SUPERIOR COURT OF CALIFORNIA
County of San Luis Obispo

ARREST WARRANT
Probable Cause Arrest Warrant
Ramey Warrant

The People of the State of California
To Any California Peace Officer:

Warrant No. 14678

Arrestee's name: *Ruben Ricardo Flores*, hereinafter "Arrestee."

Declarant's name and agency: *Clinton M. Cole*, San Luis Obispo County Sheriff's Office hereinafter "Declarant."

Order: Proof by Declaration of Probable Cause having been made to me on this date by Declarant pursuant to Penal Code § 817, I find there is probable cause to believe that Arrestee committed the crime(s) listed below. You are therefore ordered to execute this warrant and bring Arrestee before any judge in this county pursuant to Penal Code §§ 821, 825, 826, and 848.

Crime(s): *PC 32 Accessory After the Fact for Murder*

Bail: ☐ No bail ☒ Bail is set at $ 250,000.00

Night service authorization [Required only for misdemeanor arrests] ☐ Good cause for night service having been established in the supporting Declaration of Probable Cause, this misdemeanor warrant may be executed at any hour of the day or night.

Warrant to be served within 30 days.

6 April 2021 4:20 p.m.
Date and time warrant issued

Judge of the Superior Court

SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN LUIS OBISPO

/S/ MATTHEW G. GUENTHER

◆ Arrestee Information ◆
For identification purposes only

Name: Ruben Ricardo Flores

AKAs:

Last known address(es): 710 White Court, Arroyo Grande, CA

Sex: M Race: Hispanic Height: 506 Weight: 185 Color of hair: WHI Color of eyes: HZL

Scars, marks, tattoos:

Vehicle(s) linked to Arrestee: A Black 2006 Volkswagen Sedan CA 7WHL120.

Other identifying information: CDL M0380741

Introduction

In May of 1996, Kristin Denise Smart was a 19-year-old female college student who attended Cal Poly State University in San Luis Obispo. Smart resided at the Cal Poly dormitories, specifically Muir Residence Hall, Room #120. Smart was last seen with Paul Ruben Flores at approximately 0230 hours on Saturday May 25, 1996 near Perimeter Road and Grand Avenue on the Cal Poly campus. The investigation into Smart's disappearance began initially with the Cal Poly Police Department, who subsequently requested the assistance of investigators from the San Luis Obispo County District Attorney's Office. The investigation by Cal Poly Police and the District Attorney's Office progressed for approximately one month before the San Luis Obispo County Sheriff's Office assumed control of the investigation on June 26, 1996. The following Affidavit is a synopsis of facts and circumstances which articulate that Paul Flores is responsible for the death of Kristin Denise Smart and knows the whereabouts of her body.

Ruben Flores Ramey Warrant Affidavit

On Friday 5/24/96 (Memorial Day Weekend) Kristin Smart attended a house party at 135 Crandall Way in San Luis Obispo. Smart attended the party alone. This location is an off-campus residence located within walking distance of the Cal Poly campus. Paul Flores was present at the same 135 Crandall Way party on 5/24/1996 and attended alone also.

According to numerous witnesses, during Smart's presence at the party, she was intoxicated and flirtatious toward males at the party. One witness (Jennifer Matsler) who was present at the party, described Smart as kissing and rubbing up against various males. Smart was described as wearing a gray half top t-shirt, black vinyl shorts and red Puma brand tennis shoes.

Both Smart and Flores were acting aggressively with the opposite sex at this party. When interviewed by investigators, Paul Flores said he had no communication with Smart at the party, except for when she briefly introduced herself as Roxy and walked away. Flores adamantly denied any incident at the party where he was near or on top of Smart on the floor and said he had no interest in Smart.

Tim Davis was one of the people that hosted the party this night. Davis told investigators Paul Flores appeared to be aggressive toward females at the party. Davis observed Paul Flores talking with Kristin Smart at the party and hanging out around the bar area with smart. Davis said at one point he heard a loud thump and saw Smart and

Flores both laying on the floor in the hallway together. Another partygoer, Kendra Koed witnessed Flores and Smart fall to the floor and Koed helped Smart to her feet.

Matt Toomey was at the party with his friend, Ross Ketchum, who Kristin Smart spoke to and was interested in. Toomey said he noticed Smart appeared to be intoxicated as her speech was slurred when she spoke to Ketchum. Ketchum walked away from Smart and Toomey. Toomey said Smart then asked him if he thought she was good looking, and Toomey told Smart he thought she was good looking.

Smart walked away from Toomey and Paul Flores approached Toomey. Flores asked Toomey if he knew Kristin Smart and Toomey said no. Toomey said Flores made a comment to him to the effect that he (Flores) thought Kristin Smart was good looking. Toomey said he got the impression from Flores that he (Flores) was interested in Smart and was going to talk to Smart.

