin broadcasted Alpha Team was redeploying to the number four side, which was the east side of the storage yard. Shortly thereafter, Sergeant Tollefson broadcasted additional shots fired from the north side of the silver trailer. Sergeant Tollefson added, "That was definitely a rifle." An unknown deputy broadcasted additional shots were fired. An unknown deputy asked that someone move the media personnel off of Donaldson on the east side as he was located within gunfire range. 40King3 continued orbiting above the silver trailer and SED personnel were heard over the radio discussing the silver trailer's location. Lieutenant Mahan broadcasted the trailer's location as the second one in from the east and said the trailer had a swamp cooler on top of it.

Deputy Mejia was then heard saying, "Imagine that guy (Beedie) looks out that window and he sees that Bearcat (rescue vehicle) there." Lieutenant Mahan said, "He apparently doesn't care. He's already been popping rounds at the big one."⁵⁵ Deputy Mejia said that the rescue vehicle was "a lot closer now so he's gonna get a lot more desperate now." Lieutenant Mahan agreed and asked if they should give PA announcements to Beedie. Immediately thereafter, Deputy Mejia and Lieutenant Mahan both said, "There he goes, he's moving." Lieutenant Mahan broadcasted, "He's running southbound, he's running southbound." Deputy Mejia said, "He's got a rifle." Lieutenant Mahan broadcasted, "He's got a rifle in his hand, running southbound." Deputy Mejia was heard saying, "J-turn, J-turn, J-turn." At the same time, it was apparent from the video recording that 40King3 made a quick descent while still orbiting counterclockwise above the trailer.

⁵⁴ During his interview, Lieutenant Mahan explained how the MX-10 camera system locked onto specific locations. When the location was entered into the mapping system, the MX-10 camera would be slewed to that geographical location by use of its global positioning or latitude and longitude. When the camera was slewed to a fixed position, it remained fixed on that position until released manually by the operator.

⁵⁵ See footnote 52.

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The camera remained focused on the silver trailer and the surrounding ground and did not capture any images of Beedie as he ran.⁵⁶ Deputy Mejia said, "Engage," and a gunshot was heard. Lieutenant Mahan said, "Went underneath, underneath," and six additional gunshots were heard over approximately five seconds. Deputy Mejia told Sergeant Futscher to bring the helicopter around saying, "Come around, come around." Lieutenant Mahan said, "There he is." Eight additional gunshots were heard over approximately four seconds. Lieutenant Mahan said, "Suspect down, suspect down." Deputy Mejia said, "Safe, on master grip." Deputy Mejia then said he was back inside the helicopter.

The relevant timestamps on the media player were as follows:

1:08:16	Deputy Mejia said Beedie was going to "get a lot more desperate now."
1:08:20	Deputy Mejia and Lieutenant said Beedie was running.
1:08:30	Deputy Mejia fired his first round
1:08:42	Deputy Mejia said, "Suspect down."

Lieutenant Mahan broadcasted, "40King3, we engaged. The suspect's down, first row." Lieutenant Mahan broadcasted to Alpha Team in the rescue vehicle that they needed to head south and run the fence-line. Lieutenant Mahan then told Alpha Team Beedie was down near the fifth car from the east side of the storage yard. Deputy Mejia advised, "I'm gonna stay ready just in case he pops back up." Deputy Mejia told Lieutenant Mahan to use the camera to check Beedie for movement. Lieutenant Mahan moved the camera's focus from the silver trailer to Beedie who was lying on the ground. Lieutenant Mahan said he hadn't used the camera when Beedie ran because he was too busy trying to not lose sight of him. Lieutenant Mahan and Sergeant Futscher discussed the fact that Beedie threw his rifle beneath the trailer where he "hid" after Deputy Mejia fired his first round. 40King3 continued orbiting above Beedie as the SED teams approached.

Lieutenant Mahan zoomed in the camera's focus onto Beedie as the SED teams began their approach. A handgun could be seen protruding from Beedie's right rear pants pocket. Lieutenant Mahan broadcasted to SED personnel that Beedie had a handgun in his back pocket and that Beedie had not moved.

⁵⁶ During his interview, Lieutenant Mahan said that due to his level of competency in using the camera, he decided to look outside the window to maintain his view of Beedie so he could provide accurate information to the personnel on the ground, rather than to try to use the camera to follow a running suspect. Lieutenant Mahan's concern was that someone would be killed if he lost visual of Beedie and failed to provide accurate information.



SED Alpha Team personnel deployed a light sound diversionary device and smoke was seen a few feet away from Beedie. Beedie did not move. SED Alpha Team quickly approached Beedie, followed shortly thereafter by SED Bravo Team deputies. Alpha Team and Bravo Team deputies reached Beedie and removed handguns from Beedie's back pocket. Sergeant Tollefson broadcasted he needed SED personnel to move to Beedie's trailer and check for additional suspects. Sergeant Tollefson told the deputies to be careful of "booby traps."

SED deputies reported Beedie was down and was not breathing. Sergeant Sandlin broadcasted SED medics were rendering aid to Beedie. An unknown male voice asked if they wanted to have the ambulance roll in and Sergeant Sandlin replied Beedie still had guns and ammo on him. The remainder of the video shows SED deputy medics rendering aid to Beedie while other SED deputies worked to clear the trailer.

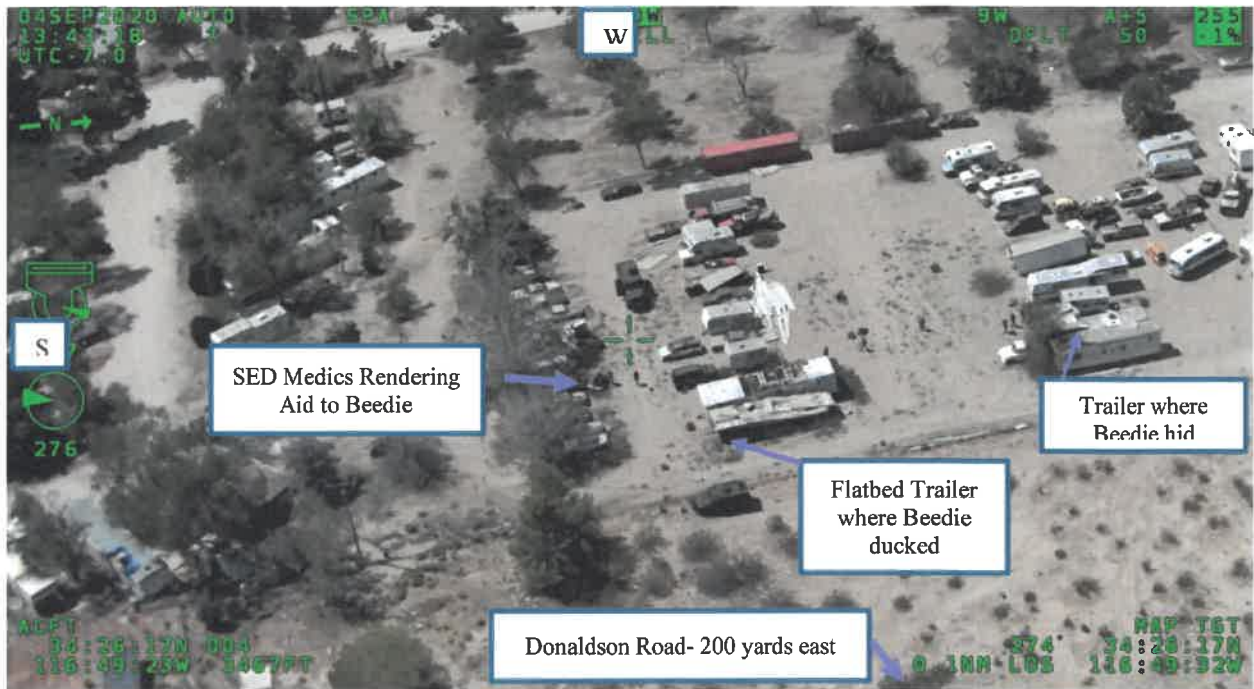
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INCIDENT SCENE INVESTIGATION

San Bernardino County Sheriff's Detective R. Hoag conducted the scene investigation and was assisted by two crime scene specialists. Evidence found within the crime scene was labeled using photographic identification placards and photographed in place prior to being measured and taken as evidence. All measurements were taken using a Leica Disto Laser measuring device and are approximate. Measurements were taken from reference points based on their location.

