

Exhibit B:

Colorado Bureau of Investigation:  
Report of Investigation, prepared by Agents  
J. Clayton, Jr. & D. Sollars, July 19, 1999



**COLORADO  
DEPARTMENT  
OF PUBLIC SAFETY**

**Colorado Bureau of Investigation  
Robert C. Cantwell, Director**

July 23, 1999

Frank Vanecek  
18<sup>th</sup> Judicial District Critical Incident Team  
690 Kipling Street  
Denver, CO 80215

Dear Frank:

Enclosed is the ~~crime scene report for Colorado Bureau of Investigation~~ laboratory case #D98-2036 (18<sup>th</sup> Judicial District Critical Incident Team case #99-11604). In addition to the report, a set of photographs taken at the crime scene is included.

If you have any questions please call me at (303) 239-4303.

Sincerely,

Thomas B. Netwal  
Agent-in-Charge

TBN:JRC:lk  
Enclosure  
cc: Inspector Pete Mang

Bill Owens  
GOVERNOR

Aristedes W. Zavaras  
EXECUTIVE DIRECTOR

Division of  
Criminal Justice

Colorado State  
Patrol

Colorado Bureau  
of Investigation

Division of  
Fire Safety



690 Kipling Street, Suite 3000  
Denver, Colorado 80215-5825  
(303) 239-4300  
Admin. FAX (303) 235-0568  
Invest. FAX (303) 238-6714

3416 North Elizabeth Street  
Pueblo, Colorado 81008  
(719) 542-1133  
FAX (719) 542-6411

301 South Nevada Avenue  
Montrose, Colorado 81401  
(970) 249-8621  
FAX (970) 249-6308

Report Date July 19, 1999	Colorado Bureau of Investigation Report of Investigation	Case No. D99-2036
Type of Report Crime Scene	Report By Agents J. Clayton, Jr./D. Sollars	Area Castle Rock P.D.
Nature of Case Homicide		

REQUESTING AGENCY: 18<sup>th</sup> Judicial District Critical Incident Team

INVESTIGATING OFFICER: Frank Vanecek

DATE OF REQUEST: 23 June 99

DATE OF OFFENSE: 23 June 99

AGENCY CASE NUMBER: 99-11604 (Douglas Co. S.O.)  
99D0141 (CBI Investigation)  
99-3226 (Castle Rock P.D.)

LOCATION OF SCENE: 4<sup>th</sup> and Perry, Castle Rock, Colorado

VICTIM(S): Rebecca Gonzales, DOB: 05/20/89  
Katherine Gonzales, DOB: 10/12/90  
Leslie Gonzales, DOB: 03/20/92

SUSPECT: Gonzales, Simon J., DOB: 11/19/68

WEATHER: Hot, partly cloudy, light breeze

EVIDENCE SEIZED BY: Joe R. Clayton, Jr.

EVIDENCE IN CUSTODY OF: Douglas County Sheriff's Office

Type of Report	Agents	Date	File Number	Page
Crime Scene	J. Clayton/D. Sollars	7/19/99	D99-2036	2 of 11

REMARKS: Agent in Charge (AIC) Tom Netwal initiated a call-out of CBI Crime Scene personnel to respond to an officer involved shooting in Castle Rock. One block of street, as well as an associated intersection had been cordoned off to protect the integrity of the crime scene. Initial information indicated three deceased children inside a truck and one deceased adult outside the truck. No police officers had been struck by the suspect firing his weapon during an exchange of gunfire, however, ~~several nearby vehicles had been hit.~~ Also, at least one round had shattered a police department building window and struck a large metal filing cabinet. Casings and metal fragments in the roadway and parking lot had been circled with chalk and many had Styrofoam cups placed over them prior to CBI's arrival. As the sun rose, a gentle breeze came up. This breeze made it necessary to collect the lighter, exigent evidence first. Processing the area around the truck followed.

ACTION TAKEN: Agents Joe Clayton and Don Sollars arrived at the staging area in Castle Rock at 0621 hours on 23 June 99. Steve Johnson was present, as well as three additional individuals from the 18<sup>th</sup> Judicial District Critical Incident Team who were identified as lead detectives; Frank Vanecek, Ron Combs and Christian Contos. CBI Director Bob Cantwell and Inspector Pete Mang and AIC Netwal were present and assisted with initial organization and logistical support.

After a briefing with the above individuals and local representatives, assignments were made by Clayton. The collection of evidence on the roadway was started, along with diagrams and photographs of the entire area. Overhead photographs were made possible by access to the roof of an adjacent apartment building.

At this time, Agent Clayton and Inspector Mang decided to call out additional personnel to assist in collecting the pieces of evidence. Agents Hammond and Ballard were notified and responded. With the assistance of these agents and CBI Investigative

Type of Report	Agents	Date	File Number	Page
Crime Scene	J. Clayton/D. Sollars	7/19/99	D99-2036	3 of 11

Agent Scott Mundine, diagramming the location of evidence, collection and documentation of evidence proceeded.

The area around a white Ford Truck bearing Colorado license DV6705 and VIN/1FTEX14H7NKB20168, involved the deceased, a loaded, cocked pistol and the three deceased children inside the truck. The adult male was photographed and his position measured. The Taurus 9 mm weapon was rendered safe by Frank Vanecek. Douglas County Deputy Coroner Wes Riber and Clayton bagged the male's hands. The male's wallet was removed and placed into a sealed plastic bag to assist in identification. The deceased male was removed at 0835 and placed into the coroner's vehicle for transport.

A visual barrier was constructed using equipment and personnel from Castle Rock Fire and Rescue under the direction of Chief Rob Brown. The truck was opened and the interior photographed. The three victims were each checked by Riber and brown paper bags were placed over their hands. The victim in the front seat was removed at 0931, the victim on the rear seat was removed at 0943 and the victim from the rear floorboard was removed at 0954. A temporary tent was made from a blue tarpaulin to shield the removal of the children from onlookers. At this time, a total of 10 empty shell casings (9 mm) had been located inside of the truck. One live round (9 mm) was located inside of the cab of the truck as well as a fired projectile whose origin was not determined at the scene.

Damage to the truck was documented and photographed. Trajectory rods were inserted where at least 2 distinct, entry/exit holes could be established. A decision to move the truck out of the street to a secured area was made. Douglas County Sheriff's Office offered an available storage bay and West Side Towing arrived and removed the wrapped truck at 1245.

Type of Report	Agents	Date	File Number	Page
Crime Scene	J. Clayton/D. Sollars	7/19/99	D99-2036	4 of 11

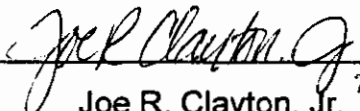
The nearby vehicles which had been hit by gunfire were inspected and photographed. The green Honda, bearing Colorado License EIF1187, had sustained damage near the driver's side rear taillight consistent with being struck by a projectile. The impact damage appeared to have an East to West directionality. A fired projectile was recovered from the Animal Control Vehicle. No other projectiles were recovered from any of the associated vehicles. A variety of metal fragments were located from a coordinated canvas of the street to the West of the truck. No impacts were noted in buildings located to the West of the truck, the direction which officers had advised the male had fired. Metal fragments were also located and collected next to the North wall of the police department building.

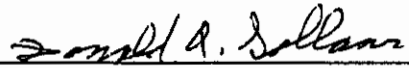
On 6/24/99, Agents Clayton and Sollars responded to the Douglas County S.O. where the truck had been stored. The vehicle was unwrapped and inspected. Blood collection was performed at eleven different sites. Two distinct metal fragments, one live round and an additional 9 mm casing, were located. The areas of spatter on both running boards were noted. Small spatter located along the vehicle's exterior was photographed and several areas of blood were collected. Agent Sollars was able to show corresponding damage to the metal support structures beneath where the victims had been lying. These areas were photographed, as was the underneath side of the foam seat cushion.


