

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

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**COLE DUANE ENGELSON**

Appellant,

vs.

**THE STATE OF NEVADA**

Respondent.

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**Docket No. 82691**

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Appeal From A Judgment of Conviction (Jury Trial)  
Fifth Judicial District Court  
The Honorable Robert Lane, District Judge  
Court No. CR9226

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**APPELLANT'S APPENDIX VOLUME 2 OF 22**

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Electronically Filed  
Jul 23 2021 05:50 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

<b><u>VOLUME</u></b>	<b><u>PLEADING</u></b>	<b><u>PGS</u></b>
1	Amended Information (2/7/2019).....	5-8
5	Amended Order Setting Jury Trial (9/14/2020).....	742-743
1	Brief in Support of Admitting Bad Act Evidence (11/25/2019).....	9-24
3	Court Order (7/8/2020).....	518-523
3	Court Order on Motion to Suppress (7/8/2020).....	524-528
1	Defendant Cole D. Engelson's Opposition to Bad Act Evidence (4/29/2020).....	43-51
1	Defendant's Formal Request for Pro Se Self-Representation (3/5/2020).....	30-39
1	Information (11/21/2018).....	1-4
22	Judgment of Conviction (3/12/2021).....	2175-2177
5	Motion to Disqualify the Nye County District Attorney's Office (10/27/2020).....	744-750
1	Motion to Suppress Defendant's Statements (6/4/2020).....	137-147
22	Notice of Appeal (3/26/2021).....	2178-2183
1	Notice of Motion and Motion for Deposition (2/10/22).....	25-29
2	Opposition to Defendant's Motion to Suppress Defendant's Statements, Pages 1-249 (6/12/2020).....	148-397
3	Opposition to Defendant's Motion to Suppress Defendant's Statements, Pages 250-307 (6/12/2020).....	398-454

6	Opposition to the Defendant’s Motion to Disqualify the Nye County District Attorney’s Office (10/29/2020).....	751-771
1	Order Appointing Counsel (3/30/2020).....	40-42
1	Reply to Opposition to Brief in Support of Admitting Bad Act Evidence (5/27/2020).....	52-60
1	Transcript of Proceedings Deposition of Christopher Pullen (5/21/2020).....	61-135
3	Transcript of Proceedings Defendant’s Motion to Suppress/Motion Admitting Bad Act Evidence/Calendar Call (7/6/2020).....	455-517
6	Transcript of Proceedings, Jury Trial Day 1 (11/4/2020).....	794-825
7	Transcript of Proceedings, Jury Trial Day 2 Pages 1-100 (11/5/2020).....	826-925
8	Transcript of Proceedings, Jury Trial Day 2 Pages 101-157 (11/5/2020).....	926-982
9	Transcript of Proceedings, Jury Trial Day 3 Pages 1-118 (11/6/2020).....	983-1100
10	Transcript of Proceedings, Jury Trial Day 3 Pages 119-194 (11/6/2020).....	1101-1176
11	Transcript of Proceedings, Jury Trial Day 3 Pages 195-275 (11/6/2020).....	1177-1257
12	Transcript of Proceedings, Jury Trial Day 4 Pages 1-100 (11/9/2020).....	1258-1357
13	Transcript of Proceedings, Jury Trial Day 4	

	Pages 101-176 (11/9/2020).....	1358-1433
14	Transcript of Proceedings, Jury Trial Day 5 Pages 1-100 (11/10/2020).....	1434-1533
15	Transcript of Proceedings, Jury Trial Day 5 Pages 101-190 (11/10/2020).....	1534-1623
16	Transcript of Proceedings, Jury Trial Day 6 Pages 1-110 (11/12/2020).....	1624-1733
17	Transcript of Proceedings, Jury Trial Day 6 Pages 111-212 (11/12/2020).....	1734-1835
18	Transcript of Proceedings, Jury Trial Day 7 Pages 1-70 (11/13/2020).....	1836-1905
19	Transcript of Proceedings, Jury Trial Day 7 Pages 71-127 (11/13/2020).....	1906-1962
20	Transcript of Proceedings, Jury Trial Day 8 Pages 1-80 (11/16/2020).....	1963-2042
21	Transcript of Proceedings, Jury Trial Day 8 Pages 81-153 (11/16/2020).....	2043-2115
6	Transcript of Proceedings, Motion to Disqualify the Nye County District Attorney's Office (10/29/2020).....	772-793
4	Transcript of Proceedings Petrocelli Hearing Day 1 (8/10/2020).....	529-639
5	Transcript of Proceedings Petrocelli Hearing Day 2 (8/11/2020).....	640-741

21	Transcript of Proceedings, Sentencing Hearing Day 1 (2/1/2021).....	2118-2132
22	Transcript of Proceedings, Sentencing Hearing Day 2 (3/8/2021).....	2133-2174
21	Verdict (11/16/2020).....	2116-2117

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Case No.: CR9226

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*The undersigned affirms that  
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**FIFTH JUDICIAL DISTRICT**

**JUN 12 2020**

**Nye County Clerk**  
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**IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
**IN AND FOR THE COUNTY OF NYE**

**THE STATE OF NEVADA,**

Plaintiff,

vs.

**OPPOSITION TO DEFENDANT'S MOTION  
TO SUPPRESS DEFENDANT'S STATEMENTS**

**COLE D. ENGELSON,**

Defendant. /

COMES NOW THE STATE OF NEVADA, by and through its attorney, CHRIS ARABIA, NYE COUNTY DISTRICT ATTORNEY, through Chief Deputy District Attorney Kirk D. Vitto, and opposes the Motion to Suppress brought by the defense.

The defendant is claiming that his statements were received in violation of *Miranda*, that his statements were not voluntarily tendered. That being the case, it becomes his burden to establish the basis for a hearing on the issue, *Wilkins v. State*, 96 Nev. 367 (1980) referencing *Jackson v. Denno*, 378 U.S. 368, 84 S. Ct. 1774 (1964), and the trial court should first determine whether an evidentiary hearing is necessary.

An evidentiary hearing will be required when the allegations of the defendant, if true, warrant suppression of the statements contested. If this court determines a

1 hearing is necessary, the statements, and the circumstances under which the  
2 statements were received, should be received as sworn testimony. After that the court  
3 will have the opportunity to decide whether *Miranda* was applicable, whether *Miranda*  
4 was violated, and if not, whether the statements were voluntary using a totality of the  
5 circumstances test.

6 If *Miranda* was applicable, not violated, and the statements were voluntary, the  
7 statements are admissible.

### 8 POINTS AND AUTHORITIES

#### 9 **FACTS**

#### 10 **DETECTIVE ALEXANDRA FERNANDEZ**

11 According to the Supplemental Narrative from Detective Alexandra Fernandez  
12 provided to defense counsel as discovery, (attached as Exhibit 1) Fernandez arrived  
13 on scene at approximately 7:20 p.m. on July 15, 2017, almost three years ago. She  
14 was provided some general information leading to contact with the defendant, advising  
15 him that she was recording.

16 With an obviously injured 3-year-old child being administered CPR, Fernandez  
17 asked the defendant "what was going on today." He said he was giving his "old lady's"  
18 daughter a bath", the child was "fine" when she got out and went "limp" as he was  
19 drying her off. Fernandez smelled alcohol, asked him how much he had to drink, he  
20 said "a couple of drinks". The defendant began to provide detail about the day, and  
21 what had transpired as he and the "baby", Yessenia, were home alone. Fernandez  
22 asked if she could take some pictures of the shower area, the defendant had no  
23 objection. Oddly, compared to the facts and the evidence, the defendant showed  
24

1 Fernandez the shower from which Yessenia emerged hours earlier and the water was  
2 still running.

3 The defendant continued to provide information regarding what had transpired,  
4 interspersed with statements that he did not know what had happened to Yessenia.  
5 He showed Fernandez the glass he had been drinking from, that he had filled the  
6 glass with more water than vodka, and that he was not taking any prescription  
7 medications. He explained to Fernandez that he had been alone with Yessenia since  
8 between 1:00 and 2:00 p.m. as he had given money to his "old lady", Victoria, and her  
9 oldest daughter to get their nails done. He said that "Yessenia was "sticky" and  
10 needed a shower before putting her to bed when the two of them laid down together  
11 for a nap in the master bedroom, which is where Yessenia was naked and deceased.

12 Trying to be helpful to Fernandez and an accurate chronology, the defendant  
13 looked at the call history on his phone and observed that he had called Victoria at 6:44  
14 p.m., 7:08 p.m., and an "emergency" call at 7:12 p.m., stating three times that he had  
15 called 911. He said he knew something was wrong with the back of her head, he tried  
16 to wake her, smacking her face a "little bit", saying, "hey, hey, hey, get up, get up, get  
17 up and there was nothing. And that's why I called her mom. I don't know if I called the  
18 paramedics first but there was something wrong AND I DID IT."

19 Importantly for the purpose of this Court's analysis, at that moment, Fernandez  
20 observed that the defendant "looked like he was going to cry and started breathing  
21 heavily." Fernandez told the defendant she "appreciated his honesty and cooperation",  
22 she asked him when he last used marijuana, he said four or five days ago, she told  
23 him to turn around, she was going to handcuff him, she told him she was "detaining"  
24



1 him, and that she was going to check "the status" of Yessenia. She then turned her  
2 recorder off.

3 Fernandez walked outside toward the "crime scene tape", Sergeant Fowles  
4 advised her that Yessenia was deceased. Chief Lewis confirmed the injuries he had  
5 seen to the child's "head and neck", Fernandez requested Fowles' "Miranda card" so  
6 that she "could read [the defendant] his Miranda rights" when she returned to his  
7 location. She started the recorder as she walked back toward the house, "Mirandized"  
8 the defendant, he "waived his rights", and Fernandez advised the defendant that  
9 Yessenia was deceased. He started to cry. Fernandez said that she "needed him to  
10 tell [her] what happened to [Yessenia]. He advised that he had told her all he knew,  
11 that he had "just came to", and "started crying harder".

12 Fernandez asked the defendant why he said he had a bad day. He then gave a  
13 detailed account of his "long day". He had come home from work that morning, having  
14 worked from 11:00 p.m. the night before until 6:00 a.m. that morning, he had come  
15 "straight home", "took the kids out to breakfast", made a nail appointment "for his old  
16 lady and her older daughter to get their nails done, "she [Yessenia] was supposed to  
17 take a nap", "he snuck a drink from the cabinet" after arriving home from having been  
18 to "breakfast", and maybe had two drinks.

19 When asked, he said he has blacked out, he "takes 'antabuse' because he's  
20 recovering", but "he doesn't drink that much". He then began to explain that he really  
21 doesn't know what happened. He explained that he doesn't get angry "that much",  
22 he's the one to "calm" "situations down." Fernandez asked how Yessenia was that  
23 day, the defendant said "She was fine. I put her down for a nap. I let her mom get her  
24 nails done. I don't think anything else happened after that." Fernandez asked for

1 consent to draw blood, the defendant said, "I'd rather not, it's already going to be a  
2 bad day for me." Fernandez concluded her interview.

3 **DETECTIVES ALEX COX, LOGAN GIBBS, WES FANCHER**

4 On July 16, 2017 at approximately 5:36 a.m. Cox read the *Miranda*  
5 admonishment to the defendant and the defendant agreed to speak with him. In his  
6 report (attached as Exhibit 2) Cox noted that the defendant "stated that he was  
7 responsible for the death of [Yessenia]". The defendant "stated that he killed  
8 [Yessenia] but does not know how he did it due to him being intoxicated." The  
9 defendant "stated whatever he did 'caused her death'" and said the "Dave and Busters  
10 pint glass" may "have caused the round circular bruise on [Yessenia's] right thigh."

11 Fancher's report (attached as Exhibit 3) indicated that, inter alia, the bruising on  
12 her body was not the result of falling from a chair while outside, that he never noticed  
13 any bruising "during his contact with her", the defendant at one point, while  
14 intermittently explaining that he couldn't remember, said "that one of the pattern  
15 bruises may have been from his knuckles from striking the child and held his hand up  
16 in a fist where we detected noticeable damage to the skin tissue on his knuckles." He  
17 also "stated that his right toe hurts as if he stubbed it on something but suggested the  
18 possibility of his sore toe being as a result of him striking the child in the shower."

19 "[A]fter reviewing the photographs, he believed that [Yessenia] never made it to  
20 the bed. He then appeared to be thinking more deeply into what occurred and then  
21 informed me, with certainty, that the child never took a nap with him and was lying on  
22 the floor next to the bed where he later found her dead." The defendant said he was  
23 upset with Yessenia, he was the only one with her, he was "responsible for her death".  
24

1 He stated he "may have grabbed the phone charger to strike her with it" but wasn't  
2 sure whether that was a dream.

3 The transcript of the interview between Cox, Fancher, Gibbs, and the defendant  
4 is attached as Exhibit 4.

5 **(THEN) LIEUTENANT DAVID BORUCHOWITZ**

6 As documented in his Supplemental Narrative (attached as Exhibit 5)  
7 Boruchowitz recorded his interview of the defendant within the interview room at the  
8 Nye County Sheriff's Office, reminding him "of his Miranda rights that he had been  
9 given prior and he indicated an understanding that they were still applicable." The  
10 defendant told Boruchowitz that Yessenia "had climbed on a chair and went head over  
11 heels but didn't think she hurt anything. He stated that [sic] then played in dirt. He said  
12 he had drinks (vodka and water) and then he gave [Yessenia] a shower." He  
13 explained how Yessenia doesn't like water in her face, describing it like "when you  
14 throw [sic] cat in the bathtub and they are all over the place", that Yessenia "was  
15 falling all over the place" but "didn't remember anything after the shower", didn't  
16 remember drying her off (contrary to what he told Fernandez) and "I don't remember  
17 striking her". He did remember seeing Yessenia with "half an eyeball open" and didn't  
18 discipline Yessenia's brother Dwight because if had he "was afraid" he wouldn't stop.

19 Although intermittently expressing to different people that he didn't remember  
20 what happened, he told Boruchowitz that "she was screaming and I think maybe she  
21 run out to get a towel", she was trying to get out, it was slippery, she "Went down a  
22 few times", doesn't like cold water, "Feet went out from underneath her", "Racked her  
23 ribs on the door frame", "second time she just slipped and landed back to back on the  
24 against the wall opposite the door", "Used his feet and hands to keep her from getting

1 out", "told her to get back in there", he told Boruchowitz that he gave Yessenia a  
2 shower within a HALF HOUR of Victoria leaving meaning somewhere between 1:30-  
3 2:30 p.m. The defendant said Yessenia was "limp" once she left the shower, yet he  
4 didn't call and speak to Victoria until close to 7:00 p.m., roughly FIVE HOURS later.  
5 Although, according to the defendant, the event wasn't that bad, the parts that he  
6 remembered, he didn't "know if it got amped after that" but that she "Screamed the  
7 whole time".

8 The defendant told Boruchowitz that although he has punished Yessenia with  
9 cold showers previously, she usually "cowers into a ball and complains about it", but  
10 that this instance was different, "she wanted to get out of it" this time. Describing the  
11 amount of force he used, he said he didn't remember, but that it might have been a  
12 "midget kick".

13 Boruchowitz noted in his report that the defendant "took ownership for the  
14 death and stated that he was the only one there, and no one else could have done  
15 this to her. He was the sole caregiver and it was on his watch."

16 About an hour later, Boruchowitz "reiterated that his Miranda rights still applied  
17 while speaking to [Victoria] and he indicated his understanding again" as Boruchowitz  
18 allowed Victoria time to speak with him. Victoria asked the defendant if Yessenia was  
19 fighting him taking a shower and the defendant responded, "we were going at it".

20 The transcripts of the interviews with Boruchowitz and the defendant, and  
21 Boruchowitz/Victoria/and the defendant are attached as Exhibits 6 and 7.

22 ///

23 ///

24 ///

1 **ISSUE**

2 **WHETHER THIS COURT SHOULD SUPPRESS THE DEFENDANT'S VOLUNTARY**  
3 **STATEMENTS**

4 Based on the law and the facts, the Motion to Suppress Defendant's  
5 Statements currently before this Court must only be denied.

6 **RULE**

7 *Miranda* warnings are "required when a suspect is subjected to a custodial  
8 interrogation." *Archanian v. State*, 122 Nev. 1019, 1038 (2006).

9 A confession is inadmissible unless freely and voluntarily given...'In order  
10 to be voluntary, a confession must be the product of a 'rational intellect  
and a free will.'...In determining whether a confession is the product of a  
11 free will, this court employs a totality of the circumstances test:

12 the court must consider the effect of the totality of the circumstances on  
the will of the defendant...The question in each case is whether the  
defendant's will was overborne when he confessed...Factors to be  
13 considered include: the youth of the accused; his lack of education or his  
low intelligence; the lack of any advice of constitutional rights; the length  
14 of detention; the repeated and prolonged nature of questioning; and the  
use of physical punishment such as the deprivation of food or sleep  
15 [citations omitted].

16 *Chambers v. State*, 113 Nev. 974, 981 (1997). "The ultimate issue in the case  
17 of an alleged involuntary confession must be whether the will of the accused was  
18 overborne by government agents." *Id.*

19 "An individual is not in custody for purposes of *Miranda* where police officers  
20 only question an individual on-scene regarding the facts and circumstances of a crime  
21 or ask other questions during the fact-finding process...or where the individual  
22 questioned is merely the focus of a criminal investigation", *State v. Taylor*, 114 Nev.  
23 1071, 1082 (1998), referencing *United States v. Jones*, 21 F.3d 165, 170 (1994).

24 *///*

1 "Where the accused has been fully and fairly apprised of his *Miranda* rights,  
2 there is no requirement that the warnings be repeated each time the questioning is  
3 commenced....All that is required is that the accused be initially advised of his rights  
4 and that he understands them at the time of his interrogation." *Taylor v. State*, 96 Nev.  
5 385, 386 (1980).

6 Voluntary intoxication, (even when heavily intoxicated, injured, medicated, even  
7 with numerous drugs in his system), will not necessarily render statements  
8 inadmissible for being involuntarily uttered.

9 While the testimony we have set out indicates that the appellant had  
10 been drinking to some extent prior to making the statements attributed to  
11 him by the officers and Sample and Shafer, still it includes testimony  
12 upon which the jury could well conclude that his mind was not in a  
13 maudlin condition and that he knew what he was saying. The fact that a  
14 person charged with crime is intoxicated when he makes a confession  
will not necessarily exclude it as evidence. It is only when an accused is  
so drunk when he makes a confession as to render him unconscious of  
what is saying that the law deems his confession incompetent.  
Intoxication of a lesser degree is for the jury to consider in determining  
the weight to give the confession.

15 *State v. Hall*, 54 Nev. 213, 234, 235 (1932).

16 A confession by a defendant suffering from drug withdrawal may be  
17 involuntary when the withdrawal results in a confession which is not the  
18 product of a rational intellect and a free will. *United States v. Harden*, 480  
19 *F.2d* 649 (8th Cir. 1973). In this case appellant's withdrawal symptoms  
20 were minor. During the confession he was coherent, able to recall facts  
in great detail, and showed no signs of discomfort. Under these  
circumstances we are satisfied that the appellant voluntarily made the  
incriminating statements. *United States v. Harden, supra*. Cf. *Tucker v.*  
*State*, 92 Nev. 486, 553 P.2d 951 (1976); *Stewart v. State*, 92 Nev. 168,  
*547 P.2d 320 (1976)*.

21 *Pickworth v. State*, 95 Nev. 547, 549 (1979).

22 The general rule with respect to confessions made by a person under the  
23 influence of intoxicants can be summarized as follows: proof that the  
24 accused was intoxicated at the time he confessed his guilt will not,  
without more, prevent the admission of his confession. See e.g.,

1 Commonwealth v. Chapman, 345 Mass. 251, 186 N.E.2d 818 (1962);  
2 People v. Dorman, 28 Cal.2d 846, 172 P.2d 686 (1946); 69 A.L.R.2d  
3 361. However, if it is shown that the accused was intoxicated to such  
4 extent that he was unable to understand the meaning of his statements,  
5 then the confession is inadmissible. Roper v. People, 116 Colo. 493, 179  
6 P.2d 232 (1947).

7 *Tucker v. State, 92 Nev. 486, 488 (1976).*

## 8 **ARGUMENT**

### 9 **A.**

#### 10 **THE DEFENDANTS STATEMENTS TO FERNANDEZ, COX, FANCHER, GIBBS** 11 **AND BORUCHOWITZ DID NOT VIOLATE MIRANDA AND THEY WERE NOT** 12 **INVOLUNTARY**

13 The defendant says, "When Detective Fernandez first made contact with  
14 Engelson on July 15, 2017, she began a custodial interrogation." That's not the law  
15 and that's not true.

16 Fernandez did nothing other than what the court in *State v. Taylor, 114 Nev.*  
17 *1071, at 1082 (1998)* specifically allowed. The chronology with regard to what  
18 occurred is strikingly appropriate. The defendant was being asked questions by  
19 Fernandez "on-scene regarding the facts and circumstances of a crime", or did, "ask  
20 other questions during the fact-finding process" or under circumstances where the  
21 defendant was "merely the focus of a criminal investigation". Immediately after the  
22 defendant said he knew something was wrong with the back of her head, he tried to  
23 wake her, smacking her face a "little bit", saying, "hey, hey, hey, get up, get up, get up  
24 and there was nothing. And that's why I called her mom. I don't know if I called the  
paramedics first but there was something wrong **AND I DID IT**", she cuffed him, told  
him he was being detained, ceased asking questions, confirmed Yessenia's status as  
deceased, the child's condition as observed by medical personnel at the scene,



1 retrieved Sgt. Fowles Miranda card, read the defendant his rights, he understood  
2 them, he waived them, and agreed to speak with Fernandez.

3 The defense says, "Furthermore, Engelson was immediately the sole suspect in  
4 the death of Yessenia Camp." The defendant himself, on numerous occasions,  
5 coupled with the obvious objective facts, made it abundantly and undeniably clear that  
6 he was alone with Yessenia, nobody else could be responsible, he alone was  
7 responsible for what happened.

8 His statements to Fernandez were clearly and obviously voluntary and provided  
9 in a patently non-coercive environment. It was a conversation between the defendant  
10 and a lone plain-clothes detective, pointed out only to show that the environment was  
11 not orchestrated to be oppressive or intimidating by using multiple uniformed officers  
12 with guns drawn. The defendant spoke with Fernandez in an intelligent, coherent,  
13 rational manner, able to understand her questions, provide rational, intelligent,  
14 perhaps calculated answers, even refusing to voluntarily submit to a blood draw to  
15 determine his blood/alcohol level.

16 Later, Cox re-Mirandized the defendant who agreed to speak with Cox, Gibbs,  
17 and Fancher in a logical, rational, relatable manner that belies any assertion that the  
18 statements provided were in any manner involuntary given. Importantly, as pointed out  
19 by the court in *Taylor v. State*, 96 Nev. 385, at 386 (1980), giving another *Miranda*  
20 warning was neither critical to the analysis nor necessary, but was provided to the  
21 defendant from an abundance of fairness and circumspection.

22 The defendant claims that "[w]hen Captain [sic] Boruchowitz began his  
23 interview with Engelson, he was required to re-read Engelson his *Miranda* rights."  
24 That's not true, that's not the law. *Taylor v. State*, 96 Nev. 385, at 386 (1980).



1 Although Boruchowitz did not need to re-*Mirandize* the defendant, he reminded the  
2 defendant of his rights, two more times, once during his private conversation with the  
3 defendant, and again when Victoria met with the defendant while he was present.

4 The defendant wants to claim that he must have blacked out because he  
5 doesn't remember, but with the same breath that he claims to not remember, he  
6 provides an amazing amount of detail and keen minutia surrounding the events of the  
7 day.

8 The defendant claims that inconsistencies between what he said and evidence  
9 at the scene is proof that he was too intoxicated to provide voluntary statements.  
10 Perhaps that's one way to look at things, but it may also mean that the defendant  
11 was/is simply lying, trying to find a way out of a situation he found himself in because  
12 of his own conduct.

13 He blacked out. Says who? The defendant? He was heavily intoxicated to the  
14 point that his statements cannot be considered voluntary. Says who? The defendant?  
15 He refused to voluntarily submit to a blood draw to determine his blood alcohol level  
16 necessitating the need for a warrant resulting in his blood being drawn at 12:15 a.m.  
17 July 16, 2017, five hours after law enforcement and medical personnel had been  
18 dispatched to the scene (Fernandez was dispatched at 7:20 p.m., the defendant  
19 refused to consent to having his blood drawn within an hour from then, Fernandez  
20 Mirandized the defendant immediately after turning her recorder on at 8:05 p.m.,  
21 meaning roughly only four hours may have lapsed from the point of first contact with  
22 him and his blood being drawn) resulting in a blood alcohol level of 0.101 according to  
23 the Las Vegas Metropolitan Police Department Forensic Laboratory, affidavit attached  
24 as Exhibit 8. His blood was drawn within roughly one hour after being given permission

1 to have the blood drawn by telephonic search warrant, the call to Justice of the Peace  
2 Gus Sullivan beginning at 10:53 p.m.

3 The defendant, with a medical marijuana card, but claiming to not have smoked  
4 marijuana within the last "four or five days", showed a THC-Carboxylic Acid (Marijuana  
5 metabolite) level of 20.8 ng/mL, from the same lab, attached as Exhibit 9, which Nicole  
6 Van Aken (Forensic Scientist II) will testify had no intoxicating effect. No one listening  
7 to the recorded, transcribed interviews with the defendant will conclude that the  
8 defendant was so heavily intoxicated that he did not understand what he was asked,  
9 what he was saying, or what was taking place which segues into an important aspect  
10 of the motion before the court.

11 **B.**

12 **NEVADA HAS ADOPTED THE "MASSACHUSETTS RULE"**

13 In line with the command of Jackson v. Denno, 378 U.S. 368  
14 (1964), the trial court, in the absence of the jury, received evidence to  
15 determine whether the defendant's confession was voluntary. The court  
16 specifically found that the confession was voluntary [cf. Sims v. Georgia,  
17 385 U.S. 538 (1967); Criswell v. State, 84 Nev. 459, 443 P.2d 552  
18 (1968)], and it was later received in evidence before the jury without  
19 objection, and the footnoted instruction given. The instruction adopts the  
20 'Massachusetts Rule.' The court first hears the evidence in voluntariness  
21 before allowing the confession into evidence. If found to be voluntary, the  
22 jury is then instructed that it must also find that the confession was  
23 voluntary before it may be considered. This court has never decided  
24 whether the Massachusetts Rule should be followed, or some other  
procedure. State v. Fouquette, 67 Nev. 505, 533-34, 221 P.2d 404, 419  
(1950). We now approve that rule as the rule for Nevada.

21 *Carlson v. State, 84 Nev. 534, 535, 536 (1968)*

22 The defendant makes several bald assertions without a factual basis. There is  
23 no affidavit attached to the defense motion. Because of the "Massachusetts Rule", in  
24

1 order to even attempt to establish his specious claims, he will need to present a case  
2 to establish involuntariness to the jury during the trial.

3 In a nutshell, this court will rule on constitutional aspects of the defendant's  
4 statements, and a preliminary ruling on whether the statements were voluntary.  
5 Ultimately however, the issue of "voluntariness" is one for the jury to decide. That  
6 means the defendant will have to take the stand and testify regarding the  
7 circumstances surrounding the statements he gave and thereafter be subject to cross-  
8 examination and potentially extrinsic evidence. He doesn't have to, but if he doesn't  
9 testify that his statements were involuntary that's the end of the issue insofar as  
10 whether it will be an issue for the jury to determine. "An instruction regarding the  
11 'voluntariness' of a suspect's statement need be given only when 'voluntariness' is at  
12 issue." *Dawson v. State*, 108 Nev. 112, 120 (1992)

13 To be sure, "Every criminal defendant is privileged to testify in his own defense,  
14 or to refuse to do so. But that privilege cannot be construed to include the right to  
15 commit perjury. Having voluntarily taken the stand, [in that case appellant] was under  
16 an obligation to speak truthfully and accurately, and the prosecution here did no more  
17 than utilize the traditional truth-testing devices of the adversary process." *Jezdik v.*  
18 *State*, 121 Nev. 129, 139 (Maupin, J. 2005), referencing Chief Justice Burger from  
19 *Harris v. New York*, 401 U.S. 222, 225 (1971). The court in *Wallace v. State*, 84 Nev.  
20 603, 605 (1968), observed that "The defendant testified and, among other things,  
21 portrayed himself as grossly intoxicated at the time of the homicide. Testimony about  
22 the oral confession was offered by the State during rebuttal to impeach the defendant's  
23 testimony since the substance of the confession given but an hour and a half later  
24 tended to establish premeditation in spite of intoxication."

1 The jury will have the opportunity to sift the defendants credibility and juxtapose  
2 the recorded statements contemporaneously uttered as he spoke with five law  
3 enforcement officers with his testimony three years removed from the time of the  
4 incident and plenty of time to think about what he wants to say. The prosecution  
5 wholeheartedly welcomes the opportunity to have truth tested in that fashion.

6 Thereafter, the prosecution need prove voluntariness by only a preponderance  
7 of the evidence with the submission of appropriate jury instructions. *Carlson, Grimaldi*  
8 *v. State*, 90 Nev. 83, 89 (1974), *Dawson*.

### 9 CONCLUSION

10 To keep this issue in context, the United State's Supreme Court has made  
11 obviously salient observations. In *Colorado v. Connelly*, 479 U.S. 157, at 163, 107 S.  
12 Ct. 515 (1986) the court said:

13 Indeed, coercive government misconduct was the catalyst for this Court's  
14 seminal confession case, *Brown v. Mississippi*, 297 U.S. 278 (1936). In  
15 that case, police officers extracted confessions from the accused through  
16 brutal torture. The Court had little difficulty concluding that even though  
17 the Fifth Amendment did not at that time apply to the States, the actions  
18 of the police were 'revolting to the sense of justice'.

19 And at 163, 164:

20 Thus the cases considered by this Court over the 50 years since *Brown*  
21 *v. Mississippi* have focused upon the crucial element of police  
22 overreaching. While each confession case has turned on its own set of  
23 factors justifying the conclusion that police conduct was oppressive, all  
24 have contained a substantial element of coercive police conduct. **Absent**  
**police conduct causally related to the confession, there is simply**  
**no basis for concluding that any state actor has deprived a criminal**  
**defendant of due process of law [emphasis added].**

22 ///

23 ///

24 ///

1 The court reviewed two examples of a confession that were involuntary  
2 at 164, 165:

3 In *Blackburn*, the Court found that the petitioner was probably insane at  
4 the time of his confession and the police learned during the interrogation  
5 that he had a history of mental problems. The police exploited this  
6 weakness with coercive tactics: 'the eight- to nine-hour sustained  
7 interrogation in a tiny room which was upon occasion literally filled with  
8 police officers; the absence of Blackburn's friends, relatives, or legal  
9 counsel; [and] the composition of the confession by the Deputy Sheriff  
10 rather than by Blackburn.' 361 U.S., at 207-208. These tactics supported  
11 a finding that the confession was involuntary. Indeed, the Court  
12 specifically condemned police activity that 'wings a confession out of an  
13 accused against his will.' Id., at 206-207. *Townsend* presented a similar  
14 instance of police wrongdoing. In that case, a police physician had given  
15 Townsend a drug with truth-serum properties. 372 U.S., at 298-299. The  
16 subsequent confession, obtained by officers who knew that Townsend  
17 had been given drugs, was held involuntary.

18 That's not what happened here. The Nye County Sheriff's Office did not "wing a  
19 confession" from the defendant. He wanted to talk, and law enforcement let him. It's  
20 not the fault of law enforcement that he made many incriminating statements.

21 The defendant currently is asking this Court to do what the Court in *Connelly*  
22 specifically found to be flawed argument saying, at 165, 166: "The flaw in respondent's  
23 constitutional argument is that it would expand our previous line of 'voluntariness'  
24 cases into a far-ranging requirement that courts must divine a defendant's motivation  
for speaking or acting as he did even though there be no claim that governmental  
conduct coerced his decision." The defendant would like to claim there was coercive  
police conduct, but the record attached as Exhibits 1-9 belies that position. "Only if we  
were to establish a brand new constitutional right -- the right of a criminal defendant to  
confess to his crime only when totally rational and properly motivated -- could  
respondent's present claim be sustained." *Id.* 166. "We hold that coercive police

1 activity is a necessary predicate to the finding that a confession is not "voluntary"  
2 within the meaning of the Due Process Clause of the Fourteenth Amendment." *Id.*  
3 167.

4 The Court in *Connolly* also said, at 168: "We now reaffirm our holding in *Lego*:  
5 Whenever the State bears the burden of proof in a motion to suppress a statement  
6 that the defendant claims was obtained in violation of our *Miranda* doctrine, the State  
7 need prove waiver only by a preponderance of the evidence."

8 *Miranda* protects defendants against government coercion leading them  
9 to surrender rights protected by the Fifth Amendment; it goes no further  
10 than that. Respondent's perception of coercion flowing from the 'voice of  
11 God,' however important or significant such a perception may be in other  
12 disciplines, is a matter to which the United States Constitution does not  
13 speak.

14 *Id.* 170, 171.

15 For the foregoing reasons, this Court should deny the pending Motion to  
16 Suppress Defendant's Statements.

17 DATED this 12<sup>th</sup> day of June, 2020.

18 CHRIS ARABIA  
19 NYE COUNTY DISTRICT ATTORNEY

20 By   
21 KIRK D. VITTO  
22 Chief Deputy District Attorney  
23  
24

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**EXHIBIT 1**

**EXHIBIT 1**



**SUPPLEMENTAL NARRATIVE:**

Name: Fernandes A M

Date: 21:03:12 07/17/17

On 7/15/17 at approximately 1920 hours, I was dispatched to 5320 E. Manse Rd. for a CPR in progress call. Deputy Burke and Sgt. Fowles were also on their way to this address. We had been advised by dispatch that the medics on scene were not "code 4" and that the man there was irate and highly upset. On my way to this location, dispatch advised that CPR was being performed on a 3 year old female, who had been hit by her mother's boyfriend.

Deputy Burke and Sgt. Fowles were on scene just minutes prior to my arrival. As I was walking up to the residence, Chief Lewis had advised me that the medics advised him that the child had trauma on her head and neck. Chief Lewis also stated that the female and male were "trying to kill each other." As I approached the residence, I had my recorder going. A white male, with a reddish grey beard, wearing a black tank top and black shorts was on the porch. The male identified himself as Cole Engleson. I advised Cole that I was recording.

I asked Cole to tell me what was going on today. Cole stated that he was giving his "old lady's" daughter a bath. Cole stated that he was drying her off and she was unresponsive. Cole stated he called his old lady and told her something was wrong. Cole stated, "I really don't know what happened. I really don't." I asked Cole where the victim became unresponsive at. I asked if it was in the tub. Cole stated that they don't have a tub, only showers. Cole stated, "She was fine when she got out." Cole stated, "I came back and I was starting to dry her off and she was limp." I asked Cole how he was drying her off. I asked if she was standing, laying, how was she positioned. Cole stated that he always dries her off on the counter. Cole stated that he was drying her off and she was "nodding out and that's when she became limp." Cole stated that he called her mom and then he stated, "I don't know."

I asked Cole how much he had had to drink. As I had been talking to him, when he spoke, I could smell an odor of an unknown alcoholic beverage coming from his mouth. Cole stated that he was going to go to bed and he had a couple of drinks. He stated that they were supposed to lay down together and go to bed and have a nap. Cole stated that "me and her" laid down. I asked Cole to clarify who "her" was. Cole stated, "The baby. Sennia" I had Cole spell the child's name. I asked Cole what he was drinking today. Cole stated that there was vodka in the cabinet. I asked Cole if that was what he was drinking. Cole stated that was what he was drinking.

I asked if she had been sick. Cole stated that she had been sick. Cole stated she had lung issues. Cole stated that they were supposed to take her to the doctor on Monday. Cole stated that her and his son were supposed to be on breathing treatments. Cole then stated that his son is with his (the son's) grandma for the weekend. I asked if anyone else was home. Cole stated nobody. I clarified that it was just him and the baby. Cole stated yes.

I asked Cole if she was fussing or showing signs of distress. Cole stated that he couldn't say that. I asked to clarify what he couldn't say. Cole stated that, "I couldn't say that she was fussing or anything or like being aggressive or anything like that. I couldn't say it."

I asked Cole if he wanted to show me where she was showering. Cole stated, "I



will." We walked inside of the house and I asked him what his dog's names were. Cole stated that they were his old lady's best friend's dogs. Cole walked me to a bedroom that had a bathroom connected to it. Cole pointed to the "restroom." Cole stated that he gave her a shower in that bathroom there. I followed Cole into the bathroom. Cole stated, "The water is still running. I think she might have been unresponsive here, I might have grabbed her there. But like I said it was a panic. Can I shut it off?" I stated to Cole that I was going to grab a couple of pictures in here, is that ok? Cole stated, "No, no, please." I asked Cole if the white towel that was on the counter the one he used to dry her off with. Cole stated, "It was. It was." I was taking photographs of the bathroom. I had asked Cole if the counter in that bathroom was the one he was using to dry her off. Cole had stated that that was the counter he used. Cole stated that he stood her up on the counter and when he did that she was unresponsive. I stated to Cole that he said that she may have been unresponsive in the shower. Cole stated, "Might have been. Like I said, uh... cause she doesn't like water in her face. So she kind of like flips out. So I don't know if she fell down and I picked her up and she was unresponsive or I really don't know." I asked Cole if he thought she fell down. Cole stated she might have. As I was talking to Cole, I was trying to find footprints on the counter. I did not see any evidence that a child had been on that counter. I did not see any evidence that something wet had been on that counter. I asked Cole if he stood her on the counter or if he had her stand in the sink. Cole stated, "I always put her on the counter." I asked Cole where about did he put her. Cole stated, "I usually put her right where the brush is standing or sitting." Cole stated that he stands her up because it's easier to dry her and he lotions her up. I advised Cole that I wasn't seeing any markings of feet prints. Cole did not answer me until I advised him that to me that was a concern for me. Cole stated, "Like I said, it all happened so quick, I don't really know what happened." It was quiet for a few moments while I was taking pictures. Cole stated, "My old lady showed up..." I stated back to Cole that his old lady showed up and what as he didn't complete what he was saying. Cole stated that his old lady had showed and that he automatically got his "ass whooped." He stated that, "She came at me and I didn't respond to her. I don't know what happened." As I was walking out of the bathroom, I had noticed a brownish colored spot on the bedroom rug and asked what it was. Cole stated that he didn't know. I took a closer look at it as I thought it could have been blood. Upon looking at it closer, it appeared to be a food stain. See photographs for further.

I asked Cole to show me the glass that he had been drinking his alcohol from. Cole stated that it was in the kitchen. Cole pointed to two glasses that were in the kitchen sink. I asked him to show me how full he fills the glass with alcohol. He points to the glass just less than half a glass. He stated that he fills the rest up with water. I took pictures of the glasses as well as Cole showing me how much alcohol he puts in. I asked if he takes any prescription medications. Cole stated he doesn't.

I asked Cole if he is his daughter's main caregiver. Cole stated, "No, it's my old lady that lives here as well, she has a couple of kids." Cole stated that he gave her money to go get her nails done with her oldest daughter. I asked Cole if it was just him and his daughter alone for the day. Cole stated yes. I asked Cole from about what time was he alone with his daughter. Cole stated from about 2 on.

I asked Cole what they were doing before shower time. Cole stated that he thinks he was going to give her a nap. I asked him about what time. Cole stated, "Maybe one o'clock, somewhere around there." Cole then stated, "I think she was maybe sticky maybe from something else and I told her it was time to take a shower so

she could lay down and when she got up her mom would be here." I asked where they were at in the house. Cole stated in the bedroom bathroom area. I asked if it was the one we were just in and if it was the master bedroom. Cole stated yes.

Cole asked if he could get some water. Cole stated, "I feel so bad." I asked Cole why he was feeling so bad. Cole stated, "Because my old lady just beat the shit out of me. She thinks it's my fault." I asked Cole why she thought it was his fault. Cole stated, "Because she wasn't here and I called her to let her know her daughter was unresponsive. They came back and she put hands on me. I don't want charges against her. I understand." Cole stated that's her baby. Cole stated, "I took the whoop'n. That's why I feel bad. And I really don't know what happened. I really don't."

Cole stated that his son just went out of town with his, Cole's, mom. Cole stated that his mom usually watches all the kids.

I clarified with Cole that they were in the master bedroom getting ready for her to take a nap. Cole stated correct. I asked Cole if he napped or took a shower first. Cole stated that he showered her first. I asked what time he started the shower. Cole stated that he couldn't give exact times, said her mom left close to one o'clock. Cole stated that he let her go take her oldest daughter to get her nails done. He stated that it was after that at some point. I tried to get Cole to give me a more exact time. Cole just stated he couldn't give an exact time, but that he could possibly look it up on his phone. I asked Cole if he had his phone. Cole stated that it was probably outside. I said we should grab it so that we could get a timeline and maybe figure out what happened exactly.

Cole stated that he set up an appointment to get her and her oldest daughter's nails done. He thinks it was closer to two o'clock. We walked outside to look at his phone. Cole stated that he called her at 6:44pm and 7:08pm and an emergency call at 7:12pm. I asked him if he called 911. Cole stated, "I did." I asked if it was ok to take a picture of the call log on his phone. Cole stated, "No, Please do." I asked Cole three times if he called 911. Cole stated each time that he did.

I asked Cole if bath time was closer to 6:44pm. Cole stated, "He stated that he didn't know times at first." I said he went through a stressful time. Cole stated, "I did." Cole stated that he gave them to get their nails done and that he really didn't know what happened. Cole stated, "I don't know if we were sleeping together first and she woke up?" I asked if she was his biological daughter. Cole stated, "No, she's not. That's why it was so scary to me. I don't know if she was sticky from something and that's why I gave her a fucking shower for that. I just don't know." He stated his old lady showed up and beat the shit out of him and he just doesn't know what's going to happen.

I asked Cole what he did immediately after she was unresponsive. Cole stated, "I laid her on the bed. I had her in the back of her head and I could see that there was something wrong." I asked him to describe what he saw. Cole stated, "She was limp. She was limp in my arms. And I tried, .. smacked her on the face a little bit, like hey, hey, hey, get up, get up, and there was nothing. And that's why I called her mom. I don't know if I called the paramedics first but there was something wrong and I did it." At this point in my interview Cole looked like he was going to cry and started breathing heavy. I told Cole that I appreciated his honesty and cooperation. I asked Cole about his medical marijuana card. I asked if he smoked marijuana today. He stated "No, I last smoked four or five days ago." I then told Cole to turn around and I was going

to place handcuffs on him. He asked to put a shirt on. I advised him he didn't need one right now. I advised him that I was detaining him. I advised him that I was going to go check on the status of his daughter. Cole stated, "That's fine." My recorder was then shut off.

I walked back to the street where Chief Lewis was. As I was walking closer to the crime scene tape, Sgt. Fowles advised me that the child was pronounced dead at the hospital. I wanted to confirm what injuries the child had from Chief Lewis. Chief Lewis advised that she had bruising on her head and neck. I also asked Sgt. Fowles for his Miranda card, so that I could read Cole his Miranda rights when I went back.

I started my recorder again at 2005 hours as I was walking back to the house. I approached the house and Cole was sitting on the porch with Deputy Burke. I read Miranda to Cole. Cole waived his rights. I informed Cole that his daughter was pronounced deceased. Cole started to cry. I told Cole that I needed him to tell me what happened to his daughter. I told him that she had bruises all over her little body and that she had strangle marks. I advised him that he has been honest, cool and cooperative. Cole stated, "Like I told you everything that I really do know." "Like I said, she was unresponsive. I called her mom right away. So I don't know what happened before that, I couldn't tell you. I just came to." Cole started crying harder.

I told him that having a three year was tough and that it's hard. Cole stated, "No, it ain't that hard. It's not that hard where something bad can happen." When he was saying this part of the other things he was saying I couldn't understand because he was crying. I told Cole that I wanted to talk to him more.

