



Washington State Office of

**INDEPENDENT
INVESTIGATIONS**

Created to conduct fair, thorough, transparent, and competent
investigations of deadly use of force by law enforcement.

Final Case Report

Use of Deadly Force by the
Vancouver Police Department

Deceased – Adam Grant Gunderson

Date of Incident: December 04, 2024

Case # OII 2024-0005

Washington State Office of Independent Investigations

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REDACTED VERSION

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I. Summary

On December 04, 2024, Vancouver Police officers Kyle Beguelin Flores and Seth Anderson saw Adam Gunderson while he was removing items from a dumpster outside of the Safeway grocery store at 13719 SE Mill Plain Boulevard in Vancouver, Washington. Officer Beguelin Flores said he recognized Gunderson from past interactions and believed there was probable cause to arrest Gunderson for Negligent Driving 2nd Degree and Failure to Obey an Officer, and an outstanding warrant for Attempting to Elude a Police Vehicle. The officers decided to contact Gunderson and take him into custody. When the officers asked Gunderson questions about a Chevrolet S-10 pickup truck that was parked next to the dumpster, Gunderson got into the driver's seat of the truck as the officers tried to stop him. Officers Beguelin Flores and Anderson opened the door and pulled Gunderson from the truck and eventually to the ground, where they struggled to gain control of him. During the struggle, the officers repeatedly said that Gunderson had a gun and told Gunderson to show them his hands. According to the officers, after approximately two minutes of trying to control Gunderson, they believed Gunderson had positioned the firearm to point in their direction. Officer Beguelin Flores fired his firearm, striking Gunderson in the head several times, killing him.

The Washington State Office of Independent Investigations (OII) was notified at 11:31 p.m., approximately 40 minutes after the shots were fired. OII investigators responded and assumed authority over the criminal investigation of this incident. During the investigation by OII, the firearm used by Officer Beguelin Flores and an additional firearm located near Gunderson's body were collected.

OII conducted an independent investigation of the fatal use of deadly force that occurred on December 04, 2024, with the intent to provide the prosecuting authority with the information necessary to make an informed decision about whether criminal charges should be filed.

This Final Case Report is an overview of what occurred and the ensuing OII investigation.

II. Associated Case Numbers

Washington State Office of Independent Investigations:	OII-2024-0005
Vancouver Police Department:	2024-025366
Clark County Sheriff's Office:	20-2400918
Clark County Medical Examiner's Office:	2024-4165
Washington State Patrol Crime Laboratory:	724-000517

III. Use of Deadly Force Incident

The following account of what occurred is largely derived from Safeway security video, officers' Body Worn Camera (BWC) and the statements provided by officers to Vancouver PD.

A. Pre-Incident Background

On December 04, 2024, at about 10:32 p.m., Adam Gunderson, age 45, arrived at the Safeway grocery store at 13719 SE Mill Plain Boulevard in Vancouver, Washington in a blue 2002 Chevrolet S-10 pickup truck that was registered to his deceased mother, GG. Adam Gunderson drove to the loading dock on the west side of the building and parked next to the dumpster.¹ Gunderson began removing items from the dumpster and placing them in the bed of his pickup truck. According to Gunderson's family, Adam would sometimes "dumpster dive."²

For the Vancouver Police Department (Vancouver PD), December 04 was an overlap day, meaning the East Precinct Patrol Shifts A and B worked at the same time, resulting in more officers on duty than usual. Because of this additional staffing, officers Kyle Beguelin Flores and Seth Anderson were assigned to a two-officer car, call sign '2B45'³, patrolling District 4. Officer Beguelin Flores was the driver.

B. Law Enforcement Initial Contact with Adam Gunderson

At 10:50 p.m., about 18 minutes after Gunderson parked at the Safeway dumpster, officers Beguelin Flores and Anderson pulled into the Safeway parking lot while on routine patrol. According to Officer Anderson, they entered the parking lot because he noticed a Kia Sorento parked in the middle of the lot. In Officer Anderson's experience, these cars were frequently stolen because their ignitions were easy to punch.⁴ After entering the parking lot, the officers' attention was drawn to a blue Chevrolet S-10 pickup truck parked next to a large dumpster on the west side of Safeway.

¹ Gunderson's arrival time was determined from Safeway security video.

² Transcript of recorded interview with GM, line 122-125.

³ Standardized unit designators are used in radio communications, instead of officer names, for brevity and comprehensibility. Pre-established unit designators allow listeners to quickly identify the personnel, their assigned geographical area and work assignment (Patrol, supervisor, etc.). The unit designator 2B45 appears in the body worn camera recordings and dispatch transcripts for this incident.

⁴ See Vancouver PD Case report 2024-025366, Supplement 21, Officer Anderson, p 2, paragraph 3. Officer Anderson's report is dated December 18, 2024. He was provided an opportunity by Vancouver PD to review his BWC video, as well as Officer Beguelin Flores' and Officer Desmond Haske's videos, in preparation of his report. Officer Anderson's report is attached as Appendix A.



Figure 1. Satellite image depicting the location of the garbage dumpster ramp at the Safeway, 13719 SE Mill Plain Blvd., Vancouver, WA.

Officer Beguelin Flores stopped, backed up and drove south, past the dumpster. Officer Beguelin Flores wrote in his report:

"I observed the blue Chevrolet S10 pickup associated with Gunderson parked near a dumpster on the west side of Safeway. I know that this Safeway will be shutting down soon and I was concerned with what type of behavior might be going on in this area of the store at this time of night. As we passed by I observed an individual, whom I believed was likely Gunderson, standing on the dumpster. I turned our vehicle around and I communicated to Officer Anderson my belief that the person on the dumpster was Adam Gunderson. I work my regularly scheduled patrol shifts with Officer Anderson and know that he is aware of both my outstanding probable cause for Gunderson as well as an outstanding felony warrant for Gunderson's arrest. Officer Anderson and I decided we would contact Gunderson and I aired via radio that we would be contacting a male with a blue Chevy pickup at the above location. My intent was for us to take Gunderson into custody on the outstanding probable cause charges and the warrant."⁵

The officers circled around and pulled into the dumpster area.⁶ As officers Beguelin Flores and Anderson got out of their patrol car, they both turned on their BWC and walked toward the

⁵ Vancouver PD report 2024-025366, Supplement 18, Officer Beguelin Flores, p. 1, paragraph 6. Officer Beguelin Flores' report is dated December 13, 2024. He was provided an opportunity by Vancouver PD to review his Body Worn Camera video, as well as Officer Anderson's and Officer Desmond Haske's video in preparation of his report. Officer Beguelin Flores' report is attached as Appendix B.

⁶ The officers' path through the parking lot was determined from a review of Safeway security camera footage.

pickup truck and dumpster. After a 30-second delay, the BWCs began recording audio.⁷ Officer Beguelin Flores told the dispatcher that they were contacting a male in a blue Chevy pickup truck.⁸

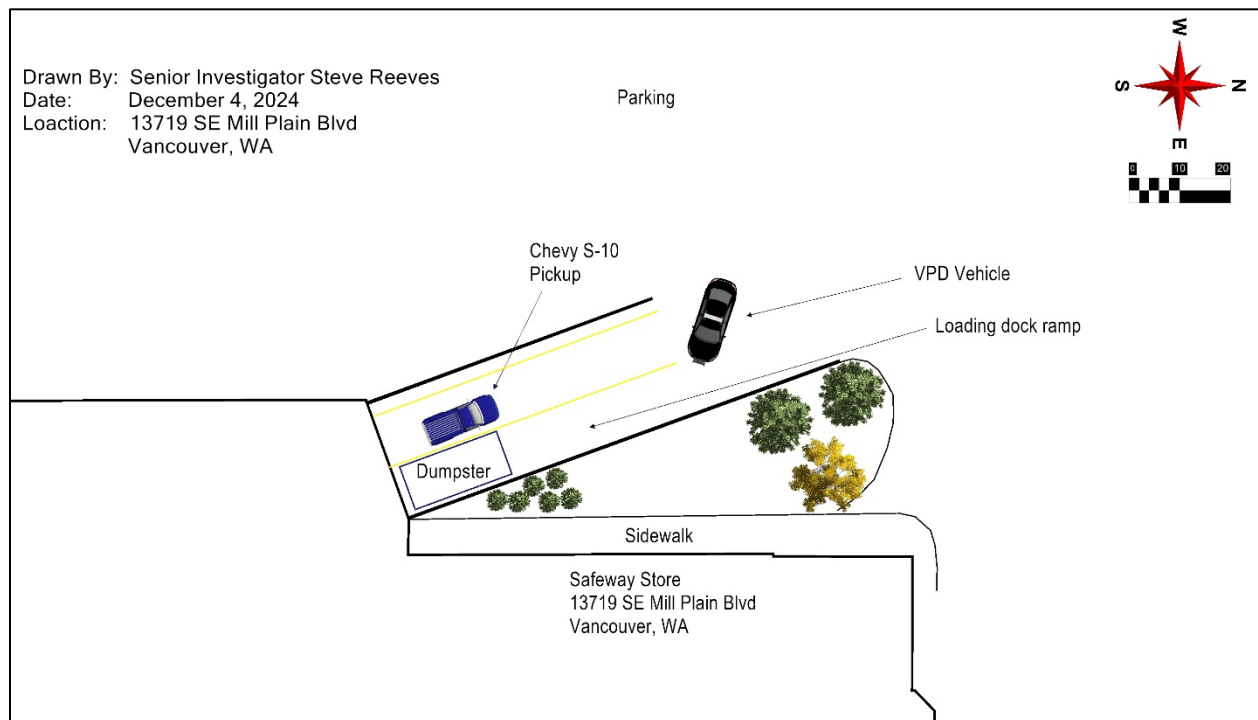


Figure 2. Two-dimensional overhead diagram of the Safeway dumpster ramp. Created by OII Investigator Steve Reeves from the Trimble 3D laser scan data using Trimble Forensics Reveal software. See Section IV.C Crime Scene Processing and Evidence Collection.

⁷ The officers' BWC are equipped with a pre-event buffering feature. The cameras are continuously recording when not in the active 'event' mode. This recording is buffered for 30 seconds before it is overwritten. When the BWC is activated, the buffered video (not audio) that was recorded directly before the event is saved in permanent memory for that event. This feature is intended to capture the video of an incident just before activation of the BWC. Axon Body - Pre-event buffering.

⁸ A transcript of officer communications with dispatch is attached as Appendix C.



Figure 3. Officers speaking with Gunderson. Officer Seth Anderson is to the right. Screen capture from Officer Beguelin Flores BWC video.

On BWC video, Gunderson can be seen climbing down from the dumpster and meeting the officers by the side of his pickup truck. Officer Beguelin Flores initiated the following conversation with Gunderson:⁹

Officer Beguelin Flores:	How's it going man? What's going on boss?
Adam Gunderson:	Not much.
Officer Beguelin Flores:	Not much? Just seeing what you can find?
Adam Gunderson:	Uh. Yeah, just getting some scrap metal and stuff.
Officer Beguelin Flores:	This thing is closing down. Are they tearing it apart yet?
Adam Gunderson:	I have no idea?
Officer Beguelin Flores:	Oh, cool. Cool.
Adam Gunderson:	They're just dumping a bunch of stuff out so.

⁹ A transcript was created from the combined BWC videos of Officer Beguelin Flores and Officer Anderson. The recordings were cross-checked against each other to resolve, to the extent possible, any unintelligible speech. In certain cases, where it was difficult to determine which officer was speaking, an assignment of a statement to an officer was made on the basis on context, volume and a comparison with the officers' written statements. The videos were crosschecked with one another to resolve any unintelligible words or areas of uncertainty. See Appendix D.

Officer Beguelin Flores: OK. Cool. cool.

Officer Beguelin Flores: Is this your pickup?

Adam Gunderson: Why?

Officer Beguelin Flores: Because it doesn't have a front plate on it.

Adam Gunderson: So?

Officer Beguelin Flores: I'm just asking boss. What's your first name?

Adam Gunderson: Why's it matter?

Officer Beguelin Flores: Why are you standoffish?

Adam Gunderson: I'm not.

Officer Beguelin Flores: OK. Alright. Is it your pickup or no?

Adam Gunderson: Well, why does it matter?

Officer Beguelin Flores: Because we need to identify it, right? Is there a back plate on it?

Adam Gunderson: Why do you need to identify it?

Officer Beguelin Flores: Cause it's a vehicle, right?

Officer Seth Anderson: Take a look at your back plate real quick.

C. Initiation of Physical Contact

Officer Anderson then walked towards the back of the truck. According to Officer Anderson's statement:

I began to walk towards the rear of Gunderson's Chevy in an attempt to see if he had a valid license plate, or the distinguishable WAC placard.¹⁰ As this occurred, Gunderson began to shift side to side, looked at me with concern, and changed his footing to a bladed stance in my direction.¹¹

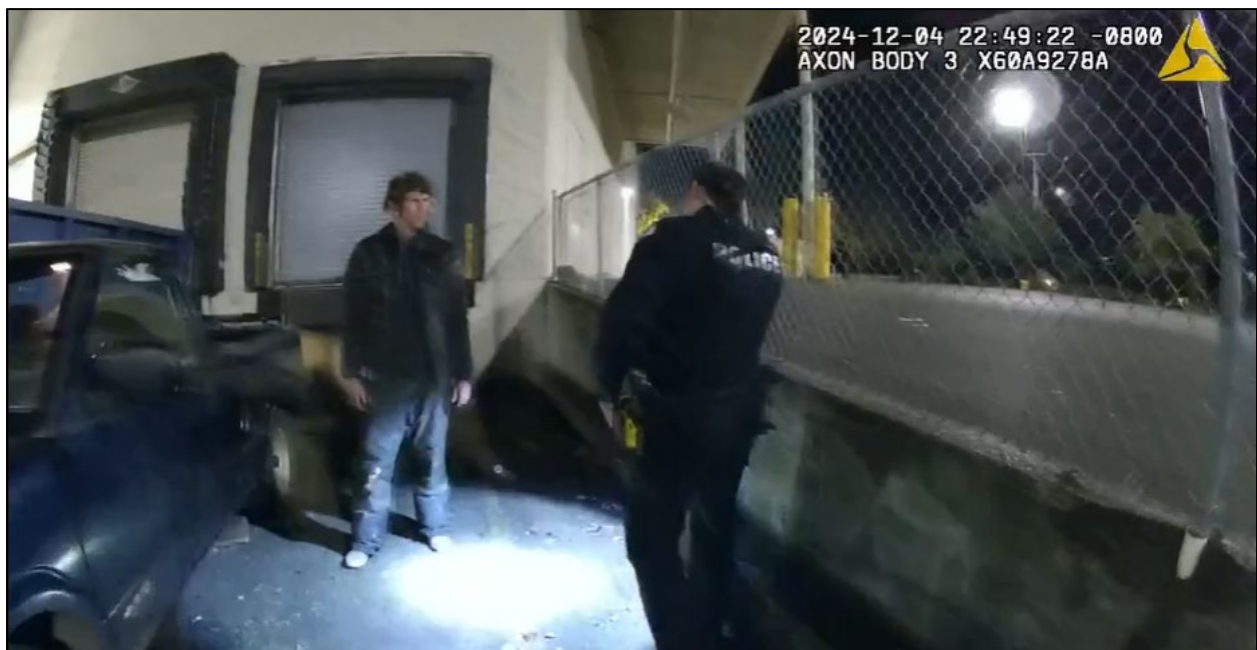


Figure 4. Officer Anderson walking toward the back of Gunderson's pickup. Screen capture from Officer Beguelin Flores BWC video.

As Officer Anderson passed Gunderson and neared the back of the pickup truck, Gunderson turned toward his pickup truck and opened the door. Officer Beguelin Flores told him, "Nope. You're not going to get in yet."¹²

¹⁰ Officer Anderson statement, p 3, paragraph 3. Officer Anderson wrote in his report that: "I have observed Gunderson's aforementioned Chevy operating on public roadways with a placard in lieu of a rear license plate with the title of a Washington Administrative Code (WAC)."

¹¹ Officer Anderson statement, p 4, paragraph 1.

¹² BWC recording transcript, Appendix D.

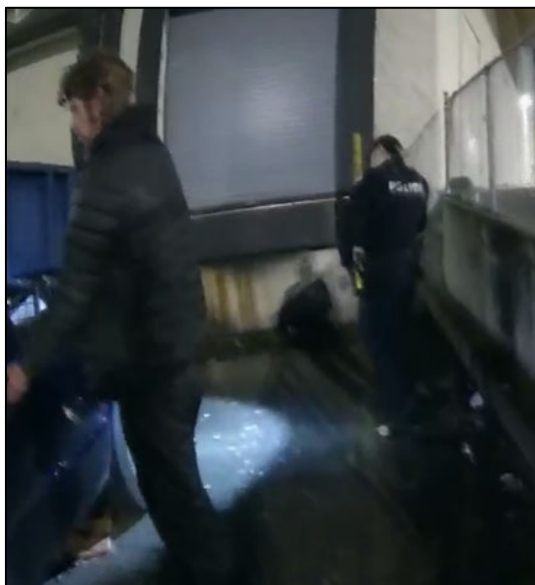


Figure 5. Gunderson entering his truck. Screen capture from Officer Beguelin Flores BWC.

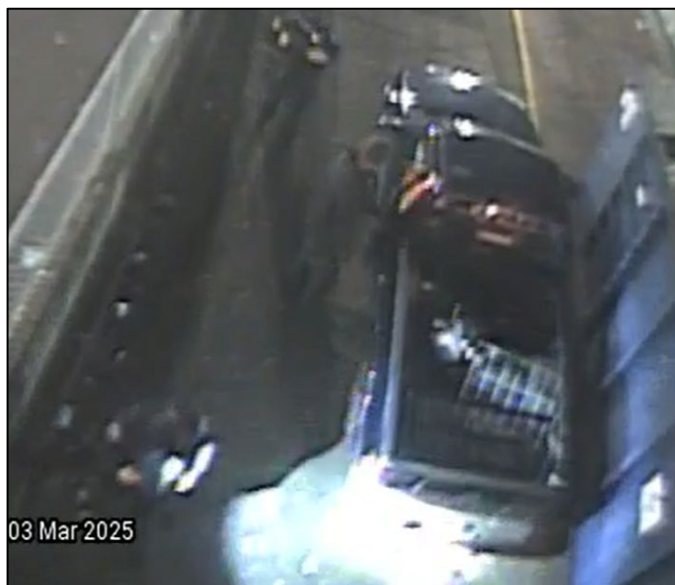


Figure 6. Gunderson entering his truck. Safeway security video, timestamp 10:49:25 PM.

Gunderson got into his pickup truck. Both officers went to the pickup truck door, opened it and began pulling Gunderson from the pickup truck. Officer Anderson wrote:

"At this time, Officer Beguelin Flores aired via radio that we were 'fighting with one.' I advised Gunderson to 'get out of the car', and attempted to grab his left arm to escort him out of the vehicle. As I attempted to gain control of Gunderson's arm, he turned toward me, slipping from my grip, laid down in the bench seat, and proceeded to kick me in the chest approximately two times. The first kick hit me directly in the center of my chest, knocking off my radio mic from its affixed position, knocked some air from my chest, and forced me back several feet...Gunderson successfully kicked me a second time in the chest with his left foot, however, I had managed to grab ahold of his leg with both my hands. I proceeded to quickly pull Gunderson from out of the driver's seat."¹³

At this time, Officer Anderson believed there was probable cause Gunderson had committed Assault in the Third Degree and Resisting Arrest.¹⁴

According to the officers' reports, Gunderson's movements in the pickup truck resulted in a suspicion Gunderson may have a firearm. Officer Beguelin Flores wrote:

¹³ Officer Anderson statement, p 4, paragraph 2-3.

¹⁴ Officer Anderson statement, p 4, paragraph 3.

"I observed Gunderson reach for his waistband. I believed Gunderson was reaching for a firearm in order to use that firearm against us to avoid apprehension."¹⁵

Officer Anderson stated:

"As this occurred, Gunderson rotated his body towards the floorboard/bench seat of the truck. At this point, I had briefly lost sight of Gunderson's hands. As Gunderson was partially still inside the vehicle, I heard Officer Beguelin Flores state several times 'don't reach.'"¹⁶

The officers' BWCs recorded the following during the time they were attempting to remove Gunderson from the pickup truck:

Officer Beguelin Flores:	Out of the car.
Officer Beguelin Flores:	<i>[To dispatch]</i> 45 fighting with one.
Officer Beguelin Flores:	Don't reach. Don't fucking reach for it.
Officer Anderson:	Hey. Hey. Don't fight.
Officer Beguelin Flores:	He's biting me.
Officer Anderson:	He's got something ... [unintelligible]

Officer Beguelin Flores reported being bitten during the attempt to gain control of Gunderson:

"I told Gunderson not to reach for anything and attempted to gain control of his hands which were already in a position to access a firearm from his waistband. Gunderson ignored my commands and continued resisting and fighting with Officer Anderson and me. I attempted to utilize verbal commands, strikes, and positional control in efforts to use the least amount of force necessary to overcome Gunderson's resistance, as well as his apparent attempts to access a firearm. During this time Gunderson bit my left hand. I struck Gunderson in the face with my left hand, trying to gain compliance and I immediately felt a sharp pain on the back of my hand."¹⁷

Officer Anderson also reported striking Gunderson at that time:

¹⁵ Officer Beguelin Flores statement, p 2, paragraph 1.

¹⁶ Officer Anderson statement, p 4, paragraph 4-5, p 5, paragraph 1.

¹⁷ Officer Beguelin Flores statement, p. 2, paragraph 2.

