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Flores, Paul
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Attorneys for Defendant
Paul Ruben Flores

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN LUIS OBISPO

THE STATE OF CALIFORNIA,

Plaintiff,

vs.

PAUL RUBEN FLORES,

Defendant.

Case No. 21F-02402-A

DECLARATION OF SARAH S. SANGER IN SUPPORT OF MOTION FOR CHANGE OF VENUE (PEN. CODE, § 1033)

Volume 2 of 4

Date: March 30, 2022
Time: 8:30 a.m.
Dept.: 5

Hon. Craig B. Van Rooyen

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EXHIBIT N

THE TRIBUNE

CRIME

Kristin Smart's disappearance remains a mystery, 20 years later

By Matt Fountain

mfountain@thetribunenews.com

UPDATED JUNE 03, 2016 12:46 PM



Cal Poly student Kristin Smart disappeared on Memorial Day weekend in 1996 after walking back to campus from a party. This is the route she took the night she was last seen. BY JOE JOHNSTON

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Early on the Saturday morning of Memorial Day weekend in 1996, 19-year-old Cal Poly freshman Kristin Smart left a house party just off campus with two friends and headed back to her dorm.

She hasn't been seen since.

Today, she would have been 39 years old, and Wednesday marks the 20th anniversary of her disappearance.

TOP ARTICLES

SLO County weather forecast: Clear skies this week — and warmer temps are on the way

The long-standing missing person case has left an open wound on the San Luis Obispo County community.

For some, it's the mystery of how a young woman could seemingly vanish without a trace. For others, it serves as a reminder that even in a seemingly safe community such as San Luis Obispo, horrific crimes happen.

Today, Smart's parents, Stan and Denise Smart, still live in Stockton and recently celebrated the births of the children of Kristin's siblings, Matt and Lindsey Smart.

In a statement provided through the Sheriff's Office on Monday, the Smarts said the anniversary continues to be a difficult and stressful time for their family and that they've chosen to honor the milestone in private.

"It seems impossible that 20 years later our journey continues and we are still searching and praying for the recovery of our beautiful daughter," the statement reads.

However, the family said it is grateful and thankful for the outreach and support of the community and those who keep Kristin's memory alive.

"The fight and quest will not end until she is home, but our family has made the decision that it is time to move forward and focus our efforts on honoring and celebrating Kristin's life," the statement reads. "She was a girl with dreams and visions for the future. We plan to find a way for them to live on."

The family said it plans to publicly honor and celebrate Kristin's memory during the coming year.

The Smarts also continue to encourage anyone with knowledge of the case to contact investigators with what they know.

"We are grateful for those who have come forward and continue to encourage those who may hold a piece of the puzzle to contact the Sheriff's Office," they said. "You can make a difference."

THE CASE AT A GLANCE

Kristin Smart was last seen leaving a house party at 135 Crandall Way near the Cal Poly campus about 2 a.m. May 25, 1996, with Paul Flores and Cheryl Anderson. Each had reportedly been drinking that night during a festive Memorial Day weekend, and by all accounts Smart and Flores seemed to be having fun.

Anderson would later tell investigators that she left Smart with Flores at the intersection of Perimeter Road and Grand Avenue, and continued to her dorm at Sierra Madre Hall. Smart was to walk back to her Muir Hall dorm, and Flores later told police the two parted ways near his own room at Santa Lucia Hall.

On May 27, Jennifer Phillips, a friend of Smart's at Muir Hall, called the Cal Poly University Police Department to report Smart missing. The agency didn't take a report at the time, and Phillips contacted the San Luis Obispo Police Department. They took a report, but referred Phillips back to campus police. It was the first time Smart's parents were alerted to her disappearance.

On May 30, the first of several organized searches was conducted on and around the campus, and Cal Poly police investigators Ray Barrett and Mike Kennedy first interviewed Flores. By the next day, there had been several reported sightings of Smart, a 6-foot-1-inch communications major, around campus and on hiking trails. The San Luis Obispo County District Attorney's Office stepped in with two investigators, Bill Hanley and Larry Hobson, who interviewed Flores at the University Police Department.

It wasn't until June 5 that Kennedy searched Smart's dorm room and another five days until, on June 10, he searched Flores' room. By that time, the academic quarter had ended and Flores had moved all of his belongings out of the room.

More than two weeks had already passed since Smart disappeared.

On June 19, Hanley and Hobson interviewed Flores again at the Arroyo Grande Police Department. In the taped interview, Flores admitted to previously lying to investigators when he told them he received a black eye playing basketball. He reportedly told investigators he received the injury while fixing his truck, then abruptly ended the interview and refused to answer any more questions.

After a month of investigation and amid criticism from the Smart family and their supporters, University Police Chief Tom Mitchell formally requested the help of the County Sheriff's Office. Sheriff Ed Williams agreed and took over the case.

Over the weekend of June 29, about 400 volunteers turned out for a large-scale search of the campus. Dogs used to search for human remains were also brought in, with four of those independently alerting investigators to Flores' dorm room — specifically to his stripped mattress. Investigators then searched Flores' parents' Arroyo Grande home, which yielded no clues.

In an unusual move, the District Attorney's Office in October 1996 issued subpoenas for eight people to testify before the county grand jury in Smart's disappearance. Among those called to testify were Flores and his parents, Susan and Ruben Flores. The Smarts filed a $40 million wrongful death lawsuit against Paul Flores in November, alleging that Flores murdered Kristin at Cal Poly. The Smarts would later add Cal Poly to the lawsuit, alleging the university failed to keep their daughter safe.

That lawsuit has since been dropped and refiled, and remains in legal limbo. The Smart family has requested Sheriff's Office records necessary to prove their case, but those records remain confidential as the criminal investigation continues.

For the Sheriff's Office, Smart remains a missing person, one of 17 "career missing persons" originating from San Luis Obispo County since 1986. Smart was declared presumed dead in 2002.

Williams previously told The Tribune "there are no other suspects" than Flores. Public records indicate that Flores, now also 39, lives in the Los Angeles area. Calls to David Tedesco, who is listed as Flores' attorney, as well as a phone number that appears to be Flores' were not returned.

THE INVESTIGATION CONTINUES

San Luis Obispo County Sheriff Ian Parkinson noted the somber milestone this week, and although he declined to offer any specifics about the ongoing criminal investigation, he said he keeps in constant contact with the Smart family.

"Having adult kids myself, I can certainly empathize with all they've been through," Parkinson said. "Our relationship has been very strong, but it's tough because you have a crime — and a serious one — and you have to preserve the integrity of the case and try not to disclose any details that will jeopardize prosecution, even to the family."

Parkinson said one of his first acts as sheriff after being elected in 2010 was to meet with the Smarts and pledge his dedication to solving the case.

"We established boundaries early on, and they were understanding. Sometimes I'll push those boundaries a little bit, mainly because of what they've been through."

The Smarts have Parkinson's cellphone number, he said, and an open line whenever they need it.

"On an emotional level, (the case) has me tied in," Parkinson said.

In the past year and a half, Parkinson assigned a new detective to the case to bring fresh eyes to the investigation.

"It's like going to work with a blank sheet of music. We really wanted an unbiased view of what's been done to date," Parkinson said. "He does have other cases he works on, but this is his primary case."

Sheriff's Office spokesman Tony Cipolla said a review of several months' timecards shows that the detective averages 15 to 20 hours per week on the Smart case.

The District Attorney's Office also recently assigned a new deputy prosecutor to the Smart case, and that investigator meets regularly with the detective, according to Assistant District Attorney Lee Cunningham.

Parkinson said he is briefed on progress in the case every 2 to 3 weeks.

There's still plenty of work being done, Parkinson said without going into detail. His office still receives a handful of tips every week and each are followed up on, including those from self-described "psychics."

"Every little bit. We look into all of it," Parkinson said. "You just can't rule anything out."

A PERSONAL CASE

In February of each year, attorney Jim Murphy attends an annual progress hearing on the Smart family's wrongful death lawsuit against Flores, which has long been stalled as a result of the ongoing criminal investigation.

Murphy and wife Garin Sinclair's Arroyo Grande-based law firm has represented the Smarts since 1997.

In response to the Smart lawsuit, Flores' attorneys in previous filings argued that Smart's own negligence contributed to her disappearance and that the Smarts "had no facts in support of their contention (that the) defendant caused the death of their daughter," according to court records.

Murphy says the facts are there — but he and the Smarts can't access them.

Subpoenas filed by Murphy requested the entire Sheriff's Office investigative report, including interviews with witnesses and Flores, physical evidence, all internal memos concerning the Smart case and forensic reports.

Every year, a representative from the county will tell the judge that the criminal case remains ongoing, and records requested by the family must remain confidential, and another hearing is set.

Sometimes, Murphy says, he can go a couple days without thinking about the case, but an unexpected reminder is always just around the corner. In February, Murphy was driving down Deer Canyon Road in rural Arroyo Grande when he came upon a pair of sheriff's deputies examining something along the side of the road, just west of the Corbett Canyon Road intersection.

He got out of his car to take a look. It was a set of badly decomposed human remains, including a skull and other bone fragments.

"I remember leaning over as close as I could without getting in the way," Murphy recalled. "I thought, 'Could this be Kristin?' "

The remains turned out to be that of a long-deceased adolescent of Native American descent, a State Parks archaeologist would later determine.

"I know that Kristin's out there somewhere," Murphy said. "It just kills me that someone's child would be gone, and yet no one ever really knows for sure where or why — that kind of pain never goes away."

Asked about what he hopes for in the civil case, Murphy said he continues to be encouraged by tips his office receives and reassurances he gets from Parkinson, who Murphy said he has faith in.

"I would hope there would be a break in the criminal case, but I would like to hold (Flores) accountable civilly," Murphy said. "In civil law it's what's reasonable based on a preponderance of the evidence, not within a reasonable doubt as in criminal cases. Here, I believe there's enough circumstantial evidence to prove to a civil jury that Flores is responsible for Kristin's death."

Murphy said he is skeptical that Flores will ever face a criminal trial unless he admits guilt or has a "moment of conscience."

Today, a sign memorializing Smart and seeking information about her appearance remains posted in front of Murphy's Arroyo Grande office.

"I'll never, ever take this sign down until Kristin's found," Murphy said.

A LASTING LEGACY

Today, a large portion of the Cal Poly student body wasn't yet born when Smart disappeared. When a reporter informally surveyed a dozen passing students during a busy lunch hour in the University Union — a five-minute walk from where Smart was last seen — just one recognized her.

But when asked if they knew the name Kristin Smart, all but one did. A fourth-year agricultural sciences major said she heard of the case before moving to San Luis Obispo, and that it still serves as a reminder to be aware of her surroundings and take charge of her own safety.

Smart's disappearance also changed the way universities report crimes. The initial lackluster response by the Cal Poly University Police Department and the criticism that followed resulted two years later in the passage of the Kristin Smart Campus Safety Act, which was championed by the Smart family and supported by the Cal Poly administration.

The measure, signed into law by Gov. Pete Wilson, requires publicly funded universities to immediately contact designated outside assisting law enforcement agencies when violent crimes occur or are suspected to have occurred on a college campus. The law requires that schools have written agreements designating responsibilities of assisting agencies, as well as specific geographical boundaries for those agencies, in cases of homicide, rape, aggravated assault and robbery.

The law was so-named after lobbying by the Smarts. However, Cal Poly and Sheriff's officials told The Tribune at the time that it would not have applied right away to the Smart case because there was no physical evidence of a crime. The Smarts contend that Cal Poly should have recognized the possibility of a crime early on and reached out for assistance.

Asked why Smart's disappearance has left such an impact on San Luis Obispo County, Parkinson said he believes people are moved by the family's perseverance in searching for answers.

"For me, a lot of it is the emotional tie to the parents. I think people can empathize with the parents and how hard this must be for them," he said. "This is not a case of a woman vanishing in thin air. There's information out there. The not knowing is a killer."

Parkinson noted that a combined $65,000 reward remains on the table for information that leads to the conviction of the person responsible. He said he would hope the money may remind someone of a fact they had long forgotten.

"Maybe they are enticed by the money, and maybe they're willing to say, 'I shared this before but I'm going to share it again,'" he said. "We certainly welcome that."

Statement from the Smart family

Provided by the San Luis Obispo County Sheriff's Office:

May 25, 1996, the day our daughter Kristin's life was taken. A college freshman at Cal Poly, she walked home with others from an off-campus party, never to be seen again. It seems impossible that 20 years later our journey continues and we are still searching and praying for the recovery of our beautiful daughter.

Our family is eternally grateful and thankful beyond measure for the outreach and support of so many in the community and beyond who have shared their hearts, time and energy to keep Kristin's memory, story and quest for justice alive.

The 20-year journey to bring Kristin home has been more difficult than anything we could have ever imagined. It is only through your support that our HOPES are still alive.

The fight and quest will not end until she is home, but our family has made the decision that it is time to move forward and focus our efforts on honoring and celebrating Kristin's life. She was a girl with dreams and visions for the future. We plan to find a way for them to live on. Plans to publicly honor and celebrate her memory and visions during the coming year will be forthcoming.

In that light, our faith and trust to bring Kristin home and prosecute the person responsible continues to lie with Sheriff Parkinson and his department. We are grateful for their unwavering commitment to our family and their efforts to recover our daughter.

We are grateful for those who have come forward and continue to encourage those who may hold a piece of the puzzle to contact the Sheriff's Office. You can make a difference.

Anticipating this 20-year mark continues to be a difficult and stressful time for our family. In that light, we are choosing to observe this anniversary privately and will be out of town and communication and will not be taking requests for media interviews.

Thank you for understanding and honoring our request to observe this moment in time privately and for your unwavering support of our family as we continue on this journey to bring our Kristin home.

Stan and Denise Smart and family

This story was originally published May 24, 2016 9:11 PM.



CRIME

Suspect in Isla Vista sexual assaults arrested in Lompoc

BY JANENE SCULLY *NOOZHAWK.COM*
MARCH 06, 2022 12:23 PM

Home-security helped deputies make the arrest of a registered sex offender.

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CRIME

Man on stolen motorcycle leads officers on high-speed chase from Los Osos to Atascadero

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CRIME

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CRIME

9 arrested on suspicion of human trafficking in SLO County

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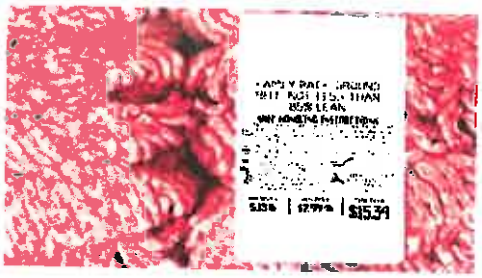
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CRIME

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FEBRUARY 24, 2022 10:35 AM



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BY THE PENNY HOARDER



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THE TRIBUNE

LOCAL

Cal Poly student Kristin Smart went missing 25 years ago. Here's what's happened since

BY MATT FOUNTAIN

UPDATED JULY 16, 2021 4:48 PM



San Luis Obispo County Sheriff's Office and FBI representatives serve a search warrant at the Arroyo Grande, California, home of Susan Flores. Her son, Paul Flores, is a person of interest in the 1996 disappearance of Cal Poly student Kristin Smart. BY DAVID MIDDLECAMP

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Kristin Smart, a 19-year-old Cal Poly freshman from Stockton, disappeared early on the Saturday morning of Memorial Day weekend in 1996, after leaving a house party just off campus. She would have turned 44 years old in 2021.

Though the case had long remained unsolved, a podcast series hosted by Orcutt resident Chris Lambert sparked renewed interest in the community — as well as calls to search the Arroyo Grande property of Susan and Ruben Flores, parents of the only suspect in Smart's disappearance.

Paul Flores, who was also a Cal Poly student in 1996 and now resides in San Pedro, was the last person seen with Kristin Smart, who was officially declared deceased in 2002.

TOP ARTICLES

SLO County weather forecast: Clear skies this week — and warmer temps are on the way

Flores was arrested April 13, 2021, and has been charged by the San Luis Obispo County District Attorney's Office with a count of murder, which District Attorney Dan Dow says was committed during the commission of rape.

Flores' father, Ruben Flores of Arroyo Grande, was also arrested and charged with being an accessory to the crime.

The men have pleaded not guilty to the charges and criminal proceedings are ongoing.

Here's a detailed timeline of Smart's disappearance and the investigation into her alleged murder.

TIMELINE OF KRISTIN SMART MISSING PERSON CASE

May 25, 1996: Kristin Smart is last seen around 2 a.m. walking with students Paul Flores and Cheryl Anderson from a party at 135 Crandall Way near the Cal Poly campus in San Luis Obispo. Anderson separates from Smart and Flores at the intersection of Perimeter Road and Grand Avenue.

May 27, 1996: Student Jennifer Phipps calls Cal Poly police to report Smart missing. A report is not started at that time.

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Paul Flores arrested on suspicion of murdering Kristin Smart, sheriff says

APRIL 13, 2021 8:37 AM

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CRIME

'Your Own Backyard' podcaster answers Kristin Smart questions live as sheriff searches home

APRIL 13, 2021 1:11 PM

May 28, 1996: Phipps calls the San Luis Obispo Police Department to report Smart missing. A report is started and Phipps is referred to the Cal Poly Univerity Police Department. Cal Poly police take a missing person report, which is the first time Smart's parents, Stan and Denise, learn anything is amiss. Paul Flores is interviewed for the first time. He tells a campus officer that he and Smart separated near the Santa Lucia Hall, and that he hasn't seen her since.

May 30, 1996: Campus investigators Ray Barrett and Mike Kennedy interview Flores at their office. Meanwhile, the first of several searches for the missing student is conducted on campus.



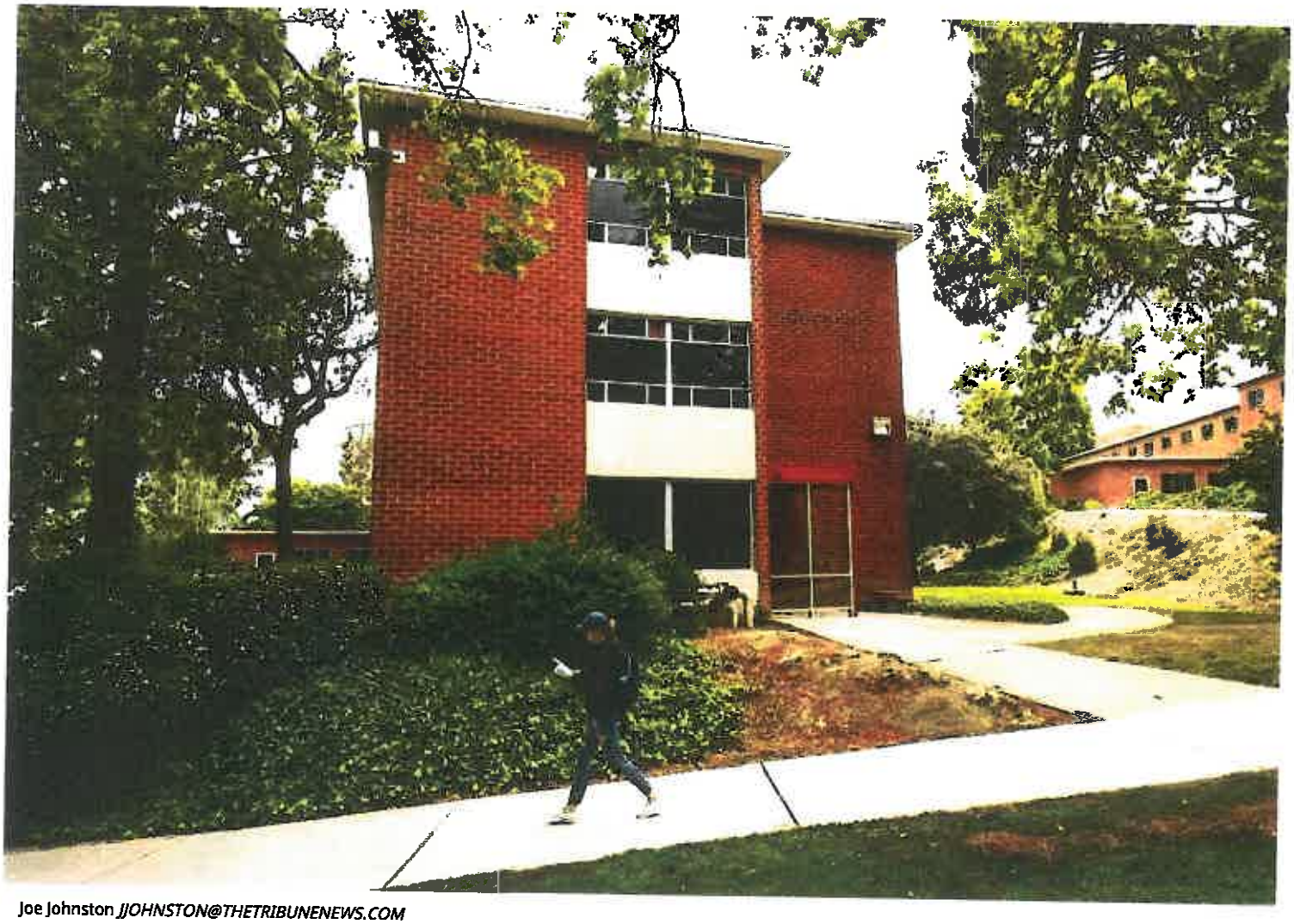
Joe Johnston *JJOHNSTON@THETRIBUNENEWS.COM*

May 31, 1996: Campus police follow up on several alleged sightings of Smart, a 6-foot 1-inch blonde woman. San Luis Obispo County District Attorney's office investigators Bill Hanley and Larry Hobson interview Flores at the Cal Poly Police Department.

June 5, 1996: Cal Poly Police Det. Mike Kennedy searches Smart's dormitory room for evidence and seizes the room's contents for safekeeping.

June 10, 1996: Campus investigator Kennedy secures Flores' dorm room at Santa Lucia Hall after he and his roommate have moved out. None of Flores' property is found in his room.

June 19, 1996: District Attorney's investigators Hanley and Hobson interview Flores at the Arroyo Grande Police Department. During the videotaped interview, Flores tells investigators that he lied when he previously stated he received a black eye playing basketball. He says he actually received the injury while working on his truck. Flores abruptly walks out of the interview before it concludes and says he won't answer any more questions.



Joe Johnston *JJOHNSTON@THETRIBUNENEWS.COM*

June 26, 1996: Amid a flurry of criticism from the Smart family and friends, University Police Chief Tom Mitchell asks San Luis Obispo County Sheriff Ed Williams to assist in the investigation. Williams obliges and the Sheriff's Office takes over the case.

June 29-30, 1996: Nearly 400 volunteers turn out for a massive campus search. Cold Canyon Landfill in rural San Luis Obispo is also searched at an expense to the university of $16,000. Dogs trained to search for human remains are brought in to search for clues. Four dogs independently react to Flores' dorm room at Santa Lucia Hall. Dogs also react to his stripped mattress.

July 17, 1996: Sheriff's Office investigators search Flores' Arroyo Grande home. The search doesn't yield any clues to Smart's whereabouts.

July 19, 1996: Employees with San Luis Obispo's Lininger Construction install a billboard on Highway 101, a daily reminder of Smart's disappearance.





David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

Oct. 15, 1996: In a rare move, prosecutors subpoena people to testify before the county grand jury in the case of the missing Cal Poly student. Among those called are Flores and his parents, Ruben and Susan Flores.

Nov. 26, 1996: Stan and Denise Smart file a $40 million wrongful death lawsuit against Paul Flores. The lawsuit — which remains ongoing — alleges that Flores murdered their daughter at Cal Poly. The Smarts later add Cal Poly as a defendant, alleging campus officials failed to keep their daughter safe. A San Luis Obispo Superior Court judge initially dismisses the university from the complaint, but gave the Smarts a second chance to prove their case. The university appealed and is awaiting the judge's final decision.

Jan. 24, 1997: The Smarts' Arroyo Grande attorney, James Murphy, begins interviewing potential witnesses in the civil suit. Ultimately, no substantial revelations come out of the depositions. The Smarts subpoena all law enforcement reports and files in the case of their missing daughter. The named agencies — Cal Poly University Police, the Sheriff's Office, and the District Attorney's Office — continue to fight the request in court in a hearing each year, due to the ongoing and criminal nature of the missing persons investigation.

Feb. 21, 1997: California Gov. Pete Wilson offers a $50,000 reward for any information leading to an arrest and conviction in the case of Kristin Smart. The offer boosts the total reward to $75,000.



Jim Weber

March 4, 1997: Murphy, the Smarts' attorney, initiates a search of an Arroyo Grande rental property owned by Flores' parents. The search fails to turn up any new leads in the case.

April 13, 1997: A fundraiser to help with the Smarts' legal bills draws roughly 200 people in Arroyo Grande.

May 23, 1997: Sheriff Williams states "There are no other suspects" in the case besides Paul Flores.

May 8, 1999: San Luis Obispo County Sheriff Pat Hedges asks for the FBI's assistance in the investigation. Sheriff's deputies sift through dirt around Paul Flores' old Santa Lucia Hall dorm. Hedges announced that no new evidence had been found at the site. FBI agents interview hundreds of Cal Poly students and staff.

Aug. 12, 1998: Gov. Wilson signs the Kristin Smart Campus Safety Act of 1998 into law. The law requires universities to contact law enforcement when violent crimes occur on campus.



Laura Dickinson *LDICKINSON@THETRIBUNENEWS.COM*

May 25, 2002: Kristin Smart is declared legally dead.

May 24, 2016: On the 20th anniversary of Kristin Smart's disappearance, the Smart family issues a statement saying: "She was a girl with dreams and visions for the future. We plan to find a way for them to live on."

Sept. 6, 2016: San Luis Obispo County Sheriff Ian Parkinson announces that a new lead "strongly suggests" Smart's remains may be buried on a hillside on the Cal Poly campus near the Cal Poly "P" that had been searched by about 400 volunteers in June 1996. A joint Sheriff's Office-FBI excavation takes place over five days. The agencies sift through approximately 20,000 cubic feet of dirt, taking away bones and a possible "item of interest" to a facility out of the county for analysis. The bones are later revealed to be animal bones.

May 28, 2017: The Smart family creates a website, kristinsmart.org, where people, businesses and other organizations can donate to a nonprofit, tax-exempt scholarship fund for women seeking degrees in law enforcement, forensic science or architecture.



Joe Johnston *JJOHNSTON@THETRIBUNENEWS.COM*

Sept. 6, 2017: A year after the Cal Poly excavation, the Sheriff's Office calls the effort "beneficial," but hasn't released any further information since.

Sept. 25, 2019: Santa Maria resident Chris Lambert launches Your Own Backyard, a podcast devoted to Kristin Smart's disappearance. The podcast generates massive public interest in and outside San Luis Obispo County.

Nov. 17, 2019: A large crowd gathers for a public candlelight vigil in Arroyo Grande.

Jan. 18, 2020: The Stockton Record publishes an article based on a reported interview with Denise Smart, who told a reporter she was told by "the FBI" that a new development in the case was imminent and to "be ready." The story goes viral.



Laura Dickinson *LDICKINSON@THETRIBUNENEWS.COM*

Jan. 22, 2020: Following an inundation of public and media requests for more information, a spokesman hired by the Smart family clarifies that the information shared with The Stockton Record came from a "former FBI agent," and not someone associated with the investigation. The family says that no new developments are expected to be announced in the near future, but that the Sheriff's Office, not the FBI, would be making any such announcement.

Jan. 29, 2020: The Sheriff's Office announces that, since 2011, it has served 18 search warrants, conducted physical evidence searches at nine locations, submitted 37 evidence items from the early days of the case for modern DNA testing, recovered 140 new items of evidence, including two trucks that belonged to members of the Flores family in 1996. In addition, the agency says it has conducted 91 in-person interviews, written 364 supplemental reports related to the case and spent approximately $62,000 in investigative expenses during this time.



David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

Feb. 5, 2020: Sheriff's officials and FBI agents search the home of Susan Flores in Arroyo Grande and the home of Paul Flores in San Pedro. One additional property in San Luis Obispo County and another in Washington State are also searched. Officials do not say why they searched the properties.

Feb. 11, 2021: Paul Flores is arrested in Los Angeles on suspicion of being a felon in possession of a firearm. The San Luis Obispo Sheriff's Office says the arrest was "a result of information obtained during our search warrants last year at the home of Paul Flores as part of the Kristin Smart investigation."

March 15, 2021: The Sheriff's Office serves a search warrant at the Arroyo Grande home of Ruben Flores, the father of Paul Flores. "The Sheriff's Office has been authorized to utilize cadaver dogs and ground-penetrating radar during the course of the search," which could take up to two days to complete," the agency says.

March 16, 2021: The Sheriff's Office concludes its search of Ruben Flores's house. No details are announced about what was found.


SHERIFF
SHERIFF

Paul Flores, 44, of San Pedro is arrested Tuesday, April 13, 2021, on suspicion of murder in connection with the disappearance of missing Cal Poly student Kristin Smart. San Luis Obispo County Sheriff's Office

April 13, 2021: Paul Flores is taken into custody in San Pedro while Ruben Flores is taken into custody in San Luis Obispo County. The Sheriff's Office conducts another search of Ruben Flores' Arroyo Grande property.

At a news conference on the Cal Poly campus, Sheriff Parkinson announces that new evidence recovered in the recent searches shoe that Paul Flores murdered Smart and his father Ruben Flores helped cover up the crime. Both men are booked into San Luis Obispo County Jail; Paul Flores is held without bail while Ruben Flores' bail is set at $250,000.



San Luis Obispo County Sheriff Ian Parkinson answers questions at a news conference on Tuesday, April 13, 2021, where he announced the arrests of Paul Flores and Ruben Flores in connection with the disappearance of Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

The Smart family releases a statement saying they had "waited for this bittersweet day" for almost 25 years. The family thanked Parkinson, law enforcement officials, and podcaster Lambert. A candlelight vigil is organized by students on the Cal Poly campus.

April 14, 2021: San Luis Obispo County District Attorney Dan Dow announces formal charges against Paul and Ruben Flores. Paul Flores is charged with murder and Ruben Flores is charged with accessory. Dow says for the first time that Smart's murder occurred during the commission of a rape, and he said prosecutors intend to introduce evidence of Paul Flores' past sexual assaults in support of the murder case.



San Luis Obispo County District Attorney Dan Dow speaks at a news conference Thursday in San Luis Obispo about the Kristin Smart case, following the arrests of Paul Flores and Ruben Flores. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

April 15, 2021: Paul and Ruben Flores appear at an arraignment via Zoom from the County Jail, but enter no plea. Another hearing is scheduled for April 19, when both parties are expected to argue over bail. Superior Court Judge Craig van Rooyen grants a defense motion for a protective order barring any parties in the case from publicly commenting on proceedings.



Paul Flores, 44, appears at his arraignment. He was taken into custody in San Pedro and booked into San Luis Obispo County Jail on suspicion of the murder of Kristin Smart. San Luis Obispo County Court

April 19, 2021: Paul and Ruben Flores plead not guilty to their charges. Following arguments by deputy district attorney Christopher Peuvrelle, and defense attorneys Robert Sanger (representing Paul Flores) and Harold Mesick (representing Ruben Flores), Superior Court Judge van Rooyen denies bail for Paul Flores, finding him a public safety risk. Van Rooyen indicates that he will lower bail for Ruben Flores and schedules a bail reduction hearing for Ruben Flores.

A county probation report submitted to the court in opposition to bail for either defendant, obtained by The Tribune, reveals for the first time that prosecutors say "dozens of women have recounted Paul Flores' sexual assaults and predatory behavior that document his 25 years as a serial rapist."

The documents also quotes Peuvrelle, who wrote: "The excavation below (Ruben Flores') deck at 710 White Court showed damning evidence that a body had been buried in that location and then recently moved."

April 21, 2021: Finding that Ruben Flores is not a public safety risk, van Rooyen lowers his bail to $50,000. He is released that evening, with a court orders that he does not leave San Luis Obispo County, surrenders his passport and submits to electronic monitoring.

April 22, 2021: Jim Murphy, the Smart family's civil attorney, files a lawsuit in San Luis Obispo Superior Court against Ruben Flores, accusing him of intentionally inflicting emotional distress on the family over the nearly 25 years Smart was missing.

The lawsuit alleges that Ruben Flores, with the help of Susan Flores and her boyfriend Mike McConville, moved Smart's remains from under the porch of Ruben Flores' property during the night of Feb. 9, 2020 — four days after the Sheriff's Office

search — and transported them to an unknown location. Murphy claims to have a witness who is known to law enforcement.

April 27, 2021: A Los Angeles Times report reveals details about Paul Flores' criminal history, including that Paul Flores was the subject of two ongoing sexual assault investigations by the Los Angeles Police Department, and had been linked by DNA evidence to an alleged 2007 rape investigated by the Redondo Police Department. No charges were filed in the latter case due to a lack of evidence, the newspaper reported.

This article will be updated as more information becomes available.

This story was originally published April 27, 2021 5:29 PM.

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MATT FOUNTAIN (805) 781-7909

Matt Fountain is The San Luis Obispo Tribune's courts and investigations reporter. A San Diego native, Fountain graduated from Cal Poly's journalism department in 2009 and cut his teeth at the San Luis Obispo New Times before joining The Tribune as a crime and breaking news reporter in 2014.



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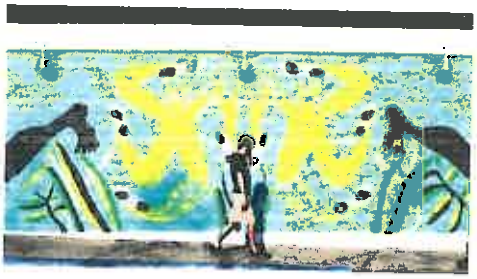
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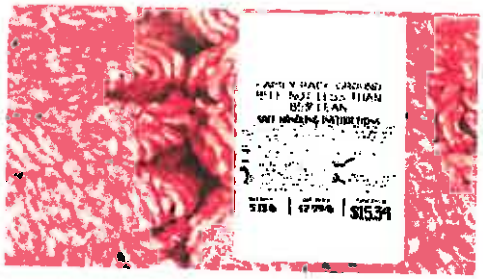
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LOCAL

'It's important that she's not forgotten.' Hundreds turn out for Kristin Smart vigil

BY GABBY FERREIRA

UPDATED NOVEMBER 17, 2019 7:51 PM



Hundreds of people gathered in the Arroyo Grande Village on Sunday evening for one reason: to remember Kristin Smart, a Cal Poly student who went missing in 1996 BY LAURA DICKINSON

Hundreds of people gathered in the Arroyo Grande Village on Sunday evening for one reason: to remember Kristin Smart, a Cal Poly student who went missing in

1996.

Many attendees wore the color purple, Smart's favorite color, and some held signs in memory of her.

"I just wanted to do something," said Marie Inman, who organized the vigil.

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Early on Saturday morning of Memorial Day weekend in 1996, the 19-year-old Smart left an off-campus house party with two friends, headed back to her dorm, and was never seen again.

Inman, a Morro Bay native who is around the same age as Smart, remembered that she was out having fun with her girlfriends that same night.

Biz Buzz

Upscale grocery store and more coming to new North County marketplace

"It was a scary time for anybody our age," Inman said. "And when the story came out, it was just heart-wrenching."



Cal Poly student Kristin Smart was 19 when she went missing after an off-campus party on Memorial Day weekend in 1996. Courtesy photo

Inman said she doesn't have any connection to the Smart family, but was inspired to hold a vigil for Smart after she listened to the podcast In Your Own Backyard. The podcast, by Central Coast native Chris Lambert, tells the story of who Smart was and the details of her disappearance.

Inman posted about the vigil in the Find Kristin Smart Facebook group, and "all of the sudden, it became its own thing." She said her husband counted more than 250 people at the event.

Jessica Bond of Grover Beach came to the vigil with her sister. Bond, who was a baby when Kristin Smart disappeared, said she became more curious about the case after listening to Your Own Backyard, and has taken notes on the episodes to follow along.

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"This was something we needed to be a part of," Bond said. "This is a human being, part of our community. We can show our respect, honor and support."



Marie Inman speaks to the crowd at a candlelight vigil for Kristin Smart in Arroyo Grande. Laura Dickinson *LDICKINSON@THETRIBUNENEWS.COM*

The vigil started at the gazebo on Olohan Alley in the Village of Arroyo Grande.

A large picture of Kristin Smart in graduation attire stood under the gazebo, flanked on either side with tables covered in purple plastic tablecloths.

The tables held information about Smart's namesake scholarship and a sign-up sheet for anyone who'd like to receive information about future events. Inman said she hopes to hold more vigils in the future — possibly one at Cal Poly.

"One of Denise Smart's biggest fears is that her daughter will be forgotten," Inman said, addressing the crowd gathered at Sunday's vigil. "Well, Denise and the Smart family, Kristin will never be forgotten."



Over 250 supporters attend a candlelight vigil for Kristin Smart in front of Flores family home in Arroyo Grande. The supporters stand in front of the Flores house. Laura Dickinson *LDICKINSON@THETRIBUNENEWS.COM*

Attendees walked from the gazebo up to the Arroyo Grande home of the Flores family.

Paul Flores, also a Cal Poly student at the time of Smart's disappearance, was the last person seen with Smart early Saturday morning on Memorial Day weekend as she walked back to her residence hall after an off-campus party.

The crowd stood quietly along the sidewalk area in front of the home as they lit their candles. The walkway to the front door and the driveway were roped off, with "No Trespassing" signs hung on the ropes.

Alison Einolander, a Cal Poly alumna who has also listened to the podcast, came to the vigil with her mother, Amy Einolander of Templeton. Both wore matching baseball caps that read "Justice for Kristin Smart" across the front.



Over 250 supporters attend a candlelight vigil for Kristin Smart in front of Flores family home in Arroyo Grande. Laura Dickinson *LDICKINSON@THETRIBUNENEWS.COM*

"A lot of people know her name and that's it," Alison Einolander said.

Alison, who graduated from Cal Poly in 2017 and is currently living in Texas, extended her visit home so she could come to the vigil. She asked her mother to come with her.

"I think it's a beautiful thing to do," Amy Einolander said. "And from a mother's perspective, it's important that she's not forgotten."

This story was originally published November 17, 2019 7:14 PM.

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GABBY FERREIRA 805-781-7858

Gabby Ferreira is a breaking news and general assignment reporter at The Tribune in San Luis Obispo. A native of Houston, Texas, she was a reporter in Tucson, Arizona; Indianapolis, Indiana; and Palm Springs, California, before moving to San Luis Obispo County in 2016.

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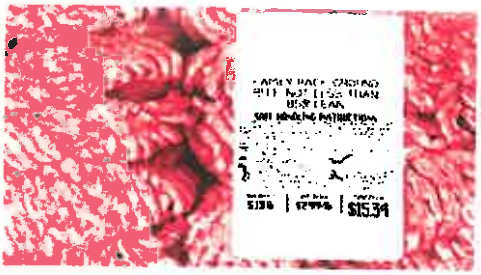
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LOCAL

Cal Poly students to hold candlelight vigil for Kristin Smart: 'We wanted to honor her'

BY MACKENZIE SHUMAN

UPDATED APRIL 15, 2021 7:49 PM



More than 250 supporters attend a candlelight vigil for Kristin Smart in front of Paul Flores' family home in Arroyo Grande in November 2020. Cal Poly students are planning to hold a candlelight vigil for Smart on Tuesday, April 13, 2021. LAURA DICKINSON *LDICKINSON@THETRIBUNENEWS.COM*

When Michelle Mueller heard Tuesday that a murder suspect had been arrested in connection to missing Cal Poly student Kristin Smart, the news hit close to home.

Mueller, a first-year student at the San Luis Obispo university, said that she knew she wanted to do something to honor Smart, who disappeared nearly 25 years ago.

So Mueller organized an impromptu candlelight vigil in Smart's memory.

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"We wanted to honor her and her legacy since it is strongly believed that she was murdered here," Mueller said. "We all know about the whole story. ... That could have been literally any single one of us — my friends, that could have been me."

On Tuesday morning, investigators with the San Luis Obispo County Sheriff's Office arrested Paul Flores, the last person seen with Smart before she vanished in 1996, on suspicion of murder.

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Flores lived in Santa Lucia Hall in the South Mountain on-campus housing complex during his time as a student at Cal Poly. That's the same residence hall that Mueller now calls home.

Smart lived in Muir Hall, which is also part of South Mountain Residence Halls.

The candlelight vigil will be held at 7:30 p.m. Tuesday on the lawn next to Santa Lucia Hall. Mueller said anyone is welcome to attend, light a candle and bring flowers.

Only students are allowed inside the university's residence halls, so the event will be held outside, Mueller said.

Smart, 19, was last seen Memorial Day weekend in 1996, leaving a house party at 135 Crandall Way near the Cal Poly campus at about 2 a.m. on May 25, 1996, with Flores and a friend.

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The friend later told investigators that she left Smart with Flores at the intersection of Perimeter Road and Grand Avenue so that Smart could walk back to her Muir Hall dorm room.

Flores later told police the two parted ways near his room at Santa Lucia Hall.

On May 27, 1996, a friend of Smart's at Muir Hall, reported Smart missing to the Cal Poly University Police Department.

This story was originally published April 13, 2021 4:32 PM.

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APRIL 13, 2021 1:54 PM



MACKENZIE SHUMAN

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Mackenzie Shuman primarily writes about Cal Poly, SLO County education and the environment for The Tribune. She's originally from Monument, Colorado, and graduated from Arizona State University's Walter Cronkite School of Journalism and Mass Communication in May 2020. When not writing, Mackenzie spends time outside hiking, running and rock climbing.

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LOCAL

Will new Kristin Smart billboard help solve her case? This SLO County resident hopes so

BY KAYTLYN LESLIE

UPDATED FEBRUARY 13, 2020 6:26 PM



San Luis Obispo County Sheriff's Office and FBI representatives serve a search warrant at the Arroyo Grande, California, home of Susan Flores. Her son, Paul Flores, is a person of interest in the 1996 disappearance of Cal Poly student Kristin Smart. BY DAVID MIDDLECAMP

Inspired by a popular podcast about missing Cal Poly student Kristin Smart, a San Luis Obispo County man has installed a new billboard asking for information into her 1996 disappearance.

Scott Millar said he decided to install a new billboard near his home on the corner of Highway 1 and Halcyon Road in Oceano after listening to episodes of the "Your Own Backyard" by Orcutt resident Chris Lambert.

The podcast explores the circumstances of Smart's disappearance from the San Luis Obispo university campus on Memorial Day weekend 23 years ago. It has inspired renewed interest into her case in recent weeks, and potentially driven a series of new developments in the investigation.

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AD



Millar, who moved to Arroyo Grande as a child the fall after Smart's disappearance, said he's long wanted to put up a billboard similar to one posted in the Village of Arroyo Grande.

A billboard proclaiming a reward for information into Smart's disappearance has long rested in the front yard of attorney James Murphy's office at 221 E. Branch St. The original billboard was recently replaced with a new one, donated by Brand Creative West.

"I wanted to put a sign up years ago, but I got sidetracked," Millar said. "After listening to the podcast however, and seeing that there was a new sign in the Arroyo Grande Village, I stopped by James Murphy's office to see if I could get ahold of the old sign."

The old sign was "in tatters" though, Millar said, so he decided to buy a brand-new one from Brand Creative West for $230.

Millar said he hopes his Oceano billboard will help "further public interest in the investigation," and that more similar billboards pop up around the South County.

He's even volunteering to help anyone who wishes to post similar signs on their properties.

"I pray that the new developments in the case will lead to a conviction," Millar said. "That Kristin's body is recovered, and her family is finally able to lay her body to rest."

This story was originally published February 13, 2020 5:59 PM.

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KAYTLYN LESLIE

805-781-7928

Kaytlyn Leslie writes about business and development for The San Luis Obispo Tribune. Hailing from Nipomo, she also covers city governments and happenings in the South County region, including Arroyo Grande, Pismo Beach and Grover Beach. She joined The Tribune in 2013 after graduating from Cal Poly with her journalism degree.



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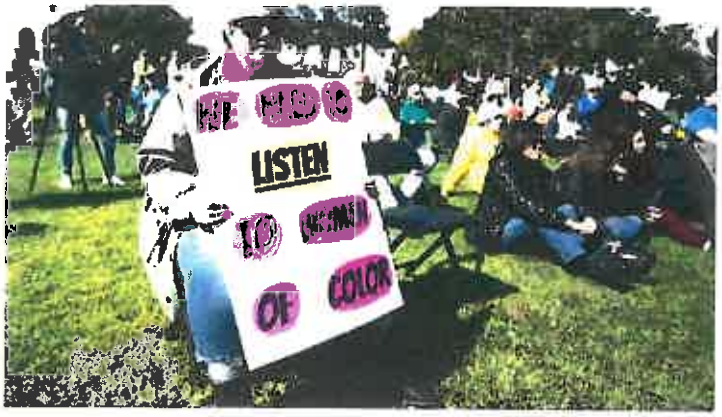
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'Find Kristin Smart' group says it's serious about buying home next to Paul Flores' mom

BY NICK WILSON

UPDATED AUGUST 11, 2020 9:09 AM



San Luis Obispo County Sheriff's Office and FBI representatives serve a search warrant at the Arroyo Grande, California, home of Susan Flores. Her son, Paul Flores, is a person of interest in the 1996 disappearance of Cal Poly student Kristin Smart. BY DAVID MIDDLECAMP

A group of community advocates seeking justice for missing Cal Poly student Kristin Smart is floating the idea of buying an Arroyo Grande home next to the property of Susan Flores.

Flores is the mother of Paul Flores, the last person seen with Smart when the 19-year-old woman went missing after a party in San Luis Obispo in 1996.

Members of the Find Kristin Smart Facebook group started discussing the idea when the home on the 500 block of East Branch Street was listed for sale online. The group

had more than 30,000 members as of Monday.

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"Ok serious proposal," group member Pascoe Bowen wrote on Aug. 5. "What if we bought the house for sale next door to (Susan Flores) and turned it into the Kristin Smart memorial museum, and research center for missing people? The house is selling for $700,000, we have over 29,000 members in this group. If we each donated $25, we could make that happen."

As of Monday, the home in the Village of Arroyo Grande was listed for sale for $739,900 on real estate website Zillow, a 6% price increase since the property was initially listed on Aug. 4.

Biz Buzz

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Located on a 5,000-square-foot property, the 2,000-square-foot home has three bedrooms and three bathrooms.

Bowen said in a phone interview that he first "just kind of threw (the idea of buying the home) out there to see what people think" and received an outpouring of responses.

"So many people said 'Yeah, good idea. Let's do it,' " Bowen said. "The comment got around 1,000 likes and several hundred comments after a day. ... I would love to see this happen. I do recognize it's a bit of a crazy idea, but sometimes crazy ideas work."



Oceano resident Scott Millar posted a new Kristin Smart billboard at the corner of Highway 1 and Halcyon Road earlier this year. Laura Dickinson *LDICKINSON@THETRIBUNENEWS.COM*

ARROYO GRANDE PROPERTY COULD BE USED AS KRISTIN SMART MUSEUM

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If purchased by the group, Bowen said the Arroyo Grande home could be potentially used as Kristin Smart museum, an office space for a missing persons foundation or a vacation rental to generate money to help charitable causes.

Those might include the Kristin Smart scholarship fund, established by the nonprofit organization Justice for Kristin.

Bowen said a real estate agent has already reached out to help, offering to donate his sales commission if the group raises the money for the home. Bowen did not name the agent.

Another volunteer planned to work with Arroyo Grande's Planning Department to better understand for which use the property could be zoned, Bowen said.

Sandee Hunt-Burns, an administrator of the Find Kristin Smart Facebook group, said the idea would need to go through logistical, legal, and financial assessments before it could come to fruition.



Representatives of the San Luis Obispo County Sheriff's Office and FBI conduct a warrant search of the Flores house in the 500 block of East Branch in February 2020. Sheriff's Office Cmdr. Keith Scott, head of the detective bureau, is on the right. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

"We also are reaching out to the Smart family to see if this is something they are okay with," Hunt-Burns said. "The family hasn't given a comment on it. Until we know their feelings, we wouldn't move forward."

John Segale, a Smart family spokesman, wrote in an email Friday that "the family has no comment."

The Smart family has an ongoing wrongful death lawsuit pending alleging Paul Flores murdered Kristin. The Flores family filed a civil suit against the Smarts for emotional distress.

Bowen said purchasing the home would allow investigators to come near the Flores property.

Hunt-Burns said the justice advocates consider themselves "warriors for Kristin" and the collective effort would help bring attention to her disappearance and keep the spotlight on the cold case.

"We want to make it clear this is not to harass or antagonize the Flores family or jeopardize the case in any way," Hunt-Burns said.



A large portrait of Kristin Smart in high school graduation attire is on display at a candlelight vigil for the missing woman in Arroyo Grande in January 2020. Laura Dickinson *LDICKINSON@THETRIBUNENEWS.COM*

PERSON OF INTEREST IN CAL POLY STUDENT'S DISAPPEARANCE

Smart was a Cal Poly freshman when she was last seen on May 25, 1996, walking home from a party with Paul Flores toward the San Luis Obispo university's dorms.

Flores has continued to be a person of interest throughout the 23-year investigation but has never been charged for a crime related to the case.

Another student called Cal Poly police to report Smart missing two days later, but report wasn't started at that time.

Flores was first interviewed on May 28, 1996, three days after Smart was last seen. He told a campus officer that he and Smart separated near the Santa Lucia Hall dormitory, and that he hadn't seen her since.

On May 30, 1996, campus investigators Ray Barrett and Mike Kennedy interviewed Flores at their office and the first of several searches for the missing student was conducted on campus.