I asked him why he said he had a bad day. I asked Cole what made his day bad. Cole stated that it was just a long day. Cole stated that he worked in Vegas. Cole stated he works a lot of hours. Cole stated that he came home and took the kids out to breakfast. He stated that he made an appointment for his old lady and her older daughter to get their nails done. He stated that she was supposed to take a nap during that time. Cole stated that he really doesn't know. I asked when he started drinking today. Cole stated that it was after they went to eat. Cole stated, "My old lady was giving me shit about the beer, so I didn't get a beer." Cole stated that he snuck a drink from the cabinet when they got home he doesn't know what time. He stated that he had probably had two. He stated maybe one before hand and one maybe before she left (talking about his girlfriend leaving).

I stated to Cole that we all have bad days. Cole stated, "Not like this." I said sometimes we really fuck up and that he was making it right by being honest. I said honesty goes a long way. Cole stated, "Man, I loved that little girl. I took that whole family in. I don't know what happened; it's so disturbing to me. Now her mom just thinks that I did it on purpose. I was here, I was responsible for her."

I asked if he blacks out when he drinks. Cole stated he has. I asked if he had any medical conditions. Cole stated that he takes "antabuse" because he's recovering. Cole stated he doesn't drink that much. He stated that he's been off of it for a while. He stated that he drank on the fourth and that this was his second day drinking before then. He stated that he goes three or four months before he starts drinking again.

I asked Cole if she had laid down in bed with him. I asked Cole when the last time that he saw his daughter ok. Cole stated, "Maybe the shower. I really can't

tell you. As soon as I saw her unresponsive, that's when I called her mom. I really don't know." I asked him if maybe he rolled over on top of her. Cole stated, "It could be. I sleep heavy. We try to lay down together. We have taken naps before. It might be. I couldn't really tell you." I asked Cole if it's because he just can't remember. Cole stated, "When it all became, uh, when it all happened, I think that's when I just really snapped out of it, then all the sudden I couldn't believe what was going on. So I couldn't tell you what was going on previous."

I asked Cole if he ever got angry where he will lose his temper. Cole stated, "Not that much. I work in the club when something happens there I'm usually the calm one. I try to be more diplomatic and calm the situations down. I'm better at that."

I asked Cole if he worked last night. Cole stated that he did. I asked Cole what his hours were last night. Cole stated 11 til 6 in the morning. He stated that he came straight here (home) and had been up since then. I asked Cole if it was possible that he had alcohol and fell asleep pretty deeply, that he probably rolled over on her and suffocated her. Cole stated, "I don't.." I asked if he put her in the shower to wake her up. Cole stated "I don't know." I asked if there was something else that he could possibly remember. Cole stated, "Like I said, at one point I grabbed her and she was limp, she was limp. I called her mom first and said I don't know what's going on." I asked Cole how he grabbed her. It should be noted that Cole was in handcuffs trying to explain. It came down to that he was cradling her like a baby in his arms. Cole stated, "She's three she's little. I'm trying to wake her up, I'm trying to wake her up. I'm smacking her in the face a little bit. Like you know you gotta get up, you gotta get up, there was nothing." I asked Cole if this was when they were in bed. Cole stated, "I really couldn't tell ya, I couldn't tell ya about exact times about anything."

I told Cole that I was going to let Deputy Burke take him to the patrol car. We asked where his shoes were. Cole stated that they were in the bathroom. Deputy Burke went to get Cole's shoes. While I was waiting for Deputy Burke to come back, I asked Cole how she was acting today, was she her bubbly self, was she crabby. Cole stated, "She was fine. I put her down for a nap. I let her mom get her nails done. I don't think anything else happened after that." I asked Cole if he would be willing to give consent for a blood draw to see what his alcohol level is. Cole stated, "I'd rather not, it's already going to be a bad day for me." I advised him that a search warrant will be done for that. Cole stated ok.

At this time my interview was concluded. Deputy Burke and I walked Cole to the patrol vehicle. Deputy Burke transported Cole to Nye County Detention Center.

Detective Cox and Detective Gibbs showed up on scene to assist. Detective Cox did a telephonic search warrant for the residence. The search warrant was approved by Justice of the Peace, Judge Sullivan. Detective Cox, Gibbs, Fancher, I, and Asst. Sheriff Eisenloffel went into the residence and began our search. See Detective Cox's supplement for items obtained.

After the search of the residence was complete, Detective Cox interviewed the suspect. See his supplement for that interview.

End of report. Further information will be added as a supplement.

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EXHIBIT 2

EXHIBIT 2



**SUPPLEMENTAL NARRATIVE:**

Name: Cox A J

Date: 22:09:18 07/24/17

**SUPPLEMENT/DETECTIVE A. COX:**

On 07/15/17 at approximately 1945 hours I was contacted by Undersheriff Eisenloffel via telephone. Undersheriff Eisenloffel stated that a three-year-old female Juvenile was badly injured by her mother's boyfriend and may possible die. Undersheriff Eisenloffel stated that Detective Fernandes, Sergeant Fowles and multiple Nye County Sheriff's Office Patrol Deputies were on scene located at 5320 Manse Road Pahrump, Nevada. Undersheriff Eisenloffel asked me to respond to the scene and coordinate with Detective Fernandes to assist with this investigation. While in route to the scene, I contacted Detective Fernandes via telephone to get an update on the three-year-old female Juvenile's status. Detective Fernandes informed me that Pahrump Valley Fire and Rescue was currently providing medical aid to the three-year-old female Juvenile and that they had just arrived at Desert View Hospital. While in route to the scene I heard Deputy Teter inform dispatch via radio that the three-year-old female Juvenile was deceased.

Upon my arrival at the scene I contacted Sergeant Fowles and Detective Fernandes to get further details reference this investigation. Detective Fernandes stated that the three-year-old female Juvenile victim was identified as Yessenia Camp and the suspect was identified as Cole Engelson. Detective Fernandes stated that Engelson was the boyfriend of Camp's mother, identified as Victoria Schlick, and that they all reside together at 5320 Manse Road Pahrump, Nevada. Detective Fernandes stated other juvenile children also reside at the residence. Pahrump Valley Fire and Rescue Chief Scott Lewis stated to Detective Fernandes that Camp had multiple injuries to her buttock, back and face. Chief Scott Lewis stated to Sergeant Fowles that the mother of Camp stated that Engelson was responsible for Camp's injuries and that he killed Camp. Detective Fernandes stated Engelson had made multiple calls on his cell phone prior to calling 911. Engelson handed his cell phone to Detective Fernandes which was placed into my custody upon my arrival.

Sergeant Fowles had Chief Scott Lewis fill out a voluntary statement. This statement was placed into my custody upon my arrival. Chief Scott Lewis's voluntary statement is as followed:

"At approx. 19:14 PVFRS was dispatched to a 3yr. old female not breathing CPR in progress. Soon after M-3 and M-5 arrived on location and requested NCSO response "as they were not code-4". Myself and engine 2 responded level 1. Upon my arrival I observed medics exiting the driveway at 5320 E. Manse. I briefly spoke I A EMT Snow who informed me that the occupants were trying to kill each other. As they went enroute to DVRH a white sedan occupied by two females (white). The driver stated that she was the mother of the patient and had to follow the ambulance. She further stated that the male occupant within 5320 "did this" to the patient. She stated something about a shower and that he had killed the patient. She warned me that he was a large man and did not know about weapons. I retreated to a safe area on E. Manse Road and radioed a request for NCSO to proceed to the E. Manse address. Once NCSO was on location, F.D (ENG 1 and 100) further assisted NCSO."

Chief Scott Lewis's voluntary statement was later scanned into Spillman and booked into evidence at the Nye County Sheriff's Office.

CS

Detective Fernandes stated that she interviewed Engelson. Engelson stated to Detective Fernandes that he was "sorry" and that it was his fault. Detective Fernandes stated she asked him what he meant by that statement, Engelson stated he couldn't remember. Detective Fernandes stated Engelson stated he drank two 12 oz glasses of vodka. Through training and experience Detective Fernandes and Deputy Burke believed Engelson was intoxicated. They stated Engelson had an unknown odor of an alcoholic beverage omitting from his breath when he spoke, his eyes were glossy and when he walked he walked unsteady and needed Deputy Burke to assist him. Detective Fernandes stated that she had placed Engelson under arrest for murdering Camp. Deputy Burke transported Engelson to the Nye County Detention Center accordingly without further incident. Deputy Burke was instructed to seize Engelson's clothing, place it in a paper evidence bag and bring it back to the scene.

I contacted Desert View Hospital ER Doctor Mousa via telephone. Doctor Mousa stated that Camp suffered brain damage prior to her arrival at Desert View Hospital, she was cold to the touch when she arrived. Doctor Mousa stated Camp had multiple bruises to the back of her head, neck, chest, buttock and side of her face. Doctor Mousa stated Camp died from blunt force head trauma. Camp had a round circle bruise on the front of her right thigh near the genial area that resembles a human bite mark. Doctor Mousa believes these injuries were not accidental and that Camp was purposely injured.

On 07/15/17 at approximately 2253 hours I applied for and was granted a telephonic search warrant from Justice of the Peace Gus Sullivan to process the crime scene located at 5320 Manse Road Pahrump, Nevada and to obtain blood and buccal swab samples from Engelson. The telephonic search warrant was granted at 2309 hours. The telephonic search warrant was digitally recorded. The digital recording was later sent for transcription, transferred onto CDROM and booked into evidence at the Nye County Sheriff's Office. The transcription was later downloaded into Spillman. The returns of service and duplicate original were later downloaded into Spillman.

Detective Sehnert immediately responded to the Nye County Detention Center to witness the blood draw on Engelson and to collect and book the blood kit into evidence at the Nye County Sheriff's Office. Detective Sehnert later placed the original blood declaration and return turn of service into my custody. I later booked the original blood declaration into evidence at the Nye County Sheriff's Office. The return of service was scanned into Spillman. Please see Detective Sehnert's supplemental report for further details reference this event. Undersheriff Eisenloffel, Lieutenant Boruchowitz, Detective Fancher, Detective Fernandes, Detective Gibbs and I made entry into the residence to process the scene. I was responsible for documenting all items seized on the return as service and collecting all evidence for processing and booking.

The items seized and the areas they were located are as followed:

AC1 - One LG cell phone inside a red case at 2346 hours on 07/15/17. This item was seized from Engelson by Detective Fernandes and placed into my custody.

AC2 - One black tank top shirt, one pair of black Adidas shorts, one pair of grey underwear and One pair of blue Under Armor sandals at 2347 hours on 07/15/17. These items were seized from Engelson by Deputy Burke and placed into my custody.

AC3 - One black LG tablet with power cord at 0033 hours on 07/16/17. These items

were located on a table in the living room inside the main residence.

AC4 - One orange external hard drive with USB cord at 0035 hours on 07/16/17. These items were located on the floor in the living room inside the main residence.

AC5 - Seven USB drives at 0037 hours on 07/16/17. These items were located on the floor in the living room inside the main residence.

AC6 - One black ASUS computer tower and two USB drives connected to the back of the tower at 0039 hours on 07/16/17. These items were located on the floor in the living room inside the main residence.

AC7 - One yellow plastic Turtle toy at 0039 hours on 07/16/17. This item was located on the floor in the living room inside the main residence.

AC8 - One "Dave and Buster's" pint glass at 0042 hours on 07/16/17. This item was located on the coffee table in the living room inside the main residence.

AC9 - One Samsung cell phone and One ZTE cell phone at 0049 hours on 07/16/17. These items were located on the top shelf inside the closet of Engelson's bedroom inside the main residence.

AC10 - One "Stella Rosa" wine bottle at 0054 hours on 07/16/17. This item was located on top of a dresser that was located inside the closet of Engelson's bedroom inside the main residence.

AC11 - One blue digital camera with USB cord at 0101 hours on 07/16/17. These items were located inside a blue plastic tote container located inside Engelson's bedroom inside the main residence.

AC12 - Two pieces of mail addressed to "Cole Engelson" from Bank of America and NV Energy at 0103 hours on 07/16/17. These items were located inside a TV stand located inside Engelson's bedroom inside the main residence.

AC13 - Two photographs at 0106 hours on 07/16/17. These items were located on top of a night stand located inside Engelson's bedroom inside the main residence.

AC14 - One green towel and One white pillow case containing possible blood stains at 0112 hours on 07/16/17. These items were located on top of the bed located inside Engelson's bedroom inside the main residence.

AC15 - Two yellow pills bottles containing multiple round and oblong white pills at 0115 hours on 07/16/17. These items were located on the bathroom sink located inside Engelson's bathroom inside the main residence.

AC16 - One blue hair brush at 0116 hours on 07/16/17. This item was located on the bathroom sink located inside Engelson's bathroom inside the main residence.

AC17 - One pink shirt containing dirt size "2T", one pair of Mini Mouse shorts containing dirt size "2T", one pair of pink panties and one pair of grey and pink shoes containing dirt at 0118 hours on 07/16/17. These items were located on the floor located inside Engelson's bathroom inside the main residence.

AC18 - One red bathroom rug at 0120 hours on 07/16/17. This item was located on the floor located inside Engelson's bathroom inside the main residence.

AC19 - One white towel containing possible blood stains at 0123 hours on



07/16/17. This item was located on the floor located inside Engelson's bathroom inside the main residence.

AC20 - One buccal swab sample kit obtained by me at 0123 hours on 07/16/17. This sample was collected from the floor of the shower located inside Engelson's bathroom inside the main residence.

AC21 - One buccal swab sample kit obtained by me at 0130 hours on 07/16/17. This sample was collected from the drain of the shower located inside Engelson's bathroom inside the main residence.

AC22 - One "Paw Patrol" plastic cup at 0132 hours on 07/16/17. This item was located inside the shower located inside Engelson's bathroom inside the main residence.

AC23 - One "Little Darlings" pay check stub addressed to "Cole Engelson" at 0135 hours at 07/16/17. This item was located on the floor of Engelson's bedroom inside the main residence.

AC24 - One nebulizer medication holder at 0142 hours on 07/16/17. This item was located on the kitchen counter inside the main residence.

AC25 - One red toy with black prongs at 0150 hours on 07/16/17. This item was located inside the boy's upstairs bedroom inside the main residence.

AC26 - One "Stella Rosa" wine bottle at 0207 hours on 07/16/17. This item was located inside the kitchen fridge inside the main residence.

AC27 - One piece of hair at 0212 hours on 07/16/17. This item was located on the "Stella Rosa" wine bottle located inside the kitchen fridge inside the main residence.

AC28 - One yellow fly swatter at 0215 hours on 07/16/17. This item was located on a table that was on the porch of the main residence.

AC29 - One buccal swab sample kit obtained by me at 0755 hours on 07/16/17. This sample was collected from Engelson's mouth at the Nye County Sheriff's Office.

AC30 - One buccal swab sample kit obtained by me at 0758 hours on 07/16/17. This sample was collected from Engelson's hands at the Nye County Sheriff's Office.

AC31 - One buccal swab sample kit obtained by me at 0800 hours on 07/16/17. This sample was collected from Engelson's penis at the Nye County Sheriff's Office.

I looked up said pills on Identadrug.com. The first yellow pill bottle containing multiple oblong pills, listed under item number "AC15" with the imprint IP190500, resulted as Naproxen. There were 25 of these pills. Naproxen is available by prescription only. The second yellow pill bottle containing multiple round pills listed under item number "AC15" with the imprint OP706, resulted as Disulfiram. There were 21 of these pills. Disulfiram is available by prescription only. There were also an additional 22 round white round pills inside the yellow pill bottle imprinted 607, which resulted as Disulfiram. Disulfiram is available by prescription only. I have printed out the Identadrug.com results and have downloaded them into Spillman.

It should be noted I wore nitrile powder free black examination gloves while handling and processing all evidence. All evidence was booked into evidence at the Nye County Sheriff's Office. The following items have been sent to the Las

Vegas Metropolitan Police Departments Lab to compare to the sexual assault exam kit that was obtained from Camp.

These items are as followed:

- 1) AC29 - One buccal swab sample kit collected from Engelson's mouth.
- 2) AC30 - One buccal swab sample kit collected from Engelson's hands.
- 3) AC31 - One buccal swab sample kit collected from Engelson's penis.

I will include the results from the Las Vegas Metropolitan Police Departments Lab with this case file upon completion.

The following items have been sent to Forensic Specialist Chris DeFonseka for examination. Forensic Specialist Chris DeFonseka is employed by the Nevada Attorney General's Office High Tech Crimes Unit.

These items are as followed:

- 1) AC1 - One LG cell phone inside a red case.
- 2) AC3 - One black LG tablet with power cord.
- 3) AC4 - One orange external hard drive with USB cord.
- 4) AC6 - One black ASUS computer tower and two USB drives connected to the back of the tower.
- 5) AC9 - One Samsung cell phone and One ZTE cell phone.

Upon completion of Forensic Specialist Chris DeFonseka's examination, I will attach a report of his findings with this case file.

On 07/16/17 at approximately 0536 hours I conducted a recorded interview with Cole Engelson at the Nye County Sheriff's Office located at 1520 E. Basin Rd, Pahrump, Nevada. This interview was conducted in an interview room that was equipped with video and audio that downloads to a DVR system as well as recorded by a separate digital recorder. It should be noted that Detective's Gibbs and Fancher assisted in this interview. Prior to speaking with Engelson about the details of this case I read him his Miranda admonishment. Engelson agreed to speak with me.

During the interview Engelson stated that he was responsible for the death of Camp. Engelson stated that he killed Camp but does not know how he did it due to him being intoxicated. Engelson stated that he ruined several lives today referring to the death of Camp. Engelson stated he would have never harmed Camp if he was "sober". Engelson stated whatever he did "caused her death". Engelson stated that a Dave and Busters pint glass "might" have caused the round circular bruise on Camp's right thigh. It should be noted I located a Dave and Busters pint glass in the living room of Engelson's residence. Engelson never denied killing Camp.

The photographs that were shown to Engelson during the interview have been booked into evidence at the Nye County Sheriff's Office. This interview was later transferred from the DVR to CDROM and booked into evidence at the Nye County Sheriff's Office. The separate digital recording was transferred onto a USB drive and booked into evidence at the Nye County Sheriff's Office. The separate digital recording was also sent for transcription. A copy of this

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transcription has been included with this case file and downloaded into Spillman. Please reference the video, digital recording and transcript of this interview for further information.

Please see all reports for further information. Further information will be added by supplemental report.

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NYE COUNTY DISTRICT ATTORNEY  
P.O. BOX 39  
PAHRUMP, NEVADA 89041  
(775) 751-7080

EXHIBIT 3

EXHIBIT 3

**SUPPLEMENTAL NARRATIVE:**

Name: Fancher W J

Date: 12:48:03 07/26/17

**SUPPLEMENT/NARRATIVE**

On July 16th, 2017 in the early morning hours I assisted Detective Cox and Detective Gibbs in interviewing Cole Engelson. During my interview with Cole I obtained the following information;

**COLE ENGELSON INTERVIEW**

Cole stated that he was home alone with the child the day of the incident and began drinking vodka from a "Dave and Buster glass." Cole stated that some point in the early afternoon hours the child fell backwards off a chair outside while he was smoking a cigarette on the back porch. He stated the markings on the child's body as seen in the photographs were not from her falling off the chair and added that he never noticed any bruises on the child's body at any point during his contact with her.

Cole stated that afterwards he made her take a shower. He stated that she began complaining about the temperature of the water and began fighting with him to get out of the shower. Cole used his arms to demonstrate how the child was reacting to the water and fighting to get out as he forced her to stay in. Cole stated that at one point she slipped and fell backwards in the shower but states that he doesn't remember what happened after that.

I then exited the room and allowed Detective Cox to obtain DNA sample from Cole, and continued the interview once the DNA sample was complete. I provided Cole with some pictures of the markings on child's body that were taken at the hospital earlier. Cole claimed to not remember how the child sustained the injuries but believed that one of the circular bruises may have been from a glass he was drinking out of. He stated that he was drinking vodka out of a Dave and Busters glass while he was in the bathroom giving the child a shower. He stated that he could have lost his temper striking the child with the glass. Cole reviewed the remaining bruises and marking in the photograph in which he believed could have resulted from him striking the child with a hair brush and/or phone charger.

Cole believed that one of the pattern bruises may have been from his knuckles from striking the child and held his hand up in a fist where we detected noticeable damage to the skin tissue on his knuckles (see pictures).

Cole then stated that his right toe hurts as if he stubbed it on something but suggested the possibility of his sore toe being as a result of him striking the child in the shower.

Cole initially stated that he and the child had gone to bed after the shower incident where he fell asleep for a period of 4-5 hours, however; after reviewing the photographs he believed that she never made it to the bed. He then appeared to be thinking more deeply into what occurred and then informed me, with certainty, that the child never took a nap with him and was lying on the floor next to the bed where he later found her dead.

We could not determine how the child ended up in the room after the shower

incident.

Cole stated that he got upset with the child but doesn't know how/why he was upset and added that he was the only one with the child and as such responsible for her death. Cole began questioning whether he ever fell asleep and believed something might have happened after the shower that resulted in her death. He stated that he has a memory of being woke up by the child after the shower incident and may have grabbed the phone charger to strike her with it, however; Cole wasn't sure if "it was a dream or not". Cole mentioned this to me after I noted the fact that he did not render assistance to the child or call for help but instead left her lying on the floor where she was found dead hours later.

See transcripts for further details of the interview with Cole Engelson.

NYE COUNTY DISTRICT ATTORNEY  
P.O. BOX 39  
PAHRUMP, NEVADA 89041  
(775) 751-7080

**EXHIBIT 4**

**EXHIBIT 4**

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1     **STATE OF NEVADA    )            DATE: 07/16/17**

2                                 **) SS: PAHRUMP**

3     **COUNTY OF NYE       )            TIME: 5:36 a.m.**

4

5

6           This audio interview of COLE ENGELSON did hereby take place  
7     at the Nye County Sheriff's Office, 1520 East Basin Road Avenue,  
8     Pahrump, Nevada, in reference case #17NY-1964.

9

10           Person present during this interview is COLE ENGELSON.

11     Persons conducting the interview are DETECTIVE ALEX COX,  
12     P#11859, DETECTIVE LOGAN GIBBS, P#77727, and DETECTIVE  
13     WESLEY FANCHER, P#78368, of the Nye County Sheriff's Office.  
14     Transcription of audio statement prepared by Vickie Bauer of Viam  
15     Transcription LLC.

16

17

18           DETECTIVE COX: All right. It is July 16, 2017. The time  
19     is approximately 0536 hours. This is Detective Cox. I'm at the Nye  
20     County Sheriff's Office. Going to do an interview with a homicide  
21     suspect from earlier today over on Manse Road. We're in the interview  
22     room. We're also going to do a -- a video-recorded interview as well as  
23     I will have my own other digital recorder, and this is Detective Gibbs'  
24     recorder. But we are placing this recorder just so we don't -- just for a  
25     backup for whatever so we don't lose anything.



1 (Detective Cox leaves the interview room.)

2 DETECTIVE COX: Hey, Fancher.

3 DETECTIVE FANCHER: Yes.

4 DETECTIVE COX: Going to start. Is that -- is that ready  
5 to record?

6 DETECTIVE FANCHER: Oh, this one? I'm not -- I'm not  
7 supposed to set you up right now.

8 DETECTIVE COX: It's ready, though?

9 DETECTIVE FANCHER: Yes.

10 DETECTIVE COX: All right. I'll be able to -- be able to  
11 record it (incomprehensible)?

12 (Detectives Cox and Fancher enter the interview room.)

13 DETECTIVE COX: What do you got for time?

14 DETECTIVE FANCHER: 5:38. (Incomprehensible) sit  
15 you down and -- so I'll bring him in here.

16 DETECTIVE COX: Yep. All right. It's at 0538 hours.

17 The date is 7/16/2017. Detective Cox. Detective Fancher is assisting  
18 me in the investigation as well. He's going to be going down to the jail  
19 to go get the homicide suspect, Cole, and we're going to conduct an  
20 interview with him here in the other room. Like I said, I've already  
21 placed one recorder in this room, I'll have a recorder on me, and as well  
22 as this video recording.

23 Cool. Thanks, bro. I'll be -- I'll be waiting.

24 DETECTIVE FANCHER: (Incomprehensible.)

25 (Detective Fancher leaves the interview room.)

1 (Detective Fancher and Cole Engelson enter the interview room.)

2 COLE ENGELSON: You mind if I grab some of this water  
3 real quick (incomprehensible)?

4 DETECTIVE FANCHER: I'm going to go -- I'll get you a  
5 bottle.

6 COLE ENGELSON: Oh, okay.

7 DETECTIVE FANCHER: Hey, I'll meet you up there. I'll  
8 get you up there. You're going sit on -- I'll grab another chair for the  
9 other detective. If you want to just go ahead and take a seat in there.

10 COLE ENGELSON: Okay.

11 DETECTIVE FANCHER: And I'll be back. Give you  
12 some privacy here. Thirsty?

13 COLE ENGELSON: Yes, please.

14 DETECTIVE FANCHER: I'll get you some water.

15 (Incomprehensible.) All right. I'll go get you a water and I'll get the  
16 detective.

17 (Detective Fancher leaves the interview room.)

18 (Detective Fancher enters the interview room.)

19 COLE ENGELSON: Thank you, sir.

20 DETECTIVE FANCHER: Cool. He's just waiting for stuff  
21 to print out real quick.

22 (Detective Cox enters the interview room.)

23 DETECTIVE COX: Hey, how you doing, man? Cole?

24 COLE ENGELSON: It's doing. Yes, sir.

25 DETECTIVE COX: Hey, how you doing? Detective Cox.

1 Nice to meet you.

2 COLE ENGELSON: Cox (incomprehensible) .

3 DETECTIVE COX: I'm going to shut this, okay, just give  
4 us a little privacy.

5 COLE ENGELSON: No problem.

6 DETECTIVE COX: Hey, I just wanted to meet you. I  
7 know today's been really rough and there's a lot of things that are going  
8 on. I'm sure you have a thousand questions, and I really do want to talk  
9 to you. I want to get to know you. I want to figure out who you are. I've  
10 -- I've never met you before.

11 COLE ENGELSON: No.

12 DETECTIVE COX: Have you ever met me?

13 COLE ENGELSON: I don't think so.

14 DETECTIVE COX: I don't think I've ever met you before.

15 COLE ENGELSON: (Incomprehensible.)

16 DETECTIVE COX: Okay.

17 COLE ENGELSON: I just moved to the area just

18 (incomprehensible) --

19 DETECTIVE COX: Oh, okay. Where'd you move from?

20 COLE ENGELSON: -- (incomprehensible). I'm from  
21 Vegas.

22 DETECTIVE COX: Oh, oh. Oh, you're not that far.

23 COLE ENGELSON: No. No.

24 DETECTIVE COX: How -- how are you doing, though?

25 Are you okay?

1 COLE ENGELSON: Yeah. This sucks.

2 DETECTIVE COX: I -- I mean as okay as you can be.

3 COLE ENGELSON: Yeah. Like I don't know what's going  
4 on, and then I don't know -- I haven't talked to nobody, and I don't  
5 know. I don't know.

6 DETECTIVE COX: Okay. Yeah. I -- I'm sorry. Like I  
7 said, I'm new to the party. I just got here. It's -- it's like 5:50 in the  
8 morning.

9 COLE ENGELSON: Yeah.

10 DETECTIVE COX: Are you -- are you suicidal at all or --

11 COLE ENGELSON: No.

12 DETECTIVE COX: No. Okay. Is that what they just gave  
13 you to have for clothing?

14 COLE ENGELSON: Yeah. Like some --

15 DETECTIVE COX: Okay. All -- all right.

16 COLE ENGELSON: (Incomprehensible.)

17 DETECTIVE COX: No, no. I just -- I just wanted to ask.

18 I'll -- I'll make sure that they -- we get you some clothing. I --

19 COLE ENGELSON: Please.

20 DETECTIVE COX: Have you been in booking, or where  
21 have you been this time?

22 COLE ENGELSON: I've just -- just a -- just a cell by  
23 myself with no toilet, no -- just one long bench. You know, I could see  
24 the desk of where --

25 DETECTIVE COX: Oh, okay.

1 COLE ENGELSON: -- of the sheriff or whatever

2 (incomprehensible).

3 DETECTIVE COX: In the -- are you in the jail though in

4 the -- in the --

5 COLE ENGELSON: Yeah.

6 DETECTIVE COX: -- holding area? Okay. And they've --

7 there's somebody been down there, and checking on you, and all that --

8 that good stuff.

9 COLE ENGELSON: There's somebody constantly there.

10 Then if I needed some water, I -- I hit the little buzzer, and they come

11 help me out.

12 DETECTIVE COX: Oh, okay. Cool. Okay. I do want to

13 talk to you. And, like I said, I know you have -- I -- probably have a

14 bunch of questions for me, and I got a couple questions for you. But

15 since you're in -- since you're in custody, I -- I got to read you your

16 rights.

17 COLE ENGELSON: Uh-huh.

18 DETECTIVE COX: You have the right to remain silent.

19 Anything you say or do can be used against you in the court of law.

20 You have the right to a presence of an attorney; and if you can't afford

21 one, one will be appointed to you before questioning.

22 Do you understand your rights?

23 COLE ENGELSON: Yes, sir.

24 DETECTIVE COX: Okay. You still want to talk with me a

25 little bit?

1 COLE ENGELSON: Yeah. That's fine.

2 DETECTIVE COX: Okay. When's the last time you got  
3 some sleep?

4 COLE ENGELSON: I've been nodding off since I've been  
5 here.

6 DETECTIVE COX: Okay. How do you feel, though? Do  
7 you -- do you --

8 COLE ENGELSON: I don't know.

9 DETECTIVE COX: Do you -- do you feel suicidal at all or  
10 --

11 COLE ENGELSON: No.

12 DETECTIVE COX: Okay.

13 COLE ENGELSON: I'm (incomprehensible).

14 DETECTIVE COX: I -- I just got to ask. It's --

15 COLE ENGELSON: Yeah.

16 DETECTIVE COX: It's part of the -- the job thing. Are  
17 you hurt in any way?

18 COLE ENGELSON: Physically?

19 DETECTIVE COX: Yeah.

20 COLE ENGELSON: No.

21 DETECTIVE COX: Are you physically hurt --

22 COLE ENGELSON: No.

23 DETECTIVE COX: -- at all or -- okay. Did you work today  
24 -- or yesterday?

25 COLE ENGELSON: Well, yeah. I work graveyards so

1 Friday night going to Saturday morning. I get off like Saturday at six in  
2 the morning.

3 DETECTIVE COX: Oh, okay. Where you work at?

4 COLE ENGELSON: Little Darlings (incomprehensible).

5 DETECTIVE COX: Oh, cool. All right.

6 COLE ENGELSON: (Incomprehensible.) Yeah.

7 DETECTIVE COX: All right. Okay. Don't they -- they  
8 have a couple of them down there, don't they? Or just the one?

9 COLE ENGELSON: Déjà Vu's is --

10 DETECTIVE COX: Oh, the -- yeah.

11 COLE ENGELSON: Yeah.

12 DETECTIVE COX: The Déjà Vu owns it.

13 COLE ENGELSON: The Hustler and (incomprehensible).

14 DETECTIVE COX: Oh, okay. Yeah.

15 COLE ENGELSON: They're all affiliated.

16 DETECTIVE COX: Yeah. I knew -- I didn't know if they  
17 had actually expanded out and made like a second --

18 COLE ENGELSON: Well, you know, (incomprehensible) -  
19 -

20 DETECTIVE COX: -- second one or --

21 COLE ENGELSON: He's got, you know, a hundred clubs  
22 throughout the world so --

23 DETECTIVE COX: Yeah. He's --

24 COLE ENGELSON: Yeah.

25 DETECTIVE COX: Yeah. He's big a bank, man. Far

1 more than you or I.

2 COLE ENGELSON: (Incomprehensible.)

3 DETECTIVE COX: But how long have you been in -- how  
4 long have you been in town?

5 COLE ENGELSON: Beginning of May.

6 DETECTIVE COX: Okay. Do -- you live on Manse, right?

7 COLE ENGELSON: Correct.

8 DETECTIVE COX: What's your address over there?

9 COLE ENGELSON: 5320.

10 DETECTIVE COX: 5320. And who do -- who do you live  
11 with over there?

12 COLE ENGELSON: Just my girlfriend, Victoria, and her  
13 two kids. Sometimes her -- her third kid comes over, but she usually  
14 stays with her dad in Vegas.

15 DETECTIVE COX: Okay. Do you guys have any kids  
16 together?

17 COLE ENGELSON: No.

18 DETECTIVE COX: No? Okay.

19 COLE ENGELSON: I have my -- I have a son, and he  
20 lives with us as well, and my mom lives in a like travel trailer on the side  
21 property.

22 DETECTIVE COX: Okay.

23 COLE ENGELSON: And they -- they went out of town  
24 yesterday to go camping.

25 DETECTIVE COX: What's your girlfriend's name?



1 COLE ENGELSON: Victoria.

2 DETECTIVE COX: Victoria. What's her last name?

3 COLE ENGELSON: Schlick.

4 DETECTIVE COX: Schlick (incomprehensible). I don't

5 think I know her, either. And what -- what kids lives with you guys all

6 the time? Like what are the permanent --

7 COLE ENGELSON: It was --

8 DETECTIVE COX: -- children that live there?

9 COLE ENGELSON: It was -- Yessenia was the girl.

10 DETECTIVE COX: Okay.

11 COLE ENGELSON: And Dwight (phonetic) is her 9-year-

12 old boy; and my kid, Cole.

13 DETECTIVE COX: Okay. Cole Jr.?

14 COLE ENGELSON: Yeah. Pretty -- well, we have

15 different middle names.

16 DETECTIVE COX: Got it. Okay. How old's Yessenia?

17 COLE ENGELSON: She's three.

18 DETECTIVE COX: Okay. How about -- what's the middle

19 one?

20 COLE ENGELSON: Dwight.

21 DETECTIVE COX: Dwight.

22 COLE ENGELSON: Or Cole. Cole's eight and Dwight's

23 going to be ten next month or something like that.

24 DETECTIVE COX: Oh, cool. Okay. And Cole -- you had

25 Cole with another --

1 COLE ENGELSON: Yes.

2 DETECTIVE COX: Separate, and then she had the other  
3 two children with somebody else.

4 COLE ENGELSON: Yes.

5 DETECTIVE COX: Cool. Okay. You look -- you're a big  
6 guy. What do you do? What -- you a bouncer?

7 COLE ENGELSON: I'm a DJ.

8 DETECTIVE COX: Oh, DJ?

9 COLE ENGELSON: Yeah.

10 DETECTIVE COX: Oh, okay. I would assume you were  
11 bouncer, man.

12 COLE ENGELSON: I started on the door and --

13 DETECTIVE COX: Oh, okay. You're --

14 COLE ENGELSON: -- worked my way up.

15 DETECTIVE COX: You're a bigger guy --

16 COLE ENGELSON: Yeah.

17 DETECTIVE COX: -- so I assumed -- I don't -- I don't  
18 know -- maybe that you'd be working in, you know, the door, but --

19 COLE ENGELSON: Yeah.

20 DETECTIVE COX: Cool. DJ.

21 COLE ENGELSON: Yeah.

22 DETECTIVE COX: How long you been doing that?

23 COLE ENGELSON: I've been there for 17 years.

24 DETECTIVE COX: Oh, shit. That's a long time.

25 COLE ENGELSON: Yeah. I'm the most senior.

1 DETECTIVE COX: Oh, I bet.  
2 COLE ENGELSON: Yeah.  
3 DETECTIVE COX: That's a -- that's a long time, man.  
4 COLE ENGELSON: Yeah.  
5 DETECTIVE COX: How do you like it?  
6 COLE ENGELSON: It -- you know, it's like everything  
7 else, you know, and --  
8 DETECTIVE COX: Pays the bills, right?  
9 COLE ENGELSON: Yeah. Then I said you -- if you had  
10 your favorite meal every day of the year forever, you'd end up hating  
11 that meal --  
12 DETECTIVE COX: Oh that's --  
13 COLE ENGELSON: -- you know, so --  
14 DETECTIVE COX: Dude, absolutely.  
15 COLE ENGELSON: Yeah. It's tough listening to them  
16 18-year-old girls tell you what to do all the time.  
17 DETECTIVE COX: That's got to be challenging.  
18 COLE ENGELSON: Yeah. I say you were one years old  
19 when I started here, you know.  
20 DETECTIVE COX: Yeah. I -- I could be your dad.  
21 COLE ENGELSON: Yeah. Yeah.  
22 DETECTIVE COX: How -- how old are you?  
23 COLE ENGELSON: I'm 38.  
24 DETECTIVE COX: Oh, cool. You from Vegas originally  
25 or --

1 COLE ENGELSON: Born and raised.  
2 DETECTIVE COX: Oh, wow. Okay. We're one of the  
3 few.  
4 COLE ENGELSON: Yeah.  
5 DETECTIVE COX: Yeah. I'm --  
6 COLE ENGELSON: You too?  
7 DETECTIVE COX: I'm 33. Yeah. I've been -- I've -- I've  
8 been in Vegas for my whole life.  
9 COLE ENGELSON: What school you go?  
10 DETECTIVE COX: Chaparral.  
11 COLE ENGELSON: Okay.  
12 DETECTIVE COX: Yeah.  
13 COLE ENGELSON: You're eastside kid. I'm --  
14 DETECTIVE COX: Yeah.  
15 COLE ENGELSON: -- from Eldorado.  
16 DETECTIVE COX: Yeah. Absolutely. Can you tell?  
17 COLE ENGELSON: Yeah.  
18 DETECTIVE COX: Right. I -- I know, man. You know,  
19 what happened today is -- it's -- it's horrible, and I'm not going to beat  
20 around the bush and tell you that's it something that's, you know, to  
21 make light of. It's not. It's --  
22 COLE ENGELSON: No. No.  
23 DETECTIVE COX: It's -- it's a horrible situation. I know  
24 it's painful and I know it's tough. Do -- do you want to kind of bring me  
25 back to today and tell me what happened?

1 COLE ENGELSON: Man, it was just so surreal, you  
2 know. Like I still can't believe this is going on, you know. I -- we -- we  
3 went and had breakfast this morning, you know, most the kids.

4 DETECTIVE COX: Who -- who did?

5 COLE ENGELSON: It was me and Victoria, Yessenia,  
6 Dwight, and Nicole (phonetic).

7 DETECTIVE COX: Okay. Who's Nicole?

8 COLE ENGELSON: Nicole is the oldest daughter who  
9 happens to be in town.

10 DETECTIVE COX: Oh, got it.

11 COLE ENGELSON: Yeah.

12 DETECTIVE COX: Nicole. How old is she?

13 COLE ENGELSON: She's 14.

14 DETECTIVE COX: Okay.

15 COLE ENGELSON: Yeah.

16 DETECTIVE COX: Got it.

17 COLE ENGELSON: Little Cole was with us too. And  
18 afterwards we -- we went home and she wanted -- oh, we went to the --  
19 the thrift shop, and I gave all the kids money to get clothes and get what  
20 they wanted. Then after that we went home, and I gave money to  
21 Victoria to take her and her oldest daughter to go get their nails done.  
22 They were talking about taking Yessenia with, but Yessenia's had a --  
23 maybe a lung infection. Like little Cole has too where they have to have  
24 the breathing treatments every day.

25 DETECTIVE COX: Okay. Like a -- like a ventilator --

1 COLE ENGELSON: Yeah.

2 DETECTIVE COX: -- for asthma, right?

3 COLE ENGELSON: Yeah.

4 DETECTIVE COX: Got it. Okay.

5 COLE ENGELSON: (Incomprehensible). And I said you

6 probably shouldn't take her with you 'cause all that nail shit in the air

7 would be bad for her lungs.

8 DETECTIVE COX: Oh, yeah. Like the acetone and stuff.

9 COLE ENGELSON: Yeah.

10 DETECTIVE COX: Yeah.

11 COLE ENGELSON: Then --

12 DETECTIVE COX: That's -- that's not good.

13 COLE ENGELSON: Then, man, I -- I -- I started drinking

14 'cause I wanted a nightcap to go to bed. We were going to take a nap.

15 DETECTIVE COX: You work graves, right?

16 COLE ENGELSON: I do.

17 DETECTIVE COX: What time do you get off?

18 COLE ENGELSON: Six in the morning.

19 DETECTIVE COX: Oh, shit. Okay.

20 COLE ENGELSON: And then I got to make that -- that

21 drive.

22 DETECTIVE COX: Oh, yeah.

23 COLE ENGELSON: Yeah.

24 DETECTIVE COX: You're like -- I'm on the other end.

25 COLE ENGELSON: Yeah.

1 DETECTIVE COX: I'm six to -- the other way.

2 COLE ENGELSON: Yeah. Yeah.

3 DETECTIVE COX: Yeah. It's a brutal -- it's a brutal drive.

4 Yeah.

5 COLE ENGELSON: So, yeah, we -- I went to the liquor  
6 cabinet. And I know Victoria didn't want me drinking so I just was  
7 sneaking them.

8 DETECTIVE COX: Yeah.

9 COLE ENGELSON: And --

10 DETECTIVE COX: What do you drink? What were you  
11 drinking?

12 COLE ENGELSON: Just vodka and water.

13 DETECTIVE COX: Vodka. Okay.

14 COLE ENGELSON: Yeah. Then I had a couple of them.

15 Then when Victoria was getting ready -- or when she was leaving,  
16 Yessenia became, you know, quite hysterical that her mom was leaving  
17 and --

18 DETECTIVE COX: 'Cause she's pissed --

19 COLE ENGELSON: You know, three year old.

20 DETECTIVE COX: -- her mom left.

21 COLE ENGELSON: Yeah.

22 DETECTIVE COX: Yeah.

23 COLE ENGELSON: So we went outside and -- to calm

24 her down, and smoked a cigarette, and she climbed up on the chair.

25 And then when she climbed on the chair, the chair fell over and she's all

1 in the dirt. So I let her play in the dirt for a little bit.

2 DETECTIVE COX: She outside?

3 COLE ENGELSON: Yeah.

4 DETECTIVE COX: You guys were outside?

5 COLE ENGELSON: Yeah, we were outside. We went  
6 back inside and I gave her a shower 'cause she was filthy, you know.  
7 So after that we lay down in the bed together, and I was out. I don't  
8 know what time I got up. But when I got up, I went to go to the  
9 bathroom, and I came back, and I was going get Yessenia up 'cause  
10 she don't need to sleep that long, you know. It -- it was a hell of a nap.  
11 I don't know why her -- her mom wasn't back yet 'cause I think it was -- I  
12 think it was after five o'clock, I think.

13 DETECTIVE COX: Do you know what time she left?

14 COLE ENGELSON: I think like oneish, I believe.

15 DETECTIVE COX: Oneish. Okay.

16 COLE ENGELSON: And I went over to get her up, and I  
17 noticed that like one of her eyes was open so I shook her. Then there  
18 was no response so I picked her up and then I panicked. I mean I  
19 really didn't know what to do. And she -- she was limp. And -- and I  
20 don't know what happened.

21 DETECTIVE COX: Do you -- how many -- how many  
22 shots did you have? Or how many drinks?

23 COLE ENGELSON: I couldn't -- probably that much into  
24 a glass with water.

25 DETECTIVE COX: Okay. All right. Probably like five



1 shots?

2 COLE ENGELSON: Probably.

3 DETECTIVE COX: Got it. Okay. All right. So what  
4 happened after that?

5 COLE ENGELSON: Yeah. I called Victoria and told her  
6 she needed to come home, then I called the paramedics, then -- then  
7 that was when everybody showed up, then Victoria. Someone  
8 screaming at me and kept on asking me what I did, and I said I don't  
9 know. I don't know what I did. I don't know if I did anything. I don't  
10 know. And, you know, she started hitting me, whatever, but, you know,  
11 that's -- I understand that too.

12 DETECTIVE COX: (Incomprehensible.)

13 COLE ENGELSON: Then her kids started screaming at  
14 me. And I'm just standing there, and all by myself, and -- and  
15 everybody hates me all of sudden. And then I -- I spoke to one of the  
16 police officers and talked about what I can try to remember, but I'm  
17 coming out of a sleep and I'm into a panic. It was -- it's -- I don't really  
18 remember all that much either, you know.