The scene at the 30000 block of Old Woman Springs Road was on the north side of Old Woman Springs Road and west of Donaldson Road. The scene was on the property identified as Moss Mobile Manor. The scene consisted of a dirt road entrance to the mobile home park, the open desert area east of the main entrance, and the vehicle storage area east of the main entrance. Moss Mobile Manor had chain link fencing on the east, north, and west sides. The height of the fencing was approximately six feet.

The 30000 block of Old Woman Springs Road Scene

Moss Mobile Manor had numerous occupied manufactured homes on the west side of the property and occupied RV's on the south side of the property. The entrance road into Moss Mobile Manor was bordered by large trees on the west and east sides. The main entrance dirt road consisted of hardpacked dirt, loose gravel, and soft dirt along the road edges. The entrance road had numerous civilian vehicles on the east and west sides of the road. The entrance road continued approximately 330 yards north from Old Woman Springs Road to the north perimeter chain link fence.

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RV's were parked in spaces on the east side of the entrance road. The RV's were located approximately 110 feet north of Old Woman Springs Road. The RV's were positioned in two east and west rows with a dirt, u-shaped roadway that branched off the entrance road and provided access to each row of RV's.

On the east side of the center roadway and north of the RV parking was a large open desert area with small shrubs and various sized trees in rows that ran north, south, east and west. The area consisted of hardpacked dirt, soft sand, weeds, bushes, and rocks. In the center of the treed area was a large water holding tank that was enclosed by a chain link fence. Two orange metallic shipping containers separated this area from a vehicle storage area on the east side of the property.

The vehicle storage area contained numerous vehicles in varying degrees of disrepair. The vehicles consisted of varying aged makes and models of passenger vehicles, commercial semi-trucks, semi-trailers, travel trailers, RV's and boats. The stored vehicles were parked in east to west rows and faced north and south. There were approximately seven rows of vehicles parked in this area.

A Sheriff's Specialized Enforcement Division armored rescue vehicle, unit number 21362,⁵⁷ was parked facing west with the rear doors facing east. The rescue vehicle was parked on top of a downed chain link fence. The rescue vehicle was green with "Sheriff's Rescue" in black lettering on the driver and passenger sides of the vehicle. A Sheriff's insignia in black decals was located on the driver and passenger sides. Inside the rescue vehicle were several boxes of ammunition, a ballistic shield on the bench seat on the driver's side, crime scene tape, and a breaching tool beneath the bench seat on the driver's side. Thirteen FCC's with the headstamp, "WIN USA 5.56 MM," were located on the driver's side passenger compartment on the bench seat. There were plastic water bottles on the bench seat on the driver's side near the platform for the roof turret. There was an open tan cloth bag on the left side of the floorboard of the vehicle, to the right of the driver's side bench seat. There were used medical devices near the open medical bag. There was discarded medical packaging on the floor of the rescue vehicle. There was a black cloth bag strapped to the back of the passenger seat. Inside the cloth bag was a black ballistic shield and one FCC head stamped, "WIN USA 5.56 MM." There was a rooftop metallic hatch off-center toward the driver's side. Below the roof hatch was a fold-down metallic platform used as a stable platform for the person using the roof turret. A rifle magazine loaded with one 5.56 cartridge was on the platform. Three FCC's head stamped, "WIN USA 5.56 MM," were on the floorboard of the rescue vehicle. Two additional FCC's were on the roof of the rescue vehicle. The FCC's were head stamped, "WIN USA 5.56 MM."

⁵⁷ This rescue vehicle was occupied by Bravo Team personnel, including Deputy Haas, Corporal Rose, and Detective McCarthy.

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North of the rescue vehicle, along the east side of the center roadway, was a charcoal colored Volkswagen Jetta. There were 17 FCC's head stamped, "WIN USA 5.56 MM" beneath the driver's side of the vehicle and in front of the vehicle.⁵⁸ North of the Volkswagen Jetta was a gold colored Ford Ranger pickup truck. The Ford pickup truck was parked on the east side of the entrance road and faced south. On the west side of the Ford pickup truck, near the passenger door and in the center of the roadway entrance was one FCC head stamped, "WIN USA 5.56 MM."

In the vehicle storage area, along the west side, was a black Ford Thunderbird. The Thunderbird faced south and was separated from the other rows of stored vehicles. There were fired bullet strikes in the passenger side rear window, the driver's side front window, and the driver's side rear window.

In the area that separated the first and second row of vehicles on the south side of the stored vehicle area were numerous tire tracks in the dirt. One FCC head stamped, "WIN USA 5.56 MM" was in the center of the rows of vehicles, approximately 43 feet east of the Ford Thunderbird.

⁵⁸ Based upon the number of FCC's found here, this appears to be where Bravo Team's rescue vehicle was positioned at the time of the officer-involved shooting.

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Several vehicles parked in the first row of stored vehicles had fired bullet strikes. The vehicles with fired bullet strikes consisted of a Chevy Impala, an older GMC semi-tractor, a Buick, and a Ford Falcon. West of the GMC semi-tractor was a rusted green older Cadillac, which faced south. On the trunk of the Cadillac were two handguns. One gun was a chrome, **High Standard MFG. Co., .22 caliber semi-automatic pistol**, with an obliterated serial number, with a brown and black pistol grip, with a loaded magazine next to it. The other gun was a black **Smith and Wesson revolver**, with an obliterated serial number, loaded with five .38 caliber cartridges.



A metallic piece of paneling, approximately 12 inches wide and over 20 feet long was on the ground partially beneath the rusted green Cadillac. The panel was in a northeast to southwest position. The panel was located 69'1" north of reference point number 1 and 283'7" east of reference point number 2. The panel had a dried bloodstain on the northernmost portion of the panel. Next to the bloodstain was a fired bullet strike. On the ground between the green rusted Cadillac and a brown colored Cadillac was a pair of Levi Strauss brand blue jeans, size 33x30, with a black belt, a pair of brown cowboy style boots, metallic rifle magazines loaded with .223 caliber cartridges, a chrome colored folding knife, and a brown leather pistol holder.

The Levi jeans front pockets contained one .410 gauge shotgun shell head stamped, "WIN HS .410;" one illegible shotgun shell, one .223 caliber cartridge head stamped, "10-82 5.56 MAL," two .223 caliber cartridges head stamped, "FC .223 REM," three 12 gauge shotgun shells head stamped, "12 GA FEDERAL," one 12 gauge shotgun shell head stamped, "WIN AA HS 12 GA," one .223 caliber cartridge heads stamped, "PMC .223 REM," four .38 caliber cartridges head stamped, "R-P .38 SPL," one 9 mm cartridge head stamped, "FC 9 MM LUGER," \$100 bill, \$20.00 bill, and a plastic baggie with a white crystalline substance.⁵⁹

⁵⁹ The white crystalline substance was submitted to the San Bernardino County Sheriff's Department Scientific Investigations Division for examination. The results were as follows: "The white crystalline solid, 7.10 grams net weight, contain(s) methamphetamine."

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On the east side of Moss Mobile Manor was a chain link fence that enclosed the east side of the property. A Sheriff's armored rescue vehicle, unit number, 21363, was parked east of and outside the perimeter fence, and faced south. The chain link fence next to the rescue vehicle was cut and forced inward (west) to allow access from outside the perimeter fence to the interior, east side of the property, and the storage yard.

South of the first row of stored vehicles was a cement block structure identified as men's and women's bathrooms. A chain link fence separated the structure from the vehicle storage area and the RV parking directly west and south of the bathrooms. There was a large decaying tree near the bathrooms and the first row of stored vehicles. The dirt surrounding the tree was displaced and had tire tracks. A fallen portion of the tree had broken branches and appeared to have been run over by a vehicle. Witnesses told investigators Beedie drove erratically throughout Moss Mobile Manor. The tire tracks were consistent with witness statements. On the north side of the bathroom structure and on the west side of the tree was a blue, Hyundai, identified as the vehicle Beedie arrived in. The vehicle had collision damage on the driver's side front bumper and scratches on the driver and passenger side of the vehicle. The rear bumper was damaged. Both front airbags were deployed inside the vehicle. There were cartridges inside the vehicle on the driver and passenger seats. There were two FCC's head stamped, "FC REM .223" approximately three feet north of the north wall of the bathroom structure and approximately 12 feet west of the northwest corner.