Paul Flores has told Investigators in his interviews that he was not interested in Kristin Smart and did not find her attractive. Toomey's statement clearly disputes this and shows that Flores thought Kristin Smart was good looking.

During a 2001 undercover operation conducted by the FBI, Paul Flores told the undercover agent that he helped pick Smart up off the floor in the hallway at the party. Flores told the agent he did not know Smart's name and had never met her. The agent asked Flores how much Smart weighed, and he said, "I didn't know how much, she told me she weighed maybe 140."

At approximately 0230 hours on 05/25/1996, Tim Davis observed Smart laying on the front lawn of the neighboring residence. Davis stated that Smart appeared to be passed out, therefore he approached her to see if she was ok. Davis described Smart as "really drunk." At that time, Davis observed Cheryl Anderson who he knew lived in the dorms. Davis suggested that Anderson walk Smart back to the dormitories where she and Smart both lived (in separate buildings). At this time, Flores who was outside of the 135 Crandall Way residence, approached Davis, Anderson and Smart. Flores said he also lived in the dormitories and would walk Anderson and Smart home back to the dorms. Davis asked Anderson if she would be ok walking back to the dormitories with Flores, and Anderson replied, "we can make it." Davis told investigators that Anderson was sober and Flores was intoxicated. Davis last saw Anderson, Smart and Flores walking away from the residence, toward the recreation center on the Cal Poly campus.

As Anderson, Smart and Flores walked back toward the dorms on Perimeter Road, Anderson observed that Smart had difficulty walking due to her level of intoxication. Flores had his arm around Smart's waist to steady her. At one point, Flores and Smart stopped along the way, at which point Anderson stopped as well. Flores put his arms around Smart to hug her. When Flores stopped to hug Smart, Flores told Anderson... "that's ok, you can go ahead." Anderson said she felt this was suspicious therefore she did not want Flores to walk alone with Smart. Anderson said whenever Flores hugged

Smart, Anderson did not see Smart hug him back; Smart only leaned against him for support. Anderson continued to walk with both Flores and Smart. As the three of them reached the intersection of Perimeter Road and Grand Avenue on the Cal Poly campus, Anderson had to walk south on Grand Avenue to get to her dorm building of Sierra Madre. She stated Flores and Smart had to continue walking east on Perimeter Road to get to their respective dorm buildings. Smart resided in Muir Hall dorm building and Flores resided in Santa Lucia dorm building. Prior to Anderson leaving, she said Flores asked her for a kiss Anderson and told him "no." Anderson said Smart was leaning on Flores for support due to her intoxicated state. This is the last time Kristin Smart was seen by anyone other than Paul Flores.

On Monday, 05/27/96, Jennifer Phipps reported Kristin Smart missing to the Cal Poly Police Department. A report was not taken at that time. Phipps knew Smart from living in the same dorm building. When Smart still had not returned on Tuesday, 05/28/96, Phipps called the San Luis Obispo Police Department to report Smart missing a second time. The report was ultimately referred to the Cal Poly Police Department and Cal Poly began their investigation on Tuesday 05/28/96. Investigators later spoke with Kristin Smarts roommate, Crystal Calvin. Calvin stated she last saw Kristin Smart during the evening hours of Friday 05/24/96. She stated Kristin Smart was looking for a party to attend. Calvin said Kristin Smart never returned to the room on the night of 05/24/96. Calvin began to get worried when Kristin Smart did not return on Saturday 05/25/96 or Sunday 05/26/1996. Calvin said Smart often stayed out all night but always returned within a 24-hour period. Calvin was concerned because Kristin Smart did not go anywhere overnight without her red backpack that contained makeup and toiletry items. That red backpack was laying on Kristin Smart's bed on the morning of Saturday 05/25/96 in the same position Kristin Smart left it when she left the dorm room on Friday 05/24/96.

On Tuesday 05/28/96, Cal Poly Investigators contacted Paul Flores in his dorm room. **Investigators stated he was extremely nervous, and his heart was pounding under his t-shirt.** Investigators noticed yellowish discoloration beneath his right eye. Investigators later interviewed Flores multiple times and he gave several different renditions of how and where he last saw Kristin Smart during the early morning hours of Saturday 05/25/96. Flores first told investigators he suffered the black eye while playing in a basketball game on Monday 05/27/96 with Jeremy Moon and two other males. Flores said he was elbowed in the face during the game which caused the black eye. Jeremy Moon was later interviewed by investigators and said he picked Flores up from Ruben Flore's (Paul's father) house on Sunday 05/26/96. Moon said when he picked Paul Flores up, Moon noticed Paul Flores had a black eye. Moon thought this was odd, therefore he asked Paul Flores... "What happened to you? Did you get rat packed at a party?" Paul Flores told Moon he did not know how he got the black eye. Paul Flores said, "I just woke up with it." **Moon said, "I know he had the black eye on Sunday night and he didn't get it playing basketball."**