Paul Flores, second from left, talks to authorities after being pulled from a Los Angeles County Sheriff's Department vehicle outside of a San Pedro home being searched in connection with the case Wednesday, Feb. 5, 2020, in Los Angeles. Search warrants were served Wednesday at locations in California and Washington state in the investigation of the disappearance of Kristin Smart, the Cal Poly student who disappeared in 1996. Marcio Jose Sanchez *AP*

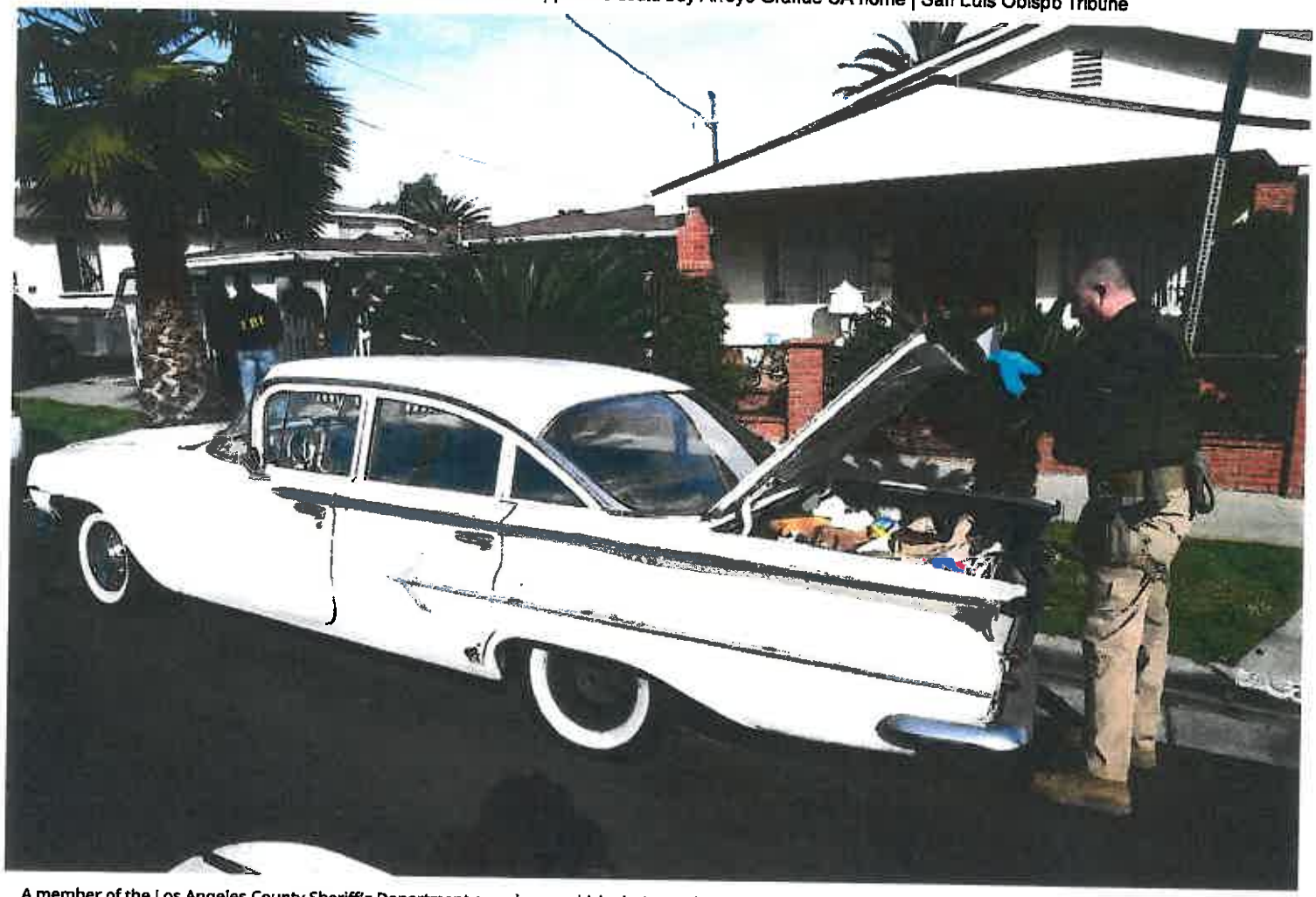
On June 29 to 30, 1996, dogs trained to search for human remains were brought in to search for clues. Four dogs independently reacted to Flores' dorm room at Santa Lucia Hall. Dogs also reacted to his stripped mattress.

Numerous searches and inquiries have been conducted, including a search for buried evidence in June 2000 at Flores' mother's Arroyo Grande home using ground-penetrating radar to get electromagnetic pictures of where objects might be buried. No remains or other evidence was found.

So far in 2020, five search warrants have been served in the investigation into Smart's disappearance

In April, the San Luis Obispo County Sheriff's Office served a search warrant at Flores' Los Angeles County home.

In February, the Sheriff's Office served search warrants at four locations — two in San Luis Obispo County, one in Los Angeles County and one in the state of Washington.



A member of the Los Angeles County Sheriff's Department searches a vehicle during an investigation outside of a home in connection with a cold case Wednesday, Feb. 5, 2020, in Los Angeles. Search warrants were served at locations in California and Washington state in the investigation of the disappearance of Kristin Smart, the Cal Poly student who disappeared in 1996. Marcio Jose Sanchez *AP*

One of those warrants was served at the home of Flores' mother in Arroyo Grande. Another was served in the Los Angeles neighborhood where Flores has lived since 2010, according to public records.

And in January, the Sheriff's Office announced it had taken two trucks into evidence that belonged to members of Flores' family in 1996.

A podcast about Smart's disappearance, "Your Own Backyard," has renewed interest in the Smart case since it launched in September 2019.

"Your Own Backyard" producer Chris Lambert, who lives in Orcutt, has interviewed Smarts' parents, investigators and multiple women who said they have felt personally threatened by Flores..

Asked why Smart's story has resonated so much with people, Hunt-Burns said the missing woman represents a tale of horror that calls for a community response.

"It's very easy to see Kristin in our daughters, sisters and cousins," Hunt-Burns said. "The earlier investigations failed her and this darkness has lurked for 24 years."

"The Facebook group has been vital to keeping the spotlight on this case," she added. "It's so important for keeping the word out there ..."

This story was originally published August 10, 2020 3:31 PM.

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NICK WILSON

805-781-7922

Nick Wilson covers the city of San Luis Obispo and has been a reporter at The Tribune in San Luis Obispo since 2004. He also writes regularly about San Luis Obispo, Morro Bay and Los Osos, as well as sports. He is a graduate of UC Santa Barbara and UC Berkeley and is originally from Ojai.

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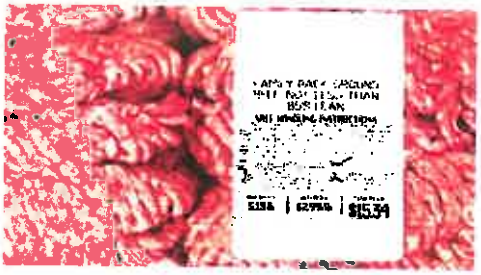
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LOCAL

New Kristin Smart billboards go up at 2 SLO County locations. Who's behind them?

BY LINDSEY HOLDEN

UPDATED APRIL 15, 2021 7:50 PM



LINDSEY HOLDEN *LHOLDEN@THETRIBUNENEWS.COM*

A pair of new billboards urging justice for missing Cal Poly student Kristin Smart recently appeared alongside roadways in at least two San Luis Obispo County locations.

The billboards each feature a photo of Smart — who disappeared after an off-campus house party on Memorial Day weekend in 1996 — along with the words "Justice for Kristin" and "KristinSmart.org."

One of the billboards can be seen in San Luis Obispo at the intersection of South Higuera Street and Elks Lane next to an advertisement for the city's French Hospital Medical Center.

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Drivers traveling southbound on Highway 101 on the Cuesta Grade can see the other "Justice for Kristin" billboard, KSBY reported.

Sandee Hunt-Burns, a Smart family advocate, told The Tribune that the people who funded the new San Luis Obispo and Cuesta Grade billboard do not want to be identified, but they are "friends of the scholarship fund" known as Justice for Kristin.

Biz Buzz

Upscale grocery store and more coming to new North County marketplace

Those people independently raised money for the billboards, and Kristin Smart Scholarship funds were not used, Hunt-Burns said.

The new billboards went up just weeks after the San Luis Obispo County Sheriff's Office named Paul Flores — who was the last person seen with Smart before her disappearance — the "prime suspect" in the case and searched his father's house in Arroyo Grande.

Two different billboards offering a $75,000 reward for information about Smart's disappearance are also on display in the South County. The original sign is in the Village of Arroyo Grande in front of attorney James Murphy's office on Branch Street.

In 2020, South County resident Scott Millar paid for an additional billboard with a similar advertisement to be placed at the intersection of Highway 1 and Halcyon

Road in Oceano, near his home.

This story was originally published April 2, 2021 12:18 PM.

***CORRECTION:** This story was updated to correct the organization that paid for the new "Justice for Kristin" billboards. Private funders who prefer to remain anonymous raised money to pay for the signs.*

CORRECTED APR 2, 2021

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LINDSEY HOLDEN 805-781-7939

Lindsey Holden writes about housing, San Luis Obispo County government and everything in between for The Tribune in San Luis Obispo. She became a staff writer in 2016 after working for the Rockford Register Star in Illinois. Lindsey is a native Californian raised in the Midwest and earned degrees from DePaul and Northwestern universities.



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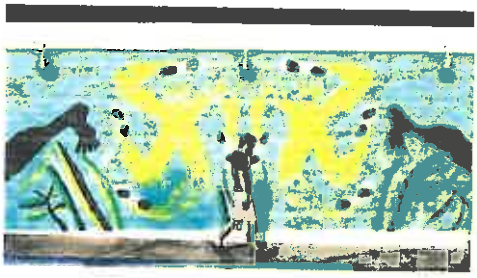
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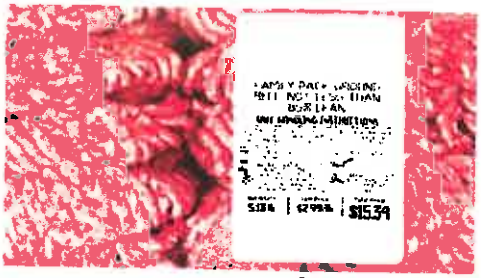
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CRIME

Human blood found in soil under Ruben Flores' home, unsealed Kristin Smart records show

BY MATT FOUNTAIN

UPDATED JULY 15, 2021 6:11 PM



Raw video shows investigators searching the home of Ruben Flores in Arroyo Grande on April 13, 2021, in the disappearance of Cal Poly student Kristin Smart, who's been missing since 1996. BY NULL

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Traces of human blood were found in a patch of disturbed soil underneath the Arroyo Grande home of Ruben Flores, who is accused of helping his son Paul with concealing the body of missing Cal Poly freshman Kristin Smart, according to newly unsealed court records.

A summary of what investigators found during several searches of the property over the past two years was included in a San Luis Obispo County District Attorney's Office Statement of the Case.

It was among several records unsealed by a San Luis Obispo Superior Court judge on Wednesday.

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According to the document, written by deputy district attorney Christopher Peuvrelle, a March 2021 search of Ruben Flores' property at 710 White Court showed "significant soil disturbance" underneath the home in an area enclosed by lattice.

The records also show that a longtime tenant at the property told investigators that Ruben Flores kept the area padlocked, and even turned away a plumber who asked for access under the home.

Biz Buzz

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Paul Flores was the last person seen with the then-19-year-old Smart before her disappearance in 1996. Her body has never been found, although investigators believe it was buried at Ruben Flores' Arroyo Grande home and "recently" moved, according to court documents.



David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

Paul Flores, 44, of San Pedro is accused of murdering Smart, while his 80-year-old father is charged with criminal accessory.

Both men appeared in Superior Court on Wednesday ahead of a marathon preliminary hearing set to begin Aug. 2 in which evidence will be presented.

A civil lawsuit filed by Smart's family against Ruben Flores for infliction of emotional distress alleges that a witness saw Ruben Flores, his ex-wife Susan Flores, and Susan Flores' boyfriend Mike McConville remove something from the back yard with a trailer shortly after officials carried out a search of Ruben and Susan Flores' properties in February 2020.

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That account is also confirmed in the records unsealed Wednesday.



Investigators with the San Luis Obispo County Sheriff's Office search under the Arroyo Grande home of Ruben Flores on Tuesday, March 16, 2021. Flores is the father of Paul Flores, now considered the prime suspect in missing Cal Poly student Kristin Smart's disappearance. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

WHAT WAS FOUND UNDER RUBEN FLORES' HOUSE?

On March 15, Sheriff's Office officials returned to Ruben Flores' home with a search warrant, ground-penetrating radar (GPR) equipment and cadaver dogs.

The dogs "showed a subtle change in behavior in the left northwest side behind the lattice under the deck" of the house, according to Peuvrelle's statement of the case.

A senior archaeologist and ground-penetrating radar director for Natural Investigations Co. used his GPR equipment in a grid formation under the house, according to Peuvrelle's statement.

He found the soil underneath the home to be what one would expect, with the exception of a "large approximately 4-foot-by-6-foot anomaly located at the western end of the grid," the statement said.

"This anomaly showed significant soil disturbance from the surface to a depth of approximately 4 feet below the surface with the most soil disturbance between 1.5 feet to 3.5 feet below surface," the document reads.

Another archaeologist with Natural Investigations Co. told investigators there was a "major disturbance" in the soil not found anywhere else under the house, as if "someone dug the soil out and put it back,"Peuvrelle wrote.



An unidentified radar operator examines earth below the Arroyo Grande home of Ruben Flores, father of Paul Flores, "prime suspect" in the 1996 disappearance of Cal Poly student Kristin Smart, on March 16, 2021. Courtesy of San Luis Obispo County Sheriff's Office

She said there was "significant staining" within the anomaly, similar to cases "where someone poured chemicals on a body because of the strange shape of the staining," according to the statement.

She said the "soil itself is a mess. There is nothing left intact because it has been turned over at least once," according to Peuvrelle.

"This is the exact scenario where someone would dig the hole, put in the body, then re-excavate the hole to remove the body, then fill it back in once the body has been removed," Peuvrelle wrote.

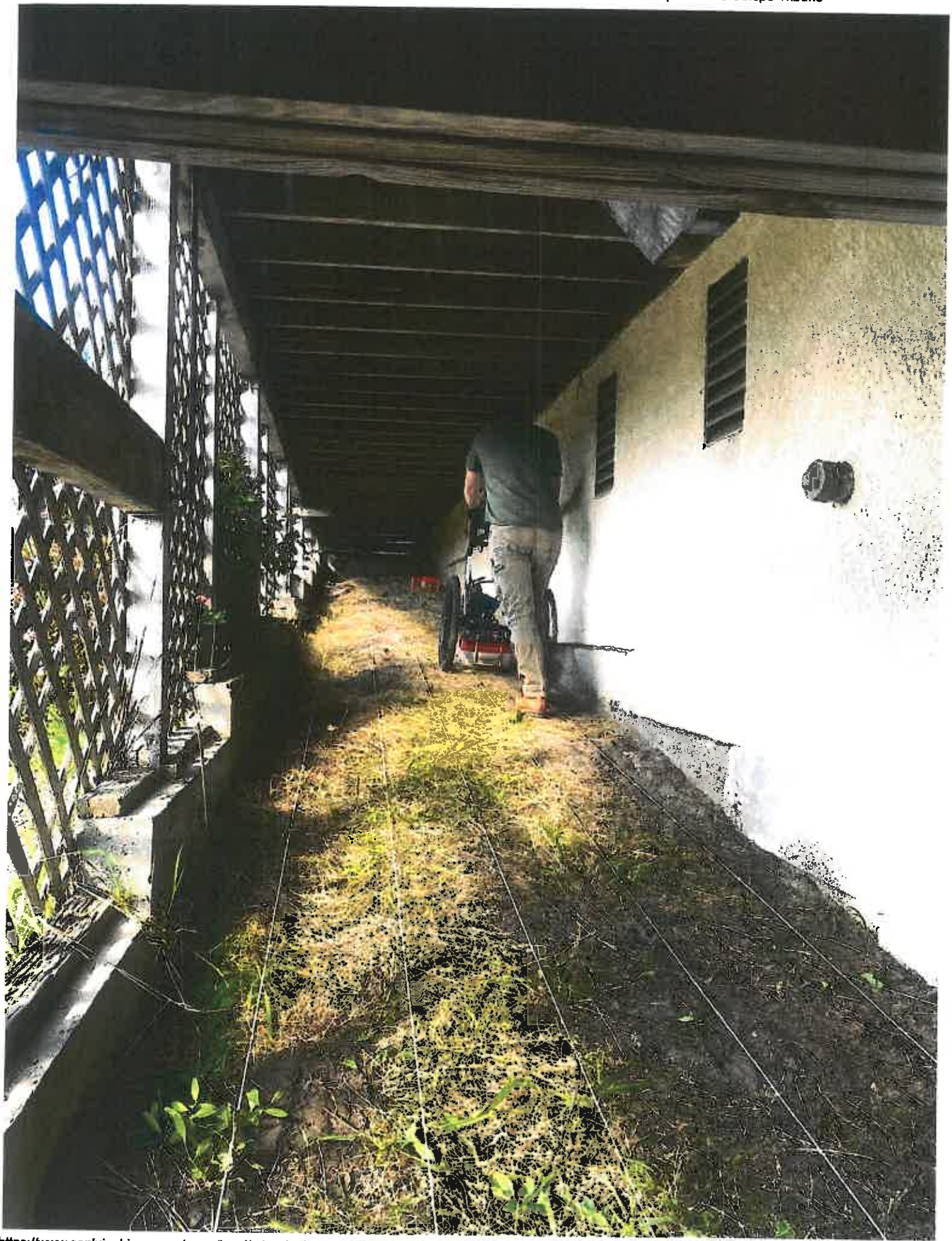
The records also show that likely human blood was found in the soil.

A forensic serologist present at the search "found four samples that tested positive for human blood located in the deeper soil," Peuvrelle wrote. The expert could not rule out primate or ferret blood, however, the record says.

Investigators could not extract DNA from the sample due to petrification of the blood, Peuvrelle wrote.

A soil expert at the Sacramento County District Attorney's Office's forensic lab also found that a soil sample from the disturbed soil contained fibers of various colors including red, blue, brown, black, and light-colored or no color, according to the statement.

"Ms. Smart was wearing red Puma shoes, black shorts with white stripes, and a light grey top (when she disappeared)," Peuvrelle wrote.



A radar operator examines earth below the Arroyo Grande home of Ruben Flores, father of Paul Flores, who has been named the "prime suspect" in the 1996 disappearance of Cal Poly student Kristin Smart, on March 16, 2021.

ARROYO GRANDE TENANT SAID UNDER THE DECK WAS 'PERFECT' TO HIDE A BODY

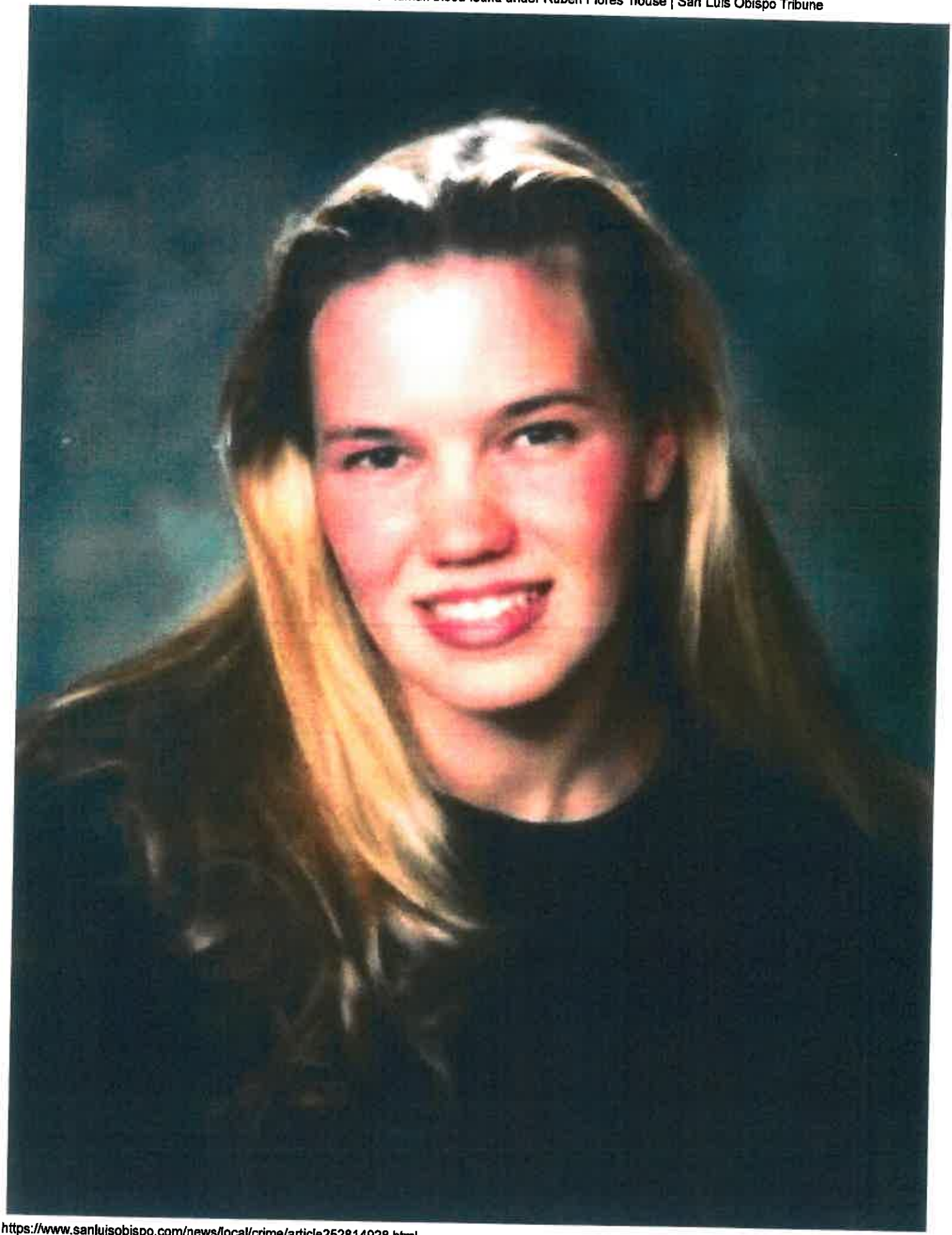
David Stone rented a room at Ruben Flores' Arroyo Grande home for about 10 years, before moving out in January 2020 as the investigation into Smart's disappearance intensified.

Stone told investigators that Ruben Flores would refer to Smart as a "dirty slut."

Stone also told investigators that there was an access door leading under the house that was always locked by a padlock, adding that, during his decade there, he never saw Ruben Flores open that door.

About seven years ago, there was a leak in the kitchen, according to Peuvrelle's statement. A plumber told Ruben Flores that he needed to go under the deck in order to repair the leak.

"Ruben Flores said no and that he would take care of the problem himself," Peuvrelle wrote. "Stone said this was odd and (noted) the area under the deck (behind the lattice) would be the perfect place to dispose of something where nobody could see you due to the location of the avocado trees and lattice."





Kristin Smart was last seen walking back to her dorm from an off-campus party on May 25, 1996. She was 19 and finishing her freshman year at Cal Poly. Courtesy photo

WITNESS SAYS RUBEN FLORES MOVED SOMETHING FROM UNDER HOUSE

In February 2020, a neighbor of Ruben Flores — who The Tribune is not identifying — told investigators she was pulling up to her driveway when she saw Ruben and Susan Flores as well as McConville "trying to back an enclosed travel trailer to the back of the house near the deck."

The next day, the neighbor again saw Susan Flores and McConville at Ruben Flores' house, which she told investigators was odd since they lived very close by. They had never spent the night before at Ruben's house that she knew of, she said.

"She had never seen trailers at Ruben's house before and yet on this night there were two trailers brought to the house," Peuvrelle wrote. "She has not seen Susan Flores or Mike McConvile spend the night at 710 White Court since."



The home of Ruben Flores in the 700 block of White Court in Arroyo Grande was searched by San Luis Obispo County Sheriff's Office deputies on March 15, 2021, in relation to the 1996 disappearance of Cal Poly student Kristin Smart. Flores is the father of Paul Flores, the only suspect in the case. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

FATHER OF MURDER DEFENDANT FACES 3 YEARS IF CONVICTED

Paul and Ruben Flores were arrested in connection with Smart's disappearance on April 13 in San Pedro and Arroyo Grande, respectively, and the District Attorney's Office announced the criminal charges against the men the following day.

Paul Flores and his father pleaded not guilty at their arraignment on April 19, when van Rooyen ordered Paul Flores be held without bail.

Paul Flores remains in San Luis Obispo County Jail, where he's being held without bail for the remainder of proceedings.

His father was released from County Jail on April 22, hours after Superior Court Judge Craig van Rooyen significantly lowered his bail because he is not a flight risk or a risk to public safety.

Ruben Flores remains out of custody.

Paul Flores faces a sentence of 25 years to life if convicted of first-degree murder.

Ruben Flores faces a maximum of three years if convicted of the accessory charge, though it is not clear if that sentence would be served in County Jail or state prison.

This story was originally published July 15, 2021 2:31 PM.

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MATT FOUNTAIN (805) 781-7909

Matt Fountain is The San Luis Obispo Tribune's courts and investigations reporter. A San Diego native, Fountain graduated from Cal Poly's journalism department in 2009 and cut his teeth at the San Luis Obispo New Times before joining The Tribune as a crime and breaking news reporter in 2014.

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Man on stolen motorcycle leads officers on high-speed chase from Los Osos to Atascadero

BY KAYTLYN LESLIE

MARCH 04, 2022 5:23 PM

The chase reached 100 mph at one point.

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CRIME

Kristin Smart hearing: Prosecution says 'other suspects' in disappearance were ruled out

BY MATT FOUNTAIN AND KAYTLYN LESLIE
UPDATED AUGUST 09, 2021 11:59 PM



A preliminary evidence hearing for Kristin Smart murder case defendants Paul and Ruben Flores in San Luis Obispo, California, resumes with witness testimony. BY KSBY

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The lead detective in the case against the men accused in the alleged murder of missing Cal Poly freshman Kristin Smart spent all day on the stand Monday fielding questions about the extent to which investigators looked into people the defense calls "other suspects."

Witness testimony resumed Monday in San Luis Obispo Superior Court in the month-long preliminary hearing in the case against Paul Flores and his father, Ruben Flores.

Superior Court Judge Craig van Rooyen said in the court's morning session that the prosecution planned to call Paul Flores' ex-girlfriend to the stand in the afternoon, but the detective's testimony ultimately lasted through the day.

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AD



The prosecutor, Christopher Peuvrelle, said in court that the woman — identified as Angie C. — would testify that she was hurried away from the backyard of Ruben Flores when she ventured near Ruben's avocado trees — near where investigators say Smart's remains were buried.

It is unclear whether the woman will testify on Tuesday.

Prosecutors allege Smart was murdered by Paul Flores during a rape attempt in his residence hall room more than 25 years ago.

Paul Flores, 44, is the last person known to have seen the 19-year-old freshman alive after walking her back from the party toward the Cal Poly campus residence halls on May 24, 1996.

Smart's body has never been found but investigators believe her remains were buried at the Arroyo Grande home of 80-year-old Ruben Flores, and recently moved. Ruben Flores has pleaded not guilty to accessory after the fact.

Monday marked the fifth day of testimony in the evidentiary hearing for Paul and Ruben Flores, which was originally expected to last about 12 days. Superior Court Judge Craig van Rooyen said last week that it's likely to proceed through August.

Late last week, the defense posed questions about "other suspects" in the case, including convicted murderer Scott Peterson, who the defense claims could testify in

the case. Prosecutors say Peterson was long ago ruled out as a suspect in the Smart case.

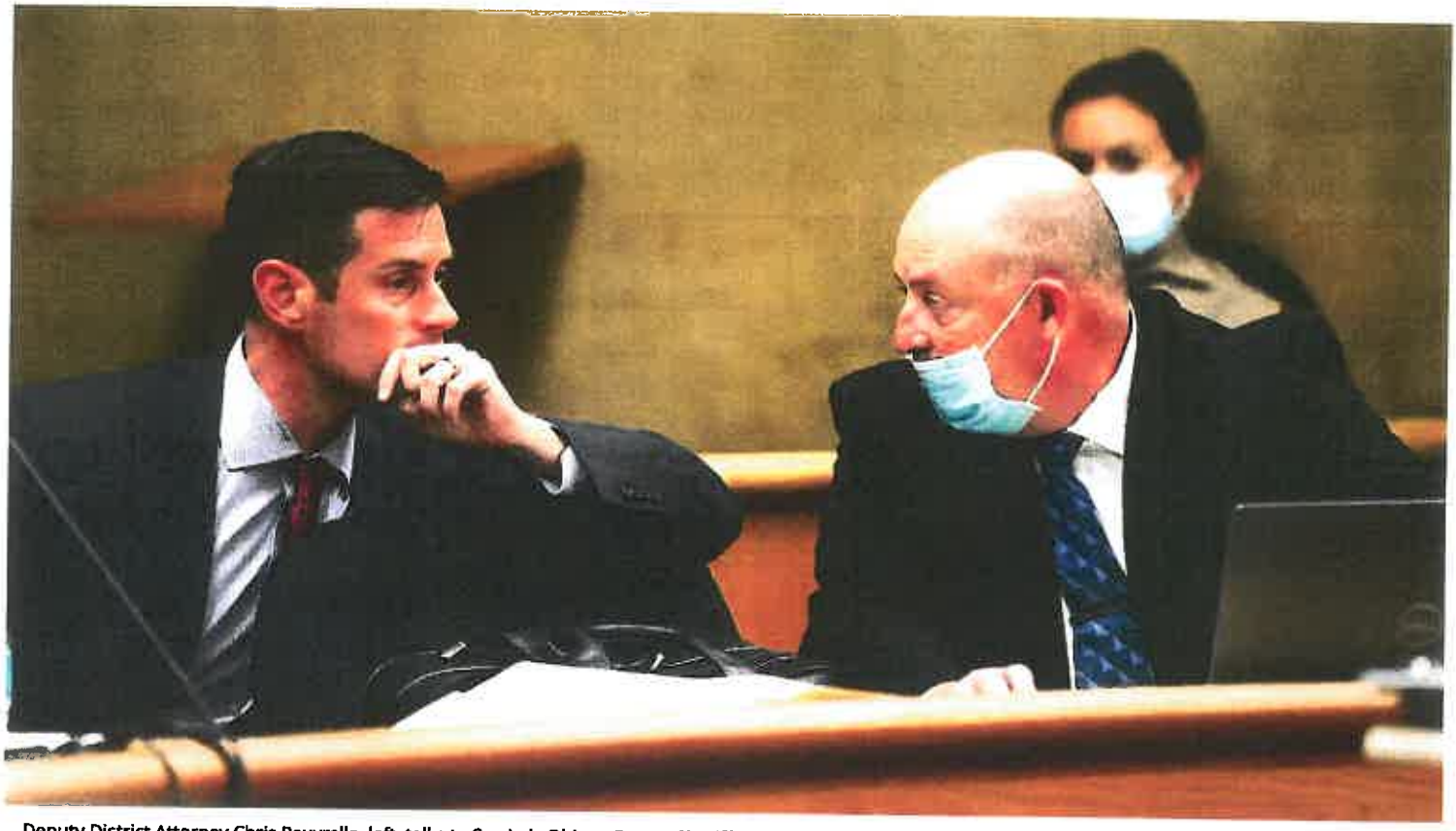
Those other suspects were the partial subject of a defense motion to suppress evidence gleaned from dozens of searches over more than two decades. The defense is challenging the fruits of those searches, based on, among other things, investigators' lack of mention of the "other suspects" in their affidavits to judges when seeking search warrants.

Prior to Paul Flores' arrest, the Sheriff's Office made public statements that he is "the only suspect" in Smart's disappearance.

The preliminary hearing is not being live-streamed and media in attendance are under strict rules prohibiting the use of electronic devices and photographing or recording witnesses in the courtroom.

At the conclusion of the hearing, van Rooyen will rule whether prosecutors established probable cause — a lesser standard of proof than guilt beyond a reasonable doubt — to proceed the case toward trial.

Here's what happened in Monday's hearing.



Deputy District Attorney Chris Peuvrelle, left, talks to San Luis Obispo County Sheriff's Office Det. Clint Cole during a Aug. 3, 2021, preliminary hearing for Paul and Ruben Flores, accused of murdering and concealing the body of missing Cal Poly freshman Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

DETECTIVE FIELDS MORE QUESTIONS ABOUT DEFENSE'S 'OTHER SUSPECTS'

Testimony began about an hour late Monday morning following an in-chambers conference, during which the defense was provided with records of interviews previously undisclosed to the defense.

Those interviews are related to men that defense attorney Robert Sanger, who is representing Paul Flores, previously said should have been followed up on by investigators as possible suspects.

Those include Shahn Whitted, who had been dating Smart around the time of her disappearance. After they broke up, Whitted burned her shoes on her doorstep and left a "mean note," according to the defense's motion to suppress evidence.

On Monday, San Luis Obispo County Sheriff's Office Det. Clint Cole, the main investigator in the Smart case, testified that Whitted admitted burning Smart's shoes because he said Smart was spreading lies about him. But Whitted told investigators the two made up shortly thereafter, Cole testified the reports showed.

Whitted said he last saw Smart a couple days before she disappeared.

The defense has also raised the question of whether Smart was pregnant at the time of her disappearance. They contend that investigator reports from the late 1990s shows she had dated a fellow student named Sean Farrell in early 1996, and was seen by a witness that spring distraught and discussing pregnancy on a pay phone outside a concert at the SLO Vets Hall.

The defense had also previously said that a "Yanish" who lived on the second floor of Muir Hall above Smart, had stalked Smart and stood outside her window prior to her disappearance.

Smart reported this to a resident assistant, Sanger wrote in a defense motion, but there was no follow-up investigation on Yanish. Cole testified that there was no one by the name Yanish attending Cal Poly in 1996.

But on Monday, Cole said that San Luis Obispo District Attorney's Office investigator J.T. Camp may have discovered the identity of Yanish as a person named Janusz Bejasarowicz, who "could be" the Yanish sought by the defense.

In an FBI questionnaire sent to all students and faculty at the university in the late 1990s, Bejasarowicz reportedly responded that he was in Muir Hall on Memorial Day weekend and that he knew Smart from a shared class and the dorm.

According to Cole, a Cal Poly police incident report was found in Smart's dorm room that shows that Bejasarowicz submitted a report that Smart had been "stalking" him and calling him in the early morning hours.

The report states that on April 28, 1996, Bejasarowicz awoke to see Smart standing in his dorm room looking at him. Once she saw he was awake, she left the room, Cole said, citing the report.



Robert Sanger appears in San Luis Obispo Superior Court on Tuesday, Aug. 3, 2021. The defense attorney is representing Paul Flores, who is accused of murdering missing Cal Poly student Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

Sanger also questioned Cole about Ted Munley, a Cal Poly student who slept in Smart's dorm room the night she went missing, after Smart's roommate slept over in Munley's room with his roommate.

Smart's roommate had let a traveling friend sleep in her bed that night, and that friend let Munley into the room.

Munley told investigators in the first of two interviews that he slept in his own dorm room that night. When confronted about the discrepancy in a later interview, Munley said he had been drinking heavily that night and forgot.

According to testimony, when asked during one of the interviews what happened to Smart, Munley reportedly said she "got into a car with some strange guy."

Following the lunch recess, Cole continued taking questions from Sanger about "other suspects" in the case.

Sanger again brought up convicted murderer Scott Peterson as a possible suspect in Smart's disappearance, and a report in the Smart file from a Modesto police

detective who spoke to Peterson's brother, who reportedly said that Scott Peterson had discussed Smart with him prior to his arrest for the murder of his wife.

Scott Peterson reportedly told his brother "I hope they don't search my pond."

Sanger questioned Cole about Trent Buckle, who was named in a 1998 tip to Crime Stoppers. Buckle, who was a student at Cal Poly until dropping out around the time of Smart's disappearance, was convicted of the murder of a woman in San Diego County in the late 1990s. That conviction was later overturned and Buckle was ultimately convicted of manslaughter and later released from prison.

While in San Luis Obispo County before his conviction, Buckle operated a business named SLO Models, which was a front for prostitution and employed college students, Sanger said, citing an investigator's report from the time. According to the tip received by Crime Stoppers, Buckle employed a woman named Roxy, which was one of Smart's known aliases.

Sanger said he was not introducing the reports about those "other suspects" to speak to the truth of allegations against any of them, but rather to show that they were suspects who should have been followed up on and included in search warrant affidavits.

At several points during Sanger's lengthy questioning, Deputy District Attorney Peuvrelle sat stroking his brow in frustration and shaking his head.



Paul Flores puts on a new N95 mask in San Luis Obispo Superior Court on Tuesday, Aug. 3, 2021, during a preliminary hearing. He is accused of the murder of Cal Poly student Kristin Smart. Robert Sanger, one of his attorneys, is at right. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

PROSECUTION SAYS SCOTT PETERSON, OTHERS RULED OUT AS SUSPECTS

Cole said those leads were followed up on and either went nowhere or were ruled out completely.

Under redirect from Peuvrelle, Cole testified that he was a Sheriff's Office patrol deputy in 2004 when he was assigned to a special detail to photograph ponds on Peterson's properties including a ranch in Morro Bay, though he did not know at the time why.

Asked what he was told he was looking for, Cole said: "Anything to do with Scott Peterson was about all I was told at the time."

A Sheriff's Office dive team later searched both ponds and found nothing unusual, Cole said.

Investigators also interviewed several of Smart's friends and dorm mates and none reported knowing or seeing either Scott or Laci (Scott Peterson's wife whom he met at Cal Poly) Peterson or hearing Smart mention them.

Asked about Munley, Cole said Munley's whereabouts are accounted for by other witnesses, whose timelines put Munley either at his own dorm or at Muir Hall, where he slept in Smart's room in the early morning hours.

Though Munley initially lied to investigators about sleeping in Smart's room, he later said he had been drinking heavily at the party and appeared to not remember. Munley was given a polygraph by the FBI in 1996, and agents found there was "no deception" on his part and that he was "not considered a viable suspect," Cole said.

As for Farrell, Cole said the Sheriff's Office quickly found that he left for the Bay Area for a family member's graduation the night of Smart's disappearance and didn't return until the next night.

Cole said the Buckle tip was followed up on as well, and a former sheriff's detective was unable to find any connection between Buckle and Smart, and one woman who worked at SLO Models in the six months before Smart's disappearance told the detective that she didn't recall Smart.

For those reasons, Cole said he didn't include information about those leads in affidavits he submitted in the case.



San Luis Obispo County deputy district attorney Christopher Peuvrelle speaks during a hearing in San Luis Obispo Superior Court on Wednesday, July 14, 2021. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

Asked by Peuvrelle why Paul Flores is considered the only suspect in the case, the detective said it was the totality of the evidence: cadaver dogs alerting to Flores' dorm room, Flores' inconsistent statements during interviews, his denial of having any contact with Smart at the Crandall party, his black eye in the days after Smart's disappearance, and a long list of other reasons.

Cole added that in early investigators' interviews with witnesses and people of interest in the case, many were asked their opinions about where Smart could be. Paul Flores was the only one to say he thought Smart was dead.

"There's nothing in the case file said by anybody else at that point, who said she was dead," Cole said. "There was just lots of things pointing to (Paul Flores) being a suspect in the case. That's what led me to call him the prime suspect."

Cole noted that statements by Susan Flores, Paul's mother, also pointed to Paul as a suspect. Susan Flores, in an interview with KSBY-TV following a 2021 search of her home, contained statements inconsistent with her words in an earlier deposition. He also cited a wiretap in the case that picked up Susan Flores telling Paul Flores to listen to the Your Own Backyard podcast about the case in order to "punch holes in it."

"You, you're the one that can tell me," she told her son in January 2020, according to court records. Paul Flores didn't respond to that statement on the call.

PAUL FLORES' EX-GIRLFRIEND TO TESTIFY IN PRELIMINARY HEARING

Before the lunch recess, attorneys for both sides discussed the expected testimony of Angie C. — her full name was not published in court documents or mentioned in court — who was Paul Flores' girlfriend for approximately two years from 2003 to 2005, according to an unsealed prosecution statement of the case.

She was expected to take the stand Monday afternoon, but Cole remained on the stand all day.

The woman previously told investigators she moved in with Flores in Lawndale after they met at a bar when she was 21 years old and he was 28, according to the unsealed documents.

The woman told investigators of one incident where she and Flores were "rough-housing" and he took it too far and "snapped," according to the unsealed documents. In that incident, he held a butter knife to her throat, she told investigators.

The woman had also told investigators of a time when the couple passed a Kristin Smart billboard in Arroyo Grande and she asked Flores about the sign. He responded, "Oh, just some girl who went missing," she said, and never mentioned any involvement.

The couple then went to Ruben Flores' property on White Court in Arroyo Grande. The woman says she attempted to pick an avocado from the backyard of the property and was abruptly told to get out of the back yard by Paul and Ruben Flores.

Van Rooyen said he would limit Angie C.'s testimony to her experience in Ruben Flores' backyard, noting that the other information she told investigators would only speak to Flores' character and not be useful for the purposes of a preliminary hearing.



Paul Flores, left, has been arrested on suspicion of murder in the disappearance of Cal Poly student Kristin Smart. His father, Ruben Flores, is suspected of being an accessory in the case. San Luis Obispo County Sheriff's Office

KRISTIN SMART MURDER CASE AT A GLANCE

After a decades-long investigation, Paul and Ruben Flores were arrested in connection with Smart's disappearance on April 13 in San Pedro and Arroyo Grande, respectively, and the San Luis Obispo District Attorney's Office announced the criminal charges against the men the following day.

Paul Flores, a San Pedro resident, is charged with one count of murder. Ruben Flores, who lives in Arroyo Grande, is charged with felony accessory after the fact.

Paul Flores and his father pleaded not guilty at their arraignment on April 19, when van Rooyen ordered Paul Flores be held without bail.

Paul Flores remains in San Luis Obispo County Jail, where he's being held without bail for the remainder of proceedings.

Ruben Flores was released from County Jail on April 22, hours after Superior Court Judge Craig van Rooyen significantly lowered his bail because he is not a flight risk or a risk to public safety.

Ruben Flores remains out of custody.

Paul Flores faces a sentence of 25 years to life if convicted of first-degree murder.

Ruben Flores faces a maximum of three years if convicted of the accessory charge, though it is not clear if that sentence would be served in County Jail or state prison.

Testimony in the preliminary hearing began Aug. 2 with Smart's parents, Stan and Denise, and continued through Aug. 3 with several former Cal Poly students who lived with Smart at the university's Muir Hall or attended a house party with her in the hours before she vanished.

Aug. 4. featured legal arguments over admitting a booking photo that showed Paul Flores with a black eye days after Smart's disappearance. The retired Cal Poly police detective who was the first to interview Flores, Lawrence Kennedy, also recounted his investigation.

Van Rooyen also unsealed a defense motion to suppress evidence that speculates about other people the defense says should have been investigated and reveals a few new details about searches conducted by law enforcement in the case over more than two decades.

Smart's friend and next-door neighbor in Muir Hall testified on Aug. 5 about going out to a house gathering earlier in the evening of Smart's disappearance. She recalled splitting up with the then-sober Smart, who wanted to go to a house party on Crandall Way.

The woman described how she and other dorm mates called in a missing person's report to Cal Poly police, whose investigation she criticized.

Testimony is scheduled to resume Tuesday morning.

This story was originally published August 9, 2021 1:20 PM.

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MATT FOUNTAIN

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Matt Fountain is The San Luis Obispo Tribune's courts and investigations reporter. A San Diego native, Fountain graduated from Cal Poly's journalism department in 2009 and cut his teeth at the San Luis Obispo New Times before joining The Tribune as a crime and breaking news reporter in 2014.



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Man on stolen motorcycle leads officers on high-speed chase from Los Osos to Atascadero

BY KAYTLYN LESLIE

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CRIME

Kristin Smart murder case: Here's what happened on Day 1 of preliminary hearing

BY MATT FOUNTAIN AND KAYTLYN LESLIE
UPDATED AUGUST 05, 2021 10:00 PM



Defendants Paul and Ruben Flores appear in San Luis Obispo Superior Court for a preliminary hearing in connection with Kristin Smart's disappearance. Paul Flores is accused of murdering the Cal Poly student and hiding her body with his father's help. BY DAVID MIDDLECAMP

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Latest update to this story >> >> Kristin Smart hearing: Ex-student says he saw murder defendant Paul Flores 'lurking' in dorm

The parents of missing Cal Poly freshman Kristin Smart spoke Monday morning in San Luis Obispo Superior Court during a preliminary hearing for two men accused of killing their daughter and hiding her body.

"She always felt like a gift to our family," Denise Smart said of her daughter. "She was so energetic and had a great smile. She was the best hugger."

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The hearing for Paul and Ruben Flores is expected to last at least 12 full days.

Paul Flores, 44, is the last person known to have seen the 19-year-old Smart alive after walking her back from the party toward the Cal Poly campus dorms on May 24, 1996. He is accused of raping or attempting to rape Smart in his dorm room before killing her.



Defense attorney Harold Mesick, right, and his client, Ruben Flores, appear in San Luis Obispo Superior Court during a preliminary hearing on Monday, Aug. 2, 2021. Flores, the father of murder defendant Paul Flores, is accused to helping his son hide the body of missing Cal Poly student Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

Smart's body has never been found, but investigators believe it was buried at the Arroyo Grande home of Paul Flores' father, 80-year-old Ruben Flores, and "recently" moved, according to a San Luis Obispo County probation report.

Paul Flores stared mostly straight ahead during the first day of proceedings, rarely looking in the direction of his father or the news media sitting in a corner of the courtroom.

The hearing, originally scheduled for early July, had been postponed several times as the defense continued to gather alleged evidence in the case from the prosecution.



San Luis Obispo County deputy district attorney Chris Peuvrelle asks Denise Smart questions about her daughter, missing Cal Poly student Kristin Smart, during a preliminary hearing for Paul and Ruben Flores in San Luis Obispo Superior Court on Monday, Aug. 2, 2021. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

The hearing is expected to feature a series of witnesses including investigators, archaeologists and cadaver dog experts, as well as women who are expected to testify to Paul Flores' past sexual assaults and predatory behavior.

The hearing is not being live-streamed and media in attendance are under strict rules prohibiting the use of electronic devices in the courtroom.

At the conclusion of the hearing, Superior Court Judge Craig van Rooyen will rule whether prosecutors established probable cause — a lesser standard of proof than guilt beyond a reasonable doubt — to proceed the case toward trial.

Here is what occurred on Day 1 of the preliminary hearing:

KRISTIN SMART'S MOTHER IS FIRST WITNESS CALLED IN PRELIMINARY HEARING

On Monday, deputy district attorney Christopher Peuvrelle called Denise Smart, Kristin's mother, as the preliminary hearing's first witness.

She described in Superior Court how Kristin Smart was "very close" to her two siblings.

Denise Smart said her daughter kept in contact with the family at least once a week during her first year at Cal Poly.

She said Kristin Smart "was not particularly happy" at the university earlier in the year, but had sounded more optimistic the last time the family saw her in spring 1996.



Cal Poly student Kristin Smart was 19 when she went missing after an off-campus party on Memorial Day weekend in 1996. Courtesy photo

The last time the family heard from Kristin Smart was in a voicemail left within the week before her disappearance.

"She said, 'I have good news, I have good news and I'll call you on Sunday,' " Denise Smart recalled.

After Kristin Smart went missing, her family contacted Cal Poly, but "nobody seemed to be aware she was missing."

The Smart family also contacted the FBI, who reported back to the family that they were told by Cal Poly police officials that they "were not needed," Denise Smart said.

Denise Smart also testified that her daughter had no financial means or other resources to purposefully leave.

During Monday's hearing, defense attorneys asked questions that appeared to suggest that missing Cal Poly student Kristin Smart had disappeared at least once before.

Under cross examination by Robert Sanger, Paul Flores' defense attorney, Smart's mother, Denise Smart, said her daughter had worked before college as a lifeguard and counselor at a Christian camp in Hawaii.

Sanger asked Denise Smart if she was aware that Kristin Smart had applied for work "outside the country." She said she was not.

The defense attorney asked if Kristin Smart had ever been to Thailand, to which her mother said she went to the country on a family trip.

He asked whether she had said anything about wanting to go to Thailand in the spring of 1996. Denise Smart said "No."



Robert Sanger and Sara Sanger take notes during a preliminary hearing in San Luis Obispo Superior Court on Monday, Aug. 2, 2021. Both are representing Paul Flores, who is accused of murdering missing Cal Poly student Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

Denise Smart said her daughter spoke "very infrequently" about boyfriends, adding that she was only vaguely aware of her daughter's interest in a boy Denise Smart did not know in the fall of 1995.

Harold Mesick, who represents Ruben Flores, asked Denise Smart if she was aware of three alleged sightings of Kristin at Taco Bell restaurants, which Denise Smart confirmed Kristin enjoyed, along Interstate 5. Denise Smart said "No."

She also responded "no" when Mesick asked whether she was aware Kristin "went missing" briefly while working as a lifeguard in Hawaii.

Denise Smart was excused from the stand just prior to the lunch recess.



Paul Flores, upper left, appears in San Luis Obispo Superior Court during the first day of a preliminary hearing for him and his father, Ruben Flores. Paul Flores is accured of murdering missing Cal Poly student Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

LAWYERS MOVE TO STOP SUBPOENA OF PAUL FLORES' MOTHER

Following the lunch recess in Monday's preliminary trial for Paul and Ruben Flores, witness examination was paused as the court discussed several motions by both parties — including a motion by the attorney for Susan Flores, mother of murder defendant Paul Flores, to quash a subpoena to testify in the case.

The court records of those motions are under seal and have not been reviewed by The Tribune.

In arguing against the subpoena, attorney Jeff Radding told Superior Court Judge Craig van Rooyen that Susan Flores, if called to testify, would invoke her right against self-incrimination because, he argued, her words on the stand would be misquoted and misconstrued in the press and on social media.

Van Rooyen swore in Susan Flores, and she told him she intended to invoke her rights if called to testify. The judge then ruled that Susan Flores could not be called to the stand.

KRISTIN SMART'S FATHER RECALLS MONTHS AFTER DISAPPEARANCE

Deputy district attorney Christopher Peuvrelle next called to the stand Kristin Smart's father, Stan Smart.

The former educator and high school principal described his relationship with his daughter as "close, nurturing and wholesome."