"I attempted to gain ahold of Gunderson to assist in fully extracting him from the vehicle. However, I was unable to obtain a good hold on Gunderson's arms due to his position. As this occurred, I heard Officer Beguelin Flores state 'he's biting me.' Therefore, I struck Gunderson with a closed fist approximately two to three times to the back of the head as he was actively assaulting Officer Beguelin Flores. As this occurred, Gunderson attempted to stand upright and Officer Beguelin Flores was able to extract him from the vehicle, revealing his right arm to me."¹⁸

The officers succeeded in pulling Gunderson from the pickup truck. Officer Anderson reported they were still unable to gain control of Gunderson's arms:

"...we had attempted to pin him to a nearby wall on the driver's side of the vehicle in an attempt to gain control of Gunderson's arms. However, Gunderson continued to 'turtle'¹⁹ his arms, and I was unable to gain control of his right arm. Therefore, I struck Gunderson approximately one time by driving my right knee into his thigh in an attempt to knock him off balance in an effort to get Gunderson to the ground, a position of more control for Officer Beguelin Flores and I."²⁰

The movements and the proximity of the officers to Gunderson during the struggle obstructed or distorted much of the officers' BWC video, resulting in blurred footage. However, this portion of the encounter was captured on the Safeway security camera. The following images depict the officers removing Gunderson from his pickup truck and wrestling him to the ground.²¹

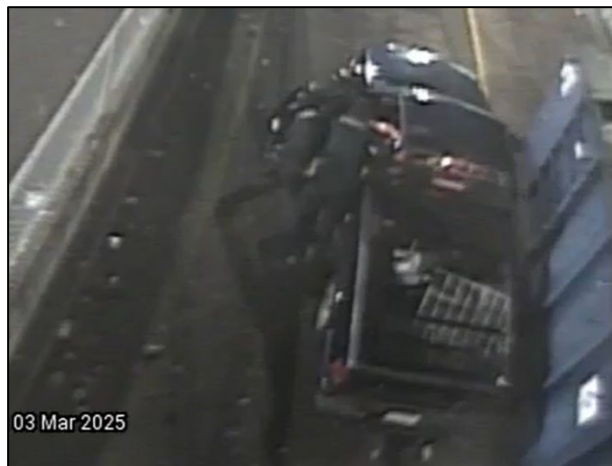


Figure 7. Officers Beguelin Flores and Anderson following Gunderson into the truck. Safeway security video, timestamp 10:49:36 PM.

¹⁸ Officer Anderson, p 5, paragraph 2.

¹⁹ Officer Anderson described "turtling" as Gunderson "pull[ing] his arms inwards towards his core, away from our grasps, and lean[ing] his upper torso over." Officer Anderson statement, p 5, paragraph 3.

²⁰ Officer Anderson statement, p 5, paragraph 3.

²¹ Safeway security camera footage. Screen captures cropped for layout purposes. Note: The Safeway security video did not have timestamps visible. Any time reference in this report related to the Safeway video is represented as minutes and seconds from the beginning of the video.



Figure 8. The officers struggling with Gunderson against the wall of the dumpster ramp. Safeway security video, timestamp, 10:49:41 PM.



Figure 9. Gunderson taken to the ground. Safeway security video, timestamp 10:49:47 PM.

D. Use of Deadly Force

After being removed from the truck, Gunderson was wrestled to the ground behind and to the driver's side of the pickup truck with the officers on top of him. Gunderson's head was toward the dumpster. According to the officers, Officer Beguelin Flores attempted to control Gunderson's left hand while Officer Anderson tried to gain control of Gunderson's right hand:

"[Gunderson] remained in a 'turtle' position with his hands under his torso and not visible. We instructed Gunderson several times to give us his hands. However, Gunderson continued to not comply and forcefully kept his arms under his abdomen. I then proceeded to attempt to gain control of Gunderson's wrist with my left hand. As I slid my hand to his wrist, under his torso, I felt a smooth, solid, metallic item in Gunderson's hand, reminiscent of a firearm slide with grip etching. I then advised Officer Beguelin Flores that I believed he had a gun in his hands."²²

The BWC audio recorded Gunderson denying he had a firearm and complaining he was bleeding. Officer Anderson noted, "I observed Gunderson's face from the right side and that he was dripping blood from what appeared to be his nose." Officer Anderson continued:

"I then proceeded to pin Gunderson's right arm with my left knee by placing it against his forearm near the elbow and maintain hold of his upper arm with my right hand. I felt

²² Officer Anderson statement, p 5, paragraph 4 – p 6, paragraph 1.

Gunderson continue to attempt to free his arms from under his torso and my pin. I believed that based on Gunderson's assaultive behavior, him likely being armed with a firearm, and his complete lack of physical/verbal attempts to cooperate with commands, that if he managed to free his arms, that he was a direct and immediate threat of serious bodily injury and/or death to Officer Beguelin Flores and myself. Therefore, I proceeded to draw my service pistol with my right hand as I transitioned my hold on Gunderson's upper arm to my left hand and placed my service pistol to Gunderson's upper back area, and I then clearly told Gunderson that if he did not stop, that deadly force would be used against him."²³

Officer Anderson drew his firearm and pointed it at Gunderson's back:



Figures 10 and 11. Officer Anderson drawing and pointing his gun at Gunderson. Screen capture from Officer Beguelin Flores' BWC. Timestamp 22:50:13. Note that the camera has fallen off and is laying on the ground on its side. This results in an orientation where up is to the right.

According to the officers, this appeared to have an effect on Gunderson:

Officer Beguelin Flores wrote: "It momentarily seemed as if Gunderson's resistance lessened and Officer Anderson re-holstered his gun as we continued to work to secure control of Gunderson."²⁴

Officer Anderson wrote: "I then felt Gunderson briefly cease his attempt to free his arms and I believed that we had Gunderson restrained enough to attempt other avenues in lieu of deadly force. Therefore, I holstered my firearm, and I aired via radio that we were at the dumpsters, that we had Gunderson pinned to the ground, and that he was armed with a firearm, in an effort to guide additional resources to our position."²⁵

²³ Officer Anderson statement, p 6, paragraph 2.

²⁴ Officer Beguelin Flores statement, p 2, paragraph 3.

²⁵ Officer Anderson statement, p 6, paragraph 2.

From a review of the BWC video, Officer Anderson re-holstered his gun 14 seconds after drawing it.

According to Officer Anderson's statement, he continued to try and gain control of Gunderson's right hand:

"That is when I observed what appeared to be Gunderson's right hand and what appeared to be the metal slide, slide etching, and rear sight of a semiautomatic pistol. Furthermore, I observed that the firearm was pointing in the direction of Officer Beguelin Flores' legs from under Gunderson's torso. I then advised Officer Beguelin Flores that Gunderson was in fact in possession of a firearm. Gunderson continued to state that he did not have a firearm."²⁶

Officer Anderson's BWC video appears to show Gunderson turning slightly toward Officer Beguelin Flores. Officer Anderson wrote in his statement:

"...I observed Gunderson begin to contort his body up and to the left, towards Officer Beguelin Flores, creating space between his torso and the ground. I believed at this time that Gunderson was managing to open space exposing the barrel of the handgun, leading me to believe that if Gunderson fired, it would cause serious bodily injury or death to Officer Beguelin Flores and that he was in immediate danger."²⁷



Figure 12. Screen capture from Officer Anderson's BWC as Gunderson turns to the left. Approximately 4 seconds before the use of deadly force. Time stamp 22:51:15.

²⁶ Officer Anderson statement, p 6, paragraph 3.

²⁷ Officer Anderson statement, p 6, paragraph 5 – p 7, paragraph 1.

According to Officer Beguelin Flores:

"I had been attempting to gain control of Gunderson's left hand, but I began losing control of it in part due to my left hand having been injured earlier on in the struggle. I briefly got his left hand out but he was able to pull it back under him. I could not see Gunderson's hands, both of which were now under him in the area of his front waistband. Officer Anderson told me that Gunderson had his firearm pointed at me. I attempted to reposition myself on top of Gunderson to reduce my exposure to his gun, but I could not remove myself from the situation without giving up total control of Gunderson, which would only increase his ability to utilize his firearm. I pulled my firearm from its holster and I told him multiple times he would be shot if he didn't give us his hands. Gunderson continued to struggle against our attempts to take him into custody and as he did so he brought his left hip up away from the ground which allowed him to have more control and movement of his firearm that I could now see was pointed at me, so I fired my gun at Gunderson to stop him from shooting and killing me and possibly Officer Anderson. I fired multiple rounds from my department issued handgun. As soon as I saw that my rounds were effective, I stopped firing. Just before firing I warned Officer Anderson to disengage to minimize the risk that he would be hit if I fired."²⁸

On BWC video, Officer Anderson can be heard yelling "He's got it out. He's got it out. Watch out," and Officer Beguelin Flores then saying, "Clear. Clear. Clear."

Officer Beguelin Flores drew his firearm and fired at Gunderson six times.²⁹ According to Officer Anderson:

"I observed several rounds strike Gunderson directly in the head. Gunderson became immediately unresponsive and limp. It appeared clear that Gunderson was likely killed immediately, therefore, I opted to not fire my firearm. I observed Gunderson's right hand, which was under his right torso, still had a handgun in his grip. I aired via radio that shots were fired, that the suspect was down, officers were code four, and that we were on the Western side of the building."³⁰

²⁸ Officer Beguelin Flores statement, p 2, paragraph 4.

²⁹ Six distinct shots can be heard on the audio from the BWC.

³⁰ Officer Anderson statement, p 7, paragraph 2.

E. Use of Deadly Force Timeline

The following is a transcript of the audio from the combined BWC video (Appendix D) from the time the officers wrestled Gunderson to the ground until just after the use of force. Time stamps and additional actions are included in this transcript to illustrate timing and sequence.

Officer Beguelin Flores: Get on the ground. [22:49:47]

Officer Anderson: Get on the fucking ground. [22:49:48]

Officer Beguelin Flores: Hands out. Hands out. Hands out. [22:49:52]

Officer Beguelin Flores: Dude. You're going to get fucking shot. [22:49:57]

Officer Anderson: He's got a gun. He's got a gun. [22:49:57]

Adam Gunderson: No I don't. No I don't. [22:49:58]

Officer Anderson: Then drop your fucking hands. You got a gun in your hands? [22:50:01]

Adam Gunderson: No. I don't. [22:50:01]

Officer Anderson: Fucking release your hand. Let me see it then. [22:50:03]

Adam Gunderson: I'm bleeding. I'm sorry. [22:50:03]

Officer Anderson: Let me see your hand dude. [22:50:05]

Adam Gunderson: I'm bleeding. [22:50:06]

Officer Beguelin Flores: [*To dispatch*] 45, [unintelligible] [22:50:07]

Adam Gunderson: I'm bleeding. I'm bleeding. I'm bleeding. [22:50:07]

Officer Anderson: Hey. I think he's got a gun, dude. [22:50:11]

Officer Anderson: You're gonna get shot dude. [22:50:13]

Officer Anderson draws firearm [22:50:13]

Adam Gunderson: I don't have a gun. I'm bleeding bad. [22:50:14]

Officer Beguelin Flores: Then give us your hand. [22:50:15]

Officer Anderson: Give us your hands, bro. Seriously. [22:50:15]

Officer Anderson: He's got a gun. [22:50:18]

Adam Gunderson: Oh. Oh. Oh.

Officer Beguelin Flores: I can't tell. I've got his left hand. [22:50:19]

Adam Gunderson: Oh. Oh. Oh.

Officer Beguelin Flores: Adam. You're going to get fucking shot. [22:50:22]

Officer Anderson: You're going to get shot, bro. [22:50:25]

Officer Anderson: It's in his right. [22:50:25]

Officer Anderson re-holsters his firearm [22:50:27]

Officer Anderson: I'm gonna try and secure it [22:50:28]

Officer Anderson: [Unintelligible] hold his left. [22:50:29]

Officer Beguelin Flores' BWC falls off [22:50:30]

Adam Gunderson: [wailing sounds]

Officer Anderson: [*To dispatch*] By the garbage dumps.³¹ [Unintelligible] custody. [22:50:48]

Officer Beguelin Flores: I'm going to smash your fucking face if you don't let that hand out. Do you understand? [22:50:51]

Officer Anderson: It's a gun, dude. It's a gun. [22:50:53]

Adam Gunderson: No, it is not. [22:50:53]

Officer Anderson: Yes, it is a gun. [22:50:55]

Officer Anderson: Drop it. Drop it now. [22:50:56]

³¹ Dispatch tapes did not record the word "custody."

Adam Gunderson: I'm bleeding, bro. [22:50:58]

Officer Anderson: [*To dispatch*] He has a gun in his hands. We've got him pinned on the ground though.³² [22:50:58]

Adam Gunderson: I'm bleeding. [22:51:00]

Officer Beguelin Flores: Give us your right hand. [22:51:03]

Adam Gunderson: I'm bleeding. I'm bleeding bad. [22:51:04]

Officer Anderson: He's got it pointed toward your leg.

Officer Beguelin Flores: You're gonna get shot. Do you understand? [22:52:10]

Adam Gunderson: Hey stop.

Officer Beguelin Flores: You're gonna get fucking shot.

Officer Beguelin Flores draws his firearm [22:51:13]

Adam Gunderson: Hey stop.

Officer Beguelin Flores: You're getting shot right now if you don't give me your fucking hand. [22:51:16]

Officer Anderson: He's got it out. He's got it out. Watch out. [22:51:19]

Officer Beguelin Flores: Clear. Clear Clear. [22:51:19]

[Sound of six gunshots]

Officer Anderson: [*To dispatch*] Shots fired. Shots fired. Roll me medical.

Officer Beguelin Flores: Hand is still on the gun. Hand is still on the gun.

³² This transmission was unintelligible on the dispatch center recording, possibly because two radios were transmitting at the same time.

F. After the Use of Deadly Force

Vancouver PD officer Desmond Haske arrived on scene and approached the front of Gunderson's pickup truck just as the gunshots occurred:

"As I exited my patrol car, I could hear officers issuing verbal commands to a subject down the loading dock. These commands consisted of something to the effect of "stop resisting". I then observed VPD officers actively struggling to gain compliance from the subject who was moving on the ground at the bottom of the loading dock ramp. As I began to move toward the officers, I heard the sound of multiple gunshots."³³

Immediately following the shooting, officers Anderson and Beguelin Flores can be seen backed up against the west wall of the ramp on Officer Haske's BWC video. The three Vancouver PD officers then moved back towards the front of the pickup truck where they waited for backup.

Officer Anderson reported to dispatch shots had been fired and requested "medical" at 10:51 p.m. Multiple Vancouver PD officers arrived within the next two minutes.

As officers arrived, several formed a team to approach Gunderson, secure him and provide aid. This group consisted of Vancouver PD officers Angel Arzola, Desmond Haske, Jevon Kelly, Wyatt Upshaw, Philip Wilkening, and Sergeant Trent Harris.

Sergeant Trent Harris voiced his plan to approach and protect the gun. "We'll move up. I'll step on the gun."³⁴ Sergeant Harris led the group with a handheld ballistic shield, Sergeant Harris wrote in his report:

"Officer Haske advised me the suspect was down on the ground in the loading dock behind the pickup. He advised there was a firearm pointing north towards us, but the suspect was unresponsive. I looked down the dock access and observed a male with heavy bleeding coming from the area of his head. There was a small pistol in his hand pointed back towards us. The male appeared unresponsive, and based on his injuries, was unlikely to pose more of an immediate threat to officers.... We moved up and I was able to step on the gun while the officers took the male into custody and started rendering aid. I did have to shift the gun slightly as the suspect's body moved. Somehow the magazine slid out from the gun as well. The gun appeared to be a compact or subcompact pistol with a single stack magazine."³⁵

³³ See Vancouver PD Case report 2024-025366, Supplement 19, Officer Haske, p 1, paragraph 3. Officer Haske's report is dated December 16, 2024. He was provided an opportunity by Vancouver PD to review Body Worn Camara footage prior to authoring his report.

³⁴ BWC of Vancouver PD Officer Wyatt Upshaw. Timestamp 22:53:22.

³⁵ See Vancouver PD Case report 2024-025366, Supplement 8, Sergeant Harris, p 1, paragraph 6.

Vancouver PD Officer Philip Wilkening handcuffed Gunderson, patted him down for weapons, and then removed the handcuffs and attempted to provide medical treatment. Additional officers assisted with securing Gunderson arms. Officers can be seen on BWC video removing Gunderson's clothing with medical shears to look for wounds. Officer Andrea Bauman retrieved her first aid kit and assisted in applying a dressing to Gunderson's head wounds. Officers can be heard on BWC video encouraging Gunderson to breathe.³⁶

Personnel from the Vancouver Fire Department (VFD) and American Medical Response (AMR) arrived on scene beginning at 10:58 p.m. Gunderson was placed on a backboard and gurney.



Figure 13. Paramedics arriving with backboard. Screen capture from Officer Haske's BWC video.

After fire department personnel rendered aid at the scene, Gunderson was transported to PeaceHealth Southwest Medical Center where he was pronounced deceased.

Officer Beguelin Flores was also evaluated by AMR aid personnel on scene and transported to Legacy Salmon Creek Medical Center by Vancouver PD Officer Michael Scott. Once at the medical center, Officer Beguelin Flores was treated for a bite and fracture of his left hand.³⁷

³⁶ BWC of Vancouver PD Officer Andrea Bauman.

³⁷ See Section IV.O Officer Injuries.

Members of the Southwest Washington Independent Investigative Response Team (SWIIRT) responded and maintained responsibility for the scene until relieved by OII. Clark County Sheriff's Office (CCSO) personnel responded to provide scene security.³⁸

IV. OII Investigation

A. Notification and Response

On December 04, 2024, at 11:31 p.m., Vancouver PD Captain Pat Moore called the OII law enforcement notification line. Captain Moore reported the use of deadly force resulting in fatality. OII initiated a response. OII investigators responded to the Safeway shooting scene, the Vancouver PD's East Precinct and the PeaceHealth Southwest Medical Center. The first OII investigator arrived at Safeway at 12:27 a.m. on December 05. OII assumed incident command responsibility for the Safeway scene from SWIIRT at approximately 2:30 a.m.

B. Conflict of Interest Assessment

The objectivity and credibility of OII investigations depends on identifying and avoiding conflicts of interest. OII requires that all personnel assigned to an investigation disclose potential conflicts of interest with any person or entity involved in the OII investigation. Potential conflicts are assessed by supervisors and a team member may be restricted, limited or disqualified from further participation in the investigation if a conflict of interest is identified. Preliminary assessments are done at the time of the initial response and other intervals. In addition, investigation team members have an ongoing duty to report any potential conflicts of interest at any time during the investigation. The conflict-of-interest assessments were conducted throughout this investigation. No restricting, limiting or disqualifying conflicts were identified during this investigation.

C. Crime Scene Processing and Evidence Collection

At approximately 12:30 a.m. on December 05, OII requested that the Washington State Patrol Crime Scene Response Team (WSP CSRT) respond to assist.³⁹ WSP CSRT arrived at 3:25 a.m. and

³⁸ Scene security refers to the practice of restricting and monitoring access to an incident location to preserve the integrity of evidence and maintain safety. Personnel assigned to scene security ensure that only authorized individuals enter the area, and that potential evidence is not disturbed or contaminated. OII maintained a scene log to document anyone that entered or exited the perimeter.

³⁹ WSP CSRT was established to respond to calls for crime scene assistance from any law enforcement agency within Washington State to ensure a thorough and complete investigation regardless of any resource limitations. It is

processed the scene at Safeway. WSP CSRT members responding to the scene also completed a preliminary conflict-of-interest assessment.

General processing steps included:

1. **Photography**

The WSP CSRT documented the scene with 293 photographs.

2. **Laser Scanning**

WSP CSRT used a Trimble X 7 3D laser scanner to document the scene. From this scan and photographs taken of the scene, WSP CSRT created three dimensional images as depicted in figures 14 and 15 below. Using Trimble Forensics Reveal software, OII investigators were able to create two-dimensional diagrams, as seen in figures 2 and 16. These diagrams assist in providing an understanding of the positional relationships of the evidence and accurate measurements of the scene.

staffed by trained civilian forensic scientists and their expertise is especially useful when processing complex or multiple scenes. OII will generally use WSP CSRT to process its scenes. However, OII investigators are also trained and qualified to process a scene themselves if WSP CSRT is unnecessary, unduly delayed or excluded due to a conflict of interest.



Figure 14. Trimble 3D laser scan image of scene. WSP CSRT Figure_4.