In summary, a total of eleven 9 mm empty shell casings were found inside of the truck's cab. Two 9 mm shell casings were located East of the truck, near the intersection of 4<sup>th</sup> and Perry. Two empty 9 mm shell casings were located approximately 10 feet East and slightly North of the suspect's body. Also, another empty 9 mm shell casing was located underneath the male's body. No additional 9 mm casings were located. Numerous .45 caliber shell casings were located near the white van (near photo placard #4) in the apartment building's parking lot and to the East of the truck's location in the street. Additionally, empty shotgun shell casings were found in the area of the .45 casings.

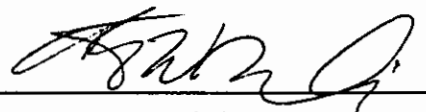
Type of Report	Agents	Date	File Number	Page
Crime Scene	J. Clayton/D. Sollars	7/19/99	D99-2036	5 of 11

Plastic shotgun wadding material was found in a variety of locations near the truck. No .45 casings were located inside the truck. No field identification was attempted on any of the metal fragments recovered from the vehicle or from the roadway.

  
\_\_\_\_\_  
Joe R. Clayton, Jr. 7123  
Agent  
(Reporting)

  
\_\_\_\_\_  
Donald A. Sollars  
Agent  
(Reporting)

  
\_\_\_\_\_  
Thomas Netwal  
Agent-in-Charge  
(Reviewing)

  
\_\_\_\_\_  
Chester W. Ubowski  
Agent-in-Charge  
(Reviewing)

Type of Report	Agents	Date	File Number	Page
Crime Scene	J. Clayton/D. Sollars	7/19/99	D99-2036	6 of 11

### Photolog

Note: photographs are automatically numbered in lower right hand corner.

#### Roll #1

1	Film identifier
2-12	Overall views of crime scene area
13-17	Area around truck
18-21	Overall views of crime scene area
22	Police vehicle with impacts
23	Overall view of damaged police department window
24-35	Overhead view (from roof of adjacent building)

#### Roll #2

1	Film identifier
2-3	Plastic shot cup near placard #1
4-5	Metal casing and plastic shot cup near placard #2
6-7	Metal casing near placard #3
8-9	Metal fragment near placard #6
10-11	Plastic shot cup near placard #5
12-13	Metal casing near placard #4-A
14-15	Metal casing near placard #4-B
16-17	Spent shotgun shell near placard #4-C
18-19	Metal casing near placard #4-D
20-21	Spent shotgun shell near placard #4-E
22-23	Spent shotgun shell near placard #4-F
24-25	Spent shotgun shell near placard #4-G
26-27	Metal fragment near placard #7
28-29	Metal casing near placard #8-A
30-31	Metal casing near placard #8-B



Type of Report	Agents	Date	File Number	Page
Crime Scene	J. Clayton/D. Sollars	7/19/99	D99-2036	7 of 11

**Roll #2, continued**

- 32-33 Plastic shot cup near placard #9
- 34-35 Plastic shot cup near placard #10

**Roll #3**

- 1 Film identifier
- 2-3 Cigarette butt near placard #12
- 4-5 Metal fragment near placard #13
  
- 6-7 Spent shotgun shell near placard #14
- 8-9 Spent shotgun shell near placard #15
- 10-11 Metal casing near placard #16
  
- 12-13 Metal casing near placard #17
- 14-15 Metal casing near placard #18
- 16-17 Metal casing near placard #19
  
- 18-19 Metal casing near placard #20
- 20-21 Metal casing near placard #21
- 22-23 Metal casing near placard #22
  
- 24-25 Plastic shot cup near placard #23
- 26-27 Metal casing near placard #24
- 28-30 Overall views of suspect
  
- 31 Mid-range of area near suspect's right hand
- 32 Knee area of suspect showing metal casing
- 33 Mid-range of suspect showing metal casing
  
- 34-35 Mid-range of victim
- 36 Unexposed frame

**Roll #4**

- 1 Film identifier
- 2-3 9 mm Taurus handgun
- 4-10 Examination of body by coroner

Type of Report	Agents	Date	File Number	Page
Crime Scene	J. Clayton/D. Sollars	7/19/99	D99-2036	8 of 11

#### **Roll #4, continued**

Note: One space intentionally left blank due to a numbering error

11-12	Bloodstain with suspect removed
13-14	Suspect's truck
15-16	Cell phone on truck hood
17-18	General photographs showing damage to vehicle
19	Damage to driver's side extended cab window
20-35	General photographs showing damage to vehicle
36	Unexposed frame

#### **Roll #5**

1	Film identifier
2	Damage to vehicle tailgate
3-4	Damage to Honda near truck
5-6	Plastic shot cup
7-12	Victim and interior area, front passenger side of truck
13	Spatter on passenger side running board
14	Victim location, front passenger side of truck
15	Metal casing, passenger front floorboard area
16	Impacts, front windshield
17-22	General condition of vehicle/location of victims
23	Suspected bullet hole, front passenger seat
24-31	General condition of vehicle/location of victims
32	Unspent cartridge, driver's side rear floorboard
33-35	General location of victims

#### **Roll #6**

1-2	Spatter on rear of driver's seat
3-7	Spatter on edge of driver's door
8-9	Spatter/damage to rear window

Type of Report	Agents	Date	File Number	Page
Crime Scene	J. Clayton/D. Sollars	7/19/99	D99-2036	9 of 11

### Roll #6, continued

10 Metal fragment near victim  
 11 Metal casing near victim  
 12-13 General position of victim  
  
 14-17 Spatter on driver's side running board  
 18 Spatter on back of driver's seat  
 19-21 Damage to police department window, exterior  
  
 22-25 Damage to police department window, interior  
 26-27 Damage to wall inside of police department  
 28 Damage to metal filing cabinet  
  
 29 Damage to wall inside of police department  
 30 Damage to metal filing cabinet  
 31 Metal fragment on carpet inside of police department  
  
 32 Damage to filing cabinet with metal fragments on floor  
 33-35 Examination of body by coroner  
 36-37 Suspected bullet hole in front passenger seat

### Roll #7

1-3 General position of victims  
 4 Victim with hands bagged  
 5 Metal casing  
  
 6 Suspected bullet holes in rear seat  
 7-8 Damage to victim's finger  
 9 Spent cartridge case in victim's clothing  
  
 10 Spent cartridge cases on rear floorboard  
 11 Spatter on running board  
 12 Victim with hands bagged  
  
 13 Floorboard area with victims removed  
 14 Possible projectile skid marks on truck hood  
 15-17 Trajectory rods in truck

Type of Report	Agents	Date	File Number	Page
Crime Scene	J. Clayton/D. Sollars	7/19/99	D99-2036	10 of 11

### Roll #7, continued

- 18 Suspect bullet in driver's door
- 19-22 Trajectory rods in truck
- 23 Wendy's bags from bed of truck
  
- 24 Suspected bullet hole in molding of rear window
- 25 Interior view of impact from photo #24
- 26 Parked vehicles, with truck removed
  
- 27 Parked vehicles, just West of truck's location
- 28 Parked vehicle, West of photo #27
- 29 Police vehicle, West of animal control vehicle
  
- 30 Animal control and patrol vehicle
- 31 Parked police vehicles East of animal control vehicle
- 32-36 Interior of Animal Control, topper area

### Roll #8

- 1-6 Overall views of wrapped truck
- 7 Suspected bullet hole in front passenger seat
- 8 Spatter on front passenger door
  
- 9 Spatter on passenger's side running board
- 10 Blood and bullet holes on front passenger seat
- 11 Bloodstain on rear driver' side seat area
  
