

PART III: FACT FINDING DETAILS

The following information was gathered from a variety of sources including personal interviews conducted by investigators, individual reports and phone conversations. The reader will note that on occasion the retelling of dates and events from one interview to the next sometimes conflict. These were inherent in the accounts as provided by each person's individual recollection and not an error in editing. For clarification and or verification, please see the attached Agency Compilation Timeline.

OFFICER MICHAEL WALSH

Officer Michael WALSH of the San Francisco Police Department (SFPD) took a missing persons report on Wednesday, **November 29, 2006**, from Charlene WRIGHT, a friend and employee of James and Kati KIM. The James KIM Family was reported to the San Francisco Police Department as missing under suspicious circumstances after the KIM family failed to return home following a driving vacation to the Northwest over the Thanksgiving weekend. Officer Walsh generated incident report #06-1269588.

The party who made the missing persons report advised Officer WALSH that she had received an e-mail from a friend of Kati KIM indicating that the KIM Family had brunch with friends in Portland, Oregon, on Saturday, **November 25, 2006**. They were then reported to be traveling to Gold Beach, Oregon, for an overnight stay before returning to San Francisco. *(Gold Beach is approximately 300 miles southwest of Portland, accessible mainly by the Interstate I-5 corridor to Pacific Coast Highway 101; a number of smaller highways and roads connect the two major highways.)*

Officer WALSH notified Inspector LEWIS of the San Francisco Missing Persons Division and faxed Inspector LEWIS the pertinent information. Inspector LEWIS entered the KIM family into the SFPD Missing and Unidentified Person System (MUPS). Officer WALSH then notified Detective Michael WEINSTEIN of the Portland Police Bureau (PPB) via voicemail and faxed a copy of his report to WEINSTEIN.

DETECTIVE MICHAEL WEINSTEIN

It should be noted here that Detective Weinstein's original report states that "late in the evening of Wednesday, November 28, 2006. . . When Weinstein was later contacted to verify the date of this report he acknowledged that the 28 was a typographical error as Wednesday was actually November 29.

Late in the evening on Wednesday, **November 29, 2006**, Detective WEINSTEIN of the Portland Police Bureau (PPB) reviewed a voicemail from Officer Michael WALSH regarding a missing San Francisco family who had not returned home as scheduled.

On Thursday, **November 30, 2006**, upon arrival at work, WEINSTEIN reviewed a faxed copy of the SFPD Missing Persons Report related to James, Kati, Penelope and Sabine KIM and generated incident report 06-109689. On **November 30, 2006**, an investigation was launched by the PPB Missing Persons Unit to assist SFPD in attempting to locate the KIM Family.

After Detective WEINSTEIN reviewed the SFPD Missing Persons report, he contacted SFPD Missing Persons Unit. He spoke with Inspector Angela MARTIN who advised she was the primary investigator related to the KIM Family case. Inspector MARTIN confirmed that the KIM Family had not been accounted for and was considered missing under highly unusual circumstances. Inspector MARTIN noted that they were described as responsible, professional people who regularly kept in contact with family and friends as well as business associates.

Inspector MARTIN told WEINSTEIN she was working on gathering information by which police might electronically track the KIM Family, including cell phone, credit card and other financial information. Inspector MARTIN requested WEINSTEIN's assistance in attempting to locate and interview persons in the Portland area.

Investigators agreed that it was important to first attempt to determine if the family had been voluntarily (as is common in most missing persons investigations) or involuntarily out of contact. During this period, WEINSTEIN received a call from Eva KIM who said she was James KIM's sister. She expressed great concern for her brother, sister-in-law and nieces, explaining it was not like them to be out of contact for any length of time.

Numerous witnesses, including family and friends were interviewed during the course of their investigation. These all confirmed the KIM travel timeline and the plan to stay at the Tu Tu Tun Lodge in Gold Beach, Oregon, on Saturday night, **November 25, 2006**.

Late Thursday afternoon, **November 30, 2006**, WEINSTEIN requested that a PPB APB teletype be issued regarding the KIM Family and their vehicle to all Oregon law enforcement agencies. Special attention was noted to agencies along and between the I-5 corridor and Oregon coastal areas including information that Gold Beach was believed to have been the family's destination. All agencies were asked to check their areas of responsibility for any undiscovered wrecks and/or contacts with the listed family or vehicle on or since November 25, 2006.

PPB assigned Public Information Officer (PIO) Sergeant Brian SCHMAUTZ to handle press releases as the Portland Police Bureau was beginning to receive calls from media regarding the KIM Family.

On Friday morning, **December 1, 2006**, WEINSTEIN was paged by Lieutenant Dennis DINSMORE of the Curry County Sheriff's Office in Gold Beach, Oregon. DINSMORE advised WEINSTEIN that he had received the APB from PPB and offered his immediate assistance. DINSMORE advised that he would have personnel from his agency begin checking various roads in his jurisdiction including areas that were known to be troublesome. DINSMORE provided contact information for the Douglas, Coos and Josephine County Sheriff's Offices advising those agencies also had roads within their jurisdictions that could be likely routes for the KIM Family to have taken.

WEINSTEIN continued to receive numerous voice mails from various agencies in Southern Oregon inquiring what each could do to assist in the investigation.

Midday, **WEINSTEIN** had a conversation with **DINSMORE** and understood him to say that he would be in charge of the Search and Rescue mission involving Curry, Coos, and Josephine Counties. Douglas County Sheriff's Office Lieutenant Roger **LOOMIS** calls in to offer his agency's continued assistance.

STEELE, HARRIS, POWERS

On November 30, Lieutenant Gregg **HASTINGS** received a media call about the missing family. He confirms an attempt to locate was issued. When he inquired, **PPB** did not plan to issue a news release so **HASTINGS** worked into the night to gather data and prepare to the best of his ability a Press Release.

On **December 1, 2006**, the Oregon State Police (OSP), generating OSP case 06-450070, began their formal investigation on the KIM Family Search. Detective David **STEELE** with the OSP assisted in the investigation by coordinating and monitoring an 800 tip line. **STEELE** also coordinated communication with **PPB** and other detectives in the OSP, relaying information on a regular basis.

Late evening on **December 2, 2006**, **HARRIS** was able to confirm that the cell phone ping indicated that the KIMs had traveled through the Josephine and Douglas County area; however, there was nothing more specific. **OSP POWERS** was not certain who the lead agency on the investigation was but at that time assumed a role as facilitator.

STEELE continued working with **PPB's WEINSTEIN** regarding the information relayed to **OSP** from Eric **FUQUA** of Edge Wireless regarding a cellular phone ping. It was determined through this relay of information that Edge Wireless technicians believed one of the KIM Family's cellular phones pinged off the Edge Wireless tower located near the top of Bear Camp Road.

OSP also continued working with **WEINSTEIN** on financial records from banks and credit cards. **OSP** Detective Sergeant Jeff **PROULX** from the Southern Oregon State Police Office then assigned Detective **HARRIS** to assist in the KIM Family Search. Based on the information that **OSP** had gathered to this point, **POWERS** relayed information to **HARRIS** that he felt confident the KIMs were lost in the Josephine, Curry, Coos or Douglas County area and a coordinated search needed to take place within those four counties. **POWERS** spoke by phone with Josephine County Search and Rescue Coordinator Sara **RUBRECHT** and gave her the information they had to that point.

POWERS requested a meeting for Sunday, December 3, 2006, at 8:00 a.m. with Josephine County Search and Rescue personnel to discuss this search.

On **December 3, 2006 at 8:00 a.m.**, **POWERS, HARRIS, Josephine County Search and Rescue Coordinator Sara RUBRECHT, Josephine County Sheriff Deputy Jason STANTON** and Josephine County Undersheriff Brian **ANDERSON** met and discussed their collective information.

They learned at that point in this investigation that Josephine County SAR had searched Bear Camp Road and several adjacent roads with negative results. Josephine County SAR had followed up on a tip that an intoxicated person reported seeing the KIMs' vehicle traveling up Bear Camp Road and then back down on November 25, 2006. RUBRECHT felt that the information was unfounded; however, she interviewed the reporting party.

Per Josephine County's ANDERSON, Josephine County had exhausted all of their efforts in locating the KIM Family and they were not planning on continuing the search, however, they might reconsider if the Oregon State Police could gather more data that would narrow the search to a specific area.

Meanwhile, HARRIS contacted Eric FUQUA with Edge Wireless again and confirmed the information on the cell phone ping. HARRIS asked Eric FUQUA if he would meet with them and provide a map of the area. During that conversation with FUQUA, FUQUA relayed information that the ping was not specific in location, however, the ping would indicate that on November 26, 2006, at around 1:30a.m., the KIM's were within a 26 mile radius of the cell phone tower.

POWERS then recommended an extensive search be coordinated with all the involved counties as well as the adjoining counties that had resources available. POWERS, RUBRECHT, and ANDERSON began coordinating the search and making assignments to the available Search and Rescue (SAR) personnel. POWERS maintained a facilitating role during the entire length of the search. HARRIS was assigned as one of the KIM family liaisons.

HARRIS contacted the KIM's cell phone provider, Cingular, and obtained the cell phone records of all incoming and outgoing calls made to their two cell phones. HARRIS confirmed three out going calls on November 25, 2006, while in the Salem and Albany areas.

Later that morning, **December 3, 2006**, FUQUA from Edge Wireless arrived to the Josephine County Sheriff's Office. FUQUA provided a map of the zone of the cell phone ping. The zone covered a 26 mile radius from the cell phone tower located in Glendale, Oregon. The 26 mile radius did incorporate the Bear Camp Road area; however, FUQUA told them that the ping was not specific as to the KIM's location when the cell phone tower was pinged.

At noon, the search command post was moved from the Josephine County Sheriff's Office downtown to the Josephine County Search and Rescue complex located in Merlin, Oregon. Eric FUQUA traveled to the SAR complex and continued working on the cell phone ping information.

On **December 4, 2006** around 1:45 p.m., HARRIS was notified that Kati KIM and the girls were located. Kati, Penelope, and Sabine were transported to the Merlin Airport by Carson Helicopter and then on to the hospital. HARRIS traveled to the hospital with Kati KIM and interviewed her in regard to the chain of events.

Kati KIM was very emotional and provided HARRIS with detailed information regarding their trip and the eight days they were lost. Kati provided the following investigative information gleaned directly from HARRIS'S report to assist in the continued search for James KIM:

- The KIMs did not stop in Wilsonville and get a map or directions (*After spending valuable time to track this tip, law enforcement later learned this was false information.*)
- The KIMs left Roseburg at approximately 9:00 p.m.
- They missed the Highway 42 exit to Gold Beach
- They had an Oregon road map and decided to take the Bear Camp Road to Gold Beach
- They realized at approximately 2:00 a.m. on November 26, 2006 that they were lost
- They stopped in an area that they thought would be traveled by passing motorists
- James left on Saturday, 12/2/06 at 7:30 a.m. in an attempt to locate help. James was wearing jeans, a heavy jacket and tennis shoes
- James walked away from the car toward the sound of the river. He was supposed to leave notes along the route. James told Kati that he would turn around by 1:00 p.m. if he did not find any help and return to the car.
- Kati heard and saw a helicopter flying over her on Sunday, 12/3/06, however, was unable to get the attention of the helicopter pilot
- Kati and kids were located by helicopter pilot on 12/4/06.

SPECICAL NOTE

Before Friday morning December 1, 2006, the exact whereabouts of the KIM family could not be narrowed beyond the nearly 17,000 square miles between Portland and Gold Beach. Backtracking from the family's known destination, investigators knew to be concerned about the Bear Camp area in southwestern Oregon; historically, many winter travelers had gotten lost there despite published warnings that this was a hazardous winter route. Search concerns heightened when a tip, confirmed on December 2, 2006, put the family's last known location in Roseburg, Oregon. Despite this tip, the search area was still over 5,000 square miles in size. Taxing resources and further complicating early efforts were a handful of false leads and a complex system of rugged back county roads, some of which were covered in ice and many inches of snow.

The often referred to Bear Camp Road spans two rural counties, Josephine and Curry. Because it is a major back county road, the forested land and 160 plus road spurs around it are often referred to as the "Bear Camp Area."

SERGEANT ROD SUMMERS

On December 28, 2006, Sergeant Rod SUMMERS of the Coos County Sheriff's Office, was interviewed by phone.

SUMMERS, the SAR coordinator for Coos County, received the missing persons report on Friday morning, **December 1, 2006**. He sent patrol to search the highways and the southeast corner of this county from Powers to Glendale. Deputies also searched Bear Camp Road to Agness in Curry County until 10:30p.m. On Saturday morning they searched a foot trail on Mt. Boulivar as well as I-5 between Glendale and Roseburg.

On Monday, **December 4, 2006**, SUMMERS was aware of an incoming tip regarding cell phone pings near the Mt. Boulivar area. They again sent people to search and walked the bluff itself.

Once Mrs. Kim was found, Coos County was no longer part of the search although SUMMERS offered further assistance if needed to Josephine County's SAR coordinator RUBRECHT. He did not receive a subsequent call for assistance.

SUMMERS stated that Douglas County, Josephine County, Jackson County, Klamath County, Coos County, Curry County and perhaps even units from California were involved in the search.

SUMMERS was asked about tips that he was aware of. He said his agency received one tip that the family was possibly located in Coos Bay. He logged that tip but it did not appear to be valid based on other information that was received.

While SUMMERS expressed some concerns to investigators, he also had a great deal of praise for Josephine County for "taking the bull by the horns" when it was still unsure as to where the KIM Family was located.