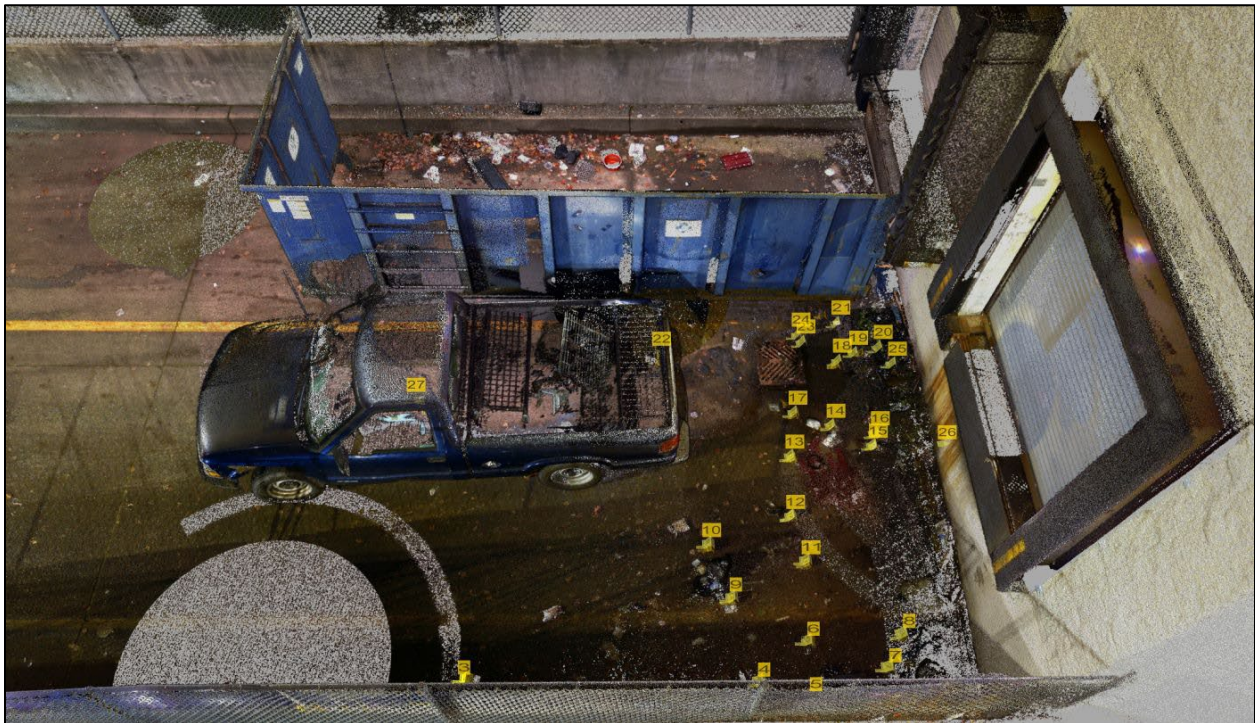


Figure 15. Trimble 3D laser scan image of scene, showing evidence placards.⁴⁰ WSP CSRT Figure_5.

⁴⁰ Evidence placards are 2-sided numbered plastic triangles or tents used to mark evidence at a crime scene. Evidence that is collected is later assigned a specific OII evidence number.

3. Evidence collection

The WSP CSRT photographed and documented the scene. They also collected evidence, including:

a. *Bloodstains*

Two pools of blood were on the ground in the middle of the loading ramp, along with numerous spatter bloodstains on the south wall of the loading bay. Samples were collected from these bloodstains for further analysis.

b. *Firearm Evidence*

A Ruger LC9 handgun was recovered from the loading ramp, south of the pickup truck. Other collected items included a loaded Ruger 9mm magazine and five fired 9mm cartridge cases. (See Section IV.N Crime Laboratory Analysis.)

Information was obtained during officer processing that Officer Beguelin Flores' firearm was likely missing 6 rounds. (See Section IV.D Officer Processing.) This information was relayed to OII investigators and WSP CSRT personnel at the scene. Despite an exhaustive search, no additional cartridge cases were located.

c. *Bullet Defects*

The dumpster and concrete walls of the Safeway loading ramp were examined for potential bullet defects. No defects were identified after visual inspection and chemical testing for bullet residue.

All items collected by WSP CSRT were turned over to OII on December 05, upon completion of scene processing. (See the "Evidence Legend" in figure 16 below for the specific list of evidentiary items collected by WSP CSRT on December 05.)

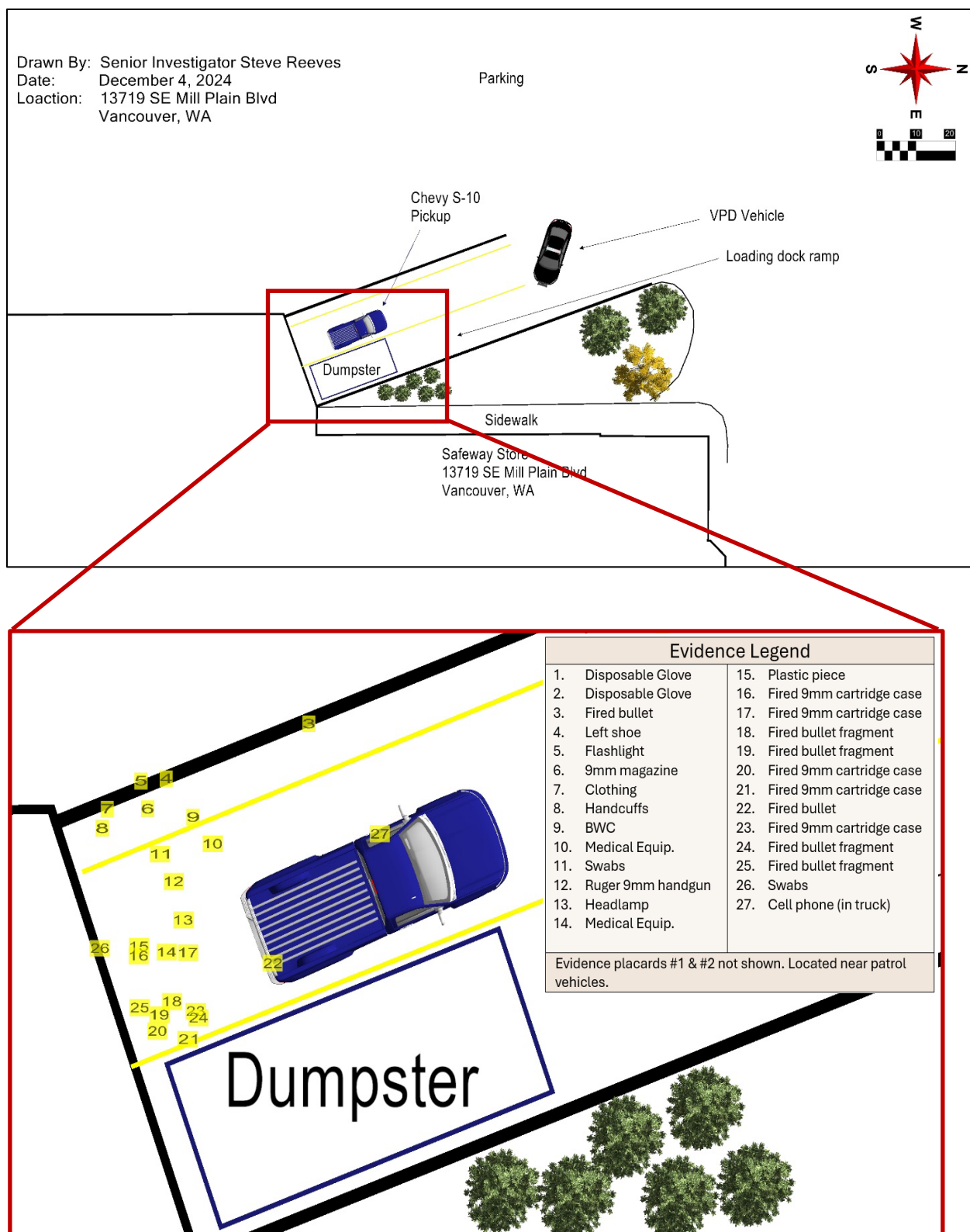


Figure 16. 2D diagram of scene depicting location of evidence items.

On December 06, 2024, OII investigators returned to the scene for additional inspection. They discovered and collected two bullet fragments behind the dumpster in the loading dock area. OII investigators were still unable to locate a 6th fired cartridge.⁴¹



Figure 17. Bullet fragment discovered by OII investigators on December 06, 2024. Photo CS_Walk_thru_2_120624_11_.jpg



Figure 18. Bullet fragment discovered by OII investigators on December 06, 2024. Photo CS2_Walk_thru_20624_scale_and_evid_label.jpg

⁴¹ See OII-2024-0005, Supplement 5, Investigator Dawn Taylor.

On December 11, 2024, WSP CSRT coordinated with Waste Connections to temporarily move the dumpster to allow for an additional examination. No additional evidence was located. A Trimble scan was conducted.⁴²

Evidence items collected by OII and WSP CSRT were photographed, packaged, and sealed. Each item was assigned a unique OII evidence number⁴³ and submitted to secure storage at OII central evidence.

D. Officer Processing

1. General

Officer processing refers to the investigative steps of documenting the physical appearance and condition of the uniforms and equipment of the involved officers. These steps include:

- Taking photographs of the involved officers to document their appearance with emphasis on uniform defects, injuries, equipment, and potential trace evidence.
- Documenting the condition of the officer's firearm and associated magazines or other reloading devices.
- Determining the number of rounds of ammunition in each magazine or other reloading device.
- Collecting firearms, equipment, uniforms, and other items as necessary depending on the nature of the incident.

2. Officer Beguelin Flores

Officer Kyle Beguelin Flores, 28 years of age, was photographed and his uniform and majority of equipment collected due to his close physical contact with Gunderson during the incident. His legal counsel was present with him during the process. OII investigators specifically documented:

- Officer Beguelin Flores' left hand and arm, which had been wrapped by medical providers.
- A red-brown staining on the magazine extension of his handgun.

⁴² See OII-2024-0005, Supplement 17, Investigator Dawn Taylor; Supplement 24, Investigator Jason Spalding.

⁴³ The OII evidence numbers may be different than placard number assigned by WSP CSRT.

- A red-brown staining on the back of his portable radio's shoulder microphone.

Officer Beguelin Flores' Glock 47 9mm handgun was equipped with a Holosun optic sight and a Streamlight TLR-9 flashlight. There was a round in the chamber of the handgun as well as an inserted magazine. The inserted magazine had a magazine extension allowing a 22-round capacity. The inserted magazine contained 16 rounds of ammunition. Officer Beguelin Flores had two additional extended magazines on his person which were processed. Each extended magazine had a capacity to hold 22 rounds, and each was found to be full to their 22-round capacity. Officer Beguelin Flores' legal counsel advised that the officer typically carries his firearm with one round in the chamber, and 22 rounds in each of his magazines.⁴⁴ This is consistent with six shots being fired during the use of force.



Figure 19. Officer Beguelin Flores' Firearm. OII image DCS_0082.

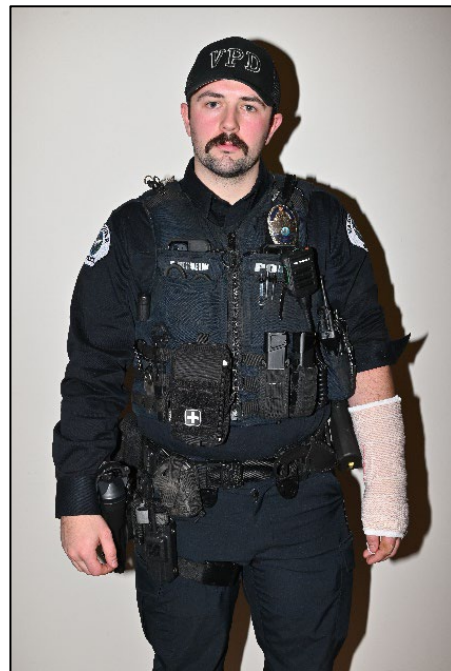


Figure 20. Officer Beguelin Flores processing. OII image DCS_0003.

⁴⁴ See OII-2024-0005, Supplement 6, Investigator Dusty Breen.

Officer Beguelin Flores was also equipped with a TASER 7 conducted energy weapon, expandable baton and other equipment.

3. Officer Anderson

Officer Seth Anderson, age 28, was photographed and his uniform collected. His legal counsel and a peer support member were present with him during the process. OII investigators noted:

- Abrasions to both hands.
- A bruise to his right shin area.

These injuries are described in more detail in Section IV.O Officer Injuries.

Officer Anderson was equipped with a Glock 47 9mm handgun with Holosun optic sight and a Streamlight TLR-1 HL flashlight. There was a round in the chamber of the firearm as well as an inserted magazine. The inserted magazine had a standard capacity of 17 rounds and was completely loaded. Officer Anderson carried two additional magazines with 17 round capacities. Both magazines were full.⁴⁵ The firearm was not collected as there was no evidence it was fired during the incident

Officer Anderson was also equipped with a TASER 7 conducted energy weapon and other standard equipment.

4. Remaining Officers

Vancouver PD officers Desmond Haske, Andrea Bauman, Jevon Kelly, Angel Arzola, Philip Wilkening, Wyatt Upshaw, and Sergeant Trent Harris were photographed because they were part of the contact group securing and providing aid to Gunderson. OII noted what appeared to be blood on Officer Bauman's left pant cuff and right sleeve cuff. Additional photographs were taken of these areas. No additional processing beyond photographs was done, given that these officers arrived after the use of force incident.

E. Canvass and Security Video

1. Area Canvass

An area canvass of the businesses around Safeway was conducted on December 05, 2024. The purpose of the canvass was to gather potential evidence, identify witnesses, and recover any available surveillance footage.⁴⁶ The canvass identified the following:

⁴⁵ See OII-2024-0005, Supplement 14, Investigator Patrick Moen.

⁴⁶ See OII-2024-0005 Supplement 11, Investigator Jason Spalding.

- a. HAPO Community Credit Union and Wells Fargo Bank had surveillance cameras. Both businesses required legal authorization before they could release any recordings. Search warrants were later obtained for the video from both banks. (See Section IV.F Search Warrants.)
- b. Witness LW reported hearing approximately four gunshots while in the bedroom of his home, which is several blocks from the Safeway. He stated he did not witness the shooting itself. (See Section V.I Civilian Witnesses.)

2. Security Camera Footage - Safeway Loading Dock

On December 04, 2024, CCSO Sergeant Fred Neiman, a supervisor for SWIIRT provided OII with a copy of Safeway's security camera footage from the camera located above the loading dock where the incident took place. OII obtained video footage from the Safeway fuel pumps, which did not capture the incident, and video footage directly from Safeway for the camera above the loading dock from approximately 10:30 p.m. until after the arrival of OII personnel on scene.

F. Search Warrants

OII applied for three search warrants during this investigation:

1. Pickup Truck Associated with Adam Gunderson

On December 04, 2024, OII obtained a search warrant for the blue Chevrolet S-10 pickup truck driven by Gunderson. WSP CSRT searched the truck for evidence related to firearms and evidence that confirmed the vehicle was associated with Gunderson. The interior and exterior of the truck were photographed and a cell phone was collected as potential evidence (see below).

2. Security Camera Footage

OII obtained search warrants for security camera footage from two nearby businesses, the HAPO Community Credit Union and the Wells Fargo Bank. HAPO Community Credit Union provided OII with their video on January 02, 2025. Wells Fargo provided the video on February 04, 2025. Due to the angle and location of the cameras, these videos did not capture the incident. Additionally, due to distance and quality, passing vehicles could not be clearly identified.

3. Gunderson's Phone

On February 10, 2025, OII conducted a forensic extraction of the cellphone located in the blue Chevrolet S-10, a Tracfone TCL T607DL, as authorized by a search warrant. This phone appeared to have been used by Gunderson. (Relevant information retrieved from the phone is described below in Section IV.P. Prior Contacts between Gunderson and Involved Officers.)

G. Officer Statements

1. General Note on Officer Statements

- a. In a criminal matter, police officers have the same constitutional rights as any other citizen. The 5th Amendment of the Constitution of the United States prohibits compelling any person to be a witness against themselves in a criminal case. Therefore, an officer can voluntarily choose to provide a statement to criminal investigators or not, just like any other person.
- b. Law enforcement agencies may compel an officer that they employ to provide a statement in an administrative investigation for the purpose of determining if the officer's actions were in accordance with their policy and training. A police officer may be terminated for failing to answer compelled questions relating to job performance. Answers provided through a compelled statement can be used against the officer in an administrative or civil proceeding but cannot be used in any criminal prosecution of that officer. Similarly, any information or discoveries obtained directly or indirectly from a compelled statement cannot be used against the officer in a criminal proceeding.⁴⁷
- c. The OII has established a standard process to prevent information obtained from compelled statements from tainting the criminal investigation.

2. Vancouver PD Involved⁴⁸ Officer Statements

Officers Beguelin Flores⁴⁹ and Anderson⁵⁰ submitted voluntary narrative reports through the Vancouver PD's records management system. Vancouver PD provided both officers with an opportunity to review BWC footage prior to completing their statements.

⁴⁷ This is often referred to as a Garrity statement based on U.S. Supreme Court decision Garrity v. New Jersey, 385 U.S. 493 (1967).

⁴⁸ The use of the term "involved officer" is not intended to convey any legal meaning.

⁴⁹ See Vancouver PD report 2024-025366, Supplement 18, Officer Beguelin Flores, attached as Appendix B.

⁵⁰ See Vancouver PD report 2024-025366, Supplement 21, Officer Anderson, attached as Appendix A.

These statements were provided to OII investigators, who subsequently reviewed the reports and compared them with other evidence, including BWC video, Computer Aided Dispatch (CAD) logs, witness statements and evidence from the scene. The statements of officers Anderson and Beguelin Flores and their descriptions of the event are referenced throughout this report and are attached as Appendix A and B.

Both officers described being familiar with Gunderson from prior incidents. These statements and the prior contact are detailed in Section IV.P Prior Contact between Gunderson and Involved Officers.

OII requested clarification of some portions of the statements of both officers through their attorneys. Both officers declined to provide additional clarification.

H. Vancouver PD and Other Responding Agencies

OII investigators requested all records related to this incident from Vancouver PD. Records received included BWC and In-Car Video (ICV) footage for more than 40 officers, officer-generated reports, dispatch and radio logs, and additional documentation.

Vancouver PD provided some officers with an opportunity to review BWC footage before completing their reports. This is consistent with Vancouver PD policy.⁵¹

OII investigators requested additional clarification from Vancouver PD Sergeant Trent Harris regarding the handling of evidence at the scene. Sergeant Harris, through legal counsel, declined this request.

OII also obtained records from the Clark County Sheriff's Office (CCSO), including incident reports, BWC footage from deputies providing scene security, and a copy of the Safeway security video recovered by CCSO prior to OII's arrival. CCSO responded to the scene as part of the Southwest Washington Independent Investigative Response Team (SWIIRT) but no other SWIIRT member agencies responded.

In addition, both CCSO and Vancouver PD provided a witness, DS, with an Axon Community Request⁵² link to upload cell phone video he had recorded. OII investigators later contacted DS directly, conducted an interview, and provided him with a separate Axon Community Request link. All three videos were found to be consistent with one another.

⁵¹ See Vancouver PD Policy Manual Section 701.16 Review of BWC Video.

⁵² An Axon Community Request is a secure link provided by investigators that allows members of the public to upload digital evidence (such as photos or videos) directly to the agency's evidence management system.

All materials reviewed were documented and cross-referenced.

I. Civilian Witnesses

1. DS

Information in the following section is based on an interview conducted by CCSO Detectives Helier Arvizo and Dean Telecsan shortly after the incident, which was recorded using Detective Telecsan's body-worn camera, and later documented in a written report.⁵³

OII investigators conducted a follow-up interview with DS on December 05, 2024. The information provided during the OII interview was consistent with his earlier statements to CCSO.⁵⁴

DS is a Safeway employee who works the night shift at the grocery store. At the time of the incident, he was smoking a cigarette outside the store's entry doors on the north side of the building. He noticed a Vancouver PD patrol car travelling west on Southeast Mill Plain Boulevard at a high rate of speed with its emergency lights and siren on. The patrol car entered the Safeway parking lot from the east, drove across the front of the store and turned into the loading dock.

"...squad car came down from Mill Plain, and then came right down this way, he was rushed right by me...I was like, 'Go get em. Go get em,' and then [the police car] pulled right into where he's at there, and I'm like, 'Oh shit,' and I run over there to see what's happening...."⁵⁵

DS decided to film the incident but had left his phone over by the line of shopping carts. Approximately 10 seconds after the police car arrived, DS heard five to six gunshots.

"...[I] came back to get my phone, and I grabbed my phone, and then in turning around right here I heard bang, bang, bang, bang, bang, bang...."

He walked towards the fence above the loading dock and began filming with his cell phone camera. He became aware that another Vancouver PD patrol car was already there. He had not heard conversations from the loading dock prior to hearing the gunshots:

⁵³ See CCSO Case file, titled CCSO 24009918 Reports 0-5, pg. 3

⁵⁴ See OII-2024-0005, Supplement 111, Investigator Jon Ames.

⁵⁵ BWC of Clark County SO Deputy Telecsan. Timestamp 00:23:34.

"...unbeknownst to me at the time, there was another officer already over there ...I didn't hear anything, I didn't hear anything beforehand...that's why I was confused....normally if a weapon is drawn or something, there is some sort of verbal, 'Drop your weapon. Freeze. Stop...And I did not hear any of that. And I was close enough that...I could hear the officers talking after the gunshot...'Check my left. Check my right. Where you at? 'Someone replace me'....if I'm that close to hear that, I should have been able to hear 'Freeze. Stop. Drop it,' something and I didn't hear any of that ..."



Figure 21. Screen capture from the DS's cell phone video taken moments after the use of deadly force.

2. CA

CA was interviewed by Vancouver PD Officer Whalen on December 05, 2024⁵⁶ and by OII on January 17, 2025.⁵⁷ Both statements were consistent.

At the time of the incident, CA was sitting in her Ford Ranger parked in the Safeway lot facing west. She noticed a police car enter the parking lot from 136th Street without its emergency lights or siren activated. The police car drove part way through the parking lot, stopped, backed up, and turned down the side of the building into the loading dock.

CA lost sight of the police car. A short time later, a second police vehicle entered the parking lot with its emergency lights and siren activated. This patrol vehicle pulled into the area where the first police car was. Soon after, CA heard four gunshots. After she heard the gunfire, CA left her truck and walked to the front of the Safeway.



Figure 22. OII analysis of CA's location, distance and orientation to the scene.