- 12 Suspected bullet hole on rear of passenger side arm rest
- 13 Spatter on front driver's side door jamb
- 14 Spatter on front driver's side door panel
  
- 15 Spatter on file folder, rear of driver's seat
- 16 Spatter on driver's side rear passenger compartment panel
- 17 Spatter on interior driver's side rear passenger compartment rear window
  
- 18 Spatter on driver's side running board
- 19 Spatter above driver's side rear wheel well
- 20 Spatter on driver's side rear tire rim

Type of Report	Agents	Date	File Number	Page
Crime Scene	J. Clayton/D. Sollars	7/19/99	D99-2036	11 of 11

**Roll #8, continued**

- 21-22 Suspected bullet hole, passenger side rear window area
- 23-27 Suspected bullet holes through floorboard, driver's side rear
- 28 Bottom of rear and foam seat cushion, driver's side
  
- 29 Metal portion of rear seat, driver's side

JRC:lk 072199  
D99-2036

D99-2036 -> CBI, lab case #

all slugs removed  
move all police cars

0530 left CBI  
0621 arrival

placards  
✓ officer's vehicles x 3  
~~wrap truck~~

S- HOUSES

~~TRUCKS~~

8:35 Body Bagged - in truck <sup>corner</sup>  
Wes Riber <sup>by</sup> Douglas County Coroner  
Douglas County Coroner  
Air Tag

9:00  
open  
truck  
doors

IFTEX14 H7NK B20168

PV-6705  
Ford

~~245 veh removed by Tom Johanns -~~  
~~west side corner~~

S MILCOX

left 5 1 blk right penny

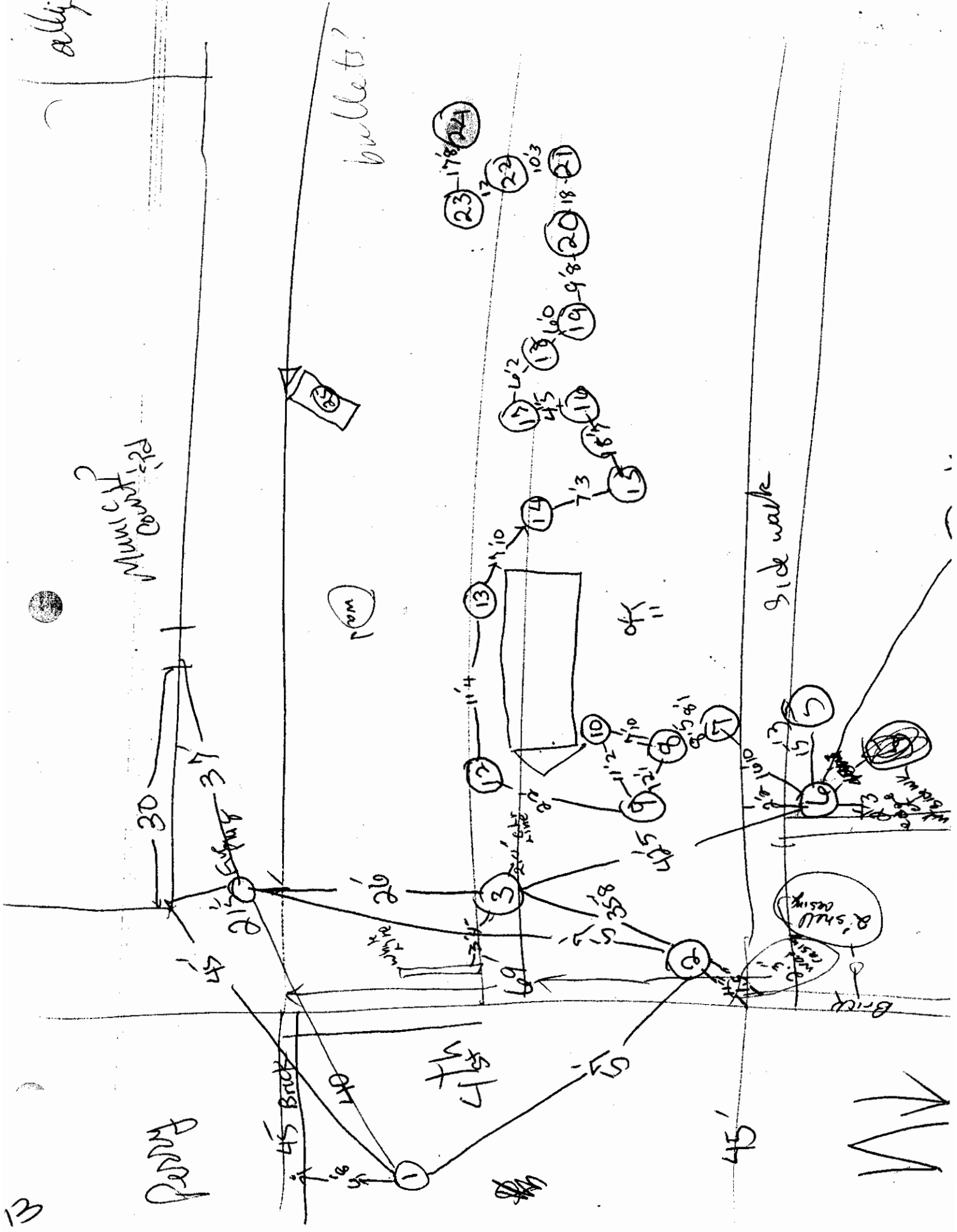
subject is

Simon J Gonzalez

alley

Mural?   
 Pl's   
 Com'd?

bullets?



