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2024 Nov 22 AM 10:06

THE EIGHTEENTH JUDICIAL DISTRICT
DISTRICT COURT, SEDGWICK COUNTY, KANSAS

CLERK OF THE SEDGWICK COUNTY DISTRICT COURT
CASE NUMBER: SG-2024-CR-002204
PII COMPLIANT

State of Kansas

vs.

Katelyn Barrioz

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)

Case Number: SG-2024-CR-002204

Unredacted Affidavit

RELEASED
UNREDACTED

ELECTRONICALLY FILED
2024 Oct 31 AM 11:51
CLERK OF THE SEDGWICK COUNTY DISTRICT COURT
CASE NUMBER: SG-2024-CR-002204
SEALED

A F F I D A V I T

STATE OF KANSAS)
) ss:
SEDGWICK COUNTY)

KATELYN E. BARRIOZ
W/F; DOB: XX/XX/2000
SSN: XXX-XX-3040
KADR: 3087F240843
LEO# 24C192299
24C192312
24C192331

 **COPY**

Affiant, Robert Kempf #2061, being of lawful age and first duly sworn on oath, state:

Affiant is a Detective with the Wichita Police Department and in that capacity was assigned to the investigation of case numbers **24C192299, 24C192312, and 24C192331** for incidents that occurred on October 28, 2024, in Wichita, Sedgwick County, Kansas, involving, Katelyn E. Barrioz, a white female, Date of Birth: XX-XX-2000, S.S.N.:XXX-XX-3040. After reading the reports and watching AXON body camera, your Affiant learned the following.

On October 28, 2024, at approximately 1200 hours, Wichita Police Department officers, Mulvane PD, Goddard PD, Sedgwick County Sheriff's Office deputies, and Kansas Highway Patrol troopers were collectively working together as part of a theft reduction task force. Officer J. Metcalf and Sgt. J. Ashmore of the Mulvane Police Department were riding as a two-officer unit and learned from Wichita Police Department Officer C. Thomas #2720, who was in an unmarked vehicle, that he was following a stolen vehicle in the area of Pawnee and South St. Francis. The vehicle was identified as silver in color 2014 Ford Escape, bearing Kansas temporary tag of D760032. The vehicle had been reported as stolen under Wichita Police case 24C535033, on October 24, 2024, from 504 E. Marion, by the owner, Dremetra L. Lipsey, and valued at approximately \$8,000. Officers in the undercover units consisted of C. Thomas #2720, T. Johanson #2427, Detective D. Meier #2307, and Deputy J. McLaughlin who began following the stolen Ford Escape across town until it pulled into the parking lot of the Walmart, located at 3030 North Rock Road. While following the vehicle, Officer C. Thomas observed Michael Lee Lawler Jr. driving the stolen Ford Escape with Katelyn E. Barrioz in the front passenger seat.

Once at the Wal-Mart at 3030 North Rock Road, Lawler backed the stolen vehicle into a parking stall on the north side of the building near the automotive entrance. Officer C. Thomas reported seeing Lawler and an unknown black male exit the vehicle and goes towards the Wal-Mart. He then drove by the vehicle and observed BARRIOZ sitting in the driver seat. Officer T. Johanson

#2427 reported seeing the Ford Escape move forward out of the parking stall, then stop. Officer Thomas then entered the Wal-Mart and observed Lawler walking towards the Auto Center area, at which time he contacted MacKenzie P. Corbell with Wal-Mart Loss Prevention, who later provided video. At approximately 1225 hours, Lawler exited the Wal-Mart and approached the Ford and entered on the passenger side. The Task Force officers in the area began to move in on the parked Ford. The officers included Officer. J. Metcalf and Sgt. J. Ashmore who were both in a properly marked Wichita Police vehicle and behind them were Deputies Johnson #D2255 and Cameron #D2142, both in a properly marked Sedgwick County vehicle. As Metcalf and Ashmore approached, they activated their vehicle's emergency equipment and pulled up in front of the parked Ford. Suddenly, BARRIOZ pulled forward, striking the left front corner of Metcalf's and Ashmore's occupied police vehicle. Officer Metcalf reported he was in fear when struck by the vehicle and reported no injuries; and Sgt. Ashmore reported no injuries from the collision. Sgt. Ashmore described the damage to the police vehicle to be the push bumper being pushed back into the hood and driver's side fender. BARRIOZ did not have permission to damage the police vehicle.