Ruben Flores said he picked Paul Flores from campus on 05/26/1996 and returned to his house in Arroyo Grande, Paul Flores began working on a stereo in their Ford Ranger pick-up before taking a nap. According to Ruben Flores, he went to wake Paul Flores up from his nap on Sunday 05/26/96 and observed the "dark blue or something like that" mark on Paul Flores eye. Ruben Flores asked Paul Flores what happened to his face. Paul Flores stated he didn't know he had anything on his face. Paul then went and looked in the mirror. Paul Flores said, "Oh gee, I must have got it working on the car or sleeping or something."

During a subsequent Civil Depo Ruben Flores said Paul Flores began working on his truck. Ruben Flores admitted to seeing scratches on the knees of Paul Flores on Sunday, 05/26/1980, in the same deposition.

In December of 1998, Detective Crawford requested Dr. Kusomoto examine photographs of the bruise on Paul Flores' face. Dr. Kusomoto provided a report saying he believed the bruise was 0-3 days old, could not have been caused by a steering wheel and the injury was likely not self-caused. Flores also had the black eye on a 05/27/1996 booking photo, when he was booked by AGPD for an unrelated warrant.

Paul Flores was interviewed multiple times during the infancy of this investigation. During a filmed June 19,1996 interview, Investigator Hobson leaned over to Paul Flores and said **"there is no doubt in our minds that you know what happened to Roxy (Smart)," Flores clearly nodded his head up and down in the affirmative motion and said "yeah."**

During an interview on May 31, 1996, Investigator Hanley asked Paul Flores if he believes Kristin Smart is alive or dead. Flores replied, "I think she's dead." In a later interview Flores was asked what he thinks happened to Smart and he said, "someone put her in the car and took her someplace, I don't know." Your Affiant thinks it is unusual Paul Flores said in "the" car instead of a car, as if Paul Flores knew the car Kristin Smart was transported in a specific car.

On 06/29/96, Investigators searched Paul Flores' dorm room, #128 in the Santa Lucia residence hall dorm room #128. Four different Cadaver search dogs trained to detect human decomposition were used during the search. The dogs were sent into the residence hall building one at a time. Each dog worked independently and was not allowed to watch the other dogs search. All four dogs alerted to dorm room, Santa Lucia Residence hall #128, at a mattress and a trash can in Flores' dorm room. The mattress the dogs alerted to belonged to Paul Flores. The dogs did not alert at any other location on Cal Poly Campus.

On 11/22/16, Detective Paul met with District Attorney Dan Dow in his office for the purpose of reviewing hard-copy case information maintained by the DA's Office in this case. Among the items reviewed were several document boxes. In one of the boxes, Detective Paul observed a manila envelope lying flat on the bottom of the file box. The

manila envelope contained 10 pages of handwritten meeting notes written on pages take from a day planner. All 10 pages contained information related to this case. Beginning on page five of the notes, the notes appear to document a meeting which occurred on 02/04/2003 at 1530 hours. The notes discuss plea bargain strategies for Paul Flores in this case. The manila envelope also contained a two-page letter dated 02/15/ 2003, from Attorney James Murphy to District Attorney Gerald Shea. The letter was a follow up to the meeting noted above and propose a plea bargain for Paul Flores.

Detective Paul and Sheriff Parkinson met with the Smart's Attorney Jim Murphy about the plea discussions. Murphy recalled that Paul Flore's Attorney De la Motte's offer was for an extremely low criminal charge as part of a case resolution; something such as an infraction. Murphy was unsure exactly where the discussions broke down. **Based on the dialogue with De la Motte, Murphy had absolutely no doubt that Flores knows the circumstances of Smart's death, and the location of her body.**

On 10/22/2019, Sheriff Parkinson received an email from District Attorney Dan Dow. The email contained five attachments. DA Dow located these electronic documents that belonged to former DA Shea. One of the five attachments was a series of chronological electronic notes taken by DA Shea. This document was titled "Smart 5-7-10." Among the content in those notes was an entry dated May 2, 2010 quoting De la Motte as stating,

"I just want to say one thing and I shouldn't even be saying this. But if you'll come to me with an offer of an involuntary with only one condition and that is that he'll take law enforcement to the body, then I can make that deal happen."

A key component in the litany of plea options discussed was that Paul Flores would lead investigators to Smart's body. His own attorney reflected such an ability as recently as 2010. Considering the legal professionals involved, the extended timeline over which the dialogue took place, and the fact that the case had not been filed criminally at any point in time leads clearly to the conclusion that Paul Flores is criminally involved in her death. If he were not, there would be no such need for a plea in the first place.