Paved Area

45 Brick

45

45

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30

37

210

26

20

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112

110

103

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24

off 11

side walk

R's hall

brick

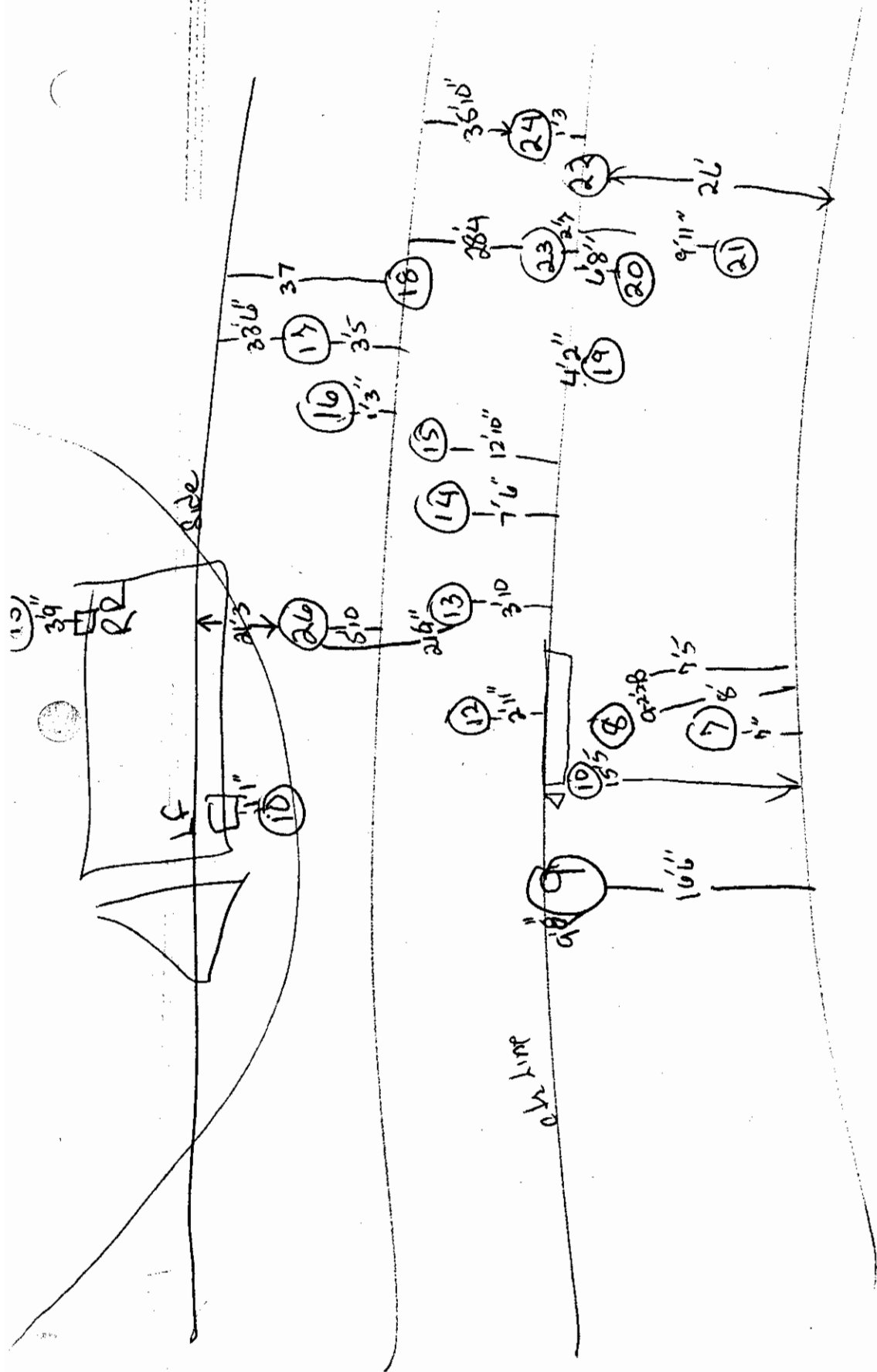
room



Mural?   
 Pl's   
 Com'd?

alley

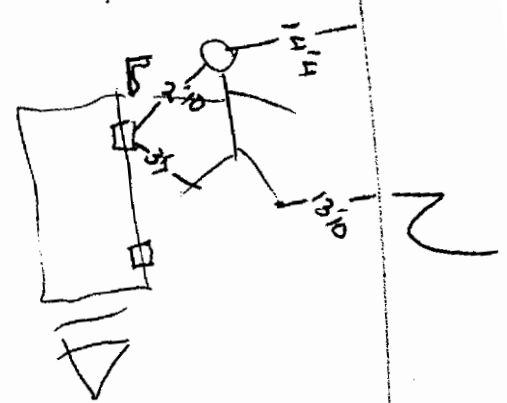
bullets?



