

Boise Police Department General Report

RD: 62

DR# 2024-402210

Incident

Date & Time Occurred: 02/11/2024 02:07 to 02/11/2024 02:35
 Date & Time Reported: 02/11/2024 02:07
 Location of Occurrence: SW BLACKHAWK DR / S FIVE MILE RD 13 - Highway/Road/Alley
 Location: BOISE, ID 83709

ParcelNo:

Charges

Chg#	Offense/Charge	Law Section	Severity
1	INFORMATION REPORT	INFO	INFORMATION

Probable Cause

On 02/11/2024 at approximately 0217 hours, Ada County Sheriff's Office Deputies were dispatched to the area of W Blackhawk Dr. and S Five Mile Rd. regarding a suspect shooting a handgun near the canal. The calling party stated they heard a bang near their residence and went to investigate. When the calling party asked the suspect what was going on, the suspect fired a round from a hand gun at the calling party. Ada County Deputies responded to the area of W Blackhawk Dr. and S Five Mile Rd. and contacted the suspect resulting in a Deputy involved shooting. This incident resulted in the death of the suspect later identified as Dominic Soto.

People Involved

Suspect	Name	Race	Sex	DOB	Age
	SOTO, DOMINIC		M		
Address: [REDACTED]					
Occupation: [REDACTED]					
Bus or School: [REDACTED]					
, ID					
Offense/Charge: INFORMATION REPORT					
Law Section: INFO					
Counts: 1					
Severity: INFORMATION					
<input type="checkbox"/> Arrest <input type="checkbox"/> Cited <input type="checkbox"/> Cuffs Checked <input type="checkbox"/> Seat Belted Summons:					

Victim	Name	Race	Sex	DOB	Age
	STATE OF IDAHO	"	lbs		
Address: [REDACTED], ID -					
Occupation: [REDACTED]					
Bus or School: [REDACTED]					
, ID					
Res Phone: () -					
Cell Phone: () -					
Bus Phone: () -					
SSN: - -					
OLN/St: /					
Relationship: [REDACTED]					
Injury Type: [REDACTED]					
How Ident.: [REDACTED]					

Admin

Officer(s) Reporting	Ada No.	<input type="checkbox"/> Phone Rpt.	<input type="checkbox"/> Audio Recording	Related DR#s
Ofc. Derek Reynosa	1093	<input type="checkbox"/> Counter Rpt.	<input type="checkbox"/> Video Recording	<input type="checkbox"/> PPI
Approved Supervisor	Ada No.	Approved Date		
Sgt. Jordan McCarthy	861	02/12/2024 12:28		
Assigned To	Ada No.	Route To:		
		County Prosecutor		

Copies To:

Boise Police Department Narrative Report

RD: 62

DR# 2024-402210

1. Incident Topic INFORMATION REPORT		2. Subject/Victim's Name STATE OF IDAHO,	
3. Address SW BLACKHAWK DR / S FIVE MILE RD , BOISE		4. Phone	
5. Date Occurred 02/11/2024	6. Time Occured 02:07	7. Route To County Prosecutor	8. Division PATROL

INITIAL RESPONSE/CONTACT:

On 02/11/2024 at approximately 0216 hours, Ofc. Coils and I self-assigned to a shots fired call regarding a suspect who had been shooting near a canal in the area of Black Hawk Dr. and S Five Mile Rd. The calling party stated he heard a bang and went to investigate. The calling party advised that the suspect, when asked what was going on, fired a handgun gun at the calling party. We traveled that way from the downtown area just incase our assistants was needed. Shortly after we heard a shots fired call come out over the county radio channel and we continued to drive to the area. Upon arrival I assisted Ada County Deputies by handcuffing the suspect, once a Police dog removed the suspect from his hand gun. I assisted Ofc. Coils in providing aid to the suspect until the Boise Fire Department and Paramedics arrived. Once the Fire Department and Paramedics were on scene, I stepped away and taped off the scene with red crime scene tape.

I later drove to [REDACTED] [REDACTED] in Boise, which is the neighboring residence to the suspect home, to make sure everyone in the residence was alive and well. The homeowner stated his family was fine and did not hear anything pertaining to the incident.

CONCLUSION:

This concludes my involvement with this incident.

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

2/11/2024

(Officer's Signature)

[REDACTED]

Admin	
Officer(s) Reporting Ofc. Derek Reynosa	Ada No. 1093
Approved Supervisor Sgt. Jordan McCarthy	Ada No. 861
	Approved Date 02/12/2024 12:28

Boise Police Department CASE STATUS REPORT

RD: 62

DR# 2024-402210

Division:	Persons Crimes Unit		
Charges:	INFORMATION REPORT (I)		
Location:	SW BLACKHAWK DR / S FIVE MILE RD		
Victim:	STATE OF IDAHO		
Date & Time Occured:	2/11/2024 2:07:34 AM	Date &Time of This Report:	5/30/2024 11:10:32 AM

Case Status

<input type="checkbox"/> Cleared by Exception	<input type="checkbox"/> Summoned or Cited	<input type="checkbox"/> Inactive	<input type="checkbox"/> Referred to Outside Agency
<input type="checkbox"/> Cleared by Arrest	<input type="checkbox"/> Civil	<input type="checkbox"/> Information Only	<input checked="" type="checkbox"/> Submit to Prosecutor for Warrant
<input type="checkbox"/> Unfounded			

Suspect(s)

Name	DOB	Age	Race	Arrest Date	Officer Ada	Detective Ada
DOMINIC [REDACTED] SOTO	[REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]	0

Additional Cases Cleared

Additional Information

Based on the investigation of this incident, I do not believe that probable cause exists for any criminal charges against Deputy C McKone

Admin			
Officer(s) Reporting MCANFIELD (844)	Ada No. 844	Approved Date 05/31/2024 10:51	
Approved Supervisor JKENDALL (623)	Ada No.		

Boise Police Department General PHOTO LOG

RD: 62

DR# 2024-402210

Report By: DREYNOSA (1093)

Incident Date: 02/11/2024 02:07 1 Photos

Ctr	Created on	Title / Comment	Filename
0001	02/11/24 06:15	CONTACT PHOTO SOTO, DOMINIC [REDACTED] (Suspect) /	22288.jpg

Admin

Officer(s) Reporting Ada No.
Ofc. Derek Reynosa 1093
Approved Supervisor Ada No.
Sgt. Jordan McCarthy 861

Approved Date
02/12/2024 12:28

Boise Police Department Supplemental Report

RD: 62

DR# 2024-402210

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* Has Video * Has PPI *			

Narrative

On February 11th, 2024, at approximately 0206 hours, I heard a shots fired call come out over County radio channel 1. I was at W. Overland and S. Five Mile Rd. when this call came out. I looked on the map and saw the location of the call was near S. Five Mile south of Victory Rd. Based on the proximity to this call, I decided to start driving that way.

As I got to S. Five Mile Rd and Victory Road, I could see emergency lights further south on Five Mile. I then heard on county radio channel 3 that shots had been fired. Based on this, I continued driving south to assist. I arrived on scene at S. Five Mile Rd and W. Blackhawk Ct. I observed a group (at least 6) of Ada County deputies next to a Sheriff SUV. These deputies were positioned just north of this intersection. Deputies had their guns drawn and pointing in a southeast direction. I observed a [REDACTED] male laying facedown on the ground, probably 20 feet southeast of the group of deputies.

I contacted Ada County Sgt Hudson who was already on scene. She asked if Boise had a K9 available. I checked with our dispatcher, and she advised there was no K9 on duty for BPD and Garden city. Moments later, Sgt Hudson told me a Meridian K9 was on their way.

I was able to see the downed subject was holding a black object in his left hand. A short time later, Meridian K9 arrived on scene. The K9 was used for a non-compliance check. [REDACTED]. As the K9 moved the subject's body, I could clearly see a pistol laying on the ground. Once the pistol was away from the subject, officers were safe to approach the subject.

The subject was detained into handcuffs. I along with Officer Coils began first aid. [REDACTED]

Once medical arrived on scene, they took over the first aid of the subject. After this I helped set up crime scene tape. I did not alter the scene in any other way besides the actions described above.

Add to main report.

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

02/11/2024

(Officer's Signature)

[REDACTED]

Admin

Officer(s) Reporting	Ada No.	Approved Date
Sgt. Larry Miles	925	02/12/2024 02:14
Approved Supervisor	Ada No.	
Lt. Kevin Wittmuss	859	

Boise Police Department Supplemental Report

RD: 62

DR# 2024-402210

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Narrative

At the date and time stated, I was working uniform patrol for the Boise Police Department and working in the capacity of a Field Training Officer with Officer Reynosa when I observed on my in-vehicle computer ACSO being dispatched to a code 3 shots fired call. The location in the call was [REDACTED], and the information stated that the calling party had heard a bang come from the area of the canal, and when the calling party exited his residence and asked a male subject "what are you doing," the male subject discharged the firearm at the calling party.

As ACSO Deputies responded to the call, I heard a male deputy state over the radio that he had located the suspect, which was quickly followed by advising "shots fired." Furthermore, I heard over the radio that the male subject was 'down' and that he had also sustained a self-inflicted gunshot wound.

I arrived on scene at the intersection of Blackhawk Court and Five Mile Road, and observed a male subject lying face down in the roadway, [REDACTED]. This male subject was later identified as Dominick Soto. I observed multiple ACSO Deputies behind a marked patrol vehicle using it for cover. Officer Reynosa and I positioned ourselves with these deputies. While at this position, I heard SGT Miles (BPD) advise that Dominick was still holding the firearm. Due to this, a police K9 was deployed to bite Dominick and pull him away from the firearm in order for Dominick to be safely placed into custody and receive medical attention.

Once Dominick was pulled away from the firearm, and the K9 was released from him, I observed Dominick take a large inhale of breath. I was able to identify this as I observed Dominick upper back raise up from the ground and slowly fall upon exhale. Multiple ACSO Deputies and Officer Reynosa and I approached Dominick. Upon reaching Dominick, I took control of his right arm and placed it behind his back where he was then secured in handcuffs by Officer Reynosa.

Once Dominick was secured in handcuffs, I began to provide medical aid to him. [REDACTED]

[REDACTED] and when doing so I encouraged him to keep breathing.

Admin

Officer(s) Reporting	Ada No.	Approved Date
Ofc. Anthony Coils	920	
Approved Supervisor	Ada No.	
Sgt. Ryan Thueson	830	02/12/2024 05:19

Boise Police Department Supplemental Report

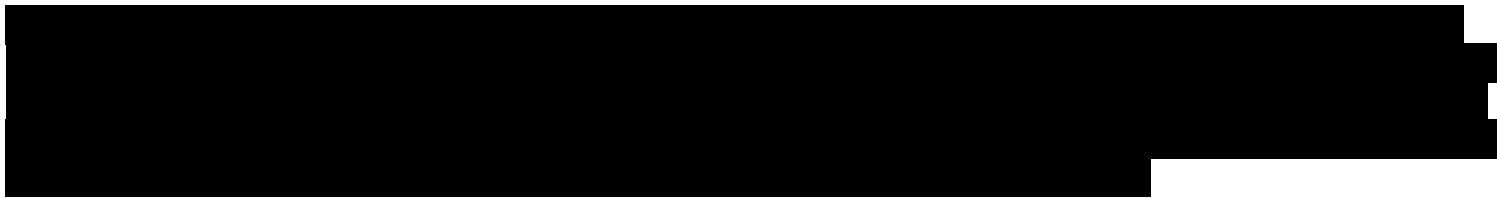
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It was at that time that Ada County Paramedics arrived on scene. Dominick was placed on a stretcher by paramedics and carried to the ambulance where he was transported to St. Alphonsus Hospital. However, I later learned that Dominick was declared deceased.

I stayed on scene at the intersection to provide scene security until my presence was no longer needed.



This concludes my involvement in this case.

CONCLUSION:

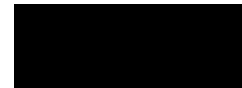
Route with original report.

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

02/11/2024

(Officer's Signature)



Admin	
Officer(s) Reporting Ofc. Anthony Coils	Ada No. 920
Approved Supervisor Sgt. Ryan Thueson	Ada No. 830
	Approved Date 02/12/2024 05:19

Boise Police Department Supplemental Report

RD: 62

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Narrative

SINITIAL RESPONSE/CONTACT:

On 02-11-24 at approximately 02:06 hours, Ada County Deputies were dispatched to [REDACTED], reference a shots fired call. Further in the call advised that a subject who was walking along a canal shot at the calling party from approximately 45 yards away. The calling party [REDACTED] heard a bang and went outside, said "what are you doing" and male shot off one round". Several Deputies went en route to the call. A short time later Sgt. Hudson broadcast "Shots fired". At that time, I was near Milwaukee and Franklin and proceeded to assign to the call. While en route, I requested an update to see if this was a self inflicted situation or an officer involved shooting. Sgt. Hudson replied "both".

I arrived on scene at Black Hawk Ct. and Five-Mile Rd. Upon arrival, I observed several Deputies beside an ACSO marked patrol vehicle. I observed a male subject was laying down on the roadway [REDACTED]. Deputies had requested a MPD K-9 respond. A short time later the K-9 Officer arrived and a performed a compliance check on the subject who was laying in the roadway. The K-9 was used to move the suspect approximately 4 feet from the firearm. The suspect previously had a pistol in his left hand. As I was on scene, I was advised that Deputy McKone had fired at the suspect. I observed Deputy McKone at the back of the ACSO marked unit and requested another Deputy move / escort him back behind other units who had arrived on scene.

Deputies approached the male suspect and Boise City Officer Coils began providing first aid assistance to the male subject. [REDACTED]

[REDACTED] A short time later Ada County Paramedics arrived on scene and began performing chest compressions on the suspect. I directed an ACSO Deputy to monitor the firearm the suspect had laying near him. The firearm was a 1911 style pistol and I observed that the hammer to the firearm was in the cocked position. Ada County Paramedics loaded the suspect onto a gurney and transported him to St. Alphonsus Hospital.

I directed some nearby Deputies to start securing the scene with red crime scene tape. I also requested a Deputy start to logging those on scene and he began to scribe for me. A short time later Sgt. Hudson advised me that there were three Deputies (Sgt. Hudson, Deputy MacLeod, and Deputy Faddis) who had witnessed the incident. Sgt. Hudson told me that Deputy Mckone discharged two rounds at the suspect. She also told me upon her arrival she witnessed the suspect self inflict [REDACTED]. I spoke with a Garden City Officer via the radio and requested they respond to the [REDACTED].

At that time I spoke with Sgt. Hudson and advised her that those involved in the incident should respond to the [REDACTED] Deputy McKone was escorted by Deputy Able. Sgt. Hudson was escorted by Deputy Keilty and Deputy Faddis was escorted by Deputy Masters.

I contacted Sgt. J. Kendall and briefed him on the above details and advised that a Critical Incident Task

Admin	
Officer(s) Reporting Lt. Kevin Wittmuss	Ada No. 859
Approved Supervisor Sgt. Jordan McCarthy	Ada No. 861
Approved Date 02/12/2024 12:29	

**Boise Police Department
Supplemental Report**

RD: 62

DR# 2024-402210

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Force (CITF) response had been initiated. I also sent out a Command Text advising that BPD units were assisting ACSO with the incident. I remained on scene conducting administrative duties. I coordinated with assisting BPD and ACSO units to secure the initial crime scene along the canal, also at Black Hawk and Five-Mile. I requested a Deputy ride with the Paramedics to the Hospital. Once this assignment was made, I spoke with Lt. Ransom who also responded to St. Al's.

I also was briefed that the suspect had been identified as Dominic Soto, date of birth [REDACTED]. Soto was determined to have a home address located at [REDACTED]. I met with Sgt. Brott and advised him that we needed to conduct a welfare check at Soto's residence. A short time later Deputies made contact [REDACTED] at this location. I was also told there were [REDACTED] in the residence and a dog.

I was notified by Officer Berg that Dominic Soto was pronounced deceased [REDACTED].

I remained on scene until Lt. Linn arrived. I then walked him through the crime scene. I provided Lt. Linn with my white board detailing the related assignments and information I had gathered.

My actions while on scene were recorded on my OBV that was later downloaded. Once the scene was secured, I did not record any further because I was conducting IC type duties and coordinating with other Deputies and Officers.

INVOLVED PERSONS/RELATIONSHIP(S):

Soto, Dominic - Suspect

VICTIM INTERVIEW:

N/A

SUSPECT INTERVIEW:

N/A

WITNESS INTERVIEW:

N/A

INJURIES (VICTIM & SUSPECT):

See above.

DISPOSITION OF PROPERTY/EVIDENCE/WEAPONS:

N/A

CONCLUSION:

Route to CITF, BPD Violent Crimes.

Admin	
Officer(s) Reporting Lt. Kevin Wittmuss	Ada No. 859
Approved Supervisor Sgt. Jordan McCarthy	Ada No. 861
	Approved Date 02/12/2024 12:29

Boise Police Department Supplemental Report

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DR# 2024-402210

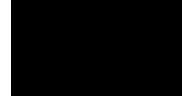
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"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

02/12/2024

(Officer's Signature)



Admin	
Officer(s) Reporting Lt. Kevin Wittmuss	Ada No. 859
Approved Supervisor Sgt. Jordan McCarthy	Ada No. 861
	Approved Date 02/12/2024 12:29

Boise Police Department Supplemental Report

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Narrative

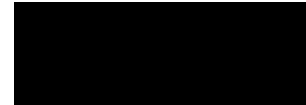
Crime Scene photographs were uploaded to evidence.com.

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

02/14/2024

(Officer's Signature)



Admin

Officer(s) Reporting

Amelia Wenetzky

Approved Supervisor

Jennifer Delaney

Ada No.

7070

Ada No.

7935

Approved Date

02/14/2024 13:59

Boise Police Department Supplemental Report

RD: 62

DR# 2024-402210

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Narrative

CRITICAL INCIDENT TASK FORCE INITIAL CONTACT:

On 02/11/2024 at approximately 2:45 hours, Detective Sergeant Kendall called and advised that the Ada County Critical Incident Task Force was being activated to investigate a critical incident involving the Ada County Sheriff's Office. Boise Police was the lead investigating agency with Detective Canfield being the lead detective. I was assigned to respond to [REDACTED] Idaho for the first contact responsibilities. When I arrived,

The first contact team is responsible for identifying involved officers/deputies, sequestering involved parties, and the identification, collection and documentation of evidence that may be on the persons involved. It was determined during this particular investigation that photographs would be taken of all four deputies who were sequestered and their weapons and ammunition. In addition to photographs, the team would count all unfired cartridges that were being carried by the deputies. This information would be relayed to the crime scene detectives to confirm what we counted was consistent with evidence being collected on the scene. It was further determined that Deputy McKone's duty weapon, unfired cartridges and ammunition magazines, would be collected and booked into the Ada County Property Room. This was the only evidence collected by the first contact team.