19 DETECTIVE COX: Okay. What -- what time did they --  
20 you call the paramedics? Do you remember?

21 COLE ENGELSON: I couldn't tell you.

22 DETECTIVE COX: Okay. Do you remember what time  
23 you called your girl? What's her name, again?

24 COLE ENGELSON: Victoria.

25 DETECTIVE COX: Victoria. I'm sorry.

1 COLE ENGELSON: No. I --

2 DETECTIVE COX: Bad -- I'm badder -- bad with names.

3 COLE ENGELSON: And I don't -- like I have no idea.

4 Like I said, I woke up, and I -- I think it was around fiveish. But I didn't  
5 check the phone one time to see anything 'cause it was just (snaps  
6 fingers) like that, you know, so I couldn't tell you.

7 DETECTIVE COX: Okay. So then what happened? You  
8 talked to the -- the cops came.

9 COLE ENGELSON: Yeah. And then they said that --  
10 said that the little girl passed away. And that's when they went and  
11 handcuffed me and took me down.

12 DETECTIVE COX: Got it. And then you've been --  
13 you've been in our jail ever since.

14 COLE ENGELSON: Yes.

15 DETECTIVE COX: Okay. Like I said, I -- I do have some  
16 -- I do have some questions for you, and I've been doing this a long  
17 time, and you seem like -- you seem like a good guy. You don't seem  
18 like a -- a type of guy that --

19 COLE ENGELSON: (Incomprehensible) I loved that little  
20 girl. I adored her, you know.

21 DETECTIVE COX: And -- and -- and that's why I want to  
22 -- that's why I'm here. I -- I wanted to talk to you and -- and kind of clear  
23 the air on a couple of things, and we -- I'm not going to lie to you. We  
24 found some disturbing things at the hospital that really -- you know,  
25 somebody in my position it really raises red flags. And, you know, I -- I

1 go, hey, you know what? He looks like a guy that I could relate to. I'm  
2 going to go down, and -- and talk to Cole, and -- and see if Cole would  
3 be willing to speak with me and -- you know, I'm -- I'm just -- I don't  
4 know you, but I'm sitting here rapping with you and -- and I feel like  
5 you're genuinely a good dude. You know, you're not like -- I don't see  
6 you out there slinging dope. You're just probably --

7 COLE ENGELSON: No.

8 DETECTIVE COX: You're probably a guy that's just  
9 providing for his family and just trying to get by.

10 COLE ENGELSON: I am. And that's what -- she can't --  
11 Victoria couldn't make it on her own. Then if something happens to me,  
12 then everybody -- you know it -- it's such a trickle-down effect and -- I  
13 know --

14 DETECTIVE COX: I -- I get -- I get it, man. Hey, I -- I do,  
15 and I'm sorry. Like I'm not in your shoes, and I -- you know, we're all  
16 different --

17 COLE ENGELSON: I know.

18 DETECTIVE COX: -- and I can't sit here and go, hey, I  
19 know how you feel because, Cole, I don't.

20 COLE ENGELSON: Yeah.

21 DETECTIVE COX: I don't know how you feel. But, you  
22 know, and I can tell you -- I can tell you that I do -- I -- I empathize with  
23 what happened, and I have -- I've lost -- I've lost a child, and I can tell  
24 you that it is by far one of the most emotional roller coasters that you  
25 can go through.

1 COLE ENGELSON: Oh. Well, I imagine it's probably just  
2 starting.

3 DETECTIVE COX: And -- and -- and -- yeah, and I'm not  
4 going to -- I'm not going to sit here, and sugarcoat it, and tell you that,  
5 hey, it's going to get better. It -- right away cause -- I mean, like I said,  
6 it's going to -- it's going to be a --

7 COLE ENGELSON: Yeah.

8 DETECTIVE COX: -- a emotional roller coaster. I mean  
9 you're going to feel a whole bunch of weird, weird emotions and -- you  
10 know, I did anyway. I -- I can't tell you what's going to happen to you, of  
11 course.

12 COLE ENGELSON: No. I'm sure. (Incomprehensible.)

13 DETECTIVE COX: But I -- I -- I can empathize with you  
14 on that and --

15 COLE ENGELSON: I'm sorry to hear that too. That's --

16 DETECTIVE COX: No. It sucks.

17 COLE ENGELSON: -- terrible. Yeah.

18 DETECTIVE COX: It -- it -- it sucks, you know. You  
19 know, children are -- children are innocent. They -- children deserve  
20 that shot to go forth and do what we had, had a childhood, and -- and  
21 go forth, and move on. Unfortunately, she's not going to be able to and  
22 that's -- it's -- it sucks to say. It is what it is, you know. It's -- it's painful  
23 to say. It is. And I'm not going to sit here and say it's not.

24 COLE ENGELSON: No. Uh-uh.

25 DETECTIVE COX: But, like I said, there's -- there's some

1 disturbing things that were discovered, and I wanted to give you the  
2 opportunity to talk with me and -- and maybe we can kind of sort some  
3 of this stuff out. Basically --

4 COLE ENGELSON: Well, the -- the police officer on the --

5 DETECTIVE COX: Do -- who -- who --

6 COLE ENGELSON: It was -- it was a lady.

7 DETECTIVE COX: It was a lady?

8 COLE ENGELSON: Yeah.

9 DETECTIVE COX: Okay. Detective?

10 COLE ENGELSON: I believe so.

11 DETECTIVE COX: Okay.

12 COLE ENGELSON: Yeah. So she -- she told me that  
13 there was a lot of bruising and something like a -- maybe something  
14 around the neck or something like that.

15 DETECTIVE COX: There's a lot -- there's a lot of --  
16 there's a lot of bruising. There's bruising -- there's bruising in areas that  
17 -- you know, like I said, I've been doing this a long time. There's  
18 bruising in areas that we constitute with -- with sexual abuse and that's  
19 --

20 COLE ENGELSON: No fucking way. No. I don't -- yeah.

21 DETECTIVE COX: Hear -- hear me out. Hear me out.

22 COLE ENGELSON: Heck, no. I'm just --

23 DETECTIVE COX: I -- I know. I know. And that -- that --  
24 that's -- that's telling me right there that that's -- that's a good sign that  
25 you didn't sexually abuse this child, and -- and that's why I'm here. I -- I

1 --I want to -- I want to figure out if -- did you sexually abuse her --

2 COLE ENGELSON: No. I wouldn't --

3 DETECTIVE COX: -- did anybody around do it, did --

4 COLE ENGELSON: No. I was the only one there so --

5 DETECTIVE COX: Okay. You know, there's -- there's  
6 some bruising on her -- on her inner thigh and it's not a -- it's not a  
7 bruise that you could fall down. You know, kids -- kids get jacked up. I  
8 mean --

9 COLE ENGELSON: Yeah.

10 DETECTIVE COX: -- they do. They -- let's be honest.  
11 They fall off stuff, they get in fights with each other, they -- they're --  
12 they're fragile children. But the injuries that she has, they're not from  
13 falling down. They're not from horseplay. They're from -- they're  
14 consistent with -- like I said, I've been doing this a while. They're  
15 consistent with like a cup or a bottle or something that, you know, that  
16 hit the child. And -- and that's what I'm trying to figure out. And they're  
17 close to her -- they're close to her thigh. And then she has several  
18 bruises that are on her -- her buttocks, and her back, and her neck. So  
19 you got to understand where I'm coming from.

20 COLE ENGELSON: Yeah. Okay.

21 DETECTIVE COX: Basically, it's -- it's a little troublesome  
22 for, you know, an -- you know an officer to find that stuff and -- and not  
23 ask questions when you think --

24 COLE ENGELSON: But she wasn't penetrated or  
25 anything like that, right?

1 DETECTIVE COX: I'm not -- I'm not a doctor.

2 COLE ENGELSON: Oh, okay.

3 DETECTIVE COX: I'm just telling you the -- the -- the  
4 pictures that I viewed and what I've been told by the doctor. And that's  
5 why I said, hey, you know, I -- let me -- let's -- let's get further this. I  
6 think there's a little more to this than what happened earlier today and  
7 that's why I wanted to talk --

8 COLE ENGELSON: Okay.

9 DETECTIVE COX: -- with you. Kind of give you the  
10 chance to kind of set the -- I want to exonerate you, basically. That's --

11 COLE ENGELSON: Yeah.

12 DETECTIVE COX: That's why I'm here, Cole. I want to --  
13 I want to understand everything that happened today. And, like I said,  
14 it's -- it's been an eventful day. It's been a really emotional day.

15 COLE ENGELSON: Yeah. Bruising-wise, I know that --  
16 that she tipped out of that chair. I don't know if she hit something there.  
17 But when she was in the shower, sometimes she flips out when she --  
18 her face gets wet. Like she throws a complete fit. So she's flopping  
19 around there like a -- like a -- a cat you throw in the tub. You know  
20 what I mean?

21 DETECTIVE COX: Yeah. Yeah. No. I got it.

22 COLE ENGELSON: (Incomprehensible) she's all over  
23 (incomprehensible).

24 DETECTIVE COX: Yeah.

25 COLE ENGELSON: So bruise-wise, that's the only thing I

1 can really think of. Like I said, I don't really remember none of it. I --

2 DETECTIVE COX: I -- I -- I have some pictures I -- I -- I

3 want to show you. I -- I just -- I just want some -- I just want some

4 explanations, man. And I know it's going to be tough. I know it's hard.

5 I'm not trying to make you upset.

6 COLE ENGELSON: No. I know.

7 DETECTIVE COX: I -- I'm -- I'm not, man. It's just you

8 and I in here. Nobody's in here. Just you and I, man. It's -- it's

9 troubling to me, though, that -- to see this many injuries. Something

10 else happened. You know what I mean?

11 COLE ENGELSON: Okay.

12 DETECTIVE COX: And -- and that's what I'm trying to

13 get. And I know you don't remember a lot, but I'm trying to -- I wanted

14 you to try to remember as best as you can. You know, did she flip out

15 in the shower? Did you -- I mean -- hey, man, I got -- I got a 2-year-old

16 kid. We all lose our temper, man.

17 COLE ENGELSON: (Incomprehensible.)

18 DETECTIVE COX: Shit happens.

19 COLE ENGELSON: (Incomprehensible) got -- I --

20 DETECTIVE COX: I mean I've -- I've had -- I've had my

21 kid in -- you know, I've -- I've -- I've been very upset with my child and

22 my wife, you know. I've -- I've been married for ten years. I've been

23 pissed off very bad at both of them, you know, and sometimes we as

24 men we're -- we -- we -- we make mistakes and that's --

25 COLE ENGELSON: Yeah.



1 DETECTIVE COX: And that's what I'm trying to figure out  
2 because you don't seem like a person that goes out to -- you don't  
3 seem like a guy that would try to hurt somebody intentionally. You don't  
4 seem like a --

5 COLE ENGELSON: No. I --

6 DETECTIVE COX: -- guy that would do that.

7 COLE ENGELSON: You got to push me pretty far to get  
8 me pissed off.

9 DETECTIVE COX: Yeah. You seem like -- I mean I'm  
10 not trying -- you seem like a big teddy bear to me, you know.

11 COLE ENGELSON: No, no. I'm --

12 DETECTIVE COX: And --

13 COLE ENGELSON: The only way I've been in my whole  
14 life, you know. I -- that's more a laid-back kind of guy, and then --

15 DETECTIVE COX: Yeah. You've been in the club.

16 COLE ENGELSON: Yeah.

17 DETECTIVE COX: You're dealing with 18-year-old girls.

18 COLE ENGELSON: (Incomprehensible) I've always  
19 been more diplomatic where talking down situations instead of just  
20 being so quick to fight, you know. (Incomprehensible.)

21 DETECTIVE COX: Yeah. Absolutely. I mean that --

22 COLE ENGELSON: Yeah.

23 DETECTIVE COX: We -- you get a lot -- you get a lot  
24 further with sugar than --

25 COLE ENGELSON: Yeah.

1 DETECTIVE COX: -- with vinegar. You ever heard of  
2 that?

3 COLE ENGELSON: For sure. For sure.

4 DETECTIVE COX: Yeah. And -- and I -- I -- I'm the same  
5 way, man. I -- I -- the same approach. You get a lot -- you get a lot  
6 further that way than you do just wanting to pound everyone's head in,  
7 you know.

8 COLE ENGELSON: Yeah.

9 DETECTIVE COX: But did -- I mean was she acting a  
10 fool in the shower or --

11 COLE ENGELSON: Yeah. Like -- like -- like she's trying  
12 to run out of there --

13 DETECTIVE COX: Okay.

14 COLE ENGELSON: -- you know, and she -- so she's  
15 falling all over the place in there. And it's -- it's a little shower so she  
16 was banging around there a little bit. I -- I don't know.

17 DETECTIVE COX: Okay.

18 COLE ENGELSON: Like I don't really -- I don't really  
19 spank her that much anymore, either. I went to a -- I make her sit on  
20 the wall.

21 DETECTIVE COX: Okay.

22 COLE ENGELSON: You know. And she hates it, you  
23 know. That's our punishment now. Or I'll make her do the plank. You  
24 know, I don't really -- I think the last time I spanked her was -- her mom  
25 was the one to say if you do this then, you know, Big Cole is going to

1 spank you; or she did it so now I had to spank her. And I think that was  
2 last one I really gave her. And then -- you know, I -- I'm heavy-handed,  
3 you know, and --

4 DETECTIVE COX: You're a big guy.

5 COLE ENGELSON: Yeah.

6 DETECTIVE COX: I mean -- and -- and that's what I'm  
7 trying to figure out. Did -- what happened in the shower? I mean  
8 'cause I know there -- I know -- I know more happened in the shower  
9 than what -- what you told the other detective and what you've told me  
10 so far. I know more happened in that shower just -- just from the  
11 evidence from the scene. I know there's more that happened.

12 COLE ENGELSON: No.

13 DETECTIVE COX: I -- I -- I want to learn that -- of what  
14 happened here today. I want -- I want to know. I want to be able to  
15 exonerate you and say, man, this guy; hey, something happened. You  
16 know, he fucked up, but he didn't sexually assault this child.

17 COLE ENGELSON: No. No.

18 DETECTIVE COX: This child wasn't sexually assaulted  
19 by this man. But I want to be able to -- I want to be able to prove that,  
20 and I want to be able to exonerate you with that.

21 COLE ENGELSON: Yeah.

22 DETECTIVE COX: And I know more happened in that  
23 shower, and I know it's painful, and I know it's something our brains --  
24 when traumatic events happen to us our brains tend to block things out  
25 that are traumatic, and we choose sometimes not to want to remember

1 all the details. But we do. It just takes -- it takes a little bit more out of  
2 us to talk about it and --

3 COLE ENGELSON: Yeah.

4 DETECTIVE COX: And I'm not telling you it's going to be  
5 easy. And it's not. It's not going to be easy, man, telling me. But it's a  
6 weight that's going to be lifted off your shoulders that is literally going to  
7 make you feel a hundred times more better. And, like I said, you don't  
8 seem like a guy that sexually assaults kids, man.

9 COLE ENGELSON: No.

10 DETECTIVE COX: You don't look like it. You know, I can  
11 tell by just talking to you that you're not that guy. But, like I said, I  
12 wouldn't be -- you know, I wouldn't be -- shit, I wouldn't be human if I  
13 didn't come in here and do my job.

14 COLE ENGELSON: No.

15 DETECTIVE COX: Right?

16 COLE ENGELSON: No. No, no. You've --

17 DETECTIVE COX: I got to do my job.

18 COLE ENGELSON: Yeah.

19 DETECTIVE COX: It sucks. It's a shitty job, but  
20 someone's got to come in here and ask the uncomfortable questions  
21 and the questions that people don't want to ask.

22 COLE ENGELSON: Yeah. Like I said, with the shower,  
23 when -- you know when she flips out whenever her face gets wet. Then  
24 when I went to turn the shower off, she hates it when it's really cold.  
25 You know, it's the same thing where -- and then she tried to run out of

1     there, and slipping back, and you know, and she was all over that little -  
2     - I mean it's not this -- it's not that big of a shower.

3                 DETECTIVE COX: It's a little --

4                 COLE ENGELSON: Yeah.

5                 DETECTIVE COX: How big's the shower?

6                 COLE ENGELSON: I would say probably from the wall to  
7     here. You know, it's -- I don't have much room in there at -- at all, you  
8     know.

9                 DETECTIVE COX: Okay.

10                COLE ENGELSON: So it's -- it's a tiny one.

11                DETECTIVE COX: Okay.

12                COLE ENGELSON: Man, I -- that's about it on it, you  
13     know.

14                DETECTIVE COX: What -- what'd you hit her on her leg  
15     with?

16                COLE ENGELSON: I couldn't tell you.

17                DETECTIVE COX: Okay. I'm going to show you these.  
18     Like I said, they're going to probably be a little painful for you, but -- like  
19     this is -- do you mind if I get a little close to you?

20                COLE ENGELSON: That's fine.

21                DETECTIVE COX: This is -- this is a bruise on her -- right  
22     on her leg, on her thigh , on her upper thigh.

23                COLE ENGELSON: Like on her quad?

24                DETECTIVE COX: Yeah.

25                COLE ENGELSON: Okay.

1 DETECTIVE COX: So this is -- this is another bruise on  
2 her chin. See -- do you see all that bruising right there?

3 COLE ENGELSON: Yeah.

4 DETECTIVE COX: You know what I mean? This is -- this  
5 is -- and this is the -- the main -- one of the main ones. She has a  
6 couple of these marks that are circular. Do -- do you see what I'm  
7 saying? These aren't --

8 COLE ENGELSON: Yeah.

9 DETECTIVE COX: These aren't -- these aren't bruises  
10 from falling down, man. These are bruises from -- from being hit with  
11 something.

12 COLE ENGELSON: Man, I don't -- I don't know what  
13 would --

14 DETECTIVE COX: And this -- this is -- this is her  
15 buttocks.

16 COLE ENGELSON: Oooh.

17 DETECTIVE COX: Do -- do you -- do you see what I'm  
18 saying? Like the concern that I have --

19 COLE ENGELSON: Yeah.

20 DETECTIVE COX: -- is because these --

21 COLE ENGELSON: Oh, no.

22 DETECTIVE COX: These are -- these are -- these are  
23 distinct bruises. Do you -- do you see here and here? This is like a --  
24 it's like a tripod or something that -- that hit her. You know what I  
25 mean? It was -- it was -- you know, it was hit with something.

1 COLE ENGELSON: Yeah.

2 DETECTIVE COX: And this is -- this is the -- the troubling  
3 one for me, man, is this is right next to her vaginal area which is -- this  
4 is -- like I said, this is consistent with a --

5 COLE ENGELSON: Is that the same one that was over  
6 here?

7 DETECTIVE COX: No. It's different one.

8 COLE ENGELSON: It's a different circle  
9 (incomprehensible) thing.

10 DETECTIVE COX: Yes. There's a couple of them and  
11 that --

12 COLE ENGELSON: Can you please --

13 DETECTIVE COX: Yes.

14 COLE ENGELSON: -- (incomprehensible).

15 DETECTIVE COX: Yeah. Absolutely.

16 COLE ENGELSON: (Incomprehensible.)

17 DETECTIVE COX: And --

18 COLE ENGELSON: Under the chin.

19 DETECTIVE COX: -- this is underneath the chin. But do  
20 -- do you -- do you see what I'm saying? I mean that -- those are -- like  
21 I said, those are -- the ones especially next to the private parts, those  
22 are ones that are, in my experience that I've had, consistent with bite  
23 marks and sexual assault. Those are close bite marks that are --  
24 people bite there because they can be hidden by pants.

25 COLE ENGELSON: Those -- those are bite marks, you

1 think?

2 DETECTIVE COX: Yeah. The -- well, the -- that's --  
3 that's what we're being told by the physician. I'm not a doctor.

4 COLE ENGELSON: Okay.

5 DETECTIVE COX: I'm only a cop. You know what I  
6 mean? But --

7 COLE ENGELSON: Can I see that one again.

8 DETECTIVE COX: Yeah. Sure. Like I said, man, I'm not  
9 trying to piss you off.

10 COLE ENGELSON: No. No.

11 DETECTIVE COX: I'm not trying to ruin your day. Like I  
12 said, I'm just doing my job and, at the end of the day, I just want some  
13 answers. That's -- that's it, man. Do -- do you -- yeah. I'll hold it for  
14 you.

15 COLE ENGELSON: Thank you.

16 DETECTIVE COX: Do you -- do you see -- do you see  
17 that circular motion right here --

18 COLE ENGELSON: Yeah.

19 DETECTIVE COX: --as it could be a mouth that -- that  
20 was put on there.

21 COLE ENGELSON: All right. Is that was why I was  
22 asked if I wore dentures earlier?

23 DETECTIVE COX: Probably. Yeah. I -- I don't -- I don't  
24 know. Who asked you that?

25 COLE ENGELSON: Think the --



1 DETECTIVE COX: The other detective?

2 COLE ENGELSON: -- (incomprehensible) the one with --  
3 yeah. The one that walked us in, the sheriff that runs the booth.

4 DETECTIVE COX: Okay. Like I said, my goal here  
5 today, I want to walk out of here, man, and go there's no way in hell  
6 Cole sexually assaulted that child. You know, I want to hear what  
7 happened, though. I do want to know. I want to know about those  
8 bruises, man. Those -- those are -- those are not accidents.

9 COLE ENGELSON: No. And they're gnarly looking.  
10 And, like I said, I don't -- I don't know what caused it. You know, I don't  
11 know of -- I don't (incomprehensible) to make that round -- probably that  
12 was a bottle or -- I don't think I had any glass bottles around or anything  
13 like that.

14 DETECTIVE COX: Was it a cup? Was it a cup? Was it a  
15 bottle? There's a cup in the shower that would -- would be close to  
16 that. I'm wondering if maybe she was flopping around like a fish, you  
17 grabbed her, and you grabbed the cup, and it -- it hit her leg or -- I -- I  
18 mean I -- I don't know, man.

19 COLE ENGELSON: I couldn't (incomprehensible). I don't  
20 remember anything like that, like them bruises, and everything like that  
21 too. I don't, you know. But --

22 DETECTIVE COX: How --

23 COLE ENGELSON: -- it looks like I probably gave her a  
24 good spanking /cause it look like it's welted.

25 DETECTIVE COX: How many times did you hit her

1 today?

2 COLE ENGELSON: I don't know. I don't remember  
3 hitting her at all really.

4 DETECTIVE COX: Okay.

5 COLE ENGELSON: Like I said, when -- like I said, I make  
6 her sit on the wall and -- wow.

7 DETECTIVE COX: But I think it went a little further today,  
8 you know.

9 COLE ENGELSON: It did.

10 DETECTIVE COX: It did. Right?

11 COLE ENGELSON: It did.

12 DETECTIVE COX: Am I wrong to --

13 COLE ENGELSON: No.

14 DETECTIVE COX: -- say that?

15 COLE ENGELSON: No. And I -- I wish I could tell you  
16 more 'cause I don't really remember that much of it and -- and I -- I  
17 fucking hate booze, and it's --

18 DETECTIVE COX: How long you been drinking?

19 COLE ENGELSON: Twenty-some-odd years.

20 DETECTIVE COX: A long time.

21 COLE ENGELSON: (Incomprehensible) on and off.

22 Yeah. Like I've been taking Antabuse, the -- to stay off it, and then I'll  
23 get off after a little bit, then I'll do a little run-in with the booze, then I'll  
24 get off it again and --

25 DETECTIVE COX: Do you take anything else?

1 COLE ENGELSON: No. No.

2 DETECTIVE COX: You doing dope or anything?

3 COLE ENGELSON: I -- I'll -- I'll smoke weed.

4 DETECTIVE COX: You smoke weed?

5 COLE ENGELSON: Yeah.

6 DETECTIVE COX: Okay. All right. Yeah. I saw your

7 card. That's why I figured -- I mean it's legal. Hey, you can smoke

8 weed.

9 COLE ENGELSON: Yeah.

10 DETECTIVE COX: You know. Just like you can drink.

11 Do you think you got a drinking problem?

12 COLE ENGELSON: Yeah. That's why I -- I went to the

13 doctor, and made sure I got on those pills, and like -- it was every night.

14 You know, it -- it -- being in that business, you know, it --

15 DETECTIVE COX: Yeah. Sure.

16 COLE ENGELSON: It's always about party atmosphere

17 and --

18 DETECTIVE COX: Oh -- I mean you're --

19 COLE ENGELSON: People love a drunk DJ, and I was --

20 DETECTIVE COX: You work in a strip club. I mean --

21 COLE ENGELSON: Yeah. Yeah.

22 DETECTIVE COX: -- it is what it is. Yeah. It's a -- yeah.

23 It's a party atmosphere, just like you said. What -- I want -- I want you

24 to try -- do me a favor. I'm going to -- I'm going to get rid of these real

25 quick. All right?

1 COLE ENGELSON: Please.

2 DETECTIVE COX: 'Cause they're -- hey, man, they're  
3 disturbing for me also too. Trust me. I don't -- I got kids. I don't like  
4 looking at them, either. Do me a favor, hang. Drink some water real  
5 quick. I got to take a piss. I'll be right back. Okay?

6 COLE ENGELSON: (Incomprehensible.)

7 DETECTIVE COX: You going to be okay in here?

8 COLE ENGELSON: Yeah. I'm fine.

9 DETECTIVE COX: Okay.

10 (Detective Cox leaves the interview room.)

11 (Detective Cox enters the interview room.)

12 DETECTIVE COX: Cool. I forgot. These aren't the --  
13 there's a couple of the same ones, but I had -- I got some more, Cole.  
14 I'm going to ask you a couple more on that. All right. You all right?

15 COLE ENGELSON: Yeah.

16 DETECTIVE COX: Okay. All right. Shit. What was I  
17 going to ask you? So are you -- are you like a happy drunk, angry  
18 drunk?

19 COLE ENGELSON: I'm all of them, all of it. You know --

20 DETECTIVE COX: Yeah.

21 COLE ENGELSON: -- what I mean?

22 DETECTIVE COX: Just --

23 COLE ENGELSON: Depends on the situation, I guess.

24 DETECTIVE COX: Okay. How do you get along with  
25 your lady?

1 COLE ENGELSON: Oh, you know, we've -- like I dated  
2 her like 12 years ago, you know, and -- and she was one of those kind  
3 of girls that -- she'd always come, and pick me up from the bar, and you  
4 know, and got me home safe all the time. And then when I got with my  
5 son's mother, you know, she was a piece of shit and never did anything  
6 for me, you know. So the whole relationship we had, I always thought  
7 about her. You know like how great it was.

8 DETECTIVE COX: Yeah.

9 COLE ENGELSON: And we just happened to get  
10 reconnected and so we've been on a good run. I mean it's less than a  
11 year.

12 DETECTIVE COX: Oh, okay.

13 COLE ENGELSON: Yeah.

14 DETECTIVE COX: Okay. But it's been good so far?

15 COLE ENGELSON: Yeah. Yeah.

16 DETECTIVE COX: Okay.

17 COLE ENGELSON: My son got a -- like real bad asthma  
18 and he's allergic to all trees.

19 DETECTIVE COX: Oh, okay.

20 COLE ENGELSON: So I was going to make the move  
21 out here regardless and, you know, she wanted to come with too.

22 DETECTIVE COX: Supported it.

23 COLE ENGELSON: Yeah.

24 DETECTIVE COX: Supported the move. All right. You  
25 know, like I said, those pictures are disturbing. And they're disturbing

1 for you, they're disturbing for me. But they're -- like I said, some --  
2 some more things happened today, and I want to know a little bit more  
3 about how those injuries happened. Do --

4 COLE ENGELSON: And I don't -- I don't remember  
5 striking her at all, really. I -- I just remember her flipping out in the  
6 shower, and then I remember just laying down for a nap, and you know,  
7 and I woke up still drunk.

8 DETECTIVE COX: You got -- you got to remember  
9 something, though. Like, you know, you've been drinking a long time  
10 and you know that much alcohol isn't that kind that would make you  
11 forget all that. You know what I mean?

12 COLE ENGELSON: Yeah.

13 DETECTIVE COX: And, like I said, I'm here to exonerate  
14 you, man. But at the end of the day, I need to know the truth and I -- I  
15 need you to be real with me, you know. How -- how did she get that  
16 mark on her leg, you know.

17 COLE ENGELSON: No. I -- I could not tell you. I  
18 promise you I don't remember striking her. Like -- like even her butt  
19 and anything, I don't even remember spanking her or anything. You  
20 know when I talk about that much vodka -- but it was probably a few  
21 times, you know, if I kept going back so -- if you want to get a hold of  
22 Victoria and ask about that -- that bottle 'cause I -- I guarantee you  
23 there was probably more than just a little five shots.

24 DETECTIVE COX: Do you think it'd be -- could be  
25 possible you hit her with that cup?

1 COLE ENGELSON: It was -- I think --

2 DETECTIVE COX: Or a bottle or --

3 COLE ENGELSON: I think it was a -- it was a glass. I

4 think I was drinking out of a glass cup.

5 DETECTIVE COX: A glass cup? What did it look like?

6 COLE ENGELSON: Just -- just glass. I think -- I think it

7 might have been two of them. The one more had like rigid sides and

8 the other one was more flat. I think it was maybe like a Dave & Buster's

9 cup. Yeah.

10 DETECTIVE COX: Dave & Buster's cup?

11 COLE ENGELSON: But they were both glass.

12 DETECTIVE COX: Okay. Did you hit her on the leg with

13 it?

14 COLE ENGELSON: I couldn't tell you.

15 DETECTIVE COX: Okay. What did you hit her on the

16 butt with?

17 COLE ENGELSON: I don't remember striking her at all.

18 DETECTIVE COX: You don't remember --

19 COLE ENGELSON: Nothing.

20 DETECTIVE COX: -- hitting her at all?

21 COLE ENGELSON: I promise you I don't remember

22 striking her at all. You know, it -- like I said, it looks like I put a whipping

23 on her like -- 'cause it looks like (incomprehensible).

24 DETECTIVE COX: Yeah. I mean --

25 COLE ENGELSON: Yeah.

1 DETECTIVE COX: -- she's got a lot of bruises.

2 COLE ENGELSON: Yeah. And, like I said, I don't  
3 remember spanking her or slam anything on her. I don't remember  
4 none of that.

5 DETECTIVE COX: And I -- I -- I know it's hard to talk  
6 about, but I mean the time -- the time -- the -- the one time to be honest  
7 is -- is now, Cole.

8 COLE ENGELSON: Yeah. (Incomprehensible.)

9 DETECTIVE COX: You know while I'm here, while I --  
10 while I got the time to talk to you and you got the time to talk to me.  
11 And, like I said, we're the only ones in here. It's just you and I, man.

12 COLE ENGELSON: Yeah.

13 DETECTIVE COX: You know --

14 COLE ENGELSON: I promise you. I did not --

15 DETECTIVE COX: I --

16 COLE ENGELSON: I don't remember striking this girl at  
17 all.

18 DETECTIVE COX: I -- I don't think you intentionally  
19 meant to do anything, but I -- I think some shit went wrong today.  
20 Wouldn't you agree?

21 COLE ENGELSON: Obviously.

22 DETECTIVE COX: Yeah.

23 COLE ENGELSON: Yeah. Yeah.

24 DETECTIVE COX: And --

25 COLE ENGELSON: And I wish I could tell you more



1 about it, you know. I really do. But I -- I went to bed drunk and got up  
2 drunk, you know. And then, like I said, it was just a whirlwind of just  
3 craziness, you know. You know, it all in just a snap of a finger.

4 DETECTIVE COX: Think back for me, though. Think --  
5 try to think hard. You know what? Think -- think -- think back to the  
6 shower. I mean we know -- you know what I mean? Like you can tell  
7 me that you went in the shower, you can tell me she went -- you know,  
8 she went wild, but then we stop from there. And I think -- I think there's  
9 a little bit more in there that you can tell me that happened. You know, I  
10 think -- I think there's more there. You know what I mean?

11 COLE ENGELSON: I -- there's -- there's not that I can  
12 recollect. And I'll just -- maybe pushing her back in the shower when  
13 she's trying to get out, you know, and do the slippering (phonetic). But  
14 far as striking her, I don't remember none of that.

15 DETECTIVE COX: Do you know how she got the --

16 COLE ENGELSON: 'Cause I don't know if it came  
17 afterwards. I don't -- I don't --

18 DETECTIVE COX: Do you know that she got the injury  
19 on her chin?

20 COLE ENGELSON: I did not.

21 DETECTIVE COX: Oh.

22 COLE ENGELSON: Like I -- I couldn't tell you. She --  
23 'cause I was holding her waiting for the paramedics and everything, I  
24 couldn't even tell you she was -- she had marks then, you know. I don't  
25 -- I don't -- and I don't remember if she even had clothes on. I don't

1 remember none of it.

2 DETECTIVE COX: Okay.

3 COLE ENGELSON: Yeah.

4 DETECTIVE COX: Did she have clothes on or --

5 COLE ENGELSON: I don't know.

6 DETECTIVE COX: You don't know? Okay.

7 COLE ENGELSON: And I -- I wish I could tell you more.

8 And, you know, it -- I don't know what to do. I don't know what to do

9 right now.

10 DETECTIVE COX: I -- I know. And you're -- and, like I  
11 said, I can't -- I can't tell you what to do. But what I can tell you is that  
12 the truth will set you free. And being honest right now is probably the  
13 best bet. You know what I mean?

14 COLE ENGELSON: Yeah.

15 DETECTIVE COX: And -- and it's the -- it's serious with  
16 us. Corny as it sounds, the truth will set you free: (a) it will make you  
17 feel better; (b) you know, it'll help me get a little more insight on -- on  
18 what happened here today. And, you know, I feel like you're ready -- I  
19 feel like you want to tell me what happened, but you're just not. You  
20 know what I mean?

21 COLE ENGELSON: No.

22 DETECTIVE COX: These -- and these -- you know what I  
23 mean? These -- these have to be explained. You know, they -- they  
24 have to be explained.

25 COLE ENGELSON: Yeah.

1 DETECTIVE COX: You know what I mean? I -- I don't  
2 think you openly went to do this, but I think this happened. You know,  
3 this did happen. I mean it's right here.

4 COLE ENGELSON: Yeah.

5 DETECTIVE COX: And this happened -- this happened  
6 today. You know what I mean? And this -- this happened. This -- this  
7 injury happened, and these injuries happened with the prongs, and this  
8 bruising happened. You know, this happened and I want to be able to  
9 find out why. You know what I mean? I want to know why.

10 COLE ENGELSON: Yeah.

11 DETECTIVE COX: Can you tell me why?

12 COLE ENGELSON: I can't. I can't tell you why. I don't  
13 remember if it was after the shower, you know. Did something happen  
14 after that? 'Cause I all I remember is laying down.

15 DETECTIVE COX: Do you --

16 COLE ENGELSON: I don't remember.

17 DETECTIVE COX: Like these ones, do you -- go ahead.  
18 Take a look at them. Any one that you can explain to me, please. I  
19 mean I -- I'm all ears. I want to -- I want to know why.

20 COLE ENGELSON: Man, I don't -- I don't understand  
21 how that's so dark over there. I don't -- couldn't have been them.  
22 Looks more like my hand.

23 DETECTIVE COX: What do you spank her with?

24 COLE ENGELSON: I've always used just my hand.

25 DETECTIVE COX: Do you wear a ring?

1 COLE ENGELSON: Uh-uh.  
2 DETECTIVE COX: You don't wear a ring --  
3 COLE ENGELSON: No.  
4 DETECTIVE COX: -- at all?  
5 COLE ENGELSON: Never.  
6 DETECTIVE COX: How many times did you spank her  
7 today?  
8 COLE ENGELSON: I don't remember spanking her at all.  
9 DETECTIVE COX: When's the last time you spanked  
10 her?  
11 COLE ENGELSON: A month ago maybe.  
12 DETECTIVE COX: A month ago?  
13 COLE ENGELSON: Two months. I know it was, like I  
14 said, that time with Victoria when she was (incomprehensible). That  
15 was probably a month ago, I believe.  
16 DETECTIVE COX: A month ago?  
17 COLE ENGELSON: Yeah.  
18 DETECTIVE COX: Okay. But you don't -- you don't know  
19 -- you don't know why those are there?  
20 COLE ENGELSON: I do not.  
21 DETECTIVE COX: We can't explain them. We can't --  
22 COLE ENGELSON: I don't know what could even  
23 possibly get me that upset to do all that, either. I don't -- like I said, I  
24 don't even remember touching her. I don't know why I would get that  
25 upset. I don't know what happened, and it -- it's --

1 DETECTIVE COX: Do you think you could get that  
2 upset?

3 COLE ENGELSON: Well, obviously, I guess so. But --

4 DETECTIVE COX: Yeah. I mean --

5 COLE ENGELSON: But that's not me, though. And it's --

6 DETECTIVE COX: And -- and that's what I'm trying --

7 COLE ENGELSON: -- pretty (incomprehensible) a three  
8 year old. You know, I --

9 DETECTIVE COX: Yeah. It'd probably be out of  
10 character, but that's what I mean. We're human, man. We make  
11 mistakes. You know, we do. And that -- that shows a difference  
12 between maliciously trying to do it and making a mistake, and I think  
13 you made a mistake. And I think --

14 COLE ENGELSON: And I really wish I could tell you  
15 more about it. And I don't -- I don't know any of it. It's just I don't.

16 DETECTIVE COX: Nothing at all?

17 COLE ENGELSON: Nothing. I don't remember hitting  
18 her with anything. I don't remember spanking her.

19 DETECTIVE COX: Do you -- could -- I mean is there --  
20 have you ever hit her with a cup? I mean that --

21 COLE ENGELSON: No. I've never struck her with  
22 anything besides my -- my hand and a stuffed animal once 'cause she  
23 was throwing a fit. And I just took one and yacked (phonetic) her with it,  
24 but it was a stuffed animal.

25 DETECTIVE COX: Sure.

1 COLE ENGELSON: You know. No. It just mostly -- just  
2 my hands, you know. I -- I don't hit -- 'cause it -- it's enough.

3 DETECTIVE COX: So you don't remember hitting her at  
4 all today?

5 COLE ENGELSON: Not at all.

6 DETECTIVE COX: Not one time.

7 COLE ENGELSON: Not one time. And if I did, I promise  
8 you I would tell you what I knew about it 'cause I -- I want to get this  
9 done with. But I would -- I couldn't even tell you before you showed me  
10 those pictures that it would have been that severe. You know, from my  
11 understanding it was just something around, you know, the neck or chin  
12 area. So that's who I been -- I thought it was happening all day. I didn't  
13 know it was anything remotely that gnarly.

14 DETECTIVE COX: So when you went to give her a  
15 shower, what did she do? What did she say?

16 COLE ENGELSON: I don't remember anything that she  
17 was saying. She was throwing a fit about getting water in her face.  
18 Then -- then she try to run out of there, and then she's falling back.  
19 Then when the water got too cold, she tried running back again. I  
20 pushed her back, and that's about it (incomprehensible). I don't  
21 remember drying her off. I don't remember if I put lotion on. Like I  
22 talked to the other detective, we went inside, and I said usually I -- I set  
23 her up on the counter. That's where I dry her off, and I get her lotion on  
24 her for her. She went over there and looked, and she said that there  
25 was no like feet mark or anything like that so I don't -- I don't know what

1 happened.

2 DETECTIVE COX: Okay. How do you get along with her  
3 nine-year-old son?

4 COLE ENGELSON: He's the one I really don't care for,  
5 but --

6 DETECTIVE COX: What's up with him?

7 COLE ENGELSON: Just -- I don't -- maybe showing off  
8 'cause he left his -- his mom left his dad or -- but he -- he's mouthy and  
9 he's kind of a bad influence on my boy so --

10 DETECTIVE COX: Okay.

11 COLE ENGELSON: And --

12 DETECTIVE COX: So you're having trouble with him.

13 COLE ENGELSON: I --

14 DETECTIVE COX: Per se.

15 COLE ENGELSON: Per se.

16 DETECTIVE COX: Okay.

17 COLE ENGELSON: And I ain't never touched him.

18 DETECTIVE COX: Okay. No. No. I mean --

19 COLE ENGELSON: Yeah.

20 DETECTIVE COX: -- what's -- what's he say to you?

21 Does he say anything to you?

22 COLE ENGELSON: No. It's mostly just what he does to  
23 my son. You know, he's -- he's a lot of shit talker, you know, and --

24 DETECTIVE COX: Yeah.

25 COLE ENGELSON: He's one of the worst sportsman I've

1 ever seen, you know, and my (incomprehensible). Best story I can tell  
2 about him, he was -- he was playing air hockey against my kid and my  
3 kid's up like six to two on him. So Dwight finally scores one. Now it's  
4 six-three. He's losing. But he's celebrating this thing, and he's  
5 throwing, you know, his fists around, running around, hits his sister,  
6 knocks her into the machine. She hits her head on the -- where the  
7 little coin things go.

8 DETECTIVE COX: Yeah.

9 COLE ENGELSON: Over celebrating when you're --  
10 you're down three still, you know. And he ended up losing, but that just  
11 the kind of kid he is. And then always had a -- always had a little --  
12 well, he -- when we first started going back over there and seeing  
13 Victoria again, like the second, maybe third time I let her have my kid  
14 stay there 'cause my brothers were in town. And all a sudden I get a  
15 phone call when we're out golfing, and they were playing with rocks,  
16 and my kid got his -- his eyes -- you know, right above his eye. So I  
17 guess Dwight was throwing rocks at -- well, here catch it. My kid don't  
18 even know how to catch yet, you know, at the time. He was --

19 DETECTIVE COX: Yeah.

20 COLE ENGELSON: -- you know. So I've kind of had that  
21 resentment towards him.

22 DETECTIVE COX: The whole time.

23 COLE ENGELSON: Yeah.

24 DETECTIVE COX: Yeah.

25 COLE ENGELSON: You know. And I -- I talked to



1 Victoria about letting it go, but sometimes it's a little harder than -- but --  
2 but --

3 DETECTIVE COX: No. I get it. Do you -- I mean so you  
4 don't discipline him or anything, do you?

5 COLE ENGELSON: Uh-uh.

6 DETECTIVE COX: No. 'Cause of the kind of the bad --  
7 the bad blood between your kid and his kid, you know, your kid and him  
8 (incomprehensible).

9 COLE ENGELSON: Yeah. I got a -- mostly his mom  
10 takes care of it. You know, they just send him up to his room, and she's  
11 got him with the belt before too for running his mouth about nonsense.  
12 But, yeah, I don't -- I don't mess with him.

13 DETECTIVE COX: How you feeling right now?

14 COLE ENGELSON: Just overwhelmed, and I just -- I  
15 ruined a lot of people's lives today. And I don't know if I can ever get it  
16 back, and it -- it's terrible.

17 DETECTIVE COX: Do you -- do -- do -- who do you  
18 thinks lives you ruined today?

19 COLE ENGELSON: Victoria, her kids. When my son  
20 comes back, you know, it's a whole new world now. Well, you know,  
21 from everybody. Even, you know, Yessenia's dad to the grandparents  
22 and -- I ruined a lot of people's lives.

23 DETECTIVE COX: I think you care, you know. Do you  
24 care?

25 COLE ENGELSON: Care that I ruined these people's

1 lives?

2 DETECTIVE COX: Do you care -- do -- do you care  
3 about Yessenia?

4 COLE ENGELSON: I do. I do. I -- like I said, I loved that  
5 little girl and --

6 DETECTIVE COX: And I can --

7 COLE ENGELSON: -- I adored her.

8 DETECTIVE COX: And I can tell you care. And this is  
9 why -- and I'm going to -- and I'm just going to say it, man. I'm just  
10 going to be brutally honest with you. Don't you think she deserves --  
11 don't you think she deserves, and everyone, to know what happened?  
12 You know what I mean? The -- the real -- the real truth from the only  
13 other person that was there?

14 COLE ENGELSON: Yeah.

15 DETECTIVE COX: Don't you think that?

16 COLE ENGELSON: I wish I could. I wish I could. At  
17 least, you know, put it all out there. But I can't remember none of this.

18 DETECTIVE COX: Do me a favor. Just try your -- try --  
19 seriously, try your best --

20 COLE ENGELSON: I have been. And you know --

21 DETECTIVE COX: Please.

22 COLE ENGELSON: -- I've been sitting there. I've been  
23 trying to think what happened in the bathroom. I'm trying to think what  
24 happened afterwards, you know. I don't remember 'cause there was  
25 such a long window from 1 to, you know, maybe 5:30. I -- I can't really

1 tell you what time it was when it all happened. So I don't -- I think the  
2 shower was pretty much early.