He was a little confused on the time line for when the family went missing and when they were reported missing. According to his recollection, there was no chronological time line for anyone to review.

SUMMERS was also not aware of any tip management in place for Josephine County. Information sharing between counties was a large problem. Communication was obviously difficult enough in a remote area. Lack of timely communication between the many involved agencies compounded the communications problems.

SUMMERS states the aircrafts involved in the search did an outstanding job. They were very thorough and did it appropriately. He said the searchers were highly motivated and thorough as well. Their response was rapid and staff was knowledgeable. Edge Wireless, the company with information about the cell phone ping did an outstanding job of trying to get information to the searchers. The ICS system worked well, minus the lack of ID badges.

LIEUTENANT DENNIS DINSMORE

Investigators interviewed Lieutenant Dennis Dinsmore on January 2, 2007, at the Curry County Sheriff's Office in Gold Beach, Oregon.

DINSMORE first heard of the search on Friday morning **December 1, 2006**, when he found a copy of a teletype sent from PPB. DINSMORE called RUBRECHT at Josephine County and told her that they had a problem. She had not seen the report yet.

DINSMORE called Oregon Emergency Management (OEM) and talked with Bob ASHER to obtain a Mission Number and to request a Blackhawk helicopter from the National Guard. He said it was obvious he should be checking Bear Camp Road and other likely routes to Gold Beach such as US 101 or SR 126, 38, 42, or 199.

DINSMORE and RUBRECHT agreed that they would send people from both sides of Bear Camp Road and try to meet at the county line. Bear Camp Road runs between the Gold Beach area in Curry County to the Merlin area of Josephine County. DINSMORE called Dave MCDANIEL with Coos County Sheriff and informed him of the search particulars and asked that they send people from their side to the Agness Pass area and from Eden Valley towards Glendale.

Later in the day, DINSMORE made phone contact with Spencer KIM and informed him of the search efforts being made to that point. Spencer KIM advised DINSMORE that any asset he needed, Spencer KIM would pay for.

Joseph RICE from Carson Aviation also called DINSMORE later on Friday saying he had been hired by Spencer KIM to conduct air operations with three helicopters. DINSMORE told interviewers that the National Guard flight crew said they would not fly into the area if there were private helicopters involved. DINSMORE worked to resolve this and ultimately, the Guard was given assignments to fly Bear Camp Road and the Carson helicopters were given assignments to cover the highways.

The patrol unit that DINSMORE assigned from his county to work east up Bear Camp Road could only make it 7 miles before the road became impassable.

DINSMORE was making and receiving several calls from the media, as well as friends and family of the KIMs. At one point, he even received a phone call from a psychic that gave him very unspecific information.

On Friday, **December 1, 2006**, DINSMORE received a phone call from Danny SANTOS of the Governor's Office saying that the KIM family thought the Sheriff's Office was not doing enough.

That afternoon, RUBRECHT called to tell DINSMORE that she was only at milepost 18 on Bear Camp Road and was unable to travel further. She advised she was ordering her snowcat team to respond.

DINSMORE talked with SFPD who advised they were working on credit card purchases and cellular phone tracking. By early evening DINSMORE had been advised of a sighting at Denny's in Roseburg about 8:00p.m on November 25, 2006. This was the

first information possibly establishing the KIM's location in southern Oregon. Later that night, the sighting was confirmed.

Early Saturday morning, **December 2, 2006**, DINSMORE confirmed with RUBRECHT that her snowcat had covered all of Bear Camp Road the previous day and night. There was no sign of the KIMs.

DINSMORE called Douglas County and asked they begin checking highways in their county. The afternoon of Saturday, **December 2, 2006**, DINSMORE sent a press release describing the actions that had been completed. (See attached? Do we have this?)

On Sunday, **December 3, 2006**, DINSMORE sent his Deputies along the Rogue River to cover all roads and side roads that lead to the Tu Tu Tun Lodge. Early afternoon on Sunday, RUBRECHT called the Curry County dispatch to advise there was a cell phone ping indicating the KIMs may be in the Bear Camp Road area.

On Monday morning, **December 4, 2006**, DINSMORE and Coos County Sheriff METCALF drove to Merlin to attend the search meeting in Josephine County.

DINSMORE said that everyone was "working their asses off." In the beginning, no one person was in charge of the entire search area because they had no idea in which county the KIMs were located. Portland to Gold Beach is a huge area that includes up to eight or nine counties.

(On January 10, 2007, investigators re-contacted DINSMORE. He was asked if he recalled a late morning conversation with WEINSTEIN from Portland Police Bureau on December 1, 2006, where he stated to WEINSTEIN that he was taking formal control of the search mission. DINSMORE stated that he recalled the conversation but he never at any time said he was taking total control of the search. DINSMORE believed it was a misinterpretation of the conversation. He remembered telling WEINSTEIN that he was talking with all three counties, Curry, Coos and Josephine in regard to the search.)

DINSMORE was asked what he felt caused the negative media attention and he replied that it was related to information being shared on the Internet and a lack of communication with the involved family.

Once the KIMs' vehicle and the girls were located, the Curry County involvement in the search concluded.

SERGEANT JOHN WARD

On December 28, 2006, Sergeant John WARD of the Curry County Sheriff's Office was interviewed by telephone.

WARD was asked when he first became involved in the search for the KIM Family. He indicated it was on **December 1, 2006, or December 2, 2006**. He is the SAR Coordinator for Curry County. He was aware that DINSMORE had pulled an OEM

(Oregon Emergency Management) mission number and had already requested helicopters to fly the Bear Camp Road.

WARD indicated that he sent Marine Deputies to check Bear Camp Road and they went as far as they could before they were forced to turn back because of ice and snow conditions. He also indicated that they did not have any equipment that would allow them to go any further up the roadway, specifically snow mobiles, snowcats or the like.

WARD said he had deputies checking the banks of the river in case the family's vehicle had gone over an embankment. The checks were done both by vehicles and on foot. They made several trips up to Agness and snow stopped them every time they attempted to get to the top of the mountain.

WARD indicated that helicopter response for the search was immediate and when the KIM Family vehicle was finally located, he again offered assistance to Josephine County from his agency, however it was declined.

WARD indicated that DINSMORE is his supervisor in regards to Search and Rescue activities and that DINSMORE himself spent several hours on the search. He was under the impression that DINSMORE passed all tip information to Josephine County. He was unsure of any involvement by OSP, although he was aware that his agency committed a dozen or so deputies.

WARD said he was concerned that Bear Camp Road had been left open. WARD advised that the gate is normally closed once the winter/snow season starts to prevent people from driving up it. He was also concerned about that road being shown on local maps as a passable road during the winter months.

SARA RUBRECHT

Investigators conducted an interview with Sara RUBRECHT on Thursday December 28, 2006. Investigators learned that no report of the incident was made. RUBRECHT is a civilian, part-time employee assigned to coordinate Search and Rescue volunteers for Josephine County. She is not a sworn law enforcement officer. As of Friday December 1, 2006, she had no official SAR role; instead, she joined law enforcement officer Jason STANTON for what amounted to a "be on the lookout" for a missing motorist. Nevertheless, early Friday afternoon RUBRECHT alerts her SAR volunteers and soon thereafter they are assisting in the search. Until late Sunday, December 3, 2006, Josephine county questions still remained about whether this was an official Search and Rescue mission in their county. The command structure, therefore, was still somewhat fluid. However, by early Monday morning, December 4, 2006, the search was designated official.

RUBRECHT did construct a diary of events immediately after the search ended. Investigators obtained the diary. Therein RUBRECHT briefly outlines her job duties as a paid, part-time staffer, her limited training and her previous search experience. She says she manages nearly 100 volunteers in the SAR organization which operates on very limited funding due to its non-profit status. She is in charge of both emergency

management and SAR though there are three additional Sheriff's deputies, one of whom is Jason Stanton, who have been trained and are available to assist or fill in during her absence. Stanton and the other deputies, however, do not work for Rubrecht. In the diary, Rubrecht also records her recollections of the KIM family search events as they unfolded including her conversations with John James, owner of the Black Bar Lodge, when she first contacted Undersheriff Brian Anderson, and what resources were where and when during the Bear Camp area search.

The only official SAR report was the one she submitted at the conclusion of the search to OEM;

Interviewers also learned that during the search, RUBRECHT was ill with a condition that grew serious enough to require surgery at the end of the search period

The interview began with RUBRECHT describing how Josephine County SAR works. There is no actual leader, but rather an executive board of eight members. Sara RUBRECHT is the administrative liaison to the Sheriff's Office. On the board are volunteer members as well as a Josephine County Sergeant. Those eight members are: Sergeant Joel HELLER, Dave MATTHEWS, Brian FRITSEN, Don BELLUM, Dutch MILLER, Lucy REYNOLDS, Bruce BARRON and Phil TURNBULL, Chairman.

Three other employees of Josephine County are involved with SAR, Sergeant Joel HELLER, Deputy Jason STANTON and Deputy Corey KRAUSS. RUBRECHT had difficulty describing who is actually the supervisor of the SAR program.

RUBRECHT became involved in the KIM Search on Friday **December 1, 2006** between 10:00 and 10:30 a.m. DINSMORE from Curry County called and asked if she knew about the missing KIM Family. She had not. They both agreed to search Bear Camp Road because historically people often get stuck there. Curry County was going to check their part of Bear Camp Road and Sara would meet up with them while covering the Josephine County section.

DINSMORE was going to call for a National Guard helicopter. RUBRECHT called Deputy STANTON. He was on duty and he picked her up at her house. Late morning they headed out. STANTON's BLM supervisor was also en route to search areas near there, including an area where a family in an RV was lost and found last year. Initially, they went to get a feel of what the road conditions were like. They went up Peavine Road to MP 18. It was clear and cold. There wasn't much snow, maybe between four to six inches. . She [RUBRECHT] put SAR team, and the snowcat on standby.

RUBRECHT noticed and recognized Jackson County's helicopter flying overhead She had not asked for them. She did have contact with the National Guard Helicopter that DINSMORE arranged and knew that Spencer KIM also had arranged to have three Carson helicopters fly the Bear Camp Road area.

RUBRECHT reported that Deputy Jason STANTON was the Incident Commander and that she was logistics and family liaison.

RUBRECHT said earlier they had come across a pickup and snowmobile trailer driven by John JAMES, owner of the Black Bar Lodge, and his brother Denny. She did not remember the whole conversation, but they told her that they had taken their snowmobiles down the road Kati KIM was eventually found on. She went away with the impression that they had already searched that road. She told them to be careful.

On the way home, dispatch advised her of a potential witness who had reported to RUBRECHT'S husband a possible sighting of the KIM family in that area. *(Searchers later learned that this sighting by the Christmas tree cutting caravan folks was a false lead. Much of Friday night and Saturday were spent tracking this lead and talking with the witnesses.)*

RUBRECHT said she had no conversation with Carson's Randy JONES or Jackson Co. Sheriff's Office. The Carson helicopters were hired by Spencer KIM. All instructions for the helicopters were coming from Spencer KIM. The only contact she had with a helicopter was with the National Guard helicopter. A man named Joseph RICE coordinated the Carson helicopters.

STANTON notified the Patrol Sergeant of the search. RUBRECHT reports to Brian ANDERSON, the Undersheriff, but she did not talk with ANDERSON on Friday.

STANTON dropped RUBRECHT off at home late that night.

RUBRECHT and STANTON then met at the Sheriff's Office Saturday morning **December 2**, at around 9:00 a.m. STANTON called OSP and SFPD and tried to relay witness information but had trouble getting a hold of people. She called ANDERSON that morning, advised him what they were doing and filled him in about what she did on Friday. She called DINSMORE and filled him in. DINSMORE advised that he was working with Spencer KIM.

ANDERSON met with RUBRECHT and STANTON on Saturday in the squad room at the Sheriff's Office. They did not have an official search and rescue mission going on at this time. They were going to continue looking as it was good snow training. The majority of the information they received was actually from the TV news reports.

It was the collective decision of RUBRECHT, ANDERSON and STANTON to go run some other logical routes. At this point, they did not have any information that indicated the KIMs were even in their county. She said they were conducting a courtesy clearing of roads. It was not a formal mission at that point, other than they had a witness indicating they saw the KIMs up there.

On Saturday, the base of operations was at the Sheriff's Office and they had United States Forest Service (USFS) employees and SAR volunteers search the Bear Camp Road areas.

RUBRECHT was asked if she had ever had a conversation about canceling the search. RUBRECHT indicated that did not “ring a bell” with her and she did not even have the power to do that.

RUBRECHT was asked again if the statement was made to her, “Not only should you not call it off, but you should double your efforts.” RUBRECHT stated she did not recall that. She was asked if it was possible that that conversation occurred. She said it was possible but she does not remember. She said they never got the point of calling the search off. She then stated that on Saturday she did not know where else to go with the search. On Sunday, they did talk about that. RUBRECHT stated if there was a conversation regarding canceling the search, it would not have been official and may have occurred during a casual conversation.

POWERS called RUBRECHT late Saturday night and said that he was investigating the KIM Search and told her about the information from Edge Wireless regarding the cell phone pings. They agreed to meet Sunday and pool their information.

On Saturday, Spencer KIM shared his investigative information with RUBRECHT but she knew of nobody assigned to follow up on the leads.

RUBRECHT reported that Spencer KIM was doing his own detective work and had received information late Saturday night that his son and the family had purchased gas in Port Orford on Saturday night (the week before). The attendant described each member of the KIM family and advised that James had asked for directions to the Tu Tu Tun lodge. Because of this, Spencer KIM was canceling the helicopter from the Bear Camp Road area and sending it to the coast. He also his attorneys and employees at his business making phone calls.