The second row of stored vehicles consisted of numerous trailers, storage containers, and vehicles. These vehicles were in an east to west row. The last vehicle on the east side was a white flatbed semi-trailer, loaded with large panels of wood. The trailer faced south with several piles of debris beneath the gooseneck. Beneath the white flatbed semi-trailer was a loaded rifle magazine with .223 cartridges and a plastic 100 count ammunition box, with approximately 70 "CCI" .22 LR cartridges. Slightly northeast from the magazine was Beedie's blue hat and a black sheath that contained two straight-edged knives with green colored handles.



Northeast and southeast of Beedie’s blue hat and the knives were two black handguns. One handgun was a **Steyr semi-automatic, 9 mm, Model GB, serial number P08680**, with blood on the handgrip, with a magazine seated in the well. The magazine was loaded with 16 9 mm cartridges. 11 cartridges were head stamped, “FC 9mm Luger,” and five cartridges were head stamped, “WIN 9MM LUGER.” The other handgun was a black **Smith and Wesson HI revolver, Model 57, obliterated serial number**, with bloodstains on the grip, loaded with two cartridges head stamped, “WW Super 41 REM MAG.”



Northeast of the discarded handguns was a black **Mossberg 5.56 mm, Model MMR, AR15, semi-automatic rifle**, with an obliterated serial number. The AR15 semi-automatic

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rifle was 109'7" north of reference point number one and 332'11" east of reference point number two. There were bloodstains on the pistol grip and the damaged stock. A 30-round rifle magazine was seated in the magazine well. The magazine was loaded with 17 cartridges. There was one .223 round in the rifle's chamber. The rifle had a Barska red-dot optic mounted on the top of the rifle, a collapsible stock, and a foregrip mounted beneath the barrel. The barrel faced northwest. North of the rifle was a piece of the collapsible stock from the rifle. North of the piece of stock, along the east side of the semi-trailer, was a **Sears Roebuck and Co., 12-gauge shotgun with a pistol grip**. The shotgun was 109'7" north of reference point number one and 332'11" east of reference point number 2. The barrel was black in color and sawed-off with brown pistol grip. The shotgun barrel faced south. The shotgun was loaded with one fired shot shell and one shotgun shell.



There was a bloodstain trail beneath the white flatbed semi-trailer. The bloodstain trail was placarded with orange colored placards. The bloodstain trail identified the direction Beedie ran from the trailer, to the area where he came to a rest and was treated by law enforcement paramedics.

Beedie ran from the white flatbed semi-trailer southwest, then changed direction to the south, toward the first row (south) of stored vehicles. Beedie changed direction again and ran west to the area he fell to the ground.

The third row of vehicles contained additional vehicles, travel trailers, and fifth-wheel trailers. The second vehicle from the east of this row was a silver Spartan fifth-wheel trailer with a white Ford pickup truck (upper portion of truck bed was orange.) parked facing south, and in a manner that would be consistent with towing the trailer. The trailer was approximately 213'2" north of reference point number 1 and 329'9" east of reference point number 2. There was a large tree between the Spartan trailer and the first trailer in this row. The large tree obstructed the view of the passenger compartment of this trailer from the east. The Spartan trailer had numerous fired bullet holes on each side and roof that appeared consistent with a gun fired from inside the trailer. The windows were broken out of the trailer on each side. The inside of the trailer was in disarray with the contents strewn throughout the trailer. The flooring of the trailer was unstable due to the amount

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of trash and items strewn about. There was a loaded 30-round rifle magazine next to the east window, loaded with 13 .223 caliber cartridges and one 5.56 caliber cartridge. There were FCC's on the floor and trash pile.

Inside the center section of the trailer, among the debris and trash, a black **Mossberg, model 500, .410-gauge shotgun** with a white rope made into a sling was discarded near a dilapidated refrigerator. The Mossberg shotgun was loaded with one .410 cartridge.



There were multiple fired bullet strikes throughout the inside of the trailer in the north, center, and south sections. The fired bullet strikes had an outward trajectory through wood cabinets, the exterior panels of the sides, roof, and several glass windows. There was significant damage to the interior of the vehicle from gunshots.

Inside the trailer, in the upper area above the fifth wheel, there was a chair and table positioned in a manner that overlooked the storage area with a line of sight of anyone that could approach from the west and south. The broken windows on the west side of the trailer provided a view to the west. The broken windows on the east side of the trailer provided a view of the east side of the storage area and open desert. The view was relatively unobstructed from the upper section of the trailer to the east, south, and west.

Long Rifle Scene

The long rifle scene was on the west side of Donaldson Road, east of Moss Mobile Manor and approximately 936 feet north of Old Woman Springs Road. SED Sierra 1 was designated as a long rifle team of two SED personnel and consisted of Detective Greg Gary and Deputy David Curtis. Detective Gary and Deputy Curtis were positioned approximately eight yards south of Southern California Edison Pole #263345 and approximately eight feet west of the west roadway edge of Donaldson Road.⁶⁰

⁶⁰ These distances were obtained using a Leupold RX-12001 TBR range finder.

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The area that surrounded Detective Gary and Deputy Curtis consisted of open desert to the east, approximately 200 yards of open desert to the eastern chain link fence of Moss Mobile Manor. The desert area between Detective Gary and Deputy Curtis' position and Moss Mobile Manor consisted of dirt and sand, weeds, rocks, and small desert vegetation no larger than three to four feet tall. Detective Gary and Deputy Curtis' view to the east side of Moss Mobile Manor from the roof of Detective Gary's vehicle was partially obstructed at the southeast portion of the vehicle storage yard.

Detective Gary and Deputy Curtis were positioned the pickup truck bed cover and the roof top of Detective Gary's unmarked Sheriff's Vehicle, a silver Dodge Ram 1500 pickup truck. Detective Gary's vehicle faced west toward Moss Mobile Manor. Detective Gary's assigned equipment was inside the bed of the truck. Detective Gary and Deputy Curtis were approximately 6'0" to 7'0" elevated from the desert ground. Detective Gary's rifle was on the roof of the truck with the barrel pointed east toward the Moss Mobile Manor storage area. There were binoculars and a soft cloth bag on the left side of Detective Gary's rifle.



Detective Gary's truck was equipped with a rigid truck bed cover that was open, with a green cloth rectangle pad on the rigid bed cover. A Leupold RX-120001 TBR range finder was on the cloth pad near the passenger side edge of the truck bed.

Detective Gary's rifle as a Remington, Model 700, .308 caliber rifle, with a US Optic 3.2-17x50 scope mounted on top and a bipod mounted on the underside. Detective Gary's rifle magazine contained four Hornady .308 caliber cartridges head stamped, "Hornady .308 WIN." One fired cartridge casing (FCC) head stamped "HORNADY .308 WIN" was approximately 2'0" north of the front passenger side of Detective Gary's truck.

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DECEDENT

Beedie was pronounced deceased at approximately 2:34 p.m. by Dr. Witness #15 at St. Mary Medical Center.

AUTOPSY

Witness #14, M.D., Chief Forensic Pathologist for the Riverside County Sheriff's Department Coroner Division, conducted the autopsy of Joshua Beedie on September 8, 2020. Dr. Fajardo noted two gunshot wounds. Witness #14 determined the cause of death was multiple rifle gunshot wounds.

Gunshot Wound #1

Entrance: Present to the upper back region, adjacent to the neck area, located 8 inches from the top of the head and 1 inch left of the posterior midline, is an elliptically shaped entrance gunshot wound. The injury proper measures 1/4" x 3/16" in rough diameter with an exaggerated abrasion collar located on the medial margin measuring up to 1/4". No carbonaceous debris or soot-like material is present around or within the depths of the injury.

Exit: Present involving the left supraclavicular region is a large irregular exit defect. The injury proper measures 1 x 1 1/2" in dimension with the edges slightly scalloped and everted.

Re-Entry: Present to the left infraclavicular region is an irregular re-entry. The injury proper measures 1" in dimension with only a vague minimal abrasion collar appreciated measuring up to 1/16".