INVOLVED PERSONS/RELATIONSHIP(S):

Involved Deputy: Ada County Sheriff Deputy McKone (Escort Deputy Able)
Involved Witness Deputy: Ada County Sheriff Deputy Faddis (Escort Deputy Masters)
Involved Witness Deputy: Ada County Sheriff Deputy Macleod (Escort Deputy Denny)
Involved Witness Deputy: Ada County Sheriff Sergeant Hudson (Escort Deputy Keilty)

Deputy McKone:

Deputy McKone was in [REDACTED] when I arrived at [REDACTED] he was being escorted by Deputy Able. I met with McKone at 0400 hours. McKone was photographed by Detective Thorndyke. His department issued 9mm Sig Sauer P320 and three 17 round ammunition magazines were collected. Thorndyke and I confirmed the two magazines on his duty belt contained the maximum of 17 unfired cartridges. The magazine in the firearm contained 14 unfired 9mm cartridges. There was one unfired 9mm cartridge loaded in the chamber of the firearm. McKone advised that he carries his magazines fully loaded with one round in the chamber. This would indicate that there were three rounds missing. I was informed by detectives at the scene of the shooting, that three fired cartridge casings were located that were believed to have come from Deputy McKone. His on body video camera was collected by Detective Pacheco.

Deputy Macleod:

See Thorndyke's report.

Admin		
Officer(s) Reporting Cpl. Chris Wirshing	Ada No. 756	Approved Date 02/14/2024 17:43
Approved Supervisor Sgt. Justin Kendall	Ada No. 623	

**Boise Police Department
Supplemental Report**

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Deputy Faddis:

See Thorndyke's report.

Sergeant Hudson:

Sergeant Hudson was in [REDACTED] and was being escorted by Deputy Keilty. I met with Hudson at 0415 hours. Hudson did not have a on body camera on her person at the time of the shooting. Hudson told me she believed she was 2 rounds short in one of the magazines from her duty belt. She claimed that on a previous call during a previous shift approximately two weeks ago, her magazine fell from her magazine pouch and two cartridges fell from the magazine. She did not replace these rounds and stated that she did not fire her weapon tonight. Ultimately it was determined that she had three magazines capable of carrying 21 rounds each. She had one round in the chamber, two magazines with 21 rounds and one with 20 rounds. She was missing only one round. There was no indication from the scene investigation that she had fired her gun tonight.

DISPOSITION OF PROPERTY/EVIDENCE/WEAPONS:

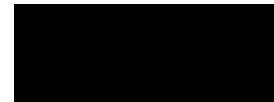
Garden City Police Detective Thorndyke took all of the photographs of the firearms and of the deputies while sequestered. Thorndyke provided these photographs to me, which I downloaded to evidence.com. I took possession of Deputy McKone's firearm, ammunition and magazines. These were all booked into the Ada County Sheriff's Office Property Room (items 1CW-4CW).

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

02/14/2024

(Officer's Signature)



Admin	
Officer(s) Reporting Cpl. Chris Wirshing	Ada No. 756
Approved Supervisor Sgt. Justin Kendall	Ada No. 623
	Approved Date 02/14/2024 17:43

Boise Police Department Supplemental Report

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Person w/
Knowledge

Narrative

Person With Knowledge Interview ([REDACTED]):

During the course of this investigation, it was learned that the suspect Dominic Sotto was involved in [REDACTED] had been listed as a victim of aggravated assault with Dominic Sotto being listed as the suspect. This report was generated by the Ada County Sheriff's Office on 11/12/2021. I was asked to contact [REDACTED] and enquire about their relationship and ask if she was still in contact with Dominic and see if she could help investigators understand what may have caused his actions on the 11th.

I located multiple phone numbers for [REDACTED] and left messages at several locations for her. Ultimately she called me back on my office phone without knowing why she was calling a Boise Police detective. [REDACTED] did not know what had happened with Dominic, since she was no longer in contact with him. She initially told me she had not spoken to him in over one year, because the last time she saw him, he pointed a hand gun at her head as she left his house. She then claimed he had contacted her via Instagram approximately 2 weeks ago. This was a short conversation where he wanted to reconnect with her and she refused. I asked [REDACTED] to look on her instagram account to see what Dominic's Instagram name was, but she claimed that she could not find his account.

[REDACTED] told me that Dominic had pointed a gun at her on at least 2 occasions. When he did this, he would say things like "Don't make me do it." Dominic and [REDACTED]

[REDACTED] claimed to not know how Dominic felt about police officers. She also told me that when Dominic would drink alcohol, he would get physical with her. She described this as grabbing her arm, pushing her against walls and hitting her.

Since [REDACTED] was not in recent contact with Dominic, she did not know much about him currently. She did not know what was going on in his life and had little current information about Dominic to add to this investigation. She is willing to speak with investigators if she is needed in the future. She claimed that [REDACTED], and likely the closest person to him.

An audio recording of this conversation was added to evidence.com.

Admin	
Officer(s) Reporting Cpl. Chris Wirshing	Ada No. 756
Approved Supervisor Sgt. Justin Kendall	Ada No. 623
	Approved Date 02/14/2024 17:46

Boise Police Department Supplemental Report

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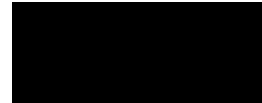
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(Date of Affirmation)

02/14/2024

(Officer's Signature)



Admin	
Officer(s) Reporting Cpl. Chris Wirshing	Ada No. 756
Approved Supervisor Sgt. Justin Kendall	Ada No. 623
	Approved Date 02/14/2024 17:46

Boise Police Department Supplemental Report

RD: 62

DR# 2024-402210

1. Incident Topic INFORMATION REPORT		2. Subject/Victim's Name STATE OF IDAHO,	
3. Address SW BLACKHAWK DR / S FIVE MILE RD , BOISE		4. Phone	
5. Date Occurred 02/11/2024	6. Time Occured 02:07	7. Route To County Prosecutor	8. Division PERSONS

Narrative**DOMINIC [REDACTED] SOTO - CELL PHONE:**

Detective T Krueger seized Dominic's phone while searching his bedroom at [REDACTED], ID. The phone was unlocked and did not require a passcode. On 2/12/2024, Detective B Joseph performed a forensic extraction on the phone. I was provided with a copy of the extraction on the same date. The Digital Archive, the [REDACTED] Report, and the phone were all booked into evidence at the CID Property Room.

[REDACTED] Extraction:

I reviewed the extraction of Dominic's phone for anything relevant to this investigation. The extraction was limited and it appears as though Dominic's phone did not contain a lot of data.

Images:

I did not observe any images that were directly related to this investigation. The majority of the images on Dominic's phone consisted of anime characters. [REDACTED]

[REDACTED] None of the photographed firearms appear to be the firearm that Dominic was in possession of during the incident.

The [REDACTED] Image Report was uploaded to ITS.

Videos:

I did not observe any videos directly related to this investigation.

Call Log:

Dominic's Call Log was very limited. However, on 2/11/2024, he did miss two calls from the phone number, [REDACTED]. The missed calls took place approximately 1 hour before [REDACTED] had called 911. The phone number is not associated with a contact name within Dominic's phone.

2/11/2024 - 0058 Hours - Missed

2/11/2024 - 0118 Hours - Missed

Dominic's phone only made one outgoing phone call on 2/10/2024. The call occurred at 1254 hours and was made to a contact listed as "Voice Mail". I confirmed that this number is associated with a T-Mobile Voice Mail system. The only incoming call that occurred on 2/10/2024 took place at 1122 hours, and it was missed. The call came from [REDACTED] which is associated with [REDACTED], a rental business located at [REDACTED].

Admin

Officer(s) Reporting	Ada No.
Ofc. Matthew Canfield	844
Approved Supervisor	Ada No.
Sgt. Justin Kendall	623
	Approved Date
	02/14/2024 17:49

**Boise Police Department
Supplemental Report**

RD: 62

DR# 2024-402210

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Dominic's call log was very minimal. On most days, he only made/received 4 to 5 calls.

The [REDACTED] Call Log Report was uploaded to ITS.

Instant Messages:

Dominic's phone did not send/receive any text messages on 2/11/2024. On the day prior, 2/10/2024, Dominic did not send any text messages, but he did receive an advertisement text message from Flying Pie Pizza.

Like the call log, Dominic's communication via text message was also very limited. On most days, he only sent/received less than 10 messages.

I searched all of Dominic's messages for anything related to suicide, firearms, and the police. I did not find any incoming or outgoing messages where any of these words were mentioned. However, on 1/6/2024 I located a conversation between Dominic and a contact listed as [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Extraction:

I reviewed the physical phone for anything that the extraction may have missed. I reviewed several of Dominic's applications. This included, Facebook Messenger

[REDACTED] and Google Chrome. While reviewing these applications, I did not observe any communication or any other material that appeared to be relevant to this investigation.

CONCLUSION:

Admin			
Officer(s) Reporting Ofc. Matthew Canfield	Ada No. 844	Approved Date 02/14/2024 17:49	
Approved Supervisor Sgt. Justin Kendall	Ada No. 623		

Boise Police Department Supplemental Report

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DR# 2024-402210

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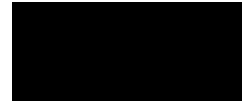
Investigation continues

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

02/14/2024

(Officer's Signature)



Admin			
Officer(s) Reporting Ofc. Matthew Canfield	Ada No. 844	Approved Date 02/14/2024 17:49	
Approved Supervisor Sgt. Justin Kendall	Ada No. 623		

Boise Police Department Supplemental Report

RD: 62

DR# 2024-402210

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articles of clothing that were removed from SOTO during his treatment. That bag was maintained with the hospital gurney that SOTO was lying on. Deputy Zorn also indicated that there was no identification on SOTO's person. He believed SOTO'S wallet may be located at the scene but Deputy Zorn was unable to confirm where the wallet was. SOTO'S body and personal items were transported from the trauma room to ER [REDACTED] by hospital staff.

Also present at St. Alphonsus ER were: ACSO Detective Hawkins, BPD Officers Otazua, Marshal, and Lt. Ransom. I coordinated with Sgt. Kendall and Lead Detective Canfield that Boise Crime Lab A. Oldemeyer was responding to the hospital to process SOTO'S body and collect his clothing as evidence. While waiting for Oldemeyer to arrive, at approximately 0354 hours, I called Ada County Coroner's Investigator A. Dunaway and advised her of the incident. She responded to the ER and we stood by outside of room [REDACTED] pending the arrival of Oldemeyer so that SOTO'S body could be processed simultaneously.

[REDACTED] The staff also indicated there were injuries consistent with a [REDACTED]. While waiting for Oldemeyer to arrive, I spoke to Sgt. Kendall who directed that Detective Hawkins and I were to respond to SOTO'S residence and interview [REDACTED]

Oldemeyer arrived at approximately 0450 hours. Detective HAWKINS and I cleared St. Alphonsus ER and went to SOTO'S residence to speak with his [REDACTED]

WITNESS INTERVIEW:

Detective Hawkins and I spoke to [REDACTED] and [REDACTED] in the living room of their residence. [REDACTED] was the primary point of contact and [REDACTED] would only interject sporadically. The following is a summary of the conversation we had. [REDACTED] began the conversation by explaining that he heard a gunshot and was worried that [REDACTED] SOTO was possibly shot because things were weird. SOTO was also known to walk from their residence to the Maverick gas station located on the corner of Victory and Five Mile. He explained that SOTO'S cat was out of his room and SOTO'S personal items (phone and vape) were left on the coffee table. [REDACTED] further stated that [REDACTED] and [REDACTED] has known SOTO since SOTO [REDACTED]. [REDACTED] provided contact information for [REDACTED] as well as [REDACTED]

[REDACTED] said SOTO [REDACTED]

[REDACTED] characterized SOTO [REDACTED]

[REDACTED] said that on the evening of 02-10-2024, they were all home with SOTO, and were drinking alcohol. He said SOTO was very intoxicated and seemed more depressed than usual. [REDACTED] remembers patting SOTO on the top of his head, telling him to go to bed for the night, and telling SOTO [REDACTED]

Admin	
Officer(s) Reporting Ofc. Tom Krueger	Ada No. 977
Approved Supervisor Sgt. Justin Kendall	Ada No. 623
	Approved Date 02/14/2024 17:54

Boise Police Department
Supplemental Report

RD: 62

DR# 2024-402210

1. Incident Topic INFORMATION REPORT		2. Subject/Victim's Name STATE OF IDAHO,	
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things will be better in the morning.

██████████ said there were house rules that no firearms are allowed in their house. He said that SOTO was not supposed to have firearms but SOTO spoke about getting a gun. SOTO asked a neighbor if he bought a gun, could he keep it at the neighbor's house. ██████████ said people in the neighborhood knew SOTO and nobody would have provided him with a gun.

██████████ was holding his phone and told me that somebody recorded the incident and posted the footage to the Treasure Valley Crime and Community Facebook page. ██████████ watched the video and showed it to us as well.

I re-confirmed with ██████████ that we had his verbal consent to remain in his home and search the common areas that SOTO had access to as well as SOTO'S room. ██████████ verbal consent was audio recorded during our conversation.

I contacted Detective Canfield and passed along the information about the video post to him.

SEARCH:

I was advised by Sgt. Kendall that Deputies were standing by at the room SOTO rents at ██████████

Detective Hawkins and I conducted the search of SOTO'S room. There were no items of evidence located that appeared to be immediately relevant to this incident located during the search. I took photos of the room and uploaded those photos to Evidence.com. During the search, I located mail addressed to SOTO and photographed them as indicia. There was also a sketch book that was located on the floor near the head of the bed. The sketch book contained various drawings and writings. Those items were also photographed and uploaded to Evidence.com.

DISPOSITION OF PROPERTY/EVIDENCE/WEAPONS:

Admin	
Officer(s) Reporting Ofc. Tom Krueger	Ada No. 977
Approved Supervisor Sgt. Justin Kendall	Ada No. 623
	Approved Date 02/14/2024 17:54

Boise Police Department Supplemental Report

RD: 62

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A black Samsung Galaxy A13 belonging to SOTO was located on the living room coffee table. I collected the phone and booked it into evidence at the CID property room of the Boise PD Station. The phone was unlocked and did not require a pass code. I opened the phone and placed it into airplane mode prior to securing it in the CID property room.

CONCLUSION:

Route to Detective Canfield.

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

02/14/2024

(Officer's Signature)



Admin	
Officer(s) Reporting Ofc. Tom Krueger	Ada No. 977
Approved Supervisor Sgt. Justin Kendall	Ada No. 623
	Approved Date 02/14/2024 17:54

Boise Police Department Supplemental Report

RD: 62

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Narrative

****ALL PHOTOGRAPHS HAVE BEEN UPLOADED TO EVIDENCE.COM****

INITIAL RESPONSE/CONTACT: On 2-11-2024, while off duty, I was contacted by LT. Linn and requested to respond to the location of S Five Mile Rd and W Blackhawk Dr to assist with completing 3D scans and overhead drone photos of an officer involved shooting.

I responded to Mark Stall PI and gathered the needed equipment to complete the tasks. I was informed the Faro equipment for the 3D scans had already been picked up and taken to the scene by Boise Police Crime Lab personnel. I retrieved a drone and responded to the scene.

Upon arrival, I met with Detective Shofner who walked me through the scene and made up a plan of how I was going to complete the 3D scans. Working through the scene, I completed 30 scans. The scans have been downloaded to the Crash Team laptop computer for further processing. The SD card with the RAW data scans has been booked into Property as evidence. A "Scene to Go" file was created and transferred to a thumb drive and turned over to Detective Canfield. I then assisted Officer Hudson with taking drone photos and completing a mapping sequence of the scene.

Using the photos from the mapping sequence one photo was created and has been saved. I am waiting for confirmation on how to attach the file to this report and once direction is given I will get it done.

DISPOSITION OF PROPERTY/EVIDENCE/WEAPONS:

All photographs have been uploaded to evidence.com. RAW data scans on SD card has been booked into Property as evidence.

CONCLUSION:

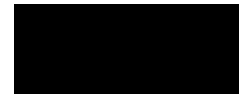
Route to Detective Canfield.

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

02/19/2024

(Officer's Signature)



Admin	
Officer(s) Reporting Ofc. Kevin Boynton	Ada No. 7828
Approved Supervisor Sgt. John Terry	Ada No. 515
	Approved Date 02/20/2024 07:31

Boise Police Department Supplemental Report

RD: 62

DR# 2024-402210

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Narrative

INITIAL RESPONSE/CONTACT:

On 2/11/24 at about 0230 hrs I was contacted on the Violent Crimes on call number by patrol watch commander, Lt. Wittmuss. He advised that BPD units were assisting ACSO on a shooting call in which ACSO deputies had contacted a suspect in a shooting, and an OIS had occurred. He advised that there was one deputy that had fired and three witness deputies. Wittmuss advised that the shooting had happened at Five Mile and Seneca, just south of Boise city limits.

A few minutes later I was contacted by Lt. Klimke with ACSO. He advised me of his agencies OIS also. We had previously determined that BPD was next up to be lead in the CITF rotation. We determined that the CITF command post would be at Boise PD. Lt. Klimke advised that deputies had responded to a citizen calling 911. The citizen had reported that he heard loud bangs, possibly gunshots outside. He went out his back door and observed a male on the canal bank about 45 yards away. He yelled at the suspect, and the suspect responded by firing a pistol in his direction.

ACSO deputies then responded to the area. Deputy Mckone found the subject on foot on Fivemile and Blackhawk, a block to the north of the street the calling party lived on. Deputy Mckone had a brief standoff with the suspect, who was armed with a pistol. Eventually Mckone fired a couple rounds, and the suspect was critically wounded. Lt. Klimke stated that Deputies - Faddis, Macleod, and Sgt. Hudson, were there and were involved witnesses. All four had been sequestered to [REDACTED].