3 DETECTIVE COX: Well, let's start there. Let's -- let's  
4 back up a little bit. So she falls in the dirt, right? She's playing outside.  
5 She falls in the dirt. You're like, hey, we got to get in the shower.

6 COLE ENGELSON: Yeah. 'Cause she climbed up on the  
7 chair, and it was kind of hanging off the edge a little bit so she went  
8 back off of it.

9 DETECTIVE COX: Okay.

10 COLE ENGELSON: Then pretty much did a  
11 summersault, you know, so everything was dirty, her hair and  
12 everything. So I -- I kept smoking a cigarette. I let her just, you know,  
13 go ahead and play in the dirt. Then when she got done with the dirt, I  
14 says time for a shower. And, like I said, I just got her in the shower.  
15 Then pretty much after that the -- the only thing I remember is just  
16 waking up and the whole world coming to nothing. You know what I  
17 mean? Just --

18 DETECTIVE COX: So when you woke up, you went to  
19 check on her. Then what happened?

20 COLE ENGELSON: Like I said, she kind of had like one  
21 eye a little bit open and I thought it was weird. I shook her, and then I  
22 knew -- I knew something was wrong. And that's when I picked her up  
23 and I tried to get her going.

24 DETECTIVE COX: Do you know if she was naked or not?

25 COLE ENGELSON: I don't.

1 DETECTIVE COX: Okay.

2 COLE ENGELSON: I think I was outside holding her  
3 when everybody arrived. And like Victoria when showed up, she was --  
4 it was a panic.

5 DETECTIVE COX: Sorry.

6 COLE ENGELSON: I think she might a -- maybe tried to  
7 get her CPR. I think maybe she beat the paramedics there. But I'm not  
8 sure on that, either.

9 DETECTIVE COX: Did you call -- who'd you call first?  
10 Did you call 911?

11 COLE ENGELSON: I think I called Victoria first.

12 DETECTIVE COX: You called Victoria first?

13 COLE ENGELSON: I think so.

14 DETECTIVE COX: What'd you say to her?

15 COLE ENGELSON: Something along the line of her  
16 being limp. I think that's the only word I really remember using was  
17 "limp" 'cause I was trying to hold her and like her head was falling back  
18 and everything so --

19 DETECTIVE COX: Then you called 911?

20 COLE ENGELSON: Yeah. I think maybe she told me to -  
21 - to do it.

22 DETECTIVE COX: What'd you say to 911?

23 COLE ENGELSON: I don't remember  
24 (incomprehensible), either.

25 DETECTIVE COX: You don't remember? You don't

1 remember talking to 911?

2 COLE ENGELSON: No.

3 DETECTIVE COX: Okay.

4 COLE ENGELSON: And I wouldn't -- I only remember

5 one of the detectives would let me go through my phone maybe.

6 Maybe to find like times, and I think that's the only reason I saw -- I

7 remember even calling them.

8 DETECTIVE COX: Okay.

9 COLE ENGELSON: I don't remember a conversation with  
10 them or anything like that.

11 DETECTIVE COX: So then you -- she falls off the chair,  
12 you put her in the shower. Then what happens then?

13 COLE ENGELSON: That's pretty much my part. It was --  
14 it was -- it was time for a nap so I remember we laid down.

15 DETECTIVE COX: How long did she fight in the shower  
16 for?

17 COLE ENGELSON: It wasn't that long. It couldn't have  
18 been more than a 15-minute shower, I don't believe.

19 DETECTIVE COX: Okay. When you -- when you -- when  
20 you wash her hair, do you use the cup to wash her hair?

21 COLE ENGELSON: No.

22 DETECTIVE COX: Do you just dowse her? How do you  
23 do it?

24 COLE ENGELSON: No. I just use a -- just a pump into  
25 the hand, then I massage with the fingertips but not the nails.

1 DETECTIVE COX: Got it. Do you know -- what -- you  
2 know what's the cup in the shower for? Do you know?

3 COLE ENGELSON: I don't. I don't even know the cup  
4 you're referring to.

5 DETECTIVE COX: Okay.

6 COLE ENGELSON: (Incomprehensible.)

7 DETECTIVE COX: There -- there's a cup in the shower.  
8 So there's --

9 COLE ENGELSON: Yeah. His -- his mom might use it  
10 for something.

11 DETECTIVE COX: Okay.

12 COLE ENGELSON: I don't use it personally.

13 DETECTIVE COX: Got it. I mean is there any way that  
14 you grabbed that cup and hit it on her leg?

15 COLE ENGELSON: (Incomprehensible.)

16 DETECTIVE COX: Anything like that?

17 COLE ENGELSON: (Incomprehensible) there seems like  
18 there's a lot of could be's --

19 DETECTIVE COX: You know --

20 COLE ENGELSON: -- you know, and -- and --

21 DETECTIVE COX: There is, and that's -- and that's why  
22 I'm trying. You know what I mean? I wasn't there.

23 COLE ENGELSON: Yeah.

24 DETECTIVE COX: Obviously. That's why I'm trying to  
25 get as much as I can to try to -- to try to bring these people some

1 closure for Yessenia and yourself, you know.

2 COLE ENGELSON: Yeah.

3 DETECTIVE COX: Seriously, it -- it's going to -- you have  
4 to dig deep, but it's going to make you feel better, and it really is. And it  
5 -- it's going to make it better. It's -- it's never going to be the same. It's  
6 not. And we're not going to sit here and tell you this. It -- what  
7 happened today is horrible. It's a tragedy. It sucks. It's -- it's horrible.  
8 And it really is. There's no other word for it. But you know what? This  
9 little --

10 COLE ENGELSON: Can you -- can you flip that over,  
11 please?

12 DETECTIVE COX: Which one? Oh. Sorry.

13 COLE ENGELSON: Thank you.

14 DETECTIVE COX: You know what? And, like I said, I  
15 don't -- I don't think you sat here today, and woke up, and said, hey, I'm  
16 going to beat the shit out of this kid and -- and she's going to end up  
17 passing away. I -- I don't -- I don't think you -- I don't think you did that.  
18 I -- I -- I don't. But what I think happened is, I think something  
19 happened. You lost your temper, and -- and we are where we are, you  
20 know, and -- am I right or --

21 COLE ENGELSON: Well, like you -- like I said, I don't  
22 remember striking her so I also don't remember her even getting me  
23 that worked up over it. I know something happened, and I'm sure there  
24 was a lot more booze in play than what I said. So I (incomprehensible)  
25 that, you know, talk to Victoria about the -- the bottle of vodka that was

1 in there, and she could probably tell you how much is really gone out of  
2 that.

3 DETECTIVE COX: Well, I --

4 COLE ENGELSON: Because I mean --

5 DETECTIVE COX: We'll talk to her eventually, but I -- I  
6 want to talk to you. And, you know what, there's -- it just comes a time  
7 where we got to -- sometimes we just got to be a man and man up.  
8 You know what I mean? And just tell what happened, and be honest,  
9 and tell the truth. And I believe you -- I honestly believe you don't  
10 remember some stuff, but I -- I think you -- you remember a little more  
11 than you what you're telling me.

12 COLE ENGELSON: I don't remember anything physical  
13 with that girl at all. I don't.

14 DETECTIVE COX: Not at all.

15 COLE ENGELSON: Not at all.

16 DETECTIVE COX: Nothing.

17 COLE ENGELSON: I don't know if -- if I got up after the  
18 nap, then she pissed me off, and I did something. I don't know if it was  
19 directly after the shower. Maybe I whipped her and then put her to bed.  
20 I don't remember none of it. And I know (incomprehensible) interrogate  
21 her or you know --

22 DETECTIVE COX: No, dude. I --

23 COLE ENGELSON: As -- as a detective  
24 (incomprehensible).

25 DETECTIVE COX: Just as a detective, yeah.



1 COLE ENGELSON: And I wish I could tell you what  
2 happened. I wish I could say, oh, she did this so I did that, and I  
3 grabbed that, and I did that. I wish I could tell you something. I -- I  
4 can't tell you a thing. And I understand probably a lot of liars come in  
5 here and tell you the same shit all the time, but I'm not lying here.

6 (Detective Gibbs enters the interview room.)

7 DETECTIVE COX: Hey, this is my partner, Detective  
8 Gibbs.

9 DETECTIVE GIBBS: How you doing?

10 COLE ENGELSON: Gibbs, how you doing, sir?

11 DETECTIVE GIBBS: Doing good. How are you?

12 COLE ENGELSON: All right.

13 DETECTIVE GIBBS: I'm going to grab a chair real quick.

14 DETECTIVE COX: Yeah. Come on in. Sorry, I woke him  
15 up to help me, man, so --

16 (Detective Gibbs leaves the interview room.)

17 COLE ENGELSON: No. No problem.

18 DETECTIVE COX: Yeah. I called him a couple hours  
19 ago, and apparently he just got here. So I said I'll be talking to you and  
20 come on in when you're ready.

21 (Detective Gibbs enters the interview room.)

22 DETECTIVE COX: So I'm just sitting here talking to Cole  
23 about kind of what I told you on the phone earlier. You know, Cole's  
24 basically -- well, why don't you tell him. Go ahead Cole.

25 COLE ENGELSON: What do you mean?

1 DETECTIVE COX: Kind of -- just basically, you know --

2 COLE ENGELSON: The rundown of how the whole day  
3 went?

4 DETECTIVE COX: Just give him a -- just give him a quick  
5 rundown. Yeah. If you don't mind.

6 COLE ENGELSON: So I -- I got off of work at six o'clock  
7 in the morning. I drove from Vegas. So about seven o'clock I took the  
8 family out for breakfast to the Nugget. After that, we went to the thrift  
9 shop, and I gave all the kids money to get clothes or toys, whatever  
10 they wanted. Then when we got home, I sent the girls -- my -- my old  
11 lady and her oldest daughter to get their nails done. I didn't think it was  
12 all right for Yessenia, the girl -- the -- the youngest girl, to go to the nail  
13 shop because she had lung problems. She had been on a breathing  
14 machine for like asthma and lung infections. And I figured with all that  
15 nail --

16 DETECTIVE GIBBS: And that's Yessenia?

17 COLE ENGELSON: Yes. With all the nail stuff in the air it  
18 wouldn't have been good for her lungs. So went to go put her down for  
19 a nap 'cause it was time for me to actually go to sleep too because I  
20 had to be at work at eight. So I started sneaking alcohol from -- our  
21 booze cabinet's in our room pretty much inside the --

22 DETECTIVE GIBBS: Why -- why you sneaking alcohol?

23 COLE ENGELSON: 'Cause I didn't want Victoria to know  
24 I was drinking. I was just trying to get a night -- nightcap to put me  
25 down because I was up running around all day.

1 DETECTIVE GIBBS: She -- she doesn't like you  
2 drinking?

3 COLE ENGELSON: Well, I -- I stopped to go get a -- a  
4 beer on the way back. Then she made a comment about the beer so I  
5 didn't get the beer. So then I started just sneaking the alcohol on the  
6 side. (Incomprehensible.)

7 DETECTIVE GIBBS: So she doesn't -- she doesn't know  
8 about all the alcohol in the house?

9 COLE ENGELSON: She knows about the alcohol, but  
10 she don't -- I don't think she knew that I was drinking at the time.

11 DETECTIVE GIBBS: Oh, just -- so like just yesterday or -  
12 -

13 COLE ENGELSON: Yeah.

14 DETECTIVE GIBBS: Oh. Like -- like --

15 COLE ENGELSON: That like --

16 DETECTIVE GIBBS: Like she doesn't want you drinking  
17 at all or just like yesterday she's just like --

18 COLE ENGELSON: No. Like -- like I told him, I'm -- I  
19 take Antabuse 'cause I have had a problem with the alcohol.

20 DETECTIVE GIBBS: Okay.

21 COLE ENGELSON: So I've been off of it for a little bit for  
22 the 4<sup>th</sup> of July, and I just been -- so she don't want me drinking all the  
23 time because --

24 DETECTIVE GIBBS: What kind of -- what kind of  
25 problems with alcohol have you had?

1 COLE ENGELSON: I got a few DUIs.

2 DETECTIVE GIBBS: DUIs?

3 COLE ENGELSON: Yeah. And I think that's what scares  
4 her the most is me going to work, that's what she said. Once I get  
5 started with the beer I can't stop. Then she has to worry about me  
6 working in Vegas and making that drive, you know, (incomprehensible).

7 DETECTIVE GIBBS: Okay. Pick up another  
8 (incomprehensible)?

9 COLE ENGELSON: Yeah.

10 DETECTIVE GIBBS: Yeah.

11 COLE ENGELSON: So I think that was more her  
12 concern.

13 DETECTIVE GIBBS: Well, what's your mannerism like  
14 when you've been drinking?

15 COLE ENGELSON: Like I said to him, it just depends on  
16 my -- my scene. Like I said, when I drink at work it's more of a fun -- I  
17 work at a strip club.

18 DETECTIVE GIBBS: Okay.

19 COLE ENGELSON: So it's more fun, and talking shit --

20 DETECTIVE GIBBS: Interaction. Yeah.

21 COLE ENGELSON: -- and -- and having a good time,  
22 and -- sometimes, though, I'll drink just to -- you know, if it was a bad  
23 day then I'll go ahead and drink some and kill that -- kill that too. So I  
24 work -- I'm on both sides of the spectrum when it comes to alcohol.

25 DETECTIVE GIBBS: Okay.

1 COLE ENGELSON: So as the girls went to go leave --  
2 the oldest ones, Victoria and her oldest daughter -- Yessenia became  
3 upset, screaming, you know. So I took her outside, you know, while as  
4 I smoked a cigarette. And when she got done outside, she climbed up  
5 on this chair which was kind of hanging off like a little sidewalk. So  
6 when she went back she somersaulted out of it so --

7 DETECTIVE GIBBS: So how tall was the chair?

8 COLE ENGELSON: It's like one of those folding camping  
9 chairs. Like the green ones that have the metal base so it's not that  
10 high, I don't think.

11 DETECTIVE GIBBS: Okay.

12 COLE ENGELSON: Probably the same size as these I  
13 imagine.

14 DETECTIVE GIBBS: Got it.

15 COLE ENGELSON: Maybe the back's not as high. So  
16 she didn't seem hurt or anything so I just -- I let her play for little bit, as  
17 long as I finished my cigarette. Then we went inside to -- got her  
18 showered up. And if -- if you get her face wet, she -- she becomes  
19 hysterical and she tries to run out of that bath like a -- you know, you  
20 throw a cat into a bathtub.

21 DETECTIVE GIBBS: Uh-huh.

22 COLE ENGELSON: She's like that and she's all over the  
23 place. Also, if the water gets too cold, 'cause I went to go shut it off,  
24 and then she -- 'cause it was too hot, then it went to too cold. So if it  
25 gets too cold she does the same shit where she's trying to run out of

1     there so -- and after --

2                   DETECTIVE GIBBS: So did she try to run out of the -- out  
3     of the tub or the shower --

4                   COLE ENGELSON: She did.

5                   DETECTIVE GIBBS: -- whatever it was?

6                   COLE ENGELSON: She did.

7                   DETECTIVE GIBBS: Yeah?

8                   COLE ENGELSON: Yeah. She didn't get out.

9                   DETECTIVE GIBBS: No?

10                  COLE ENGELSON: No. I stopped her from getting out.

11                  DETECTIVE GIBBS: Okay.

12                  COLE ENGELSON: I think I -- I think I probably used my  
13     foot.

14                  DETECTIVE GIBBS: You used your foot to keep her in  
15     the -- in the shower?

16                  COLE ENGELSON: Yeah. Just like get back in there,  
17     you know, type of thing.

18                  DETECTIVE GIBBS: But you didn't physically strike her  
19     with your foot?

20                  COLE ENGELSON: No.

21                  DETECTIVE GIBBS: Okay.

22                  COLE ENGELSON: No.

23                  DETECTIVE GIBBS: Did she -- did she fall at all?

24                  COLE ENGELSON: She did fall.

25                  DETECTIVE GIBBS: How?

1 COLE ENGELSON: By slipping on her own.

2 DETECTIVE GIBBS: Okay.

3 COLE ENGELSON: Slipping when she was trying to run  
4 out. Then --

5 DETECTIVE GIBBS: Well, what part of her body would  
6 you say hit the -- what -- what'd she hit?

7 COLE ENGELSON: It looked like --

8 DETECTIVE GIBBS: How did she --

9 COLE ENGELSON: I think her feet kind of went from  
10 underneath her so it looked more it was like her back on the -- where  
11 the door hits there's a -- the raised part.

12 DETECTIVE GIBBS: Uh-huh.

13 COLE ENGELSON: It looked like hit that area and then at  
14 one point she kind of slammed against the -- I mean it's a tiny shower  
15 so it was (incomprehensible).

16 DETECTIVE GIBBS: Uh-huh. Yeah.

17 COLE ENGELSON: And it was kind of over by the  
18 opposite wall of the door. She kind of went up against that, but she  
19 didn't hit that hard then.

20 DETECTIVE GIBBS: Okay.

21 COLE ENGELSON: Then it -- then it's when I become  
22 real cloudy. From my recollection, I put her down for a nap and I went  
23 to sleep as well.

24 DETECTIVE GIBBS: Uh-huh.

25 COLE ENGELSON: Then when I got up to use the

1     restroom, I came back, and I was going to wake her up from the nap  
2     because it seemed like it was probably about four hours or so. I'm  
3     cloudy on the times.

4                 DETECTIVE GIBBS: Okay.

5                 COLE ENGELSON: So I went over to her and I noticed  
6     that one of her eyelids was open. And so I went to wake her up, and I  
7     wasn't getting a response for her. Then I got her up, and I was trying  
8     to, you know, get something out of her, and there was nothing. I called  
9     her mom and let her know that she was limp in my arms so she rushed  
10    over. I called the paramedics, I guess. I don't remember the  
11    conversation with them. But, like I said, it was in my phone log. But I  
12    was still drunk when I got up.

13                And then it -- in that whirlwind situation, like I said, I don't  
14    even remember striking her. In seeing all those pictures, it's  
15    heartbreaking for me. But that's all I -- that's all I have. I don't  
16    remember touching her at all and -- I don't -- am I missing something  
17    here?

18                DETECTIVE COX: No. The -- the only -- just hearing it  
19    again -- 'cause, like I said, I'm -- I'm just waking up too, man. I haven't  
20    had my coffee yet. The only -- the only -- the only thing I find -- the only  
21    -- the only thing that's telling me that you know -- you know a little bit  
22    more is that you were able -- you know you put her in the shower. You  
23    know she fell off the chair. But she -- that injury is probably from the  
24    shower. You know, it's -- that injury probably happened in the shower.  
25    And I think -- I think there's a little bit more of knowledge that you know



1 of how she got that injury, you know.

2 COLE ENGELSON: What are you talking about, the  
3 circle one?

4 DETECTIVE COX: Yeah.

5 COLE ENGELSON: Yeah. I don't.

6 DETECTIVE GIBBS: And see -- here -- here's the issue -  
7 - here's -- here's the issue I'm having, okay? I -- I spoke with the  
8 detective, the female detective that -- who -- who you --

9 COLE ENGELSON: Yes.

10 DETECTIVE GIBBS: I'm assuming you had contact with  
11 last night before you were taken into custody. She -- you told her a  
12 different story.

13 COLE ENGELSON: And what story was that?

14 DETECTIVE GIBBS: Well, you tell me. I mean -- so I  
15 mean I'm getting two different sides of the story here. So that tells me  
16 something is -- something's not matching up, okay? We got -- we got  
17 this -- this little girl right here, she's three years old, and she's  
18 deceased, okay? We -- we got -- we got to know what happened.

19 COLE ENGELSON: I can understand. And I've --

20 DETECTIVE GIBBS: Okay.

21 COLE ENGELSON: I've gone numerous times with him  
22 as well. Like I said, I don't remember striking this girl. I really don't.  
23 And like it -- I don't know what I said to the other detective. Like I said, I  
24 was still drunk when I got up and into this.

25 DETECTIVE GIBBS: Do you know anything in your

1 household that could have caused some of those marks on her?

2 COLE ENGELSON: Well, like we went over the circle  
3 one. The glasses I was using to drink.

4 DETECTIVE GIBBS: The Dave & Buster's one, right?

5 COLE ENGELSON: Yeah. It was more of a -- like I said,  
6 it wasn't as rigid so it might have been. I don't know. But I don't  
7 remember striking this girl. And like the cup in the shower, I don't  
8 remember 'cause I don't use it. So it -- out of sight out of mind, I guess.  
9 I don't -- I couldn't tell you why there's a cup in there.

10 DETECTIVE GIBBS: Okay. All right, man. And then  
11 here -- here's the -- here's the other part that I -- I'm not understanding.  
12 You said that you're not recalling how any of this happened to her.  
13 Okay? What did she look like before she -- when you were in the  
14 backyard? Did she have bruises on her then?

15 COLE ENGELSON: She did not.

16 DETECTIVE GIBBS: She did not?

17 COLE ENGELSON: I don't --

18 DETECTIVE GIBBS: Okay. Okay. But --

19 COLE ENGELSON: Maybe when --

20 DETECTIVE GIBBS: We -- here's my thing, okay? Let  
21 me finish, please. You know how long the shower was. You know all  
22 the steps that happened in the shower and all of that. Then all of a  
23 sudden all of that damage happens to that little girl, and she's dead.  
24 And you -- you just can't remember that part. You remember every --  
25 every other detail except for that part.

1 COLE ENGELSON: Yeah. I don't.

2 DETECTIVE GIBBS: That's what I'm having an issue  
3 with. You know, I'm just being upfront with you.

4 COLE ENGELSON: Okay.

5 DETECTIVE GIBBS: I'm being -- I'm being honest with  
6 you. I -- I -- I think something happened, okay? 'Cause that's -- nobody  
7 else was home but you and her. You just said that she had -- when you  
8 playing out in the backyard, there's nothing wrong with her. Okay? I  
9 believe you had a little too much to drink maybe. Maybe you got angry.  
10 Okay. It's something she did. Is that -- is that it?

11 COLE ENGELSON: Something -- something happened.

12 DETECTIVE GIBBS: Okay.

13 COLE ENGELSON: And, like I said, I -- I was drunk.

14 DETECTIVE GIBBS: Uh-uh.

15 COLE ENGELSON: But I don't know if I started becoming  
16 more blacked out towards the end of it, and I don't know if she woke me  
17 up, and I got up and did something. I don't know what happened to her.  
18 I couldn't even tell you there was a single bruise on her even when I  
19 was holding her, you know, waiting for paramedics. I didn't know any of  
20 it. I -- I don't.

21 DETECTIVE GIBBS: You know something, okay? I'm --  
22 I'm sorry. I mean how -- how long you been drinking for?

23 COLE ENGELSON: I've had a problem for 20 years.

24 DETECTIVE GIBBS: Twenty years. (Incomprehensible)  
25 man. I mean -- how many times -- how many times has this happened

1 to you? How many times in the past?

2 COLE ENGELSON: To where -- the last I hurt  
3 somebody?

4 DETECTIVE GIBBS: You lost control, you hurting  
5 somebody, got angry, got in a fist fight before? Anything?

6 COLE ENGELSON: No. I -- like I said, I'm -- I'm more  
7 laid back. I don't really get in altercations like that.

8 DETECTIVE GIBBS: Okay.

9 COLE ENGELSON: The only thing I've ever had was  
10 some guy spit on me in traffic once and --

11 DETECTIVE GIBBS: Okay. My -- my partner told me  
12 earlier, too, that you got a problem with one of her other kids?

13 COLE ENGELSON: I said that I don't really --

14 DETECTIVE GIBBS: That you got -- you just --

15 COLE ENGELSON: -- you know, care for the --

16 DETECTIVE GIBBS: Yeah.

17 COLE ENGELSON: -- the boy. Yeah.

18 DETECTIVE GIBBS: Okay. So I mean is -- is -- but, well  
19 why is that? I mean is there a -- a constant frustration, you know,  
20 basically trying to be the stepdad? Is -- I mean do they -- they piss --

21 COLE ENGELSON: Oh.

22 DETECTIVE GIBBS: -- you off or just --

23 COLE ENGELSON: He --

24 DETECTIVE GIBBS: Or is it --

25 COLE ENGELSON: Dwight needs --

1 DETECTIVE GIBBS: Well, not just Dwight. All of them.

2 COLE ENGELSON: Well --

3 DETECTIVE GIBBS: You know what I'm saying?

4 COLE ENGELSON: Yeah. I never -- I never struck

5 Dwight. I've never disciplined him. With the little girl, I've spanked her

6 a few times, and I stopped spanking her 'cause it -- I'm heavy-handed

7 and I didn't want to do that no more. Last time I spanked her was her --

8 was her mom's, you know, if you do this then Big Cole's going to spank

9 you. And she did it, so obligated to spank her then. But I make her sit

10 on the wall. You know, I make her do the plank and, you know, that's

11 my punishment when she does something wrong. So that -- and I was

12 a blacked-out drunk 'cause there is no way I would ever touch a kid like

13 that. And not even --

14 DETECTIVE GIBBS: Do you believe you could have do --

15 done that blacked-out drunk?

16 COLE ENGELSON: And there was nobody else there so

17 I had to have done it.

18 DETECTIVE COX: And that's what I was trying to tell

19 you, Cole, is I know you care about her. And, like I said, I don't want to

20 leave here today with that doubt in my mind that -- like I said, those are

21 some troubling marks. Those are some marks that are close to

22 genitalia that are, you know, like I said through my experience can be

23 sexual assault marks. I don't want to walk out of here thinking that

24 you're that guy. And I don't think you are. Deep down in my heart, I

25 don't think you're that guy. And I don't think you meant to hurt her. I -- I

1 -- I really -- I don't. I -- I -- I've been talking to you for a while now. I  
2 don't think you did. I do think you fucked up. I think you got mad, and I  
3 think that was -- this was the result today.

4 COLE ENGELSON: Yeah.

5 DETECTIVE COX: And --

6 COLE ENGELSON: I mean it -- I'm not trying to hide  
7 anything because the proof's there. You know, it -- something  
8 happened.

9 DETECTIVE COX: I know. Hey, we're not --

10 COLE ENGELSON: And if -- so if I had any information  
11 on it, I would definitely let you --

12 DETECTIVE COX: I mean --

13 COLE ENGELSON: -- guys know because I want to get  
14 this out of (incomprehensible).

15 DETECTIVE COX: It's not like movies. We're not -- we  
16 don't got a light on you, we're not hitting you with the phonebook, or--

17 COLE ENGELSON: Yeah.

18 DETECTIVE COX: -- crazy stuff like that. Hey, man.  
19 We're humans too. We all make mistakes. We do. We really do. And  
20 I'm not trying to sit here and tell you that's it all right. It's not. It -- it  
21 sucks. It's --

22 COLE ENGELSON: No. It's --

23 DETECTIVE COX: Sucks for us. Sucks for you.

24 COLE ENGELSON: (Incomprehensible.)

25 DETECTIVE GIBBS: You know, and I -- I'm a stepdad

1 too. You know I -- I completely understand the -- the -- the frustrations  
2 of having -- you know, raising somebody else's kids. You got, you  
3 know, mom. She wants -- obviously, she wants to do it that way.  
4 You're with mom so I'm -- I'm sure -- I'm assuming that you respect that.  
5 Then you got dad that's also in the picture; maybe not directly in the  
6 picture. Maybe telling them something on the other lines how to treat  
7 you, talk to you, or whatever that might drive you up the wall. You --  
8 you know what I'm saying?

9 DETECTIVE COX: Me too. My wife's two little kids --

10 DETECTIVE GIBBS: That -- that frustration can build.  
11 You know what I'm saying? And then you -- you know, if -- if you tie  
12 one off you can have -- you can have an episode. I mean --

13 COLE ENGELSON: Yeah.

14 DETECTIVE GIBBS: So like in -- in any times of those  
15 moments, I mean, do you -- do you think that there's anything that you  
16 could have done or that could have caused this to happen?

17 COLE ENGELSON: No. If I wasn't --

18 DETECTIVE GIBBS: That it --

19 COLE ENGELSON: -- so drunk that never would have  
20 happened. There's no way sober I would ever do that to any child. You  
21 know I don't care if I even hated the kid, I would not do that to a kid.

22 DETECTIVE COX: What do you -- what do you think  
23 could have caused that mark on the leg, though? What in your house  
24 could have caused that mark other than that cup?

25 COLE ENGELSON: Well, I'm just trying to think of

1 everything in the kitchen -- or I mean the -- in the bathroom and the  
2 bedroom. It just seems like that's the only thing that could be hard  
3 enough. I don't know if there's something on my counter or not. I don't  
4 know.

5 DETECTIVE COX: What was she wearing when she was  
6 playing earlier? Do you remember? What -- what kind of clothes was  
7 she wearing? What colors?

8 COLE ENGELSON: Pink.

9 DETECTIVE COX: Pink? What color shoes?

10 COLE ENGELSON: I don't think she had shoes on.

11 DETECTIVE COX: Like sandal --

12 COLE ENGELSON: I don't --

13 DETECTIVE COX: -- looking things or --

14 COLE ENGELSON: I don't remember.

15 DETECTIVE GIBBS: Do you dress her when you put her  
16 down for the nap?

17 COLE ENGELSON: I don't remember that, either.

18 DETECTIVE GIBBS: No?

19 COLE ENGELSON: Probably had (incomprehensible)  
20 there.

21 DETECTIVE COX: But she had a pink -- pink -- she had  
22 a pink shirt on?

23 COLE ENGELSON: Before the shower, yeah.

24 DETECTIVE COX: Okay. Short sleeve, long sleeve, tank  
25 top?



1 COLE ENGELSON: I think more of a tank maybe.

2 DETECTIVE COX: Okay. Do you know what kind of  
3 pants she had on?

4 DETECTIVE GIBBS: And -- and here -- here's on --  
5 here's a issue I'm -- again I'm having, okay? It -- like I said, you're  
6 remembering the details of the shower and everything very, very well.  
7 The thing is there was blood on towels, and she's obviously got these  
8 marks. And then you remember specifically getting her out of the  
9 shower, and taking her to the bed, and put her down. How do you not  
10 notice that?

11 COLE ENGELSON: I don't know if something happened  
12 after that. I don't know if I got up and did something. But from the  
13 shower to laying her down --

14 DETECTIVE GIBBS: Right. But I mean it's reasonable to  
15 believe that you -- you dried her off after the shower. Yeah?

16 COLE ENGELSON: Yeah.

17 DETECTIVE GIBBS: You know -- you know you got to  
18 give a kid a towel. You know what I'm saying? There's blood on those  
19 towels. She was obviously bleeding in that shower.

20 COLE ENGELSON: Hmm.

21 DETECTIVE COX: And that's like I said --

22 COLE ENGELSON: Yeah.

23 DETECTIVE COX: And that's why I keep telling you  
24 there's a cup in there, there's that David Buster's (phonetic) cup, there's  
25 blood on the towel, there's blood on the bed. I mean there's -- there's

1 some -- that's concerns, I mean, and we're just trying to figure out how  
2 it got from A to B. What kind of -- do know what kind of pants she had  
3 on?

4 COLE ENGELSON: It was pink. I don't remember if her -  
5 -

6 DETECTIVE COX: Pink pants?

7 COLE ENGELSON: I don't think (incomprehensible).

8 DETECTIVE COX: How (incomprehensible) --

9 COLE ENGELSON: It was hot outside so it was probably  
10 shorts.

11 DETECTIVE COX: Shorts? Okay. But you -- you see  
12 what I'm saying. I mean, like I said, you're -- our -- our brains and our  
13 mind, like I told you earlier, they try to -- they block -- they do. They  
14 block traumatic stuff out. It's just how our brain works. It doesn't want  
15 to remember. I mean I can tell. Obviously, I showed you these  
16 pictures, and I can tell by --

17 DETECTIVE GIBBS: Well -- well, see -- well, see, here's  
18 my issue with that. You remember. You remember a lot.

19 COLE ENGELSON: Yeah.

20 DETECTIVE GIBBS: I can see it in your face, okay? You  
21 -- you -- there's just -- I'm sorry, there's just -- there's no point in -- in  
22 going to black-out drunk, but yet remembering specific details in the  
23 center.

24 DETECTIVE COX: And I think you want to tell us. And I -  
25 - I really do. And I'm not going to sit here and -- like I said before, I'm

1 not going to sit here and tell you it's going to make everything better.  
2 But, you know what, I know you care about her, and I know you love  
3 her mom, and I know -- like you told me, hey, lives got ruined today,  
4 and we're going to look at it. However we are, lives got ruined today.  
5 But in the end we need to know. I mean we -- we need to know. We  
6 need to -- we need to man up. We need to do it because those people  
7 need closure, you know. And -- and as shitty as this situation is, you  
8 need closure. They need closure. We need closure. Everyone needs  
9 closure.

10 DETECTIVE GIBBS: Mom needs closure. The kids need  
11 closure.

12 DETECTIVE COX: The only person on the planet that  
13 can make it happen, Cole, is you.

14 COLE ENGELSON: I understand that.

15 DETECTIVE COX: And you're the only one with the -- the  
16 -- the power and the knowledge to make that happen. And, like I said, I  
17 -- I think you're a good guy. I really do. I think -- I think you fucked up.  
18 I think you made a mistake. I think you got angry, and I think that's  
19 what happened today. You know what? I don't think you maliciously  
20 meant to do it. But you have the power to bring all these people closure  
21 and to do the right thing. Don't you want to do the right thing?

22 COLE ENGELSON: I do. But like I said, I don't  
23 remember striking her. I can't even tell you a thing about it. Like I said,  
24 I -- when I got her up, I don't even remember seeing any bruises on her.  
25 You know, I'm -- I'm still -- I --

1 DETECTIVE COX: Well, you're telling -- you've told me a  
2 lot about it. I mean I -- I -- I don't have a drinking problem, but I've --  
3 I've had nights in college where I've drank a lot of alcohol. And you  
4 know it? Yeah, there's some stuff I don't remember. But for the  
5 majority of it, I remember most the night. Wouldn't you agree? You've  
6 had nights like that when, you know, you were in the service and -- and  
7 you know what, there's probably some parts of it you don't remember,  
8 but at the end of the day you remember most of it. A good -- a good  
9 recall. And, like I said, our brains -- our brains block that stuff out.  
10 They do. We don't like to hear it. We don't want to hear it. We don't  
11 want anything to do with it.

12 But at the end of the day try to remember, man. Just try  
13 your best, please, so I can bring these people some closure. So I can  
14 look at them in the eye and say, hey, you know what? It was an  
15 accident. It was an accident. Cole made a mistake. It was an  
16 accident. He didn't purposefully mean to do this. You didn't  
17 purposefully mean to kill this little girl. He didn't sexually assault this  
18 little girl. I want to be able to go out and tell them that, and I want you  
19 to be able to give me the answers that everybody is desperately so  
20 seeking. And, like I said, I know you want to tell me. I know you do. I  
21 can tell. I can tell by the person you are. I can tell by the man you are.  
22 I can tell you're not --

23 COLE ENGELSON: I wish I could give you that  
24 information. I really do. And, like I said, I don't know when it all went  
25 down. I don't know if it was right after the shower, then I got upset then.

1 I don't know if she woke me up or later on. Like there is a big window  
2 after when I got up with her and --

3 DETECTIVE GIBBS: How long of a window do you think?

4 COLE ENGELSON: Well, I remember her mom leaving  
5 around one, and I think I called around five o'clock if I remember what --  
6 my phone log. I don't know if it was later than that. I don't -- so there  
7 was (incomprehensible) this, I figure a three-, four-hour window when  
8 her mom was gone. I don't know if the mom came back and left again.  
9 I -- I didn't get to talk to her. I just -- I just got to see her heart breaking.  
10 That's all I got to see from her. I didn't -- no chance -- she asked me  
11 what happened, I couldn't explain it to her, either. And I would love for  
12 this to be closed out, but I can't remember none of it. And I'm -- I don't  
13 know what to tell you.

14 DETECTIVE COX: Okay.

15 DETECTIVE GIBBS: I think -- I think you know.

16 COLE ENGELSON: I wish I could tell you. I don't know  
17 how her chin got beat up. I don't know how the circle thing got on her  
18 leg. I don't know any of it.

19 DETECTIVE COX: And it's safe to say she didn't have  
20 any of those bruises before today, right? Like you were telling me  
21 earlier.

22 COLE ENGELSON: No.

23 DETECTIVE COX: And, like I said, somewhere between  
24 one and five she obtained a lot of injuries. You know what I mean?  
25 And you were the only one with her and, like I said, I know you're

1 drinking. I -- I know you were. But do you -- do you have any idea what  
2 you could have hit her with?

3 COLE ENGELSON: Like I said, I've -- I've never struck  
4 her with an object except for that stuffed animal in my hand, you know.  
5 So hitting her with something, that's out of character, and I don't  
6 remember doing that.

7 DETECTIVE GIBBS: How long ago was that?

8 COLE ENGELSON: Last time I spanked her with my  
9 hand?

10 DETECTIVE GIBBS: No. With the --

11 COLE ENGELSON: Stuffed animal?

12 DETECTIVE GIBBS: -- the -- yeah. When was that?

13 COLE ENGELSON: Oh, that's six months ago maybe.

14 DETECTIVE GIBBS: Okay.

15 COLE ENGELSON: Yeah.

16 DETECTIVE COX: Do you remember anything else that -  
17 - that could help us here today?

18 COLE ENGELSON: No.

19 DETECTIVE COX: Anything?

20 COLE ENGELSON: You got all the information I have.  
21 You have it.

22 (Detective Fancher enters the room.)

23 DETECTIVE COX: Okay. All right. You know, like I said,  
24 it sucks, and I'm not trying to -- I'm not trying to beat a dead horse. I'm  
25 not trying to just keep asking you the same shit. I'm not, man. I'm just -

1 - like I said, I'm just trying to understand. And if you can remember  
2 anything, you know, like I said --

3 COLE ENGELSON: Yeah. Like when the female  
4 detective said she had bruising, I thought it -- maybe it was somewhere  
5 around the neck and ,you know, I didn't know it was anything remotely  
6 gnarly as that, you know.

7 DETECTIVE COX: Yeah.

8 COLE ENGELSON: Even when I had her, I don't  
9 remember seeing those bruises. You know, like I said, I was still drunk  
10 when I had her, but --

11 DETECTIVE COX: Hey, I got -- just while we're in here, I  
12 got a search warrant for your phone. There's a warrant for it. It's got a  
13 passcode on it. I just want to -- I want to have you put the passcode in  
14 it so we can turn it off and just book it into evidence. I don't even know  
15 if we're going to use it. I'm sure there's probably nothing in there, but  
16 maybe we can go through it together right here and maybe there's  
17 some answers in there.

18 COLE ENGELSON: That's fine.

19 DETECTIVE COX: So I got -- you brought all the  
20 evidence in, right ? My evidence?

21 DETECTIVE FANCHER: It's in the office, but I can  
22 (incomprehensible).

23 DETECTIVE COX: Okay. Cool. Yeah. I'm just going to  
24 go grab it real quick. This is --

25 COLE ENGELSON: Can I --

1 DETECTIVE FANCHER: Detective Fancher.

2 COLE ENGELSON: Can I use that restroom, though?

3 DETECTIVE COX: Yeah. Yeah. You want to take him to

4 the restroom real quick? And I'll --

5 DETECTIVE FANCHER: (Incomprehensible.)

6 DETECTIVE COX: -- grab the phone. I'll meet you guys

7 --

8 DETECTIVE FANCHER: Yeah.

9 DETECTIVE COX: -- back here.

10 DETECTIVE FANCHER: It's up there, bro.

11 COLE ENGELSON: (Incomprehensible.)

12 DETECTIVE COX: Yeah. It's through there.

13 (Detective Cox, Detective Fancher, Detective Gibbs, and Mr. Engelson

14 leave the interview room.)

15 (Detective Fancher and Mr. Engelson enter the interview room.)

16 DETECTIVE FANCHER: After you. (Incomprehensible.)

17 All right. I'm just going to ask you just a couple questions 'cause I --

18 some things are on my mind. So recant. I'm going to go over like some

19 of the stuff real quick just to make sure I got it correct. You -- you were

20 drinking, right? Everything was good. You remember everything all the

21 way up -- somewhere -- at some point in the shower you say that that's

22 where you lost your memory, right?

23 COLE ENGELSON: Right.

24 DETECTIVE FANCHER: You remember everything up 'til

25 that point, right? You remember her fighting, and that's when you said



1 something had happened in the shower, right?

2 COLE ENGELSON: Oh, yeah. She doesn't like her face  
3 getting wet so she starts flipping out and trying to run out of the shower.

4 DETECTIVE FANCHER: Okay. And at one point she --  
5 something happened. She fell and slipped or you described her falling.

6 COLE ENGELSON: Yeah. There was -- went outside.  
7 And when I was smoking a cigarette, she climbed up on a chair --

8 DETECTIVE FANCHER: Uh-huh.

9 COLE ENGELSON: -- and it was kind of hanging over the  
10 sidewalk part of it --

11 DETECTIVE FANCHER: Uh-huh.

12 COLE ENGELSON: -- so she just somersaulted back.  
13 She didn't seem hurt.

14 DETECTIVE FANCHER: Okay.

15 COLE ENGELSON: And she continued to play in the dirt  
16 for a little bit while I finished my cigarette.

17 DETECTIVE FANCHER: Would you have noticed -- I  
18 mean obviously those -- what you -- the pictures you saw, would you  
19 have noticed that she was hurt at that point?

20 COLE ENGELSON: I would have noticed that.

21 DETECTIVE FANCHER: You would have noticed that.

22 COLE ENGELSON: Yeah.

23 DETECTIVE FANCHER: Okay. Good.

24 COLE ENGELSON: Well, so -- but at the end when I was  
25 holding her, I don't remember her having any bruises at all, either. I

1 didn't -- I didn't see them like --

2 DETECTIVE FANCHER: But that's after --

3 COLE ENGELSON: Yeah.

4 DETECTIVE FANCHER: -- you woke up.

5 COLE ENGELSON: Yeah.

6 DETECTIVE FANCHER: Right? After you took the nap.

7 And, again, there was just you and her, right? There's nobody --

8 COLE ENGELSON: Right.

9 DETECTIVE FANCHER: -- else in the house.

10 COLE ENGELSON: That was it.

11 DETECTIVE FANCHER: So with that said, she -- before

12 she went into the shower she -- she fell, but she couldn't have possibly

13 have that much -- that much damage to --

14 COLE ENGELSON: No.

15 DETECTIVE FANCHER: -- her body, right?

16 COLE ENGELSON: Uh-uh.

17 DETECTIVE FANCHER: From falling off of a chair.

18 Would you agree with me on that one?

19 COLE ENGELSON: Yeah. There's no way.

20 DETECTIVE FANCHER: Yeah. Okay. So then she gets

21 in the shower. Something happens in the shower, right? You lose your

22 memory. Something between there and when you woke up resulted in

23 her death. And I want to ask you this. Did whatever you did that you

24 don't remember cause her to die? I'm going to ask you this. Did that

25 happen? Are you responsible for her death?

1 COLE ENGELSON: I don't remember my doing anything  
2 to her.

3 DETECTIVE FANCHER: I asked you --

4 COLE ENGELSON: But I was the only one there.

5 DETECTIVE FANCHER: I asked you are you  
6 responsible. There was no ghost in the house.

7 COLE ENGELSON: I have to be. No. I -- but I have to  
8 be.

9 DETECTIVE FANCHER: Thank you. So you say you  
10 cannot remember. You are responsible for her death. You -- you can --  
11 are you going to own that? Like --

12 COLE ENGELSON: Yeah. I do.

13 DETECTIVE FANCHER: If you're going to own it, that's  
14 fine.

15 COLE ENGELSON: Yeah. Like I -- I wish I can tell  
16 everybody more information on what happened. I don't know why I got  
17 so upset with her. I don't know any of it. But I was the only one there.

18 DETECTIVE FANCHER: And you're responsible for her  
19 death.

20 COLE ENGELSON: I am.

21 DETECTIVE FANCHER: How do you feel?

22 COLE ENGELSON: It's the worst thing that's ever  
23 happened to me. And it -- I don't think there's ever any coming back  
24 from this.

25 DETECTIVE FANCHER: I can't imagine what you're

1 going through right now, just so you know.

2 COLE ENGELSON: And I -- I -- I loved that little girl, you  
3 know. Like I said it's --

4 (Detective Cox enters the interview room.)

