



MEMO

Police Department

DATE: January 31, 2018
TO: SERGEANT DAN WARREN
FROM: DETECTIVE ADRIAN TILLET
RE: SUMMARY: 207 PC/KIDNAPPING- OFFICER INVOLVED SHOOTING

CASE NUMBER: P17-196932
DATE OF INCIDENT: Tuesday – October 31, 2017
TIME OF INCIDENT: 1112 hrs
LOCATION: 6201 Shaker Dr., Riverside CA
Castle View Elementary School

INVOLVED OFFICER: Detective Tanner Paes #1675
Riverside Police Department

OFFICER INJURIES: None

SUSPECT: KENNON, Luvelle Monroe Jr. - **Deceased**
Black male adult, DOB: 12-30-89
6'03", 170 lbs., Black hair, Brown eyes
[REDACTED]

SUSPECT'S INJURIES: Gunshot wounds to upper rear left leg, left buttocks, scrotum,
and lower center abdomen.

WITNESS OFFICERS: Riverside Police Department
Officer Daniel Mowrey #1717
Officer Sancho Lopez #1011
Officer Jared O'Farrell #1749

VICTIM WITNESS: MONTGOMERY, Linda
White female adult, DOB: [REDACTED]
5'04", 120 lbs., Gray hair, Hazel eyes
[REDACTED]

VICTIM'S INJURIES: Bruises on upper right arm, upper left arm, right and left knees, and complaint of pain in top of the head from her hair being pulled.

SUMMARY

On October 31, 2017 at approximately 1112 hours, Luvelle Kennon went to Castle View Elementary School to pick up his daughter [REDACTED]. Prior to Kennon's arrival, his mother Tonya Kennon went to the school and met with the principal Tiffany Farris. Tonya told Farris not to release [REDACTED] to Kennon because he was "having an episode." Kennon arrived at the front office a few minutes after his mother. Farris heard Kennon ask to pick up his daughter and she could tell he was getting angry. Kennon saw that his mother was in the principals' office. He banged on the window and told his mother to come out, but she wouldn't. Farris heard Kennon say he was going to get his daughter no matter what. Kennon forced his way onto campus without following procedures. Farris called for a school lock down before running after Kennon. The front office staff called the police.

Kennon went straight to Montgomery's room. Farris tried to stop him and told him he didn't have to do this. Kennon went into Montgomery's classroom and shut the door. Farris ran to the other door that led into the classroom from the center pod. Carlos Gallardo was visiting the school to eat lunch with his wife, who is a teacher at the school. The pair was sitting in room A-3 when they heard the lock down announcement. Gallardo saw Farris staring into Montgomery's classroom and he asked her what was going on. Farris told Gallardo that a man was locked inside the room with one of the teachers. Gallardo was able to gain entry to the room and asked Kennon if he needed help. Kennon struck him in the nose without provocation.

Montgomery used that opportunity to run from Kennon. Kennon gave chase and caught her approximately 20 yards from the classroom. Kennon grabbed Montgomery and she fell to the ground. Gallardo believed Kennon was holding Montgomery in some sort of head lock. Gallardo jumped on Kennon's back and tried to apply the same type of hold to prevent him from hurting Montgomery. Kennon threw Gallardo off and punched him, knocking him to the ground. He then continued to punch Gallardo several more times. Kennon then grabbed Montgomery by her hair and dragged her back to the classroom.

Kennon told Montgomery to sit on the floor as he screamed at her to get his daughter. Kennon began stacking desks in front of the doors and moving furniture to barricade him and Montgomery inside the room. When Kennon saw the first responding officers, he sprayed the whole room with a fire extinguisher. As officers arrived at the school they set up a perimeter

around the classroom and established emergency response teams (ERTs), while other officers assisted with the evacuation of students and faculty from the school.

Kennon moved an old cubby shelf to form an angle with the wall and the folding partition wall. He made Montgomery sit behind the cubby with him. Kennon would not allow Montgomery to answer when they heard police hostage negotiators (HNT) calling out to her except on two occasions; once when he allowed her to cough, and the second was when he allowed her to say she was alright. Kennon armed himself with a pair of scissors from Montgomery's desk, and made her sit next to him.

From approximately 1220 hours until 1744 hours, HNT tried numerous times to establish communications with Kennon but were unsuccessful. Kennon would not negotiate with the police. He spoke with his Grandfather, Kevin Harris, once at roughly 1643 hours, but refused to exit the classroom or let Montgomery exit the classroom.

A full METRO/SWAT Team call-out had already been activated and the whole team was set up around the school. The classrooms at Castle View Elementary were in a pod style with a common area in the middle. The larger classrooms, around the common area, were separated by a partition folding wall. Kennon and Montgomery were in classroom A-1 which shared a folding wall with classroom A-6. The METRO team had personnel inside A-6 and they used a small camera to attempt to locate Kennon and Montgomery inside the classroom. Other members of the METRO team were at the ARV parked to the front of the classroom as well as in sniper and perimeter positions around the classroom.