I made the following assignments:

- Det. Canfield - Lead Investigator
- Det. Krueger - assigned to hospital, then to scene for witness interviews
- Det. Shofner - assigned to crime scene
- Det. Wirshing - first contact

- I asked Det. Canfield to call out the BPD crime lab, and CID CSO - Boynton for measurements and drone footage.

Upon making these assignments, I responded to the CITF command post at BPD. My duties there consisted of general investigative supervisory decisions and input with the CITF leadership group.

I later responded to the crime scene. Upon arrival (see crime scene log for log in and log out time), I did a walk through of the crime scene with Det. Canfield and Det. Shofner. Upon completion of the scene walk through, this concluded my involvement in the investigation that date. The remainder of my involvement in this investigation is of administrative/supervisory duties.

CONCLUSION:

Admin	
Officer(s) Reporting Sgt. Justin Kendall	Ada No. 623
Approved Supervisor Sgt. Justin Kendall	Ada No 623
	Approved Date 02/21/2024 17:41

Boise Police Department Supplemental Report

RD: 62

DR# 2024-402210

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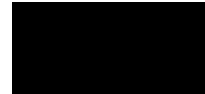
Route to ACPO for review

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

02/12/2024

(Officer's Signature)



Admin	
Officer(s) Reporting Sgt. Justin Kendall	Ada No. 623
Approved Supervisor Sgt. Justin Kendall	Ada No. 623
	Approved Date 02/21/2024 17:41

Boise Police Department Supplemental Report

RD: 62

DR# 2024-402210

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I made contact with [REDACTED], [REDACTED], [REDACTED], and across the street from Dominic [REDACTED] Soto's residence. The canal access road, where .38 Super cartridge cases and cartridges had been found, is located directly behind [REDACTED]. While walking the scene, I observed [REDACTED] to have surveillance cameras on the front and rear of the building. I spoke with [REDACTED] on the phone and I inquired about the surveillance

Admin	
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Officer(s) Reporting
Ofc. Matthew Canfield
Approved Supervisor
Sgt. Justin Kendall

Ada No.
844
Ada No.
623

Approved Date
02/23/2024 14:58

Boise Police Department Supplemental Report

RD: 62

DR# 2024-402210

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footage. [REDACTED]

CONCLUSION:

Route to prosecutor

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

02/22/2024

(Officer's Signature)

[REDACTED]

Admin	
Officer(s) Reporting Ofc. Matthew Canfield	Ada No. 844
Approved Supervisor Sgt. Justin Kendall	Ada No. 623
	Approved Date 02/23/2024 14:58

Boise Police Department Supplemental Report

RD: 62

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Narrative

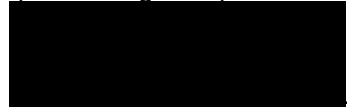
Scene photographs were uploaded to Evidence.com (Axon)

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

02/27/2024

(Officer's Signature)



Admin

Officer(s) Reporting
Adeline Oldemeyer
Approved Supervisor
Jennifer Delaney

Ada No.
7188
Ada No.
7935

Approved Date
02/28/2024 14:43

Boise Police Department Supplemental Report

RD: 62

DR# 2024-402210

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Narrative

WITNESS INTERVIEW - ACSO Deputy Jonathan Faddis:

On 2/13/2024, at approximately 1300 hours, I interviewed Ada County Deputy, Jonathan Faddis. The interview was conducted at [REDACTED]. Present during the interview was Jonathan, ACSO Detective N Daigle, and Jonathan's attorney, Joseph Mallet. Prior to the interview taking place, Jonathan and his attorney were provided with copy of Jonathan's body camera video footage from the night of the incident. It should be noted that the footage does not capture the shooting, as his camera was not activated until after Dominic Soto had already been shot.

Prior to the interview taking place, Jonathan was notified that this interview was being recorded, that this was a criminal investigation, and that he is not required to make any statements. Jonathan verbally confirmed that he understood this and he told me that he was willing to make a statement.

BACKGROUND INFORMATION:

Name: Jonathan Faddis
Age: [REDACTED]
Rank: Patrol Deputy - South Ada County
Ada: 6331
Radio designator: S45 (obtained from CAD)
Vehicle Number: 270

Date of employment: 1/2023

Prior experience: Auburn Police Department in Auburn, Washington. Jonathan worked as patrol officer with Auburn PD for approximately 3 years.

Current assignment: Graveyard shift, patrol, 1945 hours through 0630 hours.

Specialized training/Background: Various police courses, to include a mental health course. Jonathan was a handgun instructor at Auburn PD.

ISSUED DUTY WEAPON:

Sig Sauer P320, 9mm. Jonathan told me that this weapon was issued to him by the department. Jonathan told me that the Sig Sauer also has a red dot sight and a mounted flashlight. In regards to ammunition, Jonathan believed that ACSO issues Speer Gold Dot 9mm 124 grain +P. On the night of the incident, Jonathan had a fully loaded extended magazine within his firearm (21 bullets), and one bullet within the chamber. This made for a total of 22 bullets loaded within the firearm. Jonathan was also in possession of two other magazines that were fully loaded with 17 bullets in each. The magazines were stored within a magazine pouch on his vest. Jonathan does not carry a backup firearm on his person.

UNIFORM:

Admin	
Officer(s) Reporting Ofc. Matthew Canfield	Ada No. 844
Approved Supervisor Sgt. Justin Kendall	Ada No. 623
	Approved Date 03/07/2024 17:46

Boise Police Department Supplemental Report

RD: 62

DR# 2024-402210

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On the night of the incident, Jonathan was wearing his department issued ACSO uniform. The uniform consisted of navy blue colored pants, a navy blue jacket, and a navy blue external vest carrier. A sheriff badge and Jonathan's name is sewn on to the front of the vest carrier. On the back of the vest carrier, in large letters, is the word "Sheriff." Jonathan confirmed that his uniform is clearly marked with ACSO patches.

PRIOR TO INCIDENT:

Jonathan told me that this was his first shift back to work from the previous critical incident that he had been involved in (1/24/2024). He explained that the call volume was "pretty low" and that there were not a "ton" of calls that evening. Jonathan believed that he may have responded to two calls for service prior to the shooting taking place. He specifically recalled assisting on a call for service in Eagle, ID that involved a barricaded suspect. Jonathan explained that during the incident, a "couple" of people were arrested for resisting and obstructing, and for violating a protection order.

PAST CRIMES IN SAME LOCATION:

Jonathan could not recall a specific incident related to shots being fired in this area. Jonathan considered the area of S Five Mile Rd and W Seneca Dr as a busier area. He did tell me that this is a lower income area, and he described it as an area with higher crime. He told me that this is one area of Ada County where they find homeless individuals.

INCIDENT:

Jonathan told me that just prior to responding to this incident, him, and the majority of the other responding deputies were located at an ACSO substation within a Boise Fire Station (2515 S Five Mile Rd Boise). While at the substation, Jonathan and the other deputies received a "radio tone out" for "shots fired." Jonathan stated that they ran out of the substation and he entered his vehicle, # 270. Jonathan explained that while leaving the substation, he observed Deputy Denny and Deputy McKone pull out in front of him. While responding to the call for service, Jonathan believed that he was following behind Deputy McKone.

Jonathan reiterated that the call they were responding to was dispatched as "shots fired." He told me that the CAD read that the calling party had been shot at by a male. Jonathan understood that the suspect had shot at the calling party from across a canal. He understood this to mean that the shots had been fired from the east side of the canal, toward a residence located on the west side of the canal. While responding to the call, Jonathan's "train of thought" was to travel east through the neighborhood to get to the east side of the canal. He believed that the shooter was likely going to be located on the east side of the canal.

Jonathan described that there was a "line" of patrol vehicles traveling south to the incident running

Admin			
Officer(s) Reporting	Ada No.	Approved Date	
Ofc. Matthew Canfield	844	03/07/2024 17:46	
Approved Supervisor	Ada No.		
Sgt. Justin Kendall	623		

Boise Police Department Supplemental Report

RD: 62

DR# 2024-402210

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"code." He said their lights were on, but his siren was not activated. While driving, Jonathan was trying to figure out "what the heck was going on," due to how close the call for service was to the substation. Jonathan estimated that the location of the shots fired call was approximately 1 mile away from the substation. With the use of Google Maps, I measured the approximate distance from the Boise Fire Station, to the scene of the shooting, S Five Mile Rd / W Blackhawk Dr. Per Google Maps, the locations are approximately .6 miles away from one another. The Boise Fire Station is just north of S Five Mile Rd / W Blackhawk Dr. Jonathan explained that because of how close the call for service was, there was a lot of information to gather, process, and understand, all while trying to come up with a plan.

Jonathan said that before he could locate a road to travel east on, he heard Deputy McKone on the radio stating something similar to, "I've got him" at S Five Mile Rd and W Blackhawk Dr. At the time Jonathan gave the statement, he could not recall the cross street. Later in the interview, he confirmed that the cross street was in fact W Blackhawk Dr. Jonathan continued driving for approximately 3 seconds before he saw a male walking north on S Five Mile Rd, near the southeast corner of the S Five Mile Rd and W Blackhawk Dr intersection. According to Jonathan, the male appeared to be "stumbling." Jonathan pulled his vehicle in front of the male, approximately 20 - 25 feet away from him. Jonathan observed what appeared to be a handgun within the male's left hand. Jonathan's exited the driver's door of his vehicle, drew his handgun, and loudly yelled at the male, "drop it! Drop it! Drop it!" Jonathan could not recall how many times he specifically yelled "drop it!" or if he said something else. However, he knew that he gave the male very strong commands, because he was confronting an armed subject in very close proximity to where it was being reported that a male had fired shots at someone. As this was occurring, Jonathan observed another patrol vehicle located to the south of him. He now knew that this was Deputy McKone's vehicle. Jonathan said that the location of Deputy McKone's vehicle was across from him, and a crossfire issue.

Jonathan said that he did not recall the suspect pointing a gun at him, but he did remember seeing suspect's face. He said that he suspect appeared to have the look of "emotional distress or anguish, possibly crying." Jonathan could not recall the suspect's exact movements, but he remembered seeing the suspect move the handgun up to the left side of his head. As the suspect was holding the gun up to his own head, Jonathan said that the suspect began walking from the southeastern portion of intersection, to the middle of the intersection (west). At this point, Jonathan realized what he had "in front" of him. He said he had a "suicidal male with a gun to his head and a suicidal standoff with the guy." Jonathan said he personally, did not feel as though he needed to shoot the male at that time, but he did again acknowledge that the incident was "very fast moving." Jonathan told me that Deputy McKone, who was to the south of him and the suspect, ran from his patrol vehicle to the west. When Deputy McKone did this, Jonathan said that there was no longer a crossfire issue, and that they were now positioned in a "tactical L." Jonathan said that Deputy McKone had no cover, and he was standing in the middle of the road. Jonathan said that Deputy McKone was doing this to avoid crossfire. Jonathan explained that the suspect did not move a "ton," but he did end up facing Deputy McKone to the west. Once the suspect turned to face Deputy McKone, Jonathan could no longer see what the suspect was doing with the gun that was in his left hand. At some point during the incident, Jonathan repositioned himself. Jonathan had maneuvered around the rear of his patrol vehicle, and re-deployed on the passenger side of the vehicle.

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Jonathan was not sure when Deputy MacLeod arrived, but remembered that Deputy MacLead showed up after he had moved to the right side of his vehicle. While looking at the right side of the male, Jonathan observed Deputy McKone shoot the male, what he believed was two times. He said that male stumbled backwards, but was obviously not incapacitated by the shots. Jonathan recalled the male turning south, because he could see the back of him. The male then shot himself [REDACTED]

[REDACTED] he male then fell to the ground, lying southbound, away from them.

With their guns still on the male, Deputy McKone announced that he was moving to Jonathan and Deputy MacLeod's position. At this point, Jonathan said that there was "verbal coordination" occurring, and he asked for a shield. At this time, Sergeant Hudson was on scene, as was Deputy Denny. Deputy McKone had notified the others that the gun was in the male's left hand. Due to the male still being armed with a firearm, that there had just been an OIS (officer involved shooting), and the male had just shot himself, the plan was to not "rush in there." He said that the scene was not safe, and they wanted to handle it as safe as they could. A plan was developed to wait for a canine to arrive and perform a compliance check on the suspect. While waiting for the canine to arrive, Jonathan explained that he became concerned about the direction that the gun is pointed within the suspect's hand. It appeared that the gun was pointed at the team of deputies. This ultimately caused the team to re-deploy on the driver's side of Jonathan's patrol vehicle. He explained that they waited at this location until the canine arrived. Jonathan did tell me that at this point he had briefly armed himself with his patrol rifle and he had retrieved his medical kit. He said that someone from the Boise Police Department mentioned something about getting Deputy McKone a companion because he had been involved in a shooting. Jonathan volunteered, "downed" his rifle, and then placed it back into his patrol vehicle. After doing this, Jonathan walked away from the scene and joined Deputy McKone, who was talking to another deputy. Jonathan was no longer involved in the aftermath of the shooting or the apprehension of the suspect. Jonathan turned off his camera.

Jonathan told me that after the suspect had been apprehended, he did retrieve some of his personal items from his patrol vehicle. This included his keys, a duffle bag that contained clothing and his off-duty firearm. [REDACTED] He also retrieved Deputy McKone's cell phone and his personal keys from Deputy McKone's vehicle. Jonathan was then transported to the [REDACTED] by Deputy Masters.

Jonathan brought up the fact that his on body camera did not capture any footage prior to the shooting. He told me that because the camera is always recording, it's common for him and other deputies to power off the camera while they are in the substation. When Jonathan had exited his vehicle and challenged the suspect, he recalled that he attempted to activate his camera several times. However, because he had previously powered the camera off, he had to first power on the device before he could begin recording. Jonathan believed that it takes approximately 30 seconds for a camera to power on after it has been turned off. He explained that this was why his camera did not capture the actual shooting, and it only captured the events that had occurred post shooting.

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After Jonathan provided me with an uninterrupted statement about the incident, I did ask several clarifying questions:

I asked Jonathan to describe the gun that he observed the suspect to be armed with. He told me that he saw the gun post shooting, and he recalled that it was an older, cheaper, black colored handgun. However, as the incident was unfolding, Jonathan knew that the male was holding a semi-automatic handgun. Jonathan believed that the male raised the handgun to his head as he was turning or turned westward toward Deputy McKone. He believed this, because if the suspect had been facing him while raising the gun, he would have possibly shot the male due to being in fear for his life. Prior to the suspect raising the gun to his head, and while the suspect was facing him, Jonathan recalled a "clear imagine in his head" that the gun was pointed down.

I asked Jonathan about the suspect's behavior, and if he had said anything. Jonathan told me that the suspect did not say anything, nor did he acknowledge any of the commands that he was being given. He reiterated that the male looked like he was in "distress" and not a criminal that was trying to evade him. Jonathan said the male looked like the male was "getting contacted by the cops, and he is in emotional distress." It seemed to Jonathan that the male was probably not in a good "head space and not making good decisions, that kind of stuff. Or, it was possible, hey, I just got caught." He did clarify that he did not know what was going through the male's head, but the male did look upset. Jonathan said that if the male had wanted to get away, he had the ability to do so. The male never attempted to evade them, and proceeded to initiate a standoff with a gun to his head.

During his statement, Jonathan mentioned that he observed the male to "stumble." I asked if the male appeared to be under the influence of an intoxicating substance. Jonathan told me that it was possible, as he know substances can alter a person and cause them to make rash decisions. In retrospect, Jonathan said that some of the male's movements would indicate that he was possibly under the influence of alcohol. Jonathan proceeded to explain that this call had unfolded extremely fast. He said that this was probably the "fastest, high intensity call, that he has been a part of from start to finish."

COMMANDS GIVEN:

Jonathan recalled exiting his vehicle, upholstering his handgun, and placing the red dot sight on the male. As he was doing this, he was screaming at the male to, "drop it!" Jonathan also recalled that Deputy McKone was saying something, but he could not recall what it was. I asked Jonathan if he recalled how many times he told the male to "drop it!" Jonathan said he told the male to "drop it" two to three times. He confirmed that was screaming these commands at the male.

DEPUTIES AT THE SCENE:

Deputy McKone
Deputy MacLeod
Sergeant Hudson

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Deputy Denny
Deputy Masters

Jonathan said that aside from Deputy Master's, all of the responding deputies had been at the substation when the call was dispatched. Jonathan said that Deputy Masters and Deputy Denny had been traveling south in front of Deputy McKone, and it's possible that they did not see the suspect while traveling to the scene. Based on where Jonathan first saw the suspect, he said that it was possible that he may have come out of a ditch located near the intersection.

CRIMES COMMITTED/THREATS:

Jonathan told me that at minimum, the suspect would have been detained for aggravated assault. He explained that this was based on the calling reporting that a male had just shot at him. Jonathan could not recall what the Ada County Dispatcher had reported on the radio while traveling to the scene, but he reiterated that the line within the CAD screen read that a male had shot at the calling party.

CRIMES OF THIS NATURE IN THIS AREA:

Jonathan reiterated that this area of Ada County is lower income and has a higher crime rate.

KNOWLEDGE OF SUSPECT PRIOR TO THIS INCIDENT:

Jonathan did not know Dominic Soto prior to this incident. He did not recognize the name, but it is possible that he may have had contact with Dominic in the past as he does work the part of the county where Dominic resides.

THREATS IDENTIFIED:

Jonathan told me that there were several things that made him felt threatened during the incident. He said that the call in itself was threatening. A shots fired call is dangerous. This specific call was especially dangerous because of how close the responding deputies were when the original shots were fired and when the call was dispatched. Jonathan said that they were dealing with a subject that had stumbled a little bit (possibly intoxicated), who appeared to be in emotional distress, and more importantly, was holding a handgun and being non-compliant. Jonathan said the male took the non-compliance to the next level by not listening to his commands to drop the gun, and then proceeding to turn away from Jonathan and raise the gun to his own head. Jonathan said that there was no time to try and calmly deescalate this situation because of the lethal threat that was present, right in front of him. Jonathan acknowledged that he had to scream at the male and up the intensity right away. Jonathan also indicated that the suspect not listening to commands, forcing a deputy to shoot him, and then shooting himself showed how unstable this person was

I asked Jonathan if there were any specific threats to himself or other deputies lives. Jonathan said it was

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difficult to speak to his thought process during those very brief and intense moments. However, he told me that he felt very threatened by the fact that the male was looking at him while holding a gun and after shots had just been fired at the calling party. The male being non-compliant and then raising the gun to his own head was also very threatening. Jonathan said that there was no way he would have ever walked up to the male, or attempted a lower level of force.