5 DETECTIVE COX: Cole, but you did get a -- you did get  
6 upset with her. But why? Why did you get upset with her?

7 COLE ENGELSON: I don't -- I don't recall.

8 DETECTIVE COX: I want to know. And I know you want  
9 to tell me, dude. I can see it in your fucking face. I know you want to  
10 tell me.

11 COLE ENGELSON: I wish I -- I want to tell you so bad  
12 'cause I -- I don't know anything. I just -- I wish I could tell you more,  
13 and I don't, and I'm sorry.

14 DETECTIVE COX: Because, Cole, look. Like I said, I've  
15 been doing this a long time. You're right there, and I know you want to  
16 tell me. And we're right here together, and we can just put it behind us  
17 today. Because, dude, you went in -- you -- you put in -- you remember  
18 her falling out of the chair; you put her in the shower; she goes to come  
19 out; you stop her with her hand (verbatim); you stop with her foot  
20 (verbatim), and then, bam, black out. I know you know what happened  
21 between black out and bed.

22 COLE ENGELSON: I -- I put her down to bed. Nothing  
23 happened previous. I don't know if something happened after that.

24 DETECTIVE COX: Okay.

25 COLE ENGELSON: (Incomprehensible.)

255

1 DETECTIVE COX: We need to own -- we need to own  
2 these marks, though. What did you hit her with? Did you hit her with  
3 the bottle? Did you hit her with the cup?

4 COLE ENGELSON: Couldn't tell you.

5 DETECTIVE COX: You can't tell me.

6 COLE ENGELSON: No.

7 DETECTIVE COX: Nothing?

8 COLE ENGELSON: I'm not --

9 DETECTIVE FANCHER: Can I --

10 COLE ENGELSON: I'm not lying to you.

11 DETECTIVE FANCHER: Can I --

12 COLE ENGELSON: You know, I --

13 DETECTIVE FANCHER: Can I ask you this, though? I  
14 don't think you were drunk and intoxicated. You would have been  
15 stumbling and falling down, you weren't. You made a 911 call. You  
16 were very clear. Apparently, you handled yourself under the stress --

17 COLE ENGELSON: That's after the nap.

18 DETECTIVE FANCHER: -- pretty well. After the nap.  
19 Even before then you were able to tell us vivid details of the shower,  
20 how you were doing stuff. You weren't stumbling around drunk, which  
21 would cause your memory loss. Let me ask you this, do you not want  
22 to remember what happened? That's what I'm asking.

23 COLE ENGELSON: I wish I could tell you what happened  
24 there so we get it all out of the way. But I don't remember her upsetting  
25 me to the point of even getting a -- a whooping. I don't remember none

1 of it. I don't remember striking her --

2 DETECTIVE COX: I mean --

3 COLE ENGELSON: -- with anything.

4 DETECTIVE COX: -- like you told me though, she hates  
5 the shower. You put her in the shower. You're like her worst person at  
6 that point. I know. I got a two-year-old stepkid. She hates when I put  
7 her in the shower. I mean I -- all kids do.

8 DETECTIVE FANCHER: Let me ask you this. What do  
9 you think happened? You're a smart guy. What do you think  
10 happened?

11 COLE ENGELSON: I --

12 DETECTIVE FANCHER: I don't care how crazy of  
13 hypothesis. But you're a smart guy. You've seen the bruises. You  
14 were there, even though you don't remember. What do you think  
15 happened?

16 COLE ENGELSON: She might have woke me up maybe  
17 with something, and maybe I became angry then. But, like I said, I  
18 don't (incomprehensible) --

19 DETECTIVE FANCHER: Think you might -- you might  
20 have --

21 COLE ENGELSON: I don't know why I would put such a  
22 whooping on --

23 DETECTIVE FANCHER: Right.

24 COLE ENGELSON: -- on the girl.

25 DETECTIVE COX: Do you -- do you think it was from the

1 shower -- or not wanting to be in the shower? I mean --

2 COLE ENGELSON: I don't think so.

3 DETECTIVE COX: I mean --

4 COLE ENGELSON: My wife fought with her numerous  
5 times about that shower and it's really nothing to me, you know.

6 DETECTIVE COX: I know, but you're drunk. You told me  
7 you're heavy-handed. Do you think you could have hit her in the  
8 shower?

9 COLE ENGELSON: I could have.

10 DETECTIVE COX: Okay.

11 COLE ENGELSON: You know, maybe there's more to  
12 that shower where I'm not remembering it, but I just remember her  
13 being like a cat. You know, that's the part of what I remember.

14 DETECTIVE COX: And that's what I mean. You  
15 remember that, and I know she fell. Like I said, I know you told me she  
16 fell. I know you kept her in there. But did you -- did you -- did you give  
17 her a spanking when she went to go out or what -- what else  
18 happened?

19 COLE ENGELSON: I couldn't tell you. I -- I don't  
20 remember physically touching that girl, period.

21 DETECTIVE COX: Okay.

22 COLE ENGELSON: With any object, my hand, any of  
23 that. I had no clue that that's what happened. I thought maybe I'd --  
24 maybe -- 'cause they're talking about a bruise around the neck or  
25 something like that, I thought maybe I choked her when I was, you

1 know (incomprehensible).

2 DETECTIVE FANCHER: With what we have and what  
3 you have told us, would you say that it's probably likely, even though  
4 you -- the best outcome would be that you probably lost your temper  
5 and -- and hit her too hard too many times?

6 COLE ENGELSON: That -- that's the only thing that I --  
7 that --

8 DETECTIVE FANCHER: That's the only thing that --

9 COLE ENGELSON: -- makes sense, you know, so --

10 DETECTIVE FANCHER: Yes. Okay. Okay.

11 COLE ENGELSON: And, like I said, if I knew any of it I  
12 would give that information. Obviously, I was the only one there. I  
13 caused this.

14 DETECTIVE COX: How --

15 COLE ENGELSON: I wish I could tell you more. I  
16 just(incomprehensible) --

17 DETECTIVE FANCHER: Is there any other outcome that  
18 we could think of at this point?

19 DETECTIVE COX: The -- I got one more question for  
20 you. The -- I found a flyswatter on the porch where she fell over the  
21 chair. Did you whack her with that? Cause that would be --

22 COLE ENGELSON: (Incomprehensible.)

23 DETECTIVE COX: -- consistent with some of those  
24 pictures in there, and that's what -- and it's bent. So that gets me to  
25 thinking that she got hit with that. Did you hit her with that? Do you



1 remember hitting her with that?

2 COLE ENGELSON: I don't remember striking her with  
3 that.

4 DETECTIVE FANCHER: We know you do use -- I mean  
5 people do, that -- that -- that's fine, the belts and stuff like that.  
6 Depends on how you're raised. Discipline is different for each parent.  
7 We do know that you use not just your hand, but I think it's been a belt  
8 and -- I think that is actually it. Have you not used anything other than a  
9 belt?

10 COLE ENGELSON: I don't remember ever using a belt  
11 on her, period.

12 DETECTIVE FANCHER: On any of the kids?

13 COLE ENGELSON: No.

14 DETECTIVE FANCHER: You never used a belt on any of  
15 the kids?

16 COLE ENGELSON: My own son, the only time I hit him  
17 with something was he was chewing through a headphone wire when  
18 he's been told not to. I took that wire and put a good whipping on him.  
19 One whipping.

20 DETECTIVE FANCHER: Okay.

21 COLE ENGELSON: And that's pretty much it.

22 DETECTIVE FANCHER: You never used the wire on any  
23 other kid before ever other than that one time?

24 COLE ENGELSON: No. No. I'm --

25 DETECTIVE FANCHER: You're sure?

1 COLE ENGELSON: I don't -- I don't really strike their -- or  
2 her kids.

3 DETECTIVE FANCHER: Discipline's discipline. We get  
4 that.

5 COLE ENGELSON: Yeah.

6 DETECTIVE FANCHER: We're not asking you if you  
7 hung one of them from a ceiling.

8 COLE ENGELSON: No. I've -- I've --

9 DETECTIVE FANCHER: (Incomprehensible.)

10 COLE ENGELSON: -- never touched her boy, the oldest  
11 one. The only one I've ever disciplined was the little girl 'cause she's  
12 young and she -- she needed it. They let her run wild.

13 DETECTIVE FANCHER: Right.

14 COLE ENGELSON: But that was a couple swats. And  
15 after that --

16 DETECTIVE FANCHER: Hmm.

17 COLE ENGELSON: -- I felt so bad about it that I told her  
18 mom I don't want to spank her no more. I'm just going to make her do  
19 the wall --

20 DETECTIVE FANCHER: And --

21 COLE ENGELSON: -- 'cause she'd make her sit on the  
22 wall.

23 DETECTIVE FANCHER: -- what -- what -- what did you  
24 use with that? That wasn't your hand. That was --

25 COLE ENGELSON: I've only spanked her with my hand.

1 DETECTIVE FANCHER: You've only spanked her with  
2 your hand?

3 COLE ENGELSON: Yeah.

4 DETECTIVE COX: Let's back up to the shower, though,  
5 because the shower seems to be the trigger. And how many times has  
6 she got upset in the shower? How many showers have you given her?

7 COLE ENGELSON: Oh, numerous.

8 DETECTIVE COX: Numerous, right?

9 COLE ENGELSON: Yeah.

10 DETECTIVE COX: Okay. How many times has she got  
11 pissed off in the shower?

12 COLE ENGELSON: Every one of them.

13 DETECTIVE COX: Every single one of them. Okay. Like  
14 you said today, you drank a lot, you probably got angry, you said she  
15 tried to get out. How many times did you hit her in the shower?

16 COLE ENGELSON: I don't remember striking her at all.

17 DETECTIVE COX: Zero times.

18 COLE ENGELSON: Zero times.

19 DETECTIVE COX: You can't tell me one time that you hit  
20 her in the shower.

21 COLE ENGELSON: No, but it's apparent that I did. So  
22 yeah.

23 DETECTIVE COX: No. I know that. We -- I mean you've  
24 -- you --

25 COLE ENGELSON: So if I remembered any of it I would

1 tell you 'cause there's not --

2 DETECTIVE COX: You've been honest with me so far.

3 And you're not denying that, hey, you're the only one there so there's  
4 nobody else that could have possibly did this, right?

5 COLE ENGELSON: Correct.

6 DETECTIVE COX: So I appreciate that. I -- I -- I do. I -- I  
7 really -- I do. I appreciate that. But, like I said, I want to give these  
8 people closure. I want to be able to walk out of here today and tell  
9 them something and say, hey, you know what --

10 COLE ENGELSON: He's a drunk fucking idiot is what he  
11 is.

12 DETECTIVE COX: Well --

13 COLE ENGELSON: And it finally came to ruin my whole  
14 fucking life that fucking bottle.

15 DETECTIVE COX: But this doesn't have to be the end.  
16 And, like I said, there's other shit for this. We can get you help. We  
17 want to get you help. We want to get you help too. Trust me. We want  
18 to help everybody. But the first -- it starts with -- it starts with telling me  
19 what happened today. And I know you can remember because I know  
20 you can. I -- I -- I know tons of drunks. I have tons of alcoholic people  
21 in my family, and they've done some stupid shit. And you know what?  
22 You do have a portion of it where's it gone, but then it opens back up  
23 and it becomes crystal clear. And it does. And that's one of the first  
24 steps to getting -- getting sober. Getting clean is admitting when you  
25 fuck up. And, unfortunately, this is -- this is an instance where that

1 happened. I just want to be able to put some closure to this, man; and I  
2 want you to move on; I want them to move on.

3 COLE ENGELSON: I wish I could tell her mom what  
4 happened, but I -- I mean I love her mom. You know, I loved that little  
5 girl.

6 DETECTIVE COX: I can tell. I know you do.

7 COLE ENGELSON: You know, I don't -- I wish there was  
8 something I could fucking tell you about it. You know, it's -- you're keep  
9 saying over and over to me -- I don't have any information on it. I don't  
10 remember anything that happened.

11 DETECTIVE FANCHER: So now, 'cause you've  
12 mentioned alcohol a couple of times, how long of use -- it's an addiction  
13 I'm assuming, right?

14 COLE ENGELSON: It is.

15 DETECTIVE FANCHER: Destroys -- destroys things. It's  
16 nasty.

17 COLE ENGELSON: It does.

18 DETECTIVE FANCHER: How long have you been an  
19 addict? How long in -- well, it is a disease.

20 COLE ENGELSON: Since I was 17 probably.

21 DETECTIVE FANCHER: Seventeen?

22 COLE ENGELSON: So 21 years.

23 DETECTIVE FANCHER: Alcohol is notorious for having  
24 people -- to make people different. Changing -- doing things that they  
25 would never have done sober. I noticed -- I couldn't help but notice you

1 brought alcohol up a couple times. You've got some animosity towards  
2 alcohol with whatever happened that you don't remember that you are  
3 taking responsibility for, and you've got some animosity towards  
4 alcohol. So would you say alcohol had a huge impact or influencing  
5 factor on what happened today?

6 COLE ENGELSON: I never would have done anything  
7 like that sober.

8 DETECTIVE FANCHER: Okay.

9 COLE ENGELSON: And that's why that was the worst  
10 fucking (incomprehensible).

11 DETECTIVE COX: No. And it's your demon, man.  
12 Everyone has different demons, and it -- this seems to be your demon,  
13 you know. People -- same thing. I know people when they get high  
14 they're just -- they're two -- they're different people. Same thing. When  
15 they're -- they're drunk, their -- dude, they're a train wreck. And I'm just  
16 thinking, like I said, this is -- this went way out of hand.

17 DETECTIVE FANCHER: You've been pretty straight up  
18 with me, and I appreciate that. Just is if you can make right from wrong  
19 the best you can. It's all I got for you, you know, so --

20 COLE ENGELSON: Yeah.

21 DETECTIVE COX: Cole, real quick, so you got a -- you  
22 got a --

23 COLE ENGELSON: Yeah.

24 DETECTIVE COX: How do you -- how do we open this?

25 COLE ENGELSON: Just a M. (Incomprehensible.)

1 DETECTIVE COX: Okay. So -- so like I said, you called  
2 Victoria a couple times, and then you called 911 at 7. And then -- oh,  
3 you got to do an M again?

4 COLE ENGELSON: Yeah.

5 DETECTIVE COX: Let's see. And --

6 COLE ENGELSON: That was a joke, too, the  
7 (incomprehensible) for fucking (incomprehensible). I don't want you to  
8 think that --

9 DETECTIVE COX: Oh. But you're -- dude --

10 COLE ENGELSON: Yeah.

11 DETECTIVE COX: -- you're good, man. Trust me. All  
12 right. All right. Let me shut this off real quick. How do you go into your  
13 settings? Oh, cool. Thanks. I got a -- like I said, I left a -- we left a  
14 receipt for all the things we've taken. They're going to be booked into  
15 evidence. They're not going to be -- you know, they're not going to be  
16 out and about and stuff like that. Where's your -- to turn off your  
17 security for your -- the -- I know it's an M, but I just want to turn it off.  
18 How you feeling?

19 COLE ENGELSON: I -- I don't even have a word for it,  
20 you know. I don't know (incomprehensible).

21 DETECTIVE COX: There it is. Cool. Thank you. I  
22 appreciate that. Except for the shut it off here. How do you turn it off?  
23 The back?

24 COLE ENGELSON: It will just go.

25 DETECTIVE COX: Well, how do you turn it off off?

1 COLE ENGELSON: Oh, yeah. The back. There you go.

2 DETECTIVE COX: Cool. (Incomprehensible.) I don't  
3 want to kill your battery and stuff. I know it's surreal, and I know it's --  
4 like I said, it's a big event. It -- it's horrible and it sucks. But there's  
5 really nothing you can remember?

6 COLE ENGELSON: No.

7 DETECTIVE COX: Nothing?

8 COLE ENGELSON: I don't -- I would say -- I think the  
9 only thing that could happen is maybe she got me up and did  
10 something, then I lost it in that stupor. But I --

11 DETECTIVE COX: What do you think she might have  
12 done?

13 COLE ENGELSON: I don't know. You know, I don't --  
14 there's -- sober, there's nothing that could upset me that much, you  
15 know. So as a drunk, I don't know what she could have did really, you  
16 know. You understand what I'm trying to say?

17 DETECTIVE COX: Yeah. Yeah. What's your trigger  
18 when you get drunk? What -- what makes you mad?

19 COLE ENGELSON: I don't know. I don't really -- usually  
20 when I drink with people we're always having -- it's always a good time,  
21 pretty much.

22 DETECTIVE COX: Okay. What do think could piss you  
23 off that much, you know?

24 COLE ENGELSON: For a little girl like that?

25 DETECTIVE COX: Yeah.



1 COLE ENGELSON: Couldn't have been -- couldn't have  
2 been nothing like that.

3 DETECTIVE COX: I mean she had to do something. You  
4 know what I mean? Do you --

5 COLE ENGELSON: Something had to had happen. I  
6 don't -- but I don't remember her making me angry, and I don't  
7 remember her -- or me striking her. So I mean I wish -- I wish there  
8 was more. I don't know what happened.

9 DETECTIVE COX: Okay. Well, tell you what. I know it's  
10 getting -- well, it's getting early. I'm going to go grab some water. I'm  
11 going to go to the bathroom. You're going to be okay in here?

12 COLE ENGELSON: Yeah.

13 DETECTIVE COX: For right now? Okay. Just relax.  
14 Think about it. Come back in like five or ten minutes. If you can think  
15 of anything, please let me know. If not, you know, I'll give you my card.  
16 Give me a call any time day or night. If you think of anything, give me a  
17 call. Okay?

18 COLE ENGELSON: Will do.

19 DETECTIVE COX: All right. I'll be right back.

20 COLE ENGELSON: Yeah.

21 (Detective Cox leaves the interview room.)

22 (Detective Cox and Detective Gibbs enters the interview room.)

23 DETECTIVE COX: Doing all right? All right. So -- some  
24 stuff. Anything?

25 COLE ENGELSON: Just nothing.

1 DETECTIVE COX: Nothing. Okay.

2 COLE ENGELSON: It seemed like the window is a lot  
3 bigger than I thought it was too.

4 DETECTIVE COX: Okay. All right.

5 COLE ENGELSON: 'Cause (incomprehensible) --

6 DETECTIVE GIBBS: What window? What are you  
7 talking about?

8 COLE ENGELSON: The -- from Victoria leaving at one  
9 o'clock to seven o'clock when this all did. I thought it was like five  
10 o'clock when -- but it looks like it was five -- or seven o'clock on the  
11 phone. So I don't know really. It seemed like just more of a span  
12 where something could have happened.

13 DETECTIVE COX: Well, I do -- I do appreciate you -- like  
14 -- like my other partner said, you know, basically telling us, hey, you did  
15 this, but you don't know how you did this, you know. And I wish you  
16 could tell me a little bit more on how you did it. And I know you -- I  
17 know you want to tell me, and I know you're going to remember some  
18 things. And I hope when the times comes that you do tell me what  
19 happened so I can give these people some closure and give yourself  
20 some closure, you know. I -- I appreciate you talking with us and -- and  
21 -- and sitting, you know, down here when you didn't have to, and -- and  
22 you did, and I really appreciate that, you know. It's sad, man. It -- it --  
23 it's sad what happened. It -- it's sad.

24 DETECTIVE GIBBS: Oh. And the thing is, you -- you just  
25 -- you know what? You're remembering more every time we come in

1 here and talk to you.

2 COLE ENGELSON: 'Cause we looked at phone and saw  
3 the time. That's all it --

4 DETECTIVE GIBBS: Okay. Well, was that it?

5 COLE ENGELSON: Yeah.

6 DETECTIVE GIBBS: Did you look at the call logs or  
7 what?

8 DETECTIVE COX: Yeah, basically. Yeah, I was just  
9 hoping it would trigger something or if there'd be something on the  
10 phone, you know. Like I said, we -- we looked at the call log and then  
11 the texts, and there was nothing. So we were hoping that would trigger  
12 something to have him remember a little bit more on what happened.  
13 You know, it's just sad. Like I said, there's just nothing else I can say to  
14 make it better.

15 COLE ENGELSON: No. And then it -- even -- even if the  
16 girl was still alive, it's -- it's really -- it's hard --

17 DETECTIVE COX: Still --

18 COLE ENGELSON: -- you know, seeing that. You know?

19 DETECTIVE COX: It's hard to see it. Yeah. It's hard for  
20 us. You can trust me, man. It --

21 COLE ENGELSON: Oh, I -- I bet.

22 DETECTIVE COX: It's hard. You got anything for him?

23 All right. Well, just a couple things. We got to take a couple swab  
24 samples from you, buccal swab samples that we got in the search  
25 warrant. I got a copy of it I'm going to give to your right now. And then

1 we just got do that and take some pictures of you, and we'll get you  
2 back down there. Did they get you a phone call and all that good stuff  
3 or -- nothing?

4 COLE ENGELSON: No.

5 DETECTIVE COX: Okay. We'll get you the phone and all  
6 that -- that stuff. If you have any questions, I'm Detective Cox. This is  
7 my partner, Detective Gibbs. You can tell anybody down there at any  
8 time you want to speak with one of us. They'll call us, and we'll come  
9 talk to you. Okay?

10 COLE ENGELSON: Yeah.

11 DETECTIVE COX: Sound good?

12 COLE ENGELSON: Yeah.

13 DETECTIVE COX: All right. Do you -- do me a favor. If  
14 you could just stand up real quick. He's going to take some photos of  
15 you.

16 COLE ENGELSON: Okay.

17 DETECTIVE GIBBS: Oh.

18 DETECTIVE COX: We can go right over there.

19 DETECTIVE GIBBS: What do -- what all do you want?

20 DETECTIVE COX: I think get some full photos.

21 DETECTIVE GIBBS: Can you turn to your right for me.

22 DETECTIVE COX: Just have him do sections of the --  
23 just have him do sections of the smock. If you could just take the -- just  
24 the front part down.

25 COLE ENGELSON: Same thing?

1 DETECTIVE GIBBS: Yeah.

2 DETECTIVE COX: Is it the 16<sup>th</sup> already?

3 COLE ENGELSON: Yes.

4 DETECTIVE COX: 16<sup>th</sup>. Did you get the lower part? Did  
5 you get his legs and stuff? Do me a favor -- do you have underwear  
6 on?

7 COLE ENGELSON: I don't.

8 DETECTIVE COX: Can you -- can you somehow hold  
9 your genitals and -- so he can get a picture of your legs?

10 COLE ENGELSON: Like that?

11 DETECTIVE GIBBS: On your (incomprehensible)? You  
12 good? What do you need?

13 DETECTIVE COX: That's fine. I'm just trying to make it  
14 as less intrusive as I can. You know what I mean? Just do one leg at a  
15 -- just do one leg at a time.

16 DETECTIVE GIBBS: Yeah. Now you just turn for me.  
17 There you go. Can you raise it up in the back a little bit? Okay.

18 DETECTIVE COX: All right. I just want to show you this  
19 to you real quick. This is a copy of the search warrant. It's a duplicate  
20 original for the search warrant, and its buccal swabs from you and the  
21 residence. So --

22 COLE ENGELSON: What kind of swabs?

23 DETECTIVE COX: They're called buccal swabs.

24 COLE ENGELSON: Oh, okay.

25 DETECTIVE COX: Basically, they're for DNA.

1 COLE ENGELSON: Yeah.

2 DETECTIVE COX: That's all they are.

3 COLE ENGELSON: I thought you said fecal swabs and --

4 DETECTIVE COX: No, no, man. No fecal swabs.

5 DETECTIVE GIBBS: No. We don't -- we don't go that

6 route.

7 DETECTIVE COX: We don't go that route route. Yeah.

8 All right. Let's do the first one real quick. The first one, I'm just going to

9 take -- if you just -- what I'm going to do -- these two little cotton swabs,

10 I'm going to rub them in the inside of your cheek. Just open your mouth

11 real quick. I'm just going to go like this.

12 COLE ENGELSON: Yeah.

13 DETECTIVE COX: And be quick. You said you watched

14 me open from the package. Ready? Okay. That's it. Next one I'm

15 going to do is your -- it's from your hands. So I'm just going take them

16 and -- and go on your hands. Just put your hands together for me real

17 quick. Oh, can you get a photo of -- and can you flip them

18 (incomprehensible). One more time from this -- oh, down, bro. I'm

19 sorry. And just open your fingers a little bit. There we go.

20 DETECTIVE GIBBS: Can you put your right hand out for

21 me. Are you right-handed?

22 COLE ENGELSON: I am.

23 DETECTIVE GIBBS: Can you make a fist for me. What

24 happened to your knuckles?

25 COLE ENGELSON: Just dry skin. That was a zit that I

1 popped. I don't ever put lotion on.

2 DETECTIVE GIBBS: Okay. So you didn't strike her with  
3 your fist or nothing?

4 COLE ENGELSON: I don't know.

5 DETECTIVE GIBBS: You don't know?

6 COLE ENGELSON: No.

7 DETECTIVE GIBBS: You think it's possible?

8 COLE ENGELSON: A closed fist, I don't think that'd be  
9 something -- I would use a open hand.

10 DETECTIVE GIBBS: Like punch her in the butt or  
11 anything?

12 COLE ENGELSON: Maybe.

13 DETECTIVE GIBBS: Maybe?

14 COLE ENGELSON: I couldn't tell you. I don't remember  
15 striking her, period. But, like I said, I would never do anything like that  
16 sober so I don't -- anything is a possibility at this point, I guess.

17 DETECTIVE COX: All right. So the third one is a -- a  
18 swab we have to get from your penis. So what I'm going to have you  
19 do -- just the -- just like the outside of it. Not like inside or anything like  
20 that.

21 COLE ENGELSON: Okay.

22 DETECTIVE COX: Do me a favor. If you can just hold it  
23 out for me and I can just swab it real quick. There it is. All done. I  
24 appreciate the cooperation. What I'm going to do is I'm going to give  
25 you a receipt for all this stuff, and he's going to take a picture with you

1 holding it, and we're going to keep -- we're going to put it in your  
2 property down there too. But go ahead and check that out. Like I said,  
3 that's the -- that's the search warrant we got. If you got any questions,  
4 please let me know.

5 COLE ENGELSON: (Incomprehensible) just go like that?

6 DETECTIVE GIBBS: That will do, bro.

7 COLE ENGELSON: Oh, okay.

8 DETECTIVE GIBBS: That way it's just

9 (incomprehensible)

10 DETECTIVE COX: Yeah. It's just so you have a receipt  
11 for everything.

12 COLE ENGELSON: All right.

13 DETECTIVE COX: Like I said, we book -- this gets all  
14 booked into evidence, and it's not going anywhere, and you're not going  
15 to lose any of your stuff.

16 (Detective Fancher enters the interview room.)

17 DETECTIVE GIBBS: Hey, the boss wants to see us. Just  
18 grab your paperwork. We'll -- we'll come back.

19 DETECTIVE COX: All right. All right. I'll be right back.  
20 Where's he at?

21 DETECTIVE FANCHER: He's in our office (Detective  
22 Cox and Detective Gibbs leave the interview room.)

23 DETECTIVE FANCHER: . Are you okay? I know --

24 COLE ENGELSON: Looks like (incomprehensible).

25 DETECTIVE FANCHER: I know you're not, and it's -- it's



1     okay not to be.

2                   COLE ENGELSON: Just need to know --

3                   DETECTIVE FANCHER: (Incomprehensible) I'm being  
4     honest with you, I don't think that you're a bad guy at all. I think, you  
5     know, we all -- you feel bad and that's pretty evident. It's obvious you  
6     feel bad. That's all like -- that's all I like to see is if -- I like to see  
7     somebody who has a conscience. We all make mistakes and bad  
8     things happen. Do I think something happened? Yeah. Absolutely.  
9     But -- and look at you. You're upset.

10                  COLE ENGELSON: It's -- I never had anything like this  
11     happen before, you know. I wasn't -- I don't -- I don't know what the  
12     fuck happened where that little girl lost her life. You know. And I don't  
13     know -- I don't know what happened and that's probably the worst part  
14     of all of it. You know, if I was sober, no way in that -- none of that would  
15     have happened.

16                  DETECTIVE FANCHER: Well, you're not a monster. I'll  
17     tell you that.

18                  COLE ENGELSON: Nah.

19                  DETECTIVE FANCHER: You're not. Bad shit happens,  
20     but you're not a monster. I wouldn't be here. We wouldn't be -- I  
21     wouldn't even be talking to you right now if -- if that was the case 'cause  
22     I'd be wasting my time with somebody who doesn't have a conscience.  
23     Be wasting my time. You -- you have a conscience and you feel  
24     horrible what you did. I need your help with one thing. Okay? And I  
25     need your help for the family. I need your help -- I have a daughter

276

1     myself. Okay? If you can do one thing for me, I just need to know what  
2     could have caused the circular things on her body. That's all I want.  
3     Don't even --

4                 COLE ENGELSON: That's what --

5                 DETECTIVE FANCHER: -- have to tell me how you did it.  
6     I want to know what that object -- you would be able to recognize that  
7     shape.

8                 COLE ENGELSON: I went through it with the -- the other  
9     detective, and the only thing I can think of is maybe the glass I was  
10    drinking the vodka out of.

11                DETECTIVE FANCHER: Uh-huh..

12                COLE ENGELSON: That's the only thing I could see.

13                DETECTIVE FANCHER: Okay.

14                COLE ENGELSON: 'Cause it seemed like it -- I don't  
15    know how big that is.

16                DETECTIVE FANCHER: It's got that unique -- like it's got  
17    the circular and it's got like spaces in there. Well, let's see here. Here.  
18    Let's see here. We don't have a good picture of the circular one. But if  
19    you want to look at -- I'll let you look at that. Let me know what you  
20    think. I just want to -- I -- I just want to -- you -- you didn't bite her,  
21    obviously. That's ridiculous in my opinion. But there's something with  
22    that unique shape. Can you help me find out what that was? See how  
23    it's got the space right there?

24                COLE ENGELSON: Yeah. Yeah.

25                DETECTIVE FANCHER: It's about two -- two inches in

1 diameter. Try the best to your knowledge to remember it, please.

2 That's all I want.

3 COLE ENGELSON: I can't do it. I don't know. I -- I can't  
4 think of --

5 DETECTIVE FANCHER: Okay.

6 COLE ENGELSON: 'Cause, you know, it -- does it look  
7 like it comes out too?

8 DETECTIVE FANCHER: It's a circle. It's a circle and  
9 there's a space there. Right. And so there's -- there's a cup -- or it's a -  
10 - I think you might be right with the glass. Could you describe that  
11 glass? Or where is that glass that you're talking about?

12 COLE ENGELSON: It had to be somewhere in that room,  
13 I imagine.

14 DETECTIVE FANCHER: In what room?

15 COLE ENGELSON: In the bedroom.

16 DETECTIVE FANCHER: Which one?

17 COLE ENGELSON: The master bedroom.

18 DETECTIVE FANCHER: The master bedroom. Okay.

19 Was that in there when -- when the whole thing kind of happened?

20 COLE ENGELSON: Well, it's one of the glasses I was  
21 drinking. I had --

22 DETECTIVE FANCHER: Oh.

23 COLE ENGELSON: -- two glasses I was drinking out of  
24 and one --

25 DETECTIVE FANCHER: Okay.

1 COLE ENGELSON: -- was like a Dave & Buster's type of  
2 cup.

3 DETECTIVE FANCHER: Uh-huh.

4 COLE ENGELSON: Smaller diameter on the bottom and  
5 --

6 DETECTIVE FANCHER: Uh-huh.

7 COLE ENGELSON: -- you know, it flares out. That's the  
8 only thing I could --

9 DETECTIVE FANCHER: Well --

10 COLE ENGELSON: -- think of when --

11 DETECTIVE FANCHER: Where was the last time you --  
12 you can remember what you were doing with that cup? The last -- your  
13 last memory like when you set it down and you threw out -- threw it,  
14 slammed it, whatever it is you did.

15 COLE ENGELSON: I remember I -- I had it in the sink at  
16 one point. Then I think I wanted more alcohol so I went and got it back  
17 out of the sink. I made another drink. And I can't really remember --

18 DETECTIVE FANCHER: But it ended up in the room?

19 COLE ENGELSON: It -- well, the booze is in the room so  
20 --

21 DETECTIVE FANCHER: Is the cup in the room?

22 COLE ENGELSON: I couldn't tell you if I left it in the  
23 room or --

24 DETECTIVE FANCHER: Okay. So were you -- like this  
25 circular thing would be the only --

1 COLE ENGELSON: That's the only thing I could  
2 (incomprehensible).

3 DETECTIVE FANCHER: Like for the -- the only thing  
4 that would be --

5 COLE ENGELSON: That's a -- it's a weird shape, and I  
6 don't -- like I said, I don't remember striking her, period. So I --

7 DETECTIVE FANCHER: Right.

8 COLE ENGELSON: -- don't, you know. And I can't really  
9 think of just round objects that are in the room (incomprehensible).

10 DETECTIVE FANCHER: It -- right. Whatever it is -- I  
11 mean we've seen a lot of stuff. I mean essentially what we do is we just  
12 take that glass and we swab the bottom of the DNA. In fact, we've got -  
13 - that's happening right now, but --

14 COLE ENGELSON: Oh.

15 DETECTIVE FANCHER: So swabbing the bottom of that  
16 -- that glass, and there would be no possible explanation for her DNA to  
17 be on the bottom of that glass. And that's why I was hoping that you  
18 can probably help. Just -- you've been pretty forthcoming so I was  
19 hoping to jog your memory. Try to help us find this cup, it shows that  
20 you're -- it shows that you're willing -- that you -- well, first of all, that  
21 you have a conscience.

22 COLE ENGELSON: Yeah. I -- I mean I'll give you all  
23 your information --

24 DETECTIVE FANCHER: Yeah.

25 COLE ENGELSON: -- I have.

1 DETECTIVE FANCHER: And that's why I'm still here.

2 COLE ENGELSON: Yeah. But I don't --

3 DETECTIVE FANCHER: Is there any other cup that --  
4 any other -- do -- could you think of any other likely -- like -- and this is  
5 pretty -- it's just -- oh, it's a perfect circle except it's got a space on each  
6 side and possibly one side.

7 COLE ENGELSON: Yeah. I don't know whether it would  
8 open up like that, you know. I --

9 DETECTIVE FANCHER: Would you say it would be the  
10 bottom of the cup or the top?

11 COLE ENGELSON: That had to be the bottom.

12 DETECTIVE FANCHER: Okay. All right. And is the  
13 bottom of the Dave & Buster cup, is it -- is it hollow?

14 COLE ENGELSON: I couldn't tell you.

15 DETECTIVE FANCHER: 'Cause it -- whatever it was, the  
16 -- the cup had a ring around it. So it was -- it stuck -- the bottom of the  
17 cup stuck out and the inside was indented. And so I think you're on the  
18 right track with the cup. I think -- I think that is -- I think you might be  
19 right. I think it is the -- or would it be a glass?

20 COLE ENGELSON: It's a glass.

21 DETECTIVE FANCHER: It's a glass.

22 COLE ENGELSON: Yeah.

23 DETECTIVE FANCHER: Okay. And how tall could you --

24 COLE ENGELSON: Probably a 12-ounce, but --

25 DETECTIVE FANCHER: Okay.

1 COLE ENGELSON: -- I don't know.

2 DETECTIVE FANCHER: And the last time you remember  
3 that, that was in the sink that was -- if (incomprehensible) --

4 COLE ENGELSON: I pulled it out of the sink and poured  
5 another drink.

6 DETECTIVE FANCHER: Are our guys going to be able to  
7 find it? They're -- I mean --

8 COLE ENGELSON: I imagine. Unless, you know --

9 DETECTIVE FANCHER: Is it --

10 COLE ENGELSON: -- Victoria moved it -- anything.

11 DETECTIVE FANCHER: Okay. Let's see here. Oh, I  
12 don't -- I don't have any more of those circular -- do you know what this  
13 shape right here?

14 COLE ENGELSON: I don't know what any of it is.

15 DETECTIVE FANCHER: Do you have anything in your  
16 house that has this shape?

17 COLE ENGELSON: I don't know.

18 DETECTIVE FANCHER: I need your help on this. You're  
19 the only --

20 COLE ENGELSON: Yeah.

21 DETECTIVE FANCHER: -- person that knows this stuff.  
22 You've already told us. You -- you -- you've owned it. I did it. You've  
23 already did it. I'm not looking for anything other than -- I -- I just -- I'm  
24 trying to get explanations.

25 COLE ENGELSON: I understand.

1 DETECTIVE FANCHER: You already gave me  
2 everything. I --

3 COLE ENGELSON: Yeah.

4 DETECTIVE FANCHER: I -- I -- I wanted to hear is that --  
5 the truth.

6 COLE ENGELSON: And I don't remember striking her so  
7 I can't really think --

8 DETECTIVE FANCHER: Right.

9 COLE ENGELSON: -- of anything on that.

10 DETECTIVE FANCHER: So what in your house that you  
11 think of -- you know your house better than we do, really -- that'd  
12 consistent with.

13 COLE ENGELSON: Not really 'cause I just moved in with  
14 a girl, and it's mostly her --

15 DETECTIVE FANCHER: Uh-huh.

16 COLE ENGELSON: -- stuff. You know, my stuff is still in  
17 Vegas 'cause I haven't moved all my stuff yet so --

18 DETECTIVE FANCHER: Okay. All right. Have you ever  
19 like -- not like hard, but have you ever hit one of the -- anybody with a  
20 cup at all before? I mean this is -- would this be kind of a --

21 COLE ENGELSON: No, this is --

22 DETECTIVE FANCHER: This is it. An isolated incident?

23 COLE ENGELSON: Yeah. Yeah.

24 DETECTIVE FANCHER: Okay. If you --

25 COLE ENGELSON: Like I don't -- I don't use objects to,



1 you know, spank the kids before. You know, I -- I always used my bare  
2 hand. My hand's enough. So like I don't know. I don't know what  
3 happened.

4 DETECTIVE FANCHER: Maybe the cup was just in your  
5 hand.

6 COLE ENGELSON: Yeah.

7 DETECTIVE FANCHER: Like a --

8 COLE ENGELSON: Could be.

9 DETECTIVE FANCHER: -- bad-timing thing.

10 COLE ENGELSON: She could have been sitting  
11 somewhere and I could have spiked it down on her. I don't --

12 DETECTIVE FANCHER: Right.

13 COLE ENGELSON: Maybe I threw it at her.

14 DETECTIVE FANCHER: 'Cause there's one, I think, on  
15 top of her shoulder too. No. You would have had to -- you'd have to be  
16 Nolan Ryan to --

17 COLE ENGELSON: Yeah.

18 DETECTIVE FANCHER: You -- yeah. You'd have to be  
19 Jim Kelly to be able to do that. I think you might have -- I think you hit  
20 her with it. Do you -- do you remember -- and you know how things get  
21 vague, you know, when you get -- your memory gets clogged. It  
22 doesn't completely go black out. You kind of -- you remember some  
23 times or some things if -- do you remember like how many times?  
24 Basically, do you remember anything of that? Maybe holding the cup  
25 out of anger in front of her?

1 COLE ENGELSON: No. The only thing with the cup is  
2 making those drinks. I don't -- 'cause I was pouring water from the  
3 kitchen then filling the rest with vodka from the cupboard.

4 DETECTIVE FANCHER: We're going to -- are we going  
5 to find her -- do you think we're going to find her DNA on the bottom of  
6 that cup?

7 COLE ENGELSON: I couldn't tell you. I don't know. I  
8 don't know.

9 DETECTIVE FANCHER: Do you think it's -- no. Okay. I  
10 see how they did think it was a bite mark. It kind of -- it kind of  
11 resembles, but you'd have to have a pretty small mouth for that. And  
12 that made -- made no sense. It would do skin tissue damage, whatever  
13 it was.

14 COLE ENGELSON: Yeah.

15 DETECTIVE FANCHER: Did, you know, damage under  
16 the tissue.

17 COLE ENGELSON: Yeah. They asked me if I wore  
18 dentures when I got here. Or --

19 DETECTIVE FANCHER: That's weird.

20 COLE ENGELSON: Yeah.

21 DETECTIVE FANCHER: This would have happened in  
22 the shower if it would have happened, right? Or would have happened  
23 outside the shower. How would we narrow it down to -- you knew it  
24 didn't happen before the shower.

25 COLE ENGELSON: Yeah.

1 DETECTIVE FANCHER: And then so, obviously,  
2 something happened in the shower 'cause you fell asleep after the  
3 shower so -- am I right? I mean you were alert and oriented.

4 COLE ENGELSON: (Incomprehensible.) Yeah. At least  
5 I'm -- unless I'm dreaming this -- this incident --

6 DETECTIVE FANCHER: Yeah.

7 COLE ENGELSON: -- situation. Maybe we stayed up.

8 DETECTIVE FANCHER: Okay.

9 COLE ENGELSON: Maybe I didn't go to bed, but --

10 DETECTIVE FANCHER: Okay.

11 COLE ENGELSON: -- I'm pretty sure. I remember  
12 waking up --

13 DETECTIVE FANCHER: Okay.

14 COLE ENGELSON: -- but it was --

15 DETECTIVE FANCHER: So now it's starting to come  
16 down. And what were you guys -- what -- what were you waking up to?  
17 Do you remember?

18 COLE ENGELSON: I had to go to the restroom.

19 DETECTIVE FANCHER: Okay. And what happened  
20 then?

21 COLE ENGELSON: When I got done, I came back to  
22 wake her up from the nap 'cause she can't sleep all day 'cause she'll be  
23 up all night.

24 DETECTIVE FANCHER: Uh-huh.

25 COLE ENGELSON: So when I walked over to her one

1 eye was open, and (incomprehensible) it was weird to me. So I kind of  
2 just tried to shake her up. Then I picked her up, and she was just limp,  
3 you know, and I knew right then that something wrong happened.

4 DETECTIVE FANCHER: But you said you might not have  
5 fell asleep.

6 COLE ENGELSON: Yeah. I might have went to the  
7 bathroom, and came back, and saw her. I don't (incomprehensible).

8 DETECTIVE FANCHER: You didn't get that drunk  
9 though, did you?

10 COLE ENGELSON: I -- you know, I drank  
11 (incomprehensible) --

12 DETECTIVE FANCHER: Right. We'll get your -- I mean  
13 we'll have the BAC. There's -- I don't think you got that drunk. I think  
14 whatever happened was so traumatizing you might have just put that  
15 away for a little while. I mean --

16 COLE ENGELSON: I don't remember any of it. You  
17 know, none of it. I don't remember her upsetting me, and I don't  
18 remember striking her.

19 DETECTIVE FANCHER: Do you feel like you might have  
20 did something? Like, you know, we have that intuition.

21 COLE ENGELSON: Well --

22 DETECTIVE FANCHER: You feel like you did something,  
23 but you just can't remember it?

24 COLE ENGELSON: The only thing I get is like a -- you  
25 know when something snaps you out of, you know, like a drunk.

287

1 DETECTIVE FANCHER: Uh-huh.

2 COLE ENGELSON: You know I kind of had that feeling  
3 when I was holding her. That -- that's the like -- kind of like --

4 DETECTIVE FANCHER: When you woke up holding  
5 her?

6 COLE ENGELSON: No. When I -- when I picked her up.

7 DETECTIVE FANCHER: Oh.

8 COLE ENGELSON: And I saw that she was limp. And  
9 then --

10 DETECTIVE FANCHER: Okay.

11 COLE ENGELSON: -- the -- then like -- so I don't know if  
12 -- I -- I think, you know, that I woke up and did all that. So I -- I could be  
13 dead wrong. I could have been up the whole time just hammered  
14 drunk. I don't know. Because I'd have to leave work -- for work at  
15 seven o'clock. So why was I, you know -- I don't know. I wish I was --

16 DETECTIVE FANCHER: Seven o'clock of what?

17 COLE ENGELSON: I have to leave at seven o'clock p.m.  
18 to drive to Vegas for work. So I should have been up way earlier so I  
19 don't -- I don't know why this happened.

20 DETECTIVE FANCHER: Yeah. That would make no  
21 sense because you would -- if you were that hammered. Have you  
22 ever drove into work that drunk before or just missed work 'cause you  
23 were drunk?