Re-Exit: Present adjacent to the axilla is a large, somewhat polygonal and slit-like exit defect. The injury proper measures 1 x 1 1/2" in dimension with the edges of the injury noted to be everted.

Path of Projectile: The projectile involves the skin and musculature of the left upper back and adjacent supraclavicular and infraclavicular region but does not breach the left hemithorax. Exploration of the vascular structures beneath the clavicle reveal no compromise of the structures with the left clavicle notable fractured. It is noted that several larger nerve fibers of the brachial plexus are involved by the passage of the projectile with no other vital structures encountered. There is a large cavitory defect to the inner aspect of the left biceps measuring 2 1/2 x 3 1/2" in dimension which may "line up" with this particular gunshot wound although it cannot be definitively ascertained.

Trajectory of Projectile: The projectile travels sharply downward, minimally from right to left, and minimally from back to front.

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Gunshot Wound #2

Entrance: Present to the left lateral mid-back region, located 17 inches from the top of the head and 6 inches left of the posterior midline, is a roughly circular in configuration entrance gunshot wound defect. The injury proper measures 3/16" in rough diameter with a fairly well-circumscribed abrasion collar measuring up to 1/8" in thickness, circumferentially surrounding the entrance defect. No carbonaceous debris or soot-like material is present around or within the depths of the injury.

Exit: Present to the left inguinal region, located 28 inches from the top of the head and 4 1/2 inches left of the anterior midline, is a roughly circular in configuration exit defect. The injury proper measures 1/4" x 1/2" in rough dimension with the edges of the injury noted to be slightly everted.

Path of Projectile: The projectile involves the skin and musculature of the left lateral back region, entering the thoracic cavity through the 7th rib on the left. The projectile then produces a larger perforating defect through the lower lobe of the left lung, exiting the thorax and left inguinal region without further viscera being involved. Associated with the gunshot wound is approximately 750 cc of liquid and clotted blood present within the left pleural space.

Trajectory of Projectile: The projectile travels sharply downward, minimally from back to front.

TOXICOLOGY

Chest blood, vitreous, gastric, liver, bile, urine and brain specimens were collected during the autopsy.

Toxicology results for the blood sample were listed as follows:

- Methamphetamine 2.630 mg/L
- Amphetamine 0.220 mg/L

Toxicology results for the urine sample were listed as follows:

- Methamphetamine Greater than 50,000 mg/L
- Amphetamine 17.800 mg/L
- Carboxy-Delta-9-THC 0.014 mg/L
- Pseudoephedrine/Ephedrine Detected

Toxicology results for the vitreous sample were listed as follows:

- Methamphetamine 3.070 mg/L
- Amphetamine 0.238 mg/L

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CRIMINAL HISTORY

Joshua Beedie has a criminal history that includes the following convictions:

2004, 148 (a)(1) of the Penal Code, Resisting or Obstructing a Public Officer and 853.7 of the Penal Code, Failure to Appear After Written Promise, Riverside County case number BAM022178, misdemeanors.

2005, 12500 (a) of the Vehicle Code, Driving Without a License, San Bernardino County case number 2236293, a misdemeanor.

2006, 23152 (a) of the Vehicle Code, Driving Under the Influence of Alcohol, San Bernardino County case number TSB120039, a misdemeanor.

2007, 647 (f) of the Penal Code, Disorderly Conduct, Under the Influence of Alcohol, San Bernardino County case number 812806JB, a misdemeanor.

2013, 23152 (b) of the Vehicle Code, Driving Under the Influence of Alcohol, San Bernardino County case number TMB1100616, a misdemeanor.

2013, 23152 (b) of the Vehicle Code, Driving Under the Influence of Alcohol, San Bernardino County case number TMB1300528, a misdemeanor.

2013, 459 of the Penal Code, First Degree Residential Burglary, San Bernardino County case number FMB1300609, a felony.

2014, 11377 (a) of the Health and Safety Code, Possession of Methamphetamine, Kern County case number BF098612A, a misdemeanor.

2017, 647 (f) of the Penal Code, Disorderly Conduct, Under the Influence of Alcohol, San Bernardino County case number MSB17012695, a misdemeanor.

Crimes Upon Peace Officers

Attempted Murder of a Peace Officer

California Penal Code section 664/187

Every person who attempts to commit any crime, but fails, or is prevented or intercepted in its perpetration, shall be punished where no provision is made by law for the punishment of those attempts, as follows:

(e) [...] if attempted murder is committed upon a peace officer or firefighter, [...], and the person who commits the offense knows or reasonably should know that the victim is

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a peace officer [...] engaged in the performance of his or her duties, the person guilty of the attempt shall be punished by imprisonment in the state prison for life with the possibility of parole.

This subdivision shall apply if it is proven that a direct but ineffectual act was committed by one person toward killing another human being and the person committing the act harbored express malice aforethought, namely, a specific intent to unlawfully kill another human being. The Legislature finds and declares that this paragraph is declaratory of existing law.

Notwithstanding subdivision (a), if the elements of subdivision (e) are proven in an attempted murder and it is also charged and admitted or found to be true by the trier of fact that the attempted murder was willful, deliberate, and premeditated, the person guilty of the attempt shall be punished by imprisonment in the state prison for 15 years to life. Article 2.5 (commencing with Section 2930) of Chapter 7 of Title 1 of Part 3 shall not apply to reduce this minimum term of 15 years in state prison, and the person shall not be released prior to serving 15 years' confinement. (Penal Code section 664/187, summarized in pertinent part.)

Assault With a Deadly Weapon

California Penal Code section 245 (d)

- (1) Any person who commits an assault with a firearm upon the person of a peace officer, and who knows or reasonably should know that the victim is a peace officer or engaged in the performance of his or her duties, when the peace officer is engaged in the performance of his or her duties, shall be punished by imprisonment in the state prison for four, six, or eight years.
- (2) Any person who commits an assault upon the person of a peace officer with a semiautomatic firearm and who knows or reasonably should know that the victim is a peace officer engaged in the performance of his or her duties, when the peace officer is engaged in the performance of his or her duties, shall be punished by imprisonment in the state prison for five, seven, or nine years. (Penal Code 245, summarized in pertinent part.)

APPLICABLE LEGAL PRINCIPLES

A peace officer may use objectively reasonable force to effect an arrest if he believes that the person to be arrested has committed a public offense. (Calif. Penal Code §835a(b).)⁶¹ Should an arresting officer encounter resistance, actual or threatened, he need not retreat

⁶¹ All references to code sections here pertain to the California Penal Code.

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from his effort and maintains his right to self-defense. (Penal Code §835a(d).) An officer may use objectively reasonable force to effect an arrest, prevent escape or overcome resistance. (Penal Code §835a(d).)

An arrestee has a duty to refrain from using force or any weapon to resist arrest, if he knows or should know that he is being arrested. (Penal Code §834a.) This duty remains even if the arrest is determined to have been unlawful. (*People v. Coffey* (1967) 67 Cal.2d 204, 221.) In the interest of orderly resolution of disputes between citizens and the government, a *detainee* also has a duty to refrain from using force to resist detention or search. (*Evans v. City of Bakersfield* (1994) 22 Cal.App.4th 321, 332-333.) An arrestee or detainee may be kept in an officer's presence by physical restraint, threat of force, or assertion of the officer's authority. (*In re Gregory S.* (1980) 112 Cal. App. 3d 764, 778, *citing, In re Tony C.* (1978) 21 Cal.3d 888, 895.) The force used by the officer to effectuate the arrest or detention can be justified if it satisfies the Constitutional test in *Graham v. Connor* (1989) 490 U.S. 386, 395. (*People v. Perry* (2019) 36 Cal. App. 5th 444, 469-470.)

An officer-involved shooting may be justified as a matter of self-defense, which is codified in Penal Code sections 196 and 197. Both code sections are pertinent to the analysis of the conduct involved in this review and are discussed below.

PENAL CODE SECTION 196. Police officers may use deadly force in the course of their duties, under circumstances not available to members of the general public. Penal Code Section 196 states that homicide by a public officer is justifiable when it results from a use of force that "is in compliance with Section 835a." Section 835a specifies a ***police officer is justified in using deadly force*** when he reasonably believes based upon the totality of the circumstances, that it is necessary:

- (1) to defend against an imminent threat of death or serious bodily injury to the officer or another, or
- (2) to apprehend a fleeing felon who threatened or caused death or serious bodily injury, if the officer also reasonably believes that the fleeing felon would cause further death or serious bodily injury unless immediately apprehended.