BARRIOZ then reversed the Ford, doing a 180-degree U-turn over the curb and grass area. Sedgwick County Deputy Cameron was able to exit his vehicle and approach the FORD on the driver side rear when he successfully deployed a Piranha spike device on the left rear tire. BARRIOZ fled to the north in the Ford going between buildings towards East 32nd Street North as Metcalf and Ashmore turned off their emergency equipment and attempted to follow at a distance, along with Deputies Johnson and Cameron, and the officers in several unmarked vehicles. As this occurred, the Kansas Highway Patrol Air Unit made up of Technical Trooper R. Tauer, #K221 as pilot and Technical Trooper L. Blank, #K77 arrived in the area and began to track the Ford, being driven by BARRIOZ and occupied by Lawler.

The Affiant watch video from the KHP Air unit that showed the Ford pulling out onto East 32nd Street North at approximately 12:26:02 hours, cutting through a parking lot and driving over the sidewalk area to go eastbound. At approximately 12:26:45 hours, BARRIOZ overtook a slower vehicle on the left on East 32nd Street and began driving on the left side of the roadway overtaking an additional three vehicles as she approached 29th Street North. At approximately 12:27:18 hours, BARRIOZ ran a stop sign at N. Cypress and East 29th Street North, and made a left turn to go east on East 29th Street North. At approximately 12:27:44 hours, BARRIOZ appeared to run the red light at East 29th Street North and North Webb Road, making a left turn to continue north on North Webb.

At approximately 12:28:10 hours, BARRIOZ drove left of center in the 3100 block of North Webb Road overtaking multiple vehicles and continuing north on Webb Road. BARRIOZ continued driving in the opposing lanes with numerous vehicles still southbound on Webb Road, in the curb lane. In the 3600 block of Webb, BARRIOZ, went into the curb lane causing vehicles to swerve or to stop to avoid a collision with her. BARRIOZ made a left turn from North Webb onto West 39th Street North and proceeded eastbound as she was being followed by officers in an undercover vehicle. At approximately 12:30:05 hours, BARRIOZ pulled into a business parking lot and drove back to the south towards East 38th Street North. BARRIOZ made a left turn onto East 38th Street and went back towards North Webb Road. At approximately 12:30:33 hours, BARRIOZ made a right turn onto North Webb Road going into the opposing lanes of traffic momentarily, then going back into the appropriate lanes of travel. At approximately 12:31:28 hours, BARRIOZ made a right turn from North Webb onto East 34th Street North and continued eastbound. Officer T. Johanson #2427 reported seeing the passenger side door open and unknown items being thrown out of the vehicle near 34th Street and North Toben. BARRIOZ continued eastbound passing Comatara and began driving around multiple buildings at 8201 East 34th Street North as undercover units continued to follow her. BARRIOZ then drove behind 3450 N. Rock Road #700, and cut through the grass and tree line back to the east behind 8200 East 34th Circle North #1406 and continued to the east as Lawler jumped out of the left rear passenger door of the vehicle out onto the ground. Lawler then fled on foot the north towards the west side of Mid Continent Safety building located at 8225 E. 35th Street North and was taken into custody by Officer T. Johanson #2427 and Deputy McLaughlin #46776. Lawler made spontaneous statements that he was trying to get out of the car and did not know the female driver. Deputy McLaughlin reported seeing Lawler jump from the vehicle, at which time he chased him on foot. While being chased, Lawler began removing his stripped shirt. Officer J. Metcalf #2260 Mirandized Lawler at approximately 1308 hours who agreed to speak with him. Under Miranda, Lawler, stated the mother of his three children picked him up that day and that the unknown black male in the vehicle made him uneasy. He then admitted to driving the Ford Escape from the area of 9th Street and Grove up to the Wal-Mart at 3030 North Rock Road. He stated he went into the Wal-Mart with the male who was stealing and did not want to be part of it, so he returned to the vehicle. He stated that BARRIOZ began yelling at him about bringing the police to her. Lawler stated multiple times he was just trying to get out of the vehicle and was not running from the police. Lawler claimed he was running from the vehicle to get help.

BARRIOZ continued to drive east slowly when she then jumped from the vehicle, letting the vehicle continue to roll forward. BARRIOZ then ran to the north between a Mid Continent Safety building and the west side of the National Catastrophe Restoration, Inc. (NCRI) building, located at 8447 East 35th Street North. The air section began coordinating responding officers to the area.

