

IV 2389014

## SUBJECT INTERVIEW

## DEPUTY WYATT WALDRON

██████████ So, Steve, you ready? Deputy ██████████, Kern County Sheriff's Office, out of a Rosamond substation, here interviewing... and could you provide your first and last name, spell your last name.

**Waldron:** Wyatt Waldron, W-A-L-D, as in David, R-O-N.

██████████ And your birth date for me.

**Waldron:** ██████████.

██████████ Okay, and what's the easiest way for us to contact you?

**Waldron:** Cell phone.

██████████ And...

**Waldron:** ██████████.

██████████ What's your employee number?

**Waldron:** ██████████, sir.

██████████ Okay, so I understand you were on a camping trip?

**Waldron:** Correct.

██████████ When did you, when did you leave for this camping trip?

**Waldron:** Saturday at right around 10 o'clock in the morning.

██████████ So yesterday?

**Waldron:** Yes.

██████████: And who all were you with that was camping out there?

**Waldron:** Some of the guys that are standing out there right now. Mainly guys from the station.

██████████: And roughly how many?

**Waldron:** Almost 10 maybe.

██████████ And families or just deputies?

**Waldron:** No, just, just all deputies.

██████████ Okay, and do you have an idea of where you were out... Dove Springs...

**Waldron:** I know it's Dove Springs where they make the turnoff on Dove Springs, probably maybe a 10 minute drive in. We stayed on the main road. So maybe five or six miles or so.

██████████ And you guys have like trailers out there or...?

**Waldron:** Yes, there's a... we have two trailers that were out there.

██████████ And so you guys got there pretty much yesterday afternoon?

**Waldron:** Correct.

██████████ Spent the entire night out there?

**Waldron:** Correct.

██████████ When, when did this incident happen?

**Waldron:** Oh, I couldn't give you an exact time, but somewhere around zero one.

██████████ So that's obviously this morning?

**Waldron:** Correct.

██████████ And were, were you drinking at any point last night?

**Waldron:** Nah (NEGATIVE).

██████████ Okay, were there other deputies there been drinking?

**Waldron:** I, I mean there's some people had a couple beers throughout the day but it wasn't... nobody was, you know, up all night raging or drinking or anything like that.

██████████ So just pretty much casual drinking...

**Waldron:** Correct.

█ ... as you're camping? And you didn't have anything?

**Waldron:** I think throughout the entire day I maybe had two beers, two or three beers. From noon until, you know, when the incident happened.

█ And anything out of the ordinary up until this incident?

**Waldron:** No.

█ Any... I understand the victim's Deputy █ █

**Waldron:** Correct.

█ Any confrontations with him or anything like that?

**Waldron:** No, he's actually a good friend of mine.

█ How long have you guys been friends?

**Waldron:** Seven years.

█ No arguing or anything prior to the altercation?

**Waldron:** No.

█ And let's kind of get into that. What happened at around zero one?

**Waldron:** He's sitting to my right and I'm walking over sitting down in a camping chair. I had my Smith and Wesson M&P compact. Went to pull the slide back...

█ And I'm sorry, what caliber is that?

**Waldron:** Nine millimeter. Went to pull the slide back to clear it and pull the magazine out and disassemble it. I mean, I don't know, I must've had my finger on the trigger or I don't know how it went off. Obviously it's my fault, but it... somehow I A.D'd racking the slide back, either with my finger on the trigger or...

█ Okay, and so you were basically trying to clear the weapon?

**Waldron:** Started to clear the weapon and then I was gonna take it apart.

█ And were you holding it in your, your primary hand?

**Waldron:** Correct. Well, I had it in my left hand and I grabbed with my right hand across the slide.

██████████ And are you primary left handed?

**Waldron:** No, no, primarily right handed. Had a hold of it in my left hand, grabbed the slide to rack it back and when I did that is when it shot right in his ankle.

██████████ But as you were racking it...

**Waldron:** Correct.

██████████ ... the round came out?

**Waldron:** Correct.

██████████ Did you have the magazine removed already?

**Waldron:** No.

██████████ So did it chamber another round?

**Waldron:** No, there was no other rounds I believe after that. I didn't think there was a round in there to begin with, but I'm actually embarrassed to say but a former Marine, did three combat tours in Iraq and I mean super, super careful typically with firearms so...

