Exhibit C:

18th Judicial Critical Incident Team Shooting of Simon Gonzales Castle Rock PD Case #99-3226
SUMMARY of INVESTIGATION

On June 23, 1999 at approximately 3:20 a.m. Officer Aaron AHLFINGER at the Castle Rock Police Department observed a white pickup truck pull up in front of the Castle Rock Police Department located at 318 4th Street, Castle Rock, Colorado. AHLFINGER was standing in the records area which is located on the 4th Street side of the station. AHLFINGER saw a subject get out of the vehicle and walk to the front of it. AHLFINGER then heard two loud pops, and saw a front window of the police station shatter.

AHLFINGER took cover, told the dispatcher to get down, and put out a "Code 10" Officer Needs Assistance call. Other officers responded to the area, and ultimately engaged the subject, later identified as SIMON J. GONZALES in front of the station. After an exchange of gunfire, GONZALES was pronounced dead at the scene. A subsequent search of his vehicle revealed three dead female children were inside, later determined to be his three daughters. As a result of this event, the 18th Judicial District Critical Incident Team was called out to investigate the circumstances surrounding the shooting.

Critical Incident Team (CIT) members began to arrive on scene at approximately 4:30 a.m. It was noted that officers of the Castle Rock Police Department and deputies of the Douglas County Sheriff's Office had secured the scene. Agents of the Colorado Bureau of Investigation (CBI), including both Crime Scene Agents and Investigators arrived shortly thereafter.

After ensuring the security of the crime scene and discussing the fact that the scene would be processed by CBI personnel, CIT members assembled for a briefing at the fire station located on Perry Street approximately one-half block from the scene. Approximately 18 members of the CIT were utilized, as well as a number of additional investigators from CIT-member agencies not specifically assigned to the team (refer CIT Response and Briefing section of briefing binders).

The CIT investigation was coordinated by Team Coordinator Steve JOHNSON of the Littleton Police Department and Assistant Team Coordinator Ron COMBS of the Parker Police Department. Christian CONTOS of the Englewood Police Department and Frank VANEEK of the CBI were assigned as Lead Investigators.

The briefing included a brief summary of the known facts, in which Chief Tony LANE of the Castle Rock Police Department participated. Assignments were then made regarding specific tasks and interviews to be completed. The facts and information determined during the investigation are summarized in the following pages. Detailed accounts are contained in the briefing books, and where appropriate will be referenced in this report.

THE SCENE

The shooting of SIMON GONZALES occurred immediately in front of the Castle Rock Police Department, located at 318 4th Street, in the Town of Castle Rock, County of Douglas, Colorado. The area is made up of a mixture of commercial, single family and multiunit occupant dwellings. The 300 block of 4th Street is a paved two-lane roadway with double-yellow lines separating the lanes. Each side of the roadway has perpendicular angled and marked parking spaces. Raised concrete curbing and sidewalks border the roadway and parking surfaces. No less than five street lighting devices are present in the immediate area of the police station. The police department is a one-story structure located on the south side of 4th Street. The Reyn Rock Apartment complex, 405 Perry Street, is located almost directly across from the police department. The Reyn Rock apartments are a five-story structure occupied primarily by senior citizens.

Refer diagram and photographs in briefing binders for further information.
STATEMENTS OF OFFICERS INVOLVED

Five officers of the Castle Rock Police Department were present during the shooting incident. Their identities and dates of hire are as follows:

- Aaron AILFINGER, 11/04/96
- Michael AUXIER, 04/26/99
- Jason MAES, 02/13/98
- Gene McCOMAS, 07/14/96
- Paul STEVENS, 3/18/97

Each officer was interviewed individually by members of the CIT. Each officer also prepared a written statement of the incident at the direction of Captain ANDERSON of the Castle Rock Police Department, which had been completed prior to the interviews. The statements are included in the Officer Statements section of Book 1 of the briefing binders. The interviews were audio and video recorded.

Interview of Officer Aaron AILFINGER

Officer Aaron AILFINGER was interviewed by Detective Christian CONTOS of the Englewood Police Department (CIT Lead Investigator) and Detective Adam CONTOS of the Douglas County Sheriff’s Department on June 23, 1999. Officer AILFINGER related the following:

- Officer AILFINGER is a patrol officer with the Castle Rock Police Department and is assigned to the night shift with hours of 9:00 p.m. to 7:00 a.m. He has been so employed since November 1996.
- On June 22, 1999 he reported for duty in that capacity at approximately 7:00 p.m. for a mandatory departmental meeting, followed by his regularly scheduled patrol shift.
- On that date he was assigned to uniformed patrol, and wore his department issued dark blue uniform with patches and badge, black leather equipment belt and black boots.
- He had received a full night’s sleep the previous night and was not ill or taking any kind of medication, drugs or alcohol. He described the shift prior to the incident under investigation as being routine and not stressful.
- At 12:06 a.m. AILFINGER responded to the Castle Rock Police Department to handle a citizen assist call involving Jessica GONZALES, the estranged wife of Simon J. GONZALES.
- Jessica GONZALES advised AILFINGER that Simon GONZALES had taken their three daughters to the Elitch Gardens Amusement Park in Denver, and had not returned them at the normal time of 8:00 p.m.
- Jessica GONZALES also advised that Simon GONZALES’ girlfriend Rosie (YOUNG) had told her that Simon had made statements to her suggesting that he was possibly suicidal.
- AILFINGER initiated an incident report on the matter and efforts were made to issue an Attempt to Locate for Simon GONZALES and his vehicle.
- AILFINGER went back into the field, took a dinner break and returned to the station at approximately 3:10 a.m.
AHLFINGER walked into the dispatch area of the station and saw a white pickup truck in the roadway out front on 4th Street.

While standing in the records section of the station, which is located at the front of the station, AHLFINGER observed the truck to stop, and a subject to get out of the vehicle and walk toward the front of the vehicle.

AHLFINGER then heard two "pops" and at the same time observed the front window of the station to shatter.

AHLFINGER took cover and advised the dispatcher to get down. He drew his sidearm and broadcast a "Code 10" Officer Needs Assistance call over his police radio.

As AHLFINGER began moving to the area of the patrol room, he heard Officer Paul STEVER advising on the radio that he was being shot at.

AHLFINGER had moved into the lobby area of the station, and could see the subject standing on the north side of the white truck, and could hear "lots" of gunfire.

AHLFINGER heard the sound of shotguns being "racked" (the fore-end manipulated to draw a shell from the magazine and into the chamber) and Officer STEVER advising that he was being shot at and was returning fire.

AHLFINGER advised that he did not fire at the subject because his view of him was obstructed, partially due to the white pickup truck.

AHLFINGER heard a radio transmission indicating that the subject was down, and at that time went out of the station towards the subject.

AHLFINGER observed that the suspect was down on the street, with no apparent signs of life. A handgun was lying on the pavement next to him.

AHLFINGER put on rubber gloves and attempted to check the subject for a pulse, but did not find one.

AHLFINGER noted that the white pickup truck had some etching on the side, which matched the description provided by Jessica GONZALES for the truck being driven by Simon GONZALES.

AHLFINGER heard Officer McCOMAS advise that there were three dead children in the truck.

AHLFINGER began to secure the area as a crime scene, and noted that Douglas County Sheriff's deputies had arrived to assist.

AHLFINGER estimated that the entire incident lasted less than two minutes.

AHLFINGER estimated that at the time shot(s) were fired at the station, he was approximately 32 feet from the subject.

AHLFINGER stated that he did not hear any conversation between other officers and the subject.

AHLFINGER advised that he was in fear for his life during the incident, and thought that the subject was going to come into the station and attempt to harm or kill him.
AHLFINGER stated that the area of the station that he was in when the shots were fired was well lit, and that he should have been easily visible to the subject when he was fired at.

AHLFINGER stated that he was told by Douglas County Sheriff’s Office Sgt. DUFFY that a cellular phone was sitting on the subject’s truck during the incident, and that a party on the other end may have heard the incident.

AHLFINGER stated that he had not had an opportunity to complete the incident report based on his contact with Jessica GONZALES prior to the shooting.

Officer AHLFINGER consented to a blood draw and processing for gunshot residue.

Interview of Officer Paul STEVER

Officer Paul STEVER was interviewed by Detective Christian CONTOS of the Englewood Police Department (CIT) and Detective Adam CONTOS of the Douglas County Sheriff’s Office at the Douglas County Sheriff’s Office on June 23, 1999. Officer STEVER advised in part that:

- He is currently a patrol officer with the Castle Rock Police Department and has been so employed since March 1997.
- He is assigned to the evening shift, working from 3:00 p.m. to 1:00 a.m.
- On the date of the incident, STEVER was working a special assignment in uniform, which was described as being dark blue, with patches and a badge, leather duty belt and black boots.
- STEVER advised that prior to working on that date he slept for approximately seven hours, and did not feel tired or overly stressed.
- He had no medical conditions, was not taking any medication, and wears contact lenses.
- STEVER was driving a marked Castle Rock Police Department patrol unit.
- STEVER described the weather as being nice and warm, allowing him to wear a short sleeve shirt. He described the shift which provided his special assignment as being busy but routine.
- STEVER advised that the front of the police station was brightly lit and pointed out that marked police units are usually parked out front.
- STEVER stated that at approximately 3:00 a.m. he returned to the station to use the restroom. He put himself back in service by radio at approximately 3:10 to 3:20 a.m., but remained at the station to meet with Officer McCOMAS.
- STEVER advised that Officer AHLFINGER was also in the station at that time.
- STEVER stated that at approximately 3:20 a.m. he was standing inside the west door of the station when he heard a very loud bang, which he could not identify, followed by Officer AHLFINGER airing a "Code 10".
- STEVER exited the west door of the station and ran north about 50 feet into the middle of 4th Street.
Based on the loud bang and AHLFINGER's Code 10 call, STEVER believed a shooting might have occurred and drew his sidearm.

STEVER observed a white pickup truck parked facing eastbound in the westbound lane of 4th Street, and a male subject standing near it.

STEVER did not see anyone else in the area, and he called out to the subject to place his hands in the air. STEVER was not able to see if the subject was holding a weapon.

Upon issuing the command, the subject immediately fired two shots. STEVER recalled seeing the muzzle flashes and heard the "bangs."

STEVER stated that at that point he was approximately 30 to 40 feet from the subject. He believed the subject had fired at him, and stated that he was in fear for his life.

STEVER ran north across 4th Street in an attempt to seek cover, simultaneously firing two shots at the subject by the truck.

STEVER reached the other side of the street and took cover behind a black Toyota pickup truck, firing one additional shot at the subject.

STEVER radioed dispatch that shots were being fired in front of the police station. He recalled that when he did so he incorrectly stated that the police station was on 3rd Street rather than 4th Street.

STEVER indicated that there was a period of time when he did not hear any gunshots, which he estimated at one to two minutes.