The meeting on Sunday, **December 3, 2006**, included RUBRECHT, STANTON, ANDERSON, HARRIS, and POWERS. At this point some officials were under the impression this was an official search, others were not. It became an official search in Josephine County on Monday when Mrs. Kim, the children and the car were found in their jurisdiction.

FUQUA also attended this meeting at the Sheriff’s Office to interpret the Edge Wireless maps. FUQUA explained the information on the maps and what general direction he determined the signal from the KIMs’ cell phone was coming and from what tower. There were two one second signals that reached this tower. FUQUA could not with certainty tell them that the Kim’s’ phone received a signal on Bear Camp Road only that the receiving cell tower is *pointed towards* Bear Camp Road area.

They started making assignments based on the information. RUBRECHT was worried about making assignments in Douglas County. They decided at this point to call in Jackson County. POWERS called Sheriff WINTERS with Jackson County and asked for assistance. They decided to move command to the SAR building in Merlin and agreed to meet there at 1:00p.m.

Douglas County was advised what was happening but they did not participate in the search planning and assignments. At 1:00 p.m. on Sunday the group decided that the KIMs had been in one of these counties. At this point RUBRECHT believed POWERS took possession of the command because he was in charge of the entire region.

STANTON was in charge of operations from Sunday on. Sara was logistics section chief and Phil TURNBULL was planning section chief from Monday on. RUBRECHT felt that POWERS and ANDERSON were both acting as Incident Commander (IC), but the IC plans actually did show POWERS as the Incident Commander on Monday. A lady named "Cindy" from the USFS came in on Tuesday, December 5, 2006, and assisted with completing ICS forms and plans. It was Sunday, **December 3, 2006**, when RUBRECHT actually began using the ICS plan on paper. *(As mentioned in the Executive Commentary,, impacting the interagency cooperation challenge was a long standing conflict between Jackson and Josephine Counties related to ICS debriefing forms. In past searches, specifically the Higgenbotham family case when their RV was stranded for weeks in the Josephine County backwoods, Josephine County did not perceive that assignments as given by command then or in the current KIM case were properly indicated as such on ICS forms.)*

Despite conflict and confusion around properly completing the ICS forms, RUBRECHT admits that nobody was keeping track of searchers in the field, nor were they debriefed when their assignments were completed.

RUBRECHT indicated that she was in charge of logistics and it was her job to get resources and make sure people had what they needed. She said she did not have a lot to do with what happened with the rest of the search operation. She said that she has a checklist of what was required for her duties on the search but she said she did not have time to pull it out. She said that she knew what her duties were based on her experience and she is an instructor in ICS so she had the knowledge of what her job was. She said that STANTON and TURNBULL also did not have checklists of what their assignments were.

Sara advised that contrary to what the media indicated, she did not try to call Undersheriff ANDERSON at home and he did not fail to call her back because he was watching a football game.

The helicopter that found Kati KIM and the vehicle was not working under the authority of the search command. They did not know until later that evening which helicopter found the vehicle. Sara said that the search command did not have communications with the private helicopters.

Once the vehicle and the girls were found, everyone (searchers in field) went to follow James KIM's footprints left in the snow. Monday and Tuesday night there were searchers in the field all night.

RUBRECHT said that someone told her Spencer KIM called the President or someone high up in the military and the National Guard helicopters were en route to Medford. Initially a Temporary Flight Restriction (TFR) had been put in place then the news media

had it removed. When Spencer KIM called Washington DC, the flight restriction was put back in place. *(During this review, investigators learned the TFR was never actually lifted only that it was reduced and then upgraded.)*

Once James KIM's body was found, Jackson County deputies investigated and removed the body. RUBRECHT said a Deputy Medical Examiner (DME) was normally required to investigate a body but this did not happen in this case. Photographs were taken by Jackson County deputies at the scene where the body was located. This was not coordinated with Search Command according to RUBRECHT.

ANDERSON specifically asked RUBRECHT to talk to Michelle from the *Oregonian* after the search was over. She said she has had no training in being a Public Information Officer (PIO). She granted the interview

RUBRECHT has not had a performance review for over three years. She does not know what her job expectations are and she does not know what her supervisors expect.

She said she is on call 365, 24/7. She said she triages the SAR calls and looks to find a SAR deputy to be incident commander. If unavailable, she does it. She also coordinates resources. Once she arrives on the scene, everyone else leaves. If a deputy is not available, she coordinates everything, all encompassing. Nobody has ever explained it to her.

RUBRECHT runs day to day search and rescue operations. In a search, there is no written policy as to who is the incident commander. She thinks that she is responsible for coordinating SAR in Josephine County. If she is unable to, she would call Brian ANDERSON. She said it would not be unusual for him to take over a Search and Rescue operation.

RUBRECHT indicated they have had less than ten searches this past year. The last major search she remembers is the Higgenbotham family search when their RV stranded. She said that search was run a lot like this search (KIM Family).

RUBRECHT was asked if she remembered making a comment, "We don't believe they're out here, we're just doing it to do it." She said no, she did not remember making that statement and it did not ring a bell. She said it does not sound like anything she would say.

RUBRECHT said there was not one person that was in charge of the search, there were two, POWERS and ANDERSON. POWERS was working on the investigation side, but the ground search decisions were made by ANDERSON.

The week of January 15th, RUBRECHT was asked to follow-up on the information received from Kati KIM that she had seen a snowplow on the road as she and the family headed up the road to the coast. RUBRECHT had a Forest Service Law Enforcement Officer, Paul WILLIAMSON, check on the possible plow sighting. WILLIAMSON learned that John WEST, who logs in the area, did have his snowplow parked on the

side of the 34-8-36 near the 35-9-1 Road. This location would have been before the FS 23 turnoff that the KIMS backed their car down.

UNDERSHERIFF BRIAN ANDERSON

On Thursday, December 28, 2006, investigators spoke with then Josephine County Sheriff's Office Undersheriff Brian ANDERSON. Investigators spoke with ANDERSON who was in charge of PR and releasing information to the media as well as about when he first became involved in the KIM family search.

ANDERSON said Public Information Officer (PIO) duties were shared between himself, RUBRECHT and HASTINGS. In addition, OSP's POWERS would also take some media interviews.

ANDERSON told investigators that his primary focus was trying to make sure that the search was being run correctly while also trying to run the Josephine County Sheriff's Office.

ANDERSON said the first time he became involved (other than following *Oregon Live* stories) in the KIM Family Search was Friday, **December 1, 2006**. He was not certain exactly what time he had become involved. He remembered RUBRECHT calling him and saying there had been a request to search Bear Camp Road. ANDERSON could not remember if that request had come from Portland PD or Curry County. ANDERSON said he knew that Curry County was actively involved in the search in their area already. (See attached PPB Dispatch call to Josephine County 911)

ANDERSON said he was at home when he received that call and it was his day off. He works a four / ten hour schedule with Friday, Saturday and Sunday off but he was on call all the time.

ANDERSON was asked about the request to search Bear Camp Road. He said a request to search Bear Camp Road had come from DINSMORE in Curry County. ANDERSON explained that DINSMORE was already conducting a search in his area.

He knew the KIMs were supposed to have gone to a lodge in the Gold Beach area. At the time, however, all he knew was that they were somewhere between Portland and Gold Beach. They had no clue where to look other than checking the Bear Camp Road as people are known to take that en route to Gold Beach.

ANDERSON was asked who was assigned to search that road. ANDERSON said RUBRECHT and STANTON. ANDERSON explained that STANTON was a deputy with the Josephine County Sheriff's Office assigned on the BLM contract and also a member of the IMT (Incident Management Team) for search and rescue.

ANDERSON was aware that RUBRECHT and STANTON made it up Bear Camp Road and ANDERSON remembered later that RUBRECHT had called him saying that they had made it to mile post 18 which is the overlook area at the top but had gotten stuck in the snow and could not go any further. ANDERSON said that they had to chain up.

ANDERSON said that RUBRECHT also told him that Curry County was unable to make it up beyond seven miles on their side.

Because of road conditions, ANDERSON and RUBRECHT decided they would send their snowcat over the top all the way through. The search continued through Friday and Saturday though it was still not known where the KIM Family was located.

ANDERSON was asked when he became directly involved in the search. ANDERSON said other than phone calls, it was Sunday morning. He said RUBRECHT had called him at home, and he thought it was around 8:00 a.m. on Sunday morning. RUBRECHT was having a meeting with POWERS and HARRIS and asked if he wanted to be involved. ANDERSON complained to RUBRECHT about waking up and staying up late the night before watching a football game, something he had been misquoted about in the paper later on.

Sunday morning he got dressed and went down to his office where he met with RUBRECHT, POWERS and HARRIS. ANDERSON said that this conference had taken place in room 136 of their office. ANDERSON said he believed he had arrived between 8:45 and 9:00 a.m.

ANDERSON said during this meeting, POWERS stated that he was convinced that the KIMs were in his command area. ANDERSON said that he was not exactly sure what that meant by "his command area" and it was not clarified.

ANDERSON said by the time this meeting had occurred they had information on a receipt showing the KIM Family had had dinner in Roseburg. He believed it was confirmed they had dinner at a Denny's Restaurant.

HARRIS had a map related to the cell phone ping that ANDERSON believed at that time was from Edge Wireless. ANDERSON said that the map was in color with purplish blotches everywhere and he could not make heads or tails of the information.

ANDERSON said HARRIS decided to call a cellular phone technician who lived in the Medford area to come to the office and explain the map, technician Eric FUQUA responded. Sunday morning was the first time he had learned of the cell phone information. ANDERSON reiterated that he had no idea what a cell phone ping was and he was not familiar with the terminology.

ANDERSON learned that FUQUA, of his own volition, had checked records using the KIMs' cell phone numbers and determined that one of the cell phones had received a text message. As ANDERSON understood it, there had been two pings that were four seconds apart. Someone could have driven into one of the blotch areas on the map while a text message was downloading thus causing the ping off the cellular phone towers, but indicating no exact information on a fixed location.

When pressed to clarify his understanding of the cellular phone ping, ANDERSON said that the actual date of the ping was right after Thanksgiving and believed it was on November 26, 2006. ANDERSON explained that it came from the Z sector of a cellular

phone tower on Wolf Mountain in Glendale. ANDERSON said that the information had narrowed down a pie shaped area around Bear Camp within a 26 miles radius. ANDERSON explained that that radius included four Oregon counties: Josephine, Douglas, Curry and Coos.

ANDERSON states the meeting concluded in the afternoon on Sunday, **December 3, 2006**, and a search was enacted.

ANDERSON also recounted that on Sunday December 3, they were dealing with what they later learned was misinformation regarding a sighting in Port Orford. Because a gas station attendant said he saw the KIM family getting gas, searchers moved some of their efforts farther north but they slowly began to rule out this and other false leads.

ANDERSON recalled that during the beginning of search they ended up in the Silver Falls Drainage area on the opposite side of the mountain and checked that quite extensively. He began taking all the other information they had up to that point (John James info and cell phone ping) and remembers thinking the KIMs might be a little further north.

ANDERSON said that they pretty well searched the whole Bear Camp area except for one location which was up at the Black Bar Lodge. ANDERSON said that somebody was put into that area on Sunday with a four by four and some SAR personnel. ANDERSON said that, again, searchers made it part way and could not make it anymore because of the snow. ANDERSON said when they came back later that night they decided to recycle that search for Monday using snowcats from Jackson. RUBRECHT suggested they have a big meeting on Monday morning with all agencies involved to exchange information. The meeting was scheduled for Monday morning, **December 4, 2006**, at 9:00 a.m. in their command post.

Since at this point they were in full search mode, ANDERSON was asked about a command center. He reported they were originally set up in a conference room of the Josephine County Sheriff's office but moved to the SAR compound in Merlin about 1:00p.m., on Sunday. He was in overall command at that point with RUBRECHT AND STANTON splitting the operations portion. He had integrated OSP for intelligence gathering and manpower. RUBRECHT relayed her worries to him about "it" being political because of all the agencies involved. In his mind it was a unified rather than joint command. He did relinquish command three times during night cycles.

No one was assigned to logistics and ANDERSON commented that they discovered this problem in their after incident de-brief. They did not move to the ICS system quick enough, i.e., Sunday instead of Monday. Filtering tips and getting them to agencies was a problem too; for example, STANTON had trouble reaching PPB, SFPD and OSP during the weekend and no one seemed interested in his witness information.

At the Monday morning meeting, ANDERSON offered his location as command central for easier access to the search area. By this time there were four counties involved in the search (Josephine, Douglas, Curry and Coos) and ANDERSON added Jackson. They were also asking Siskiyou County to search their areas and roadways. BLM and

Forest Service were involved too, as well as OSP. ANDERSON was asked how naming his post as command was received. ANDERSON said that no one objected. At that meeting they decided to continue the search and work out the road system assignments and challenges. They started handing out spur road assignments.

ANDERSON said a representative from Carson Helicopters, a private company that Spencer KIM had hired, attend the meeting. There was also a private Jackson County helicopter available and the pilot donated his time. ANDERSON said that his directions to them were based on the ping map and to start working Glendale out and get a 100% POD (probability of detection). He could not really direct Carson because the KIMs had hired them. All he could do was offer up suggestions. He tried to integrate all the parties into helping with coverage and making sure they did not overlap.

ANDERSON said communication between the pilots and central command wasn't a problem because they had the proper radio frequencies but they were running their headquarters a mile away from the airport.

Later on Monday during the full search, they received a radio call from air craft frequency that Kati and the girls were found.