On 11/18/19 at 1519 hours, Witness Jennifer Hudson arrived at Sheriff's Office headquarters for the purpose of an interview.

Hudson told Detective Cole and Commander Paul that at the time of Kristin Smart's disappearance, she was dating a person by the name of Brent Moon. Hudson said she and Moon were skateboarding at a house in San Luis Obispo that she described as a "party place with a huge half pipe skate ramp". Hudson said she was 17 years old at the time and the residence was "like a big party" where people skateboarded.

Hudson said sometime between the end of August 1996 and the beginning of September 1996, Paul Flores showed up at the residence and had a conversation with her. Hudson said a friend of hers by the name of "Randy" was also present. Hudson said she is sure of the time frame because it was during the same time, that she

purchased a new Chevrolet car in late August of 1996. Hudson said just as Paul Flores came onto the property, the radio or television was on and there was some type of "commercial" about the Kristin Smart case. Hudson said as the advertisement on the radio/tv about Kristin Smart finished, **Paul Flores said "That bitch dick tease".** Hudson said she vividly remembers Paul Flores calling Kristin Smart a "dick tease". Hudson said **Paul Flores stated he was "at a party with this bitch and all she did was lead me on and I finally had enough of her shit, so I took care of her. So, I buried her either under or next to the skate ramp out at my place in Huasna".** Hudson said she vividly remembers Paul Flores used the term "my place" when he referred to the property in Huasna. Detective Cole later confirmed the location of the skate ramp in San Luis Obispo and confirmed Brett Moon was a regular visitor to the skate ramp. **It was also confirmed that Jennifer Hudson had been to the skate ramp with Moon at least one time.**

Hudson described a second contact she had with Paul Flores at 10940 Ciervo Trail in Huasna. Hudson said this person she was dating and a friend of his were at her house in Huasna on Bar BB Lane drinking beer and doing drugs when one of the two males said Paul Flores invited them to go skateboard on the skate ramp in Huasna off Huasna Road. Hudson said she drove the two males to a location on Huasna Road. Hudson said they arrived at the location before Paul Flores and they parked on the side of the road to wait for Paul Flores. Hudson said she assumed the person they were waiting for was going to be the same person that she had a conversation with at Red's house about a skateboard ramp in Huasna.

Hudson said one of the two males in her car said, "He's here". Hudson said she then looked in her rear-view mirror and saw a white 4-wheel drive pickup truck driving down the road. Hudson said the road she was driving on was not well maintained and she was worried her vehicle was going to get damaged. Hudson said this is one of the reasons she remembers Paul Flores was driving a 4-wheel drive pickup truck. Hudson said when the male in the white pickup truck got out of the truck, she immediately recognized him as Paul Flores. Hudson said Paul Flores also recognized her and said something like, "It's you again". Hudson said Paul Flores was standing in front of her vehicle with the other two males and Paul Flores asked her if she wanted to go skinny dipping in the pond on the property. Hudson said she acted like she didn't hear Paul Flores. She then stepped out of her vehicle and threw up because she was so upset when she realized she was at the same location where Kristin Smart was potentially buried. Hudson said she threw up and some vomit got on one of her shoes.

Detective Cole then read Hudson a Photo Lineup Admonition and showed Hudson a photographic lineup to see if she could positively identify Paul Flores. Hudson quickly pointed to the person in position #5, which was Paul Flores.

Through further investigation, Detective Cole identified a female by the name of Elaine Elmore whose family owned the ranch adjacent to 10940 Ciervo Trail in 1996. On 04/27/20 at approximately 1000 hours, Detective Cole met with Elmore at 10940 Ciervo

Trail in Huasna in attempt to identify the location of the skate ramp in 1996. Detective Cole parked his car in the driveway and Elmore told him she believed the skate ramp had been located just in front of where he had parked his car. Elmore said the skate ramp was brown in color and was placed "lengthwise" alongside the driveway, east of the driveway. This location is very close to the area in which Hudson first stopped when they visited the property on 12/05/19. Detective Cole later spoke with Kristine Mase, who is the sister of Elmore. Mase also confirmed that a skate ramp was present at that location in 1996.

In an interview conducted with Fatima Martin in May of 1999, Martin said she used to work with Paul Flores at Garland's Hamburgers in Grover Beach, CA. On three separate occasions, Flores put his hand between her legs and also attempted to pinch her breasts. On one occasion, Flores rubbed onions on Martin's face while he pinned her to the ground for 5 minutes and sexually battered her. An additional employee at the same location, Tami Johnson, also stated that Paul Flores grabbed her breasts and buttocks unsolicited.