STEVER then observed Officer MAES approaching on foot on 4th Street from the west, carrying a shotgun.

STEVER and MAES walked east on the north side of 4th Street towards the pickup truck using parked vehicles for cover.

STEVER moved up two cars toward the subject at which time he heard MAES yelling at the subject to put his hands in the air. STEVER also heard MAES shout in Spanish, "Manos arriba," which he knew was Spanish for "Hands up!" STEVER described these commands as being loud.

STEVER heard more gunshots, and at that time stopped from his position of cover and fired approximately three more rounds at the subject.

The subject then fell to the ground, and STEVER and MAES approached him. He also noticed that Officers McCOMAS and AUXIER were approaching from the east.

STEVER stated that he did not reload a magazine into his department issued Colt Commander .45 caliber semiautomatic, and knew that he therefore did not fire more than nine rounds.

STEVER stated that he then began establishing traffic control while other officers dealt with the scene.

STEVER noted that fire department personnel arrived shortly thereafter.

STEVER stated that he later heard that the subject was Simon GONZALES, and recognized the name from a prior trespassing incident he had handled.
Interview of Officer Michael Todd AUXIER

Officer Michael AUXIER was interviewed by Officer Charles BROADHEAD of the Littleton Police Department and Agent Jay ALSUP of the CBI at the Douglas County Sheriff’s Office on June 23, 1999. He advised that:

- He is a uniformed patrol officer for the Castle Rock Police Department, currently in field training and assigned to Officer Gene McCOMAS. He was hired in April of 1999.

- He was on duty the night of June 22, 1999 and into the morning of June 23, 1999.

- AUXIER and McCOMAS were on a traffic stop at I-25 and Wolfinger Road when they heard Unit #146 call for emergency assistance over the police radio by using the term, “Code 10”. At that time Officer MAES had stopped by their location.

- The officers cleared the traffic stop and began to respond to the station. During this time Officer AUXIER heard radio traffic indicating that shots had been fired at the scene. He also heard that shots were being fired from a pickup truck that was parked at 3rd and Perry Streets in front of the police station.

- AUXIER parked northeast of the police department on Perry Street and he and Officer McCOMAS began to approach the station on foot. AUXIER took the shotgun from the patrol unit with him as he exited the patrol vehicle.

- AUXIER heard Officer MAES shout, “Let me see your hands!” and, “Drop the gun!” AUXIER advised that he heard these commands repeated several times.

- As AUXIER advanced the white Ford pickup truck came into view in front of the station, although AUXIER could not see the subject. As he continued to advance, he observed a male subject and noted that the subject was holding a handgun in his right hand.

- The subject was facing to the west, with his right hand and the gun down at his side.

- AUXIER described the subject’s actions as appearing excited and furtive, with his head bobbing from side to side as though he was looking for something or someone.

- Upon noting that the subject had a gun, AUXIER immediately pointed his shotgun at him and commanded the subject to drop his gun. The subject did not appear to acknowledge his command.

- AUXIER heard Officer MAES yelling at the subject to drop his gun, and watched as the subject raised it and pointed it west in the direction of MAES’ voice.

- AUXIER then heard a pop, and fired two rounds from his shotgun at the suspect. He felt the second shot was “way up in the air”, and fired two more rounds at the subject who was still standing and appeared to be firing in the direction of MAES’ voice.

- Having emptied the four round magazine, AUXIER set the shotgun down and drew his sideswim. He raised it in the subject’s direction, but could no longer see the subject from his position.
• At this time AUXIER heard Officer McCOMAS calling out to the officers to watch out for a crossfire.

• AUXIER stated that when it appeared that the shooting had stopped, he approached the white truck and observed the subject lying next to it.

• AUXIER then looked into the pickup truck and observed at least two children covered by blankets that appeared to have head injuries. AUXIER advised that his first thought was a hope that the children had not been injured by shots fired by he or other officers.

• AUXIER retrieved the shotgun he had set down and placed it on the front seat of his patrol unit.

• AUXIER then began assisting in securing the crime scene, and began to maintain a log of individuals entering or leaving the scene.

• AUXIER advised that during the incident there was no doubt in his mind that the subject was attempting to shoot Officer MAES, and fired to prevent injury or death to Officer MAES.

• AUXIER stated that he could not see Officer MAES during the shooting, but believed that he had pulled his patrol unit up to the rear of the pickup truck. AUXIER stated that the volume and clarity of MAES' voice led him to believe that MAES was close and therefore very close to the subject.

• AUXIER estimated the distance between he and the subject at the time he fired as being approximately 30 to 35 feet.

• AUXIER advised that the shotgun he utilized had been loaded with four rounds of .00 buckshot with red shells, which he loaded into the firearm prior to the beginning of his shift.

• AUXIER stated that he did not know if any of his shotgun rounds struck the subject. He did not fire his sidarm.

• AUXIER stated that he had not had previously had contact with the subject who was later identified as Simon J. GONZALES.

Officer AUXIER consensually provided a blood sample and was processed for gunshot residue.

Interview of Officer Jason MAES.

Officer Jason MAES was interviewed at the Douglas County Sheriff's Office on June 23, 1999, by Detective Clay FORESTON of the Englewood Police Department (CIT) and Agent Frank VANCEK of the CBI (CIT-Lead Investigator). MAES advised that:

• He has been a uniformed patrol officer with the Castle Rock Police Department for approximately one and one-half year and was previously a reserve officer with the Aurora Police Department for approximately one and one-half year.

• He is assigned to the "gravyard" shift, with hours from 9:00 p.m. to 7:00 a.m.

• MAES had gone in two hours early on the evening of June 22nd to attend a mandatory department meeting.
• MAES was off duty the previous day and had slept from 2:30 a.m. June 22nd until 3:00 p.m. He did not have any medical problems, was not on any medications, and had not consumed any alcohol at least one month.

• MAES was in full uniform, consisting of a dark blue short-sleeve uniform shirt with shoulder patches and a badge, a nametag, CPRD insignia on both collars and his duty leather gear and dark blue pants. He was carrying his department issued Colt Commander .45 caliber pistol.

• MAES was driving a fully-marked Ford Crown Victoria police vehicle which contained a department shotgun loaded with four rounds of .00 buckshot in the magazine and four rifled slug rounds in a carrier in the firearm's stock.

• MAES was one of four officers on duty on the date of the incident. He was assigned the south district, Officers McCOMAS and AUXIER, a two-man unit were assigned the north district. Officer AHLFINGER was the DUI car, and Officer STEVER was on a special assignment in the Plum Creek area of the city.

• MAES was covering McCOMAS and AUXIER on a traffic stop at I-25 and Wolfenberger Road when he heard Officer AHLFINGER put out a "Code 10" Officer Needs Assistance call on the radio, indicating shots were fired at the police department.

• MAES responded to the station with his emergency equipment activated. He did not advise dispatch that he was responding.

• MAES heard AHLFINGER call out the description of a white Ford extra-cab truck parked in front of the station as he responded.

• MAES parked on Wilcox Street approximately 50 yards south of 4th Street, and pulled the unit's shotgun from its rack.

• MAES advanced toward the station, racking a round into the chamber of the shotgun. He heard AHLFINGER air information about a subject standing in front of the truck.

• MAES reached 4th Street and observed Officer STEVER on the street, west of the alley on the east side of Wilcox Street.

• MAES moved from the area of the street to the sidewalk on the north side of 4th Street. He moved east along the sidewalk and saw the white truck parked in front of the police station with its headlights on. He recalled that the area was well lit by streetlights.

• As MAES continued moving toward the truck, he saw a subject approximately 50 to 75 yards away, in front of the east-facing truck. The subject was standing near the passenger side front corner of the truck.

• MAES shouted commands to the subject repeatedly including, "Show me your hands!" and, "Hands in the air!" MAES continued to move in the subject's direction as he shouted verbal commands.

• As MAES drew closer, he noted that the subject appeared to be of Hispanic descent. MAES then called out to the subject in Spanish, "Mano arriba!"

• MAES could see the subject from approximately the waist up at this time, due to the pickup truck being between them. MAES was not able to see if the subject was holding a weapon.
MAES stepped off of the sidewalk and between two parked vehicles, a green Honda Accord and a blue Mitsubishi. He utilized the green Honda for cover. As MAES took this position he was able to see that a window in the police department appeared to be shot out.

MAES observed the subject to walk north along the front of the truck, then turn west as he reached the driver's side front corner. The subject raised his right hand, and MAES could see that he was holding a pistol.

MAES shouted commands at the subject to drop the gun and show his hands. The subject responded almost immediately by firing at MAES twice. MAES fired one shotgun round at the subject. He was delayed in returning fire because he had not deactivated the shotgun's safety.

MAES dropped down behind the green Honda Accord, which was parked front-in, so that the back part of the vehicle was on the side of the roadway. MAES began to crawl forward on the ground on his knees and forearms, still holding his shotgun.

MAES could see the subject's feet pointing in his direction, and heard additional gunshots. He also saw at least two additional muzzle flashes from the subject's handgun.

MAES remained in a prone position behind the green Honda Accord. He could see that the subject was continuing to move toward him, and stated that he continued to be in fear for his life.

As the subject reached the left-rear corner of the Honda and came into his view, MAES fired the shotgun at the subject. He estimated that at this time the subject was approximately 3 feet away.

The subject fell to the ground, and MAES called out to him to show him his hands. The subject did not respond.

MAES noted that the subject was not moving, and that what appeared to be a Berreta pistol was on the street next to him. MAES called out that the subject was down, and other officers then came to the immediate area of the subject.

Officer ARLFINGER checked the subject for a pulse and advised that he did not have one. The fire department was then called for medical aid.

MAES looked into the truck and saw three female children who appeared to be deceased and had dried blood on their heads. He noted that one was on the front passenger seat, one on the rear seat, and one on the rear floorboard.

As the fire department arrived and began checking the parties, MAES began to photograph the scene with a 35mm camera he had obtained from the station.

MAES placed his shotgun in the trunk of his patrol unit. He did not do anything to the shotgun and did not recall if he had reactivated the safety before placing it in his trunk. He later turned it over to Captain Anderson of the Castle Rock Police Department.

MAES recalled a brief discussion between the involved officers in which he heard that ARLFINGER did not fire, AUXER fired four shotgun rounds, and STEVER fired an unknown number of rounds. He did not recall what Officer MCCOMAS said.

MAES advised that he did not see any movement in the truck during the incident and was not aware of the presence of the female children until after approaching the truck and looking inside.
MAES was noted to have scratches on the anterior portion of his forearms, which he stated he received while crawling. MAES believed a scratch on his right wrist occurred when he fired the final round at the subject with his wrist apparently on the pavement.

MAES consentually provided a blood sample and was processed for gunshot residue.