██████████ And had you been out shooting prior or earlier in the day?

**Waldron:** I was.

██████████ Okay. Did you have any other weapons with you out there?

**Waldron:** No.

██████████ Just the Smith and Wesson?

**Waldron:** No, correction, I had a, a 12-gauge turkey shotgun.

██████████ Know what make or model it is?

**Waldron:** It is a Remington Versa Max.

██████████ And were you shooting that earlier in the day?

**Waldron:** In the day time, I was.

██████████ And at the time of the incident were you... do you know what kind of ammunition you had there, hollow points, full metal jackets, wad cutters?

**Waldron:** I don't know. Just target, target ammo I guess.

██████████ And then after you realized the A.D. happened, what kind of went on from there?

**Waldron:** As soon as it happened, I don't know if I set the gun down, threw it down...

██████████ Did, did you... let me stop you there. Did you realize he was hit after....

**Waldron:** Right, pretty much right away.

██████████ And how did you know that he was hit?

**Waldron:** I, I could see it had hit his ankle.

██████████ Did he make any kind of remarks or...?

**Waldron:** I don't... honestly I wasn't paying attention. I was kind of...

██████████ You could see?

**Waldron:** I could see it. It entered on the right side of his ankle.

██████████ But he was sitting to your right?

**Waldron:** Correct.

██████████ And it entered the right side of his ankle?

**Waldron:** Left side, sorry. Right ankle on the left side.

**Peyton:** So the inner portion?

**Waldron:** Correct.

██████████ What kind of footwear was he wearing at the time? Do you know?

**Waldron:** I'm not sure.

██████████ Okay. And then go ahead, keep going from there. Once you noticed this happened.

**Waldron:** Soon as I realized it happened, I got up immediately, put pressure on it. By that time I wanna say the first person out there was either ██████████ or ██████████ and I yelled to them to go get the truck so we could take him to the hospital.

██████████ Was anybody else out when the incident happened?

**Waldron:** I don't believe so, no.

██████████ Just you and ██████████

**Waldron:** I'm pretty sure it was just ██████████ and I.

██████████ And did you guys basically transport him to the hospital?

**Waldron:** We did.

██████████ Who was with you to transport him?

**Waldron:** I sat in the back seat with ██████████ Deputy ██████████ drove and Deputy ██████████ was in the passenger seat.

██████████: Do you know where, where they were at the time of the incident?

**Waldron:** No, I don't. I think everybody, most people heard the shot and came out and, and by the time I turned around to see, people were already coming out.

██████████: Okay, and do you know what happened with the weapon after the incident?

**Waldron:** I either set it on the ground or set it on the chair. Honestly, I don't know exactly what I did with it. My first reaction was to go to him and... I'm not sure.

██████████: So did... is it still at the scene?

**Waldron:** No. It was secured in ██████████ trailer.

██████████: And can you spell that for me?

**Waldron:** ██████████.

██████████ It was secured in his trailer?

**Waldron:** Correct.

██████████ Prior to leaving for the hospital or (talking over)?

**Waldron:** I want to say it was probably after. Deputy ██████████ ... he's out there, he's the one who told me, I asked him when he got here, I said, "Do you know what happened to my (INAUDIBLE)? He said, "Yeah, it's in ██████████ trailer."

**Peyton:** His trailer still up there?

**Waldron:** I don't believe so. I wanna say they all came back. But there's... as soon as you make that turn going off on that dirt road there's no, there's zero cell reception so there's no way to get a hold of them or...

██████████ And....

**Peyton:** So obviously the shell casings are probably still out there in the area?

**Waldron:** Yeah, I'm sure.

██████████ So, let me just kind of give you... I'm gonna give you a run back of basically how I, how I got the story and fill in any blanks that you think might be necessary or anything like that. You guys left about 1000 hours yesterday to go camping out in Dove Springs. You said possibly five, six miles off of the main road. Camping out there in two trailers. Ten deputies, all males. Anything else?

**Waldron:** Yeah, all males.

██████████ And then you guys were shooting during the day. You had two weapons with you. Your Smith and Wesson 9-millimeter compact and 12 gauge Remington Versa Max. At some point approximately 0100 hours you were attempting to clean the weapon and clear the weapon and that's when there was an accidental discharge striking ██████████ in the right ankle inside. Do you... could you tell at that point if it went all the way through or if it was...