3. LW

LW was interviewed by OII investigators on December 06, 2024. He was in bed at his residence, approximately 2.5 blocks away, at the time of the incident. He heard gunshots and called 911. He did not see the use of deadly force.⁵⁸

4. Medical Responder Interviews

OII investigators conducted interviews with personnel from the Vancouver Fire Department (VFD) and American Medical Response (AMR) who responded to the scene to provide medical assistance. These interviews were conducted to document the actions taken by emergency medical personnel, clarify timelines, and confirm the medical care provided to Gunderson and Officer Beguelin Flores.

⁵⁶ See VPD report 2024-025366, Supplement report 10 by Officer Whalen.

⁵⁷ See OII 2025-0004, Supplement 116, Investigator Matt Mrla.

⁵⁸ See OII 2025-0004, Supplement 5, Investigator Dawn Taylor.

5. OII Tipline

OII will establish a telephone message line for each incident it investigates. This “tip line” provides a method for the public to contact investigators with information about the incident under investigation and is included in a news release issued to the media.

The tipline for this investigation was established on December 09, 2024. On December 18, 2024, OII received a call on the recorded tip line from SC. This was the only call received on the tipline.

SC left a message saying she believed Gunderson had been murdered and requested a call back.⁵⁹

OII investigators were able to reach SC on December 20, 2024. She said she was friends with Gunderson. SC had seen the BWC footage of the shooting that was released by Vancouver PD as a YouTube video. She believed Gunderson had been murdered because he had been shot in the back of the head. She also suggested the firearm may have been planted by law enforcement because, based on the video, it appeared to her that one of the officers may have thrown the gun down. SC also expressed additional concerns about the officers’ actions.

On December 23, 2024, SC messaged OII investigators about her concerns. She also sent screen shots of several cropped images from the BWC video released by Vancouver PD and a conversation with an unknown person that commented that it “looked like a gun but also looks like a hose handle on a pressure washer.”⁶⁰

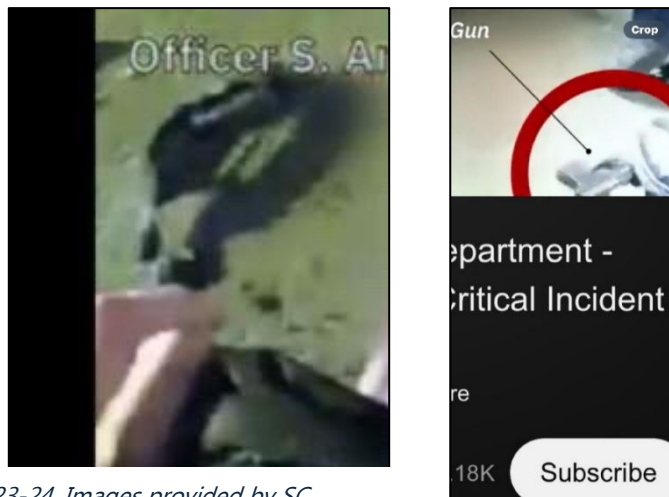


Figure 23-24. Images provided by SC.

⁵⁹ See OII-2024-0005, Supplement 49, Investigator Scott Robb.

⁶⁰ See OII-2024-0005, Supplement 72, Investigator Scott Robb.

OII evaluated the screen shots provided by SC and determined they are images of the headlamp (evidence item 13) and the Ruger LC-9 pistol (evidence item 12).



Figure 25. Headlamp collected from scene. WSP CSRT Evidence item 13. Image WSP_0219.

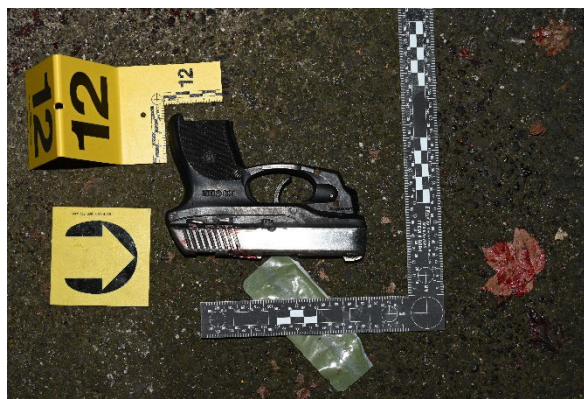


Figure 26. Ruger LC9 pistol collected from scene. WSP CSRT Evidence item 12. Image WSP_0074.

6. Adam Gunderson Family and Acquaintance Interviews

OII Investigators interviewed several family members and friends of Gunderson. The purpose of these interviews was to get general background information about him and information about recent contact with him. Relevant portions of these interviews are described in Section IV.P Prior Contact between Gunderson and Involved Officers.

J. Identification of Adam Gunderson and Next of Kin Notification

On December 05, 2024, Vancouver PD Sergeant Trent Harris provided OII with the possible name of the person killed - Adam Grant Gunderson. A Washington State Department of Licensing (DOL) photo of Gunderson was obtained for later comparison with the deceased. At the hospital, OII Investigator Rob Jones and Clark County Medical Examiner's Office (CCMEO) Investigator Leigh Muller compared the DOL photograph to the decedent. There was a strong resemblance, but trauma to Gunderson's head and facial area made positive identification difficult.⁶¹



Figure 27. Adam Gunderson's DOL photo.

To assist in confirming the decedent's identity, OII investigators coordinated with SWIIRT liaison Sergeant Fred Neiman to search local law enforcement records for any documented scars, marks, or tattoos associated with Gunderson. A

⁶¹ See OII-2024-0005, Supplement 12, Investigator Rob Jones.

distinctive tattoo was identified during the search and found to be consistent with a tattoo observed on the deceased.⁶²

OII investigators also visited a residence associated with Gunderson and spoke with neighbors. Individuals familiar with the household confirmed Gunderson had been living there and identified the vehicle involved in the incident as the one he regularly drove. These details, combined with the tattoo and the presence of the truck at the scene, supported a preliminary identification of the deceased as Gunderson, pending scientific confirmation.

Based on information obtained through the CCMEQ and open-source searches, OII investigators made efforts to contact Gunderson's brother, CG, as the next of kin. Initial attempts to reach him at his residence were unsuccessful. OII investigators later contacted CG by phone and notified him that his brother had been killed during an incident involving the Vancouver PD. CG was provided with contact information for OII personnel, including the Family Liaison Supervisor, to ensure he had a direct resource for support and questions about the ongoing investigation.

The Family Liaison Supervisor confirmed Gunderson was not a tribal member.

At the autopsy conducted on December 09, 2024, fingerprints were collected and submitted by the medical examiner to the Federal Bureau of Investigations (FBI) for confirmation of Gunderson identity. On December 10, 2024, Mullen notified OII the decedent had been positively identified as Adam Gunderson by FBI fingerprint analysis.⁶³

K. Autopsy

On Monday, December 09, 2024, an autopsy was conducted at the CCMEQ by Dr. Martha Burt.⁶⁴ Adam Gunderson had five gunshot wounds to the head. Three of these entered the left side of the head and exited on the right side. The other two gunshots were graze wounds to the left front scalp and the upper back of the scalp.

There were additional blunt head injuries e.g. numerous abrasions to his forehead and cheek. There were also abrasions and contusions to his hand, thighs and hip. There were no bone fractures except for in the skull.

Toxicology reports are a routine part of autopsies. Toxicology results for Gunderson indicate the presence of methamphetamine (0.71.mg/L) and amphetamine (0.051 mg/L) in his blood sample.

⁶² See OII-2024-0005, Supplement 12, Investigator Rob Jones.

⁶³ See OII-2024-0005, Supplement 20, Investigator Rob Jones.

⁶⁴ See OII-2024-0005, Supplement 142, Investigator Dusty Breen.

L. Body Worn Camera and In-Car Camera Review

Vancouver PD officers are equipped with Axon Body 3 body-worn cameras, which record video and audio of interactions between officers and the public. These cameras automatically capture the previous 30 seconds of video before manual activation, though audio begins recording only after activation. In-car cameras are installed in Vancouver PD patrol vehicles as part of the Axon Fleet 3 system.⁶⁵ These cameras capture both a forward-facing view and a rear seat view.

At the request of OII investigators, Vancouver PD provided OII with all BWC and in-car camera video files through the Axon Justice evidence management system. The files included videos from all officers who were present during the incident, including those who responded after the shooting. Additional requests were made for footage related to prior law enforcement interactions with Gunderson, as described below.

OII investigators conducted a time synchronization review of all video sources to ensure timeline accuracy. Each BWC and in-car camera video included a digital timestamp, which was cross-referenced with dispatch logs, radio transmissions, and other evidence. Investigators verified that the timing of each recording was consistent with the overall timeline of events.

OII also reviewed the BWC and in-car video obtained from the CCSO that captured their response to this incident.

⁶⁵ Axon Fleet is an in-car video system used by law enforcement that records audio and video from patrol vehicles. Axon body-worn cameras are portable cameras worn by officers to capture interactions in the field. Both types of video are uploaded to Axon Justice, a secure digital evidence platform used to organize, review, and share evidence—such as video footage—with authorized parties, including OII and prosecuting attorneys.

M. Ruger Pistol Recovered from Scene

1. General Information

When the WSP CSRT processed the scene surrounding the Safeway loading dock, a Ruger LC9 handgun was located on the floor of the ramp. There was one unfired cartridge in the chamber. A magazine was found nearby with seven unfired cartridges.



Figure 28. Magazine for Ruger pistol. Evidence placard #6.
Photo WSP_0063.



Figure 29. Ruger LC-9 Pistol. Evidence placard #12. Photo
WSP_0074

2. Ejection and Movement of Magazine

The magazine was 4.1 feet from the firearm on the floor of the loading ramp when collected during the investigation.

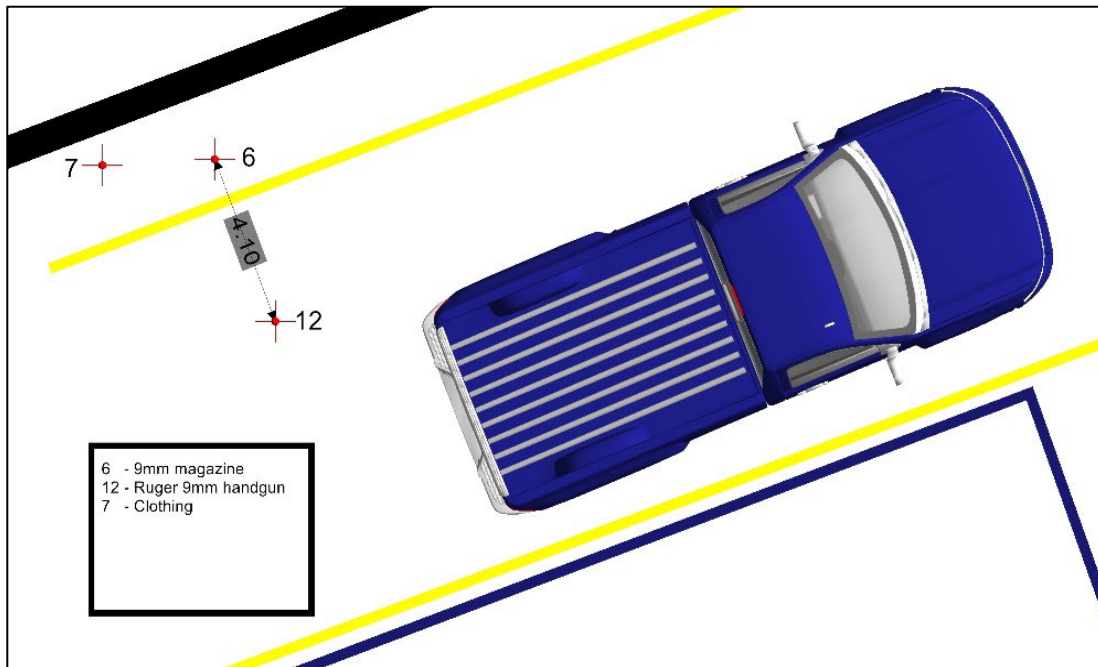


Figure 30. OII scene diagram depicting the spatial relationship (4.10 feet) between the firearm, magazine and Gunderson's clothing. From a diagram created by OII Investigator Steve Reeves from the Trimble 3D laser scan data using Trimble Forensics Reveal software.

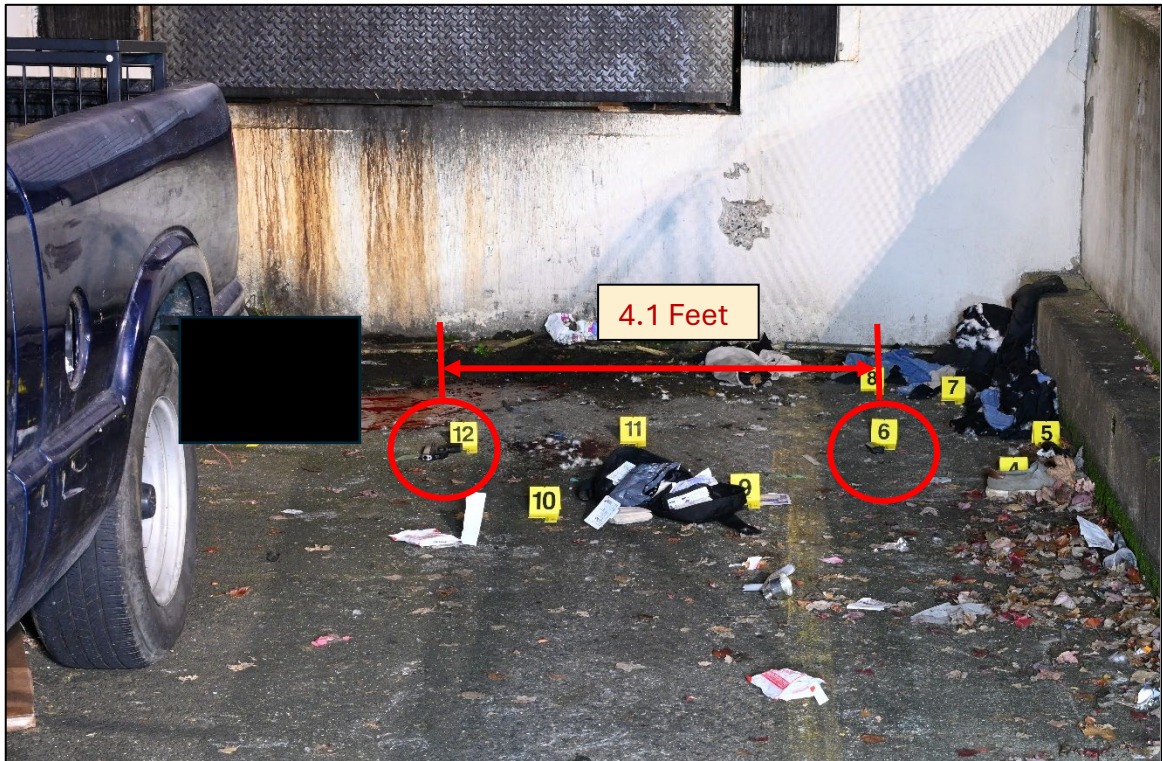


Figure 31. Scene Photograph showing separation between Ruger LC-9 (#12) pistol and the magazine (#6). Photo WSP_0047.

OII investigators explored the cause of this separation through a review of the reports and BWC footage. Vancouver PD Sergeant Harris wrote in his report:

"We moved up and I was able to step on the gun while the officers took the male into custody and started rendering aid. I did have to shift the gun slightly as the suspect's body moved. Somehow the magazine slid out from the gun as well. The gun appeared to be a compact or subcompact pistol with a single stack magazine."⁶⁶

It is unclear if the magazine was originally loose in the firearm, or if the magazine release was pressed when stepping on the firearm.

OII reviewed the BWC of Vancouver PD officers Wyatt Upshaw and Philip Wilkening to determine how the magazine moved from the firearm to where it was recovered near Gunderson's removed clothing.

⁶⁶ Vancouver PD report 2024-025366, Supplement 8, Sergeant Trent Harris.



Figure 32. Sergeant Trent Harris stepping on the gun while an officer provides medical treatment to Gunderson. Source: BWC of Officer Wyatt Upshaw.

As Sergeant Harris steps on the firearm, the magazine appears to exit the firearm:



Figure 33. The magazine sliding from Ruger's magazine well as Sergeant Harris moves the pistol slightly with his foot. Source: BWC of Officer Philip Wilkening.

It is clear from the BWC video that the location of the magazine changed to the other side of Gunderson, where it was later located by WSP CSRT, as his clothes were removed so medical treatment could be provided.⁶⁷

3. Additional Information

The serial number of the Ruger was undecipherable. OII requested examination of the Ruger by the Washington State Patrol Crime Laboratory Division (WSP CLD), to include restoration of the serial number. (See Section IV.N. Crime Laboratory Analysis.) Upon restoration of the Ruger's serial number by the WSP CLD, a query was made through A Central Computerized Enforcement Service System (ACCESS)⁶⁸ to check if the firearm was stolen or missing, or if there was any associated Department of Licensing (DOL) information. According to ACCESS, the firearm had been entered as stolen by the Clackamas County Sheriff's Office in 2013. There was no indication of who may have been responsible for the theft.

WSP CLD assessed the operability of the Ruger. (See IV.N.2 Crime Laboratory Analysis, Ruger Found at Scene.) OII conducted an additional function check of the Ruger LC9 after it returned from the WSP CLD. It was determined the magazine disconnect was operable, which would have prevented the firearm from firing if the magazine was not inserted completely into the handgun.

N. Crime Laboratory Analysis

1. Officer Beguelin Flores' Pistol

a. *Fingerprinting*

OII submitted a request to the WSP CLD for a fingerprint analysis of Officer Beguelin Flores' Glock 47 9 mm pistol and associated magazine. The purpose of this examination was to determine if anyone besides Office Beguelin Flores had touched the firearm during the struggle. The only fingerprints suitable for comparison were those of Officer Beguelin Flores.⁶⁹

⁶⁷ See OII-2024-0005 Supplement 143, Investigator Dusty Breen.

⁶⁸ ACCESS is a computer system managed by the Washington State Patrol. ACCESS extracts data from multiple repositories including, the Washington Crime Information Center (WACIC), Washington State Identification System (WASIS), the National Crime Information Center (NCIC), the Department of Licensing (DOL), and the Department of Corrections.

⁶⁹ See WSP CLD Report 724-000517-003 by Forensic Scientist Jazmyn Stratton.

b. *Ballistics/toolmarks*

OII investigators submitted a request to the WSP CLD for a ballistic comparison between Officer Beguelin Flores' Glock pistol and the five cartridge cases and bullet fragment found at the scene. A ballistics examination occurs when a firearms examiner attempts to determine if a particular bullet or cartridge case was fired from a specific firearm based on markings on bullets or cartridge cases that are unique to ammunition fired from that firearm. The five fired cartridge cases found at the scene were identified as having been fired from Officer Beguelin Flores' Glock, as was the fired bullet.⁷⁰

2. **Ruger Found at Scene**

a. *Deoxyribonucleic acid (DNA)*

The Ruger LC9 that was found at the scene, and its associated magazine, were tested for DNA by the WSP CLD. The magazine had one DNA profile that was interpreted as being from Gunderson. The DNA profile obtained from the trigger, trigger guard, and grip was interpreted as originating from two individuals. One profile appeared to originate from Gunderson and the other to an undetermined person.⁷¹

b. *Fingerprinting*

The Ruger LC9 that was found at the scene and its associated magazine were examined for fingerprints by the WSP CLD. The fingerprints on the Ruger pistol were not suitable for comparison. No fingerprints were recovered on the Ruger magazine or unfired cartridges.⁷²

c. *Serial Number Restoration*

The WSP CLD was able to restore the serial number using polishing and chemical etching techniques.⁷³

d. *Operability and National Integrated Ballistic Information Network (NIBIN)*

The Ruger pistol was determined to be operable.

An image of the test fired cartridge case from the Ruger was entered into the Portland Police Department North Precinct NIBIN Database. NIBIN is a national

⁷⁰ See WSP CLD Report 724-000517-004 by Forensic Scientist Johan Schoeman.

⁷¹ See WSP CLD Report 724-000517-005 by Forensic Scientist Laura Dolezal.

⁷² See WSP CLD Report 724-000517-003 by Forensic Scientist Jazmyn Stratton.

⁷³ See WSP CLD Report 724-000517-004 by Forensic Scientist Johan Schoeman.

database of digital images for fired cartridges and can provide potential leads and links to criminal investigations involving firearms. WSP CLD and law enforcement routinely enter images of fired cartridges from scenes and test fires into NIBIN.⁷⁴

O. Officer Injuries

1. Officer Beguelin Flores

Following the use of deadly force, Officer Beguelin Flores was transported to the emergency room at Legacy Salmon Creek Medical Center for injuries he sustained during the incident. Officer Beguelin Flores provided OII with documentation from this treatment. The medical records indicate he was diagnosed with a broken bone in his left hand sustained when he punched Gunderson. He was also treated for a bite to his left hand.



Figure 34. Injuries to Officer Beguelin Flores. Photos from Vancouver PD case report. Photo on left was taken the night of the incident by Vancouver PD Detective Whalen. Photo on the right was taken on December 06, 2024, by Vancouver PD Officer Wilkening.

⁷⁴See WSP CLD Report 724-000517-004 by Forensic Scientist Johan Schoeman.

2. Officer Anderson

During officer processing on December 05, 2024, OII investigators photographed abrasions to Officer Anderson's hands and a bruise to his right shin area. No other injuries were reported.

