

1 CRAIG GERVAIS,
2 called as a witness in behalf of the
3 State, being first
4 duly sworn, was examined and testified as follows:

5 EXAMINATION

6 BY MS. SNOWDEN:

7 Q All right. Please tell us your first and last
8 name.

9 A Craig Gervais.

10 Q And if you could spell it for us?

11 A Last is G-E-R-V-A-I-S.

12 Q You're a Portland police officer?

13 A That's correct.

14 Q I understand that you were employed and on duty on
15 March 4th, 2013, at about 10:45, when you responded to an
16 officer involved shooting?

17 A That's correct.

18 Q Are you familiar with that area and that parking
19 lot?

20 A I am.

21 Q How are you familiar with that?

22 A Officer Kula and sometimes Officer Boer, we would
23 meet up there during some down time.

24 Q So you had been there --

25 A Several times.

1 Q Okay. How did you -- where were you when you
2 heard about the call?

3 A 7th and Southeast Morrison.

4 Q Tell us about what you observed when you arrived
5 there on scene.

6 A When I got there, there was some confusion at the
7 bottom of the ramp. I could hear Officer Kula directing
8 folks arriving to up the ramp. I knew what he meant. I
9 knew he was there, so I went up to the north side ramp
10 that's on the first level, it's only two levels. Uhm, as I
11 turned the corner, I saw two patrol cars and another unknown
12 make vehicle in the middle of the parking ramp or structure.
13 And one patrol car had its two lights on, the spotlight and
14 the take-down lights, which are extremely bright. I
15 couldn't tell what officer car that was.

16 I could see another patrol car to my left. I
17 could hear Michele crying. And so I exited my patrol car, I
18 heard her crying, then went over there to render assistance
19 over there. I could hear Officer Kula at that time. Now I
20 knew where he was, off to my left. I still couldn't see
21 him, but I could hear him.

22 Q What was he saying or doing?

23 A He was telling the downed subject, "Don't move."
24 Other officers were arriving basically simultaneously at the
25 time. And he was basically saying, "There's a gun near him,

1 he's still moving." And it was apparent he was still
2 moving, and that's all I could see at that point.

3 Q Okay. And were you part of the take-down team?

4 A I was not.

5 Q And did you have any other -- what did you do
6 after that? What was your role?

7 A Uhm, after Officer Kula was escorted down to the
8 second level, after I stayed up there for maybe another
9 minute or two, I went down where he was.

10 Q Okay. So were you assisting him after the fact?

11 A Yes. Yes.

12 Q What was his demeanor like?

13 A State of shock, disbelief. We all were.

14 Q Okay. All right.

15 MS. SNOWDEN: Questions? Thank you for
16 coming.

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