Smart said that he was in contact with his daughter at least once a week while she was at Cal Poly, and described the lack of assistance he and his family got from Cal Poly campus police after Kristin Smart disappeared.

Stan Smart said Cal Poly police were "ill equipped" to handle a missing persons case.

"I wasn't very satisfied with (Cal Poly campus police)," Stan Smart said. "They didn't seem to have the expertise in the field with somebody who's disappeared."

After Kristin Smart's disappearance, he stayed in San Luis Obispo County for approximately two months, physically searching for her and following up on any leads.

He even followed up on tips from psychics, he said.

"I crawled through a lot of culverts. I looked through a lot of dumpsters" during that time, Stan Smart said.

He even drove to Ruben Flores' Arroyo Grande home, he testified, after learning of Flores' son, Paul Flores, becoming a person of interest in the case.

After driving to 710 White Court in Arroyo Grande, Stan Smart said he was confronted by Ruben Flores.

"Ruben came out of his house yelling," Smart testified. "He said, 'You need to get out of here — somebody could be shot.'"

Under cross examination by the defense, Stan Smart said his daughter never spoke to him about modeling or of any boyfriends, but did mention going to Thailand for school — something Stan Smart described as "a pipe dream."

Asked by Harold Mesick, Ruben Flores' attorney, whether he believes Kristin "disappeared," as he said on the stand, Stan Smart said, "I believe she's deceased."

"There have been things since then that make me think she's no longer alive," he said.

Before being excused from the stand late Monday afternoon, Stan Smart fielded a series of questions under cross examination related to how he learned about Paul Flores and whether he was ever made aware of other possible suspects.

Stan Smart said Paul Flores was the only individual made known to him from officials as a person of interest in the case.

Robert Sanger, Paul Flores' attorney, then asked whether Stan Smart knew that Scott Peterson — who attended Cal Poly at the time — was at the house party on Crandall Way that Kristin Smart attended the night of her disappearance.

Peterson, who is serving life in prison for the murders of his wife and unborn son, "should have been a suspect" in the Smart investigation, Sanger said.

The defense attorney listed off a couple other people he said should have been persons of interest — including one young man with whom Kristin Smart had a sexual relationship and who two friends reportedly told investigators at the time had gotten her pregnant.

Sanger also asked Stan Smart whether he knew that his daughter was "reported for stalking" a man at a book store, or that she had been sending emails to another older man, whom Sanger didn't name.

That line of questioning ended with a sustained objection from Deputy District Attorney Christopher Peuvrelle.

WITNESSES SPEAK ABOUT HOUSE PARTY WHERE SMART WAS LAST SEEN

Superior Court Judge Craig van Rooyen heard lastly from two witnesses who were at the house party that Paul Flores and Kristin Smart attended on May 24, 1996. Neither personally knew Smart or Flores before that night, they said.

A few dozen people were in attendance, said Eric Grasso, who was a Cal Poly fraternity member at the time.

Grasso testified that he remembers Flores drinking at the party, but hanging back and not interacting with people directly — which Grasso described as "observing."

Grasso didn't speak to Flores at the party, which he admitted he remembered very little about.

Kendra Koed testified that she also attended the party, but that she recalled asking attendees for gum and Flores telling her he had some to share in his vehicle. He then grabbed Koed and started kissing her until she pushed him off, she said.

Someone told the pair to "get a room," which "mortified" her, Koed said, but she followed him outside for the gum anyway. He again attempted to kiss her and she pushed him away, she said.

Later that evening, Koed testified, she witnessed Kristin Smart fall in a hallway with Paul Flores standing over her. Though she didn't know Smart, she helped her to her feet.

"We talked for a few minutes and I said, 'Stay away from that guy,' " Koed said.

Asked why, she said, "She (Smart) seemed highly intoxicated — she could barely hold her head up."

Shortly thereafter as Koed and her roommate began walking home, she said, she saw Smart lying in the driveway of the house and offered to walk her out. Smart waved off her assistance, Koed said, saying she was waiting for someone.

Koed said she later learned the woman — who had introduced herself as "Roxy" — was Smart after seeing her case on the news. Though she said she reported the incident to Cal Poly police at the time, she was never interviewed by officials until 2014.

In cross examination, Sanger questioned the woman about being interviewed for "Your Own Backyard," Chris Lambert's podcast featuring the Kristin Smart case, as

well as her having previously spoken with Dennis Mahon, a longtime advocate for the Smart family.

Testimony is scheduled to resume at 9 a.m. Tuesday.



Paul Flores, left, has been arrested on suspicion of murder in the disappearance of Cal Poly student Kristin Smart. His father, Ruben Flores, is suspected of being an accessory in the case. San Luis Obispo County Sheriff's Office

PAUL FLORES, FATHER ACCUSED OF KILLING KRISTIN SMART, HIDING BODY

After a decades-long investigation, Paul and Ruben Flores were arrested in connection with Smart's disappearance on April 13 in San Pedro and Arroyo Grande, respectively, and the San Luis Obispo District Attorney's Office announced the criminal charges against the men the following day.

Paul Flores, a San Pedro resident, is charged with one count of murder. Ruben Flores, 80, is charged with felony accessory after the fact.

Paul Flores and his father pleaded not guilty at their arraignment on April 19, when van Rooyen ordered Paul Flores be held without bail.

Paul Flores remains in San Luis Obispo County Jail, where he's being held without bail for the remainder of proceedings.



Ruben Flores, father of Paul Flores, is charged as an accessory to murder of missing Cal Poly student Kristin Smart. Monday Aug. 2, 2021. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

Ruben Flores was released from County Jail on April 22, hours after Superior Court Judge Craig van Rooyen significantly lowered his bail because he is not a flight risk or a risk to public safety.

Ruben Flores remains out of custody.

Paul Flores faces a sentence of 25 years to life if convicted of first-degree murder.

Ruben Flores faces a maximum of three years if convicted of the accessory charge, though it is not clear if that sentence would be served in County Jail or state prison.

Court records related to an unsuccessful prosecution attempt to charge Paul Flores with two counts of rape involving female victims in Los Angeles were unsealed in court last month.

In addition to information from 29 women about Flores' alleged sexually predatory behavior, the San Luis Obispo County District Attorney's Statement of the Case also showed that investigators found video evidence of rape of an intoxicated person against Flores at his San Pedro home, as well as traces of human blood in disturbed soil underneath Ruben Flores' home.

This story was originally published August 2, 2021 11:54 AM.

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Matt Fountain is The San Luis Obispo Tribune's courts and investigations reporter. A San Diego native, Fountain graduated from Cal Poly's journalism department in 2009 and cut his teeth at the San Luis Obispo New Times before joining The Tribune as a crime and breaking news reporter in 2014.



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BY KAYTLYN LESLIE

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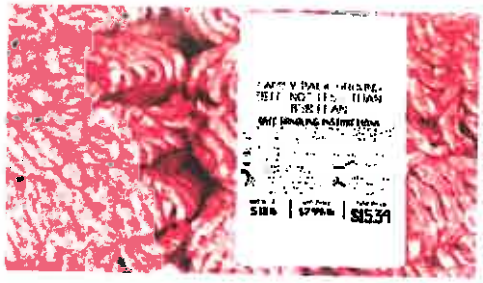


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Kristin Smart murder case: Here's what happened on Day 3 of preliminary hearing

BY MATT FOUNTAIN AND KAYTLYN LESLIE
UPDATED AUGUST 05, 2021 9:59 PM



Defendants Paul and Ruben Flores appear in San Luis Obispo Superior Court for a preliminary hearing in connection with Kristin Smart's disappearance. Paul Flores is accused of murdering the Cal Poly student and hiding her body with his father's help. BY DAVID MIDDLECAMP

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A retired Cal Poly police detective testified in San Luis Obispo Superior Court on Wednesday morning that Paul Flores had a black eye when he interviewed him three days after the disappearance of university student Kristin Smart.

Lawrence Kennedy also described Flores' behavior during that interview, saying that it was apparent that Flores was nervous.

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SLO County weather forecast: Clear skies this week — and warmer temps are on the way

"He wasn't shaking, but he was wearing a t-shirt (and) it appeared his heart beating was moving the shirt," Kennedy said under direct examination. "He appeared nervous to me and I did not know why."

Witness testimony resumed Wednesday in the preliminary hearing in the case of Smart, who was allegedly murdered more than 25 years ago.

The court also unsealed roughly 90 pages of motions that contain information from roughly four dozen searches conducted in the case over more than two decades.

Paul Flores, 44, is the last person known to have seen the 19-year-old Smart alive after walking her back from the party toward the Cal Poly campus residence halls on May 24, 1996. He is accused of raping or attempting to rape Smart in his dorm room before killing her.

Smart's body has never been found, but investigators believe it was buried at the Arroyo Grande home of Paul Flores' father, 80-year-old Ruben Flores, and "recently" moved, according to a San Luis Obispo County probation report.

Wednesday marked the third day of testimony in an evidentiary hearing for Paul and Ruben Flores that was expected to last at least 12 days before the judge in the case said Wednesday it's likely to proceed through August.

So far, the prosecution has laid out its case against the father-and-son co-defendants in a mostly linear fashion.

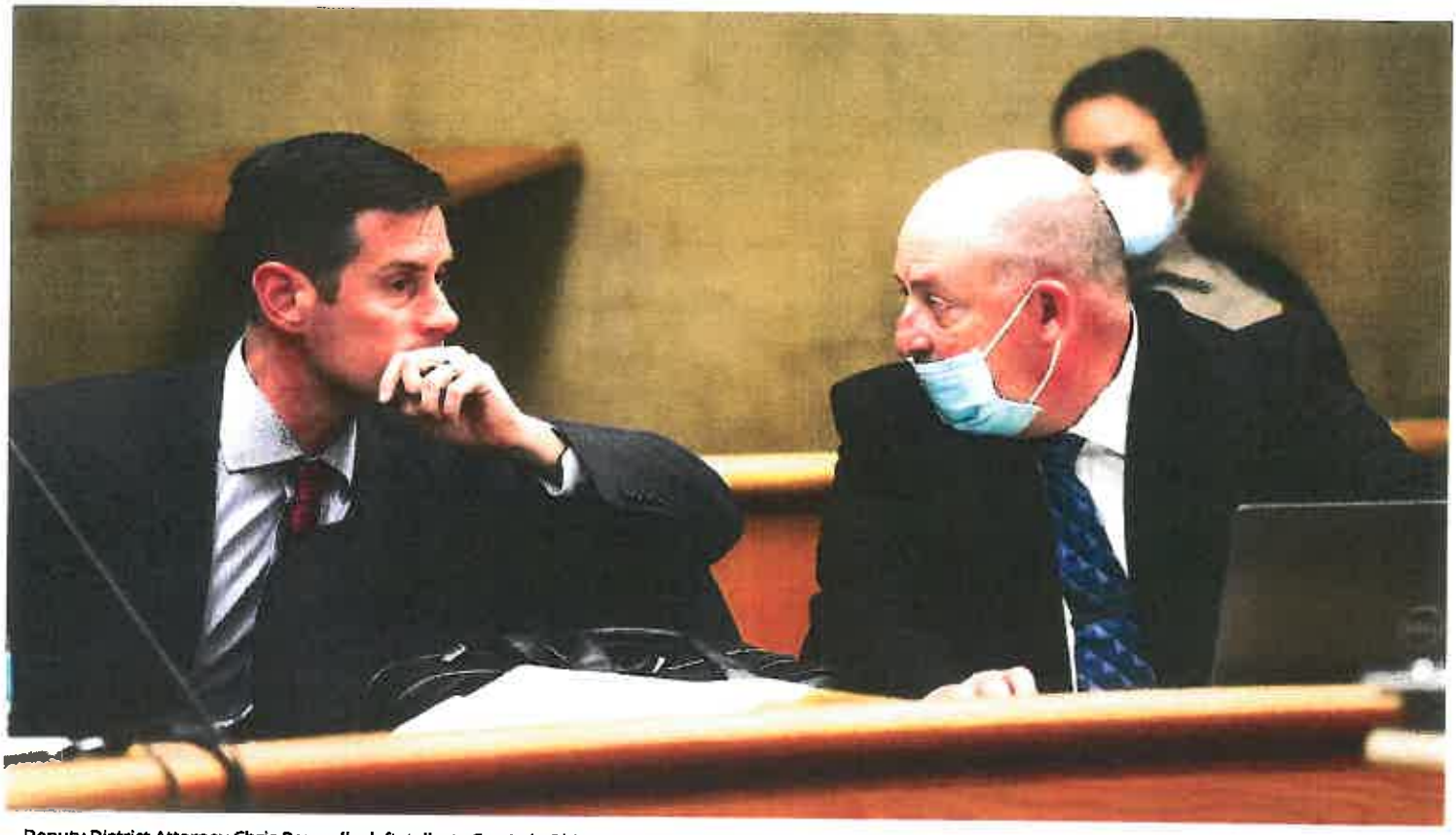
Testimony began Monday with Smart's parents, Stan and Denise, and continued through Tuesday with several former Cal Poly students who lived with Smart at Cal Poly's Muir Hall or attended a house party with her in the hours before she vanished.

Testimony over the last two days has shown that investigators were still interviewing witnesses in early July.

The preliminary trial is not being live-streamed and media in attendance are under strict rules prohibiting the use of electronic devices and photographing or recording witnesses in the courtroom.

At the conclusion of the hearing, Superior Court Judge Craig van Rooyen will rule whether prosecutors established probable cause — a lesser standard of proof than guilt beyond a reasonable doubt — to proceed the case toward trial.

Here's what happened Wednesday during the preliminary hearing.



Deputy District Attorney Chris Peuvrelle, left, talks to San Luis Obispo County Sheriff's Office Det. Clint Cole during a Aug. 3, 2021, preliminary hearing for Paul and Ruben Flores, accused of murdering and concealing the body of missing Cal Poly freshman Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

LAWYERS DEBATE BOOKING PHOTO OF PAUL FLORES WITH BLACK EYE

Testimony ended Tuesday with San Luis Obispo Sheriff's Office Det. Clint Cole, who testified that a booking photo taken of Flores when he was arrested on a warrant for driving on a suspended license on May 27, 1996, was not kept by the Arroyo Grande Police Department.

On Wednesday, that booking photo was the first topic of consideration.

A version of the photo has long been held as evidence by the Sheriff's Office, but the quality is poor and can not be enhanced to properly show Flores' black eye.

As a result, Cole obtained a negative of the photo from Jim Murphy, the Smart family's civil attorney, who kept the negative as part of a civil wrongful death lawsuit, Cole testified.

"It's extremely important that if we're going to use this evidence that it be reliable," Robert Sanger, Paul Flores' attorney, argued before van Rooyen.

Van Rooyen initially would not admit the prosecution's copy of the photo because it could not be verified as authentic, but said the prosecution could provide witnesses to attest that the prosecution's photo shows how Flores appeared on May 27, 1996.

Deputy District Attorney Christopher Peuvrelle then called Lawrence Kennedy, the now-retired Cal Poly campus police detective who initially investigated Smart's missing person's case.

On Wednesday, Kennedy said that when he first interviewed Flores on May 27, 1996, he had discoloring under his right eye. Kennedy also interviewed Flores' roommate, who said that Flores had the black eye when the two had dinner on May 25, 1996.

Van Rooyen then accepted the prosecution's photo into evidence.



Oceano resident Scott Millar posted a Kristin Smart billboard at the corner of Highway 1 and Halcyon Road in 2020. Laura Dickinson *LDICKINSON@THETRIBUNENEWS.COM*

CAL POLY POLICE DETECTIVE TESTIFIES ABOUT FIRST INTERVIEWS OF PAUL FLORES

Kennedy, who was a Cal Poly police detective until 2003 and was the first investigator in Smart's missing person's case, testified that he got the call about Smart's disappearance on Memorial Day, May 27, 1996. He contacted Flores the next day.

Kennedy noted the black eye during the interview, when Flores said he didn't know Smart, but walked her close to her dorm at Muir Hall, where the two parted ways and he returned to his room in Santa Lucia Hall.

Kennedy and another campus officer spoke with Flores again on May 30, 1996, and an audio recording of that interview was played in court Wednesday morning.

In the recording, Flores says that he had "too much" to drink the night of the party and admits to drinking regularly despite a recent DUI conviction and a suspended license.

Flores again describes the walk home, but says he doesn't know how he ended up walking with Smart. During the interview, Flores says Smart was "flirtatious."

Asked if he found her attractive, Flores responds: "Nah, she was drunk. ... If someone's promiscuous, I don't find them attractive."

Kennedy then asks Flores whether he had any nicknames, and he said he was known as "Pauly Shore." Kennedy asks about the nickname "Chester the Molester," which other students reported to Kennedy.

"No, never ever," Flores says. "No, I never heard that."

At that point in the interview, Kennedy emphasizes to Flores the seriousness of the situation.

"I don't want to say it's dead serious, but it's about as serious as you can get," Kennedy tells him. "At this point you're the last person seen with her."

Flores had said that there was someone in his dorm hallway when he returned from the party that saw him come in. Kennedy tells Flores to find the identity of that person and any other witnesses that could establish an alibi.

Later in the interview, Flores tells Kennedy that he drank a few beers at his residence hall before the party on May 24, 1996, and was walking to his sister's house nearby when he happened upon the party, implying he didn't intend on going.

Kennedy tells him "that doesn't seem like a plausible situation."

"That's a stretch for me," Kennedy tells Flores, before Flores agrees to take a polygraph.



Paul Flores, accused in the 1996 disappearance of Cal Poly freshman Kristin Smart, takes notes during an Aug. 4, 2021, San Luis Obispo Superior Court preliminary hearing. At right is defense attorney Robert Sanger. Dave Minsky *DMINSKY@SANTAMARIATIMES.COM*

INVESTIGATOR SAYS DEFENDANT GAVE CONFLICTING ACCOUNTS TO FRIENDS

Kennedy testified that he interviewed a friend of Flores' as well as his roommate, both of whom were given conflicting accounts of Flores' version of events on May 24, 1996.

Javier Carillo, one of his friends, told Kennedy that Flores said Smart was "flirting" with him at the party but that the two and another student had each split up on the walk home and that he didn't accompany Smart to her dorm.

Carillo recalled that he had dinner with Flores the night of May 26, 1996, and saw he had a black eye injury to his right eye. Flores had said he got it playing basketball.

Kennedy said he interviewed Derek Tse, Flores' roommate at Santa Lucia Hall, who was out of town all Memorial Day weekend.

Tse told Kennedy he asked Flores what happened to Smart and Flores told him he walked her close to her dorm room before going his own way.

The roommate also recalled Flores made the remark: "She's home with my parents."

After the conclusion of the audio recording, Kennedy testified that he searched Flores' dorm room on June 29, 1996, the same day it was searched by cadaver dogs.

Kennedy had to stop testifying about the dogs due to an objection from Sanger, who argued Kennedy could not testify to what dogs found.

It is expected that the dog handlers will testify in the hearing, Peuvrelle said, though he did not say when that testimony is expected.



Deputy District Attorney Christopher Peuvrelle speaks during an Aug. 4, 2021, San Luis Obispo Superior Court preliminary hearing for Paul and Ruben Flores, who are accused in the 1996 disappearance of Cal Poly freshman Kristin Smart. Dave Minsky *DMINSKY@SANTAMARIATIMES.COM*

DEFENSE FLOATS THEORIES ON DISAPPEARANCE, OTHER SUSPECTS

Defense attorney Robert Sanger continued cross examination of Kennedy after the lunch recess, and asked again about a handful of other people and whether they were ever looked into as persons of interest in the case.

Sanger had previously asked other witnesses about the individuals, who include a former Santa Barbara police officer, Brian Sawicki, who was convicted of a lewd conduct charge in 2012. Sanger said that Sawicki attended the Crandall Way party, though no evidence has been introduced about him.

Another person, identified by Sanger only as Yanish, was reported for peeping into Kristin Smart's dorm room, Sanger said. Van Rooyen has been presented with no evidence related to that person.

Sanger previously said Scott Peterson, serving life for murdering his wife and unborn son, was also at the Crandall Way party, but Peuvrelle objected, saying that Sanger's assertion misstates the evidence.

No evidence related to Scott Peterson has been admitted.



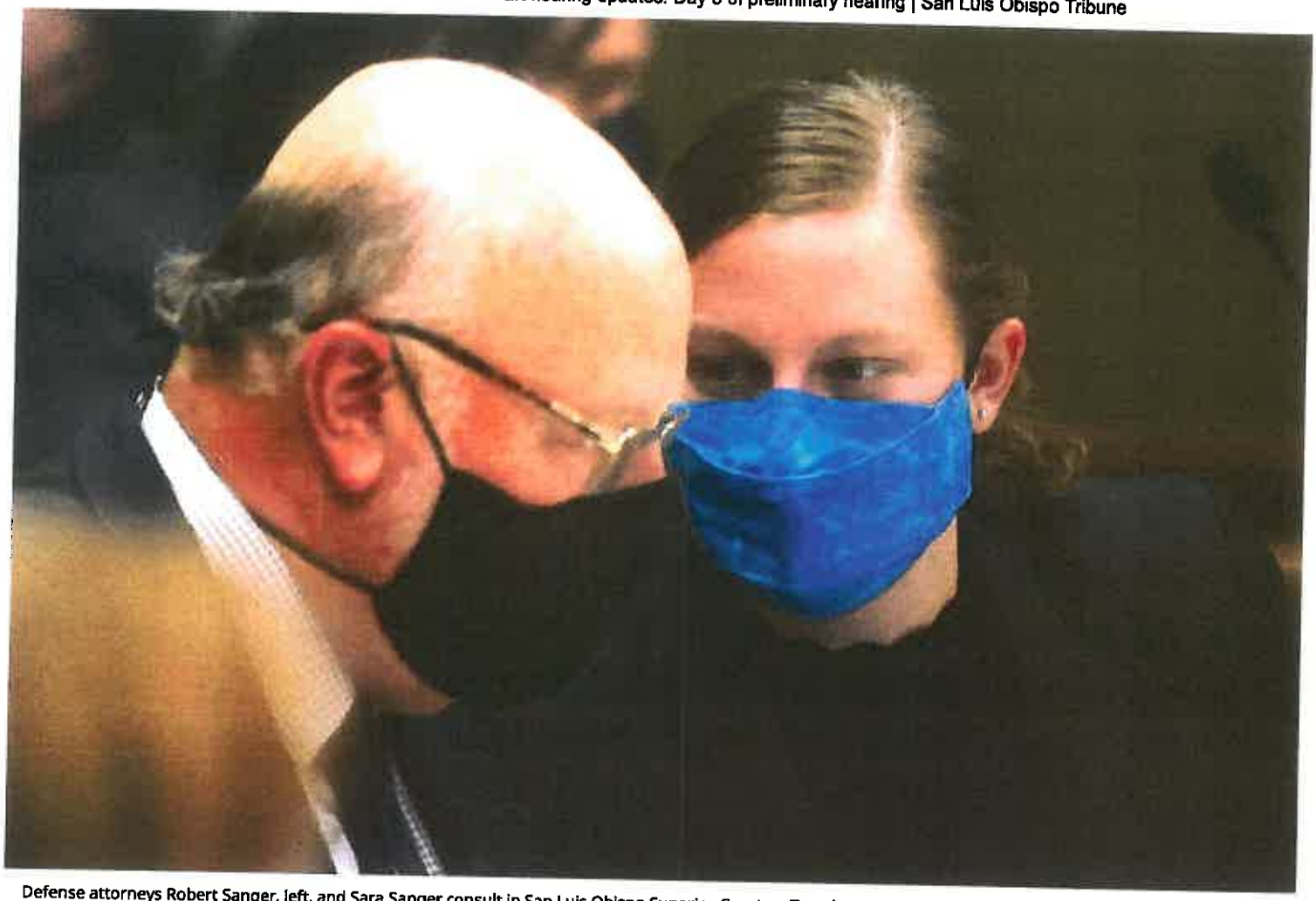
Robert Sanger appears in San Luis Obispo Superior Court on Tuesday, Aug. 3, 2021. The defense attorney is representing Paul Flores, who is accused of murdering missing Cal Poly student Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

The defense has also suggested through its questioning that Smart could have disappeared on purpose and had a history of doing so. Sanger questioned Kennedy about a person he interviewed as part of his investigation who was at a Christian camp in Hawaii with Smart in 1995.

That person, identified in court only as Alyssa, said Smart followed a male counselor she had a crush on to another island while she was also a counselor there and didn't tell anybody.

Alyssa reportedly said Smart spent $175 on a hotel and bought the man a gold ring.

The woman, for whom more information is expected to be released in court Thursday, also described Smart to Kennedy as "carefree, outgoing, spontaneous and boy-crazy." She added that Smart was "totally capable of hiding money and leaving on her own," according to Sanger's reading of the report.



Defense attorneys Robert Sanger, left, and Sara Sanger consult in San Luis Obispo Superior Court on Tuesday, Aug. 3, 2021, during a preliminary hearing for Paul and Ruben Flores. The attorneys represent Paul Flores, who is accused of murdering Cal Poly student Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

JUDGE UNSEALS SEARCH RECORDS, SAYS HEARING WILL LAST UNTIL SEPTEMBER

Before adjourning early Wednesday, van Rooyen took up a handful of housekeeping items, including scheduling.

After Peuvrelle reported that the prosecution's case is moving along slower than planned and one witness is only available Aug. 30, van Rooyen said the hearing will now likely proceed throughout the month of August.

The defense on July 21 filed a motion to suppress some evidence investigators secured through about four dozen searches conducted over the more than two decades of investigation.

Sanger argued that those documents contain exculpatory evidence beneficial to the defense. He argued that, because he now intends to refer to affidavits used to secure search warrants in the case, it is no longer necessary to keep the records sealed from the public, due to the media's presence in the courtroom.

Harold Mesick, Ruben Flores' attorney, joined in the motion, calling the information contained in the records, as well as the prosecution's response, "a double-edged sword."

"The Fourth Estate has seen only one side of this story," Mesick told van Rooyen.

Van Rooyen, who said he cannot consider what the media has seen or reports, said that rules of the court dictate that there must be an overriding interest to shield the records from the public, and that he no longer sees a compelling government interest to keep the documents sealed.

Those records were unsealed Wednesday evening, and The Tribune is reviewing them for publication.



Paul Flores, left, has been arrested on suspicion of murder in the disappearance of Cal Poly student Kristin Smart. His father, Ruben Flores, is suspected of being an accessory in the case. San Luis Obispo County Sheriff's Office

PAUL FLORES, FATHER ACCUSED OF KILLING CAL POLY STUDENT, HIDING BODY

After a decades-long investigation, Paul and Ruben Flores were arrested in connection with Smart's disappearance on April 13 in San Pedro and Arroyo Grande, respectively, and the San Luis Obispo District Attorney's Office announced the criminal charges against the men the following day.

Paul Flores, a San Pedro resident, is charged with one count of murder. Ruben Flores, who lives in Arroyo Grande, is charged with felony accessory after the fact.

Paul Flores and his father pleaded not guilty at their arraignment on April 19, when van Rooyen ordered Paul Flores be held without bail.

Paul Flores remains in San Luis Obispo County Jail, where he's being held without bail for the remainder of proceedings.

Ruben Flores was released from County Jail on April 22, hours after Superior Court Judge Craig van Rooyen significantly lowered his bail because he is not a flight risk or a risk to public safety.

Ruben Flores remains out of custody.

Paul Flores faces a sentence of 25 years to life if convicted of first-degree murder.

Ruben Flores faces a maximum of three years if convicted of the accessory charge, though it is not clear if that sentence would be served in County Jail or state prison.

This story was originally published August 4, 2021 11:01 AM.

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MATT FOUNTAIN (805) 781-7909

Matt Fountain is The San Luis Obispo Tribune's courts and investigations reporter. A San Diego native, Fountain graduated from Cal Poly's journalism department in 2009 and cut his teeth at the San Luis Obispo New Times before joining The Tribune as a crime and breaking news reporter in 2014.



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CRIME

Kristin Smart preliminary hearing will stretch into next week, judge says. Here's why

BY MATT FOUNTAIN
UPDATED AUGUST 31, 2021 2:03 PM



Defendants Paul and Ruben Flores appear in San Luis Obispo Superior Court for a preliminary hearing in connection with Kristin Smart's disappearance. Paul Flores is accused of murdering the Cal Poly student and hiding her body with his father's help. BY DAVID MIDDLECAMP

A preliminary hearing for the men accused in the case of missing Cal Poly freshman Kristin Smart will stretch into next week, a San Luis Obispo Superior Court judge

revealed Monday.

The extra time in the hearing for Paul and Ruben Flores is needed to complete witness testimony and for the prosecution and defense to argue over the defense's requested testimony from "Your Own Backyard" creator Chris Lambert, whose podcast explores Smart's disappearance.

Lambert has opposed handing over his personal records, notes and communications sought by the defense, but is not objecting to testifying.

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Testimony resumed Monday in Superior Court in the preliminary hearing for Paul Flores and his father, Ruben.

Paul Flores, now 44, is the last person known to have seen the 19-year-old freshman alive after walking her back from the party toward the Cal Poly campus residence halls on May 24, 1996.

Smart's body has never been found but investigators said in court documents that her remains were buried at the Arroyo Grande home of 80-year-old Ruben Flores, and recently moved.

Paul Flores, a San Pedro resident, is charged with one count of murder, while his father is charged with felony accessory after the fact.

Monday marked the 14th day of proceedings as the evidentiary hearing begins its fifth week. It is tentatively scheduled to conclude by Sept. 10.

Nearly two dozen people — including Smart's parents and former friends and classmates of Smart and Paul Flores, as well as current and retired San Luis Obispo County Sheriff's Office and Cal Poly campus detectives, Flores' ex-girlfriend and a cadaver dog expert — have testified since the hearing began Aug. 2.

At the conclusion of the weeks-long hearing, Superior Court Judge Craig van Rooyen will rule whether prosecutors established probable cause — a lesser standard of proof than guilt beyond a reasonable doubt — to proceed the case toward trial.

Here's what happened in court on Monday.

PRELIMINARY HEARING WILL STRETCH INTO NEXT WEEK

After proceedings began two hours late on Monday, van Rooyen explained the reason for the late start was new discovery given to the defense earlier in the morning regarding the day's first witness, Gail Laroque, who was one of four handlers of human remains detection dogs that alerted on Paul Flores' dorm room in June 1996

Van Rooyen did not elaborate on what that new discovery was.

The judge also asked the parties about scheduling.

Van Rooyen was told that the prosecution's case will stretch into next week as testimony continues and both parties argue over the subpoena for Lambert as well as the defense's request for testimony from convicted murderer Scott Peterson, who was a Cal Poly student in 1996 and who the defense contends was never investigated as a suspect in Smart's disappearance.

Defense attorney Robert Sanger did not say that a subpoena has been issued for Peterson, but told van Rooyen that Peterson was "ordered" to be made available for testimony via Zoom conference from San Quentin State Prison. Peterson is serving a life sentence there for the murder of his wife Laci and their unborn child.

Peterson is on call through Sept. 7, Sanger said.

Van Rooyen told Sanger that the defense must provide an offer of proof to the court that Peterson's testimony is relevant to the preliminary hearing before the judge can determine whether Peterson's testimony will be allowed.

The judge also urged Sanger to file a reply to Lambert's opposition to his subpoena, to be heard before van Rooyen makes a ruling.

Lambert in court Monday agreed to remain on-call to testify through Sept. 7, when the parties are scheduled to debate the issue.



Sarah Sanger, one of two attorneys representing Paul Flores, questions a witness in San Luis Obispo Superior Court on Aug. 30, 2021. Paul Flores and his father Ruben are facing murder and accessory charges respectfully related to missing Cal Poly freshman Kristin Smart. Dave Minsky *DMINSKY@SANTAMARIATIMES.COM*

CADAVER DOG HANDLER TESTIFIES

Prior to breaking for the lunch recess, van Rooyen heard from Laroque about her boxer mix Toorey, which was one of four dogs trained in the detection of human remains to alert on Paul Flores' Santa Lucia Hall dorm room in June 1996.

The dog was "brilliant" and "hard-working," Laroque said, and the two worked together for about 10 years on roughly 200 searches, about 80% of which were for human remains.

The pair took part in several high-profile searches, she said, including a search for survivors of the Oklahoma City terrorist bombing in 1995.

Under cross examination by Sarah Sanger, who is representing Paul Flores with Robert Sanger, Laroque said she did not record the number of "false alerts" Toorey gave during the course of the dog's training because dogs will commonly have many false alerts as they are learning what's expected of them.

"The dogs will have false alerts (during training). Of course they will," LaRoque said.

Laroque said it takes a dog and handler "thousands and thousands" of hours before the dog is certified in detecting human remains.

Once certified, Toorey had no false alerts that Laroque could recall, she said.

However, Toorey did fail to pass one test during training when the dog failed to pick up on and alert on human hair during a search, the trainer said.

Sarah Sanger also questioned Laroque about her lack of records for Toorey's training, namely training logs that would have shown the number of false positives during the training period. Laroque said those records were prior to the digitizing of those records.

"A lot of that information is just gone, unfortunately. I just don't have it," Laroque said.

Under direct examination by deputy district attorney Christopher Peuvrelle, Laroque recalled that on June 29, 1996, she and Toorey were deployed at the request of the San Luis Obispo County Sheriff's Office to Santa Lucia Hall on the Cal Poly campus.

She didn't know it at the time, she said, but she and two colleagues were requested to search the residence hall for any sign that a dead body had been present.

Laroque testified that she brought Toorey into the first floor's main entrance and ordered her to "search bones," her command to search for remains.

She said the dog ran down the hall and did a "fish hook" back to Paul Flores' Room 128 and alerted. Once investigators allowed her inside, Toorey targeted a bed frame and a corner of the room, her former handler said.

Laroque did not know it at the time, but the mattress that had been on the bed frame had already been confiscated by investigators after a previous cadaver dog alerted to it. Toorey "very methodically ran her nose along the bed frame" but appeared to not be able to find the source of the scent, Laroque said.

"It was as if she was smelling the air in the room," Laroque said, adding that the dog then alerted on a trash bin, which was removed from the room.

Sanger asked Laroque whether she discussed the case with other handlers, which she did, she said, after the searches were complete. LaRoque also said she knew very little if anything about Smart's disappearance when she conducted the search despite heavy publicity surrounding the case.

In addition, Laroque acknowledged that she never inquired about whether the room had become contaminated in the days since the dorm room was vacated.



Paul Flores, 44, listens to testimony at his preliminary hearing in San Luis Obispo Superior Court on Monday, August 23, 2021. He faces a charge of murder for the alleged killing of Cal Poly freshman Kristin Smart in 1996. Dave Minksy *DMINSKY@SANTAMARIATIMES.COM*

DEFENSE ALLEGES LEAD DETECTIVE WAS INVESTIGATED FOR MISCONDUCT

Before adjourning for the day, van Rooyen discussed an outstanding defense motion seeking to compel the San Luis Obispo County District Attorney's Office and Sheriff's Office to turn over records related to local investigations of other potential suspects in the case, as well as communications between Sheriff's Office lead detective, Clint Cole, and two witnesses in the case.

Robert Sanger also pointed out Cole was again wearing a purple tie in court Monday after a motion to recuse the DA's Office over the prosecution's wearing of purple, Smart's favorite color, was denied last week.

"This isn't funny in this case because my client is facing a murder charge," Sanger said.

In arguing for van Rooyen to grant the motion to compel, Sanger said that digital files handed over to the defense do not contain any reports about what local investigators did to investigate Peterson in connection to the Smart case.

Previous testimony revealed that San Luis Obispo County investigators searched ponds on property owned by Peterson in 2002 as part of the Smart investigation.

But the defense team says it was not provided records related to that search or any other efforts made to look into Peterson as a suspect in the Smart case.

Peuvrelle said in court that investigators have "gone out of our way" to search for any such records and they've not been located.

"I can't obtain what doesn't exist," Peuvrelle told van Rooyen, who then ordered the prosecution team to hand over any located records related to both Peterson and the Smart case.

Sanger also referenced information that hasn't yet been explained in court about Cole's communications with two witnesses in the case, Justin Goodwin and Jennifer Hudson, who testified earlier this month that Paul Flores verbally admitted to burying Smart's body in Huasna.

According to Sanger, some record should exist of "inappropriate conduct by Cole with witnesses" from February 2020 related to Hudson and Goodwin, though he did not elaborate. Sanger said that the prosecution told the defense that Cole inadvertently deleted some records of communications he had with the two on social media platforms.

Sanger said the prosecution knows "they have the evidence to preserve that evidence."

"I can't believe the investigators can't go to Facebook or the service provider" with a subpoena for records, Sanger said, noting that companies will typically release such records only to law enforcement officials with warrants, and not to defense attorneys. "Right now, we're dependent on the government to do its job."

Sanger also alleged that another potential witness complained directly to District Attorney Dan Dow about Cole. Sanger claimed that Sheriff Ian Parkinson "was told that his lead investigator was accused of misconduct with a witness" in the case.

Peuvrelle argued that what Sanger was referring to "has been ruled unfounded by everyone."

"Counsel has hung their hat on this (issue)," Peuvrelle said. "Let's get back to evidence and finish this prelim."

Van Rooyen again ordered the prosecution to turn over any relevant records about Peterson, Hudson and Goodwin related to the Smart investigation, but said he could not force prosecutors to file a subpoena to a third party such as Facebook for records of communication not already in their possession.

Testimony was expected to resume in Superior Court on Tuesday morning with another handler of a dog that searched Paul Flores' dorm room.

This story was originally published August 30, 2021 1:08 PM.

***CORRECTION:** An earlier version of this story incorrectly identified cadaver dog handler Gail Laroque's last name as LaRoque. The error has been corrected.*

CORRECTED AUG 31, 2021

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Matt Fountain is The San Luis Obispo Tribune's courts and investigations reporter. A San Diego native, Fountain graduated from Cal Poly's journalism department in 2009 and cut his teeth at the San Luis Obispo New Times before joining The Tribune as a crime and breaking news reporter in 2014.



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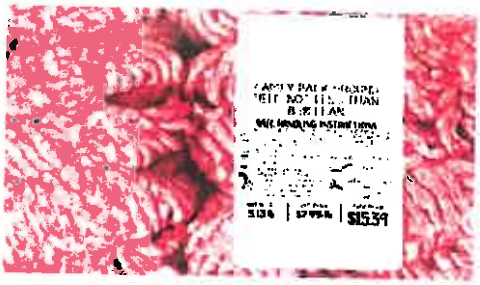


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CRIME

Kristin Smart hearing: Ruben Flores accidentally confessed to a felony, detective says

BY MATT FOUNTAIN AND KAYTLYN LESLIE
UPDATED SEPTEMBER 01, 2021 10:31 AM



Defendants Paul and Ruben Flores appear in San Luis Obispo Superior Court for a preliminary hearing in connection with Kristin Smart's disappearance. Paul Flores is accused of murdering the Cal Poly student and hiding her body with his father's help. BY DAVID MIDDLECAMP

A San Luis Obispo County Sheriff's Office detective testified Tuesday that the man accused of hiding the remains of Cal Poly freshman Kristin Smart made an inadvertent confession when investigators took a DNA sample.

According to the detective, Ruben Flores, father of murder defendant Paul Flores, asked investigators in May why they sought DNA samples from his ex-wife and her boyfriend.

"They didn't commit a felony, I did," Det. Clint Cole testified that Ruben Flores said.

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SLO County weather forecast: Clear skies this week — and warmer temps are on the way

Ruben Flores then corrected himself and said, "I mean, I'm the only person that's been arrested," according to testimony Tuesday.

Testimony resumed Tuesday in San Luis Obispo Superior Court in the preliminary hearing for Paul Flores and his father, Ruben.

Paul Flores, now 44, is the last person known to have seen the 19-year-old freshman alive after walking her back from the party toward the Cal Poly campus residence halls on May 24, 1996.

Smart's body has never been found but investigators said in court documents that her remains were buried at the Arroyo Grande home of 80-year-old Ruben Flores, and recently moved.

Paul Flores, a San Pedro resident, is charged with one count of murder, while his father is charged with felony accessory after the fact.

Tuesday marked the 15th day of proceedings as the evidentiary hearing dives into its fifth week. It is now tentatively scheduled to conclude by Sept. 10; both parties said on Monday that proceedings are behind schedule.

Nearly two dozen people — including Smart's parents and former friends and classmates of Smart and Paul Flores, as well as current and retired San Luis Obispo County Sheriff's Office and Cal Poly campus detectives, Flores' ex-girlfriend and a cadaver dog expert — have testified since the hearing began Aug. 2.

On Monday, a retired handler of a dog trained to detect human remains testified that the dog alerted on Paul Flores' Santa Lucia Hall dorm room about a month after he moved out of the room in 1996.

Gail Laroque was the second handler to testify that their dogs alerted to the room — namely a mattress and trash can left behind in the room, which had been cleaned by Cal Poly staff by June 29, 1996.

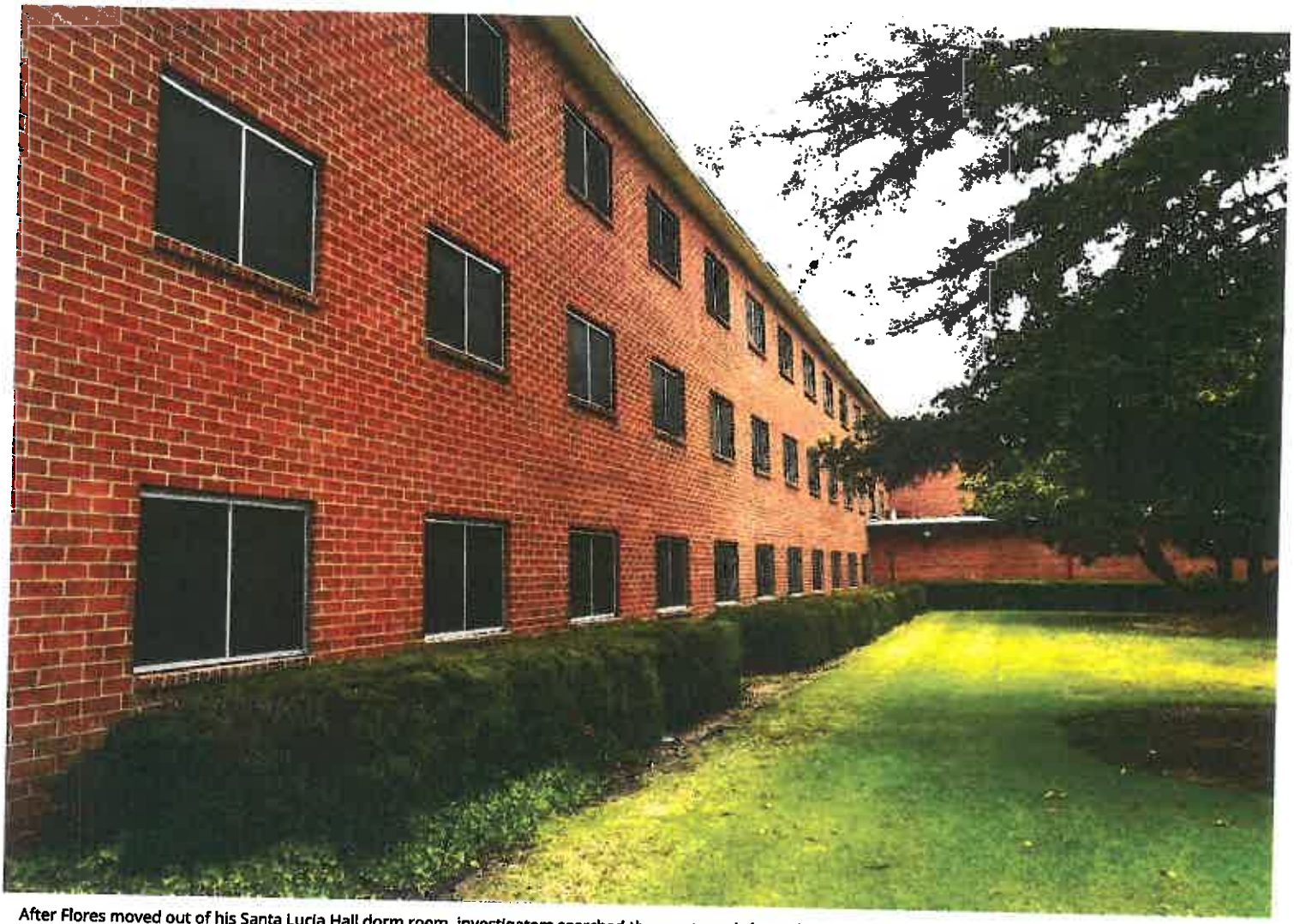
On Tuesday, a third cadaver dog handler testified that his dog alerted to the presence of human remains in Flores' residence hall room.

Wayne Behrens said his dog's search began outdoors on campus but that the animal independently led him to Santa Lucia Hall — right outside the window of Paul Flores' room, although Behrens didn't know that at the time.

"We knew we were looking for a probably deceased person," Behrens said on the stand in San Luis Obispo Superior Court. "But we weren't told that dorm had any significance."

At the conclusion of the weeks-long preliminary hearing, Superior Court Judge Craig van Rooyen will rule whether prosecutors established probable cause — a lesser standard of proof than guilt beyond a reasonable doubt — to proceed the case toward trial.

Here's what happened in court Tuesday.



After Flores moved out of his Santa Lucia Hall dorm room, investigators searched the empty and cleaned room. Cadaver dogs each independently react to Flores' room. Here's how Santa Lucia Hall looks today. Joe Johnston *JJOHNSTON@THETRIBUNENEWS.COM*

THIRD CADAVER DOG HANDLER TESTIFIES IN SLO COURT

Behrens was first of three cadaver dog handlers to search Paul Flores' dorm room on June 29, 1996.

Behrens testified Tuesday that he was assigned to the search of the Cal Poly campus through his work for the California Rescue Dog Association (CARDA), which contracts work for the state Office of Emergency Services.

He was on campus at the request of law enforcement with Adela Morris and Laroque, two other CARDA volunteers who also had their own certified human remains detection dogs. Both Morris and Laroque previously testified during the preliminary hearing.

Behrens' dog, a yellow Labrador named Sierra, was certified by CARDA in locating both remains and live humans, and had been successful in finding remains in at least four large-scale searches times during its lifetime, he testified.

Behrens recalled on the stand that he was assigned to search a rectangle-shaped outdoor area of the Cal Poly campus, with the residence halls at the northern boundary.

Sierra ignored other areas but led Behrens to the exterior of Santa Lucia Hall and "showed interest" outside a first-floor window.

Behrens said he asked his accompanying Sheriff's Office deputy to let them inside the building to continue the search. After a little hesitation, Behrens said, he and Sierra were allowed into the building, which was partially occupied by students at the time.

According to Behrens, the dog ran to Room 128, then, when let inside, alerted to a mattress on one side of the room, and to a desk underneath a window leading to where she had alerted outside.

"We were all surprised by the strong response," Behrens testified. "It was a strong response. The deputy behind me said, 'Wow.' "



San Luis Obispo County Deputy District Attorney Christopher Peuvrelle appears in San Luis Obispo Superior Court on Tuesday, Aug. 31, 2021, during a preliminary hearing for Paul and Ruben Flores, who face charges in the case of missing Cal Poly student Kristin Smart. Dave Minsky *SANTA MARIA TIMES*

Asked by deputy district attorney Christopher Peuvrelle to describe the intensity of Sierra's alert, Behrens said, "Sometimes (alerts) can be a little ambiguous. This was not ambiguous."

The handler said he urged law enforcement officers to bring in other K-9 teams to verify his findings.

Behrens said he recommended the deputy bring in the other dog teams "blind," or without any explanation.

Under cross examination, Behrens said he remembered discussing his findings with the other K-9 handlers, but not until after they conducted their own searches.

The defense also asked Behrens about any possible contamination of the room. He said the deputy that followed him was not wearing any protective gear and that there was roughly a half-dozen student residents lingering around the dorm building while he conducted his search.

Behrens testified that he was not aware of any physical evidence or actual human remains ultimately being found in the room.

Unlike dogs in three later searches, Behren's dog did not alert on a trash bin in Flores' room, he said.



Search dogs work behind the Arroyo Grande home of Ruben Flores on Monday, March 15, 2021. Flores is the father of Paul Flores, the sole person of interest in the disappearance of missing Cal Poly student Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

CRIMINOLOGIST SAYS SHE EXAMINED FIBERS FOUND IN SOIL

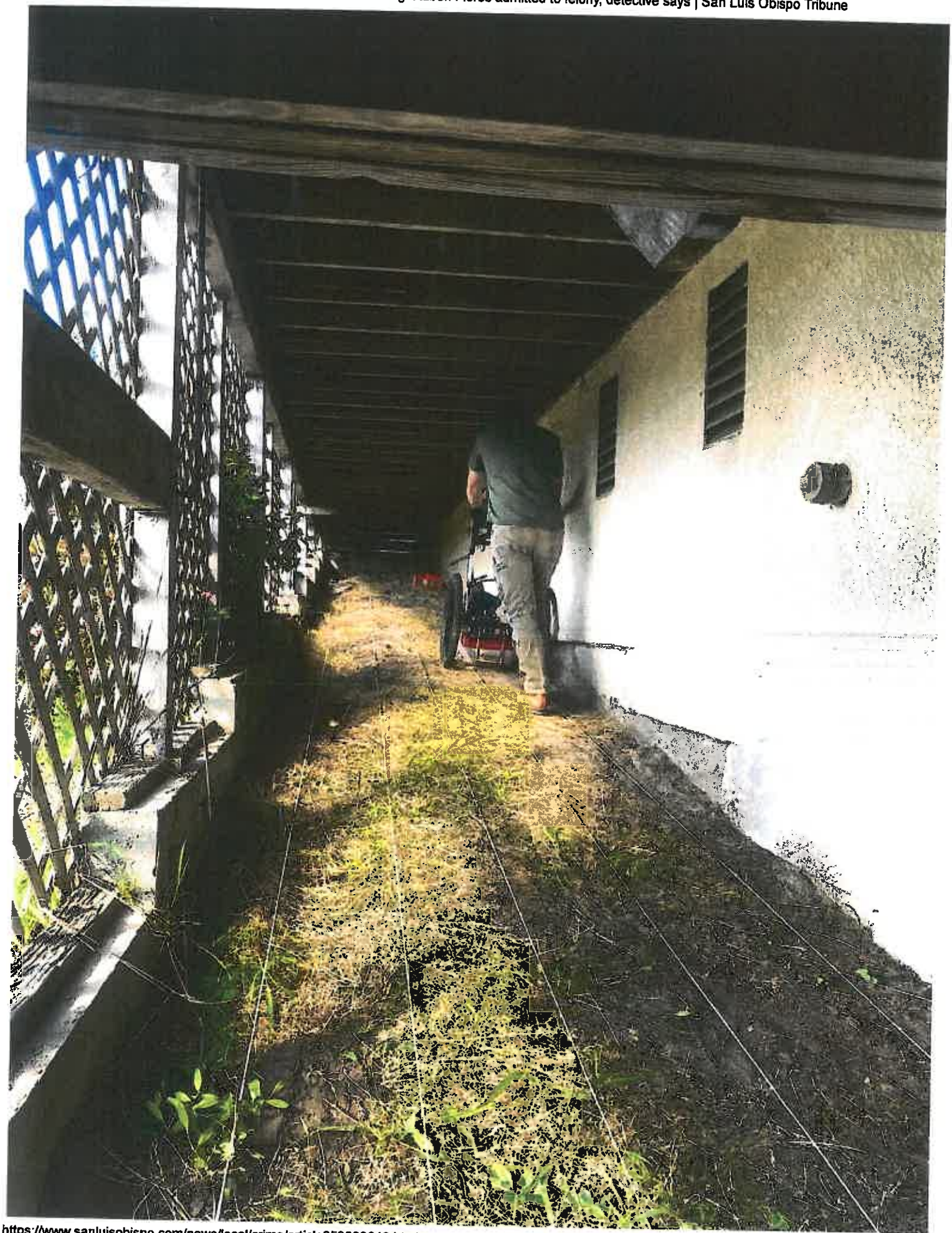
Just prior to the lunch recess, the court heard testimony from Faye Springer, a retired senior criminologist for the Sacramento County District Attorney's Office who currently contracts with that county's Laboratory of Forensic Services.