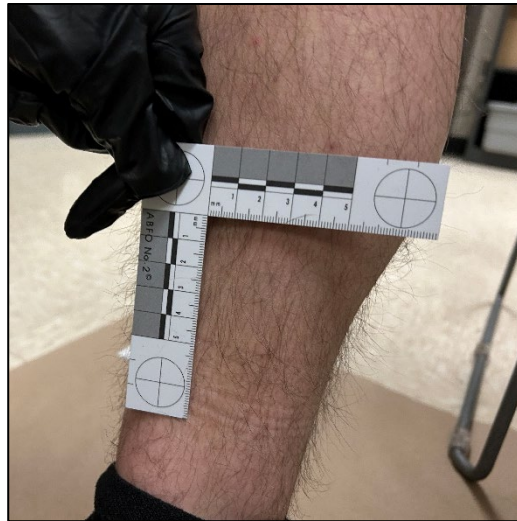
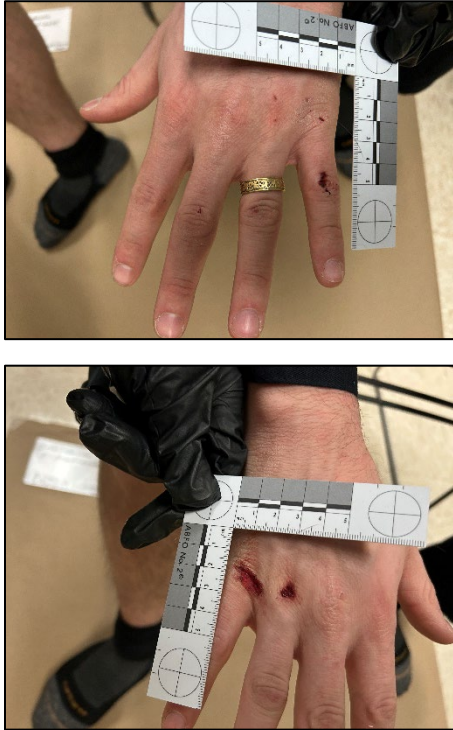


Figure 35-37. Injuries to Officer Anderson. Top and bottom left - abrasions to hands. Right - bruise

P. Prior Contacts between Gunderson and Involved Officers

1. Officer Statements

Both Officer Beguelin Flores and Officer Anderson described prior contact or knowledge of Gunderson in their statements.

Officer Beguelin Flores stated the following:

"I first recall learning of Adam Gunderson while working patrol in 2023. An outside agency (CCSO) engaged in a pursuit with a male suspect driving a blue Chevrolet S10 pickup truck. The vehicle eluded CCSO during that incident. VPD Sgt. Evans ordered VPD officers not to engage in the pursuit. I did not do so, but observed as the described vehicle drove directly past my position. From that location I observed the vehicle travel into a driveway on SE 145th Ct in Vancouver WA. I, along with VPD Officer A. Metevia, provided cover to the CCSO Deputy while the deputy obtained investigative information from the involved vehicle. I did not have any contact with Gunderson at that time.

While working routine patrol in 2024, I had another contact with Gunderson. I observed him driving negligently near SE 145th Ct. When I did so, Gunderson appeared to observe my fully marked patrol vehicle and quickly drove into his driveway. With my vehicle's police lights activated I pulled up, got out and gave verbal commands for Gunderson to stop as he was exiting his vehicle. He was non-compliant, and he immediately began walking towards the door of his residence. I began to close distance on him while giving verbal commands as I had probable cause to detain him at that time. Gunderson turned towards me, lifted his shirt up and I believed Gunderson to be reaching for a firearm so I drew my firearm and quickly moved to a position of cover. I utilized distance and shielding to provide time to try and de-escalate the situation. Ignoring additional verbal commands to stop, Gunderson entered his residence. I was advised by dispatch that Gunderson was flagged as being known to carry firearms and knives. I was further advised of his having an outstanding felony warrant. Other officers showed up at the scene but due to the totality of the circumstances at that time, we elected to leave the scene.

Several days later, while on duty, I went back to that location and contacted Gunderson by phone to provide him with an opportunity to peacefully surrender. There were other VPD officers on scene as well. I communicated that it was our intent to peacefully take him into custody should he comply with commands. I

advised him there was probable cause for his arrest. Gunderson said we had no lawful authority, and he chose not to come out of his house. He made vague threats to the effect of, I'll show up at your house and you'll find out, try and take my truck and see what happens, and something to the effect of things won't be as easy as you think. Again, based on the totality of the circumstances we elected to once again leave the scene."⁷⁵

Officer Anderson stated:

I have not physically contacted Gunderson in the past, however, I have seen his Department of Licensing driver's license photo in the past.... I was aware that Officer Beguelin Flores had probable cause to arrest Gunderson for several crimes to include Negligent Driving II (RCW 46.61.525), Failure to Obey Officer (RCW 46.61.022), and Driving While License Suspended/Revoked III (RCW 46.20.342.1.C). See VPD Case #2024-21684 for further details. Further, I was aware that Gunderson was last known to have outstanding arrest warrants for Failure to Appear Driving While License Suspended III, Failure to Obey Officer, Failure to Stop/Give Info (OCA 24923V), and felony Attempt to Elude (OCA 2310299306).

Further, I was aware that in the aforementioned incident where Officer Beguelin Flores had attempted to stop Gunderson on a traffic stop, that Gunderson had preemptively avoided Officer Beguelin Flores by driving recklessly to his (Gunderson's) residence. Further, I was aware that once a traffic stop had been conducted, Gunderson had willfully refused to obey Officer Beguelin Flores' commands and gestured as if he had a firearm on his person prior to fleeing inside of his residence, evading arrest. It is to note that I was not involved in that incident, however, I was made aware of the incident. Officer Beguelin Flores, I, and several other officers attempted later to arrest Gunderson at his residence approximately a week after that incident. However, Gunderson again refused to comply with officers and we were unsuccessful in our efforts....

Lastly, I was also aware that Gunderson was referred to as a "sovereign citizen." A sovereign citizen is defined as "someone who believes they are not subject to government laws and regulations, and that courts have no authority over them. Sovereign citizens often reject driver's licenses, Social Security numbers, and vehicle registration, and they may believe that most taxes are illegitimate." In the past, while on routine patrol, I have observed Gunderson's aforementioned Chevy operating on public roadways with a placard in lieu of a rear license plate with

⁷⁵ Officer Beguelin Flores statement, p 1, paragraph 3-5.

the title of a Washington Administrative Code (WAC). Further, I have been informed by other officers that Gunderson was a “sovereign citizen” and frequently was argumentative and non-compliant with officers.⁷⁶

2. Records of Prior Contacts

On December 06, 2024, OII made a request to Vancouver PD for all records related to prior incidents with Adam Gunderson. On December 19, 2024, Vancouver PD provided records from nine incidents from April 2004 through October 2024. On January 03, 2025, OII made a request to CCSO for a specific incident report referenced by Officer Beguelin Flores in his statement. This was provided to OII by CCSO that day. The following is a summary of the contacts described in Officers Beguelin Flores and Anderson’s statements:

a. *Clark County Sheriff’s Office Pursuit – CCSO Case # 23007356*

On September 13, 2023, a deputy with the Clark County Sheriff’s Office attempted to stop a blue Chevrolet S10 pickup. The truck fled but ultimately was located at 1616 SE 146th Ct Vancouver, WA. Officer Beguelin Flores assisted in locating the truck and stood by while the Clark County deputy obtained the vehicle information and identified the driver as Adam Gunderson. On December 19, 2023, the Clark County Prosecuting Attorney’s Office sought an arrest warrant for Attempting to Elude Pursuing Police Vehicle, which was issued by Clark County Superior Court.

b. *Negligent Driving – Vancouver PD Case # 2024-021684*

According to Officer Beguelin Flores’s report, on October 14, 2024, at around 11:48 p.m., Officer Beguelin Flores attempted to stop a Ford Taurus near SE 145th Ct. in Vancouver, which he described in his report as being driven negligently. The driver continued without stopping until arriving at a residence at 1618 SE 146th Ct.

The man, who Officer Beguelin Flores later identified as Gunderson through DOL photograph comparison, got out of the car and started toward the house. According to Officer Beguelin Flores, he ordered the man to stop, or he would be arrested. Gunderson replied with profanity and continued to the house. Officer Beguelin Flores reported Gunderson turned toward him and lifted his shirt. Officer Beguelin Flores interpreted the movement as Gunderson possibly reaching for a firearm and drew his own pistol. Gunderson entered the residence. Additional officers arrived on scene and attempted to get Gunderson to come out of the house and surrender. He would not come out. A Vancouver PD supervisor decided to terminate the attempt and have the officers leave the area.

⁷⁶ Officer Anderson statement, p 2-3.

As a result of this incident, Officer Beguelin Flores wrote he had developed probable cause to arrest Gunderson for R.C.W. 46.61.022 Failure to Obey Officer, as well as R.C.W. 46.20.342 Driving While License Invalidated. During this encounter, Officer Beguelin Flores queried Gunderson's name in ACCESS and learned there were two warrants for his arrest on the following charges:

The first warrant was issued through Clark County District Court for the following charges:

- Failure to Appear for Fail to Stop/Give Info Obey Officer
- Driving While License Suspended in the Third (OCA 24923V)

The second warrant was issued through Clark County Superior Court for the charge of:

- Attempt to Elude (OCA 2310299306).

As part of the investigation, OII obtained and reviewed the associated BWC and in-car video footage from this incident.



Figure 38. Screen capture from Officer Beguelin Flores' BWC showing the Ford Taurus parked in the driveway during the October 14, 2024, incident. The blue Chevrolet pickup truck can be seen parked to the left.



Figure 39. Screen capture from Officer Beguelin Flores' BWC showing Gunderson at the door of the residence. Audio from the BWC records Officer Beguelin Flores ordering Gunderson not to reach for his waistband.

Prior to leaving the area, Officer Beguelin Flores said he saw Gunderson's truck around frequently. He continued by saying he would complete his probable cause, and "grab him this week."⁷⁷

On October 15, 2024, Officer Beguelin Flores completed his report and probable cause statement and recommended it be forwarded to the Vancouver City Prosecutor. OII contacted the Vancouver City Prosecutor and learned that as of December 04, 2024, the report had not been received by their office. This was due to an error during Vancouver PD case management.⁷⁸

As noted in the officers' statements above, on the evening of October 16, 2024, several officers, including Officer Beguelin Flores and Officer Anderson, went to Gunderson's residence in an attempt to arrest Gunderson. Officer Beguelin Flores said in his statement he contacted Gunderson by phone, but Gunderson chose not to come out of the residence. As with the previous attempt, officers eventually left without making an arrest.⁷⁹

OII investigators requested reports from Vancouver PD regarding this contact with Gunderson. Investigators were told no officer narratives were generated for the arrest attempt on October 16, 2024. However, Vancouver PD informed OII there was an event number generated by dispatch for the attempted arrest. Some of the involved officers uploaded BWC and ICV attached to the event number. According to Vancouver PD, no other documentation for the contact was available.⁸⁰

⁷⁷ BWC of Officer Kyle Beguelin Flores October 14, 2024

⁷⁸ See OII-2024-0005, Supplement 145, Investigator Dusty Breen.

⁷⁹ Officer Beguelin Flores statement, p 1, paragraph 5.

⁸⁰ See OII-2024-0005, Supplement 118, Investigator Dusty Breen.

OII investigators requested and received these videos. From a review of the BWC and ICV, it appears that a coordinated arrest attempt had taken place on October 16, 2024, supervised by a Vancouver PD sergeant. This attempt included multiple officers and resources such as a drone and staged tire deflation devices.

Additionally, investigators requested and received Mobile Data Computer (MDC) messages⁸¹ from dispatch between October 14, 2024, and October 16, 2024. These messages include officers being assigned to the associated event number on October 16, 2024, and communication coordinating a meeting location prior to the arrest attempt. An associated event number was provided involving American Medical Response (AMR), as they had been requested to stage in the area in case medical treatment became necessary.⁸²

As part of this investigation, OII investigators conducted a forensic examination of Gunderson's cell phone using Cellebrite, a digital forensic tool designed to securely extract and analyze data. This extraction provided investigators with evidence, including text messages, call logs, and additional electronic communications relevant to the investigation.⁸³ The date, time and context appear to align with the communications Officer Beguelin Flores described in his statement:

⁸¹ MDC's have a messaging function, like text messaging, which allow officers to send secure messages to other computers on the network.

⁸² See OII-2024-0005 Supplement 131, Investigator Richard Bjorkman

⁸³ See OII-2024-0005 Supplement 123, Investigator Mike Donaldson; Supplement 96 Investigator Dawn Taylor.

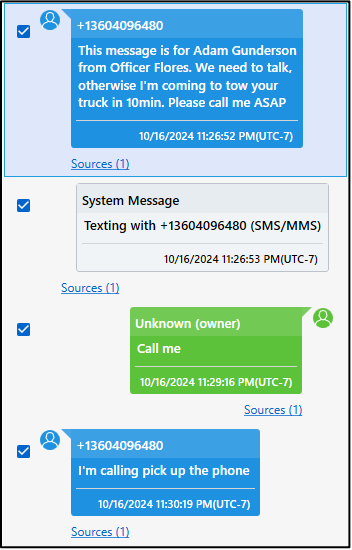


Figure 40. Text messages recovered during a search of Gunderson's phone.

Parties	Timestamp	Duration	Status
To: +13604096480	10/16/2024 11:30:48 PM(UTC-7)	00:00:02	Answered
From: +13604096480	10/16/2024 11:29:31 PM(UTC-7)	00:00:00	Missed

Figure 41. Segment of the call log extracted from Adam Gunderson's cell phone via Cellebrite, showing two phone calls involving the number +1 (360) 409-6480 on October 16, 2024. The first entry (bottom) reflects a missed call at 11:29:31 p.m. The second entry (top) shows a connected call at 11:30:48 p.m., lasting two seconds. This phone number is identified in a text message (see Figure 40) as belonging to Officer Beguelin Flores.

Q. ACCESS Offline Journal Search

OII requested an offline journal search⁸⁴ through the Washington State Patrol's ACCESS system for any queries made of the system for Adam Gunderson, his 2006 Ford Taurus or his 2002 Chevrolet S-10 Pickup from September 01, 2024, through December 05, 2024. This request was made to determine when Gunderson or his vehicles had been checked in ACCESS and if any

⁸⁴ A record of all transactions made through ACCESS is retained in the ACCESS journal. An offline journal search allows a review of which terminals queried names, license plates, vehicle identification numbers, and serial numbers.

Vancouver PD officer had checked on the status of any outstanding warrants for Gunderson prior to the use of deadly force incident. The following search results were returned:

Adam Gunderson		
Date	Time	Agency
10/14/24	11:52 p.m.	Vancouver PD
10/14/24	11:58 p.m.	CRESA ⁸⁵
10/15/24	09:48 p.m.	Vancouver PD
10/16/24	10:12 p.m.	Vancouver PD
10/16/24	11:17 p.m.	Clark Co. Comm Center
10/16/24	11:17 p.m.	Clark Co. Comm Center
10/16/24	11:17 p.m.	Clark Co. Comm Center
10/24/24	02:16 a.m.	Clark Co. SO
12/05/24	04:17 a.m.	Vancouver PD
12/05/24	04:33 a.m.	Clark Co. SO
12/05/24	09:24 a.m.	Clark Co. SO

2002 Chevy Pickup, WA license D12689B		
Date	Time	Agency
12/05/24	02:10 PM	CRESA
12/05/24	02:10 PM	CRESA
2006 Ford Taurus, WA license AVJ1169		
Date	Time	Agency
9/14/24	10:00 a.m.	CRESA
9/27/24	11:51 a.m.	Vancouver PD
10/09/24	09:06 a.m.	Vancouver PD
10/14/24	11:48 p.m.	CRESA
10/14/24	11:50 p.m.	Clark Co. Comm Center
10/16/24	10:13 p.m.	Vancouver PD
10/16/24	11:17 p.m.	Clark Co. Comm Center
12/01/24	12:53 a.m.	Vancouver PD

Gunderson's name was not queried through any Vancouver PD ACCESS terminal or the dispatch center after Officer Beguelin Flores attempted to arrest him at his home on October 16, 2024, until after the use of deadly force incident that occurred on December 04, 2024.

⁸⁵ Clark Regional Emergency Service Agency (CRESA) is a consolidated 911 emergency communication center for all public safety agencies in Clark County, Washington.

R. Follow-up Investigation Involving Adam Gunderson

During interviews with Gunderson's friends and family, OII investigators asked about his views regarding the government and law enforcement. Several family members described Gunderson as holding "anti-government"⁸⁶ sentiments and that he identified with beliefs associated with "sovereignty."⁸⁷ They also noted he expressed concerns about law enforcement violating individual rights.

One family member said Gunderson had uploaded two YouTube video showing him driving a pickup and fleeing from officers.⁸⁸

OII located and reviewed the videos on a publicly available YouTube channel linked to Gunderson. The channel featured videos documenting prior interactions with law enforcement. One video titled "Felony Attempt to Elude - All Charges Dropped" showed dash camera footage of a police pursuit involving a blue Chevrolet S-10 pickup truck. The video included Gunderson narrating the incident and making comments about law enforcement, prosecutors, and judges.

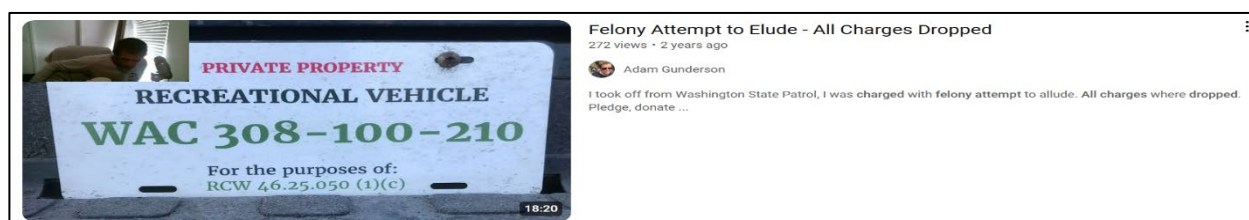


Figure 42. Screen shot of Gunderson's YouTube channel

https://www.youtube.com/results?search_query=Felony+Attempt+to+Elude+-+All+Charges+Dropped

VJ was interviewed by OII investigators and reported that Adam Gunderson had told her the police were harassing him.⁸⁹

"But, um, but I will say though, I have it on text message. He was telling me that he was being harassed by the police and that they would show up to his, to his house and not go on his property, but they would sit outside on the street harassing him. And he wanted me to put all the property in my name because he just didn't feel safe. He didn't feel comfortable. He's always felt uncomfortable about the, the police, I don't know much, just I'm not, um, he just always had uncomfortableness."

⁸⁶ Transcript of recorded interview with SC, pg. 7 lines 277-285.

⁸⁷ Transcript of recorded interview with GG and PG interview, pg. 12 lines 528-529.

⁸⁸ Transcript of recorded interview with GG and PG, pg. 27 lines 1196-1228.

⁸⁹ Transcript of recorded interview with VJ, pg. 7 lines 268-273.

During the interview, she showed investigators a text message exchange to support this statement. In the conversation, dated October 22, 2024, Gunderson asked VJ about potentially signing power of attorney, expressing concern that he might soon face legal issues or incarceration and would require someone to manage property matters on his behalf. VJ replied they could discuss the matter in detail later. This conversation was initially provided to investigators as a screenshot by VJ and subsequently verified through the Cellebrite extraction of Gunderson's cell phone:

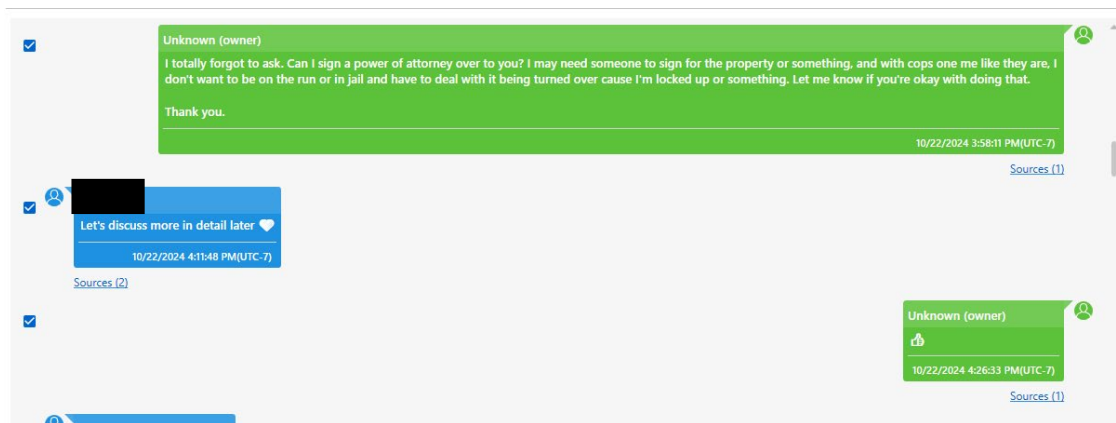


Figure 43. Text messages recovered during a search of Gunderson's phone between VJ and Adam Gunderson.

Several family members described Gunderson as appearing emotionally withdrawn and noticeably changed in the weeks following his mother's death on October 14, 2024.⁹⁰

S. Employment History of Involved Officers

Officer Beguelin Flores has been employed with Vancouver PD since April 2021. Vancouver PD is his first law enforcement agency.⁹¹ He has been assigned to the Patrol Division for the entirety of his employment with Vancouver PD.

Officer Anderson has been employed with Vancouver PD since March of 2021. He was previously employed by the Clark County Sheriff's Office from November 2020 until his hire at Vancouver PD.⁹² He has been assigned to the Patrol Division for the entirety of his employment with Vancouver PD.