ANDERSON was asked if a temporary flight restriction was established over any particular areas. ANDERSON said that was not done until after the car was found. ANDERSON was not clear who the pilot was who had spotted the vehicle and thought it was Carson Helicopter who had found them. ANDERSON said he read the paper and found out that it was not Carson who had found them.

ANDERSON said by Monday they had assigned BLOOM from the OSP as liaison to Spencer KIM so they were now able to get information back and forth.

This is when ANDERSON learned there was a meeting Sunday between Carson Helicopter and Spencer KIM to give KIM a heads up on what they were going to do and what they were looking for. ANDERSON thought that Carson had given information as well to RUBRECHT regarding the areas they were searching. ANDERSON said he believed they were doing the main roads 32, 38, 199 and 101. ANDERSON thought that they had done some up in the Bear Camp area as well because he had asked them to work it Saturday off the main road. At that point they were afraid the KIM family had driven off the road and gotten covered by snow since a pretty good storm had just come through.

Investigators asked ANDERSON about the report from John James, owner of the lodge.

ANDERSON said an error he made was the assumption to rely on another citizen who said they went up there and nobody was up there. ANDERSON said that this point also came up at the debrief. Next time there would be no assumption, he said. Next time, they would not clear an area until one of their searchers had gone in and cleared it themselves.

ANDERSON said that that was on Friday when STANTON and RUBRECHT had talked to JAMES and then Sunday was the day when they were trying to get into that area with their search and rescue vehicle but had been blocked by the snow so it was recycled for Monday with the cats. When word came in that the car was found, it seemed that within 30 seconds the snowcats reported that they, too, were close.

ANDERSON was asked about the biggest problem he encountered during the search to that point. ANDERSON said that the media were too close – right across from the command post. ANDERSON said it should have been at the National Guard Armory which was about a mile away.

ANDERSON was asked if they had enough people to manage all the different groups. ANDERSON said when they identified a need, it was easily filled. ANDERSON said that the OSP were always offering personnel. After they went into 24 hour search, they were having problems trying to maintain activity around the clock at the command level. ANDERSON said at night they put Lt. LADD from Oregon State Police Roseburg as IC though they were pretty much shut down at night.

By the time they had identified where they thought James KIM was located, ANDERSON had three teams in the canyon, one from Eugene Mountain Rescue and a mixture of Josephine and Jackson County searchers. Late Monday, **December 4, 2006**, the crew was dropped into Windy Creek area but because it was too dangerous to do the search work at night they just camped out.

They continued to search the Windy Creek area. It was during this time articles of clothing were discovered. Trackers followed footprints all the way to the road [36-8-34] and then the footprints dropped down into the canyon again.

By Wednesday morning, **December 6, 2006**, ANDERSON recalls twelve guys from Jackson County SWAT were going in long line along with a Rural Metro Swift Water Rescue team and some rappellers. A Forest Service team was going to hike in. Two teams from Eugene Mountain Rescue were in and one team was held back as a rescue team in case the other search team got in trouble.

ANDERSON said they had fog and could not long line in. He was concerned about safety as the Windy Creek area was, according to Eugene Mountain Rescue, nasty; and, if EMT said it was tough, it was tough.

ANDERSON said that when the fog finally lifted on Wednesday morning they had long lined in one or two guys from the SWAT team and dropped them at the bottom of the canyon. Helicopters came around and did another pick and spot; that's when James KIM was spotted lying on his back in the water at the lower end of the canyon.

Deputy MENDENTHALL of Jackson County and Deputy GRANT, a pilot and paramedic from Jackson County, were being sent in to confirm James KIM was dead. ANDERSON did not know if either was a DME (Deputy Medical Examiner); he knew this would be an issue, but there was no way he was able to lower one of his DMEs so he made the decision to bring James KIM out.

ANDERSON was asked about any problems he saw in logistics or communications. ANDERSON said that the only issue they had was field communications. The communications building was separate from their main building. All radio traffic was relayed by a runner in the communications shack to command. They needed radios in the command post to listen to radio traffic.

ANDERSON was asked if his Sheriff (DANIELS) had decided not to be involved. ANDERSON said he did not know. ANDERSON said that he had called the Sheriff pretty much every day until Monday to update him on the search. The Sheriff never called ANDERSON or came out to the command post.

ANDERSON explained that Sheriff DANIELS was at the end of his second term and was leaving office on January 1, 2007 and he was winding down.

DEPUTY JASON STANTON

On Thursday, January 4, 2007, investigators made contact with Deputy Jason STANTON at the Josephine County Sheriff's Office in Grants Pass, Oregon. During this interview, STANTON said he had worked for the Josephine County Sheriff's Office for approximately seven years. Deputy STANTON's current assignment is as a contract deputy with Bureau of Land Management (BLM). Deputy STANTON has been in that assignment for approximately four years.

He has some responsibility regarding Search and Rescue. STANTON is part of Josephine County Sheriff's Office Incident Management Team (IMT) and is part of the IMT for all major incidents including searches.

STANTON's training includes a three to four day long Management Search Operations (MSO) training and both 100 level and 200 level incident command systems trainings. STANTON has also attended the Managing Search Operations Course.)

To his recollection, STANTON first became involved in the KIM Family Search **December 1, 2006**. Around 9:00 a.m., he received a call at his residence from a records clerk saying citizens were calling Josephine County about a missing family near Bear Camp.

STANTON said he responded to the records clerk, "I'll be on in a couple hours and I guess I'll see what you're talking about." The clerk mentioned she would put her call to him into the notes saying he was advised of the call. STANTON said, "Like, wait a minute. You're gonna do that to me?" and then he told the clerk to call Sara RUBRECHT.

The clerk responded she had attempted to call Sara and could not contact her. STANTON then tried RUBRECHT; he reached her on her cell phone while she was talking on the other line with DINSMORE in Curry County.

STANTON asked RUBRECHT if she knew about “the Bear Camp thing.” RUBRECHT had responded that she was talking to Curry County at that time. STANTON said RUBRECHT had called him back about one half hour later and that they needed to go to Bear Camp.

STANTON picked up RUBRECHT at her house at approximately 11:00 a.m. and they went to Bear Camp. STANTON said he couldn’t remember if it was Portland or Curry who asked them to check Bear Camp. (Later in the interview he recalls it as being Curry County.)

Searcher references to road names in this back country region may confuse an outsider; indeed, even the search experts, investigators and laypersons who worked on this review struggled to get a clear picture of which roads were which. A vast network of hundreds of miles of County roads, Bureau of Land Management (BLM) and Forest Service (FS) roads, paved and unpaved, many of which often overlap, intersect, or are called something different by the locals, cover this area. In fact, some maps of the area refer to Bear Camp Road as FS 23; other maps and even STANTON himself refers to Bear Camp Road as BLM Road 34-8-36. Please see attached map of the “Bear Camp Road Area” for clarification.

At this point all STANTON knew was that they were looking for a silver Saab with an Asian male, his wife and two children inside. They had no photos and no indication this was an official search. Local citizens, however, were really pressing them to check the Bear Camp Road. They drove to Galice and decided to follow the signs to Bear Camp. He and RUBRECHT began their search around 11:30 a.m. All the locals knew that the easiest way was to drive Galice Access and then on to Bear Camp Road (also known as FS-23) to the coast. However, STANTON admitted, some signs along the way point to the Peavine Lookout Road because a previous mud slide had closed portions of the Access Road that leads to Bear Camp Rd.

STANTON clarified for interviewers that the Bear Camp Road is actually called the 34-8-36 Road but he had always called it the road to the Black Bar Lodge.

STANTON said that when they got to the Bear Camp area, RUBRECHT called and requested a snowcat, which. It reported to the SAR house and waited for further orders.

STANTON was asked where during this time he had run into the Owner of the Black Bar Lodge, John JAMES and his brother Denny. STANTON said that somewhere around mile post 14 at Bear Camp. He and RUBRECHT briefly talked with the JAMES brothers who were looking for a spot to turn their trailer (which had snowmobiles on it) around. STANTON told the JAMES brothers he and RUBRECHT were going to continue on.

STANTON was asked if John JAMES’ primary conversation was with RUBRECHT. STANTON said, “They kind of talked through me because he was on my side of the truck.”

STANTON said that he was aware that after the vehicle was found, the JAMES brothers' accused STANTON and RUBRECHT of having been told by him to check the road further. STANTON said that JAMES did not say that.

STANTON asked if he could back up a little. On Thanksgiving Day, which was two days before the Kim Family had supposedly gotten lost, he drove out Bear Camp Road. STANTON was there just for his own curiosity to check snow levels: people always get hung up out there. He got all the way to mile post 20 before he got stuck. STANTON said snow on the road was visible at about mile mark five. *(There are no official mile markers on this road; searchers are using odometer readings to mark location and distance.)*

Past the road that led to the Black Bar Lodge, there was already approximately six inches of snow. After Thanksgiving it snowed some more. When he and RUBRECHT arrived at the road to Black Bar Lodge on December 1, 2006, the only thing they saw were snowmobile tracks. STANTON continued by saying, "Because it had snowed more since Thanksgiving. . . I already kind of lowered that road on my list of things to look at later, plus, we didn't know where [the KIM's] were to begin with."

STANTON said he and RUBRECHT had a discussion about this and it was like trying to "find a tick in a long haired dog. People look at a flat map printed in the newspaper and people don't realize that a person can hide the Russian army in this location and not spot them."

STANTON referred back to John JAMES and said, "Now I'm not willing to go to court and say that he searched that road." STANTON said that he was willing to go to court and say that after talking to John JAMES he had the impression that JAMES had been down Bear Camp Road, though perhaps not every mile of it. He does not recall JAMES telling them that they, STANTON and RUBRECHT, should check the rest of the road.

After Kati and the girls were found, STANTON does remember being badgered by JAMES, "I told you, I told you to check that road." STANTON had been working 18 hour days so he told JAMES to call him back and hung up.

STANTON said as long as they were talking about John JAMES, STANTON had heard (on around December 13, 2006) from Jim ROPER of the BLM office that apparently JAMES called ROPER at the BLM office and said he was going to check that system [Bear Camp area] because he thought they were there.

STANTON was asked if he recalled JAMES' accusation that RUBRECHT made a comment to the effect of "We don't believe those people are here. We're doing it just to do it" and then STANTON'S echo statement of "Right." STANTON responded, "No," he didn't recall that. He stated that they had their reasons for why Bear Camp Road was not checked until Monday.

STANTON said that he would definitely take better notes of people he ran into in the woods after this "John JAMES incident."

Regarding the report receive early Friday afternoon on December 1, 2006, that the KIM's car had been following a convoy of Christmas tree hunters down Bear Camp Road, STANTON said they eventually ruled that out. *(It should be noted that STANTON and RUBRECHT spent much of Friday and all day and night Saturday involved in tracking this lead, interviewing witnesses and playing "phone tag" with detectives at OSP in an attempt to relay witness information. This was one of the handful of tips that later turned out to be misleading or false.)*

On Saturday, **December 2, 2006**, before he went home that afternoon and at Spencer KIM's request, STANTON and RUBRECHT met with Carson and Spencer KIM to relay all information that they had to that point. Though other counties were still involved, STANTON believed the KIM family wanted to talk with Josephine County because of all the public pressure to look on Bear Camp Road and the fact that Carson was located in Josephine County.

At this point in the search, STANTON did not know who was in charge. STANTON said that OSP had taken coordination of the information going out, but he did not know who was coordinating search efforts. One piece of information was related to a receipt showing that the KIM's had dinner at a Denny's in Roseburg. Shortly after that tip came in, he left because he had prior commitments. He was aware that RUBRECHT and some SAR personnel went back to Bear Camp Road and ran some spur roads after 3:00 p.m.

RUBRECHT called him late that night and said they were done. STANTON said he asked RUBRECHT what she meant by "they were done." STANTON said RUBRECHT explained to him that a witness in Port Orford said the Kim Family had pumped gas there and they were in Port Orford. RUBRECHT told him that the KIM family (not law enforcement) told Josephine County they could stop their efforts.

STANTON said that then somehow POWERS got involved and they all met Sunday morning regarding a tip related to the cell phone ping.

STANTON, RUBRECHT, ANDERSON, HARRIS and POWERS met at 8:00 a.m., Sunday **December 3, 2006**, at the Josephine County Sheriff's Office.

When asked what they discussed, STANTON said that "we kinda vented on POWERS for a minute," talking about some problems getting information out about what folks needed to do and not do and the distracting tips sending searchers in different directions.

POWERS seemed to step up and take charge. They tried to clear up what seemed to be a lot of conflicting information including trying to understand the cell phone maps and information provided by the technicians from Edge Wireless, FUQUA AND PUGSLEY. Sunday was the first day they had anything concrete to look at regarding the cell phone pings. The Edge technicians showed up around 10:00 a.m. that morning and worked until late that night. When the ping information was explained it looked like 90% of the area was in Douglas County which, according to STANTON, seemed to deflect the search requirements away from Josephine County.

STANTON was unaware of the FUQUA cell phone experiment on Sunday confirming in FUQUA'S mind that the KIMs were very close to the Bear Camp Road area.

STANTON adds that at the Monday morning meeting (December 4, 2006) searchers were assigned based in part on the cell phone information. He recalls some search managers saying that they had gotten cell phone information before and it turned out the party was 200 miles away so not to read too much into the cell phone information.

Investigators spoke with STANTON about this whole KIM search being a topic of conversation that would not go away. STANTON recalls that when they found the KIMs on the road, he went home and cried. "We thought it was successful" considering that sometimes no one is ever recovered at all.