Springer, who is being taken out of order as a witness, said her expertise is trace evidence, or evidence that is small enough to require special instruments such as microscopes to examine.

Spring said she's testified more than 500 times as an expert in court proceedings — roughly half of that related to trace evidence, including that blood and fibers.

Though it was not specifically mentioned in court Tuesday, unsealed court records show that investigators say they recovered clothing fibers in a disturbed patch of soil under Ruben Flores' deck at his home at 710 White Court in Arroyo Grande.

Springer said that in May 2021 she examined fibers provided to her by Sheriff's Office Det. Clint Cole that were found in soil of some sort. Though she did not know the source of the fibers, both parties' line of questioning indicated that the fiber samples provided to her were found under Ruben Flores' deck.



A radar operator examines earth below the Arroyo Grande home of Ruben Flores, father of Paul Flores, who has been named the "prime suspect" in the 1996 disappearance of Cal Poly student Kristin Smart, on March 16, 2021.

Springer testified that the fibers came to her attached to "lifts," or adhesive strips used to collect trace evidence.

The fibers were black, pink, light-colored, and blue, she said, and some were synthetic while others appeared to be cotton-like. Smart was wearing black and light-colored clothing as well as red sneakers, previous testimony showed.

The colors largely had not faded, consistent with being protected from sun and rain, Springer said.

Springer said she only recorded the fibers' appearance and she didn't run any forensic or chemical testing on them.

The criminologist was also provided a hair brush — testimony did not specify whose it was — for comparison with any hairs she found in the samples. She did not find any hairs in the samples, Springer said.

Under cross-examination, Springer said it would not be unusual to find such fibers in soil at a construction site or around a house.

"It's very likely, yes," she said.

She also said whoever collected the fibers should have been wearing protective gear as to not contaminate samples.

Defense attorney Robert Sanger questioned Springer's knowledge about the case before she examined the fibers.

Springer said Cole revealed to her beforehand that Paul Flores was the suspect in the case. She also said she "knew a little what this case was about" from news reports over the years.

Springer also knew that Smart was supposedly wearing red tennis shoes the night of her disappearance, the criminologist testified.

But she was not able to draw any significance to the fibers, she said, because there was nothing to compare them to — such as pieces of Smart's clothing from the night she disappeared.

"There's some material there that are interesting that could be compared if objects or clothing are found," Springer said.



An unidentified radar operator examines earth below the Arroyo Grande home of Ruben Flores, father of Paul Flores, "prime suspect" in the 1996 disappearance of Cal Poly student Kristin Smart, on March 16, 2021. Courtesy of San Luis Obispo County Sheriff's Office

Under questioning by Ruben Flores' attorney, Harold Mesick, Springer said that she completed her review of the fibers the same day she received them, within a typical eight-hour shift.

The defense team told the court they were only provided information on Springer's review by the prosecution on Tuesday morning, and the DA's Office emailed them a memo from an interview with Springer taken at the lunch break.

In the memo, Springer is quoted as saying the fibers she reviewed "didn't look really old," had "fairly clean surfaces, fairly intense in color" and "did not look like there was a degradation of the material."

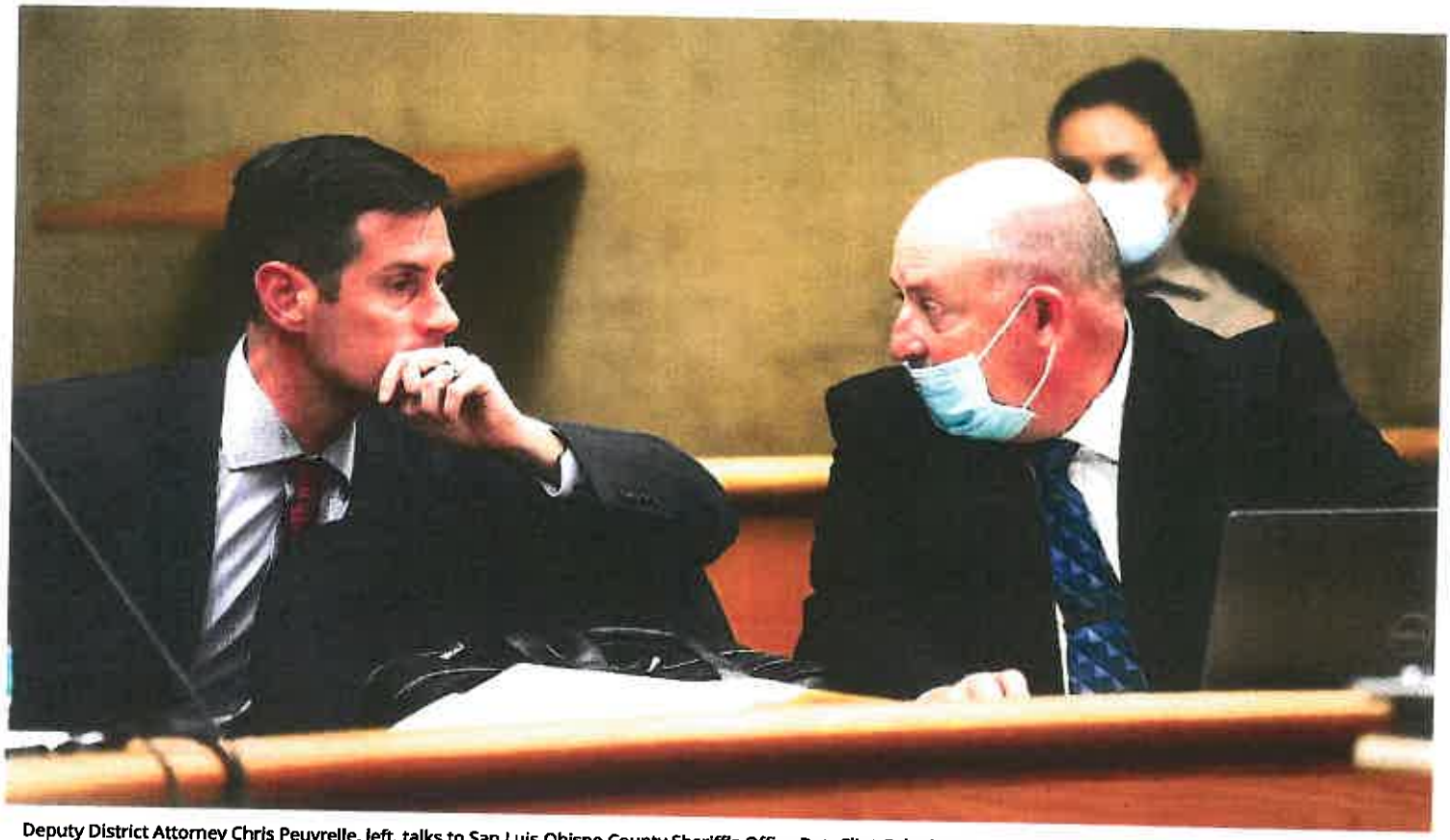
DETECTIVE SAYS RUBEN FLORES MADE INCRIMINATING STATEMENT

J.T. Camp, the San Luis Obispo County District Attorney's Office's lead investigator in the case, took the stand Tuesday afternoon.

Camp said he was a student at Cal Poly from 1991 to 1995 as well as a one-time resident of Sequoia Hall, located near Santa Lucia Hall, and was familiar with the layout of the campus.

Camp testified that he photographed relevant areas on campus and documented the path that previous testimony showed Smart and Paul Flores walked when traveling with two others toward the dorms from a house party on Crandall Way.

Camp said the 0.44-mile trek took him 8 minutes and 35 seconds to walk.



Deputy District Attorney Chris Peuvrelle, left, talks to San Luis Obispo County Sheriff's Office Det. Clint Cole during a Aug. 3, 2021, preliminary hearing for Paul and Ruben Flores, accused of murdering and concealing the body of missing Cal Poly freshman Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

Cole also took the stand late Tuesday and recounted going with Camp to Ruben Flores' house on May 19 following Flores' arrest to collect a DNA buccal swab, which is collected from the inside of the cheek, as authorized by a search warrant.

Cole said Ruben Flores did not let the two inside his home, but took the swab in the doorway.

Before he did, however, Ruben Flores was reading the search warrant and saw similar swab authorizations for his ex-wife, Susan Flores, and her boyfriend, Mike McConville, Cole said.

Cole said Ruben Flores asked why the investigators were taking a DNA test from Susan Flores and McConville because "they didn't commit a felony, I did."

The detective testified that Ruben Flores quickly corrected himself and said, "I mean, I'm the only person that's been arrested."

Testimony is expected to resume Wednesday morning.

This story was originally published August 31, 2021 1:44 PM.

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MATT FOUNTAIN

(805) 781-7909

Matt Fountain is The San Luis Obispo Tribune's courts and investigations reporter. A San Diego native, Fountain graduated from Cal Poly's journalism department in 2009 and cut his teeth at the San Luis Obispo New Times before joining The Tribune as a crime and breaking news reporter in 2014.



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BY KAYTLYN LESLIE

MARCH 04, 2022 5:23 PM

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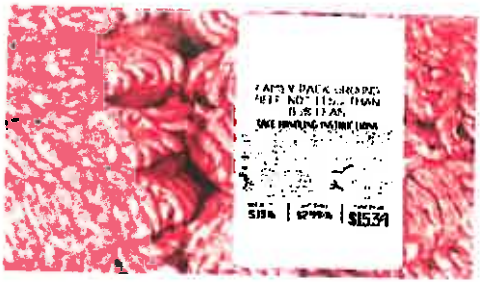
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I am over the age of 18 years and not a party to the within action. I am employed in the County of Santa Barbara. My business address is 222 E. Carrillo St., Ste. 300, Santa Barbara, California, 93101.

On March 9, 2022, I served the foregoing document entitled: **DECLARATION OF SARAH S. SANGER IN SUPPORT OF MOTION FOR CHANGE OF VENUE (PEN. CODE, § 1033)** on the interested parties in this action by depositing a true copy thereof as follows:

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_X_ **BY ELECTRONIC TRANSMISSION** -I caused the above-referenced document(s) to be transmitted via electronic transmission to the interested parties at the email addresses referenced in the attached service list.

____ **BY U.S. MAIL** - I am readily familiar with the firm's practice for collection of mail and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited daily with the United States Postal Service in a sealed envelope with postage thereon fully prepaid and deposited during the ordinary course of business. Service made pursuant to this paragraph, upon motion of a party, shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit.

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_X_ **STATE** - I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

____ **FEDERAL** - I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

Executed March 9, 2022, at Santa Barbara, California.

Jake Swanson

Jake Swanson

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Attorneys for Defendant
Paul Ruben Flores

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN LUIS OBISPO

THE STATE OF CALIFORNIA,

Plaintiff,

vs.

PAUL RUBEN FLORES,

Defendant.

Case No. 21F-02402-A

DECLARATION OF SARAH S. SANGER IN SUPPORT OF MOTION FOR CHANGE OF VENUE (PEN. CODE, § 1033)

Volume 3 of 4

Date: March 30, 2022
Time: 8:30 a.m.
Dept.: 5

Hon. Craig B. Van Rooyen

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EXHIBIT AA

THE TRIBUNE

CRIME

Kristin Smart hearing: Police used jail informant to befriend Paul Flores, seek confession

BY MATT FOUNTAIN

UPDATED AUGUST 23, 2021 7:20 PM



Paul Flores, 44, listens to testimony at his preliminary hearing in San Luis Obispo Superior Court on Monday, August 23, 2021. He faces a charge of murder for the alleged killing of Cal Poly freshman Kristin Smart in 1996. DAVE MINKSY *DMINSKY@SANTAMARIATIMES.COM*

Investigators planted an informant in Santa Barbara County Jail in order to seek a confession from the man accused of murdering Cal Poly student Kristin Smart, a retired San Luis Obispo County Sheriff's Office detective testified in court Monday.

That confidential informant remained in touch with Paul Flores after their release from custody, with the two going on fishing trips and traveling to Las Vegas together, a defense attorney said during the detective's cross-examination.

Testimony resumed Monday in San Luis Obispo Superior Court in the preliminary hearing for Paul Flores and his father, Ruben Flores.

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Paul Flores, now 44, is the last person known to have seen the 19-year-old freshman alive after walking her back from the party toward the Cal Poly campus residence halls on May 24, 1996.

Smart's body has never been found but investigators said in court documents that her remains were buried at the Arroyo Grande home of 80-year-old Ruben Flores, and recently moved.

Paul Flores, a San Pedro resident, is charged with one count of murder, while his father is charged with felony accessory after the fact.

More than a dozen people — including Smart's parents and former friends and classmates of Smart and Paul Flores, as well as current and retired San Luis Obispo County Sheriff's Office and Cal Poly campus detectives, Flores' ex-girlfriend and a cadaver dog expert — have testified since the hearing began Aug. 2.

At the conclusion of the month-long hearing, Superior Court Judge Craig van Rooyen will rule whether prosecutors established probable cause — a lesser standard of proof than guilt beyond a reasonable doubt — to proceed the case toward trial.

Here's what happened in court on Monday.



Defense attorney Robert Sanger questions a witness at a preliminary hearing for Paul and Ruben Flores in San Luis Obispo Superior Court on Monday, August 23, 2021. His client, Paul Flores, faces a charge of murder for the alleged killing of Cal Poly freshman Kristin Smart in 1996. Dave Minsky *DMINSKY@SANTAMARIATIMES.COM*

RETIRED SLO COUNTY SHERIFF'S OFFICE DETECTIVE TESTIFIES

Proceedings resumed Monday morning with the testimony of Henry Stewart, who was a Sheriff's Office detective until his retirement in 2004.

Stewart testified that he and another Sheriff's Office detective were assigned to the Smart case on June 26, 1996. They interviewed Jana Schrock, who was not a Cal Poly student but was allowed by Smart's roommate to sleep in Smart's room in Muir Hall on the night Smart went missing.

Schrock told the investigators that Smart did not return to the dorm room at any point during the evening or early morning hours.

In July 1996, Stewart said he obtained a search warrant to search Ruben Flores' Arroyo Grande home, specifically in order to search the bedroom of Paul Flores, who lived in the house at the time. Stewart was not asked about what, if anything, was found during the search.

In July 2002, local investigators had Paul Flores arrested for a probation violation in Costa Mesa following a previous arrest for driving under the influence of intoxicants, Stewart said.

Stewart said that he and his partner confronted Flores when Flores arrived at a bar he was known to frequent, which was a supposed violation of his probation.

When Flores saw the investigators, he "took off running," Stewart said. Instead of chasing him, the detectives instead filed a probation violation report and Flores was taken to Santa Barbara County Jail.

Stewart said that investigators "planted an agent" in the jail in order to befriend Flores and solicit a confession or other relevant information.



Defense attorney Robert Sanger questions a witness at a preliminary hearing for Paul and Ruben Flores in San Luis Obispo Superior Court on Monday, August 23, 2021. His client, Paul Flores, faces a charge of murder for the alleged killing of Cal Poly freshman Kristin Smart in 1996. Dave Minsky *DMINSKY@SANTAMARIATIMES.COM*

In response to a question from defense attorney Robert Sanger, Stewart added that the confidential informant later went fishing with Flores. Later questioning by Harold Mesick, Ruben Flores' attorney, revealed that Paul Flores accompanied the informant on another fishing trip to Catalina, and the two supposedly traveled together to Las Vegas.

Mesick asked Stewart if it was true that investigators had a $50,000 budget to surveil Flores.

It was not revealed whether that informant was a civilian or undercover law enforcement, or what if anything was gained from the operation.

Stewart also testified that the two detectives attempted to interview Paul Flores in an interrogation room while he was in custody at the Santa Barbara County Jail in 2002 in case he made any "spontaneous statements," but Flores refused to talk.

Instead, Flores only spoke through the intercom on the wall, saying, "I want to leave. I want a lawyer. They're not giving me a lawyer."

Under cross examination by Sanger, Stewart acknowledged that the few statements Flores has ever made about the Smart case remained consistent, and that investigators knew they had a "50/50 chance" of winning a case against Flores at trial given the evidence they had at the time.

Sanger questioned Stewart about an affidavit he submitted in support of his request for the search warrant for Ruben Flores' home, namely about why Stewart included information from past affidavits submitted by other investigators.

The defense currently has an outstanding motion to suppress evidence gathered from about two dozen searches, wiretaps and other authorized surveillance.

Following Stewart's testimony, van Rooyen adjourned proceedings until Wednesday morning, when the court is expected to hear from J.T. Camp, the San Luis Obispo County District Attorney's Office's current lead investigator in the case.

PAUL FLORES, FATHER CHARGED IN SMART DISAPPEARANCE

After a decades-long investigation, Paul and Ruben Flores were arrested in connection with Smart's disappearance on April 13 in San Pedro and Arroyo Grande, respectively, and the San Luis Obispo District Attorney's Office announced the criminal charges against the men the following day.

Paul Flores and his father pleaded not guilty at their arraignment on April 19, when van Rooyen ordered Paul Flores be held at San Luis Obispo County without bail.

On Aug. 18, the judge denied the defense team's request to release Paul Flores from jail custody.

Ruben Flores was released from County Jail on April 22, hours after van Rooyen significantly lowered his bail because he is not a flight risk or a risk to public safety. Ruben Flores remains out of custody.

Paul Flores faces a sentence of 25 years to life if convicted of first-degree murder. Ruben Flores faces a maximum of three years if convicted of the accessory charge, though it is not clear if that sentence would be served in county jail or state prison.

This story was originally published August 23, 2021 1:13 PM.

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MATT FOUNTAIN

(805) 781-7909

Matt Fountain is The San Luis Obispo Tribune's courts and investigations reporter. A San Diego native, Fountain graduated from Cal Poly's journalism department in 2009 and cut his teeth at the San Luis Obispo New Times before joining The Tribune as a crime and breaking news reporter in 2014.



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Man on stolen motorcycle leads officers on high-speed chase from Los Osos to Atascadero

BY KAYTLYN LESLIE

MARCH 04, 2022 5:23 PM

The chase reached 100 mph at one point.

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BY THE PENNY HOARDER

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CRIME

Kristin Smart murder case: Here's what happened on Day 4 of the preliminary hearing

BY MATT FOUNTAIN AND KAYTLYN LESLIE
UPDATED AUGUST 05, 2021 11:26 PM



A preliminary evidence hearing for Kristin Smart murder case defendants Paul and Ruben Flores in San Luis Obispo, California, resumes with witness testimony.
BY KSBY

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Just hours before she disappeared, Cal Poly student Kristin Smart was eager to go out and enjoy a Friday night, a friend and former residence hall neighbor of Smart's testified Thursday in San Luis Obispo Superior Court.

The pair went together to a small gathering with some other people from their dorm, before the friend decided to return to her room alone and Smart headed in a different direction.

"That was the last time I saw her and spoke to her," former Cal Poly student Margarita Campos said on the stand Thursday.

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SLO County weather forecast: Clear skies this week — and warmer temps are on the way

Campos said she felt "'demoralized" by the immediate investigation into Smart's disappearance in 1996, adding that she felt investigators mishandled the initial interviews of Smart's neighbors and brought bias into their reports.

Witness testimony resumed Thursday for the preliminary hearing in the case of Smart, who prosecutors say was murdered by Paul Flores during a rape attempt more than 25 years ago.

Paul Flores, 44, is the last person known to have seen the 19-year-old Smart alive after walking her back from the party toward the Cal Poly campus residence halls on May 24, 1996. He is accused of raping or attempting to rape Smart in his dorm room before killing her.

Smart's body has never been found, but investigators believe her remains were buried at the Arroyo Grande home of Paul Flores' father, 80-year-old Ruben Flores, and "recently" moved, according to a San Luis Obispo County probation report.

Thursday marked the fourth day of testimony in the evidentiary hearing for Paul and Ruben Flores that was originally expected to last at least 12 days before the judge in the case said Wednesday it's likely to proceed through August.

So far, the prosecution has laid out its case against the father-and-son co-defendants in a mostly linear fashion.

Testimony began Monday with Smart's parents, Stan and Denise, and continued through Tuesday with several former Cal Poly students who lived with Smart at Cal Poly's Muir Hall or attended a house party with her in the hours before she vanished.

Wednesday featured legal arguments over admitting a booking photo that showed Paul Flores with a black eye days after Smart's disappearance. The retired Cal Poly police detective who was the first to interview Flores, Lawrence Kennedy, also recounted his investigation.

The judge in the case also unsealed a defense motion to suppress evidence that speculates about other people the defense says should have been investigated and reveals a few new details about searches conducted by law enforcement in the case over more than two decades.

The preliminary hearing is not being live-streamed and media in attendance are under strict rules prohibiting the use of electronic devices and photographing or recording witnesses in the courtroom.

At the conclusion of the hearing, Superior Court Judge Craig van Rooyen will rule whether prosecutors established probable cause — a lesser standard of proof than guilt beyond a reasonable doubt — to proceed the case toward trial.

Here's what's happened at Thursday's hearing.



A large portrait of Kristin Smart in graduation attire is on display at a candlelight vigil for the missing woman in Arroyo Grande. Laura Dickinson *LDICKINSON@THETRIBUNENEWS.COM*

10:20 A.M.: DEFENSE DISCUSSES RETIRED DETECTIVE'S NOTES

Lawrence Kennedy, the retired Cal Poly police detective, resumed testimony Thursday morning, a day after Paul Flores' defense attorney, Robert Sanger received more than 500 pages of handwritten notes and other records from Kennedy's investigation from the prosecution.

Sanger said in a court motion unsealed Wednesday that investigators focused their attention on his client, Paul Fores, following a meeting on May 31, 1996, and ignored other possible leads due to "confirmation bias" — also known as tunnel vision.

Sanger said the notes included information that Smart's friend, Campos, received three phantom phone calls early in the morning of May 29, 1996, five days after Smart's disappearance.

According to Sanger, Kennedy had written that Campos received a phone call between 2:30 and 3 a.m. in which a female caller mumbled something indecipherable before hanging up. Campos received two subsequent hang-up calls, Sanger said in court, citing the notes.

Kennedy did not recall Campos' statements, he said.

Sanger said that Campos told Kennedy the calls were significant because Smart had made similar early morning calls to her in the past.

Sanger also went down a list of other people of interest who Kennedy never followed up on. Prosecutors have said in the motions unsealed Wednesday that those individuals were either ruled out as suspects or were not considered suspects.

Sanger asked about a May 31, 1996 meeting Kennedy had with San Luis Obispo County District Attorney's Office investigators, after which point "the focus of (the Smart) investigation changed."

Kennedy's notes showed that Cal Poly investigators had planned a meeting with mental health professionals that was canceled following that meeting.

"Pretty much from May 31 on, the focus was Paul Flores?" Sanger asked Kennedy on Thursday.

The retired detective said the DA's Office was to focus solely on Flores while Cal Poly investigators would continue to focus on the missing persons case.

Kennedy said he "continued to follow up on any lead he received" even after the meeting, but admitted that the "perception" was that Flores was the only suspect.



On Oct., 17, 1996, Paul Flores testified before the county grand jury about Cal Poly student Kristin Smart's disappearance. Flores was the last person seen with Smart, who hasn't been seen since Memorial Day weekend, 1996. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

12:45 P.M.: KRISTIN SMART'S FRIEND RECOUNTS HOURS BEFORE HER DISAPPEARANCE

Campos, the tenth witness to take the stand, was a freshman at Cal Poly when she met Smart in December 1995, she said. The two were next-door neighbors in Muir Hall.

Campos testified that Smart did not get along with her roommate and would often come hang out with Campos in the latter's room. There they would chat about "families, travel, changing our majors," Campos said.

"We talked about activities we liked, complaints — you know, life," Campos said.

On May 24, 1996, a Friday, the university campus was quiet, Campos recalled. Many students had already left campus in advance of the Memorial Day holiday weekend.

Campos said she and Smart were in Campos' dorm room listening to music when Smart suggested Campos had "studied enough" and encouraged her to join her to do something with their Friday evening.

Some other women in Muir Hall invited the friends to a small get-together in a residential neighborhood toward the end of California Boulevard, Campos said, and Smart and Campos traveled with them in a truck to the house.

There, Campos and Smart had one beer, Campos said, but the pair felt they were imposing on an intimate gathering.

When the other women in the group decided to leave, Smart and Campos were dropped off near the intersection of Foothill and California boulevards at about 10:30 p.m.

Smart "wanted to see what was going on" on Crandall Way, while Campos wanted to return to their dorm, which locked its doors at midnight, Campos recalled.

Campos said Smart was wearing black board shorts, a gray tank top and red sneakers. She didn't have a purse with her.

Smart also didn't have her key — or any pockets in the clothes she was wearing — so Campos lent her her key, which she put in her shoe, Campos said.

Campos then started walking back to Muir Hall.

"She said, 'Please, come with me,' and I didn't want to go," Campos testified. The two then split up, with Campos continuing north on California Boulevard and Smart turning up Crandall Way.

Campos said she's replayed the mental image of Smart walking alone up Crandall Way in her head "so many times."

"I thought if I looked back and she looked back, maybe she would come back with me," Campos said.



Jennifer Phillips, a friend of Kristin Smart who lived in Muir Hall, reported Smart missing to the University Police Department on May 27, 1996. Here's a view of Muir Hall as it looks today. Joe Johnston *JJOHNSTON@THETRIBUNENEWS.COM*

3:30 P.M.: FRIEND OF MISSING STUDENT RECALLS INVESTIGATION INTO DISAPPEARANCE

Following the lunch recess, Campos testified that she and Smart vaguely knew of Paul Flores and "minimally" had contact with him at the campus grocery store where he worked.

Asked by Deputy District Attorney Christopher Peuvrelle whether he was ever caught staring at her or Smart on campus, citing a police report, Campos was prevented from answering due to an objection from Sanger.

Van Rooyen ruled that she could only answer whether Flores ever stared at Campos specifically. Campos said, "No."

"He stared at everyone," she added, glancing at Flores.

Campos recounted waking up before noon on May 25, 1996, and finding Smart's room "exactly as it looked" the night before.

"Nothing had been moved," she said. "Nothing."

As Campos' fellow dorm residents began to stream in that Saturday, they all expressed concerns about their missing classmate.

The next day, May 26, "was the most serious day," Campos said.

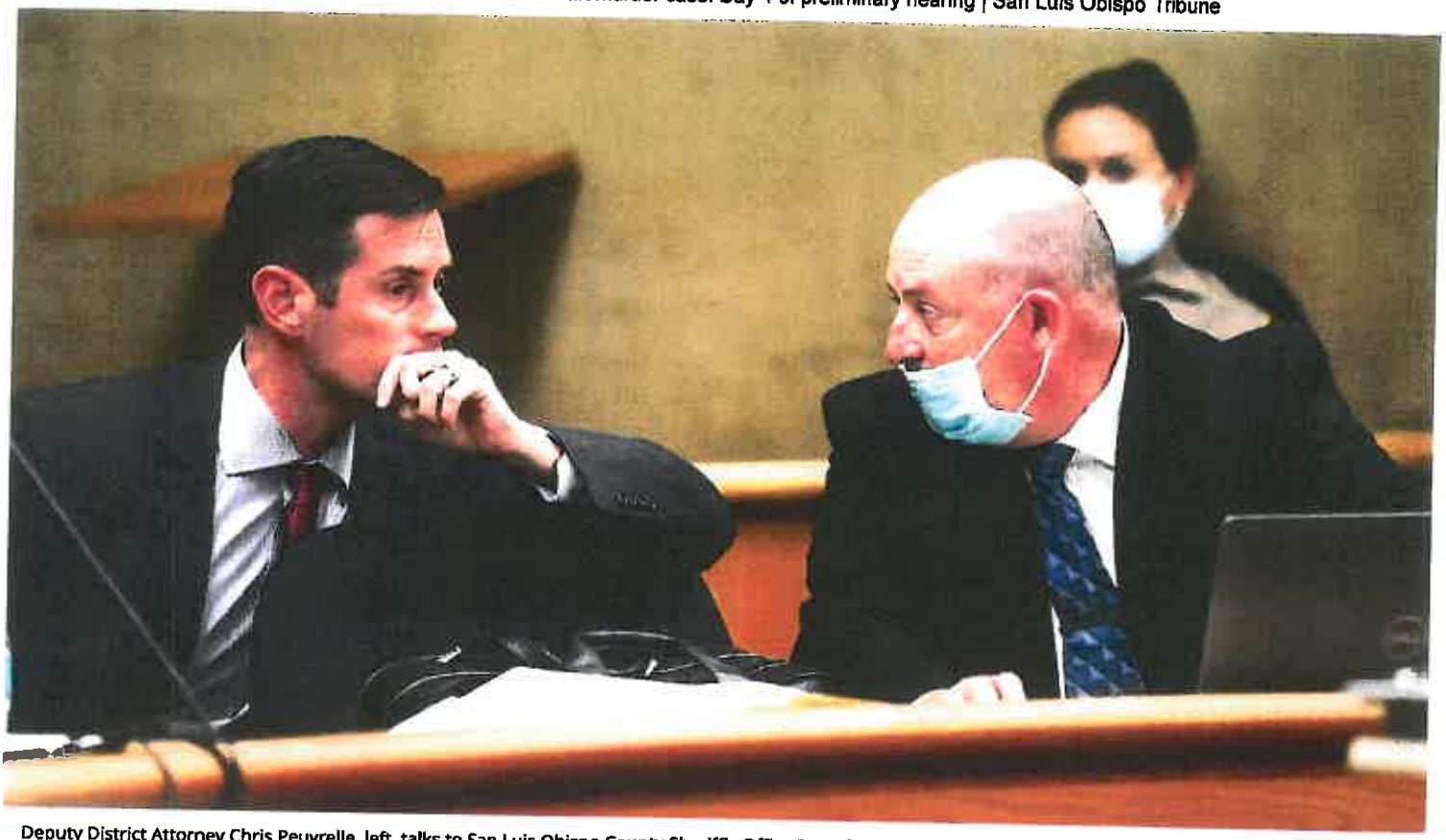
"That's when things started getting surreal," she said. "This was not like Kristin (to be gone for 24 hours)."

Looking back, Campos said she's frustrated because, after the dorm mates reported Smart missing, Cal Poly police officers took all their statements in a group setting, with people spitballing off each other.

She added that the detectives who initially worked on the case were "demoralizing" in their questions and in what they chose to put in their reports.

"They shamed me for being friends with someone like Kristin," Campos said. "There was so much defamation of character. ... There was a lot of unconscious bias in the case."

She said that changed when San Luis Obispo County Sheriff's Office Det. Clint Cole took over the case.



Deputy District Attorney Chris Peuvrelle, left, talks to San Luis Obispo County Sheriff's Office Det. Clint Cole during a Aug. 3, 2021, preliminary hearing for Paul and Ruben Flores, accused of murdering and concealing the body of missing Cal Poly freshman Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

Campos said she emailed county Sheriff Ian Parkinson to set up a meeting with the most recent investigator because "some of the details might not be there (in past detectives' reports)."

"I felt that (Cole) had a very unbiased approach to the case," she said. "I knew that my voice and the voice of other students were going to be heard like never before. ... I felt like I was being listened to."

Under cross examination, Campos denied making several statements that the defense quoted from various investigative reports. She attributed those alleged misstatements to the biases of past investigators that interviewed her.

Deeply affected by her friend's disappearance, Campos said that she left Cal Poly in her sophomore year, enrolling in an abnormal psychology course elsewhere.

"(Smart's disappearance) was pulling me and drawing me in," she said. "I took classes because I wanted to understand the psychology about Paul."

Campos said she would be awoken at night by scary sounds outside her window, and would be afraid to look because "I was afraid it would be Kristin and she would be mad because I abandoned her."

Smart, she noted, went missing with her dorm key.

Campos described her friend as being goal-oriented and "not a follower." Smart was "at the time in her life when she wanted to find love and a partnership," she said.

Asked by Sanger about once calling Smart a "tease" to a detective, Campos said her friend was "very determined. She was a very determined woman."

Asked by defense attorney Harold Mesick if she has any idea where Smart may be, Campos took a long pause.

"Kristin's no longer alive," she said.



San Luis Obispo County Sheriff Ian Parkinson answers questions at a news conference on Tuesday, April 13, 2021, where he announced the arrests of Paul Flores and Ruben Flores in connection with the disappearance of Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

PAUL FLORES, FATHER ACCUSED OF KILLING CAL POLY STUDENT, HIDING BODY

After a decades-long investigation, Paul and Ruben Flores were arrested in connection with Smart's disappearance on April 13 in San Pedro and Arroyo Grande, respectively, and the San Luis Obispo District Attorney's Office announced the criminal charges against the men the following day.

Paul Flores, a San Pedro resident, is charged with one count of murder. Ruben Flores, who lives in Arroyo Grande, is charged with felony accessory after the fact.

Paul Flores and his father pleaded not guilty at their arraignment on April 19, when van Rooyen ordered Paul Flores be held without bail.

Paul Flores remains in San Luis Obispo County Jail, where he's being held without bail for the remainder of proceedings.

Ruben Flores was released from County Jail on April 22, hours after Superior Court Judge Craig van Rooyen significantly lowered his bail because he is not a flight risk or a risk to public safety.

Ruben Flores remains out of custody.

Paul Flores faces a sentence of 25 years to life if convicted of first-degree murder.

Ruben Flores faces a maximum of three years if convicted of the accessory charge, though it is not clear if that sentence would be served in County Jail or state prison.

This story was originally published August 5, 2021 11:01 AM.

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MATT FOUNTAIN

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Matt Fountain is The San Luis Obispo Tribune's courts and investigations reporter. A San Diego native, Fountain graduated from Cal Poly's journalism department in 2009 and cut his teeth at the San Luis Obispo New Times before joining The Tribune as a crime and breaking news reporter in 2014.



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BY KAYTLYN LESLIE

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Kristin Smart murder case: Here's what happened on Day 2 of preliminary hearing

BY MATT FOUNTAIN AND KAYTLYN LESLIE
UPDATED AUGUST 04, 2021 5:42 PM



Defendants Paul and Ruben Flores appear in San Luis Obispo Superior Court for a preliminary hearing in connection with Kristin Smart's disappearance. Paul Flores is accused of murdering the Cal Poly student and hiding her body with his father's help. BY DAVID MIDDLECAMP

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Latest update to this story >> >> Kristin Smart hearing: Here's what happened on Day 3 of preliminary hearing

A former resident of Cal Poly freshman Kristin Smart's campus dorm on Tuesday described the man accused of killing her as "a lurker, a creep" who hung around Smart's residence hall room in the months leading up to her disappearance in 1996.

Another former student who helped the Cal Poly freshman back toward her residence hall following a late-night party testified that the last memory she has of

Smart is of Paul Flores carrying her up Perimeter Road with his arm around her waist.

TOP ARTICLES

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"I didn't think anything bad was going to happen to her," Cheryl Manzer, previously known as Cheryl Anderson, testified in San Luis Obispo Superior Court on Tuesday afternoon.

Witness testimony resumed Tuesday morning in the preliminary hearing in the case of Smart, who was allegedly murdered more than 25 years ago.

Paul Flores, 44, is the last person to see the 19-year-old Smart alive after walking her back from the party toward the Cal Poly campus residence halls on May 24, 1996. He is accused of raping or attempting to rape Smart in his dorm room before killing her.

Smart's body has never been found, but investigators believe it was buried at the Arroyo Grande home of Paul Flores' father, 80-year-old Ruben Flores, and "recently" moved, according to a San Luis Obispo County probation report.

Tuesday marked the second day of testimony in an evidentiary hearing for Paul and Ruben Flores that's expected to last at least 12 days.

The preliminary hearing, originally scheduled for early July, had been postponed several times as the defense continued to gather alleged evidence in the case from the prosecution.

Proceedings are not being live-streamed and media in attendance are under strict rules prohibiting the use of electronic devices in the courtroom.

At the conclusion of the hearing, Superior Court Judge Craig van Rooyen will rule whether prosecutors established probable cause — a lesser standard of proof than guilt beyond a reasonable doubt — to proceed the case toward trial.

Here's what happened during the hearing's second day.



San Luis Obispo Superior Court Judge Craig van Rooyen is presiding over the preliminary hearing of Paul and Ruben Flores, who are accused of crimes related to the disappearance of Cal Poly student Kristin Smart in May 1996. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

FORMER NEIGHBOR TESTIFIES ABOUT SEEING PAUL FLORES IN KRISTIN SMART'S ROOM

On Tuesday morning, van Rooyen heard testimony from Steven Flemming, a close friend of Smart's during their freshman year.

Flemming said the two hit it off shortly after he moved to the building in 1996.

He and Smart would talk about their problems including his own homesickness, Flemming said, though she was more mature and listened more than shared.

"In school, you have certain people who just get you, and she got me," Flemming said. "She helped me through some stuff. ... Sometimes I feel like I failed her."

Flemming recalled two occasions where he saw Flores, who lived in nearby Santa Lucia Hall, sitting alone in the common area of the Muir Hall at about 1 a.m. — "lurking," in Flemming's words.

On another occasion, Flemming said he saw Flores in Smart's dorm room, though he didn't know why. He recalled seeing Smart being "standoffish" to Flores. Flemming said Smart was too kind of a person to tell Flores off.

"Everyone knew Paul (Flores) was creepy. A lot of women felt uncomfortable around him," Flemming said on the stand. "He was not welcome."



Paul Flores appears in San Luis Obispo Superior Court on Tuesday, Aug. 3, 2021, during the second day of his preliminary hearing. He is accused of murdering Cal Poly student Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

Paul Flores' defense team attempted to poke holes in Flemming's recollection of seeing Flores in Smart's dorm room.

Defense attorney Robert Sanger asked Flemming under cross examination about how details of his account changed between the time he was first interviewed by the FBI in 1999 and when he was next interviewed, this time by San Luis Obispo County investigators, in July 2021.

Flemming testified early Tuesday that he witnessed Flores in Smart's ground-floor room in Muir Hall with a friend of Smart's.

"It was definitely weird. It was like it was not warranted" for Flores to be there, Flemming said. "It didn't seem right. It seemed like she was uncomfortable."

But Flemming hadn't used such strong language when he spoke to FBI agents in 1999, Sanger pointed out, and made a statement along the lines of thinking that Smart and Flores might have been dating.

In his recent interview with local officials, however, Flemming was much more critical of Flores, repeatedly using words such as "creepy" and "creeper" as well as profanities in describing Flores.



From left, defense attorney Robert Sanger reads back a statement to a witness on Tuesday, Aug. 2, 2021, during a preliminary hearing in San Luis Obispo Superior Court. He and Sara Sanger, center, both represent murder defendant Paul Flores. At right is San Luis Obispo County assistant district attorney Chris Peuvrelle. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

At one point in the recent interview, Flemming said, "Can I say with 100% certainty it was Paul (in Smart's room)? No," according to Sanger's reading of an investigative report.

Flemming said in response that the case has "brought back memories" from that time that he's tried to suppress for decades.

"I wanted to dump everything about this out of my memory," he said. "You wish, if I could just push the rewind button."

He never watched a TV show or news report about the Smart case in the years since his first interview, he said, and a career of the military and law enforcement service has changed his perception of what could have happened to Smart.

"So you formed an opinion?" Sanger asked him.

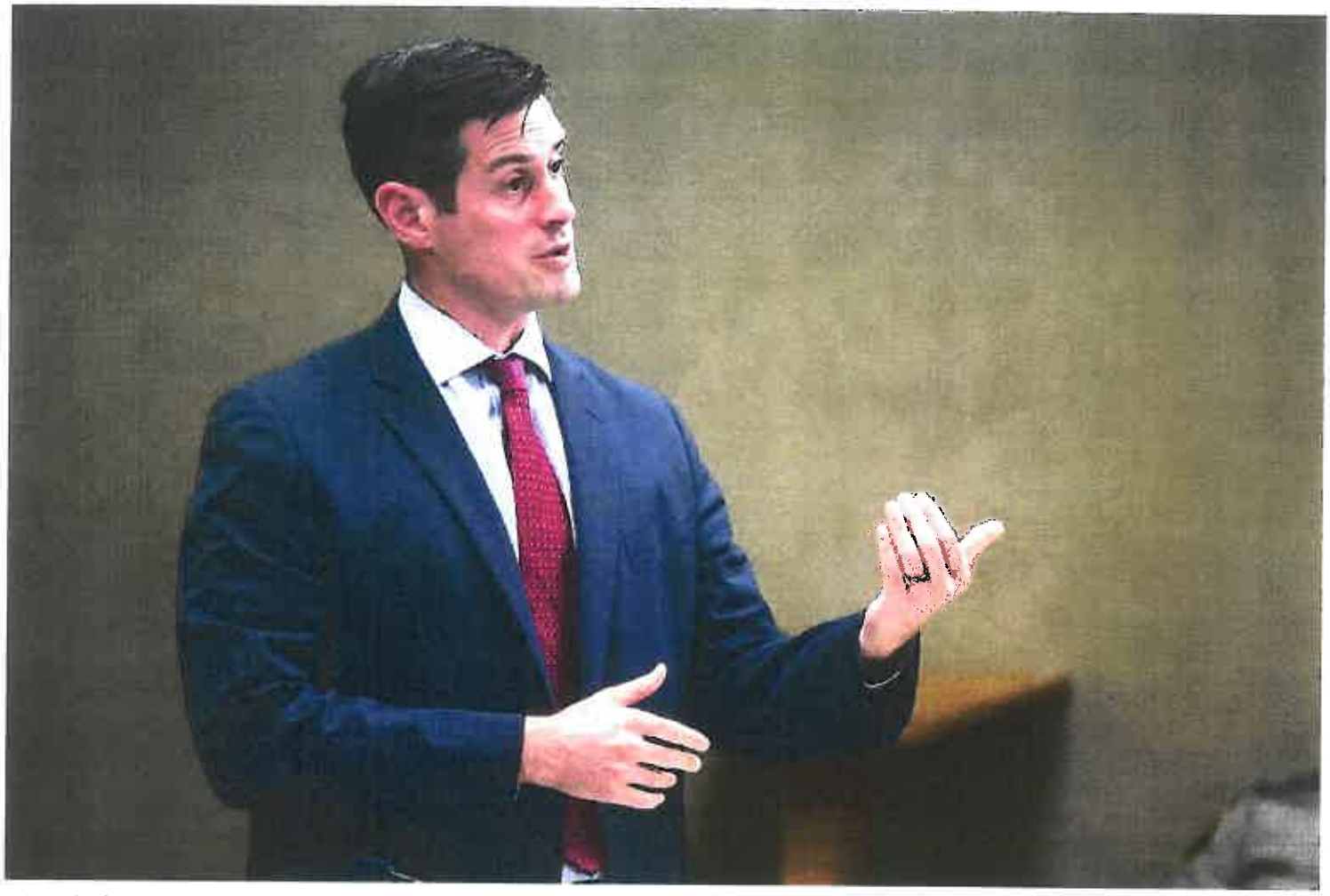
"This is America. I can have an opinion," Flemming responded.

"Now you're 100% sure (it was Flores in Smart's room)?" Sanger asked.

"Yes," Flemming responded. "I do recognize Paul (in the courtroom). Paul was in Kristin's room."

Asked by Sanger if he felt responsible for Smart's disappearance, Flemming replied, "Responsible? I don't feel responsible. I just miss her."

Flemming was excused just before the lunch recess.



San Luis Obispo County Assistant District Attorney Chris Peuvrelle asks a question of a witness in San Luis Obispo Superior Court on Tuesday, Aug. 3, 2021, during a preliminary hearing for Paul and Ruben Flores. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

DEFENDANT INQUIRED ABOUT SMART AT PARTY, FORMER FRATERNITY MEMBER SAYS

Matthew Toomey, who was a Cal Poly fraternity member and student in May 1996, attended the party on Crandall Way. He testified following the lunch recess that Smart approached him at the house early into the party.

Toomey described her as in a moderate state of intoxication.

He said Smart approached him about his male friend at the party, asking if the man would find her attractive. She then asked Toomey if he thought she was attractive, to which he said "Yes," he recalled.

Smart then walked off, Toomey said.

Shortly thereafter, Toomey said, Flores walked up to him. He asked if Toomey knew anything about Smart, he testified.

"You could tell he was interested," Toomey said.

He later saw Smart lying on the lawn in the front yard of the house as he was leaving around midnight, he said. Toomey walked up to her and told her she couldn't stay there.

She told him to "Leave me here. Leave me alone," Toomey said.



Paul Flores puts on a new N95 mask in San Luis Obispo Superior Court on Tuesday, Aug. 3, 2021, during a preliminary hearing. He is accused of the murder of Cal Poly student Kristin Smart. Robert Sanger, one of his attorneys, is at right. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

EX-STUDENT DESCRIBES SEEING SMART WALK AWAY FROM PARTY WITH FLORES

Manzer, the former Cal Poly student student who helped walk Smart toward the dorm after the party with Flores, testified Tuesday in San Luis Obispo Superior Court that Paul Flores joined her and another student as they attempted to walk a heavily intoxicated Smart back to her Muir Hall dorm room.

He soon began trying to convince Manzer to leave the two alone, promising to return Smart safely to her dorm, she said on the stand Tuesday.

Manzer said she attended the May 24, 1996, party on Crandall Way and saw both Smart and Flores there.

She said Flores came up to her at one point and put his arm around Manzer. It was not a welcome advance, Manzer said.

After her friends left her behind, Manzer asked another friend, Tim Davis, to walk her back to her room at the Sierra Madre residence halls, she said.

As they left the house at about 1 a.m., Davis saw Smart lying on the ground outside and helped her to her feet, Manzer said.

Smart was "definitely intoxicated" and stumbling, Manzer said.

Not far from the house, Flores walked up and joined the three, and Davis soon departed the group, Manzer said, after she told him he should turn back.

"I didn't want to inconvenience him," she said.

The remaining three continued on slowly, with difficulty due to Smart's inebriation, she said.

Flores had his arm around Smart's waist to steady her, Manzer said, though she said under cross examination that she didn't see Flores touching Smart inappropriately.

"Paul said, 'You can go back,' " Manzer testified. "I said I did not want to walk back alone."

He insisted a second time, and at the corner of Perimeter Road and Grand Avenue, Flores tried to kiss her, Manzer said. When she said "No," he asked for a hug, she said.

"I asked him if he was going to get Kristin to her room, and he said 'Yes,' " Manzer said.

Beyond those exceptions, there wasn't much conversation during the walk, she added.

Asked if she had any personal knowledge of what happened to Smart that night, Manzer responded: "I know that she walked the rest of the way home with Paul Flores."

Manzer, who said she did not know Smart by name prior to that night, knew Flores from a mutual class and from other parties.

At the tail end of the proceeding, Det. Clint Cole, the lead San Luis Obispo Sheriff's Office investigator in the case, briefly testified to how he obtained a 1996 Arroyo Grande Police Department mug shot of Flores that hasn't yet been admitted as evidence.

That testimony is scheduled to resume at 9 a.m. Wednesday.

PAUL FLORES, FATHER ACCUSED OF KILLING KRISTIN SMART, HIDING BODY

After a decades-long investigation, Paul and Ruben Flores were arrested in connection with Smart's disappearance on April 13 in San Pedro and Arroyo Grande, respectively, and the San Luis Obispo District Attorney's Office announced the criminal charges against the men the following day.

