Internal Affairs Investigation
19-AR-0007
SPD Office Andy Bauer Protocol Interview

Ryan Cogbill: All right. It is November 30th. It's 2:22 p.m. My name's Detective Ryan Cogbill with the Santa Rosa Police Department. My partner –

Other Speaker: Detective Nick Jalopy.

Ryan Cogbill: Why don't you go ahead and introduce yourself.

Andy Bauer: Uh, Officer Andy Bauer, Sebastopol Police Department.

Ryan Cogbill: Okay. And your attorney?

Other Speaker: Nicole Pifari.

Ryan Cogbill: Perfect. So, um, before we get started, um, I just want you to be clear that this statement is voluntary. Okay? You don't have to answer our questions. You don't have to be here if you don't want to. You're free to leave at any time if you wanna do that. Does that make sense?

Andy Bauer: Yes.

Ryan Cogbill: Okay. Um, I also want to clarify that before we started this interview you had a chance to watch your body-worn camera footage. Is that correct?

Andy Bauer: Correct.

Ryan Cogbill: And before you watched that camera footage, you were given an admonishment explaining about –

Andy Bauer: Yes.

Ryan Cogbill: – watching it. Correct?

Andy Bauer: Correct.

Ryan Cogbill: And you watched just your body-worn camera. Nobody else's?

Andy Bauer: Correct.

Ryan Cogbill: Okay. Have you reviewed anything else with regards to this case?

Andy Bauer: No.

Ryan Cogbill: Okay. Um, are you prepared to provide a statement at this time?

Andy Bauer: Yes.

Ryan Cogbill: You've had ample time to gather your thoughts, uh, feeling okay about it?

Andy Bauer: Yes.

Ryan Cogbill: Okay. Excellent. Um, so these next questions, I'm gonna kinda go back and forth –

Andy Bauer: Okay.

Ryan Cogbill: – 'cause the incident happened a few days ago.

Andy Bauer: Uh huh.

Ryan Cogbill: Um, but I'm gonna ask you about some medical stuff, so I'll ask you about the incident itself, and then I'll ask you about the interview now. It'll make sense as we go through.

Andy Bauer: Okay.

Ryan Cogbill: We good? Um, are you sick, sick or injured currently?

Andy Bauer: No.

Ryan Cogbill: Okay. At the time of the incident, were you sick or injured?

Andy Bauer: No.

Ryan Cogbill: All right. Um, did you receive any injuries as a result of the incident?

Andy Bauer: No.

Ryan Cogbill: Um, at the time of the incident, were you suffering from any medical condition or taking any medication?

Andy Bauer: No.

Ryan Cogbill: Okay. Are you currently suffering any medical condition or taking any medication?

Andy Bauer: No.

Ryan Cogbill: Okay. Um, when, for this interview, when did you last sleep?

Andy Bauer: Uh, I slept, uh, last night.

Ryan Cogbill: Okay. And about how many hours did you get?

Andy Bauer: About, uh, 7 or 8, I would say.

Ryan Cogbill: Okay. Um, and prior to this interview, in the past 24 hours, have you consumed any alcohol?

Andy Bauer: No.

Ryan Cogbill: Okay. Um, going back to the incident, um, did you get a fair amount of sleep before the incident?

Andy Bauer: Uh, yes.

Ryan Cogbill: Okay. Do you remember about how much?

Andy Bauer: Probably 5 or 6 hours.

Ryan Cogbill: Okay. Um, and did you consume any alcoholic beverages within 24 hours of that incident?

Andy Bauer: No.

Ryan Cogbill: Okay. Um, so we're getting in your, your background a little bit.

Andy Bauer: Okay.

Ryan Cogbill: So, um, how long have you been with, you said Sebastopol PD, correct?

Andy Bauer: Correct.

Ryan Cogbill: How long you been with Sebastopol PD?

Andy Bauer: Uh, a little over 6 years.

Ryan Cogbill: Okay. And how long in law enforcement total?

Andy Bauer: Law enforcement total, uh, about 9 years.

Ryan Cogbill: Nine years total.

Andy Bauer: Yes.

Ryan Cogbill: So, uh, prior agencies?

Andy Bauer: Uh, Sonoma County Sheriff's Office.

Ryan Cogbill: Okay. And you were with them for how long?

Andy Bauer: For about, uh, 2-1/2, maybe a little longer than 2-1/2.

Ryan Cogbill: Okay. Um, any, um, other, I guess, higher types of training? SWAT? Firearms instructor? Anything like that? Any –

Andy Bauer: Uh, crime scene investigator school, um, defensive tactics instructor, um, field training officer. Um, that about covers it.

Ryan Cogbill: Okay. Um, prior special assignments? I think we kinda hit on those, um, collateral duties.

Andy Bauer: Uh huh.