24 COLE ENGELSON: Yeah. I have had a couple  
25 episodes. Those were the younger days, but --

1 DETECTIVE FANCHER: And did anything compel you to  
2 start drinking on this? Did anything cause you to start drinking this  
3 heavily this suddenly? I mean --

4 COLE ENGELSON: No. Like I was all amped up and I  
5 needed to go to bed. You know it was one o'clock and I had to be there  
6 at eight. So, you know, I wanted to get -- put booze in me to put me  
7 down is my whole thought behind it, the whole process. So I don't  
8 know if I kept running or if I actually did go to sleep.

9 DETECTIVE FANCHER: I need you to try to do your best  
10 if you can remember, okay? So I need you to put -- I mean if you can  
11 bring back senses. You know, what did it smell like, what it sounded  
12 like back there like when you started to lose conscious. That helps re-  
13 jog your memory. 'Cause I need your help on this.

14 COLE ENGELSON: Yeah. I -- that's all I got. I don't  
15 know like really -- maybe if I looked around the -- the place, but I don't  
16 know. It was so weird to me. But I don't remember how any of this was  
17 done. Not a single -- none of it. I don't remember touching her. I don't  
18 remember none of it.

19 DETECTIVE FANCHER: The problem is, you know, this  
20 sucks is that you did, though. Like you -- whatever you did, you -- you -  
21 - you know, you did touch her, you did hurt her whether intentionally or  
22 unintentionally. And (incomprehensible) you're looking at it here, you --  
23 you say you don't remember and that's hard to accept. And if you can't  
24 tell us and you simply won't go there, I'm okay with that.

25 COLE ENGELSON: But that's not the case at all.

1 DETECTIVE FANCHER: There's no -- I mean --

2 COLE ENGELSON: I mean if you guys get the bottom, or  
3 get the BAC back, or, you know, the blood alcohol back, then maybe --  
4 you know they took it a couple hours after I got here, but I was --

5 DETECTIVE FANCHER: I mean --

6 COLE ENGELSON: I was tipping them back. I was -- I  
7 was going pretty hard on them and I don't --

8 DETECTIVE FANCHER: And you don't remember a --

9 COLE ENGELSON: I don't --

10 DETECTIVE FANCHER: -- single --

11 COLE ENGELSON: Not a swat.

12 DETECTIVE FANCHER: -- thing --

13 COLE ENGELSON: Not a swat.

14 DETECTIVE FANCHER: -- about this.

15 COLE ENGELSON: Nothing.

16 DETECTIVE FANCHER: But yet you claim full  
17 responsibility of it 'cause --

18 COLE ENGELSON: Well, I was the only one there.

19 DETECTIVE FANCHER: And you don't remember any of  
20 this.

21 COLE ENGELSON: None of it.

22 DETECTIVE FANCHER: How much booze did you drink?

23 COLE ENGELSON: I was just pouring. Like I said, it was  
24 12-ounce glasses so I was probably doing 5 ounce (verbatim) each  
25 time. I don't know how many I did, though. At least three or -- I would

1 say. 'Cause I used two different glasses so --

2 DETECTIVE FANCHER: What were you drinking?

3 COLE ENGELSON: Vodka and water.

4 DETECTIVE FANCHER: Vodka and water? And you've  
5 been drinking for 20 years, and you're an addict, and --

6 COLE ENGELSON: Yeah. I've been on -- the last couple  
7 years, I've been on Antabuse so I don't drink.

8 DETECTIVE FANCHER: What is Antabuse?

9 COLE ENGELSON: It's a pill where it'll make you sick if  
10 you have any kind of alcohol in your system. It takes like two weeks to  
11 get out of your system before you can drink again. And I got off of it  
12 just so I can drink during the 4<sup>th</sup>, and I just never got back on it. And I  
13 sure in the fuck wished I would have. My -- so I don't drink like I did a  
14 few years back, you know. You know, I have three DUIs. I mean I  
15 used to drink pretty hard. And I was tired of it and that's why I went and  
16 got help.

17 DETECTIVE FANCHER: Did alcohol make you -- alcohol  
18 make you mean? Make you do things in anger issues at all?

19 COLE ENGELSON: (Incomprehensible.)

20 DETECTIVE FANCHER: It's notorious for that.

21 COLE ENGELSON: Yeah.

22 DETECTIVE FANCHER: It -- it --

23 COLE ENGELSON: I'm sure.

24 DETECTIVE FANCHER: It's okay if -- to admit that if  
25 that's the case.



1 COLE ENGELSON: Might have.

2 DETECTIVE FANCHER: You would know.

3 COLE ENGELSON: Yeah.

4 DETECTIVE FANCHER: Every -- I mean is alcohol  
5 notorious for doing that to you?

6 COLE ENGELSON: For me, no. No. I've -- I've probably  
7 had a couple incidents maybe.

8 DETECTIVE FANCHER: Do you think something --

9 COLE ENGELSON: People talking shit.

10 COLE ENGELSON: -- triggered you to do this? Look, it --  
11 with the alcohol something triggered, something sets -- you know how  
12 when you get so mad you black-out-type thing and you're not even  
13 thinking rationally?

14 COLE ENGELSON: Yeah.

15 DETECTIVE FANCHER: They call it "being in the black."  
16 What -- do you think something -- well, something would have had to  
17 have triggered this, right?

18 COLE ENGELSON: Had to. I mean --

19 DETECTIVE FANCHER: 'Cause this is out of character  
20 for you.

21 COLE ENGELSON: Yeah. Why would I just put a  
22 beating on a poor little girl for nothing, you know? But --

23 DETECTIVE FANCHER: Right.

24 COLE ENGELSON: I -- she's gone, man. And I wish -- I  
25 don't -- I wish I could tell something about it. And that's what's making it

1 so hard for me too is --

2 DETECTIVE FANCHER: You will be able to. I think you  
3 will. 'Cause I think you -- you -- you will be. I -- I really do think you will.  
4 That's why I'm still here talking to you. I think you're going to -- I think  
5 it's going to come back to you. I mean -- like I said earlier, let's make it  
6 right, and -- you know, right from wrong. But you're on the right track. I  
7 don't want you to, you know, to get discouraged at all. I think we can --  
8 I think you'll be able to -- you know how things start to come back --  
9 come to you, it takes time sometimes. It takes practice. It takes work.  
10 Do you want -- let me ask you this. Do you want to remember?

11 COLE ENGELSON: I would like to know what happened.  
12 I would. I want -- I wish I could tell you like what the hell happened  
13 where I would do that to somebody.

14 DETECTIVE FANCHER: That's what we're trying to find  
15 out.

16 COLE ENGELSON: You know.

17 DETECTIVE FANCHER: Has she ever had any bruises  
18 like this before?

19 COLE ENGELSON: No. Nothing like that. She might  
20 have like a welt on the butt before, but not to this (incomprehensible).

21 DETECTIVE FANCHER: From spankings? Just from  
22 discipline spankings?

23 COLE ENGELSON: Yeah.

24 DETECTIVE FANCHER: Were you abused as a kid?

25 COLE ENGELSON: No, not really.

1 DETECTIVE FANCHER: I know it's a super personal  
2 question, but --

3 COLE ENGELSON: No.

4 DETECTIVE FANCHER: No?

5 COLE ENGELSON: My mom was, you know, mean and  
6 shit, but that was more disciplinary stuff. Like she had arthritis so bad it  
7 -- it didn't hurt. But --

8 DETECTIVE FANCHER: She'd hit you and you'd laugh at  
9 her or something?

10 COLE ENGELSON: Yep. Me and my cousin.

11 DETECTIVE FANCHER: Hmm. If I didn't have faith in  
12 you, I wouldn't still be here talking to you. But if you did remember  
13 would you tell me? And you can be honest and straight up --

14 COLE ENGELSON: No. I would.

15 DETECTIVE FANCHER: -- and tell me no.

16 COLE ENGELSON: I wish I -- I wish I had all the  
17 information. I wish I could sit there and like she did this, then I did that,  
18 and, oh, I pushed her there, or I did something there. I wish I could tell  
19 you the whole story, you know.

20 DETECTIVE FANCHER: You never -- you -- you never  
21 spanked the other dude. The -- Dwight, right?

22 COLE ENGELSON: Uh-huh.

23 DETECTIVE FANCHER: And they -- she told us and -- I  
24 don't know. That she told us that you said I would -- I would never  
25 spank Dwight because if I started I would never stop.

1 COLE ENGELSON: Yeah. That's something I did tell  
2 her.

3 DETECTIVE FANCHER: He --

4 COLE ENGELSON: I think that was more --

5 DETECTIVE FANCHER: -- just get under your skin or  
6 what?

7 COLE ENGELSON: Well, it's from the beginning. Like I  
8 said, he threw a rock and cut my kid's eye the day before picture day,  
9 you know, and then that's just snowballed ever since. But I -- I told him  
10 I probably wouldn't stop. I told him that personally to him just more to  
11 put the fear in him --

12 DETECTIVE FANCHER: Uh-huh.

13 COLE ENGELSON: -- to, you know, calm the shit down.  
14 And I think he's getting better, but he just -- you know, we've had a  
15 problem.

16 DETECTIVE FANCHER: Was he -- is he difficult?

17 COLE ENGELSON: He runs his mouth a lot, you know.  
18 He --

19 DETECTIVE FANCHER: Did --

20 COLE ENGELSON: -- constantly --

21 DETECTIVE FANCHER: Just --

22 COLE ENGELSON: Yeah.

23 DETECTIVE FANCHER: -- is one of those like it's in the  
24 house. It's just always something causing -- just -- just causing issues,  
25 one thing after another. Just -- and every house has got them. What

295

1 about her? Did she ever -- was she -- and -- and she was -- if she was  
2 a difficult kid, I get it. And doesn't have --

3 COLE ENGELSON: No. She --

4 DETECTIVE FANCHER: This has no --

5 COLE ENGELSON: She had her -- her moments --

6 DETECTIVE FANCHER: -- significance on it.

7 COLE ENGELSON: -- you know. She could be difficult at  
8 times, especially when -- I guess from what her mother told her, like the  
9 father would just give them whatever just to shut them up, you know.  
10 So I think that's why they're going to have that spoiled routine. But she  
11 was getting a lot better. She started doing as she was told.

12 DETECTIVE FANCHER: Uh-huh.

13 COLE ENGELSON: Except for like with her mom so --  
14 she know she can whine to death with her mom, then her mom just give  
15 it the way.

16 DETECTIVE FANCHER: What did -- so just like any --  
17 was she three?

18 COLE ENGELSON: Yeah.

19 DETECTIVE FANCHER: Just like any three-year-old  
20 thing, sometimes they're disobedient. What was her like responses?  
21 What would -- when -- when you would have to discipline her, spanking  
22 or not spanking, what would she have -- what would usually cause that  
23 Like to the point where she -- it'd get to the spanking part? Actually, I  
24 want ask you is that what would she do that would -- obviously being  
25 disobedient.

1 COLE ENGELSON: The last time I spanked her was  
2 writing on the walls.

3 DETECTIVE FANCHER: Okay. She knew.

4 COLE ENGELSON: When after she's been told not to.  
5 But, you know, my -- my discipline with her is I made her -- I'd make her  
6 sit on the wall, you know, or make her do the plank, you know, in the  
7 push-up position and hold it forever until that lactic acid would build up.  
8 That was more my punishment 'cause I -- I got her good once when her  
9 mom told me to spank her for writing on herself. 'Cause she said if you,  
10 you know, write on yourself, Big Cole is going to spank you. So I had to  
11 do it, and I did that right in front of Victoria, and it was a good one. And  
12 I'm like -- I said I'm not going to hit that girl no more. So that's why I  
13 started doing the more sitting on the wall or -- she took a golf ball and  
14 like slammed it on my kid's foot so I made her just hold the one foot out  
15 as long as she could, you know. That was more my discipline with her.

16 DETECTIVE FANCHER: What do you mean hold the foot  
17 out as long as (incomprehensible)?

18 COLE ENGELSON: Just hold it out straight. You know,  
19 just make it -- make her hold it out long as she could.

20 DETECTIVE FANCHER: And that would -- what does  
21 that -- that wouldn't -- what would that --

22 COLE ENGELSON: The lactic acid starts building up. It  
23 starts burning, you know.

24 DETECTIVE FANCHER: Really.

25 COLE ENGELSON: Uh-huh.

1 DETECTIVE FANCHER: How long have you -- how long  
2 would you have to hold your leg up for that to happen -- actually  
3 happen?

4 COLE ENGELSON: A minute or two. It ain't that long.

5 DETECTIVE FANCHER: And so it starts burning, and  
6 then she's --

7 COLE ENGELSON: Yeah.

8 DETECTIVE FANCHER: -- obviously in pain at that point.  
9 Have you ever been to the gym and you do --

10 COLE ENGELSON: Yeah. That's what -- pretty much  
11 (incomprehensible) I -- when we were -- when I was in seventh grade  
12 there was a math teacher, and every time he caught somebody running  
13 he made them sit on the wall. Caught me running once. I had to do  
14 that shit. Hated it. So I just adapted from there.

15 DETECTIVE FANCHER: Invisible chairs I think what  
16 they're called. I know they burn your legs. What -- what do you think --  
17 what do you think should happen to somebody who, you know, beats a  
18 kid to death, basically? What do think would -- should happen to  
19 somebody like that? I'm asking you personally.

20 COLE ENGELSON: I -- I don't -- I don't know. This -- it's  
21 so fucking terrible. But I don't know how to -- there's no coming back  
22 from it. You know, I can't tell her mom I'm sorry, you know. I don't --  
23 fuck it. I -- I ruined people's lives. I don't know. I don't know what the  
24 punishment should be over a fucking mistake.

25 DETECTIVE FANCHER: Would you say -- is it your

1 girlfriend? What'd you say she -- I mean is -- would she be -- is this  
2 going to blow her mind, or is this somebody where she goes he had a  
3 problem?

4 COLE ENGELSON: No. I don't --

5 DETECTIVE FANCHER: You don't know.

6 COLE ENGELSON: I don't know. I could -- I could only  
7 imagine like -- she loved that little girl, you know, and then some. That  
8 was her baby, you know. So I don't know how she's going to take it,  
9 you know. She got to -- I think she would know that -- that alcohol had  
10 all -- all that. 'Cause that wouldn't happen sober. It would never  
11 happen sober.

12 DETECTIVE FANCHER: Do you remember calling her?  
13 Do you remember calling -- actually, I think you said earlier you do  
14 remember calling her on the phone. You remember what you said?

15 COLE ENGELSON: I don't. I think --

16 DETECTIVE FANCHER: Was --

17 COLE ENGELSON: -- it was something like she's limp, or  
18 something like that. Then I don't know if she told me to call the  
19 paramedics or she's on her way in. I don't -- I don't really remember. It  
20 was (incomprehensible) surreal.

21 DETECTIVE FANCHER: And how long did she take to  
22 get there?

23 COLE ENGELSON: I don't know.

24 DETECTIVE FANCHER: Okay.

25 COLE ENGELSON: I don't -- I think -- I don't even know if



1 she was there before the paramedics or not. I'm not sure. I don't know  
2 who got there first. She asked me what did I do, what I did, you know,  
3 a couple times. And her kids even yelled at me, what did I do. And I  
4 couldn't answer them then. I don't know what happened. And like  
5 when I was talking to the female detective, she said there was bruising  
6 like maybe around the neck area or something like that so I thought  
7 maybe I choked her.

8 DETECTIVE FANCHER: Uh-huh.

9 COLE ENGELSON: You know, like maybe that's why she  
10 died. I didn't even know she had any of this on her.

11 DETECTIVE FANCHER: Uh-huh.

12 COLE ENGELSON: And it was such a surprise when,  
13 you know, hey, this is what happened. And it blew my fucking mind that  
14 I couldn't believe it. So I, truthfully, don't know what happened to her.

15 DETECTIVE FANCHER: She -- she said that she had  
16 bruises on her neck?

17 COLE ENGELSON: Like she said somewhere around the  
18 neck area --

19 DETECTIVE FANCHER: Oh.

20 COLE ENGELSON: -- or something.

21 DETECTIVE FANCHER: And then that's -- you were --  
22 that -- and that's when you thought of --

23 COLE ENGELSON: I thought maybe --

24 DETECTIVE FANCHER: -- possible --

25 COLE ENGELSON: Yeah. That -- that's what -- I didn't

1 know she was beaten to death, you know.

2 DETECTIVE FANCHER: Right.

3 COLE ENGELSON: I -- I knew she passed away. I

4 thought maybe -- maybe she got choked.

5 DETECTIVE FANCHER: Uh-huh.

6 COLE ENGELSON: Maybe I choked her. I -- I had no

7 clue.

8 DETECTIVE FANCHER: And so do you remember

9 disciplining her at all in this area? Like you might have disciplined her

10 and things got out of hand?

11 COLE ENGELSON: I don't remember her doing anything

12 to get me upset.

13 DETECTIVE FANCHER: What was that last thing you

14 remember her doing?

15 COLE ENGELSON: The shower was the last thing I

16 remember.

17 DETECTIVE FANCHER: And she was -- said you were --

18 she was fighting you?

19 COLE ENGELSON: Well, yeah. Like she

20 (incomprehensible) her face getting wet so she -- trying to run out of the

21 shower, and she'd slip and falling all over the place. Same thing with

22 cold water. And it was too hot, then I moved it down too cold, and she's

23 trying to run out of there and slipping all over the place. That's -- that's

24 pretty much all I remember. You know, I -- I told them that I think I put

25 her in the bed, then woke up later. I don't know if that's true or not. I

1 don't know if I did go to bed. I don't know if that's just something I  
2 dreamt up or --

3 DETECTIVE FANCHER: Well, you describe how she fell  
4 and everything, and so I'm going to stay on that track 'cause that's how  
5 get your memory back. She fell, you said how -- and you -- do you  
6 remember -- how did she fall again?

7 COLE ENGELSON: Oh, your feet kind of went out from  
8 underneath her, and she kind of hit the side of where the door -- you  
9 know, that little raised area.

10 DETECTIVE FANCHER: Uh-huh.

11 COLE ENGELSON: So she kind of hit that way.

12 DETECTIVE FANCHER: With her -- what part of her  
13 body?

14 COLE ENGELSON: Her side. Maybe her back ribs area.

15 DETECTIVE FANCHER: Uh-huh.

16 COLE ENGELSON: And --

17 DETECTIVE FANCHER: Feets (verbatim) went forward?

18 COLE ENGELSON: I think underneath them. Yeah. And  
19 the other time she kind of like slammed her side into the -- just the  
20 backside of the shower --

21 DETECTIVE FANCHER: Uh-huh.

22 COLE ENGELSON: -- or the door, then the other side,  
23 slipping as well. But I don't think that did any of that.

24 DETECTIVE FANCHER: No. But like you were at that  
25 point obviously -- I mean you were trying to keep her in the shower to --

1 to -- to get clean?

2 COLE ENGELSON: Yeah. Yeah. And like she wasn't  
3 even done with her hair yet, I don't believe. Then one time, you know,  
4 put my hand on her head to keep her in there; and the other time just  
5 kind of pushed her back with my foot, you know. I didn't kick her or  
6 anything. Just kind of --

7 DETECTIVE FANCHER: You said her arms were flailing  
8 around?

9 COLE ENGELSON: Everything was flailing.

10 DETECTIVE FANCHER: Did she have any mental  
11 disorders or anything like that?

12 COLE ENGELSON: No.

13 DETECTIVE FANCHER: She's not developmentally  
14 delayed at all or anything like that? Normal functioning?

15 COLE ENGELSON: She was just bright. She was a  
16 bright kid.

17 DETECTIVE FANCHER: How's her -- her and her  
18 mother's relationship?

19 COLE ENGELSON: Fine. Decent at least. Like I said,  
20 she runs all over her mom.

21 DETECTIVE FANCHER: You think her mom's capable of  
22 doing this?

23 COLE ENGELSON: Couldn't be 'cause she half-ass  
24 spansks her when she's in trouble.

25 DETECTIVE FANCHER: And nobody -- nobody else

1 disciplines her?

2 COLE ENGELSON: No.

3 DETECTIVE FANCHER: Okay. Wonder if this happened  
4 in the shower? There's a bunch of bruises on -- and you say -- what --  
5 what area did you lose your memory at?

6 COLE ENGELSON: It was pretty much right around that  
7 shower area. I don't remember much after that.

8 DETECTIVE FANCHER: What time of day was that  
9 roughly? Give it to us on the hour.

10 COLE ENGELSON: I think it was earlyish like 1:30, two  
11 o'clock. Somewhere in that -- somewhere around there.

12 DETECTIVE FANCHER: Is that you guys' normally day --  
13 daily routine type thing?

14 COLE ENGELSON: No. She fell out of that chair so she  
15 was dirty. So I just gave her a shower real quick. So it's not really a  
16 routine to it.

17 DETECTIVE FANCHER: What chair are we talking  
18 about?

19 COLE ENGELSON: It was outside, smoking patio.

20 DETECTIVE FANCHER: Uh-huh.

21 COLE ENGELSON: There's a green fold-up chairs for  
22 camping.

23 DETECTIVE FANCHER: Uh-huh.

24 COLE ENGELSON: And that's where she climbed up and  
25 sit on, but it was hanging off the sidewalk a little bit --

304

1 DETECTIVE FANCHER: Uh-huh.

2 COLE ENGELSON: -- so it went back. Like  
3 somersaulted out of it.

4 DETECTIVE FANCHER: She didn't lose consciousness  
5 or anything like that?

6 COLE ENGELSON: I don't believe so.

7 DETECTIVE FANCHER: Okay. And so -- then you  
8 brought her in for a shower, and then that happened to one -- one or  
9 two o'clock. What shower was she in?

10 COLE ENGELSON: The downstairs master.

11 DETECTIVE FANCHER: The downstairs in the bath --  
12 bathroom?

13 COLE ENGELSON: Yes.

14 DETECTIVE FANCHER: Or the bathtub.

15 COLE ENGELSON: The master. No. It's --

16 DETECTIVE FANCHER: Oh.

17 COLE ENGELSON: -- in the master bedroom. It's a  
18 stand-up --

19 DETECTIVE FANCHER: Okay.

20 COLE ENGELSON: -- little cube shower. It's not that big  
21 at all.

22 DETECTIVE FANCHER: Is that where she usually takes  
23 showers?

24 COLE ENGELSON: She prefers baths. And we call it her  
25 bathroom, the downstairs one. I don't ever use that. Usually, I'll give

1 her a shower upstairs or downstairs. Just depends where we're at.

2 DETECTIVE FANCHER: Where does she normally

3 sleep?

4 COLE ENGELSON: Upstairs, and she has her -- her

5 room.

6 DETECTIVE FANCHER: She sleeps in her bed?

7 COLE ENGELSON: Yeah. And her sister has been in

8 town for this week so there's two different beds in there.

9 DETECTIVE FANCHER: Where was she sleeping today

10 when --

11 COLE ENGELSON: That was downstairs.

12 DETECTIVE FANCHER: And when she was --

13 COLE ENGELSON: When -- when she takes naps, she

14 takes naps in my bed.

15 DETECTIVE FANCHER: Okay.

16 COLE ENGELSON: 'Cause they're supposed to take

17 naps together.

18 DETECTIVE FANCHER: Okay. How -- how long have

19 you been with your girlfriend?

20 COLE ENGELSON: Since like September.

21 DETECTIVE FANCHER: Okay. All right. What is that?

22 So that's almost a year?

23 COLE ENGELSON: Almost. Yeah. And we like dated

24 previous like before all the kids like 12 years ago.

25 DETECTIVE FANCHER: But I mean you -- so you -- you

1 basically know the kids for about -- a little -- about almost a year?

2 COLE ENGELSON: Yeah.

3 DETECTIVE FANCHER: And are you close with them? I

4 don't think you are that -- that close with them, are you? You don't

5 seem like it, close to them and --

6 COLE ENGELSON: I'm close with her.

7 DETECTIVE FANCHER: You were?

8 COLE ENGELSON: Yeah. Like her mom always called

9 her my minion 'cause we'd always do stuff together, you know. She

10 picked up a lot of my mannerisms and the words I say.

11 DETECTIVE FANCHER: That wouldn't make sense.

12 This wouldn't make sense with me. That would -- this wouldn't make

13 sense to me.

14 COLE ENGELSON: I don't know. Me either. Like I said,

15 I loved this girl, you know. I -- I truly loved her, you know, and this is

16 why it's so hard for me to understand what the fuck happened. 'Cause

17 there's no way my girl can get me that upset, you know. There's no

18 way.

19 DETECTIVE FANCHER: But I think she did. She did.

20 COLE ENGELSON: I know. Who would do -- it's just that

21 booze. I know, 'cause sober, there's no way. You know, that's what I

22 mean. There's no way. So it's only the alcohol, and -- and it just ruined

23 my life. It just -- it officially just ruined my life, you know.

24 (Incomprehensible.) It ain't no coming back from this, you know. I --

25 fucking mom probably wants me dead too now, you know. Who



1 knows? And my son's going to be missing out. Everybody's hurting  
2 over this. Never would have happened sober.

3 DETECTIVE FANCHER: Booze is a nasty substance.

4 COLE ENGELSON: It's the devil.

5 DETECTIVE FANCHER: Yes. Well -- do you cut  
6 firewood?

7 COLE ENGELSON: Do I cut firewood?

8 DETECTIVE FANCHER: There's a lot firewood in the  
9 backyard.

10 COLE ENGELSON: Oh, my grandma got a tree --

11 DETECTIVE FANCHER: Okay.

12 COLE ENGELSON: -- cut down so we brought it back.

13 DETECTIVE FANCHER: Do you guys -- have you used  
14 your fireplace much?

15 COLE ENGELSON: No. Haven't even fired it up yet.

16 DETECTIVE FANCHER: The only thing I ask is 'cause I  
17 was trying to figure out what, you know, the poker, whatever, what the  
18 hell that is. What the hell is that? Hmm. Well -- let's go -- like what are  
19 you feeling right now? How do you feel?

20 COLE ENGELSON: I don't even --

21 DETECTIVE FANCHER: Are you in shock? Are you --

22 COLE ENGELSON: (Incomprehensible) I don't know  
23 what's going to happen to me. I don't -- I don't -- I don't know. You  
24 know, and -- and the fact that somebody I care for so much is gone  
25 because of my hands, literally my hands. I don't know. I don't even

1 know what I'd say to her mom. I don't know anything anymore.

2 DETECTIVE FANCHER: Well, let me ask you this. What  
3 do you think happened? I'm not asking you to know anything. I'm  
4 asking you what you -- what do you think happened? You have an  
5 internal compass inside you. I'm going to ask you to listen to it. What  
6 do you think happened?

7 COLE ENGELSON: I think maybe she might have woke  
8 me up from a nap and maybe she was doing something wrong. But --

9 DETECTIVE FANCHER: And then?

10 COLE ENGELSON: And must --

11 DETECTIVE FANCHER: (Incomprehensible.)

12 COLE ENGELSON: -- have pissed me off. She must  
13 have --

14 DETECTIVE FANCHER: You can say that.

15 COLE ENGELSON: And must have did something wrong  
16 where to bring all this out. I don't know what could have been done, or  
17 if I was really that cranky, or just still drunk. I don't know.

18 DETECTIVE FANCHER: You -- you said literally with  
19 hands. So do you feel -- do you feel internally that -- that -- that you  
20 probably used your hands?

21 COLE ENGELSON: I would -- I don't -- like I said, I've  
22 never used a weapon. But at this point, you know, I would never do  
23 this, period. So maybe I did grab something. I don't know. But I'm  
24 saying literally my hands 'cause I did something to this  
25 (incomprehensible). I'm the one who did this.

1 DETECTIVE FANCHER: So what did you grab? What do  
2 you remember grabbing? Or what could you have grabbed by the bed?

3 COLE ENGELSON: I don't think there's anything over  
4 there.

5 DETECTIVE FANCHER: Well, I -- I need to find it. I need  
6 to find it. What is -- what did the -- what caused this? What item?  
7 What by your bed? Somewhere with you, and you were upset and  
8 grabbed. What caused it? What caused it?

9 COLE ENGELSON: Well, I don't know any -- any  
10 (incomprehensible).

11 DETECTIVE FANCHER: What caused this? You -- I  
12 think you do know what caused this. I need you to tell me. What --  
13 what did -- what? You're not going to be at peace until you tell me.  
14 You're not going to be at peace with this. You said you're this close to  
15 this girl, and she dead.

16 COLE ENGELSON: Yeah. I'm not going to be --

17 DETECTIVE FANCHER: What --

18 COLE ENGELSON: -- at peace ever.

19 DETECTIVE FANCHER: What caused this? What is by  
20 your bed? What did you use? What caused this?

21 COLE ENGELSON: Like I don't remember striking her,  
22 period (incomprehensible).

23 DETECTIVE FANCHER: I'm not asking if you remember.  
24 I'm asking you what caused this. What caused this?

25 COLE ENGELSON: I don't know.

1 DETECTIVE FANCHER: I'm not asking you to  
2 remember. I need to know what caused this.

3 COLE ENGELSON: I'd have to see the surroundings. I --  
4 'cause I don't know what's by that bed. I don't know anything like that  
5 'cause use not my items.

6 DETECTIVE FANCHER: But you know -- I -- I know you -  
7 - you know. You know. And I think you're scared to tell me. And --

8 COLE ENGELSON: I --

9 DETECTIVE FANCHER: -- look -- look at this. I don't  
10 blame you. I don't blame you.

11 COLE ENGELSON: I don't know what's on the nightstand  
12 next to it.

13 DETECTIVE FANCHER: What is it?

14 COLE ENGELSON: I don't remember anything remotely  
15 hard being on that bookstand. I don't know -- not a bookstand, but a  
16 nightstand.

17 DETECTIVE FANCHER: The nightstand. And what's on  
18 the nightstand?

19 COLE ENGELSON: I thought it was just like books. I  
20 don't remember anything else. Like a charger, and that's about it.

21 DETECTIVE FANCHER: Keep thinking. Anything  
22 around, anything on the nightstand, anything on there. What else is on  
23 the nightstand? Stuff that's consistent with this stuff.

24 COLE ENGELSON: I don't know these shapes.

25 DETECTIVE FANCHER: Yeah. These shapes are

1 something hard. What do you have --

2 COLE ENGELSON: (Incomprehensible.)

3 DETECTIVE FANCHER: -- on your nightstand?

4 COLE ENGELSON: Could be like dresser knobs or  
5 anything like maybe.

6 DETECTIVE FANCHER: Dresser knobs? Do you think  
7 that's what --

8 COLE ENGELSON: I don't know. That's a weird angle.

9 DETECTIVE FANCHER: So she would have been  
10 shoved or pushed into the dresser knob or --

11 COLE ENGELSON: I don't know. I'm just trying to think  
12 of what's hard enough to cause that. I don't think -- I don't think I would  
13 hit her or anything. It's such a weird shape.

14 DETECTIVE FANCHER: So you think -- what do you  
15 think? I don't want you to guess. I need you to -- I believe you know. I  
16 -- I believe you know. A hundred percent I know you know. What --  
17 what did any of this? Give me something. Something. The cup,  
18 whether it was a phone charger, cord, whatever it is. I don't want you to  
19 throw stuff out there. I want you to just be straight up with me. I just  
20 want you to own it. You've -- you've been really good at owning shit  
21 (incomprehensible). You've been really good at owning shit.

22 COLE ENGELSON: I promise you I don't remember none  
23 of this.

24 DETECTIVE FANCHER: But something. You remember  
25 something. You cannot just black out like that completely right when

1 things start getting bad. You -- you couldn't have blacked out right  
2 when things got to this point.

3 COLE ENGELSON: I don't --

4 DETECTIVE FANCHER: That's not a coincidence.

5 COLE ENGELSON: I said I don't know if it happened  
6 later on and she woke me up. I don't know -- 'cause I remember going  
7 to bed so I don't think none of this happened beforehand. But --

8 DETECTIVE FANCHER: You don't forget this stuff. You  
9 don't forget this, even drunk. You don't --

10 COLE ENGELSON: But like --

11 DETECTIVE FANCHER: -- forget this shit.

12 COLE ENGELSON: But like at six whatever -- 6:50 or  
13 later on when I found her unconscious or whatever, that's when it kind  
14 of like brought me back to like realism, you know. And so I --

15 DETECTIVE FANCHER: So she could have died way  
16 before or --

17 COLE ENGELSON: She could have. She --

18 DETECTIVE FANCHER: What time do you think she  
19 would have -- could -- could have possibly died before you --

20 COLE ENGELSON: I have -- it was like -- it was a big  
21 gap.

22 DETECTIVE FANCHER: From the shower to the --

23 COLE ENGELSON: The -- you know it was like a four- or  
24 five-hour gap.

25 DETECTIVE FANCHER: Four- or five-hour gap? What

1 was going through your mind at that point?

2 COLE ENGELSON: Well, as soon as I came through and  
3 -- I -- I couldn't believe -- 'cause it was obvious to me she wasn't  
4 breathing.

5 DETECTIVE FANCHER: Uh-huh.

6 COLE ENGELSON: And -- but she (incomprehensible) --

7 DETECTIVE FANCHER: You said you couldn't believe  
8 that this shit was right here. You couldn't believe that this was  
9 (incomprehensible) --

10 COLE ENGELSON: No. I didn't know this was even  
11 happening until the detective brought it in earlier.

12 DETECTIVE FANCHER: Okay.

13 COLE ENGELSON: I just -- I couldn't believe that she  
14 wasn't breathing. Then I -- so I called her mom. You know, I should  
15 have called the paramedics first. I probably should have did CPR, but I  
16 was, you know, still drunk, still coming to. And -- I don't remember what  
17 we were talking about. Sorry.

18 DETECTIVE FANCHER: What caused this? What  
19 caused these marks? You have to -- you have to tell us what caused  
20 these marks. I think you owe it to her. You owe it to her. You owe it to  
21 every dad out there, including myself. What caused these? I need you  
22 to -- I need you to help me on these. Next to your nightstand or  
23 whatever's in the house, what looks like this? What could possibly be  
24 this? What is -- what is consistent with this? I need you to help me on  
25 this.

1 COLE ENGELSON: I don't know. Does that look like a  
2 cord to you?

3 DETECTIVE FANCHER: Could be. Is that -- it's wrapped  
4 around here. Is there -- is there a cord in your room that could be --

5 COLE ENGELSON: A charger. You know, a phone  
6 charger cord.

7 DETECTIVE FANCHER: All right. So it's possibly the  
8 phone charger. And this?

9 COLE ENGELSON: I don't know. And I don't know that,  
10 either.

11 DETECTIVE FANCHER: Okay. Where's your phone  
12 charger at?

13 COLE ENGELSON: Right by the bed.

14 DETECTIVE FANCHER: Where she sleep -- where she  
15 was sleeping?

16 COLE ENGELSON: Yeah.

17 DETECTIVE FANCHER: Okay. What do you think on  
18 these?

19 COLE ENGELSON: I don't know. Are they --

20 DETECTIVE FANCHER: I need you to try for her.

21 COLE ENGELSON: Are they deep inside? I don't --

22 DETECTIVE FANCHER: They're -- they're -- those look  
23 almost lacerations. The blood has -- has surfaced to the skin. Those  
24 are with a lot of force. So I'm -- what do you think? I need you to at  
25 least try. I mean please do at least -- at least do that.



1 COLE ENGELSON: Well, maybe the hairbrush. Maybe I

2 --

3 DETECTIVE FANCHER: All right. And so -- how -- how  
4 would you articulate the hairbrush? How would you explain the  
5 hairbrush to me? Do you have a hairbrush that -- I mean if you  
6 remember hitting her with a hairbrush, that's fine. Then we'll figure out  
7 how that happened here.

8 COLE ENGELSON: I don't remember hitting her with it,  
9 but I'm just saying. I'm trying to think of objects that are in the bathroom  
10 or in -- in my room that could --

11 DETECTIVE FANCHER: Okay. So we're here. We're  
12 looking at the left butt cheek it looks like. And you say that's a -- you  
13 say that -- the -- that your best guess on that was -- would be a  
14 hairbrush?

15 COLE ENGELSON: Maybe.

16 DETECTIVE FANCHER: But --

17 COLE ENGELSON: I don't know why -- no. It doesn't --

18 DETECTIVE FANCHER: Well, how does it -- like how  
19 would this --

20 COLE ENGELSON: -- make a (incomprehensible) like  
21 that.

22 DETECTIVE FANCHER: How -- how -- how would you  
23 get a hairbrush out of this, though? Where do you see it? Can you  
24 explain that to me? How is this a hairbrush? 'Cause I think it is a  
25 hairbrush, but I want to hear it how -- how you think it's a hairbrush.

1 COLE ENGELSON: I'm just trying to think of something I  
2 can grab that had enough handle on it --

3 DETECTIVE FANCHER: Right.

4 COLE ENGELSON: -- to actually hurt somebody.

5 DETECTIVE FANCHER: Okay.

6 COLE ENGELSON: But these are weird angles --

7 DETECTIVE FANCHER: Right.

8 COLE ENGELSON: -- with -- just go with that.

9 DETECTIVE FANCHER: How about her face? Her face  
10 you can't see very good, and actually I don't have this -- that picture.  
11 Her face looks like it might have got hit with a hairbrush. What do you -  
12 - do you remember hairbrush at all? Do you --

13 COLE ENGELSON: Uh-uh.

14 DETECTIVE FANCHER: -- remember holding the  
15 hairbrush and the girl?

16 COLE ENGELSON: I mean I don't even remember drying  
17 her off. I mean I don't remember if I brushed her hair. I don't  
18 remember any --

19 DETECTIVE FANCHER: Do you remember being mad  
20 with the -- I'm trying to figure this out.

21 COLE ENGELSON: Yeah.

22 DETECTIVE FANCHER: That's why I need your help.

23 COLE ENGELSON: No, I don't.

24 DETECTIVE FANCHER: All right. Do you remember  
25 being pissed off with the hairbrush in your hand?

1 COLE ENGELSON: I don't remember being mad at all.

2 DETECTIVE FANCHER: Okay. But you did have the  
3 hairbrush in the bathroom --

4 COLE ENGELSON: There's --

5 DETECTIVE FANCHER: -- when she was --

6 COLE ENGELSON: -- probably one in there, yeah.

7 DETECTIVE FANCHER: Okay. When were you brushing  
8 her hair?

9 COLE ENGELSON: I don't know if I did or not. I don't  
10 remember if I dried her off. I don't remember none of that.

11 DETECTIVE FANCHER: Didn't you say you dried her off  
12 earlier?

13 COLE ENGELSON: I said I don't remember if I dried her  
14 off or not. I don't know which -- if I told you or -- not Gibbs. Who was  
15 the other one? Cox.

16 DETECTIVE FANCHER: Uh-huh.

17 COLE ENGELSON: So I don't remember. Then I think  
18 he said that there was blood on the towel too.

19 DETECTIVE FANCHER: Uh-huh.

20 COLE ENGELSON: So I don't know.

21 DETECTIVE FANCHER: You actually tended to her and  
22 everything. That's why I just -- I'm trying to get you to help me, and I -- I  
23 know you can help me a little bit more than you are. And I'm going to  
24 keep working with you, though. We're going to -- I'm going to keep  
25 working with you, though. What is this? What is this? Please tell me

1 what this is.

2 COLE ENGELSON: Is that the C thing again.

3 DETECTIVE FANCHER: I don't think so. I think this  
4 might be something different. What is that? What's shaped like that?  
5 What could you have used by your bed or in the bathroom, wherever?  
6 You know, obviously you did something abruptly and really quick. What  
7 would be around the area that --

8 COLE ENGELSON: I can't even make it out really, you  
9 know.

10 DETECTIVE FANCHER: Oh -- oh, would it be? Well,  
11 that could -- do you think it could be a cord? I don't know here. All  
12 right. Let's move on to the chin. How did that -- what did that have --  
13 what that could -- where did -- how? Please tell me. I'm not giving up  
14 on you, man. I'm not going to give up on you here. I'm telling you right  
15 now.

16 COLE ENGELSON: She's had these kind of bruises  
17 before. Once from falling on the stairs, and the other time she was  
18 sitting on the toilet and maybe she slipped off and banged it on the  
19 counter.

20 DETECTIVE FANCHER: Uh-huh.

21 COLE ENGELSON: That's the only time she's ever had  
22 anything like that.

23 DETECTIVE FANCHER: You think they happened after  
24 she was unconscious and hit her face or --

25 COLE ENGELSON: Don't know.

1 DETECTIVE FANCHER: Okay. Not going to give up on  
2 you, man. I'm not going to give up on you here. All right. So let's go to  
3 your -- you said the room -- so you guys normally during the day, you  
4 guys take naps together, right?

5 COLE ENGELSON: Sometimes, yeah.

6 DETECTIVE FANCHER: Sometimes. How long naps  
7 last?

8 COLE ENGELSON: Try to do them around two hours,  
9 two to three hours.

10 DETECTIVE FANCHER: Two to three hours. Okay.

11 COLE ENGELSON: If they go too long then she'll be up  
12 all night.

13 DETECTIVE FANCHER: She sleeps about two to three  
14 hours?

15 COLE ENGELSON: Usually so.

16 DETECTIVE FANCHER: And you're usually intoxicated  
17 at that point?

18 COLE ENGELSON: No.

19 DETECTIVE FANCHER: No. All right. So if she doesn't  
20 want to go down, how does that go over?

21 COLE ENGELSON: She used to throw fits about it, but  
22 she don't no more.

23 DETECTIVE FANCHER: Okay.

24 COLE ENGELSON: (Incomprehensible.)

25 DETECTIVE FANCHER: Was she disciplined for not

1 taking naps?

2 COLE ENGELSON: No.

3 DETECTIVE FANCHER: Discipline's -- discipline's okay.

4 COLE ENGELSON: I mean my mom might have. My  
5 mom watches them when we're both away.

6 DETECTIVE FANCHER: Okay.

7 COLE ENGELSON: But --

8 DETECTIVE FANCHER: I'm particularly interested in the  
9 hairbrush. Maybe that's not the one you were talking about. Where do  
10 you think the hairbrush hit her? Remember what her body looked like.

11 COLE ENGELSON: Say it again.

12 DETECTIVE FANCHER: Where do think that hairbrush  
13 hit her?

14 COLE ENGELSON: I don't know. Just  
15 (incomprehensible).

16 DETECTIVE FANCHER: You said hairbrush. I mean -- I  
17 mean nobody brings up hairbrush unless something's there.

18 Something is there with the hairbrush. Something happened with the  
19 hairbrush. I just want to know what it is. So we're going to get it out of  
20 you. We're going to -- we're going to -- I'm not going to give up on you.

21 COLE ENGELSON: I'm just saying that's the only thing  
22 with a handle that looks like it -- you could put something on it, you  
23 know.

24 DETECTIVE FANCHER: Like what do you mean  
25 "something on it"? A hairbrush is a hairbrush unless you're --

1 COLE ENGELSON: But to do those kind of lacerations, it  
2 seemed like it would be some -- you got to have some force behind it,  
3 you know.

4 DETECTIVE FANCHER: But show me where on the  
5 lacerations that's shaped like a hairbrush, though.

6 COLE ENGELSON: It -- I don't know. I -- I just saw these  
7 ones, and I thought maybe -- I don't remember. But these are just  
8 weird angles on it so I thought maybe that one could possibly be.

9 DETECTIVE FANCHER: The back of the hairbrush or the  
10 front of the hairbrush?

11 COLE ENGELSON: Probably the back where -- not the  
12 bristles.

13 DETECTIVE FANCHER: Okay. Did you have any of her  
14 blood on you?

15 COLE ENGELSON: What's that?

16 DETECTIVE FANCHER: Did you have any of her blood  
17 on you?

18 COLE ENGELSON: I don't believe so, but I didn't check  
19 either.

20 DETECTIVE FANCHER: Did you take a shower at all  
21 too?

22 COLE ENGELSON: No.

23 DETECTIVE FANCHER: No? Did you see any blood  
24 going down the shower at all when you were giving her a shower?

25 COLE ENGELSON: I don't remember seeing anything

1 like that.

2 DETECTIVE FANCHER: Okay. Do you remember

3 seeing any blood at all?

4 COLE ENGELSON: None.

5 DETECTIVE FANCHER: You don't remember seeing any

6 blood at all?