Interview of Officer Eugene McCOMAS

Officer Eugene W. McCOMAS was interviewed on June 23, 1999 at the Douglas County Sheriff's Office by Detective TORKINGTON and Agent VANCEK. He advised that:

- He is a patrol officer with the Castle Rock Police Department, having served in that capacity since July of 1996. McCOMAS was the senior officer on shift and was therefore the shift supervisor on duty at the time of the shooting incident.

- He is assigned to the "graveyard" shift, which begins at 9:00 p.m. and ends at 7:00 a.m. the following morning. McCOMAS pointed out that patrol works a 4-10 shift.

- McCOMAS was in full uniform at the time of the incident, including wearing his dark blue uniform with shoulder patches, his badge and nameplate. He wore a black leather duty belt with his right-handed holster and other equipment.

- McCOMAS stated that he had worked the graveyard shift the previous day as an overtime shift as it was his regular day off (RDO). He was off-duty at 7:00 a.m. and was home and in bed by 7:30 a.m. He woke up between 4:00 and 4:30 p.m. He stated that he felt good, was well rested, and was not taking medication or drugs of any kind.

- McCOMAS advised that since the shift sergeant was on vacation and the corporal was on RDO, he was the shift supervisor. He was also a Field Training Officer and had Officer Michael AUXIER assigned to him as a trainee, working a two-man car.

- McCOMAS identified the other officers on duty, their call signs and assignments as follows:
  - McCOMAS, Eugene, "344", shift supervisor, FTO, citywide.
  - AUXIER, Michael, "357", Officer trainee, McCOMAS' car partner.
  - MAES, Jason, "355", south district.
  - AHLFINGER, Aaron, "346", north district.
  - STEVER, Paul, "347", uniformed special assignment in subdivision.

- McCOMAS advised that all officers were in uniform and driving marked police vehicles which included overhead light bars. All officers carried department-issued Colt Commander .45 caliber handguns with issued ammunition.

- McCOMAS stated that each patrol unit contains a department-issued 12-gauge shotgun and are typically loaded with four .00 buck shells in the magazine and an empty chamber. Rifled slug rounds are available for use and all ammunition is issued by the department.

- During the course of the shift McCOMAS and AUXIER stopped a vehicle at I-25 and Wolfenberger Road for a traffic violation. Officer MAES stopped by to see if they needed assistance.
• At approximately 3:25 a.m. McCOMAS heard Officer AHLFINGER air a "Code 10" (Officer Needs Assistance) on the radio. He believed that AHLFINGER said something about shots being fired at the station or in front of it, and at him.

• MAES immediately responded Code 3 (siren and lights activated), followed shortly thereafter by McCOMAS and AUXIER, with AUXIER driving. McCOMAS advised that the station was approximately 8 blocks away.

• While responding, McCOMAS heard additional radio traffic, including that shots were still being fired, and that a white pickup truck may have been involved. He believed the radio traffic was from Officer AHLFINGER.

• AUXIER and McCOMAS drove southbound on Perry Street, and stopped on Perry Street north of 5th Street. McCOMAS heard Officer STEVER advising that the suspect was at 3rd and Perry Street in front of the police station, but knew that the police station was on 4th Street and believed that STEVER erred when he provided the street name.

• McCOMAS instructed AUXIER to drive further south, and they ultimately parked along the west curbline of Perry Street just south of 5th Street.

• Officer McCOMAS attempted to remove the shotgun from its locking rack within the vehicle, but found it was stuck. He was ultimately able to remove the shotgun, which AUXIER carried from the car.

• McCOMAS looked in the direction of the police station but could not see anything because of the vehicles in the parking lot and the building at the Reyn Rock Apartments at 405 Perry Street.

• McCOMAS and AUXIER ran southbound along the west sidewalk of Perry Street until they reached the area of the parking lot on the east side of the Reyn Rock Apartments. They then inched west into the lot and took cover behind a white minivan which was parked on the east side of that lot and facing south, parallel to the sidewalk.

• McCOMAS now had a clear view of the police station and the area immediately in front of it. He observed a white pickup truck parked facing eastbound in the westbound lane of traffic almost directly in front of the station.

• He also saw a male subject, later identified as Simon GONZALEZ, standing in front of the truck who appeared to be facing in his direction.

• McCOMAS heard Officer MAES call out commands to GONZALEZ including, "Let me see your hands!" and later, "Drop the gun!" He also heard MAES issue commands in Spanish, and recalled hearing, "Manos arriba!", which he knew was Spanish for "Hands up!"

• McCOMAS stated that he heard MAES shouting commands on two or three occasions. He could not see MAES, but described the commands as being clear and loud. His voice appeared to be coming from the west of GONZALEZ.

• McCOMAS observed that GONZALEZ had a dark-colored pistol in one of his hands, down to his side. McCOMAS could not recall which hand the gun was in.

• GONZALEZ turned and faced to the west, the direction he believed he heard MAES' voice coming from. McCOMAS stated that GONZALEZ appeared to turn in that direction in response to MAES' voice as he issued commands.
• GONZALES began to walk west, along the driver’s side of the pickup truck. He then raised the gun, pointing it in the direction that McCOMAS believed MAES’ voice was coming from.

• As that was occurring, McCOMAS was in the process of moving from the left front portion of the subivan he was using for cover to the right rear, attempting to get a different view of GONZALES. As he did so he noted that Officer AUXIER was standing just west of him, pointing his shotgun in GONZALES’ direction.

• As GONZALES continued moving west, McCOMAS observed two muzzle flashes coming from GONZALES’ gun and heard two shots, followed by several additional gunshots.

• McCOMAS stated that immediately after GONZALES fired, he fired his duty handgun at him two or three times. He did not see a reaction from GONZALES and assumed he resisted him.

• McCOMAS simultaneously heard AUXIER firing his shotgun. McCOMAS only recalled hearing one loud blast, but stated that at the time he did not know if AUXIER had fired more than once.

• McCOMAS stated that he was not sure how many rounds he had fired himself, advising that he had not heard his gun discharge but recalled seeing muzzle flashes and the gun recolting in his hands.

• GONZALES continued to move west toward MAES’ voice. As GONZALES reached the end of the truck, McCOMAS observed him to fall to the ground.

• McCOMAS described the above events as appearing to occur in a slow-motion fashion, but believed that they probably occurred within only a few seconds.

• McCOMAS stated that he fired at GONZALES because he believed that GONZALES had heard MAES’ commands, did not comply, and had fired at MAES. McCOMAS stated that he fired at GONZALES to try to prevent injury or death to MAES.

• Upon seeing GONZALES fall down, McCOMAS moved toward him and the truck. He heard MAES shout that the suspect was down, and observed officers STEVER and AHLFINGER also approaching the truck.

• McCOMAS stated that at this time he believed he heard Officer MAES again yelling at GONZALES to drop his gun.

• As McCOMAS reached the truck he observed GONZALES lying on his back, with his head facing toward the west and his feet toward the east. His left leg was crossed over his right, and the pistol was on the ground near his right hand.

• McCOMAS then observed Officer MAES approaching from the west, pointing his shotgun in GONZALES’ direction.

• GONZALES did not appear to be moving, and Officer AHLFINGER attempted to locate a pulse but could not find one. Officer McCOMAS noted that GONZALES had blood in the area of his chest and head.

• McCOMAS stated that during the course of the shooting he never saw anyone else in or around the pickup truck. Officer AUXIER checked the interior of the truck after GONZALES was checked and advised that there were children in the vehicle.
McCOMAS looked inside the truck, and saw three female juveniles in the vehicle, each with visible injuries and a substantial amount of blood within the vehicle. McCOMAS stated that one of the females appeared to have her left eyeocket caved-in, with part of her eyeball detached and lying in front of her.

McCOMAS stated that at that time the emotions of the event and his observations caught up with him, and he stepped away from the truck and shouted, "Motherfucker!"

Fire department personnel arrived, and McCOMAS coordinated efforts to have the victims checked while maintaining the integrity of the crime scene as much as possible. Fire department personnel pronounced all the victims dead at the scene.

After ensuring that GONZALES was no longer a threat, McCOMAS holstered and snapped his handgun.

McCOMAS stated that a brief conversation took place amongst the involved officers during which he heard STEVER say that he had fired his handgun, and MAES and AUXIER saying that they had fired shotguns. He recalled AUXIER saying that he had emptied his shotgun and drawn his sidearm but did not fire it.

McCOMAS directed MAES to secure his shotgun, which he placed in the rear seat of unit #145 at the scene. STEVER had holstered his sidearm and AUXIER secured the shotgun in the unit he shared with McCOMAS. Officer AHLFINGER advised that he did not fire a weapon.

Shortly after the shooting, MAES told McCOMAS that GONZALES had fired two shotguns at him. MAES said that he dropped behind a parked vehicle, and shot GONZALES as he continued to walk toward him.

AHLFINGER advised McCOMAS that he had been inside the station and was walking from records to the dispatch area when he observed the white pickup truck to pull up outside. AHLFINGER observed a male subject to get out of the truck, and begin firing at the station. AHLFINGER believed that the rounds narrowly missed his head.

When Castle Rock Police Department Captain John ANDERSON arrived on the scene, he called the involved parties together. He secured the two fired shotguns and two fired handguns in his office, and directed the officers to write out statements about the shooting.

Officer McCOMAS advised that after the shooting he observed approximately 10 to 20 people looking out of the windows of the Reyn Rock Apartments, which overlook the scene. He did not recognize any of the faces he briefly observed.

McCOMAS provided a constitutional blood sample and was processed for gunshot residue.

Officer Weapons and other related evidentiary issues

Officers had been allowed to change into civilian attire prior to contact by members of the CIT. The officers were instructed to dress as they had been while on duty and were photographed. Detective PHILLIP SARAFF of the Parker Police Department and Detective RICK FAHLESTED of the Arapahoe County Sheriff's Office collected their uniforms, gunbelts and equipment, pants belts, undershirts and footwear. These items were ultimately booked into Douglas County Sheriff's Office evidence.

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Blood samples were drawn at the Douglas County Sheriff’s Office by paramedics from South Metro Fire/Rescue. Detective Bobbie GARRETT of the Englewood Police Department and Detective Mike VALDEZ of the Glendale Police Department witnessed the draws and took custody of them. The samples were booked into Douglas County Sheriff’s Evidence for processing for blood alcohol and toxicology.

