

Date: October 30, 2020, 1:54 p.m.
Location: Pierre Police Department
Present: SS/A Arnie Rummel (AR)
S/A Joe Arenz (JA)
JASON RAVNSBORG (JR)

(Begin Recording)

(equipment moving)
(background voices)
(laughing)

AR: Turn that switch on (inaudible) (background voices) It's awesome.

JR: Ahhh. Tis the season of Covid. I ah since I seen you last my chief of staff's daughter got it.

AR: Oh no.

JR: So my chief of staff..

JA: Oh okay.

JR: Tim that you talked to is at home a an uh uh Dave, my DCI director got it confirmed yesterday.

AR: Oh my.

JR: So he's home. So like today we had our DCI annual meeting actually over virtual instead of.

AR: Oh man.

JR: bringing everybody in, so..

AR: Yeah we had to cancel ours too.

JA: Mm hmm.

AR: It was kind of a crazy deal but..

JA: Right.

AR: Not much you can do. I mean it's to, it's just too sketchy to to risky really.

JA: Yeah. Hmm. So how's Dave doing? Is he is he feeling the symptoms of it or?

JR: Yes (chuckling). He says he..

JA: Oh he.

JR: Ah well they tested him and then he didn't uh, they had to cancel the test or something and then they had to test him again and then he s, ya know he said he like every symptom that they could have.

JA: Uh huh.

JR: Or 40 out of the 43 or (chuckling) something.

JA: Yuck. Cuz your that's, you're hearing about half the people don't have any symptoms.

JR: Well then I don't know when you guys in relation, they closed the schools here.

JA: Oh did they?

JR: Yeah, so..

JA: Okay.

JR: The high school.

JA: Ah huh.

JR: Ya know. Here and Fort Pierre both.

JA: Okay.

AR: Really?

JA: Yeah we're still in like a hybrid system where like A through K go Monday, Wednesday, and Friday and then the next week go Tuesday, Thursday and the other half go.

JR: Uh huh.

JA: So yeah I don't know. (pen flicking) I'm kinda waitin for it though because our numbers in at least Burleigh and Morton are you know we're I think today we had 85 in Burleigh (pen clicking) and I...

AR: That's.

JA: 45 in Morton and, you know Burleigh/Morton it's got Mandan and Bismarck, which is kind of like Fort Pierre and Pierre.

JR: Okay.

JA: The river is the only thing that separates the two.

JR: I guess I'm not as good with North Dakota geography, so wh Burleigh, where is Burleigh and Morton then?

JA: Um Burleigh is Bismarck, so that'sss kinda at central and then you have the Missouri River that comes up.

JR: Okay.

JA: An so on the east side of the Missouri is Burleigh, on the west side is Morton.

JR: Okay.

JA: And uh, so if you don't know the area you wouldn't...

JR: Yeah.

JA: know if you're in Burleigh, Morton, Bismarck, or Mandan.

JR: Right.

JA: It all just is one...

AR: Blends together.

JA: it blends together.

JR: Well I've learned a little bit. I'm in the Army reserves. I think I may....

JA: Okay.

JR: have told you last time, but I'm my mission is actually to build a unit at there in Bismarck.

JA: Okay.

JR: And got a reserve center on the right by the airport.

JA: Mm hmm.

JR: I went out, did site visits, talked to people, and then Covid hit and everything's been on hold.

JA: Mm hmm.

JR: Ya know and...

JA: Yeah.

JR: We've been doing virtual since I mean cause my units out of (paper moving, chair squeaking) Fort McCoy, Wisconsin, and....

JA: Okay.

JR: just don't want people crossing state lines (little chuckle) and such.

JA: Right.

JR: you know.

JA: Yeah, uh huh. Yeah. Well um what we want to do is we want to go over everything again with yo, you know we've, as we've gathered more information.

JR: Yeah.

JA: You know when we spoke with you that was..

JR: Early, early.

JA: Yeah. You were the really about the first person we...

JR: (Chuckle) Okay.

JA: spoke with um so you know we've just gathered some more information since then um (pen flicking) so we wanna kinda figure all that out an um again no criminal charges have been filed against you. You're free to go at any time you want to. If you want to stop talking your free to leave um you can just get up and walk out. If you don't want to answer any of our questions you just let us know that. Um this is a completely voluntary interview so.

JR: Right.

JA: Alright. You good with all the....

AR: You've been very cooperative, ss with the..

JR: I-I've tried to do everything and think of everything I can think of to...

AR: Okay. Right.

JR: You know and I've thought of a couple things I guess, you know.

JA: Okay.

JR: I mean so (unknown sound) as we go through it here.

JA: Okay.

AR: Sure.

JA: Alright. So we're just going to kinda recap some of..

JR: Okay.

JA: what happened leading up to it.

JR: Okay.

JA: Um so on the 12th you had went to the um Lincoln Day Diner, it, the Spink County Lincoln Day Diner in Redfield, correct?

JR: Correct.

JA: Okay. Um that day or like on the 11^h leading up to the 12th (inaudible) um how what kind of sleep did you get, do you remember?

JR: I actually got a lot of sleep.

JA: Okay.

JR: Because y-uh, some media reports were I went from Pierre to Rapid, that's actually was not my schedule. I was actually coming from Louisiana uh we'd been down there for an event with the attorney general of Louisiana.

JA: Mm hmm.

JR: And I flew in to Rapid..

JA: Okay.

JR: City and went to event there, th a Lincoln Day...

JA: Okay.

JR: Dinner in Pennington County. That's the Rapid City town, the county to familiarize...

JA: Sure.

JR: you.

JA: And what day was that that you flew into Rapid?

JR: 11th.

JA: Okay.

JR: So the night before Friday and I went to the event and I got home about 1,1:15 in the morning but I slept in til 9:30/10:30 in the morning. I had an event uh that I'd been invited to in Sisseton, South Dakota.

JA: Mm hmm.

JR: And I just told em you know I-I can't make it uh you know it's...

JA: Mm hmm.

JR: too much to..

JA: Right.

JR: do that and go all the way to Sisseton, which is in our northeast corner for I'm familiar you are with South Dakota geography so I'm over simplifying maybe

JA: Mm hmm.

JR: But it's in the northeast corner (unknown sound). That would've take four hours from Pierre at least. You know and the event was at noon so that means that I had to leave at 7:30-8:00 (scraping sound) and I just couldn't do that.

JA: Mm hmm.

JR: So I my day was 9:30, 10:30 I remember I got up. I slept in.

JA: Mm hmm.

JR: And then I was around my office and the house until about 3:00 when I left to go to..

JA: Okay.

JR: Redfield. So I I think I had very adequate sleep. I didn't do anything vigorous. You know I didn't uh bail hay as I used to do as a (little chuckle) kid.

JA: Mm hmm.

JR: You know or something or.

JA: Right.

JR: Strenuous so.

JA: Okay. Ah how much sleep do you normally get? On average in a day?

JR: On a normal day you know seven eight hours. I mean...

JA: Okay.

JR: Six, seven, eight hours. I don't know depending on the day. You know but.

JA: What time do you normally get up in the morning then?

JR: (unknown sound) Sevenish. You know uh I'm usually at the office by eightish. You know um you know depends on my day and schedule. Obviously my schedule changes dramatically.

JA: Mm hmm.

JR: You know and maps out and such and depending on where ya gotta go, but.

JA: Mm hmm.

JR: I would say that...

JA: Okay.

JR: it was a normal day and then I I leave you know. I try to stay til fivish you know...

JA: Mm hmm.

JR: at least. And then obviously depending on what work we've got and such you know. And obviously things are a little different now with Covid.

JA: Mm hmm.

JR: We're not always in the office everyday uh a standard eight hour day cause I don't want myself and my chief deputy and now my chief of staff as I mentioned...

JA: Mm hmm.

JR: all to be down at the same time.

JA: Right.

JR: You know. Somebody's gotta run the show (chuckle).

JA: Mm hmm.

JR: And uh so we've staggered (unknown sound). You know we've got staggered schedules...

JA: Mm hmm.

JR: a little bit. (inaudible)

JA: Cause who's your chief deputy?

JR: Chief Deputy his name is Charlie McGuigan (unknown sound) and I can spell all that if you need me to.

JA: Yeah you'll...

JR: Him yep.

JA: need.

JR: Charlie is traditional and then Mc and little c G-u-i-g-a-n.

JA: Okay.

JR: And Charlie has been the chief deputy for myself and Marty Jackley, my predecessor, and actually the end of Larry Long, his predecessor, so...

JA: Okay.

JR: he's been chief deputy 10, 12 years.

JA: Okay.

JR: And he's been in the office about 25 years.

JA: Oh okay. Alright.

JR: So he knows how the office and state government works I guess.

JA: Mm hmm. Right. Okay. So then.

JR: I can get you his contact if you'd ever...

JA: Oh he.

JR: want to talk to him...

JA: Yeah okay.

JR: or anything. You know I mean.

JA: Yeah. Um so then that day you went to the Lincoln Day Dinner for in Redfield um again you had said that you didn't have anything to drink that night.

JR: I absolutely had ZERO alcohol to drink. I had a coca cola. I had a steak (unknown sound). I don't know what kind of steak, but I had steak (unknown sound) and I had a baked potato I remember.

JA: Okay.

JR: That's the three things...

JA: Mm hmm.

JR: (unknown sound) I remember eating.

JA: Mm hmm.

JR: And uh that's why I tried to give you the waitress's name.

JA: Yep.

JR: And then I got the list of the people (unknown sound) that were there and...

JA: Mm hmm.

JR: such and and uh...

JA: Okay.

JR: try to verify that but.

JA: Mm hmm. And then what time did you leave the dinner?

JR: 9/9:15.

JA: At 9/9:15

JR: p.m. obviously.

JA: Yep. (writing sound) Okay. And um again what roads did you take to come back?

JR: Ah I didn't look em up since you were here, but I can describe it yet.

JA: Uh huh.

JR: Again I-I left outta Redfield going west until you get to what I call the Miller corner. There's a (unknown sound) T-intersection.

JA: Okay.

JR: That if you kept going straight you would go towards Faulkton is the town and uh if you go, you come to this corner and you go south (unknown sound) and you're gonna go south to Miller, South Dakota...

JA: Okay.

JR: which is in Hand County and then from Miller that's 14, which is all the way here to Pierre...

JA: Okay.

JR: and beyond but for these purposes it's from Miller to here. So, I made a...

JA: So you took...

JR: made an s basically (unknown sound) or a.

AR: Once you left the the event, did you stop anywhere else along the way?

JR: Um no not that I believe so no. I. no.

JA: Okay. Um do you remember what you were list, where you listening to the radio or what were you listening.

JR: So, when I left Redfield, you ha, you kinda had to snake through town cuz where this restaurant is.

JA: Okay.

JR: And then when I got outta town, I remember on that first leg (unknown sound) the Miller, or th-the Redfield to the corner I'd called my father.

JA: Mm hmm.

JR: So I did not ha, I had, I have Sirius radio.

JA: Okay.

JR: So I turned down the volume, but I still had it on cuz the Lakers were playing (chuckle).

JA: Okay.

JR: I remember the Lakers were playing Houston and I you can watch the score uh when that hap, you know when it's on. Um and I talked to my father and I turned the corner, the Miller corner, I turned and talked to him and then there's a dead zone there (unknown sound) and it dropped. And then I, when you got closer to Miller somewhere I called him back and all it was was a I didn't hang up on you call.

JA: Mm hmm.

JR: You know, I it dropped.

JA: Mm hmm.

JR: And uh.

JA: So you talked him...

JR: Twice.

JA: about the Miller corner is that about.

JR: Well I-I mean (unknown sound) s...

JA: So you left Red.

JR: a piece of paper or something to m I can just show you the (inaudible). I went to the corner. I turned the corner.

JA: Uh huh.

JR: And I'm I'm it drops somewhere there.

JA: Okay.

JR: (unknown sound) Dead spot and then as I got close to Miller I tried again and that's when I got him back that and I said you know I didn't hang up on you dad. I-I it it (writing sound) it dropped...

JA: Mm hmm.

JR: for some reason.

JA: Right.

JR: And like I said it was not a long call. I mean we we kinda talked about what we were going to talk about and then uh that was it.

JA: Right. So that second call was just basically to end the end the...

JR: End the first call.

JA: first call.

JR: Really yes.

JA: Right.

JR: I mean I just.

JA: Mm hmm.

JR: I just.

JA: Gotcha.

JR: Ee don't be rude to people, you just...

JA: Mm hmm.

JR: You know.

JA: Yeah. Nah it's.

JR: Call you back that I didn't hang up on ya.

JA: Right. Okay. Aright. So then after you got off the phone with your dad the second time.

JR: I didn't call anybody...

JA: Okay.

JR: until after the crash, oh I mean til the 911 call.

JA: Mm hmm.

JR: I guess.

JA: Okay.

JR: I mean.

JA: So when you were driving were listening back to the game or...

JR: No the game...

JA: were you.

JR: got over.

JA: Okay.

JR: I remember I remember the game got over and then the Twins also got over.

JA: Okay.

JR: Uh you know and I-I-I remember shutting off the radio at some point but I think that's closer to Highmore. Um.

JA: Okay. Did you listen to the end of the games or were they already done when you got?

JR: Somewhere the Twi, I don't know where, the Twins the last out. I mean...

JA: Okay.

JR: I remember hearing the last out.

JA: Okay.

JR: But I don't know exactly where that was. Um. (unknown sound) (writing sound)

JA: Okay.

JR: And the I think I think the you know the Laker game was already over (mumbling). I-I the Twins was later than the...

JA: Mm hmm.

JR: basketball.

JA: Okay. Alright. Um so once the baseball was over what'd you do with the radio?

JR: Uh I-I think it was still on but not, you know, I-I-I think I shut it off when I got closer to...

JA: Okay.

JR: when I got you know around Highmore.

JA: Okay. Why'd you shut it off?

JR: Well that's wel, wel, we have to fast forward then a little bit.

JA: Okay. Uh we can go back.

JR: Yep, so.

JA: Kinda walk me through it.

JR: So again I-I turn the Miller corner (unknown sound) the second Miller corner I guess the one going out of Highmore and I'm...

JA: Uh huh.

JR: driving along and then I-I get to Highmore and that's when I looked to the right and I looked to the left as I go through as I was going through town I was thinking about gettin gas.

JA: Uh huh.

JR: And the one station to the south or to the left there was a guy and I just I remember his car was pointing back east and he had his you know the in the gas pump and it looked closed though.

JA: Mm hmm.

JR: And I'm like ahh okay. So I looked at the looked at the north station and there was three or four high school kids there.

JA: Mm hmm.

JR: And I just looked at that side and at that side and it looked closed too, so I said well I just keep going.

JA: Mm hmm.

JR: And then...

JA: Okay. (writing sound)

JR: around there that's when I-I believe I shut the radio off and uh you know I-I believe that happened you know shortly before the accident. I my intention at the time was to think about I we've got a couple very big cases going on and I...

JA: Mm hmm.

JR: was going to shut that off and uh you know think about those cases that's...

JA: Okay.

JR: what I intended to do.

JA: (deep breath sound) Mm hmm.

JR: You know, quiet time.

JA: Okay. (writing sound) Alright. So you remember going through Highmore though?

JR: Absolutely. I remember looking to the left and the right and like I told you the first time...

JA: Mm hmm.

JR: I remember looking at the signs...

JA: Mm hmm.

JR: you know off to the right about the speed zone and the the distance to Pierre.

JA: Mm hmm.

JR: You know and then I like I said I think you know ri-right before that that's when I turned off the radio.

JA: Mm hmm.