Ryan Cogbill: We touched them all.

Andy Bauer: School resources officer also.

Ryan Cogbill: Okay.

Andy Bauer: For collateral duties.

Ryan Cogbill: Okay. Um, so the nature of your duties at the time of the incident, were you on patrol?

Andy Bauer: Yes.

Ryan Cogbill: Okay. And what exactly do you do on patrol?

Andy Bauer: Uh, patrol Sebastopol looking for crimes, stopping violations, arresting people.

Ryan Cogbill: Okay.

Andy Bauer: Normal patrol duties.

Ryan Cogbill: Gotcha. Um, what are your, what's your shift right now? During the incident.

Andy Bauer: Uh, the shift I was working, graveyard shift. So it started at 9; actually, it started at 7:00 p.m. the previous night, uh, and then I was working until 7:00 a.m. that morning.

Ryan Cogbill: Okay.

Andy Bauer: **** time off.

Ryan Cogbill: Okay. Is that your normal shift, uh, graveyard shift?

Andy Bauer: I would normally start at 9. I was in for 2 hours early, uh, to cover those 2 hours of voertime.

Ryan Cogbill: Okay. And, uh, what days do you work?

Andy Bauer: I work, uh, Sunday through Wednesday.

Ryan Cogbill: So Sunday through Wednesday, typically from 9 until 7 the next morning.

Andy Bauer: Correct.

Ryan Cogbill: Is that right?

Andy Bauer: Yes.

Ryan Cogbill: Okay. And have you been on that shift for awhile?

Andy Bauer: Uh, yeah. About, uh, about a year, I think.

Ryan Cogbill: Okay. Uh, what's your call sign?

Andy Bauer: Uh, Lincoln 4. 3 Lincoln 4.

Ryan Cogbill: Okay. And it's patrol, so it's a uniformed assignment?

Andy Bauer: Yes.

Ryan Cogbill: Um, the vehicle that you were driving at the time was a marked patrol vehicle, I'm assuming?

Andy Bauer: Yes.

Ryan Cogbill: Okay. Any mechanical defects? Anything wrong with the vehicle at all?

Andy Bauer: No.

Ryan Cogbill: Okay. Um, do you know the number off hand? Don't worry if you don't.

Andy Bauer: Forty-two.

Ryan Cogbill: Okay. So let's talk about your uniform.

Andy Bauer: Okay.

Ryan Cogbill: Uh, first, just describe the actual cloth part of the uniform.

Andy Bauer: Uh huh.

Ryan Cogbill: Uh, what it looks like, if it's got patches, what's on it.

Andy Bauer: Okay. It's a dark, uh, police navy blue uniform. Uh, has Sebastopol Police patches on either shoulder, and then, um, I have, uh, corporal stripes since I'm an FTO –

Ryan Cogbill: Okay.

Andy Bauer: – **** shoulders as well. Um, then I had a baseball cap with a Sebastopol star, uh, police badge on the front.

Ryan Cogbill: Okay. Um, and let's talk about your equipment. Do you use, uh, a carrier or do you have a belt?

Andy Bauer: I have a carrier. My belt just has my, uh, firearm and keys on it.

Ryan Cogbill: So let's start there.

Andy Bauer: Sure.

Ryan Cogbill: So describe your belt to me; what's on it?

Andy Bauer: So, uh, it's basket weave leather belt. Has my, uh, firearm in the holster on the right-hand side –

Ryan Cogbill: Uh huh.

Andy Bauer: – 'cause I'm right handed. And then my, uh, I have my keys in a little key carrier on the back. And then that's it.

Ryan Cogbill: Other than that it's just –

Andy Bauer: Yep.

Ryan Cogbill:– empty. Okay. And now, go through your, uh, your carrier for me and what, what all you have on it –

Andy Bauer: Uh huh.

Ryan Cogbill:Um –

Andy Bauer: Okay. My carrier, um, start up on this side. I have a pocket. It's got, uh, my name, A. Bauer, um, and **** police. Has, uh, my phone and my little notepad in that pocket. Uh, directly below that, about right here, is my, uh, taser. Like, it's in a, has, like, a Velcro strap that goes over the top of the taser to secure it.

Ryan Cogbill:Okay.

Andy Bauer: Um, this side is my radio. This side, um, microphone. Right in the middle, body-worn camera just below that, kinda the center of my chest. Below my radio, uh, two magazine, um, holders for extra magazines. Uh, handcuffs on either side, about right here. I have a tourniquet, um, over here. And I think that's it.

Other Speaker: Sorry. Since there's no video, tourniquet over here, you're indicating on your right, kinda where your rib cage area is.

Andy Bauer: Yeah. Sorry. Right-hand, right-hand rib cage area is where my tourniquet is.

Other Speaker: Okay.