At approximately 1745 hours, based on Kennon's unwillingness to negotiate, the age of the victim (70 years old), and not knowing Montgomery's condition, the SWAT Commander gave the order to initiate a rescue. The plan was to disorient Kennon with exterior and interior light sound diversionary devices while the ERT entered the classroom from A-6 by opening the partition folding wall.

At approximately 1746 hours a failed breach was announced by the ERT over the radio, along with shots fired a few seconds later. Detective Paes had been assigned as the point man on the rescue team. The plan was to open the partition wall, enter the classroom and rescue Montgomery. The partition wall only opened approximately one foot because it was obstructed by objects inside the room. This allowed Detective Paes to make only a partial entry into the room and he became stuck in the opening. According to Detective Paes, Kennon and the victim were lying on the floor to his left in a spooning position with Kennon behind the victim. They were both lying on their right side facing towards the partition wall.

Kennon had his left arm around the victim's neck area and was holding an object in his hand, which Detective Paes identified as a pair of scissors. Fearing that Kennon was killing or going to kill Montgomery right in front of him, Detective Paes fired five rounds at Kennon. Kennon stopped moving and Montgomery was able to crawl towards the officers and was removed from the classroom. Kennon was secured and transported to Riverside Community Hospital by ambulance where he succumbed to his injuries.

INCIDENT TIMELINE:

- 1112: Original call to dispatch from the principal.
- 1116: Kennon left office and was inside classroom with Montgomery.
- 1117: Gallardo tried to intervene and was assaulted.
- 1119: Kennon is back inside room with Montgomery (**Hostage situation**).

1121: Reports of Kennon inside room with Montgomery. No students inside.
1123: Units arrive at school.
1125: Lieutenant Dinco arrives at school.
1126: Officers discovered back door to classroom was locked.
1129: Sergeant Ortiz establishes an ERT.
1130: Lights turned off in the classroom.
1133: Officers set up perimeter at school.
1137: Officers hear furniture being moved inside classroom A-1.
1138: School District officials arrive at Castle View.
1139: Classrooms being evacuated by officers.
1141: Classrooms adjacent to room A-1 have been evacuated.
1145: A second ERT set to the rear of the room A-1.
1153: Police Hostage Negotiator makes phone contact with Kennon.
1200: Students evacuated and sent to Castlevue Park for parent reunification.
1207: Phone negotiations continue.
1224: Suspect is heard playing music inside the classroom.
1227: Full METRO/SWAT callout initiated.
1231: Sergeant Banks advised HNT negotiations are still in the works.
1243: ARV arrives and deploys to the front of room A-1.
1245: School busses are used to move students and staff from school to Castlevue Park.
1255: Students fully evacuated from the school.
1311: Throw phone prepared for deployment.
1325: Reports of papers flying around inside the classroom.
1336: HNT hears talking inside the classroom through the school phone telecom. Kennon still not speaking with HNT.
1406: Perimeter unit sees movement inside through the window.
1418: Throw phone deployed to the outside front door to the classroom.
1423: Sergeant Wilson used an under-door camera system in an attempt to look inside classroom A-1.
1428: Chairs and tables are barricading both doors and stacked inside room.
1437: Audible announcements continuing requesting Kennon to exit the classroom.
1442: Perimeter units see movement inside the classroom. The units are unable to determine who is moving.
1458: Resumed announcements for Kennon to exit the classroom.
1459: Sergeant McCoy and ERT positioned inside of classroom A-6.
1500: Announcements continue for Kennon to exit classroom.
1501: Thermal imaging attempted from adjacent classroom but unsuccessful.
1506: Announcements continue for Kennon to exit classroom.
1511: Announcements resumed requesting a proof of life for Montgomery.
1514: HNT hears coughing from the classroom.
1514: HNT hears a voice inside the classroom. The words are unintelligible but it was believed to be Montgomery.
1533: PA announcements from ARV continue.
1606: Lights inside room flickered on then off.
1625: No movement seen from officers at the ARV or from the ERT in A-6 through camera.
1633: Movement seen near the back door then went out of view.
1643: HNT has communication with Kennon via phone with the help of Kennon's grandfather, Kevin Harris.
1650: Kennon hangs up and stops communicating with HNT.
1651: HNT reports the last signs of life from Montgomery were made at 1515 hours.
1652: Sergeant McCoy reports hearing Kennon talk.

1655: HNT continued to re-contact Kennon.
1717: HNT established phone contact with Kennon.
1723: HNT continued to attempt communication but Kennon is uncooperative.
1745: ERT Teams report ready and rescue mission is initiated.
1746: Failed breach, suspect down, victim recovered and removed from room.
1748: Medics inside classroom A-1 working on Kennon.
1809: Kennon arrived at hospital.

VICTIM'S STATEMENT

Linda Montgomery

Montgomery was interviewed on November 1, 2017 and again on November 3, 2017. The following is a summary of those interviews. Montgomery said on the day of the incident she heard the lock down announcement and opened the door to go and secure her students. She saw a man she recognized as the father of one of her students, later identified as Luvelle Kennon, coming at her. He pushed her aside, grabbed her and asked, "Where's my daughter?" Montgomery told Kennon they were all out at lunch. Kennon said something similar to, "I am tired of people making threats." Montgomery told him that she didn't have his daughter and offered to try to find her.