JOHN JAMES INTERVIEW

On December 29, 2006, detectives made contact with Black Bar Lodge owner John JAMES. Black Bar Lodge, it should be noted, though closed for the winter, is located off Galice Access Road, also known in places as BLM road 34-8-36 and in other places as Bear Camp Road. FS #23 is also called Bear Camp Road. Much confusion about what searchers were calling Bear Camp Road existed throughout the KIM family search. Readers should reference the attached map of the area as well as the comments on road confusion in the STANTON interview.

Early on the morning of **December 1, 2006**, JAMES received an e-mail from a friend referring to the missing KIM Family. Linked to the e-mail was the KGW television station news story.

JAMES replied to the story, "What do you bet these folks are up on Bear Camp?" The KGW web site listed an OSP telephone number to call with any information related to the KIM Family. JAMES called the number and spoke to what he believed was a dispatcher. He told the dispatcher that based on his knowledge of the area and the fact that he owns a lodge called the Black Bar Lodge in the area, he believed the KIM Family could easily be stuck there. He was told by OSP if he thought he had important information to call his local Sheriff's Office.

John JAMES called the Josephine County Sheriff's Office business line listed in the phone book. He believed he spoke with a dispatcher and explained that he was the owner of the Black Bar Lodge and asked if the Sheriff's Office was familiar with the report of a missing family from Portland. The dispatcher told him that she was unaware of anything. He heard her rustle through something and then she said, "Oh, here's something."

He explained that there has been a long history of tourists getting lost in the area of his lodge and he wanted to talk to who ever was in charge. He was transferred to RUBRECHT'S voice mail. JAMES relayed information to this voice mail that he and his brother had snowmobiles and they would like to search the Bear Camp area beginning around 10:00a.m. He left his cellular phone number in case they had questions.

JAMES believes he may have made a second call to Sara's office and left a similar message. JAMES said he never received a return call.

JAMES said his brother, Denny JAMES, arrived at his residence and loaded up snowmobiles. They drove their snowmobiles to the location he describes as about 14 miles up the Gallant Merlin Road onto Galice Access Road at approximately 11:30a.m. They traveled a mile up the Galice Access Road (aka 34-8-36) passed the junction of Forest Service Road #23. JAMES said they ran out of snow, hit bare pavement and were forced to turn back but that while on the road they could see a set of passenger vehicle tracks that appeared to lead into the location that had been snowed over. JAMES said prior to noon, they went back to the junction and then traveled up to Forest Service Road #23 which is also known as Bear Camp Road. They traveled about two miles in this area to the 16 mile marker where they observed what appeared to be passenger vehicle tire tracks.

They could not travel further than about the 18 mile marker because the road was steep and icy.

At this point, a Josephine County patrol vehicle pulled up to their location. The vehicle was driven by a male deputy who identified himself as Deputy STANTON with a passenger named Sara. JAMES said that he approached the vehicle and asked if they were looking for the people who were lost and STANTON replied "yes."

JAMES told them how he and his brother had traveled out the Galice Road for approximately one mile and were forced to turn around because of bare pavement. He also told STANTON and Sara that they had seen what appeared to be passenger vehicle tracks in the snow. John JAMES told STANTON and Sara that he owned a lodge down the road known as the Black Bar Lodge and was very familiar with the road. He thought it was highly likely the KIM Family may have traveled down the road and that the road should be searched further.

STANTON told JAMES that he had traveled the road on Thanksgiving and no one was there then. JAMES said he told STANTON the KIM Family went missing after that time and it was possible that they were on the road. STANTON replied, "We'll check it out," and Sara responded, "We got it handled."

Sara spoke up and said, "Are you the one who called this in?" JAMES said he was and he had left her a message. He said that Sara replied in a sarcastic tone, "At least you know where you are."

He then explained to Sara how he and his brother had gone up the 34-8-36 road toward Black Bar only about one mile and they turned back because there was no snow to travel on. JAMES said that he had told Sara specifically at least two times, "You guys need to check that road." JAMES said that Sara's reply was, "We don't believe that they are out there. We are doing this just to do it."

JAMES felt RUBRECHT and STANTON would follow through their described plan and were going to search the Galice Road. They loaded their equipment and returned to JAMES' residence at about 2:30 p.m.

On **December 4, 2006**, he received a call from a friend who had been listening to the police scanner. The friend told him that some of the missing subjects had been located in the Black Bar area and there were two helicopters and rescuers accessing the Black Bar Lodge.

JAMES was worried they might forcibly try to gain access to his lodge and contacted Sara. She was in the middle of a press conference and couldn't talk but said STANTON would call him back. When he did call minutes later, JAMES offered the keys to his lodge. JAMES said that after learning the KIM Family had been found, he was frustrated and upset and believed that his tone with STANTON was probably agitated. STANTON'S tone was equally offensive.

He also asked STANTON, "Why didn't you guys check?" He said he was then cut off when STANTON replied, "Don't lecture me. I've been on 30 hours of OT since I saw you last Friday. I don't need this."

On **December 5, 2006**, JAMES arrived at the command post in Merlin for an interview with the media related to the area of his Black Bar Lodge. JAMES said while he was there, he saw Brian ANDERSON. He knew who ANDERSON was because he had recently run for Sheriff but they had never personally met.

JAMES said he offered keys and access to the lodge if they needed it for the search. Brian ANDERSON replied, "We got it handled." JAMES asked ANDERSON, "Why didn't you check the road?" ANDERSON replied sternly, "You are the reason why we didn't check it."

On **December 8, 2006**, he guided a CNN crew to the location where the car had been and they did a story. JAMES said he had a copy of that interview in his possession. Following that interview he said he called RUBRECHT explaining what had happened and asked for a return call. No call was received.

DENNY JAMES INTERVIEW

Denny JAMES was interviewed on **December 28, 2006**. He freely agreed to speak to investigators and mentioned that his brother had called to say that investigators would be coming to see him. They specifically did not discuss the events that day during their call to each other.

JAMES gave a virtually identical account of the events as provided by his brother in a separate interview including the statements made by STANTON and RUBRECHT and John JAMES' suggestion that they search the Galice Access Road beyond the one mile of the road [34-8-36] that the brothers had traveled. JAMES said that his brother had done most of the interaction with STANTON and RUBRECHT.

JAMES was asked if it was possible that there may have been confusion with STANTON or RUBRECHT regarding the possibility that the road had been cleared. JAMES told investigators absolutely not. JAMES said that his brother made it perfectly clear that the road needed to be searched beyond the mile that they had traveled. JAMES said he had no further contact with the search operation beyond that day.

SGT. JOEL HELLER INTERVIEW

On Thursday, January 4, 2007, investigators made contact with Sergeant Joel HELLER of the Josephine County Sheriff's Office regarding his involvement in the KIM Family Search. This interview was conducted in the interview room of the Josephine County Sheriff's Office.

HELLER told investigators that he became aware of the KIM Family Search through media reports and through radio traffic on or about **December 2, 2006**. He said he had no involvement with the case until **December 4, 2006**, when he attended a briefing at the Josephine County Search and Rescue House.

HELLER said he was not sure but he believed POWERS and STANTON led the briefing.

HELLER and Jackson County Sheriff's Officer Terry WILSON received a report of a silver vehicle over the edge of the road on Poorman Road and Lower Grave Creek Road. They arrived in the area a short time later. After searching the area until about 11:30 a.m., they were unable to locate the vehicle. They returned to the SAR House at about noon.

Sometime after noon, HELLER learned that a helicopter in the Windy Creek area spotted Kati KIM. He was directed to respond to the area of mile post 14 on Bear Camp Road and not allow anyone to enter except SAR personnel. He remained there as assigned until **December 5, 2006**, at about 10:30 a.m. when OSP Detective Sergeant Jeff PROULX relieved him.

HELLER told investigators that he had no further involvements in this incident. He also told investigators that he did not complete any written reports of the incident.

DEPUTY ERNIE FIELDS

On December 29, 2006, Deputy Ernie FIELDS with the Josephine County Sheriff's Office was interviewed at the Josephine County Sheriff's Office regarding the James KIM Family Search. Investigators met with Deputy Ernie FIELDS at the Josephine County Major Crime Unit in the basement of the Josephine County Courthouse. FIELDS was off duty but had stopped by the office and had subsequently asked to meet with investigators.

FIELDS, a Marine Deputy, advised that he got involved in the SAR mission on Tuesday, **December 5, 2006**, when he was assigned by Phil TURNBULL to take a raft down the Rogue River to look for James KIM. With him was John AUBURN. In another raft was Deputy Jimmy GYLLENSKOG of the Jackson County Sheriff's Office and an American Medical Response (AMR) Reach and Treat (RAT) team medic.

During the drift FIELDS looked for tracks or other evidence and checked creeks on foot as far as they could without climbing equipment. At one point they checked the Black Bar Lodge. The lodge was closed and vacant this time of year and showed no signs of entry by Mr. KIM or anyone else.

While in the field, FIELDS maintained contact with TURNBULL by radio using radio relays. The team had to leave their rafts at Horse Shoe and be lifted out by helicopter. Their rafts were retrieved the next day.

Regarding who normally takes command at Josephine County, FIELDS said not RUBRECHT but normally STANTON, HELLER or Deputy Cory KRAUSS would jump in and take charge. During the KIM incident, however, he did not know who the incident commander was.

FIELDS was asked how he felt about the negative attention this search had gained. FIELDS said that Josephine County Sheriff's Office administration should be stepping up to the plate. He said that Sara RUBRECHT was not calling the shots but she was being the scapegoat. He said that she would not normally be making the decisions anyway.

PHIL TURNBULL INTERVIEW

On Thursday, December 28, 2006, investigators made contact with Phil TURNBULL. Phil TURNBULL is volunteer rural fire chief in Josephine County. TURNBULL has been the Fire Chief since 1981. He has been the board chairman and Search and Rescue volunteer for 4.5 years. He is also an Incident Command System Instructor.

TURNBULL's first involvement in the KIM Family Search wasn't until Sunday, **December 3, 2006**, because he had been out of town. TURNBULL was contacted by Josephine County SAR Coordinator RUBRECHT. TURNBULL was instructed to show up for a meeting on Monday, December 4, 2006, that was attended by approximately 50 to 60 people.

TURNBULL stated he was the self-appointed information liaison on Monday only during the search and the planning incident command before it shifted POWERS. At the time of his involvement, TURNBULL said Josephine County Undersheriff ANDERSON and OSP POWERS were sharing incident command.

TURNBULL said that Deputy Jason STANTON had originally planned assignments for Monday. His perception was that Lt. POWERS had command on Tuesday. On Monday it appeared there was good cooperation and information sharing.

TURNBULL said footprints were located and Kati KIM and the children were found during his involvement.

DEPUTY CAMERON MONTROSE INTERVIEW

On January 4, 2006, investigators contacted Josephine County Sheriff's Office Deputy Cameron MONTROSE. This interview was conducted at the Josephine County Sheriff's Office in Grants Pass, Oregon. Deputy MONTROSE stated he'd been employed with the Sheriff's office approximately six years. His current assignment is as a contract deputy with the Bureau of Land Management; he had been in that position for approximately three years. MONTROSE was asked if he had any SAR training or responsibilities. MONTROSE said, "No, not at all."

MONTROSE was asked if he had any responsibility at all during the KIM Family Search. MONTROSE stated, "No. I was given some field assignments but I was in no way in charge." On Monday morning, December 4, 2006, he attended a briefing where an overview of facts to date had been presented and was then sent out to Grave Creek to run the roads. He does not recall who led the briefing. He and another female SAR member executed their assignment. Around noon they had heard Mrs. KIM was found so they returned to the command post around 1:00 p.m. for further assignments. He was then put on a hike team to Windy Creek but it was too dark to hike.

Later that night, MONTROSE along with two other people, spent the night out there.

In the morning, MONTROSE and another SAR member had contact with the KIM's vehicle and were given directions by command to retrieve lap top computers and hand them over to the helicopter pilots whom he believed were with Jackson County. MONTROSE did, indeed, hand over the computers along with three pieces of luggage to Carson pilots. None of these to his knowledge were inventoried.

MONTROSE also noticed a note on the dashboard on the driver's side of the vehicle and thought it was written by Kati KIM stating that they were stuck out there and her husband had left walking up a road behind them. MONTROSE recalls contacting STANTON and asking if he wanted him to seize the items or not. MONTROSE seized the items and gave them to ANDERSON.

Investigators could not locate inventory forms indicating anything had been seized though MONTROSE said he stood by on one occasion when volunteer SAR members inventoried the contents of the KIM vehicle.

PAT ROWLAND INTERVIEW

On December 29, 2006, Jackson County Sheriff's Office Search and Rescue Coordinator Lt. Pat ROWLAND was interviewed.

Lieutenant Pat ROWLAND said that his agency had provided assistance and resources in the KIM Family Search. OSP requested that his Jackson county volunteer helicopter

pilot begin flyovers in Josephine County in the search area on Friday, **December 1, 2006**.

On **Sunday, December 3, 2006**, ROWLAND received information from Sheriff WINTERS that OSP was again requesting their assistance. A major call out was enacted. Twenty-five to thirty people with six pick-ups, snowmobiles, snowcat, and ATVs were dispatched. All these available SAR personnel and their equipment responded and were ready for assignments between 2:30 and 3:00 p.m.