In an interview conducted with Balvindark Chima in August of 1996. Chima said Flores showed up at her residence in the middle of the night, rang her doorbell, and requested a hug. She told him to leave and he proceeded to climb up to her balcony and pounded on her sliding door. The San Luis Obispo Police Department responded and removed Paul Flores from the property

Roxanne Torres said she worked with Paul Flores at a Coca-Cola plant in Los Angeles. On 02/25/13, Torres said Paul Flores kept asking her to go out and get drinks with him. Torres said Flores asked her 24 times over a four-day period, even though Torres told Flores she did not drink. On 02/28/13 after Torres told Flores she would not go out with him Flores said, *"Ok ... we can go back to the hotel and you can pass out."* Torres said she did not know what Flores meant because she did not drink, and this comment surprised her.

On 01/17/2007 at 0941 hours a female victim reported she that was raped to the Redondo Beach Police, (ref CR 07-0379), by an unknown subject on 01/16/2007. The victim said she arrived at the **BAC Street Bar** in Redondo Beach, CA at approximately 2100 hours. The victim met up with some acquaintances of hers at the bar. The victim had several drinks and 5 beers and went outside to smoke two cigarettes. There was a period where her drink was left alone at the bar with a coaster on it. She came back in the bar and started feeling more "buzzed" so she went and sat on a barstool, and that is the last thing she remembers of that night. The victim said her next memory was waking up inside an unknown residence the next morning, completely naked with only a blanket around her. The victim went to the hospital for a SART exam and Police were called. The victim said she has no memory of seeing/meeting the suspect at the bar, being at his residence, or having intercourse , with him but knew she had intercourse. The SART Exam showed injuries to the victim's rectum and vagina.

On 07/06/2011 a Cold Hit Outcome Project match was made between the DNA of Paul Flores, who was previously placed in CODIS for a felony arrest from the evidence specimen from the victim in the rape case (reference Redondo P.D. report # 07-379). This case was never prosecuted, but confirms Paul Flores raped the victim.

On 02/05/20, Sheriff's Detectives, along with multiple allied agencies, served a multi-location Search Warrant (Search Warrant #13651). The locations included the residence of Paul Flores located at 938 West Upland Avenue in San Pedro.

During the search of Paul Flores residence, numerous electronic devices were seized for evidence. A forensic search of each device was later conducted pursuant to Search Warrant #'s 13663 and 13697. When the forensic examination was conducted, some shocking files were located. **Flores had numerous homemade pornographic videos which depict who we know to be Paul Flores digitally penetrating, sodomizing and having sexual intercourse with unconscious females.** These videos appeared to be filmed inside the bedroom belonging to Paul Flores as the furniture, wall fixtures, bed, etc. all match how the residence appeared during the service of the search warrant. Various videos have audio where Paul Flores speaks. Investigators who are familiar with Flores recognize the voice in the video to be his and you can see his face in one video. Many of the videos located were saved in a file titled "practice" and located on Paul Flores external hard drive and computer. During many of the home-made videos, there is no audible response from any of the female subjects. There is little to no movement by the female subjects for that matter which makes one question their state of consciousness and level of consent that can be given for the sex acts performed.

Numerous pornographic video and images of children (under the age of 18) engaging in sexual conduct (oral copulation, sodomy, sexual intercourse, and masturbation) were located. Thousands of files were reviewed and found to have young teenaged boys and girls naked in various photo series. There were images of teenaged boys and girls performing sex act with adults.

The amount of pornographic content on Paul Flores' electronic devices was enormous. He appears to be obsessed with sexual conduct involving intoxicated and under the influence females. There are numerous rape fantasy videos, sexual intercourse with intoxicated females, and sexual intercourse with females who are unconscious. This evidence was turned over to Los Angeles Police Department for further investigation.

This type of predatorial behavior has a direct correlation to the Kristin Smart investigation. According to numerous witness statements as referenced throughout this summary, Kristin Smart was extremely under the influence the night she was last seen with Smart. Paul Flores offered to walk her home that evening and was the last person seen with The videos described above, which were located on various Paul Flores devices, combined with many historical witness statements of Paul Flores unwanted sexual advances and sexual assaults on multiple females, paint a clear picture into the

predatorial mindset he holds. Investigators strongly believe this mindset is a significant contributing factor in the disappearance of Kristin Smart.

On 04/22/2020 Detectives served another Search Warrant on the residence and person of Paul Flores. During this search, a prescription bottle that contained Flexeril was in a bathroom labeled Room 800, in a medicine cabinet on the second shelf. The bottle contained 19 Cyclobenzaprine tablets (generic name for Flexeril). This medication is a muscle relaxer that is water soluble and should not be used with alcohol. I did some research online and this drug could make people severely lucid and induce a passed-out state if combined with alcohol. The medication was prescribed to Paul Flores in 2015 and expired in 2017 and was a 30-count prescription when prescribed. I have no idea if Paul Flores used this drug illicitly, but this drug has the potential to put people in a similar state that I saw females in on the videos Flores had in his possession.