JR: And if I you know I've been thinking about it, you know I mean what was I doing exactly but I think I was looked down at the speedometer cuz I...

JA: Mm hmm.

JR: traditionally put it on cruise.

JA: Okay.

JR: Uhh not always but a lot of the times and I know I never got going very fast cuz I never locked it into cruise.

JA: Okay. So

JR: And um (writing sound)

JA: So you used the cruise control but you know that on this day you hadn't gotten back into turning the cruise on?

JR: Right. I-I think I'd had used it prior to the accident you know on the other stretch possibly, but I had not used it uh I had not engaged it yet.

JA: Right. (writing sound) Are those roads that you take from Pierre to Redfield are those all 65 mile per hour zones?

JR: I believe so, except

JA: Okay.

JR: through the towns of course.

JA: Except thru the. Um what you usually...

JR: And sometimes I don't go that way.

JA: Uh huh.

JR: I mean I don't know if that matters. I mean you can go another way. You can go to Miller, go out of Miller and then go up to Redfield.

JA: Mm hmm. Okay.

JR: But I didn't do that this time.

JA: Right. Um do you have any idea what you would have been setting your cruise at when you were going?

JR: Yu-you know right around 65.

JA: Okay.

JR: You know 65, 67.

JA: Okay.

JR: You know. (writing sound)

JA: Okay. Um but didn't have the cru. Do you remember.

JR: I never go more than four over...

JA: Okay.

JR: EVER, anywhere in the, you know anymore. I just lock it in.

JA: Okay. (writing sound) How about your high beams. Do you usually use your high beams.?

JR: I had used the high beams, but I had not clicked em on yet when the, when I leaving Highmore.

JA: Okay.

JR: I'd used high beams from basically, basically to Highmore. I mean wh, you know, I shut em down when we went through Miller and, of course, in Redfield.

JA: Mm hmm.

JR: I would say I used my high beams appropriately. I used em on the road, but I did not have them up uh yet um coming out of Highmore.

JA: So getting to Highmore you would have had em on, turned em off when you got in to Highmore (paper turning).

JR: Into town yes.

JA: And then never turned em back on.

JR: Correct.

JA: Okay. (writing sound) So as you're going through Highmore what else do you remember besides looking at the gas stations, they looked closed, then what?

JR: Just it was a dark night.

JA: Uh huh.

JR: I mean that's what I remember. I looked I mean vividly remember I can see those people you know at the gas pump you know and such, and around the station and such.

JA: Mm hmm.

JR: But that's it.

JA: Okay.

JR: Mm hmm. Nothing else sticks out I guess.

JA: Okay. And then what do remember happening (paper shuffling) next?

JR: Well I guess when you say next (unknown sound) I mean I-I...

JA: I

JR: it was a hit.

JA: Yep.

JR: And I-I did not punch the breaks.

JA: Mm hmm.

JR: I my military training you don't pu, I've always been taught you don't punch the breaks cuz then you could spin.

JA: Okay.

JR: Uh so I tapped the breaks three or four times...

(writing)

JR: trying to control the vehicle and uh you know shake as you got to the side of the road (unknown sound) and brought it to control as best I could to safely get to the side of the road.

JA: Okay.

JR: I then obviously I you know there was some expletives and you know...

JA: Uh huh.

JR: like what the hell happened (chuckle) you know.

JA: Uh huh.

JR: And I put it in park and I do believe now, you know cuz quite frankly Arnie you maybe remember when I showed you the picture. You know I did put the flashers on. You know cuz I first at just sat there for a minute going...

JA: Mm hmm.

JR: what the hell happened (chuckle). And I hit the flashers and I got out of the car and I kinda just shook my head a little bit and looked around and you know. And I then dialed 911 and I thought I was at Highmore...

JA: Uh huh.

JR: but I didn't want to tell the 911 I was at the wrong town.

JA: Right.

JR: So I walked (writing sound) towards town talking with the 911 person who said to the best of my recollection, obviously you guys can listen to that, but it said something to the affect of hello 911 this is the attorney general. I'm about a mile west of Highmore, I believe. I've hit something I be, in the road and I believe it was a deer. And I and the only reason I believe it was a deer cuz that's what it (unknown sound) season. It I just think it I didn't see anything but I believe that that's what happens and you know this time of year.

JA: Mm hmm.

JR: And then I said, she goes who is this, and I said I need some assistance. I said that somewhere in the...

JA: Mm hmm.

JR: in the call. And she said who is this and I think I gave my name Jason Ravensborg versus...

JA: Mm hmm.

JR: title and then I said yes, yes I am near Highmore cuz I could see the sign then, you know but I was.

JA: What sign could you see?

JR: Uh the green...

JA: Okay.

JR: town sign I guess. I don't know what you call em officially.

JA: Right.

AR: Uhh town sign.

JR: (laughing)

JA: Yeah. That works.

JR: I mean I mean and I had walked back.

JA: How far from where your vehicle stopped to where you walked, do you think you walked?

JR: I walked.

JA: If you'd estimate. I know you don't...

JR: Yeah.

JA: know exactly.

JR: Yeah I mean I walked. Well there's the one piece of my car that I saw on the on the...

JA: Uh huh.

JR: sh-shoulder right off the road.

JA: Is it that w-larger...

JR: Larger piece.

JA: piece. Yep.

JR: I walked past that.

JA: Okay. Westbound past that, right?

JR. No eastbound.

JA: Or eastbound.

JR: Eastbound.

JA: I'm sorry.

JR: Yep.

JA: Yep.

JR: I'm going east at this point.

JA: Okay.

JR: And then she said something to the effect that the sheriff was the only one on duty and that he would be out soon and I said that would be fine or something, you know, okay. And then I hung up and clicked from there over to my uh camera or my phone flashlight and started looking for the deer...

JA: Mm hmm.

JR: which I thought in the ditch...

JA: Mm hmm.

JR: at that point and I walked the whole length back to my car.

JA: Mm hmm.

JR: And then I remember taking a photo. The one I gave ya of the car.

JA: Mm hmm.

JR: And then that's when the sheriff pulled up.

JA: Mm hmm. So how close do you think you got to the city sign or the town sign?

JR: A few steps past that, you know, I don't, five steps maybe past that re-that big chunk.

JA: Okay. So just

JR: Ish.

JA: You were real close to that chunk?

JR: Right.

JA: Okay.

JR: Cuz I thought, (unknown sound) I thought obviously the animal would be close to that, k-where the collision point, somewhere..

JA: Mm hmm.

JR: in there.

JA: Mm hmm.

JR: And looked around there.

JA: Okay.

JR: And then walked back.

JA: Mm hmm. But so you walked past the piece of...

JR: I walked past the...

JA: Piece.

JR: of the vehicle.

JA: East of.

JR: East.

JA: Okay.

JR: Towards Highmore. Yes. (unknown sound) (writing sound).

JA: Okay. When you were walking past it did you, you had your flash, is it your phone flashlight out you said, or was that...

JR: I di no

JA: after that.

JR: That was after the phone call co-concluded.

JA: Okay. And so when your walking were you on 911 at the time when you were walking?

JR: Yes. I was walking and talking at the same time.

JA: Okay. Great.

JR: Walking and talking towards the sign. (unknown sound). I would say I had an excited utterance yes, it is Highmore. I am near Highmore. So-words to that affect. You know I thought I was at Highmore but again I didn't want to say I was at Harrold and then, which is the next town.

JA: Right. Mm hmm.

JR: And send the officer to the wrong (little chuckle) location.

JA: Right. Yep. Okay. So, you went past, you're on the phone and then when you start coming back is that when you turn the flashli phone light on?

JR: Y-ye-yeah within s-you know, I-I hung up, or she hung up I don't...

JA: Right.

JR: remember who hung up.

JA: Mm hmm.

JR: And then uh I turned th-the light on...

JA: Okay.

JR: soon thereafter. (unknown sound)

JA: Okay.

JR: I don't know you know (unknown sound) how soon.

JA: Right. Okay. And then you walked back towards your vehicle?

JR: I walked towards the vehicle and like I said I took a picture and that's when the sheriff pulled up.

JA: Mm hmm.

JR: The sheriff pulls up and he says uh you know what ha you know what happened. And I said well I think I hit a deer and so the sheriff looked at me. So (unknown sound) I'm at the front corner taking that picture and he walks up beside me and he's looking at the car also.

JA: Okay.

JR: And he says something to the effect well at least it didn't get the side (unknown sound) window, you know, and my passenger side window.

JA: Right.

JR: I mean he saw what other damage was there.

JA: Okay.

JR: And then he kinda looked the car over I would say and then he looked at and I told him that you know that I-I tried to break and got it over as best I could. And he looked at the car and he looked back at the wreckage I would say...

JA: Mm hmm.

JR: and such. And then he said well grab your license, no not not your license. Grab your registration and your insurance and meet me back at the car. So I then walked back to the car.

JA: Uh huh.

JR: And when I get in the ca-well no I had to get in my car...

JA: Uh huh.

JR: to get those two items.

JA: And where were those items at?

JR: My registration's is always above my visor.

JA: Okay.

JR: In, it has a mirror so you...

JA: Right.

JR: drop down the mirror so you always have the registration there and then the insurance was in the glove compartment.

JA: Okay.

JR: Which at this point had been ajar.

JA: Okay.

JR: It had opened up based on the collision. Uh I guess the one thing the one thing I remember that I told you at the beginning I remembered something. My airbags did not deploy.

JA: Right.

JR: It looked like from uh photos and I-I think that's my car that KELOLAND put out there but you know we couldn't see it exactly but it looked like the airbags had deployed then. So, they did not deploy from the crash I guess, you know.

JA: Right.

JR: And so I guess I haven't seen my car since so I don't know.

JA: Right.

JR: I mean I'm just telling ya.

JA: Mm hmm. Okay.

JR: Go back to the car he says well he writes down he-he-he takes those two items and he writes me out the red ticket, which I gave you.

JA: Uh huh.

JR: A cop-a picture of.

JA: Yep. Sure did.

JR: And um and then he said well where do you live or words t-where were ya at. He talked past me where I was at. I said well I'm in Redfield. I went to a-a political event and uh a Republican event over there and he goes well you're not running this year are ya already, and I says no but your attorney general (unknown sound) your always running. You know, you're always running. You know, you're always, you know out seeing the people and I think that's what you gotta do.

JA: Hmm

AR: Your extra pen please.

JA: Sure.

AR: Mine went dead.

JR: Oh (laughing).

AR: Sorry.

JR: And you know get out and find out what their concerns are and talk with em and uh that's what you should do as a elected person. And...

JA: Mm hmm.

JR: he said something to the affect that you know he loved his job but he doesn't like the politics of it and I you know I okay. I didn't really say much to that I guess an-and he said (background voices) well where do you live? Well I started describing exactly where I lived. I think he meant from what I-he said later, you know, that he just wanted to know what town I lived in.

JA: Mm hmm.

JR: You know, but I was telling him exactly (chuckle) where I lived in town.

JA: Mm hmm.

JR: I you know I'm a little shook up.

JA: Mm hmm.

JR: And he goes uh to the effect of um well I can either take you to take you there or you can drive but it'll be an hour for a tow truck. We talked about a tow truck.

JA: Mm hmm.

JR: And I said uh so I was confused. I says well you we just talked about a tow truck but you said I can drive. I do think the car is driveable.

JA: Mm hmm.

JR: I mean it, the motor runs and you know and everything, but it is safe to dri-I you know I was just...

JA: Mm hmm.

JR: this was cloudy of my why is and he says no you can go to m-I'll take you to my house and I'll give you my car and you can drive or I can take you back. (unknown sound) Well somebody's offering me their car or he's going to take his time to take me home. I quite frankly threw it back on him and I says whatever works for you sheriff you know or words to that effect. And he said well we'll take you to the house then and we'll get you the car. We then...

JA: But you didn't think that the car wasn't driveable?

JR: I thought the car motor wise...

JA: Mm hmm.

JR: could drive but I didn't know how safe it was with the windshield...

JA: Mm hmm.

JR: action.

JA: Right. Okay.

JR: I mean I you know I-I don't kn-I didn't test it out obviously. I-I got it to the side the best I could uh (unknown sound) but I guess I was deferring to the sheriff at that point.

JA: Mm hmm. Okay.

JR: And he so he then takes me to his house.

JA: Um. Real quick before we get to that.

JR: Okay.

JA: So, the sheriff he looked at the damage to the vehicle. Did you guys, did the sheriff while you present did he look at all for anything that you would have hit?

JR: Well I know he looked at the the car itself.

JA: Uh huh.

JR: And I know he looked at the wreckage and I-I believe he looked he was looking in the ditch.

JA: Okay.

JR: As I was a-as I you know I didn't watch him exactly...

JA: Mm hmm.

JR: go back to his car but I was f-you know finding the registration, the insurance, looking around. And I looked back at him and I thought I lo-seen him once you know glance in the ditch and such.

JA: Mm hmm.

JR: But.

JA: Right by you where the cars where though?

JR: The cars were...

JA: Or like he didn't.

JR: Well.

JA: Did you see him walk down the highway at all like looking in the ditch?

JR: He well n-neither one of us ever went east of the crash s-of where the car stopped.

JA: Okay.

JR: Uh we never went east of it. I mean I took the picture and that's when I stopped and then...

JA: Mm hmm.

JR: kinda differed to him.

JA: Mm hmm.

JR: Um. (inaudible 1:42:07)

JA: So the only time you had walked east was to find out if you were by Highmore?

JR: Oh sorry I said I said it backwards now (chuckle).

JA: (inaudible 1:42:07)

JR: I didn't walk west of the car further.

JA: Okay.

JR: You know wa-I didn't walk any farther west than I'd come to the front of the car and taken that picture. I did not walk west of the car. I only walked east prior to the sheriff arriving as I early described.

JA: Okay.

JR: And then when I obviously walked back to the sheriff's car I-I did look again in the ditch as I walked back to his car with my uh you know I looked out there. I don't know if I-I don't think I used my phone.

JA: Mm hmm.

JR: When I was just looking out when I walked back to the car.

JA: Mm hmm.

JR: You know and...

JA: And so in you in relation to your car cuz your car was facing west, the sheriff pulled up, did he pull up behind you or?

JR: Yes. He pulled up behind me.

JA: Okay.

JR: Yes.

JA: Did he come from the east?

JR: No. He come...

JA: Or did he come and then like turnaround or how did that work? You know what I mean?

JR: I-I don't know.

JA: How he how he ended up behind you.

JR: I mean I can only speculate.

JA: Okay.

JR: He-he lives...

JA: Yeah no that's fine.

JR: He lives a quarter mile from the crash site.

JA: Yep. West though.

JR: Right west of it.

JA: Mm hmm.

JR: But I didn't I-I-yeah he he parked behind me.

JA: Okay.

JR: So I don't know where...

JA: Right.

JR: he came from I guess.

JA: Okay.

JR: He just appeared and I...

JA: Right.

JR: showed him the vehicle. You know showed him the front and everything.

JA: Mm hmm. Um do you remember did the sheriff have like when he was looking around did he have a flashlight or anything? Do you remember at all even?

JR: I don't remember if he...

JA: Okay.

JR: yeah I mean not, yeah I don't remember.

JA: Okay. That's fine. Um and any questions I ask if you don't...

JR: Yep no. Right.

JA: just say you don't remember that's best.

JR: Mm hmm.

JA: Um. So you guys...

JR: I don't want to speculate.

JA: Yeah.

JR: Yeah I don't wanna...

JA: So...

JR: give you the facts.

JA: um when you were looking around or walking to find out where you were at or anything did you move any of the debris?

JR: No.

JA: Okay. Didn't touch any...

JR: Didn't touch.