Ryan Cogbill:Um, any patches or police or anything on that?

Andy Bauer: I have my, uh, my badge, um, on the left-hand upper area, chest, and then, like I said, my name and it says police on the right-hand side.

Ryan Cogbill:Okay.

Andy Bauer: And on the back it has my name on, like, there's like a little handle with, my name is on the back as well.

Ryan Cogbill:Okay.

Andy Bauer: A. Bauer.

Ryan Cogbill:Uh, and I may have missed it. Do you have an asp? Do you carry an asp with you?

Andy Bauer: I don't.

Ryan Cogbill: A baton? Okay.

Andy Bauer: I don't.

Ryan Cogbill: Okay. And, OC spray or pepper spray?

Andy Bauer: No.

Ryan Cogbill: Do you carry that? Okay. So, um, taser, firearm, um, are those your two use of force options –

Andy Bauer: Yes.

Ryan Cogbill: – that you carry on you at all times?

Andy Bauer: I do have a pocketknife in my right, uh, pants pocket.

Ryan Cogbill: Okay. Um, so the nature of this investigation concerns significant incident you were recently involved in. It occurred in the general area of Sutton and Hillview. Is that accurate?

Andy Bauer: Yes.

Ryan Cogbill: In Bloomfield, West Petaluma? That's all accurate? Okay.

Andy Bauer: Yes.

Ryan Cogbill: So please describe the event in as much detail as you can.

Andy Bauer: Okay.

Ryan Cogbill: Include the time of the event, names of witnesses and names of officers as it, as you best can recall. Include all the information you can remember relative to the circumstances. So take your time, and just walk through it, and, um, I'll have some, probably some follow-up questions at the end I'd like to ask.

Andy Bauer: Okay. So, uh, it was a little bit before 6:00 in the morning, that morning. Uh, I was at the station with, uh, Officer Stockton, um, in the report writing room. Our dispatcher called me on the phone, um, from dispatch to the report writting room, and advised that, uh, Santa Rosa PD had called. They had a, a tracker on a vehicle that was involved in a carjacking. Um, and they had requested, it was driving through, the tracker indicated the vehicle was driving through our town at that time, near, uh, a

railroad near, uh, Covert. Um, and that, uh, they requested we try to find the vehicle and put a stop on it. Um, I said that we would. Told, uh, Officer Stockton, gave him that kinda brief, um, synopsis, and then we went out to our cars. Uh, just getting to our cars, or while we were walking to our cars, on the radio, over the radio, dispatcher advised that the, uh, the original carjacking took place, it involved a silver handgun and that the, the driver may have the handgun in his possession at that time. Um, also, just as we were leaving the station, they advised that, um, a Sonoma County Sheriff deputy, uh, was currently, uh, located the vehicle and was behind it near Ragle and Valentine Avenue, I believe. And so, uh, then we started heading in that direction. As we were driving there, the dispatcher, um, provided, uh, location updates and then also I had my scanner on so it was also copying –

Ryan Cogbill: Uh huh.

Andy Bauer: – what the deputy was actually saying, um, as we were en route, on the scanner. So we went out. Uh, eventually caught up to them over on, um, Bloomfield Road. The deputy had not, um, made a **** traffic stop yet, um, until right as I was getting to, uh, Officer Stockton and I were getting to Bloomfield, I heard over the scanner that he, um, was gonna be lighting up the vehicle, um. Um, he was already on Bloomfield Road up ahead of us. Um, as I got onto Bloomfield, headed that way towards him, I could see in the distance, uh, there was a little rise in the road, but I could see over the rise that there were amber lights. He had indicated on the radio that he was gonna put a stop on it and then shortly after that, um, he said something to the effect of "he's taking off" and a pursuit started. Um, and we caught up to, with him, just about at that time in the pursuit, uh, was initiated.

Ryan Cogbill: Uh huh.

Andy Bauer: Um, so we, uh, we switched, uh, I switched onto, uh, the sheriff's radio channel, advised I was on their channel. Um, and then we were following, uh, in the pursuit. At some point on Bloomfield, um, I did hear that the, uh, Deputy, uh, Little, was the deputy who's behind the, the car – I'm sorry. I should backtrack. We were getting a description of the vehicle as well by our dispatcher, green Honda Accord.

Ryan Cogbill: Okay.