I asked Jonathan about any possible concerns that he may have had about other residents in the area. In retrospect, Jonathan acknowledge that this is a concern. However, because the incident had evolved so fast, he was unable to speak to that.

SHOTS FIRED:

Jonathan confirmed that he personally did not fire his gun during the incident. He did witness Deputy McKone fire what he believed to be two shots. After Deputy McKone fired the two shots, he observed the suspect fire a single shot [REDACTED]

CRIME SCENE:

Jonathan did not do anything to deliberately alter the crime scene. As previously mentioned, he did gather personal belongings from his and Deputy McKone's vehicle prior to being transported to first contact.

LIGHTING:

I asked about the lighting at the time of the incident. Jonathan told me that although there are street lights in the area of S Five Mile Rd and W Blackhawk Dr, the area is not well lit. He described the area as being "pretty dark/dim." Jonathan did tell me that there were several police vehicles in the area at the time of the incident, so the suspect was "generally" lit up when they contacted him. When first contacting the suspect, Jonathan said that he could see the pistol in the suspect's hand without illuminating him. However, he did recall activating the flashlight on his pistol a couple of times to see better.

Jonathan did tell me that when responding to the incident, he did have his red/blue emergency lights activated on his patrol vehicle. After the incident was over, he realized that the red/blue lights were not activated on his vehicle. He did not know if he turned the lights off out of habit, or if someone turned them off after the incident was over.

WEATHER:

When asked about the weather at the time of the incident, Jonathan describe it as being "cooler." He said that he did not recall that it was raining.

COULD THE SUSPECT HAVE GIVEN UP PRIOR TO DEADLY FORCE:

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Jonathan told me that deadly force could have been adverted had the suspect immediately dropped the gun when he was contacted. The suspect also could have dropped the gun after Jonathan had given him multiple commands to do so. Jonathan mentioned that instead of dropping the gun, the suspect decided to "go further" and "do more actions to be non-compliant," which included raising the gun to his head, and whatever Deputy McKone had witnessed. Jonathan reiterated again that just prior to the shooting taking place, he personally could not see what the suspect was doing with the gun when the suspect was facing Deputy Mckone.

Jonathan also acknowledged that this entire incident could have been avoided had the suspect not fired a shot at the calling party, assuming that the suspect had in fact shot at the calling party. He stated that the suspect could have called 911, stood on the side of the road with his hands up, or he could have chosen to evade the police and not walk on one of the major north/south roadways within Ada County.

I asked Jonathan if the suspect was having a mental health crisis, if there was something he could have done. Jonathan told me that the male could have called 911. He reiterated that he routinely handles calls involving someone having a mental health crisis, and that he has previously received training in mental health related calls for service.

FOLLOW-UP QUESTIONS BY ACSO DETECTIVE N DAIGLE:

Detective Daigle asked about the suspect presenting as suicidal, and if there was any underlining concerns about him also being homicidal. This was based on Jonathan's training/experience regarding mental health crisis type calls, and the fact that the suspect had reportedly just shot at someone. Jonathan told us that this was his first "viewed" suicide while working the street. He explained that he has been trained that suicidal individuals can also become homicidal. Jonathan stated, "they are willing to kill someone, even if that's themselves." He said that this definitely "ups" the concern for their (deputies) safety.

Detective Daigle asked if it appeared that the suspect was hearing and/or understanding that he was in a "situation" with the police. Jonathan said that it should have been very clear. Several ACSO vehicles were traveling south on S Five Mile Rd with their lights on, and Jonathan personally pulled over in front of the suspect, and screamed at him.

During the questioning, Jonathan brought up the concerns for the residents within the neighborhood. He explained that this occurred within a residential area, and that when bullets are fired, they do weird things and they hit things. He explained that because of the suspect's actions, the entire neighborhood was essentially in the middle of a "gun battle."

FOLLOW-UP QUESTIONS BY JOE MALLET:

During the questions, Jonathan explained that he saw the suspect approximately 3 - 5 seconds after

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Deputy McKone had called out the suspect's location on the radio. Due to the suspect's location when Jonathan pulled up on him, it was asked if there was a crossfire situation between him and Deputy McKone. Jonathan confirmed that there was in fact a crossfire situation, and in that those situations are dangerous if deputies end up firing their weapons. Jonathan confirmed that Deputy McKone solved this situation by traveling to the west and positioning himself in a "tactical L." It was asked if Deputy McKone had any cover after leaving his vehicle, and if he was in a disadvantage by having no cover. Jonathan confirmed that by having no cover, Deputy McKone was at a disadvantage, and that Deputy McKone was in much more dangerous situation than himself.

Jonathan once again reiterated that when the suspect was facing Deputy McKone, he knew that the suspect had the gun up to his head, but he could not see what he was doing with the gun. When asked, Jonathan confirmed that while the suspect was turned toward Deputy McKone, with the gun up to the left side of his head, he personally was down range of the gun. The bullet, when fired, could have potentially travel [REDACTED] toward Jonathan and the other deputies' locations. He confirmed that even if the suspect was only trying to kill himself, he knows that bullets can travel [REDACTED] [REDACTED] inadvertently shot himself or the other deputies.

Jonathan was asked about action versus reaction and how it applied to this incident. He was specifically provided with an example of the suspect removing the firearm from his own head, and then pointing and shooting the firearm at Jonathan. Jonathan was asked if he could react to the suspect now pointing the gun at him, and have the time to shoot the suspect prior to being shot at. Jonathan's response was, "likely not." Jonathan told us that in the academy, it was clearly demonstrated that action beats reaction.

CONCLUSION:

Route to prosecutor

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

03/07/2024

(Officer's Signature)

[REDACTED]

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Narrative

INITIAL RESPONSE/CONTACT:

On 02-14-2024, at approximately 1430 hours, I was tasked with conducting the CITF interview of ACSO Sgt. N Hudson. The interview took place at the Law Office of J Mallet located at [REDACTED]. The following is a summary of the interview. The interview was audio recorded and can be reviewed for exact transcription.

Present for the interview were Detective Krueger from Boise PD, and Detective Day, from Ada County Sheriffs Office, attorney J. Mallet and ACSO Sgt. N. Hudson. We spoke about the fact that Sgt. Hudson was not required to make a statement and that she was willing to speak with us at this time. Sgt. Hudson provided her full name and information of Nicole [REDACTED] Hudson, [REDACTED], badge #4320, radio designator Sheriff 50, driving ACSO vehicle # 313. She was hired in April 1998. All of her law enforcement career has been with ACSO. She is currently working 'Silver Swings' from 1615 to 0300 hours. Sgt Hudson is DEA certified, has a patrol advanced certificate, is a negotiator, has a detention certificate and is also supervisor certified.

On the day of the incident she was carrying her department issued Sig Sauer P320, with red dot sight and tungsten infused grip, chambered in 9mm. The ammunition she had in her weapon and on her person was Speer, Hollow Point ammunition. Loaded in her weapon was a 21 round magazine with 1 round in the chamber for a total of 22 rounds in her weapon. On her belt were 2 additional magazines. One of the additional magazines was loaded with 21 rounds and the other magazine was loaded with 20 rounds. The magazine with 20 rounds was in that condition due to the fact that during the last OIS (Officer Involved Shooting), her magazine fell off her person and a round dislodged. That round was booked into evidence that was collected from the previous crime scene. Both her weapon and ammunition are department issued. Sgt. Hudson's uniform of the day was a LBV (Load Bearing Vest), tan long sleeve uniform shirt, blue trousers, and duty belt. There are markings that identify her as a law enforcement officer. On the back of the vest is says "Sheriff," also there is a marking of "Sheriff" on the front of the vest beneath her badge, and her uniform shirt has ACSO patches on both shoulders.

Sgt. Hudson described the general nature of the calls and activity on the day of the incident as being a standard call volume with a couple of domestic violence incidents. Sgt. Hudson and other members of her team were at BFDBoise Fire Department Station #14) downloading OBV footage and catching up on reports because it was close to the end of her watch. She was not aware of similar crimes occurring in this area in the past. This is a 'higher crime' area generally with frequent calls regarding thefts and domestics. I asked Sgt. Hudson to provide a summary of the incident in her own words and did not interrupt her once she began recounting the details. She related the following:

Sgt. Hudson was at BFD Station #14 with her OBV camera removed from her vest and connected via cable to upload her videos to the computer. She was catching up on paperwork and was wearing her external LBV. She heard the 'tone-alert' radio broadcast of shots fired. She and the other Deputies ran out of the station and in her haste, she forgot to grab her camera and re-attach it to her LBV. There were

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other Deputies who were not wearing their LBV's and they were all scrambling to gather their equipment and respond to the call. Sgt. Hudson said they switched to radio frequency #3 and the dispatchers provided additional detail that the suspect was behind an address on Seneca Dr. on or near the canal. The calling party saw what they thought were kids walking on the canal and confronted them. Once confronted, the suspect on the canal, fired another shot. There were approximately three deputies in front of Sgt. Hudson during the response from BFD Station #14 to the scene. A few seconds after the initial call, Sgt. Hudson heard over the radio that Deputy McKone had the suspect at Blackhawk and Five Mile. She arrived north of the intersection of Five Mile and Blackhawk and parked behind other emergency vehicles that were already on scene.

Sgt. Hudson heard the other Deputies on scene giving verbal commands to the suspect but she was not able to remember specifically what the Deputies were saying. She realized that the crime they were dealing with is an aggravated assault and she began making efforts to prevent the suspect from escaping the scene. Sgt. Hudson related that there were several large properties in the area that were approximately 1-2 acres in size. Those lots were possibly occupied with residents and had various hiding places and visual obstructions that would pose a danger and complicate matters if the suspect reached them. Sgt. Hudson heard Officers saying they did not have cover. She looked and saw the suspect was holding, "A big black gun, in his left hand, to his temple; he was facing the other Offices at that time." Sgt. Hudson realized she needed to help Officers with additional cover and moved to the other side of the Tahoe (ACSO vehicle) she heard additional commands being given by the Deputies and then heard 3-4 gunshots.

Sgt. Hudson broadcast over the radio that shots had been fired, Officers were OK, and she also broadcast, "Self inflicted." Sgt. Hudson was not certain why she broadcast the traffic as self inflicted, but she recalled feeling like the suspect had shot himself and she was aware that Officers had fired their weapons as well. She then began directing the Deputies on scene by having them pull back, trying to locate a shield, and making a plan to render aid to the suspect. Sgt. Hudson requested a K9 and said that the gun was still visible in the suspect's left hand. She continued to stabilize the scene and move resources and equipment to maintain the security of the scene. Sgt. Hudson learned that the suspect lived in the area and became fearful that there were possibly additional victims of aggravated assault in the suspect's residence. She sent resources to the suspect's residence and to the calling party's residence to check on their well-being. Sgt. Hudson was coordinating units to check the area east of the incident because she was given information that the suspect had possibly fired towards the east. Sgt. Hudson also made the determination that nobody would approach the suspect to provide medical aid until the K9 could do a compliance check.

While Sgt. Hudson was providing her detailed statement about the incident, she referred to a 8.5"x11" sheet of paper that was provided by J. Mallet (Attorney). This piece of paper had a Google Earth satellite view of the incident location printed on it. Sgt. Hudson used the printed map to approximate the location of the incident as well as the location of the involved subjects. Sgt. Hudson initially referred to the location of the incident as Blackhills and Five Mile. However, she corrected this oversight and appropriately identified the cross street's name as Blackhawk. The printed map was scanned and

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uploaded to this report in the support docs tab.

I asked Sgt. Hudson if she recalled any verbal commands given by other officers on the scene or by her. She did not remember the verbal commands given to the suspect prior to the incident because she was focused on the gun and focused on the subject 'squirting.' Sgt. Hudson further clarified that she used the term 'squirting' as the suspect escaping from the scene to the properties located nearby or possibly into the open Maverick gas station. She recalled that Deputies McKone, MacLeod, and Faddis (and herself) were all present at the scene. Sgt. Hudson also indicated that the suspect in this incident had committed aggravated assault on the calling party prior to use of deadly force. Sgt. Hudson was not aware of any additional crimes of this nature occurring in the area. She did not know the suspect prior to this incident and did not have any previous contact with him.

I asked Sgt. Hudson if she had thoughts about her life, the life of other officers, or citizens being in danger. She responded, "Yes." She further explained that she was downrange from the suspect and the suspect had a gun in his hand. At some point, if the suspect self-inflicted there could have been a through and through injury that could have resulted in a projectile traveling in her direction. There was also the possibility that the suspect could have taken off running north bound and that would have resulted in him running directly into her. She was more concerned for her Officers who were without cover. From her perspective, Sgt. Hudson felt that two of her Officers were exposed and she wanted to ensure they were not in her line of fire in case she decided to take a shot. Sgt. Hudson said she positioned herself so that the suspect could not escape their containment because she feared for the safety of local area resident. She also indicated she was, "Super scared" for the Officers because they were out in the open. She recognized that the suspect was already in the 'up position' with his firearm, that action is faster than reaction, and she was aware that transitioning from a gun to the head to pointing it at someone else, is nearly instant. While answering this question, Sgt. Hudson pointed her index finger to her head with her left hand and transitioned to pointing her index finger across the table to demonstrate what she was describing.

I asked Sgt. Hudson to estimate the number of shots fired and the locations of Officers when they fired. She said there were 3-4 shots fired by the Officers and they were approximately 25 feet away. She believed the Officers were, "very close" to the suspect. When asked if she did anything deliberately or accidentally to alter the crime scene, she replied, "Yes." Sgt. Hudson remembers moving Deputy Masters' car from Five Mile, to Blackhawk, in order to block traffic approaching from the west. She also recalls moving patrol vehicles to allow the ambulance to approach the scene and render aid to the suspect.

Sgt. Hudson described the lighting in the area as a very dark subdivision with no street lights and mostly ambient light. The scene was illuminated with vehicle headlights, overhead lights, and flashlights. Sgt. Hudson remembers that it was pretty dark and believes there was enough ambient light to see what was going on around them. She does not believe the lighting was a factor in this incident. She indicated the weather was clear and cold. Sgt. Hudson does not believe the weather was a factor in the incident.

I asked Sgt. Hudson if the suspect could have given up or stopped this incident at any time prior to use of

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Approved Supervisor Sgt. Justin Kendall	Ada No. 623
Approved Date 03/07/2024 17:52	

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RD: 62

DR# 2024-402210

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deadly force? If so, how and when? Her response was that the suspect was being given commands by the Deputies. He was given opportunities to drop the gun and he did not comply. Sgt. Hudson said the suspect could have dropped the gun and complied with the Deputies at any time prior to when they shot him.

Attorney Mallet asked questions to clarify portions of the incident. The following is a summary of Sgt. Hudson's responses: The fire station is approximately 1/2 mile from the incident location. A 'Tone Alert' is a "super dangerous" call and specifically the call details indicated there were shots fired. Sgt. Hudson said those types of calls are a 10 of 10 on the danger scale. In very close proximity to the station, they were contacting a subject with a gun that had been reported to have already fired that gun at someone. She conveyed her concern for the rest of the public as well as potential motorists who may be driving on Five Mile. Sgt. Hudson considered that this suspect may try and commit a 'carjacking' to try and escape the Deputies trying to arrest him. She was aware that the suspect escaping contact from the Deputies was a danger to area residents. When the suspect put the gun to his head, she reiterated that there is a potential for a through and through injury, and that it is a quick transition to go from pointing the gun at his head to pointing the gun at Officers. She further demonstrated this potential by flicking her wrist as narrated by Attorney Mallet. Sgt Hudson said this position by the suspect caused her to fear for her own safety as well as the safety of the other Officers on the scene. She described the delay in providing treatment was due to the weapon remaining in the suspect's hand, and as soon as the weapon was secured they began providing medical aid to the suspect.

In regard to the standards of Graham v. Conner, Sgt. Hudson indicated the crime of aggravated assault is a very serious crime where the suspect was willing to shoot at someone and would be willing to shoot at others. She further stated that the suspect had the means to continue to commit aggravated assault because he was still holding a firearm in his hand. Sgt. Hudson said that aggravated assault is an immediate threat to safety. Sgt. Hudson also said the suspect was not obeying commands and was fleeing from the original location that began this incident.

The interview was concluded.

A copy of the audio recording of this interview was uploaded to Evidence.com.

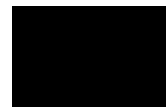
CONCLUSION: Route to CITF Lead Detective Canfield

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

03/07/2024

(Officer's Signature)



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Officer(s) Reporting Ofc. Tom Krueger	Ada No. 977
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Narrative**INVOLVED DEPUTY INTERVIEW (Colton Mckone):**

On 02/14/2024 at 0845 hours, I met with Deputy Colton McKone at [REDACTED] in [REDACTED]. This is the law office belonging to Joe Mallet, who is representing McKone. This was a scheduled meeting where Joe Mallet, Colton Mckone, ACSO Detective K. Day and I were present. The interview was audio recorded and added to evidence.com.

I provided Mallet with a copy of McKone's on body video camera recording. He and McKone watched the video in private. After watching the video we all met in a conference room, where I started the audio recording. I followed the suggested guideline of questions for involved deputies that is commonly used in Critical Incident Task Force investigations. This is a standardized set of 24 questions and statements that is suggested to be followed. I advised McKone that this is a criminal investigation and he is not required to make a statement. He indicated that he understood and wanted to speak with me today.

McKone provided me with the following information: He works for the Ada County Sheriff's Office, his radio designator is "Sheriff 46," he has been with the ACSO since February 15, 2019. McKone is currently a patrol deputy assigned to the South County working a grave shift (1945 hours-0630 hours). His badge number is 5901 and is [REDACTED]. He began his career with the Sheriff's Office working as a detention deputy, working in the jail. He was selected to work in patrol in July of 2022. He has no prior law enforcement experience and claims to have no other specialized training. He claimed he was in the military with no relevant training to this incident.

On the night of the incident, Deputy was carrying a department issued Sig Sauer 9mm P320. The weapon was had a tactical light and a red dot sight with no other modifications. The ammunition used was issued to him by the department. He was carrying three ammunition magazines all capable of holding 17 rounds, and had one round in the chamber. He had no other weapons on his person. He was wearing the department issued patrol uniform with a hat and an exterior vest. The hat had a badge on the front, his vest had a badge and both sleeves of his shirt had Ada County Sheriff's patches.