JA: debris?

JR: Didn't.

JA: Okay. Did you happen to see if the sheriff when he was out there moved any debris?

JR: I did not...

JA: You didn't see him.

JR: see what he did.

JA: Okay.

JR: You know and then obviously I thought of later obviously the tow truck came and got my car.

JA: Uh huh.

JR: That was after I left...

JA: Right.

JR: the scene you know so.

JA: Okay.

JR: So somebody moved the car and tow truck and the sheriff because I-as I started to say I was at the house with him. He backs his car out, I take it, I leave and he pulled me over again.

JA: Mm hmm.

JR: And he sa-and I says is there a problem sheriff? What-what else eh do I can I do for ya and he says you didn't give me the key to the car. So I give him ALL my keys and then he gave em back and says no just give me the drive key.

JA: Mm hmm.

JR: And so that was (unknown sound) he came out of his lane and I went west at that point and I gave him the key back.

JA: Okay.

JR: You know so he had to obviously I assume went back to the crash site when the...

JA: Mm hmm

JR: tow truck driver came.

JA: Mm hmm.

JR: Cuz he's the one that gave the key to.

JA: Right. Okay. And then you headed back to Pierre?

JR: I headed back to Pierre. Uh I called and as I said before I called my father, Tim and Dave and the sheriff.

JA: Mm hmm.

JR: And I just coordinating a-I-I guess I regularly tell Tim and Dave where I'm at...

JA: Okay.

JR: uh as attorney general. You know...

JA: Mm hmm.

JR: If I'm traveling especially by myself.

JA: Okay.

JR: Where I'm at. Those two know where I'm at.

JA: Right.

JR: And so I told them that I believe I you know hit a deer and had...

JA: Mm hmm.

JR: an accident and the and I asked Tim if he would help me the next day take my car ba- take that car back to the sheriff.

JA: Mm hmm.

JR: And he said yes and then I called the sheriff and said I had driven to Pierre and I didn't see a tow truck pass me anywhere you know had it come yet, no. And when can I bring your car back and he said anytime you know bring it back in the morning whenever works for you.

JA: Okay.

JR: And that's what we did.

JA: Okay. So the call to the sheriff was just to setup.

JR: To setup the return of his vehicle.

JA: Okay.

JR: I mean I again I'm boring somebody else's property and I think I should get it back to him you know (chuckle).

JA: The sheriff say anything about the accident or anything or...

JR: No.

JA: ask any questions about that.

JR: No. All you know he just he said that the tow truck driver hadn't been there yet and uh bringing it back whenever it worked for me in the morning.

JA: Okay. Alright. So then you go back the next morning. Correct?

JR: Okay. So Tim meets me at my house...

JA: Mm hmm.

JR: Approximately 8:00 and I said follow me and ah-you know ah-we did see three deer the next day going east back to Highmore. We saw three in the daylight you know. And we slowed down because of those.

JA: Mm hmm.

JR: And then we I said I wanted to go to Highmore and fill it up with gas cuz I thought it was only the right thing to do again.

JA: Mm hmm.

JR: That somebody loan me their vehicle to give it back to em full.

JA: Mm hmm.

JR: And so we filled it up and as we drove by s-the some of the wreckage was still there on the road.

JA: Mm hmm. Did it look like it was in the same place that it was.

JR: Uhh I don't...

JA: Or...

JR: know about that.

JA: Don't know. Okay.

JR: If it moved or not.

JA: Right. Okay.

JR: I mean it. You know obviously ten, twelve hours...

JA: Yeah.

JR: had passed yeah (inaudible 1:36:56) moved.

JA: get from darkness to daylight, I get it.

JR: Right. Yep.

JA: Uh. Okay.

JR: I don't know if it moved or not but it was still there and I thought it could be a problem for another traveler.

JA: Mm hmm. Mm hmm.

JR: And I had thought along the way. I didn't look on the southside of the ditch.

JA: Mm hmm.

JR: And so I told Tim lets park on the north side, look there, and then lets look on the south side cuz maybe the deer glanced off and went to the other side of the road. I did not check that the night before on the south side. Well then we pull up to the th-the site area and again I never saw you know my car is gone at that point.

JA: Mm hmm.

JR: So I don't know where my car is in relation to the body when I found it.

JA: Mm hmm.

JR: Uh so I went I went west and Tim went east and then I found the body.

JA: Mm hmm.

JR: And I just came to Tim and said Tim-Tim-Tim ya gotta come here. I found a body. So Tim came up and looked at it and then I said well now it's daylight. I can see the sheriff's house and I said we gotta go get the sheriff immediately and he agreed. And we so we did leave the site.

JA: Mm hmm.

JR: Without calling 911 but my thought process was this is the quickest way I can get the sheriff is to go to his house, he's right there. And so he walks out and says good morning and I says I don't know. I said sheriff I found a body and his response was you're shittin me. So and I (chuckle) obviously thought that was genuine you know that he was surprised that that was the case.

JA: Mm hmm.

JR: I says you need to come with us. Here's your keys back. I handed him his keys to his car and we just left it where I where I drove th-into the property at and I got in with Tim and the sheriff followed us back to the to the site. The sheriff said to the affect of wh-wh-first we got out and then we showed him where it was at. And then he said well how are you doing? Well I says well I'm pretty shook up (voice gets higher) right now. And ah and he says well Tim you take care of him and take him back and I'll call DCI and that's where we left it.

JA: Okay. So when you said that the sheriff seemed genuine (papers shuffling) when he said your shittin me um...

JR: Well that was his reaction.

JA: Mm hmm.

JR: Your shittin me.

JA: Okay.

JR: Like he was genuinely surprised...

JA: Right.

JR: that there's a body out there.

JA: Mm hmm. Okay.

JR: I mean not-not to take away from him in any fashion.

JA: Uh huh.

JR: That was just his...

JA: Right.

JR: his response.

JA: Okay. Um more of the reason I'm asking that...

JR: K, yep.

JA: your clarifying that is w-are are you now questioning or where you questioning on whether the sheriff was genuine about that?

JR: No. No. No. No.

JA: Okay. I was just wondering.

JR: No I want to make sure that's clear. I mean if I said that wrong.

JA: Okay. I just wanted to clarify.

JR: No. E-e I mean he was just (unknown sound) he was surprised.

JA: Mm hmm.

JR: I mean he-he was probably as surprised as I was minutes previously in finding the body.

JA: Right.

JR: You know just kind of a shock.

JA: Mm hmm.

JR: Your shittin me.

JA: Right.

JR: You know and...

JA: Mm hmm.

JR: I mean I thought I took that reaction as genuine like wa-clearly he didn't know there was a body either.

JA: Mm hmm.

JR: You know and that's (unknown sound) you know was all settling in to me th..

JA: Mm hmm.

JR: You know.

JA: So when you spoke to the sheriff (unknown sound) at his house do you remember what was he w-was he like dressed like he was ready to go on duty do you remember or? I-I mean at 8:30 in the morning

JR: Okay 8:30

JA: you might catch in...

JR: Well so...

JA: pajamas.

JR: this is 9:30 in the morning.

JA: Okay.

JR: ish.

JA: 9:30. Okay.

JR: ish. Yep you know cuz it's we left we left Pierre around 8 and then like I said we got gas, uh we uh went to the crash site and then we went to the sheriff. And I guess I-I don't remember if he's wearing a uniform or not but...

JA: Mm hmm.

JR: I would say he's dressed like you folks. I mean he dressed...

JA: Okay.

JR: like he was gonna you know go out you know be out for the day appropriately. He was not...

JA: Right.

JR: in pajamas.

JA: Right.

JR: per se.

JA: Mm hmm.

JR: You know or some kind of night clothing.

JA: Right. Yeah.

JR: He was in standard clothing.

JA: Mm Hmm.

JR: I mean.

JA: Yeah. Okay. Yeah (inaudible 1:32:46) 9, 8:30, 9:30 in the morning you might catch me in...

JR: (Chuckle) Right.

JA: you know...

JR: On Sunday.

JA: shorts.

JR: On Sunday morning too.

JA: On Sunday morning...

JR: Right.

JA: you might catch me in sh-not ready to go...

JR: Right. Or-or...

JA: at that point.

JR: Or you know I guess I don't remember him looking like he was gonna go to church but it don't look like he's like he's gonna go to pajamas either.

JA: Okay.

JR: I mean it's just standard.

JA: Okay.

JR: Standard clothes.

JA: Mm hmm. Alright so you showed the sheriff he said he'd take over from there and you and Tim, he released you and Tim from the scene.

JR: He released me and Tim from the scene uh and said he would contact DCI.

JA: Okay. Alright.

JR: And that's what I remember...

JA: Mm hmm.

JR: except for uh at some point you know the highway patrol asked if I would do a blood draw and I said absolutely.

JA: Mm hmm.

JR: And I did that up at the jail. That's when I asked ya...

JA: Mm hmm.

JR: Where we were meeting exactly. At the top of the hill there's actually the jai.

JA: Oh okay.

JR: You know so...

JA: (inaudible 1:31:56)

JR: I you know I met up there for that.

JA: Mm hmm.

JR: And I believe that officer ah high patrol was Schneider.

JA: Okay.

JR: Was his name.

JA: Yep.

JR: And he he coordinated that with Tim uh.

JA: Okay.

JR: Cuz I called my father on when I got home.

JA: Uh huh.

JR: Or I got back to the office and while I think while I was doing that that's when Tim talked with high patrol to line that up.

JA: So you said when you got back to the office you you went to the office not home.

JR: We wen yes went to the office.

JA: Okay.

JR: Yeah.

JA: Okay. What'd you do at the office?

JR: Wait.

JA: Just waited?

JR: Yeah.

JA: Okay.

JR: Just kinda well he had said to Tim to look after me for a little while.

JA: Mm hmm.

JR: So not to go home and leave me alone I guess was...

JA: Mm hmm.

JR: Tim's thinking. He says w-I think it was Tim's idea, lets just go to the office.

JA: Mm hmm. Okay so Tim stayed at the office then too?

JR: Yeah he was with me.

JA: Okay. Alright.

JR: And I know we went and then we came here and did the blood draw and we went back to the office for a little while I think.

JA: Mm hmm.

JR: And then he you know asked if I was okay and stuff to go home and such and cuz now I don't have a car...

JA: Mm hmm.

JR: at all. So I know he had to take me home at some point.

JA: Right. Okay. Alright. Um so I just want to go back a little bit to...

JR: Okay.

JA: when the accident happened um what is the last thing you remember upon impact when you hit something? What is the very last thing you remember about hitting or you know at impact?

JR: I think that I had just shut the radio off and looked down at the speedometer.

JA: Okay.

JR: I mean I shut the radio off you know just soon pr-you know from Highmore in you know Highmore to the site somewhere. And then I think I looked down at the speedometer for I just seen the speed sign and I did not (unknown sound) engage the cruise.

JA: Okay.

JR: And then I (inaudible 1:29:47) to get to the...

JA: Do you remember how you were feeling when you were driving home from Redfield that time? I mean...

JR: I-I

JA: were you feeling tired...

JR: I-I

JA: fatigued at all?

JR: I do not feel fatigued. I felt normal.

JA: Mm hmm.

JR: Uh normal driving.

JA: Mm hmm.

JR: Uh I did not feel fatigued. Um so...

JA: Mm hmm. Okay. Do you remember were you using your phone at all for anything besides to make a couple of phone calls um?

JR: No. The only phone calls I made were to my father...

JA: Mm hmm.

JR: which ended prior to Miller.

JA: Yep. Okay.

JR: I'd set, I have two phones, as you know.

JA: Mm hmm.

JR: One was on the passenger seat and the other one was on my console.

JA: Mm hmm.

JR: And I did not you know use them you know then.

JA: Okay. S...

JR: You know I-I did not have the phone in my hands when the crash happened. I had you know hands on the wheel and looking at the speedometer.

JA: Mm hmm. Okay. Um so...

JR: As best I can relate back.

JA: Yep. So your phones when to unlock them do you use a like mine I can use I can use a code or my-my thumb.

JR: Uh huh.

JA: Um I think my kids can actually use a facial recognition thing. They hold it in front of their face.

JR: Right.

JA: Um how-how are yours set up?

JR: One doesn't have anything and...

JA: Which one doesn't have anything?

JR: Uh the personal phone.

JA: Person.

JR: The Droid.

JA: Okay. No security on that just a...

JR: No security on that one.

JA: Okay. And how about your work phone?

JR: You have to punch a code in.

JA: Okay.

JR: That's the one.

JA: So you can't just use a thumb print or anything like that. You actually gotta enter in a...

JR: Right.

JA: How many numbers is your code?

JR: Four.

JA: Four numbers. Okay. But you don't remember using your phone for anything other than phone calls?

JR: Yeah.

JA: To your dad that night on the way home?

JR: Right. Yep.

JA: Okay.

AR: How's your vision?

JR: Good. I...

AR: Do you have night vision problems anything like that?

JR: No. I uh I-I'm in the army so I had a vision test a year ago.

AR: Sure.

JR: And I came out fine. Uh I have uh no glasses or anything.

AR: And I know some people have trouble seeing stars and stuff at night and I was just curious if you experienced any of that stuff.

JR: No.

AR: I didn't mean to interrupt.

JA: Oh no. Nope that's fine. So have you had any other contact with the sheriff at all since.

JR: No. I have not...

JA: Okay.

JR: talk w-uh I have not had any contact at all with the sheriff.

JA: Uh huh.

JR: I think uh Tim might have reached out cuz we were trying to figure out who the family was.

JA: Oh okay.

JR: You know to offer condolences, sympathy.

JA: Uh huh.

JR: Uh and you now I think Tim might have, do you now these people, do they have a relative who...

JA: Mm hmm.

JR: who is the right person.

JA: Were you guys ab-ever able to get anywhere with that?

JR: Uh no. Uh I-I no not at all.

JA: Okay.

JR: I mean we found a different way to find out. Then the funeral home they put the obituary and put the funeral home of...

JA: Uh huh.

JR: of the where that had happened and then we learned that the father passed away about six weeks prior. We were....

JA: Okay.

JR: looking to reach out to the mother.

JA: Uh huh.

JR: But we saw that and did not reach out then because...

JA: Okay.

JR: obviously she just lost her husband and then six weeks later loses a son.

JA: Uh huh. Right.

JR: So we just didn't think that was a uh the right time.

JA: Right.

JR: I guess. Cuz his the father was still on the funeral (unknown sound) home registry...

JA: Mm hmm.

JR: also.

JA: Okay. Alright. Um so on your phone then you have like an e-you have email on your work phone I assume.

JR: Correct.

JA: Okay. Um how do you open your email? Is it just like I have a mail icon basically.

JR: Right. You click on that.

JA: I hit that.

JR: Yep.

JA: Okay.

JR: Yep.

JA: Is that for a South Dakota state email or?

JR: Correct.

JA: Okay. Do you have other emails besides your work email?

JR: Yes.

JA: Okay. But your work your just click something and boom your in, right?

JR: Right.

JA: What other kind of emails do you have?

JR: Campaign mail.

JA: Okay.

JR: And personal email and then military email.

JA: Okay. So the campaign email what would that, is that like a gmail, a Yahoo mail, uh?

JR: Yahoo mail.

JA: Okay. It's Yahoo. And how about your personal?

JR: It's also Yahoo. Different one.

JA: Uh huh. Okay. Military what's that? Is that like a...

JR: It's a mil dot mil.

JA: It's dot mil...

JR: Ye.

JA: dot US...

JR: Yeah its your name.

JA: or whatever. Okay.

JR: Dot mil at mail dot mil or something. Yeah.

JA: Okay. And you had both phones with you when you went to...