Andy Bauer: And the license plate. Forgot to mention that. Um, I heard on the scanner that, uh, Deputy Little was authorized to use a PIT if it was, it became an opportunity to do so. Um, at one point during, I believe that first portion of the pursuit, at one point, um, I heard Deputy Little on the scanner say that the suspect was, the driver was reaching down toward his waistband area, uh, at some point. Um, the, after maybe, I don't know, a minute or so, a minute or two into the pursuit, uh, Deputy Little did attempt a PIT maneuver, um, the vehicle stopped. Um, I exited, I stopped, exited my vehicle, um, trying to do basically a high risk stop at that point. Um, so I started to walk toward the rear of Deputy Little's, uh, patrol car and then the vehicle took off again. So I got

back in my car. Um, that whole first part of the pursuit, I was directly behind Deputy Little's car and Officer Stockton was behind me, coming up, back in the, uh, cars up to get the cars started again. Um, Officer Stockton was then behind Deputy Little and I was behind Officer Stockton, so I was the third car in line at that point. Uh, we continued onto, on Bloomfield, and then turned onto Sutton. Um, at, uh, we got to the end of, uh, Sutton. It makes, like, a 90 degree turn right there at Hillview and, uh, Deputy Little was able to PIT him a second time and, uh, the vehicle, once it stopped it stayed stopped. I pulled up directly behind Deputy Little's vehicle and exited, uh, drew my firearm. Um, I kinda stayed back. I couldn't see Deputy – his door was open, Deputy Little's door was open, but I couldn't see Deputy Little. I think he was still sitting in the, uh, driver's seat. Um, I kinda stayed back toward the rear driver's side of Deputy Little's, uh, vehicle for some cover and I could see the, the driver of the vehicle, um, at that time. He, uh, it was a male. Looked like he had gray hair, um, black coat or jacket, um, white or Hispanic and, uh, it looked like he had bags under his eyes or a black eye or something. And he was, uh, Deputy Little and I were shouting at him to show us his hands, show us his hands, and he kept, uh, raising his hands and lowering them below the, **** we couldn't see them. He did that repeatedly. Uh, but it was kind of a quick movement. They'd be down for a brief second, then pop back up again. Like, up and down, up and down, up and down. Um, it looked like he was saying something. I couldn't hear. His mouth was moving, but I couldn't hear his voice or hear any words he was saying. Um, after a few, a little bit, uh, Deputy Little said hey, I'm coming back to you, next so he exited his vehicle and backed up toward me. Uh, I then went around to the other side of his patrol car, um, passenger side, uh, so I could see the back of the, uh, suspect vehicle and, um, then, uh, so I was again, still giving commands. I could still see the driver and he was still putting his hands up and his hands down –

Ryan Cogbill: Uh huh.

Andy Bauer: – putting his hands up and his hands down. Um, and then, um, after a little while, Deputy, another deputy arrived, Deputy Blount, and then, um, he and, uh, Deputy Little approached the, the driver to try and get him out of the vehicle. Still giving him commands to come out of the vehicle. Um, I think one of them tried to open the door of the car and it wouldn't open. Um, I'm not sure if it was locked or if it was because the car had been crashed into that the door wouldn't open. Um, so they were ordering the, uh, driver to, uh, open the door or put down the window or something. Eventually the window, he did put down the window. Um, at one point I heard Deputy Blount say that he saw movement in the back of the car so I crept up a little closer behind the car and just, I used my, the light of my gun to make sure, to check the backseat and there was nobody back there. Um, so then they, um, when the window was down, um, they were telling him to get out of the car and he, uh, I think, then they reached and they pulled him from the vehicle to, because he wasn't coming out of the vehicle at that point, after they had told him to. He didn't come out of the vehicle right away. So, uh, they, Deputy Blount, I think, reached in and grabbed an arm to try and pull him out of the vehicle. Then I, um, went around to that side of the car. I think I actually went around, I didn't go back around ****, I went around the suspect vehicle, to