BARRIOZ, then entered the business of NCRI, without authorization or permission, through an open garage door. While inside of the business, BARRIOZ entered a 2024 Ford Transit F350 Van, bearing Kansas tag 1945AES, owned by Lease Finance Partners Inc. BARRIOZ started the vehicle and backed it out of the garage into the front parking lot. Officer D. Truby #2722 and Goddard Sgt. C.L. Porier #154 approached the reversing van; at which time, Officer Truby stated he made eye contact with BARRIOZ, who then fled at a high rate of speed. The two officers returned to their vehicle and proceeded to track the van with KHP Air directions where they stopped near 34th and North Webb Road. Soon thereafter, KHP air broadcasted that a collision had occurred at 29th and Wilderness. After responding to the scene, Officer Truby stated he walked over to the stretcher BARRIOZ was on at the crash scene and confirmed she was the same individual whom he saw in the Ford Edge and the Ford Van.

Officer C. Thomas #2720 contacted Carl R. Maxson with NCRI, who advised no one had permission to take their recently purchased \$65,000 vehicle. Officer Thomas was able to view video from the business, which showed BARRIOZ entering the business and then leave in the Ford NCRI vehicle. Maxson reported the van was parked within the garage connected to the NCRI office building, which was open for business at the time of the incident. The area is an enclosed area and the vehicle keys were kept inside for technicians. Maxson reported he did not know BARRIOZ. Officer Thomas confirmed at the time BARRIOZ had entered NCRI, it was occupied by seven (7) employees identified as Linda Fletcher, Kathryn M. Johnson, Carl R. Maxson, Amy J. Wurtz who were all in the office, while Makayla Horsch and Adriana Calzada were at the front desk, and Rebecca R. Mercado was in the warehouse.

After leaving the NCRI facility, BARRIOZ went south on East 35th Street North towards East 34th Street where she made a left turn onto East 34th Street as she passed by Officer Nail #2222 and PSD Enzo. Officer Nail pulled off to the side of the road as BARRIOZ continued east on 34th Street North towards North Webb Road as there was heavy pedestrian traffic and he did not want to give the perception he was not pursuing. At approximately 12:37:21 hours, BARRIOZ made a right turn without stopping onto North Webb Road and went southbound. At approximately 12:37:54

hours, BARRIOZ, drove left of center in the 3100 block of North Webb Road as no police vehicle followed. At approximately 12:38:05 hours, BARRIOZ, made a right turn from North Webb Road onto East 29th Street North and was driving in the appropriate lane of travel in the curb lane. At approximately 12:38:13 hours, Wichita Police Officer J. Levasseur #2482, was going eastbound on 29th Street North was passed by BARRIOZ. Officer Levasseur began to turn around when it was almost immediate when, BARRIOZ, began driving left of center going westbound in the eastbound lanes of East 29th Street North and she appeared to speed up quickly as multiple vehicles were approaching.

At approximately 12:38:29, BARRIOZ, collided with a black 2010 Chevrolet Cobalt, bearing Kansas tag 343MNA, which was being operated by Mandy Lyn Buckwalter. The KHP Air video showed that prior to the collision, Mandy Buckwalter was in the inside lane going east on 29th Street North and BARRIOZ was approaching in the same lane. Mandy Buckwalter swerved right and BARRIOZ swerved left driving the Ford van into the left front corner of the Chevrolet. Sedgwick County Emergency Medical Services, Medic 38, responded to the scene. Mandy Buckwalter was pronounced deceased at approximately 1257 hours, on October 28, 2024. After the collision, BARRIOZ fled from the Ford van and ran towards the south. Officer J. Levasseur #2482 located BARRIOZ on the front sidewalk of 8734 East Shadowridge. BARRIOZ was checked by Sedgwick County Emergency Medical Services and transported to Wesley Hospital for a broken left knee, which required surgery.

On October 29, 2024, Detectives J. McCluskey #2086 and T. Nelson #2189 with a waiver to search from Nicholas L. Easter, CEO, of NCRI conducted an image of the Event Data Recorder (EDR) which was contained within the 2024 Ford Transit F350 Van, bearing Kansas tag 1945AES. The data report from the image showed that around the time of the collision BARRIOZ was travelling near 68 miles per hour.