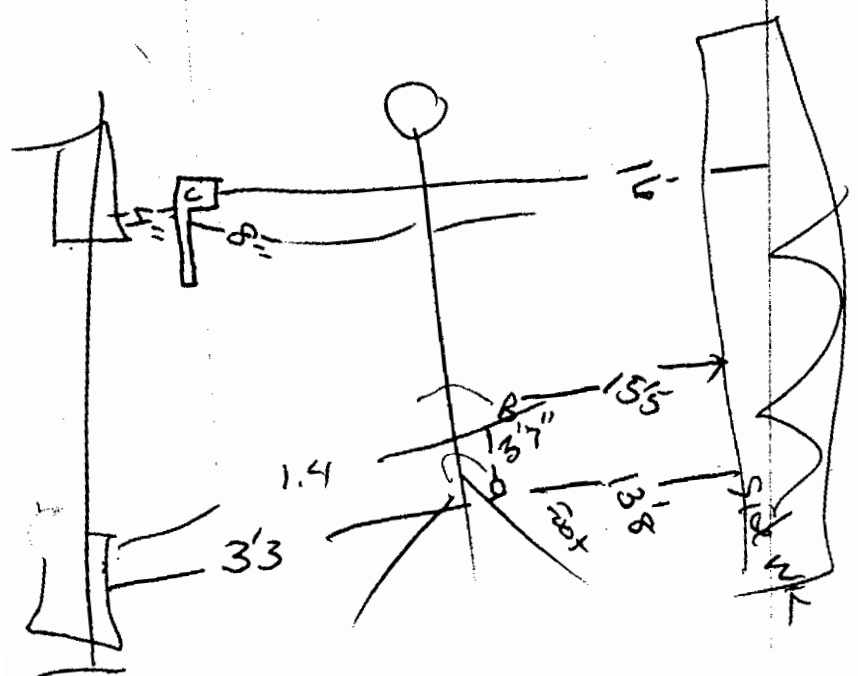




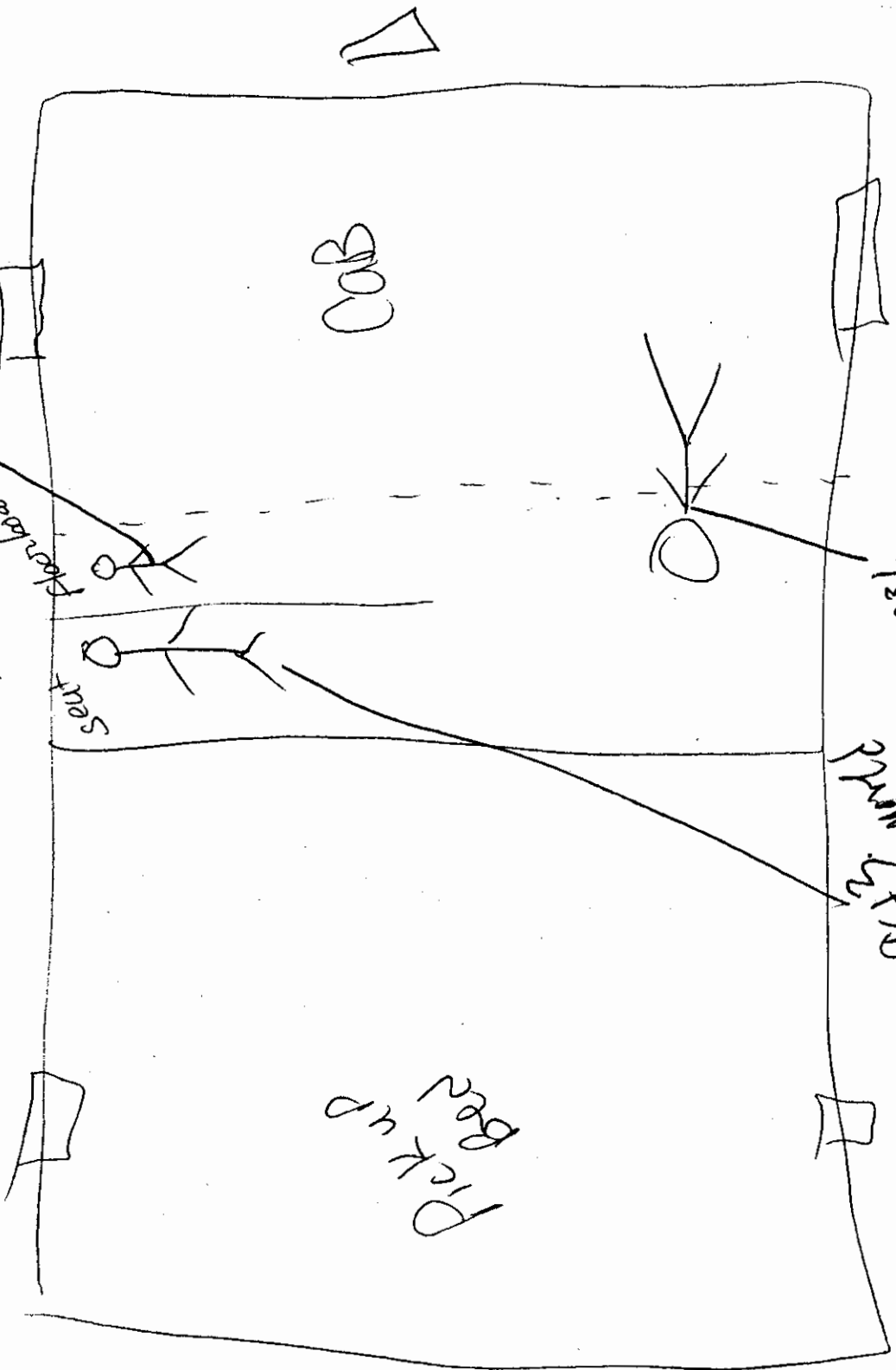
gun Data



mag 11 C1



5/12  
Body's Leave  
Scene - Corridor



Removal of 5A

Driver  
Passenger  
Seat

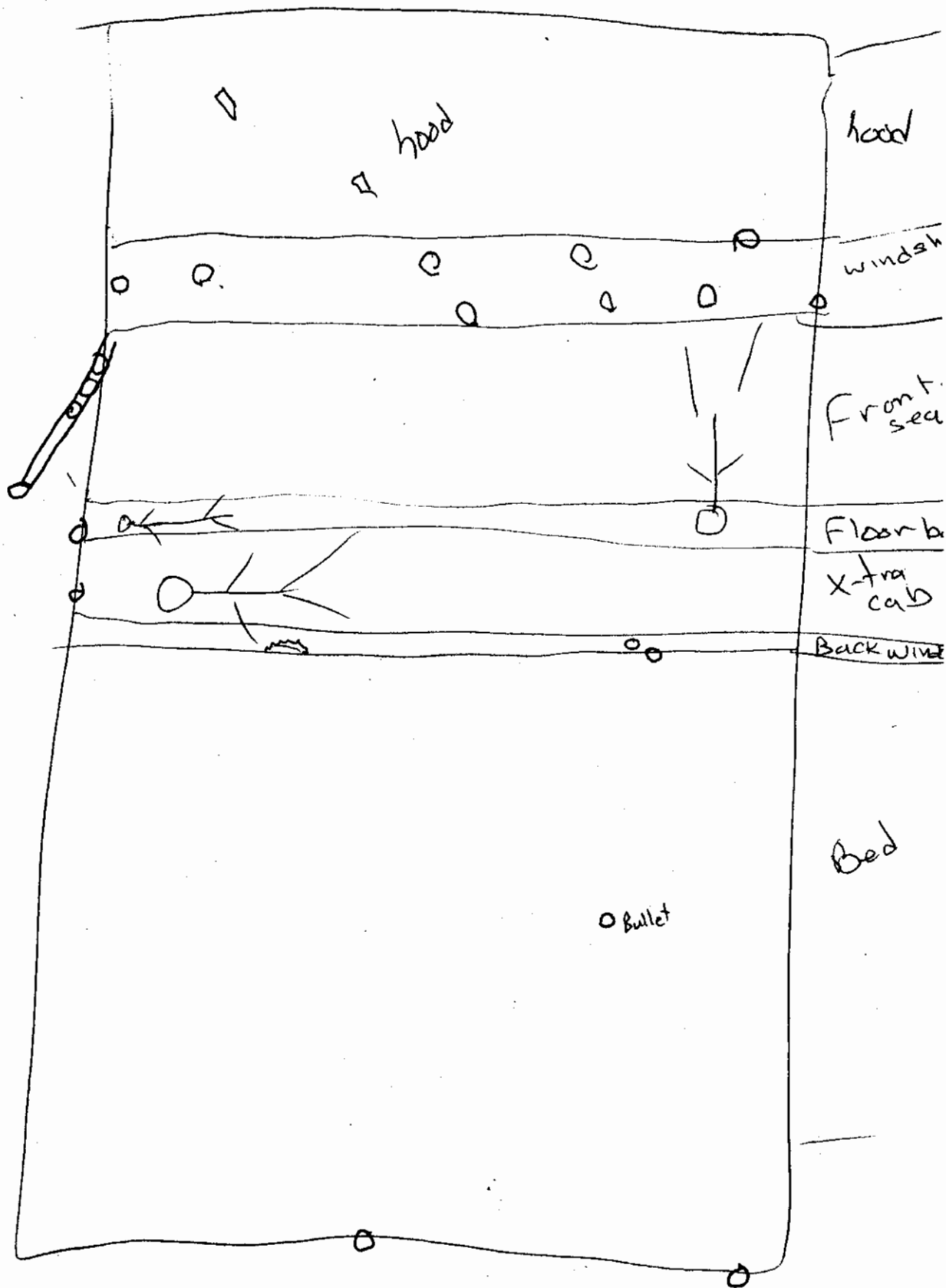
CAB

Pickup Bed

Removal

Body's Leave

5/12  
Body's Leave  
Scene - Corridor



151  
20

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parts of

of

AB  
AB

parking  
slots

front of PD building -  
318 4th St

- 1 castle rock PD 145 919A11 ocean vintage truck
- 2 blue chevy caprice LFZ-920
- 3 empty
- 4 castle rock PD 86 229A12 chevy
- 5 colorado humane society white GMC truck 1450845
- 6,7 empty
- 8 castle rock pd 228 214A12

#25

north side 4th St EAST TO WEST

- 1 red escort LX Ford EPB7089
- 2 green accord LX EIF1187
- 3 plymouth ltlt blue EHY6569
- 4 blue chevrolt truck canyon shell 0140-JA
- 5 empty
- 6 black Toyota truck 71484PH

responder officer

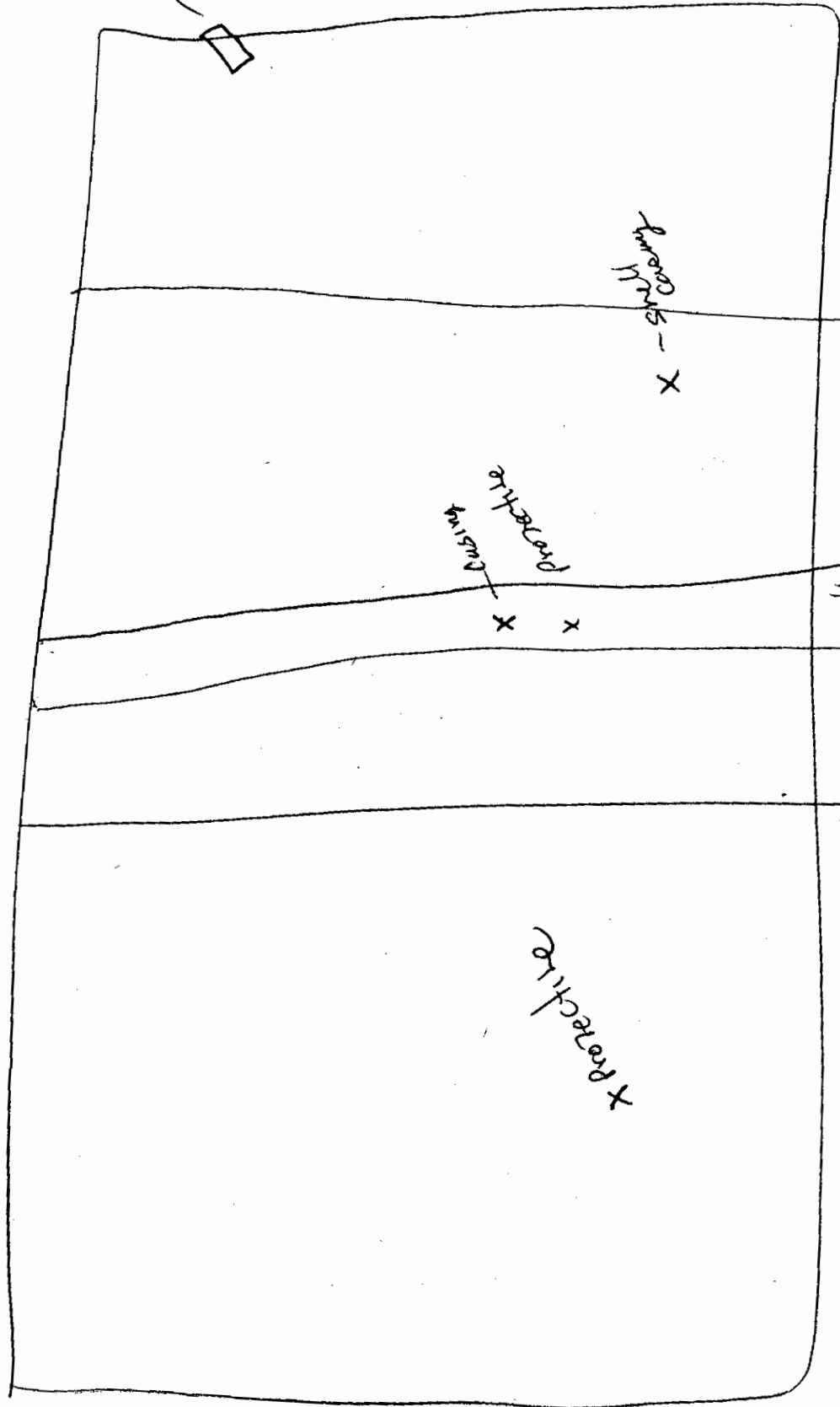
- 146 castle rock pd 920A11 Perry St north of 4th  
4th & WILCOX ST east side
- 17 castle rock pd 400A11 Chevy
- 16 castle rock pd jeep 799A11