Deputy McKone told me that prior to this call, work was not very busy. He went to several dispatched calls, made one traffic stop and assisted on one traffic stop. He had been dispatched to two domestic calls. He was cancelled on one call and the second resulted in no police action. I asked him to give me a detailed statement about the incident. He told me the following: His team was at Boise Fire Station 14. The swing shift was about to go home and it is common for the two teams to meet together before the end of their shift. While at the fire station, he heard a tone alert broadcast on the police radio. Sheriff 41 and 46 were dispatched to a shots fired call, on Seneca. McKone knew the general area, so he grabbed his body camera from the docking station and went to his car. He was directed to go to channel 3 for further information about the call. McKone was the third patrol car to exit the parking lot and begin traveling south on 5 Mile Road. He activated his overhead lights. While driving to the call, the dispatcher

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provided more information. The calling party had reported hearing gun shots. He went outside to look and the man with the gun, shot at the calling party. The last update he remembers hearing, was that the calling party was ok.

McKone continued southbound on 5 Mile. As he traveled south he saw the suspect emerge from an embankment on the east side of 5 Mile, south of Black Hawk. The suspect was on his left. McKone immediately advised his responding partners of what he had seen, as he quickly stopped his patrol car. He tried to turn his car, but knew the suspect had just shot at someone. McKone knew he was in a residential neighborhood, and was very concerned about the two deputies who had been following him. McKone saw the suspect walking towards the two deputies as he walked north 5 Mile. The deputies were north of Black Hawk. McKone initially thought he should take cover behind his car, but he knew this would cause a major cross fire issue. He was concerned the suspect would shoot at the responding deputies and he did not know if his partners had seen the suspect or if they were out of their cars. McKone wanted to take the suspect's attention away from the other responding deputies, and put it on him. He was yelling at the suspect to drop the gun the whole time. McKone did not have a good angle or a good back drop and remembers becoming more exposed as he went into the roadway. The suspect continued to face the other deputies as he had a gun to his own head. When McKone yelled at him, the suspect turned and faced him "chest to chest." McKone felt that his plan to get his attention onto him worked, but he was concerned about how the suspect was holding the gun. He believed it was possible for him to shoot in front of his face at the other deputies, or if he was going to quickly shoot at him. McKone was not able to tell if the gun was pointing at his temple or if it was in front of his head.

Deputy McKone continued to give the suspect commands. As he did this, the suspect dropped his elbow and McKone felt he was going to be shot. McKone shot him two or three times. The suspect fell to the ground and still had his gun on him. McKone ran to other deputies for cover. He was not part of the arrest plan and does not remember what happened next. He claims this all happened very quickly and needed to react.

I asked McKone to tell me about the verbal commands that were made to the suspect, by the deputies on scene. He remembers yelling "Drop the gun," three or four times. He could hear the other deputies yelling, but can not remember what they were saying. He described his commands as being very serious and yelling. He remembers that Deputies Faddis, Mcleod and Sergeant Hudson were with him. He also remembers Deputies Denny and Masters arriving and taking part in the arrest team.

Prior to the use of force McKone had been told by dispatch, the suspect had shot at the calling party. So he knew he was responding to a felony that had been committed with a gun, which was an aggravated assault. When the suspect turned toward him with the gun, he committed another aggravated assault against him. He was also concerned of other crimes having been committed that had not yet been reported. McKone did not know the suspect before and does not know about any of his prior record or contact history.

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I asked Deputy McKone to tell me about the things the suspect had done to make him feel threatened. He stated that he was pretty close to the suspect while in his patrol car. When he stopped, he remembers the suspect turning and walking towards the other patrol cars with a gun. McKone stated, "I felt an extreme sense of urgency to help them and get his attention on to me and or get a better back drop on him." He believes the suspect intentionally walked into the road towards the other patrol car with a gun. He explained again that they were in a residential area and was concerned the suspect could shoot into a home. It was two in the morning, so he knew people were home and inside. When the suspect turned towards him, he felt his plan to draw his attention to him worked. The suspect then dropped his arm, which made him afraid he or the other deputies were about to be shot.

Joe Mallet had provided printed black and white photographs of the area where the shooting occurred. These images were taken from google by Mallet. This picture has been downloaded to evidence.com and booked into property. On this paper, McKone drew with a black pen. He drew a black dot and wrote "me," on the west side of 5 Mile. He wrote "x PC" on the south east side of the intersection. This represents where he parked his patrol car. He drew a black line with "sus" on the east side of the intersection, this represents the location of the suspect when the shooting occurred. On the north side of the intersection he drew two X's, which represent the location of the other deputies on scene. Based on information provided to me by other detectives, this information is consistent with what was seen at the crime scene. McKone again explained that when he exited his patrol car, he had to move away from it because of the crossfire issue with the other responding deputies and his backdrop was either the deputies or a home on the corner of Blackhawk/5 Mile. He moved to the west, which caused the suspect to turn face to face with McKone, with the suspect now facing west.

McKone told me he did not do anything to alter the crime scene. He also told me it was dark in this area but the ambient light from street lights and the patrol car lights, provided the light necessary to see the suspect. McKone indicated that since he had enough light to see the suspect, he believes the suspect had plenty of light, to see him. He also indicated there were no weather conditions that had an impact on this event. I asked if the suspect could have given up or stopped prior to the use of deadly force. McKone told me he could have stopped with the lights from the patrol cars, and could have stopped while he was running and him commands. He believes the suspect had a lot of time to drop the gun. McKone remembers 5 patrol cars being present at the time of the shooting. He also remembers all of them having their overhead lights activated, but does not remember any sirens. I confirmed with McKone that he had no cover or concealment at his location in the roadway when the deadly force was used.

At the end of the interview Detective Day asked McKone to clarify how he ended up in the position he was in, since he was the third patrol car to leave the fire station, but appeared to be ahead of two other patrol cars. He confirmed that two cars had passed the suspect and did not see him. He being the third car, saw the suspect, then the two more cars were behind him.

Mallet asked McKone to clarify where the suspect was when he first saw him. He saw him emerge from a ditch area and believes he was still in a hidden area when the first two patrol cars past. He

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explained that he was concerned the suspect was possibly ambushing responding deputies since he appeared to be hiding. The suspects actions of walking towards the patrol cars with their overhead lights on, with a gun in his hand, he thought for sure the suspect was going to shoot them. I confirmed they had found the suspect away from the initial location of the call, which also caused him concern as to what he was doing and where he was going.

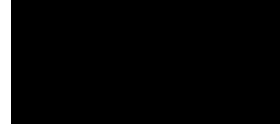
This concluded our interview. The audio recording of this conversation was downloaded to evidence.com

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

03/13/2024

(Officer's Signature)



Admin	
Officer(s) Reporting Cpl. Chris Wirshing	Ada No. 756
Approved Supervisor Sgt. Justin Kendall	Ada No. 623
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Narrative

INITIAL RESPONSE/CONTACT:

On 02/11/2024 at approximately 0305 hours I was notified by Violent Crimes Unit Sgt. Kendall that Ada County Sheriff's Deputies had just been involved in a critical incident at S. Five Mile Rd. and W Blackhawk Dr. in Boise, Idaho. Sgt. Kendall asked that I assist and assigned me to investigate the crime scene. The Boise Crime Lab also responded to the scene to assist.

INVESTIGATIVE TEAM:

BPD Criminalist A Wenetzky
BPD Criminalist A. Oldemeyer
BPD CSO K. Boynton
BPD Ofc. M. Hudson
Meridian PD Detective M. Ferronato
Meridian PD Detective J. Fuller
ACSO Detective N. Daigle

SCENE:

The scene had already been taped off at the time of my arrival at around 0400 hours and a crime scene log was being kept. The scene contained an inner perimeter and outer perimeter.

Inner Perimeter:

The inner perimeter tape which was taped off with red crime scene tape secured the intersection of S. Five Mile Rd. and W. Blackhawk Dr. in Boise, Idaho.

Outer Perimeter:

The outer perimeter was larger in size and was taped off with yellow crime scene tape.

North - S. Five Mile Rd., north of W. Blackhawk Dr. The roadway was also blocked with an ACSO patrol vehicle.

West - W. Blackhawk Dr., west of S. Five Mile Rd. The roadway was also blocked with an ACSO patrol vehicle.

East - W. Blackhawk Ct., east of S. Five Mile Rd. and W. Seneca Dr., west of S. Upland Ave.

South - S. Five Mile Rd, south of W. Seneca Dr. The roadway was also blocked with an ACSO patrol

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vehicle.

Notable Pieces of Evidence:

- There were three SPEER 9mm LUGER +P cartridge casings under the ACSO patrol vehicle at W. Blackhawk Dr. and S. Five Mile Rd. on west side of the intersection.
- There was one R-P 38 SUPER AUTO +P cartridge casing in street near [REDACTED] the intersection.
- There was a pair of blue jeans with a brown belt, and black shoes near [REDACTED] the intersection.
- There was a black and orange wallet located in the front right jeans pocket containing Dominic Soto's Social Security card, driver's license and several bank cards.
- There was one R-P 38 SUPER AUTO +P cartridge casing in the road near Tenmile Feeder Canal and W. Seneca Dr.
- There was one R-P 38 SUPER AUTO +P cartridge casing in the Tenmile Feeder Canal path north of W. Seneca Dr.
- There were three R-P 38 SUPER AUTO +P cartridges and one PPU 38 SUPER AUTO cartridge located on the Tenmile Feeder Canal path between W. Seneca Dr. and S. Five Mile Rd.
- There was one R-P 38 SUPER AUTO +P cartridge in the chamber to the Thompson .38 SUPER pistol.
- The magazine in the Thompson .38 SUPER pistol held eight rounds. There were a total of eight 38 SUPER cartridge and cartridge casings recovered from the scene.
- There was a hole in the front driver's side bumper of a red Pontiac Grand AM bearing [REDACTED] license plate [REDACTED] with a fired projectile on the ground behind the front driver's side tire that was parked in front of [REDACTED]

ACSO Vehicles:

I was notified of four parked vehicles inside the inner and outer perimeter of the crime scene that were driven by four responding deputies.

ACSO Deputy C. McKone's marked patrol vehicle was parked on the east side of S. Five Mile Rd., south of W. Blackhawk Ct. and was facing north.

ACSO Deputy J. Faddis' marked patrol vehicle was parked in the northbound lane on S. Five Mile Rd., north of W. Blackhawk Ct. and was facing south.

ACSO Deputy M. Macleod's marked patrol vehicle was parked in the southbound lane on S. Five Mile Rd., north of W. Blackhawk Ct. and was facing south.

The ACSO vehicle at W. Blackhawk Dr., west of S. Five Mile Rd, was parked at the location after the critical incident took place.

Firearm:

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Approved Supervisor	Ada No	Approved Date	
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I examined the firearm in the roadway near [REDACTED]. The gun was a black R-P 38 SUPER AUTO +P pistol with an 8-round magazine in the chamber. The magazine was empty. The gun's serial number was [REDACTED].

The firearm and cartridges were collected by the BPD Crime Lab.

CONCLUSION:

Route with report.

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

03/19/2024

(Officer's Signature)

[REDACTED SIGNATURE]

Admin	
Officer(s) Reporting Ofc. Jason Shofner	Ada No. 932
Approved Supervisor Sgt. Justin Kendall	Ada No. 623
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Narrative

WITNESS INTERVIEW - ACSO Deputy Michael Macleod:

On 2/14/2024, at approximately 1530 hours, I interviewed Ada County Deputy Michael Macleod. The interview was conducted at [REDACTED]. Present during the interview was Michael Macleod, ACSO Detective Kelly Day, and Joseph Mallet (Michael's legal counsel).

Prior to the interview taking place, Michael was notified that this interview was being recorded, that it was part of a criminal investigation, and that he was not required to make any statements. Michael verbally stated that he understood and was willing to make a statement.

BACKGROUND INFORMATION:

Name: Michael J. Macleod

Age: [REDACTED]

Rank: Patrol Deputy

Ada: 5906

Radio designator: S55

Vehicle Number: 193

Date of employment: February 2019

Prior experience: Ventura County Probation Officer (2005-2019)

Current assignment: South County Patrol, Swing Shift 1615-0300 hours

Specialized training/Background: Intermediate Peace Officer, Detention Deputy, Defensive Tactics Instructor and Chemical Agents Instructor (Ventura County, CA)

ISSUED DUTY WEAPON:

Michael had a department issued Sig Sauer P320 with a Romeo red dot and a 21 round magazine seated in the gun with him on the night of the incident. There were no other modifications made to the gun. Michael stated there was one round in the chamber of the firearm, making a total of 22 rounds in the firearm. Michael stated the ammo in the firearm was department issued 9mm Speer Gold Dot ammo. Michael stated he also had two fully loaded 17 round magazines on his outer vest carrier.

UNIFORM:

Michael was wearing his ACSO department issued uniform on the night of the incident. The uniform consisted of a navy-blue external carrier vest, a tan long-sleeved shirt with ACSO patches on both arms, a 5.11 duty belt, and 5.11 shoes. A sheriff badge and Michael's name were sewn on the front of the vest carrier. On the back of the vest was the word "Sheriff." Michael stated he was also wearing a baseball cap with an embroidered sheriff's badge.

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PRIOR TO INCIDENT:

Michael said it was a routine patrol day prior to the critical incident. Michael recalled responding to a collision on the interstate, a suicidal subject, and a 911 welfare check prior to the incident. I asked how many calls he would typically respond to on a routine patrol day. Michael stated he responded to about 7-8 calls per day on average.

PAST CRIMES IN SAME LOCATION:

Michael was not aware of any past crimes specific to that area.

INCIDENT:

Michael stated he was at the ACSO substation in Boise Fire Department Station #14 (2515 S. Five Mile Rd, Boise, Idaho) with most of the swing patrol team and several of the night patrol team when he responded to the call. Michael stated he was nearing the end of his shift and trying to complete his reports from the day when he heard a tone alert over his radio. Michael explained that a tone alert meant it was an emergency call where something active is going on.

Michael described the call that was relayed to responding deputies by dispatch; that a homeowner had heard a noise and was shot at by the suspect when he went outside to investigate. Michael explained he did not have his On Body Video (OBV) at the time because it had been docked at the station while he was working on reports and this was a situation where he needed to react, so he left the station before he was able to retrieve his OBV.

Michael stated that the substation was north of Five Mile and Black Hawk (where the critical incident took place) and that everyone at the substation and anyone else available responded to the call with lights and sirens when it was dispatched. Michael stated there were several units in front of him during his response, including Deputy Robert Denney and Deputy Tyler Masters who responded to the area of S. Five Mile Rd and W. Seneca Dr where the initial call came out. Deputy McKone and Deputy Faddis were also in front Michael as he neared the location.

As Michael was approaching the area, he heard Deputy McKone broadcast over the radio that he located the person matching the suspect's description on the corner of Five Mile and Black Hawk. Michael could not remember the exact description of the suspect, but thought he was described as a male wearing a lighter colored shirt and dark jeans.

When Michael arrived at the location, a patrol vehicle was blocking the northbound lane on S. Five Mile Rd. at the Black Hawk Ct. Intersection. Michael believed the vehicle belonged to Deputy Faddis, but he was not certain. Michael stopped his vehicle next to the patrol vehicle and blocked the southbound lane.

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Michael was given a satellite image of the area where this incident took place and drew a circle on the image where the suspect was standing when he arrived at the location. The circle was in the roadway near the southeast side of Five Mile and Black Hawk. Michael then drew a rectangle to represent where Deputy McKone's vehicle was. Michael explained that Deputy McKone had to flip around on the suspect and stopped his vehicle south of the suspect's location. Michael and Deputy Faddis parked their patrol vehicles north of the suspect's location.

Michael exited his vehicle and saw Deputy McKone working his way from his patrol vehicle to the west side of the intersection on Black Hawk Ct. Michael drew another circle on the map to indicate where Deputy McKone moved to, as well as a line representing the path he took to get there.

Michael had positioned his patrol vehicle so that he was in a diagonal position to the suspect. Michael noted that he was in a bad position because the backdrop to the suspect was a house on the corner.

Deputy Faddis came to the same side of the patrol vehicle as Michael and heard Deputy McKone say, "Drop the fucking gun." Michael stated he has worked with Deputy McKone through the years, that they went through ACSO's detention academy together and that Deputy McKone is not one to use that type of language which caught his attention. Michael did not initially see the firearm in the suspect's hand but knew there was the potential that the suspect still had the weapon because that was the original call. Deputy McKone told the suspect a second time to, "Drop the fucking gun" before he heard one gunshot.

Michael saw the suspect go down and he held his position, along with Deputy Faddis. Michael got Deputy McKone to come over to them. Michael then clarified that he did observe the suspect holding a gun to his head with his left hand and was squared-off and facing Deputy McKone, however he was not able to see any of the suspect's movements due to his position.

After Michael heard the gun shot, the deputies stacked up by his patrol vehicle. Michael noticed that the gun was still in the suspect's left hand. Michael asked Deputy McKone if he was good when he came over to their position. Michael told Deputy McKone to get in the back of the stack and that they would take care of it from there. During this time, additional resources were arriving at the location and relieved Deputy Faddis and Deputy McKone.

Michael maintained his position of lethal coverage on the suspect until a Boise Police K9 arrived at the location. When the K9 arrived, it approached the suspect from the west side of the intersection and gave the suspect a slight pull. The suspect did not move, and the gun remained in his left hand.

When the decision was made to move up to the suspect, Michael and ACSO Sergeant Able maintained lethal coverage on the suspect while Deputy Denney and a Boise Police Officer secured the suspect in handcuffs. Denney secured the left hand, and the BPD officer secured the right hand. Michael noticed a second bullet [REDACTED] while he was being searched by the BPD officer. Michael assumed that both shots were caused by Deputy McKone based on the injuries he saw. Michael then noted that the suspect [REDACTED]. The BPD officer began rendering aid to the

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suspect, including [REDACTED], until medical staff arrived and took over aid.

Michael added that his primary concerns were that they were in the open and that the suspect had already fired his gun at somebody. He explained that the suspect had already committed an aggravated assault or attempted homicide prior to their arrival. Michael stated that these factors raised his awareness. Michael understood that this was not an interaction they could walk away from and that the suspect continued to pose a threat to others (mentioning nearby convenience stores that were open).