Montgomery said she could see the principal through the window and heard knocking on the door. She said she didn't know what to do. She said she may have screamed and a man (Carlos Gallardo) appeared at the glass door of the center room. She didn't recognize him and initially thought he was the police. Gallardo opened the door and tried to restrain Kennon in order to allow her to get away. Kennon hit Gallardo hard. Montgomery ran out the outer door and headed across the lunch room. She saw a lunch lady and a secretary and they were yelling at her to run.

She tried to run but Kennon caught up to her and grabbed her from behind. He had her in a choke hold and she heard someone yelling at him to let her go. She said she tried to escape but she tripped and fell. Kennon grabbed her by the arm and her hair was in the way. He grabbed her hair and it hurt badly. He dragged her back into the classroom. She remembered screaming but that no one intervened at that point.

She said once inside her classroom, Kennon barricaded the door. Kennon kept telling her that she had his daughter and she told him that she did not. He barricaded both doors with everything he could find. When the police arrived, Kennon panicked. He grabbed the fire extinguisher and started spraying it all over the room. She said she had congestion and told Kennon that she couldn't breathe. She complained, in hopes that he would let her go. She said that he then had her sit down. He had her sit in the corner between the accordion door and the book shelf. He placed the book shelf at a slanted angle and they sat there between the book case and wall.

Montgomery said she first tried to talk to Kennon but it seemed to agitate him so she stopped. She said most of the time it was totally quiet. After a long time, SWAT arrived. The negotiator got on the intercom and talked to Kennon. Kennon did not respond. The negotiator told him that his mom was there and was concerned about him. Montgomery said it dragged on and on because Kennon wasn't talking to them. In the span of six hours, he only spoke a few words. The only time he talked was when his Uncle and Grandpa were there. They told Kennon that they had his daughter [REDACTED] in the office. Montgomery said she didn't know how

much time passed, but it was a long time that she was just sitting and was not allowed to move.

Montgomery said that Kennon grabbed a pair of black scissors from her desk. She didn't know what his intentions were with the scissors, but he kept them close by. Kennon would hold the scissors in his hand and tap the open blades against surfaces. He sometimes left the scissors on the floor, but if he did he would guard them. She didn't know if he was trying to terrorize her or not. Montgomery said she knew the scissors could do damage and it was terrifying. Kennon also had a soft bluish color backpack with him. He took a cell phone, a blanket, and possibly two hats out of it.

At one point the negotiators asked Kennon to send Montgomery out but he would not allow it. They also asked Kennon to come outside. They asked Kennon several times to allow Montgomery to cough but he would not allow it. Finally, Kennon looked at her and indicated to her that she could cough. Montgomery coughed. The negotiator said they couldn't quite tell if that was Montgomery or Kennon and asked if she could be allowed to speak to them. She said she tried to speak but she had laryngitis so she wasn't sure if they were able to hear her.

Kennon was told by the negotiators that they would not bring ██████ to the classroom but they would bring her to the gate if he walked out. Kennon said he would come out, but only if Montgomery went with him. The negotiations went silent. Montgomery got the feeling they were not going to allow him to take her with him and Kennon stopped talking. She said the last three hours was a one-way conversation. The negotiator was the only one talking.

Montgomery said while she and Kennon were sitting there, Kennon put his hood up and zipped it all the way up to his nose so that only his eyes were showing. He looked at her and put the hood of her sweatshirt up as well. She initially thought he was being nice by trying to shield her face from what he knew was coming, but then she started thinking that he put her hood up to make her look more like him. Other than her being shorter than him, they looked similar. They were both wearing hooded sweatshirts and jeans. She said the room was darkened and she thought he was trying to make them look alike.

She said Kennon made her sit next to him and he put his arm around her shoulders. He did this after he put the hood up on her sweatshirt. One of Kennon's arms held her around her shoulder and he held the scissors in his other hand. She feared for her life. She didn't know what his intent was with the scissors. She said they both knew SWAT was coming because it had been hours.

She heard the bangs and thought she heard a shot. She heard the bang and saw the flash and thought it was gunfire. She then heard another bang. She wanted to duck and cover into the corner. She heard another possible bang and banging on the accordion door. She said the police were trying to kick the door open, but were having a hard time and seemed desperate to get in. She looked up and saw SWAT. The officer got the door open and only had his upper body and gun inside the room. He couldn't step in because the door wasn't open that far. The door was hung up on something like perhaps a cabinet. She said her plan was to stay in the corner. She was closest to the accordion door and Kennon was to her left.