T. Additional Record Collection

As a routine part of its investigations, OII obtains and review records relating to the person killed, critical witnesses, and officers involved in the incident so the prosecutor has the necessary information to make an informed decision about whether criminal charges should be filed. This

⁹⁰ See transcripts of recorded interview with CG and PG.

⁹¹ See Officer Beguelin Flores Criminal Justice Training Commission History Report.

⁹² See Officer Anderson Criminal Justice Training Commission History Report.

includes criminal history, officer training, use of force and discipline records as well as employing agency policies in effect at the time of the incident. A complete copy of all records obtained is provided to the prosecuting authority. OII will include in its Final Case Report any records that appear to be directly related to the use of deadly force under investigation.

1. Criminal History

OII reviewed the criminal history of Gunderson.⁹³ There were no records that were obviously relevant to this investigation other than those described above.

2. Washington Criminal Justice Training Commission (CJTC)

OII investigators collected CJTC Training History Reports for officers Beguelin Flores and Anderson. These records include each officer's employment history, state law enforcement certifications, and completion of CJTC-mandated training. Relevant information from these reports is incorporated into other sections of this case report, as appropriate to the investigative findings.

3. Training and Certification

OII investigators reviewed training records from CJTC and Vancouver PD for officers Beguelin Flores and Anderson. Both officers are certified peace officers in Washington State and have completed training related to the use of force, de-escalation, and post-incident responsibilities.

Peace Officer Certification⁹⁴

- Officer Beguelin Flores graduated from the Basic Law Enforcement Academy (Class 823, Burien) on November 10, 2021, and holds active peace officer certification.
- Officer Anderson graduated from the Basic Law Enforcement Academy (Class 821, Burien) on September 09, 2021, and also holds active peace officer certification.

Relevant Training Overview⁹⁵

The following courses are documented as having been completed:

Officer Beguelin Flores

⁹³ Obtained from the Interstate Identification Index (III or Triple I), a national index of state and federal criminal histories maintained by the Federal Bureau of Investigation at the National Crime Information Center (NCIC).

⁹⁴ See CJTC Training History Report for officers Beguelin Flores and Anderson.

⁹⁵ See Vancouver PD Employee Training Profiles for officers Beguelin Flores and Anderson.

- CJTC Crisis Intervention Training (40 hours) – Completed in April 2023; annual refreshers documented in 2022, 2023, and 2024.
- 2024 Patrol Tactics In-Service (24 hours) – Focused on scene safety, de-escalation, pace control, and situational comprehension.
- Integrated Arrest Tactics – Regular participation in in-service sessions including topics such as prone restraint, handcuffing, and control techniques.
- Taser 7 Certification and Recertification – Documented certification and recertification for conducted energy weapon use.
- Handgun and Patrol Rifle In-Service – Ongoing firearms training including qualifications and proficiency drills.
- Duty to Render Aid – Training completed on medical response expectations following use-of-force events.
- Weapon Retention and Control – Course work addressing physical control of firearms in close-contact situations.
- CJTC Instructor Development I (40 hours) – Completed in August 2023.

Officer Anderson

- CJTC Crisis Intervention Training (40 hours) – Completed in April 2022; annual refreshers documented in 2022, 2023, and 2024.
- 2024 Patrol Tactics In-Service (24 hours) – Addressed de-escalation, scene management, and use-of-force mitigation.
- Integrated Arrest Tactics – Participation in in-service training sessions focused on prone restraint, control tactics, and legal updates.
- Taser 7 Certification and Recertification – Certified and recertified for conducted energy weapon use.
- Handgun and Patrol Rifle In-Service – Documented qualifications and ongoing firearms training.
- Use of Force Policy and Report Writing – Courses on documentation standards, legal requirements, and internal policy updates.
- Duty to Intercede and Duty to Render Aid – Training records reflect completion of both topics.

- Scenario-Based Threat Recognition – Participated in drills and simulations involving decision-making under rapidly evolving conditions.

These records are included in the investigative file and are available for prosecutorial review. No determinations were made by OII regarding training sufficiency or performance.

4. Disciplinary Records

OII reviewed the personnel record of Officer Beguelin Flores, Officer Anderson and Officer Haske. There were no records of discipline associated with use of force or dishonesty for any of these officers.⁹⁶

5. Use of Force Records

Use of force records for officers Beguelin Flores and Anderson were obtained from Vancouver PD.⁹⁷ These records were reviewed and will be provided to the prosecuting authority.

6. Brady Information⁹⁸

An OII investigator confirmed with the Clark County Prosecutor's Office that officers Anderson, Beguelin Flores and Haske were not on the Potential Impeachment Disclosure List.⁹⁹

7. Vancouver PD Policy Manual

OII investigators obtained a copy of the Vancouver Police Department Policy Manual to serve as a reference during the investigation. The manual was not analyzed by OII for compliance or policy violations. It was collected to provide context for investigative findings and will be made available to the prosecuting attorney for their independent review and consideration.

⁹⁶ See OII-2024-0005, Supplement 99, Investigator Josh Dossett.

⁹⁷ See OII-2024-005, Supplement 144, Investigator Dusty Breen.

⁹⁸ A prosecutor has a constitutional duty to disclose all potentially exculpatory evidence and impeachment evidence favorable to a criminal defendant, including information pertaining to officers. This is often referred to as "Brady" material based on a U.S. Supreme Court case, Brady v. Maryland, 373 U.S. 83, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963). All county prosecutors are required to develop a protocol addressing potential impeachment disclosures and law enforcement must report such information about its officers to the prosecutor. RCW 10.93.180.

⁹⁹ See OII-2024-0005, Supplement 99, Investigator Josh Dossett.

V. Legal Considerations

A. OII Authority

When the use of deadly force by a peace officer results in death, substantial bodily harm, or great bodily harm, an independent investigation must be completed to inform any determination of whether the use of deadly force met the good faith standard established in RCW 9A.16.040 and satisfied other applicable laws and policies. The investigation must be completely independent of the agency whose officer was involved in the use of deadly force. RCW 10.114.011.

OII is authorized to conduct criminal investigations of an officer's use of deadly force against any person if the officer was on duty, or if the officer was off duty but was exercising the powers of a Washington peace officer or if the incident involved department-issued equipment or other property. RCW 43.102.080.

Based on its limited resources, OII is presently only investigating use of deadly force cases that result in a fatality within Region 1.¹⁰⁰

B. Scope of Investigation

The scope of any criminal investigation is determined by the elements of the potential crimes under investigation and any potential defenses to those crimes. OII investigations include a review of the entire incident, including events preceding the incident that may have contributed to or influenced the outcome. RCW 43.102.080(4).

The goal of an OII investigation is to provide the prosecuting authority with all information necessary to make an informed decision about whether criminal charges should be filed.

OII will not provide an opinion about whether criminal charges should be filed or whether an officer complied with law or policy as those determinations are the responsibility of other authorities including the prosecuting attorney and the agency that employs the officer.

C. Potential Crimes Under Investigation

The following are potential criminal charges pertaining to the death of a person at the hands of another. The inclusion of a description of these offenses in the OII Final Case Report is not intended to convey an opinion as to whether any criminal offense occurred.

¹⁰⁰ OII's Region 1 consists of 12 counties: Wahkiakum, Skamania, Clark, Cowlitz, Lewis, Thurston, Mason, Grays Harbor, Pacific, Jefferson, Kitsap, and Clallam.

- Murder in the first degree (premeditation) is committed when, with a premeditated intent to cause the death of another person, someone causes the death of such person or of a third person. RCW 9A.32.030 (a); WPIC 26.01.
- Murder in the first degree (extreme indifference) is committed when, under circumstances manifesting an extreme indifference to human life, someone engages in conduct which creates a grave risk of death to any person and thereby causes the death of a person. RCW 9A.32.030 (b); WPIC 26.05.
- Murder in the second degree (intentional) is committed when, with intent to cause the death of another person but without premeditation, someone causes the death of such person or of a third person. RCW 9A.32.050(a); WPIC 27.01.
- Murder in the second degree (felony murder) is committed when someone commits or attempts to commit a felony and, in the course of or in furtherance of such crime or in immediate flight therefrom, they or another participant, causes the death of a person other than one of the participants. RCW 9A.32.050(b); WPIC 27.03.
- Manslaughter in the first degree is committed when someone recklessly causes the death of another person. RCW 9A.32.060; WPIC 28.01.¹⁰¹
- Manslaughter in the second degree is committed when someone, with criminal negligence, causes the death of another person. RCW 9A.32.070; WPIC 28.05.

D. Lawful Detention or Arrest

An officer must have reasonable suspicion to lawfully detain a person. Reasonable suspicion means a substantial possibility that criminal conduct has occurred or is about to occur, based on specific and articulable facts and rational inferences from those facts.¹⁰² Reasonableness is determined by the totality of the circumstances known to the officer at the time.¹⁰³

An officer must have probable cause to effect an arrest without a warrant. Probable cause means sufficient facts to lead a reasonable person with the expertise and experience of the officer to conclude that the subject is involved in criminal activity.¹⁰⁴ There is no requirement that an officer make an arrest as soon as probable cause is established.¹⁰⁵

¹⁰¹ Manslaughter may include a person who reasonably believes he is in imminent danger and needs to act in self-defense, "but recklessly or negligently used more force than was necessary to repel the attack." State v. Schaffer, 135 Wn.2d 355, 358, 957 P.2d 214, 215 (1998). See also State v. Chambers, 197 Wn. App. 96, 122, 387 P.3d 1108, 1121 (2016).

¹⁰² State v. Kennedy, 107 Wn.2d 1 (1986).

¹⁰³ State v. Lee, 147 Wn. App. 912 (2008), rev. denied, 166 Wn.2d 1016 (2009).

¹⁰⁴ RCW 10.31.100; State v. Gentry, 125 Wn.2d 570, 607, cert. denied, 516 U.S. 843 (1995).

¹⁰⁵ State v. Quezadas-Gomez, 165 Wn. App. 593 (2011), review denied, 173 Wn.2d 1034 (2012).

Probable cause is a higher standard than reasonable suspicion, but it is still less than the standard required to convict a person of a crime. None of these standards are capable of precise definition; they are fluid concepts requiring interpretation based on the relevant facts.

E. Permissible Use of Force by an Officer

Permissible use of force by an officer is governed by RCW 10.120.020. While this law does not establish criminal liability,¹⁰⁶ it may be relevant to a prosecutor's determination of whether an officer's actions complied with policy or met a "reasonable officer" standard, as described below.

RCW 10.120.020(1) states that a peace officer may use physical force to the extent necessary to, among other reasons, protect against a criminal offense when probable cause exists; effect an arrest; prevent an escape; execute warrants; prevent or stop a person from fleeing a lawful temporary investigative detention, provided that the person has been given notice that they are being detained; or protect against an imminent threat of bodily injury to any person.

RCW 10.120.020 (2) states that a peace officer may only use deadly force when necessary to protect against an immediate threat of serious physical injury or death to the officer or another person. "Immediate threat of serious physical injury or death" means that, based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the peace officer or another person."

RCW 10.120.020(3) also requires peace officers to use reasonable care when using force against a person. That includes:

- Using all de-escalation tactics that are available and appropriate under the circumstances before using physical force, when possible;
- Using the least amount of physical force necessary to overcome resistance under the circumstances. This includes a consideration of the characteristics and conditions of a person for the purposes of determining whether to use force against that person and, if force is necessary, determining the appropriate and least amount of force possible to effect a lawful purpose;
- Terminating the use of physical force as soon as the necessity for such force ends;

¹⁰⁶ "The legislature does not intend to abrogate the criminal liability protections afforded to peace officers in chapter 9A.16 RCW. Instead, the legislature hereby reaffirms its intent to establish RCW 10.120.020 as a distinct and more restrictive civil standard to inform the policies and practices applicable to all peace officers operating within state agencies and local governments." RCW 10.120.010 Intent – 2022 c4.

- Using less lethal alternatives that are available and appropriate under the circumstances before using deadly force; when possible.

F. Justifiable Homicide

“Homicide” means the killing of a human being by another.¹⁰⁷ A homicide may be a murder or manslaughter, or it may be justified, meaning it is lawful.

There are two different standards that govern when a homicide is justified, depending on whether the act is committed by a peace officer and whether it is committed by any person. Peace officers are entitled to invoke both standards if criminally charged with a death resulting from a use of deadly force.¹⁰⁸

In both circumstances, the prosecutor must prove beyond a reasonable doubt that the homicide was not justified.

1. Justifiable Homicide or Use of Deadly Force by a Peace Officer

In general, use of deadly force by an officer is justified when necessarily used to arrest or apprehend someone whom the officer reasonably believes has committed or attempted to commit a felony, or to overcome actual resistance to the discharge of a legal duty, and the use of force meets the good faith standard.¹⁰⁹

- “Good faith” is an objective standard which shall consider all the facts, circumstances, and information known to the officer at the time to determine whether a similarly situated reasonable officer would have believed that the use of deadly force was necessary to prevent death or serious physical harm to the officer or another individual.¹¹⁰
- Necessary means that no reasonably effective alternative to the use of force appeared to exist and that the amount of force used was reasonable to effect the lawful purpose intended.¹¹¹

A peace officer cannot be held criminally liable for using deadly force in good faith.

¹⁰⁷ RCW 9A.32.010.

¹⁰⁸ RCW 9A.16.040(5)(a); “The legislature recognizes that RCW 9A.16.040 establishes a dual standard with respect to the use of deadly force by peace officers and private citizens, and further recognizes that private citizens’ permissible use of deadly force under the authority of RCW 9.01.200, 9A.16.020, or 9A.16.050 is not restricted and remains broader than the limitations imposed on peace officers.” [1986 c 209 § 3.]

¹⁰⁹ Please see RCW 9A.16.040 for a full understanding of the law. This is only a general summary. See also Graham v. Connor, 490 U.S. 386 (1989).

¹¹⁰ RCW 9A.16.040(4).

¹¹¹ RCW 9A.16.010(1).

In considering whether to use deadly force to arrest or apprehend a person for the commission of a crime, an officer must have probable cause to believe that the suspect, if not apprehended, poses a threat of serious physical harm to the officer or to others.¹¹²

Among the circumstances that may be considered as a threat of serious harm are that:

- The person threatens the officer with a weapon or displays a weapon in a manner that could reasonably be construed as threatening;
- The officer has probable cause to believe that the person has committed any crime involving the infliction or threatened infliction of serious physical harm.

2. Justifiable Homicide by Any Person

A homicide is also justified when committed in lawful defense of a person or someone in their presence when:

- There is reasonable ground to apprehend a design on the part of the person slain to commit a felony or to do some great personal injury to the slayer or to any such person, and there is imminent danger of such design being accomplished; or
- In the actual resistance of an attempt to commit a felony upon the slayer, in his or her presence, or upon or in a dwelling, or other place of abode, in which he or she is.¹¹³

In general, the person using the deadly force must reasonably believe that the person killed intended to commit a felony or inflict death or great personal injury; that there was imminent danger of such harm being accomplished; and they must employ such force and means as a reasonably prudent person would use, taking into consideration all the facts and circumstances as they appeared to the person at the time of and prior to the incident.¹¹⁴

"Imminent danger" is different than "immediate danger." Imminence does not require an actual physical assault. Instead, it can mean harm that is "ready to take place" or

¹¹² RCW 9A.16.040(2).

¹¹³ RCW 9A.16.050.

¹¹⁴ WPIC 16.02.

"hanging threateningly over one's head." Immediate means "occurring, acting, or accomplished without loss of time."¹¹⁵

In addition, actual danger is not necessary. A person is entitled to act on appearances when defending themselves if they believe in good faith and reasonable grounds that they are in actual danger, although afterward it might develop that the person was mistaken as to the extent of the danger.¹¹⁶

VI. Close

The Final Case Report is intended to provide an overview of the investigation conducted by OII and the circumstances of what occurred, to the extent possible.

This report and OII's entire case file have been forwarded to the Clark County Prosecuting Attorney's Office. Any additional investigation requested by the prosecuting attorney will be included in an addendum to this report.

¹¹⁵ State v. Janes, 121 W^{2d} 220, 241, 850 P.2d 495, 506 (1993); Comments to WPIC 16.02.

¹¹⁶ WPIC 16.07.

Appendices

A. Officer Anderson Report

Report Number 2024-025366 - Supplement - 21 Report Vancouver Police Department

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Report Number 2024-025366 - Supplement - 21 Report

REPORT DATE / TIME Dec 17, 2024 19:42	EVENT START DATE / TIME - EVENT END DATE / TIME Dec 4, 2024 22:48	REPORT WRITER Seth Anderson #1774
SUPPLEMENT TYPE Patrol Supplemental		

NARRATIVE

SEE ATTACHED DOCUMENT FOR STATEMENT

INVOLVED PERSONS

INVOLVED PERSON-1 NAME (LAST, FIRST MIDDLE) P-1 Beguelin Flores, Kyle		DOB / ESTIMATED AGE RANGE 20 - 40 years old
SEX Male	RACE / ETHNICITY Unknown / Unknown	
INVOLVEMENT TYPE Mentioned		

INVOLVED LOCATIONS

LOCATION SAFEWAY, 13719 SE MILL PLAIN BLVD, VANCOUVER, WA 98684
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ATTACHMENTS ADDENDUM

FILE NAME 2024-25366 Anderson Statement.pdf	UPLOAD DATE/TIME Dec 17, 2024 19:45	UPLOADED BY S. Anderson #1774
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This report was generated in Mark43 and the e-signature was affixed using the undersigned officer's unique login and password. I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge and belief.

ELECTRONICALLY SIGNED Seth Anderson	DATE 12/18/2024	PLACE Vancouver Police Department, WA
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REPORTING OFFICER SIGNATURE / DATE Seth Anderson #1774 Dec 18, 2024 01:01 (e-signature) PRINT NAME Seth Anderson #1774	SUPERVISOR SIGNATURE / DATE Jon Pfister #1140 Dec 18, 2024 13:42 (e-signature) PRINT NAME Jon Pfister #1140
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Vancouver Police Department

Mark43 RMS Form v2.0 generated by C. Woodard #1741 on Dec 19, 2024 16:01.

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I, Officer Seth Anderson, have been employed by the city, at the Vancouver Police Department since March of 2021. I've attended and completed the Washington state Criminal Justice Training Commission's 720-hours Basic Law Enforcement Academy (BLEA) in Burien, Washington, graduating in September of 2021. I have since been assigned to Patrol and am currently assigned to the East Precinct on B-Days graveyard shift.

While employed at the Vancouver Police Department and while in attendance of BLEA, I have received training on several different areas to include criminal law, criminal procedural law, criminal investigations, patrol tactics, use of force, de-escalation, defensive tactics, and firearms amongst other topics. Since BLEA, I received quarterly training on criminal/procedural law, de-escalation, defensive tactics, patrol tactics, active shooter training, and additional firearms training, amongst other training. I received additional training for rifle operators certification, and less lethal operators certification. Lastly, I received additional training in Stolen Vehicle Operations.

Since on patrol, I have received two Medals of Distinction in 2023 and 2024. The Medal of Distinction "is awarded for outstanding performance beyond the ordinary course of duty during hazardous situations. The officer must demonstrate alertness, perseverance, or timely judgment in the performance of a difficult task which results in the protection of life, the recovery of stolen property, the prevention or solving of a major crime, or the apprehension of an armed or dangerous person. The action of the officer must be truly exemplary, as opposed to competent and professional" (VPD Policy 1045.4.4).

Since I have been assigned on patrol, I have conducted hundreds of criminal investigations which have resulted in several hundred arrests. In addition, I have assisted in countless other investigations and arrests on patrol. In several incidents, when necessary, I have had to use force to effect arrests of resistive suspects to include the utilization of takedowns, the use of baton, and the use of taser.

December 4th, 2024, was a shift-overlap where both East Precinct A-day and B-day shifts overlap. As there were more officers on duty, Officer K. Beguelin Flores and I were doubled in the same patrol vehicle as callsign 2B45. As 2B45, we were primarily responsible for District Four calls for service.

On December 4th, 2024, I was in a department issued uniform marked with VPD patches and equipped with a department issued exterior carrier and personally owned duty belt. I was equipped with my department issued body worn camera in which was affixed to my outer carrier. Further, I was equipped with my department issued service pistol, a Glock 47, three magazines with 17 rounds each plus one round in the chamber.

Furthermore, I was equipped with a department issue Taser 7. Lastly, in my patrol vehicle, I was equipped with my department issued rifle, less-lethal pepperball launcher, and personally owned baton.

On December 4th, 2024, Officer K. Beguelin Flores and I, were working uniformed patrol in a marked police vehicle for the City of Vancouver, Washington as unit 2B45 when we self-dispatched at approximately 2248 hours to the Safeway located at 13719 SE Mill Plain Blvd, Vancouver, Washington for the report of a field contact.

While on routine patrol, Officer Beguelin Flores and I were checking the premises of the above-mentioned Safeway parking lot for any criminal or suspicious activity. At this time, I believed Safeway was open. A part of my duties as a police officer is to proactively patrol. Typically, during business hours, businesses, such as Safeway, experience incidents of shoplifting, trespassing, and other crimes. Further, I have come to know through experience that public parking lots typically experience higher traffic of criminal activity such as stolen vehicles, narcotics distribution, amongst other activities. Prior to entering the parking lot, I observed an unoccupied Kia Sorento parked in the center of the lot with nobody nearby. Through training and experience, I have come to know that Kia's of similar model and year are frequently targeted for theft due to the ease to punch the ignitions. Further these vehicles are commonly dumped in parking lots when subjects are done with the vehicle. I had recently recovered a similar Kia of make and year near the same location in the parking lot in recent weeks.