**Waldron:** It went all the way through.

██████████ Just through and through, okay. Set the weapon down obv-, rendered aid to him and notified others to basically get him to the hospital. Anything else you can think of that might be pertinent to the investigation?

**Waldron:** No. No, that's pretty much the gist of it. I know it happened pretty quick and like I say, it was a complete 100 percent accident. I mean it was nothing intentional. [REDACTED] is a good friend of mine, was a complete 100 percent accident. Shouldn't have happened.

[REDACTED] Anything from you guys?

**Peyton:** Yeah, real quick. You don't mind?

[REDACTED] No, that's fine.

**Peyton:** Just some background stuff. How long you been on the Department?

**Waldron:** Just over nine years, sir.

**Peyton:** What was your first assignment?

**Waldron:** NCCF.

**Peyton:** How long were you there?

**Waldron:** Approximately one year.

**Peyton:** And then where?

**Waldron:** Went to Palmdale patrol.

**Peyton:** You've been there ever since?

**Waldron:** Negative. I worked Palmdale patrol for... up until 2012. And then I worked....

**Peyton:** From what to what?

**Waldron:** [REDACTED]

Palmdale. So about the middle of 2014.

**Peyton:** And where were you at [REDACTED]?

**Waldron:** [REDACTED]

**Peyton:** What year was that.. [REDACTED] 2?

**Waldron:** That was [REDACTED]. Yes, sir.



**Peyton:** And then [REDACTED] and then presently you're where?

**Waldron:** Presently I'm back at Palmdale.

**Peyton:** Patrol?

**Waldron:** Yes, sir.

**Peyton:** Where did you meet... what's his name?

**Waldron:** [REDACTED]

**Peyton:** [REDACTED]

**Waldron:** I met him at Palmdale station.

**Peyton:** Okay, so you guys were friends from there or were you friends prior to?

**Waldron:** Friends from Palmdale.

**Peyton:** From Palmdale?

**Waldron:** Correct.

**Peyton:** You guys been friends ever since you were there?

**Waldron:** Yes, sir.

**Peyton:** Which was 2008?

**Waldron:** I believe he came out in probably 2009 time frame.

**Peyton:** Somewhere around there?

**Waldron:** Yes, sir.

**Peyton:** Okay. And the gun, when you were trying to disassemble the gun, did... what's... did you... when you racked it back, did you have it still racked back at that point when the gun went off or how... what condition was the gun in after the shot was fired?

**Waldron:** I want to say the slide completely went back and that's why I don't think there was any rounds left in it. I think there was just the one round, so when the one round went off...

**Peyton:** Right.

**Waldron:** ... the slide locked back to the rear.

**Peyton:** So were you in the process of locking the slide back when it went off?

**Waldron:** Correct.

**Peyton:** And it's a shield?

**Waldron:** It's an M&P Compact.

**Peyton:** M&P Compact?

**Waldron:** Yes, sir. It's a Smith and Wesson M&P compact.

**Peyton:** And what is the capacity of that weapon, do you know?

**Waldron:** Eight plus one.

**Peyton:** And do you know if it was full at the time?

**Waldron:** It was not full. There was only the one round in it.

**Peyton:** Okay, so and that... were you assuming that it was empty at the time?

**Waldron:** A hundred percent I truly believed it was empty at the time...

**Peyton:** Okay, so it was just...

**Waldron:** ... And I was just gonna rack it back and then take the magazine out. I was gonna take the slide off and clean it.

**[REDACTED]** Let me jump in there. Is that a weapon where you have to pull the trigger to disassemble the weapon?

**Waldron:** No.

**Peyton:** Okay, is that the one with the safety or without?

**Waldron:** Without.

**Peyton:** How long you had the gun, the gun?

**Waldron:** I would say approximately two years.

**Peyton:** And how many rounds do you think you've put through it?

**Waldron:** A couple hundred at least.

**Peyton:** Are you fairly familiar with the, the weapon?

**Waldron:** I am, sir.

**Peyton:** Okay. Has anything ever happened like that before? Have you had any malfunctions with the weapon?

**Waldron:** Negative.

**Peyton:** And when you were cleaning the weapon or about to disassemble the weapon, it was at 0100 approximately, right?