Montgomery said she saw the officer's shoulder. She heard two flash bangs and a bullet shot. She thought all of the bangs were gunshots. She said she knew it was starting and that somehow there was shooting. She said she had planned to take her hood off but she was not sure if she did or not. She wanted to remain calm and didn't want SWAT to think that she was

Kennon. She heard someone say, "He still has the victim." She said she panicked and didn't feel Kennon grabbing her. She said she knew she turned and huddled because there was blood splattered on her right side. She said it was hard for her to figure out but that she must have turned. She heard a gunshot and heard a guy say something about neutral or neutralize.

She saw the officer and just crawled. Officers pulled her up and into the other room. She said she was so happy to see them. She said she didn't know what she did but the officers saved her. She grabbed one of their legs and told that officer not to let her go. The officer told her that she was safe. They walked her to the ambulance and she held onto them for dear life. She said she wasn't going to trust anyone but the police.

WITNESS OFFICERS STATEMENTS

Officer Daniel Mowrey

On October 31, 2017, Detective Karla Beler and I interviewed Officer Mowrey at the Riverside Police Department's Magnolia Station. Officer Mowrey said he initially responded to the school as a member of the PAC Team. While there he received the message that it was a full METRO/SWAT call out (he is a collateral member of the SWAT Team). After failed talks, and not being able to hear the victim, the decision was made by supervision to enter the room. Mowrey was assigned to the ERT. Paes was number one and he was number two (in the entry team stack). The plan was after the door was breached by Officers Kerr and Wilder, Officer Mowrey, Officer Paes, Officer Lopez, and Officer O'Farrell would make entry into the room followed by the rest of the team.

When they attempted to breach the door, the door got hung up. Mowrey said when he realized they couldn't get the door open, he immediately thought to get two guns in the room so he went over the top of Paes, and Paes knew to get low. Mowrey said he couldn't see anything inside the room. He tried to look to the left, but he couldn't see because there was stuff (desk, etc.) everywhere. He said there was light in the room, but he couldn't remember if it was coming from lights inside the room or from outside the room.

Officer Mowrey said he heard the bangs, which were the diversions for them to make entry. He thought that he also heard another bang, and then he heard gunshots, but they didn't initially register as gunshots. Then he thought that the shots were coming from the outside team and that maybe they saw something that his team couldn't see. He didn't want Paes to get hit with friendly fire, so that's when he started pulling on the door again but it wasn't going anywhere, so he put his gun over Paes and back into the room. Then he realized the shots were from his location because of the smoke and his experience shooting on the range, but he didn't see anyone actually fire their weapons.

Officer Mowrey said he couldn't see who was being shot at. He heard Paes say Kennon still had the victim and he heard team members telling the victim to crawl to them. He saw the teacher being pulled out of the room from between Paes' legs. Mowrey didn't see the suspect until they got the teacher out of the room. He remembered seeing her crawl a little bit and then someone pulled her out. The victim was taken out of the area right away to get checked out, but he didn't actually see her. At that point Mowrey was concentrating on the room.

He again tried to get his gun over the top because he really wasn't sure what was going on. He was a little frustrated that he couldn't get the door opened so he kept trying to pull it and

when he realized it wasn't going to open he went back over the top and he saw the Red Team come into the room and towards where the suspect was. He could see a part of the suspect lying on the floor. Officer Mowrey pulled back at that point and stood by the door. Someone pulled Paes back and he asked Paes if he was okay. Then one of the Sergeants told everyone to get out of the room and to leave everything in place.

Officer Sancho Lopez

On October 31, 2017, Detective Karla Beler and I interviewed Officer Lopez at the Riverside Police Department's Magnolia Station. Officer Lopez said when he arrived on scene as a member of the collateral SWAT team; he was eventually assigned to the ERT in room A-6. Sergeant Wilson came into the room with a camera. They were able to slide the camera through the partition and determine that both doors to the classroom were barricaded with desks and chairs. They figured they would be able to move the partition wall so they set up in classroom A-6. He said Paes was point, Officer Mowrey was number two, he was assigned number three with a bang, Officer O'Farrell was number four, Officers Wilder, Kerr, and Newton were assigned to push the door and slide it open. The decision was made at some point to deploy the flashbangs outside the classroom the suspect was in.

Officer Lopez said he heard the negotiations going on. They didn't realize where the suspect was but they believed the suspect was against the partition wall because the camera couldn't see in that area of the room. Officer Cisneros was eventually able to get the suspect to talk. When the suspect started talking they could hear that he was right on the other side of the wall (partition) but they couldn't see the victim. They didn't know where she was at the time, but they knew he was close to the wall. At some point the negotiations were failing and they made the decision to make entry.

They were supposed to make entry on the flash bangs. The flash bangs went off and they attempted to pry the door open. When the door opened, it only opened about a foot. They thought that a book case on the other side of the wall was preventing the door from opening. Paes was able to get his shoulder and rifle through the opening. He didn't know if Paes gave any commands. He did remember that several of them were struggling to push the door further open. Lopez had his hand on the door and was trying to get his rifle over Paes. He believed Wilder was underneath him trying to pull the door up from the ground like a garage door. Paes started firing, and fired four to five rounds. He thought it was Wilder who grabbed the victim and pulled her out. Lopez grabbed her leg for a quick second to help her out but Wilder "swooped" her up and they were gone.