Therefore, we entered the Safeway parking lot from SE 136th Ave on the West entrance. As we entered the parking lot, Officer Beguelin Flores and I observed a dark blue 1990's Chevy S-10 with no front license plate parked, facing north, alongside a dumpster at the northwest loading zone of Safeway. Further, we observed what appeared to be a white male in his mid-40's inside of the dumpster where the Chevy was parked alongside.

I believed the vehicle to be the same vehicle that was primarily driven by Adam Gunderson. I have not physically contacted Gunderson in the past, however, I have seen his Department of Licensing driver's license photo in the past. The male appeared to match Gunderson's descriptors and photo (white male, 40's brown hair). I was aware that Officer Beguelin Flores had probable cause to arrest Gunderson for several crimes to include Negligent Driving II (RCW 46.61.525), Failure to Obey Officer (RCW 46.61.022), and Driving While License Suspended/Revoked III (RCW 46.20.342.1.C). See VPD Case #2024-21684 for further details. Further, I was aware that Gunderson was last known to have outstanding arrest warrants for Failure to Appear Driving While License Suspended III, Failure to Obey Officer, Failure to Stop/Give Info (OCA 24923V), and felony Attempt to Elude (OCA 2310299306).

Further, I was aware that in the aforementioned incident where Officer Beguelin Flores had attempted to stop Gunderson on a traffic stop, that Gunderson had preemptively avoided Officer Beguelin Flores by driving recklessly to his (Gunderson's) residence. Further, I was aware that once a traffic stop had been conducted, Gunderson had willfully refused to obey Officer Beguelin Flores' commands and gestured as if he had a firearm on his person prior to fleeing inside of his residence, evading arrest. It is to note that I was not involved in that incident, however, I was made aware of the incident. Officer Beguelin Flores, I, and several other officers attempted later to arrest Gunderson at his residence approximately a week after that incident. However, Gunderson again refused to comply with officers and we were unsuccessful in our efforts.

From that previous incident, I learned that Gunderson's resided at, 1618 SE 145th Ct, Vancouver, Washington, which was approximately a mile away from the above-mentioned Safeway.

Lastly, I was also aware that Gunderson was referred to as a "sovereign citizen." A sovereign citizen is defined as "someone who believes they are not subject to government laws and regulations, and that courts have no authority over them. Sovereign citizens often reject driver's licenses, Social Security numbers, and vehicle registration, and they may believe that most taxes are illegitimate." In the past, while on routine patrol, I have observed Gunderson's aforementioned Chevy operating on public roadways with a placard in lieu of a rear license plate with the title of a Washington Administrative Code (WAC). Further, I have been informed by other officers that Gunderson was a "sovereign citizen" and frequently was argumentative and non-compliant with officers.

Based on the above-mentioned facts, circumstances, and information made known to me at the time, Officer Beguelin Flores and I determined to contact the male, who was believed to be Gunderson, identify him, and arrest him on the aforementioned charges and warrants.

Officer Beguelin Flores, who was driving our marked patrol vehicle at the time, parked in front of the loading zone and Chevy facing eastbound. At this time, Officer Beguelin Flores aired that we were conducting a "field contact" at the above-mentioned Safeway. I then exited the passenger side of the patrol vehicle, activated my body worn camera, and began to approach the male, later positively identified as Gunderson. It is of note that although I was aware of Gunderson's descriptors, I was not able to positively identify him as I was not familiar with Gunderson aside from the aforementioned.

Gunderson began to exit the large dumpster trailer down to the ground. Officer Beguelin Flores contacted Gunderson who was now approaching us casually. Officer Beguelin

Flores inquired as to if the vehicle belonged to Gunderson in which he responded defensively, asking "why?" When asked for his first name, Gunderson asked "why does it matter?" Officer Beguelin Flores explained that license plates were required for a vehicle and asked again if it had license plates, Gunderson asked "why do you need to identify it?" Gunderson appeared to be defensive, appeared to become agitated, and declined to provide his identification. As this occurred, I began to walk towards the rear of Gunderson's Chevy in an attempt to see if he had a valid license plate, or the distinguishable WAC placard. As this occurred, Gunderson began to shift side to side, looked at me with concern, and changed his footing to a bladed stance in my direction. It appeared to me that he did not want me to walk to the back of the truck to view the plate. Based on training and experience, I have come to recognize what are called "pre-flight/fight indicators" such as scanning surroundings, nervous gaze, assuming a fighting or running position, amongst others. At the time, I believed and observed that Gunderson had already become defensive, tense, and agitated. I observed this as an indication that Gunderson was nervous of being detained and would likely attempt to fight or flee. I assured Gunderson that I was only checking his rear license plate. I then walked to the rear of the vehicle and observed that it was in fact the same distinguishable WAC placard, further leading me to believe that this was in fact Gunderson.

As this occurred, I observed in the corner of my eye that Gunderson proceeded to lunge toward the driver's seat of the Chevy. Gunderson had opened the door, blocking Officer Beguelin Flores' direct path to him, and jumped into the driver's seat, briefly closing the door. I quickly managed to open the driver's side door to attempt and take Gunderson into custody. At this time, Officer Beguelin Flores aired via radio that we were "fighting with one." I advised Gunderson to "get out of the car", and attempted to grab his left arm to escort him out of the vehicle. As I attempted to gain control of Gunderson's arm, he turned toward me, slipping from my grip, laid down in the bench seat, and proceeded to kick me in the chest approximately two times.

The first kick hit me directly in the center of my chest, knocking off my radio mic from its affixed position, knocked some air from my chest, and forced me back several feet. Based on the aforementioned, I determined probable cause existed to arrest Gunderson for Assault III (RCW 9A.36.031) for assaulting myself and Resisting Arrest (RCW 9A.76.040).

Gunderson successfully kicked me a second time in the chest with his left foot, however, I had managed to grab ahold of his leg with both my hands. I proceeded to quickly pull Gunderson from out of the driver's seat. As this occurred, Gunderson rotated his body towards the floorboard/bench seat of the truck. At this point, I had

briefly lost sight of Gunderson's hands. As Gunderson was partially still inside the vehicle, I heard Officer Beguelin Flores state several times "don't reach." Based on training and experience, I have come to know that when somebody is resisting arrest, that there are different levels of resistance such as passive, egressive, aggressive, and assaultive. At this time, Gunderson had become assaultive and Officer Beguelin Flores' statements led me to believe that Gunderson was potentially attempting to gain access to an unknown weapon.

Therefore, I attempted to gain ahold of Gunderson to assist in fully extracting him from the vehicle. However, I was unable to obtain a good hold on Gunderson's arms due to his position. As this occurred, I heard Officer Beguelin Flores state "he's biting me." Therefore, I struck Gunderson with a closed fist approximately two to three times to the back of the head as he was actively assaulting Officer Beguelin Flores. As this occurred, Gunderson attempted to stand upright and Officer Beguelin Flores was able to extract him from the vehicle, revealing his right arm to me.

I attempted to gain control of Gunderson's right arm. I placed my left hand on Gunderson's upper forearm and my right on his bicep as Officer Beguelin Flores attempted to gain control of his left arm. At this point, Gunderson had regained his footing into a standing position outside of the driver's door. Further, Gunderson proceeded to pull his arms inwards towards his core, away from our grasps, and lean his upper torso over, commonly referred to as "turtling." At this point, Gunderson was still aggressively resisting our attempts to secure his arms and made no indications that he was willing to cooperate. Furthermore, I was unable to observe Gunderson's hands. As we extracted Gunderson from the vehicle, we had attempted to pin him to a nearby wall on the driver's side of the vehicle in an attempt to gain control of Gunderson's arms. However, Gunderson continued to "turtle" his arms, and I was unable to gain control of his right arm. Therefore, I struck Gunderson approximately one time by driving my right knee into his thigh in an attempt to knock him off balance in an effort to get Gunderson to the ground, a position of more control for Officer Beguelin Flores and I. Officer Beguelin Flores then proceeded to pull Gunderson towards the ground in a takedown maneuver. I assisted by following through with a push on Gunderson's lower back to the ground.

As we had landed onto the ground, Gunderson had fallen onto his hands and knees. I used my knee to strike Gunderson's kidney area to bring him fully to the ground to gain control. This was effective, and Gunderson went to the ground. I again attempted to gain control of Gunderson's right arm. At this time, Gunderson remained in a "turtle" position with his hands under his torso and not visible. We instructed Gunderson several times to give us his hands. However, Gunderson continued to not comply and

forcefully kept his arms under his abdomen. I then proceeded to attempt to gain control of Gunderson's wrist with my left hand. As I slid my hand to his wrist, under his torso, I felt a smooth, solid, metallic item in Gunderson's hand, reminiscent of a firearm slide with grip etching. I then advised Officer Beguelin Flores that I believed he had a gun in his hands. I advised Gunderson to drop the gun several times and to release his hand. Gunderson denied having a gun and stated several times "I'm bleeding." I then advised again to give us his hands in which he continued to physically resist. At this time, I observed Gunderson's face from the right side and that he was dripping blood from what appeared to be his nose.

I then proceeded to pin Gunderson's right arm with my left knee by placing it against his forearm near the elbow and maintain hold of his upper arm with my right hand. I felt Gunderson continue to attempt to free his arms from under his torso and my pin. I believed that based on Gunderson's assaultive behavior, him likely being armed with a firearm, and his complete lack of physical/verbal attempts to cooperate with commands, that if he managed to free his arms, that he was a direct and immediate threat of serious bodily injury and/or death to Officer Beguelin Flores and myself. Therefore, I proceeded to draw my service pistol with my right hand as I transitioned my hold on Gunderson's upper arm to my left hand and placed my service pistol to Gunderson's upper back area, and I then clearly told Gunderson that if he did not stop, that deadly force would be used against him. I then felt Gunderson briefly cease his attempt to free his arms and I believed that we had Gunderson restrained enough to attempt other avenues in lieu of deadly force. Therefore, I holstered my firearm, and I aired via radio that we were at the dumpsters, that we had Gunderson pinned to the ground, and that he was armed with a firearm, in an effort to guide additional resources to our position.

I then attempted to again gain control of Gunderson's right wrist by applying pressure with my left forearm to his torso to get a grip on his wrist. That is when I observed what appeared to be Gunderson's right hand and what appeared to be the metal slide, slide etching, and rear sight of a semiautomatic pistol. Furthermore, I observed that the firearm was pointing in the direction of Officer Beguelin Flores' legs from under Gunderson's torso. I then advised Officer Beguelin Flores that Gunderson was in fact in possession of a firearm. Gunderson continued to state that he did not have a firearm.

Additionally, I advised Officer Beguelin Flores of the positioning of the firearm and that it was facing towards his (Beguelin Flores') legs.

Officer Beguelin Flores continued to attempt to secure Gunderson's left arm. However, at this time, I observed what appeared to be Officer Beguelin Flores losing his grip on Gunderson's left arm. As this occurred, I was still attempting to secure Gunderson's right arm. Furthermore, I observed Gunderson begin to contort his body up and to the

left, towards Officer Beguelin Flores, creating space between his torso and the ground. I believed at this time that Gunderson was managing to open space exposing the barrel of the handgun, leading me to believe that if Gunderson fired, it would cause serious bodily injury or death to Officer Beguelin Flores and that he was in immediate danger.

As this occurred, I observed Officer Beguelin Flores proceed to draw his firearm and point it at Gunderson. Officer Beguelin Flores advised to disengage from Gunderson as he himself began to disengage. I proceeded to disengage from Gunderson and attempted to gain footing as I drew my service pistol once again. As this occurred, Officer Beguelin Flores proceeded to fire approximately six rounds from his service pistol at Gunderson. I observed Gunderson attempt to roll onto his side, toward us, and saw that he was still armed with the firearm. I observed several rounds strike Gunderson directly in the head. Gunderson became immediately unresponsive and limp. It appeared clear that Gunderson was likely killed immediately, therefore, I opted to not fire my firearm. I observed Gunderson's right hand, which was under his right torso, still had a handgun in his grip. I aired via radio that shots were fired, that the suspect was down, officers were code four, and that we were on the Western side of the building.

Due to Gunderson still being clearly in possession of the firearm, Officer Beguelin Flores and I then proceeded to back up to the front of the Chevy behind cover. By this time, Officer D. Haske arrived on scene to cover us. As Officer Beguelin Flores was in the direct line of Gunderson's firearm at the time of shots fired, Officer Beguelin Flores and I proceeded to step back, holster, and self-check for injuries. An additional unit arrived in which I instructed to take my position, and I proceeded to continue to self-check for injuries. Officer Beguelin Flores then performed a secondary check of myself. By this time, several officers arrived on scene, and we were pulled from the immediate scene of the incident.

At this time, I observed that there was a Safeway security camera directly above the loading dock which likely captured the incident. Further, it is of note that during the altercation and immediately after, I did not observe or hear any other persons in the immediate area until additional officers arrived. At this time, Officer Beguelin Flores had advised me that he believed he had broken his hand. Further, when shown, I observed Officer Beguelin Flores' hand was red and appeared inflamed.

Shortly after being pulled out of the immediate scene, Officer Beguelin Flores and I were separated. I was then placed with Officer M. Beane. I checked myself for injuries again and observed that I had minor cuts/abrasions to both my left and right hands on the knuckles. It is of note that later, I felt a pain, similar to that of bruising, to my right inner lower leg. I observed that bruising had developed in this location.

While with Officer Beane, I did not to speak to anybody any further about the incident aside from disclosing immediate information necessary for safety and medical aid for Officer Beguelin Flores.

I kept my BWC active, however, opted to mute the camera as I was no longer actively involved in the incident/investigation. Officer Beane drove me to the East Precinct where I met with Detective C. Price who I requested to be my peer support representative. I was advised that I could turn my BWC off. At this time I turned off my BWC.

I remained with Detective Price until my attorney arrived on scene and subsequently OII. I spoke with no other persons in relation to the incident. I was photographed, my rounds were counted, and my clothing and boots were seized as evidence. Additionally, I was placed on administrative leave and given a communication restriction order.

It is to be noted that I have reviewed my BWC footage, as well as Officer Beguelin Flores' and D. Haske's footage, in preparation of this report.

Nothing further.

B. Officer Beguelin Flores Report

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Report Number 2024-025366 - Supplement - 18 Report

REPORT DATE / TIME Dec 13, 2024 16:51	EVENT START DATE / TIME - EVENT END DATE / TIME Dec 4, 2024 22:48	REPORT WRITER Kyle Beguelin Flores #1781
SUPPLEMENT TYPE Patrol Supplemental		
NARRATIVE		

I, Kyle Beguelin Flores, am a sworn police officer with the Vancouver Police Department (VPD) in Vancouver WA. I was hired by VPD in April of 2021 and subsequently attended and graduated from the Washington State Basic Law Enforcement Academy. I have participated in regular in-service training during my time with VPD and attended trainings on a number of topics to include but not limited to de-escalation techniques, patrol-tactics, firearms, defensive tactics, integrated arrest tactics, emergency vehicle operations course (EVOC), crisis intervention techniques (CIT), and scenario-based training.

On December 4th, 2024, I was working my regularly scheduled graveyard patrol shift. This shift is scheduled for 2000-0630 hours and I work out of VPD's East Precinct. I was paired in a patrol vehicle with Officer Seth Anderson who also works the same shift. I was the driver and Officer Anderson riding as a passenger. I was wearing a fully marked VPD uniform which includes blue pants, blue long sleeve shirt with VPD patches affixed to both shoulders, a duty belt, and a blue exterior carrier which has reflective lettering marked "Police" on both the front and back, as well as a badge near my left shoulder above my chest. I was wearing a ball cap style hat bearing the lettering "VPD". I was carrying law enforcement equipment including but not limited to a radio, taser, baton, firearm, flashlights, and lifesaving medical equipment. I was driving a fully marked VPD patrol SUV, equipped with police lights and sirens and push bumpers. Inside the vehicle was my patrol rifle, patrol bag, and medical bags containing lifesaving medical equipment.

I first recall learning of Adam Gunderson while working patrol in 2023. An outside agency (CCSO) engaged in a pursuit with a male suspect driving a blue Chevrolet S10 pickup truck. The vehicle eluded CCSO during that incident. VPD Sgt. Evans ordered VPD officers not to engage in the pursuit. I did not do so, but observed as the described vehicle drove directly past my position. From that location I observed the vehicle travel into a driveway on SE 145th Ct in Vancouver WA. I, along with VPD Officer A. Metevia, provided cover to the CCSO Deputy while the deputy obtained investigative information from the involved vehicle. I did not have any contact with Gunderson at that time.

While working routine patrol in 2024, I had another contact with Gunderson. I observed him driving negligently near SE 145th Ct. When I did so, Gunderson appeared to observe my fully marked patrol vehicle and quickly drove into his driveway. With my vehicle's police lights activated I pulled up, got out and gave verbal commands for Gunderson to stop as he was exiting his vehicle. He was non-compliant, and he immediately began walking towards the door of his residence. I began to close distance on him while giving verbal commands as I had probable cause to detain him at that time. Gunderson turned towards me, lifted his shirt up and I believed Gunderson to be reaching for a firearm so I drew my firearm and quickly moved to a position of cover. I utilized distance and shielding to provide time to try and de-escalate the situation. Ignoring additional verbal commands to stop, Gunderson entered his residence. I was advised by dispatch that Gunderson was flagged as being known to carry firearms and knives. I was further advised of his having an outstanding felony warrant. Other officers showed up at the scene but due to the totality of the circumstances at that time, we elected to leave the scene.

Several days later, while on duty, I went back to that location and contacted Gunderson by phone to provide him with an opportunity to peacefully surrender. There were other VPD officers on scene as well. I communicated that it was our intent to peacefully take him into custody should he comply with commands. I advised him there was probable cause for his arrest. Gunderson said we had no lawful authority, and he chose not to come out of his house. He made vague threats to the effect of, I'll show up at your house and you'll find out, try and take my truck and see what happens, and something to the effect of things won't be as easy as you think. Again, based on the totality of the circumstances we elected to once again leave the scene.

On December 4th, 2024, around 2248 hours, while conducting routine patrol, Officer Anderson and I entered the Safeway parking lot (13719 SE Mill Plain Blvd, Vancouver WA) utilizing the west entrance off of SE 138th Ave. When we did so, I observed the blue Chevrolet S10 pickup associated with Gunderson parked near a dumpster on the west side of Safeway. I know that this Safeway will be shutting down soon and I was concerned with what type of behavior might be going on in this area of the store at this time of night. As we passed by I observed an individual, whom I believed was likely Gunderson, standing on the dumpster. I turned our vehicle around and I communicated to Officer Anderson my belief that the person on the dumpster was Adam Gunderson. I work my regularly scheduled patrol shifts with Officer Anderson and know that he is aware of both my outstanding probable cause for Gunderson as well as an outstanding felony warrant for Gunderson's arrest. Officer Anderson and I decided we would contact Gunderson and I aired via radio that we would be contacting a male with a blue Chevy pickup at the above location. My intent was for us to take Gunderson into custody on the outstanding probable cause charges and the warrant.

REPORTING OFFICER SIGNATURE / DATE Kyle Beguelin Flores #1781 Dec 13, 2024 17:13 (e-signature)	SUPERVISOR SIGNATURE / DATE Jon Pfister #1140 Dec 18, 2024 13:53 (e-signature)
PRINT NAME Kyle Beguelin Flores #1781	PRINT NAME Jon Pfister #1140

Vancouver Police Department
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I exited the patrol vehicle and engaged in calm communication/conversation with Gunderson in an attempt to keep tensions as low as possible. I asked Gunderson if the truck was his and for his name. Gunderson responded to me, verbally challenging me about why I was asking him these questions. I continued to keep things calm in further attempts to prevent the situation from escalating. Gunderson then moved very quickly and he darted into the driver's seat of his vehicle, closing the door trying to avoid being taken into custody. I opened the door and Gunderson immediately began resisting attempts to get him out of the vehicle. As Officer Anderson attempted to remove Gunderson from the vehicle, Gunderson kicked at Officer Anderson. I got on the radio and broadcast that we were fighting with the subject. I observed Gunderson reach for his waistband. I believed Gunderson was reaching for a firearm in order to use that firearm against us to avoid apprehension.

I told Gunderson not to reach for anything and attempted to gain control of his hands which were already in a position to access a firearm from his waistband. Gunderson ignored my commands and continued resisting and fighting with Officer Anderson and me. I attempted to utilize verbal commands, strikes, and positional control in efforts to use the least amount of force necessary to overcome Gunderson's resistance, as well as his apparent attempts to access a firearm. During this time Gunderson bit my left hand. I struck Gunderson in the face with my left hand, trying to gain compliance and I immediately felt a sharp pain on the back of my hand.

Officer Anderson and I were able to take Gunderson to the ground where I know officers can generally use less force to gain control and reduce a person's ability to access weapons. As we continued to struggle with Gunderson, Officer Anderson said that he (Gunderson) had a gun and Officer Anderson pulled his firearm from its holster and placed it at Gunderson's back/head telling Gunderson he was going to be shot. Gunderson said he did not have a gun. It momentarily seemed as if Gunderson's resistance lessened and Officer Anderson re-holstered his gun as we continued to work to secure control of Gunderson.