JR: Correct.

JA: the dinner and then you brought em, you had em both when you came home right?

JR: Correct.

JA: Okay. Alright.

AR: What's the address for your campaign.

JR: Jasonforsouthdakota@yahoo.com.

AR: Is South Dakota written out.

JR: Yes.

(writing)

AR: southdakota@yahoo

JR: Mm hmm.

JA: So Jasonforsouthdakota@yahoo. How about your personal?

JR: Jravnbo@yahoo.com

(writing)

JA: Okay. Do you have any Google mail accounts? Any gmails?

JR: Yes. Uh.

JA: Okay.

JR: So it's more campaign related again.

JA: Okay so you have...

JR: It's it's the same Jravnbo@gmail. So the same prefix.

JA: At gmail?

JR? Yes.

JA: Okay. And that's a campaign email?

JR: Yes.

JA: Okay.

JR: Predominantly yeah.

JA: Okay. I assume they're all kinda used inter.

JR: A little bit.

JA: Intermingly

JR: I try not to.

JA: A little bit try.

JR: But uh I mean some people and you...

JA: Mm hmm.

JR: meet em and you move em over to a different email.

JA: Right.

JR: You know sometimes.

JA: Okay. So now any of these emails do you have to, to get into those how do you get into those on your phone?

JR: Well first off I don't get into the gmail one on my phone...

JA: Okay.

JR: at all.

JA: Okay.

JR: Ever.

JA: Okay.

JR: Uh I-I don't like gmail.

JA: (chuckle)

JR: It's not as easy, user friendly for me. And then the other one you have to go on to the to the internet I guess.

JA: Okay. So you actually have to go in to click on Safari or whatever, go into Yahoo...

JR: Right.

JA: and then sign in?

JR: Right

JA: Okay.

JR: And then my military email quite frankly I just ever use that on my laptop that they've given me.

JA: Okay. (unknown sound)

JR: Cuz it's complicated (chuckle). It's got long passwords and stuff you gotta enter in every time to...

AR: Do you have to vpn at all?

JR: Yeah.

AR: With your with your laptop?

JR: Yeah.

AR: Okay.

(writing)

JA: Okay. So when you were driving you don't remember going into any of these email accounts while you were driving home that night.

JR: No.

JA: Okay. Um are there any websites that you do frequently use um that you frequent on your phone?

JR: Well when I'm around my house or around you know...

JA: Uh huh.

JR: the building maybe you check out...

JA: Okay.

JR: the news and such you know. I mean I try to use my laptop an-and/or you know personal...

JA: Mm hmm.

JR: you know personal computers, laptops, desktops, stuff like that...

JA: Mm hmm.

JR: predominately.

JA: Mm hmm.

JR: You know I use em once in...

JA: Right.

JR: while.

JA: Do you have any certain sites you check the news on particularly? Any favorites or common ones?

JR: Well now with political season you know I actually look at Fox, CNN...

JA: Okay.

JR: and MSNBC. I look at the three big networks I guess I call it. Um that would be what I traditionally look at I guess.

JA: Okay. How about any of the local newspapers, do you do those online then?

JR: (Chuckle) I haven't since this un-until this happened (chuckle).

JA: Okay. I bet not.

JR: I mean I was not a normal 10:00 news or watcher of the frequent news I guess.

JA: Uh huh.

JR: We get the Argus Leader paper and the Rapid City Journal paper...

JA: Uh huh.

JR: at the office and I tend to look at those.

JA: Mm hmm.

JR: But I will look at those at the office...

JA: Mm hmm.

JR: periodically.

JA: Okay. Um so what would you think though if I told you that when they did the phone extractions...

JR: Uh huh.

JA: they found some internet activity on your phone...

JR: Okay.

JA: around that time?

JR: Well I-I guess uh I-I-that don't not use my phone, but I did...

JA: Uh huh.

JR: not use it at the time of the crash. No.

JA: Okay. But were you using it up to the time of the crash?

JR: (inaudible 1:19:48) not that I recall. (paper shuffling)

JA: Mm hmm.

AR: Are you aware of what phones will actually tell us Jason?

JR: Uh yeah uh somewhat you know.

AR: Okay. So there there pretty straight forward (chuckle).

JR: Right. Okay.

AR: And there isn't any manipulation that you can do with them.

JR: Right. Right. I didn't do anything to em or.

JA: Mm hmm.

AR: So. Right.

JR: Yeah.

JA: No.

AR: Right. And we didn't either.

JA: Yeah.

JR: Right. Right.

JA: Yeah.

JR: Right. Right.

AR: That's that's what I'm trying to say.

JR: Right. Right.

AR: And it's like...

JR: The best I can recall is that the one phone was on my uh (chair squeak) on the seat and I never touched that one.

JA: Which one was that?

JR: That's the Droid. That's the one they said they couldn't get the information off of and would have to mail to New Jersey.

JA: Uh huh.

JR: Mm hmm. (mumble) And it slammed into the wheel well is what I remember. The other one I remember you know I would say prior to or right at Highmore I set it down on you know but it you know through the journey it fell down a few times you know but on to the on to the gearshift but I was not using it at the time. I know that.

JA: Okay. So you said that you set it down about when you got to Highmore.

JR: Yeah around Highmore.

JA: Okay.

JR: The console there's a little...

JA: Mm hmm.

JR: console I set it on top and I know I had the both plugged in, you know both were charging.

JA: Mm hmm. Okay.

JR: Yep and it would slip down and I'd pick it up and...

JA: Uh huh.

JR: you know.

JA: So what were you doing with it before you got to Highmore if you set it down at Highmore (inaudible 1:18:15)

JR: I-I-I look at the time and such.

JA: Uh huh.

JR: I know I do that. I-I would open it up and I'd see the time better.

JA: Uh huh.

JR: Uh but (pause) you know I'd glance at it you know.

JA: Okay.

JR: Nothing sticks out I guess.

JA: When you say....

JR: I don't...

JA: glance at your phone what do you mean by that?

JR: Glance and see what time it was.

JA: Okay.

JR: You know just...

JA: Uh huh.

JR: You know a periodic check I-I sometimes listen to podcasts but I was not...

JA: Okay.

JR: that night uh that's another app I use.

JA: Yep.

JR: Sometimes but I will play it and it sits down.

JA: Right.

JR: Uh.

JA: Are you able to Bluetooth your phone in so, da-if you like listen to a podcast or receive...

JR: Yes.

JA: a phone call?

JR: Uh.

JA: Do you, is it hands free for you?

JR: Yes.

JA: Okay.

JR: And/or you can just hear it from the phone.

JA: Uh huh.

JR: Uh.

JA: Okay.

JR: The Suburban which I have for work, I can Bluetooth it better than my car.

JA: Okay.

JR: I just lay it on the se-I'd lay right that same place there. I guess...

JA: Mm hmm.

JR: I always lay it in the same place.

JA: Okay. So you lay it there and just let the speaker?

JR: Right.

JA: Okay.

JR: Right.

JA: Alright. Um so were you using your phone besides for the phone call to your dad, which we know...

JR: Mm hmm.

JA: I mean that's...

JR: Right.

JA: Where you using your phone at all for any other activities on that drive home that night?

JR: I you know I don't bel-I don't I didn't have any texts that I sent.

JA: Mm hmm.

JR: And typically if I would text I would do voice to text, which I know I didn't do that night.

JA: Mm hmm.

JR: And uh the work email but I didn't do any of that. You know I could you know I guess that's what I remember.

JA: Okay. (unknown sounds) You don't remember signing into a Gmail account though?

JR: No. (1:16:11) sounds like Huh uh.

JA: Okay.

JR: Guess it's always just hard to get to where you need to go.

JA: That's one a hard one to get to.

JR: Right.

JA: Okay.

JR: Yeah.

JA: Yep uh but you do have two Yahoo...

JR: Yes.

JA: accounts? Do you remember signing into either of those?

(sigh)

JA: Cuz when you go in...

JR: Mm hmm.

JA: and you want to your...

JR: Mm hmm.

JA: Yahoo account...

JR: Mm hmm.

JA: do you have to actually manually enter in your user name and password or (pounding sound) are they like do they autofill?

JR: They autofill.

JA: Okay. So you'd have to go in and then click sign in they would be there and then probably another sign in thing or whatever, is that correct?

JR: Correct. Yes.

JA: Okay. Do you remember being on either of those?

JR: I guess it's possible that I could have checked those, yeah.

JA: Okay. Alright. Um do you ever go on the Dakota Free Press?

JR: Yes.

JA: What is that?

JR: That's a blog.

JA: Okay.

JR: That's a blog here politics.

JA: Uh huh.

JR: Yes.

JA: Oh it's a political blog?

JR: Yep.

JA: Okay. Um.

JR: There's another one then Dakota War College.

JA: Okay.

JR: Also a blog.

JA: Alright.

JR: Guess you see what the headlines are more than...

JA: Mm hmm.

JR: anything yes.

JA: How about um Real Clear Politics?

JR: Okay. Yes.

JA: Okay. What's that one?

JR: Politics and it has a whole bunch of stories and...

JA: Uh huh.

JR: and stuff.

JA: Okay.

JR: Of the day but that's more national politics yeah.

JA: Oh okay. Alright. So that's more of a national site, not...

JR: Mm hmm.

JA: wh-I assume Dakota Free Press is a South Dakota political blog?

JR: Yes.

JA: Okay. Um how about what's Just the News?

JR: Just The News. No I don't recognize that one.

JA: Okay.

JR: (whispering Just the News)

JA: Alright. Have you ever read the article Riding the Dragon, it's a documentary about Joe Biden?

JR: I-I it's not familiar to me I guess.

JA: Okay. Alright. Well here I'll kinda show you what...

JR: Yeah.

JA: where I'm getting...

JR: Yeah. Absolutely.

JA: this stuff from.

JR: Yes. Absolutely.

JA: So here's kinda the information that was put together on your phone (paper shuffling) from and here's our times. So outgoing call 10:24.

JR: Mm hmm.

JA: So that's what time you made the 911 call.

JR: Mm hmm.

JA: So and that's all fine and dandy you know, but leading up to that (inaudible 1:13:33) at 10:20 you unlocked your phone, signed into your Yahoo mail account.

JR: Mm hmm.

JA: Also then and then signed out um at 10:20:49 you were on the Dakota Free Press...

JR: Okay.

JA: site. These are all on your work phone.

JR: Mm hmm.

JA: Um a minute later you were on the Real Clear Politics website.

JR: Okay.

JA: And then about a minute later um this article was pulled up through the Just the News.

JR: Okay.

JA: Which could've been something that...

JR: Mm hmm.

JA: you were on this and it had a link to click to get you to this one.

JR: Mm hmm.

JA: Regarding this, it's an article about Joe Biden and some...

JR: Mm hmm.

JA: thing with China. So you were on that up to about we're going to estimate probably a minute before the accident.

JR: Okay.

JA: You were on that. Um do you remember any of these?

JR: Well I-I remember looking at em but that's when I set my phone down...

JA: Mm hmm.

JR: prior to.

JA: Mm hmm.

JR: Yeah. (unknown sound)

JA: Okay. (paper shuffling) Cuz then like I-s-we're looking at a minute to two minutes before you call 911.

JR: Right. Right.

JA: So with I mean the concern being (unknown sound) is that...

JR: Obviously.

JA: we know that from the time of impact there was a time period that went by before you called 911.

JR: Right.

JA: You-you had to realize what was going on, come to a stop (chair creaking), get your bearings back about you, get out, look at the damage a little bit, figure out what the hell is going on.

JR: Mm hmm.

JA: You're trying to figure out where you are.

JR: Right.

JA: Call 911. So it's reasonable to say that there was a minute to two minutes that passed from impact to when you were actually on the phone with 911, right? That would be reasonable, correct? I mean...

JR: I guess. Yeah.

JA: So when we look at that our concern is everything that we're seeing here is appearing that you were on your phone reading political stuff at the time. Um.

JR: (Breath out) But I just wasn't. (cough in background) (unknown sound) I just set it down. (coughing in background). I know I did. (breath out)

JA: Did you maybe set it down after the accident?

JR: No cuz I grabbed it and went out.

JA: Mm hmm. And it was sitting in like the...

JR: (inaudible 1:11:17)

JA: center console area.

JR: Center console area absolutely.

JA: Okay. So when the impact happened that phone was sitting in the center console.

JR: Absolutely.

JA: Okay. See where this obviously is...

JR: Well yeah I yeah.

JA: I-ts an issue.

AR: Part part of this Jason is we have a job.

JR: Mm hmm.

AR: Right.

JR: Absolutely.

AR: People make mistakes.

JR: Right.

AR: And we're thinking you made one. (unknown sound)

JR: I-I don't remember being on my phone. I set it down and I shut the radio off and I looked at the I looked at the speedometer is the best I remember, but I don't that's what I was you know wor-how-how fast does that transmit that that you do that you know. That you set it down. An-and I never shut the browser I guess a lot.

JA: Mm hmm.

JR: You know.

AR: Yeah. But it shows you unlocked it and such so.

JR: Mm hmm.

AR: Um you know it's it's it's a tough position.

JR: (inaudible 1:10:19). Right.

JA: Mm hmm.

AR: We know. But it's like uh it's sure appears to be a problem here and we want to get a head of it.

JR: Right.

AR: Just like you do.

JR: Right.

AR: I-I-I get it.

JR: Mm hmm.

AR: I know what kind of position you're in, it's it's tough.

JR: Mm hmm.

AR: But (unknown sound) these don't just appear too.

JR: Right I understand.

AR: I mean you.

JR: I mean I look at stuff.

AR: You're smart enough to know...

JR: I look at stuff.

AR: technology is is instant.

JR: But I-I remember I sat it down cuz I was getting rid of distractions cuz I wanted to think about these cases. That you know shut it down there.

AR: And it could've been just at that moment. But you you know this...

JR: Right.

AR: you know the speed of technology today. You're a...

JR: Right.

AR: smart man.

JR: Right.

AR: And it's like the the speed of technology is amazing.

JR: MM hmm.

AR: And...

JR: I was not looking at it when it happened. I-I won't say that I was, no.

JA: Mm hmm.

JR: I-I set it down and I went to hit the, I know I shut the radio off and I looked at the speedometer.

JA: Mm hmm. So is it maybe when all that was going that the impact happened? I mean.

JR: Well th-th I mean that's r-that's the best message that I...

JA: Mm hmm.

JR: can remember, boom.

JA: Mm hmm.

JR: You know.

AR: Yeah and it could be instantaneous.

JA: Right.

JR: Right.

AR: We get that.

JR: Right. Right.

JA: Yeah.

AR: We get that.

JR: Yes. I mean that's...

JA: MM hmm.

AR: It could be instantaneous and and like you said the last time.

JR: Right.

AR: Wham there it is.

JR: Mm hmm.

AR: And as you're putting it down, it could be wham there it is.

JR: Mm hmm. Well I-I set it down. I remember sitting it down. It's the I-I pretty confident I shut the radio off and then and then wh-you know looked at the speedometer. I mean

cuz it's the best I remember and then wham. I was not looking at my phone. I know it the law and I-I was not looking at it at the time it happened. No.

JA: Mm hmm.

AR: You've been kinda called out on that before to haven't you?

JR: Hmm I don't know what (unknown sound) mean by that.

AR: (inaudible 1:08:11) somebody when you were texting or tweeting when you were going through the Black Hills.

JR: Well I.

AR: That was a similar type situation where...

JR: Well yeah. I-I mean.

AR: and you got kinda called out on it. That's what I mean.

JR: Right.

AR: And they (unknown sound)...

JR: Mm hmm.

AR: We heard about all that. We...