the other side, and, um, Officer Stockton and Deputy Little, Officer Blount were trying to get a hold of the guy to pull him out of the window. I went around to the, uh, other side of, uh, Deputy Blount and, um, tried to assist in pulling him from the vehicle. Um, he was, seemed to be resisting us. He was pulling away and wasn't, wasn't, you know, we were pulling and there was resistance. I was trying to grab his leg. At one point I saw his back pocket, some object. Um, I didn't know what it was. I grabbed it. It was, like, a pocket knife and I just threw it back down in the car. Um, and, uh, at one point, um, I heard one of the deputies say something to the effect of "ow, he bit me" or "he bit me" or something like that. Um, and then, uh, another one, the other one said it shortly thereafter, so it was, from, I heard that they both were bit by the, by the subject. Uh, and then I noticed, since his, uh, I saw the suspect's leg was wrapped or hooked or entangled with the steering wheel in some way and, um, I made some comment about that, like, he, he's stuck in the steering wheel or something like that and then, um, we were trying to get the, I couldn't reach the left leg from where I was on the other side of the car. Um, I don't know if that was before or after or how, at what point exactly we noticed that his leg was stuck. Um, but then shortly after, um, one of the deputies said they were bit, I saw Deputy Little had his, uh, draw his taser and I heard the pop of him, uh, firing it, and so I kinda let go for a second, backed off. Didn't want to get, uh, shocked myself. And then, uh, I didn't, I couldn't really tell if it had any effect or not. I didn't see where the probes went. I saw the wires coming out, but I didn't see if the probes went, uh, into the subject or where they landed. Um, so then I went back and to go help again, and then, um, I think at that point it looked like Deputy Blount had, uh, applied the carotid restraint to the driver. Um, so then, uh, Officer Stockton and I, uh, he was still not being able to come out of the driver's side window, so Officer Stockton and I went to the other side of the vehicle, um, tried to open the door. Initially, Officer Stockton pulled the handle and the handle actually broke off in his hand and then, um, he used the baton, uh, to break the window, passenger side window. We got the door open. I went into the, from the passenger side, uh, went, door window side, grabbed the suspect's legs, got it unentangled from the, uh, steering wheel and then, uh, pulled him out through the passenger side, uh, door. Um, I pulled him out by the legs. I think Officer Stockton grabbed an arm, rolled him onto, into a prone position for handcuffing. I took his, uh, I guess it'd be his left arm, suspect's left arm, put it behind his back and I believe Deputy Little actually put the handcuffs on, and then, uh, he's secure at that point and I stood up and was just trying to catch my breath then at that point. Um, a few seconds later, um, some, at that point, right as we put the handcuffs on, and I stood up, I think at least one other deputy, maybe two, had arrived right at that moment and, uh, they came over and as I was trying to catch my breath, they were, it's like they were checking on him. I said, at one point, someone said, uh, is he conscious, um, and then, uh, one of the deputies that had arrived after he was already cuffed, uh, was trying to shake him. I think he was doing a sternum rub to try and wake him up and then someone said he, he's not responding, but he's breathing. Um, so he was still breathing at that point and then, um, someone called for medical. I believe Charlie, or, Officer Blount called for, uh, or Deputy Blount, called for medics. Um, and then, uh, I started to call my dispatch on my department cell phone, 'cause we had been out of our radio contact for some time to let her know what was going on. Um, so I called dispatch to

give them a heads up and then, uh, those next minute or so, um, someone noticed he had, uh, the suspect had stopped breathing and they started CPR. Um, one of the deputies started actual chest compressions and Officer Stockton went to his vehicle and got our, uh, brief bag. Um, and started doing that and then we waited for, for medics to arrive. Um, which took awhile. One, there was a, I guess he lived down the street or something, a paramedic showed up just on foot, but with some of his gear and started, uh, rendering first aid and then, um, after awhile, the ambulance got there and they, medics took over from there.

Ryan Cogbill: Okay. Um, so just some follow-up questions for you.

Andy Bauer: Sure.

Ryan Cogbill: We'll go through just a couple things. Um, let me ask you what the lighting out there. What's, what's the lighting like?

Andy Bauer: Uh, dark. I don't believe there's any street lights out there. It's out, way out in the county, so I don't recall any street lights.

Ryan Cogbill: Okay. Did you have light?

Andy Bauer: We had our headlights, flashlights, um, our, you know, Code 3 lights were going, so that was most of the lighting we had was from our vehicles.

Ryan Cogbill: Okay.

Andy Bauer: Or, we had a handheld flashlight.

Ryan Cogbill: Okay. Um, you mentioned once you got involved with the pursuit, or you caught up with the pursuit, the first PIT –

Andy Bauer: Uh huh.

Ryan Cogbill: – was used, correct?

Andy Bauer: Yes.

Ryan Cogbill: Uh, you said you were gonna do, set up to do a high risk stop. Explain to me a little bit about what a high risk stop is and why, at that point, you thought you were gonna do that.

Andy Bauer: Uh, well, a high risk stop is when you're stopping someone that may be armed or they have a, rec, recently committed a violent crime or they have a felony warrant or something like that. Um, you set up and attempt to call them out of the vehicle to you, rather than approach the vehicle and try to remove them. Um, that's the

safest way to do it. Um, is to try to set up, you know, your vehicles and officers in a way to facilitate that. Um, so that was, I think we, I assumed we were going to try and do at that point, based on the, the crime involved with this, uh, person, was a carjacking that involved a firearm and we were, I had the impression that he had the firearm with him at the time.

Ryan Cogbill: Uh huh.

Andy Bauer: Um, so that was the reason for that, that was where my mind was going that way.

Ryan Cogbill: Okay. And then the second time, when it actually, the pursuit ended, uh, at Sutton and Hillview, um, was the same thing, um, going through your mind? Were you thinking it was, were you trying to set up a high risk stop? Or what was going through your mind there?