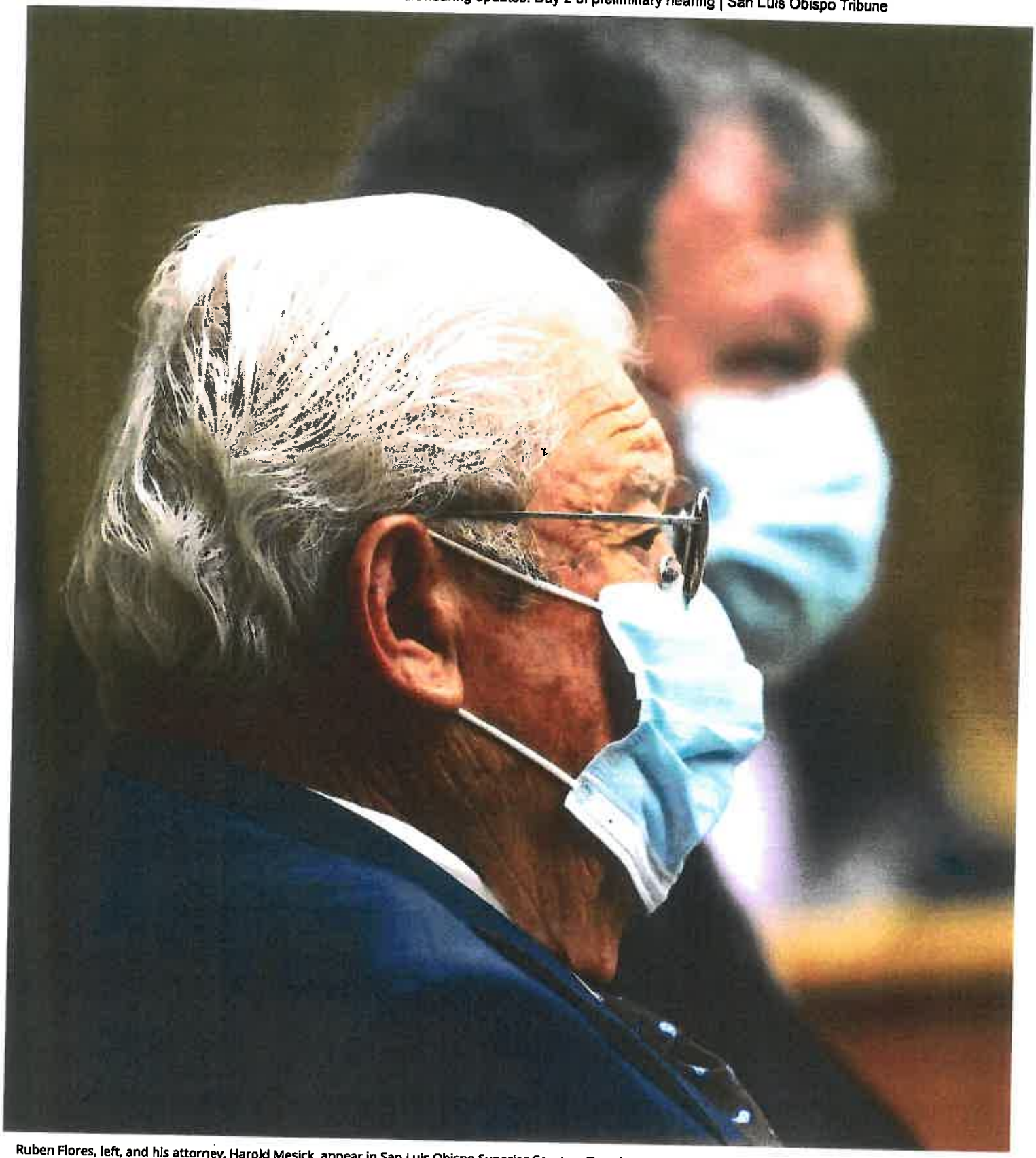
Paul Flores, a San Pedro resident, is charged with one count of murder. Ruben Flores, who lives in Arroyo Grande, is charged with felony accessory after the fact.

Paul Flores and his father pleaded not guilty at their arraignment on April 19, when van Rooyen ordered Paul Flores be held without bail.

Paul Flores remains in San Luis Obispo County Jail, where he's being held without bail for the remainder of proceedings.

Ruben Flores was released from County Jail on April 22, hours after Superior Court Judge Craig van Rooyen significantly lowered his bail because he is not a flight risk or a risk to public safety.

Ruben Flores remains out of custody.



Ruben Flores, left, and his attorney, Harold Mesick, appear in San Luis Obispo Superior Court on Tuesday, Aug. 3, 2021 during in a preliminary hearing. Flores faces a felony accessory charge in connection to the disappearance of Cal Poly student Kristin Smart in May 1996. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

Paul Flores faces a sentence of 25 years to life if convicted of first-degree murder.

Ruben Flores faces a maximum of three years if convicted of the accessory charge, though it is not clear if that sentence would be served in County Jail or state prison.

Court records related to an unsuccessful prosecution attempt to charge Paul Flores with two counts of rape involving female victims in Los Angeles were unsealed in court last month.

In addition to information from 29 women about Flores' alleged sexually predatory behavior, the San Luis Obispo County District Attorney's Statement of the Case also showed that investigators found video evidence of rape of an intoxicated person against Flores at his San Pedro home, as well as traces of human blood in disturbed soil underneath Ruben Flores' home.

This story was originally published August 3, 2021 11:00 AM.

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MATT FOUNTAIN (805) 781-7909

Matt Fountain is The San Luis Obispo Tribune's courts and investigations reporter. A San Diego native, Fountain graduated from Cal Poly's journalism department in 2009 and cut his teeth at the San Luis Obispo New Times before joining The Tribune as a crime and breaking news reporter in 2014.



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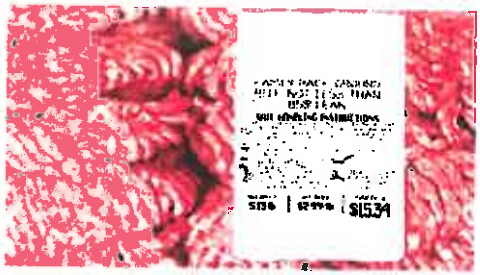
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CRIME

Kristin Smart hearing: Cadaver dog gave 'the strongest alert' on Paul Flores' dorm room

BY MATT FOUNTAIN

UPDATED AUGUST 11, 2021 6:04 PM



A preliminary evidence hearing for Kristin Smart murder case defendants Paul and Ruben Flores in San Luis Obispo, California, resumes with witness testimony.
BY KSBY

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A handler for dogs trained to detect human remains testified that a dog she used to search a Cal Poly residence hall room for any trace of missing student Kristin Smart in 1996 "was absolutely one of the most trained dogs in California."

That dog "gave me probably the strongest alert I've seen her do," the handler, Adela Morris, said on the stand Wednesday afternoon.

Witness testimony continued Wednesday in the month-long preliminary hearing in the case against Paul Flores and his father, Ruben Flores.

TOP ARTICLES

SLO County weather forecast: Clear skies this week — and warmer temps are on the way

Prosecutors allege Smart was murdered by Paul Flores during a rape attempt in his residence hall room more than 25 years ago.

Paul Flores, 44, is the last person known to have seen the 19-year-old freshman alive after walking her back from a party toward the Cal Poly campus residence halls on May 24, 1996.

Smart's body has never been found but investigators believe her remains were buried at the Arroyo Grande home of 80-year-old Ruben Flores, and recently moved.

Morris spent Wednesday morning on the stand in San Luis Obispo Superior Court defending her qualifications and those of her former dog, Cholla, which was one of four dogs in total to alert on Paul Flores' former dorm room in Santa Lucia Hall.

The defense objected to Morris' testimony, saying that foundation was not established to show what can be concluded from a cadaver dog alert when no forensic evidence was recovered from the site of the hit.

Superior Court Judge Craig van Rooyen overruled that objection, finding that Morris could testify to what Cholla alerted to in the room.

Wednesday marks the seventh day of testimony in the evidentiary hearing for Paul and Ruben Flores, which van Rooyen said is likely to proceed through August.

Paul Flores, a San Pedro resident, is charged with one count of murder. His father is charged with felony accessory after the fact.

More than a dozen people — including Smart's parents and former friends and classmates of Smart and Paul Flores, as well as current and retired San Luis Obispo County Sheriff's Office and Cal Poly campus detectives, Flores' ex-girlfriend and a cadaver dog expert — have testified since the hearing began Aug. 2.

At the conclusion of the hearing, van Rooyen will rule whether prosecutors established probable cause — a lesser standard of proof than guilt beyond a reasonable doubt — to proceed the case toward trial.



After Paul Flores moved out of his Santa Lucia Hall dorm room, investigators searched the empty and cleaned room. Cadaver dogs each independently react to Flores' room. Here's how Santa Lucia Hall looks today. Joe Johnston *JJOHNSTON@THETRIBUNENEWS.COM*

DOG HANDLER TALKS ABOUT SEARCH OF PAUL FLORES' DORM ROOM

In total, four cadaver dogs from three different handlers ultimately alerted on Paul Flores' dorm room on June 29, 1996, after the room had been cleaned by Cal Poly housing services.

Each dog was brought in separately, and handlers were not informed what the others found prior to their respective searches.

Morris testified Wednesday that she and Cholla, who was certified by the state through a training program, reported to Santa Lucia Hall on the Cal Poly campus at the request of law enforcement.

She said she knew before arriving that her search was related to the missing Smart, but not much else, including why they were searching in Santa Lucia.

Morris was the second handler to bring a dog through the building, she said.

Her first dog, which was trained only to find the location of decomposing human remains, immediately "ran down the hall" of the first floor of Santa Lucia Hall and scratched at Paul Flores' former room, Room 128, which was closed and locked.

"I just put my dog to work and I stayed by the (front) door," Morris said, adding that Cholla returned to her to signal the alert and then returned to Room 128 again.

Once let inside, Cholla "alerted multiple times" to the left side of the room — Flores' side — targeting a bed mattress, a desk and a garbage can.

"Everything on the left side," Morris said.

Morris said the dog had "no interest" in the right side of the room or any other room in Santa Lucia Hall.

A second dog, which Morris called her back-up dog, was used to gather a second opinion in the Santa Lucia search. That dog, Cirque, had a similar reaction to Flores' room with "extremely animated strong alerts," Morris said.

"All he wanted to do was go to that door (to Room 128)," Morris said, adding that Cirque also spent time alerting to the left side of the room. Morris described Cirque's behavior as "confident, animated and unwilling to stop."

Under cross-examination, defense attorney Robert Sanger asked Morris about the near-100-degree weather that day; Morris conceded that hot weather "diminishes" the results of a cadaver search.

Sanger also brought up a letter Morris wrote to her mentor in K-9 forensics following the residence hall searches, which was written before Morris submitted her written report on the searches to the Sheriff's Office.

The letter was written after Morris spoke to another handler about how his dog reacted to Room 128, and Morris said on the stand that by the time she wrote the letter she knew four dogs had alerted to the room.

She was asked by Sanger why she wrote the letter to a peer and included information about the other searches before she had completed her own assignment.

"I just wanted to know if he had a similar case or if he had any thoughts for me," Morris said, adding that it was highly unusual in her experience to have "a case where dogs are alerting and there is no body."

She said that the letter she wrote had no impact on her findings with Cholla.

Sanger asked Morris if she was aware there was a mini-fridge at the foot of the dorm room bed that was no longer in the room at the time of the search. She said, "no."

Asked if the refrigerator could have, toward the end of the school year, contained some "volatile organic compound" such as rotting meat that would have triggered the dogs, Morris replied, "Only if it was human."

She said human food is treated as a negative during cadaver dogs' training.

Sanger asked Morris why "particles of scent" remain in a location after a body or bodily fluid is removed.

"There are still a lot of things that are not understood" about the science behind scent, Morris said, adding that she's not qualified to speak to the science.

"The stronger the scent source, the longer those residuals will stick around," Morris said.

FORMER FRAT MEMBER TO TESTIFY ABOUT NIGHT OF PARTY THURSDAY

Testimony is scheduled to continue Thursday morning with Tim Davis, a Cal Poly student who walked Smart up toward her dorm following the May 24, 1996, house party on Crandall Way.

Davis took the stand very briefly late Wednesday and testified to the layout of the house at 135 Crandall Way, which he described as a "dirty, dingy college house that three boys lived at."

He is expected to testify about the night of the party, namely what happened when Paul Flores joined Davis, Smart, and fellow student Cheryl Manzer (then Anderson) on the walk toward the residence halls in which Flores was left alone with Smart.

This story was originally published August 11, 2021 3:32 PM.

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MATT FOUNTAIN (805) 781-7909

Matt Fountain is The San Luis Obispo Tribune's courts and investigations reporter. A San Diego native, Fountain graduated from Cal Poly's journalism department in 2009 and cut his teeth at the San Luis Obispo New Times before joining The Tribune as a crime and breaking news reporter in 2014.



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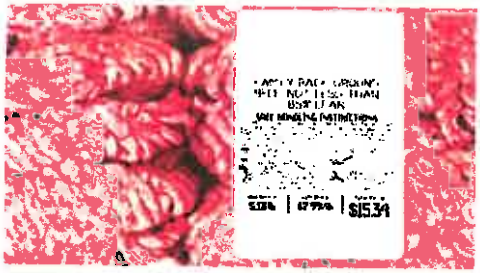
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CRIME

Murder defendant Paul Flores allegedly told woman he 'took care of' Kristin Smart

BY NICK WILSON

UPDATED SEPTEMBER 20, 2021 7:47 PM



Raw video shows investigators searching the home of Ruben Flores in Arroyo Grande on April 13, 2021, in the disappearance of Cal Poly student Kristin Smart, who's been missing since 1996. BY NULL

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A key witness testified Monday in San Luis Obispo Superior Court that she feared for her safety after a conversation she had with the man accused of killing Cal Poly student Kristin Smart.

Jennifer Hudson said on the stand that murder defendant Paul Flores told her in 1996 that he had "taken care of" Smart, then laughed about it.

Hudson, who was 17 years old at the time, said she didn't tell anyone about Flores' comments for the next six years because she feared for her life.

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"I was afraid I'd end up missing or buried someplace," Hudson testified.

Paul Flores, now 44, is the last person known to have seen the 19-year-old freshman alive after walking her back from the party toward the Cal Poly campus residence halls on May 24, 1996.

Smart's body has never been found, but investigators said in court documents that her remains were buried at Ruben Flores' Arroyo Grande home but recently moved.

Monday marked the 22th full day of proceedings as the evidentiary hearing began its seventh week.

The hearing, which began Aug. 2, was tentatively scheduled to conclude by Sept. 10. However, the prosecution revealed in court Aug. 9 that it still had at least one witness remaining and the defense has yet to call any of its proposed witnesses.

It is unclear whether the hearing will conclude by the end of this week.

When testimony concludes and an outstanding defense motion to exclude evidence gathered in the case is decided, Superior Court Judge Craig van Rooyen will rule whether prosecutors established probable cause — a lesser standard of proof than guilt beyond a reasonable doubt — to proceed the case toward trial.

Here's what happened in court so far Monday.



San Luis Obispo County Deputy District Attorney Christopher Peuvrelle appears in San Luis Obispo Superior Court on Tuesday, Aug. 31, 2021, during a preliminary hearing for Paul and Ruben Flores, who face charges in the case of missing Cal Poly student Kristin Smart. Dave Minsky *SANTA MARIA TIMES*

WITNESS WAITED YEARS TO SPEAK ABOUT PAUL FLORES' COMMENTS

Hudson previously testified on Aug. 12 that she initially met Paul Flores at a house party gathering. That's where she heard Flores claim he "took care of" Smart and put her body under a skateboard ramp in rural Arroyo Grande, she said.

"He had a smirk when he said it, like it was a joke," Hudson said Monday. "Anyone would have been terrified if they heard it."

After she'd heard Flores make that claim about Smart, Hudson said, she saw him at a skate area in Huasna, near where she lived at the time.

On Monday, Hudson said in Superior Court that she waited six years before telling her then-boyfriend, Justin Goodwin, about Flores' comment.

Within the past two years, she shared that information with Chris Lambert, whose "Your Own Backyard" podcast explores the Smart case, with the understanding he'd communicate it to law enforcement.

Hudson later shared the same information with the San Luis Obispo County Sheriff's Office, she said.

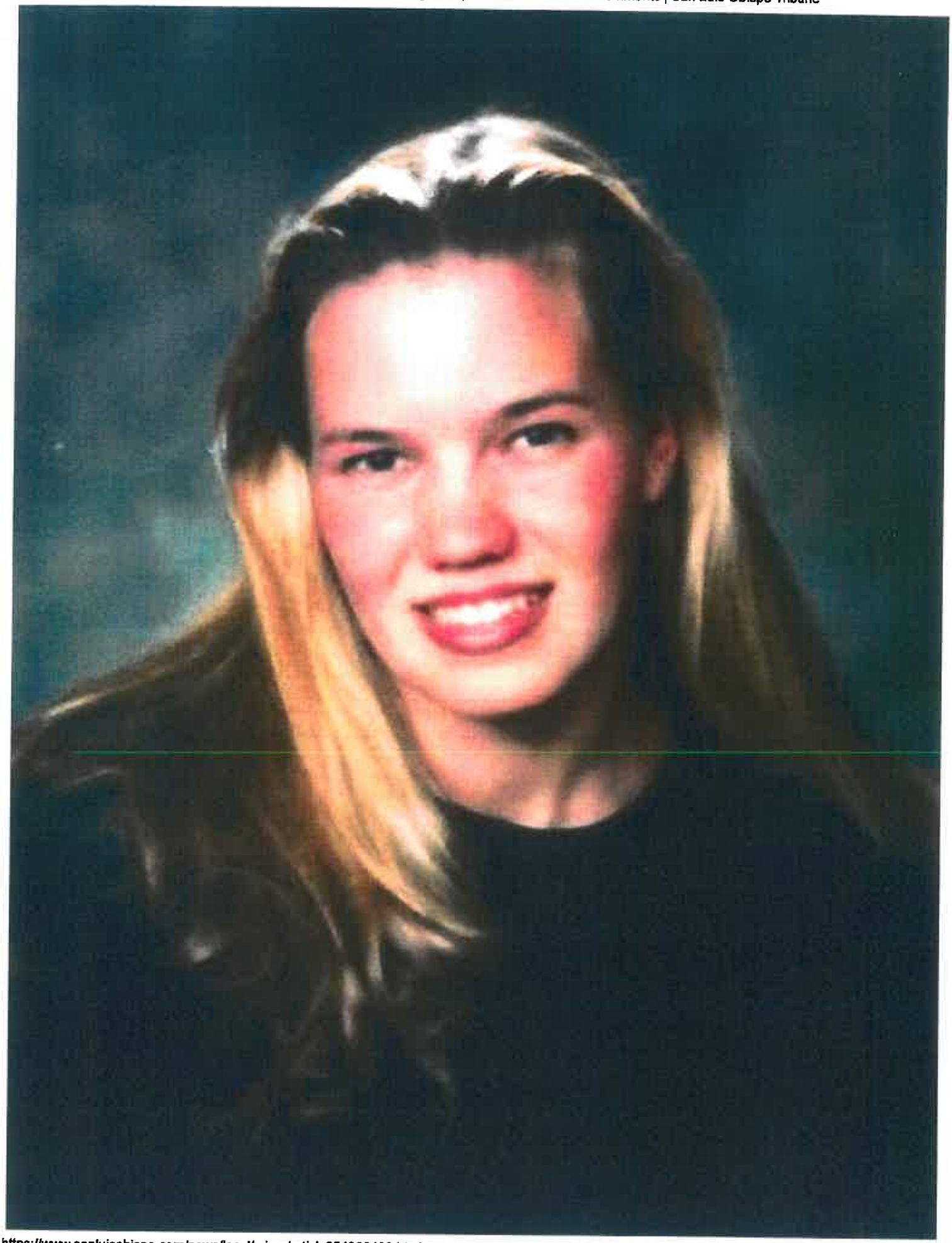
However, Hudson she said she was turned off by Goodwin and Lambert's attitude toward the Smart case, saying they were "trying to play cop."

"They began to have a negative attitude about the former sheriff and the current sheriff and people in the office," Hudson said. "It didn't sit right."

Lambert asked Hudson not to share information with Det. Clint Cole, the lead Sheriff's Office investigator in the Smart case, she testified.

Hudson said she became aware of a reward for information in Smart's disappearance after Goodwin told her, but she added that she spoke out to "help bring the family peace."

"I didn't care about (the reward)," she said.



Kristin Smart was last seen walking back to her dorm from an off-campus party on May 25, 1996. She was 19 and finishing her freshman year at Cal Poly. Courtesy photo

DEFENSE QUESTIONS WITNESS ABOUT PAST DRUG USE

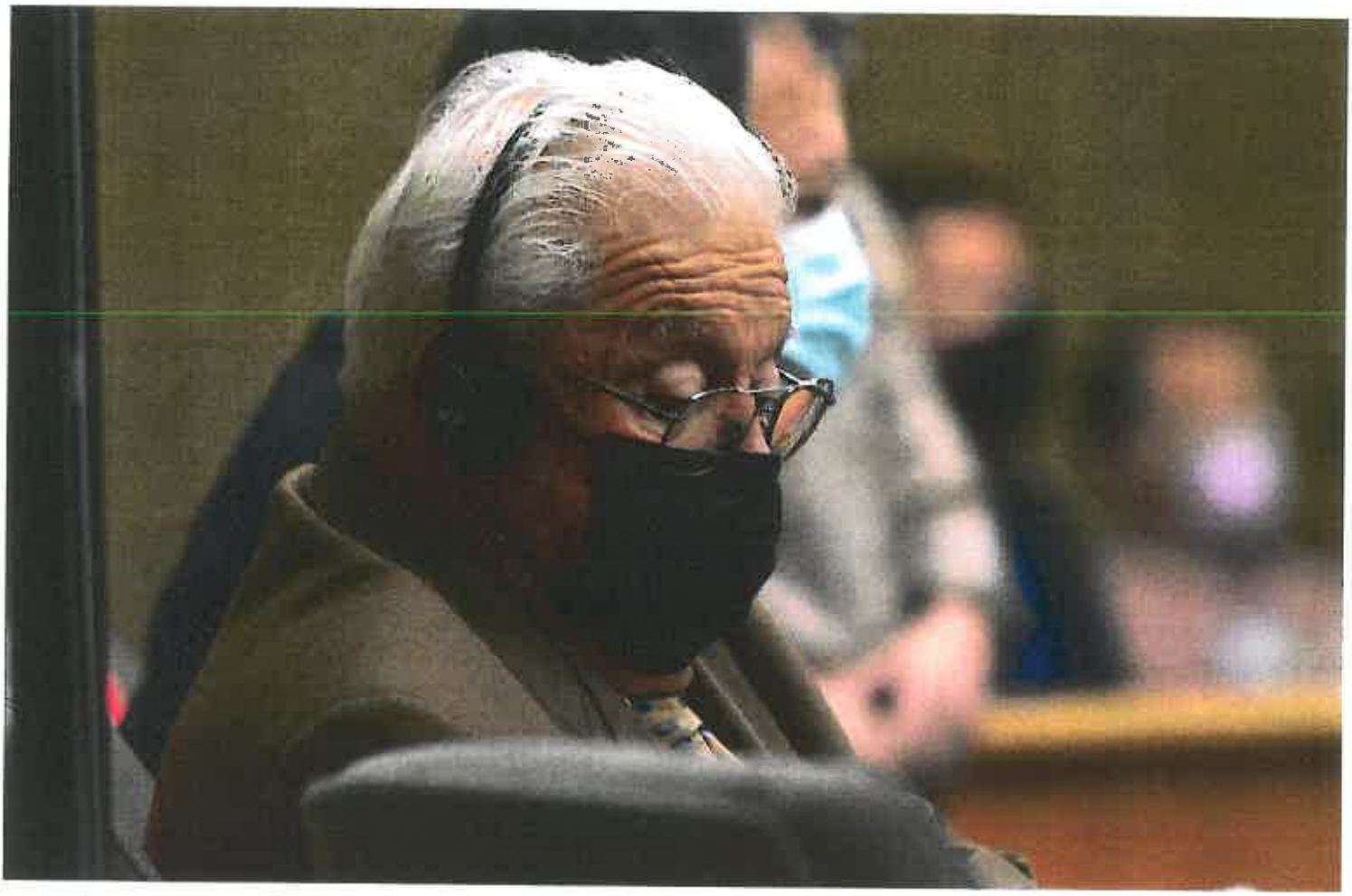
In cross-examination, defense attorneys for Paul and Ruben Flores asked questions about Hudson's past drug use.

Hudson acknowledged using methamphetamine off and on, but said she wasn't doing so at the time she'd met Flores and heard his statement, nor has her memory been affected, she said.

The defense asked about associations with a motorcycle gang as well.

Hudson said she had met members of the Hell's Angels through her parents as a child but was not in close contact with them, nor did she consider herself directly associated.

She said that she first met a member of another motorcycle gang at age 32, but that was long after anything to do with Flores.



Ruben Flores appears in San Luis Obispo Superior Court on Tuesday, Aug. 31, 2021, during a preliminary hearing for him and his son, Paul Flores. The hearing continued Monday. Dave Minsky *SANTA MARIA TIMES*

DETECTIVE: FORMER TENANT BLOCKED FROM PART OF RUBEN FLORES' HOME

Cole also took the stand Monday.

He testified that David Stone, who lived at Ruben Flores' home on White Court in Arroyo Grande between 2010 and 2020, said that Stone told him the elder Flores forbid him from going under the deck.

Stone kept two 55-gallon drum containers there for storage for a couple of weeks before Ruben Flores told him to remove the items, Cole said.

Also, Stone said Flores told a plumber not to go under the deck to complete a repair, which Flores said he'd do himself, Cole testified.

Stone also told Cole that he heard Flores use a pejorative to describe Smart, the detective said.

Defense attorney Harold Mesick, who is representing Ruben Flores, asked Cole if Stone ever had anything "negative" to say about Ruben Flores.

Cole said Stone didn't express any negative feelings about Flores.

"He lived there nearly 11 years," Mesick said of Stone. "That's longer than the average of 8.5 years of marriage in California."

NEIGHBOR SAYS SHE SAW VEHICLES AT FLORES HOME

Before attorneys presented closing arguments to end the preliminary hearing, Flores' neighbor Jami Lyn Holman testified she saw a cargo trailer and red sports utility vehicle, as well as a camper trailer, at Flores' property.

"That was unusual," Holman said.

Holman, whose two-story home has a view of the Flores residence, said it was unusual because of the way the SUV was pulled to the side of Ruben Flores' home.

Holman said she heard yelling and swearing about dusk.

The vehicles were parked there four days after a law enforcement search of the property, which she learned about from the news, Holman said.

The next morning, before she left the work, the vehicles were still there, Holman said, but she never saw the cargo trailer after that.

Holman first texted Lambert the information, who passed it on to the Sheriff's Office. The agency interviewed her a year later after Paul and Ruben Flores were arrested.

Defense attorneys opted not to call any witnesses during the preliminary hearing.

The defense and prosecution then presented their arguments as to whether sufficient evidence exists for the case to go to trial.

After a one-day break, Van Rooyen expects to make his ruling on Wednesday.

This story was originally published September 20, 2021 1:39 PM.

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NICK WILSON

805-781-7922

Nick Wilson covers the city of San Luis Obispo and has been a reporter at The Tribune in San Luis Obispo since 2004. He also writes regularly about San Luis Obispo, Morro Bay and Los Osos, as well as sports. He is a graduate of UC Santa Barbara and UC Berkeley and is originally from Ojai.



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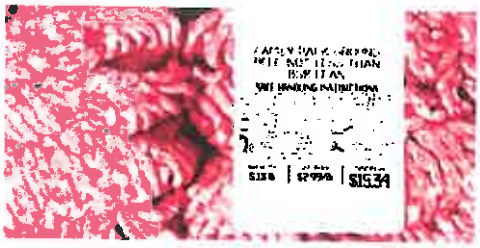
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CRIME

Detective in Kristin Smart case says body-shaped stain was found in Ruben Flores' trailer

BY MATT FOUNTAIN AND KAYTLYN LESLIE
UPDATED SEPTEMBER 01, 2021 7:08 PM



Defendants Paul and Ruben Flores appear in San Luis Obispo Superior Court for a preliminary hearing in connection with Kristin Smart's disappearance. Paul Flores is accused of murdering the Cal Poly student and hiding her body with his father's help. BY DAVID MIDDLECAMP

A San Luis Obispo County Sheriff's Office detective testified Wednesday that he didn't have any "inappropriate contacts" with a female witness in the case against two men accused in the disappearance of Cal Poly freshman Kristin Smart.

The detective, Clint Cole, also said some of his communications with the witness, Jennifer Hudson, were automatically deleted from his phone and were not available to provide the defense.

Cole later testified about blood found under a deck as well as "suspicious activity" at the Arroyo Grande property of defendant Ruben Flores involving a utility trailer.

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Testimony resumed Wednesday in San Luis Obispo Superior Court in the preliminary hearing for Flores and his son, Paul Flores.

Paul Flores, now 44, is the last person known to have seen the 19-year-old freshman alive after walking her back from the party toward the Cal Poly campus residence halls on May 24, 1996.

Smart's body has ever been found but investigators said in court documents that her remains were buried at the Ruben Flores' White Court home but recently moved.

Flores is charged with felony accessory after the fact, while his son, San Pedro resident Paul Flores, is charged with one count of murder.

Wednesday marked the 16th day of proceedings as the evidentiary hearing reaches the halfway point of its fifth week. The hearing, which began Aug. 2, is now tentatively scheduled to conclude by Sept. 10; both parties said on Monday that proceedings are behind schedule.

At the conclusion of the weeks-long preliminary hearing, Superior Court Judge Craig van Rooyen will rule whether prosecutors established probable cause — a lesser standard of proof than guilt beyond a reasonable doubt — to proceed the case toward trial.

Here's what happened in court Wednesday.



Sheriff's Det. Clint Cole, left, and deputy district attorney Chris Peuvrelle listen to arguments at the July 14, 2021, hearing for Paul and Ruben Flores in the Kristin Smart murder case. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

DETECTIVE DEFENDS COMMUNICATIONS WITH WITNESS

Jennifer Hudson testified Aug. 12 that she was hanging out with friends in San Luis Obispo in 1998 when a public service announcement about Smart's disappearance came on the radio.

Hudson said Paul Flores, who was also in attendance, said out loud, "That b—h was a d--k tease and I'm done playing with her and I put her under my ramp in Huasna."

Hudson testified that she didn't tell the police about the interaction, but did tell a roommate, Justin Goodwin, in 2001. Goodwin called the anonymous tip line set up for the investigation into Smart's disappearance.

Goodwin has not testified in the preliminary hearing, but was a fixture on local social media pages dedicated to Smart.

Cole took the stand briefly Tuesday afternoon to testify about an alleged confession given by Ruben Flores when Cole and an investigator came to his home in May to take a DNA test.

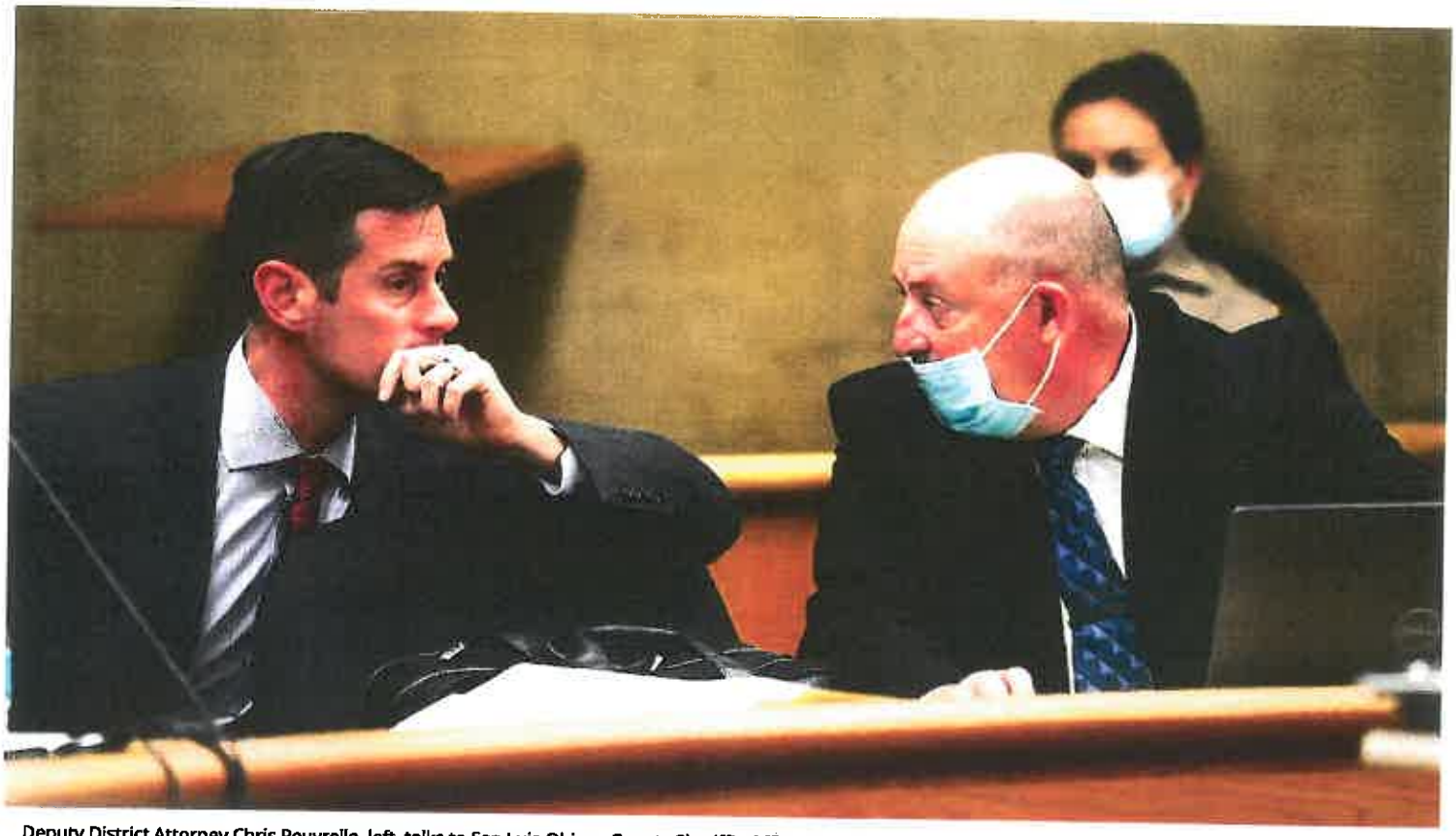
On Wednesday, Cole was cross-examined by Paul and Ruben Flores' defense team.

Robert Sanger, representing Paul Flores, questioned Cole on the stand about "inappropriate contacts" he allegedly had with Hudson and an unnamed administrator of one of the several social media pages dedicated to Smart's case. That second person was not identified in court and Sanger indicated through his questioning that the judge in the case is not allowing her name to be mentioned in open court, as she has not been called as a witness.

Though he did not specifically say it Wednesday morning, Sanger in past questioning has referred to "late-night phone calls" Cole allegedly made to Hudson.

Sanger asked Cole if he ever invited Hudson to have "whiskey and dinner after the case was done."

"She may have asked if it was appropriate to have lunch after the case is done," Cole replied.



Deputy District Attorney Chris Peuvrelle, left, talks to San Luis Obispo County Sheriff's Office Det. Clint Cole during a Aug. 3, 2021, preliminary hearing for Paul and Ruben Flores, accused of murdering and concealing the body of missing Cal Poly freshman Kristin Smart. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

Cole testified that he used the encrypted communications application WhatsApp to communicate with Hudson — per her request, he said — and said the two had fewer than 10 conversations that were either not recorded or were deleted from Cole's personal cell phone.

Cole said that he had set his phone to delete messages automatically every 30 days unless he manually preserved them.

The detective was asked whether he would periodically call to check in on Hudson, who, according to records and past testimony, once had a drug addiction.

"Obviously, because of her testimony and her background, which you are aware of, I would keep in touch with her, and that's not uncommon here," Cole told Sanger.

Sanger asked if Hudson ever reached out to him at 4 a.m. because she couldn't sleep. Cole said he didn't know, but said he probably wouldn't have answered.

Cole was also asked about his communications with Goodwin, who he called a "loose cannon" and said was being vocal about insider information on the case on social media. Cole said he had to tell Goodwin in an email to restrain himself from speaking publicly about the case.

Cole said he preserved some of his communications with Goodwin because he said Goodwin was "attacking me, attacking the Sheriff's Office."

Through his questioning, Sanger implied that Goodwin in late 2020 became upset about "inappropriate contacts" with Goodwin and an unnamed person who moderated a social media page dedicated to Kristin Smart.

Sanger said the unnamed individual was so upset they took the issue directly to Sheriff Ian Parkinson. It's unclear what became of that complaint.

Asked whether Goodwin had accused Cole of inappropriate communications with Hudson, Cole replied: "Yes, he did say that."

Despite the issue making its way to his boss, Cole testified that he "was never worried" that the issue would impact his investigation or the prosecution's case.

Sanger again made a verbal request for any records of Cole's communications with the two individuals that haven't already been provided to the defense.

"What counsel says simply does not exist and the court should shut this down," Deputy District Attorney Christopher Puevrelle said.

INVESTIGATORS FOUND 'VERY SUSPICIOUS STAIN' IN UTILITY TRAILER

After the lunch recess, Harold Mesick, Ruben Flores' attorney, questioned Cole about his testimony late Tuesday that Flores made an inadvertent admission of guilt in May when he and an investigator went to his Arroyo Grande home to collect a cheek swab.

When Ruben Flores learned that they had secured a warrant for similar swabs for his ex-wife, Susan Flores, and her boyfriend, Mike McConville, Flores asked why, stating, "They didn't commit a felony, I did."

The detective testified that he quickly corrected himself and said, "I mean, I'm the only person that's been arrested."

Mesick asked Cole if it was possible he misheard Flores.

"I know what I heard," Cole said, noting that the interaction was audio recorded.

Asked how he came to the conclusion that a crime had occurred on the White Court property, Cole said that blood was found in disturbed soil four feet deep underneath Ruben Flores' porch.

Previously unsealed court documents from the prosecution allege that a forensic serologist "found four samples that tested positive for human blood located in the deeper soil," but the expert could not rule out primate or ferret blood.

Cole also testified that a witness provided a photograph of "suspicious activity" at the White Court property in March 2020 following a law enforcement search. The witness reported seeing a utility trailer parked at the house and activity occurring under the back deck involving Susan Flores and McConville.

Cole said a fence had to be removed to fit the trailer where they parked it. The fence partly concealed the trailer from view from the roadway, the detective said.

Investigators seized that trailer and used chemical agents to discover a "very suspicious stain" near a side door that was "similar to a human body laying on its side," Cole said.

The detective continued that a tenant of 10 years at the property, David Stone, told him that Ruben Flores blocked access to underneath the deck with a padlock and refused to let anyone down there, including a plumber.

That lock remained when law enforcement searched the property in March 2020, Cole said. But it was gone during a subsequent search in April 2020.

Cole said numerous witnesses have reported that Ruben Flores "is very unusually protective" of his property "as if he's overly protecting something on that property."

"I believe that the family did assist (Paul Flores) using one of their vehicles at their disposal," Cole said.

GENERAL CONTRACTOR TESTIFIES ABOUT BUILDING WHITE COURT HOUSE

Edward Chadwell, a retired general contractor, testified Wednesday afternoon that he previously owned the White Court property and built the house for Susan and Ruben Flores.

He was at the property every day during work on the six-month project, Chadwell said, and there were no injuries suffered by any worker, nor did crews discover any human, primate or ferret remains while laying the foundation.

Under cross examination, Chadwell revealed that Susan Flores reported him to the contracting board after he completed the house.

Chadwell acknowledged that he told investigators that Susan Flores was "vicious." According to Sanger, Chadwell told investigators that "It had to be Susan running this."

"If there's justice in this world, I hope she'll be held accountable," Chadwell told Cole, according to Sanger's reading of a transcript of the phone call.

Susan Flores, who is not facing charges and has attended every hearing seated in the audience behind her son, stared straight ahead without any visible emotion at the contractor's words.

This story was originally published September 1, 2021 1:25 PM.

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MATT FOUNTAIN (805) 781-7909

Matt Fountain is The San Luis Obispo Tribune's courts and investigations reporter. A San Diego native, Fountain graduated from Cal Poly's journalism department in 2009 and cut his teeth at the San Luis Obispo New Times before joining The Tribune as a crime and breaking news reporter in 2014.



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Man on stolen motorcycle leads officers on high-speed chase from Los Osos to Atascadero

BY KAYTLYN LESLIE
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The chase reached 100 mph at one point.

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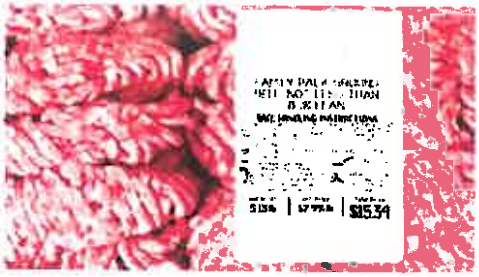


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Kristin Smart case: Crime scene investigator describes stains in soil under Ruben Flores' deck

BY MATT FOUNTAIN

UPDATED SEPTEMBER 03, 2021 9:45 AM



Defendants Paul and Ruben Flores appear in San Luis Obispo Superior Court for a preliminary hearing in connection with Kristin Smart's disappearance. Paul Flores is accused of murdering the Cal Poly student and hiding her body with his father's help. BY DAVID MIDDLECAMP

A San Luis Obispo County Sheriff's Office crime scene investigator testified in court Thursday about discovering dark-colored stains in a patch of soil up to four feet deep underneath the home of Ruben Flores, father of the man accused of murdering Cal Poly freshman Kristin Smart.

Samples from the soil taken during the excavations in March and April allegedly showed the stained soil tested positive for traces of likely human blood, the

prosecution has previously alleged in the preliminary hearing for Flores and his son, Paul Flores.

Paul Flores, now 44, is the last person known to have seen the 19-year-old freshman alive after walking her back from the party toward the Cal Poly campus residence halls on May 24, 1996.

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Smart's body has never been found, but investigators said in court documents that her remains were buried at the Ruben Flores' Arroyo Grande home but recently moved.

Flores is charged with felony accessory after the fact, while his son, San Pedro resident Paul Flores, is charged with one count of murder.

Thursday marked the 17th day of proceedings as the evidentiary hearing nears the end of its fifth week.

The hearing, which began Aug. 2, is now tentatively scheduled to conclude by Sept. 10.

At the conclusion of the weeks-long preliminary hearing, Superior Court Judge Craig van Rooyen will rule whether prosecutors established probable cause — a lesser standard of proof than guilt beyond a reasonable doubt — to proceed the case toward trial.

Here's what happened in court Thursday.



Dogs trained to alert at the scent of human remains were brought in to search. San Luis Obispo County Sheriff's Office is searching the Arroyo Grande home of Ruben Flores under a warrant, father of Paul Flores, the sole person of interest in missing Cal Poly student Kristin Smart's disappearance. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

CADAVER DOG HANDLERS DESCRIBE 2021 SEARCH OF RUBEN FLORES' HOUSE

The court has heard testimony from three handlers of human remains detecting K-9s regarding their searches in 1996 of Paul Flores' Santa Lucia Hall dorm room. Each of the four dog alerted to the presence of a scent of remains in the room, namely around a mattress and bed frame.

But on Thursday, van Rooyen heard for the first time from two similar dog handlers who, in March, conducted cadaver searches of Ruben Flores' home at 710 White Court.

The prosecution alleges that Ruben Flores concealed Smart's buried remains in an enclosed area underneath Ruben Flores' backyard deck. Those remains were recently removed and taken to an unknown location, according to unsealed court documents.

Kristina Black, a California Rescue Dog Association-certified human remains detection dog handler who volunteers for the Santa Clara County Sheriff's Search and Rescue team, testified Thursday morning that she was requested to respond to Flores' home on March 15, 2021.

She and her Belgian Malinois, Annie, searched the backyard and was asked to search behind lattice underneath the deck. Annie "started to show change in behavior" at one location near a small doorway, Black said.

She characterized the change in behavior as Annie keeping her nose down, snorting and breathing heavily, but she said the dog "did not go to her final response," or a bona fide alert to human remains.



A Volkswagen Cabriolet is towed away from the Arroyo Grande home of Ruben Flores, father of Paul Flores, suspect in the 1996 disappearance of Cal Poly student Kristin Smart, on March 15, 2021. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

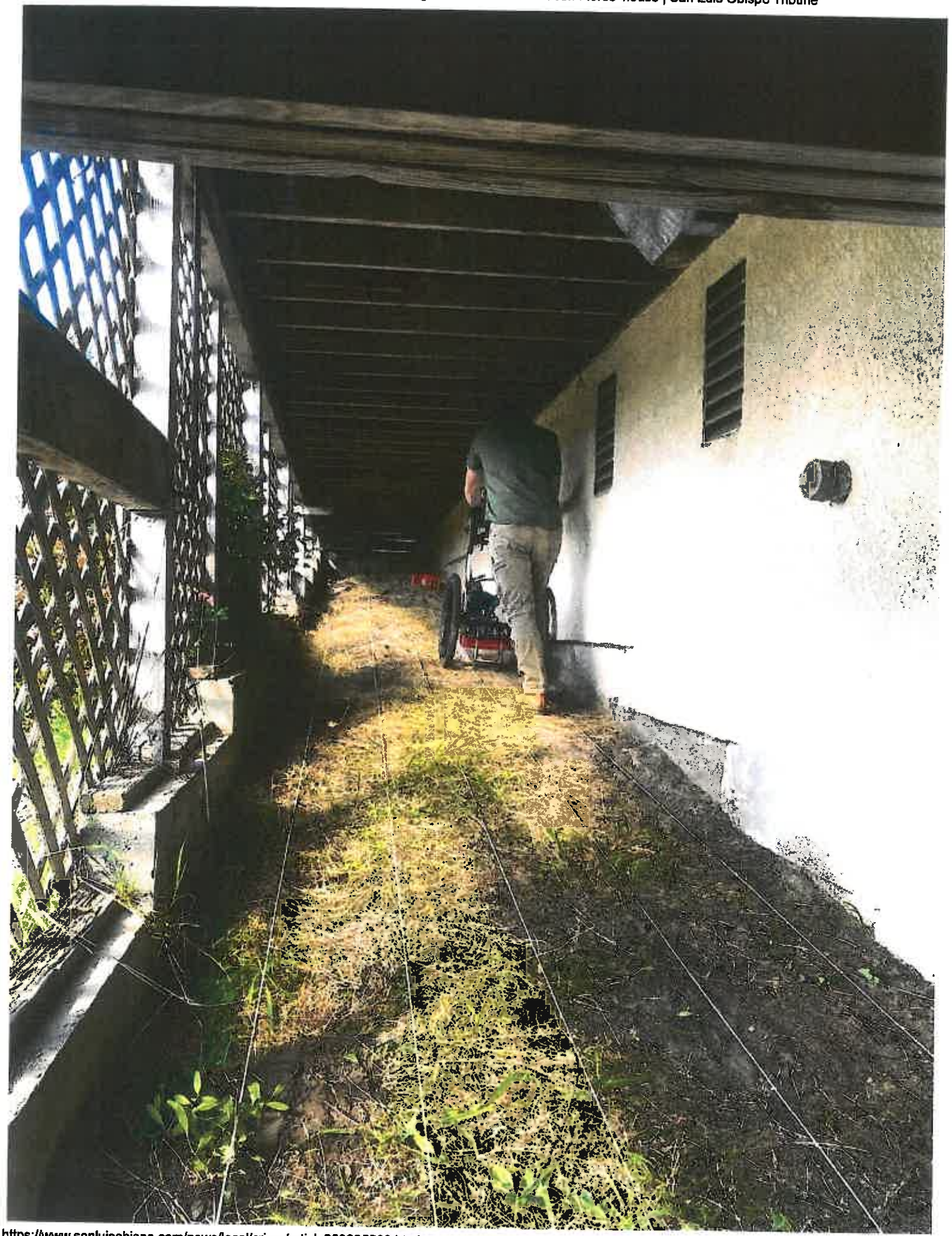
Under cross examination, Black said that she and Annie searched a 1985 Volkswagen in the garage and the dog did not give any alert.

Karen Atkinson, another dog handler who was also present during the March 15 search, similarly testified following the morning recess that her dog, an English lab named Amiga, was also a seasoned and "reliable" human remains detection dog with more than 200 searches completed.

Underneath the deck, Amiga also exhibited a "change in her behavior" — but not what is considered a full alert — Atkinson said.

The court was expected to once again hear testimony from previous witness Jennifer Hudson, who said she heard Paul Flores admit to burying Smart in Huasna and is a party to defense allegations of misconduct against the head detective in the case.

Before the lunch recess, however, deputy district attorney Christopher Peuvrelle revealed that Hudson was ill and unavailable to testify Thursday, and he was granted permission to take another witness out of order Thursday afternoon.



A radar operator examines earth below the Arroyo Grande home of Ruben Flores, father of Paul Flores, who has been named the "prime suspect" in the 1996 disappearance of Cal Poly student Kristin Smart, on March 16, 2021.

SHERIFF'S FORENSICS SPECIALIST DESCRIBES STAINED SOIL UNDER DECK

Sheriff's Office forensic specialist Shelby Liddell testified Thursday afternoon that she's been a forensic specialist, a non-sworn position, with the county Sheriff's Office for three years. Forensic specialists document and collect evidence at crime scenes.

Liddell said that she reported to 710 White Court on March 15 and 16 while law enforcement searched the property.

Liddell was present when the two cadaver dogs conducted their search, and with the help of an archaeologist dug up a section of dirt under the deck that caused the dogs' "change in behavior."

Liddell described how investigators created a grid for excavation over the spot, with Liddell and the archaeologist taking over digging efforts once the hole reached about two feet deep and a stain started to become visible.

The two used small trowels to carefully dig further in thin layers of soil, with each layer revealing even more staining, which became darker and more pronounced the deeper the hole became.

Peuvrelle showed Liddell dozens of her photographs from the scene, focusing in on the alleged staining, which appeared as dried liquid-like shapes of discolorization surrounded by dark edges.

Liddell testified that she collected samples of the soil containing the dark edges — what she called "the thickest areas with the darkest staining" — and secured them in evidence bags. At about the 4-foot mark, the two hit rocky, solid soil and the two refilled the hole before the search wrapped up March 16.

She returned to the property April 13, she said, and investigators removed the stretch of deck above the patch of dirt in question to better access it, she said.



An unidentified radar operator examines earth below the Arroyo Grande home of Ruben Flores, father of Paul Flores, "prime suspect" in the 1996 disappearance of Cal Poly student Kristin Smart, on March 16, 2021. Courtesy of San Luis Obispo County Sheriff's Office

During this later dig, the patch was completely excavated and the staining was again photographed before more samples were taken of both that soil as well as control samples from different edges of the property.

On Wednesday, Sheriff's Office Det. Clint Cole, the head investigator in the case, testified that a witness provided a photograph of "suspicious activity" at the White Court property in March 2020 in which the witness saw Ruben Flores, Susan Flores, and her boyfriend Mike McConville park a utility trailer at the house and activity occurring under the back deck.