(Penal Code §835a(c)(1).)

Discharge of a firearm is "deadly force." (Penal Code §835a(e)(1).) The "[t]otality of the circumstances" means all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force." (Penal Code §835a(e)(3).)

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While the appearance of these principals is new to section 835a in 2020,⁶² the courts have been defining the constitutional parameters of use of deadly force for many years. In 1985, the United States Supreme Court held that when a police officer has probable cause to believe that the suspect he is attempting to apprehend “has committed a crime involving the infliction or threatened infliction of serious physical harm” to the officer or others, using deadly force to prevent escape is not constitutionally unreasonable. (*Tennessee v. Garner* (1985) 471 U.S. 1, 11-12.) California courts have held that when a police officer’s actions are reasonable under the Fourth Amendment of our national Constitution, that the requirements of Penal Code § 196 are also satisfied. (*Martinez v. County of Los Angeles* (1996) 47 Cal.App.4th 334, 349; *Brown v. Grinder* (E.D. Cal., Jan. 22, 2019) 2019 WL 280296, at *25.) There is also a vast body of caselaw that has demonstrated *how* to undertake the analysis of what is a reasonable use of force under the totality of the circumstances. (See *Reasonableness* discussion, *infra*.) As such, our pre-2020 state caselaw, developed upon the former iteration of section 196, is still instructive.

There are two new factors in section 835a that did not appear in the section previously, nor did they develop in caselaw pertaining to use of deadly force. First, a peace officer must make reasonable efforts to identify themselves as a peace officer and warn that deadly force may be used, prior to using deadly force to affect arrest. (Penal Code §835a(c)(1).) This requirement will not apply if an officer has objectively reasonable grounds to believe that the person to be arrested is aware of those facts. (Penal Code §835a(c)(1).) Second, deadly force cannot be used against a person who only poses a danger to themselves. (Penal Code §835a(c)(2).)

While the codified standards for use of deadly force in the course of arrest are set forth at subsections (b) through (d) of Section 835a, the legislature also included findings and declarations at subsection (a). These findings and declarations lend guidance to our analysis but are distinct from the binding standards that succeed them within the section. In sum, the findings are as follows:

- (1) that the use of force should be exercised judiciously and with respect for human rights and dignity; that every person has a right to be free from excessive uses of force;
- (2) that use of force should be used only when necessary to defend human life and peace officers shall use de-escalation techniques if it is reasonable, safe and feasible to do so;

⁶² Assem. Bill No. 392 (2019-2020 Reg. Sess.) approved by the Governor, August 19, 2019. [Hereinafter “AB-392”]

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- (3) that use of force incidents should be evaluated thoroughly with consideration of gravity and consequence;⁶³
- (4) that the evaluation of use of force is based upon a totality of the circumstances, from the perspective of a reasonable officer in the same situation; and
- (5) that those with disabilities may be affected in their ability to understand and comply with peace officer commands and suffer a greater instance of fatal encounters with law enforcement, therefore.

(Penal Code §835a(a).)

PENAL CODE SECTION 197. California law permits *all persons* to use deadly force to protect themselves from the imminent threat of death or great bodily injury. Penal Code section 197 provides that the use of deadly force by any person is justifiable when used in self-defense or in defense of others.

The pertinent criminal jury instruction to this section is CALCRIM 505 (“Justifiable Homicide: Self-Defense or Defense of Another”). The instruction, rooted in caselaw, states that a person acts in lawful self-defense or defense of another if:

- (1) he reasonably believed that he or someone else was in imminent danger of being killed or suffering great bodily injury;
- (2) he reasonably believed that the immediate use of deadly force was necessary to defend against that danger; and
- (3) he used no more force than was reasonably necessary to defend against that danger.

(CALCRIM 505.) The showing required under section 197 is principally equivalent to the showing required under section 835a(c)(1), as stated *supra*.

IMMINENCE. “Imminence is a critical component” of self-defense. (*People v. Humphrey* (1996) 13 Cal.4th 1073, 1094.) A person may resort to the use of deadly force in self-defense, or in defense of another, where there is a reasonable need to protect oneself or

⁶³ Penal Code §835a (a)(3) conflates a demand for thorough evaluation of a use of force incident with a dictate that it be done “in order to ensure that officers use force consistent with law and agency policies.” On its face, the section is clumsily worded. Nothing included in AB-392 plainly requires that a use of force also be in compliance with agency policies. A provision in the companion bill to AB-392—Senate Bill No. 230 [(2019-2020 Reg. Sess.) approved by the Governor, September 12, 2019] (Hereinafter “SB-230”), does explicitly state that “[a law enforcement agency’s use of force policies and training] may be considered as a factor in the totality of circumstances in determining whether the officer acted reasonably, but shall not be considered as imposing a legal duty on the officer to act in accordance with such policies and training.” (Sen. Bill No. 230 (2019-2020 Reg. Sess.) §1.) It is noteworthy, however, that this portion of SB-230 is uncodified, unlike the aforementioned portion of Penal Code §835a (a)(3).

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someone else from an apparent, *imminent* threat of death or great bodily injury. “An imminent peril is one that, from appearances, must be instantly dealt with.” (*In re Christian S.* (1994) 7 Cal.4th 768, 783.) The primary inquiry is whether action was instantly required to avoid death or great bodily injury. (*Humphrey, supra*, 13 Cal.4th at 1088.) What a person knows, and his actual awareness of the risks posed against him are relevant to determine if a reasonable person would believe in the need to defend. (*Id.* at 1083.) In this regard, there is no duty to wait until an injury has been inflicted to be sure that deadly force is indeed appropriate. (*Scott v. Henrich, supra*, 39 F. 3d at 915.)

Imminence newly defined in the context of use of force to effect an arrest, is similar:

A threat of death or serious bodily injury is “imminent” when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.

(Penal Code §835a(e)(2).)

REASONABLENESS. Self-defense requires both subjective honesty and objective reasonableness. (*People v. Aris* (1989) 215 Cal.App.3d 1178, 1186.) The United States Supreme Court has held that an officer’s right to use force in the course of an arrest, stop or seizure, deadly or otherwise, must be analyzed under the Fourth Amendment’s “reasonableness” standard. (*Graham v. Connor, supra*, 490 U.S. at 395.)

The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on scene, rather than with the 20/20 vision of hindsight....The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation.

(*Id.* at 396-397, citations omitted.)

The “reasonableness” test requires an analysis of “whether the officers’ actions are ‘objectively reasonable’ in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation.” (*Id.* at 397, citations omitted.) What constitutes “reasonable” self-defense or defense of others is controlled by the circumstances. A person’s right of self-defense is the same whether the danger is real or merely apparent. (*People v. Jackson* (1965) 233 Cal.App.2d 639.) If the person’s beliefs were reasonable, the danger does not need to have actually existed. (CALCRIM

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505.) Yet, a person may use no more force than is reasonably necessary to defend against the danger they face. (CALCRIM 505.)

When deciding whether a person's beliefs were reasonable, a jury is instructed to consider the circumstances as they were known to and appeared to the person and considers what a reasonable person in a similar situation with similar knowledge would have believed. (CALCRIM 505.) It was previously held that in the context of an officer-involved incident, this standard does not morph into a "reasonable police officer" standard. (*People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1147.)⁶⁴ To be clear, the officer's conduct should be evaluated as "the conduct of a reasonable person functioning as a police officer in a stressful situation." (*Id.*)

The *Graham* court plainly stated that digestion of the "totality of the circumstances" is fact-driven and considered on a case-by-case basis. (*Graham v. Connor, supra*, 490 U.S. at 396.) As such, "reasonableness" cannot be precisely defined nor can the test be mechanically applied. (*Id.*) Still, *Graham* does grant the following factors to be considered in the "reasonableness" calculus: the severity of the crime committed, whether the threat posed is immediate, whether the person seized is actively resisting arrest or attempting to flee to evade arrest. (*Id.*)

Whether the suspect posed an immediate threat to the safety of the officer or others has been touted as the "most important" *Graham* factor. (*Mattos v. Agarano* (9th Cir. 2011) 661 F.3d 433, 441-442.) The threatened use of a gun or knife, for example, is the sort of immediate threat contemplated by the United States Supreme Court, that justifies an officer's use of deadly force. (*Reynolds v. County of San Diego* (9th Cir. 1994) 858 F.Supp. 1064, 1071-72 "an officer may reasonably use deadly force when he or she confronts an armed suspect in close proximity whose actions indicate an intent to attack.") Again, the specified factors of *Graham* were not meant to be exclusive; other factors are taken into consideration when "necessary to account for the totality of the circumstances in a given case." (*Mattos v. Agarano, supra*, 661 F.3d at 441-442.)