Andy Bauer: At that point, yeah. I, that's why I went to where, the back of Deputy Little, Little's car. Um, I couldn't, I didn't want to go any closer without having some cover. Uh, my car, uh, I think Officer Stockton's car was to the left of Deputy Little's, I believe. Um, so, you know, we were telling him to put his hands up and then, if there, had been complied, I would have given further commands. Said roll down your window. Come out. Walk back towards us. Uh, those kind of things but, um, he wasn't complying, so, um, it didn't really shake out that way.

Ryan Cogbill: Okay. Um, and you said you drew your, your duty firearm. At what point did you draw it, and what was your decision making of doing that?

Andy Bauer: Uh, I drew it the first time at that first PIT, um, as I was approaching the vehicle.

Ryan Cogbill: Uh huh.

Andy Bauer: And again, that's because we had, uh, information it was an armed suspect, um, so that was my frame of mind there.

Ryan Cogbill: Uh huh.

Andy Bauer: And then the second time, uh, basically the same thing. Um, I drew it once I exited my vehicle and then started to approach, uh, that's where I was set up behind, um, Deputy Little's, um, vehicle. And again, 'cause we were dealing with a, what we believed to be an armed suspect at that time.

Ryan Cogbill: Okay. Um, when, I believe you said it was, um, the second deputy showed up –

Andy Bauer: Uh huh.

Ryan Cogbill:– um, and you all started to approach the car. Is that accurate? Or –

Andy Bauer: I stayed in that position I was in the other, towards the rear of the car.

Ryan Cogbill:Uh huh.

Andy Bauer: And then, um, initially, um, Deputy Blounts and, Deputy Blount and Little approached the driver's side door at that point. I stayed back there, um, at one point, um, Deputy Blount said he saw movement in the backseat so I was checking the backseat from the rear of the suspect vehicle. So I didn't approach the driver's side window until after the window was down and it seemed that they were having difficulty getting him out of the vehicle.

Ryan Cogbill:Okay. Did you hear, um, any communication between the deputies, or between the deputies and your partner, what, what was being, did you hear anything, do you remember hearing anything?

Andy Bauer: Uh, what I most remember is them giving commands to the driver, the open the door, initially. Unlock the door and then roll down the window and then get out of the car. So I don't remember hearing them talking to each other, necessarily, but giving the, the driver orders, commands.

Ryan Cogbill:Okay. Um, and then who, do you remember who initially, uh, was it multiple or one person that started pulling him out of the vehicle?

Andy Bauer: Initially, uh, from what my, from where I was standing, uh, Deputy Blount was the closest to me. He was in between, um, Deputy Little and I, so I saw him initially reach in and grab an arm, I believe, of the suspect, to try to pull him out of the window, so that's my, from my vantage point. I don't know if he went first, but that's who I saw who…

Ryan Cogbill:Okay.

Andy Bauer: Was closest to me.

Ryan Cogbill:So from where you were at, could you have reached, um, the suspect at that point?

Andy Bauer: No. Not initially.

Ryan Cogbill:Okay.

Andy Bauer: I was still on the other side of the –

Ryan Cogbill: Right.

Andy Bauer: – Deputy Little's vehicle. And it wasn't 'til they were beginning to try and pull him out and he wasn't coming out, then I went around to the other side and, uh, to reach in and help pull him out of the car.

Ryan Cogbill: Okay. Um, you said "I helped pull him out of the car". What, do you remember specifically what you were doing to help pull him out of the car?

Andy Bauer: I was trying to grab his right leg. The one that was not tangled up in the steering wheel.

Ryan Cogbill: Uh huh.

Andy Bauer: And pull it out towards the window.

Ryan Cogbill: Okay. Um, at that point, was it all four of you? Your partner and the two deputies that were all attempting to get him out of the car?

Andy Bauer: I believe so.

Ryan Cogbill: Okay. Um, and if you can remember, I think you touched on it, but what was being said at that point? You guys were all trying to get him out of the car. Do you remember what's being said?

Andy Bauer: Uh, again, just more commands. Get out of the car, get out of the car. I don't recall the suspect, any words he was saying. I know he was making, like, noises and yelling, kind of grunting, fighting-type noises, but I don't remember him saying, I don't remember any words he said.

Ryan Cogbill: Uh huh.

Andy Bauer: Um, and then just the orders to get out of the car and then, um, both the deputies saying they were bit at some point.

Ryan Cogbill: Right.

Andy Bauer: And then, um, I'm the one that noticed that, uh, his leg was entangled with the steering wheel. And I said that. He's stuck, or something like that.

Ryan Cogbill: Okay. Um, you said Deputy Lilly believe, um, he used his taser? Is that –

Andy Bauer: Yes.

Ryan Cogbill: – accurate? Do you remember how many times he used it?

Andy Bauer: I don't. At the time, I didn't notice if it was one or once or twice. I don't, I didn't notice.

Ryan Cogbill: Okay.