Investigators seized that trailer and used chemical agents to discover a "very suspicious stain" near a side door that was "similar to a human body laying on its side," Cole said Wednesday.



San Luis Obispo County Sheriff's investigators at the Arroyo Grande home of Ruben Flores, father of Paul Flores, "prime suspect" in the 1996 disappearance of Cal Poly student Kristin Smart, during a search of the property on March 16, 2021. Courtesy of San Luis Obispo County Sheriff's Office

On Thursday, Liddell testified that she examined the trailer, using the chemical agent Bluestar to reveal the stain described by Cole.

A photograph projected in court showed a glimmering blue spatter on the trailer's darkened plywood floor just inside from a side access door that, from where the trailer was parked, could back up directly in front of the lattice door leading underneath the deck.

Liddell said investigators cut out the floor of the trailer, which she said is owned by McConville, and sent it to a lab outside San Luis Obispo County.

Under cross examination, Liddell testified that she did not know the results of testing from that lab.

Beyond blood, she said that Bluestar has been documented to magnify certain household cleaners, some vegetables and foods, as well as certain paints and varnishes.

Defense attorney Robert Sanger asked whether a body that has been deceased for more than 20 years would release as much blood as was supposedly shown in the photograph, Liddell said that the staining was not likely caused by blood, but "decomposition fluid."

Liddell is expected to resume cross-examination Friday morning.

This story was originally published September 2, 2021 6:55 PM.

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MATT FOUNTAIN (805) 781-7909

Matt Fountain is The San Luis Obispo Tribune's courts and investigations reporter. A San Diego native, Fountain graduated from Cal Poly's journalism department in 2009 and cut his teeth at the San Luis Obispo New Times before joining The Tribune as a crime and breaking news reporter in 2014.



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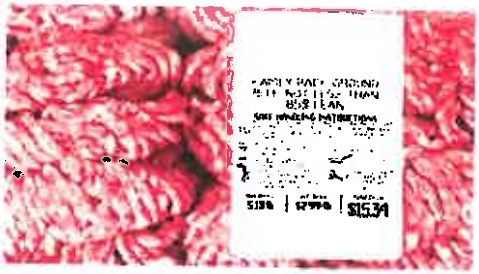
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Kristin Smart case: Retired chief DA investigator recounts interviews with Paul Flores

BY STEPHANIE ZAPPELLI, KAYTLYN LESLIE, AND MATT FOUNTAIN

UPDATED AUGUST 20, 2021 5:59 PM



Cal Poly student Kristin Smart disappeared on Memorial Day weekend in 1996 after walking back to campus from a party. This is the route she took the night she was last seen. BY JOE JOHNSTON

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During a preliminary hearing for two men accused in the murder of Cal Poly student Kristin Smart, a San Luis Obispo Superior Court judge denied a motion Friday to include evidence of defendant Paul Flores allegedly engaging in sexual misconduct.

Superior Court Judge Craig van Rooyen said the evidence, which the prosecution moved to have included in the hearing Friday, creates a risk of prejudice against Flores' character, while having "limited relevance" to the murder charges.

The evidence included rape fantasy pornography, home videos and statements from multiple alleged survivors.

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The San Luis Obispo County District Attorney's Office previously pushed for additional rape charges for Flores at the start of the hearing using much of the same evidence, but that too was denied with van Rooyen saying evidence of a sexual assault in the Smart murder case was "weak."

But van Rooyen did allow into evidence roughly 40 minutes of a two-hour video recording of Paul Flores' June 19, 1996, interview with two District Attorney's Office investigators.

Flores' defense had objected to the video's admission, arguing that the investigators in effect held Flores and wouldn't allow him to leave even though he asked several times.

Van Rooyen found that, within the 40- to 50-minute video clip that Deputy District Attorney Chris Peuvrelle was seeking to admit, Flores had volunteered the interview and should have reasonably known he could leave the interview.

The judge noted that the interview turned into something more akin to an interrogation.

The video will be accepted as evidence only for the purposes of the preliminary hearing, van Rooyen said.

Legal arguments and witness testimony continued Friday in the month-long preliminary hearing in the case against Paul Flores and his father, Ruben Flores, following a 2-day break this week.

The District Attorney's Office alleges Smart was murdered by Paul Flores, now 44, during a rape attempt in his residence hall room more than 25 years ago.

Flores is the last person known to have seen the 19-year-old freshman alive after walking her back from a house party toward the Cal Poly campus residence halls on May 24, 1996.

Smart's body has never been found but investigators believe her remains were buried at the Arroyo Grande home of 80-year-old Ruben Flores and recently moved.

Friday marks the 11th day of the evidentiary hearing for Paul and Ruben Flores; Peuvrelle said in court Friday he believes the prosecution will rest its case Sept. 3.

Paul Flores, a San Pedro resident, is charged with one count of murder. His father is charged with felony accessory after the fact.

More than a dozen people — including Smart's parents and former friends and classmates of Smart and Paul Flores, as well as current and retired San Luis Obispo County Sheriff's Office and Cal Poly campus detectives, Flores' ex-girlfriend and a cadaver dog expert — have testified since the hearing began Aug. 2.

At a scheduled hearing Wednesday, the court paused hearings until Friday so that the prosecution and defense could work out new discovery issues.

At the conclusion of the preliminary hearing, van Rooyen will rule whether prosecutors established probable cause — a lesser standard of proof than guilt beyond a reasonable doubt — to proceed the case toward trial.

Here's what's happened in court Friday.



Paul Flores puts on a new N95 mask in San Luis Obispo Superior Court on Tuesday, Aug. 3, 2021, during a preliminary hearing. He is accused of the murder of Cal Poly student Kristin Smart. Robert Sanger, one of his attorneys, is at right. David Middlecamp *DMIDDLECAMP@THETRIBUNENEWS.COM*

JUDGE DENIES USE OF EVIDENCE RELATED TO SEXUAL MISCONDUCT

A prosecution motion previously unsealed in the case alleges that at least 29 women had told investigators that Flores engaged in some form of sexual misconduct with them. Four of the women claim they were raped after being drugged at bars and at Flores' San Pedro home, according to the records.

Friday morning, the court took up a motion Peuvrelle filed to include alleged evidence of Paul Flores allegedly engaging in sexual misconduct.

In his argument, Peuvrelle stated that witnesses said they saw Kristin Smart with a red Solo cup while attending the party on Crandall Way next to campus.

Between an hour and an hour-and-a-half later, she was "passed out in the dirt," the prosecutor said, implying that Paul Flores drugged her.

Peuvrelle then presented statements made by other women who said they were drugged and raped by Flores.

"It's virtually the exact same MO in each of these cases," Peuvrelle said, arguing that Flores' tactic was to drug women, offer to take them home and then rape them.

Peuvrelle then described rape fantasy porn found on Flores' computer during a February 2020 search of his San Pedro home, which depicted a man breaking into a woman's home, putting a cloth over her mouth and raping her.

"Anyone who would repeat that and have an interest in that ... (it) is relevant to proving the intent to rape," Peuvrelle said.

On Friday, defense attorney Robert Sanger, who is representing Paul Flores, said that the evidence submitted by the prosecution is not related to the murder, so it should not be used in the hearing.

He also said that it's unfair to link the Smart case to the other women who said they were drugged.

"Saying it's his MO is way overboard," he said.

Van Rooyen denied the motion, saying the evidence did not relate to the murder charge, and ran the risk of reflecting badly on Paul Flores' character.

CHIEF DA INVESTIGATOR TESTIFIES ABOUT PAUL FLORES INTERVIEWS

On Friday afternoon, William Hanley, who was chief investigator for the District Attorney's Office and head of the agency's investigative bureau in 1996, took the stand to recount his interviews with Flores before the then-student stopped cooperating with authorities.

Hanley, who retired in 2018, recalled that he and former District Attorney's Office Investigator Larry Hobson — who drew a confession from San Luis Obispo serial killer Rex Krebs just a few years later — were contacted by Cal Poly police about a week after that agency took a missing persons report for Smart.

They reached out to Flores on May 31, 1996, to meet at the campus police department building and Flores showed up from his job at the campus store within 15 minutes, Hanley said.

Flores was initially very helpful and answered the investigators' questions, Hanley said.

In that initial interview, Flores said he only had an introduction with Smart at the Crandall party, but that he "didn't like those types of girls," Hanley said.

Flores described walking Smart to a location on Perimeter Road in between their two separate dorms, and last recalled seeing her walk off toward her room, Hanley said.

"So he told you she walked off on her own power essentially?" Peuvrelle asked Hanley. "That's correct," he responded.

When Hanley asked during the interview why Flores didn't walk Smart the final stretch to her room, Flores "said he didn't even think about it," Hanley said.

The investigator also testified that Flores had an injury — described as "the later stages of a black eye" — when he met with the investigators on May 31, 1996,, and explained that he was elbowed in the face at a basketball game on Memorial Day 1996, three days after Smart's disappearance.

At the conclusion of that interview, Hanley asked Flores what he thought happened to Smart.

Flores predicted "that she went off with somebody," and that "he said he thinks she's dead," Hanley said.

The court then took up arguments about whether to enter into evidence a video of Hanley and Hobson's second interview with Flores on June 19, 1996. During that interview, Flores repeatedly asked whether he could leave, while the investigators did their best to keep him talking.

Van Rooyen said he would allow the 40-minute clip to be entered as evidence for the hearing's purposes only.

Testimony in the prelminary hearing resumes Monday morning, with witnesses expected to include two San Luis Obispo Police Department detectives and the District Attorney's Office's current lead investigator in the case.

This story was originally published August 20, 2021 1:31 PM.

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STEPHANIE ZAPPELLI

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Stephanie Zappelli is a summer intern at The Tribune and covers breaking news, business and general assignment stories. She grew up in San Diego and is a fourth-year journalism major at Cal Poly. When not writing, Stephanie enjoys hiking, reading and exploring SLO.



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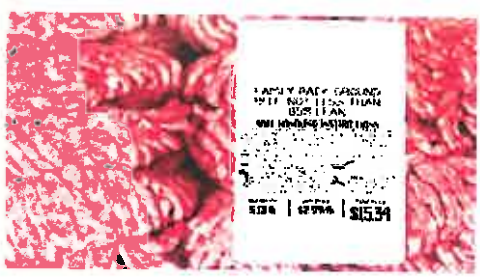
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Update: Investigators find 'items of interest' in Kristin Smart excavations at Cal Poly

osted: 1:00 am, September 12, 2016 by News Staff



:ristin Smart

he San Luis Obispo County Sheriff's Office announced Friday the FBI has concluded its excavation project on the Cal Poly campus. The purpose of the excavation was to determine if the remains of :ristin Smart or other evidence were buried on that property.



in

mart was a Cal Poly student who went missing in May, 1996. On Tuesday, the FBI's Evidence Recovery Team began excavating three sites on a hillside near the Cal Poly "P" landmark. Items of nterest were found at all three sites. Those items are now being further analyzed to determine if they are related to the Kristin Smart investigation.

"This is an involved process using forensic anthropologists and other experts and we may not know the results for days or weeks," the sheriff's office report says. "While the Sheriff's Office is hopeful these findings will be beneficial to the investigation, we urge the public to be patient throughout this process."

The sheriff's office did release any other information at this time.

Original report Sept. 6:

On Monday, the San Luis Obispo County Sheriff's Office, in conjunction with the FBI, began an excavation project on the Cal Poly campus to determine if the remains of Kristin Smart were buried on the property, according to a report from the sheriff's office

Smart is a Cal Poly student who went missing in May, 1996. This is one of several locations being looked at, and is being disclosed because of the high profile location, the report says. The sheriff's office is not disclosing any other locations at this time.

After a comprehensive review of the Smart case, a lead was developed over the past two years that strongly suggested the remains of Smart might be buried on the hillside near the Cal Poly "P" landmark.

Human Remains Detection dogs were brought in from FBI headquarters in Virginia to search the area in January of this year. These specially trained FBI canines independently alerted on locations of interest in this area of campus.

In the past five years, the sheriff's office has used the services of the FBI, California Department of Justice, Ventura County DNA Lab and the San Luis Obispo County District Attorney's Office.

Cal Poly President Jeffrey Armstrong has been informed and has been very supportive of this project, the report says.

Being mindful of the impact to Cal Poly, the sheriff's office chose to conduct the excavation before the fall quarter began. Realizing potential impacts to the environment, the sheriff's office contacted the state department of Fish and Wildlife for guidance to minimize the environmental impact during the project and for direction on site restoration when we are finished.

The Smart family has been kept apprised and is supportive of this new development, the report says.

The sheriff's office has invested thousands of investigative hours and thousands of dollars for this case over the past five years. "It is our hope this will lead us to finding Kristin and bring closure to her family and to the community," the report says.







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Update: Search warrants served for evidence in relation to Kristin Smart case

Posted: 6:41 am, February 5, 2020 by News Staff

Update posted Feb. 5, 2020:

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–The San Luis Obispo County Sheriff's Office announced this morning that it has served search warrants for specific items of evidence at four separate locations in California and Washington in relation to the Kristin Smart case. Two of those locations are in San Luis Obispo County, one location is in Los Angeles County and one location is in Washington State.

The search warrants are limited in scope and sealed by the court. As a result, the sheriff's office says they are precluded by law from disclosing any further details about them. This is an active and on-going investigation. The Sheriff's Office says they will not be commenting any further and no additional information will be released at this time, nor do they "anticipate any additional news releases regarding this investigation."

Update posted Jan. 30, 2020:

Sheriff's office now in possession of two trucks potentially related to Kristin Smart case



–In response to a large number of recent public inquiries, the San Luis Obispo County Sheriff's Office is releasing the following information in the Kristin Smart investigation:

The Sheriff's Detective Division has a team of investigators and forensic specialists who are actively working on the Kristin Smart case. Since 2011 this work has included:

- The service of 18 search warrants
- Conducting physical evidence searches at nine separate locations
- A complete re-examination of every item of physical evidence seized by all agencies involved in this case
- Submission of 37 evidence items from the early days of the case for modern DNA testing
- Recovery of 140 new items of evidence
- Conducting 91 person to person interviews
- The writing of 364 supplemental reports

Altogether the Sheriff's Office has spent approximately $62,000 in investigative expenses including, but not limited to, DNA forensic testing. Additionally, the Sheriff's Office has invested more than 7,500 employee hours since 2011 when Sheriff Parkinson took office.

Although it is generally not a practice for the sheriff's office to comment on items of evidence in active investigations, in this specific case they said that they can confirm that the Sheriff's Office currently holds two trucks in evidence that belonged to Flores family members in 1996.

The Sheriff's Office will not be commenting any further and no additional information will be released at this time.







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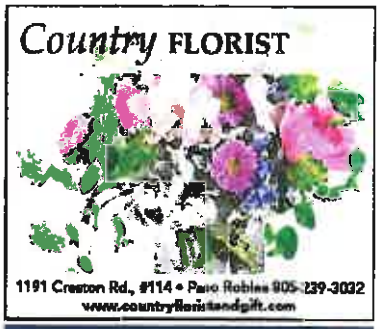


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A-Town Daily News

New search warrant served in Kristin Smart case

Posted: 2:17 am, April 23, 2020 by News Staff





Kristin Smart

-The San Luis Obispo County Sheriff's Office is announcing today that it has served another search warrant fo ontinues to be a person of interest in the disappearance of Kristin Smart in 1996





The sheriff's office was assisted today by the Los Angeles County Sheriff's Office.

In February, the sheriff's office served search warrants at four locations in California and Washington State. Today's search warrant only involved the home of Paul Flores.

As with the search warrants in February, this current search warrant is sealed by the court. As a result, the sheriff's office is precluded by law from disclosing any further details about them including items sought or recovered during the process.

This continues to be an active and on-going investigation. The sheriff's office will not be commenting any further and no additional information will be released at this time.







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About the author: News Staff

News staff of the A-Town Daily News wrote and edited this article from local contributors and press releases. Scott Brennan is the publisher of this newspaper and founder of Access Publishing. Connect with him on Google+, Twitter, LinkedIn, or follow his blog. He can be reached at scott@accesspublish



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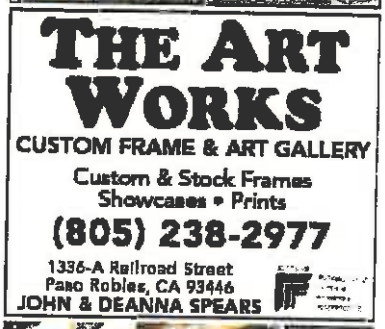


















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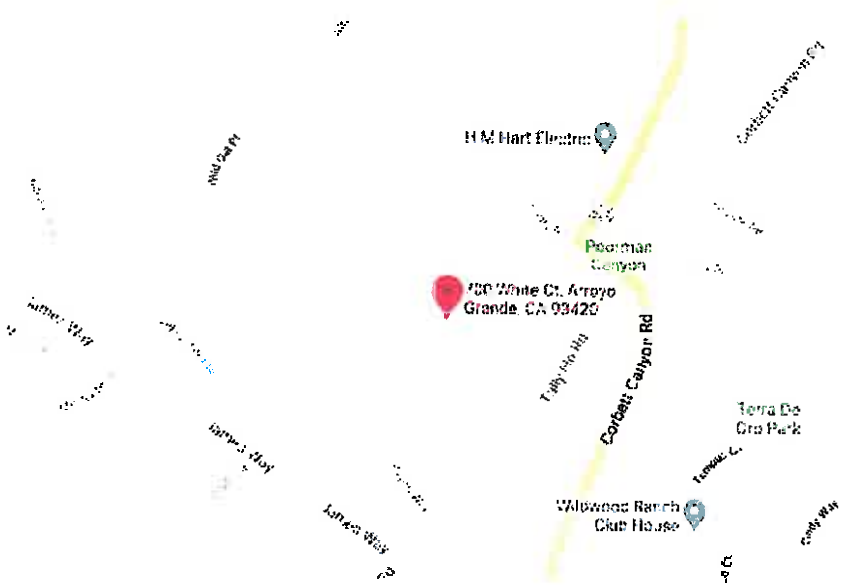
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A-Town Daily News

Search warrant issued in Kristin Smart investigation

Posted: 6:33 am, March 15, 2021 by News Staff



The warrant was served at the home of Ruben Flores in the 700 block of White Court in Arroyo Grande.

-The San Luis Obispo County Sheriff's Office this morning announced that it has served a search warrant at the Arroyo Grande home of Ruben Flores in the 700 block of White Court in Arroyo Grande. Flores is the father of Paul Flores, who remains the prime suspect in the disappearance of Kristin Smart in 1996.



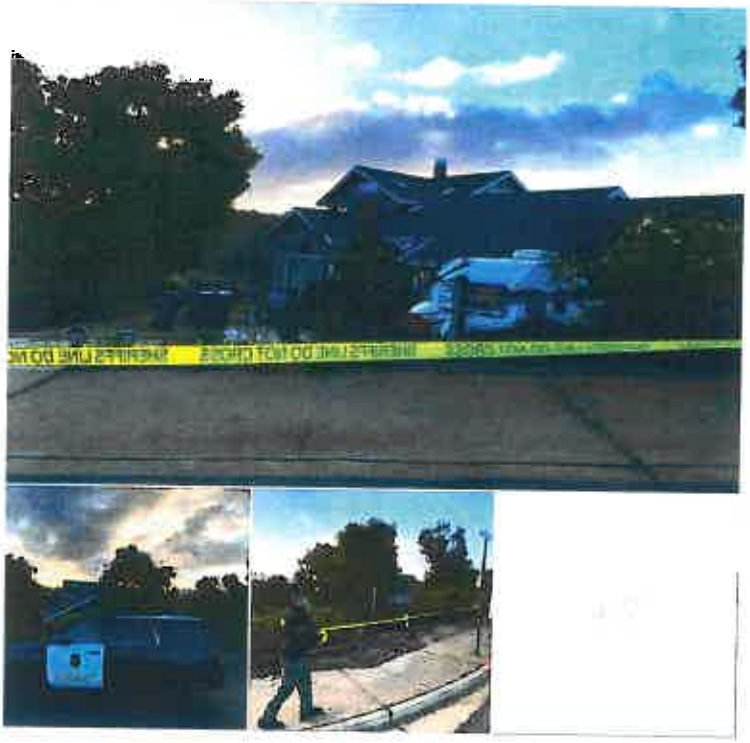
The sheriff's office has been authorized to utilize cadaver dogs and ground-penetrating radar (GPR) during the course of the search. This process could potentially take one to two days to complete. Traffic in the area may be impacted with vehicle access for non-residents restricted.

The search warrant has been sealed. As a result, the sheriff's office is precluded by law from disclosing any further details regarding it.

This is an active and on-going investigation. The sheriff's office says it will not be commenting any further and no additional information will be released at this time.

San Luis Obispo County Sheriff's Office
about 12 months ago

Smart Investigation Search Warrant: The Sheriff's Office is announcing today that it has served a search warrant at the Arroyo Grande home of Ruben Flores. Flores is the father of Paul Flores, who remains the prime suspect in the disappearance of Kristin Smart in 1996. The Sheriff's Office has been authorized to utilize cadaver dogs and ground penetrating radar (GPR) during the course of the search. This process could potentially take one to two days to complete. Traffic in ... See more



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ıbout the author: News Staff

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Update: Paul Flores and father Ruben in custody as suspects in Kristin Smart case

Posted: 9:10 am, April 14, 2021 by News Staff



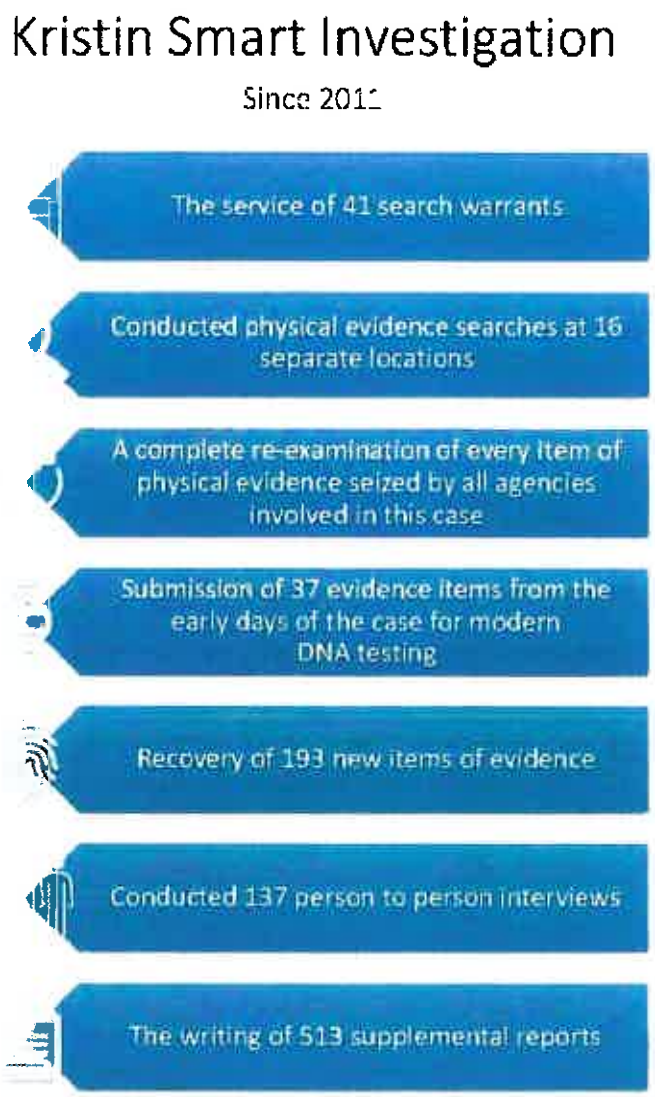


Update posted April 14, 6 a.m.:

San Luis Obispo County Sheriff Ian Parkinson announced a major development in the case of missing Cal Poly student Kristin Smart on Tuesday. The prime suspect in that case, Paul Flores, has been arrested for her murder.

"After 24 years we have finally brought justice for Kristin," said Sheriff Parkinson. "And hopefully some closure for the Smart family and peace to our community."

Flores was arrested and taken into custody in San Pedro, Calif. on Tuesday for the murder of Kristin Smart. Additionally, his father Ruben Flores was arrested in Arroyo Grande on Tuesday as an



accessory to murder.

Smart disappeared while returning to a dorm at California Polytechnic State University, San Luis Obispo, after a party on May 24, 1996. The last person to see her alive was Paul Flores, who has remained the prime suspect in her disappearance.

I am extremely proud of all the dedicated investigators who worked tirelessly over the years to solve this case," Sheriff Parkinson said. "It's taken many years to get to this point, but as I've always said, it's not what you believe, it's what you can prove. And we can finally say we have done that today."

San Luis Obispo County District Attorney Dan Dow released the following statement in response to the arrests:

> *The San Luis Obispo County District Attorney's Office is evaluating the Kristin Smart investigation following the arrests of Paul and Ruben Flores. We are carefully reviewing the evidence and will provide more information as it becomes available.*

Timeline of events

- Kristin Smart was a 19-year-old Cal Poly freshman in May 1996.
- She was last seen on May 25, 1996 at approximately 2 a.m. near the intersection of Perimeter and Gran party.
- Kristin was last seen with Paul Flores, a 19-year-old male freshman who walked home from the party w
- Kristin was reported missing to the Cal Poly Police Department on May 28, 1996.

- Cal Poly Police handled the initial investigation into her disappearance with the assistance of Investigators from the San Luis Obispo County District Attorney's Office.
- On June 26, 1996, almost a month later, the San Luis Obispo County Sheriff's Office assumed the lead investigative role in the case, and it has remained an active investigation ever since.
- On January 3, 2011 Ian Parkinson was sworn in as Sheriff and intensified efforts to find Kristin and hold the person responsible for her disappearance accountable.
- In late 2016, the Sheriff's Office discovered additional evidence which confirmed Paul Flores was a suspect in the disappearance of Kristin Smart.
- In 2019, sheriff's detectives interviewed a witness in the case that was not previously known.
- With the discovery of new evidence and a new witness, sheriff's detectives secured a court order authorizing the interception and monitoring of Paul Flores' cell phone and text message communications.
- In February of 2020, sheriff's detectives served search warrants at the home of Paul Flores, as well as his sister, mother, and father.
- Physical evidence recovered during these searches led to the service of an additional search warrant at Flores' residence in April of 2020.
- In March of 2021, detectives served a search warrant at the Arroyo Grande home of Ruben Flores, the father of Paul Flores. Additional evidence related to the murder of Kristin Smart is discovered at the site.
- April 13, 2021, Paul Flores is arrested for the murder of Kristin Smart. That same day, his father Ruben Flores is arrested as an accessory to murder.



Update posted Tuesday, 3 p.m.:

The San Luis Obispo County Sheriff's Office hosted a press conference today from the courthouse building in downtown San Luis Obispo. Further details were released regarding the arrest of Paul Flores and his father Ruben Flores in connection with the nearly 25-year-old Kristin Smart murder case.

Flores was booked and charged with murder in connection to the case. No bail was set. His father was also arrested Tuesday.

Sheriff Ian Parkinson said that he couldn't disclose the details of what they have found in the most recent investigations at this time, although he said he is hopeful that they could be close to finding her body.

The Smart family released a statement in response to the recent developments:

> **Statement from the Smart Family regarding today's arrest**
> For over twenty-four years, we have waited for this bittersweet day. It is impossible to put into words what this day means for our family; we pray it is the first step to bringing our daughter home. While Kristin's loving spirit will always live in our hearts, our life without her hugs, laughs, and desperate pleas for help, could have withheld this horrible secret for nearly 25 years, denying us the cha faith in the justice system and move forward, comforted in the knowledge that Kristin has been held in
>
> We honor Kristin today and those who worked with unparalleled tenacity and dedication to bring us to peace. Unfortunately, the indifference and lack of resolve we experienced early onset the course for ma

However, when Sheriff Parkinson took office in 2011, he made a promise that Kristin's disappearance would be one of his top priorities. We are here today because he has remained true to his word. We have kept the faith; never given up; and fully placed our trust and support with him and his team.

The task he and his team accepted was unprecedented in volume and scope, yet they met every setback and challenge with resolve and an unequaled commitment to Kristin and our family.

Our gratitude to Sheriff Parkinson and his department for their professionalism, compassion, and perseverance is without measure. We are forever grateful for Detective Clint Cole who joined 'Team Kristin' in 2017 and brought new oxygen to Team Kristin and kept our hopes alive. We would not be here today without his professionalism, perseverance, and dedication. His heart and commitment are without equal.

We would be remiss if we did not acknowledge the exceptional skills, indefatigable work, and unselfish dedication of Christopher Lambert who produced Your Own Backyard Podcast. Chris, along with four incredible angels (C, J, J, and J), balanced Kristin on their shoulders while lightening our burden and held our hearts and hopes with fierce resolve and commitment. There simply are 'no words!'

We also wish to extend our deepest gratitude for all those on the SLOSO team, including Commander Nate Paul, Detective Cole, and their incredible and dedicated support staff. To each law enforcement agency that assisted the San Luis Obispo County Sheriff's Department with their extraordinary efforts, our gratitude is immeasurable. Each gave 110% to ensure that this day would come.

We are pleased that Kristin's case has now moved to the district attorney's office, where we know we will be in good hands, and look forward to the day when there will be 'justice' for Kristin.

To HEAL, we must REMEMBER not only Kristin but also every heart that carried Kristin and our family in theirs! Kristin's story is ultimately one of unwavering commitment, resilience and immense gratitude.

Original story posted April 13, 11 a.m.:

Paul Flores and father arrested in connection with Kristin Smart case



Images from Instagram.

–Paul Flores was arrested at his home in San Pedro this morning, and Ruben Flores was arrested at his some in Arroyo Grande for their connection to the 1996 disappearance of Cal Poly student Kristin Smart, according to multiple reports.

"Your Own Backyard" podcaster Chris Lambert posted photos of the arrest on his Instagram account this morning. The San Luis Obispo Sheriff's Office says they will be releasing further information later today in a press conference.



In March, the sheriff's office searched the home of Ruben Flores and confiscated a Volkswagen Cabriolet from the driveway. Officials have not yet announced what, if anything was found during that search.

This is a developing story. Stay tuned for updates.



Photo by Jason Brock.



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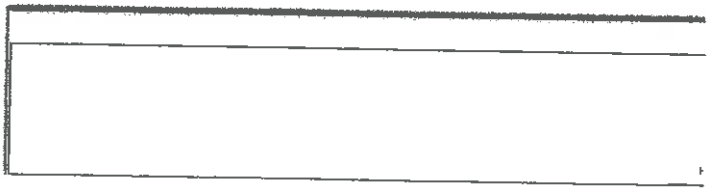


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A-Town Daily News

Candlelight vigil for Kristin Smart happening Saturday in Paso Robles

Posted: 8:54 am, April 16, 2021 by News Staff



–Family, friends, and supporters of the Kristin Smart family will gather in downtown Paso Robles on Saturday evening for a candlelight vigil for Kristin Smart. The vigil will start at 7 p.m. at Paso Robles Downtown City Park. This week San Luis Obispo County District Attorney charged Paul Flores with murdering Smart over 20 years ago.

There will be guests and speakers including:

- Christopher Lambert, creator of Your Own Backyard podcast
- Carla Clawson Hoffman, Smart family advocate, and Find Kristin Smart administrator
- Pascoe Bowen, longtime #WarriorForKristin and activist for the cause
- Athena Sorenson, singer
- Robby and Marisa Johnson Cervantes, with the beautifully wrapped and decorated "Kristin Truck"
- Robin Babb and Jackie Rivas, interpreters for the hearing impaired

SLO County News will be providing the live stream of the event for those at home.

Contributors who made this event possible include:

Com

- DEV1Society Inc.
- Walmart Paso Robles
- Kuehl-Nicolay
- Rick Evans
- Ashley Ray-Cone
- Reggie Vera
- Therese Gillan Cron
- Trisha Butcher, host

It is the event organizers' hope that sister cities on the Central Coast and the globe will follow suit with honoring Kristin in their hometowns. Attendees are asked to please respectively follow all COVID-19 rules and social distance.

Christopher Lambert, whose popular podcast helped bring about new evidence in this case, has had a GoFundMe set up on his behalf by friends of the Kristin Smart family to show their thanks. As of Friday morning, $1,010 of the $10,000 goal has been raised. Click here to support Lambert's efforts.







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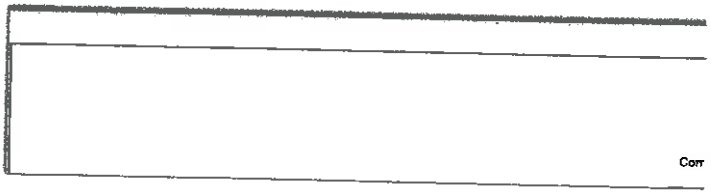


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A-Town Daily News

Judge rules Paul and Ruben Flores will face charges in Kristin Smart murder case

Posted: 8:43 am, September 23, 2021 by News Staff



The trial of Paul Flores and Ruben Flores will move forward.

District Attorney Dan Dow announced Wednesday morning that Paul Flores, 44, and Ruben Flores, 80, were held to answer at the conclusion of their preliminary hearing for the 1996 homicide of Cal Poly college student Kristin Smart.

The Honorable Craig van Rooyen determined sufficient evidence was presented at the hearing for the defendants to be tried on the charges.

Paul and Ruben Flores will be arraigned on October 20 at 8:30 a.m. in Department 5 of the San Luis Obispo C

"We continue to support the family of Kristin Smart as we work toward justice," said District Attorney Dan Do

"It is important to note that a criminal complaint contains charges that must be proven in a court of law by proo legally presumed innocent until proven guilty."

Read a copy of the court case filed against Paul and Ruben Flores's here







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Paso Robles Daily News

Update: Investigators find 'items of interest' in Kristin Smart excavations at Cal Poly

Posted: 12:00 pm, September 11, 2016 by News Staff



Kristin Smart

The San Luis Obispo County Sheriff's Office announced Friday the FBI has concluded its excavation project on the Cal Poly campus. The purpose of the excavation was to determine if the remains of Kristin Smart or other evidence were buried on that property.

Smart was a Cal Poly student who went missing in May, 1996. On Tuesday, the FBI's Evidence Recovery Team began excavating three sites on a hillside near the Cal Poly "P" landmark. Items of interest were found at all three sites. Those items are now being further analyzed to determine if they are related to the Kristin Smart investigation.

"This is an involved process using forensic anthropologists and other experts and we may not know the results for days or weeks," the sheriff's office report says. "While the Sheriff's Office is hopeful these findings will be beneficial to the investigation, we urge the public to be patient throughout this process."

The sheriff's office did release any other information at this time.

Original report Sept. 6:

Sheriff's detectives searching for Kristin Smart's remains at Cal Poly

On Monday, the San Luis Obispo County Sheriff's Office, in conjunction with the FBI, began an excavation project on the Cal Poly campus to determine if the remains of Kristin Smart were buried on the property, according to a report from the sheriff's office.

Smart is a Cal Poly student who went missing in May, 1996. This is one of several locations being looked at, and is being disclosed because of the high profile location, the report says. The sheriff's office is not disclosing any other locations at this time.

After a comprehensive review of the Smart case, a lead was developed over the past two years that strongly suggested the remains of Smart might be buried on the hillside near the Cal Poly "P" landmark.

Human Remains Detection dogs were brought in from FBI headquarters in Virginia to search the area in January of this year. These specially trained FBI canines independently alerted on locations of interest in this area of campus.

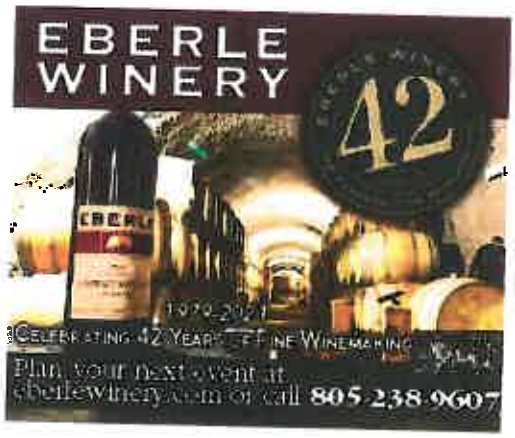
In the past five years, the sheriff's office has used the services of the FBI, California Department of Justice, Ventura County DNA Lab and the San Luis Obispo County District Attorney's Office.

Cal Poly President Jeffrey Armstrong has been informed and has been very supportive of this project, the report says.

Being mindful of the impact to Cal Poly, the sheriff's office chose to conduct the excavation before the fall quarter began. Realizing potential impacts to the environment, the sheriff's office contacted the state department of Fish and Wildlife for guidance to minimize the environmental impact during the project and for direction on site restoration when we are finished.

The Smart family has been kept apprised and is supportive of this new development, the report says.

The sheriff's office has invested thousands of investigative hours and thousands of dollars for this case over the past five years. "It is our hope this will lead us to finding Kristin and bring closure to her family and to the community," the report says.





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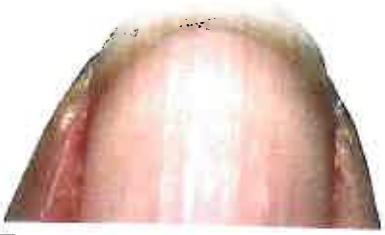
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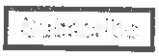


EXHIBIT QQ

Paso Robles Daily News

Possible break reported in the case of Kristin Smart's disappearance

Posted: 5:45 am, January 20, 2020 by News Staff



Cal Poly student Kristin Smart

The Stockton Record reported Saturday that answers might be forthcoming in the 1996 disappearance and presumed death of Cal Poly San Luis Obispo student Kristin Smart.

From the Record:

Something may break soon in the case of Kristin Denise Smart, the former Stockton resident and student at California Polytechnic State University, San Luis Obispo, whose disappearance in 1996 remains unsolved.

Kristin's mother, Denise Smart, said she recently has been contacted by the Federal Bureau of Investigation and told to be ready for a development that might bring closure to her 23-year nightmare. Denise said she was told by authorities, "Be ready. This is really going to be something you don't expect. We want to give you the support you need."

The FBI also suggested she secure a family spokesperson and the family "might want to get away for a while." What the FBI didn't say is when this development might be announced. *– Read the full original report here.*

Kristin Smart's disappearance:

Kristin Denise Smart (born Feb. 20, 1977, legally presumed dead May 25, 2002) was abducted and killed at the end of her freshman year of college, May 25, 1996, on the campus of California Polytechnic State University. Three fellow students escorted Smart back to her hall of residence after an off-campus party. Her death is an actively investigated missing person case.

On Sept. 6, 2016, the San Luis Obispo Sheriff Department reported it had received information about the possible location of Smart's remains, resulting in a hillside excavation on the Cal Poly campus. After five days of digging, bones were recovered from at least one excavation site. However, it was initially unclear if the findings were animal or human, and forensic analysis may take months to determine this.

In September 2019, freelance journalist and podcast producer Chris Lambert completed five episodes of a podcast that tells the story of who Smart was and explores the details of her disappearance. Hear his Your Own Backyard podcast here.





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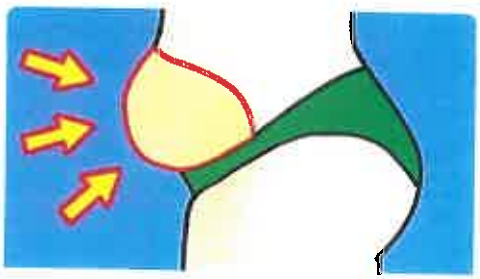


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April 14, 2021
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Update: Investigators find 'items of interest' in Kristin Smart excavations at Cal Poly
The San Luis Obispo County Sheriff's Office announced Friday the FBI has concluded its excavation project on the Cal Poly campus. The purpose of the excavation was to determine if the
September 11, 2016
In "Crime"

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PROOF OF SERVICE

I, the undersigned declare:

I am over the age of 18 years and not a party to the within action. I am employed in the County of Santa Barbara. My business address is 222 E. Carrillo St., Ste. 300, Santa Barbara, California, 93101.

On March 9, 2022, I served the foregoing document entitled: **DECLARATION OF SARAH S. SANGER IN SUPPORT OF MOTION FOR CHANGE OF VENUE (PEN. CODE, § 1033)** on the interested parties in this action by depositing a true copy thereof as follows:

SEE ATTACHED SERVICE LIST

_X_ **BY ELECTRONIC TRANSMISSION** -I caused the above-referenced document(s) to be transmitted via electronic transmission to the interested parties at the email addresses referenced in the attached service list.

____ **BY U.S. MAIL** - I am readily familiar with the firm's practice for collection of mail and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited daily with the United States Postal Service in a sealed envelope with postage thereon fully prepaid and deposited during the ordinary course of business. Service made pursuant to this paragraph, upon motion of a party, shall be presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after the date of deposit.

____ **BY HAND** - I caused the document to be hand delivered to the interested parties at the address referenced on the attached service list.

_X_ **STATE** - I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

____ **FEDERAL** - I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

Executed March 9, 2022, at Santa Barbara, California.

Jake Swanson

Jake Swanson

SERVICE LIST

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Email: RMSteam@sangerswysen.com

Attorneys for Defendant
Paul Ruben Flores

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SAN LUIS OBISPO SUPERIOR COURT
By: M. Goossens,
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN LUIS OBISPO

THE STATE OF CALIFORNIA,

Plaintiff,

vs.

PAUL RUBEN FLORES,

Defendant.

Case No. 21F-02402-A

DECLARATION OF SARAH S. SANGER IN SUPPORT OF MOTION FOR CHANGE OF VENUE (PEN. CODE, § 1033)

Volume 4 of 4

Date: March 30, 2022
Time: 8:30 a.m.
Dept.: 5

Hon. Craig B. Van Rooyen

///

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EXHIBIT RR

Paso Robles Daily News

New photos and video: Search warrants served for evidence in relation to Kristin Smart case

Posted: 2:17 pm, February 5, 2020 by News Staff



SLO County Sherrif's investigators and FBI agents at the home of Susan Flores in Arroyo Grande.

Update Feb. 5, 2020:

–The San Luis Obispo County Sheriff's Office announced Wednesday morning that it has served search warrants for specific items of evidence at four separate locations in California and Washington in relation to the Kristin Smart case. Two of those locations are in San Luis Obispo County, one location is in Los Angeles County, and one location is in Washington State.

On Wednesday morning at around 9 a.m., sheriff's investigators and FBI agents cordoned off the home of Susan Flores in the 200 block of Branch Street in Arroyo Grande. Susan and Ruben Flores are the parents of Paul Flores, 43, who is the last person known to have seen Kristin Smart before her disappearance in 1996.



Kristin Smart

Investigators were seen taking photos inside and outside of the house. Investigators carried bags and items out of the house, including a computer, and loaded them into a van. Ruben and Susan Flores were both present at this morning's search, according to an eyewitness. Ruben Flores was seen inside the house arguing with investigators.



Investigators seized a computer they are loading into a van at the home of Susan Flores in Arroyo Grande, Calif.

There was no sign that investigators were excavating in the property's backyard, where many have speculated that Kristin Smart could be buried.

Authorities gathered "some items of interest," SLO County Sheriff's spokesman Tony Cipolla told the New York Times. The discovery of the items, which Mr. Cipolla declined to describe, raised hopes that the case might finally be solved, the Times wrote. "We will now analyze those and see how they relate to this case," Cipolla said in the interview. "We would like nothing more than to bring closure to the Smart family in this case."

In Southern California, investigators with the FBI and the Los Angeles County Sheriff's Department were seen at about 9 a.m. outside the home of Paul Flores in the 900 block of West Upland Avenue in San Pedro, CBSN and KTLA news reports.

KSBY reported an additional search warrant was served on Ruben Flores's Arroyo Grande home, and the fourth search warrant was served at a home near Kenmore, Washington, where Paul's sister reportedly lives.

The search warrants are limited in scope and sealed by the court. As a result, the sheriff's office says they are precluded by law from disclosing any further details about them. This is an active and on-going investigation. The Sheriff's Office says it will not be commenting any further and no additional information will be released at this time, nor do they "anticipate any additional news releases regarding this investigation."



–Images by photographer Jason Brock

Update posted Jan. 30, 2020:

Sheriff's office now in possession of two trucks potentially related to Kristin Smart case



–In response to a large number of recent public inquiries, the San Luis Obispo County Sheriff's Office is releasing the following information in the Kristin Smart investigation:

The Sheriff's Detective Division has a team of investigators and forensic specialists who are actively working on the Kristin Smart case. Since 2011 this work has included:

- The service of 18 search warrants
- Conducting physical evidence searches at nine separate locations
- A complete re-examination of every item of physical evidence seized by all agencies involved in this case
- Submission of 37 evidence items from the early days of the case for modern DNA testing
- Recovery of 140 new items of evidence
- Conducting 91 person to person interviews
- The writing of 364 supplemental reports

Altogether the Sheriff's Office has spent approximately $62,000 in investigative expenses including, but not limited to, DNA forensic testing. Additionally, the Sheriff's Office has invested more than 7,500 employee hours since 2011 when Sheriff Parkinson took office.

Although it is generally not a practice for the sheriff's office to comment on items of evidence in active investigations, in this specific case they said that they can confirm that the Sheriff's Office currently holds two trucks in evidence that belonged to Flores family members in 1996.

The Sheriff's Office will not be commenting any further and no additional information will be released at this time.

Story Jan. 20:

The Stockton Record reported Saturday that answers might be forthcoming in the 1996 disappearance and presumed death of Cal Poly San Luis Obispo student Kristin Smart.

From the Record:

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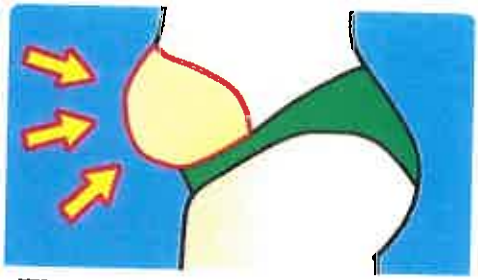
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February 12, 2021
In "Crime"



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April 14, 2021
In "Crime"



New search warrant served in Kristin Smart case
April 22, 2020
In "Crime"

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EXHIBIT SS

Paso Robles Daily News

New search warrant served in Kristin Smart case

Posted: 11:15 am, April 22, 2020 by News Staff

–The San Luis Obispo County Sheriff's Office is announcing today that it has served another search warrant for specific items of evidence at the Los Angeles County home of Paul Flores. Flores continues to be a person of interest in the disappearance of Kristin Smart in 1996.



Kristin Smart

The sheriff's office was assisted today by the Los Angeles County Sheriff's Office.

In February, the sheriff's office served search warrants at four locations in California and Washington State. Today's search warrant only involved the home of Paul Flores.

As with the search warrants in February, this current search warrant is sealed by the court. As a result, the sheriff's office is precluded by law from disclosing any further details about them including items sought or recovered during the process.

This continues to be an active and on-going investigation. The sheriff's office will not be commenting any further and no additional information will be released at this time.

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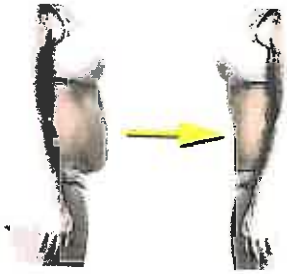


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February 12, 2021
In "Crime"

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Paso Robles Daily News

Update: Sheriff's office concludes investigation at Flores residence

Posted: 7:03 am, March 17, 2021 by News Staff

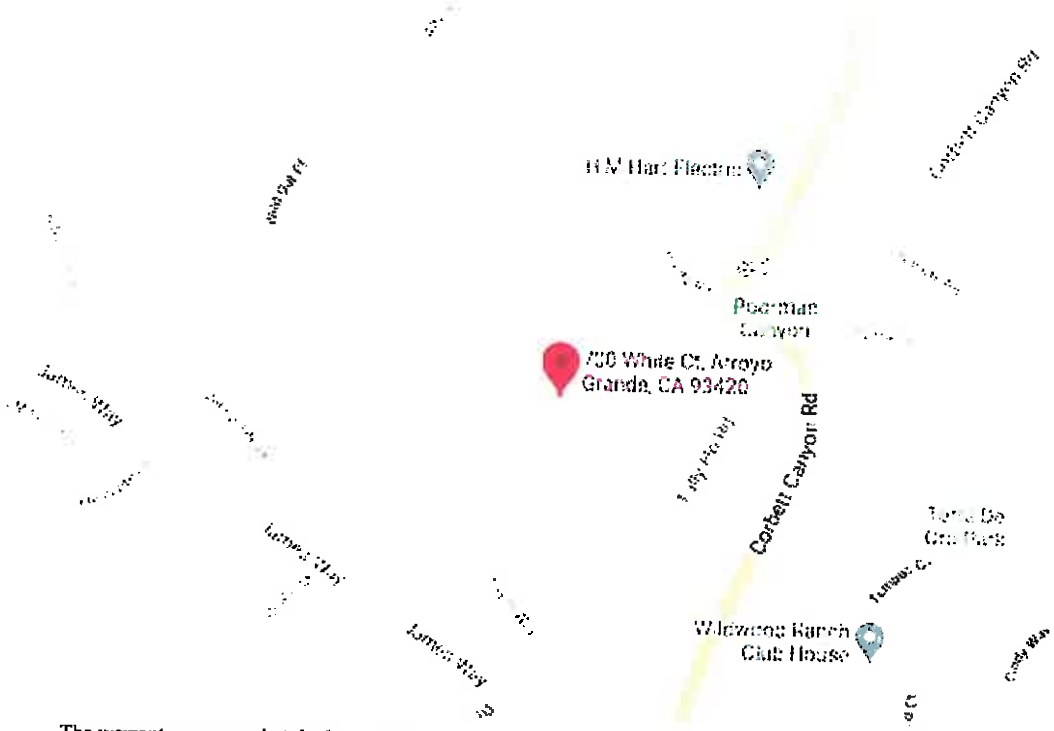


Update posted March 16

–The San Luis Obispo County Sheriff's Office announced today that it has concluded its warrant service at the home of Ruben Flores in Arroyo Grande.

"As with any active investigation, we will not be commenting on what, if any, evidence has been discovered," said the sheriff's office on their Facebook page. No further information is available at this time.