Paul Flores also had two empty bottles of canine Tramadol in his residence. On 02/04/2021 at approximately 1621 hours. I spoke with Dr. Owen Shea, a local anesthesiologist on the telephone. Dr. Shea told me Tramadol is a pain medication that works like a narcotic similar to Morphine and Fentanyl. Dr. Shea told me these medications create narcosis and are in the opiate family. Dr. Shea said if Tramadol is used outside of a normal prescription, a person would show significant changes, particularly if the Tramadol is mixed with alcohol. Tramadol mixed with alcohol causes a synergistic effect. Dr. Shea said it is his experience and opinion that alcohol is the carrier solution to get offending date rape drugs into a victim's system.

Dr. Shea said Tramadol, Flexeril, and alcohol combined can cause amnesia and non-responsiveness. I described to Dr. Shea how some of the victims in the digital media belonging to Paul Flores looked in the videos and Dr. Shea said my description would indicate a classic case of those victims being drugged. Dr. Shea said under the influence of Tramadol or Flexeril, a person would not know what is happening. Dr. Shea said it would be possible that a person under the influence of Tramadol or Flexeril may respond with noises or even words, but they would not be at a level to understand their surroundings and would not be willing to provide consent to a sex act because they are under the influence of a narcotic.

Two orders to intercept electronic communications between Flores family members were carried out in this investigation. The first took place in 1999, and the second in 2020. Among the many pertinent calls which were intercepted in both efforts, on 01/11/2020, Susan Flores began to discuss the Smart case with Paul Flores. She told Paul Flores that she needs to come visit him to get his affairs in order because he is going to get arrested. On 01/26/2020 Susan Flores told Paul Flores ***"The other thing I need you to do is to start listening to the podcast. I need you to listen to everything they say so we can punch holes in it. Um, wherever we can punch holes. Maybe we can't. You, you're the one that can tell me."***

During the 30 days of intercept, multiple pertinent conversations were monitored between all parties. Among the pertinent phone calls, many were between Susan Flores

and Paul Flores. While speaking to Paul Flores on the phone, Susan Flores began to speak to him about the Kristin Smart investigation. She proceeded to tell him that she needs to come to San Pedro and visit him for the purpose of getting his finances in order because he is going to get arrested.

She stated she wanted to know how he pays his bills, out of which accounts, how to care for his dogs, ect... She stated his bail will most likely be so high, they will not be able to afford the bail.

L.A.P.D investigated Paul Flores for sexual assaults based on the homemade videos located on Flores' digital devices seized during our Search Warrant on Paul Flores residence. L.A.P.D identified two victims who told L.A.P.D Investigators they were sexually assaulted by Paul Flores. I spoke with L.A.P.D Detective Aguirre who told me the circumstances of these sexual assaults. The M.O. of these sexual assaults is very similar to the above-mentioned Redondo P.D. rape and what I believe happened to Kristin Smart. Detectives from the SLO County Sheriff's Office located a third victim who was sexually assaulted by Paul Flores. This victim, known by her initials as T.K., identified herself in a video tape Paul Flores took of himself with T.K. In the video T.K., is clearly unconscious and her eyes are rolled back in her head. T.K. met Paul Flores at the **Bac Street Bar** in Redondo Beach, CA in 2011. This sexual assault is also very similar to the known M.O. of Paul Flores.

On 02/17/2021 at approximately 1705 hours, I spoke with Angie Carrizel on the telephone. I knew that Carrizel was previously in a dating relationship with Paul Flores. Carrizel said on one occasion she was "play fighting" with Paul Flores in the bedroom and does not think Paul Flores had been drinking alcohol on that night. Carrizel said "something happened" and Paul Flores "changed". Carrizel said Paul Flores grabbed a butter knife and put it against her throat. Carrizel said Paul Flores was "in a weird zone" and he would not "get off" of her. Carrizel said for some unknown reason, Paul Flores "became very serious" and was no longer play fighting. Carrizel said she became worried that Paul Flores was going to hurt her and started to scream. Carrizel said her roommate heard her screams, broke down the bedroom door, and yelled at Paul Flores to "get the fuck off her", referring to Carrizel. Carrizel said a couple weeks after that incident, Paul Flores got angry at her and punched her in the arm. Carrizel said she slept on the couch that night and left Paul Flores' residence the next day.