Captain Anderson of the Castle Rock Police Department prepared a report regarding his observations upon arriving at the scene, and the securing of involved officer weapons. The report states in pertinent part that:

- He observed and described the scene as it appeared at approximately 3:50 a.m., to include a cell phone lying on the hood of the white pickup truck.
- He was advised by dispatch that the phone line was still open and that person(s) on the other end of the phone could hear conversations between officers taking place.
- He shut the cell phone off at approximately 4:01 a.m., and shut off the truck’s engine, which was running, by reaching through the open driver’s side window.
- He directed all of the officers who had fired to immediately report to his office and surrender the weapons used in the shooting. He noted the following submissions:

  McCOMAS — Colt .45 semi-Auto – Dept issue — 5 rounds in the magazine – 1 chambered (Two rounds fired) Serial # FC20956E
  STEVER — Colt .45 semi-Auto – Dept issue – 0 rounds in the magazine – 1 chambered (seven rounds fired) Serial # FC29958E
  AUXIER — Remington (sic) 12 gauge shotgun – Dept issue – 0 rounds in magazine – 0 chambered Serial # (unkn at that time)
  MAES — Remington .12 gauge shotgun – Dept issue – 2 rounds in magazine – 0 chambered Serial # (Unknown at that time)

- Officer AHLFINGER’s weapon was not taken because he had not fired any shots and was not involved in the actual shooting.
- Captain ANDERSON noted that all weapons and ammunition were locked in his office at 4:22 a.m. after which time no one was allowed to enter his office.

Agent LINDA HOLLOWAY of the CBI and Lab Technician DIANE CLOYD of the Arapahoe County Sheriff’s Office ultimately secured the remaining weapons of the five involved officers. All firearms were booked into Douglas County Sheriff’s Office Evidence.

Firearms qualification records of the Castle Rock Police Department were obtained and discussed with Sgt. ERNST of the CRPD. These record indicate the following dates of qualification for the involved officers:

<table>
<thead>
<tr>
<th>OFFICER</th>
<th>HANDGUN</th>
<th>SHOTGUN</th>
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<tbody>
<tr>
<td>AHLFINGER</td>
<td>04/18/99</td>
<td>06/14/98</td>
</tr>
<tr>
<td>STEVER</td>
<td>04/18/99</td>
<td>06/14/98</td>
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<tr>
<td>AUXIER</td>
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<td>05/16/99</td>
</tr>
<tr>
<td>MAES</td>
<td>04/18/99</td>
<td>06/14/98</td>
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</tbody>
</table>
The officer's blood samples were submitted to the Colorado Department of Public Health laboratory on June 25, 1999. They were analyzed on July 01, 1999 by technicain L. FARRELL. The reports indicate that no alcohol was detected for the five officers, MAES, AUXIER, STEVER, McCOMAS, and AHLFINGER.

WITNESS STATEMENTS

Interview of Lawrence FRYMAN

FRYMAN was interviewed on June 23, 1999 by Detective Mark STATDERMAN of the Greenwood Village Police Department and Investigator Tom POWERS of the Arapahoe County District Attorney's Office. FRYMAN lives at 415 Perry Street, Castle Rock, Colorado, approximately one-half block north of the police station. He advised that:

- He was awakened by a loud bang, followed shortly by three additional bangs. He believed the sounds were gunshots.
- He got out of bed, turned on his scanner and looked out his front window. He did not see anything, but heard an officer on the scanner say, "They're on 4th Street."
- He then heard footsteps running in front of his house, and saw two officers running by in a crouched manner.
- FRYMAN looked out a window on the south side of his residence and saw a male subject standing by the driver's side of his truck, and heard someone shout, "Drop the weapon!" and "Drop the weapon, now!"
- FRYMAN noticed that the male subject was facing north. He saw a flash in the area of the subject and then heard a series of gunshots.
- He saw another flash coming from the area of the subject, and saw the subject moving toward the west and out of his view.
- FRYMAN stated that he heard additional shots during this time, then heard the shooting stop.
- He saw several officers in the area of the truck and then heard someone on the scanner say, "There are three dead kids in the truck, and one adult."
- FRYMAN prepared a sketch which is included in the briefing binder, under "Witness Statements."

Interview of Justin Leroy WALLS

Justin WALLS was interviewed at his mother's residence, 404 Perry Street, Castle Rock, Colorado on June 24, 1999 by Agent Frank VANCEJK of the CBI and Detective Phillip SARAFF of the Parker Police Department. The WALLS' residence is at the northeast corner of 4th and Perry Streets and is
approximately one-half block from the front of the Castle Rock police station. WALLS advised the following:

- On June 21, 1999 at approximately 3:30 a.m. he was awakened by the sound of what he believed was the sound of four gunshots coming from somewhere outside the residence.
- WALLS and his wife were sleeping on the living room floor of the residence, and WALLS got up and looked out the west-facing living room bay window.
- WALLS observed a white pickup truck parked in front of the police station on 4th Street, and heard another gunshot.
- WALLS saw a uniformed police officer standing by a white minivan across the street in the parking lot of the apartments on Perry Street.
- He heard someone shout something similar to, "Drop the gun or I'll shoot!" and believed that it might have come from the officer he could see.
- WALLS saw a subject standing by the white truck, whom he felt was the focus of the attention of the officer he could see. He could see that this subject was holding a handgun in his hand.
- Shortly after hearing the commands to drop the gun, WALLS observed the subject by the truck walking toward the west. He then saw a bright muzzle flash coming from this subject's gun. He could not tell what direction the gun was pointed.
- As the subject continued to move west, WALLS lost sight of him. WALLS did not know if the subject had fallen or just moved to a position out of his view. WALLS stated that at about the time he lost view of the subject he heard several additional gunshots. He could not estimate the total number.
- WALLS described the area around the truck as being fairly well-lit by streetlights in the area as well as the lights from within the police station.

Interview of Ellen Elaine WALLS

Ellen WALLS was interviewed on June 23, 1999 at 404 Perry Street, Castle Rock, Colorado by Agent Frank VANCEK of the CBP and Detective Philip SARAFF of the Parker Police Department. WALLS was staying at the residence with her husband, Justin WALLS, and her mother-in-law Jacqueline REGAN. Ellen WALLS provided the following information:

- She was asleep on the living room floor of the residence when she was awakened by the sound of what she believed to be four gunshots, followed shortly by what sounded like someone shouting, "Help!". She could not tell if it was a male or female voice.
- She looked out the west-facing bay window which looks out onto 4th and Perry Streets and observed a uniformed police officer standing behind either a white minivan or a blue vehicle. The officer was holding a handgun and looking south. She did not notice anyone else at that time.
- She heard someone shout, "Put the gun down! Put the gun down!" on at least two occasions. She believed that the commands were coming from the officer she saw.
- Realizing that something serious was taking place, she grabbed her children and took cover in the back portion of the residence.
• She described the area as being well-lit, and she advised that she could clearly make out the person she saw as being a uniformed police officer.

Interview of Jacqueline REGAN

Jacqueline REGAN was interviewed at 404 Perry Street, Castle Rock, Colorado by Agent Frank VANRECK of the FBI and Detective Phillip SARAFF of the Parker Police Department on June 23, 1999. REGAN lives at the residence and her son and daughter-in-law Justin and Ellen WALLS were staying at the residence on the evening of June 23, 1999. WALLS advised that:

• She was asleep in her bedroom in the northeast corner of the residence when she was awakened by the sound of what she believed to be four or five gunshots coming from somewhere outside the residence.

• She walked into the living room and saw that her son Justin was looking out the bay window which faces west toward Perry Street.

• She heard someone shout something like, "Drop the gun now, or I'll shoot!" REGAN also thought she heard someone yell, "Help me!" She could not tell if it was a male or female voice.

• REGAN stated that these sounds were almost immediately followed by the sound of additional gunfire. She could not estimate the number of shots that were fired at that time.

• REGAN never looked out a window and did not see any persons or activities outside.

Canvas of Reys Rock Apartments

The five story apartment complex located at 405 Perry Street, Castle Rock, Colorado is located across from the Castle Rock Police Department. Detective Bobbie GARRETT of the Englewood Police Department and Detective Mike VALDEZ of the Glendale Police Department conducted a unit by unit canvas for potential witnesses. Approximately 27 residents of the building were contacted and interviewed. 22 of these parties heard gunshots, five stated that they did not see or hear anything. For the purpose of brevity, the following is a brief summary of the more significant statements.

Helen PIPES, DOB: 6/12/25

PIPES resides in unit 304. She advised that:

• Sometime after 3:00 a.m. she heard a young girl screaming from outside the building.

• She heard several gunshots, followed by the sound of sirens in the distance.

• She looked out her window and saw a uniformed police officer carrying a rifle and walking toward a truck in the street (on 4th Street).

• She heard someone shout, "Hands up! Hands up!"

• She heard several additional gunshots, several of which she described as being, "Real loud, big cons"
· PIPES then ran over to unit 301, which has a window overlooking the police department. She saw a man lying in a pool of blood.

· She saw a uniformed officer pointing a gun at the subject on the ground for several minutes, and then saw other officers come into view.

Mary BRUZEWSKI, DOB: 03/01/19

BRUZEWSKI resides in unit 305. She advised that:

· At about 3:30 she heard what she thought was firecrackers exploding.

· She looked out her window which faces toward the police station and saw two police officers on the street below.

· She heard someone shouting, "Put your hands up! Drop your gun!"

· She returned back to her apartment and did not see or hear anything else.

Stewart ROGERS, DOB: 03/25/17

ROGERS resides in unit 307. He advised that:

· He was awakened by what he described as rapid shots at an unknown time.

· He looked out his living room window which faces the police station (report does not indicate any observations).

· He heard someone ask, "Is he dead?" but did not hear a response.

· He saw a uniformed officer look into a truck parked on the street and cry out, "Oh fuck!"

Mildred BRODBECK, DOB: 06/21/60

BRODBECK resides in unit 502. She advised that:

· BRODBECK woke up to the sound of someone yelling in Spanish.

· She heard a woman screaming "sounds".

· She heard three or four gun shots.

· She ran out of her apartment into the hallway and to a window which faces toward the police department. As she was doing so, she heard a number of additional gunshots.

· She looked out the window and saw a man on the ground "twisting".

· She later saw an officer look into a pickup truck in the street and say something she could not hear.
She is a reporter for a local paper, and obtained her camera and took some pictures of the scene from the window.

Mary Lou CUMMINGS, DOB: not obtained.

CUMMINGS resides in unit 403. She advised that:

- She was awakened at approximately 3:30 a.m. to loud noises. She described these as sounding like one shot followed shortly thereafter by three additional shots.
- She looked out her window and saw two police officers running toward her building.
- The officers stopped at a white van in the east parking lot of the apartment building.
- She saw that one officer had a shotgun, which he subsequently dropped and drew his handgun.
- The other officer also had his handgun out.
- She saw the officers fire, seeing the muzzle flash.
- She had heard someone shoot at least three times, "Drop your weapon!"

Bernadette CRANE, DOB: not obtained

CRANE is an apartment manager and resides in unit 407. She advised that:

- She heard gunshots.
- She looked out her window and saw an officer in the apartment building's parking lot, setting down a rifle.
- She saw a second officer, and both were walking toward the police department.
- She overheard two people talking, saying:
  
  Q: "Did you get him?"
  A: "Yes"
  Q: "Is he dead?"
  A: "Yes"
  Q/A: "Good"

- She saw a male subject lying in the street.

Interview of Rosemary Young regarding phone conversations with Simon GONZALES leading to incident.