Michael remained by the suspect's gun until he was relieved by Deputy Gould and was taken to the [REDACTED]

After Michael provided his statement, I asked several clarifying questions.

I confirmed again with Michael that he observed the gun the suspect was holding to his head. He clarified that he did not see the suspect raise the gun to his head but saw the gun to his head when he arrived at the location and that was when Deputy McKone was giving him instructions to drop the gun.

I asked Michael to describe the suspect's demeanor. Michael replied that he couldn't make out what he was saying, but that he was attempting to communicate something. He added that the suspect was not complying with the directives, he still had the gun to his head, and he had every opportunity at that moment to drop the weapon.

I asked Joe Mallet and Detective Day if they had any clarifying questions. Mallet stated that he did and confirmed with Michael that the suspect had the gun in his left hand and that Deputy McKone was to his right at the time of the critical incident. Mallet also confirmed that the suspect was facing Deputy McKone and not Michael at the time. Michael could see the suspect's right shoulder and right side of his face but did not have a clear view of the suspect's left side at the time of the incident.

Detective Day then asked what the backdrop would have been of the suspect's gun that he was holding to his head. Michael stated that the gun the suspect was pointing at his head was also pointed at his and Deputy Faddis' direction.

COMMANDS GIVEN:

Michael heard Deputy McKone give two verbal orders to "Drop the fucking gun". Michael stated that the suspect made no attempt to comply with Deputy McKone's instructions.

DEPUTIES AT THE SCENE:

Michael identified the following people as being present when the critical incident took place.

Deputy McKone

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Deputy Faddis
Sergeant Hudson

CRIMES COMMITTED/THREATS:

I asked Michael what crimes the suspect committed prior to the critical incident. Michael stated that at a minimum, the suspect committed the crime of an aggravated assault and that him firing a round at the calling party potentially made it an attempted homicide.

CRIMES OF THIS NATURE IN THIS AREA:

Michael stated he was not aware of any crimes of this nature in the area.

KNOWLEDGE OF SUSPECT PRIOR TO THIS INCIDENT:

Michael did not know Dominic Soto prior to this incident.

THREATS IDENTIFIED:

Michael identified several things that made him feel threatened during the incident. He explained that the suspect already displayed that he was willing to shoot at people he did not know, that he was in possession of a firearm that he was ready to use, and that they observed him with the firearm when he was located. He stated that seeing the suspect with a firearm validated the threat they were responding to, and Michael was aware that action versus reaction put them in a bad spot because the gun was already raised in its position. He added that it would have been different if he had to draw the gun from a holster which would have given them more time to react to the threat he was posing.

Michael then pointed at the residential homes on the map and stated that he was concerned about their safety, noting that the backdrop of the suspect was the house on the southeast corner of the intersection and that people were likely to be in the home at the time the incident took place. Michael concluded that it was not a good situation from his vantage point.

SHOTS FIRED:

Michael stated again that he only heard one shot at the time of the incident [REDACTED]

CRIME SCENE:

Michael did not do anything to deliberately alter the crime scene. He added that he stood by the gun until he was relieved, but he did not touch the gun in any way.

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LIGHTING:

Michael stated there was minimal lighting in the area but didn't think that played into the incident. They could see the suspect and the suspect could see them.

WEATHER:

Michael stated that it was a colder night, but the conditions were dry at the time the incident took place.

COULD THE SUSPECT HAVE GIVEN UP PRIOR TO DEADLY FORCE:

I asked Michael if the suspect could have given up at any time prior to the use of deadly force. He responded, "absolutely" and explained that he had time to surrender from the time he fired his gun at the calling party to when he was initially contacted by Deputy McKone, he could have surrendered when Deputy McKone initially contacted him, and he could have surrendered again when Deputy McKone moved to a different vantage point and gave him two commands to drop the firearm.

FOLLOW-UP QUESTIONS BY ACSO DETECTIVE DAY:

ACSO Detective Day did not have any follow up questions at the conclusion of my interview.

FOLLOW-UP QUESTIONS BY JOE MALLET:

Legal Counsel Joe Mallet did not have any follow up questions at the conclusion of my interview.

DISPOSITION OF PROPERTY/EVIDENCE/WEAPONS:

Audio of interview uploaded to Evidence.com
Copy of Google Earth image with Michael's annotations attached

CONCLUSION:

Route to prosecutor.

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

(Officer's Signature)

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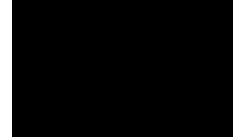
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Narrative

On 2/11/24 I responded to the area of S Five Mile and Blackhawk to assist CSO Boynton with documenting this scene utilizing our drones. We met with Detectives on scene who requested area photography of the whole scene including a route that was indicated on a map that the suspect had traveled on foot.

Utilizing the BPD drone equipment I created a geographical area on the digital map and programmed the mapping parameters for the flight. Once the parameters for the route were programmed the drone flew the mission and captured the necessary photographs.

After the evidence was collected I assisted CSO Boynton in with utilizing software to stitch the photographs together into one large image file. This was then saved by him. See his supplement for further.

Route with report.

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

05/22/2024

(Officer's Signature)

**Admin**

Officer(s) Reporting

Ofc. Matt Hudson

Approved Supervisor

Sgt. Darren Mitchell

Ada No.

889

Ada No

644

Approved Date

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Victim MCKONE, COLTON [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]

Witness FADDIS, JONATHAN [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]

Witness HUDSON, NICOLE [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]

Witness MACLEOD, MICHAEL [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]

**Person w/
Knowledge** [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]

Related DR(s)
MPD: 2024-895
GCPD: 2024-250
ACSO: 2024-1341

Narrative

INITIAL RESPONSE:

On 2/11/2024 at 0256 hours, I was contacted at home by Sergeant J Kendall. I was told that deputies with the Ada County Sheriff's Office had just been involved in a shooting, and the Critical Incident Task Force was being activated. Sgt Kendall advised that the Boise Police Department would be taking lead on the investigation, and that I would be the lead detective. I was provided with the approximate location of the incident, and told that the individual reported to have been shot by deputies had been transported to St Alphonus Hospital. Detective T Krueger had already been contacted by Sgt Kendall

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and he was already en route to St Alphonsus Hospital (see supplement). I learned that none of the involved deputies were reported to have been injured during the incident. Prior to leaving my residence, I called A Wentzky, a Criminalist with the Boise Police Department's Crime Lab. I notified her of the incident. I learned that A Wenetzky, and Criminalist A Lustig would be responding process the scene.

AGENCY REPORT:

Ada County Sheriff's Office: DR 24-001341
 Boise Police Department: DR 24-402210
 Garden City Police Department: DR 24-000250
 Meridian Police Department: DR 24-000895

ASSIGNMENTS:

Lead Detective: Detective M Canfield
 Crime Scene: Detective J Shofner
 First Contact: Detective C Wirshing
 Hospital Response: Detective T Krueger
 Area Canvas: Detective M Ferronato (MPD) and Detective J Fuller (MPD)
 Deputy Interviews: Detective C Wirshing, Detective M Canfield, Detective T Krueger, and Detective J Shofner

INVOLVED DEPUTIES:

ACSO Deputy C McKone - Victim
 ACSO Deputy J Faddis - Witness
 ACSO Deputy M MacLeod - Witness
 ACSO Sergeant N Hudson - Witness

SUSPECT:

Dominic ████ Soto

INVESTIGATIVE ACTIONS:

SCENE:

I traveled to the scene of the deputy involved shooting, S Five Mile Rd and W Blackhawk Dr Boise. Upon my arrival, I observed several patrol vehicles blocking the roadway and the scene to be taped off with yellow and red colored crime scene tape. A Crime Scene Log was being kept, and I arrived at approximately 0330 hours (refer to Crime Scene Log for exact time). Upon my arrival, I made contact

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with Lieutenant A Linn and Lieutenant K Witmuss. I was briefed on the incident. I learned that deputies had originally been dispatched to a shooting in the area off of W Seneca Dr and S Five Mile Rd. W Seneca Dr is the next east/west street to the south of S Five Mile Rd and W Blackhawk Dr. While responding to the scene, deputies contacted a male, now identified as Dominic [REDACTED] Soto, near the intersection of S Five Mile Rd and W Blackhawk Dr. At the time of contact, Dominic was in possession of a handgun. Deputy McKone shot his firearm at Dominic. It was also believed that Dominic may have sustained a self-inflicted gunshot wound to the head during the contact.

Within the middle of S Five Mile Rd and W Blackhawk Dr, I observed a [REDACTED], clothing, medical debris, a black colored semiautomatic pistol, and a single cartridge case. On the west side of the intersection, underneath an ACSO patrol vehicle (193), I observed a two cartridge cases. Deputies were in the process of trying to locate any evidence related to the shooting that involved deputies had initially been dispatched to. Evidence of a shooting, which included cartridge cases, and cartridges were located on W Seneca Dr near the canal access road. The entire scene was processed by the Boise Police Department's Crime Lab, with the assistance of Detective J Shofner (see supplements).

Deputies had already made contact with the original calling party, [REDACTED] ([REDACTED]) and conducted a welfare check [REDACTED], [REDACTED] and [REDACTED] at [REDACTED]. [REDACTED] was interviewed further by Detective M Ferronato (MPD) and Detective J Fuller (MPD). [REDACTED] and [REDACTED] were interviewed further by Detective T Krueger. Refer to their supplements for further.

911 CALL:

On 2/11/2024 at approximately 02:06:20, Ada County Dispatcher, Mekayla Schilling answered a 911 call made by [REDACTED] ([REDACTED]). The call is 3 minutes and 30 seconds in length. Just prior to Mekayla acknowledging the 911 call, [REDACTED] can be heard stating, "yeah, he's still out there shooting." Once Mekayla answers the call, [REDACTED] tells her, "I need someone out here on fucking, on Seneca St, there is some guy out here shooting." [REDACTED] provides his address, [REDACTED] and advises that the shooter is "behind on the canal." [REDACTED] later clarifies this by stating that the male was across W Seneca, near the [REDACTED] ([REDACTED]). When asked if he saw or heard the male, [REDACTED] tells the dispatcher, "I seen him, he shot right at me." [REDACTED] did not know who the male was and was unable to provide a description of what the male was wearing. [REDACTED] said that the male was approximately 45 yards away from him when the incident occurred. [REDACTED] states that while sleeping within his living room, he heard a "big bang." [REDACTED] went outside and confronted what he though was a little kid. After asking the individual what they were doing, the person "turned and popped a shot off" at [REDACTED]. According to [REDACTED], the male said something about "leaving him alone."

[REDACTED] tells the dispatcher that he is now safe inside his own home and he is not injured. Mekayla confirms the callers name, but mistakenly records [REDACTED] name as [REDACTED] on the CAD Incident Detail Report. Mekayla asks once again if [REDACTED] recalled any of the male's physical descriptors. [REDACTED] describes the shooter as 5'6" to 6'0", possibly wearing an overcoat, a light colored shirt, and dark jeans.

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██████ believed that male was "baldish." Based on the male's voice, ██████ believed that the male was older. At the 3:25 mark in the 911 call, ██████ tells the dispatcher, "they shot him." The call then disconnects.

The 911 call was downloaded to Evidence.com.

CAD INCIDENT DETAIL REPORT:

Involved Deputies and their radio designators:

- S46 - Deputy C McKone
- S45 - Deputy J Faddis
- S55 - Deputy M J MacLeod
- S50 - Sergeant N Hudson

The following notes are taken from dispatch records that document the actions of the dispatcher and deputies. The following notes capture when ██████ called 911, what the Ada County Dispatcher had advised the responding deputies, and when the shots were fired. Refer to the CAD Incident Detail Report for further. The bolded notes are what the dispatcher has inputted about the call that the deputies are responding to. The deputies are able to read the inputted notes while responding to the call for service.

2/11/2024:

02:06:20 - *Phone pickup (Ada County Dispatcher).*

02:07:19 - **"by the canal - ma (male adult) shot at cp (calling party) -- 45 yards away cp heard a bang, went outside, said "what are you doing" and ma popped a shot off**

02:07:25 - *Call taking complete.*

02:07:48 - *First deputy assigned.*

02:07:55 - *First deputy enroute.*

02:07:57 - **"by the gate, canal"**

02:08:01 - **"cp not injured"**

02:09:11 - *1st deputy arrived.*

02:09:22 - **"ma about 5'6 - 6 ft // lsw light shirt and dark pants"**

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02:10:04 - "*** shots fired ***"

RADIO TRAFFIC:

Ada County Dispatch provided me with the radio traffic between the Ada Count Dispatcher and the responding deputies. This is the information being provided to the responding deputies by the dispatcher on the radio. It also captures any communication made by the responding deputies. The entire audio recording is 2 hours, 24 minutes, and 55 seconds. The time logged next to each statement is the minute and seconds within the audio recording that the statement was made, not the actual time.

The radio traffic was downloaded to Evidence.com.

Dispatcher: "Dispatch is on channel 3 for the shots fired on [REDACTED]." (00:00:24)

Deputy T Masters: **Acknowledges dispatcher** (00:00:29)

Dispatcher: "The CP lives at the address listed and he said that he heard a bang behind his house, by the canal. He went outside and said what are you doing, because he assumed it was a teenager. A male stood up and fired a shot off at him. The CP is not injured. He did not really see anyone. I'm trying to see what descriptors he can give us." (00:00:34)

Unknown Male Deputy: "So just confirming, he doesn't have eyes on this guy right now?" (00:01:00)

Dispatcher: "Yeah, he has walked/locked (unintelligible) back in his house." (00:01:04)

Sergeant N Hudson: "Okay guys, stay high vis and lets lock down the canal." (00:01:10)

Dispatcher: "He's saying, the male to be about 5'6" to 6'0", wearing a light shirt and dark pants." (00:01:17)

Unknown Male Deputy - believed to be Deputy C McKone: "I got him, Five Mile and Blackhawk." (00:01:27)

Dispatcher: "Copy." (00:01:33)

Sergeant N Hudson: "Shots fired, suspect down. All officers are okay, send medics code 3." (00:01:54)

BODY WORN CAMERAS:

The Ada County Sheriff's Office provided me with video footage of the incident. Although there were four

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deputies involved, only Deputy C McKone and Deputy J Faddis were wearing body cameras at the time of the incident. Deputy C McKone's body camera was the only camera that captured the shooting. Deputy J Faddis' camera was not activated until after the shooting had already occurred. The Meridian Police Department also provided me with Officer B Esparza's body camera footage. Officer E Esparza utilized his police canine to perform a compliance check on Dominic after the shooting had occurred. Officer B Esparza did not arrive on scene until after the shooting.

Deputy C McKone's OBV:

Deputy C McKone's OBV begins capturing video footage on 2/11/2024 at 02:08:49 hours. The first 30 seconds of the footage only captures video, but no audio. When the user activates his/her OBV, the 30 seconds of captured video footage prior to the OBV being activated is retained. The audio portion of the footage is only captured once the actual user activates his/her OBV.

02:08:49 Hours: Deputy C McKone is driving within his patrol vehicle. While driving, the red/blue emergency lights from Deputy C McKone's vehicle can be seen illuminating the immediate area. Deputy C McKone is also manipulating the map on his MDT (computer within patrol vehicle). Based on the investigation up until this point, I know that Deputy C McKone is traveling south on S Five Mile Rd toward the original incident scene, [REDACTED].

02:09:09 Hours: Deputy C McKone's vehicle appears to slow down, and he makes a sharp turn to the left. As Deputy C McKone is turning the steering wheel to the left, he grabs a hold of his radio mic, and holds it up to his face. Based on the footage, it appears that Deputy C McKone makes a u-turn within the roadway before coming to a stop.

02:09:15 Hours: Deputy C McKone exits his patrol vehicle, which is parked on the east side of S Five Mile Rd, just south of W Blackhawk Dr. Deputy C McKone's vehicle is oriented to the north. Immediately after exiting his vehicle, Deputy C McKone appears to sprint/run northwest across N Five Mile Rd. While Deputy C McKone is sprinting/running, his pistol is observed within his right hand. The OBV also captures a vehicle to the north of Deputy C McKone's patrol vehicle. The vehicle's bright headlights are facing to the south, toward Deputy C McKone. Based on the flashing red/blue lights illuminating the area of this vehicle, and my knowledge of the incident, it is believed that this vehicle is Deputy J Faddis' patrol vehicle.

02:09:19 Hours: Deputy C McKone activates his OBV, and audio is now being captured.

02:09:20 Hours: While still sprinting/running to the northwest, Deputy C McKone raises both of his hands and appears to be pointing his firearm in a northeast direction toward the intersection of S Five Mile Rd and W Blackhawk Dr. As this is occurring, Deputy C McKone and another male voice can be heard yelling, "drop the gun!" and "drop it"

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02:09:22 Hours: A male, later identified as Dominic [REDACTED] Soto, is now captured on Deputy C McKone's OBV. Dominic is standing within S Five Mile Rd, and he is turned to the north, facing Deputy J Faddis and his patrol vehicle. Immediately upon seeing Dominic on the OBV, it appears that his left arm is positioned in a way that would be consistent with him holding an object to his head. While Dominic is facing Deputy J Faddis, Deputy C McKone continues to run toward the intersection of S Five Mile Rd and W Blackhawk Dr, in a northwest direction. As Deputy C McKone is on the move, he continues to yell, "drop it!", "drop the gun now!", "drop it!", and "drop the gun!" While this is taking place, another male's voice be heard yelling "drop it!" and other unintelligible commands. Based on the investigation, I know that Dominic is holding a firearm to his head. At no point does Dominic appear to drop the gun, or appear to make an effort to drop the gun within his left hand. While reviewing the video, I could not hear Dominic say anything or appear as though he is verbally interacting with the deputies.

02:09:29 Hours: Deputy C McKone positions himself on the west side of the S Five Mile Rd and W Blackhawk Dr intersection. To the east of Deputy C McKone, and still standing within the middle of the S Five Mile Rd and W Blackhawk Dr intersection, is Dominic. At this point, Dominic slowly turns away from Deputy J Faddis, who is still on the north side of the intersection, and is now facing Deputy C McKone. While Dominic is slowly turning to face Deputy C McKone, it appears as though he is swaying back and forth and unsteady on his feet. Dominic's right arm is down to his right side, but his left arm is still positioned in a way that is consistent with him holding the firearm to the left side of his head. Deputy C McKone continues to yell, "drop it!", "drop it!", "drop it now!", and "god damnit, drop it!" At no point does Dominic appear to drop, or make an effort to drop the gun within his left hand. While reviewing the video, I could not hear Dominic say anything or appear as though he is verbally interacting with the deputies.