I had been attempting to gain control of Gunderson's left hand, but I began losing control of it in part due to my left hand having been injured earlier on in the struggle. I briefly got his left hand out but he was able to pull it back under him. I could not see Gunderson's hands, both of which were now under him in the area of his front waistband. Officer Anderson told me that Gunderson had his firearm pointed at me. I attempted to reposition myself on top of Gunderson to reduce my exposure to his gun, but I could not remove myself from the situation without giving up total control of Gunderson, which would only increase his ability to utilize his firearm. I pulled my firearm from its holster and I told him multiple times he would be shot if he didn't give us his hands. Gunderson continued to struggle against our attempts to take him into custody and as he did so he brought his left hip up away from the ground which allowed him to have more control and movement of his firearm that I could now see was pointed at me, so I fired my gun at Gunderson to stop him from shooting and killing me and possibly Officer Anderson. I fired multiple rounds from my department issued handgun. As soon as I saw that my rounds were effective, I stopped firing. Just before firing I warned Officer Anderson to disengage to minimize the risk that he would be hit if I fired.

Shots fired was communicated via radio. VPD Officer D. Haske arrived on scene. Myself, Officer Anderson and Officer Haske took up position of cover as Gunderson was still in possession of his firearm. I completed a check of my person to ensure I was not shot, and Officer Anderson did the same. Arriving Officers checked me for injuries as well and I communicated that I had injured my left hand and that Gunderson had bit me during the struggle. I was backed away from the immediate area due to my involvement in the incident. By then numerous officers had arrived on scene and a contact team was formed in order to safely secure Gunderson and provide him with emergency medical care. Soon after, AMR personnel arrived on scene to provide medical care to Gunderson. A second AMR unit was called to check on my hand and they advised me that I should go to the emergency room to have my hand evaluated.

I was transported by Officer M. Scott to the Legacy Salmon Creek Emergency Room, where I received treatment. Prior to my receiving treatment, VPD Detective Whalen took photos of my hand as well as profile photographs of me in my uniform. It was confirmed via radiographs that my hand had been broken. Care providers placed my hand in a splint and I received a shot and antibiotics for the bite wounds I sustained during the struggle with Gunderson. I was cleared from the emergency room with a referral to a hand specialist as I was informed that my hand would require follow up care due to the injuries I sustained.

I was transported to Vancouver East Precinct by Officer Scott where I was processed by OII investigators. I had photographs taken of me dressed as I was during the incident. My firearm and back-up magazines were subjected to a round count, and my uniform, most of my equipment/possessions, and my firearm, magazines and rounds were seized by investigators.

In summary, prior to my contact with Adam Gunderson on December 4th, 2024, I had established probable cause to arrest him for multiple crimes and I was aware of his outstanding felony warrant. I had previous contact with Gunderson where I believe he had been armed with a firearm. On this date December 4, 2024, I attempted to engage Gunderson with calm communication. He had opportunities to respond similarly but instead chose to attempt to flee and then resist our attempts to physically take him into custody. Gunderson produced a firearm and as we struggled with him he pointed it directly at me. We provided him with force warnings and specifically told him he would be shot. He continued to resist and present an immediate deadly threat. He showed motive, created the opportunity, and displayed the intent to use deadly force. I utilized deadly force to stop the immediate threat of death or serious physical injury to both

REPORTING OFFICER SIGNATURE / DATE

Kyle Beguelin Flores #1781 Dec 13, 2024 17:13 (e-signature)

PRINT NAME

Kyle Beguelin Flores #1781

SUPERVISOR SIGNATURE / DATE

Jon Pfister #1140 Dec 18, 2024 13:53 (e-signature)

PRINT NAME

Jon Pfister #1140

Vancouver Police Department

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myself and Officer Anderson. I stopped all use of force once I believed that threat no longer existed. Gunderson's actions left no other reasonable alternatives to the use of deadly force. Based on the totality of the circumstances that existed at the time my use of deadly force was necessary to protect my life and that of Officer Anderson.

At the time of the incident, I was equipped with a body worn camera which became dislodged from its mount during the struggle. Furthermore, other officers were also wearing body worn cameras and VPD vehicles are usually equipped with dash mounted cameras. I have viewed portions of the recordings captured by my body worn camera, as well as those of Officer Anderson and Officer Haske. I know from my experiences and observations that Safeway stores usually have surveillance cameras mounted to the outside of their buildings, and I observed one in the area of the dumpster where our struggle took place. For further details, exact quotes, and observations please refer to recordings obtained by those devices.

Kyle Beguelin Flores 1781

This report was generated in Mark43 and the e-signature was affixed using the undersigned officer's unique login and password. I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge and belief.

ELECTRONICALLY SIGNED	DATE	PLACE
Kyle Beguelin Flores	12/13/2024	Vancouver Police Department, WA

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
Kyle Beguelin Flores #1781 Dec 13, 2024 17:13 (e-signature)	Jon Pfister #1140 Dec 18, 2024 13:53 (e-signature)
PRINT NAME	PRINT NAME
Kyle Beguelin Flores #1781	Jon Pfister #1140

C. Transcript of Radio Transmissions

This transcript is from the radio transmission recorded and provided by the Clark Regional Emergency Service Agency (CRESA). A base transcription was generated by AXON's transcription feature. Vancouver PD BWC and in-car video footage, supplemental reports and statements of Vancouver PD officers, as well as unit logs from dispatch were reviewed to verify the content of what was transmitted and by whom. In certain cases, where it was difficult to determine who was speaking, an assignment of a statement to an officer was made on the basis on context, volume and a comparison with the materials listed above. Some transmission remained unattributed or unintelligible despite the review.

Timestamp: December 4, 2024, 22:48:03.

Kyle Beguelin Flores: Control Boy Forty-Five, Field contact.

Timestamp: December 4, 2024, 22:48:07.

Dispatch: Go Ahead

Timestamp: December 4, 2024, 22:48:09.

Kyle Beguelin Flores: Safeway 136th & Mill Plain, one male in a blue Chevy Pickup.

Timestamp: December 4, 2024, 22:48:16.

Dispatch: Received

Timestamp: December 4, 2024, 22:49:32.

Kyle Beguelin Flores: 45 fighting with one.

Timestamp: December 4, 2024, 22:49:38.

Dispatch: Boy 45 fighting with one?

Timestamp: December 4, 2024, 22:49:45.

Dispatch: Code 33 at the Safeway at 13719 Southeast Mill Plain Boulevard fighting with one.

Timestamp: December 4th, 2024, 22:49:46.

Patrol: <silence>

Timestamp: December 4, 2024, 22:49:58.

Unknown Unit: Is anybody with him?

Timestamp: December 4, 2024, 22:50:02

Dispatch: Male in a blue Chevy pickup.

Timestamp: December 4, 2024, 22:50:05.

Kyle Beguelin Flores: 45 <unintelligible>.

Timestamp: December 4, 2024, 22:50:12

Dispatch: Unreadable.

Timestamp: December 4, 2024, 22:50:20.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:50:30.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:50:40.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:50:44

Seth Anderson: We're by the garbage dumps.

Timestamp: December 4, 2024, 22:50:49

Dispatch: By the garbage dumps.

Timestamp: December 4, 2024, 22:50:50

Dispatch: <tone>

Timestamp: December 4, 2024, 22:50:56.

Desmond Haske: 42, almost to ya.

Timestamp: December 4, 2024, 22:51:00.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:51:10.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:51:20.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:51:22.

Desmond Haske: Shots fired. Shots fired. Code 3 medical.

Timestamp: December 4, 2024, 22:51:28.

Dispatch: Copy. Shots fired.

Timestamp: December 4, 2024, 22:51:30.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:51:40.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:51:44

Seth Anderson: Suspect's down. Officers are code four. Suspect is not responsive. On the dumpsters on the west side.

Timestamp: December 4, 2024, 22:51:56.

Dispatch: <unintelligible>

Timestamp: December 4, 2024, 22:52:00.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:52:10.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:52:20.

Dispatch: <unintelligible>

Timestamp: December 4, 2024, 22:52:21.

Desmond Haske: Sam 42. Subject is down with a gun pointed northbound.

Timestamp: December 4, 2024, 22:52:28.

Dispatch: Copy.

Timestamp: December 4, 2024, 22:52:30.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:52:40.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:52:50.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:53:00.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:53:10.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:53:20.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:53:30.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:53:40.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:53:50.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:54:00.

Dispatch: December 4th, 2024, 22:54:02

Seth Anderson: Control 3 Boy 42, we'll also take that second AMR for a uh, officer injury.

Timestamp: December 4, 2024, 22:54:10.

Dispatch: Copy.

Timestamp: December 4, 2024, 22:54:14

Dispatch: Is it code for AMR to come in? Code four?

Timestamp: December 4, 2024, 22:54:20.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:54:30.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:54:34

Dispatch: Confirming is it code four for AMR to come in?

Timestamp: December 4, 2024, 22:54:38

Trent Harris: Yes. Yes it is

Timestamp: December 4, 2024, 22:54:40.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:54:41.

Dispatch: Received.

Timestamp: December 4, 2024. 22:54:50.

Dispatch: <tone>

Timestamp: December 4, 2024, 22:55:00.

Dispatch: <tone>

Timestamp: December 4, 2024 22:55:08.

Dispatch: <unintelligible>

Timestamp: December 4, 2024. 22:55:10.

Dispatch: <tone>

Timestamp: December 4, 2024 22:55:11

Unknown Unit: How many more units do you need at the scene?

Timestamp: December 4, 2024 22:55:20.

Branden Schoolcraft: We have sufficient units on scene.

Timestamp: December 4, 2024 22:55:25

Dispatch: Sufficient units on scene.

Timestamp: December 4, 2024 22:55:26.

Dispatch: <unintelligible>

Timestamp: December 4, 2024 22:55:30.

Dispatch: <tone>

Timestamp: December 4, 2024 22:55:40.

Dispatch: <tone>

Timestamp: December 4, 2024 22:55:50.

Dispatch: <tone>

Timestamp: December 4, 2024 22:56:00.

Dispatch: <tone>

Timestamp: December 4, 2024 22:56:10.

Dispatch: <tone>

Timestamp: December 4, 2024 22:56:20.

Dispatch: <tone>

Timestamp: December 4, 2024 22:56:23.

Unknown Unit: Do you want to keep the tones?

Timestamp: December 4, 2024 22:56:26.

Branden Schoolcraft: No, get rid of the tones.

Timestamp: December 4, 2024 22:56:29.

Dispatch: Code 33. Clear. 2256.

Timestamp: December 4, 2024 22:56:31.

Branden Schoolcraft: Yeah, we don't need a code 33 at all right now.

Timestamp: December 4, 2024 22:56:42.

Chadd Nolan: Control 3 X-Ray 28, just confirming we are done with having cops come to the scene. We have enough for witness interviews and containment. Nobody else needs to respond.

Timestamp: December 4, 2024 22:56:52.

Dispatch: Affirm, I copy, sufficient units.

Timestamp: December 4, 2024 22:56:55

Dispatch: And the code 33 is clear.

Timestamp: December 4, 2024 22:57:01.

Unknown Unit: Hey, you have fire coming in. Do you want them to meet somebody on the street there?

Timestamp: December 4, 2024. 22:57:08.

Unknown Unit: <unintelligible>

Timestamp: December 4, 2024 22:57:11.

Trent Harris: Yeah, people can start working them over to where we're at.

Timestamp: December 4, 2024 22:57:19.

Dispatch: Sam 44 <unintelligible> radio.

Timestamp: December 4, 2024 22:57:22.

Unknown Unit: Uh, I'm good. Sorry. <unintelligible>.

Timestamp: December 4, 2024 22:57:32.

Chadd Nolan: Control 3 X-ray 28, we'll take an Ops.

Timestamp: December 4th, 2024, 22:57:36.

Dispatch: Copy.

Timestamp: December 4, 2024 22:57:39.

Dispatch: Ops six three. All units switch to Ops six three.

Timestamp: December 4, 2024, 22:58:55.

Dispatch: Can any x-ray advise if you want VPD at citywide ones and two only, or something of that nature.

Timestamp: December 4, 2024, 22:59:07.

Unknown Unit: X-ray <unintelligible> the entire city ones and twos.

Timestamp: December 4, 2024 22:59:11.

Dispatch: Thank you.

Timestamp: December 4, 2024 22:59:14

Unknown Unit: West side units, if you are not on the OIS help <unintelligible> with east side calls.

Timestamp: December 4, 2024 22:59:29.

Unknown Unit: Control <unintelligible> 39.

Timestamp: December 4, 2024 22:59:33

Unknown Unit: <unintelligible>

Timestamp: December 4, 2024 22:59:35

Paul Benton: If it hasn't already been said, can we put city on the ones and twos?

Timestamp: December 4, 2024 22:59:38.

Dispatch: Affirm.

Timestamp: December 4, 2024 23:02:33.

Unknown Unit: Hey Kyle, are you still on scene.

Timestamp: December 4, 2024 23:02:39.

Kyle Beguelin Flores: Yeah, I'm over here in the AMR bus.

Timestamp: December 4, 2024 23:02:42.

Unknown Unit: Okay. Fire is looking for you, for some odd reason they thought, uh, you got taken away.

Timestamp: December 4, 2024 23:02:53.

Kyle Beguelin Flores: Yeah, I'm over here with AMR off of 136th.

Timestamp: December 4, 2024 23:03:05.

Unknown Unit: Central Sam 32. If it hasn't been done already. Can you start, uh, AMR for this call please?

Timestamp: December 4, 2024 23:03:10

Dispatch: I just did.

Timestamp: December 4, 2024 23:03:22

Unknown Unit: <unintelligible> 5's arriving.

Timestamp: December 4, 2024 23:03:27.

Philip Wilkening: Two Boy 30 will be following AMR to the hospital.

Timestamp: December 4, 2024 23:03:27.

Dispatch: Received

Timestamp: December 4, 2024 23:03:32.

Dispatch: Received

D. Transcript of Body Worn Camera Audio

This transcript is derived from the BWCs of both Officer Beguelin Flores and Officer Anderson. The recordings were cross-checked against each other to resolve, to the extent possible, any unintelligible speech. In certain cases, where it was difficult to determine which officer was speaking, an assignment of a statement to an officer was made on the basis on context, volume and a comparison with the officers' written statement.

Officer Beguelin Flores:	How's it going man? What's going on boss?
Adam Gunderson:	Not much.
Officer Beguelin Flores:	Not much? Just seeing what you can find?
Adam Gunderson:	Uh. Yeah, just getting some scrap metal and stuff.
Officer Beguelin Flores:	Nice, this thing is closing down. They tearing it apart yet?
Adam Gunderson:	I have no idea?
Officer Beguelin Flores:	Oh, cool. Cool.
Adam Gunderson:	They're just dumping a bunch of stuff out so.
Officer Beguelin Flores:	OK. Cool. cool.
Officer Beguelin Flores:	Is this your pickup?
Adam Gunderson:	Why?
Officer Beguelin Flores:	Because it doesn't have a front plate on it.
Adam Gunderson:	So?
Officer Beguelin Flores:	I'm just asking boss. What's your first name?
Adam Gunderson:	Why's it matter?
Officer Beguelin Flores:	Why are you so standoffish?
Adam Gunderson:	I'm not.
Officer Beguelin Flores:	OK. Alright. Is it your pickup or no?
Adam Gunderson:	Well, why does it matter?
Officer Beguelin Flores:	Because we need to identify it, right? Is there a back plate on it?

Adam Gunderson: Why do you need to identify it?

Officer Beguelin Flores: Cause it's a vehicle, right?

Officer Anderson: Take a look at your back plate real quick.

Officer Beguelin Flores: Nope. You're not going to get in yet.

Officer Beguelin Flores: Hey.

Officer Beguelin Flores: Out of the car.

Officer Beguelin Flores: [*To dispatch*] 45 fighting with one.

Officer Beguelin Flores: Don't reach. Don't fucking reach for it.

Officer Anderson: Hey. Hey. Don't fight.

Officer Beguelin Flores: He's biting me.

Officer Anderson: He's got something ... [unintelligible].

Officer Beguelin Flores: Get on the ground.

Officer Anderson: Get on the fucking ground.

Officer Beguelin Flores: Hands out. Hands out. Hands out.

Officer Beguelin Flores: Dude. You're going to get fucking shot.

Officer Anderson: He's got a gun. He's got a gun.

Adam Gunderson: No I don't. No I don't.

Officer Anderson: Then drop your fucking hands. You got a gun in your hands?

Adam Gunderson: No. I don't.

Officer Anderson: Fucking release your hand. Let me see it then.

Adam Gunderson: I'm bleeding. I'm sorry.

Officer Anderson: Let me see your hand dude.

Adam Gunderson: I'm bleeding.

Officer Beguelin Flores: [*To dispatch*] 45, [unintelligible]

Adam Gunderson: I'm bleeding. I'm bleeding. I'm bleeding.

Officer Anderson: Hey. I think he's got a gun, dude.

Officer Anderson: You're gonna get shot dude.

Adam Gunderson: I don't have a gun. I'm bleeding bad.

Officer Beguelin Flores: Then give us your hand.

Officer Anderson: Give us your hands, bro. Seriously.

Officer Anderson: He's got a gun.

Adam Gunderson: Oh. Oh. Oh.

Officer Beguelin Flores: I can't tell. I've got his left hand.

Adam Gunderson: Oh. Oh. Oh.

Officer Beguelin Flores: Adam. You're going to get fucking shot.

Officer Anderson: You're going to get shot, bro.

Officer Anderson: It's in his right.

Officer Anderson: I'm gonna try and secure it.

Officer Anderson: [Unintelligible] hold his left.

Adam Gunderson: [wailing]

Officer Anderson: [*To dispatch*] By the garbage dumps. [Unintelligible] custody.¹¹⁷

Officer Beguelin Flores: I'm going to smash your fucking face if you don't let that hand out. Do you understand?

Officer Seth Anderson: It's a gun, dude. It's a gun.

Adam Gunderson: No, it is not.

Officer Seth Anderson: Yes, it is a gun.

Officer Seth Anderson: Drop it. Drop it now.

Adam Gunderson: I'm bleeding, bro.

Officer Anderson: [*To dispatch*] He has a gun in his hands. We've got him pinned on the ground though.¹¹⁸

¹¹⁷ The dispatch recording (and transcript) did not capture the word "custody."

¹¹⁸ This transmission was unintelligible on the dispatch center recording, possibly because two radios were transmitting at the same time.

Adam Gunderson: I'm bleeding.

Officer Beguelin Flores: Give us your right hand.

Adam Gunderson: I'm bleeding. I'm bleeding bad.

Officer Anderson: He's got it pointed toward your leg.

Officer Beguelin Flores: You're gonna get shot. Do you understand?

Adam Gunderson: Hey stop.

Officer Beguelin Flores: You're gonna get fucking shot.

Adam Gunderson: Hey stop.

Officer Beguelin Flores: You're getting shot right now if you don't give me your fucking hand.

Officer Anderson: He's got it out. He's got it out. Watch out.

Officer Beguelin Flores: Clear. Clear Clear.

Officer Anderson: [*To dispatch*] Shots fired. Shots fired. Roll me medical.

Officer Beguelin Flores: Hand is still on the gun. Hand is still on the gun.

E. Incident Timeline

(Times shown in Hours:Minutes:Seconds format.)

22:32:00	Adam Gunderson arrives at Safeway. ¹¹⁹
22:48:34	Officers Beguelin Flores and Anderson contact Gunderson in Safeway loading dock. ¹²⁰
22:49:28	Gunderson enters the truck. Officers begin struggling with Gunderson, pulling him from the truck onto the ground. ¹²¹
22:51:19	Officer Beguelin Flores fires his pistol at Gunderson. ¹²²

¹¹⁹ Safeway security video compared with time stamps on Officer Anderson's BWC.

¹²⁰ Review of BWC of Officer Anderson by OII Investigator Scott Neustel, Supplement 44.

¹²¹ Review of BWC of Officer Anderson by OII Investigator Scott Neustel, Supplement 44.

¹²² Review of BWC of Officer Kyle Beguelin Flores by OII Investigator Steve Reeves, Supplement 50.

22:51:22 "Shots fired," is broadcast over the radio.¹²³

22:53:30 Vancouver PD contact team approaches Gunderson.¹²⁴

22:54:01 Handcuffs applied to Gunderson.¹²⁵

22:54:27 Vancouver PD officers provide medical care.¹²⁶

22:54:03 Request for second medic unit for an officer injury.¹²⁷

22:56:46 AMR Medic Unit pulls into Safeway parking lot.¹²⁸

22:58:31 Paramedics on-scene.¹²⁹

22:59:46 Paramedics remove gurney from aid vehicle.¹³⁰

22:59:55 Second paramedic unit at scene for Officer Beguelin Flores.¹³¹

23:01:35 Gunderson is removed by gurney to the AMR ambulance.¹³²

¹²³ Review of ICV of Officer Cole Rodriguez. OII Investigator Scott Neustel Supplement 39.

¹²⁴ Review of BWC of Sergeant Trent Harris by OII Investigator Scott Robb, Supplement 55.

¹²⁵ Review of BWC of Officer Angel Arzola by OII Investigator Scott Robb, Supplement 30.

¹²⁶ Review of BWC of Officer Angel Arzola by OII Investigator Scott Robb, Supplement 30.

¹²⁷ Review of ICV of Officer Cole Rodriguez by OII Investigator Scott Neustel Supplement 39.

¹²⁸ Review of BWC of Officer Michael Scott by OII Investigator Dawn Cary, Supplement 73.

¹²⁹ Review of BWC of Sgt. Trent Harris by OII Investigator Scott Robb, Supplement 55.

¹³⁰ Review of ICV of Officer Judah Schotthoefer by OII Investigator Scott Neustel, Supplement 69.

¹³¹ Review of BWC of Officer Michael Scott by OII Investigator Dawn Cary, Supplement 73.

¹³² Review of ICV of Officer Desmond Haske by Investigator Steve Reeves, Supplement 87.