Rosemary YOUNG, DOB: 06/26/66 was identified as the girlfriend of Simon GONZALES. Her interview is contained within the "Simon GONZALES History" section of this summary.
Rosemary YOUNG engaged in several phone conversations with Simon GONZALES and Jessica Ruth GONZALES, her estranged wife, up to the time of the shooting incident at the Castle Rock Police Department. The following is a summary of the more relevant calls and related information, beginning on June 22, 1999:

- Jessica Ruth GONZALES called YOUNG at approximately 6:30 p.m. indicating that she wanted to know when Simon GONZALES would be coming by to pick up the girls. YOUNG gave her Simon’s pager number.

- At 9:30 p.m. YOUNG retrieved two voicemails from her cell phone, one of which was from Simon GONZALES. GONZALES stated that he was sorry he hurt her, that he loved her, and that she should not have to see his face again. GONZALES was crying as he left the message. (YOUNG and GONZALES had broken up very recently.)

- At 9:40 p.m. YOUNG called Simon GONZALES’ cell phone. He answered and said that he was at Elich Gardens. She believed she heard the girls laughing in the background.

- Jessica Ruth GONZALES and YOUNG spoke on the phone several times, concerned that Simon GONZALES had not brought the girls back yet.

- YOUNG attempted to call Simon GONZALES’ cell phone several times, and left several messages on his cell phone and home phone but received no reply. The messages told GONZALES to bring the girls home, and on one YOUNG indicated that Jessica Ruth GONZALES was going to have Simon arrested for kidnapping the children.

- At 3:21 a.m. on June 23, 1999, Simon GONZALES called YOUNG on her home phone. GONZALES told her that he was calling to say goodbye and to tell her that he loved her. YOUNG asked about the girls, and GONZALES replied that everything had been taken care of.

- YOUNG then heard what she thought was the cell phone being set down, which was followed by two gunshots in a 5 to 6 second span.

- She then heard a string of rapid shots. She could also hear someone yelling, “Drop your gun!”

- She heard a scream and someone yelling that three little girls were dead in the truck, followed by someone shouting “F***!”

YOUNG called 911 on her cell phone, and later drove to the scene where she contacted police.

**SIMON GONZALES’ HISTORY**

Simon GONZALES is fully identified as follows:

Simon James GONZALES, date of birth 11-19-68, Hispanic male, 5’06”, 125 pounds, brown hair and brown eyes, Social Security Number 522-25-8943.

Simon GONZALES listed his current address as 1094 South Street, Apartment #7, Castle Rock, Colorado 80104, telephone number 303-814-3884. According to the Colorado Department of Revenue, Simon GONZALES’ Colorado Driver’s License, bearing number 92-083-1762, still showed an address of 1201 South Quivas Street, Denver, Colorado 80223. This license showed an issue date of November 15, 1995.
Records indicate Simon GONZALES has been contacted by police for the following incidents:

On November 7, 1986, Simon GONZALES was arrested for a Driving Under the Influence charge in Pueblo, Colorado. On September 23, 1989, Simon GONZALES was arrested for a Driving Under the Influence charge in Denver, Colorado. Simon GONZALES has a lengthy driving history of minor traffic infractions. NCIC and CCIC show an arrest for Simon GONZALES.

On April 18, 1999, Simon GONZALES and another citizen identified as ERIC HANSON DOB 02-16-53 were contacted by the Castle Rock Police Department for a traffic altercation. Simon GONZALES and Eric MEISTER were both cited for traffic violations and released on a summons. There were no injuries in this incident.

On May 30, 1999, Simon GONZALES was contacted by the Castle Rock Police Department for allegedly violating a restraining order issued by his wife, Jessica Ruth GONZALES DOB 01-31-66. Simon GONZALES was not arrested because the Restraining Order had not been properly served upon Simon GONZALES.

Also on May 30, 1999, Simon GONZALES was arrested for trespassing in a restricted area of the Castle Rock police department. Officers stated that GONZALES had entered a restricted area of the police building without permission. Simon GONZALES was issued a municipal summons for trespassing and released. The information above is fully included in the "Simon Gonzales" section of the briefing headers.

On June 27, 1999, Critical Incident Team Investigators interviewed family members and friends of Simon GONZALES. These parties told Critical Incident Team Investigators the following:

Interview of Jessica Ruth GONZALES

Jessica Ruth GONZALES is the estranged wife of Simon GONZALES and the mother of the three girls found dead in his pickup truck. She was interviewed by Agent ALSEP of the CBS and Officer BROADHEAD of the Littleton Police Department at the Douglas County Sheriff's Office on June 23, 1999. She advised the following:

- She was married to Simon GONZALES in January, 1990.
- They had three children together, Rebecca Lyn, Katherine Nicole and Leslie Olivia GONZALES.
- Also included in their family was her son from a previous marriage, Jesse Anthony RIVERA, DOB: 10/23/86.
- During their marriage, Simon GONZALES suffered from depression, but refused to seek treatment. He was strict and rigid with the children and verbally abusive towards her. He did not have a good relationship with Jesse RIVERA, but she described her relationship with the girls as being very good.
- Simon never assaulted her, but she did strike him during arguments with him.
- Simon may have had a cocaine habit during their relationship. He was always a drunk and frequented the Pegasus Bar and Pablo's in Castle Rock.
- Simon was approximately $27,000 in credit card debt and was very bad with finances.
- Simon requested a separation from her in September of 1998. They separated, and she filed for divorce in December of 1998.
Throughout the separation, they had a mutual agreement that Simson could have visitation with the three girls on Wednesday evenings and every other weekend.

In April or May of 1999 she began dating someone else, which made Simson angry. He began a daily cycle of harassment, including numerous phone calls and requests to take him back and resume their relationship.

Over the 1999 Memorial Day weekend, Simson had the locks on her house changed, and stole her wedding rings from within the house, which she reported to the Castle Rock Police Department. Simson often wore the rings and would flaunt them in front of her.

As a result of these incidents, she obtained a Temporary Restraining Order from the Douglas County Court against Simson.

She took her daughters to Simson’s house on Saturday, June 19, 1999, at 8:00 p.m. for their weekly visitation. He brought them back to her house on Sunday, June 20, 1999, at about 9:00 a.m.

On Tuesday, June 22nd, Simson called several times requesting visitation with the girls that night, which was not a scheduled visitation. During several subsequent calls he changed his mind back and forth as to whether he wanted to pick them up or not.

Simson apparently arrived at her home between 5:00 and 5:30 p.m. and picked up the girls along with one of their friends, Rebecca ROBINSON. Simson also put the girls’ bicycles in the back of his truck when he picked them up. He did not tell her that he picked them up before leaving.

She called Simson’s cell phone several times; he did not answer until approximately 8:00 p.m. At that time Simson said that he and the girls were at the Elitch’s Amusement Park. She demanded that he bring the girls home right away and he said that he would.

At 10:10 p.m. she called the Castle Rock Police Department because Simson had not yet returned with the girls. She was standing outside of his apartment when she called.

At midnight, she went to the Castle Rock Police Department and made a missing persons report with Officer AHLFINGER. AHLFINGER told her that he would put out an “Alert to Locate” and instructed her to contact the police if she heard from Simson.

At approximately 2:00 a.m. on June 23, 1999, she received a phone call from Simson’s girlfriend Rosemary YOUNG. They spoke for approximately one hour. During this conversation, YOUNG told her that Simson had been talking about suicide, and stating that he felt empty, “so good to anyone” and “was only good for a paycheck".

At approximately 3:15 a.m. YOUNG called again and said that she had heard from Simson by phone. YOUNG said that in the background she heard screaming and what sounded like gunshots. She told GONZALEZ that she believed that Simson and the girls had been shot.

A few minutes later, YOUNG called back and advised that she believes the shooting had occurred at the Castle Rock Police Department. Mrs. GONZALEZ immediately drove to that location.

When she arrived at the station, there was a security guard with the Castle Rock Police Department who transported her to the Douglas County Sheriff’s Office and obtained a written statement from her.
Mrs. GONZALES stated that Simon never owned a firearm.

- He had served in the United States Marine Corps for a period of time but was medically discharged due to an ankle injury sustained in a fall.
- He worked for RMS Pet Products (also known as Natural Balance) in Castle Rock as a computer technician.
- Simon had a close friend named Christian JETT.
- She described Simon as being "clever, charming, jealous, manipulative, dangerous and dead"
- He tended to be moody but in public with his angry outbursts and she refused to ride in the car with him due to his explosive "road rage".

The condition of the three girls was apparently not known to Mrs. GONZALES at the time of this interview, and as she became increasingly upset the interview was terminated.

Interview of Rosemary Ann YOUNG

Rosemary YOUNG was interviewed by Detective Clay FORINGTON of the Englewood Police Department and Agent Frank VANKERK of the COB on June 21, 1999 at the Douglas County Sheriff's Office. She advised that:

- She and Simon GONZALES had been involved in an intimate relationship as boyfriend/girlfriend but had recently broken up.
- She met GONZALES while working with him at Natural Balance in June of 1998, where GONZALES was employed as a computer technician.
- YOUNG and GONZALES are in the process of divorcing their respective spouses.
- In January of 1999, YOUNG left Natural Balance and GONZALES separated from his wife.
- YOUNG was aware that Ruth GONZALES had obtained a restraining order against Simon on May 30, 1999, after GONZALES went into the house where she lived and had the locks changed.
- YOUNG advised that GONZALES was arrested for this incident and may have received additional charges because he allegedly trespassed into the Castle Rock Police Department to use the bathroom.
- YOUNG first met Simon GONZALES' daughters in March of 1999.
- GONZALES takes his children for dinner on Tuesday and Thursday, sometimes keeping them overnight, despite Ruth GONZALES' protest that he not keep them overnight.
- GONZALES had previously told YOUNG that he wanted to marry her.
- On Monday night, June 21, 1999, GONZALES and YOUNG broke up. GONZALES told YOUNG that he was not in love with her anymore, but that he did love her.
- On that night, sensing that he was distraught, YOUNG asked Simon to stay with her. She also asked him if he had a gun, he said he did not.
• YOUNG and GONZALES rented each other’s personal property that evening, and YOUNG destroyed all the cards and correspondence that had gotten from him.

• On Tuesday the 22nd of June YOUNG called Ruth GONZALES and was told by GONZALES that she was still intimate with Simon while Simon was dating YOUNG. GONZALES also told her that during the time that Simon was apparently being intimate with YOUNG, he told Ruth GONZALES that YOUNG was just a friend, and that they were not intimately involved. Simon apparently did not deny the allegations and asked if Ruth had told YOUNG what she intended to do in her court.

• Following this conversation YOUNG called Simon GONZALES and confirmed him with the information, telling him that they both found out they had been lied to.

• Approximately two months earlier Simon had spoken of suicide, saying that Ruth was destroying him.