At that point Paes had already stopped firing. Lopez broadcasted they had the victim and the suspect was down. He could only see the suspect's foot, no other part of him. They covered down on the suspect until the other entry team from the outside (Red Team) came in through the primary door. The Red Team was able to push through the barricade and come around to take the suspect into custody. Officer Lopez did not see the suspect or the victim prior to the shooting.

Officer Jared O'Farrell

On October 31, 2017, Detective Karla Beler and I interviewed Officer O'Farrell at the Riverside Police Department's Magnolia Station. Officer O'Farrell said he responded to the school and was eventually assigned to the ERT in classroom A-6 as a collateral member of the SWAT team. Sergeant McCoy set up the entry order. Detective Paes was number one, Officer Mowrey was number two, Officer Lopez was number three, and Officer O'Farrell was number four.

The wall that separated the two rooms was an accordion style door that took up the whole wall. Someone went to another classroom and was able to figure out how the door opened which would be used in their plan when they made entry. When the decision was made to make entry, they deployed flashbangs outside the classroom at which time Officer O'Farrell's team tried to breach the door. The suspect had put a bunch of stuff against the door so it wasn't able to be opened as it normally would. It was only able to be opened a foot or a foot and a half. They weren't able to make a complete entry into the room. Detective Paes was first and Officer Wilder was trying to get the door to open. Officer O'Farrell couldn't see much from where he was. Officer Mowrey was in front of him. He tried to see over Officer Mowrey to cover down into the classroom. The door would just slide open a few inches and then slam back because of the stuff that was propped against it.

Officer O'Farrell heard four to five gunshots and he noticed Detective Paes was firing to his left, which would be down into the primary classroom on the other side of the accordion door to his left. Someone asked Paes if he was the one shooting. Paes said he was shooting and said something along the lines of, "the suspect was grabbing her", but O'Farrell couldn't remember his exact words. He heard Paes say that the suspect was down. At that time the Red Team entered through the front door; they were able to breach the door and get into the classroom. As they were breaching the door, the female hostage crawled to where they had the door propped open and Officer O'Farrell, Officer Wilder, and Officer Lopez grabbed her and pulled her through the door and into the classroom they were in. They passed her off to the Medic that was with them and he took her out the front door of the classroom to get checked out.

The Red Team entered the room the suspect was down in and finished clearing that room. After everything was Code-4 O'Farrell went out of the classroom with Detective Paes and hung out with him until the Red Team was finished. Officer O'Farrell said he didn't see where the suspect or victim was when Paes shot, but when the victim came up to the opening, she was coming from where Detective Paes had already shot. It looked like she was coming from that way because she was hugging the accordion door as she came up and that's when the officers reached through and pulled her out. He did not see the suspect at any point. Officer O'Farrell said he did not fire his weapon during the incident and he didn't see anyone else other than Paes fire.

INVOLVED OFFICER'S STATEMENT

Detective Tanner PAES

On November 4, 2017, Detective Dave Smith and I interviewed Detective Tanner Paes at the Riverside Police Department's Magnolia Station. Detective Paes said that morning he was helping out the 290 Unit with a sex registrant sweep with his partner Officer Newton. They went to breakfast in the Canyon Crest Town Center. As they were walking back to the police car he heard the call go out at the school. He keyed on the fact that it was at a school and started to pay closer attention. In a relatively short time it went from a disgruntled parent not being able to take his kid, to a teacher had been assaulted and possibly had a broken nose, to he pulled a 70 year old lady into a classroom and was holding her hostage. It escalated over a matter of minutes. He and his partner, both being members of the SWAT team started responding to the school.

Officer Paes arrived at the school and was directed to classroom A-1. As he approached classroom A-1 he saw a blood trail outside the classroom. He looked inside the classroom

and saw a mountain of chairs and desks shoved against the door so he knew it was barricaded. He looked into the room and didn't see the suspect or the victim. He did see some movement and almost instantaneously the room filled with gas. He didn't know what the suspect used but the whole room filled with smoke. It was so thick he couldn't see into the room. It also came through the seals of the windows.

He put out over the radio that the doors were barricaded and gas was being deployed. He didn't know what type of gas or smoke it was, but it didn't affect him. He didn't see any kids, the victim, or the suspect, but he knew the suspect was in there because he had just deployed smoke. He backed off with the other officers, and they took some hard cover behind a brick wall. That's when everyone else started to arrive (officers, supervision, K-9, snipers). The supervisors took the lead and made sure containment was set up. Detective Paes was assigned to the HRT and they assigned roles and responsibilities (lethal, less lethal, hands on, verbal, etc.). They had everything set up in case the suspect came out and surrendered.

At that point he had not seen or heard from the victim, and they had no communications with the suspect. He saw the blood trail and started thinking that maybe the victim was injured and that time was not on their side. He thought that she was going to die, or that the suspect was killing her or had already hurt her, or that she was passed out inside, but he didn't know and was planning for the worst. He learned that another team was set up in another classroom and they put out over the radio that the door leading into the classroom from the center pod had also been barricaded, and that the suspect covered the windows.