JR: Mm hmm.

AR: Joe and I have done, we want to cover every base we...

JR: Right.

AR: have.

JR: Right.

AR: That I can assure we have gone as as far as...

JR: Well obviously I'm political. I get called out on...

AR: Sure.

JR: lots of stuff.

JA: Mm hmm.

JR: That doesn't look necessarily how it looks you know.

AR: Right and it may or may not be appropriate.

JR: Right.

JA: Mm hmm.

AR: (inaudible 1:07:30)

JR: Right.

AR: An-and.

JR: Right.

AR: So I can see where in a situation like this all a sudden this is wham.

JR: Mm hmm.

AR: Now it's in your face.

JR: Mm hmm.

AR: Now what do I do. And it's like I don't know what just happened to me.

JR: Mm hmm.

AR: I just know that something is going on really serious here and I gotta figure it out, and I-I kinda think that's what you're. I've-I've done this for forty years.

JR: Mm hmm. Mm hmm.

AR: I started in 1981.

JR: Mm hmm.

AR: I'm on my 39th year.

JR: Right.

AR: So in that time I've had situations like this before.

JR: Mm hmm.

AR: Where all of a sudden you have to make a decision.

JR: Mm hmm.

AR: And it's fast, and it's it's gonna last forever.

JR: Mm hmm.

AR: And I can see where it's like oh I should not have done this. I should not have been doing this and now I'm kinda in a jam. What do I do?

JR: I-I still believe I was not on my phone when the moment happened. (papers shuffling)

AR: An-but like

JR: (whispering) I laid it down.

AR: But you you agree that it could've been at that moment that you were putting it down?

JR: I-I still believe I put the phone down and reached to the shut the radio off. You know now was that ten sec-you know five seconds, 20 seconds, I don't know. But you know wham it's close relation I guess.

AR: Yeah it's really close.

JA: Mm hmm.

JR: Right. But I WAS not doing it at the time of the impact. I set that phone down. I know I did. (writing sound)

JA: Do you remember reading that article at all?

JR: No.

AR: It's basically about Joe Biden. I-I looked at it as well.

JR: Okay.

AR: Because when we get these...

JR: Right.

AR: Jason we can go look at what you're looking at.

JR: Right, right, yeah.

AR: An-and it's about you know.

JA: About some conspiracy with Joe Biden in China an...

AR: In China.

JR: (inaudible 1:05:25)

JA: I-I didn't read. (unknown sound)

JR: I guess I would say I glance at headlines a lot you know.

AR: Sure.

JA: Mm hmm.

JR: I don't read articles when I'm driving.

JA: Right. And...

AR: Probably intriguing...

JR: Glance at the le...

AR: headline. I mean I would guess.

JA: Mm hmm.

JR: Right.

JA: Right. Cuz when enter in the address that was on your phone...

JR: Mm hmm.

JA: it actually takes you to the article. It's not just like a headline where you scroll down and see other headlines or whatever. You are on the (pounding sound) that article.

JR: Okay. So like you go from Real Clear Politics (unknown sound)...

JA: Mm hmm.

JR: to the ar-I mean you can click on, that's what Real Clear Politics is, you click on articles.

JA: Mm hmm.

AR: Sure.

JA: Yep.

JR: And then they take you to the article.

JA: S-right kinda what I was saying is I think...

JR: Right.

JA: you were probably in Real Clear Politics, clicked on this Riding the Dragon which took you to just the news and that article.

JR: Okay.

JA: Uh but I'm speculating too.

JR: Yeah I don't know, yeah.

JA: I'm I'm guessing...

JR: Right.

JA: on that. Um.

JR: Yeah I've never heard of Just the News. No

JA: Right. Which made me think then that you were on Real Clear Politics, clicked on an article and (pounding sound)...

JR: Right.

JA: they probably (pounding sound) have embedded in their site that you go to these sites an-for the article.

JR: Mm hmm. Right.

JA: Um but you don't remember reading that article at all?

JR: No. No.

JA: Okay.

JR: Like I said I glance at headlines at best.

JA: Mm hmm. Well and like I said I-I know you said you glance at headline. This one you actually went (pounding sound) into the story.

JR: Mm hmm.

JA: I mean you actually...

JR: Right but.

JA: It went and it took you to the article...

JR: Right, right, yeah.

JA: itself.

JR: But then that's the headline there.

JA: Mm hmm. So...

JR: My-my recollection...

AR: So that...

JR: is I'm getting rid of distractions cuz I'm gonna think about those two cases I know those cases. I'm setting it down, shutting it off.

AR: So that part of like we're just talking about Jason and the part that you had told us in your last interview where it was I didn't see what I hit until the impact.

JR: Mm hmm. (unknown sound). We-I-I never...

AR: That-that.

JR: saw

AR: those that's you're quote.

JR: Okay.

AR: So in-in...

JR: Okay.

AR: light of that that would make sense (unknown sound). That right there would make sense. Your putting it down, wham, and then then your heads up. It's like I just hit something.

JR: Again getting...

AR: Does that sound logical?

JR: Well I'm getting rid of distractions and I looked you know like I said I shut (unknown sound) I-I remember my hand you know for that radio and then to the speedometer is what I believe happened.

AR: So p-so you had your phone call. Let's just back up.

JR: Okay.

AR: So you had your phone call and then...

JR: With my father...

AR: (inaudible 1:02:45)

JR: are we talking about?

AR: Yeah, yeah, yep.

JR: Yep.

AR: And then even the second one with your dad. How about on your way there, were you on your phone talking to anybody then? Do you remember what you were looking at when you were driving out there? (unknown sound)

JR: No. I don't think I called anybody. (unknown sound)

AR: Okay. Do you remember what you were looking at?

JR: I might've looked at articles and stuff again, yes.

AR: Okay. And it's it's it's hard.

JR: Mm hmm. Right.

AR: Because I've driven it.

JR: Right.

AR: It is not an exciting road.

JR: Right.

AR: I can guarantee you that.

JA: Mm hmm.

AR: And...

JR: But I lis-I do remember I listened like I s-told you before. I started to listen to these uh and they're in the car yet I told you the discs.

AR: Sure.

JR: They're uh they're books on tape.

AR: Yeah.

JR: And I listened to them for a while but I just didn't like either one of them.

AR: Yeay you said they didn't...

JR: Yeah they're boring.

AR: were not intriguing at all.

JR: Right. Right.

JA: Mm hmm.

AR: So do you do both then? W-were you on your phone while you were listening to the book?

JR: Usually not.

AR: As well.

JR: No. I mean it's one or the other. Yeah. (unknown sound)

AR: How much did you spend looking for your insurance card?

JR: (Deep breath) Hmm insurance card took a little longer. I mean the other was right there and then cuz I remember I looked at it and then I, it was not the right one, it's like the year behind.

AR: Sure.

JR: You know and I looked at it and I and I that wasn't right and I looked at it a little while longer and I took it back to the sheriff.

AR: Mm hmm.

JR: And then I said I-I don't got the right one. You know I mean or I think I as he was writing it out and he says hell nobody's was got the right one usually everybody's got about five of em in the car. He said something to that effect.

AR: Sure.

JA: Mm hmm.

JR: You know.

AR: And that was the that was on the visor the other was in the glovebox?

JR: The glovebox, yes.

AR: Did you have to take things out of the...

JR: Yes.

AR: glovebox?

JR: I had to move stuff around, yes.

AR: Okay.

JR: Yes.

AR: Did you notice anything in the on the passenger side while you were doing that?

JR: Just glass. I mean I was staying away from the glass I guess.

AR: Okay.

JR: I mean I didn't spend a lot of time.

AR: So when you're when you're doing that are you leaning over the console?

JR: Yes.

AR: Are you...

JR: From the driver's door leaning over, yes.

AR: Okay. So you can kinda see in the glovebox and...

JR: Right. An...

AR: which is already...

JR: And it's already

AR: popped open.

JR: it's already popped open, yes.

AR: Okay.

JR: Yes.

AR: So did you see the glasses right next to that?

JR: I did not.

AR: Okay.

JR: Uh-yo-you showed me the glasses the first time.

AR: There...

JR: That's the first time...

AR: They're Joe's glasses.

JR: I (unknown sound) wo-won-wondered about that.

AR: So that means his face came through your windshield.

(deep breath in) (deep breath out)

AR: It's a tough thing.

JR: Oh. I was thinking his face did not come through cuz there would've (unknown sound) been blo-I thought there'd been blood everywhere then now you know after I thought about it.

AR: Yeah. An-and you've had time.

JR: Right.

AR: His glasses are right there.

(breath out).

AR: Jason. Those are Joe's. (unknown sound)

JR: I did not.

AR: Those those...

JR: I did not see the glasses until you so-you showed me...

JA: Mm hmm.

JR: the picture.

AR: So the only way for them to get there is through the windshield.

(deep breath out)

JR: Wow

AR: At the impact did you look over and see anything?

JR: I did not see anything. I mean it was (unknown sound) just it was again I-I then was looking to-to get to the side. I did not see anything. No. Absolutely not. (unknown sound) You know not yo-it-it shattered (unknown sound) I probably cringed or something but I was just trying to get it to the side. I did not see him. I did not know there was a human until the next day.

AR: Okay. So...

JR: No.

AR: when the glasses are so when the glasses are in there...

(deep breath out)

AR: it's like his lenses and we have a witness. We-we've talked to witnesses that actually had se-had seen him out there as well.

JR: I did not see...

AR: In fact...

JR: those glasses until you showed em to me.

AR: Yeah. And so we know they're Joe's.

(deep breath out)

AR: Okay. And I know that doesn't help you feel any better.

JR: Huh no.

AR: And I know you feel bad about this Jason.

JR: Oh yeah absolutely.

AR: But...

JR: No matter what happened somebody died.

AR: Yeah.

JR: Absolutely.

AR: So I mean

(sigh)

AR: Yo-you have to look at it from our...

JR: Oh absolutely.

AR: from our our our side of it.

JR: Mm hmm.

AR: We-we're just trying to find.

JR: Mm hmm.

AR: the facts. We know what we know and then explaining you know as best as we can. We know certain things. We know those are his glasses. They were on his head cuz they were seen on his head. They ended up in your car..

JR: I never saw em.

AR: Okay.

JR: Until you showed em to me.

AR: Okay.

JR: I never saw them no.

(sigh)

AR: One of the other things that we know Jason is you weren't in the middle of the road. You were on the shoulder. And I know it happens fast cuz it's happened to me. We have three people (unknown sound) putting him next to the grass. So we knew something was

happening. I mean you're a smart man. You know wh-Joe and I have done this job a long time. We know what the evidence is going to show us. What the evidence does show us.

JR: I don't rem-I remember being in the road, but you know I guess you'll show me what the evidence shows, but.

AR: Yeah. Yeah. So part of the evidence that is really convincing is there is bone scrape on the inside of the rumble bars.

(sigh)

AR: And that's where his leg was likely broke. That's where the pieces were at.

JR: So how did he get farther down the road. I mean did he ride. How did that...

AR: His face was in your windshield Jason. Think about that.

JR: OHHH (deep breath out)

JA: And you're going 65 to 70 miles per hour so from the time it takes you to slow down

JR: I.

JA: I mean you figure how far you went at 65 to 70 miles per hour just before you, it clicks that you need to stop.

JR: But doesn't it show that I braked a few times? You know I try and stop.

AR: It wasn't, we-we test tested your brakes worked fine.

JR: Uh huh.

AR: There's also ABS so they don't skid.

JR: R-okay yeah. I've heard that. Yes.

AR: Uh huh.

JR: I've heard about that.

AR: So not only do they not skid...

(deep breath out)

AR: they slow you down relatively fast.

JR: Uh huh.

AR: But they don't skid, cuz each one of the...

JR: Uh huh.

AR: brakes are working independently.

JR: Okay.

AR: Each wheel.

JR: Okay.

AR: Each wheel.

JR: I don't...

JA: Mm hmm.

JR: Yep.

AR: So...

JR: I understand all that. I guess.

AR: So so...

JR: I understand.

AR: that's kinda how that works.

JR: Okay.

AR: Okay. And so you gotta think about the momentum and as your going sooner or later the stopping power is gonna make him pop out.

JR: Okay.

AR: and he goes into the ditch.

JR: And you would think I guess I thought if that's what happened he you know (unknown sound) you know I s-you know braking multiple time, he'd a fallen off. You know, not just at the last time. (unknown sound) Cuz see I never saw him in relation to the car so I don't know where (pounding sound) he was in relation to the car finally.

AR: You mean his his body.

JR: Yeah.

AR: His body was.

JR: Right.

AR: Or what...

JR: Right yeah.

AR: where you trying to.

JR: Right. Yeah.

AR: Okay. So...

JR: Cuz the car they took away and I found the body the next day.

AR: So...

JR: I never saw the car with the body or...

AR: So...

JR: vice versa you know.

AR: We know that his face came through your windshield. We know that. We already talked about that, that's I would think substantially clear (paper moving) that that's what happened. We also have the imprint on the hood where his body at least part of his body likely was riding. At some point in time he roles off, takes out the mirror, and slides into the ditch.

JR: (sigh)

JR: I never...

AR: I want you to be.

JR: saw him.

AR: I want you to be really honest right now.

JR: I am. I never...

AR: Okay.

JR: saw him.

AR: I gotta another question for you.

JR: Okay.

AR: Okay. Did you see the flashlight he was carrying.

JR: No.

AR: Ever?

JR: Nuh uh.

AR: When you walked back to town?

JR: Nuh uh. No. No flashlight.

AR: It was pitch dark out there.

JR: Right.

AR: And with it being pitch dark, we went out and tested it.

JR: Okay.

AR: We picked up the flashlight.

JR: Right. Okay.

AR: The flashlight was still on when Joe and I got to the scene.

JR: Okay.

AR: It had not been touched.

JR: Uh huh.

AR: We picked it up and the light is still on.

JR: Okay.

AR: We talked to a witness that had just seen the light, had seen him walking with the light.

JR: Okay.

AR: After the crash, did you see that light in the dark? Cuz it's pitch dark you did. There's something glowing.

JR: Right.

AR: You would it would make sense for you to see it.

JR: Right. I did not see any light. No.

AR: Are you certain?

JR: I am absolutely certain.

JA: Just because Jason we went out there another night...

JR: Right.

JA: that flashlight um recently.

JR: Mm hmm.

JA: And put it back in the same spot it was in.

JR: Okay.

JA: With it back on.

JR: Uh huh.

JA: And it's hard to miss. I mean it truly is hard to miss when you're out there especially if you're walking back towards Highmore. (unknown sound)

JR: Right.

AR: And we walked on both sides of the highway...

JR: Okay.

AR: together.

JR: Yeah.

AR: We we wanted to give you...

JR: Yeah.

AR: the benefit of the doubt.

JR: No absolutely.

AR: We wanted to give you the benefit of the doubt. Cuz we knew you walked towards Highmore.

JR: Yes.

AR: So on your way back we walked on both the south...

JR: (deep breath)

AR: and the north side and that flashlight was like a beacon.

JR: I don't know if I turned around at the wrong spot then or what. I don't know. I did not see a flashlight. I didn't see him in the face. No. (unknown sound) I did not. I did not. I did not know it was a man until the next day. No.

AR: I think you had an idea it was something other than a deer though.

JR: I-I just believed it was a deer. I DO.

AR: Okay.

JR: I that's as ho-I know IT SOUNDS but I've never hit a MAN before. I hit a I've hit you know I hit a deer. Cuz that's the time...

AR: So...

JR: of season to do that.

AR: In your 911 call though Jason you say I hit something.