On October 29, 2024, at approximately 1228 hours, the Affiant interviewed BARRIOZ at Wesley Hospital under Miranda and BARRIOZ advised she understood her rights and agreed to answer questions. BARRIOZ stated she and Michael Lee Lawler Jr. had been up for the last week. She stated she and Lawler had just picked up a black male whom she referred to as "Cujo" at the Country Inn on South Broadway. She stated "Cujo" wanted to steal some shoes and wanted to go to Wal-Mart. She stated Lawler also wanted some tank tops and a white t-shirt because he did not have any. BARRIOZ stated they went to Wal-Mart and parked in the back because she told them she did

not want to steal. BARRIOZ stated they told her to stay in the car and to get into the driver's seat. When asked who drove there she stated that Lawler did. She stated Lawler came out of the store and got into the passenger seat and was frustrated. BARRIOZ said that the police cars pulled in front of them. She tried to put the vehicle in park and the car went forward and hit their car. When this happened, Lawler got mad at her because he had fentanyl, methamphetamine, and other drugs on him. Lawler told her to reverse the car all the way out and her adrenaline kicked in and she just left. She stated the police cars began to follow them and she was scared because she did not want to make Lawler mad because he had just got out of court today. BARRIOZ stated she was not supposed to be around him because she was a witness. BARRIOZ stated that she had been with Lawler for about a month and a half and he did not want her to testify against him. When asked why she thought the police were following her she stated they were everywhere. She stated she could not remember if she saw flashing lights or sirens, she just remembered they were everywhere. When asked about the stolen Ford Escape, she stated, "I had this black guy at an apartment who smokes methamphetamine as well had a key and gave it to Lawler. He said the car was not stolen and Lawler could drive it because he had court." She was asked about being separated from Lawler, and she stated, "He said he was going to jump out of the car" and told her to "just keep going so he does not get into trouble." BARRIOZ said she did not want to be by herself, so she got out and did not see where Lawler had gone. BARRIOZ said, "I started running and found a building and was just going to sit in there and hide. I put the key in, and I took off." When asked about driving up North Webb Road in the wrong lane of traffic, BARRIOZ stated, "I just know I didn't want to get into trouble, and he said to get into any lane so you guys would call it off." When the Affiant asked what made her get into the van if she was just trying to hide, BARRIOZ stated it was unlocked and she said she saw the car keys and didn't know why she did it. She was asked if she remembered backing out of the garage with the van and she replied, "Yes, I remember." She was asked if she saw the police vehicle when she turned onto East 29th Street from Webb Road. BARRIOZ, replied, "I don't even remember how I was driving." The Affiant told her Lawler was not with her at that point and asked her again why she was driving on the wrong side of the road. BARRIOZ stated, "I, it's just because the first time I was driving on the wrong side of the road, he told me that how they get to turn off the high speeds...I was thinking that you guys were gonna call it off and I was going to be ok." Your Affiant asked her if at that point did she see any police cars around or hear any. BARRIOZ stated, "My adrenaline was so high and I was so scared I wasn't paying attention to anything and I was up for about a week so I was

hallucinating.” She stated she uses about “an ounce” of methamphetamine a day, that it cost about \$100 dollars, and that she gets it from Lawler. She was asked if she recalled seeing cars in front of her at all while on the wrong side of the road and she replied, “No, I was just seeing shadow people...we had drank more dope. We had drunk more dope in coffee.” She was asked about running from the crash and BARRIOZ stated she “couldn’t run... was limping and was trying to find somebody...where was I gonna go.” BARRIOZ stated, “I wanted to get somebody’s help, I was so scared.” She was asked about jumping out of the Ford Escape and going into the building at NCRI if she talked with anyone. BARRIOZ stated, “Nobody.” She was asked if anyone gave her permission to take the van from NCRI. BARRIOZ stated, “Nobody said anything to her. Nobody was in there.” She was asked about officers being behind her and why she did not stop. BARRIOZ stated, “I mean, he had drugs on him...He didn’t want to go to jail again...I didn’t want him mad at me.” BARRIOZ stated she did not remember seeing any unmarked vehicles following her. BARRIOZ stated that she was sorry and she apologizes for everything she did. BARRIOZ stated she could not stop because Lawler had told her not to stop.

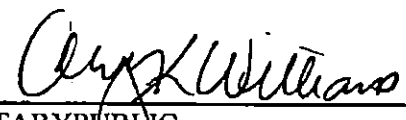
The Affiant confirmed that at the time of the incident Katelyn E. Barrioz possessed a Kansas Identification card only.

FURTHER AFFIANT SAITH NOT.


ROBERT KEMPF, AFFIANT

SUBSCRIBED AND SWORN to before me this 31st day of October, 2024.




NOTARY PUBLIC

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