The Metro Red team showed up and took over the primary responsibility of being the HRT. He and the other collateral members of the SWAT Team were assigned to replace the secondary team inside the adjacent classroom, A-6. It became a waiting game. He felt like they were in that room for several hours. While they were in that room he didn't hear anything from the victim at all. He learned that negotiations had started with the suspect so they continued to wait in the classroom for what seemed like forever. He thought they were losing valuable time and that the victim could have been bleeding out. He didn't know that for sure, but he thought it was weird that she hadn't made a sound, no pleading, no saying let me go. He did not hear anything from her.

He learned that negotiations had ceased, and that a throw phone mission had been approved in an attempt to establish communications. After the throw phone mission was completed, they continued to wait in the classroom. There was no communication with the suspect whatsoever. He then heard the negotiators attempt to communicate with the suspect over the intercom. He never heard a response back from the suspect.

Detective Paes started to think that maybe the victim was dead or dying and that was why the suspect wasn't talking. He thought why else would she not make a "peep". He didn't hear any movement in the classroom. Sergeant Wilson had a camera that could be shoved under a wall to look inside a room. Through the camera footage they could see piles of desks, debris, and that the doors were barricaded. They couldn't see the suspect, the victim, or any movement. They were looking at the monitor for what seemed like hours and never saw any movement. They never heard the suspect or the victim say anything.

While in room A-6, they assigned roles and responsibilities. He was assigned number one, Sancho Lopez was assigned the flash bang, Mowrey was number three behind him, and Kerr and Wilder were going to breach (open) the door and then fall in behind them. Then it turned

back into a waiting game. They were in that room for a long time and didn't hear anything. He said he was just a foot away on the other side of the wall and couldn't hear anything from the victim or suspect.

Detective Paes said he and the other officers were concerned about what condition the victim may have been in. He then heard the victim cough. He said it wasn't strong and sounded weak as if maybe she was injured or in distress. It wasn't a strong clear your throat kind of cough but more like a little whimper cough. They thought he could be killing her right then but the attempted negotiations continued over the intercom. The negotiators asked the suspect over the intercom to please give up, to come outside, and that they wanted it to end peacefully. Detective Paes felt like they were in that room for hours. The decision was then made that he and his team inside classroom A-6 would be the primary entry team and that the Red Team would port the front windows and deploy flashbangs as a distraction. Then it was a waiting game.

He said after he heard her cough, another hour went by without him hearing anything from the suspect or the victim. He was worried about it getting dark outside and in the classroom, and that they would have to make entry into a pitch black room. After several more requests over the intercom for the suspect to come out, the decision was made to carry out the hostage rescue plan. They were worried the victim had been in the room too long and they hadn't heard from her. He personally thought she was dead or dying because he saw the blood outside the classroom when he first arrived on scene several hours earlier, and she was 70 years old.

The plan was he and his team would be the HRT. The Red Team would port the front windows and deploy flash bangs as a diversion. Wilder and Kerr were the breachers. Detective Paes' specific job was to go to the right when the door was opened. Mowrey was going to go to the left and the rest of the guys would come up the middle. When they gave the command to breach, Detective Paes was standing in front of the door where it was supposed to open. He heard the windows being ported, the flash bangs getting thrown into the classroom, and the breach team attempt to pop open the door but they had a failed breach. The door opened maybe a foot. He was thinking he had to get into the room because now the suspect knew they were coming. He tried to force his way into the classroom through the small gap.

Detective Paes said he was still focused to the right of the room as he tried to squeeze in but he was stuck. The classroom was dark and he couldn't see anything at first other than piles of desks. Detective Paes used the light on his rifle to see into the room and started from the right. He was getting squashed from the guys behind him. They were hitting the wall trying to get it open. The wall was moving up from the bottom and was swaying and he was just stuck. His arms were caught and were being slammed into from both sides of the doorway. He used his light to scan the room. As he scanned for what seemed like forever, he picked up feet lying down on the floor along the same wall they were next to the entire time.

He described the suspect as being in a spooning position with the victim. The victim and suspect were both on their right sides facing towards the wall. The suspect's feet were closest to the entry point and his head was furthest away. Detective Paes was still stuck trying to look to the left. He could see both the victim and suspect up to their necks, but he couldn't see their faces. The immediate thing that stood out in his mind was that she wasn't moving at all. The suspect had a tight grip on her. He could see the suspect's left arm over her neck in the spooning position and she wasn't moving at all. Detective Paes was trying to

see everything and he saw an object in the suspect's hand. He couldn't tell what it was but by the way he was holding the object and the victim, it seemed like a knife, but he was more concerned with suspect's arm at her throat. It looked like he was choking her.