Andy Bauer: In fact, at the time, I saw him fire it. I saw the, the wires were out, but I didn't recall hearing the actual electricity –

Ryan Cogbill: Okay.

Andy Bauer: – going.

Ryan Cogbill: Okay. So you believed it was used based on what you saw.

Andy Bauer: Correct.

Ryan Cogbill: Okay. Um, you also mentioned that Deputy Blount, um, applied the carotid. How do you know he applied the carotid?

Andy Bauer: By his positioning. It looked like he had his arm down, um, around the, you know, toward the suspect's, under his chin –

Ryan Cogbill: Uh huh.

Andy Bauer: – um, which is how you apply the carotid. Um, so based on the position of his body.

Ryan Cogbill: Okay.

Andy Bauer: By the way he was holding the suspect, the driver.

Ryan Cogbill: Okay. So there's obviously, um, there's some pulling of him, trying to get him out –

Andy Bauer: Uh huh.

Ryan Cogbill: – consider it use of force trying to get him out of the window.

Andy Bauer: Uh huh.

Ryan Cogbill: Just using your basic personal body weapon-type stuff. Pulling him out.

Andy Bauer: Yeah.

Ryan Cogbill: Uh, use of the taser, you believe, by Deputy Little –

Andy Bauer: Yes.

Ryan Cogbill: – um, the use of the carotid by Deputy Blount.

Andy Bauer: Yes.

Ryan Cogbill: Any other uses of force that you remember seeing during that time?

Andy Bauer: I don't remember seeing anything else. Um, I have reviewed the video. Um, I, even watching that, I didn't see any strikes.

Ryan Cogbill: Okay.

Andy Bauer: At one point, it looked like Deputy Blount grabbed the, maybe, like, before the carotid, grabbed the suspect's hair –

Ryan Cogbill: Okay.

Andy Bauer: – for a moment, but other than that, I didn't remember seeing or anything.

Ryan Cogbill: Okay.

Andy Bauer: Other than just what, the stuff you described.

Ryan Cogbill: Right. Grabbing and pulling.

Andy Bauer: Yeah.

Ryan Cogbill: Any, did you use any twist locks or anything like that?

Andy Bauer: No.

Ryan Cogbill: Okay.

Andy Bauer: No.

Ryan Cogbill: Okay. Um, so let me go back. This obviously, these things are one of the hardest things as police officers, is to talk about emotions through these things –

Andy Bauer: Uh huh.

Ryan Cogbill:– we like to be very matter of fact, but I wanna kinda hear from you about what you were going through emotionally as this thing progressed.

Andy Bauer: Uh huh.

Ryan Cogbill:Um, and just be open and honest about it. So, you get a call that it's a, um, carjacking suspect –

Andy Bauer: Uh huh.

Ryan Cogbill:– potentially armed. What's going through your mind when you initially get this, this dispatch?

Andy Bauer: Well, you know, it elevates your heart rate a little bit, but that, at that point, you know, we don't know, hey they want us to go find this car, but, you know, we get sent a lot of things like that we don't find –

Ryan Cogbill:Uh huh.

Andy Bauer: – or whatever. Um, then as we're getting closer to it, then, you know, it, it's, we're cops, and Deputy Little and the pursuit starts, and then again, the adrenaline starts going a little bit, but it's nothing I haven't been before, so –

Ryan Cogbill:Uh huh.

Andy Bauer: – um, I think I was calm. Uh, I wasn't feeling panicked or anything like that. Um, then at the end, um, I mean, it's not, I don't remember feeling anything other than just trying to do what we needed to do to get him out of there.

Ryan Cogbill:Uh huh.

Andy Bauer: I wasn't, um, obviously there, there's a firearm involved, so, I'm being very aware of that –

Ryan Cogbill:Uh huh.

Andy Bauer: – and that's why, you know, like, his hands could go up and down was concerning. Uh, it, and when it went down, he wouldn't make, I didn't see any, uh, you know, lilke how quickly. He wasn't diving down underneath the seat or anything like that. Um, but, uh, it was definitely, um, you know, if one of those times his hands goes down and comes back up with something, I'm fearful that that's gonna put all of us at, at risk –

Ryan Cogbill:Uh huh.

Andy Bauer: – in jeopardy.

Ryan Cogbill: Uh huh.

Andy Bauer: So, um, there's a level of fear, but, um, you know, it's controlled and you're still doing your, your job.

Ryan Cogbill: Sure. Um, I should have said this in the beginning, but we don't, you and I don't know each other.

Andy Bauer: No.

Ryan Cogbill: Never met up until today.

Andy Bauer: No.

Ryan Cogbill: And then, as far as people on scene, I think total there was eight people. Uh, there was six deputies and two Sebastopol PD officers.

Andy Bauer: Okay.