JR: Right cuz I don't know what it was, but I ASSUMED ASSUMED it was a deer. I never saw a deer. I never saw a man. I just ASSUMED it was a deer. I hit something. I just assumed it was a deer. Cuz what else would it be. I-I had no and I still don't believe you know I would not expect a man to be out on the side of the road in dark like it was. I would not think that a person would be out there at that time. I would think a deer (unknown sound) though would hit you at that time in this season with crops and everything. I did NOT know, huh uh, hmm uh. I did not know it was a man until the next day and I-I guess the best witness to that is Tim the next day who saw my reaction. You know and that I was extremely shook up, that it was a de-it was a person. (whispers No his face went through sh.)

AR: I think you'd been shocked no matter when.

JR: Well I agree with that. I mean I don't think anybody would ever...

AR: Right.

JR: disagree with that.

AR: Right.

JR: Absolutely. If anybody I mean this lady down in Hot Springs the other day hit somebody obviously (inaudible 50:26)

AR: So part of me has some has some belief that you maybe saw something the night before and what I'm gonna do is just a-a little (papers shuffling) demonstration (paper being torn sound). I'm just going to take a white piece of paper (paper moving). This room was pitch dark.

JR: Okay.

AR: And there was any light, would you see that because of the contrast of the color around it?

JR: Maybe maybe not. I don't necessarily believe you would.

AR: Okay. And that it so...

JR: Mm hmm.

AR: we did this as well.

JR: Mm hmm.

AR: So so the grass out there is obviously green.

JR: Right.

AR: He's less than two feet off of the road. Less than two feet into the grass. You know you- you found him.

JR: Right.

AR: Less than two feet. Did you see something white laying there? Because I mean as you know he didn't have clothes on that were covering the white part of his body. I mean you're a smart man you know. You would understand that cuz there's such a contrast.

JR: I did not see him the night before. I don't know where he is in relation to my car cuz I never saw him and the car together. (unknown sound) You would have to tell me where he was cuz I did not see him in relation to the car ever.

JA: He was very close to that large piece of debris though.

JR: He wa-he WAS?

AR: Yes.

JA: Uh huh. Cuz what was cuz...

JR: NO! Cuz the night the day before we stopped where the debris was. I-I guess if you would've asked me that question at the beginning I would have said he was (knocking sound) up the road from the debris. That large piece of debris.

JA: No he's just not very far from it. I'm not saying he was right even with it.

AR: Yeah he wasn't right...

JA: Yeah right even with it.

AR: He was...

JA: But he wasn't very far.

JR: Mm hmm.

JA: I mean cuz think about it you said you parked at that piece of debris on the 13th in the morning when you guys came back.

JR: Well we parked around it.

JA: Right around it.

JR: It was kind of like the starting point...

JA: Yep.

JR: of where to look.

JA: And you didn't walk very far though.

JR: I walked UP the I mean we walked west from that though. I thought quite a ways. You know I mean quite a ways is a relative term.

JA: Right it's.

JR: I mean but because I went back toward Tim I guess I'd have to maybe ask Tim where where did we park in relation to that piece of debris I guess if. Cuz we had two vehicles, one on each side and what.

AR: Sure.

JA: Mm hmm.

JR: (Sigh) I did not...

JA: I mean...

JR: see him...

JA: Yeah.

JR: the night before.

JA: And I'm not saying that he...

JR: No.

JA: was within ten feet of that debris but he was not very far from that large piece of debris laying on the...

(sigh)

JA: I mean.

JR: Okay. I guess I would've said the next da-you know that he...

JA: Mm hmm.

JR: was a ways from that yes.

JA: Mm hmm.

AR: You'd have to agree he was right next to the road though where you found...

JR: He was on a slope yes.

AR: A little bit of a slope.

JR: Yep.

AR: But...

JR: (inaudible 47:20)

AR: We measured, it's less than two feet.

JR: Oh my god.

(deep breath out)

JR: (whispering I walked back towards Highmore, I looked). And if he's not by my car.

AR: Well he's not gonna be...

JR: When stopped.

AR: He's not gonna be right by your car where you stopped. We...

JR: Okay.

AR: we determined where your car was stopped at.

JR: Good. Cuz I thought you would with the picture.

JA: Yep.

AR: And we did.

JR: You know.

AR: We did.

JR: Cuz-cuz

AR: (inaudible 46:45) Jason.

JR: I'm thinking about that now.

AR: We we're...

JR: We went ar.

AR: leaving no stones unto-unturned.

JR: I-I went around I didn't check on that side of the car that night. I checked on the I went around to take the photo when the sheriff came.

AR: Do you normally wear a Fitbit Jason?

JR: No.

AR: Do you have a tracking a tracking app on your phone?

JR: I don't know.

AR: So when as you walk GPS tracks you.

JR: Oh ok. Okay.

JA: Yeah.

AR: Apple Fit.

JR: Okay. Yeah.

JA: It's.

JR: I mean okay.

JA: It's just an app on your phone.

JR: Then it's an app that I don't know about. Yes.

JA: Yeah. It counts your steps.

JR: Okay.

AR: It counts your steps.

JR: Okay.

AR: And it's run off of GPS.

JR: Uh huh.

AR: And so we know you're on that side of the road.

JR: Right. Yeah I'm. Ye-I never left yeah I-I.

AR: You stayed on that side of the road.

(inaudible 46:03)

AR: You said that earlier even.

JR: Right. I guess (unknown sound) what I was trying to say is I think when I came back I came b-around the front and then that's where I took the photo here.

AR: Okay. So you're...

JR: I didn't I didn't go around.

AR: You're saying this would be your car.

JR: That's if that's my car, yes.

AR: You went around this way.

JR: This way on the highway.

AR: Okay. (unknown sound). It's it's not that close to your car.

JR: Okay.

AR: It's not that close to your car.

JR: Okay. Well that (inaudible 45:44)

AR: No th-th-the debris is...

JR: Cuz I'm saying I didn't look here.

AR: (inaudible)

JR: Then do what I'm saying.

AR: Yeah. Yeah and you would've found nothing.

JR: Right.

AR: Other than washer fluid. That's the only thing...

JR: That's what you said earlier, the first time.

AR: we found.

JA: Mm hmm.

AR: Go back 60 feet.

JA: At least yeah.

AR: Si-something like that and that's where he's at and that's go back probably 75 feet and that's where your debris is at.

JR: Okay.

JA: Yeah.

AR: So it it all lines up.

JR: Okay. I understand that then. Yeah I m-I thought y-you meant he was over here somewhere.

AR: Oh oh.

JA: No.

AR: Oh no no no.

JA: No. No. No.

AR: I'm saying if this is this is the road the edge of the road this is where his body's at, it's two feet so it's a little bit more. So his body is in that close to the edge of the road and he's he is white cuz he's got no blood in I mean his obviously deceased I think...

JA: Mm hmm.

AR: he was deceased the moment he hit the car.

JR: well that is something I guess.

AR: So he is he is lily white. Any light that hits that is going to glow.

JR: I did not see him the night before. I'll swear on a stack of Bibles. I did not see him the night before. (whispering I did not.)

JA: So where were you looking when you were walking back towards Highmore to establish that you were by Highmore. Where were you?

JR: Well I-I guess (unknown sound) was looking you know that direction I mean to the right.

JA: Mm hmm.

JR: I was looking to look at the green Highmore sign.

JA: Mm hmm.

JR: You know I'm walking...

JA: Right.

JR: and looking...

JA: Uh huh.

JR: to try and see that sign to make sure that's the, and then I TURN AROUND and I'm looking into the ditch so I don't know exactly where I turn around and saw him. I-I didn't see him. I did not see him.

AR: So you it was 400 and some steps from your car towards Highmore.

JR: Okay.

AR: You had to walk by him.

JR: I well I might've walked by him but I didn't see him.

AR: But you also had to walk by the light that's the really confusing part. Again the light's still on and it's...

JA: And the flashlight's lit up....

AR: it's...

JA: and glowing.

AR: yeah it's it's...

(deep breath out)

JA: It's not in the grass deep. I mean it's on the very edge of the grass. So I mean it.

AR: Yeah it's it's (unknown sound) like right on the edge of the grass.

JA: Mm hmm.

AR: It's there's a couple blades of grass here, but this is all (unknown sound)...

JR: I don't know where...

AR: wide open.

JR: I don't know where my steps were. I turned around. I did not see those things. (whispering I did not see those things.) I did not see him til the next day.

AR: Se we also walked back to hi-the Highmore sign to see how close you have to get to see it.

JR: Okay.

AR: And I have 20-15 and 20-20.

JR: Uh huh.

AR: So I have pretty good vision.

JR: Right. Right.

AR: And you have to get, you had to go by. There was no question about it in order to read that sign.

JR: Well I-I-I mean from what your telling me I'm not disputing that I went by but I didn't see him at all. I did not see him until the next day and I did not know...

AR: Let-lets...

JR: about the glasses until you told me.

AR: Let's (unknown sound) let's look at it this way. Did you see something and just didn't pay any attention?

JR: No. (unknown sound) No.

AR: I mean cuz...

JR: No.

AR: I mean I-I know your shook up (unknown sound).

JR: Yes.

AR: I-I-I kn-I know just from...

JR: Mm hmm.

AR: talking to you the next two days later or whenever we talked to you.

JR: Mm hmm.

AR: You were still shook up.

JR: Mm hmm.

AR: And I can appreciate that.

JR: Wel

AR: I can and it's like so in light of that...

JR: Mm hmm.

AR: I'm saying did you just maybe not pay attention when you walked by or I mean how I have a tough time...

JR: I was just scanning. I did not see him. I mean I'm scanning but I didn't you know and it's not it's a camera light, it's not great either but.

AR: But if your looking for a deer.

JR: Mm hmm.

JA: You'd be looking at the ground.

AR: You're looking at the ground aren't you? Wouldn't you look at the ground?

JR: I looked both you know. I kinda did I mean don't know where my hand went exactly, but I did not see...

AR: Yeah that's impossible to know.

JR: Right.

AR: We get that, we can...

JA: Mm hmm.

JR: But I did not see him (deep breath out) (whispering I did not see him. No). I did not see him. (sigh) (whispers No.)

AR: (inaudible 41:11)

JR: I don't know what else to tell you.

AR: You know what Jason. If if I-I'd have an easier time believing this if he still had clothes on because he had he had...

JR: I saw him the next...

AR: a blue shirt.

JR: Yeah a dark shirt.

AR: And...

JR: Yep.

AR: and jeans.

JR: But I didn't look. We didn't look at him real close the next morning either you know when we when I saw him. When I found him I FOUND him the next morning. I did not see him that night. No. I did not. I can see how you say I should've seen him, but I didn't see him.

AR: An-and I'm just doing it...

JR: Right.

AR: from what a...

JR: No. I get it.

AR: logical.

JR: NO.

AR: P-I mean.

JR: I did not see him.

AR: That's what I'm just saying it's from a logical...

JR: Mm hmm.

AR: perspective and that's what we're s-we're talking about all along here.

JR: Mm hmm.

AR: We we from a logical perspective if you went by that.

JR: I don't know.

AR: And I'm looking I-I-I would've seen that. An-an-an...

JR: (inaudible 40:07)

AR: we asked a number of people so when you go looking for a deer you know wh...

JR: I-I scanned into the ditch and walking back towards my car but I did not see him.

AR: They also say I mean the people we talked to said so I was in a meeting with a group of (unknown sound) investigators and I said how many of you hit a deer. Every single one in that room and there's nine.

JR: Right.

AR: I said how many of you did not know you hit a deer. Every single one of em knew they hit a deer.

JR: Mm hmm.

AR: So that's why I think the phone part came that explains that part (unknown sound). That kinda explains that part of it. The part of him laying on the side of the road and...

JR: But the next morning we found him at 9:30. People had gone by and they didn't see him either.

AR: Yeah.

JR: You know.

AR: An-an-and we saw that.

JA: Right.

AR: Joe and I saw that. But yo-but you know what I mean he was he was off the level.

JR: Mm hmm.

AR: But as long as you (unknown sound) (pounding sound) were on from the fog line over you could see his body. You could see the white. But if you were like walking down the center ro-of the road.

JR: Okay.

AR: Which I'm thinking if you just hit something you're not going to walk down the middle of the road cuz those cars come along pretty fast.

JR: Mm hmm.

AR: And you didn't want to be a statistic either.

JR: Mm hmm. I don't remember any cars coming when I was there until the sheriff came. I did not see him.

AR: So nobody stopped by to see (unknown sound) you were...

JR: No.

AR: doing okay or...

JR: Needed help or anything. No.

AR: needed anything.

JR: I called 911 and the sheriff came. That's the only...

AR: Okay. So there's are the only...

JR: Two that went by that I yeah I don't re...

AR: That you noticed.

JR: I mean WHEN THE SHERIFF came a-you know I kinda like I said I'm looking at the car he's on my side. I don't remember anybody going past then (unknown sound), but you know up to that point nobody had come. You know nobody.

AR: But you were also on your phone too as well though, right?

JR: Well (inaudible 38:02)

AR: You you you were cal-you were calling people and saying I just got in a crash.

JR: On the way home.

AR: Oh that's on the way home. Okay.

JR: Yes.

AR: Okay.

JR: After I got the sheriff. No.

JA: Mm hmm.

JR: Yes.

AR: Okay.

JR. No I wh-didn't call until I..

AR: Until the sheriff...

JA: Cuz you had sent him text messages with the photos and hey I got into an accident, I'm okay, car not so good. That was during that time, right?

JR: Well I took the photo.

JA: Mm hmm.

JR: And then the sheriff comes. I don't think I send it until I leave (unknown sound) the sheriff. I don't think I call anyone until I'm dow-going down the road again.

JA: Mm hmm. And that's (unknown sound) when you send the text messages to Natvig and Bormann then?

JR: Somewhere, yeah.

JA: Okay. (unknown sound)

AR: An-ag I mean I-I-we just want to get.

JR: Uh huh.

AR: We want to make sure...

JR: No.

AR: get everything in the right order.

JR: I did not (unknown sound) see him the night before. Absolutely not. I did not see him until I discovered him the next day and got Tim, got the sheriff. (unknown sound) I never saw the glasses until you told me.

JA: Mm hmm.

JR: When we here in this room. You know I was looking at the insurance. That's all.

AR: I mean you have to...

JR: Oh I can understand.

AR: you have to g-give us a little...

JR: No I understand.

AR: a little something here Jason. Okay. Initially you were driving down the middle of the road. We know that's not true. You were not had, you were ten and two driving and you didn't see this guy walking down the middle of the road. We know that's not true. Jason.

(deep breath)

AR: You're a good guy. You're not used to being in this pickle.

JR: I'm am a good guy yes.

AR: I AGREE. I AGREE. (unknown sound) Your not used to this. We're used to people that are used to being in that seat.

JR: Right. I understand that. I mean I understand.

AR: So that's why...

JR: The process.

AR: we-we're and I know you understand the process. I'm not second guessing that at all. What what I'm saying is if you if you look at it from our perspective.

JR: Oh I get it.

AR: Okay. Things haven't been straightforward by any means. In fact, some people would call you a liar.

JR: I am not a liar. I...

AR: Some people, I'm not I'm not calling you a liar. I'm saying (unknown sound) there's some there's some mistakes made here though. (unknown sound). You would have to agree to that.

JR: (Deep breath) I don't know what I'd done differently. I did not, I believed I was in the road and I believe I set my phone down, shut the radio off, and was looking to put the cruise

control on and I didn't find him. I did not find him until the next day. (sigh) I mean it pains me tremendously to hear that his face went through the windshield. But I didn't look over. I was trying to stay alive myself at that point and get over. And I looked at the car and I didn't see any blood. You know I've been thinking to myself if his face went through, it had to be blood everywhere. You know it would've been in the car cuz you have more skin here than...