The use of force policies and training of an involved officer's agency *may* also be considered as a factor to determine whether the officer acted reasonably. (Sen. Bill No. 230 (2019-2020 Reg. Sess.) §1. See fn. 3, *infra*.)

When undertaking this analysis, courts do not engage in *Monday Morning Quarterbacking*, and nor shall we. Our state appellate court explains,

under *Graham* we must avoid substituting our personal notions of proper police procedure for the instantaneous decision of the officer at the scene.

⁶⁴ The legislative findings included in Penal Code section 835a(a)(4) suggest to the contrary that "the decision by a peace officer to use force shall be evaluated from the perspective of a reasonable officer in the same situation". As such, if the officer using force was acting in an effort to *effect arrest*, as is governed by section 835a, then it appears the more generous standard included there would apply.

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We must never allow the theoretical, sanitized world of our imagination to replace the dangerous and complex world that policemen face every day. What constitutes 'reasonable' action may seem quite different to someone facing a possible assailant than to someone analyzing the question at leisure.

(*Martinez v. County of Los Angeles*, *supra*, 47 Cal.App.4th at 343, citing *Smith v. Freland* (6th Cir. 1992) 954 F.2d 343, 347.) Specifically, when a police officer reasonably believes a suspect may be armed or arming himself, it does not change the analysis even if subsequent investigation reveals the suspect was unarmed. (*Baldrige v. City of Santa Rosa* (9th Cir. 1999) 1999 U.S. Dist. LEXIS 1414 *1, 27-28.)

The Supreme Court's definition of reasonableness is, therefore, "comparatively generous to the police in cases where potential danger, emergency conditions or other exigent circumstances are present." (*Martinez v. County of Los Angeles*, *supra*, 47 Cal.App.4th at 343-344, citing *Roy v. Inhabitants of City of Lewiston* (1st Cir. 1994) 42 F.3d 691, 695.) In close-cases therefore, the Supreme Court will surround the police with a fairly wide "zone of protection" when the aggrieved conduct pertains to on-the-spot choices made in dangerous situations. (*Id.* at 343-344.) One court explained that the deference given to police officers (versus a private citizen) as follows:

unlike private citizens, police officers act under color of law to protect the public interest. They are charged with acting affirmatively and using force as part of their duties, because 'the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it.'

(*Munoz v. City of Union City* (2004) 120 Cal.App.4th 1077, 1109, citing *Graham v. Connor*, [*supra*] 490 U.S. 386, 396.)

ANALYSIS

The determination as to whether there was justification for an officer's use of deadly force is factually driven and requires an analysis of the facts and circumstances leading up to the use of force. On September 4, 2020 shortly before 9:30 a.m., Beedie began actively shooting at residents of Moss Mobile Manor. Prompted by multiple 911 calls, deputies responded to the scene where they were immediately met with gunfire. Beedie's actions elicited a heavy law enforcement response as deputies tried to stop Beedie while attempting to protect the residents of the mobile home park.

Among the many law enforcement officers who responded to the scene that morning were Detective Gary, Deputy Mejia, Deputy Haas, Corporal Rose, and Detective McCarthy. 40King3 began flying to the scene at approximately 9:30 a.m., when the active shooter call was announced by Sheriff's Dispatch. While flying to the scene, Deputy Mejia listened

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to radio traffic regarding the call as deputies on scene announced shots were being fired. 40King3 arrived and began orbiting above the mobile home park at 9:48 a.m. Minutes later, at approximately 9:50 a.m., the Specialized Enforcement Division was notified and shortly thereafter, a SWAT all-call notification was sent directing all SED personnel to respond to the mobile home park for an active shooter. Detective Gary, Deputy Haas, Corporal Rose, and Detective McCarthy were among several SED deputies who answered the SWAT call, each listening to radio traffic to receive updated broadcasts about the active shooter incident as they made their way to the scene posthaste.

Over the course of four hours, law enforcement was faced with a stand-off as Beedie continued to actively shoot from within the mobile home park. Deputies set up a perimeter around the property in an effort to contain Beedie while deputies in the Sheriff's Helicopter orbited overhead, searching for Beedie. SED deputies entered the park, first on foot, and then in armored rescue vehicles. The deputies searched for Beedie and attempted to safely evacuate residents, all the while hearing near constant gunfire as Beedie continued shooting multiple caliber firearms from his hiding place, somewhere in the mobile home park's storage yard. Because of Beedie's continued gunfire, the deputies were unable to safely evacuate many residents from homes positioned south and west of the storage yard. In addition, several residents were not evacuated and instead chose to shelter in place. The continued presence of civilians made the effort to locate and apprehend Beedie all the more urgent and dangerous.

Multiple attempts at de-escalation failed. PA announcements were given, addressing Beedie by name, imploring him to come out and to surrender peacefully. Phone calls and text messages to Beedie went unanswered. The Sheriff's helicopter even briefly left the scene in an effort to coax Beedie out from his hiding place so that deputies could arrest him. Because of the danger presented by Beedie's continued shooting, deputies were unable to safely traverse the park on foot. In their efforts to locate Beedie, deputies launched two drones and deployed a robot with a camera.

Once Beedie's hiding place was discovered, the deputies began to enact a plan to deploy CS gas to force Beedie to run from the silver trailer where he hid so they could arrest him. In order to effectively deploy CS gas, SED personnel had to move in closer to the silver trailer. Using the armored rescue vehicles, SED personnel began approaching the trailer. As they moved in, Beedie continued shooting, firing multiple rounds through the trailer's roof at 40King3 and through the trailer's windows toward the approaching rescue vehicles. As the rescue vehicles got closer and before they could deploy the CS gas, Beedie ran from the trailer holding a gun in each hand. Beedie held each gun by the grip and pointed them forward as he ran toward occupied homes. Beedie's actions made it clear he did not intend to surrender peacefully.

A careful review of Deputy Haas' belt recording, along with the relevant timestamps show the following: The radio broadcast announcing Beedie was running southbound with a rifle in his hand occurred at timestamp 41:43. At timestamp 41:47, nine gunshots were

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heard, followed by voices yelling, "Where's he at?" It's fair to assume this was the moment when Beedie ducked underneath the southeast portion of the flatbed trailer because when Beedie did so, none of the deputies were able to see him. At timestamp 41:52, multiple gunshots were heard in rapid succession. Detective McCarthy yelled, "Hey, we got him," and the gunshots ceased at timestamp 42:04. Only 21 seconds elapsed from the moment Beedie was first spotted running until the point he was down. In this very short time span, the ground covered by Beedie was substantial: Beedie ran approximately 144' south and 46'2" east from the trailer before he was ultimately stopped by the shooting deputies.



Crime scene investigation revealed that when Beedie ran from the silver trailer, he was armed with six loaded guns and possessed additional magazines and rounds for those guns. These guns were found along the path that Beedie took as he ran south and then southwest: Beneath the flatbed trailer where Beedie ducked, detectives found a loaded rifle magazine and an ammunition box with approximately 70 cartridges. Northeast of the loaded magazine, detectives found two straight-edged knives. Northeast and southeast

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of the knives, detectives found two black handguns, a loaded 9 mm semi-automatic handgun and a loaded .41 caliber revolver. Northeast of these two handguns, detectives found a loaded AR15, semi-automatic rifle. North of the AR15 rifle, along the east side of the flatbed trailer, detectives found a sawed-off 12-gauge shotgun with a pistol grip. When Beedie finally fell to the ground, he still possessed two handguns: a .22 caliber semi-automatic pistol and a loaded black .38 caliber revolver. The deputies who approached Beedie to take him into custody removed the guns, and a loaded magazine for the .22 caliber semi-automatic pistol and placed them on the trunk of a nearby car.