02:09:34 Hours: While still facing Deputy C McKone, Dominic sways back and forth from side to side. Dominic's head, upper torso, and his left arm, which is still holding a gun to the left side of his head, slightly rotate to the north. To the north, two deputies can be seen on the passenger side of Deputy J Faddis' patrol vehicle. Based on the investigation, it is believed that these deputies are Deputy J Faddis and Deputy T Masters.

02:09:35 Hours: Deputy C McKone appears to fire three shots at Dominic. At this point in the footage, Deputy C McKone's firearm cannot be seen, as it appears to be positioned above his camera. Three distinct plumes of smoke, that coincide with the sound of a gun being fired, can be seen coming from Deputy C McKone. At approximately the same time Deputy C McKone appears to fire his third shot, a fourth shot can also be heard. At that moment, [REDACTED]

02:09:36 Hours: Dominic falls to the roadway, chest down, with his head oriented to the south/southeast, and his feet to the north/northeast. Dominic right hand is positioned down the right side of his body. Dominic's left hand/arm cannot be seen from Deputy C McKone's position. Dominic does not move.

02:09:40 Hours: "Shots fired." It appears that this statement is being captured from Deputy C McKone's

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radio.

02:09:44 Hours: The deputies on scene and Deputy C McKone verbally confirm that they are "good." Deputy C McKone continues to point his firearm at Dominic while remaining on the west side of the intersection.

02:09:58 Hours: Deputies can be heard asking for a shield.

02:10:02 Hours: Deputy C McKone tells the other deputies that he is moving to them. Deputy C McKone runs to Deputy J Faddis and the other deputies positioned on the right side of Deputy J Faddis' patrol vehicle. Upon reaching the other deputies, Deputy C McKone states that the gun is in his (Dominic) left hand. Another deputy states that he (Dominic) is breathing, and he thinks that he saw him (Dominic) shoot himself [REDACTED]. During this time, a police canine is requested to assist within clearing Dominic's hands, as deputies are reporting that they can still see the gun within his left hand. A plan is developed to wait for the police canine to arrive before approaching Dominic. While waiting, Deputy C McKone tells Sergeant N Hudson that he does not believe that he (Dominic) shot. Another deputy interjects and advises that he believes that he saw him (Dominic) shoot himself [REDACTED].

02:15:45: Deputy C McKone distances himself from the other deputies and his OBV is turned off.

Deputy C McKone's OBV has been downloaded to Evidence.com.

Deputy J Faddis' OBV:

Deputy J Faddis' OBV begins capturing video footage on 2/11/2024 at 02:09:32 hours. The first 4 seconds of the footage only captures video, but no audio. The audio portion of the footage is only captured once the actual user activates his/her OBV. While comparing Deputy C McKone and Deputy J Faddis' OBV, it appears that the times on the footage are off by approximately 10 seconds.

02:09:36 Hours: Deputy J Faddis activates his OBV and audio can now be heard. Upon the camera being activated, Deputy J Faddis is positioned on the passenger side of his patrol vehicle. He is with Deputy M MacLeod, and the two of them have their firearms pointed at Dominic. Dominic is lying motionless within S Five Mile Rd. To the north, across the intersection of S Five Mile Rd and W Blackhawk Dr, Deputy C McKone's patrol vehicle can be seen parked on the east side of the S Five Mile Rd. The red/blue emergency lights on Deputy C McKone's vehicle are illuminated.

02:09:48 Hours: Deputy J Faddis and Deputy M MacLeod inquire about a shield.

02:09:50 Hours: Deputy C McKone can be heard telling Deputy J Faddis that he is moving to them.

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02:09:56 Hours: Deputy C McKone reaches Deputy J Faddis and Deputy M MacLeod. Upon reaching the other deputies, Deputy C McKone states that the gun is in his (Dominic) left hand. Deputy J Faddis states that he (Dominic) is breathing, and he thinks that he saw him (Dominic) shoot himself [REDACTED]. During this time, a police canine is requested to assist with clearing Dominic's hands, as deputies are reporting that they can still see the gun within his left hand. A plan is developed to wait for the police canine to arrive before approaching Dominic. While waiting, Deputy C McKone tells Sergeant N Hudson that he does not believe that he (Dominic) shot. Deputy J Faddis interjects and advises that he believes that he saw him (Dominic) shoot himself [REDACTED].

02:13:53 Hours: Deputy J Faddis removes his patrol rifle from the front of his patrol vehicle. He removes his medical kit from the rear hatch of his patrol vehicle.

02:15:00 Hours: Deputy J Faddis agrees to escort Deputy C McKone. He secures his patrol rifle within his patrol vehicle and leaves his medical kit behind for the other deputies.

02:15:41 Hours: Deputy J Faddis' OBV is turned off.

Deputy J Faddis' OBV has been downloaded to Evidence.com.

Officer B Esparza OBV:

Officer B Esparza's OBV begins capturing video footage on 2/11/2024 at 02:10:43 hours. The first 30 seconds of the footage only captures video, but no audio. When the user activates his/her OBV, the 30 seconds of captured video footage prior to the OBV being activated is retained. The audio portion of the footage is only captured once the actual user activates his/her OBV.

02:11:12 Hours: Officer B Esparza activates his OBV. Officer B Esparza is traveling to the shooting scene, as he was not present when the shooting occurred. Officer B Esparza is responding to use his police canine for a compliance check. While traveling to the scene, Officer B Esparza's red/blue emergency lights are illuminated and his police siren can be heard.

02:16:55 Hours: Officer B Esparza arrives at the scene of the shooting.

02:18:22 Hours: After removing gear from the back of his patrol vehicle, and his police canine, Officer B Esparza meets with a group of deputies who are still using Deputy J Faddis' patrol vehicle as cover. It is explained that he (Dominic) is "up there" and that the firearm is still in his left hand. A plan is developed on how to deploy the canine to perform the compliance check.

02:19:45 Hours: An ACSO patrol vehicle (Ford F150) is moved to the northwest corner of the intersection. From the passenger side of the F150, Officer B Esparza makes several announcements to Dominic. The announcements warn Dominic that a police canine is about to be deployed, and he will be

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bit. Dominic is ordered to take his hand off of the firearm. Based on the video footage, I do not hear any type of verbal response from Dominic.

02:20:22 Hours: With the use of a long line leash, the police canine is deployed toward Dominic's location. The police canine is observed in the roadway in close proximity to Dominic. As this is occurring, Officer B Esparza appears to be pulling back on the long line leash.

02:20:40 Hours: The police canine returns to Officer B Esparza.

02:21:05 Hours: A group of deputies and Boise Police Officers are observed walking south on S Five Mile Rd, toward Dominic's location. Officer B Esparza following the group with his police canine.

02:22:06 Hours: The police canine is placed back inside of Officer B Esparza's patrol vehicle.

02:23:16 Hours: Ada County Paramedics are captured arriving on scene. Also captured on Officer B Esparza's OBV is several officers/deputies rendering aid to Dominic.

02:30:31 Hours: Dominic is placed on a gurney and loaded into an ambulance.

02:33:16 Hours: Officer B Esparza's OBV turns off.

[REDACTED] - VIDEO SURVEILLANCE:

On 2/11/2024, MPD Detective M Ferronato recovered video surveillance from [REDACTED], who resides at [REDACTED]. [REDACTED] address is located across the street from Dominic's residence. [REDACTED] has surveillance camera located on the front of the residence that appears to capture the sound of gunfire in the area. It appears that [REDACTED] camera captured the sound of gunfire that is initially reported by [REDACTED] to Ada County Dispatch. It also appears to capture the sound of gunfire associated with Deputy C McKone and Dominic. The time stamp on each video appears to be fairly accurate based on the time [REDACTED] is known to have called 911, and when it is known that Deputy C McKone shot Dominic.

02:04:54 Hours: A loud bang, believed to be gunfire, can be heard. It also sounds as if a person is yelling just prior to the shot being fired. It's unknown who the person is, or what they said. The timing of this gunshot is consistent with the loud bang that had caused [REDACTED] to step outside of his residence.

02:06:24 Hours: A loud bang, believed to be gunfire, can be heard. The timing of the gunshot is consistent with Dominic firing his gun at [REDACTED] after being confronted.

02:09:33 Hours: Four loud bangs, believed to be gunfire, can be heard. At the time same time, red/blue lights can be seen illuminating the area to the west. The timing of the gunshots is consistent with Deputy C McKone shooting Dominic, and Dominic shooting himself [REDACTED].

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INTERVIEWS:

On 2/11/2024, MPD Detective M Ferronato interviewed [REDACTED]. The following is a summary of the interview. See Detective M Ferronato's supplement for additional details.

- [REDACTED] heard a loud "boom" outside of his residence. He initially believed that the "boom" was a dry-ice bomb.
- [REDACTED] exited his residence through the front door.
- Standing outside of his residence, approximately 150 feet to the northeast, was an individual he initially believed to be a little kid.
- [REDACTED] shouted at the individual. The individual turned toward [REDACTED] and fired a gun toward him.
- [REDACTED] saw the muzzle flash and believed that the suspect was armed with a rifle. However, he was not sure, as it was dark outside.
- After shooting at [REDACTED], the individual shouted something to the effect of, "leave me alone!"
- After being shot at, [REDACTED] ran back inside of his residence, woke everyone up, and told them to get on the ground and take cover.
- [REDACTED] remained inside the residence while calling 911 and ultimately heard additional gunfire.
- [REDACTED] confirmed that when the individual had shot at him, he was fearful for his life and the lives of his family.

Deputy C McKone:

Detective C Wirshing interviewed Deputy C McKone on 2/14/2024. Also present during the interview was ACSO Detective K Day and Deputy C McKone's attorney, Joe Mallet. The interview took place at Joe Mallet's office, in Boise. The following is a summary of the interview. See Detective C Wirshing's supplement for additional details.

- Deputy C McKone and other deputies were dispatched to a "shots fired" call on W Seneca Dr.
- While driving to the incident, the dispatcher advised that the calling party had reported hearing gun shots. He went outside to look and the man with the gun, shot at the calling party.

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- Deputy C McKone was the first to see the suspect. He observed the suspect emerge from the east side of S Five Mile Rd and W Blackhawk Dr.

- Deputy C McKone notified the other responding deputies and stopped his vehicle. Deputy C McKone exited his vehicle and moved to the west to remedy a crossfire situation involving him and the other deputies also on scene.

- Deputy C McKone observed the suspect to now be in the roadway, walking toward two other deputies with a gun in his hand. He was concerned that the suspect would shoot the other deputies as he did not know if they had seen him.

- In an attempt to get the suspect's attention away from the other deputies, Deputy C McKone yelled at the suspect to "drop the gun" several times.

- The suspect continued to face the other deputies and had the gun to his own head.

- When Deputy C McKone yelled at the suspect, the suspect turned and faced him "chest to chest." Deputy C McKone felt that his plan to get the suspect's attention had worked, but now he was concerned about how the suspect was holding the gun. Deputy C McKone was unable to tell if the suspect had the gun up to his temple, or if it was in front of his head.

- Deputy C McKone believed that it was possible for the suspect to shoot in front of his face at the other deputies, or quickly shoot at him.

- Deputy C McKone continued to give the suspect commands. As he did this, the suspect dropped his elbow and Deputy C McKone felt that he or the other deputies were going to be shot. Deputy C McKone shot the suspect two or three times.

- Prior to the use of force, Deputy C McKone had been told by dispatch, the suspect had shot at the calling party. He knew he was responding to a felony that had been committed with a gun, which is an aggravated assault. When the suspect turned toward Deputy C McKone with the gun, he committed another aggravated assault against him.

Deputy J Faddis:

I interviewed Deputy J Faddis on 2/13/2024. Also present during the interview was ACSO Detective N Daigle and Deputy J Faddis' attorney, Joe Mallet. The interview took place at Joe Mallet's office, in Boise. The following is a summary of the interview. See my supplement for additional details.

- Deputy J Faddis and other deputies were dispatched to a "shots fired" call on W Seneca Dr and he recalled seeing that the calling party was reporting that another male had shot at him.

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- While traveling to the call, Deputy J Faddis was driving behind Dep C McKone. Deputy J Faddis heard Dep C Mckone advise that he had the subject at Five Mile and Blackhawk.

- Deputy J Faddis exited the vehicle and observed the suspect walking north on Five Mile Rd, southeast of W Blackhawk Dr intersection. He observed the male to be holding a gun within his left hand, down at his side.

- Deputy J Faddis commanded the suspect to "drop it!" approximately 2 – 3 times.

- While turning westward toward Dep C McKone, the suspect raised the gun to the left side of his own head.

- Due to his positioning, Deputy J Faddis could not see what the suspect was doing with the gun while the suspect was facing Dep C McKone.

- Deputy J Faddis witnessed Deputy C McKone shoot the suspect twice, and then he witnessed the suspect shoot himself [REDACTED].

- Deputy J Faddis felt very threatened by the fact that the suspect was looking at him while holding a gun after shots had just been fired at the calling party. The suspect being non-compliant and then raising the gun [REDACTED] was also very threatening.

- Deputy J Faddis commented that during the incident, he realized what he had in front of him, a "suicidal male with a gun to his head and a suicidal standoff with the guy." However, he did explain that he has been trained that a suicidal individuals can also become homicidal. He stated, "they are willing to kill someone, even if that's themselves."

- Deputy J Faddis reiterated several times that the suspect was non-compliant and about quickly the incident evolved from the time they left the substation, to the suspect being contacted, and then ultimately shot.

Sergeant N Hudson:

Detective T Krueger interviewed Sergeant N Hudson on 2/14/2024. Also present during the interview was ACSO Detective K Day and Sergeant N Hudson's attorney, Joe Mallet. The interview took place at Joe Mallet's office, in Boise. The following is a summary of the interview. See Detective Krueger's supplement for additional details.

- Sergeant N Hudson and other deputies were dispatched to a "shots fired" call on W Seneca Dr and he recalled seeing that the calling party was reporting that another male had shot at him.

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- Sergeant N Hudson heard the other Deputies on scene giving verbal commands to the suspect and she was not able to remember specifically what the Deputies were saying.
- She realized that the crime they were dealing with is an aggravated assault and she began making efforts to prevent the suspect from escaping the scene.
- Sergeant N Hudson looked and saw the suspect was holding, "A big black gun, in his left hand, to his temple; he was facing the other Officers at that time."
- Sergeant N Hudson heard additional commands being given by the Deputies and then heard 3-4 gunshots.
- When the suspect put the gun to his head, she reiterated that there is a potential for a through and through injury, and that it is a quick transition to go from pointing the gun at his head to pointing the gun at deputies. Sgt Hudson said this position by the suspect caused her to fear for her own safety as well as the safety of the other deputies on the scene.
- Sergeant N Hudson indicated the crime of aggravated assault is a very serious crime where the suspect was willing to shoot at someone and would be willing to shoot at others. She further stated that the suspect had the means to continue to commit aggravated assault because he was still holding a firearm in his hand.

Deputy M MacLeod:

Detective J Shofner interviewed Deputy M MacLeod on 2/14/2024. Also present during the interview was ACSO Detective K Day and Deputy M MacLeod's attorney, Joe Mallet. The interview took place at Joe Mallet's office, in Boise. The following is a summary of the interview. See Detective Krueger's supplement for additional details.

- Deputy M MacLeod and other deputies responded a "tone alert."
- Dispatch relayed to the responding deputies; that a homeowner had heard a noise and was shot at by the suspect when he went outside to investigate.
- As Deputy M MacLeod was approaching the area, he heard Deputy C McKone broadcast over the radio that he located the person matching the suspect's description on the corner of S Five Mile Rd and W Black Hawk Dr.
- Deputy M MacLeod parked his vehicle north of the intersection, and saw Deputy C McKone working his way from his patrol vehicle to the west side of the intersection on Black Hawk Dr.
- Deputy M MacLeod heard Deputy McKone say, "Drop the fucking gun."

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- Deputy M MacLeod did not initially see the firearm in the suspect's hand, but knew there was the potential that the suspect still had the weapon because that was the original call. However, he did eventually see the suspect holding a gun to his head with his left hand while squared-off and facing Deputy C McKone.

- Deputy C McKone told the suspect a second time to, "drop the fucking gun" before he heard one gunshot. Deputy C McKone stated that the suspect was not complying with the directives, he still had the gun to his head, and he had every opportunity at that moment to drop the weapon.

- Deputy M MacLeod stated that his primary concerns were that they were in the open and that the suspect had already fired his gun at somebody. He explained that the suspect had already committed an aggravated assault or attempted homicide prior to their arrival. These factors raised his awareness and he understood that this was not an interaction they could walk away from. Deputy M MacLeo explained that the suspect continued to pose a threat to others.

- Deputy M MacLeod explained that the suspect already displayed that he was willing to shoot at people he did not know, that he was in possession of a firearm that he was ready to use, and that they observed him with the firearm when he was located. He stated that seeing the suspect with a firearm validated the threat they were responding to, and Deputy M MacLeod was aware that action versus reaction put them in a bad spot because the gun was already raised in its position. He added that it would have been different if he had to draw the gun from a holster which would have given them more time to react to the threat he was posing.

DOMINIC SOTO'S PRIOR POLICE CONTACT:

I reviewed Dominic's local police contacts within ITS. The contact was fairly limited.

11/12/2021 - ACSO / DR 21-9503: Aggravated assault and domestic battery charges were routed on Dominic to the Ada County Prosecutor. During this incident, [REDACTED], reported that Dominic had struck her and pointed a black colored gun at her forehead. Dominic denied the allegations. The firearm believed to be used during this incident was a black colored revolver style BB gun. It was not the same gun that Dominic was in possession of at the time of the shooting.

8/22/2021 - ACSO / DR 21-7015: Dominic was placed on a mental hold after attempting to kill himself by [REDACTED]. Dominic suffered superficial scratches to his neck, and ultimately called the Suicide Prevention Hot Line. Dominic reported that he was overwhelmed with "relationship stressors with everyone he is close to." He was "feeling tired of letting everyone down."