Original story posted March 15



The warrant was served at the home of Ruben Flores in the 700 block of White Court in Arroyo Grande.

–The San Luis Obispo County Sheriff's Office this morning announced that it has served a search warrant at the Arroyo Grande home of Ruben Flores in the 700 block of White Court in Arroyo Grande. Flores is the father of Paul Flores, who remains the prime suspect in the disappearance of Kristin Smart in 1996.



The sheriff's office has been authorized to utilize cadaver dogs and ground-penetrating radar (GPR) during the course of the search. This process could potentially take one to two days to complete. Traffic in the area may be impacted with vehicle access for non-residents restricted.

The search warrant has been sealed. As a result, the sheriff's office is precluded by law from disclosing any further details regarding it.

This is an active and on-going investigation. The sheriff's office says it will not be commenting any further and no additional information will be released at this time.





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February 5, 2020
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April 22, 2020
In "Crime"

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Paso Robles Daily News

Update: Paul Flores and father Ruben in custody as suspects in Kristin Smart case

Posted: 7:07 am, April 14, 2021 by Editor Skye Pratt



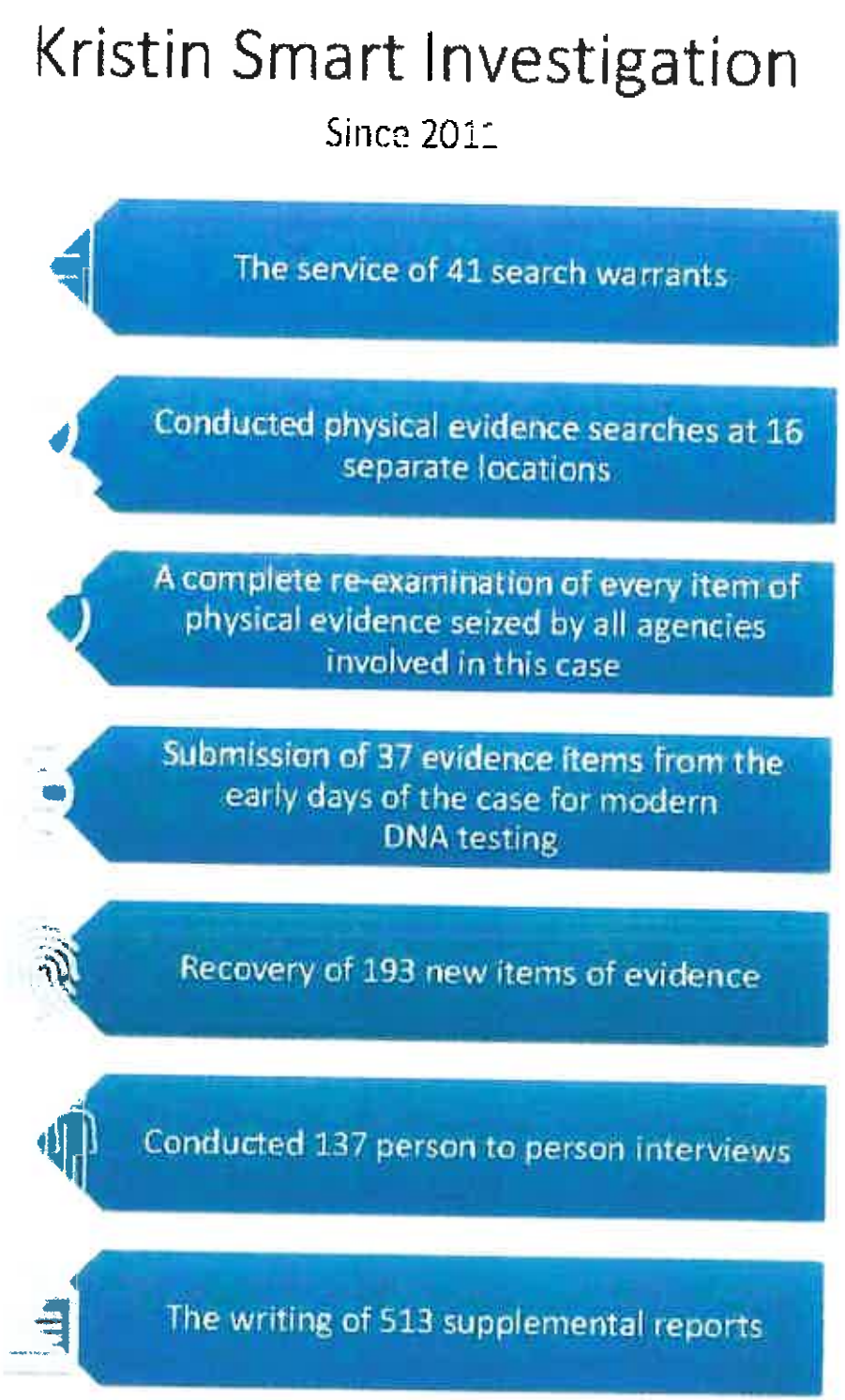


Update posted April 14, 6 a.m.:

–San Luis Obispo County Sheriff Ian Parkinson announced a major development in the case of missing Cal Poly student Kristin Smart on Tuesday. The prime suspect in that case, Paul Flores, has been arrested for her murder.

"After 24 years we have finally brought justice for Kristin," said Sheriff Parkinson. "And hopefully some closure for the Smart family and peace to our community."

Flores was arrested and taken into custody in San Pedro, Calif. on Tuesday for the murder of Kristin Smart. Additionally, his father Ruben Flores was arrested in Arroyo Grande on Tuesday as an accessory to murder.



Smart disappeared while returning to a dorm at California Polytechnic State University, San Luis Obispo, after a party on May 24, 1996. The last person to see her alive was Paul Flores, who has remained the prime suspect in her disappearance.

"I am extremely proud of all the dedicated investigators who worked tirelessly over the years to solve this case," Sheriff Parkinson said. "It's taken many years to get to this point, but as I've always said, it's not what you believe, it's what you can prove. And we can finally say we have done that today."

San Luis Obispo County District Attorney Dan Dow released the following statement in response to the arrests:

The San Luis Obispo County District Attorney's Office is evaluating the Kristin Smart investigation following the arrests of Paul and Ruben Flores. We are carefully reviewing the evidence and will provide more information as it becomes available.

Timeline of events

- Kristin Smart was a 19-year-old Cal Poly freshman in May 1996.
- She was last seen on May 25, 1996 at approximately 2 a.m. near the intersection of Perimeter and Grand Avenue on the Cal Poly campus as she walked home to her dorm from an off-campus party.
- Kristin was last seen with Paul Flores, a 19-year-old male freshman who walked home from the party with her.
- Kristin was reported missing to the Cal Poly Police Department on May 28, 1996.
- Cal Poly Police handled the initial investigation into her disappearance with the assistance of Investigators from the San Luis Obispo County District Attorney's Office.
- On June 26, 1996, almost a month later, the San Luis Obispo County Sheriff's Office assumed the lead investigative role in the case, and it has remained an active investigation ever since.
- On January 3, 2011 Ian Parkinson was sworn in as Sheriff and intensified efforts to find Kristin and hold the person responsible for her disappearance accountable.
- In late 2016, the Sheriff's Office discovered additional evidence which confirmed Paul Flores was a suspect in the disappearance of Kristin Smart.
- In 2019, sheriff's detectives interviewed a witness in the case that was not previously known.
- With the discovery of new evidence and a new witness, sheriff's detectives secured a court order authorizing the interception and monitoring of Paul Flores' cell phone and text message communications.
- In February of 2020, sheriff's detectives served search warrants at the home of Paul Flores, as well as his sister, mother, and father.
- Physical evidence recovered during these searches led to the service of an additional search warrant at Flores' residence in April of 2020.
- In March of 2021, detectives served a search warrant at the Arroyo Grande home of Ruben Flores, the father of Paul Flores. Additional evidence related to the murder of Kristin Smart is discovered at the site.
- April 13, 2021, Paul Flores is arrested for the murder of Kristin Smart. That same day, his father Ruben Flores is arrested as an accessory to murder.



Update posted Tuesday, 3 p.m.:

–The San Luis Obispo County Sheriff's Office hosted a press conference today from the courthouse building in downtown San Luis Obispo. Further details were released regarding the arrest of Paul Flores and his father Ruben Flores in connection with the nearly 25-year-old Kristin Smart murder case.

Flores was booked and charged with murder in connection to the case. No bail was set. His father was also arrested Tuesday.

Sheriff Ian Parkinson said that he couldn't disclose the details of what they have found in the most recent investigations at this time, although he said he is hopeful that they could be close to finding her body.

The Smart family released a statement in response to the recent developments:

> **Statement from the Smart Family regarding today's arrest**
> For over twenty-four years, we have waited for this bittersweet day. It is impossible to put into words what this day means for our family; we pray it is the first step to bringing our daughter home. While Kristin's loving spirit will always live in our hearts, our life without her hugs, laughs, and smiles is a heartache that never abates. The knowledge that a father and son, despite our desperate pleas for help, could have withheld this horrible secret for

nearly 25 years, denying us the chance to lay our daughter to rest, is an unrelenting and unforgiving pain. We now put our faith in the justice system and move forward, comforted in the knowledge that Kristin has been held in the hearts of so many and that she has not been forgotten.

We honor Kristin today and those who worked with unparalleled tenacity and dedication to bring us to this day. Without Kristin in our life, there will never be justice, but we will pray for peace. Unfortunately, the indifference and lack of resolve we experienced early onset the course for many years.

However, when Sheriff Parkinson took office in 2011, he made a promise that Kristin's disappearance would be one of his top priorities. We are here today because he has remained true to his word. We have kept the faith; never given up; and fully placed our trust and support with him and his team.

The task he and his team accepted was unprecedented in volume and scope, yet they met every setback and challenge with resolve and an unequaled commitment to Kristin and our family.

Our gratitude to Sheriff Parkinson and his department for their professionalism, compassion, and perseverance is without measure. We are forever grateful for Detective Clint Cole who joined 'Team Kristin' in 2017 and brought new oxygen to Team Kristin and kept our hopes alive. We would not be here today without his professionalism, perseverance, and dedication. His heart and commitment are without equal.

We would be remiss if we did not acknowledge the exceptional skills, indefatigable work, and unselfish dedication of Christopher Lambert who produced Your Own Backyard Podcast. Chris, along with four incredible angels (C, J, J, and J), balanced Kristin on their shoulders while lightening our burden and held our hearts and hopes with fierce resolve and commitment. There simply are 'no words!'

We also wish to extend our deepest gratitude for all those on the SLOSO team, including Commander Nate Paul, Detective Cole, and their incredible and dedicated support staff. To each law enforcement agency that assisted the San Luis Obispo County Sheriff's Department with their extraordinary efforts, our gratitude is immeasurable. Each gave 110% to ensure that this day would come.

We are pleased that Kristin's case has now moved to the district attorney's office, where we know we will be in good hands, and look forward to the day when there will be 'justice' for Kristin.

To HEAL, we must REMEMBER not only Kristin but also every heart that carried Kristin and our family in theirs! Kristin's story is ultimately one of unwavering commitment, resilience and immense gratitude.

Original story posted April 13, 11 a.m.:

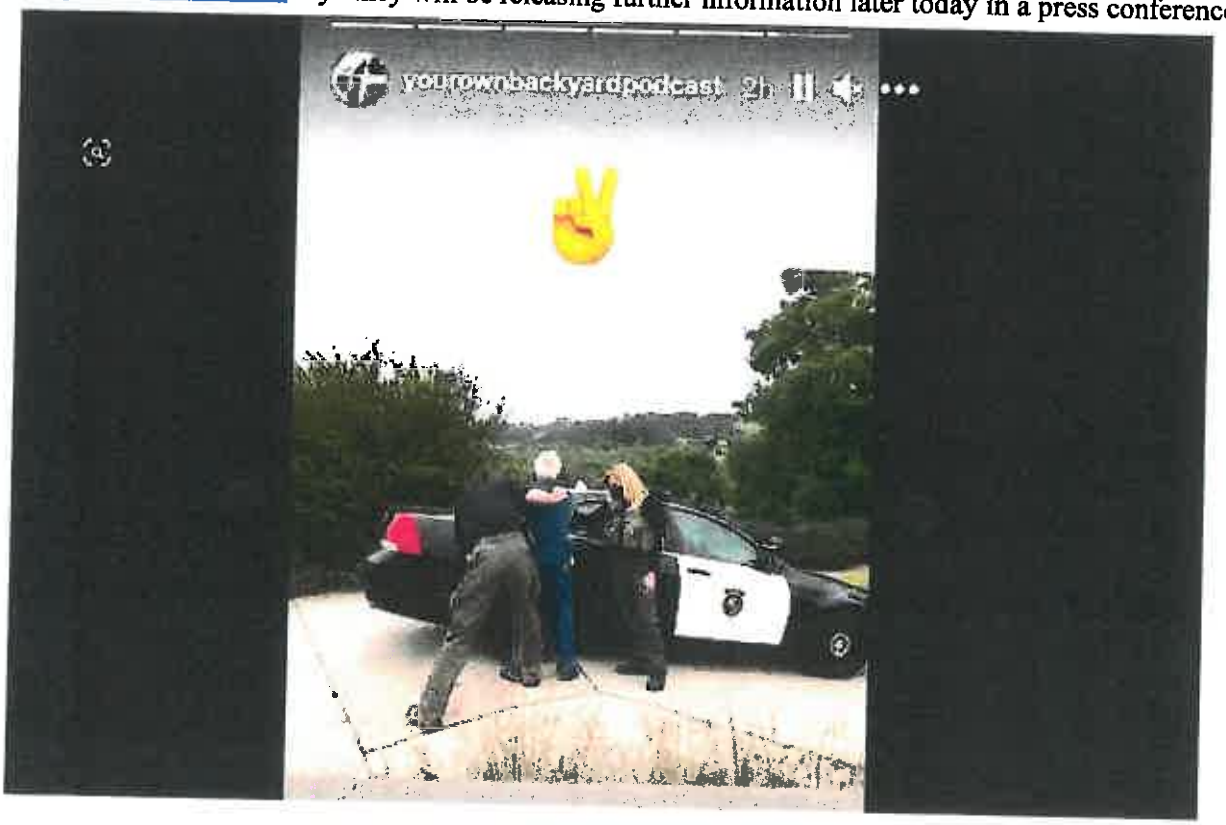
Paul Flores and father arrested in connection with Kristin Smart case



Images from Instagram.

–Paul Flores was arrested at his home in San Pedro this morning, and Ruben Flores was arrested at his some in Arroyo Grande for their connection to the 1996 disappearance of Cal Poly student Kristin Smart, according to multiple reports.

"Your Own Backyard" podcaster Chris Lambert posted photos of the arrest on his Instagram account this morning. The San Luis Obispo Sheriff's Office says they will be releasing further information later today in a press conference.



In March, the sheriff's office searched the home of Ruben Flores and confiscated a Volkswagen Cabriolet from the driveway. Officials have not yet announced what, if anything was found during that search.

This is a developing story. Stay tuned for updates.

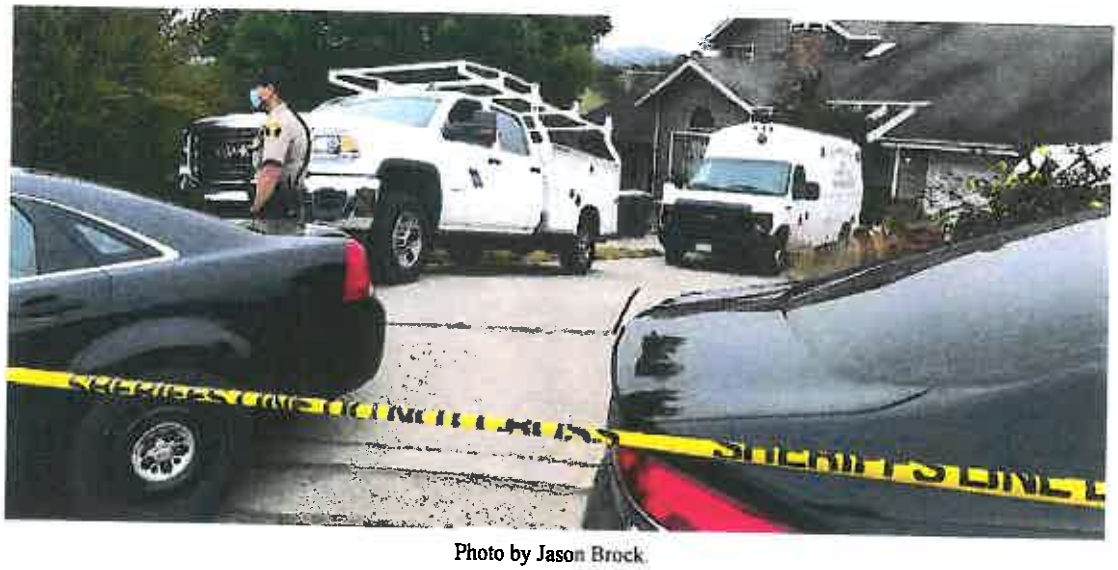


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EXHIBIT VV

Paso Robles Daily News

Two days left: Signed jersey to be auctioned for Kristin Smart scholarship fund

Posted: 8:00 am, November 27, 2020 by News Staff



–SLOCAL Estate Auctions, LLC is auctioning a signed jersey of Raider's sensation Ken Stabler, AKA "The Snake." 100-percent of this auction will go to a scholarship from kristinsmart.org.

Kenneth Michael Stabler (Dec. 25, 1945 – July 8, 2015), nicknamed "Snake," was an American professional football player who was a quarterback in the National Football League (NFL) for the Oakland Raiders (1970–1979), Houston Oilers (1980–1981) and New Orleans Saints (1982–1984). He played college football for the Alabama Crimson Tide. Stabler quarterbacked the Raiders to victory in Super Bowl XI, was the 1974 NFL Most Valuable Player and was selected as a quarterback for the NFL 1970's All-Decade Team. Stabler was posthumously elected to the Pro Football Hall of Fame in 2016.

The Kristin Smart Scholarship celebrates her life, hopes, dreams, and ambitions – by empowering other young women to pursue their ambitions in Kristin's name. Thank you for your support, there is no greater acknowledgment of Kristin's life than allowing us to give back in her name. "We're looking to raise $1000 for a college scholarship" states Doug Little, Owner of SLOCAL Estate Auctions, LLC. "My wife, Jennifer is a Cal Poly Alumni and we're glad to help out a future college student by not taking a commission on this item.

The auction is currently open and will close on Nov. 29.
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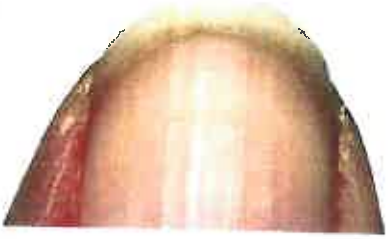
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EXHIBIT WW

Paso Robles Daily News

Candlelight vigil for Kristin Smart happening Saturday in Paso Robles

Posted: 7:15 am, April 16, 2021 by News Staff



–Family, friends, and supporters of the Kristin Smart family will gather in downtown Paso Robles on Saturday evening for a candlelight vigil for Kristin Smart. The vigil will start at 7 p.m. at Paso Robles Downtown City Park. This week San Luis Obispo County District Attorney charged Paul Flores with murdering Smart over 20 years ago.

There will be guests and speakers including:

- Christopher Lambert, creator of Your Own Backyard podcast
- Carla Clawson Hoffman, Smart family advocate, and Find Kristin Smart administrator
- Pascoe Bowen, longtime #WarriorForKristin and activist for the cause
- Athena Sorenson, singer
- Robby and Marisa Johnson Cervantes, with the beautifully wrapped and decorated "Kristin Truck"
- Robin Babb and Jackie Rivas, interpreters for the hearing impaired

SLO County News will be providing the live stream of the event for those at home.

Contributors who made this event possible include:

- DEV1Society Inc.
- Walmart Paso Robles
- Kuehl-Nicolay
- Rick Evans
- Ashley Ray-Cone
- Reggie Vera
- Therese Gillan Cron
- Trisha Butcher, host

It is the event organizers' hope that sister cities on the Central Coast and the globe will follow suit with honoring Kristin in their hometowns. Attendees are asked to please respectively follow all COVID-19 rules and social distance.

Christopher Lambert, whose popular podcast helped bring about new evidence in this case, has had a GoFundMe set up on his behalf by friends of the Kristin Smart family to show their thanks. As of Friday morning, $1,010 of the $10,000 goal has been raised. Click here to support Lambert's efforts.





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September 23, 2021
In "Crime"

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EXHIBIT XX

Paso Robles Daily News

South County fundraiser for Kristin Smart scholarship this weekend

Posted: 6:10 am, May 27, 2021 by News Staff



Strawberry Festival not happening Memorial Day Weekend

–The Village of Arroyo Grande will not be hosting the Strawberry Festival or Strawberry Celebration this month, but residents and visitors can still participate in something significant to commemorate Memorial Day weekend. Merchants in the Village are donating a portion of their sales this weekend to support the Kristin Smart scholarship.

Funded by the nonprofit organization Justice For Kristin, the Kristin Smart Scholarship is a way to celebrate and remember Kristin's life, hopes, dreams, and ambitions—by financially helping other young women realize theirs. The scholarship grants are awarded annually to college-bound female students from San Luis Obispo and San Joaquin Counties. For a minimum of 10 years, the goal is to annually award $2,500 or greater scholarship grants to those selected by the awards committee.

Look for purple balloons throughout the Village of Arroyo Grande to identify participating businesses. For more information about the scholarships, visit kristinsmart.org/kristin-smart-scholarship.

"We encourage residents and visitors to shop in the Village to support the small businesses who are struggling to recover from the impacts of COVID," said South County Chambers of Commerce President/CEO Jocelyn Brennan.





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April 14, 2015
In "Community"

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EXHIBIT YY

Paso Robles Daily News

Judge rules Paul and Ruben Flores will face charges in Kristin Smart murder case

Posted: 6:55 am, September 23, 2021 by News Staff



The trial of Paul Flores and Ruben Flores will move forward.

–District Attorney Dan Dow announced Wednesday morning that Paul Flores, 44, and Ruben Flores, 80, were held to answer at the conclusion of their preliminary hearing for the 1996 homicide of Cal Poly college student Kristin Smart.

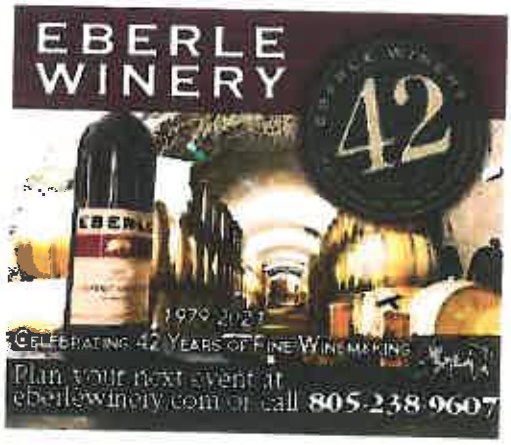
The Honorable Craig van Rooyen determined sufficient evidence was presented at the hearing for the defendants to be tried on the charges.

Paul and Ruben Flores will be arraigned on October 20 at 8:30 a.m. in Department 5 of the San Luis Obispo County Superior Court.

"We continue to support the family of Kristin Smart as we work toward justice," said District Attorney Dan Dow.

"It is important to note that a criminal complaint contains charges that must be proven in a court of law by proof beyond a reasonable doubt," the DA said in a news release. "Every defendant is legally presumed innocent until proven guilty."

Read a copy of the court case filed against Paul and Ruben Flores's here





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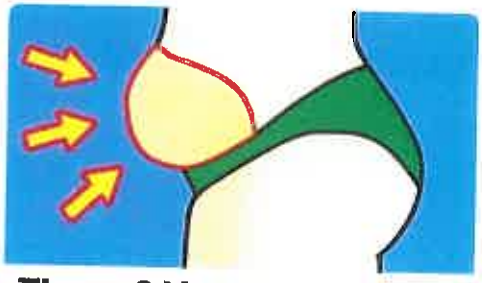


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February 06, 2020

SLO County Sheriff's Office serves four search warrants in relation to the Kristin Smart investigation

BY KAREN GARCIA

Screenshot Taken From Video Footage Of Air7 Hd

NEW GROUND ABC7 video footage shows FBI and LA County Sheriff's personnel serving a search warrant on the San Pedro residence of Paul Flores.

San Luis Obispo County Sheriff's Office deputies and FBI personnel placed red caution tape with the phrase "Danger Do Not Enter" around the front of Susan Flores' Arroyo Grande home on Feb. 5. She's the mother of Paul Flores, the last person to see 19-year-old Cal Poly student Kristin Smart before her disappearance in 1996.

When law enforcement officials emerged from the home, a small crowd of people standing across the street yelled, "dig up the yard," "dig her up," and "justice for Kristin," while taking photos and videos with their cellphones that they then posted to various social media accounts.

That morning, the SLO County Sheriff's Office released a statement announcing it was serving search warrants for four separate locations in California and Washington—in connection with the active and ongoing investigation into the disappearance of Smart. Two of those locations, according to the statement, were in San Luis Obispo County, one was in Los Angeles County, and one was in Washington state.

"The search warrants are limited in scope, and sealed by the court. As a result, we are precluded by law from disclosing any further details about them," the statement said.

Around 9:30 a.m. law enforcement officials exited Susan's home with a computer, brown paper bag, and a storage bin. Minutes later, the caution tape was removed, and officials left the scene.

On the same day in San Pedro, according to ABC7 Eyewitness News—a local broadcast news station in Los Angeles—FBI personnel and Los Angeles County Sheriff's deputies served a search warrant on the residence of Paul Flores. Paul was detained by law enforcement during the search but later released.

The search warrants were issued on the heels of the SLO County Sheriff's Office's Jan. 29 announcement that it had taken two trucks into evidence that belonged to members of the Flores family in 1996. On the same day, the office released

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information about the work it had done on the case since 2011—when Sheriff Ian Parkinson and Detective Clint Cole inherited the 1996 case.

The office stated the Sheriff's detective division has "a team of investigators and forensic specialists who are actively working on the Kristin Smart case."

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According to the office's statement, the team has served 18 search warrants since 2011, conducted physical evidence searches at nine separate locations, and re-examined every item of physical evidence seized by all agencies involved in the case.

Smart was reportedly last seen leaving a party at 135 Crandall Way near Cal Poly on May 25, 1996, with Paul and another friend. Paul told investigators at the time that he and Smart parted ways on the Cal Poly campus near Santa Lucia Hall student dorms.

Momentum and interest in the case was ignited in the last year with the podcast *Your Own Back Yard*—created by Central Coast native Chris Lambert—which not only revisited the unsolved case but investigated new tips and information received from the public. Δ

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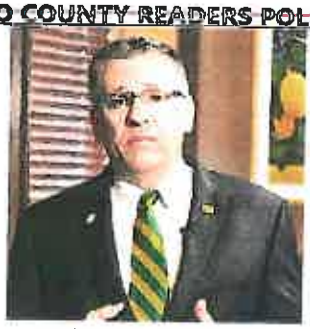
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News

March 18, 2021

Police search 'prime suspect's' father's home in Kristin Smart case

BY KAREN GARCIA

The Find Kristin Smart Facebook group lit up on March 15 and 16 with messages of hope and prayers for the Smart family during the SLO County Sheriff's Office's search of Ruben Flores' Arroyo Grande home.

The search warrant was served March 15 as a part of an ongoing investigation into the 1996 dissapearance of Cal Poly student Kristin Smart.

"Prayers for answers and justice!" Sherri Morris said in a post.

Ruben is the father of Paul Flores, who the Sheriff's Office recently named as the "prime suspect" in the case. Flores is reported to be the last person to see Smart alive.

Sheriff's Office spokesperson Tony Cipolla told *New Times* that Paul was considered a person of interest early on in the case.

"He is still considered a person of interest. But as more evidence has come forward, he has become the prime suspect in this case. [Sheriff Ian Parkinson] began referring to him as a prime suspect last year," Cipolla said.

click to enlarge



Photo By Karen Garcia

CONTINUED SEARCH SLO County Sheriff's Office served a search warrant at the Arroyo Grande home of Ruben Flores, father of Paul Flores the prime suspect in the disappearance of Kristin Smart investigation.

In a press release, the Sheriff's Office said it had been authorized to use cadaver dogs and ground penetrating radar during the course of the search.

The Sheriff's Office searched the property for two days, and the on-site team packed up the yellow caution tape around the home close to 2 p.m. on March 16.

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"As with any active investigation, we will not be commenting on what, if any, evidence has been discovered. No further information will be released at this time," a post on the Sheriff's Office's Facebook page read.

The search warrant is sealed, meaning the Sheriff's Office is prohibited by law from disclosing any information regarding it.

During the search, investigators actively dug directly behind the Arroyo Grande home and underneath the rear deck, where they also ran the ground-penetrating radar. Buckets were removed from beneath the deck area.

Authorities also seized a red Volkswagen Cabriolet from the home's driveway. During a March 16 interview with KSBY, Paul's mother, Susan Flores, confirmed it belonged to her daughter. It was Susan's first-ever interview with a news organization. Δ

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News

August 05, 2021

Witnesses testify in Kristin Smart murder case hearings

BY PETER JOHNSON

Sitting at opposite sides of a courtroom counsel's table, Paul and Ruben Flores stare ahead at the San Luis Obispo County Superior Court bench, their expressionless faces partially covered by masks.

SLO County Deputy District Attorney Chris Peuvrelle steps in front of them at around 10 a.m. on Aug. 3 and places down an image of a young woman, who's projected onto a screen for the courtroom to see.

click to enlarge



Press Pool Photo By David Middlecamp

MURDER CASE Defendant Paul Flores (pictured) appears in SLO Superior Court for a preliminary hearing in connection with Kristin Smart's disappearance. Flores is accused of murdering Smart.

"Do you recognize this person?" Peuvrelle asks his first witness of the day, who's on the stand.

"That's Kristin. That's Kristin Smart," answers Steven Flemming, a former dormmate and friend of Smart's at Cal Poly in 1996, the year when the then-19-year-old freshman disappeared.

As the half-full courtroom stares at the image, Paul, 44, and his father, Ruben, 80, don't react—their gazes steadfast. The son and father are accused of first-degree murder and accessory to murder, respectively, in the 25-year-old disappearance of Smart.

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It's the second day of preliminary hearings in the case—a court proceeding that's expected to last 12 or more days. During the all-day hearings, witnesses and evidence are presented to presiding Judge Craig van Rooyen. The prosecution, led by Peuvrelle, is trying to show probable cause for a trial, while the defense, led by Paul's lead defense attorney, Robert Sanger, raises objections and presents alternative evidence.

According to the allegations submitted by the SLO County DA's Office, Paul murdered Smart in his Cal Poly dorm room in the midst of a rape or attempted rape on May 24, 1996, after the two freshmen walked home late at night from a party. Ruben is accused of helping Paul conceal Smart's body, burying her under his Arroyo Grande deck for more than two decades, before her remains were recently relocated to an unknown location.

Both defendants are pleading not guilty.



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Flemming, Smart's former dormmate, took the stand all morning on Aug. 3 as Peuvrelle and Sanger peppered him with questions. Flemming described Smart as a mature 19-year-old who was "a kind person" and "saw the world differently."

"We talked a lot. She was a friend," Flemming, who played basketball at Cal Poly from 1995 to 2000, said. "In school, you have certain people who get you. She got me."

Flemming said he would see Paul "lurking" in the Muir Hall dorm, where Flemming and Smart (but not Paul) lived during their freshman year. Describing him as "weird" and "creepy," he said he observed Paul inside Smart's dorm room five or six times.

"He was not welcome," Flemming said. "Everyone knew Paul was creepy. She was uncomfortable."

Sanger and the Flores defense team contrasted Flemming's testimony on Aug. 3 with statements he made to the FBI in 1999 indicating he wasn't certain he saw Paul in Smart's room. Flemming held firm in his response on Aug. 3.

"Everything's brought back memories," Flemming said. "I do recognize Paul. Paul was in Kristin's room."

When the hearing broke for lunch, *New Times* overheard members of the Flores defense team speaking in the court lobby areas. One person said that the DA's Office "had nothing" without Smart's body.

The prosecution is expected to show that human blood and other evidence was found in the soil under Ruben's deck, where Smart is believed to have been buried for decades.

In addition to Flemming, several other witnesses were called to the stand in the three hearings that took place before press time. They included: Smart's parents, Stan and Denise Smart; attendees of the house party that Smart and Paul attended on May 23 and 24; and current and former police detectives who investigated the case.

Correction: This story was updated to correct the name of defense attorney Robert Sanger.
Δ

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And yet still they have not dug up the 6' concrete planter that suddenly was poured in his mom's backyard the weekend of Smart's disappearance. Sitting there with scratches and a black eye, telling the cops he had to go because he needed to finish cleaning up the concrete at his moms place. It's been so obvious to so many for so long,! Why have the authorities been so resistant to dig up that part of the yard? The cadaver dogs confirmed that corner of the yard multiple times. Her bloody earring was found just feet away, her watch alarm would go off every morning coming from the planter...? But no, no they have had a mountain of excuses over the years as to why they don't just dig it up. All the money spent on investigations, bringing in bulldozers to rip up some hillside at Cal Poly, FBI with clip boards and official yellow tape. Why the show? 26 years of pretending she was not buried in that backyard, why?

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EXHIBIT CCC

KRISTIN SMART

ABOUT KRISTIN | KRISTIN'S LOVE OF MUSIC | KRISTIN'S DISAPPEARANCE



Kristin's life, dreams and future were stolen on May 25, 1996, when she was abducted by another student (suspect Paul Rueben Flores) on the Cal Poly, San Luis Obispo campus around 2 am. Campus Police failed to act appropriately and did not contact local law enforcement agencies in a timely manner. The Kristin Smart Campus Safety Act (1998) now requires ALL college campus police to contact and connect with local law enforcement agencies for any case of violence against a student. Paul Flores, the only suspect and last person to be seen with Kristin, continues to be uncooperative and is hiding behind the 5th Amendment.



There are not enough words in the dictionary to describe the pain of our loss and the heartache we face every day that we live without answers and without Kristin. Kristin deserved so much more than she received from initial law enforcement agencies. Fortunately, we now have active, engaged and committed law enforcement agencies working for Kristin. It is a demanding, frustrating and tireless task trying to reconstruct evidence from 24 years ago while investigating ongoing new leads. Another layer of pain and frustration is a civil lawsuit brought against our family by the suspect's mother and her



Twenty-four years is a long, long time to pray, battle, fight and cajole agencies to do whatever is necessary to bring our daughter home and remove her from the control of the perpetrator and his family. We live for the day when we can lay her to rest in the presence of our family and all who loved and fought for her. We have been praying for her return for longer than we were able to hold her in our arms. We have not given up, but find it important to find an inner peace, a positive focus, that helps us remember Kristin for the love, smiles and joy she brought to our family. Our hope is that her life, even though silenced, will continue to have meaning and purpose by helping other young women realize their ambitions.

The Justice for Kristin Smart Scholarship, a project of Justice for Kristin is a 501(c)(3) nonprofit organization established in 2017 that aims to empower college-bound women with interests similar to Kristin's to

today of becoming sustaining donor. Thank you in advance for your support, it ensures that Kristin's dreams live on.

KRISTIN SMART SCHOLARSHIP

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EXHIBIT QQQQ

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Search Concludes at Flores Home in Relation to Kristin Smart Case

By Hayley Mattson | Mar 16, 2021



Apr. 14 Update: SLO County Sheriff's Department Concludes Search at Ruben Flores Home

Original Story

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On Monday, Mar. 16, San Luis Obispo County Sheriff served a search warrant at the Arroyo Grande home of Ruben Flores, father of Paul Flores.



Paul Flores was last seen with missing Cal Poly student Kristin Smart in May of 1996 and has been a person of interest over the years. According to the San Luis County Sheriff, Paul is now the primary suspect.



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It has been suspected that Smart's body may be buried at one of the parents' homes in Arroyo Grande. Susan Flores, Paul's mother, lives on East Branch Street just a few miles from Paul Flores's house, where the search warrant was served on Monday.

This search comes almost a year after four search warrants were served in February 2020, just before the pandemic.

The warrants were for specific items of evidence inside four separate locations in California and Washington.

The two locations in San Luis Obispo County were Susan Flores home on East Branch Street and Ruben Flores home on White Court, both in Arroyo Grande.

The other location in Califonia was at Paul Flores' residence in San Pedro, and the fourth location at the sister's home in Washinton State.

The search warrants were limited in scope and sealed by the court. As a result, no further details were released.

The Federal Bureau of Investigation (FBI) conducted a coordinated search along with the Sheriff's Department; however, they have not been seen during the current investigation.

Today, day two, at the father's home, after a full day of working with ground-penetrating radar (GPR) experts and two cadaver dogs, Sheriff Ian Parkinson is overseeing today's search.

It was reported that Ruben Flores is not allowed at the home during the search and is currently with his wife Susan Flores at her East Branch Street Home.

Set up in the backyard this morning, close to the deck with lattice running along the edge, are two blue "pop-up" tents. Shovels and orange buckets are at the scene as well.

During Monday's search, a Volkswagen Cabriolet last registered in 2010 and was reported to be registered to Paul's parents, Ruben and Susan Flores.

According to reports, the Cabriolet was of interest to the parents of Kristin Smart and was never looked at.

At 1:51 p.m. today, the Sheriff's department started removing the caution tape along with the blue pop-ups.

The forensic team packed up, and at 2 p.m., the Sheriff released a statement that the Smart Investigation Search Warrant has concluded at the home of Ruben Flores in Arroyo Grande. As with any active investigation, they will not be commenting on what, if any, evidence has been discovered. No further information will be released at this time.

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EXHIBIT RRRR

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Investigators Reportedly Searching Rural Arroyo Grande For Kristin Smart's Remains

By Camille DeVaul | Jul 27, 2021



Citizens reportedly have seen Flores family return to the area repeatedly

SAN LUIS OBISPO — Investigators have reportedly received tips from citizens who

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spotted unusual activity pointing to a particular area in rural Arroyo Grande.

It was reported that after the release of episode ten of the podcast *Your Own Backyard*, Chris Lambert received dozens of tips from citizens on the Central Coast.

Today, investigators are following up on tips and searching for Kristin Smart's remains in an area of rural Arroyo Grande that the Flores family has allegedly returned to multiple times.

This is an ongoing story that will be updated when more information is available.

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News

September 07, 2016

Search for Kristin Smart's body begins on Cal Poly campus

BY CHRIS MCGUINNESS

After more than 20 years of searching, investigators may finally be close to discovering the remains of Cal Poly student Kristin Smart.

On Sept. 6, the SLO County Sheriff's Office and the FBI began excavating a section of land in the hills near Cal Poly's "P" landmark. It's just one of several locations both on and off campus where investigators are digging in search of Smart's remains.

click to enlarge



PHOTO BY CHRIS MCGUINNESS

PROMISING LEADS: SLO County Sheriff Ian Parkinson explains on Sept. 6 that his office and the FBI will be excavating locations in and around the Cal Poly campus before school starts, hoping to finally solve the 20-year-old case of what happened to student Kristin Smart.

"We are hopeful that this will lead to the finding of Kristin, or evidence that will bring closure to the family and ultimately to the community," SLO Sheriff Ian Parkinson said.

Smart disappeared in May of 1996, and the high-profile case remains unsolved. Parkinson said the excavations were the result of new leads developed after a comprehensive review of the case over the last two years. Those leads "strongly suggested" that Smart's remains might be buried on the campus hillside. In January, the FBI brought in specially trained cadaver dogs from Virginia, which alerted investigators to several possible locations in the area. Parkinson said some of the areas had been searched previously, but those searches occurred when Smart's case was a missing person's case, and not a homicide investigation.

"It's like when you are missing your keys in your house. You do a broad search, then a specific search," he said. "This is a very specific search."

Parkinson said the excavation would take approximately four days. The department is working with a team of 25 FBI evidence recovery specialists. The department declined to identify the other excavation locations and only publicly announced the hillside location because of its high visibility.

The search for Smart's remains was scheduled shortly before Cal Poly's fall quarter is slated to begin, and few students are on campus. In a memo sent to staff, university

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President Jeffrey Armstrong said Cal Poly was fully cooperating with the Sheriff's Office.

"Her tragic disappearance has had profound impacts both within and beyond our campus community," Armstrong wrote.

With the possibility of bringing the county's most notorious unsolved case to a close, investigators stopped short of guaranteeing a resolution.

"We must manage our expectations," Parkinson said.

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Justice Begins for Kristin Smart After Almost 25 Years

By Atascadero News | Apr 14, 2021



By Hayley Mattson and Camille DeVaul

SAN LUIS OBISPO — On Apr. 13, the San Luis Obispo County Sheriff Ian Parkinson held a press conference on O'Neill Green in front of the Orfalea College of Business on the campus of Cal Poly in San Luis Obispo.

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The press conference came just before from the 25th Anniversary of Cal Poly student Kristin Smart who went missing on May 25, 1996.

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SLO County Sheriff Ian Parkinson hold a Press Conference in Kristin Smart Case in front of the Orfalea College of Business on the campus of Cal Poly in San Luis Obispo. Photos by Camille DeVaul

Before Sheriff Parkinson began, large photos of Kristin Smart, Paul, and Ruben Flores's arrest, and a chronological timeline of the case was unveiled.

As Sheriff Parkinson and officials walked to the podium, the clock tower echoed deep chimes, and the crowd fell silent.







Tony Cipolla, the Health Information Officer for the SLO County Sheriff, started the conference stating, "Today is a day that many have hoped for, wished for, and prayed for. We have major developments in the Kristin Smart investigation."

Before turning the conference over to Sheriff Parkinson, Cipolla acknowledged the President of Cal Poly, Jeff Armstrong, sign-language interpreter Robin Babb, Cal Poly Police Chief George Hughes, and Undersheriff Jim Vogue.

Parkinson started by recognizing that Unsolved Cold-Case Detective Clint Cole was not introduced by Cipolla so that he could make a special introduction along with acknowledging several members of his team in the audience.

"We are beginning here today because this is where it all began, on the campus of Cal Poly University. On May 25, 1996, this is the last place that Kristin Smart was seen alive. It has been 24, almost 25 years since Kristin went missing. 24 years without a resolution, until today. I am here this afternoon to announce the arrest of Paul Flores for the murder of Kristin Smart. The Arrest of Ruben Flores as an accessory to the murder," Sheriff Parkinson said as he started the press conference.



Sheriff Parkinson reviews the details of the investigation and announces the arrest of Paul Flores a classmate of Kristin Smart.

Paul Flores, now 44-years-old was the last person seen with Smart in 1996.

Kristin Smart was a 19-year-old Cal Poly freshman who was in the last few months of her freshman year at Cal Poly.

Smart was last seen on May 25, 1996, at approximately 2 a.m. near Perimeter and Grand Avenue's intersection on the Cal Poly campus as she walked home to her dorm from an off-campus party. Smart was last seen with Paul Flores, who at the time was a 19-year-old male Cal Poly freshman who walked home from a party with her.

Parkinson stated that Smart was not reported missing to the Cal Poly Police Department until May 28, 1996.



Kristin Smart missing since 1996

Parkinson then went through a timeline of the investigation. After Smart was reported missing, the Cal Poly Police handled the initial investigation into Smart's disappearance with the assistance of Investigators from the San Luis Obispo County District Attorney's Office. On Jun. 26, 1996, almost a month later, the San Luis Obispo County Sheriff's Office assumed the lead investigative role in the case, and it has remained an active investigation ever since.

On Jan. 3, 2011, Parkinson was sworn in as Sheriff and intensified efforts to find Smart and

hold the person responsible for her disappearance accountable.

In late 2016, the Sheriff's Office discovered additional evidence that confirmed Paul Flores was indeed a suspect in Kristin Smart's disappearance.

In 2019, Sheriff's Detectives interviewed a witness in the case that was not previously known. With the discovery of new evidence and a new witness, Sheriff's Detectives secured a court order authorizing the interception and monitoring of Paul Flores' cell phone and text message communications.

Parkinson explained, "in 2019, we interviewed several witnesses that had not previously been interviewed…I will say that some of that information came to light through the podcast ['Your Own Backyard,' Christopher Lambert] that many of you are familiar with that was produced and eventually lead to interviewing that witness."

In February of 2020, Sheriff's Detectives served search warrants at the home of Paul Flores and his sister, mother, and father. Physical evidence recovered during these searches led to the service of an additional

search warrant at Flores' residence in April of 2020.

In March of 2021, Detectives served a search warrant at the Arroyo Grande home of Ruben Flores, the father of Paul Flores, where additional evidence related to the murder of Kristin Smart was discovered at the site.

Parkinson stated that the search warrant that was served at Ruben Flores's home earlier in the day most likely will continue through Wednesday.



Ruben Flores home in Arroyo Grande is being searched by the SLO County Sheriff. Photos by Camille DeVaul

The Sheriff did explain that he is not able to discuss the details of what was located at the Flores home; however, he could say that Kristin Smart's body has not been found.

During the Apr. 13 search of Ruben Flores's home, forensic crews were seen digging and sifting through a portion of the backyard under

a blue pop-up tent, similar to where they dug during the search in March.

Throughout the day of the search, the press, neighbors, and other SLO County residents came to watch and speculate what investigators and forensics were looking for or have already found.

During the press conference, the Sheriff could not confirm if Smart's remains are at a previously search location.

Paul Flores, over the years, has remained a "person of interest" in the case and then in March was named the prime suspect in her disappearance.

Flores was arrested on Apr. 13 and taken into custody in San Pedro for the murder of Kristin Smart. Additionally, his father, Ruben Flores, was arrested in Arroyo Grande the same day as an accessory to murder.







"I am extremely proud of all the dedicated investigators who worked tirelessly over the years to solve this case," Sheriff Parkinson said. "It's taken many years to get to this point, but as I've always said, it's not what you believe; it's what you can prove. And we can finally say we have done that today."

The Sheriff's Office would like to thank the agencies which have assisted with this investigation, including the Los Angeles Police Department, Los Angeles County Sheriff's Office, Kings County Washington Sheriff's

Office, Clackamas County Oregon Sheriff's Office, FBI Los Angeles, and Santa Maria Field Offices, San Luis Obispo County Sheriff's Office Detective Division, San Luis Obispo County District Attorney's Central Coast Cyber Forensic Lab, DOJ Goleta Lab, Natural Investigations Company, Serological Institute Richmond.

"After 24 years, we have finally brought justice for Kristin," Sheriff Parkinson said. "And hopefully some closure for the Smart family and peace to our community."

Following the conference on behalf of the Smart Family, spokesperson John Segale released a following statement from the family that can be read here.

The San Luis Obispo County District Attorney Dan Dow held a press conference on Wednesday, Apr. 14, to discuss Paul and Ruben Flores' arrest and referral. You can read the coverage here.

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District Attorney Reviews Murder Charges in Kristin Smart Case

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BREAKING: Sheriff Announces Press Conference, Amid Arrest, and Second Search Warrant Issued in Kristin Smart Case

By Atascadero News | Apr 13, 2021



STATEMENT: Smart Family Statement Regarding Today's Arrest of Paul and Ruben Flores

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UPDATED 1:52 p.m.: Paul Flores the prime suspect has been arrested on charge of murder with zero bail scheduled to be arraigned on Thursday. Father Ruben Flores has been charged with accessory to murder with $250,000 set bail. Both were booked into the San Luis Obispo County Jail.



[Full Coverage of the press conference to follow.]

UPDATE: 1:44 p.m.: Press Conference scheduled for 2 p.m.

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UPDATE 11:30 a.m.: News Correspondent Camille DeVaul is at the Flores home in Arroyo Grande. DeVaul spoke to officers who stated that they were there to secure the home. The search warrant is sealed so they do not have any additional information. They have not heard any news regarding Susan Flores at this time.



A pop-up tent has been placed in the backyard and officials are poring contents into a device to sift through. Concrete has been drilled into as well.





Second search warrant issued Ruben Flores home this morning. Photos by Camille DeVaul

UPDATE 9:07 a.m: A press release was issued by John Segale the spokesperson for Kristin Smart's family:

"Given that this is an extremely emotional day, the Smart family will not be conducting any interviews and will not be meeting with any reporters today or in the foreseeable future. We will be issuing a statement from the family this afternoon around 3:30 p.m. Please respect their desire for privacy and do not call or go to their home."

UPDATE 8:50 a.m: Confirmed Paul Flores was arrested this morning and taken into custody by the Sheriff in San Pedro, and his father Ruben Flores was taken into custody at his home in Arroyo Grande.

As stated, the San Luis Obispo Sheriff has served a second warrant this morning at the Arroyo Grande home of Ruben Flores.

Flores is the father of Paul Flores, who remains the prime suspect in the disappearance of Kristin Smart in 1996.

Paul Flores was named the prime suspect in the case back on Mar. 16 by the San Luis Obispo County Sheriff.

Reports have been released that it seems detectives are taking apart the back deck where samples of soil were collected back in March.

Read full report: **Search Concludes at Flores Home in Relation to Kristin Smart Case**

UPDATE 8:30 a.m: Reports are coming in that Paul Flores was arrested this morning at his home in San Pedro by the Sheriff.

Sheriff deputies and investigators are back at Ruben Flores's home, father of Paul Flores in Arroyo Grande.

Photos show Ruben Flores in the custody of Sheriff deputies in front of the home.

The Flores home in Arroyo Grande has been taped off, and a new search has begun.

Original Story:

SAN LUIS OBISPO — San Luis Obispo County Sheriff Ian Parkinson will be holding a news conference today at 2 p.m. on O'Neill Green, in front of the Orfalea College of Business on the campus of Cal Poly in San Luis Obispo.

The Sheriff will be discussing major developments in the investigation into the disappearance of Kristin Smart.

No further information will be available until that time.

Check back for full coverage of the press conference.

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25th Anniversary of Kristin Smart's Disappearance

By Camille DeVaul | May 25, 2021



Smart family releases a statement about their relentless determination to bring Kristin home

Today, May 25, marks the 25th anniversary since the day Kristin Smart went missing from the Cal Poly campus in San Luis Obispo.