7 COLE ENGELSON: Uh-uh.

8 DETECTIVE FANCHER: All right.

9 COLE ENGELSON: Like the female detective that

10 showed up --

11 DETECTIVE FANCHER: Uh-huh.

12 COLE ENGELSON: No. Somebody said there was blood

13 on the towel --

14 DETECTIVE FANCHER: Uh-huh.

15 COLE ENGELSON: -- and the bed. But I don't remember

16 seeing any of it. But, yeah, I don't know if the towel came after the fact

17 or if that was the towel that she dried off with. I don't -- I don't

18 remember. I don't remember turning the shower off.

19 DETECTIVE FANCHER: How'd she dry off?

20 COLE ENGELSON: I don't remember her getting out of

21 the shower is what I'm trying to say. I don't remember any of that. And

22 I'm sure she did dry off, but I'm -- like I said, when I usually dry her off I

23 put her up on the counter, and I can get her going, then I get her lotion,

24 and get her slathered down. But, obviously, I wasn't in my character

25 self so I can't --



1 DETECTIVE FANCHER: Uh-huh.

2 COLE ENGELSON: -- really tell you (incomprehensible).

3 The female detective said that you could tell there was no footprints on  
4 the counter so she wasn't up there. So I don't know if she toweled  
5 herself down. I don't know. I don't know.

6 DETECTIVE FANCHER: When she went to bed, I mean,  
7 with her hair wet. Right? I guess she was found with her hair wet.

8 COLE ENGELSON: Oh. I don't -- yeah. I don't  
9 remember.

10 DETECTIVE FANCHER: Do you remember dragging her  
11 around at all?

12 COLE ENGELSON: No. Not when I -- when I got up and  
13 just had her, I held her the whole time until --

14 DETECTIVE FANCHER: Uh-huh.

15 COLE ENGELSON: -- the paramedics came or -- I can't  
16 remember who came first.

17 DETECTIVE FANCHER: Where'd you take her? I need  
18 you to remember? And you will remember. You remember this.

19 COLE ENGELSON: I took her, I think, outside and waited  
20 for one of them to show up.

21 DETECTIVE FANCHER: Where did she -- where was  
22 she at?

23 COLE ENGELSON: She was in my arms.

24 DETECTIVE FANCHER: And you were holding her when  
25 who showed up? Who showed up?

1 COLE ENGELSON: Whether Victoria or the fire  
2 department.

3 DETECTIVE FANCHER: Okay.

4 COLE ENGELSON: I don't remember which one's first.

5 DETECTIVE FANCHER: Okay. So where did you find  
6 her initially?

7 COLE ENGELSON: I thought I found her in bed.

8 DETECTIVE FANCHER: Okay.

9 COLE ENGELSON: But that doesn't seem --

10 DETECTIVE FANCHER: No. Where did you find her?

11 COLE ENGELSON: I --

12 DETECTIVE FANCHER: Remember. You got to  
13 remember. Keep thinking. It's okay to tell me.

14 COLE ENGELSON: Yeah.

15 DETECTIVE FANCHER: It's okay. Where did you find  
16 her? Where was she at?

17 COLE ENGELSON: She was somewhere in the room.

18 DETECTIVE FANCHER: All right. Where was she at?  
19 You know where she was in the room. Where was she at? You're right  
20 there. Where was she at? You're right there. You want to tell me.  
21 And that's okay. It's okay for you to tell me stuff.

22 COLE ENGELSON: I don't know.

23 DETECTIVE FANCHER: It's okay.

24 COLE ENGELSON: I'm just trying to remember.

25 DETECTIVE FANCHER: It's not your --

1 (Audio ends abruptly.)

2 (Second recording begins.)

3 DETECTIVE FANCHER: -- trying to remember. You  
4 remember, but you're debating. You're trying not to tell me something  
5 that you -- you want to tell me.

6 COLE ENGELSON: I don't know if she was on the floor  
7 or the bed. I can't -- I just remember her laying there with half an  
8 eyeball open.

9 DETECTIVE FANCHER: Where did -- where was she  
10 when you saw that eyeball? You -- you remember her eyeball. You  
11 remember where she was. You do not see somebody's eyeball halfway  
12 open and not know where that body is.

13 COLE ENGELSON: I think it's on the floor.

14 DETECTIVE FANCHER: Okay. Why was she --

15 COLE ENGELSON: Right by the bed.

16 DETECTIVE FANCHER: Right by the bed. Okay. You  
17 see that's okay. It's okay.

18 COLE ENGELSON: Oh.

19 DETECTIVE FANCHER: You're not in trouble or  
20 anything. It's just --

21 COLE ENGELSON: No, no. Just --

22 DETECTIVE FANCHER: -- we're re-jogging your  
23 memory. Okay. What was she wearing or how was she in -- on the  
24 floor? Was -- how was she laying? You remember details. You know  
25 how she was dressed.

1 COLE ENGELSON: I don't know if she was dressed.

2 DETECTIVE FANCHER: Okay.

3 COLE ENGELSON: And I told that to the --

4 DETECTIVE FANCHER: You remember her eye being  
5 half open. You'd have to remember if she's dressed or not.

6 COLE ENGELSON: I think that -- I knew something bad  
7 was happening, and then I give a shit what she was wearing. I -- I was  
8 freaking out.

9 DETECTIVE FANCHER: Right.

10 COLE ENGELSON: You know. So I don't -- I don't  
11 remember if she had clothes on. I don't remember --

12 DETECTIVE FANCHER: Face up? Face down?

13 COLE ENGELSON: I think just on her side. I think more  
14 on her side.

15 DETECTIVE FANCHER: Okay. And how was her body  
16 laying? Was she (incomprehensible) arms out? Was she laying flat  
17 like she's sleeping? How was -- you remember the angle. It's okay to  
18 tell me. How was she laying? How was she laying? It's okay to tell  
19 me.

20 COLE ENGELSON: I think --

21 DETECTIVE FANCHER: It's okay.

22 COLE ENGELSON: -- arms to the side maybe.

23 DETECTIVE FANCHER: Arms to the side. How was her  
24 legs?

25 COLE ENGELSON: I didn't pay attention to her legs.

1 DETECTIVE FANCHER: All right.  
2 COLE ENGELSON: Like I said, I just saw that one  
3 eyeball.  
4 DETECTIVE FANCHER: All right. How cold was she?  
5 COLE ENGELSON: I don't remember temperatures. I  
6 don't --  
7 DETECTIVE FANCHER: You picked her up.  
8 COLE ENGELSON: Can't remember -- yeah. I picked  
9 her. I don't know if she -- her hair was wet or not. I don't -- it couldn't  
10 have been. You know, that's five hours beforehand.  
11 DETECTIVE FANCHER: Right. So you picked her up,  
12 right?  
13 COLE ENGELSON: Picked her up.  
14 DETECTIVE FANCHER: Then what?  
15 COLE ENGELSON: Try to make her snap out of it, come  
16 --  
17 DETECTIVE FANCHER: Right.  
18 COLE ENGELSON: -- to. You know, tapped her on the  
19 cheek a little bit too, you know.  
20 DETECTIVE FANCHER: Uh-huh.  
21 COLE ENGELSON: Come on, come on, come on. And  
22 that's when I grabbed the phone.  
23 DETECTIVE FANCHER: You said five hours later. You  
24 said that was five hours later you grabbed the phone.  
25 COLE ENGELSON: No.

1 DETECTIVE FANCHER: She was on the floor, and you  
2 said that was five hours later.

3 COLE ENGELSON: No.

4 DETECTIVE FANCHER: You --

5 COLE ENGELSON: That's when I woke after the shower.

6 DETECTIVE FANCHER: Uh-huh. Okay.

7 COLE ENGELSON: That was five hours.

8 DETECTIVE FANCHER: Okay.

9 COLE ENGELSON: You know around six -- you know --

10 DETECTIVE FANCHER: Uh-huh.

11 COLE ENGELSON: -- seven o'clock, whenever I -- I

12 made those calls. So -- yeah. And then -- so then I -- that's when I

13 made the phone call to her mom, then I called the paramedics after

14 that. And I just stood outside and waited for one to show up.

15 DETECTIVE FANCHER: All right. Let's go back to the

16 shower. I'm getting right in the details here. Okay? She's taking a

17 shower. What -- she gets in the shower. What are you doing? I need

18 you to put me there. I need you to put me right there. Details. Know

19 the -- and please just spare me the -- the -- you don't just go blank.

20 You got it. You -- you know something. You just don't go blank. That's

21 not -- that doesn't happen. So let's do this. You get in the -- in the

22 shower. She's in the shower. You already said you washing her hair or

23 something? Or what were you doing?

24 COLE ENGELSON: I leave the door open.

25 DETECTIVE FANCHER: Okay.

1 COLE ENGELSON: Then I usually have her soap herself  
2 down.

3 DETECTIVE FANCHER: Uh-huh.

4 COLE ENGELSON: But I don't know -- I don't know if she  
5 was using the loofah or --

6 DETECTIVE FANCHER: Uh-huh.

7 COLE ENGELSON: I -- I don't really remember that part.  
8 I don't remember what -- I don't even know if I washed her hair or not.

9 DETECTIVE FANCHER: Okay.

10 COLE ENGELSON: I don't remember it.

11 DETECTIVE FANCHER: You told us details about how  
12 you washed her hair.

13 COLE ENGELSON: Yeah. Like I said, when I -- when I  
14 do use it, I usually only use my fingertips --

15 DETECTIVE FANCHER: Uh-huh.

16 COLE ENGELSON: -- not my nails. But I don't  
17 remember if I did or not. I don't remember --

18 DETECTIVE FANCHER: Okay.

19 COLE ENGELSON: -- toweling her down. I don't  
20 remember none of that.

21 DETECTIVE FANCHER: You remember her falling. You  
22 forgot that part.

23 COLE ENGELSON: I --

24 DETECTIVE FANCHER: You remember her fighting.  
25 You forgot that part. Let's back up. She starts to fight. Why is she

1 fighting you?

2 COLE ENGELSON: (Incomprehensible) --

3 DETECTIVE FANCHER: Why is she turning it on?

4 COLE ENGELSON: 'Cause of the water in her face. She  
5 can't stand water in her face.

6 DETECTIVE FANCHER: Okay. So if she's doing it, she's  
7 -- what is she saying at this point?

8 COLE ENGELSON: Just mostly crying, screaming.

9 DETECTIVE FANCHER: Uh-huh.

10 COLE ENGELSON: And trying to get out of there.

11 DETECTIVE FANCHER: And what did you do?

12 COLE ENGELSON: First time, she just fell on herself.

13 You know, she -- she fell, and she got up. Then --

14 DETECTIVE FANCHER: You didn't pick her up?

15 COLE ENGELSON: Uh-uh. She picked herself up.

16 DETECTIVE FANCHER: Okay. She stands up.

17 COLE ENGELSON: I -- and then she tried to get out, and  
18 I kind of put my hand on her head.

19 DETECTIVE FANCHER: Uh-huh.

20 COLE ENGELSON: I say, "You got to finish." Then the  
21 next time I put my foot out and, you know, nudged her with my toe.

22 DETECTIVE FANCHER: Uh-huh.

23 COLE ENGELSON: Get back in there. That's the only  
24 thing I really remember about the shower.

25 DETECTIVE FANCHER: Do you have one hand or two



1 hands in there? You remember details. You'll remember if you're  
2 holding something in your hand.

3 COLE ENGELSON: If I was holding? I don't think I was  
4 holding anything.

5 DETECTIVE FANCHER: Was there the glass -- was the  
6 glass in the bathroom?

7 COLE ENGELSON: It might have been.

8 DETECTIVE FANCHER: Probably if you were drinking?

9 COLE ENGELSON: Might have been.

10 DETECTIVE FANCHER: What about the hairbrush?

11 COLE ENGELSON: It's always in the bathroom.

12 DETECTIVE FANCHER: Yeah. So then you said she  
13 fell, she gets up, you're holding her in. And what happens? At one  
14 point there's -- there's something. It doesn't just go blank.

15 COLE ENGELSON: Yeah. 'Cause I don't --

16 DETECTIVE FANCHER: You're -- you've drank way too  
17 long, way too heavy to -- to -- to hide behind that. You -- you can't hide  
18 behind that anymore. You can't. You owe it. You owe it to this -- you  
19 owe it to this -- this girl, and you owe it to me, and as a father, you owe  
20 it to every father out there. Please don't hide behind that.

21 COLE ENGELSON: I'm --

22 DETECTIVE FANCHER: You're better than that.

23 COLE ENGELSON: I'm --

24 DETECTIVE FANCHER: You've owned shit so far.

25 You've been owning everything. You've been great. And I don't want

1 to see you sit here and go I can't remember 'cause you don't -- you  
2 don't want to remember. You telling us I do it, but -- I done it. You're  
3 saying I did it, but I don't want to tell you how. And that's not good.

4 COLE ENGELSON: If I knew the details, I would have  
5 told you guys a long time ago. I honestly don't remember striking this  
6 girl. You know.

7 DETECTIVE FANCHER: But did you strike the girl?

8 COLE ENGELSON: I must have 'cause I was the only  
9 one there.

10 DETECTIVE FANCHER: Do you believe you struck the  
11 girl?

12 COLE ENGELSON: I do 'cause I don't -- nobody else  
13 was there. And nobody's going to break in and just do it. I was the only  
14 one there.

15 DETECTIVE FANCHER: Do you -- do your pants feel  
16 weird? Does anything in your body says I could have hit this person?

17 COLE ENGELSON: Well, my toe is the only thing.

18 DETECTIVE FANCHER: Okay. Is your toe bruised right  
19 there?

20 COLE ENGELSON: Yeah, it is.

21 DETECTIVE FANCHER: Okay. Do you think that -- what  
22 did -- you said you kicked something at the -- at one point. Could it  
23 have been her?

24 COLE ENGELSON: I don't think so. But anything is  
25 possible. But, you know, it looks more like a stub -- just stubbed it on

1 something. I don't know. But -- well, my hands are -- are fine. Nothing  
2 feels like swollen or anything.

3 DETECTIVE FANCHER: Are you trying to remember or  
4 you don't want to remember?

5 COLE ENGELSON: I would like to know the details. I  
6 would like to know what happened. I would. And I would love to tell  
7 you. And I want her mom to be -- know all the details too. I just don't  
8 know. I'm telling you I drank pretty hard, you know, and I haven't been  
9 drinking, you know, like I did for the last couple years, you know. I only  
10 go on little runs. I don't have that tolerance no more, but I still drink like  
11 I do.

12 DETECTIVE FANCHER: But you don't black out like that.

13 COLE ENGELSON: I black out all the time. I wake up in  
14 weird parking lots, you know. I --

15 DETECTIVE FANCHER: Instant -- instantly.

16 COLE ENGELSON: What's that?

17 DETECTIVE FANCHER: You black out instantly like  
18 that?

19 COLE ENGELSON: I don't --

20 DETECTIVE FANCHER: You just lose memory, just  
21 boom. 'Cause that's what -- that's what we have here. That's what we  
22 have. And you understand why I'm frustrated at this point.

23 COLE ENGELSON: Yeah. Like -- just like not too long  
24 ago I woke up in a parking lot at a 7-Eleven like three hours after I left  
25 the bar. I was just there in a parking lot. I think I was trying to make the

1 drive back Pahrump, but I stayed in town. And there's -- I lost my car  
2 once 'cause I was drunk. Went in a place, woke up, couldn't remember  
3 how I got there, if I even had my car. And there's been -- there's a lot of  
4 stories with me drinking. And I -- I do black out. Like I -- I go hard. You  
5 can ask any of them, and they'll tell you.

6 DETECTIVE FANCHER: Well, what you told me as far as  
7 her laying on the floor, I need you to -- to -- to give me exactly where  
8 she is. I need to go over there and I need to swab that carpet. I need  
9 you to tell me exactly where she was on that carpet. And so in -- in -- in  
10 correlation with your bed. Like if you're laying on your headboard, your  
11 head's up against the bed, how far away was her body on the ground?  
12 Guessing feet roughly. And if she was laying parallel or perpendicular  
13 to the adjacent -- whatever, to --

14 COLE ENGELSON: Maybe -- ooh. Maybe three feet  
15 from the nightstand that's right there, parallel to the bed.

16 DETECTIVE FANCHER: Parallel to the bed? Three feet  
17 from there? Was her head about -- how far was her head of -- three  
18 feet from the head -- head -- the headstand you said?

19 COLE ENGELSON: The nightstand.

20 DETECTIVE FANCHER: The nightstand? How far off  
21 away from the bed?

22 COLE ENGELSON: Say the question again.

23 DETECTIVE FANCHER: How far off the side of the bed  
24 was she? Like how far away from the bed was she?

25 COLE ENGELSON: I don't know.

1 DETECTIVE FANCHER: She's parallel, but how far  
2 away?

3 COLE ENGELSON: I would say probably three, four feet  
4 maybe.

5 DETECTIVE FANCHER: Three or four feet.

6 COLE ENGELSON: Just guessing. Like I said, when I --  
7 when I came to, it -- there was not even, you know, a concern in my  
8 mind. You know, I just -- you just snap like that. Like I said, I thought  
9 she was in bed at first, but now I think she was on the floor.

10 DETECTIVE FANCHER: What disturbs me is that  
11 whatever happened, happened in the bathroom, and then you went to  
12 bed. You just went to sleep, and you left her on the floor to die. You  
13 just fucking left her. Is that what you're telling me?

14 COLE ENGELSON: I know I just --

15 DETECTIVE FANCHER: You went to -- you went to bed.

16 COLE ENGELSON: I think we went to sleep beforehand.  
17 I don't think there was a problem after the shower. I think something  
18 happened later on. I think she woke me up later on, and I think  
19 something happened then. But I don't know times and I don't know  
20 anything --

21 DETECTIVE FANCHER: Well, if that would have  
22 happened then you would have called 911 right afterwards.

23 COLE ENGELSON: Say again. I'm sorry.

24 DETECTIVE FANCHER: Well, if you woke up and did  
25 this, then you would have gone back to sleep or you would have called

1 -- you know, whatever you did, you would have done this and then gone  
2 back to sleep.

3 COLE ENGELSON: Yeah.

4 DETECTIVE FANCHER: Either left her on the floor, gone  
5 back to sleep, woke up, eight hours later called -- or five hours later  
6 called us; and you woke up -- or if she woke you up, and you did this,  
7 and you went back to sleep; or you woke up, you did this, and then you  
8 called an ambulance or -- or you called -- what's -- your girlfriend --

9 COLE ENGELSON: Yeah.

10 DETECTIVE FANCHER: -- came afterwards.

11 COLE ENGELSON: Yeah. So I don't know what time it  
12 happened. I don't know if I just left her to die 'cause I don't -- like I said,  
13 I don't even remember striking her so --

14 DETECTIVE FANCHER: In your drunken state, I'm trying  
15 to have a hard time wrapping my mind around you just leaving her --  
16 letting her -- leaving -- in your drunkenest.

17 COLE ENGELSON: And so I don't know if she crawled  
18 out of bed. Maybe she was in bed, and then went and crawled, and  
19 died there. I don't -- I don't know. I'm pretty sure that we laid down  
20 together after the shower. I don't remember drying her off. I don't  
21 remember that so --

22 DETECTIVE FANCHER: I'm with that. I'm with that.

23 COLE ENGELSON: I believe so.

24 DETECTIVE FANCHER: And she was on the floor when  
25 you woke up.

1 COLE ENGELSON: She was.

2 DETECTIVE FANCHER: Okay. And how long were you  
3 sleeping for?

4 COLE ENGELSON: I don't know what time we finally  
5 went down, but there is -- there's a five-hour window, so in there.

6 DETECTIVE FANCHER: Do you think what happened  
7 she was dying when you guys went to bed and then -- oh, my gosh.  
8 How would she get off the bed? Something happened, and if you went  
9 -- if we're saying it's true, you went to bed with her. And then sometime  
10 during there when you woke up and found her on the floor, how'd that --

11 COLE ENGELSON: Yeah. I can't tell you. I'm just trying  
12 to make guesses.

13 DETECTIVE FANCHER: Well, I don't want you to make  
14 guesses, though. I don't want you give me answers because you want  
15 me -- to tell me what I want to hear. I do not. I want to make that clear.

16 COLE ENGELSON: No. I'm not trying to do that at all,  
17 either. I'm just trying to come up with scenarios of maybe that's what  
18 happened. But I honestly don't remember none of it. So I'm just trying  
19 to role play with you to maybe, like you said, try to jog something loose  
20 here. But --

21 DETECTIVE FANCHER: But you do remember her being  
22 on the floor.

23 COLE ENGELSON: I --

24 DETECTIVE FANCHER: You -- you were pretty confident  
25 on that one. And do -- you confident? Do you remember her sleeping

1 in the bed with you?

2 COLE ENGELSON: Yeah. I --

3 DETECTIVE FANCHER: Okay.

4 COLE ENGELSON: I just remember laying down.

5 DETECTIVE FANCHER: Okay.

6 COLE ENGELSON: I just remember laying down. And

7 then --

8 DETECTIVE FANCHER: She never made it to the bed

9 then, probably.

10 COLE ENGELSON: I don't know. I don't think -- I don't

11 think this happened right after the shower. I don't -- I don't believe so. I

12 don't -- I don't know what happened. I don't know if I went right to bed.

13 I don't know.

14 DETECTIVE FANCHER: Either way, in your drunken

15 state you would have -- surely you would have called for help or you

16 wouldn't -- I don't think you're capable of doing this, and even in your

17 drunkenest state, or at least let her just lie there, I guess, you know, for

18 five hours.

19 COLE ENGELSON: Yeah. I don't know. I don't -- I don't

20 know. 'Cause it seems like -- it's a lot of damage over --

21 DETECTIVE FANCHER: It's a lot.

22 COLE ENGELSON: It could have been fast.

23 DETECTIVE FANCHER: Yeah. I think it happened -- I

24 mean do you think any of these are old?

25 COLE ENGELSON: No. I think that's all -- all new stuff.



1 DETECTIVE FANCHER: This is all new? Okay. And so I  
2 need you to really think hard. I want you to tell me and guess what did  
3 this. Discipline her, that's fine. Did -- does he use his telephone cord,  
4 whatever, that's fine. I just need to know. What is this? What is it? Is  
5 it a telephone cord? Is it a telephone charger?

6 COLE ENGELSON: That'd be the only thing that's around  
7 there.

8 DETECTIVE FANCHER: It's a phone -- did you hit her --  
9 this is the phone charger. Is this the phone charger?

10 COLE ENGELSON: I don't know.

11 DETECTIVE FANCHER: It's -- you won't -- you -- you like  
12 -- you're -- you're refraining from telling me.

13 COLE ENGELSON: I'm saying that's the only thing that's  
14 by the bed that I can think of that would make a laceration like that.  
15 You know maybe it's the cord.

16 DETECTIVE FANCHER: Then what the hell are these?  
17 What is by your bed? What is it that you have that would do that?

18 COLE ENGELSON: Do you think it's all one piece or you  
19 think --

20 DETECTIVE FANCHER: I don't know.

21 COLE ENGELSON: -- it's different?

22 DETECTIVE FANCHER: What do you think? What do  
23 you think these are?

24 COLE ENGELSON: I don't know. Maybe -- maybe it's a  
25 fist. I don't know. Maybe I punched her. I don't know. Is this life size?

1 I don't (incomprehensible).

2 DETECTIVE FANCHER: No. It's not life size.

3 COLE ENGELSON: Then maybe two knuckles and the  
4 thumb.

5 DETECTIVE FANCHER: Do you have any paddles that  
6 you use with her? Discipline with?

7 COLE ENGELSON: Uh-uh. No.

8 DETECTIVE FANCHER: What do you use for -- as a -- in  
9 place of paddle or whatever?

10 COLE ENGELSON: I only use my hand.

11 DETECTIVE FANCHER: Well, she's got -- somebody told  
12 me that she's got a paddle mark or whatever, unless it was the  
13 hairbrush.

14 COLE ENGELSON: Yeah. Unless --

15 DETECTIVE FANCHER: Was it a hairbrush?

16 COLE ENGELSON: Has to be the only thing that would  
17 be used as a paddle.

18 DETECTIVE FANCHER: Right.

19 COLE ENGELSON: There's nothing else.

20 DETECTIVE FANCHER: Okay. What's the -- does the  
21 hairbrush have any distinct shapes or anything like that that would --

22 COLE ENGELSON: I just remember it being rectangle or  
23 --

24 DETECTIVE FANCHER: Huh?

25 COLE ENGELSON: Just rectangular.

1 DETECTIVE FANCHER: Rectangular?  
2 COLE ENGELSON: Regular girl's brush.  
3 DETECTIVE FANCHER: Do you think if we put it up  
4 against -- I mean is it -- do you think if we did the comparison, would it  
5 match you think?  
6 COLE ENGELSON: No. Because these lines being so  
7 weird, I don't think --  
8 DETECTIVE FANCHER: None of these, either? What  
9 about on the side of the head?  
10 COLE ENGELSON: The -- the chin?  
11 DETECTIVE FANCHER: Whatever -- no. Something --  
12 anywhere else. Where -- where else would you have --  
13 COLE ENGELSON: Oh, the brush?  
14 DETECTIVE FANCHER: Uh-huh.  
15 COLE ENGELSON: Where would I had hit her with it?  
16 DETECTIVE FANCHER: Yeah.  
17 COLE ENGELSON: I don't know. I -- I would -- I would  
18 never use a brush, period. So this isn't (incomprehensible) . You're  
19 asking questions like -- like regular, you know. Like it -  
20 (incomprehensible).  
21 DETECTIVE FANCHER: This is --  
22 COLE ENGELSON: So extreme.  
23 DETECTIVE FANCHER: It is extreme, yes.  
24 COLE ENGELSON: Far -- farsighted what I would ever  
25 do, you know. And then -- 'cause I'm not that kind of guy.

1 DETECTIVE FANCHER: I agree with you a hundred  
2 percent.

3 COLE ENGELSON: And so this is all just --

4 DETECTIVE FANCHER: I agree with you a hundred --

5 COLE ENGELSON: -- really shitty to me, and  
6 (incomprehensible), and I've -- I don't know. And now I'm just trying --

7 DETECTIVE FANCHER: I don't want you to just try giving  
8 me answers. I don't want you to do that. I just want to see you -- I just  
9 want to see you try to -- to fix this.

10 COLE ENGELSON: I don't remember her crying in pain.  
11 I don't remember anything like that. I don't -- I don't remember striking  
12 her. I don't remember none of it. Like I said, I -- when I found her that  
13 way, I -- I didn't really think I -- I was the cause. 'Cause I don't  
14 remember seeing, you know, even her chin. I don't remember it being  
15 bruised. I just kind of just remember the -- the dead look.

16 DETECTIVE FANCHER: The what?

17 COLE ENGELSON: The dead look in her eye. You  
18 know, the half eye open, so I know she wasn't sleeping.

19 DETECTIVE FANCHER: I'm going to go see where my  
20 boss is. Hold on. I'll be right back.

21 (Detective Fancher leaves the interview room.)

22 (Detective Fancher enters the interview room.)

23 DETECTIVE FANCHER: All right. I'm getting them to  
24 come up and pick you up unless you have -- unless anything --

25 COLE ENGELSON: That's all I have for you. I wish there

1 was more.

2 DETECTIVE FANCHER: So do I, man. I really do. Like I  
3 really, really, really do. Maybe -- and memories come back. And I -- I  
4 used to drink 'til I would -- I mean maybe not as instantly as you are, but  
5 yeah, things start to come back. They do. And when they do, let them  
6 know. You know, give me a call.

7 COLE ENGELSON: Okay.

8 DETECTIVE FANCHER: Detective Fancher. All right.  
9 We'll push a button. Hey, tell Detective Fancher to come down here.  
10 I'll come down here, and I'll listen to what you have say. Anything. You  
11 have me come down here, I'll -- I'll listen.

12 COLE ENGELSON: Will do.

13 DETECTIVE FANCHER: Here's your ride.

14 UNKNOWN OFFICER: Thanks.

15 DETECTIVE FANCHER: No problem, brother.

16 (Incomprehensible statements due to difficult audio.)

17 DETECTIVE COX: Hang on a second,  
18 (incomprehensible). Now, who (incomprehensible). Oh. I got to give  
19 you these papers. All right. And these are your copies. I just need  
20 you to put (incomprehensible).

21 UNKNOWN OFFICER: (Incomprehensible), can you  
22 chain him real quick?

23 (Incomprehensible statements due to difficult audio.)

24 UNKNOWN OFFICER: There you go.

25 COLE ENGELSON: Do you need these back or --

1 DETECTIVE COX: Those are your copies.

2 COLE ENGELSON: Oh, okay.

3 (Incomprehensible statements due to difficult audio.)

4 (Mr. Engelson is escorted from the interview room.)

5 DETECTIVE COX: All right. Time is approximately 0925  
6 hours, and it's going to stop the recording.

7

8

9 I certify that the foregoing is a true and accurate transcript of the  
10 electronic audio recording with a length of 03:22:54 and 00:26:19 from  
11 the interview in the above-entitled matter.

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14 Vickie Bauer, Transcriptionist 07/21/17

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NYE COUNTY DISTRICT ATTORNEY  
P.O. BOX 39  
PAHRUMP, NEVADA 89041  
(775) 751-7080

**EXHIBIT 5**

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**EXHIBIT 5**

**SUPPLEMENTAL NARRATIVE:**

**Name:** Boruchowitz D E

**Date:** 14:52:18 07/18/17

**INCIDENT DETAILS:**

17NY-1964, D. Boruchowitz, #72816, 07/15/2017, Homicide supplement, 5320 E. Manse Road, Pahrump, Nevada 89048

**VICTIM(S):**

Yessenia Camp (dob 01/06/2014) deceased

**OTHER PERSON(S) INVOLVED:**

#1, Mother of deceased, Victoria Schlick, 02/08/1985, white, female, 5'09, 150, blonde, blue, 5320 Manse Road, Pahrump, Nevada 89048, 702-502-7799, NV 1601320951  
#2, Father of deceased, Yancey Camp, 03/14/1970, white, male, 5'10, 200, blonde, hazel, 6383 Antelope Ct, Las Vegas, Nevada 89142, 702-381-8287, NV 1602452640  
#3, Biological brother of deceased, Dwight Camp, 09/20/2008, white, male, 6383 Antelope Ct, Las Vegas, Nevada 89142, 702-381-8287  
#4, Half sister of deceased, Nicole Robinson, 10/02/2002, white, female, 4621 Mark Avenue, Las Vegas, Nevada 89108  
#5, Father of Nicole Robinson, Tyrel Robinson, 07/25/1983, white, male, 5'11, 180, 4621 Mark Avenue, Las Vegas, Nevada 89108, 702-672-2583, NV 2000524785  
#6, Friend that takes Dwight, Steve Kafton, 702-480-5273, Unknown further  
#7, Kid Fixers Pediatrics, 10105 Banbury Cross Dr, #170, Las Vegas, Nevada 89144, 702-765-5437, FAX 702-240-7268

**OFFICER(S) INVOLVED:**

NCSO Deputy Teter  
NCSO Deputy Powell  
Detective Fernandes  
Lieutenant Eisenloffel  
Detective Cox  
Detective Sehnert  
Detective Gibbs  
Detective Fancher  
Sergeant Fowles  
Dispatcher Markwell

**OUTSIDE AGENCY(IES) INVOLVED**

Pahrump Valley Fire and Rescue  
Division of Child and Family Services

**PROPERTY/EVIDENCE:**

#69553, DVD of recordings and Photographs

**NARRATIVE:**

On 07/15/2017 at NCSO Dispatch received a frantic 911 call from 5320 E. Manse Road.

I was dispatched to assist NCSO Deputy Powell and Deputy Teter at Desert View Hospital for a deceased 3 year old. Upon my arrival I met with NCSO Deputy Powell who was in the parking lot with Schlick and he directed me inside where the deceased was with Deputy Teter.

A copy of this report was provided to the Clark County Coroner's Office to aid



in their examination and determination.

**CIRCUMSTANCES OF DEATH:**

NCSO Dispatch received a 911 call from 5320 E. Manse Road in Pahrump on 07/15/2017 at 1911 hrs. Dispatcher David Markwell was the call taker. The initial call appears to be Victoria Schlick. Schlick is hysterical begging for help. She stated she was doing compressions and said that her boyfriend hurt her. You can hear during this call that Schlick is confronting Cole Engelson and does not appear to be getting any response. See NCSO 911 call for full details.

Paramedics and Deputies responded to the scene. CPR was continued all the way to the hospital where doctors worked on the child and ultimately, she was pronounced deceased at the hospital.

**MEDICAL HISTORY:**

Based on injuries and history of this death medical history is not pertinent to this investigation.

**SCENE:**

The scene was processed by NCSO Detectives. I was present to assist, however, ultimately simply observed their processing periodically while handling administrative responsibilities via telephone.

**BODY:**

When I saw the decedent, she was face up on the hospital bed at Desert View Hospital. There were implements of medical intervention that were still present on and in the decedent.

The decedent was naked and I was advised she was discovered that way. The examination of the decedent's body revealed no signs of life. The decedent was cold to the touch. I did not detect any lividity.

An observation of the decedent's eyes showed Tache Noir present.

An examination of the body showed bruising all over the entire body. There were some very specific marks that were repeated throughout the body. She had bruises on her back, buttocks, shoulders, arms, legs. Most body parts of the decedent's body had some form of injury either bruise, cut, scrape, or disfigurement.

There was an injury to the back of the head and it appeared to be some skull disfigurement at that point, no other crepitus was noted. A further examination during the autopsy will be required to determine the extent of this injury to the skull.

Photographs were taken of the decedent and are included with this case file. The body was sent to the Clark County Coroner's Office to evaluate the injuries and document them further while performing the autopsy.

**PROPERTY:**

There is no property in question for the deceased investigation.

**FORENSIC ISSUES AND REASONS FOR SEAL:**

The decedent had a death caused by another individual.

**BODY REMOVAL:**

Det. Fernandez spoke with the Clark County Coroner's Office and advised them of

the details of the death and made arrangements for an autopsy to be conducted there.

Pahrump Family Mortuary was contacted per rotation and arrived on scene at Desert View Hospital. Deputy Teter handled the sealing of the body and turning over to the mortuary.

OTHER INVESTIGATIVE MEASURES:

On 07/15/2017 at approximately 2041 hrs I conducted a recorded interview with Victoria Schlick. This is an initial recording where I was setting up to try to interview her in my car. This recording stops while Schlick goes back to her vehicle. (See recording or transcript for full interview)

On 07/15/2017 at approximately 2043 hrs I conducted a recorded interview with Victoria Schlick. Schlick advised me she left the decedent with Engelson while she went on a date with her older daughter. She stated that she tried calling Engelson at 1845 to wake him up for work and it sounded like he had been drinking.

She stated that she had asked him if he had been drinking and he said no. She stated that she got a call 15 minutes later and Engelson said there had been an emergency and to come home. He told her something was wrong and was crying. She jumped in the car and sped all the way home. He was sitting on the porch when she arrived. She stated she ran to her room. She found the decedent laying on the bed. She shook her. She was cold. She stated she picked her up, put her on the ground and started CPR compressions. She stated that brown stuff was oozing out of her. She said she yelled at kids to dial 911. Nicole dialed 911. She said she noticed "bite mark on leg" and noticed bruises all over.

She stated paramedics took her and screamed to him "what did you do". She said he said "I don't know I don't know what I did". She said she found the decedent naked, and her hair was wet.

She said she had last seen the decedent naked Friday when she gave her a bath and at the time there was no bruising. She said she had known Engelson for 12 years but had been dating "almost a year".

She stated that she has known Engelson's an alcoholic. Over the years she had contact with him, but lost contact with him. When she regained it he told her that he was on a pill that made him sick to drink. She noticed that he would find an excuse to come off of his pill to drink.

She stated that Engelson never raised a hand to her and that they had never had "knock down drag out fight". She stated that they don't yell at each other.

She said Engelson had an up and down relationship with Dwight but that he loved the kids. She stated that when they first hung out Dwight and his son was throwing rocks and his son got hurt, so he had a grudge because of it in her opinion.

She works day shift and he works graveyard so he has the kids a lot. She stated he stays in Vegas 3 days a week. She stated he was home Friday, Saturday, Sunday and Monday and watches the kids.

She stated that the decedent had busted her chin open maybe in March and that Engelson was watching her at that point. She stated that Engelson had been drinking that day as well. His explanation for what happened was that he said he gave her a shower, and he was brushing her hair, and he told her not to move,

and he walked away, and the decedent jumped off the counter.

Prior to the chin incident maybe sometime in December or January she said the decedent had been discovered with "contusions" on her leg. She stated that she took the decedent to Dr. Lapora at "Kid Fixers" pediatric office in Las Vegas.

She said the doctor told her that the injuries were from "hard hitting beating". She blamed it on dad originally and the doctor told her to keep an eye on her and if she saw any more bruises pop up to bring the decedent back and he would call CPS.

I asked her about prior discipline with the decedent. She stated that Engelson would spank her and make her sit on the wall. She stated that he was too afraid to discipline Dwight he said Dwight would call the cops on him because he told her he had so much animosity that he doesn't know if he would stop himself if he tried to discipline Dwight. She said he told her when he told her this that it was probably going to scare her and she acknowledged this did scare her and she told him if he didn't let it go she was going to leave.

She stated the decedent would be disciplined for calling someone a bad name, or cursing (because she curses a lot so the decedent picked it up). When asked if she would normally discipline her for them she would sternly scold her. She said he scolded her as well. She stated she had not seen him ever spank Yessenia with any object.

She said sexually Engelson has not been abnormal, except that she wants sex more than he does.

We looked at the distinct marks on the body to try to identify mechanism but was unable to do so.

Schlick gave us Consent to go into the home and in fact "begged us to" go into the home to find out what happened.

I asked her if anything had happened in the last 2 days that would have made Engelson angry at the decedent more than usual. She stated that the decedent had said to him today, "give me your videos you num nut". She stated, "he's so sensitive".

She stated that Dwight had left with friend named Steve. She stated that he is an older male who has no kids and is trying to be father figure to him. She stated again that on Friday evening she had given the decedent a bath, lotioned her up and she had no bruising at that time. (See recording or transcript for full interview)

On 07/15/2017 at approximately 2106 hrs I conducted a recorded interview with Victoria Schlick and Yancey Camp. Dwight Camp also came into the middle of the interview.

During this interview we did notification to Yancey Camp about her death. He stated his only relationship with Schlick was because of their children. No history he can think of but was clearly extremely distraught. The decedent was supposed to be with him, but after July 4th Schlick wouldn't let the decedent come with him. He stated there is no court agreement and was just a friendly agreement. Dwight walked into the and offered that they only "hurt us for good reason". When asked what he meant about "hurt us" he meant "spank us" and "slapped in mouth". I asked what was good reason and he said "talked back". (See recording or transcript for full interview)

On 07/15/2017 at approximately 2129 hrs I conducted a recorded interview with Victoria Schlick and her mother. I escorted them into the hospital to say goodbye to the decedent. Very little of value was offered during this recording. (See recording or transcript for full interview)

On 07/15/2017 at 2206 hrs I was present while DCFS spoke with the family. (See recording full conversation)

On 07/16/2017 at approximately 1902 hrs I conducted a recorded interview with Cole Engelson at the Nye County Sheriff's Office. This interview was conducted in the interview room and was recorded via the DVR, via audio recording, and via Taser Body camera that was magnetized to the door.

I reminded Engelson of his Miranda rights that he had been given prior and he indicated an understanding that they were still applicable.

During this interview Engelson stated that the decedent had climbed on a chair and went head over heels, but didn't think she hurt anything. He stated that then played in dirt. He said he had drinks (vodka and water) and then he gave the decedent a shower.

He stated that the decedent hates getting her face wet and "she loses it and goes nuts". He used the example of when you throw cat in the bathtub and they are all over the place. He stated that "She was falling all over the place.". He stated he didn't remember anything after the shower. He stated he couldn't remember if he dried her off, washed her hair or anything. Said, "I don't remember striking her".

He advised that he had called the paramedics but couldn't remember what was said or when.

He stated when he had looked at the pictures in a prior interview it looked like she got choked. He said he didn't remember the seeing all the marks when he got up and got the decedent. He stated that prior detectives thought he was a liar. He said the prior detective insinuated it was a glass, so he described the glass he was drinking.

He stated, that he didn't remember where he found her, and that at first I thought she was in bed, but he thought maybe he was dreaming.

He remembers picking her up and seeing half an eyeball open. He stated he went into a whirlwind slapper her face trying to get her to get up. He said he call Schlick and told her the decedent was limp. He said she said something about calling the paramedics but he couldn't remember what it was exactly. He said he walked outside and waited for someone to show up.

I asked him about his animosity with Dwight and he said that he had hit his kid with a rock before school pictures and that's what it was based on. He said that Dwight has "Just terrible sportsmanship, is a know it all that doesn't know shit." He said he didn't discipline Dwight because if he "Hit the kid I was afraid I won't stop."

I asked about prior discipline with the decedent. He stated that he had been spaking her but he had stopped that. He stated that now what he normally did was have her do "invisible chair" or planking. He said that it let the lactic acid build up and it hurt.

He stated that the decedent never liked water in her face. I asked if he gave her a bath because of that and he said no that he didn't have time for that.

Sometimes the decedent was ok with water in her face if she was warned but if you get her in the face without warning then she was not. In this instance, he said she went right at it and didn't give her a warning. He said "she tried to bail out of there."

He describes the shower as a tiny stall that he can barely fit into".

I asked him to describe exactly what did and exactly what her reaction.

Some of the statements he made in describing it are:

"she was screaming and I think maybe she run out to get a towel", "Trying to get out of there", "Shower real slippery", "Went down a few times", "Can't stand cold water", "Feet went out from underneath her", "Racked her ribs on the door frame", "

"second time she just slipped and landed back to back on the against the wall opposite the door." "Used his feet and hands to keep her from getting out" and "told her to get back in there".

He said he felt like the shower was within a half hour of Schlick leaving.

I asked him about how forceful the event was and he said, "Wasn't that bad the parts I remember, I don't know if it got amped after that".

He stated, "Don't know if she bounced off anything or slipped" and that she "Screamed the whole time".

Engelson said he had punished the decedent with cold showers as a form of discipline. He stated that usually when he did this punishment to her she cowers into a ball and complains about it. He stated this instance was different. He stated "she wanted to get out of it" this time. I asked why the difference and he said she didn't know it was coming but with the prior punishment she knew and had to actually count out her time in the cold water. (count to 5 seconds)

I asked him if the cold water was a punishment this time? And he stated, "I don't believe so".

He said he had drank a lot of vodka.

Last time he spanked her I he said he "Tagged her pretty good" and he "Wasn't going to spank her anymore after that. You could tell the slap you could hear it you know it was too much"

I Asked Engelson to demonstrate the force he used and he said doesn't remember, and says it might have been a "midget kick"

I asked him, "Why didn't you let her out?" and he stated, "She wasn't done I don't believe, I can't remember if he washed her hair."

Engelson took ownership for the death and stated that he was the only one there, and no one else could have done this to her. He was sole caregiver and it was on his watch.

This is a simple summary of the interview and the videos, audio recording and transcript should be consulted for the entire interview and the way it is told. (See recordings or transcript for full interview)

On 07/16/2017 at approximately 2001 hrs I spoke with Schlick prior to going into



the interview room. She stated that she was aware that Engelson had punished the decedent by cold water in shower in the past, and that she herself had done it once, and felt bad about it.

She also stated that there was a rope on a soap that was hanging up initially but was now on the ground of the shower.

On 07/16/2017 at approximately 2001 hrs I brought Schlick into the interview room with Engelson. I reiterated that his Miranda rights still applied while speaking to Schlick and he indicated his understanding again.

Engelson told Schlick that he lost the love of his life and "cost you your beautiful daughter."

Schlick asked "you put her in the shower and she was fighting you?" and Engelson responded with "we were going at it".

Schlick asked Engelson "Why didn't you call 911." And he stated, "because I was drunk. I didn't think of it first I thought of you first." Schlick asked him if he checked for a pulse and he said "no".

Schlick stated to him, "why her? Of all the kids why her? She was the one you loved the most". Schlick then requested the interview be done.

(See recordings or transcript for full conversation).

Det. Parra followed Schlick back to the residence to secure the soap on the rope.

I set up the interview for Nicole and Dwight at the Clark County Child Advocacy Center and advised Det. Fernandes of the appointment times so she could attend. Those interviews are scheduled for 7/18/2017.

I was advised subsequently by Yance Camp that he may have photographs of the injury to her chin from March and he would try to get me photographs.