• GONZALES had a Rocky Mountain News note in Larkspur. One occasion YOUNG rode the route with him, and GONZALES passed out two fliers: one could drive off to kill himself.

• GONZALES told YOUNG on several occasions that he did not want Ruth to raise the kids. One of the reasons he expressed was because of her apparent recent conversion to Buddhism. He also said that Ruth was an awful mother.

• On June 22nd at approximately 6:30 p.m. Ruth GONZALES called YOUNG saying that the girls wanted to know when Simon GONZALES would be there to pick them up. Ruth told YOUNG that Simon was not answering his cell phone, so YOUNG gave her his pager number.

• YOUNG left her home to take her son to Surrey Ridge. At 9:30 p.m. she discovered that she had two phone messages on her cell phone, one from her daughter and the other from Simon. In that message, Simon told her that he was sorry he hurt her, that he loved her, and that she wouldn’t have to put his face again. Simon was crying as he left the message.

• At 9:46 p.m. YOUNG called GONZALES on his cell phone. He told her that he was at the Elitch Garden’s Amusement Park and that he wanted to smile. YOUNG could hear the girls laughing in the background.

• YOUNG later attempted to call and leave messages for Simon, however he did not answer or return her calls. One of the messages YOUNG told Simon that Ruth was going to have him arrested for kidnapping the children.

• At approximately 10:00 p.m. Ruth called YOUNG and told her that she had spoken with Simon, and he confirmed that he had the kids with him.

• During a conversation with YOUNG, Simon stated that he was west of Larkspur and was taking care of things. He also told her that he was going to make her watch him so she could get on with her life. YOUNG asked him to come over with her, he declined and said that he had taken care of everything but the paperwork.

• At 3:21 a.m. on June 23rd, Simon GONZALES called YOUNG at home. He told her he was calling to say goodbye and tell her that he loved her. YOUNG asked him about the girls and he told her that everything was taken care of.

• YOUNG heard the cell phone being set down, followed by the sound of two gunshot being fired in a 5 to 6 second span. This was then followed by a string of rapid shots.
• YOUNG dialed 911 on her cell phone, and was transferred to the Castle Rock Police Department.

• While on her cell phone with the Police Department, she heard someone shouting, "Drop your gun!" on her home phone. She then heard a scream, and someone yelling that there were three little girls dead in the truck. She then heard someone shout, "F*ck!"

• YOUNG called Ruth GONZALES up and told her the kids were dead and that the police had shot Simon.

• At 3:15 a.m., YOUNG put her daughter in her car and drove to the area of the Castle Rock police station, where she saw Simon GONZALES' truck. She was subsequently taken to the Douglas County Sheriff's Office to be interviewed.

YOUNG provided some additional background information about Simon GONZALES. She stated that:

• GONZALES was discharged from the Marines after sustaining an ankle injury in a fall.

• GONZALES had just put new plates on his truck, probably the same plate he had on his previous vehicle, a Toyota 4Runner.

• YOUNG stated that GONZALES appeared to be under a lot of pressure lately.

• YOUNG stated that she had never seen Simon use alcohol or use drugs. She described him as an occasional drinker.

YOUNG stated that during phone conversations with Ruth GONZALES she had learned that:

• Ruth GONZALES had a restraining order against Simon. GONZALES would not have been permitted to get the kids on Tuesday night under the terms of the order.

• Ruth GONZALES said that the girls did not want to go with Simon on Tuesday night.

• The girls had gone outside earlier that evening and never came in to tell their mother they were leaving, as they usually did.

• Ruth had gone out at about 6:30 p.m. looking for Simon and the girls after discovering that they had left.

Interview of Mary LOVATO

On June 23, 1999, at 1:55 P.M., Detective Christian CONTOS interviewed the aunt of Simon GONZALES identified as Mary Guadalupe LOVATO, DOB 03-18-54. This interview was conducted at the Douglas County Sheriff's Office and was not audio or video taped. LOVATO's complete interview is included in the "Witness Interview" section of the briefing binder. LOVATO's statement is summarized as follows:

• LOVATO is the aunt of Simon GONZALES and has known him for approximately twenty-three and a half years.

• LOVATO heard that in January 1999, Simon and Jessica Ruth, known as Ruth, were getting a divorce.
Based on prior conversations with Simon and Jessica, LOVATO assumed that the divorce was not going well.

LOVATO said that Simon was having emotional problems.

LOVATO said emotional problems were common in Simon’s family, with Simon and his mother both suffering from depression.

LOVATO said Simon attempted suicide about three years ago by hanging himself. One of his daughters called for help and prevented the suicide.

LOVATO said she asked Simon if he was seeking help for his emotional problems, but he said he was not.

LOVATO said Simon had been discharged from the military for a medical problem related to Simon falling off of a building and breaking his ankle.

LOVATO said that about two weeks prior to this incident, she heard that Simon was having emotional problems and feelings of “being left out” and feelings of “nobody cares.”

LOVATO said no one in the family appeared to act on these displays by Simon.

LOVATO said Simon did not know anything about guns or have any experience other than his prior military experience.

Interview of Staci GONZALES

On June 23, 1999 at 2:12 P.M., Detective Christian CONTOS interviewed the sister of Simon GONZALES, identified as Staci GONZALES DOB 04-14-65. This interview was conducted at the Douglas County Sheriff’s office and was not audio or video taped. The complete interview is included in the “Witness Interviews” section of the briefing binders. Staci GONZALES’ interview is summarized as follows:

Staci is the sister of Simon GONZALES.

Staci knows that Simon is married to Jessica Ruth GONZALES, known to the family as Ruth.

Staci said that approximately four years ago on Father’s Day, Simon attempted suicide by hanging due to a possible divorce from Ruth.

At that time, Simon was committed to a mental institution for about five days for a mental evaluation.

Staci said that in July 1998, Simon was talking about suicide and “getting rid of the pain.”

Ruth continued to be demanding and picky and sometimes talked about exploring other things.

In Thanksgiving 1998, Ruth and Simon were again not getting along.

Ruth and Simon were having marriage and financial problems.

As of Christmas 1998, Ruth and Simon were still together.
- As of April 1999, Simon was with his new girlfriend Rosemary YOUNG.
- Simon continued to have divorce problems and wanted the girls full time, saying he did not want to be a part-time father.
- Staci had not heard from Simon since Father’s Day 1999.
- Staci said Simon seemed unhappy about a week prior to this incident.
- Staci said that, to her knowledge, Simon was not taking medication for depression, although depression runs in the family.
- Staci said the family had never been raised around guns and Simon never had a gun in the past.

Interview of Leroy GONZALES

On June 23, 1999, Detective Clay FORINGTON and Agent Frank VANECEK interviewed the father of Simon GONZALES, identified as Guillermo “Leroy” GONZALES DOB 08-23-42. This interview was conducted at the Douglas County Sheriff’s Office and was not video or audio taped. The complete interview is included in the “Witness Interview” section of the briefing binders. Leroy GONZALES’ statement is summarized as follows:

- Leroy advised he is the father of Simon GONZALES and had been informed of Simon’s death and the circumstances surrounding it prior to this interview.
- Leroy said that his last contact with his son was on or around April 17, 1999 at a party for a family member in Colorado Springs.
- Leroy advised that Simon had brought his three daughters and his girlfriend Rosemary to the party. At the time, Simon had been separated from Ruth for about six months. Simon appeared to be in good spirits and did not mention any problems to his father at the party.
- Leroy said Simon almost never discussed problems with him but occasionally confided in his mother. Leroy said he knew Simon had some marital problems with Ruth.
- As of July 1998, Leroy felt his son seemed quite happy and was doing well.
- Leroy said his wife told him that there was a chance Simon could lose visitation with his daughters.
- Leroy said he heard this information from Rosemary YOUNG.
- Leroy said it was also his understanding based on conversations that his wife had with Rosemary that Simon had spoken with Rosemary at some point and indicated that he had killed the kids and wanted to be killed by the police. Leroy said that these conversations between his wife and Rosemary took place earlier on the morning of June 23, 1999.
- Leroy said his son never mentioned suicide to him. Leroy’s wife said that Simon had been quite depressed since his separation.
- Leroy said he was not aware that Simon owned any kind of firearm.
- Leroy said Simon was in good health and had no problems with drugs or alcohol, and that Simon had limited contact with law enforcement.
Leroy said his son was very close to his daughters and speculated that Simon killed them because he did not believe his estranged wife could raise them well. Leroy also heard that Ruth was smoking a lot of marijuana.

Interview of Jesse RIVERA

On June 21, 1999, Detective Bobbie GARRETT and Agent Linda HOLLOWAY interviewed the stepson of Simon GONZALES, later identified as Jesse RIVERA, DOB 02-23-86. The interview was conducted at the Douglas County Sheriff’s Office and was not audio or video recorded. The complete interview is included in the “Witness Statements” section of the briefing binders. RIVERA’s statement is summarized as follows:

- Simon is the father of Katheryn, Leslie, and Rebecca who are Jesse’s sisters.
- Jesse’s mother, Jessica Ruth, had found love letters written to Simon and wanted a divorce from Simon.
- Simon had tried to commit suicide two years ago and “got caught.”
- Simon had started to “get mean” lately.
- Simon yelled at Jesse a lot and the girls had told Jesse that they did not want to visit Simon for about two weeks.
- The girls told Jesse that their dad could not pay child support and he did not have enough money for living.
- Jesse said that Simon hid Jessica Ruth’s car keys and told her she could not leave. Jesse said this incident was scary.

Jesse related the following information regarding the events on June 22, 1999:

- Simon picked up the girls without telling Jessica Ruth causing Jessica Ruth to become worried and contact police.
- At about 9:00 P.M., Jesse heard his mother’s half of a phone conversation with Simon. Jesse heard his mother say, “Where are you...you’re not supposed to have them...the cops are looking for you...you’re to have the girls home now...”
- Jesse and his mother cleaned the Rec Center and then returned home.

Interview of Joe RIVERA

On June 23, 1999 Detective Bobbie GARRETT and Agent Linda HOLLOWAY interviewed the father of Jessica Ruth GONZALES, identified as Joe RIVERA, DOB 10-25-45. The interview was conducted at the Douglas County Sheriff’s Office and was not audio or video taped. The complete interview is included in the “Witness Interviews” section of the briefing binders. RIVERA’s statement is summarized as follows:

- Joe did not know why Jessica Ruth and Simon had split up.
Joe said Simon complained a lot if the girls were not tidy and had recently trimmed the girls' fingernails extremely short because they were dirty.

Joe did not think Simon was a threat to Jessica Ruth or the girls.