blue chevrolt spectrum EIF3364 front of 306 4th St

5:30 cleaned

N

Home  
Cell



hood

Cab  
gears

Back  
Floor  
Boat

X - Trauma Cab  
gears

X - Sprinklers

X - Protective  
X - Protective

X Protective

Bed

6-5-99

Briefing -  
Steve Johnson -

✓ logging things in properly w/ log  
mileage -  
gas gauge

✓ long term storage of the veh - Chief Lane  
possible further examination for bullet holes -  
release of vehicle

- weapons - priority to get officer's weapons examined

~~all wounds show powder burns - 6" - 2' distance~~  
additional bullet holes in vehicle  
may indicate firing at close range

Mike Knight - fielding all questions  
Ron Combs - Executive Officer -

Investigative Concerns -

- \* Sequence of officer's shots, eyewitness accounts of events
- \* ~~Alleged video of vehicle in front of Police Dept.~~
- \* Etchings

get video to see if any ev. that of most inside

(U) Castle Rock  
18th Jud Dist  
CBS



DR.CODMV0000.CO0180100.TXT ATTN: LISK, PATRICIA

QUERY ON: NAM/GONZALES, SOMON

DOB/19681119

\*\*\* CCIC INFO MAY BE USED FOR CRIMINAL JUSTICE PURPOSES ONLY \*\*\*

\*\*\* ONLY COLORADO DMV FILES WERE SEARCHED - COLORADO PIN = OLN \*\*\*

\*\*\* CONFIRM WITH COOLN0000 BEFORE TAKING ENFORCEMENT ACTION \*\*\*

STATE OF COLORADO  
COLORADO DRIVER RECORD

SIMON J GONZALES  
1201 SOUTH QUIVAS ST  
DENVER

CO 80223

DATE: 06/23/19  
TIME: 02:54:53  
INSURED STATUS:

ALIAS:

COLORADO PIN: 92-085-1782

SSN: [REDACTED]

CDL CLASS:

LICENSE NUMBER: 920851782

LICENSE TYPE: ADULT REGULAR LICENS

HEIGHT: 5 06      WEIGHT: 125

ISSUE DATE: 19951115

HAIR: BROWN      EYES: BROWN

EXPIRATION: 20001119

DONOR: Y      SEX: MALE

BIRTH DATE: 19681119

ENDORSEMENTS: NONE

RESTRICTIONS:

PREVIOUS STATE AND LICENSE:

REGULAR LICENSE STATUS: VALID

COMMERCIAL LICENSE STATUS: NOT APPLICABLE

NLET - Invalid or Unauthorized SOURCE in message header

*wrong  
spelling  
of name*

D99-2036

All slugs removed  
move all police cars

0530 left Cbt  
0621 arrival

~~placards~~  
✓ officer's vehicles x 3  
~~wrap truck~~

S- Houses

~~ATTENDANTS~~

8:25 Body Bagged - in truck <sup>corners</sup>  
by Wes Riber

Douglas  
County  
Cor ofc  
air tag

1FTEX14H7NK820168

9:00  
open  
truck  
doors

PV-6705  
Ford

1245 veh removed by Jan Johanns -  
Westside county

S MILCOX

left 5 1 blk right penny

subject is

Simon J Gonzales



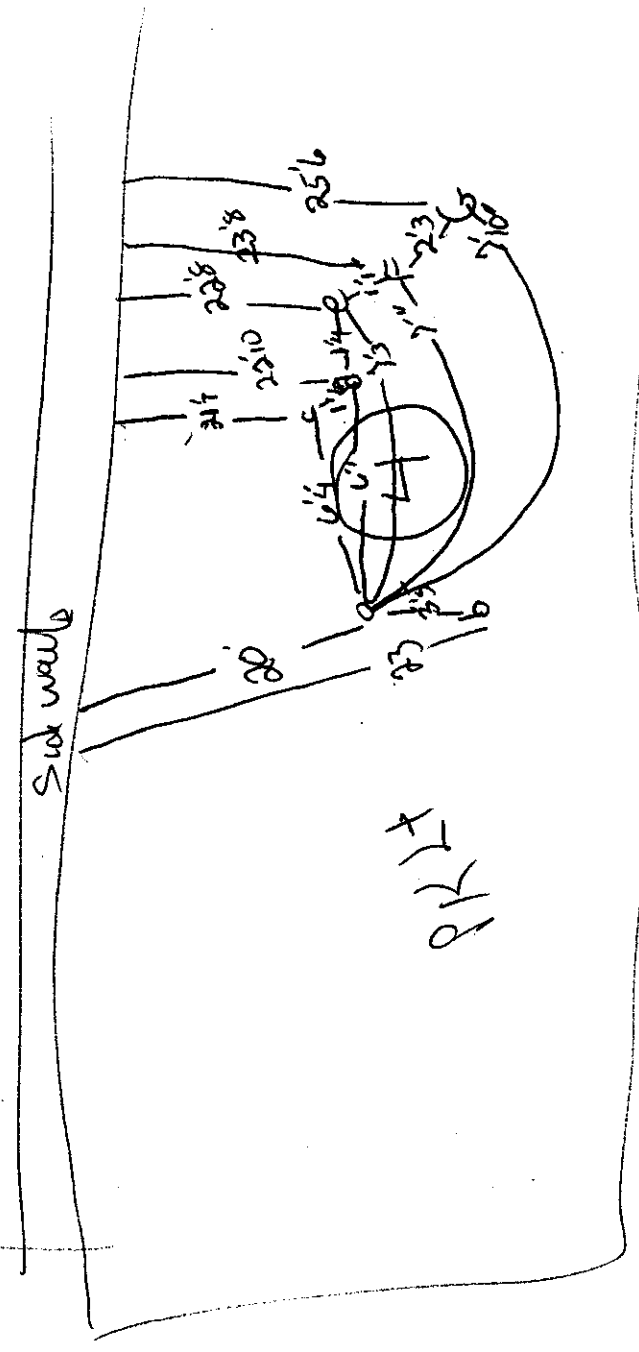




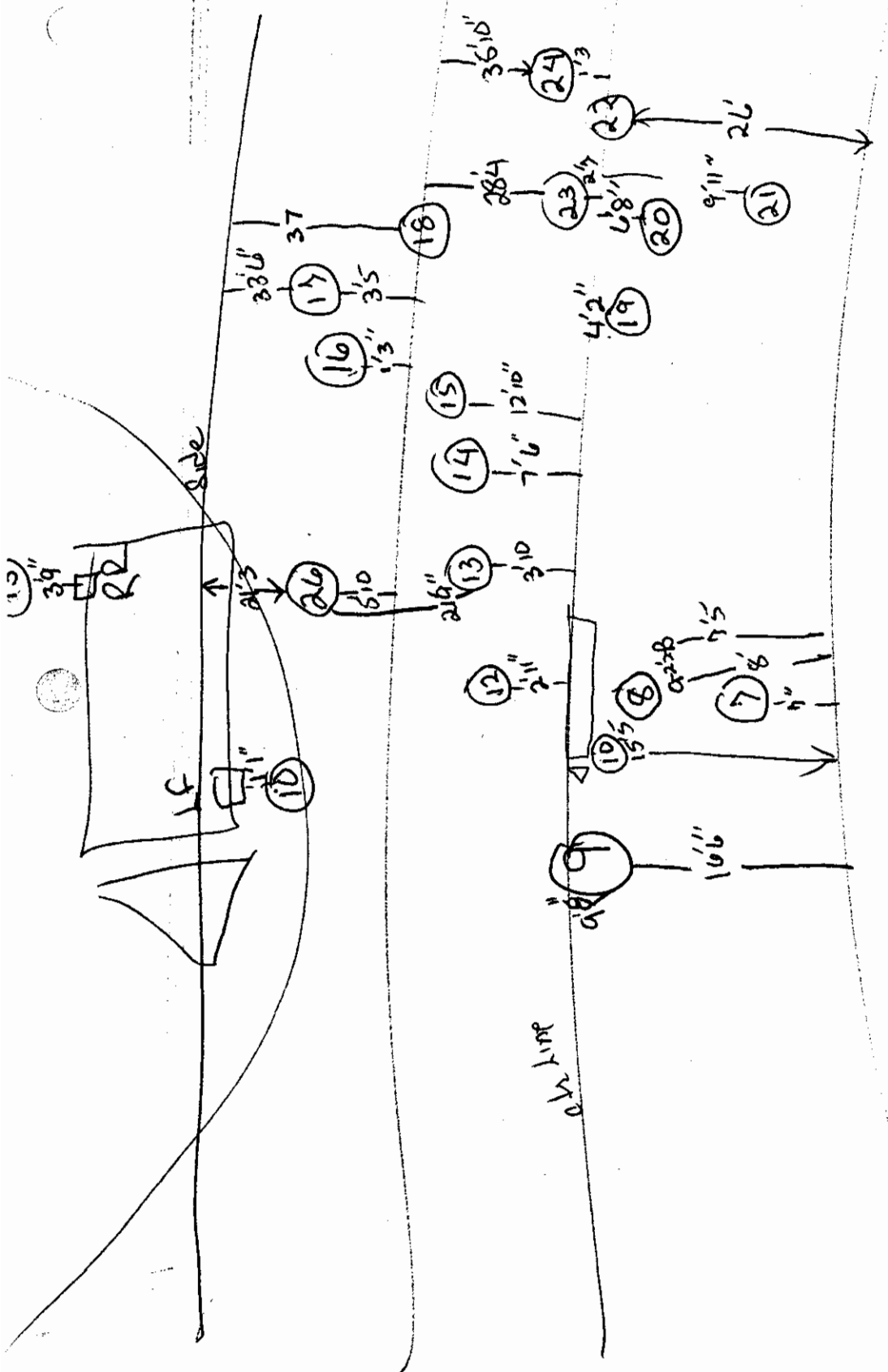


8/2/18

⑤  
4/4/18



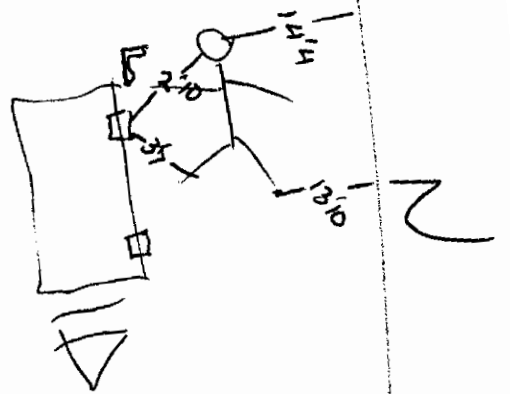




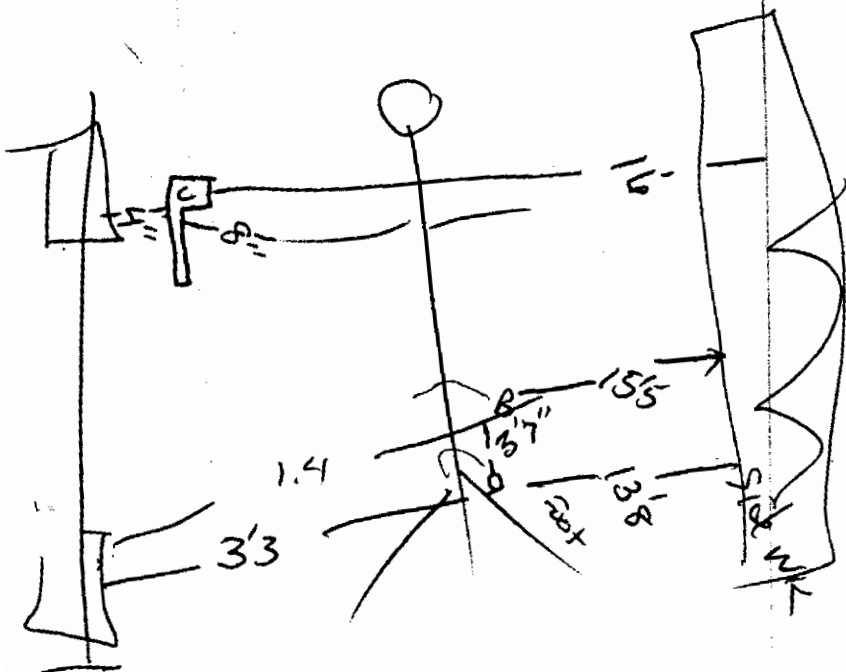




gun Data



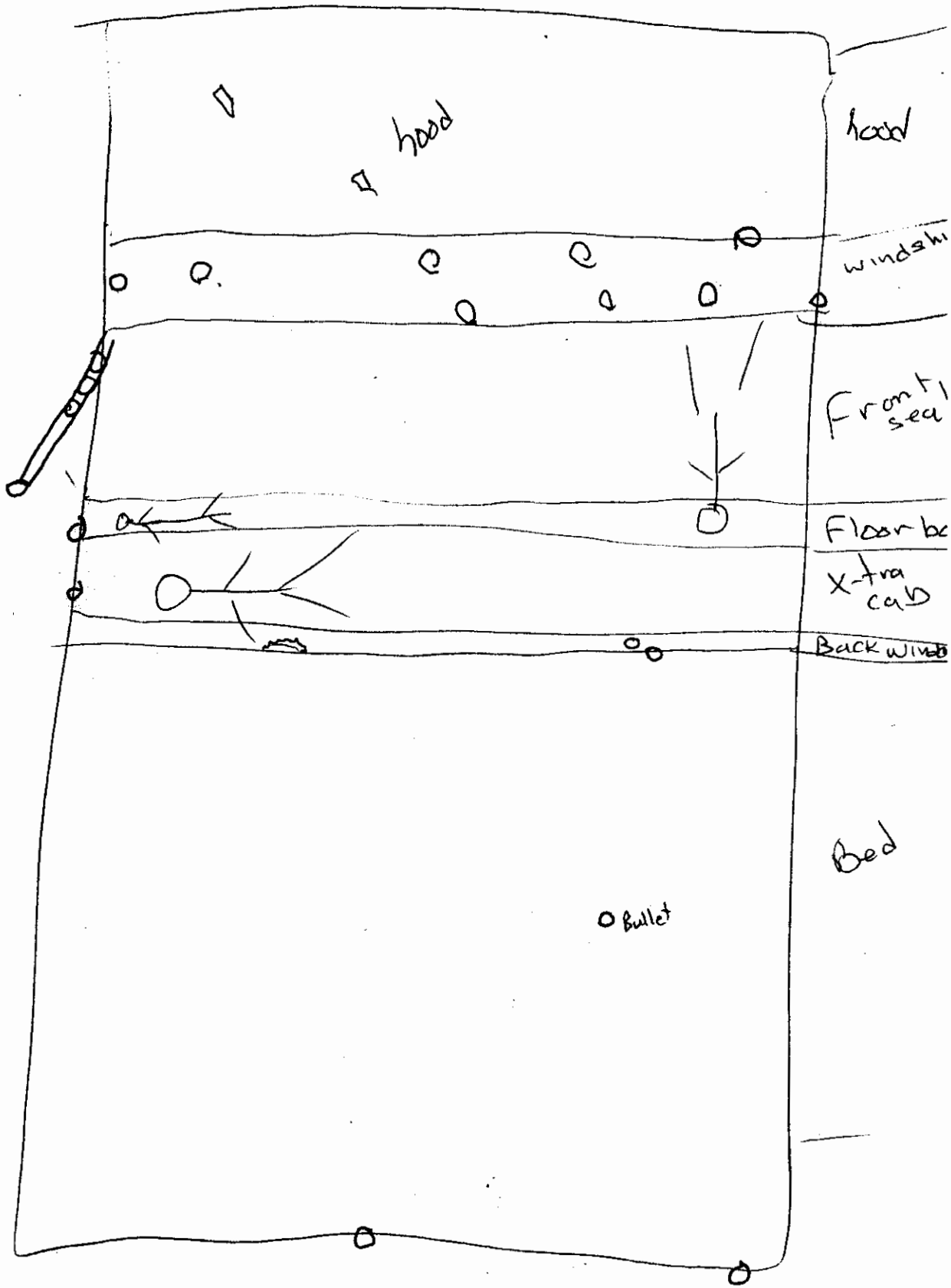
mag 11 C 1











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Front seat