ROWLAND said when he arrived on Sunday, he believed that OSP was in charge but Josephine County was running operations and doing assignments. ROWLAND said he was not told POWERS was in charge, but he assumed so; by Monday, he learned that in fact POWERS was IC). *(At this time, the organizational dynamic included Powers as incident commander, Jason STANTON was in charge of operations and planning and Sara RUBRECHT was in charge of logistics.)*

ROWLAND said that on Monday morning at 9:00 a.m. there was a briefing by OSP and RUBRECHT. Jackson County searchers were told Bear Camp Road (aka FS 23) had been cleared and to search the area around it including BLM road 34-8-36. Everybody had their assignments by 11:00 a.m. including a Jackson County team with the mobile IC unit that ROWLAND sent to Glendale. ROWLAND felt the information relayed to Jackson County regarding the clearing of some roads was inaccurate.

Though he didn't notice any at first, it became clear to ROWLAND that relaying messages from the field to the communications building and from there to the command building was a problem. He felt the information got changed during relays.

ROWLAND was aware on Monday that a volunteer pilot was doing flyovers of the area and he believed there were other helicopters in the air with their own radio system; they communicated effectively among themselves and could talk to ground personnel through SAR radios. He knew that these helicopters eventually found Mrs. KIM. When interviewing Mrs. KIM at Three Rivers Hospital, search personnel discovered that James KIM had taken off on Saturday at approximately 7:45 a.m. to find help for his family.

Within a few hours of locating Mrs. KIM, SAR volunteers located Mr. KIM's tracks as well as paper and crayons used by Mr. KIM to leave notes. *(The notes were found to have been obliterated.)* The tracks appeared to have gone over a cliff. Some searchers followed those and lost radio contact. One ill-equipped searcher had to be carried out of the canyon and the decision was made to call everyone off the cliffs. It was getting late and Eugene Mountain Rescue, et al., decided to go in, bed down and track another "hot spot" on Tuesday morning.

Though ROWLAND ended his duty at midnight, four volunteers from Jackson County SAR stayed all night along with Eugene Mountain Rescue (EMR). When he left, POWERS was still in charge and he had not seen Josephine County Undersheriff ANDERSON.

Early Tuesday morning, **December 5, 2006**, EMR and Jackson County's Eric Johnson wanted to proceed to a hot spot previously located by helicopters but, according to ROWLAND, because of fog or some IC decision, were held off. By 11:00 a.m., however, a helicopter had spotted something in a tree line that looked like a blue back pack. At that time, the decision was made to put the mobile IC in the field closer to the scene. ROWLAND was told by POWERS that he [ROWLAND] was the incident command at this location.

A short haul was used to drop some personnel into this area. During their search, they learned that it was not a blue back pack but a blue dress. Later, a map was found and some other items.

Eventually, personnel were told they had ten minutes to get out because of darkness. ROWLAND said everyone then returned to the main incident command center. Sheriff WINTERS and the Jackson County Undersheriff were there, along with ANDERSON. ROWLAND believed the determination was made to have the Jackson County SWAT Team members dropped in by helicopter the following day.

They regrouped at approximately 5:50 a.m. on Wednesday morning, **December 6, 2006**. ROWLAND said this time when he arrived there were packets made up with information on them. ROWLAND said they set a time of approximately 11:30 a.m. to do another insert out of one of Carson's helicopters. If found alive, the key words "we found him, send medical," were to be used by radio. If the words "we found him" were said over the radio that indicated that KIM may be deceased.

ROWLAND said that to the best of his knowledge, a State of Oregon Deputy Medical Examiner (DME) was never notified prior to removal of Mr. KIM and it was uncertain exactly what processing and initiating of a death investigation had occurred.

On a positive note, ROWLAND said that the incident command had worked best on the last day, Wednesday, when packets of information were available for everybody. Negatively speaking, the incident command was not open 24 hours like it should have been. Josephine County did not step up soon enough and ask for help from some of the expert people who could have provided assistance.

It was also ROWLAND's opinion that Bear Camp Road had not been cleared the right way. Radio communication was a big issue and things were not being told to the incident command.

KEVIN KEILLOR, GENERAL COUNSEL OF EDGE WIRELESS

Investigators were also tasked with attempting to interview Edge Wireless technicians who were involved in the KIM Family Search and the cellular phone pings. The following is a time line based on an interview with Kevin J. KEILLOR, general counsel for Edge Wireless.

Friday, **December 1, 2006** at 4:00 p.m., Eric FUQUA saw Internet Drudge report regarding the KIM Family and noted that Gold Beach is in the Edge Wireless network

area. FUQUA called the numbers listed in the report, Inspector Angela MARTIN of the San Francisco Police Department Missing Persons Unit at 415.558-XXXX, but got no answer or voice mail, and the after hours number at 415.553-XXXX and received no answer or voice mail.

FUQUA called Oregon State Police Northern Command Center Dispatch where he reached a dispatcher. FUQUA introduced himself and his position. FUQUA suggested that cell phone records could help and suggested that they subpoena all cell phone providers in the area for recorders. FUQUA was told that they were only taking facts at this time but gave him a number to call with his suggestion. The number was 503.940-XXXX. He reached a recording that said "type in your digital message now." FUQUA told co-worker, Noah PUGSLEY, about the missing family.

On Saturday, **December 2, 2006**, at an unknown time in the morning hours, Noah PUGSLEY saw a story regarding the KIM Family on the Internet with a link to the web site jamesandkati.com. PUGSLEY called the contact number on the web site, explained who he was and gave his contact information. In the afternoon, a member of James KIM's immediate family called PUGSLEY to request help locating the KIM Family and gave him three cellular phone numbers belonging to the James KIM Family. PUGSLEY searched and found two of the numbers at the Edge's VLR (Visitor Location Register). The VLR showed the KIM's had roamed on the Edge Wireless Network.

PUGSLEY then searched the CDRs (Call Data Records) and found a record of a message, either an SMS or voice mail indicator at 1:30 a.m. on 11/26/06.

PUGSLEY called FUQUA and left a message but FUQUA soon called back. FUQUA and PUGSLEY spent approximately one hour checking the data to confirm and interpret it. They concluded that the messages that had been sent from the Z sector on Edge Wireless Glendale cell site.

That evening, PUGSLEY obtained emergency authorization from corporate headquarters to release information to law enforcement and asked FUQUA to provide the information to law enforcement. FUQUA called the Josephine County Sheriff's Office and talked to a dispatcher who gave FUQUA a number of 503.823.0441 that went to a recording at the Portland Polygraph Unit. FUQUA called Josephine County Sheriff's Office again and asked for a person in charge.

Josephine County Sheriff's Office transferred FUQUA to WEINSTEIN of the Portland Police Bureau. FUQUA spoke with WEINSTEIN, e-mailed him the map and CDR, and reviewed it with him over the phone. FUQUA explained the Z sector on the Glendale site coverage. Based on his knowledge of the area he felt the KIMs were most likely on Bear Camp Road when the CDR was created. WEINSTEIN then told FUQUA that the KIMs were last seen in Roseburg at 8:00 p.m. on 11/25/06.

Late that night, FUQUA received a call from a law enforcement agency (541.665-XXXX) asking for information on his map and the latitude and longitude of the cell tower. FUQUA described the coverage map and CDR information.

Early morning on **December 3, 2006**, FUQUA received a call from RUBRECHT at Josephine County Emergency Services. She gave him to Detective Deanne, "Annie," HARRIS of the OSP. HARRIS asked FUQUA to drive from Medford to Grants Pass to explain the coverage map. FUQUA stopped at Edge's Medford switch to print maps and took them to the Grants Pass County building. FUQUA explained the map and was there until 11:00 a.m.

HARRIS asked FUQUA to then go to the Merlin SAR Command Center to help interpret Cingular records.

FUQUA arrived at the Merlin Command Center but the Cingular records they requested had not arrived. FUQUA, PUGSLEY and another Edge Wireless employee (Sean King) tested the CDR by having PUGSLEY send a text message to FUQUA's phone while it was on the Glendale Z sector, confirming that it left the same record. FUQUA called HARRIS back and confirmed that they were confident of the KIM cell phone information based on this recent test.

FUQUA returned to Merlin and helped interpret Cingular records and Edge coverage maps. He confirmed to HARRIS and POWERS that his test indicated the sector information was correct. FUQUA later left for home.

On Monday, **December 4, 2006**, neither FUQUA nor PUGSLEY received any calls from law enforcement. Edge Corporate Headquarters contacted WEINSTEIN to facilitate any further requests and obtain appropriate documentation. Edge authorized the deployment of a COW (cell on wheels-mobile cell site) to the Peavine Mountain to assist in the search. Edge commanded the deployment of the COW.

On Tuesday, **December 5, 2006**, FUQUA spent the day in the field working on the COW. WEINSTEIN called FUQUA to thank him.

On Wednesday, **December 6, 2006**, FUQUA received a call from the search team to inform him that James KIM's body had been found and to thank FUQUA for his assistance.

On Thursday, **December 7, 2006** or **Friday, December 8, 2006**, RUBRECHT from Josephine County called to thank FUQUA and asked for a meeting with Undersheriff ANDERSON. (No meeting occurred).

PILOT RANDY JONES

On December 28, 2006, at 9:30 a.m., investigators contacted Randy JONES at his office in Jackson County.

On Friday, **December 1, 2006**, Sheriff WINTERS contacted Randy Jones and requested a helicopter search the Bear Camp Road area for the KIM vehicle. JONES stated that he also received information when he launched his aircraft that the National Guard had launched to search Curry County. He logged in 2.5 hours of search time on

Bear Camp from Merlin to the Gold Beach side. JONES was not able to clear any eastern routes.

On **December 3, 2006**, JONES had talked with Scott DUNN of Carson Helicopters. DUNN told JONES he was searching the area. Private pilot John RACHOR also called him and told him that he had seen tracks off a spur road off Bear Camp Road. JONES flew back to Merlin between 1:30 p.m. and 2:00 p.m. for briefing.

OSP had a map of a cell phone tower and wanted him to go to the Glendale tower going west but when JONES told them about the tracks seen by RACHOR, he was told to check that area first before going to the cell tower and starting his westerly search.

When Jones landed he determined the tracks were made by a bear. He conducted a further investigation of the road while on ground and discovered tire tracks. He contacted ham operators via radio at the command post and relayed the information about the bear and tire tracks.

JONES intended to continue with his original orders regarding the Glendale cell tower but he had a request from Josephine County SAR to return to the tracks area where they believed they saw tracks leading off the roadway. No vehicle tracks were seen and there was no indication of a vehicle off the roadway in that area.

Keeping communication with Carson Helicopters, JONES returned to the tower in Glendale. JONES found nothing and returned to Merlin. He briefed ROWLAND and groups including OSP, Josephine and Jackson County SARs. He conducted a personal brief with Sheriff WINTERS.

JONES stated that while he was in the building he noticed several groups of people talking together and doing their own thing. He was not sure who to talk to so he went to familiar faces, being Lt. ROWLAND and Sheriff WINTERS.

On Monday, **December 4, 2006**, JONES called Sheriff WINTERS and asked if there was a need for a helicopter. WINTERS told him that northern areas needed to be checked. JONES was asked to come to Merlin for a spotter. JONES flew to Merlin to get a spotter. When he was going airborne, he stated he heard on the radio that John RACHOR had located the vehicle and had seen people on the ground.

Scott DUNN, a pilot for Carson Helicopter, was designated to land and check on the number of the people in the vehicle as RACHOR did not have the skill or the time and to land in that area. DUNN landed and picked up Mrs. KIM and her children and started coordinating ground units near the location to follow Mr. KIM's tracks.

Two Josephine County SAR members weighing approximately 240 to 250 pounds each and carrying very little equipment requested to be put in the area of the tracks. Due to their size, JONES had to transport them one at a time, but after looking at the terrain, he realized he could not put a person into the area. He brought the rescuer back to change plans.

Shortly after, the two Josephine County SAR people got a four wheel drive pick up and went down a road on the Big Windy Creek Drainage. The vehicle slid off the road and only one subject could get out. They arranged for a Coast Guard unit to recover him. At this time, it was getting dark.

As was true throughout his involvement, operators were requesting information from JONES; but, when he asked for information from them or made requests, they would not answer through radio communications. JONES learned that his communications were going to a different building and information was not being effectively relayed to command.

On Tuesday, **December 5, 2006**, JONES was asked to go to the KIM vehicle and get out personal computers because they had recent photos of James KIM and what he would be wearing. Ham operators gave Jones coordinates to locate the car, but when he followed those he did not find it. He soon discovered that when the air units gave ham operators their coordinates, the ham operators were not converting correctly. Air was using latitude, longitude, minutes, and seconds. Ham operators thought they meant latitude, longitude and decimals.

Meanwhile, Carson Helicopters who had an OSP person on board wanted to know where the car and computers were as they were also now at the given coordinates but there was nothing there. JONES contacted Carson Helicopters' air operations and advised about the coordinates mix up. JONES finally landed in the area and took possession of the belongings. He handed them off to Carson and OSP and continued with his efforts to find James KIM.

JONES stated he began flying in the area of Windy Creek. There was no incident command in the field. He located a piece of clothing. Eugene Mountain Rescue could not get into the area of Big Windy Creek so JONES called Sheriff WINTERS and asked about using Carson to go short haul in the area. WINTERS would not authorize using Carson Helicopters because he had not trained with them. JONES suggested WINTERS contact Brim Aviation in Ashland. JOHNSON from Jackson County SWAT was inserted into the area. [See also RICE and METHENY Interview.] Because it was late in the day, they gave him ten minutes to get in the area and do a quick search for James KIM.

Later on **December 5, 2006**, he received a call from a Carson pilot who stated he saw two flickers of light near a pool of water where the body was found the next day. He stated they had gone over the pool multiple times in the past two to three days but never saw anything.