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Kristin's family has released the following statement to mark the occasion:

"It has been 25 years today since our daughter, Kristin, disappeared, and to mark the occasion, members of our family traveled to San Luis Obispo this past weekend to celebrate Kristin's life. As part of our visit, we took time to thank our special friends in the SLO area who have carried Kristin in their hearts, including those in law enforcement who never gave up and continue today with steeled determination and effort to bring her home.

Getting through this together, Atascadero



While we were not able to meet with all the Warriors for Kristin during our short stay, we wanted them to know that their determination over the years has been so valuable in sustaining Kristin's memory. We did have the opportunity to thank Sheriff Ian Parkinson for his relentless commitment and leadership, and we saluted all those in the San Luis Obispo County Sheriff's Department and the FBI for their efforts on this case. We will always be so grateful to Kristin's earliest supporters, Jim and Garin Murphy, Dennis Mahon, and Tana Coats, each of whom refused to give up. They, along with







hundreds of early supporters, worked tirelessly to fight for justice for Kristin, including helping search and providing gifts of their time and donations. Finally, we especially wanted to thank Chris Lambert for his outstanding podcast, Your Own Backyard. His interest and his unique ability to tell this story have been responsible for generating unimagined new attention to Kristin. Thank you to everyone who have helped us with our quest for justice. Your support will be forever remembered and appreciated by our family. "

The Smart family will not be doing any interviews or making more comments on this day.

Kristin (19) was last seen on May 25, 1996, at approximately 2 a.m. near Perimeter and Grand Avenue's intersection on the Cal Poly campus as she walked home to her dorm from an off-campus party.

Kristin Smart was last seen with Paul Flores, who at the time was a 19-year-old male Cal Poly freshman who walked home from a party with her.

Earlier this year, on Tuesday, Apr. 13, Paul Flores, now 44 years old, was arrested for the

murder of Kristin Smart.

Paul's father, Ruben Flores (80), was arrested on the same day for the accessory after the fact to the murder of Kristin Smart.

Both men pleaded not guilty. Paul is being held at the San Luis Obispo County Jail on no bail. Ruben was released with $50,000 bail on Wednesday, Apr. 21, by his estranged wife and Paul's mother, Susan Flores.

The preliminary hearing is set for Jul. 6 and is expected to last a full two weeks.

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History of the Kristin Smart Case Part II

By Camille DeVaul | Sep 30, 2021



Paul Dostie and Buster the Cadaver Dog

There is always more than one side to a story, especially when it comes to an unsolved case.

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When it comes to the Kristin Smart case, "whodunnit" was never the question—no matter how long it took to arrest Paul Flores—the prime suspect and last person seen with Kristin back in 1996.



The question that still remains is—where are Kristin Smart's remains?



Getting through this together, Atascadero



If you ask retired police detective turned cadaver dog specialist Paul Dostie, he will tell you without any doubt in his mind that Kristin Smart's remains are in the corner of Susan Flores's backyard.



Who is Paul Dostie and Buster

Paul Dostie retired in 2009 from Mammoth Lakes Police Department, where he worked as a

detective sergeant on the narcotics task force. He worked in law enforcement for 30 years.

But Dostie didn't know much about cadaver dogs until a homicide case he worked on in 2006 when a narcotics dog handler mentioned training a cadaver dog when she retired. Immediately Dostie knew as an investigator a cadaver dog could be an immense help to him.

By 2007 Dostie began training his new black labrador, Buster, in detecting human remains. Dostie reached out to Cadaver Dog: K9 Specialty Search Associates for cadaver trainers. As a result, Buster became State Certified in Cadaver and Avalanche Rescue.

The two assisted on a search at the Barker Ranch—a ranch located in Death Valley, infamously known for its association with Charles Manson and his "family."

For years, Dostie has done work on the Barker Ranch and even spoke to Manson throughout his investigations there.

Later, Dostie became involved with History Flight—a privately operated 501(c)3 Non-Profit organization dedicated to researching,

recovering, and repatriating America's service members back to the United States.

Members of History Flight work to find individuals who have been listed as Missing in Action (MIA) or deemed non-recoverable from WWII, the Korean War, the Cold War, and the Vietnam War.

Dostie and Buster went on seven History Flight missions—three in Tarawa and four in Europe. Buster himself is accredited with finding over 200 human bodies. But, their most successful mission was in Tarawa, where Buster located over 35 WWII U.S. Marines lost after the Battle of Tarawa 72 years ago.

In an interview with *Paso Robles Press*, Mark Noah, the founder of History Flight and director of the Tarawa project, said he put Buster and Dostie through some accuracy tests in Tarawa before doing an official search.

He brought Dostie and Buster to another island of Tarawa, where only he knew there were no graves. Dostie came back saying there were no remains there.

Next, he brought the duo to an area where he knew there were recently recovered graves.

Buster alerted right on top of grave sights where two Marines were recovered the year before.

After passing the tests, Noah and his team brought Buster and Dostie to some areas with known historical correlation to American graves, but no graves had been found yet.

After excavation, Noah's team realized they found the largest missing grave recovered since WWII.

In the History Flight Search, Recovery and Identification Report 45 LT Alexander Bonnyman Jr. Betio, Tarawa, Republic of Kiribati 2006-2015, a map shows where Buster alerted and where remains were found.

Noah uses several methods when searching for burial sites—all used to cross-reference each other. He said cadaver dogs play a significant role for them and are used frequently in their searches.

"It was fascinating to be able to combine all the different levels of technology, including the dog alerts. And it was very rewarding at the same time because we found what we were looking for," said Noah.

Buster alerted under 12 inches of at least three burials in the site pictured. Additionally, he alerted within three feet of 44 burials. But the findings didn't stop there.

In total, over 100 American remains were found where Buster alerted.

Noah said, "He [Buster] alerted within six inches of the biggest recovery of MIAs that's been done since WWII. You can't dispute it."

Within these discoveries, Buster alerted next to a building with a concrete slab. Twelve U.S. Marines were found under the building.

During these searches, Dostie was not told whether they knew or not there were remains there.



The Science Behind Cadaver Dogs

The Barker Ranch investigations were how Dostie got in touch with Dr. Arpad Vass, a world-renowned research scientist and forensic

anthropologist specializing in human decomposition.

He famously testified in the Casey Anthony case in Florida. Additionally, Vass was Tennessee Scientist of the Year in 2004 and is an instructor at the National Forensic Academy.

Vass is currently developing technology to locate clandestine graves by the use of odor mortis. There are typically seven stages of decay: pallor mortis, algor mortis, rigor mortis, liver mortis, putrefaction, decomposition, and finally, skeletonization. In addition, Dr. Vass has developed another category called odor mortis.

Vass's technology works similarly to cadaver dogs.

According to the National Center for Biotechnology Information (NCBI) Human remains detection dogs (HRDDs) are "canines specially trained to find human decomposition scent and alert their handler to its location."

During decomposition, humans release specific chemicals that essentially "plume" through the soil. Over time, these chemicals spread through moisture in the soil.

If trained properly, dogs can detect these chemical plumes and only detect those human scents–not mistaking them for other animal bones.

Together, Vass and Dostie have used each other almost as a cross-reference. For example, if Dostie's dog makes a hit, he collects soil samples and sends them to a lab for Vass to later read the results for traces of volatile organic compounds (VOCs) referred to as odor mortis.

These tests search for chemicals specific to humans. So if Vass finds human-specific chemicals in the soil sample, that means there are human remains in the area.

Unlike most cadaver dogs, Buster was trained to detect clandestine graves–an unrecorded burial grave. Dostie trained Buster in 100-year-old cemeteries in Nevada and used techniques from bomb detection dogs.

In recent years, canines have been used in archeological searches. Archeologists put cadaver dogs to similar tests that Noah performed in Croatia. Those same dogs ended up helping archeologists find 3,000-year-old graves in Croatia.

The First Search

On Jun. 2, 2014, Paul Dostie's cadaver dog Buster made his first hit for human decomposition around the perimeter of 529 East Branch Street in Arroyo Grande–the home of Susan, Paul Flores's mother.

Dostie and David Smallwood of the California Register newspaper were given permission to search the yard directly in the back of the Susan Flores home. We will refer to this property as Lot 29.

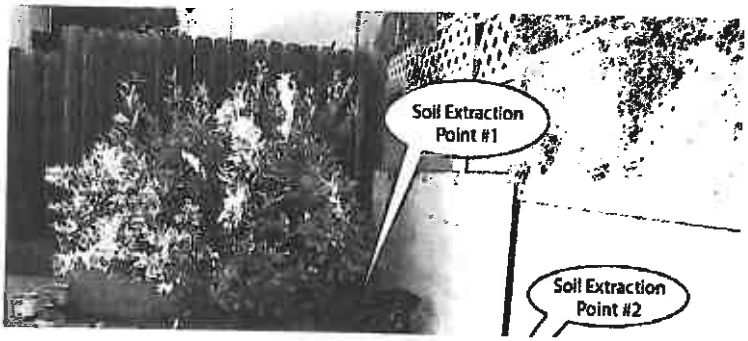
Dostie's sister, who lives in Atascadero, mailed her brother a copy of The California Register and mentioned he should consider looking into the case.

After reading the paper, Dostie said he was thoroughly impressed with the amount of detail put into the articles on Kristin Smart. So Dostie contacted Smallwood, and soon a plan was set to search for Kristin's remains.

The two men arrived at Branch Street around 1:45 p.m. Buster was brought to the backyard of Lot 29. Dostie commanded Buster to "go find," and the canine did as trained.

It didn't take long for Buster to make a strong alert to the back corner of the fence line bordering Susan's property.

Buster spun around and locked up like a bird dog alongside the fence bordering Susan's home. After analyzing Buster's reaction, Dostie said it was clear there was human decomposition there.



Dostie and Smallwood then proceeded back to the truck to get the glass vials and tools to obtain a soil sample for Dr. Arpad Vass to analyze later. However, the two were prevented from returning to the backyard by the home's owner (it turned out permission was given by a roommate and not the owner of the home).

Not long after Dostie and Buster were heading home, Smallwood called saying he got

permission from the owner at another neighboring property, Lot 27.

Dostie turned around and got ready to obtain a soil sample. But, unfortunately, Buster did not go with him so as not to wake the neighbors if he were to bark. It was now about 11:00 p.m. Soil samples were then retrieved from the backyard corner bordering Susan's home.

Later, Dostie mailed the soil samples to Dr. Vass in Tennessee to be analyzed for human decomposition. After two weeks, the sample results came in with a "weak positive" result.

According to Smallwood, from there, he took the information to Mark Connely, one of the Smart family's attorneys. Connely reportedly said he would take those results and findings to the sheriff.

According to Smallwood, they were told the sheriff's office did not look further into the findings, stating the evidence was insufficient to obtain a search warrant.

However, cadaver dogs were used in the early days of the case in Paul Flores's dorm room.

Three dog handlers were brought in to testify during the preliminary hearing for Paul and Ruben Flores in August 2021.

Adela Morris, Gail LaRoque, Wayne Behrems, and their dogs participated in searching Paul Flores's dorm room at Cal Poly in 1996.

Morris testified that her dog alerted to a door on the left side of Santa Lucia Hall, specifically room #128–Paul Flores's dorm room. In addition, Morris said both her dogs, Cholla and Cirque, strongly alerted to the mattress and desk on the left side of the room.

LaRoque had a similar testimony regarding her dog Torrey who alerted to the same areas, including Paul Flores's trash can.

Behrems and his dog Sierra also had the same findings.

All three handlers testified that they knew Kristin disappeared but did not know any further details on the case.

The Second Search

On Friday, Aug. 1, 2014, Buster and Dostie returned to Arroyo Grande for another search.

Buster returned to search Lot 27. Again, Buster quickly picked up on the scent of human decomposition. According to Dostie, the stronger the scent, the stronger the alert.

Once again, Buster gave a strong alert to a spot along the fence bordering Susan's backyard. Buster then laid down, claiming that spot as an area containing human remains.

"It was like he ran into a brick wall. It was so strong," said Dostie.



Buster during an alert to Dostie for detection of human decomposition. Contributed photo.

Following the procedure, Dostie took a soil sample from the spot to send to Dr. Vass for further testing.

On Sept. 18, 2014, test results came back from Dr. Vass indicating a negative for human decomposition.

It is believed by Dostie and Dr. Vass that migration of bio-markers in the soil was being impeded by the block wall and/or concrete footer supporting the wall.

It was also believed that the first sample was taken at a shallower depth, which resulted in a weak positive due to vegetation drawing bio-marker chemicals through cracks in the wall of the footer.

In plain man's words–traces of human decomposition may be closer to the surface than at lower depths.

Essentially, if human remains are encased in concrete, over time, the bio-markers will escape through cracks and porous holes in the concrete and then migrate through the soil.

What We Know

We know when police interviewed Paul Flores on Jun. 19, 1996, he left early to finish concrete work at his mother's home on Branch Street.

Then, when Mary and Joe Lassiter signed papers to rent and move into the Branch Street home in June 1996, they were told they could not move in until July because a concrete project in the backyard was not finished yet.

In a deposition with Attorney James Murphy, neighbors of Susan Flores said they noticed Paul and Ruben doing work in Susan's backyard not long after Kristin's disappearance. After, there were new latticework and planter boxes that had been cut out of existing cement.

In another deposition with Murphy's Office, Joe Lassiter said one of the planter boxes measured six feet long by three feet wide. He added that he could not get flowers to grow in the box due to the second layer of cement underneath.

Then, in March 1997, Susan Flores's backyard is searched using Ground Penetrating Radar (GPR). The GPR search geologist said he found an anomaly under the cement but told police he thought it was likely naturally made.

GPR detects anomalies in the ground—in other words, it shows spots in the soil that have been disturbed. For example, a hole that was dug and then covered up again.

However, he also said that he had never searched for human remains before and did not have the proper equipment. He also noted concerns over broken cement pieces that he was told were leftover from Paul and Ruben's work the summer before.

Susan's home was searched again on Jun. 19, 2000. Another search is done with GPR but comes up inconclusive.

This search was done after FBI agent Jack Schafer gave the SLO police department a warrant to dig up Susan Flores's backyard.

Schafer was assigned to the Smart case. He said he went through the case files with a fine-tooth comb. Everything he found led him to Paul Flores being the prime suspect and Kristin's remains at Susan Flores's home.

In an interview with *Paso Robles Press*, Schafer said, "I gave them the opportunity to dig up the backyard, but they didn't do it."

And again, Susan's backyard was searched in March 2007 using GPR. Professor Lawrence Conyers was able to search almost all of Susan's backyard.

Conyers was not given permission to search the cement planters. He also concludes they could not search the West side of the home because of too much stuff in the way.

He was also unable to search a garage building that was built on the East side of the home in

1997 because of wire mesh in the floor. At the time of his search in 2007, there was no technology that could read through the metal wiring. But now there is.

The East side of the home was not properly searched because of this. It is also the same area where the Lassiters found an earring with what they believed to be blood on it. It is also where dogs alerted to the same spot a metal trash can sat that Ruben insisted on picking up while the Lassiter's lived there.

The West side of the home is the same side, where the Lassiters heard the watch beeping and where the six feet by three feet cement planters are.

The West side of the home is also where Paul Dostie's cadaver dog Buster alerted to human remains—*twice.*

Then, in 2021 the SLO County Sheriffs searched Ruben Flores's home on White Court. From those searches, they claim to have found physical evidence of human remains and that those remains were moved.

Schafer speculates that evidence was found at Ruben's home because, after Kristin's

disappearance, the Flores family put her there, only to later move her to Susan's home that summer when Paul and Ruben did the concrete work.

Schafer also speculates that Kristin's remains are still in Susan's backyard.

He says, "I put my heart and soul into that case, and I thought we were going to get the body. That's one case that got away."

We have reached out to Mark Connely for comment but have not received a response.

The San Luis Obispo Sheriff's Office said, "As a result of Judge Van Rooyen's suppression order, in this case, the Sheriff's Office is unable to comment at this time."

Resources:

Cadaver Dogs

https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7401519/

Smithsonian Magazine

https://www.smithsonianmag.com/smart-news/dogs-archaeologists-detect-3000-year-

old-graves-croatia-180973409/

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Hundreds Attend Candlelight Vigil for Kristin Smart in Paso Robles

By Camille DeVaul | Apr 22, 2021



Lambert shares his thoughts on the case and what is next for the podcast

PASO ROBLES — On Sat. Apr. 17 a candlelight vigil was held in the downtown

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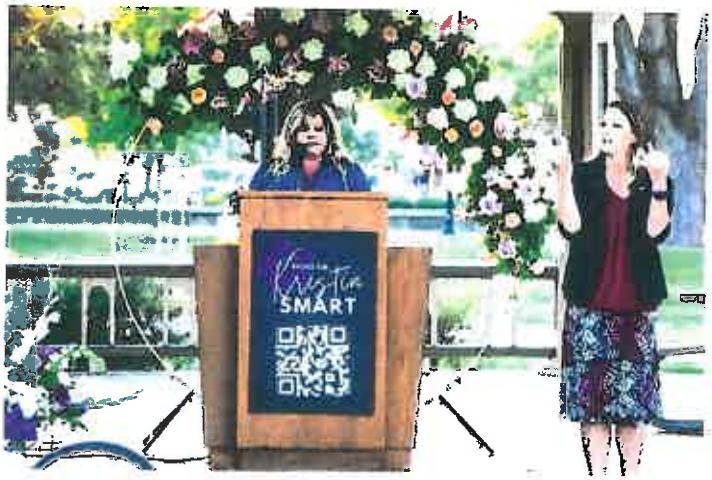
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Paso Robles City Park in honor of Kristin Smart.

In May 1996, 19-year-old Kristin Smart, a Cal Poly freshman from Stockton, had vanished over the Memorial Day weekend. Over the years, the San Luis Obispo County Sheriff's department completed endless searches, countless interviews, investigated one lead after another, all with no prevail until last Tuesday when Justice for Kristin finally began with the arrest of Paul Flores for Kristin's murder and his father Ruben Flores for accessory after the fact.

Members of the community gathered around the park gazebo, where a gold hoop stood adorned with flowers in the center. "Justice for Kristin" banners were hung, and candles were available for the crowd.



Trisha Butcher (left) and Robin Babb (right) photos by Rick Evans







Local resident Trish Butcher hosted the event. Special speakers included Carla Clawson Hoffman, a Smart family advocate, and "Find Kristin Smart," social media administrator. Pascoe Bowen, a longtime activist for Kristin and former Cal Poly student along with Sandee Hunt-Burns, also an admin for the social media group and advocate for Kristin and her family, spoke on behalf of Rachel Bird, one of Kristin's best friends. In coordination with the speakers, San Luis Obispo County sign-language interpreter Robin Babb translated the event.

Getting through this together, Atascadero



Chris Lambert, creator of the "Your Own Backyard" podcast, received a standing ovation from the crowd when he walked up to speak.

In late September 2019, Lambert, a Santa Maria native, started looking into Smart's disappearance. With the lack of information he found available on the case. He decided he wanted to tell Kristin's story in a way that had never been done before.

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his pod cast "Yo ur Ow n Bac kya rd," La mb ert wal ks thr oug



Chris Lambert

h the details of the night Smart disappeared and the events that transpired in the years after. Local officials have credited Lambert for bringing renewed life to the case, which led to new leads and evidence.

Lambert thanked everyone who has helped in bringing the Kristin Smart case to life.

Paso Robles Press spoke with Lambert before the vigil about the case and his podcast.

We asked Lambert if he ever thought the podcast would have this much effect on the Smart case, "In the beginning, I thought I would tell this story and then maybe something will come out of that, and then once people started coming out a speaking to me I thought I might have some interesting information here and maybe more than telling the story maybe I can move something forward."

Lambert says that he has looked into other cases for future podcast seasons, but for right now, Kristin Smart is his main priority.

"Right now, this is my focus–I've also become close to the family, I've become close with some people in the sheriff's department, and it feels like seeing this one through to the end is the best thing to do," said Lambert.

Lambert is currently working on a new episode of Your Own Backyard but does not have a release date yet.



Numerous productions like Netflix have reached out to Lambert to turn his podcast into a series.

However, Lambert is firm on moving forward with the story rather than focusing on what has already been covered in the podcast. He does believe there will be countless productions wanting to cover Smart's story in the future.

"I do enjoy it, but it's also enormously exhausting, especially the emotional side of it. I get attached to people, and I make good friends with witnesses and people who come forward– everybody is emotional about this, and I'm right in the center of that sometimes," said Lambert.

As the vigil con tinu ed

and the sun started to set, the crowd that gathered together for Kristin lit the wicks on their candles in her memory.



Later, to conclude the vigil, Athena Sorenson sang Amazing Grace while the crowd lit their candles for a moment of silence for Smart.

John Segale, the spokesperson for the Smart family, released a statement on the family's behalf.

"While we are not able to join you for the candlelight vigil, we are with you all in spirit. Your love for Kristin and your unwavering

support for our family for the past 25 years has been amazing and deeply appreciated. Many became involved more than two decades ago, like the relentless Dennis Mahon and our outstanding legal team, Jim and Garin Murphy and Mark Connelly. You all have filled our hearts, helped pick us up, and powered us forward to this point in time. The day of reckoning is coming, and soon we will all gather together to celebrate Justice for Kristin."

To read the most up-to-date details of the case and preliminary court hearings, visit atascaderonews.com.

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Arroyo Grande Shops Donate Memorial Day Sales to Kristin Smart Scholarship

By Atascadero News | May 26, 2021



No Strawberry Festival, but residents and visitors can participate in a special Village event

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ARROYO GRANDE — The Village of Arroyo Grande will not be hosting the Strawberry Festival or Strawberry Celebration this month, but residents and visitors can still participate in something significant to commemorate Memorial Day weekend. Merchants in the Village are donating a portion of their sales this weekend to support the Kristin Smart scholarship.





Funded by the nonprofit organization Justice For Kristin, the Kristin Smart Scholarship is a way to celebrate and remember Kristin's life, hopes, dreams and ambitions—by financially helping other young women realize theirs. The scholarship grants are awarded annually to college-bound female students from San Luis Obispo and San Joaquin Counties. For a minimum of 10 years, the goal is to annually award $2,500 or greater scholarship grants to those selected by the awards committee.

Look for purple balloons throughout the Village of Arroyo Grande to identify participating businesses. For more information about the scholarships, please visit kristinsmart.org/kristin-smart-scholarship.

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"We encourage residents and visitors to shop in the Village to support the small businesses who are struggling to recover from the impacts of COVID," said South County Chambers of Commerce President/CEO Jocelyn Brennan.

Please contact South County Chambers of Commerce at office@southcountychambers.com or(805)489-1488 with any questions.

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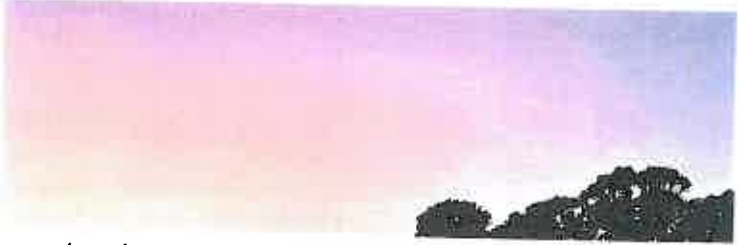
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By Hayley Mattson | Feb 5, 2020









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SAN LUIS OBISPO — This past Saturday night, hundreds gathered for a candlelight vigil to show love and support for missing Cal Poly student Kristin Smart. As candles lit up a corner of Santa Rosa Park in San Luis Obispo, organizer and host Marie Inman started the event as Kristin's favorite songs softly played in the background.

"You, showing up today, you guys are Kristin's heroes — thank you for being here," Inman shared.

"Look around, this our community, get to know each other, we are all in this community supporting each other and supporting Kristin Smart and her family. If anyone had a daughter, a son, a friend who disappeared, our community







would come together and be here to keep that memory alive until we were able to bring that person home. Standing here today, being that this is our community, this what you guys are doing. This is all love, compassion and hope. If any of you are asking yourself what you can do for Kristin Smart or what you can do for the Smart family this is it. What you guys are doing right now, being here, showing up today and showing up when we have vigils and events, you are showing the Smart family that you support them, and you are showing Kristin that her memory will never be forgotten."

Smart's childhood friend Ann-Marie Christian McEntire read a letter written from Stan and Denise Smart on behalf of the Smart family who were watching live from their home in Stockton.

Getting through this together, Atascadero



"[Chris Lambert] refused to let silence bury Kristin's voice," the letter read. "He's the glue we were missing. He brought you here and to know that so many of you care and love our daughter fills us with hope. She would be honored to know you are here, and there is no

doubt she is sending you a little 'aloha.'
"Together, we will bring Kristin home."

Following the reading, Chuck Inman read a prayer, and Marie Inman shared the microphone with those who gave words of gratitude and encouragement for the Smart Family, the event and the organizers behind it. Among those in the crowd was Chris Lambert, who has given new life to the case, with his podcast. Inman focused directly on Lambert and thanked him for his selfless dedication and passion that has brought so many people together to continue the fight to bring Kristin home.

Like the fire that lit the first candle of the night, Lambert's podcast shares the light from listener to listener, and the hope for Kristin Smart and her family has not burned brighter in more than a decade.

With new leads that have surfaced since the podcast was released, it seems that individuals that were in direct contact with Smart or Paul Flores are now willing to come forward and tell their side of the story. In the latest episode of "Your Own Back Yard" the Sheriff's office sat down with Lambert for an interview. Immediately following the release of the

podcast, a statement from the Sheriff's office was emailed to all news media outlets detailing out the progress that has been made and confirmed that they are in possession of two trucks that were owned by the Flores family during the time of Smart's disappearance. With the new information coming in every day, the podcast and all the volunteers that are fighting to keep Kristin Smart's memory alive, the feeling that was shared by everyone that night, this is the year we bring Kristin home.

Upcoming events include another candlelight vigil and a walk along the last known path of Kristin, among others. To stay informed on upcoming events and information, join the Facebook group "Find Kristin Smart," or go to *yourownbackyardpodcast.com* or *kristinsmart.org* and follow our news channels for more updates.

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Detective in Kristin Smart Case Testifies to Finding Suspicious Staining in Soil

By Camille DeVaul | Sep 3, 2021



Detective also testifies law enforcement leaked information to podcaster Chris Lambert, while Flores family was wiretapped

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SAN LUIS OBISPO — San Luis Obispo County Sheriff's detective Clinton Cole continued to take the stand on Wednesday, Sept. 1, on the 16th day of the hearing for Paul (44) and Ruben (80) Flores hearing.



The father and son are charged in connection with the 1996 disappearance and murder of 19-year-old Cal Poly student Kristin Smart. Paul has been charged with her murder, and Ruben is being charged with accessory after the fact.







Both men were arrested in April. Ruben is out on bail, but Paul remains in the San Luis Obispo County jail with no bail.

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Kristin's remains have never been found, but she was declared legally dead in 2002.

Det. Cole took the stand to testify why they believe a crime was committed at Ruben's home on White Court in Arroyo Grande.

He discussed evidence that was collected during searches of the property in April 2021, which included anomalies in the backyard and a 4-foot deep hole under the deck containing fibers and

suspicious staining in the soil related to human remains.

Det. Cole then testified that on Mar. 9, 2020, a witness reported suspicious activity at Ruben's property. It was reported a trailer was parked there at odd hours, and Paul's mother, Susan Flores, and her boyfriend Mike McConville were there.

This incident is reported to have happened following a search warrant served in February 2020.

According to testimony on Wednesday from Det. Cole, a warrant to search the trailer was served in 2020. The search revealed a stain "similar" to a human body after the inside was sprayed with a chemical used to detect bodily fluids. Specifically, the chemicals revealed a "suspicious" reaction inside one of the trailer's doors.

Det. Cole said he used Bluestar, a forensic chemical used to rapidly test for the presence of blood. The chemical could also be used to detect cleaning agents, he added.

Det. Cole also testified that the Flores family was wiretapped for 30 days starting on Jan. 5,

2020.

He also said that law enforcement leaked information to "Your Own Backyard" podcaster Chris Lambert specifically that they had Paul's white Nissan pickup in their possession. He said this was done so Lambert would include the information in his podcast during the time of the wiretap.

Additionally, Det. Cole talked about his interview with witness Jennifer Hudson in November 2019.

Hudson previously testified during the preliminary hearing that while hanging out with a group of skateboarders in San Luis Obispo in 1996, she heard Paul Flores use a derogatory term to refer to Kristin Smart and say, "I'm done playing with her, and I put her out underneath my ramp in Huasna."

She said she didn't tell law enforcement about it until she talked to Det. Cole in 2019.

Paul's defense attorney, Robert Sanger, questioned Det. Cole over alleged inappropriate contact with Hudson.

Sanger questions Det. Cole over inconsistent dates in his notes alleging text messages were deleted from WhatsApp, a smartphone application.

Sanger asked if Cole had an inappropriate conversation with Hudson on his cell phone after he had been drinking. Sanger then asked if Det. Cole called Husdon late at night after he had been drinking.

Det. Cole said he did not recall but said it is possible that they could have talked but said he has very poor cell reception at his house, so he doubts it.

Also taking the witness stand on Wednesday was Edward Chadwell. He built the home on White Court for Ruben and Susan Flores in 1991.

Prosecutor Chris Peuvrelle asked him if he found the remains of any monkeys or ferrets or any human bodies on the property. Chadwell answered no.

The preliminary hearing continues on Thursday, Sept. 2, starting at 9:00 a.m.

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Friend of Kristin Smart Testifies On Day 4 of Preliminary Hearing

By Camille DeVaul | Aug 9, 2021



The hearing is now on recess and will continue on Monday, August 9 at 9:00 AM

By Camille DeVaul and Melissa Guerra

SAN LUIS OBISPO – Day Four of the preliminary hearing for Paul Flores began with

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Deputy District Attorney Chris Peuvrelle bringing former Detective Kennedy back to the stand.



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Paul Flores's attorney, Robert Sanger, says he just obtained over 500 pages of Kennedy's notes from when he first investigated Kristin Smart's disappearance in 1996.



Sanger notes there are older Bates stamp numbers on some pages as well as new numbers. He suspects the notes were at one point turned over to James Murphy, the Smart family's attorney.

Peuvrelle responded, letting the defense know after 25 years, there are a lot of files, and they are working on getting all documents to them.

Sanger then proceeded with his cross-examination of Kennedy from the day prior.

Kennedy had no recollection to Sangers following inquires:

- A man named Shahn who lit Kristin's shoes on fire and left them on her doorstep with a note

- A boyfriend or any male who set Kristin's shoes on fire
- A man named Ted who was in Kristin's room on the night of her disappearance

Sanger again asked if Kennedy was investigating whether or not Scott Peterson was at the party. Kennedy did not know.

Margarita Campos

Margarita Campos, who lived next to Kristin in Muir Hall, took the stand as the next witness.

Peuvrelle had Campos explain her friendship with Kristin and said they got closer about two to three months before her disappearance. The two met in December 1995 or early January 1996.

Campos explained to the court some girls down the hall invited her and Kristin to a get-together off-campus. The two rode with the other group of girls in a truck and went to but decided not to stay long. Campos said she and Kristin were dropped off, she believes on the corner of Foothill and California Boulevard.

Peuvrelle asks what Kristin was wearing that night–May 24, 1996. Campos said Kristin's hair was brown at the time, and she was wearing short black Roxy boardshorts, a gray crop top, and red tennis shoes.

After they were dropped off, Campos left Kristin to go back to the dorms. Campos explained that Kristin wanted her to stay and go with her, but Campos wanted to return to the dorms.

Campos then testified that she gave Kristin her key to the main entrance to get back into the dorms as they lock after midnight.

Campos told the court that she turned around and saw Kristin walking to turn onto Crandall Way and said, "I've replayed in my head over and over, like, why did I let her go by herself?"

Peuvrelle asked Campos if she or Kristin had any more alcohol, and Campos said no and that Kristin was "100% sober" by that time.

Campos says the last time she saw Kristin was around 11:00 p.m.

After an afternoon break around 1:30 p.m., Peuvrelle asked Campos if she ever saw Paul around campus, and she responded yes. He then asked if Paul ever stared at her, and Campos said yes, "he stared at everyone."

Campos then testified that on May 25, 1996, she went and knocked on Kristin's door several times. When Kristin's roommate Crystal answered the door later that day, Campos realized Kristin did not come home. Kristin's room was the same as she left it.

She continued saying that Sunday, May 26, 1996, was when things got "surreal." Other dormmates said that it wasn't normal and Kristin would have said something to someone.

That same day Campos said she and a few other girls decided to report Kristin missing.

During Sanger's cross-examination, Campos explained she was frustrated with how the Cal Poly Campus Police handled Kristin's disappearance.

Campos said in 2017 she sent an email to the San Luis Obispo Sheriff's Department to set up a meeting with detective Cole.

During those meetings, Campos told Detective Cole that prior investigators on Kristin's case were "demoralizing" and "instilled shame" for her being friends with Kristin. Campos stated she found a footprint outside Kristin's window and reported it to campus police, hoping they would investigate it properly. She did not believe the footprint was properly investigated.

Sanger asked Campos if she recalled filling out a questionnaire by the FBI in 1999. Campos does not recall being interviewed by the FBI or them being involved.

Sanger then asked Campos if Kristin was "stalking a boy she liked." Campos told the court that stalking was a word she would have used when she was younger but now says Kristin had a crush on a guy and was trying to get his attention. Sanger asked if that guy was Sean, and Campos said no. Campos then clarified that she did introduce Sean and Kristin but believed they already knew each other. According to Campos, Kristin and Sean were only casual friends.

Later Sanger asked Campos if she remembers telling the District Attorney Kristin was pregnant. Campos said she did not know whether Kristin was pregnant or not. Sanger

then asked if Campos is saying she did not tell investigators that Kristin was pregnant, and she says that is correct.

Campos did not recall that Kristin ever told her that she was going to Santa Barbara to get an abortion pill.

Campos then confirmed she was interviewed on January 8, 1999, by SLO Sheriff's Detective Steve Crawford. She recalls the interview was a long three hours in a parked car in Orange County. She again confirmed that she did not tell the detective that Kristin was pregnant or that Sean was the father.

Sanger handed Campos a document to refresh her memory. She said that was information she heard after Kristin disappeared when she spoke to Sean.

Ruben Flores's attorney Harold Mesick then cross-examined Campos.

Mesick asked Campos if she knows where Kristin may be now. After pausing, Campos responded, "Kristin is no longer alive."

Detective Clinton Cole

Later, Detective Clinton Cole was called back to the stand.

Peuvrelle began by asked Cole about interviewing Crystal, Kristin's roommate at Muir Hall, on June 16, 2021.

Crystal told Detective Cole that she was concerned when Kristin was gone more than 24 hours without her red backpack, saying she never left without it. She said the last time she saw Kristin was on May 24, 1996, around 7:00 p.m. or 8:00 p.m.

Sanger then proceeded with his cross-examination of Detective Cole. Sanger asked Detective Cole if he went over an FBI questionnaire filled out by Crystal in 1999 when he interviewed her in 2021. Cole says he did not.

Detective Cole told Sanger that he kept an open mind when he took over the case and did not assume Paul was a suspect as that is how he handles all his cases.

Sanger asked Cole if he investigated other potential suspects, including Ted, Yanish, Shahn, Sean, and Brian.

Later Sanger asked Cole if he has heard that Scott Peterson was on the party of May 24, 1996.

Detective Cole testified that in all his research, the only person who said anything related to Scott Peterson was a public tip that came after being charged with murdering his wife, Laci Peterson. Cole continued that the tip came from a lady who said that in her opinion, Scott and Lacy had been to a party with Kristin. However, the woman never clarified it was the Crandall Way party.

After dismissing Detective Cole from the stand, Sanger made comments about making arrangements for Scott Peterson. However, it is unclear if Sanger is trying to arrange for Peterson to testify as the topic was not discussed any further.

The hearing is now on recess and will continue on Monday, August 9 at 9:00 am.

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EXHIBIT CCCCC

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Kristin Smart Murder Preliminary Hearing: Day 1

By Camille DeVaul | Aug 3, 2021



Witnesses included Smart's parents and former college students

SAN LUIS OBISPO — Monday, Aug. 3, marked the first day of the preliminary hearing for Paul and Ruben Flores.

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The father and son, Paul (44) and Ruben (80) Flores, were arrested in April in connection with the 1996 murder and accessory after the fact of Kristin Smart.



The hearing is expected to last three weeks.

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After several delays, the hearing came to order at approximately 10:30 a.m.



Denise Smart, Kristin's mother, was the first witness called to the stand by Deputy District Attorney Christopher Peuvrelle. The prosecutor started by asking Denise questions about herself and Kristin's role in the family. Then, he asked Denise if Kristin was the type to run away.

Three photos were submitted to evidence and shown to Denise, who began crying when she looked at the first photo showing the Smart family, including Denise, her husband Stan, and three children, in Hawaii in January of 1995,

about a year-and-a-half before Kristin went missing at the age of 19 from the Cal Poly campus.

The second photo was a picture of Kristin with blonde hair in 1995 and the third photo of her on spring break in 1996 with her hair dyed brown.

Peuvrelle asked Denise about her relationship with her daughter.

"Kristin felt like a gift to our family," Denise replied, describing Kristin as energetic and the best hugger.

Denise said the last time she spoke with her daughter, Kristin was concerned about getting an incomplete in one of her classes because her Scantron test form had been lost.

That Friday, Denise testified that Kristin left a voicemail saying she had good news and would call her mom on Sunday, but the call never came.

According to Denise, she said her husband, Stand Smart, drove down from Northern California to look for their daughter and spent

most of the summer of 1996 in San Luis Obispo.

Denise testified that the first thing she did was contact Cal Poly and the university's president's office but was told they did not know anything about her daughter's disappearance.

Denise said she then called university police and was told they had no info.

She then reportedly turned to the FBI in Los Angeles and was in touch with its sexual assault task force. Denise says the task force reached out to Cal Poly and was told everything was "under control" and the FBI's help was not needed.

During Denise's testimony, Paul Flores's attorney, Robert Sanger, continually objected for relevance and hearsay.

After a short break, the court reconvened for cross examination at around 11:30 a.m.

Sanger questioned Denise if she knew Kristin was applying to modeling jobs under the name

"Roxy" and Denise replied with, "no."

Denise then denied knowing much, if anything, prior to last month about Kristin having boyfriends while at college.

After Sanger, Denise was questioned by Harold Mesick, Ruben Flores's attorney.

Mesick questioned whether Denise knew Kristin was missing for some time while working as a lifeguard in Hawaii, and Denise denied knowing anything about it.

The defense said it plans to call Denise back to the stand for more questioning at a later date.

After a break, Stan Smart, Kristin's father, was called to the stand.

Stan described his relationship with Kristin as being a close one. He said he spent more than two months searching for his daughter. Stan described the Cal Poly Police Department as "ill-equipped" to handle a missing person or homicide case.

While being cross-examined by Sanger, Stan was asked if Kristin had a desire to be a model and move to Thailand. Stand testified that

Kristin mentioned she wanted to go back to Thailand but was under the impression that it was for school.

While searching for his daughter and following tips, Stan said he heard about Paul Flores's possible involvement with Kristin's disappearance.

Stan testified that he went to Ruben Flores's Arroyo Grande home to talk, but when he drove up, Stan says Ruben came out of the house yelling, "You need to get out of here, or someone could get shot."

Stan then pointed at Ruben in court.



Sanger then asked Stan if he also went to Scott Peterson's home, suggesting Scott and Laci Peterson were at the same party Kristin was last seen.

Then Sanger continued to question Stan about other men in Kristin's life around her disappearance. Sanger also suggested Kristin was reported for stalking a man at a bookstore. The judge repeatedly sustained Peurvelle's objections to Sangers claims.

The court heard a motion to quash on behalf of Susan Flores, Paul's mother. Jeffry Radding, Susan's attorney, submitted the motion.

Susan will be pleading the Fifth and not be taking the stand as a witness in her son and ex-husband's case.

Later, two more witnesses were called to the stand.

Eric, a Cal Poly student in 1996, said he attended a party on Crandall Way in San Luis Obispo that Kristin Smart attended the night she disappeared, and Kendra, a Cuesta College

student at the time, said she also attended the party.

Both identified Paul in court.

Eric said Paul was "a little standoffish, looking around the back of the room," but adds that he never spoke directly to Paul that night. However, Eric said he did join a conversation Paul was having with some of his female friends, saying they looked uncomfortable.

During cross-examination, Mesick asked Eric if he remembers any women who were at the party.

Eric responded by saying he remembered one woman specifically. Mesick then asked if that is because he listened to the "My Backyard" podcast. Eric said he does not know the podcast.

Kendra then took the stand.

She described her experience with Paul Flores when she asked him for a piece of gum. Kendra said she and Paul began kissing before someone yelled at them to "get a room."

Feeling embarrassed, Kendra followed Paul to the backyard because Paul said he had gum in his car. He then made a move on Kendra, which she declined and pushed him before leaving.

Later at the same party, Kendra said she saw Kristin fall in the hallway with Paul standing over her.

Kendra testified that she then pulled Kristin outside and warned her to stay away from Paul because she was concerned for her safety. She described Kristin as being "highly intoxicated" and unable to care for herself.

Later that night, Kendra saw Kristin in the driveway of a nearby home and offered to walk her home, but Kristin declined, saying she was waiting for someone.

A few weeks later, Kendra said she called Cal Poly Police after seeing information on Kristin's disappearance on the news. That was when Kendra learned her name was Kristin because, at the party, she introduced herself as "Roxy."

During cross-examination by Sanger, Kendra explained she was not interviewed by law

enforcement until 2014 but was interviewed by campus police in 1996.

Sanger asked if Kendra spoke with Christ Lambert, creator of the *Your Own Backyard* podcast and if she knew he had made this case his "personal crusade."

Kendra confirmed she had spoken to Chris Lambert.

When Mesick cross-examined Kendra, he asked if she knew how Kristin got home that night because of the podcase (Your Own Backyard).

Kendra said she saw how she got home on the news before the podcast came out.

At the end of the hearing late Monday afternoon, a discussion regarding unsealing documents was brought up, but no final decisions were made.

The hearing will continue in person at 9 a.m. Tuesday, Aug. 3.

The names of all witnesses mentioned will be addressed by first name only to protect their identity in accordance with court orders.

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I, the undersigned declare:

I am over the age of 18 years and not a party to the within action. I am employed in the County of Santa Barbara. My business address is 222 E. Carrillo St., Ste. 300, Santa Barbara, California, 93101.

On March 9, 2022, I served the foregoing document entitled: **DECLARATION OF SARAH S. SANGER IN SUPPORT OF MOTION FOR CHANGE OF VENUE (PEN. CODE, § 1033)** on the interested parties in this action by depositing a true copy thereof as follows:

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_X_ **BY ELECTRONIC TRANSMISSION** -I caused the above-referenced document(s) to be transmitted via electronic transmission to the interested parties at the email addresses referenced in the attached service list.

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Executed March 9, 2022, at Santa Barbara, California.

Jake Swanson

Jake Swanson

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN LUIS OBISPO

THE STATE OF CALIFORNIA,

Plaintiff,

vs.

PAUL RUBEN FLORES,

Defendant.

Case No. 21F-02402-A

DECLARATION OF RAMONA MESSINA IN SUPPORT OF MOTION FOR CHANGE OF VENUE (PEN. CODE, § 1033)

Date: March 30, 2022
Time: 8:30 a.m.
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Hon. Craig B. Van Rooyen

///

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DECLARATION OF RAMONA MESSINA

I, Ramona Messina, declare:

1. I was a sworn peace officer in the State of California for eleven years and was first at the Santa Monica Police Department and then with the Atascadero Police Department. At the Atascadero Police Department, I worked as a detective with the Investigative Unit for 4 years. I have been a licensed private investigator since July 2000 and have worked in the courts of San Luis Obispo County for both the prosecution and defense since 1990.
2. During the time that I have been in San Luis Obispo County, no case has had the same level of constant publicity over a period of years as the disappearance of Kristin Smart. In my experience, no case in the County has captured the community's sustained interest over a period of years. No case has engendered such a sustained public campaign to pursue and convict a suspect, in this case, Paul Flores.
3. I have seen this case covered continuously since 1996. There have been endless print articles and continuous television and radio coverage.
4. In addition, there has been a podcaster, Chris Lambert, who has made a career out of Kristin Smart's disappearance, including interviewing witnesses, going to private property to find "clues," and advancing theories as to why Paul Flores is guilty. Since Paul Flores's arrest in April 2021, numerous people not associated with the case in the San Luis Obispo County community have approached me and told me to watch the podcast. There are ten podcast episodes uploaded to the internet from September 29, 2019 to July 6, 2021 remaining accessible for viewing on https://www.yourownbackyardpodcast.com/episodes.
5. There were also at least three national television shows about Kristin Smart that suggested that Paul Flores murdered her. Even though

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these shows were national, their impact on the local community would have simply added to the local interest in the case and prejudice against Mr. Flores. For example, in or about May 2021 there appears to have been a segment on CBS' 48 Hours regarding the Kristin Smart disappearance. As a result, the San Luis Obispo Tribune featured articles on this 48 Hours segment titled "Was Kristin Smart buried under Ruben Flores' deck? New '48 Hours' reports 'explosive claims'" and "Missing Cal Poly student Kristin Smart to be featured on CBS '48 Hours' show." Attached hereto as Exhibits CCCC and DDDD are true and correct copies of these two articles.

6. During February 2021, I saw a large billboard regarding the Kristin Smart disappearance in a field facing southbound traffic on Highway 101 just north of the Monterey exit coming into San Luis Obispo City within the County of San Luis Obispo. The billboard had a picture of Kristin Smart on it. At some point prior to the preliminary hearing in this case, the billboard was removed.

7. On February 24, 2022, I observed a sign that stated, "Missing Cal Poly Student Kristin D. Smart." This sign was mounted on the fence on the northwest corner of Huer Huero Road and State Route 58 in Creston within the County of San Luis Obispo. There was a smaller sign at this location which I first observed over a year ago. This smaller sign was replaced by a larger sign. Attached hereto as Exhibit EEEE is a true and correct copy of the February 24, 2022 photograph I took of the larger sign at this location.

8. I saw a billboard regarding the Kristin Smart disappearance in front of James Murphy's office in Arroyo Grande within the County of San Luis Obispo. I have observed the billboard at this location for at least the past 20 years. On February 28, 2022, I photographed the sign at this

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location and noticed that the old billboard had been replaced by a larger updated billboard. Attached hereto as Exhibit FFFF is a true and correct copy of the photograph I took of the billboard.

9. On March 5, 2022, I observed a billboard regarding the disappearance of Kristin Smart in Nipomo, California across the street from 286 Cienega Road. The billboard faces westbound traffic and is on the north side of the road. The billboard is located on the main road into and out of Nipomo and is used by people going to the Oceano Dunes. Attached hereto as Exhibit GGGG is a true and correct copy of the photograph I took of the billboard on March 5, 2022.

10. On February 14, 2022, I observed a memorial to Kristin Smart located at Dinosaur Cave Park in Pismo Beach within the County of San Luis Obispo. When I arrived at the memorial, people were looking at it. The memorial was decorated with flowers and painted rocks. Attached hereto as Exhibit HHHH is a true and correct copy of the photograph I took on February 14, 2022 of said memorial.

11. On February 28, 2022, I went to the business Brand Creative, a graphic design store, located in Arroyo Grande within the County of San Luis Obispo. The store was selling bumper stickers regarding the Kristin Smart disappearance for a donation. Attached hereto as Exhibit IIII is a true and correct copy of a photograph I took of the bumper sticker that is sold at Brand Creative.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 9th day of March, 2022 at San Luis Obispo County, California.

DocuSigned by:

Ramona Messina

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EXHIBIT CCCC

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THE TRIBUNE

What does equitable education actually look like?

CRIME

Was Kristin Smart buried under Ruben Flores' deck? New '48 Hours' reports 'explosive claims'

BY NICK WILSON

UPDATED MAY 10, 2021 3:26 PM



See San Luis Obispo County District Attorney Dan Dow announce the filing of a murder charge against Paul Flores in the disappearance of missing Cal Poly student Kristin Smart. He also answers questions about the prosecution process. BY DAVID MIDDLECAMP

Only have a minute? Listen instead

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Read more on the Kristin Smart case

Follow latest news on the Kristin Smart case and the arrests of Paul and Ruben Flores.

EXPAND ALL

CBS's "48 Hours" has updated its episode about Cal Poly student Kristin Smart's 1996 disappearance with new information and "explosive claims" from the Smart family attorney, according to CBS correspondent Jonathan Vigliotti.

The updated version of "The Disappearance of Kristin Smart," which first aired Saturday, includes footage from two San Luis Obispo County law enforcement news conferences held in April and an interview with Arroyo Grande lawyer James Murphy, who's representing Smart's family.

The revamped 44-minute episode also features information from a San Luis Obispo County probation report obtained by The Tribune saying that investigators have biological evidence indicating that Smart's body was buried under the Arroyo Grande home of Ruben Flores, whose son, San Pedro resident Paul Flores, is accused of murdering the college student.

TOP ARTICLES

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Smart was last seen on May 25, 1996, with Paul Flores after a late night party in San Luis Obispo. Both were Cal Poly freshmen at the time.

Flores, 44, has been charged with Smart's murder, and his 80-year-old father is charged with acting as an accessory to the crime.

Both men pleaded not guilty to their respective charges in San Luis Obispo Superior Court.



In February 2020, Paul Flores was released from custody after his home and vehicles were searched in San Pedro. Sheriff's deputies search his home in the case of missing student Kristin Smart who vanished from Cal Poly San Luis Obispo in 1996. He has since been arrested and charged with her murder. Carolyn Cole *LOS ANGELES TIMES*

KRISTIN SMART FAMILY ATTORNEY TALKS ABOUT DISAPPEARANCE

"48 Hours" originally aired its episode about Smart's disappearance in November.

In the new version of "The Disappearance of Kristin Smart," Murphy says he has seen documentation of "all night" activities in February 2020 involving Flores family members working under the deck of Ruben Flores' Arroyo Grande home.

Murphy has filed a lawsuit against Paul Flores; his mother, Susan Flores, and her boyfriend, Mike McConville, for inflicting emotional distress on the Smart family, alleging they hid and recently moved the Smart's remains from Ruben's Arroyo Grande property.

"(Ruben Flores) threw her in a hole for 24 years, and then during that time he sipped his morning coffee out on the deck," Murphy tells CBS in the "48 Hours" episode.