Floor bc

X-tra cab

Back window

Bed

Bullet



31

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scribble

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sets

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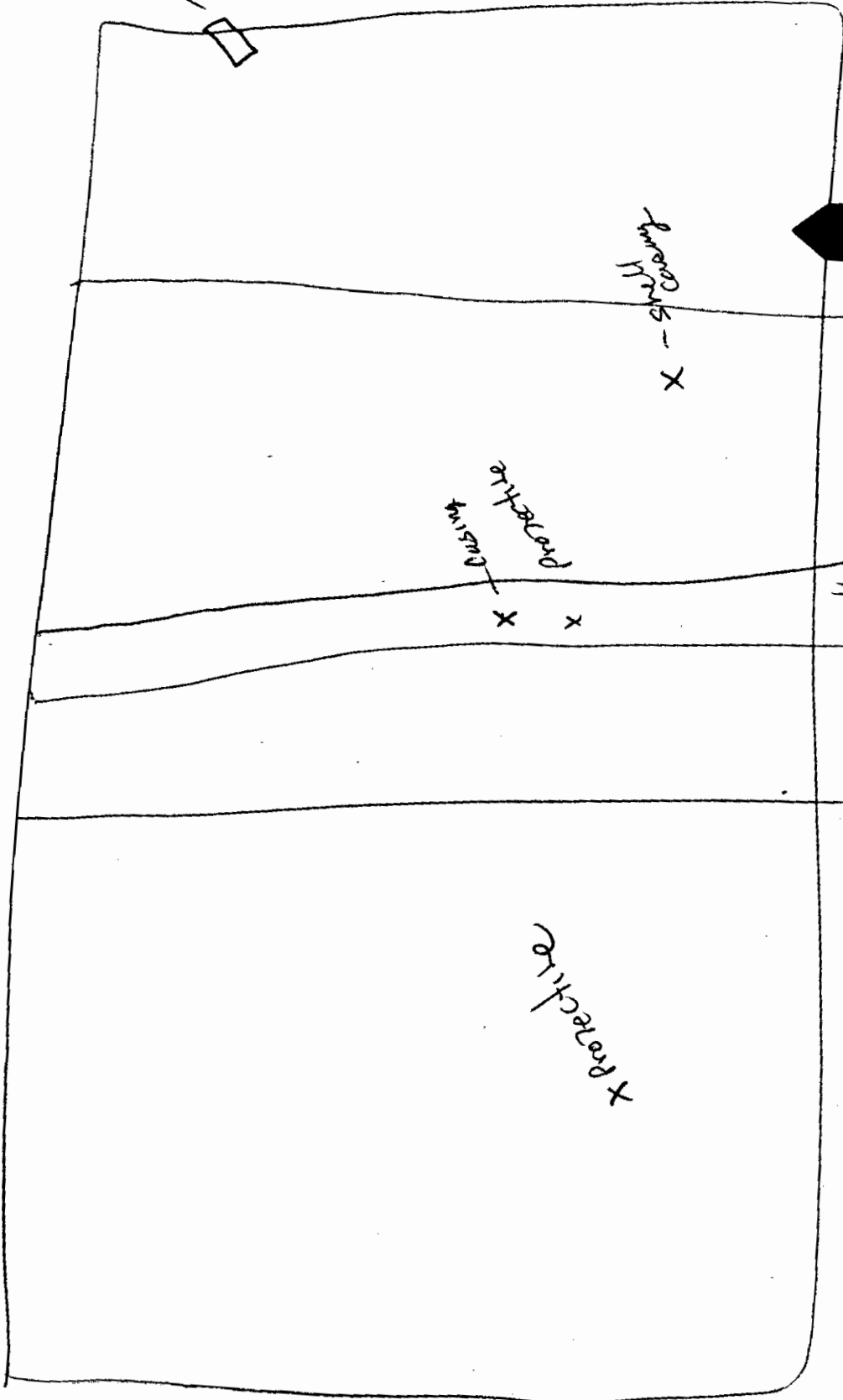
AB





N

Phone  
Cell



X - small  
Krems

X  
X  
Protective  
Quising

Back  
Floor  
Board

X - Tra Cab  
Seats

Club  
Seats

hood

Bed



junkies  
slot

front of PD building -

318 4th St

- 1 castle rock PD 145 919A11 seven victor's Fork
- 2 blue chevy caprice LFZ-920
- 3 empty
- 4 castle rock PD 80 229A12 Chevy
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#25

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responder officer

- 146 castle rock pd 920 A11 Perry St north of 4th  
4th & Wilcox St east side
- 17 castle rock pd 400 A11 Chevy
- 16 castle rock pd jeep 799A11

blue chevrolt spectrum EIE3364 front of 306 4th St

5:30 cleaned