PILOT JOHN RACHOR

On January 3, 2007 at 10:45 a.m., investigators contacted private pilot John RACHOR.

On Saturday, **December 2, 2006**, RACHOR read in the paper about the missing KIM Family and where they might be located. RACHOR decided to take his personal helicopter and fly through the area.

RACHOR located tire tracks down a spur road off Bear Camp Road. He was running low on fuel so he flew into Medford where he contacted Randy JONES, the Jackson County SAR helicopter pilot. RACHOR talked to JONES about the tracks he had located.

RACHOR flew back over the area. He then went home. On Sunday, he flew in and saw that there were no tracks over top of the track he had located the previous day and it was apparent that no one had gone in to check on them. He continued searching that day.

On Monday, **December 4, 2006**, RACHOR flew into the area again and saw tracks. He also saw a group of people getting ready to go into the area. He followed the tracks by air and located footprints later determined to belong to James KIM. The tracks led through the snow, over the embankment, and into Windy Creek.

Once searchers got into Windy Creek, he continued to fly up the road. This is when he located Kati KIM and her two daughters. RACHOR said he contacted Carson Helicopters over the radio and advised he had located the car and had seen an adult female outside the vehicle flagging him down.

RACHOR did not feel comfortable landing in the tight area so had Carson do it. He continued to fly following the tracks by James KIM. The tracks led over the drainage.

RACHOR said he came back and fueled. He went back into the area and was told by Carson that it was a flight restricted area. RACHOR made a call to the FAA to confirm. The FAA confirmed there was a flight restriction despite the fact that he had called earlier that morning and they said there was no TFR; otherwise, he would not have continued to search. He later learned that it was after Kati and the children were found that the flight restriction was placed on the area.

RACHOR was “concerned” because even though he was the one who located James KIM’s footprints and Kati and the children, he wasn’t allowed to continue searching.

CARSON PILOTS JOSEPH RICE AND STEVE METHENY

The interview with Carson Helicopter Pilots Joseph RICE and Steve METHENY is a recount as the interview was not originally recorded word for word. Some of the account is derived from a January 10, 2007, interview when Joseph RICE was recontacted by investigators. RICE mentioned there were some things he could not discuss because of client confidentiality.

On Friday, **December 1, 2006**, RICE received a call from Spencer KIM’s in house legal counsel Abby Walsh. She was requesting that helicopters search for the KIM Family. RICE said he checked with METHENY. They then had a conference call with WALSH and Spencer KIM was present. They agreed to launch aircraft. Within about 45 minutes, they had three aircraft airborne covering a large geographic search area. They knew the family had had brunch with a family friend in Eugene. Their search area was

from Eugene to the California border and from the I-5 Corridor to the coast. The main thing that the KIM Family wanted them to do was clear the routes.

METHENY was the command pilot in the first helicopter with Bill COULTAS as co-pilot. Bill ALBERS was command pilot of the second craft and Bob HIGGS was his co-pilot. The third aircraft had Scott DUNN as pilot and he had an observer with him.

They cleared areas as weather permitted. They tracked all their aircraft and flights. They flew the entire day on **December 1, 2006**, and returned that evening. They had ten to eleven total crew members out at any one time.

RICE stated that his aircraft took off out of Grants Pass, followed I-5 north to Eugene and took Highway 126 to Florence. They were advised that the KIM Family's destination was the Tu Tu Tun Lodge in Gold Beach. The first day their route was Eugene, to Florence, to Gold Beach and then Gold Beach over Bear Camp and back to Grants Pass.

The second helicopter went from Cottage Grove, Highway 38 to Reedsport and maintained that road. They then flew Highway 101 north of Florence towards Lincoln City. The third helicopter with Scott DUNN concentrated on Bear Camp and southern spur roads towards Onion Mountain. They knew they were looking for a silver Saab station wagon but had no other details.

Once they got down to Gold Beach and started coming up Bear Camp, they were monitoring the Josephine County SAR frequency and made contact with the SAR team on Bear Camp and also with a National Guard Black Hawk going east to west. They advised Josephine County that they were searching for the KIM Family. Josephine County had already been contacted

Spencer KIM and Mrs. KIM had flown into Medford at approximately 3:00 that afternoon. He had met them and transported them to the Carson Helicopter facility where the KIM Family set up a command post in the Carson conference room.

RICE realized that this was going to be a large logistical search so he contacted the Coast Guard out of North Bend and the National Guard. Bill COULTAS is the executive officer of the guard unit. He interfaced with them and advised them of the details of the Carson search so as to not conflict with other agencies' searches.

RICE called Josephine County, Curry County, Douglas County and Jackson County and advised them that Carson Helicopters were in the air and searching for the missing family. RICE advised that all the aircraft had victor to victor and the Oregon SAR frequency dialed in so they could talk to ground and coordinate if anything was found.

RICE also contacted the FAA and the FSSO (Flight Standards Service Office) to advise them that they were conducting a search activity in the area. RICE was running operational logistics for Carson.

At the end of the day, all crews gathered in the conference room with Spencer KIM and they debriefed for approximately two hours. They learned more details about the vehicle and James KIM. Spencer KIM said he knew his son and believed that his son would have driven down I-5, saw the quickest route to the coast and hopped over Bear Camp Road.

On Saturday morning KIM asked one Carson helicopter to heavily search the Bear Camp Road area and the other two over the other areas where they had already been searching.

KIM was insistent that he fly with one of the helicopters. METHENY took Spencer KIM with him. It was foggy along the Rogue River corridor so they jumped to about the middle of Bear Camp. They flew Bear Camp for five and a half hours. They concentrated on roads from Bear Camp to Highway 199 and Onion Mt. and to the south. They followed every spur road and logging road from Grants Pass to Brookings to Gold Beach. When they refueled, Mr. KIM got out.

Scott DUNN took Bear Camp north to tri-cities and Highway 42 and the large helicopter took Highway 38 and the coast.

RICE and METHENY advised that there could have been better dialogue with Josephine County SAR and in talking to personnel on the ground. They did not recall a command post being in place. METHENY said he was talking to RUBRECHT. She had a vehicle with flashing lights and he located her in the field. That day they searched well into dark.

At a briefing on Saturday night they learned information about credit card use which narrowed the search down. RICE was advised that Eva KIM had been running Hwy 101 with posters. They had received a call from the Shell Gas Station in Port Orford. The gas attendant advised she saw the family, even talked with them and gave them directions to Tu Tu Tun Lodge. Spencer talked to the caller and the pilots talked to her also. The tip giver was very convincing in her story.

RICE advised that Mr. KIM wanted them to search Roseburg south and Highway 38 out of Cottage Grove. They were following all roads along the coast from Agness to Powers because the gas station sighting was in Port Orford. Mr. KIM wanted to make sure all areas were cleared with 100% confidence. The helicopters were working north to south.

Port Orford was a waste of time and very frustrating as the tip proved to be false. RICE and METHENY advised that they lost an entire day for one aircraft.

One frustration Spencer KIM also experienced was the slow release and exchange of information.

RICE sent operations reports to different counties with information on aircrafts, crews, and frequencies.

Sunday afternoon they got the cell tower information and confirmation of credit card use at Denny's in Roseburg. This information narrowed the search down to a 30 degree arc out of Glendale. They did outlines and overlays on maps for probability of locations. The cell tower information was the turning point in their search.

RICE received a call from RUBRECHT. She wanted to come over and speak to the KIM Family. POWERS, ANDERSON, RUBRECHT, and HARRIS came over Sunday afternoon. At that time, POWERS said he believed the family was in his jurisdiction. After the cell tower confirmation, they refocused the search in Josephine County.

METHENY and RICE said that through mid-day Sunday, December 3, 2006, there was no established command for the search and they did not know who was "running the show." The search was "very loose and casual." The search started to gel on Sunday by mid day when OSP took the lead. There was a pooling of resources at that point. RICE stated he was advised by Spencer KIM to share all information with local agencies.

POWERS was now their contact and in charge of the search. RICE stated that it was obvious POWERS was the leader. He was very receptive and wanted to hear what Carson had to say. RICE had concerns that there would be no unification between all the agencies and Carson, but it was very open, good communication. Barriers were broken down by POWERS and RUBRECHT. They understood that Carson was a resource to be utilized and they were well trained.

METHENY and RICE were briefed later on Sunday night with Spencer KIM.

Monday morning they had a well defined plan and a narrowed search area. The plan was to methodically work Bear Camp.

RICE was asked about the information from the wireless company and if they were given mileage of where the ping was or just how far the tower's signal goes out. They were given the number of 26 miles so they did a 30 mile area search.

METHENY was planning to go to Big Windy Creek when they received a bad tip from a logging truck about a sighting in a gravel pit. There were "a million roads" going every direction. Every road was searched; they did not see the KIM vehicle. METHENY then headed to his previous search area. He came up the Rogue River because he heard RACHOR had found the car. METHENY saw RACHOR. Randy JONES then flew over and they all saw the vehicle.

RACHOR couldn't land so RICE agreed to hover in the area and drop food and supplies. METHENY counted heads and only saw three people. RICE called Scott DUNN who was in the small helicopter. The landing spot was tight so METHENY went high and watched Scott while talking him down into the area.

JONES called the SAR headquarters to advise they had possibly located the car. DUNN was on the ground. He shut his helicopter down. DUNN had a hand held radio with the SAR channel. This is the only way RICE and DUNN had to communicate with each other. He asked DUNN to count heads and call him back on the radio.

The word was going out that they found the family. Douglas County and Josephine County started releasing their people and blocking the radio. RICE was finally able to communicate to the other agencies to hold off on radio communications.

DUNN advised that he had Kati and the two girls and they all seemed fine, but James KIM had taken off. By now, things were changing rapidly. They had a tight area to search. RICE did a lock down on the facility as he knew that Kati KIM and the girls were going to be medevac'ed to the Carson site. He had OSP come in and put fuel trucks in the area to block media.

RICE asked DUNN to find out which direction James KIM left in. DUNN said that he left down the same road DUNN had landed the helicopter on. RICE stayed in the area to make sure that DUNN could get out and then advised their large helicopter to follow the road.

Meanwhile, sometime in the afternoon, OSP sent a liaison, Mike BOOTH, out of Eugene, to set up in the Carson office. Since Booth was acting as liaison between government operations and the KIM Family, RICE confirmed to him that the girls had been located. That information was then relayed to SAR headquarters.

METHENY and co-pilot flew in the direction that James KIM went when he left the car. They were able to observe and follow tracks for part of the way into the head of Big Windy Creek. The tracks stopped. Eventually they got someone from Jackson County on the road. Jackson County saw sneaker tracks that seemed to fall into the creek. The Big Windy Drainage area was extremely rugged terrain. METHENY flew down into Big Windy several times.

The other large helicopter went to Rogue River. METHENY landed at Black Bar Lodge, knocked on doors and could not find anyone. He then landed at the mouth of the river. There were no tracks. METHENY said he knew James KIM had not come out of the Big Windy at the bottom. The National Guard came out but it was getting dark.

At Monday night's briefing at the command post, everyone was talking about James KIM being in the Big Windy Drainage. About five or six guys from Eugene Mountain Rescue arrived and it was decided they would drop in and track at night in the drainage. EMR ended up staying put and spending the night as the area was nearly impassable.

When the pilots reported in on Tuesday morning, they knew where they had to focus. The briefing was almost non-existent because there was not much information to share. The crews launched on Tuesday morning and dropped MREs (Meals Ready to Eat) into the drainage on both sides.

METHENY went to the middle of the Big Windy and the other helicopter went right back to the bottom. The small helicopter went to the lodge. They were all airborne by 6:30 a.m.

On Tuesday they still had a positive command structure with the addition of Jackson County's Pat ROWLAND who established radio command in the field. RICE and METHENY stated that ROWLAND was a huge help and "second to none."

Spencer KIM wanted Carson to remember that they were to assist the government and support their operations in what ever way possible. Tuesday was the first time that it was a completely unified search and Carson was no longer acting as a private entity. There was a free flow of information between all entities.

Late Tuesday morning, they were searching and not finding anything. METHENY contacted ROWLAND and requested JOHNSON from Jackson to be put back into the field.

METHENY had to refuel farther away in Medford due to fog. Other small delays in finding James KIM (like not finding the KIM car again to retrieve personal computers) because of confusion over GPS coordinates, slowed searchers and caused communications frustration. When aviation coordinates come in they need to be converted properly.

Early Tuesday afternoon, they heard radio traffic about a found pair of pants.

RICE felt that Carson's communications were higher paced and more accurate than the other agencies but he realized that he had highly trained professionals who knew what radio discipline was and the other agencies, such as county SAR teams, were dealing with all volunteers, other than one paid position.

Once METHENY refueled in Medford, he headed back out with a "laundry list" of what James KIM was wearing and what he had with him including a blue back pack. The back pack was found in the creek an hour later.

METHENY advised that he had all the equipment on the helicopter necessary to do a short haul and could put someone in the drainage. SAR decided to call Burl at BRIM Aviation as SAR had never trained with Carson and was more comfortable using BRIM. BRIM advised that he could not do it and only had a 100' line: they should use the Carson guys. METHENY was advised that BRIM was going to fly his gear to Grants Pass so he went and got it though the line they provided was only a 100' line. METHENY looked at the equipment and decided he had what Jackson was used to using so he kept BRIM's as safety gear.

METHENY talked to Sheriff WINTERS and thought this would be okay but when METHENY showed JOHNSON the equipment, JOHNSON decided he wasn't comfortable using it and wanted to call the whole thing off. By then it was late afternoon. They eventually agreed upon some line modifications so JOHNSON could clip in for a drop near the blue backpack sighting. Once in, it became obvious to JOHNSON that someone had bedded down in the area.