Ryan Cogbill: Do you know Deputy Little, Deputy Blount? Do you have any personal relationships with any of the deputies?

Andy Bauer: Just professional. I knew, um, Deputy Blount from my time at the sheriff's, uh, office, and then a few times at Sebastopol, run into him here or there on, on duty.

Ryan Cogbill: Uh huh.

Andy Bauer: Um, Deputy Little, um, I believe I also met him when I worked there. Um, didn't know him well. He works west beat a lot, so we would, we crossed paths a few times. I actually saw him earlier that night. Um, he stopped by the station just to use our restroom or something and stopped in for a few minutes. Um, so I know them a little bit.

Ryan Cogbill: Uh huh.

Andy Bauer: Um, just in a professional setting, not off duty or anything like that.

Ryan Cogbill: Okay.

Andy Bauer: Um, a couple of the other deputies, um, I, I've met a few, a couple times, a few times. I don't know them well, but I have, uh, met them before. Um, I think, uh, Deputy Jax I'd met before. I believe he was there, and Deputy Falberg. Um, the others, I don't think I knew any of those.

Ryan Cogbill: Okay. Um, we talked about you were kind of, what you were going through. Did you notice anything that stood out to you about anybody else's behavior, besides the suspect, anything else that stood out to you about any of the other deputies, or your partner or anything, um, their behavior, their emotions, anything like that stand out to you?

Andy Bauer: Uh, again, we were all just heightened because it was a, you know, possible armed suspect, so we were wanting to resolve it as quickly as possible –

Ryan Cogbill: Sure.

Andy Bauer: – so that there's not, you know, we don't, we wanna get the driver under control. We didn't know where that firearm is.

Ryan Cogbill: Uh huh.

Andy Bauer: Um, you know, if he's got it in, on his person or in the car somewhere. So, um, I'd say we were all at a heightened state, but not, um, certainly not out of control or anything like that.

Ryan Cogbill: Sure.

Andy Bauer: Um, just trying to get him out of the car as quickly as possible to secure him and then go from there.

Ryan Cogbill: Okay. Um, just to clarify, you said that, um, it was the passenger door handle, when you guys went around to open it, that pulled off, correct? Not the driver's –

Andy Bauer: Correct.

Ryan Cogbill: – side door handle?

Andy Bauer: Yes.

Ryan Cogbill: Okay.

Andy Bauer: That's correct.

Ryan Cogbill: Okay.

Andy Bauer: Yeah.

Ryan Cogbill: Uh, and one last thing that I have, is it typical, is it normal for you in the sheriff's department to, uh, work among each other and help, help each other out? Or was that an abnormal thing?

Andy Bauer: No. It, it's not abnormal or rare at all.

Ryan Cogbill: Okay.

Andy Bauer: Um, we're a small agency so if we don't have a couple people on, so if we need help we call the sheriff's office frequently to come help us and vice versa. A situation like that where they're out, they had one deputy way out in the county alone, um, we'll respond to assist them.

Ryan Cogbill: Okay. Um, and let me ask you. Had you not, had you and the deputies not gained control of the situation, and gained control of the suspect, it calls for speculation, of course, but what do you think could have happened? What was going through your mind? Like, if, if he was to not be taken into custody?

Andy Bauer: Not been taken into custody –

Ryan Cogbill: If he was to continue doing what he was doing that evening.

Andy Bauer: At the, at the car?

Ryan Cogbill: The car.

Andy Bauer: When we were trying to pull him out of the car?

Ryan Cogbill: Yeah. Uh huh.

Andy Bauer: Um, well, I mean, I don't wanna, I don't know what could have happened. I mean, if he had the gun, then –

Ryan Cogbill: Sure.

Andy Bauer: – who knows what could have happened. He could have, we could have all been, you know, hurt or killed, or, and, he, so he could have as well. Um, you know, by gunfire or something if he had produced that, that weapon.

Ryan Cogbill: Uh huh.

Andy Bauer: So if we, you know, that was the, that was the concern, I think, of, of me, at least –

Ryan Cogbill: Yeah.

Andy Bauer: – is that this is possibly an armed person and we need to gain control of him as soon as we possibly can. And being that he wasn't compliant to do the things initially, as, you know, get out of the car, stop, stop driving away in the first place, when he turned into a pursuit initially. I mean, if he'd just stopped when he was initially lit up, then that would have been that.

Ryan Cogbill: Uh huh.

Andy Bauer: Um, but, um, yeah.

Ryan Cogbill: Do y'all have any questions?

Other Speaker: No.

Ryan Cogbill: Okay. Okay.

Other Speaker: No.

Ryan Cogbill: Any questions? Okay. Um, I'm gonna turn this off for a second and we're just gonna go see if any follow-up questions.

Other Speaker: Okay.

Ryan Cogbill: And we'll be back in. I'll get this off.

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