AR: Ac-actually...

JR: hair.

AR: that's not true cuz...

JR: Okay.

AR: I believe (unknown sound) he was dead on impact.

JR: Right.

AR: The second you hit him, he was dead. His heart's not working...

(deep breath)

AR: anymore.

JA: Huh uh.

AR: He is dead. So it's not pumping anymore, it's just sittin there.

JR: Okay. Well I didn't know that. I mean so but I that's how...

JA: Mm hmm.

JR: I was envisioning it.

AR: An-and I could see...

JR: I would I would think...

JA: Mm hmm.

JR: You know I was thinking.

AR: That's why back...

JR: the back of his head an.

AR: I'm trying to clarify it for you (unknown sound) as well.

JR: Right. Well that's it...

AR: Jason. It's like...

JR: cuz I would obviously like to know what the you know how he rode the car and where he ended up and everything.

JA: Mm hmm.

JR: You now it never made sense to me. You know (unknown sound) and I figured it had to be the back of his head and hair then dons-have the capillaries and everything your face has...

?: Mm hmm.

JR: to spread blood. Cuz there's no blood that I saw in the car or even on on the outside of the car when we looked at it you know.

JA; Mm hmm.

AR: But it it as red car (chuckle).

JR: That's it.

AR: Yeah

JR: it's a red car an-and it's dark (unknown sound).

AR: Yea.

JR: You know you know the people have been like there was blood on the road. Well how do tell that it's blood on the road versus washer fluid or (unknown sound) it's just the road? I mean it's dark.

AR Yeah and we...

JR: That's super dark and I'm not expecting (unknown sound) to have a person walking down the road or the shoulder even at that time of night or day.

AR: Yeah.

JR: It only makes sense that it was a deer to me. (sigh) (whispers No.) (sigh).

AR: The other thing that question I brought up to this group...

JR: Uh huh.

AR: (unknown sound) how many of you went back the next day to look to see what the deer...

JR: Now I-I...

AR: looked like?

JR: I got that and I will (unknown sound) I didn't go back to look at him because I thought that I hit a man. I went back cuz the debris was still there.

AR: No. What yeah what I'm what I'm sayin is I asked them...

JR: Mm hmm.

AR: how many of you went back to look at the deer.

JR: Right.

AR: To find the deer.

JR: Right.

AR: And none of em did.

JR: Well they ha-most of em probably found the deer or...

AR: Well they...

JR: (unknown sound) left the scene from there. I mean I'm bringing it back an-if I wouldn't you know I thought I was doing the right thing, gettin gas to give back to the sheriff and I said well looks for you know the deer. You know I was just curious of how did it play out. Just felt like a thunderbolt hit my car you know (chuckle) and how did this where did it go. Maybe he went to the other side. I didn't know.

AR: (inaudible 32:24)

JR: And I was kinda trying to put my mind at ease of how this hap-how did this happen.

(deep breathing)

JR: But I-I guess to my credit you know I'm also like well if I didn't find em how long would've he had laid there you know. And I told the sheriff and the sheriff was sur-surprised. The sheriff's on the scene at least twice and so is the tow truck driver and none of them thought it was suspicious that it was not a deer. (breath out) (unknown sound) I guess I wasn't there when the tow truck driver was there though so. I don't know what he saw...

?: Mm hmm.

JR: or didn't see, but he didn't...

AR: Yes.

JR: jump up and down and tell the...

?: Right.

JR: sheriff hey.

AR: Yeah there was a whole lot I mean...

JR: Right.

AR: the car was gone.

JR: Right.

JA: Mm hmm.

AR: Obviously you were gone. The to-tow truck guy is (chuckle) is gone.

JR: Right.

AR: But we tracked everybody. I mean we...

JR: Mm hmm. Right.

AR: were tracking...

JR: I would hope.

AR: everybody's (inaudible 31:34) Jason.

JR: I would think so yes absolutely.

AR: We're not leaving anything uncovered.

JR: Well I well I get it that I get strict scrutiny of (chair creaking)...

AR: Yeah.

JR: cuz of who I am.

AR: Yep.

JR: You know.

AR: I think would happen (unknown sound) no matter what. Cuz I think your guys would be sitting in these chairs if somebody else.

JR: Mm hmm.

AR: And I think you know that. (unknown sounds)

JR: I did not see him right before. I did not find him til the next day.

AR: So you're you're not really sure how far you walked to see the Highmore sign?

JR: No. I walked back in that easterly direction towards the sign until I could see that enou- you now enough that I could tell it was Highmore, the sign.

AR: Okay. Do you remember walking by a marker, a road marker? Just one of the yellow x's that they put on a it's on a post?

JR: No.

AR: Like on a white a, it's just on a regular post I guess.

JA: Yeah.

JR: Yeah.

AR: You don't remember seeing that at all?

(deep breath)

JR: I'm looking off to that direction to the east, to the to the right of that's where the sign's at on that side of the road and I don't know how far I walked to see that you know.

AR: Mm hmm.

JR: You know and...

AR: You know without I m-that part of it I can I-I.

JR: Mm hmm.

AR: I get. (unknown sound).

JR: Mm hmm.

AR: That part of it I get.

JR: Cuz I'm also looking at the town you know to...

AR: Yeah and it's...

JR: You know you're just putting two and two together of where am I.

AR: Where you're at. Yeah where you're at.

JR: Right.

AR: So I mean arguably but the flashlight on the side of the road that's really...

JR: I don't know why I did not see that.

AR: going to be a hard one to stomach.

JR: I don't I didn't see anything. I didn't see a flashlight. I didn't see a man. (sigh).

AR: But you did see your debris on the road, which was one bigger chunk I think you described it.

JR: Right. Yep.

AR: Was there more than that that you saw on the road? It actually wasn't on the road, it was on the shoulder.

JR: Mm hmm. (squeak) (unknown sound) (sigh) Not really. I mean if it lo(sigh). Think about that. I remember seeing that chunk. I guess I'm not certain.

(paper shuffling)

(sigh)

AR: (unknown sound) So part of (papers turning) the Tim being on the other side of the road.

JR: No no. Tim's on the same side of the road with me (unknown sound).

AR: (paper turning) So you turn...

JR: We-we...

AR: and he's going...

JR: went to Highmore.

AR: he's going that way (paper shuffling) but you were going to go over there next.

JR: We went to Highmore first.

AR: Yep.

JR: I got gas (unknown sound). He parked and waited.

AR: Okay.

(unknown sound)

JR: We then I-he-I went first and...

AR: You turned...

JR: we both parked on the north side of the road.

AR: And that's where you guys were walking?

JR: Correct. He went east. I went west.

AR: Okay.

JR: We never made it to the south side of the road cuz I found him...

AR: You had talked...

JR: on the north side.

AR: about going there.

JR: Correct.

AR: Right.

JR: Yes.

AR: (unknown sound) But then it but then...

JR: We didn't need to go to the south side cuz I found him...

AR: Okay.

JR: on the north side.

AR: Yeah. So I mean with your car with the damage that it has I mean and your car is rounded (unknown sound) obviously this is...

JR: Right. Right.

AR: square.

JR: Right. Right.

AR: And so this is all (unknown sounds) the extreme called the extreme right of your hood as you're sittin behind the steering wheel. It wouldn't be likely that it would go that way would it? (unknown sound) Anything that you'd hit...

JR: Wh-no...

AR: hit on this side.

JR: I no no.

AR: It's not likely that it's going to go to the north side.

JR: No. I mean...

AR: it's going to stay.

JR: just thought.

AR: Or south side, it's going to stay on the north side.

JR: Right. If it if it died (unknown sound) You know that it didn't hit and then go off and keep going. I didn't think so, but I didn't check the south side of the road.

AR: Yeah you didn't you didn't get to that...

JR: I didn't...

AR: at all.

JR: get to that. I thought let's start on the north side cuz maybe he's dead and he's back farther towards the bean field or whatever that is. You know maybe he glanced and went that way farther back out there uh but maybe he you know...

AR: Did you see...

JR: got across.

AR: did you see the the mirror on the s-the door here? (unknown sound) Did you see that was broken.

JR: Yes.

AR: Okay. So everything likely (unknown sound) went this way.

JR: Okay.

AR: And then his face is in the windshield here (unknown sound).

JR: I did not understand the you know where he went you know in relation. Cuz I never saw him and the (pound sound) car together you know.

AR: Let me ask you this.

JR: Mm hmm.

AR: Did you feel bumps? I'm not talking rumble bars.

JR: Mm hmm.

AR: I'm talkin bump bump.

JR: No.

AR: Like any kind of thumping...

JR: Well I mean...

AR: underneath your car?

JR: No. I mean oh I don't I know it went (pound sound) you know I mean I like and I'm-I'm pumping the brakes and that's what I'm doing. I didn't know what the shock was.

AR: Okay. So you...

JR: I mean of...wh-wh-what the impact was. I was just literally trying to stay alive myself and get to the side...

AR: Yeah.

JR: of the road.

AR: So pumping changes how ABS works.

JR: Uh huh.

AR: Cuz ABS is designed you just you...

JR: Right.

AR: you power it.

JR: Right.

AR: You push it down. You don't pump it. Not like the old cars (chuckle) that...

JR: Okay.

AR: I would be used to.

JR: Mm hmm.

AR: Back in my day.

JR: Right.

AR: It's like if you start to skid are you trying to stop and skidding happen happening, you you pump (pounding sound) the brakes.

JR: Mm hmm.

AR: With these you slam on the brakes.

JR: I remember hitting it and letting off, hitting it, letting off, hitting it you know. I don't know if was three or four times but I know I...

AR: Okay.

JR: I did not just (unknown sound) slam it.

AR: And that might make sense for how far you went ahead of...

JR: Right. Cuz I didn't...

AR: I mean you continued on.

JR: I di-

AR: You didn't hit the, you didn't dynamite the brakes to...

JR: To stop right away.

AR: get it stopped.

JR: Because I guess I'd always heard if you if you're yo-in an accident you you slam (pound sound) it you could spin yourself or go in the ditch or roll or something yourself is what I'd always guess I knew. I that's why I hit hard but not to the floor I would guess. I and then I you know I hit a couple times.

AR: Okay. And I-I guess I'm wondering if you're feelin the bumps or even the rumble bars. Cuz you you you...

JR: I thought I hit I mean the rumble bars yes once I once I start applying the brakes.

AR: Okay.

JR: I don't remember any rumble bars prior to the brakes. You know.

AR: Okay.

JR: Yeah.

AR: So prior to stepping on the brakes you...

(deep breath)

AR: don't remember the rumble bars at all?

JR: (whispers No).

AR: Okay. (squeak sound) (unknown sound)

JR: Like I said I didn't I'm not looking over at him (unknown sound) now that I know it's a him or what it was. I was now I guess I n-would n-v I would I'd describe it as tunnel vision. I mean was now tryin to just try to get over...

(deep breath)

JR: and stop. I did not look I did not know it was a man until the next day.

AR: So the the (unknown sound).

(deep breath)

AR: So your initial statement where you said...

JR: I hit something cuz I didn't know what it was but I'm assuming it's a deer.

AR: So...

JR: ASSUMING. (unknown sound)

AR: I didn't (pounding sound) know what I hit until impact, that's a quote.

JR: Okay.

AR: What does that tell ya? Upon impact I knew what I hit.

JR: Okay. Say that again if you would.

AR: I did not know what hit until impact (unknown sound). That's your quote. To me that (unknown sound) means once you hit it you did know what you hit.

JR: I did not know until the next day. I did not. No. No. I would I'm a military guy. You do not leave people in the battlefield. You do not leave people behind. If I had any thought that he was a man, I would've tried to render aid or do whatever to get an ambulance out there or whatever you know obviously I didn't know. You've told me that he died on impact. It would've been too late but I-I would've been telling the sheriff and everything. You know if I thought it was a man obviously I would've insisted on a blood test or breathalyzer or something at that point you know immediately. But I didn't have any idea that this was you know anything more than accident.

AR: But your pretty shook up.

JR: Well absolutely.

AR: At the time. So I mean just the...

JR: Right.

AR: everything caused you to be pretty shook up at that point. So that's where that's where sometimes (unknown sound) people make errors.

JR: Mm hmm.

AR: They make mistakes.

AR: Like I said from early on people (unknown sound) make mistakes. That's why I have a job. That's why Joe has a job. We try to fix those.

JR: Mm hmm. I-I did not know it was a man until I found him the next day. No. I would not have left anybody. (unknown sound) I didn't even I had not even fathomed that a man

would be there in the dark. I would say that you know it's logical that a deer would be there, not a man.

(unknown sound)

AR: Right. Right. And it quite honestly I was I was the test dummy.

JR: Oh god.

AR: I was the guy walking down the side (unknown sound) (paper turning) that they drove by and I was wearing a blue shirt just like that guy, blue jeans. I volunteered cuz...

JA: And carrying his flashlight.

AR: And carrying the dead guy's flashlight.

JR: Mm hmm.

AR: To see what they would see. They videoed it, it's pretty apparent. It was pretty apparent that you were not looking at the road when that happened. Whether it's...

JR: I still believe I'm looking at the radio and then looking at the speedometer to lock in the cruise is the best that I can remember.

AR: Do you just hit resume or do you hit do you actually lock it in every single time?

JR: I do both. Uh you know depends on if it catches or not, the resume. Cuz sometimes it won't, it won't, like if you you take it off, you hit the brake and it comes down, it sometimes won't lock it back in (unknown sounds). You have to hit sometimes you have to put it in to hit resume. You know or I mean to...

AR: Just it....

JR: on...

AR: like doesn't catch or something like that. (unknown sound)

JR: first. Right. Yeah. Right. It'll it'll come off of and you gotta do it over again basically. (unknown sound) And that's what I'm lookin at. I know it and I know how some of this looks but I did not see a man until the next day (unknown sound) absolutely. And then when you told me the ph-the the glasses you know obviously that made me think you know are they his. You now after I left here but I didn't know you know.

AR: Yeah.

JR: But I did not see him. (deep breath). I mean I-my-my like I said I looked at the 65 sign, I looked at the 48 miles to Pierre and I didn't even really think I was gettin going yet. I mean and you know away you go and I just got hit by a thunderbolt (unknown sound).

AR: That's how that stuff happens so fast though Jason and we know it. Cuz I mean quite frankly it's not the first time that this has ever happened.

JR: Well yeah.

AR: (unknown sound) But it's like we know that (pound sound) you look down and we know you're on your phone at some point. We know you're put your-your telling us you're puttin it down.

JR: Absolutely.

AR: And turnin off the radio.

JR: Yes.

AR: (unknown sound) All those things.

JR: Yes. Cuz I'm getting rid of distractions, not adding to them or having distractions.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

AR: On the stuff (inaudible 17:34)

JR: Well you told me that you have a search warrant for my car.

JA: Mm hmm.

AR: Yeah. Yes. Yes. We...

JR: For example. I mean it's standard.

JA: Mm hmm.

AR: And so...

(deep breath)

AR: we'll show a lot of stuff. So if you were texting we'll show it.

JR: I was not (pounding sound) (unknown sound) texting. I mean I mean you should...

AR: (inaudible 17:14)

JR: be able to look at my phone and show that I wasn't...

AR: If you were...

JR: texting.

AR: if you were answering emails...

JR: Uh huh.

AR: It'll show it.

JR: Right.

AR: And so if any of that was going on let's take care of it now so we don't have to come back and re-reinvent this thing Jason.

JR: As the best I can remember I put it down, hit the radio, looked at the speedometer. I don't remember sending any texts you know and prior to the crash and the picture (unknown sound) and...