During the multiple hours-long standoff, multiple PA announcements were given to Beedie, telling him to surrender and to come out with his hands up and to place his gun on the ground. Beedie ignored these commands. When Beedie finally did come out of his hiding place, he did not put his guns on the ground. Instead, Beedie ran while still armed with six guns. Beedie pointed two of them straight ahead, toward still occupied RV's. As Beedie ran, Detective Gary, Deputy Mejia, Deputy Haas, Corporal Rose, and Detective McCarthy each saw Beedie was armed. Each deputy had a different vantage point, but all of them saw at least one firearm in Beedie's hands.

Detective Gary's Use of Force

From his position just over 200 yards away on the east perimeter, Detective Gary watched through his rifle's scope and saw Beedie running south with an AR rifle in his right hand and another rifle in his left hand. Detective Gary saw Beedie held each rifle by the grip and pointed them forward in a "position ready to fire" straight toward trailers where residents were sheltering in place. Detective Gary believed Beedie's intent was clear: Beedie was "running south to get into those trailers to find another hostage or somebody to use to his advantage." Detective Gary feared Beedie was going to shoot the sheltering residents or take them hostage. Detective Gary knew he "had to engage" or Beedie was going to kill somebody. Fearing for the lives of the residents in the trailers, Detective Gary fired one round from his rifle, striking Beedie.

Detective Gary's fear was both honestly and objectively reasonable. Detective Gary knew Beedie had shot at residents from the moment Beedie first arrived at the mobile home park and that Beedie had continued to fire rounds at deputies and residents during the entire stand-off. Beedie had shown no regard for the lives of any of the residents of the mobile home park, nor had he shown any regard for the lives of the deputies who arrived to save them. When Beedie ran toward occupied trailers, with two rifles in each hand, pointed forward and ready to use, it was clear he presented an imminent threat to anyone in his path.

Deputy Mejia's Use of Force

Deputy Mejia, positioned inside 40King3, watched as the rescue vehicles moved in closer to the trailer where Beedie was hiding. Deputy Mejia anticipated Beedie would be getting

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“more desperate” as law enforcement closed in on him. Just after Deputy Mejia voiced his concern, he saw Beedie running south toward trailers where occupants were sheltering in place and where deputies were positioned at the south entrance to the mobile home park. Deputy Mejia saw Beedie had a black rifle in his right hand near the butt stock. Beedie ran in a “crouched down position” that Deputy Mejia described as a “tactical run,” presenting a smaller profile. Like Detective Gary, Deputy Mejia feared that if Beedie got to the area where residents were sheltering in place, that Beedie would “take a hostage or kill someone.” Deputy Mejia saw Beedie look up at him in the helicopter. As Beedie looked up, lifting his upper body, Deputy Mejia saw Beedie had transitioned his hands and was holding the rifle with his right hand near the trigger and his left hand on the foregrip, as one would to shoot. Deputy Mejia saw a holster and two handguns on Beedie’s left side or back. Deputy Mejia then saw Beedie point the rifle at 40King3. Fearing for his own life, the lives of his partners inside 40King3, the nearby sheltering residents, and the nearby deputies, Deputy Mejia fired one round from his rifle at Beedie. Deputy Mejia saw his round strike the dirt nearby, missing Beedie. Beedie crouched back down, continued running, and ducked beneath the southeast portion of a single wide trailer.⁶⁵

Beedie was armed with a rifle which Deputy Mejia knew was a precision weapon, capable of accurately shooting at further distances than a handgun. Beedie was also armed with two handguns. Deputy Mejia reasonably believed Beedie had ducked underneath the trailer and was positioning himself so he would be able to shoot at the deputies in the helicopter or the SED deputies who were positioned nearby. Because of this, Deputy Mejia fired six rounds at the southeast portion of the flatbed trailer where he had seen Beedie duck. Deputy Mejia fired these rounds in an effort to stop the continued threat Beedie posed to the deputies in 40King3, the civilians who were sheltering in place in the nearby trailers, the SED deputies who were positioned nearby and the deputies who were positioned at the south entrance to the park.

When the helicopter’s orbit came around to the north, Deputy Mejia stopped firing. When the helicopter came back around to the southwest portion of their orbit, Deputy Mejia saw Beedie running west and then southwest toward a row of classic cars bordered by trees. Just beyond the classic cars and trees, residents were sheltering in place. Beedie no longer had the rifle but instead held a handgun in his right hand. If Beedie reached the trees, Deputy Mejia knew he would not be able to do anything to stop Beedie because of the residents who were sheltering nearby. Still running, Beedie looked west toward Bravo Team’s rescue vehicle and raised his right arm straight out to his right side, at shoulder level, pointing the gun at the rescue vehicle. Deputy Mejia knew that just beyond Bravo Team’s rescue vehicle were mobile homes that had not yet been evacuated. Fearing for the lives of the deputies in the rescue vehicle and the residents in the mobile homes on the other side of the rescue vehicle, Deputy Mejia shot his rifle, aiming for Beedie’s upper body. Deputy Mejia saw dust from the ground as his rounds struck the dirt behind Beedie

⁶⁵ Crime scene investigation revealed this single wide trailer was a flatbed semi-trailer loaded with large panels of wood.

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as Beedie continued to run. When Deputy Mejia saw Beedie fall to the ground, he stopped firing.

Each time Deputy Mejia fired his rifle, he did so to protect his own life, the lives of his law enforcement partners, and the lives of the residents of the mobile home park. Deputy Mejia's fear was honest and was objectively reasonable. When Beedie ran from the trailer while armed with a rifle and multiple handguns, he presented an imminent danger to the lives of all who were nearby.

Bravo Team

Deputy Haas, Corporal Rose and Detective McCarthy were among the several SED deputies designated as Bravo Team. During the multiple-hours' standoff, Bravo Team evacuated multiple residents from mobile homes located on the west side of the property, methodically working their way from the north end of the mobile home park to the south. During the evacuations, Bravo Team members heard Beedie's near-constant rifle and handgun fire from the storage yard. The storage yard was located on the east side of the mobile home park. Directly south of the storage yard were several occupied RV's, west of the storage yard were several occupied mobile homes. Because of Beedie's continued gunfire, Bravo Team was unable to evacuate residents from the mobile homes located southwest of the storage yard. Additionally, Bravo Team members knew the residents of the RV's directly south of the storage yard had not been evacuated.

Bravo Team stopped their rescue vehicle along the east side of the center roadway, west of the storage yard where Bravo Team could provide a "wall" in between the still-occupied mobile homes and the trailer where Beedie was believed to be hiding. Bravo Team positioned the rescue vehicle near two large orange storage containers where the team had a direct line of sight to the trailer where they believed Beedie was hiding. Other trailers and vehicles stored in the storage yard partially blocked Bravo Team's view of the trailer.

Deputy Haas was inside the turret of the rescue vehicle looking east when he heard a gunshot and simultaneously saw a trail of dust leaving the roof of the silver trailer as a bullet went through it. 40King3 was flying above the trailer giving PA announcements for Beedie to surrender at the time. Bravo Team broadcasted that Beedie was shooting at 40King3 from within that silver trailer. Having successfully identified Beedie's hiding spot, Bravo Team stayed in position so they could keep an eye on the silver trailer. Each time 40King3 flew above the trailer, Bravo Team heard a volley of gunfire as Beedie continued shooting through the roof at 40King3. Because it was so bright outside and the trailer windows were so dark none of the Bravo Team members could see inside the trailer and were therefore unable to shoot Beedie as he fired rounds at 40King3.

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Deputy Haas's Use of Force

Deputy Haas and Corporal Rose switched positions in the rescue vehicle. Corporal Rose went into the turret and Deputy Haas began looking east from the rescue vehicle's middle porthole. Deputy Haas heard a deputy from 40King3 broadcast Beedie was running southbound from the trailer with a rifle in his hands. Immediately upon hearing this, Deputy Haas believed Beedie was trying to maneuver to a better position in order to shoot deputies or others at the mobile home park. Having participated in the evacuations, Deputy Haas knew first-hand there were still several residents they had been unable to evacuate occupying the trailers directly in Beedie's path. Deputy Haas knew the trailers offered little protection from gunfire as bullets could easily pass through trailer walls. Deputy Haas did not initially see Beedie running but began to hear gunfire, including gunfire from Corporal Rose who was positioned in the turret of the rescue vehicle.