I spoke with Schlick via telephone and she advised that they went to breakfast at the Nugget, and then to Goodwill with the entire family. She stated that then Schlick and Nicole had left around 1400 hrs on Saturday. She stated that they went to Subway for lunch, then Sonic for Ice Cream and then had a 1630 appointment at the nail salon near draftpicks that had the word "touch" in the name. She also provided vehicle descriptions for the vehicle that she drove and that he drove. These descriptions were given to Det. Fernandes.

The information I had on Steve Kafton was turned over to Det. Fernandes to follow up on.

On 07/18/2017 I contacted Kidfixers Pediatrics reference their pediatric records for the decedent. They requested that I submit the request in writing via fax. This fax was submitted to the doctor's office and records received back. They have been incorporated to this case file.

The recordings and photographs were all burned to DVD and booked into the Nye County Sheriff's Office. All interviews were submitted to be transcribed. A copy was provided to the District Attorney's Office via the shared network drive.

Video recording of interview room will be secured by the general assignment detectives.

NYE COUNTY DISTRICT ATTORNEY  
P.O. BOX 39  
PAHRUMP, NEVADA 89041  
(775) 751-7080

**EXHIBIT 6**

**EXHIBIT 6**

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1     **STATE OF NEVADA    )           DATE: 07/16/17**

2                               **) SS: PAHRUMP**

3     **COUNTY OF NYE       )           TIME: 7:02 p.m.**

4

5

6           This audio interview of COLE ENGELSON did hereby take place  
7     at the Nye County Detention Center, 1521 East Siri Lane, Pahrump,  
8     Nevada, in reference case #17NY-1964.

9

10           Person present during this interview is COLE ENGELSON.

11     Person conducting the interview is LIEUTENANT DAVID

12     BORUCHOWITZ, P#72816, of the Nye County Sheriff's Office.

13     Transcription of audio statement prepared by Amber Tubbs of Viam

14     Transcription LLC.

15

16

17           LIEUTENANT BORUCHOWITZ: It is 1903 on the 16<sup>th</sup> of  
18     July. Boruchowitz going in to talk to Cole.

19           MALE: (Incomprehensible.)

20           LIEUTENANT BORUCHOWITZ: If you want to hang in  
21     the detective's office and --

22           MALE: Okay.

23           LIEUTENANT BORUCHOWITZ: I'll get you a  
24     (incomprehensible).

25           How you doing, man?



1 COLE ENGELSON: How you doing, sir?

2 LIEUTENANT BORUCHOWITZ: It's Cole, right?

3 COLE ENGELSON: Yes, sir.

4 LIEUTENANT BORUCHOWITZ: Okay. I'm Lieutenant

5 Boruchowitz also known as David.

6 COLE ENGELSON: Okay. What would you like me to

7 call you, sir?

8 LIEUTENANT BORUCHOWITZ: You can call me David.

9 Do you want me to get you -- let me get you of those real quick.

10 COLE ENGELSON: Please.

11 LIEUTENANT BORUCHOWITZ: Hey, Greg. You want to

12 bring me a handcuff key real quick?

13 OFFICER GREG: Sure.

14 COLE ENGELSON: Why is it on (incomprehensible)?

15 OFFICER GREG: I can make them (incomprehensible).

16 LIEUTENANT BORUCHOWITZ: I can make some kind of

17 -- I'm trying to like --

18 COLE ENGELSON: I don't think so. I -- you know it was

19 intentional during the arrest, but I don't know (incomprehensible).

20 LIEUTENANT BORUCHOWITZ: Not that you --

21 COLE ENGELSON: (Incomprehensible.)

22 LIEUTENANT BORUCHOWITZ: Not that you remember?

23 Thank you.

24 (Officer Greg leaves the room.)

25 LIEUTENANT BORUCHOWITZ: Those are super

1 uncomfortable to be in. I think these are stuck in the  
2 (incomprehensible).

3 COLE ENGELSON: There you go.

4 LIEUTENANT BORUCHOWITZ: So I've never dealt with  
5 you before, which is a good thing. I'm the lieutenant here. I'm in  
6 charge of the jail; I'm in charge of Special Operations. And prior to that  
7 I was a detective for almost 11 years.

8 COLE ENGELSON: Oh.

9 LIEUTENANT BORUCHOWITZ: So -- you know what?  
10 Can I switch just your --

11 COLE ENGELSON: (Incomprehensible.)

12 LIEUTENANT BORUCHOWITZ: -- right hand? I need a -  
13 -

14 COLE ENGELSON: Not a problem.

15 LIEUTENANT BORUCHOWITZ: Right on that side there.  
16 (Incomprehensible.)

17 LIEUTENANT BORUCHOWITZ: Okay. So first of all,  
18 obviously since we don't know each other, I just want you to know I'm  
19 up front and I'm not going to bullshit you. I'm going to call it like it is.

20 COLE ENGELSON: Okay.

21 LIEUTENANT BORUCHOWITZ: And then if you haven't  
22 already heard, there is a camera on that wall. 'Cause of the nature of  
23 your crime, state law requires that if I talk to you it's on video camera.  
24 So --

25 COLE ENGELSON: That's fine.

1                   LIEUTENANT BORUCHOWITZ: -- that's what that's for.  
2       So let me just learn a little bit about you real quick before we start  
3       'cause I like to at least know something about you. I know your name's  
4       Cole, right?  
5                   COLE ENGELSON: Correct.  
6                   LIEUTENANT BORUCHOWITZ: And what's your last  
7       name?  
8                   COLE ENGELSON: Engelson, E-N-G-E-L-S-O-N.  
9                   LIEUTENANT BORUCHOWITZ: Okay. And you're how  
10      old?  
11                  COLE ENGELSON: I'm 38.  
12                  LIEUTENANT BORUCHOWITZ: Okay. And you lived in  
13      Pahrump how long?  
14                  COLE ENGELSON: Just a couple months. I moved here  
15      in May.  
16                  LIEUTENANT BORUCHOWITZ: Okay. What brought  
17      you to Pahrump?  
18                  COLE ENGELSON: We're from Vegas and my son's  
19      allergic to olive trees, and like really bad where he couldn't breathe so I  
20      needed to get him out. So --  
21                  LIEUTENANT BORUCHOWITZ: We don't --  
22                  COLE ENGELSON: -- we brought him up here.  
23                  LIEUTENANT BORUCHOWITZ: We have less olive trees  
24      here than in Vegas?  
25                  COLE ENGELSON: For sure.

1                   LIEUTENANT BORUCHOWITZ: Really.

2                   COLE ENGELSON: Yeah. He -- he breathes just fine out

3    here.

4                   LIEUTENANT BORUCHOWITZ: Is that from asthma or is

5    it --

6                   COLE ENGELSON: Yeah.

7                   LIEUTENANT BORUCHOWITZ: -- specifically just --

8                   COLE ENGELSON: He --

9                   LIEUTENANT BORUCHOWITZ: -- a allergy?

10                  COLE ENGELSON: He has asthma that's induced from

11   the olive trees and the -- we moved into an apartment, and they had his

12   big 30-foot jobbie right in front of it, and for months we couldn't figure

13   out what was wrong. Then finally, you know, after tests and tests and --

14                  LIEUTENANT BORUCHOWITZ: Never heard of such a

15   thing.

16                  COLE ENGELSON: Yeah.

17                  LIEUTENANT BORUCHOWITZ: So is it the pollen or the

18   --

19                  COLE ENGELSON: Yeah.

20                  LIEUTENANT BORUCHOWITZ: -- actual leaves?

21                  COLE ENGELSON: Pollens.

22                  LIEUTENANT BORUCHOWITZ: Wow.

23                  COLE ENGELSON: Yeah. You know how it got real

24   warm like December --

25                  LIEUTENANT BORUCHOWITZ: Right.

1 COLE ENGELSON: -- and January, and it started  
2 blooming.

3 LIEUTENANT BORUCHOWITZ: And it just went to hell  
4 from there?

5 COLE ENGELSON: Yeah. And we had to pull him out of  
6 school and --

7 LIEUTENANT BORUCHOWITZ: What do they do for  
8 that? Is he on medication or --

9 COLE ENGELSON: Breathing treatments and -- just  
10 mostly uses his nebulizers and stuff like that.

11 LIEUTENANT BORUCHOWITZ: Does that usually fix it  
12 for him?

13 COLE ENGELSON: Yeah. Yeah. Except for when we  
14 moved out here he didn't have one until just recently. I think he -- when  
15 he went to California for the day then --

16 LIEUTENANT BORUCHOWITZ: Ran into an olive trees  
17 and stuff?

18 COLE ENGELSON: He must have.

19 LIEUTENANT BORUCHOWITZ: That sucks. That's a  
20 rough allergy to have 'cause they're all over the --

21 COLE ENGELSON: Everywhere.

22 LIEUTENANT BORUCHOWITZ: -- the country.

23 COLE ENGELSON: Yeah. They're -- they're banned in  
24 Vegas now, but the ones are grandfathered in.

25 LIEUTENANT BORUCHOWITZ: They're there. Right.

1 COLE ENGELSON: Yeah.

2 LIEUTENANT BORUCHOWITZ: That sucks. And you

3 said that was your son. What's his name?

4 COLE ENGELSON: Cole, as well.

5 LIEUTENANT BORUCHOWITZ: Is it -- okay. So your

6 son is also Cole. Is he a junior?

7 COLE ENGELSON: No. We have different middle

8 names.

9 LIEUTENANT BORUCHOWITZ: Okay. Same last name

10 though, obviously.

11 COLE ENGELSON: Yes.

12 LIEUTENANT BORUCHOWITZ: And how old is he?

13 COLE ENGELSON: He's eight.

14 LIEUTENANT BORUCHOWITZ: Eight years old. Is that

15 your only kid?

16 COLE ENGELSON: It is.

17 LIEUTENANT BORUCHOWITZ: And what's the deal with

18 you and his mom?

19 COLE ENGELSON: She moved out of state like -- 'cause

20 we ended up separating when he was probably threeish. Then she

21 tried to -- she came to my grandma's house when we were having

22 Thanksgiving dinner, walked right in the house and like started to put a

23 coat on him. So I --

24 LIEUTENANT BORUCHOWITZ: Inside the house?

25 COLE ENGELSON: Yeah. Inside the house.

1 LIEUTENANT BORUCHOWITZ: (Incomprehensible.)

2 COLE ENGELSON: I said, you can put that coat down  
3 'cause that kid ain't going nowhere. Then she said, I know my law, my  
4 rights, and you can't stop me, and I'll call the cops. Call the fucking  
5 cops then.

6 LIEUTENANT BORUCHOWITZ: Right.

7 COLE ENGELSON: And she did. Them cops came and  
8 said, well, you guys ain't married, she has all the rights.

9 LIEUTENANT BORUCHOWITZ: So that was pre you --

10 COLE ENGELSON: Give up the kid.

11 LIEUTENANT BORUCHOWITZ: Oh. That was before  
12 the law changed. 'Cause we've changed now --

13 COLE ENGELSON: Oh, really.

14 LIEUTENANT BORUCHOWITZ: -- a few years ago. Now  
15 it's a paternal-maternal. So wherever the kid is, they stay now.

16 COLE ENGELSON: Oh, man.

17 LIEUTENANT BORUCHOWITZ: So --

18 COLE ENGELSON: That would have been --

19 LIEUTENANT BORUCHOWITZ: Yeah.

20 COLE ENGELSON: -- beautiful back then.

21 LIEUTENANT BORUCHOWITZ: Times have changed,  
22 fortunately. 'Cause that was a mess that happened all the time.

23 COLE ENGELSON: Yeah.

24 LIEUTENANT BORUCHOWITZ: Kid's with the dad, mom  
25 shows up, and --

1 COLE ENGELSON: Yeah.

2 LIEUTENANT BORUCHOWITZ: -- off they go.

3 COLE ENGELSON: You didn't need nothing.

4 LIEUTENANT BORUCHOWITZ: Yeah. That's horrible.

5 COLE ENGELSON: Then -- yeah. And then -- then she

6 took and sended the kid up to Reno to go live with her cousin. I had her

7 cousin --

8 LIEUTENANT BORUCHOWITZ: After she took him from

9 you?

10 COLE ENGELSON: Yeah.

11 LIEUTENANT BORUCHOWITZ: So did you end up

12 having to go to court or --

13 COLE ENGELSON: Yeah. I went and spent like seven

14 grand on it and -- and got everything expedited so it was quicker, you

15 know.

16 LIEUTENANT BORUCHOWITZ: Right.

17 COLE ENGELSON: So I missed Christmas, I missed

18 New Year's with him and -- you know.

19 LIEUTENANT BORUCHOWITZ: And meanwhile he's

20 living with somebody other than her.

21 COLE ENGELSON: Yeah.

22 LIEUTENANT BORUCHOWITZ: That's fucked up.

23 COLE ENGELSON: Yeah. Yeah.

24 LIEUTENANT BORUCHOWITZ: So you have no contact

25 with her anymore?



1 COLE ENGELSON: Every once in a while so --  
2 LIEUTENANT BORUCHOWITZ: Just in terms of like --  
3 COLE ENGELSON: Yeah.  
4 LIEUTENANT BORUCHOWITZ: -- this is what's new type  
5 stuff?  
6 COLE ENGELSON: Yeah. I let him talk to her every  
7 once in a while, and she has a couple more kids after that now so --  
8 she's getting older.  
9 LIEUTENANT BORUCHOWITZ: Starting to mature and  
10 learn --  
11 COLE ENGELSON: Little bit.  
12 LIEUTENANT BORUCHOWITZ: -- learn the ways?  
13 COLE ENGELSON: Yeah. Yeah.  
14 LIEUTENANT BORUCHOWITZ: We see that a lot. You  
15 know, that you really see people's change of life. You know, when  
16 you're a kid you do such stupid --  
17 COLE ENGELSON: Yeah.  
18 LIEUTENANT BORUCHOWITZ: -- shit, and then slowly  
19 you're like, hey, I remember you ten years ago; you've become a whole  
20 different person. So cool. And you and him have a good relationship?  
21 COLE ENGELSON: Yeah. Yes.  
22 LIEUTENANT BORUCHOWITZ: Get along well?  
23 COLE ENGELSON: You know, that's my -- he --  
24 LIEUTENANT BORUCHOWITZ: He's your pride and joy?  
25 COLE ENGELSON: He is. He's -- he's the one that kept

1 me alive for -- for so long, you know.

2 LIEUTENANT BORUCHOWITZ: Yeah. Gives you  
3 motivation.

4 COLE ENGELSON: Yeah.

5 LIEUTENANT BORUCHOWITZ: For sure. And then so  
6 you moved out here in May.

7 COLE ENGELSON: Correct.

8 LIEUTENANT BORUCHOWITZ: And you just picked  
9 Pahrump 'cause it was close to Vegas?

10 COLE ENGELSON: That and my mom knows people out  
11 here.

12 LIEUTENANT BORUCHOWITZ: Okay.

13 COLE ENGELSON: So she likes the area too. So that  
14 was another factor. I bought her like a travel trailer so she moved that  
15 out here first. Then -- then I found a property so she could put it on it.

16 LIEUTENANT BORUCHOWITZ: Cool. So she lives on  
17 your property then as well?

18 COLE ENGELSON: Yeah.

19 LIEUTENANT BORUCHOWITZ: Okay. Your relationship  
20 with her pretty good?

21 COLE ENGELSON: Better than it was --

22 LIEUTENANT BORUCHOWITZ: Was.

23 COLE ENGELSON: -- before. Yeah.

24 LIEUTENANT BORUCHOWITZ: Yeah. As you've grown  
25 up?

1 COLE ENGELSON: Yeah. At least 'cause kids are in the  
2 mix right now.

3 LIEUTENANT BORUCHOWITZ: Right. Once you got  
4 little grandbabies that mean the world to her then --

5 COLE ENGELSON: Yeah.

6 LIEUTENANT BORUCHOWITZ: -- suddenly relationships  
7 change. And where you working at?

8 COLE ENGELSON: I work at Little Darlings in Vegas.

9 LIEUTENANT BORUCHOWITZ: In Vegas? And you  
10 drive back and forth then?

11 COLE ENGELSON: I do.

12 LIEUTENANT BORUCHOWITZ: Holy fuck. That's a long  
13 drive.

14 COLE ENGELSON: I still have an apartment. My lease  
15 is up in like a week.

16 LIEUTENANT BORUCHOWITZ: In Vegas?

17 COLE ENGELSON: So I've been staying like two, three  
18 days there. Then the rest of the time I drive back here with them.

19 LIEUTENANT BORUCHOWITZ: You bounce at Little  
20 Darlings?

21 COLE ENGELSON: I'm a DJ there.

22 LIEUTENANT BORUCHOWITZ: Oh. Okay. Cool. So  
23 what the hell got you into the DJ business?

24 COLE ENGELSON: Well, I started at the door. You know  
25 what I mean?

1                   LIEUTENANT BORUCHOWITZ: Oh. And you just --  
2                   COLE ENGELSON: Yeah. Then just --  
3                   LIEUTENANT BORUCHOWITZ: -- said, hey, I can -- I  
4   can do that?  
5                   COLE ENGELSON: (Incomprehensible) got a GM that  
6   was working there, and he said he liked my personality, and I knew a lot  
7   of older music, and they threw me in the booth, and (incomprehensible)  
8   so -- you know what I mean? Didn't give me no training or anything.  
9   Just do it.  
10                  LIEUTENANT BORUCHOWITZ: Go at it.  
11                  COLE ENGELSON: Yeah. And I was terrible.  
12                  LIEUTENANT BORUCHOWITZ: And you've done  
13   (incomprehensible)?  
14                  COLE ENGELSON: I was terrible at it.  
15                  LIEUTENANT BORUCHOWITZ: Now you've gotten  
16   better?  
17                  COLE ENGELSON: Oh, yeah. You know, that was 17  
18   years ago.  
19                  LIEUTENANT BORUCHOWITZ: Oh. So you've been  
20   with them a long time.  
21                  COLE ENGELSON: Yeah. I'm the most senior.  
22                  LIEUTENANT BORUCHOWITZ: Oh. I've heard they pay  
23   really well down there.  
24                  COLE ENGELSON: Uh, no.  
25                  LIEUTENANT BORUCHOWITZ: No. That's -- that's a

1 false rumor?

2 COLE ENGELSON: Yeah. Like the DJs make money  
3 just like the (incomprehensible) do and so -- but like security-wise, they  
4 don't --

5 LIEUTENANT BORUCHOWITZ: (Incomprehensible)  
6 anything.

7 COLE ENGELSON: -- make anything.

8 LIEUTENANT BORUCHOWITZ: That's typical of people  
9 (incomprehensible).

10 COLE ENGELSON: Girls always make the money.

11 LIEUTENANT BORUCHOWITZ: Well, yeah. That's what  
12 that's there for, right?

13 COLE ENGELSON: Yeah.

14 LIEUTENANT BORUCHOWITZ: Cool. Well, the reason I  
15 came in -- I don't normally work Sundays, and I don't normally do work  
16 since I have -- in this type of work since I've been out of the detective  
17 business. But I've seen a lot of cases in my lifetime coming through the  
18 court system and as a detective where at the end of the day -- and I've  
19 talked to a lot of people after convictions, and after court trials, and  
20 stuff. And the most regular thing, feedback, I get is if someone had sat  
21 and been real with me, I might have been able to explain the situation a  
22 little bit differently, and I wouldn't have looked like such a jerk in court  
23 because -- look, I mean I -- I'm not going to blow smoke up your ass.  
24 You're in a heap of shit and you --

25 COLE ENGELSON: Yeah.

1                   LIEUTENANT BORUCHOWITZ: -- know that. And so at  
2 the end of the day nothing that we talk about is necessarily going to  
3 change the fact that it's a heap of shit, but it's how big of a heap of shit  
4 is it versus -- because, look, I'll tell you an example of a case. I forget  
5 his name. It's been so many years. But he had his kid by the ankles,  
6 and he was -- he was swinging him like -- like every parent does, right?

7                   COLE ENGELSON: Yeah.

8                   LIEUTENANT BORUCHOWITZ: I mean that's normal.  
9 And he lets the kid go by accident. The kid hits a wall, crash, skull, bad.  
10 Big -- big deal. Well, for the first -- I think it was like five days, every  
11 time he talked about it he made up a story. It was believable, but it was  
12 a story that wasn't --

13                  COLE ENGELSON: Yeah.

14                  LIEUTENANT BORUCHOWITZ: -- consistent with what --  
15 what the detectives were finding. And so ultimately I spent about four  
16 hours with him, and he finally broke down. And he was like, look, it was  
17 a mistake, here's what happened. And, again, it doesn't necessarily  
18 change the heap of shit that he had, but it made the heap of shit a little  
19 bit different because -- look, we're all in -- in situations in our lives  
20 where we make mistakes and we do stupid things, and there's  
21 consequences. And nothing you or I can do at this point can change  
22 your consequence. You have consequences coming.

23                  COLE ENGELSON: Yeah.

24                  LIEUTENANT BORUCHOWITZ: What is that  
25 consequence and how severe is it is one thing. Will Cole be able to

1 spend time with his dad ever again, that's really what this is dependent  
2 on. And to me when I look at these cases I've never been a cop that  
3 comes in and says that piece of shit, you know, blah, blah, blah. I come  
4 in and I go there's got to be something behind this. You know, there's  
5 got to be a picture that can be painted.

6 And -- and sometimes at a trial if -- I mean you've seen  
7 TV and -- and court things. So you go to trial and -- and the jury  
8 watches, you know, the case unfold in front of them. And the most  
9 crucial thing that juries have ever given in feedback is we never got a  
10 story that made sense from this guy or this girl. It never made any  
11 sense to us whatever they were telling us. And so a lot of times a jury  
12 says if that's the story we got and this is the facts that we have, then  
13 that guy's a liar or that girl's a liar, and we're going to convict them  
14 based on the fact that they're lying and -- and the facts are this.

15 So that's kind of my purpose here. I -- I wasn't going to  
16 come out, and then I woke up this morning, and I wrestled with it all  
17 day. And I said, you know what, I don't know Cole, but I want to come  
18 in and at least talk to you and -- and kind of --

19 COLE ENGELSON: It -- is --

20 LIEUTENANT BORUCHOWITZ: -- outline that with you.

21 COLE ENGELSON: Am I big news already or you're --

22 LIEUTENANT BORUCHOWITZ: What's that mean?

23 COLE ENGELSON: I mean am I like in the news?

24 LIEUTENANT BORUCHOWITZ: I don't know if the press  
25 release has gone out yet. Usually -- so the way -- just so you know how

1 it works. So when you get arrested there's a Declaration of Arrest, so  
2 that's a written affidavit about what the charges are, and those go out I  
3 think on Monday on -- over a weekend. I don't think they go out over  
4 the weekend. So then obviously once they hit, then the news channels  
5 --

6 COLE ENGELSON: Yeah.

7 LIEUTENANT BORUCHOWITZ: -- do whatever the hell  
8 they do best with that. And, look, at the end of the day -- so I would tell  
9 you there's three things that -- that Cole Sr. needs to think about, okay?  
10 Number one: Cole Jr., most important.

11 COLE ENGELSON: He is.

12 LIEUTENANT BORUCHOWITZ: You've got to figure out  
13 a way to make things right, and get back out, and be dad for your kid  
14 who's now got a mom who has obviously abandoned him and now has  
15 a dad in jail that -- it's not -- I mean I haven't talked to him, but I can  
16 imagine knowing eight-year-old kids that --

17 COLE ENGELSON: Yeah. He --

18 LIEUTENANT BORUCHOWITZ: -- this isn't going to be a  
19 good day for him or a good weekend for him. So that's first and  
20 foremost. You need to think dad mode: what do I need to do to -- to fix  
21 things, to put things back together, to be able to go and give my boy a  
22 hug again one more time. Okay? So that's my -- my number one goal  
23 as a dad every day, and that's -- sitting here talking to you, that should  
24 be your number one goal.

25 COLE ENGELSON: (Incomprehensible) it was. It would -



1 - you know, it --

2 LIEUTENANT BORUCHOWITZ: Well, and it shouldn't  
3 change ever --

4 COLE ENGELSON: No.

5 LIEUTENANT BORUCHOWITZ: -- no matter how bad  
6 this gets. So you did paint your future, obviously. I mean there's  
7 always variables that you have no control over, obviously, but you  
8 dictate how does this go. So the second part that I think -- and this is  
9 just personal opinion of David. The -- the second thing you would think  
10 about is -- are you religious at all?

11 COLE ENGELSON: No. Not that much.

12 LIEUTENANT BORUCHOWITZ: Not much. You believe  
13 in God?

14 COLE ENGELSON: I do.

15 LIEUTENANT BORUCHOWITZ: Okay. So the second  
16 part that -- that I always tell people is the most important is making  
17 things good with you and the maker because at the end of the day,  
18 whatever your religious beliefs and whatever the religions are, all  
19 religions believe that we need to make things right when we make them  
20 wrong. And, you know, there's people that are even atheists that still  
21 operate under the repentance process, just not with God. It's with --

22 COLE ENGELSON: Yeah.

23 LIEUTENANT BORUCHOWITZ: -- with you. I screwed  
24 up, I stole from you, well I need to come make it good to you. It's about  
25 being a good person. So that's the second thing. And then the third

1 thing you need to take care of is you. All right? And so when I saw you  
2 in the suicide smock, that worried me. I'm glad to hear -- I'll look into  
3 why you're in there. I'm in charge of the jail. Sometimes our new guys  
4 think, you know, you're in serious charges and sometimes they just do it  
5 as a precaution.

6 COLE ENGELSON: Yeah.

7 LIEUTENANT BORUCHOWITZ: So as long as there's no  
8 log of any threats. You're not suicidal?

9 COLE ENGELSON: No.

10 LIEUTENANT BORUCHOWITZ: Anything like that? So  
11 as long -- as long as there's nothing -- I'll have to check the logs. Then  
12 I'll get you changed out into regular clothes, and we'll get you housed in  
13 a regular cell so you're not stuck in that --

14 COLE ENGELSON: Please.

15 LIEUTENANT BORUCHOWITZ: -- booking -- booking  
16 floor.

17 COLE ENGELSON: Yeah.

18 LIEUTENANT BORUCHOWITZ: That's pretty miserable.  
19 But so that's the third thing you got to take care of is you. But you're  
20 going to have down days just like normal, but now they're going to be  
21 amplified. They're going to be way worse because your situation sucks  
22 right now. And so there's going to be days where you sit either in jail,  
23 or in court, or wherever, and it's -- it's a miserable day.

24 COLE ENGELSON: It is.

25 LIEUTENANT BORUCHOWITZ: And you need to go

1 back and think to one, two, and three: one, your son; two, how do I fix  
2 this; and, three, how do you take care of you. So those are your three  
3 priorities and along the way -- obviously if you're with us for a while in  
4 jail, I'm in -- person in charge of the jail. I come around once a month.  
5 So if there's something that comes up and you need to talk or whatever,  
6 certainly holler at me and -- and I'll, you know, come chat with you.

7 COLE ENGELSON: Will do.

8 LIEUTENANT BORUCHOWITZ: But so that's what I want  
9 -- I want you to concentrate on -- on making that good.

10 The other thing that has been requested -- and it's totally  
11 up to you when we're done talking if you want to do it -- is Victoria want  
12 -- wants to talk to you. Traditionally, you have to do it through the  
13 television screens in the jail. And she really doesn't want to talk to you  
14 in front of the television screens, so I approved a visit with you. Rather  
15 than having to go back to the jail, we'll just do it over here. If you're  
16 okay with it, I'll text her, and she --

17 COLE ENGELSON: That'd be nice.

18 LIEUTENANT BORUCHOWITZ: -- can come up, and --  
19 and I'll let you at least talk to her. I'm sure she's got a whole slew of  
20 emotions herself. But -- but one of these things, step number two,  
21 really involves talking to her because, obviously, the making things  
22 whole part is between you, and her, and, as well, is obviously your  
23 maker. So those are the three -- three things I want you to concentrate  
24 on. All right?

25 COLE ENGELSON: Uh-huh.

1                   LIEUTENANT BORUCHOWITZ: Obviously, I think  
2   Detective Cox talked to you last night, right?  
3                   COLE ENGELSON: Gibbs and --  
4                   LIEUTENANT BORUCHOWITZ: And Gibbs?  
5                   COLE ENGELSON: -- there was a third.  
6                   LIEUTENANT BORUCHOWITZ: And Fancher?  
7                   COLE ENGELSON: Yeah.  
8                   LIEUTENANT BORUCHOWITZ: Weird looking guy in the  
9   suit and tie?  
10                  COLE ENGELSON: Yeah.  
11                  LIEUTENANT BORUCHOWITZ: And so they, I'm  
12   assuming, advised you of your Miranda rights. You understand those,  
13   right?  
14                  COLE ENGELSON: I do.  
15                  LIEUTENANT BORUCHOWITZ: Okay. The biggest thing  
16   about -- about your case, like I said in the beginning, is most cops really  
17   dislike these cases. They suck. They're --  
18                  COLE ENGELSON: Yeah.  
19                  LIEUTENANT BORUCHOWITZ: -- horrible cases. And  
20   over the years what I've come to like about them -- and it's horrible to  
21   say you like them. But what I like about them is it usually leaves a  
22   family in better shape. Like that seems horrible. But whatever the  
23   problems are that are -- that are in a mix, those usually kind of correct  
24   themselves as -- as they go through.  
25                  COLE ENGELSON: Yeah.

1                   LIEUTENANT BORUCHOWITZ: You know what I mean?

2       And so you've got a long, hard road. I don't want to pretend. I'm never  
3       going to tell you that -- that life is easy from today on.

4                   COLE ENGELSON: Yeah.

5                   LIEUTENANT BORUCHOWITZ: But life is easier for you  
6       if you remember the things that are important. Most importantly,  
7       obviously, is your little boy. All right? And I want to do what it takes to -  
8       - to get you back with Cole.

9                   COLE ENGELSON: Please.

10                  LIEUTENANT BORUCHOWITZ: Okay. So I'm going to  
11       tell you what I understand about your prior conversations with  
12       detectives, and then I'm going to tell you where I want our conversation  
13       to go. I don't want to be here all night with you. Nothing -- no offense,  
14       but I'm salaried and so every minute I'm here I'm losing money.

15                  COLE ENGELSON: I understand.

16       **BY LIEUTENANT BORUCHOWITZ:**

17                Q.   So my understanding is your initial conversation was you  
18       really didn't remember anything, you'd been drinking, you -- you gave  
19       the baby a shower at some point, and then at some point she was non-  
20       responsive. Your second interview with Cox and Gibbs, my  
21       understanding is there was -- you seemed a little bit more -- and I don't  
22       want to use the word "forthcoming" 'cause that means you were hiding  
23       something. But it seems like maybe as you were laying there and had  
24       time to think that you had a little bit more information you were able to  
25       provide to them and said -- I guess there was some reference to you

1 might have punched her. Something like that. Is that --

2 A. Well --

3 Q. -- accurate?

4 A. -- they were showing me --

5 Q. The pictures?

6 A. Yeah. And he -- they were like, well, how'd -- how'd that  
7 come about, and I didn't -- I don't remember striking the girl at all. And  
8 they were like what could have caused that bruise. I don't --

9 Q. So you were just giving examples of that.

10 A. Yeah.

11 Q. So -- so -- so that's good. I appreciate that feedback 'cause  
12 that -- that's what I wanted to clarify. So -- so here is -- here is what I'm  
13 going to tell you. Of the probably 70 cases like this that I've done over  
14 the 15 years in law enforcement, there's one consistent fact. Most  
15 people in your situation are not happy that they did what they did, which  
16 is a good thing.

17 A. Yeah.

18 Q. You know what I mean? That -- that makes a good positive  
19 out of this, okay? But the other consistency is that most people in your  
20 position are petrified and, obviously, shameful to -- to even be in this  
21 position. That you have to talk me about this, that sucks. So I get all  
22 that, and I get like -- I mean I don't know what emotions you have and I  
23 don't know what you're normally like, but I understand over the years  
24 that I deal with people that have, you know, their own grief. They're  
25 dealing with grief. They're dealing with the -- the guilt. They're dealing

1 with sorrow. They're dealing with, oh fuck, I'm in jail. They're dealing  
2 with the consequences. You know you get -- you know you have a  
3 gamut of all this shit that's -- that's piled on top of you.

4 And a lot of people in your position, they customarily forget  
5 what's important: Cole. And so like I told you about that one man who  
6 panicked, and sat in here, and -- and literally in the same chair -- and  
7 went through for hours, and hours, and hours with detectives this story  
8 that was just a made-up story 'cause he was scared, he did nothing but  
9 hurt himself. Because at the end of the day, the jury says that story's  
10 not believable. Here's what the doctor says in the autopsy, here's what  
11 he says. It's not believable.

12 So we all have -- I forget what the doctors call them. But like  
13 when we get in a shooting, they say within, you know, 24 hours of that  
14 is when we should be talking about the case because our memories are  
15 selective, you know, up until that point. So that's why I waited so long  
16 because it's easy to say, hey -- my first couple interviews -- it just  
17 happened, I'm in shock, I'd been drinking, whatever, and -- and where --  
18 there we are. So just like when we get in a shooting or -- or we kill  
19 somebody, we wait 24 hours to do the talking because our brain has  
20 time to clear.

21 You're laying there in the jail, you're sober now, your brain is  
22 completely cleared, and we're here. Right? And so my hope is that  
23 when we talk about this that your memory and what you remember is --  
24 is -- is spot on. Because here's why. When I go into court -- right now  
25 the way you go into court you get painted like a monster. I mean you

1 know that. That's --

2 A. Yeah.

3 Q. That's how anyone is going to paint you in this situation. So  
4 you have the ability of going into court instead and having me take the  
5 stand and say, you know what, he fucked up huge. This is a big deal.  
6 However, he loved this little girl, he loved her mother, and here's the  
7 circumstances that happened. Because anyone who's had a kid has  
8 pinched them too hard, has spanked them a little harder than they  
9 should have one day.

10 We have all sorts of parents who smack their kid on the back of  
11 the head when they really shouldn't have or take a paddle a little bit  
12 harder than they should because, look, kids get on our nerves. They --  
13 they're horrible, especially two to three, four years old. They cry, they  
14 whine, they nag, they call you names, they -- I mean they do things.  
15 They throw things at you sometimes. And so anyone that sits in a  
16 courtroom and listens to the case says -- or maybe not says it, but  
17 thinks to themselves, oh, remember that time I pinched little Johnny's  
18 ear or remember that time I purposely tripped -- you know, I -- we have  
19 a lot of older siblings who their little kids pissed them off --

20 A. Yeah.

21 Q. -- and they trip them, and the kid falls, and hits their head  
22 on the table, and the blood all over, and it's a big deal. When in reality,  
23 they didn't -- they didn't mean it like that.

24 So I want to be able to go in on your behalf and -- and give a  
25 different testimony than what up to this point it would be said about you.



1 I want to go in and say, look, it's Sunday, it's the Lord's day, whatever,  
2 and I came in on my day off, and I sat with Cole, and we talked about  
3 what mattered most, which is saving Cole Jr. and letting Cole Jr. have  
4 his dad. Because if you go into court with the -- the story that's been  
5 painted so far -- the I have no memory of what I did; yes, I was home  
6 with this little girl and this is what happened -- the jury is going to say  
7 don't ever let this man see the day of light. And -- and so would you if  
8 you were sitting on a jury and -- and you heard that story.

9 A. Absolutely.

10 Q. Because no matter what -- I mean, look, we do -- we do  
11 have times where we black out --

12 A. Yeah.

13 Q. -- and things like that, okay? But those are substantial and  
14 they're -- they're able to be tested. So for instance your blood alcohol  
15 level, I don't anticipate from what I heard from the guys that dealt with  
16 you last night that it was that high. You have to be relatively high for --  
17 for blackouts.

18 A. I know they took it way after the fact.

19 Q. Yeah.

20 A. Yeah.

21 Q. That goes down so that'll be -- that'll be in your benefit, but -  
22 - but in your case. So you know even if they're -- look, when we get  
23 into incidences things sometimes are spotty, but you know the basics of  
24 what happened, what she was doing that precipitated your frustration,  
25 your anger, whatever.

- 1 A. (Incomprehensible.)
- 2 Q. You saw the pictures of her--
- 3 A. Yeah.
- 4 Q. -- right? So you know that's not a -- a trip -- I tripped and
- 5 fell down the stairs.
- 6 A. No. No.
- 7 Q. So there's more -- it's more substantial than that. And it
- 8 looks worse. For instance, if I were to pinch your arm right now, that
- 9 bruise, it looks worse than the little pinch. You know the shark bites --
- 10 A. Yeah.
- 11 Q. -- that people give? Those bruises look worse. So I -- I -- I
- 12 -- I know that to the lay person or to the people that have -- don't deal
- 13 with this regularly, when you look at those pictures it looks way worse
- 14 than -- than it might have been.
- 15 A. Yeah.
- 16 Q. But what I want, if you will for me, is -- is just paint that
- 17 night. Mom left at two, right?
- 18 A. One or two, somewhere in there.
- 19 Q. To go with the older daughter, right?
- 20 A. Yeah. Yeah.
- 21 Q. So if you'll just paint me every -- every little bit that you
- 22 remember with details. And I'm going to take notes -- just 'cause I have
- 23 a horrible memory -- as we go, and that way then I can stop you at the
- 24 end instead of interrupting you --
- 25 A. Okay.

1 Q. -- and then I'll come back to it.

2 A. Just a little bit before that, we --

3 Q. Sure.

4 A. We went and had breakfast.

5 Q. Okay.

6 A. Two daughters, my son, and Victoria, and I.

7 Q. Okay.

8 A. After that we went to the thrift shop where I gave all the kids  
9 money so they can buy toys and clothes. On the way back I stopped  
10 and I wanted a beer 'cause, you know, been working. I worked all the  
11 night before and I just wanted some nightcap just to --

12 Q. (Incomprehensible.)

13 A. -- crash down. And Victoria came in with me, and she  
14 wouldn't -- she didn't want me to have the beer. She said if I got started  
15 on the beer I wasn't going to stop, and she was worried about that drive  
16 home from Vegas. You know, if I started drinking at work and --

17 Q. Right.

18 A. -- that'd be a nightmare. So I didn't get anything there. So  
19 we got home, and she was busy doing something. And I went and got  
20 a half glass of water, and I came back, and I filled the rest of it with  
21 vodka from the -- the -- (incomprehensible) old dresser that we have  
22 that we put all of the liquor in 'cause -- there's a big jug of Tito's vodka  
23 that I got for my birthday couple months ago. And she almost caught  
24 me doing it, and she suspected that I was, but she didn't see nothing  
25 moved. So I killed about two of those real quick. Then we went

1 outside, and I think we smoked a cigarette. Then she was getting ready  
2 to leave. It was probably about, I think, one if I remember correctly. I  
3 think that's when they had plans or -- they were supposed to go get  
4 their nails done. Then -- so we came back inside and told the daughter  
5 that they were leaving, Yessenia, and she started crying.

6         So when they left, I -- I had her get up. I said, "Come on. You  
7 know, let's go outside." And then I was smoking a cigarette, and she  
8 crawled up on the -- it's a green, fold chair, and it kind of hang off the  
9 sidewalk a little bit. And then when she climbed up it, she went head  
10 over heels, and I don't think it hurt herself or anything. But she was  
11 dirty, you know, and I said well, you keep playing in the dirt then, you  
12 know, 'cause she -- she likes playing in the dirt.

13         And we came back inside, and then I probably had another drink  
14 'cause I think -- I remember pulling -- I had two glasses in the sink, and  
15 then I maybe pulled one out of the sink, rinsed it out, and then made  
16 another drink. I threw her in the shower. She has this thing where her  
17 face gets wet, she'll -- she just loses it. She goes nuts and she's, you  
18 know -- like I used the example of you throw a cat in the bathtub and it's  
19 just all over the place. That's -- that's what happens with her, and so  
20 she was falling all over the place.

21         Then, like I said, I don't -- I don't remember anything after that. I  
22 don't remember if I dried her off. I don't remember if we washed her  
23 hair. I know one detective asked me how I would wash hair and then  
24 the other detective said, well, you did say that. I don't remember  
25 anything pretty much after that. Like I said, I don't remember even

1 striking her. I don't remember 'cause like when I called the paramedics  
2 -- there's a female detective there or maybe just a cop, I'm not sure,  
3 and she got off the phone and was talking about how there's weird  
4 bruises, maybe like up around her neck or something like that. I  
5 thought maybe she got choked and that's how she passed away. Then  
6 they showed me those pictures and it -- it blew my mind 'cause I don't  
7 even remember seeing those when I got up and got her. So I don't  
8 remember any of the striking.

9 I know in the bathtub I kind of like push her head back when  
10 she's trying to get out and I give her one of those little shoves, get back  
11 in there kind of things. But far as any kind of spankings or -- 'cause --  
12 any kind of weapons or anything 'cause it -- they were really focused on  
13 a circle bruise.

14 Q. Uh-huh.

15 A. And he -- he kept on saying what's by your bed that you  
16 would use like that, and I don't really know what's by my bed. It's not  
17 my stuff, you know. It's Victoria's stuff 'cause mine's still in Vegas. So I  
18 couldn't really explain what was around and they were taking me for a  
19 liar. You know, they were -- you could tell they were getting perturbed  
20 by it and --

21 Q. Uh-huh.

22 A. And I -- I think maybe it was a glass. Maybe it was the  
23 glass I was drinking 'cause I had like a Dave & Buster's one or I had a,  
24 you know, more of a sharper -- not a -- I wouldn't say sharp, but more of  
25 a cleaner circle. Then I had one that had -- was rigid.

1 Q. Did you have that in the bathroom?

2 A. I don't know.

3 Q. Okay.

4 A. Probably so, you know, 'cause -- I don't know how many  
5 drinks I had. I just remember I was making them fat and then I was  
6 drinking them fast. I never had vodka water before, and it just -- it went  
7 down like water and that was probably the problem.

8 Q. Uh-huh.

9 A. I don't know if I laid her down after that 'cause we were  
10 supposed to take a nap, and that was the whole thing 'cause I had to be  
11 at work at eight o'clock that night so -- and it must have been closer to  
12 seven o'clock when I got up 'cause I -- I looked at the phone logs.  
13 They -- they let me see my phone.

14 And I don't -- I can't recall where she was. I don't know where I  
15 found her. You know, at first I thought she was in bed. But I'm thinking  
16 I dreamt that up. I think that was just me being hungover in jail and  
17 thinking about shit. I don't remember. Then I started thinking -- I don't  
18 know. The one -- what is the last detective you said was  
19 (incomprehensible)?

20 Q. Fancher?

21 A. Yeah. And he (incomprehensible) feed me shit too, then --  
22 and all of a sudden it was like, man, maybe -- yeah, maybe she was on  
23 the floor. And to be honest with you, I -- I can't remember where I  
24 found her.

25 Q. Right.

1           A. I don't know how long she was unconscious for. I fucking --  
2 I don't know if I went to sleep or when I saw her unconscious it brought  
3 me out of that drunken stupor, and maybe I was up the whole time. I  
4 really couldn't tell you. And I know, you know, all three of the detectives  
5 were talking about how -- bullshit and nobody gets that blackout drunk,  
6 but I -- I get drunk.

7           Q. Uh-huh.

8           A. I've had a problem with it a long time. I usually take  
9 Antabuse to curb that. And I got off of it for the Fourth of July and I  
10 wish -- fuck, I wish (incomprehensible).

11          Q. Oh, you (incomprehensible) back on.

12          A. No. I didn't get back on it.

13          Q. What's the first thing you remember after all this, the part  
14 that you don't remember? What's the next thing that you remember?

15          A. I think -- I just remember picking her up and seeing -- I just  
16 remember a half eyeball open, you know, versus both, and she was  
17 real limp. You know, no, no, no. You know, come on, come on. You  
18 know, I'm slapping her face. Told her to get up, get up. Then I  
19 remember calling her mom and explaining to her that she was limp, and  
20 I think she might have said something about calling the paramedics or  
21 she was going to call the paramedics. I called the paramedics after  
22 that. I don't remember what was said to them. I don't know if I said she  
23 wasn't breathing or what I said to them, either. And I think I walked her  
24 outside, and I think I was just waiting for somebody to show up.

25          Q. Do you remember when Dwight came home?