JOHNSON found ribbon, pieces of map, items under a log, a wool sock, and a red shirt, all things included in the "laundry list." Found in the creek was a blue child's dress, not

a back pack. JOHNSON wanted to continue down the creek but it was getting dark. JOHNSON called ROWLAND for instructions and ROWLAND told him to grab everything and get out. METHENY flew him up and dropped him off. He then went to the Black Bar Lodge.

The two large helicopters decided to stay out. It was a moonlit night and there was no fog. The pilots were looking for a flicker of light. They saw a few possible flickers but could not confirm what they were. The National Guard was back out Tuesday night. They interfaced at Grants Pass. The National Guard was told about the possible flickers of light in the drainage and told them to check it out. The National Guard did not see anything.

On Tuesday, Spencer KIM retasked a DOD (Department of Defense) satellite for high resolution imagery. At some point he was talking to the Secretary of the Air Force. Whatever resource that man had, he pulled it out according to METHENY and RICE. They said Spencer KIM was reaching for high powered resources and that caught people off guard.

Wednesday morning there was no briefing because everyone knew they were within a half mile stretch to search.

Wednesday morning was very foggy. The original plan was to insert the SWAT guys short haul but METHENY suggested that Sheriff Winters have them start hiking. WINTERS headed his guys out. They arrived just when the weather cleared. METHENY went out and picked up one member and short hauled him to where he set JOHNSON the night before. He had the SWAT member five feet off the ground when he looked down the creek and saw James KIM. He then saw approximately five guys walking up the creek towards the area. He set the SWAT member down.

The ground searchers were "Forest Service One" teams. They had parked on the road above and hiked down the hill. METHENY did not know who they were coordinating with. They were so exhausted and wet that they needed to be medivaced out. RICE said no one knew who the Forest Service Team was. RICE believed that they were "freelancing" and doing their own thing. Apparently, on her own volition, District Ranger Pam BODY sent that Forest Service Team out and she was taking credit for finding James KIM.

The other helicopter was down low doing a search and received a radio call that they had found James KIM. James KIM was marked with ribbon.

METHENY thought when he located James KIM there was no movement but he did not want to assume as he was 300 feet above the ground. He requested medics. He noticed that KIM was wearing blue jeans and a grey jacket. He was lying in the creek face up and the only identifying feature was his face. The clothes completely blended into the area and the water. He was submerged and the water was moving over him. He was very difficult to see.

METHENY recalled that they had flown the area before but if KIM had been there, he must have been face down because his face was the only identifiable feature. He was convinced that KIM was not in the creek the night before or if he had been in the creek, he was face down. He might have gotten rolled over by the movement of the water.

METHENY recovered the body back to where ROWLAND was standing by with an ambulance. He called down to the SWAT Medics and asked if they could hold tight. They advised they would take pictures and “police up” the area so he could medivac the forest service team out. He later got the SWAT medics out.

METHENY said he could not get back to Grants Pass due to the weather. He landed at the Black Bar Lodge where some Josephine County Sheriff’s deputies had left rafts down river that needed recovering anyway and eventually flew back to Medford.

METHENY and RICE were asked how they thought the air operations in general went. METHENY thought that from Carson’s side, given what information they had, ops went pretty good. The interface between them and JONES worked out fine. RICE wished that Randy JONES had been included earlier and every day. He played a vital role and was a great liaison.

RICE thought that POWERS was a good help getting a TFR (Temporary Flight Restriction) in place when, at one point, there were five different media helicopters clogging the area. RICE would have liked to have seen briefings earlier in the day so they could use daylight more effectively.

The GPS coordinate confusion was a factor and should have been addressed.

METHENY and RICE were asked about any confusion over whether or not areas had been cleared. METHENY said Douglas County has a procedure that at the head of a road they will put a slash of orange ribbon to show that the road has been cleared one direction. When they come back out, they put the opposite slash of the X. From the air it’s easy to see. Josephine County does not use any markers so the pilots had to look for snowcat or fresh vehicle tracks and then would have to check the road anyway. Pilots would get a call from the ground guys who would say things like they checked the “42 60” road. Roads are not marked like that on aviation maps. Every day they would have to calculate GPS tracks and overlay on maps and then would go back and clear.

METHENY has never worked with Jackson County SWAT and believes they are top notch. He did suggest that the SWAT team get a better uniform so they could be seen from the air. They were dressed for concealment.

Regarding the command issue, RICE said he talked with RUBRECHT at least a dozen times a day. She was there all the time and she was back and forth interfacing and making sure everything was being done right. Undersheriff ANDERSON was doing the same thing. There was direction and leadership and there was a very unified front between Jackson County, Josephine County and OSP.

RICE reiterated that Spencer KIM was a huge driving force for this search.

The only real issue impeding their helicopters from departing was related to heavy fog, but then never departed later than 11:45 a.m. and all aircraft returned from their final mission by 5:00 p.m. each day.

METHENY felt that there were times when Josephine County did not know how to manage all the resources that were available. For instance, on Monday night, two National Guard pilots had come down and were ready to go. RICE believed that the command post wasn't aware they were available for more than just that night. No one from SAR had come out to talk to them so METHENY drove them over to the SAR compound and that issue was squared away. Those were minor things because there was a lot going on. There were also procedural issues like requesting the National Guard through Emergency Services that may not have been made in proper format. The National Guard staging in Salem did not seem practical.

RICE thought this was the first operation he has worked where fences were knocked down and there were no "turf wars." People were focused on making it happen. Then the Forest Service showed up on Tuesday and all of the sudden there was a bureaucracy and "paper work needed filled out." RICE said it was as if Pam BODY did not understand that this was a rapid response situation and that communications needed to be fluid. The Forest Service became a hindrance in the search. METHENY was concerned because the Forest Service sent an ill-equipped, five member team with no briefing into the area.

DR. JAMES OLSON and DME TIM PIKE

Inquires were made into Oregon State Police reports, autopsy reports, death certificates and toxicology results for James KIM. It was learned that toxicology reports had not been received yet by the State Medical Examiners Office and the certificate of death had not been signed by Forensic Pathologist Dr. James OLSON. There was a notation on immediate cause of death indicating exposure and hypothermia. Investigators were informed during this investigation that the results of the toxicology were forthcoming and as soon as they were received would be part of the supplemental documentation.

Dr. James OLSON performed the autopsy on James KIM. Dr. OLSON confirmed that the autopsy report was not signed pending the results of the toxicology samples sent to the Portland Lab. Dr. OLSON said that he had surveyed the body of the deceased at the Center Point Morgue and there was bruising noted on the legs, knees and arms of the deceased; however, the noted bruising would not have been incapacitating to the deceased.

Tim PIKE, DME (Deputy Medical Examiner) for Jackson County, advised that the autopsy report for James KIM was not signed and toxicology results had not been received at this time. PIKE advised he would fax a copy of the death certificate listing the cause and manner of death. The toxicology samples were sent to the Portland Lab on December 13, 2006.

KEN MURPHY INTERVIEW

MURPHY is the director of Emergency Management for the state of Oregon. MURPHY was contacted to discern if he had any log record information and to obtain copies.

Mr. MURPHY provided several logs to include an Oregon Emergency Management Search and Rescue Incident Summary and also a printed document that was described as being a log of requests for air support from the Oregon National Guard.

MURPHY was asked what staff was involved in taking tips and/or phone reports. He indicated he was not positive and believed that volunteers answered those phones at whatever originating agency the call may have come into and those tips were then logged or sent on to someone else.

Mr. MURPHY said he was first notified by his SAR coordinator on or about **December 1, 2006**. A call came in from Curry County requesting air assistance. This call came in at approximately 10:00 a.m. and the directive was to “look in the Agness area,” which is northeast of Gold Beach. They wanted air assistance from the National Guard.

Mr. MURPHY contacted Bob ASHER who is the rescue duty officer for Oregon Emergency Management (OEM) and on **December 1, 2006**, a MART mission was launched. Information was going to the search duty officer.

Normally Mr. MURPHY is not provided with the specific details of a search; however, he was aware that Spencer KIM asked if it would be alright to hire civilian helicopters. Someone gave approval for this to happen so these helicopters could assist in the search.

Mr. MURPHY went on to say that Georges KLEINBAUM, a full time employee with Oregon Emergency Management, was one of the search coordinators, or at least was the coordinator for OEM, and Mr. KLEINBAUM would have more knowledge about what was going on specifically in regard to the search.

He was aware of the Governor’s concern related to the search. He had met with the Governor on Friday, December 22, 2006.

Mr. MURPHY was asked about any other specific information regarding this search. He indicated that he was aware of a situation or the situation involving OSP allegedly “taking over” the search and that possibly POWERS was the person who took command. MURPHY mentioned another lieutenant but was not sure of that lieutenant’s name and was not aware of Oregon State Police ever having taken over any type of Search and Rescue operation in the past.

LORI TINSETH

A phone interview was conducted on December 28, 2006, with a dispatcher for OSP by the name of Lori TINSETH. She indicated to interviewers that she used to be a deputy with Josephine County so she was aware of the area where the search began and/or culminated. She was also aware that Bear Camp Road was a common area for people

to get lost in that county and that that road was “always blocked” so that travelers would not “inadvertently” drive up them. She was concerned after the fact when she learned that the gate across the road had not actually been closed.

TINSETH said at some point during the search, she was not sure when, she fielded a phone call. This phone call came from a fishing guide from the Grants Pass area. TINSETH could not recollect the name of this guide but that he indicated that he had recently been in the area of the search and had learned that most of the roads were open including the Bear Camp Road.

Ms. TINSETH related that this fishing guide thought the KIM Family may have gone up that road, being Bear Camp Road. She thanked the guide/tip giver for the information and directed him to call Josephine County. She then gave the Josephine County Sheriff's Office phone number to that person. The guide indicated that as soon as he got off the phone with her, he would place a call to Josephine County.

TINSETH was also aware of another dispatcher having taken the same type of call or tip within the same approximate time period. TINSETH indicated that her supervisor, Kris CHISSIMANO, took another call and potentially an additional supervisor, Shirley, unknown last name, was going to place a call to Josephine County and Curry County to relay the information of these tips.

The supervisor TINSETH was speaking about was identified as Shirley BOESEN but BOESEN was not available as she was on vacation and would not return until January 2, 2006.

WAYNE STINSON DEBRIEF OF KATI KIM

On January 5, 2007, Wayne STINSON of Douglas County was contacted by investigations and asked to provide information about his debrief with Kati KIM at the hospital after she and the children were located.

STINSON advised that the original Overdue Person Questionnaire was left with Josephine County. It is a two sided document and since he did not have a copy of the document, he would provide the details in a narrative format.

STINSTON contacted Kati KIM at the Grants Pass Hospital and conducted a short interview with her as soon as she was brought into the Emergency Room on **December 4, 2006**. RUBRECHT was also present at the time.

STINSON introduced himself as Wayne STINSON with the Douglas County Sheriff's Office. He informed Kati KIM he was assisting Josephine County in the ongoing search for her husband, James KIM. STINSON told Kati KIM that he wanted to talk to her about James KIM, about him leaving the vehicle and any details she might provide that could assist in locating him. STINSON asked her for a description of what James was wearing when he left the vehicle. A partial list of what Kati KIM provided included tennis shoes, jeans and a heavy coat with no hood.

Kati KIM further stated that James had left about 7:45 a.m. on Saturday December 2, 2006. Kati said she did not want James to leave but he stated he was only going to walk until about 1:00p.m and if he did not find anything he would return to the vehicle.

Kati KIM stated that James KIM had taken his cell phone, which James knew had a dead battery, and the A/C charger in hopes of finding a power source. James KIM had also taken clothing and some flagging he had found in the area. He was going to mark any turns with those items. Kati KIM was unsure if he had taken a "large" camera strobe with him. She did not recall seeing it in the car but she was unsure if he had it with him.

Kati KIM also said that she had told her husband not to drink out of the streams but to use the water bottle he had taken (unknown color, but thought it was blue) and if he ran out of water to just melt snow in his mouth.

Additional information provided by Kati KIM was that they had eaten dinner at Denny's in Roseburg on November 25, 2006. She advised it was a bad experience and that the cook and waitress were arguing. The Kim Family just hurried up and ate in order to get out of there.

Kati KIM advised that their intended route was going to be Highway 42 but they somehow missed the turn off. Once they realized that they had missed the turn off, they did not want to turn around and elected to try and cut over to Gold Beach at Grants Pass.

Kati KIM advised that during the time they were stranded they did not have much food and at one point James KIM was eating the berries out of bear scat.

Kati KIM did mention that "things were very stressful" towards the end of the week just before James left for help. Kati KIM went on to say that the morning James left that "he had a somewhat wild look in his eyes." Kati was questioned further on this issue and she just went on to say it was stressful as she had been angry about James getting the family in the predicament they were in and that he was intent on "doing something" to help.

Kati KIM also advised that on Sunday she tried to walk out with the two kids but did not get very far before she realized it was not a good idea and returned to the car.

Kati KIM was questioned about James' outdoor experience and if he had camped or hiked very much. She indicated that he had little to no experience in the outdoors and that he was technically adept.

Kati KIM was asked if there was anything other information she could provide and she replied, "No."

Kati KIM was thanked for her assistance and advised that there were a lot of people, equipment and agencies out searching for her husband. Contact was terminated with Kati KIM and STINSON returned to the Josephine County SAR facility where he filled out the Missing Person Questionnaire and provided it to Josephine County.