**Waldron:** Right around that time.

**Peyton:** Was there any light in the area?

**Waldron:** There was a fire we were sitting around.

**Peyton:** So you guys were sitting around the, the fire.

**Waldron:** Right.

**Peyton:** So you had enough light to see what was going on?

**Waldron:** Yes, sir.

**Peyton:** All right. And what was [REDACTED] doing at that time?

**Waldron:** At the time I believe he was just sitting. I don't, I don't think anything specific.

**Peyton:** He wasn't cleaning his weapon as well or....

**Waldron:** No.

**Peyton:** He was just sitting there?

**Waldron:** He was just sitting there.

**Peyton:** And there was no other obstructions, you didn't have anything else in your hand that may have caused the gun to be mishandled or anything?

**Waldron:** No.

**Peyton:** That you can think of?

**Waldron:** No, sir.

**Peyton:** Do you recall anything not working smoothly with the weapon when you were trying to disassemble it or was it just that it was just an accidental discharge?

**Waldron:** Just a 100 percent... just complete error on my fault.

**Peyton:** Partner?

**Barron:** Just one quick question. When you're there and you're securing the weapon and it was you and Deputy [REDACTED] any other deputies around that particular... at that time when the incident occurred?

**Waldron:** I don't believe so, ma'am. No.

**Barron:** Just you and Deputy, and [REDACTED]

**Waldron:** As far as I know, correct. Yes.

**Barron:** By the campfire?

**Waldron:** Yes.

[REDACTED] And I did have one more, did you sustain any injuries during the event?

**Waldron:** No, I didn't.

[REDACTED] Anything to your right hand where you were trying to rack it when the slide came back? Okay.

**Peyton:** The campsite, is there any markings or anything that we would be able to identify if we were to get over there?

**Waldron:** You know, it's pretty tough. It's just, it's a dirt road and then you kind of just can pull off and, and stay right there alongside the hillside. There's no campsite numbers or designators or....

**Peyton:** And the fire, was that something that you built or was there a fire pit there?

**Waldron:** When we got there there was already a fire, kind of a fire ring made with rocks.

**Peyton:** Okay.

**Barron:** Nobody picked... I'm sorry, nobody picked up the casings?

**Waldron:** As far as I know, no. I one hundred percent did not. I know obviously [REDACTED] didn't. So, no.

**Peyton:** And you can't think of any landmarks, big trees or anything like that? Rocks?

**Waldron:** No. It's all... just desert.

[REDACTED] It's all just BLM land. I forgot the question I was just gonna ask. Was...did you guys do any other shooting at the campsite? Would there be any other shell casings in the area?

**Waldron:** There was a ton of shell casings already there. I mean a full....

[REDACTED] And I know they are scattered throughout the desert, but did you do any additional shooting with your 9-millimeter or anybody else have a 9-millimeter in that area, shooting?

**Waldron:** Yes, like I shot my 9-millimeter....

[REDACTED] From... I'm saying from that campsite?

**Waldron:** Not from where the fire was at, no. So there wouldn't be any, any shell casings....

[REDACTED] (Talking over) just right there in the general camping area.

**Waldron:** What... there's one shell casing there, that's the one that came out of that gun.

**Barron:** The camping area where you guys had a campfire, would we be able to see that or not really?

**Waldron:** It would be tough because it's, like I said, it's just a dirt road that kind of winds along the mountains and then people pull off and (INAUDIBLE).

[REDACTED] There is probably several rock rings. It's a very popular camping area. It's pretty wide open. What was the purpose of the trip?

**Waldron:** Just fresh... yeah, just going out and camping for the day.

[REDACTED] Any off road vehicles or anything like that?

**Waldron:** No.

**[REDACTED]** Okay.

**Waldron:** Just going out for the night.

**Peyton:** Any questions for us?

**Waldron:** No. I just apologize for you guys having to deal with this.

**Peyton:** It's our job, don't worry about it. I mean it's one of those things. Accidents happen.

**Waldron:** Yeah.

**Peyton:** [REDACTED]

**[REDACTED]** I don't have anything further.

**Barron:** I have nothing.

**Peyton:** We'll go off tape at...

**Barron:** 0940.

**Peyton:** ... 0940.

**End of interview.**