ATF - FIREARMS TRACE SUMMARY:

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On 2/15/2024, I was provided with the ATF Firearms Trace Summary for the Auto Ordnance West .38 Pistol (S/N [REDACTED]) that Dominic had been in possession of at the time of the shooting. Per the summary, there was Dealer Information, but no Purchaser Information. The summary detailed that the firearm was traced to a Federal Firearms Licensee (FFL) who was no longer in business and did not forward their records to the ATF Nation Tracing Center. I attempted to contact the listed dealer, [REDACTED], at the listed phone number, [REDACTED]. The phone number was disconnected.

On 2/21/2024, with the use of a public information database, I identified a second phone number for [REDACTED]. I attempted to call the number, but there was no answer. A voice message was left. [REDACTED] returned my call. He told me that at one point in time, he did in fact have an FFL. However, he relinquished the FFL in the 1990's. [REDACTED] did not recall ever selling or owning an Auto Ordnance 1911 .38 Super Pistol. [REDACTED] believed that he would remember owning/selling an Auto Ordnance 1911, as he considered them to be junk. He also did not recognize Dominic Soto's name.

PROPERTY/EVIDENCE:

The following pieces of evidence were provided to the Ada County Coroner's Office to assist with the death investigation.

- Photographs of the Auto Ordnance .38 1911 pistol (shared via Evidence.com).
- Photographs of Dominic Soto's pants that were recovered at the scene (shared via Evidence.com).
- Dominic Soto's clothing that had been recovered at St Alphonsus Hospital (returned and booked into evidence at Ada County Property Room).
- Deputy C McKone's OBV of the shooting (shared via Evidence.com).

Idaho State Police:

The following pieces of evidence were submitted to the Idaho State Laboratory for examination, bullet comparison, and cartridge case comparison. This was done to confirm which firearms fired the recovered projectiles, and the recovered cartridge cases.

- Deputy C McKone's Sig Sauer P320, and magazine.
- Dominic [REDACTED] Soto's Auto Ordnance 1911 and magazine.
- The two projectiles recovered from Dominic [REDACTED] Soto's body.
- The projectile recovered on W Blackhawk Dr, east of S Five Mile Rd.
- The .38 Super Auto cartridge case recovered at W Blackhawk Dr and S Five Mile Rd and the .38 Super Auto cartridge cases recovered on W Seneca Dr and the canal access road.
- The 9mm cartridge cases recovered at W Blackhawk Dr and S Five Mile Rd.

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On 2/26/2024, the report was issued.

- The three recovered projectiles (two from Dominic's body and one located on W Blackhawk Dr, east of S Five Mile Rd) were identified as 9mm Jacket Hollow Point bullets. Per the report, it was confirmed that these three bullets were fired from Deputy C McKone's Sig Sauer P320 pistol.

- The three recovered 9mm Luger +P cartridge cases, which were located on the west side of W Blackhawk Dr / S Five Mile Rd, were confirmed to have been fired from Deputy C McKone's Sig Sauer P320 pistol.

- The three recovered .38 Super Auto+P cartridge cases (two from Seneca Dr / canal access road and one from W Blackhawk Dr / S Five Mile Rd) were confirmed to have been fired from Dominic's Auto-Ordnance Model General pistol.

The report was uploaded to ITS.

AUTOPSY REPORT:

On 5/30/2024, The Ada County Coroner's Office provided me with Dominic's Autopsy Report. The report was completed by Dr [REDACTED] and listed the following:

Cause of death: Gunshot wound [REDACTED]
Manner of death: Suicide.

Toxicology:

Ethanol - 223
Nicotine - Presump Pos

A copy of the report has been uploaded to ITS.

CONCLUSION:

On 2/11/2024 at approximately 02:07:48 hours, Ada County Deputies were dispatched to a Priority 3 - Emergency, "Shots Fired" call at [REDACTED]. At the time the call was dispatched, the majority of the involved/responding deputies were located just to the north at Boise Fire Station 14, 2515 S Five Mile Rd Boise. Per Google Earth Pro, these two locations are approximately .8 miles apart from one another. Via CAD, dispatch advised the responding deputies, "by the canal - ma shot at cp -- 45 yards away cp heard a bang, went outside, said "what are you doing" and ma popped a shot off". Via the radio, dispatch advised the responding deputies, "The CP lives at the address listed and he said that he heard a bang behind his house, by the canal. He went outside and said what are you doing, because he

Admin	
Officer(s) Reporting Ofc. Matthew Canfield	Ada No. 844
Approved Supervisor Sgt. Justin Kendall	Ada No. 623
Approved Date 05/31/2024 11:45	

Boise Police Department Supplemental Report

RD: 62

DR# 2024-402210

1. Incident Topic INFORMATION REPORT		2. Subject/Victim's Name STATE OF IDAHO,		
3. Address SW BLACKHAWK DR / S FIVE MILE RD , BOISE			4. Phone	
5. Date Occurred 02/11/2024	6. Time Occured 02:07	7. Route To County Prosecutor		8. Division PERSONS

assumed it was a teenager. A male stood up and fired a shot off at him. The CP is not injured. He did not really see anyone. I'm trying to see what descriptors he can give us." When asked, the dispatcher informed the responding deputies that the calling party was back inside his residence and he could no longer see the suspect who had fired a gun at him. All of the involved deputies recognized the seriousness of the call they were responding to. Based on the information known to them at the time of their dispatch, they pointed out that they were responding to an aggravated assault and/or an attempted homicide, that involved an armed suspect shooting a firearm at the calling party.

At approximately 02:09:11 hours, 1 minute and 13 seconds after being dispatched, Deputy C McKone observed Dominic Soto emerge from an embankment on the east side of S Five Mile Rd, south of W Blackhawk Dr. Deputy C McKone notified the other deputies via the radio. Per Google Earth Pro, this intersection is approximately .2 miles away from the address for the original call for service. At the time, Deputy C McKone had already driven past Dominic. As Deputy C McKone stopped and exited his vehicle, he observed Dominic walk north on N Five Mile Rd with a gun in his hand. Dominic was walking toward the responding deputies traveling south on S Five Mile Rd. Deputy C McKone expressed concern that the suspect was walking toward the responding deputies, with a gun in his hand, and he thought "for sure" that the suspect was going to shoot them. At that time, Deputy C McKone did not know if the other deputies had seen the suspect or not.

To alleviate the "cross-fire" situation between him and the other deputies to the north, Deputy C McKone moved to the west side of the S Five Mile Rd and W Blackhawk Dr intersection. Prior to Deputy C McKone moving to the west, the suspect was located between him, and Deputy J Faddis and Deputy M MacLeod. While moving to the west side of the intersection, Deputy C McKone gave several verbal commands for Dominic to "drop the gun!" and "drop it!" At the time, Dominic was facing the deputies to the north, holding a gun to his own head. Dominic proceeded to turn to the west, facing Deputy C McKone "chest to chest" all while still holding a gun up to his head. Deputy C McKone detailed that he was concerned about how Dominic was holding the gun, as he could not tell if the gun was now pointed to the side of Dominic's head, or if the gun was in front of his face, pointed to the north. He believed that it was possible for Dominic to shoot the gun in front of his face, which was pointed north toward the deputies on the north side of the intersection. Deputy C McKone also detailed that he was concerned that Dominic could quickly shoot at him. Deputy C McKone stated that he was afraid that he or the other deputies were about to be shot. While giving Dominic more commands, Deputy C McKone observed Dominic to drop his elbow, and he "felt he was going to be shot." Deputy C McKone recalled shooting Dominic 2 - 3 times.

Deputy C McKone's OBV captures the shooting. Just prior to being shot, Dominic is in fact facing Deputy C McKone and holding a firearm up to the left side of his head. Approximately 1 second prior to Deputy C McKone firing his gun 3 times, Dominic is swaying from side to side. Dominic's head, upper torso, and his left arm (which is holding the gun to his own head), appear to rotate slightly to the north. After Deputy C McKone fires his firearm 3 times, Dominic also appears to fire the firearm that he is holding to the left side of his own head

Admin			
Officer(s) Reporting	Ada No.		
Ofc. Matthew Canfield	844		
Approved Supervisor	Ada No.	Approved Date	
Sgt. Justin Kendall	623	05/31/2024 11:45	

Boise Police Department Supplemental Report

RD: 62

DR# 2024-402210

1. Incident Topic INFORMATION REPORT		2. Subject/Victim's Name STATE OF IDAHO,	
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The investigation confirmed that Deputy C McKone had in fact fired his Sig Sauer P320 9mm a total of three times at the intersection of S Five Mile Rd / W Blackhawk Dr. All three of the projectiles fired by Deputy C McKone were recovered. Two projectiles were recovered from Dominic's body, and a third projectile was recovered after it appeared to have struck an unoccupied vehicle parked behind Dominic to the east. The investigation confirmed that the Auto Ordnance 1911 .38, found in Dominic's possession, had also been fired at the intersection of S Five Mile Rd / W Blackhawk Dr. This corroborates what is observed on Deputy C McKone's OBV and what was witnessed by Deputy J Faddis, Dominic firing his gun while holding it to the left side of his own head. Additionally, two other .38 cartridges were found in close proximity to the original call for service, [REDACTED]. It was confirmed that the Auto Ordnance 1911 .38, found in Dominic's possession, had fired these cartridge cases. This supports [REDACTED] statement about hearing a "loud boom," and then a male "firing a shot" at him. The audio from the recovered video surveillance also supports [REDACTED] statement.

Based on the investigation of this incident, I do not believe that probable cause exists for any criminal charges against Deputy C McKone. At the time Deputy C McKone discharged his firearm, Dominic was standing within the middle of a public roadway, armed with a firearm and holding it to his own head. Dominic refused to comply with several lawful commands, and he was the suspect of an aggravated assault and believed to have just fired a shot at someone. Deputy C McKone expressed concern that Dominic was going to shoot the other deputies and/or himself. Deputy C McKone fired his weapon after observing Dominic drop elbow, making Deputy C McKone feel that he was going to be shot. The force used by Deputy C McKone was lawful, necessary, and justified.

Route to prosecutor for review.

"I certify (or declare) under penalty of perjury pursuant to the law of the State of Idaho that the foregoing be true and correct"

(Date of Affirmation)

05/30/2024

(Officer's Signature)



Admin	
Officer(s) Reporting Ofc. Matthew Canfield	Ada No. 844
Approved Supervisor Sgt. Justin Kendall	Ada No. 623
	Approved Date 05/31/2024 11:45



CRIME SCENE INVESTIGATION REPORT

Boise Police Department Crime Laboratory
333 North Mark Stall Place, Boise, ID 83704

Page 1 of 3

BPD CASE#: 24-402210

EXTERNAL AGENCY CASE#: 24-001341

Issue Date: March 4, 2024

Investigating Officer(s): Matthew Canfield
External Agency: Ada County SO
7200 Barrister Dr, Boise, ID 83704

Analyst Assigned: Adeline Oldemeyer, Criminalist II

On 2/11/24 at approximately 0335 hours I received a phone call from Boise Police Department (BPD) Criminalist A. Wenetzky #7070 regarding a Critical Incident Task Force (CITF) callout. I was asked to assist. I arrived at the BPD Crime Lab at approximately 0410 hours. Criminalist Wenetzky advised me that people were needed at both the hospital and the scene. She asked me to first respond to the hospital (St. Alphonsus emergency room) to photograph the deceased suspect and collect any evidence prior to Ada County Coroner's Office (ACCO) transporting the body. I was advised that BPD Violent Crimes Unit (VCU) Detective T. Krueger #977 was standing by at the hospital.

I arrived at St. Alphonsus hospital at approximately 0445 hours. I contacted Detective Krueger upon my arrival. He informed me that the deceased was in Emergency [REDACTED] and that in addition to photographs, there was clothing to collect. ACCO Medicolegal Death Investigator (MDI) A. Dunaway was already on scene at the hospital. I took overviews and close-ups of the body, injuries, and the plastic bag with clothing. I placed the plastic hospital bag into an evidence bag to transport as evidence. [REDACTED]

[REDACTED] I observed MDI Dunaway bag both hands after photographs were taken. Once we were both done photographing, I observed MDI Dunaway lock the body bag with tag number 107773 at approximately 0520 hours. She transported the body from the hospital at approximately 0525 hours. I cleared the hospital at approximately 0530 hours and transported the plastic bag of clothing to the BPD Crime Lab. Upon my arrival at approximately 0538 hours, I placed the wet clothing items into a secured evidence dryer to dry. In the plastic hospital bag there was a shirt, boxer shorts, a pair of socks, and a [REDACTED].

I contacted Criminalist Wenetzky to determine where additional resources were needed. I was asked to respond out to the scene at the intersection of S. Five Mile Road and W. Blackhawk Drive in Boise, Idaho. I arrived on scene at approximately 0615 hours. I observed that the scene was secured with patrol vehicles, officers, and crime scene tape upon my arrival. I checked into the scene log and contacted Criminalist Wenetzky and BPD VCU Detective J. Shofner #932 for updates on the scene. Criminalist Wenetzky provided me with a brief walk through and then assigned duties of evidence collection and custodian to me, while she continued with photography. The scene was broken up into two different areas. The portion at the intersection of S. File Mile Road and W. Blackhawk Drive is where the Ada County



CRIME SCENE INVESTIGATION REPORT

Boise Police Department Crime Laboratory
333 North Mark Stall Place, Boise, ID 83704

Page 2 of 3

BPD CASE#: 24-402210

EXTERNAL AGENCY CASE#: 24-001341

Issue Date: March 4, 2024

Sheriff's Office (ACSO) Deputy fired their pistol. I observed [REDACTED] cartridge cases, a pistol, clothing, and medical supply waste in the intersection during the walk through. The second portion was located along the Tenmile Feeder Canal Access Road, which connected S. Five Mile Road to W. Seneca Drive along the canal.

I assisted with placing number placards and observed Criminalist Wenetzky photograph the evidence in detail and BPD Criminal Investigations Specialist (CIS) K. Boynton #7828 use the FARO 3D scanner to document the scene. I cleared the pistol, a black Auto-Ordinance Corp. GENERAL Thompson .38 SUPER, and collected the placarded items #2-8 as Items #AO2-AO8. Criminalist Wenetzky had already photographed and collected placarded item #1 prior to my arrival. She turned the item over to my custody at the scene and I labeled it Item #AO1. There was an unfired cartridge, R-P 38 SUPER AUTO +P, located in the pistol's chamber and the magazine was empty. The clothing consisted of blue jean pants and a pair of black shoes. The pants additionally held a wallet with ID bearing the name of Dominic [REDACTED] Soto, and a vape pen. One cartridge case, a R-P 38 SUPER AUTO +P, from the intersection was near the pistol and the other three, SPEER 9mm LUGER +P, were located under/near the ACSO patrol vehicle #193 parked on the west end of the intersection.

Once I was finished collecting from the intersection, I later assisted with additional searching along the canal access road. The road was a grassy dirt path along the canal, and I observed four placards (#9-12) that had been placed by Criminalist Wenetzky. I located an additional unfired cartridge later placarded as #13 and observed Detective Shofner find one as well (labeled as #14). Once photographs were completed along the canal access road, I collected placarded items #9-14 as Items #AO9-#AO14 from this portion of the scene. Items #AO9, #AO11 and #AO13 were unfired R-P 38 SUPER AUTO +P cartridges. Item #AO14 was an unfired PPU 38 SUPER AUTO cartridge. Items #AO10 and #AO12 were R-P 38 SUPER AUTO +P cartridge cases. I finished packaging and sealing the collected evidence and cleared the scene at approximately 0948 hours. I transported the evidence back to the BPD Crime Lab and I secured the evidence upon arrival.

On 2/12/24, at the BPD Crime Lab, I removed all dried evidence from the evidence dryer. I photographed the shirt and boxer shorts collected from the hospital and packaged all items from the hospital to release to BPD VCU Detective M. Canfield #844 for the autopsy. The clothing items were returned to me on 2/13/24 by CIS Boynton. I also photographed the jeans from the scene before re-packaging the jeans and shoes. A property invoice was completed, and all photographs uploaded to Evidence.com (Axon) and the BPD Crime Lab's Laboratory Information Management System (LIMS).

On 2/14/24, at the BPD Crime Lab, Criminalist Wenetzky and I examined the pistol (Item #AO3) at the request of Detective Canfield. I observed Criminalist Wenetzky photograph the pistol in detail. We examined the pistol for blood. [REDACTED] was observed in the muzzle end of the barrel. [REDACTED] was observed on other areas of the pistol. I collected a general surface rubbing of the muzzle area as Item #AO23 and collected a swab sample of the [REDACTED] near the muzzle as Item #AO24. The pistol was then re-packaged, and all evidence was transported and booked into Ada County Sheriff's Property and Evidence.



CRIME SCENE INVESTIGATION REPORT

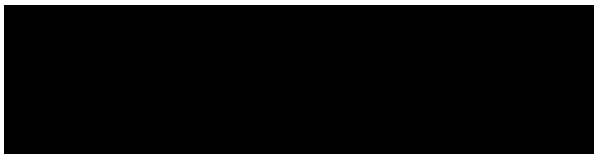
Boise Police Department Crime Laboratory
333 North Mark Stall Place, Boise, ID 83704

BPD CASE#: 24-402210

EXTERNAL AGENCY CASE#: 24-001341

Issue Date: March 4, 2024

*See forms packet for additional information relating to this request.



Adeline Oldemeyer, Criminalist II



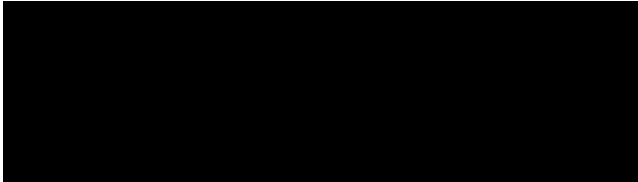
CRIME SCENE INVESTIGATION FORMS PACKET

Boise Police Department Crime Laboratory
333 North Mark Stall Place, Boise, ID 83704

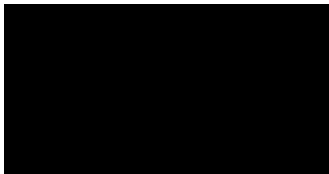
CASE#: 24-402210

Issue Date: March 4, 2024

Photo logs not included in the forms packet are retained in LIMS.



Adeline Oldemeyer, Criminalist II



Technical Reviewer: Mandy Leung, Criminalist II