Interview of Karen RIVERA

On June 23, 1999, Detective Bobbie GARRETT and Agent Linda HOLLOWAY interviewed the sister-in-law of Simon, identified as Karen RIVERA. The interview was conducted at the Douglas County Sheriff's Office and was not audio or video taped. The complete statement is included in the “Witness Interviews” section of the briefing binder. Karen RIVERA'S statement is summarized as follows:

- Simon and Jessica Ruth had problems but never fought in public or in front of the family.
- Karen knew the girls had started to have problems with Simon.
- Karen never knew Simon to own a gun.
- Karen recalled that Simon had attempted to hang himself several years ago after Jessica Ruth wanted a separation.
- The last time Karen saw Simon, Simons seemed upset due to not having enough time with the kids.

Interview of Josey SANSON

On June 23, 1999 Detective Bobbie GARRETT and Agent Linda HOLLOWAY interviewed the Gonzales family baby sister, identified as Josey SANSON. The interview was conducted at the Douglas County Sheriff's Office and was not audio or video taped. SANSON'S complete statement is included in the “Witness Interviews” section and is summarized as follows:

- SANSON learned that Simon was always working and was never really part of the family.
- Simon always demanded perfection and always had the girls looking perfect.
- Simon was “off and suicidal” at times and “had lost it.”
- Josey knew there were problems and knew Simon had started making threats to Jessica about taking the girls away.
- Approximately two weeks prior to this incident, Simon told Josey that “he had it” and wanted Jessica Ruth to pick up all of the girls' belongings.
- Josey had made previous police reports about Simon changing the locks and destroying the sprinkler system.

Interview of Christian JETT

On June 23, 1999, Detective Bobbie GARRETT and Agent Linda HOLLOWAY interviewed the best friend of Simon GONZALES, identified as Christian JETT. The interview took place at the Douglas
County Sheriff's office and was not audio or video taped. JETT'S complete statement is included in the "Witness Interviews" section of the briefing binder and is summarized as follows:

- JETT and Simon were supposed to meet on June 19 but JETT was late getting off work which caused Simon to become agitated and leave.
- JETT called Simon on June 21, 1999 but Simon never called him back.
- Simon had not been thinking right lately. He was not getting any sleep and shutting people out of his life.
- JETT became worried about Simon, recalling his previous suicide attempts and looking at this as a possible sign. Simon swore he was O.K., but JETT did not think Simon was O.K.
- JETT said Simon seemed better a few days later.

JETT related the events of June 22 and June 23, 1999 as follows:

- Rosie, Simon's girlfriend, called JETT and said she was worried about Simon because she had not heard from him and he had not brought the kids home.
- At 3:30 A.M., JETT received another call from Rosie, who was hysterical and saying that Simon had called to say goodbye. Rosie said she heard possible gaspeds in the back ground.
- At 5:00 A.M., JETT saw a television story involving a white pick-up truck with three girls inside and knew it was Simon.
- JETT believed Simon was in an "emotional rut" and that Simon has used the phrase "I give up" a lot but they never discussed it.
- JETT never knew Simon to own a gun and Simon never discussed guns.

Interview of Joe GUERRERO

On June 24, 1999 at 1:15 P.M., Detective Clay FORINGDON interviewed Joe GUERRERO DOB 01-21-73. GUERRERO is the direct supervisor of Simon ZONEALES. GUERRERO worked at Natural Balance, 7120 Commerce Court, Castle Rock, Colorado 80104-8002, phone number 303-684-6633. GUERRERO'S complete statement is included in the "Witness Interviews" section of the briefing binder.

GUERRERO'S statement is summarized as follows:

- ZONEALES was employed at Natural Balance as a computer information system technician.
- On June 22, 1999, GUERRERO noticed that ZONEALES had removed drawings done by his daughters from his bulletin board at work. GUERRERO thought ZONEALES was going to quit but did not have a chance to discuss it with ZONEALES.
- At 11:00 A.M., ZONEALES left work saying he had to administer a prescription to his daughter.
- At 3:00 P.M., GUERRERO noticed ZONEALES had returned to his duties at work.
- GUERRERO did not see ZONEALES again and assumed ZONEALES was still there when GUERRERO left at 5:30 P.M.
• A list prepared at 5:30 P.M. by the company receptionist indicated GONZALES was not there at 5:30 P.M.

• Several printed e-mails were found in the desk of GONZALES. Other e-mails were deleted but were later retrieved from GONZALES' work computer. The content of the e-mails addresses the end of the relationship between GONZALES and YOUNG. GUERRERO provided the e-mails to Detective FORINGTON.

The e-mails which were recovered from the computer and desk of GONZALES are included in the "Rosemary Young" section of the briefing binders.

SIMON GONZALES AUTOPSY

On June 25, 1999, at 8:30 A.M., an autopsy was conducted on Simon GONZALES at the Douglas County Coroner's Office. This information is included in the "Simon Gonzales" section of the briefing binders and is summarized as follows:

Dr. Ben GALLOWAY was the attending physician that conducted the autopsy. Also in attendance at the autopsy were the following:
- Douglas County Coroner Mark STOVER
- Douglas County Deputy Coroner Wesley RIBER
- Detective Christian CONTOS
- Detective Robbie GARRETT
- Agent Linda HOLLOWAY
- Agent Vaughn BALLARD

The following information was learned from the autopsy:

A Gunshot Residue Kit was completed on GONZALES by Detective CONTOS. Simon GONZALES was dressed in blue jeans, a grey T-shirt, white tennis shoes white socks and black striped underpants. Head hair, facial hair and pubic hair control samples were gathered. A wallet containing $190.20 in U.S. currency and credit cards was recovered.

There were several visible gunshot wounds to the throat and upper chest area which appeared to be from a morgan blast. Nine shotgun pellets were removed from the body by Dr. GALLOWAY. Also recovered were two bullet fragments from the chest area. There was a grazing wound to the top of the head as well as a wound entering from the left rear shoulder and exiting from the left front shoulder which appeared to be consistent with a .45 caliber bullet. The above recovered items were placed into Douglas County Sheriff's Office evidence. The stomach contents revealed only liquids and no food.

The Douglas County Coroner's Office issued a Coroner's Report under Coroner's Case number 99-148. The Coroner's report indicated the death of Simon GONZALES was caused by loss of blood due to a shotgun wound to the upper left chest. Toxicology results were negative for drugs and alcohol.

The Coroner's Office ruled the death a suicide due to the subject initiating a shoot-out involving police officers.
Background information regarding the weapon used by Simon GONZALES

On June 23, 1999, Agent Jay ALSUP and Detective Mike BROADHEAD discovered a newspaper ad in a dumpster near the residence of Simon GONZALES. Review of the newspaper ad revealed a classified advertisement for a gun similar to the gun used by GONZALES in this incident. Agent ALSUP called the number in the ad and spoke to an individual who identified himself as BILL PALSULICH. PALSULICH told Agent ALSUP that he had sold a gun to Simon GONZALES on June 22, 1999. Agent ALSUP gave this information to the Critical Incident Team.

On June 23, 1999, Detective Mike VALDEZ advised Detective Christian CONTOS that he had contacted the individual who had sold the gun to Simon GONZALES on June 22, 1999. Detective VALDEZ identified the person as WILLIAM GEORGE PALSULICH DOB 06-17-46, and residing at 1850 Allison Street, Lakewood, Colorado. Detective CONTOS and Detective Bobby GARRETT went to the residence of PALSULICH and interviewed him regarding the gun transaction. PALSULICH’S interview is included in the “Gun Background” section of the briefing binders. His statement is summarized as follows:

- PALSULICH has had a Federal Firearms License since 1992.
- PALSULICH advertised a Taurus PT-99AF 9mm semi-automatic handgun, bearing serial number TJE37303, with two fifteen round magazines, in the newspaper for sale for $375.
- Just after 6:00 P.M. on June 22, 1999, a man called from Castle Rock and asked about the gun.
- PALSULICH said the gun was available but the buyer must pass an FBI background check.
- PALSULICH said the man agreed and arrived at his home at about 7:10 P.M. on June 22, 1999.
- PALSULICH said the man presented a Colorado Driver’s license bearing the name Simon GONZALES and a Quivas street address. PALSULICH said GONZALES had his three girls with him.
- PALSULICH conducted the background check and had to refuse the sale due to a refusal from the FBI background check. GONZALES left without completing the purchase.
- PALSULICH later received an approval from the FBI and re-contacted GONZALES.
- GONZALES returned and purchased the gun, two fifteen round magazines, and 30 rounds of 9mm ammunition for $374.
- GONZALES completed the required Federal Transaction reports for the purchase and left PALSULICH’S residence.
- PALSULICH stated that during the course of the transaction he asked if GONZALES wanted to bring his children into the residence, but GONZALES declined stating he did not want the gun to scare them. Upon completing the transaction he asked for a paper bag to put the gun in for the same reason.

PALSULICH gave the original Firearms Transaction Report, the $374 in U.S. Currency, and a copy of his Federal Firearms License to Detective CONTOS. Detective CONTOS placed the items into Douglas County Sheriff’s Office evidence.
The make, model, and serial number of the gun recovered at the scene of this incident matched the gun sold to GONZALES by PALSULICH.

AUTOPSIES OF KATHRYN GONZALES, REBECCA GONZALES, and LESLIE GONZALES

On June 24, 1999 at 7:30 A.M., the autopsies on Kathryn, Rebecca, and Leslie GONZALES were conducted at the Douglas County Coroner’s Office. This information is included in the sections titled “Kathryn GONZALES”, “Rebecca GONZALES”, and “Leslie GONZALES.” The autopsies are summarized as follows:

Dr. Ben GALLOWAY was the attending physician who conducted the autopsies. The following individuals were also present:
- Douglas County Coroner Mark STOVER
- Douglas County Deputy Coroner Wesley RIBER
- Detective Christian CONTOS
- Detective Bobbie GARRETT
- Agent Linda HOLLOWAY
- Agent Vaughn BALLARD
- Rob KULBAKI- Assistant to Dr. GALLOWAY

Kathryn GONZALES DOB 10-12-90

The following information was learned during the Kathryn GONZALES autopsy.

Kathryn GONZALES was wearing jean shorts, a multi-colored flowered short sleeve button shirt, white socks, necklace, pierced earrings, and a right ankle bracelet. Detective Christian CONTOS conducted a Gunshot residue test on the hands and face of Kathryn GONZALES.

Kathryn GONZALES died of multiple gunshot wounds to the head and chest. Two wounds to the center of the chest entered from the front and exited from the rear between the shoulder blades. There was an entrance wound to the left side of the head which exited at the right temple. Dr. GALLOWAY stated the gunshot were fired from a distance of about two feet, based on powder residue around the injuries. Stomach contents indicated the last meal consisted of chili and cheese and was consumed one to two hours prior to death. There were no signs of sexual assault. Dr. GALLOWAY also stated that none of the injuries were caused by police rounds.

The Douglas County Coroner’s Report case number 99-151 indicated the cause of death was brain injuries due to large caliber gunshot wounds to the left side of the head. There were no drugs or alcohol present. The Coroner’s Report ruled this death a homicide.