When Deputy Haas saw Beedie running approximately 100 yards away, Beedie was headed in a south/southwest direction with his body bladed toward Bravo Team's rescue vehicle and the occupied trailers. Deputy Haas saw Beedie held a black pistol in his right hand. Beedie pointed the pistol at Bravo Team's rescue vehicle and the occupied trailers. Deputy Haas heard "one pop" come from Beedie's handgun as Beedie shot at Bravo Team and the occupied trailers. In response, Deputy Haas immediately fired one round at Beedie, paused to reassess and saw Beedie was still running in the same direction with his arm extended and the pistol pointed in Bravo Team's direction. Just beyond Bravo Team's rescue vehicle were several mobile homes with residents they had been unable to evacuate. Deputy Haas feared for the lives of the residents. Attempting to stop the threat Beedie continued to pose to the deputies and the residents they had been unable to evacuate, Deputy Haas fired three more rounds at Beedie, each time aiming for his upper chest. Beedie then went out of view and Deputy Haas lost sight of him. Corporal Rose was still inside the turret and was able to see Beedie was lying on the ground.

Each time Deputy Haas fired at Beedie, he did so to protect his own life, the lives of his law enforcement partners, and the lives of the residents of the mobile home park. Deputy Haas' fear was honest and was objectively reasonable. When Beedie ran while pointing a pistol in his right hand toward Bravo Team and the occupied mobile homes just beyond Bravo Team's rescue vehicle, he presented an imminent danger to the lives of the Bravo Team members and the lives of the residents. Indeed, Beedie fired the pistol at Bravo Team, proving just how deadly the threat was.

Corporal Rose's Use of Force

Corporal Rose had a special magnifier on his rifle allowing him to see three times further than one would with a regular optic. Corporal Rose switched positions with Deputy Haas to get a better vantage point from the turret. Within a minute of doing so, Corporal Rose heard a deputy from 40King3 broadcast that Beedie was running southbound. Right about the same time, Corporal Rose saw Beedie come around to the front of the truck located

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in front of the trailer. Beedie had a rifle in his right hand and was running south toward occupied trailers they had not been able to evacuate. The occupied trailers were approximately 100 yards away from Beedie. Corporal Rose saw Beedie had something in his left hand but could not tell what it was. Corporal Rose was afraid Beedie was going to make it to the occupied trailers where he would either take a hostage or shoot and kill the occupants of the trailers. Corporal Rose also knew Alpha Team had begun moving closer to the silver trailer to deploy CS gas but did not know Alpha Team's precise location. In fear for the lives of the occupants of the trailers and the nearby deputies, Corporal Rose shot his rifle at Beedie, aiming slightly ahead of Beedie so that as Beedie ran, the rounds would strike him in his chest or center of mass. Corporal Rose fired between five to eight rounds before his rifle malfunctioned and stopped firing.

Corporal Rose cleared the malfunction and saw Beedie had continued running south where one of the storage containers blocked Corporal Rose's view of Beedie. Corporal Rose then saw Beedie running in a south to southwest direction. Beedie had a handgun in his right hand and pointed it at Corporal Rose and his partners and began shooting. Corporal Rose began firing his rifle at Beedie again and Beedie fell out of view behind a large tractor-trailer. Believing Beedie was trying to take cover behind the tractor-trailer, Corporal Rose began shooting toward the tractor-trailer to keep Beedie pinned down. Corporal Rose then heard over the radio as a deputy broadcast Beedie was down, so he stopped firing.

Corporal Rose fired his rifle at Beedie in order to stop the deadly threat Beedie posed to the lives of the nearby deputies and the residents of the mobile home park. It was objectively reasonable for Corporal Rose to believe Beedie posed an imminent threat to his life, the lives of the deputies, and residents. Corporal Rose's fear was honestly and objectively reasonable. When Beedie ran with a rifle in his hand toward occupied trailers, he presented an imminent danger to not only the occupants of the trailers, but to the lives of all who stood in his path. When Beedie continued running, pointed and fired a handgun at Corporal Rose and his partners, the threat he posed remained imminent.

Detective McCarthy's Use of Force

Detective McCarthy was positioned inside the rescue vehicle looking out of one of the side portholes when he heard the radio broadcast that Beedie was running southbound. Detective McCarthy opened a port and rested the front of his M4 rifle on the port while looking through the ballistic glass above the porthole for Beedie. Detective McCarthy heard Corporal Rose begin firing his rifle from within the turret. Unable to see Beedie, Detective McCarthy looked up at Corporal Rose and saw Corporal Rose track from left to right with his rifle. This told Detective McCarthy Beedie was still running south as was broadcast. Detective McCarthy heard three to four more shots fired from Corporal Rose's rifle. Detective McCarthy also heard gunfire that he estimated was 100 to 130 yards in front of their location which he believed was coming from Beedie.

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Detective McCarthy's view of Beedie was obstructed by two vehicles, one of which was a black SUV. Detective McCarthy then saw Beedie appear from behind the black SUV. Beedie was in full sprint with a black handgun in his right hand. Beedie was running straight toward Bravo Team's rescue vehicle. As Beedie raised the handgun, Detective McCarthy began to lower his head onto his rifle to get lined up with his rifle's optic. When Detective McCarthy looked through his optic, he saw Beedie raising the handgun to shoulder level and pointing the gun in Bravo Team's direction. Detective McCarthy knew there were several mobile homes just beyond their rescue vehicle and that they had been unable to evacuate the residents from those mobile homes. Detective McCarthy heard Beedie's gun fire and saw the smoke emitting from Beedie's handgun as Beedie shot toward Bravo Team and the occupied mobile homes. Detective McCarthy was in fear for the lives of the deputies with him and the lives of the residents they had been unable to evacuate. Detective McCarthy aimed for the left side of Beedie's stomach and fired a round from his rifle just as Beedie fired another round from his handgun. Detective McCarthy then fired approximately two to four more rounds at Beedie as Beedie fired a second shot from his handgun. Beedie continued running toward Bravo Team but then made an abrupt left turn, ran south, and then ducked behind a vehicle. Detective McCarthy believed Beedie was attempting to get into a better position to shoot at Bravo Team and the residents inside the mobile homes. Attempting to stop the threat Beedie still posed, Detective McCarthy fired approximately eight rounds through the back end and trunk area of the vehicle behind which Beedie had ducked.

Detective McCarthy's fear for the lives of the Bravo Team members and the nearby residents was both honest and objectively reasonable. When Detective McCarthy fired his rifle at Beedie and at the trunk of the vehicle behind which Beedie had ducked, he did so with the intent to stop the imminent and deadly threat Beedie presented.

The fear felt by each of the deputies herein was honestly and objectively reasonable. That the threat was imminent is obvious. Beedie had shot at several people in the mobile home park, prompting the initial 911 calls. During the course of four hours, Beedie continued to shoot, ultimately firing well over 100 rounds. Beedie was armed with multiple firearms and a significantly large amount of ammunition. When Beedie ran from the trailer, he held two guns, one in each hand. As Beedie ran, he raised a rifle and pointed it at 40King3. Beedie's actions clearly demonstrated an intent to shoot the deputies in 40King3. When Beedie ran south toward occupied trailers, while pointing the guns pointed out in front of him, his actions clearly demonstrated he was not willing to surrender. Upon seeing Beedie's actions and demeanor, the deputies reasonably believed Beedie was going to take civilians hostage or shoot them in an effort to escape. Even after being struck by gunfire and hiding beneath the flatbed trailer, Beedie still failed to surrender. Instead, Beedie replaced the rifle he dropped with a handgun and continued to run. As Beedie ran south and then southwest, he pointed the handgun at Bravo Team's rescue vehicle and fired several rounds, endangering not only the deputies' lives, but also the lives of the residents still occupying the mobile homes just beyond the rescue vehicle.

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Given the facts and circumstances confronting the deputies, it was objectively reasonable for the deputies herein to believe Beedie posed an immediate threat of serious bodily injury or death to the deputies and the nearby residents of the mobile home park.

CONCLUSION

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

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

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

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

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

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