Carrizel said on another occasion, Paul Flores came home extremely intoxicated and kept telling Carrizel he had to tell her something. Carrizel said Paul Flores then stated he "could not" tell her. Carrizel said Paul Flores then "blacked out or passed out" due to his level of intoxication. Carrizel said she initially thought Paul Flores was cheating on her and was going to admit it, but after she and Paul Flores broke up and she learned about the Kristin Smart investigation, she believed Paul Flores wanted to tell her about his involvement in the Kristin Smart investigation. Carrizo said she encouraged Paul Flores to tell her what he was going to tell her, but he refused. Carrizo said she now

honestly believes Paul Flores was going to discuss his involvement in the Kristin Smart case.

On 02/24/2021 at approximately 1806 hours, I spoke to David Stone on the telephone. Stone told me he rented a room from Ruben Flores at 710 White Court in Arroyo Grande, CA for approximately 10 years. Stone said he 100% thinks Paul Flores is involved in Kristin Smart's disappearance and Ruben Flores helped dispose of her body.

I asked Stone if while he lived at the White Court address, there were areas that Ruben did not want him going around on the property and he said no. Stone said there is an access door underneath the deck in the rear of the house. Stone said that door was always locked and in 10 years Stone never saw Ruben Flores open that door. Stone said on one occasion there was a leak in the kitchen and a service man came and Ruben would not let the service man go under the deck to fix the problem. Stone said the service man said he needed to get in there and Ruben Flores said no. Ruben said he would take care of the problem himself. Stone said he thought this was odd and it happened about 7-8 years ago. Stone said, "and if you think about it what would be a perfect place to dispose of something where no one can see you." Stone said he was pretty sure you could stand up in the crawlspace and said the door was a half door. Stone said he does not believe this crawlspace has ever been searched by Law Enforcement.

I asked Stone if Ruben Flores has a Volkswagen car in his garage and Stone said yes. Stone had people that were interested in buying the car from Ruben Flores. Stone said Ruben told him he would not sell the Volkswagen, saying the car was his daughter's car, Stone told Ruben that nobody wanted that car because it was a "piece of shit" and Ermelinda (Rubens's daughter) has a brand-new car and does not want the Volkswagen. Stone said Ruben said it was his daughter's car and he would never get rid of the car. Stone said he always thought that was odd. Stone said he believed the Volkswagen also has never been searched. Stone said he does not know why Ruben does not want anybody to touch that car.

Your Affiant believes it is reasonable to believe Paul Flores transported the body of Kristin Smart in a vehicle. Your Affiant knows that Ermelinda Flores lived 1.3 miles away from the dorm of Paul Flores and Paul Flores knew his sister had this Volkswagen at her residence. Your Affiant believes it is very odd that Ruben Flores continues to hide this car in his garage and not use it after nearly 25 years.

Your Affiant authored Search Warrant #14619 (signed by the Honorable Judge Guerrero on 03/09/2021) which authorized the search of the exterior property of Ruben Flores' residence, 710 White Court in Arroyo Grande, Ca. This search was for human remains using cadaver dogs and ground penetrating radar. This Search Warrant also authorized the seizure and search of the Volkswagen car in the garage of Ruben Flores' residence.

On 03/15/2021 and 03/16/2021 Sheriff's Detectives searched the exterior property of Ruben Flores' residence. I had made previous arrangements for Phil Hanes and Cindy Arrington from Natural Investigations Company to respond to the property and search using ground penetrating radar equipment. Hanes and Arrington located several locations they felt warranted further examination by excavation due to the GPR results.

One of the most suspicious areas identified by Phil Hanes and the ground penetrating radar equipment was identified as Grid 1. The area measured 36 feet east west by 4 feet north south. The area is on the northwest side of the residence, underneath the deck, behind the lattice panels. The GPR equipment located a large, 4-foot by 6-foot anomaly on the western end of Grid 1. This anomaly showed significant soil disturbance from the surface to a depth of approximately 4 feet below surface. The greatest soil disturbance is between 1 and a half to 3 and a half feet below the surface. Based on the size, shape, and location of this anomaly, this area was chosen for excavation. This area represented the highest probability excavation target within the GPR survey. Hanes told me this anomaly showed a soil disturbance that could be consistent with prior digging of a "good size hole". The perimeters of the hole could indicate a burial site. Hanes said there were enough markers in Grid 1 to warrant an excavation. During the excavation of Grid 1, a strange stain was located in the soil.

Arrington told me, "Something was there, because something left a stain and somebody dug a very large hole, relatively speaking, you know because absolutely the soil had been turned completely, so someone dug it out and put it back, and I mean, there was no other evidence of it going further down towards the entrance to the under porch, of disturbance. So, why would one spot have such major disturbance because that soil was just turned to a hot mess and nowhere else".