Rebecca GONZALES DOB 05-10-89

The following information was learned during the Rebecca GONZALES autopsy.

Rebecca GONZALES was wearing white nylon shorts, a green plaid long sleeve shirt, and white cotton panties. There were no shoes or socks. Detective Christian CONTOS conducted a Gunshot residue test on the hands and face of Rebecca GONZALES.

Rebecca GONZALES died of gunshot wounds to her head and chest. A gunshot wound to the head entered on the right side of her head and exited out of the left top of her head. A chest wound entered on the left chest area and exited out of the right rear shoulder. Dr. GALLOWAY said that the gunshot were fired
from a distance of approximately two feet. Dr. GALLOWAY also stated that none of the injuries were caused by police rounds. Also evident was a bruise on her right upper hip. Stomach contents included french fries, hamburger, and a salad one to two hours prior to death. There were no signs of sexual assault.

The Douglas County Coroner’s report case number 99-150 indicated the cause of death was brain injuries due to a large caliber gunshot wound to the right side of the head. There were no drugs or alcohol present. The Coroner’s Report ruled this death a homicide.

Leslie GONZALES DOB 03-20-92

The following information was learned during the Leslie GONZALES autopsy.

Leslie GONZALES was wearing black cut-off bib overalls, a pink and green flowered tank top shirt, white socks, white tennis shoes, and a “friendship” bracelet on her right wrist. Detective Christian CONTOS conducted a Gunshot residue test on the hands and face of Leslie GONZALES.

Leslie GONZALES had a gunshot wound which entered the left side of her chest and exited the right side of her chest. A gunshot wound entered the left side of the head and exited above the right eye. Dr. GALLOWAY advised the shots were fired from a distance of approximately two feet. Dr. GALLOWAY also stated that none of the injuries were caused by police rounds.

The Douglas County Coroner’s report case number 99-149 indicated the cause of death was brain injuries due to a large caliber gunshot wound to the left side of the head. There were no signs of sexual assault. There were no drugs or alcohol present. The Coroner’s Report ruled this death a homicide.

SEARCHES OF RELATED ADDRESSES

1094 South Street, Apartment #7, Castle Rock, Colorado; Apartment of Simon GONZALES

On June 23, 1999 at 9:17 A.M., Parker Police Detective Gary GERLACH responded to the residence of Simon GONZALES and secured it until a search could be conducted. The apartment was searched and was found to be extremely neat. A search of the outside area revealed a dumpster located in a common access area of the apartment building property. Inside the dumpster was a newspaper classified advertisement for firearms. This item was recovered and placed into evidence. No other signs of victim or disturbance were located.

4943 Wildflowers Way, Castle Rock, Colorado; Residence of Jessica Ruth GONZALES

On June 23, 1999 at 9:00 A.M., Parker Police Officers secured the residence of Jessica Ruth GONZALES. Agent Linda HOLLOWAY responded to the residence and searched the inside of the residence with the permission of Jessica Ruth GONZALES. Agent HOLLOWAY observed the home was located in a new subdivision with similar homes and was less than one year old and appeared cluttered. Agent HOLLOWAY was given a note which was attached to flowers previously sent to Jessica Ruth from Simon GONZALES. The note was placed into evidence. Jessica said Simon did not have any of his personal belongings at the residence. Jessica also said that Simon did not keep any weapons or ammunition at the residence. Agent HOLLOWAY completed the search and released the residence back to Jessica Ruth GONZALES.

2062 Shiloh, Castle Rock, Colorado; residence of Rosemary YOUNG
On June 23, 1999 at 2:15 P.M., CBI Agent Scott MUNDINE met with Rosemary YOUNG and her attorney, Frank VIGIL. Rosemary Young signed a voluntary Consent to Search Form for her residence reference this incident. The residence was searched and several pieces of evidence were recovered including a greeting card containing a note for Rosemary from Simon GONZALES and some items of household trash. The items were placed into evidence. Simon GONZALES did not keep any of his personal property at Rosemary YOUNG’S residence. The residence was released back to Rosemary YOUNG.

RECOVERED PHYSICAL EVIDENCE

The Colorado Bureau of Investigation responded to process this crime scene. Agents from the CBI photographed the scene and surrounding area. Also included were aerial photographs completed by Microflight Technologies which show the area from elevated positions.

The following items were recovered from the officers involved in this incident:

- Gun belts with all equipment
- Underbelts, undershirts, uniform shirts and pants, boots.
- Gunshot Residue Kits were conducted on each of the five officers involved in this incident.
- Conjugal blood draws were obtained on each of the five officers involved in this incident.

Immediately after the incident, Captain John ANDERSON of the Castle Rock Police Department recovered the following firearms from the officers involved in this incident:

- The Department issue Colt .45 caliber semi-automatic pistols carried by each officer
- Two Department issue Remington 12 gauge shotguns carried in patrol vehicles.

Also recovered from the scene were numerous shell casings from a 9mm semi-automatic handgun. A Taurus 9mm semi-automatic handgun, bearing serial number TJE37303, was recovered from next to the body of Simon GONZALES at the scene.

Approximately 100 total pieces of evidence were recovered from the scene. The property reports are included in the “Property Reports” section of the briefing binder.

POSSIBLE MOTIVES

As indicated infra, Simon GONZALES had a number of recent life events which may have played a role, either singly or in combination, in the incident which ultimately cost him his life. These include:

- Financial problems and debts.
- A difficult divorce and concerns about custody and visitation.
- Recent breakup with his girlfriend.
- Being confronted with the fact that he had lied to both his girlfriend and his estranged wife about the true nature of their relationships.
- Concerns about his daughters being raised by what he characterized as being an awful mother, and concerns that they would be raised in her new Buddhist faith.
• Continuing mental health problems manifested by incidents such as a previous suicide attempts.

During the course of the investigation, Chief Tony LANE of the Castle Rock Police Department advised that one of his officers may have had a relationship with Ruth Jessica GONZALES. The officer was identified as Randall SPEAECT. Officer SPEAECT was interviewed by Detective FORINGTON and Agent VANEECK on June 23, 1999 regarding this information. He advised that:

• He met Ruth GONZALES when she came to clean the police station on either the 16th or 17th of June, 1999.

• She told him that she was separated from her husband and they talked about going out some time.

• They spoke on the phone on several occasions, and arranged to take their children with them to the Renaissance Festival in Larkspur on June 29, 1999.

• They made arrangements to meet on that day, but she called him back later and said that she had family out from Pueblo and that they would be leaving at 3:00 p.m.

• SPEAECT later went to her residence on Wildflowers Way in Castle Rock, and discovered that she had a male friend ever, and not family members. She apologized and told him that the male was the son of her "Buddha Mother", and that she had picked him up from a bar earlier where he had gotten drunk.

• SPEAECT stated that he lost interest in Ruth GONZALES due to this incident, and that the "Buddha Mother" reference made him think she might be a little strange.

• SPEAECT stated that during phone conversations they made small talk and never discussed her estranged husband or any problems she might be having with him. SPEAECT stated that he did not know if she had ever mentioned him to her estranged husband.

• SPEAECT was not working on the morning of the shooting incident. He had heard about it but never connected it to Ruth GONZALES' husband until he came into work later and was told by another officer that the girls that were killed were those of the cleaning lady.

On June 23, 1999, Agent Linda HOLLOWAY of the CBI and Investigator Karen MESKIS of the 18th Judicial District Attorney's Office contacted Ruth Jessica GONZALES at her parent's residence. On this occasion Ruth GONZALES told investigators that Simon GONZALES was aware that she was cleaning the Castle Rock Police Department. He commented that the officers were probably, "Hitting on her". She told him that she had met one of the officers, and that he had come by her home. She denied having a relationship with the officer. She told the investigators that she never dated the officer, whom she identified as Officer Randall SPEAECT and told an account of their relationship consistent with his.

It is possible this may have played a factor in Simon GONZALES' shooting at the Castle Rock Police Department. He had also had other contact with 10 officers, including getting a summons for trespass after using a restroom in a restricted area of the station, and being cited in a road rage incident.

LAB RESULTS

On June 28, 1999, evidence from this incident was sent to the Colorado Bureau of Investigation for laboratory analysis. The following items were sent to the laboratory:

• The Taurus 9mm semi-automatic handgun recovered from Simon GONZALES at the scene. CBI will test this weapon for functionality.
All of the 9mm shell casings recovered from the scene will be compared to the recovered handgun to determine if in fact they were fired from the handgun recovered from GONZALES.

All of the shots recovered from the scene will be compared to the recovered handgun to determine if in fact they were fired from the handgun recovered from GONZALES.

The results from analysis of the above items has not yet been completed.

CONCLUSIONS

On June 23, 1999, the 18th Judicial District Critical Incident Team responded to the Castle Rock Police Department, 318 4th Street, Town of Castle Rock, Douglas County, Colorado on an Officer Involved Shooting. Members of the Critical Incident Team reviewed reports, collected evidence and conducted interviews.

The investigation revealed that Simon James GONZALES, DOB 11-19-58, parked his vehicle in front of the Castle Rock Police Department and immediately opened fire on the Police Department with a semi-automatic handgun, nearly missing an officer inside the building. Numerous witnesses reported that responding officers challenged GONZALES with repeated verbal commands in both English and Spanish, to drop his weapon and surrender. GONZALES refused the commands of the officers and subsequently fired upon the officers without provocation or warning. Officers, fearing for their own lives and the lives of fellow officers, returned fire and fatally wounded GONZALES.

Analysis of evidence at the scene indicates that a total of five spent shell casings were recovered from the scene outside of the white pickup truck. Ten additional shell casings and one live 9mm round were recovered from within the truck.

Of the 9mm shell casings recovered outside of the truck, two were located east of the truck toward Perry Street. Two shell casings were recovered near the left front corner of the white pickup truck, approximately 10 east of the body of Simon GONZALES. The fifth shell casing was recovered from underneath the body of Simon GONZALES.

Damage was located on the left rear portion of a green Honda, bearing Colorado license number EF1-187. The damage was below the left rear tailight and impacted the left corner portion of the trunk lid. According to Agent CLAYTON of the (CB), who processed the scene, the damage is consistent with a projectile striking and indicated movement from east to west. This is the vehicle that Officer MAES stated he took cover behind when he was shot at by Simon GONZALES. These observations appear consistent with the statements of officers and other witnesses regarding the incident.

It was later discovered that GONZALES’ three children, identified as Kathleen, Rebecca, and Leslie GONZALES, had been shot and killed by Simon GONZALES prior to his arrival at the Castle Rock Police Station. The bodies of the three girls were found in the cab of GONZALES’ Ford pickup truck. Autopsies revealed that the three girls were shot at extremely close range and were not struck by any rounds fired by the officers. The exact location of the bullet wounds of the children has not been determined. There were no injuries to any police officers, bystanders, or witnesses. There is no information to indicate that there were any other suspects involved besides Simon JAMES GONZALES.