Detective Paes thought seeing a young man holding a 70 year old lady by her neck that the suspect was going to kill her, break her neck, choke her out, or break her wind pipe. He couldn't, even if he wanted to, get in the room and jump on the suspect because he was stuck in the doorway. Instead of the suspect giving up, putting his hands up, rolling away, tucking, or doing anything like that, he decided to wrap her up tighter and pull her towards him. Detective Paes could see the suspect was holding an object and he had his arm wrapped around her neck. The suspect was pulling the victim on top of him and Detective Paes could see the side profile of the suspect. He knew if he didn't get in the room the suspect was going to break her neck. He tried to get a good sight picture because he knew the only way to stop the suspect was to shoot him.

He tried to get a good sight picture as the wall continued to hit him. The red dot on his sighting system went from the victim, to the suspect, and off to the right. The suspect was not letting the victim go. He didn't know if the suspect was trying to use her dead body as a shield because she was not moving. He didn't hear a sound from the suspect or the victim; not a cry, not a moan, not a "help", nothing. He thought that maybe she bled out, was dying right then, or the suspect was breaking her neck and she was going to be killed right in front of him. Detective Paes yelled stop to the guys behind him because he couldn't get a good sight picture and they were bumping him. He was then able to get a sight picture and aimed for the furthest part on the suspect that was away from the victim, around the upper left shoulder back area. He fired two to three rounds as quickly as he could. Again, he didn't hear anything from the suspect or the victim.

He said the victim was still laying there "lifeless". She wasn't fighting or pulling away. He thought that maybe he missed the suspect because he was not letting go of her and she wasn't moving. After he fired two to three rounds he looked at her and thought she was dead because she wasn't moving. There was no movement from the suspect and he was still holding her and didn't let her go. All of a sudden she made a sound, like an agonizing groan, and started to crawl away from the suspect. Instead of the suspect rolling away from her or letting her go, he kept his arm wrapped around her neck and tried to grab her as she tried to pull away from him. Detective Paes saw an object fall towards the ground. He saw that it was a pair of scissors. Detective Paes wasn't sure if it was the object the suspect had in his hands, but that's what he saw fall to the ground.

Detective Paes said the victim and suspect were still in the spooning position. She pulled away from him and he still did not let go of her. The suspect reached backwards (Detective Paes was able to see the suspect's lower back hip area) and towards the scissors and back towards her. The suspect was not surrendering. Detective Paes thought the suspect was dedicated, was going to see this through, and was going to kill her. He couldn't let the suspect get the scissors to stab the victim with, so he fired additional two to three rounds. He aimed for the suspect's left hip area. Again, he didn't hear the suspect groan or scream but the suspect stopped moving at that point. The victim was able to crawl towards him. She was to his left along the wall. She couldn't get out of the room because Detective Paes was still stuck in the door.

He yelled out something to the effect of "I have her," or "the victim's here." The other officers were able to pull her out from beneath him while he was still stuck in the opening. He continued to cover on the suspect until the Red Team could make entry. Detective Paes was

never able to get into the room. He heard additional flash bangs going off and saw the Red Team make entry. He directed them to the suspect and they took him into custody. He was then pulled from his stuck position. He got out of the room and never saw the victim. They removed him from the scene and transported him to the Magnolia Station. He said overall he knew the suspect was going to kill her. Based on his training and everything he knew up to that point, this was well planned. The suspect planned to barricade the doors, he wasn't going to give up, and he saw that the suspect was going to kill her and that's why he did what he did.

WEAPONS CHARTING

Detective George Anderson and Forensic Evidence Specialist Selena McKay-Davis were assigned to chart Detective Paes' weapons at the Magnolia Police Station with the assistance of Detective Dave Smith and Detective Karla Corbett.

Detective Paes was carrying a department issued Springfield, model Operator, .45 caliber, semi-automatic pistol with four spare magazines on his duty belt. He also had his issued Colt Commando .556 caliber rifle. As a result of the charting it was learned that (6) rounds were missing from the magazine in his rifle with (1) round still in the chamber, for a total of 5 missing rounds. His two spare rifle magazines had (30) and (29) rounds respectively. Detective Paes later explained during his interview why one of his magazines was missing one round. His Springfield .45 caliber semi-automatic pistol and spare magazines were loaded and full to capacity.

The following officers were also charted: Officer Sancho Lopez, Sergeant Marco Ortiz, Officer Daniel Mowrey, Officer Kyle Wilder, Officer Richard Kerr, Officer Jared O'Farrell, Officer Ronel Newton, Sergeant Emilio Angulo, Officer Darrell Hill, Sergeant Ryan Wilson, Sergeant William McCoy, Officer Waldon (Corona PD), and Officer William Zackowski.

SCENE/ EVIDENCE

Detective Jim Brandt and Detective Mike Medici processed the crime scene at 6201 Shaker Dr., with the assistance of Forensic Evidence Specialists Liane Velin and Selena McKay-Davis.

Castle View Elementary School is located at 6201 Shaker Drive in the City and County of Riverside. The school sits in the middle of a residential neighborhood with the entrance located on Shaker Drive which runs North/South. The school property consists of three large single story hexagon shaped buildings used as classrooms. There is also a separate library, the administration building, several sidewalks connecting to all of the buildings, and a large concreted area with lunch tables designated as an eating area for the students.