Arrington was asked if based on everything she knows, is that indicative that a body was there at some point. Arrington said it neither confirms nor denies that a body was there. But it leans more to the fact that somebody had placed a body there than not. Investigators did not find human remains but collected two soil samples from this location.

On Tuesday, 3/16/2021 at approximately 1500 hours, I responded to the Sheriff's Office Crime Lab and met with Forensic Specialist S. Liddell who turned over 2 soil samples. The first soil sample (RMS Item #775) was collected at the Grid 1 excavation site at approximately 2 feet deep. The second soil sample (RMS Item #776) was collected from the same Grid 1 excavation but at a depth of approximately 4 feet.

I spoke with SERI Criminalist Angie Butler who has performed prior work on this investigation. I requested Butler perform a presumptive test for blood on the soil samples. I also requested Butler to perform DNA analysis on the soil samples. Butler suggested I wait at the lab while she performs the presumptive tests. Most of the presumptive tests were positive for blood however Butler said that is not uncommon for soil samples due to all the chemicals found in soil. Butler then placed some of the soil into a Seratec HemDirect device which tests for human blood. One of the soil samples

had a faint positive result for human blood. Butler stated the only reason for a positive result other than human blood would be the blood of a ferret or primate. I had several other conversations with Butler who said it was her opinion the soil sample I provided contained human blood. I left the facility but later received a picture of the tests on 4 additional samples that tested positive for human blood.

Butler stated other employees at the SERI Lab confirmed the positive results. I requested SERI Lab test the soil samples for any human DNA results. On 03/23/2021 I received a phone call from Butler saying no DNA was present in the soil samples provided.

The Volkswagen car was forensically searched on Thursday 03/18/2021. The only items of interest in the car were some hairs that will be later forensically examined.

Your Affiant believes it is very suspicious there was prior digging, a suspicious stain, and human blood located at a 4-foot level at Grid 1. I believe it is reasonable to believe that Paul and Ruben Flores placed Kristin Smart's remains in a hole at Grid 1 and removed her remains at some point. Your Affiant believes there is no reasonable explanation for blood being found 4 feet deep in a previously dug hole at the residence of murder suspect Paul Flores, except that there were human remains there previously.

Your Affiant knows that Ruben Flores intentionally lied in depositions and interviews in the past. For over 24 years Ruben Flores has been evasive and uncooperative with Law Enforcement in this case. Your Affiant believes Ruben Flores has assisted Paul Flores in keeping the remains of Kristin Smart hidden. Your Affiant believes it is reasonable to believe Kristin Smarts remains were in the hole under the deck of Ruben Flores residence at one time. Your Affiant believes Paul and Ruben Flores knows where the remains of Kristin Smart are based on prior plea agreement discussions between the District Attorneys Office and the former Attorney of Paul Flores, as well as my case knowledge. David Stone told me Ruben Flores would never let anyone under the deck and the gate was always locked during Stone's tenure at Ruben's residence (10 years). This is the same area Cindy Arrington said there was most likely a human body under this same deck where we excavated. Your Affiant believes that if Ruben Flores were to make bail, he could possibly move Kristin Smarts remains again.

This is an extremely high-profile case and I know CBS 48 Hours crime documentary show released a documentary on this case on 11/28/2020. Paul Flores has been extremely uncooperative with Law Enforcement for the past 24 years and his family has sheltered and assisted him regarding this case and continues to do so. I do not know any direct information showing Flores would flee if released, but I do believe it is reasonable to believe he could flee, to avoid facing these charges. Ruben Flores has a daughter in Washington who is very protective of him and has also been extremely uncooperative with Law Enforcement. Ruben Flores visited his daughter in Washington in December 2019.

I know there is a chance Ruben Flores could make bail because Paul Flores, Susan Flores and Ruben's daughter all own homes that can be used as collateral for bail. It was revealed during the wiretap on this case that Ruben Flores received over 100,000 dollars last year from an unknown source.

Your Affiant believes the facts and circumstances listed above show that Paul Flores is responsible for the death of Kristin Denise Smart. Your Affiant respectfully requests an Arrest Warrant for Ruben Ricardo Flores for PC 32 with no bail.

Your Affiant is very concerned that if Ruben Flores were to make bail it is reasonable to believe Ruben Flores could move the remains of Kristin Smart in his continued attempt to be involved in this case and cover for Paul Flores. Your Affiant respectfully requests Ruben Flores be given no bail.

I certify that this is a correct copy of the original on file with the Clerk of the Superior Court of California, County of San Luis Obispo. Attest my hand and seal of said court on

(Date) 4-6-2021

Michael Powell

MICHAEL POWELL, Court Executive Officer

Certification must be in purple ink to be a CERTIFIED COPY



15 pgs
R King