AR: Sure.

JR: You know.

AR: Sure. And a...

JR: Which I willing gave and everything I mean.

AR: And that's my fault to say text.

JR: Yep. Yep.

AR: Any kinda of...

JR: Right.

AR: e-transmission.

JR: Right.

AR: Whatever it is.

JR: Right.

AR: And it's like let's get it all taken care of now.

JR: Mm hmm.

AR: Cuz...

JR: Do I look at that stuff, yes. But I looked at it and I know I put my phone down, cuz I'm-I'm gonna think about this case and I'm getting rid of distractions, not adding to em.

JA: My question would be s-why would you go into that um Joe Biden article, just to then set your phone down. I mean if you were s...

JR: That's what I do. I guess I just see the headlines and stuff.

JA: Mm hmm.

JR: I do that all the time. You know I look at it.

JA: Mm hmm.

JR: Maybe s-you know s-like a scroll and if it's a long one I don't r-you know.

JA: Mm hmm.

JR: Ever read it. I mean I can do that when I'm sitting here. I'm I-if they're too long uh next. And you go to the next one or go to not doing that anymore.

AR: So that ones a fairly I mean as as it goes.

JR: Right.

AR: It's...

JR: I mean you look at it.

AR: if it's a couple pages.

JR: If it's not enough interest.

AR: For sure.

JR: Right. I do not, I never read the article. I might've you know sc-you know scanned it and or looked at it but..

AR: Mm hmm.

(deep breath)

(unknown sound)

JR: So where do go from here? How long til...

AR: Well we're still we're still gathering stuff.

JR: Mm hmm.

AR: I mean we wanted to get you up to speed.

JR: Mm hmm.

AR: We wanted to this was your opportunity to straighten things out.

JR: Right. Well I wanna help straighten stuff out (unknown sound). Absolutely.

AR: That is. That's we're you know we came in and you know we're we're quite honestly.

JR: Mm hmm.

AR: You know I've told you my concerns.

JR: Mm hmm.

AR: And whether you think they are bogus or not.

JR: No I think you're very genuine.

(deep breath).

AR: It-it's going to be...

JR: I...

AR: a hard thing to get past.

JR: Right.

AR: That's what so if-if there's (unknown sound)

JR: I never saw...

AR: If there...

JR: was a man.

AR: if there (pounding sound) a logical reason outside of that, I ju-I we just need to know. We need to know. Let's get this thing behind us.

JR: I thought I was in the road. I I never saw him. I never saw him until the next day when I found him. I don't know what else I can help try and straighten out for ya.

AR: Okay.

JR: Uh.

AR: Do you wanna...

JR: I'm obviously not as observant...

AR: (inaudible 14:06)

JR: as I should be uh.

AR: Should we take a couple minute break and...

JA: Yeah.

JR: Yeah can I get some water?

JA: Absolutely.

AR: We'll get you a glass of water. We'll take a couple minute break. (unknown sound). And (inaudible 13:56)

(beep) (unknown sounds)

JA: We'll be right back Jason.

(unknown sounds)
(background voices)
(door opens)
(unknown sounds)

AR: Here you go Jason.

JR: Thank you.

JA: Alright. Um so Jason um (beep) you know I'm trying to figure out what our other options are to help you out with this too.

(loud sigh)

JA: You know. Um so if you were take a polygraph on this how would you do?

JR: I would pass except for I that've asked my guys how that would work cuz I thought of can I take a polygraph.

JA: And I'm a polygraph examiner myself.

JR: Okay. An...

JA: So.

JR: Well they told me the only concern would be now you know it versus you didn't know it at the time.

JA: Mm hmm.

JR: And I I believe what I believe you know that I did not see him or anything else but then they said now you know that it was a man even though...

JA: Mm hmm.

JR: at the time you didn't.

JA: Right.

JR: And it could fluctuate.

JA: Mm hmm.

JR: But I believe and I will you know if that's what I gotta do (unknown sound) you know.

JA: Mm hmm.

JR: I believed (unknown sound) with all my heart I did not know what it was. I thought and assumed it was a deer (unknown sound) and uh I never I didn't know it was him until I saw him the next day.

JA: Mm hmm. Who'd you talk to about it?

JR: Uh well uh I think I talked to Tim and then Tim asked (unknown sound) asked the DCI folks.

JA: Oh okay.

JR: Like Tyler is our guy.

JA: Uh huh.

JR: Is the agent here.

JA: Yep. Mm hmm.

JR: I think he's the one that went out and secured the scene right away and such. He's our agent here in Pierre.

JA: Yep. Mm hmm.

JR: I think he gives polyg we obviously give polygraphs just like you folks...

JA: Yeah. Sure.

JR: probably do when you...

JA: Yeah.

JR: when you hire new agents and such.

JA: Right. Mm hmm. Uh huh.

JR: You know I've never taken a polygraph...

JA: Yeah.

JR: or anything.

JA: I was just curious cuz I'm very familiar with most of your examiners.

JR: Yep.

JA: Um you know.

JR: I mean.

JA: So I was just cur....

JR: I think I think...

JA: It was more curiosity....

JR: I think Tim...

JA: than anything.

JR: talked to Tyler is who.

JA: Okay. Yep.

JR: Is who talked to.

JA: Mm hmm.

JR: You know I believe you know I believe I you know I didn't I thought I hit a deer. You know I didn't know what I hit but I thought I hit a deer cuz that's the only thing that made sense. Wh-why would you think a man is walking down the side of a road...

JA: Mm hmm.

JR: in dark.

JA: Right.

AR: Did you talk to anybody else about any aspects of the investigation?

JR: I guess.

AR: Like crime scene investigators?

JR. No.

AR: Uh you said you mentioned it to Tim about that.

JR: Right.

AR: About phone forensics any of that kind of stuff.

JR: Well I asked your guy a little bit.

JA: Mm hmm.

JR: You know. Cassidy.

JA: Yep.

JR: You know...

JA: MM hmm.

JR: how it would work and then he was explaining cuz of course uh you know how it is transmit and such and I told him about that on my way app...

JA: Mm hmm.

AR: Sure.

JR: on that phone...

JA: Yep.

JR: because it tracks if you use it then you don't get the points and such, but I didn't want it to be transmitting...

JA: Mm hmm.

JR: and then that be held against me or how it slams into the you know into the wheel well and such.

AR: Yeah.

JA: Mm hmm.

AR: So you talked to Cassidy about that?

JR: Yeah. Well I-I told him about that I guess.

AR: Oh okay.

JR: And he said he says I and it doesn't like it. We put it on airplane mode and it doesn't like that. That that...

AR: Oh suppose for traveling its...

JR: Yeah it didn't it didn't like the you know it kept beeping at them.

AR: Sure.

JR: You know.

JA: Mm hmm.

AR: Okay. Anybody else did you talk to anybody else about...

JR: I can't think of anybody (inaudible 8:02)

(unknown sound)

JA: Cuz you have your own unit, don't ya like for cybercrime or phone...

JR: Oh yeah. Yeah.

JA: crap like that.

JR: Okay. Yep. Uh.

JA: (inaudible 7:48)

JR: Yep.

JA: I didn't know if you guys did or...

JR: No.

JA: if that's something...

JR: We do.

JA: that you guys have your...

JR: Yep.

JA: own people.

JR: I guess I did ask Gromer a few questions, just how phones work and how they transmit and such.

JA: And who's Gromer?

JR: He's the head of my ICAC unit.

JA: Oh okay. (pen flicking)

JR: Out of Rapid City. He was there one day and I just asked him well how does how do things work? How how fast to they transmit? Wh-will it get held against me and I explained this on my way app again.

JA: Mm hmm.

JR: You know and such.

JA: Mm hmm.

AR: And he's out of Rapid City?

JR: Yeah he-he's headquartered out of Rapid City.

AR: Okay.

(writing sound)

JA: So he's like your coordinator for your whole ICAC...

JR: Yeah he's the boss of...

JA: DCI.

JR: He's the boss of the ICAC division of...

JA: Okay.

JR: of DCI yes.

JA: Okay.

(writing sound)
(breathing)

AR: So if we arrange for a polygraph, you'd be willing to take one?

JR: Yes.

AR: Okay.

JA: Okay.

JR: Absolutely.

AR: Okay we have I mean (inaudible 6:42) your guys obviously...

JR: Right. Yeah.

AR: we can't do that.

JR: Can't. Right.

AR: And our guys have to do theirs in North Dakota just like your guys have to do em South Dakota cuz they're licensed there.

JA: Licensing issues.

JR: I-I guess if your ask well I let you ask first. If your asking if I'll go to North Dakota hell yes I'll go. You know I mean if that's what it takes or whatever. I didn't know I didn't want to put words in your mouth.

AR: No.

JR: You know.

AR: We-we're were just actually we were just brainstorming how we could do this.

JR: Mm hmm.

AR: An-and it like well.

JR: Right.

JA: Mm hmm.

AR: We cud have him come to Bismarck and one of our guys there could do it.

JR: I'm willing.

AR: If...

JR: I'm willing to do that yes.

AR: Okay.

JR: Whatever I can do to cooperate.

AR: An-and like I said I mean from the beginning you've been cooperative.

JR: Uh well again the hardest part of this I wouldn't do anything different. I didn't know that this was going to happen to me obviously. A-again why would a man be walking down the road. I believe I'm on the road and wham and my life changes. I never I called (unknown sound) 911. I got the sheriff out there (unknown sound). You know I...

AR: Mm hmm.

JR: I thought I was doing the right things. Obviously I didn't see everything I should've seen probably or not but I did not see him until the next day. (unknown sound)

AR: Well quite frankly we're going to continue on. (unknown sound).

JR: Okay.

AR: We're going to keep doing our stuff. Like I said...

JR: I understand.

AR: we-we got...

JR: (inaudible 5:09)

AR: we-we've been spending...

JR: A lot of time.

AR: a lot of time.

JR: And I assume.

AR: An-and that's because we want to do a thorough job. We don't want anything.

JR: I understand. How about uh so do you have any you know obviously now we got to set this up and such to go up there and everything, but how do you have any kind of time estimates before you will do report? And then where does your report go?

AR: To that county.

JR: Good. (chuckle) I mean well.

AR: That's (inaudible 4:46)

JR: The first night I was dead. The governor did a press conference and said I was involved in a one car fatality and my whole family thought I was dead.

AR: Sure.

JR: You know and I would like obviously a chance to know what's happening (chuckle) before it's on all the media.

AR: An-and...

JR: You know.

AR: We don't control...

JR: I understand.

AR: the media.

JR: But I didn't know you were sending it right to the governor you know first.

AR: We didn't.

JR: No. No. The that you were gonna send the report...

AR: Oh.

JR: when it comes or what.

AR: No. (inaudible 4:16)

JR: You'll send it to the county.

AR: We're not (chuckle) sending it to the governor. We send...

JA: Ah I'm the case.

JR: Okay.

JA: So I have my reports...

JR: Yes.

JA: set up to go to the highway patrol.

JR: Uh huh.

JA: Because they're technically the lead on this.

JR: Okay.

JA: So they need a copy and the Hyde County State's Attorney that's it.

JR: Okay. Right.

JA: So actually honestly for a very high profile case I have a very short distribution list.

JR: (chuckle)

JA: On this because it's (squeaking) as many other people would like to get the reports there's...

JR: (inaudible 3:50)

JA: there's no reason.

JR: The governor says she's going to put em out all when they come.

(drinking sound)

AR: (inaudible 3:43)

JR: Right.

AR: Sorry.

JR: No. I just...

AR: It's a freight train that we're not going to stop.

JR: Right.

AR: I mean I'm not going to stop. We...

JR: Can you tell me like is my toxicology back or anything? Can you tell me any of that?

AR: I'll tell you it's zero.

JR: Right. It SHOULD be.

AR: You knew.

JR: Absolutely

AR: You knew that.

JR: But its...

AR: And we followed up like with the folks that you and I don't know...

JR: Mm hmm.

AR: if they called you or not and I don't care if they did.

JR: Mm hmm. Mm hmm.

AR: Because I talked to the waitress.

JR: Mm hmm.

AR: I talked to the bar owner.

JR: Okay.

AR: I talked to those people and knew what it was going to be but...

JR: Right.

AR: We had to do...

JR: But you still gotta do your del-diligence absolutely.

AR: And the HP that came there was because I told him.

JR: Okay. Okay.

AR: I told him. I said just go do it.

JR: Mm hmm.

AR: I you know I didn't know you from Adam. I said maybe maybe not.

JR: Right.

AR: But either way we need to do this.

JR: Right.

AR: Because it's the right thing to do.

JR: Mm hmm.

AR: And so ther-they did it on my be(chuckle)-bequest.

JR: Okay.

AR: Because at that time I already knew that I was the one coming down here and so we're just gonna I-I wanted to make sure I mean if you were or if your weren't.

JR: Absolutely.

AR: It was gonna...

JR: Right.

AR: you know. Granted it's a little late but.

JR: Yeah

(inaudible 2:39)

AR: It's better than nothing.

JA: If we didn't check do it.

JR: Right.

JA: Then public perception would've been that you were completely annihilated out there driving.

JR: Well that's...

JA: You know I mean.

JR: what they said anyway.

JA: Yeah.

JR: But I did not have any alcohol (deep breath). How about can you tell me if his toxicology's come back?

AR: We don't have any of that yet.

JR: Okay. They said that might be a while.

JA: Yeah.

AR: Yeah we don't have that yet.

JA: And that's out of our hands cuz that went to Ramsey County, Minnesota.

JR: Right. Right.

JA: So.

JR: And how about the accident reconstructionist expert out of Wyoming.

AR: Well they they have the three guys working that are construction guys here reconstruction guys here and then they're working in conjunction with him so that's that's still on that's it's all new.

JR: Mm hmm.

AR: It's this has been labor (chuckle) intensive.

JR: Oh I bet.

AR: Quite honestly.

JR: Absolutely.

AR: And we're I mean we're honestly trying to get everything covered.

JR: Oh we got calls of I-you know from N-North Dakota tax payers, why we're paying for to do a South Dakota investigation. And you know we know we've done ones for you folks. I mean last year...

AR: Yep.

JR: there was an [REDACTED] we...

JA: Mm hmm.

AR: Oh yeah.

JR: investigated.

JA: Yep.

JR: You know.

AR: It goes back and forth.

JR: Right.

AR: And the general public doesn't know it but how else do you maintain the integrity.

JA: Mm hmm.

JR: Amen. (unknown sound)

AR: So let's do it (inaudible 1:20) Generally it's not advertised as widely as this is but I think they wanted to make sure that it wasn't I mean as one of the cousins said another big coverup.

JR: Right. Uh well he's yes. I won't say anything.

AR: So that's that.

JR: Any other questions?

JA: I have nothing.

AR: I don't have anything at this point Jason.

JA: I again. I-I appreciate you coming just um thank you for all your cooperation...

AR: Yeah.

JA: in this. We do appreciate it.

AR: We hate to be the bearer of bad news but it is what it is (unknown sound) and we-we look at what we're doing and what we're seeing as evidence.

JR: I didn't...

AR: That's the best we can do.

JR: I did not know it was a man until the next day. I'll go to my grave saying that and I'll happily take a polygraph so.

AR: Okay. Alrighty. Well we'll...

JR: Alright.

AR: we'll work on that angle and um I mean w-we have the prosecutor in the loop too.

JR: Okay.

AR: So we'll just keep going forward an-and see what we find out.

JR: Okay.

AR: Thank you.

JR: Thank you.

AR: Yep.

(door open)

JA: I'll walk you out.

(unknown sound)

(End Recording)