The shooting occurred inside of Classroom A-1. Room A-1 is one of six (6) total classrooms that are individually labeled A-1 through A-6. They are all connected together under one common roof in the same building. This particular building is located to the far south of the school property. Each classroom can access another through a hinged, accordion style or folding wall which slides open for accessibility.

Prior to processing the crime scene, Detective Medici and Detective Brandt participated in a crime scene walk through. As Detective Medici walked through the crime scene he noted an obvious blood trail on the sidewalk leading from the exterior door of room A-1 and traveling eastbound through the campus. The blood trail led from the classroom all the way to the Administration Office where it ended inside.

Detectives Medici and Brandt entered the crime scene from the adjacent room, A-6. Detective Medici noted the accordion wall leading into room A1 was located on the east side of the classroom. It was opened approximately 3' wide on the far south end of the wall and the opening led directly into classroom A1. He noted a video camera lying on a desk inside classroom A-6, along with a hard plastic case that was used to contain the camera. He would later find out that this was a tactical camera owned and operated by the RPD PAC Team. The PAC Team uses this camera to assist them in gaining intelligence. The camera recorded video up to the time that entry was made by the METRO Team but the video was of no evidentiary value. However, the audio on the camera captured the sounds of the breach and the shooting as it occurred. He had the video downloaded and retained as evidence.

Entering classroom A-1 Detective Medici noted a child's blanket, (Peppa Pig) and a pair of scissors lying against the accordion wall. He also noted a red fire extinguisher on the floor just inside the doorway. There was evidence of white powder all over the room that appeared to be from the fire extinguisher after it was deployed. The suspect used tables and desks to barricade the north door from inside of classroom A-1. The entire room was cluttered with desks and chairs that had been turned over by the suspect. The main row of windows on the north side of classroom A1 had pieces of paper taped to the glass from the inside.

Once the walkthrough was completed they began processing the crime scene. At approximately 1925 hours, Selena McKay Davis took video and still photographs of the entire scene. Upon completion of the photographs Detective Medici and Detective Brandt identified the evidence for collection. Once all evidence was marked, the items were photographed and ultimately collected by Detective Brandt and Evidence Specialist Liane Velin. Among the items collected were: (5) Spent Hornady NATO 5.56 caliber casings, a pair of scissors with black handles, a child's "Peppa Pig" blanket, a red Fire Extinguisher, a small amount of marijuana, a white Apple iPhone and charger, and a camouflage colored backpack.

VIDEO

Audio and video was captured on the PAC Team tactical camera and on the Emergency Negotiations Team's throw phone. However, the shooting was only captured on audio, not video.

AUTOPSY

Detectives Karla Corbett and Karla Beler, and DA Investigator Greg Fuller attended the autopsy of Luvelle Kennon on November 2, 2017 at the Riverside County Sheriff Coroner's Office in Perris California. Forensic Evidence Specialist Selena McKay-Davis was in the autopsy room to take photos and collect evidence.

Dr. Fajardo conducted the external examination. Detective Beler noted the following injuries: Three gunshot type entrance wounds to Kennon's left rear upper leg and one

gunshot type entrance wound to his left buttocks. There was one gunshot type exit wound to his left inner thigh area and a gunshot type entrance wound to his scrotum area. There was one gunshot type entrance wound to his lower center abdomen. Dr. Fajardo then conducted the internal examination. He indicated there were injuries caused by a bullet to Kennon's left kidney and left femur. Dr. Fajardo recovered four partial rounds, or large bullet fragments, from Kennon's body.

Detective Beler observed the listed items of evidence being collected by Forensic Evidence Specialist McKay-Davis: DNA samples from the left and right hands of Kennon, head hair exemplars, finger/palm prints, a blood sample, buccal swabs, a small gray metal disc fragment with the letters RBJ from the exterior buttock area of Kennon, a possible projectile jacket fragment from the exterior groin area of Kennon, a copper and lead projectile from the pubic symphysis of Kennon, a copper and lead projectile from the sacrum of Kennon, a lead projectile fragment from the right psoas of Kennon, and a copper and lead projectile fragment from the left ischium of Kennon.

The COD (Cause of Death) was listed as: Multiple Rifle Gunshot Wounds. Refer to Autopsy Protocol for complete details (Tab 123).

DEPARTMENT OF JUSTICE (DOJ)

Detective Tanner Paes' Colt Commando .556 caliber rifle. was sent to the Department of Justice (DOJ) Crime lab in Riverside along with the magazine that was loaded in the rifle and the 24 rounds that were left in the chamber and magazine as well as evidence collected at the scene to include (5) expended Hornady NATO 5.56 casings. Also submitted were the (4) projectiles recovered from Kennon's body at autopsy.

The results are pending.

SUSPECT LUELLE KENNON'S CRIMINAL HISTORY

Luelle Kennon had no significant criminal history. He had no rap sheet (CII) or FBI.